



## **FLORISSANT CITY COUNCIL AGENDA**

*City Hall*

*955 Rue St. Francois*

**MONDAY, FEBRUARY 13, 2023**

**7:00 PM**

*Karen Goodwin, MMC/MRCC*



### **I. PLEDGE OF ALLEGIANCE**

### **II. ROLL CALL OF MEMBERS**

### **III. APPROVAL OF MINUTES**

*	City Council meeting minutes of January 23, 2023
*	Executive Meeting Minutes of January 23, 2023

### **IV. SPECIAL PRESENTATIONS**

	<b>PROCLAMATIONS</b>
*	National School Counselor Week
*	St. Ferdinand Fish Fry 70th Anniversary

### **IV. HEARING FROM CITIZENS**

### **V. COMMUNICATIONS**

### **VI. PUBLIC HEARINGS**

22-12-026	Request to approve a final subdivision plat of "Lot 12 of St. Ferdinand Commons" for the property located at 3200 N. Hwy 67. (This application has been withdrawn by the petitioner)	Withdrawn
22-12-027	Request to rezone the property located at 3200 N Hwy 67 from B-3 "Extensive Business District" to B-5 "Planned Commercial District" to allow for a credit union with attached drive-thru. (This application has been withdrawn by the petitioner)	Withdrawn

23-02-004	Request to amend B-5 Ordinance no. 8648 to allow for sit-down, carry-out restaurants located at 1616/1620 Shackelford. (Planning and Zoning recommended approval on 1/17/2023)	Mark Ratterman
23-02-005	Request to amend Sections 405.035, 405.120, 405.125, 405.140, 405.145, and 405.155 to allow for changes consistent with State Regulations regarding cannabis/marijuana products and facilities. (Planning and Zoning recommended approval on 1/17/2023)	Staff

## **VII. OLD BUSINESS**

	<b>BILLS FOR SECOND READING</b>	
9853	Ordinance authorizing a transfer of Special Use Permit no. 4680 as amended from Desmet RHF Housing Inc. to All saints Apartments LLC. for the operation of housing units for the Elderly located at 1425 N. New Florissant Road.	O'Donnell
9854	Ordinance authorizing a transfer of Special Use Permit no 4294 as amended from St Catherine RHF Housing, Inc. to All Saints Apartments, LLC for the operation of a retirement community located at 3350 St. Catherine.	Parson

## **VIII. NEW BUSINESS**

	<b>BOARD APPOINTMENTS</b>	
Council	Parks Advisory Board - Mindy Berns	Ward 3
	<b>REQUESTS</b>	
Liquor	Request for a Full Liquor by the Drink license for Shade Restaurant & Bar located at 1752-1756 N. New Florissant Road.	Leslie West
Special USE Transfer	Request for a transfer of Special Use Permit no. 8643 from Selena Williams to Beautiful Memories d/b/a Dela Rae Events for the operation of an event center located at 3421 N. Hwy 67.	Kim Allen

	<b>BILLS FOR FIRST READING</b>	
9858	Ordinance authorizing an amendment to B-5 Ordinance no. 8648 to allow for sit-down, carry-out restaurants located at 1616/1620 Shackelford.	Harris
9859	Ordinance authorizing an amendment to Sections 405.035, 405.120, 405.125, 405.140, 405.145, and 405.155 to allow for changes consistent with State Regulations regarding cannabis/marijuana products and facilities.	Eagan
9860	An ordinance amending Chapter 210, Article I, Section 210.010, and Article XI, Offenses Concerning Drugs, Sections 1800, 1810, 1830, and enacting section 1900 of the code of ordinances, City of Florissant, Missouri.	Eagan
9861	An Ordinance amending Chapter 342, Alcohol-Related Traffic Offenses of the Code of Ordinances, City of Florissant, Missouri	Eagan

## **IX. COUNCIL ANNOUNCEMENTS**

## **X. MESSAGE FROM THE MAYOR**

## **XI. ADJOURNMENT**

***THIS AGENDA WAS POSTED ON THE BULLETING BOARD IN THE LOBBY AT CITY HALL AND ON THE CITY WEBSITE AT FLORISSANTMO.COM ON FEBRUARY 10, 2023 BY 12:00 PM.***

***ANY ONE WISHING TO ATTEND THE COUNCIL MEETING WHO HAS SPECIAL NEEDS SHOULD CONTACT THE CITY CLERK BY NOON ON MONDAY, MONDAY, FEBRUARY 13, 2023***

# CITY OF FLORISSANT



## COUNCIL MINUTES

Monday, January 23, 2023

The Florissant City Council met in regular session at Florissant City Hall, 955 Rue St. Francois on Monday, January 23, 2023 at 7:00 PM with Council President Eagan presiding.

### **I. PLEDGE OF ALLEGIANCE**

The Chair asked everyone in attendance to stand and join in reciting the Pledge of Allegiance.

### **II. ROLL CALL OF MEMBERS**

On Roll Call the following Councilmembers were present: O'Donnell, Pagano, Parson, Siam, Harris, Manganelli, Eagan, Caputa, and Schildroth. Also present was Mayor Timothy Lowery, City Clerk Karen Goodwin, and City Attorney John Hessel. A quorum being present the Chair stated that the Council Meeting was in session for the transaction of business.

### **III. APPROVAL OF MINUTES**

Councilman Parson made a motion to approve the City Council Minutes of January 9, 2023, seconded by Pagano. Motion carried.

### **IV. SPECIAL PRESENTATIONS**

#### **PROCLAMATIONS**

Black History Month

The City Clerk read the Proclamation for Black History Month 2023.

### **V. HEARING FROM CITIZENS**

There were none.

### **VI. COMMUNICATIONS**

There were none.

### **VII. PUBLIC HEARINGS**

22-12-026. Request to approve a final subdivision plat of "Lot 12 of St. Ferdinand Commons" for the property located at 3200 N. Hwy 67. (Planning and Zoning postponed the review of this item, therefore the City Council is requested to postpone to the next meeting)

Councilman Eagan moved to postpone Public Hearing No. 22-12-026 to February 13, 2023 to wait for the approval of the final subdivision plat, seconded by Pagano. Motion carried.

22-12-027. Request to rezone the property located at 3200 N Hwy 67 from B-3 "Extensive Business District" to B-5 "Planned Commercial District to allow for a credit union with attached drive-thru. (Planning and Zoning Recommended approval on December 5, 2022, this item is requested to be postponed to the next meeting pending subdivision approval)

Councilman Eagan moved to postpone Public Hearing No. 22-12-027 to February 13, 2023 to wait for the approval of the final subdivision plat, seconded by Schildroth. Motion carried.

### **VIII. OLD BUSINESS**

#### **BILLS FOR SECOND READING**



9846. Ordinance authorizing a Special Use Permit to Krystal Smith d/b/a Krissy's for the location of a sit-down, carry-out, drive-thru restaurant located at 2470 N. Hwy 67.  
Councilman Siam moved that Bill No. 9846 be read for a second time, seconded by Harris. Motion carried and Bill No. 9846 was read for a second time.  
Councilman Caputa moved that Bill No. 9846 be read for a third time, seconded by O'Donnell. Motion carried and Bill No. 9846 was read for a third time and placed upon its passage.  
Before the final vote was taken, all interested person were given the opportunity to be heard.  
On roll call the Council voted as follows:

#### **VOTING**

Motion by: Councilman Caputa, Jeff

Second by: Councilman O'Donnell, Thomas

COUNCIL MEMBERS	YES	NO	ABSTAIN	RECUSE
Councilman Eagan, Joseph	X			
Councilman Harris, Andrew	X			
Councilman Manganelli, Paul	X			
Councilman Caputa, Jeff	X			
Councilman Schildroth, Keith	X			
Councilman O'Donnell, Thomas	X			
Councilwoman Pagano, Jackie	X			
Councilman Parson Jr., Robert	X			
Councilman Siam, Tommy	X			

Whereupon the Chair declared Bill No. 9846 to have passed and become Ordinance No. 8853.

9847. Ordinance to authorize an amendment to B-5 ordinance no. 6266 to add "Educational Development Center" as a permitted use at 3180 N. Hwy 67 (Goodwill Excel Center)  
Councilman Siam moved that Bill No. 9847 be read for a second time, seconded by Manganelli. Motion carried and Bill No. 9847 was read for a second time.  
Councilman Harris moved that Bill No. 9847 be read for a third time, seconded by Manganelli. Motion carried and Bill No. 9847 was read for a third time and placed upon its passage.  
Before the final vote was taken, all interested person were given the opportunity to be heard.  
On roll call the Council voted as follows:

#### **VOTING**

Motion by: Councilman Harris, Andrew

Second by: Councilman Manganelli, Paul

COUNCIL MEMBERS	YES	NO	ABSTAIN	RECUSE
Councilman Eagan, Joseph	X			
Councilman Harris, Andrew	X			
Councilman Manganelli, Paul	X			
Councilman Caputa, Jeff	X			
Councilman Schildroth, Keith	X			
Councilman O'Donnell, Thomas	X			
Councilwoman Pagano, Jackie	X			
Councilman Parson Jr., Robert	X			
Councilman Siam, Tommy	X			

Whereupon the Chair declared Bill No. 9847 to have passed and become Ordinance No. 8854.

9848. Ordinance to authorize a B-5 "Planned Commercial District" to allow for a grocery store located at 182/240 Howdershell (Aldi).  
Councilman Eagan moved that Bill No. 9848 be read for a second time, seconded by Schildroth. Motion carried and Bill No. 9848 was read for a second time.  
Councilman Eagan moved that Bill No. 9848 be read for a third time, seconded by Manganelli. Motion carried and Bill No. 9848 was read for a third time and placed upon its passage.  
Before the final vote was taken, all interested person were given the opportunity to be heard.  
On roll call the Council voted as follows:

**VOTING**

Motion by: Councilman Eagan, Joseph

Second by: Councilman Manganelli, Paul

COUNCIL MEMBERS	YES	NO	ABSTAIN	RECUSE
Councilman Eagan, Joseph	X			
Councilman Harris, Andrew	X			
Councilman Manganelli, Paul	X			
Councilman Caputa, Jeff	X			
Councilman Schildroth, Keith	X			
Councilman O'Donnell, Thomas	X			
Councilwoman Pagano, Jackie	X			
Councilman Parson Jr., Robert	X			
Councilman Siam, Tommy	X			

Whereupon the Chair declared Bill No. 9848 to have passed and become Ordinance No. 8855.

9849. Ordinance authorizing the Mayor of the City of Florissant to enter into and execute an agreement with St. Louis County, Missouri to refer participants to the St. Louis County specialty courts Program. Councilman Schildroth moved that Bill No. 9849 be read for a second time, seconded by Caputa. Motion carried and Bill No. 9849 was read for a second time. Councilman Caputa moved that Bill No. 9849 be read for a third time, seconded by Siam. Motion carried and Bill No. 9849 was read for a third time and placed upon its passage. Before the final vote was taken, all interested person were given the opportunity to be heard. On roll call the Council voted as follows:

**VOTING**

Motion by: Councilman Caputa, Jeff

Second by: Councilman Siam, Tommy

COUNCIL MEMBERS	YES	NO	ABSTAIN	RECUSE
Councilman Eagan, Joseph	X			
Councilman Harris, Andrew	X			
Councilman Manganelli, Paul	X			
Councilman Caputa, Jeff	X			
Councilman Schildroth, Keith	X			
Councilman O'Donnell, Thomas	X			
Councilwoman Pagano, Jackie	X			
Councilman Parson Jr., Robert	X			
Councilman Siam, Tommy	X			

Whereupon the Chair declared Bill No. 9849 to have passed and become Ordinance No. 8856.

9850. Ordinance authorizing an appropriation of \$28,700 from the Capital Improvement Fund, \$18,700 to account no. 403-56100-102-230XX for the purchase of a christmas tree extension, and \$10,000 to account no. 403-56100-102-230XX for the purchase of a fountain replacement for City Hall. Councilman O'Donnell moved that Bill No. 9850 be read for a second time, seconded by Parson. Motion carried and Bill No. 9850 was read for a second time. Councilman Caputa moved that Bill No. 9850 be read for a third time, seconded by Siam. Motion carried and Bill No. 9850 was read for a third time and placed upon its passage. Before the final vote was taken, all interested person were given the opportunity to be heard. On roll call the Council voted as follows:

**VOTING**

Motion by: Councilman Caputa, Jeff

Second by: Councilman Siam, Tommy

COUNCIL MEMBERS	YES	NO	ABSTAIN	RECUSE
Councilman Eagan, Joseph	X			
Councilman Harris, Andrew	X			
Councilman Manganelli, Paul	X			

Councilman Caputa, Jeff	X			
Councilman Schildroth, Keith	X			
Councilman O'Donnell, Thomas	X			
Councilwoman Pagano, Jackie	X			
Councilman Parson Jr., Robert	X			
Councilman Siam, Tommy	X			

Whereupon the Chair declared Bill No. 9850 to have passed and become Ordinance No. 8857.

9851. Ordinance authorizing an appropriation of \$175,000 from the Capital improvement fund to budget account no. 403-56100-310-0000xx "Capital Additions-Public Works" for electronic vehicle charging stations

Councilman Eagan moved that Bill No. 9851 be read for a second time, seconded by Schildroth.

Motion carried and Bill No. 9851 was read for a second time.

Councilwoman Pagano moved that Bill No. 9851 be read for a third time, seconded by Manganelli.

Motion carried and Bill No. 9851 was read for a third time and placed upon its passage.

Before the final vote was taken, all interested person were given the opportunity to be heard.

On roll call the Council voted as follows:

### **VOTING**

Motion by: Councilwoman Pagano, Jackie

Second by: Councilman Manganelli, Paul

COUNCIL MEMBERS	YES	NO	ABSTAIN	RECUSE
Councilman Eagan, Joseph	X			
Councilman Harris, Andrew	X			
Councilman Manganelli, Paul	X			
Councilman Caputa, Jeff	X			
Councilman Schildroth, Keith	X			
Councilman O'Donnell, Thomas	X			
Councilwoman Pagano, Jackie	X			
Councilman Parson Jr., Robert	X			
Councilman Siam, Tommy	X			

Whereupon the Chair declared Bill No. 9851 to have passed and become Ordinance No. 8858.

9852. Ordinance authorizing an appropriation of \$150,000 from Capital Improvement Fund to budget account no. 403-56100-310-0000XX for City Hall elevator renovation.

Councilman Manganelli moved that Bill No. 9852 be read for a second time, seconded by Harris.

Motion carried and Bill No. 9852 was read for a second time.

Councilman Parson moved that Bill No. 9852 be read for a third time, seconded by Siam. Motion carried and Bill No. 9852 was read for a third time and placed upon its passage.

Before the final vote was taken, all interested person were given the opportunity to be heard.

On roll call the Council voted as follows:

### **VOTING**

Motion by: Councilman Parson Jr., Robert

Second by: Councilman Siam, Tommy

COUNCIL MEMBERS	YES	NO	ABSTAIN	RECUSE
Councilman Eagan, Joseph	X			
Councilman Harris, Andrew	X			
Councilman Manganelli, Paul	X			
Councilman Caputa, Jeff	X			
Councilman Schildroth, Keith	X			
Councilman O'Donnell, Thomas	X			
Councilwoman Pagano, Jackie	X			
Councilman Parson Jr., Robert	X			
Councilman Siam, Tommy	X			

Whereupon the Chair declared Bill No. 9852 to have passed and become Ordinance No. 8859.

**IX. NEW BUSINESS**

**BOARD APPOINTMENTS**

Ward 8. Re-Appointment of Kent Miller to the Landmark Historic Distric Commission

Councilman Parson moved to reappoint Kent Miller to the Landmark and Historic District Commission with a term expiring 1/24/2026. Seconded by Pagano, motion carried.

Councilman Schildroth moved to accept the mayor's appointment of Jack Ilges to the Youth Advisory Commission with a term expiring 1/23/2026. Seconded by Caputa, motion carried.

Councilman Schildroth moved to accept the mayor's appointment of CJ Steib to the Youth Advisory Commission with a term expiring 1/23/2026. Seconded by Caputa, motion carried.

**REQUESTS**

SUP Request for a transfer of Special Use Permit no. 8643 from Selean Williams to Tiffany Lindsey for  
Transfer. the operation of an event center located at 3421 N. Hwy 67.

Councilman Siam moved to accepted the application for the transfer to Tiffany Lindsey located at 3421 N. Hwy 67, seconded by Parson. Motion carried.

**BILLS FOR FIRST READING**

9853. Ordinance authorizing a transfer of Special Use Permit no. 4680 as amended from Desmet RHF Housing Inc. to All saints Apartments LLC. for the operation of housing units for the Elderly located at 1425 N. New Florissant Road.  
Bill No. 9853 was read for the first time.

9854. Ordinance authorizing a transfer of Special Use Permit no 4294 as amended from St Catherine RHF Housing, Inc. to All Saints Apartments, LLC for the operation of a retirement community located at 3350 St. Catherine.  
Bill No. 9854 was read for the first time.

9855. Ordinance authorizing a re-appropriation of \$875 from account no. 101-54204-102 "Travel & Training-Economic Development" and \$1,905 from account no. 101-54304-102 "Dues & Subscriptions-Economic Development to account no. 101-55008-102 "Professional Services-Economic Development" for the development of a real estate database.  
Bill No. 9855 was read for the first time. Councilman Schildroth moved that Bill No. 9855 be read for a second time, seconded by Eagan. Motion carried and Bill No. 9855 was read for a second time. Councilman Schildroth moved that Bill No. 9855 be read for a third time, seconded by Caputa. On roll call the Council voted: O'Donnell yes, Pagano yes, Parson yes, Siam yes, Harris yes, Manganelli yes, Eagan yes, Caputa yes, and Schildroth yes.

Having received a unanimous vote of all members present Bill No. 9855 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.

Seeing none, on roll call the Council voted as follows:

**VOTING**

Motion by: Councilman Schildroth, Keith

Second by: Councilman Caputa, Jeff

COUNCIL MEMBERS	YES	NO	ABSTAIN	RECUSE
Councilman Eagan, Joseph	X			
Councilman Harris, Andrew	X			
Councilman Manganelli, Paul	X			
Councilman Caputa, Jeff	X			
Councilman Schildroth, Keith	X			

Councilman O'Donnell, Thomas	X			
Councilwoman Pagano, Jackie	X			
Councilman Parson Jr., Robert	X			
Councilman Siam, Tommy	X			

Whereupon the Chair declared Bill No. 9855 to have passed and become Ordinance No. 8860.

9856. Ordinance authorizing an amendment to the 2023 Budget to add a full time Media Production Specialist.  
 Bill No. 9856 was read for the first time. Councilman Schildroth moved that Bill No. 9856 be read for a second time, seconded by Eagan. Motion carried and Bill No. 9856 was read for a second time. Councilman Schildroth moved that Bill No. 9856 be read for a third time, seconded by Caputa. On roll call the Council voted: O'Donnell yes, Pagano yes, Parson yes, Siam yes, Harris yes, Manganelli yes, Eagan yes, Caputa yes, and Schildroth yes.  
 Having received a unanimous vote of all members present Bill No. 9856 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.  
 Seeing none, on roll call the Council voted as follows:

### **VOTING**

Motion by: Councilman Schildroth, Keith

Second by: Councilman Caputa, Jeff

COUNCIL MEMBERS	YES	NO	ABSTAIN	RECUSE
Councilman Eagan, Joseph	X			
Councilman Harris, Andrew	X			
Councilman Manganelli, Paul	X			
Councilman Caputa, Jeff	X			
Councilman Schildroth, Keith	X			
Councilman O'Donnell, Thomas	X			
Councilwoman Pagano, Jackie	X			
Councilman Parson Jr., Robert	X			
Councilman Siam, Tommy	X			

Whereupon the Chair declared Bill No. 9856 to have passed and become Ordinance No. 8861.

9857. Ordinance authorizing an amendment to Section 220.015 "Solid Waste to be Collected" by deleting it in its entirety and replacing it with a new section.  
 Bill No. 9857 was read for the first time. Councilman Caputa moved that Bill No. 9857 be read for a second time, seconded by Manganelli. Motion carried and Bill No. 9857 was read for a second time. Councilman Caputa moved that Bill No. 9857 be read for a third time, seconded by O'Donnell. On roll call the Council voted: O'Donnell yes, Pagano yes, Parson yes, Siam yes, Harris yes, Manganelli yes, Eagan yes, Caputa yes, and Schildroth yes.  
 Having received a unanimous vote of all members present Bill No. 9857 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.  
 Seeing none, on roll call the Council voted as follows:

### **VOTING**

Motion by: Councilman Caputa, Jeff

Second by: Councilman O'Donnell, Thomas

COUNCIL MEMBERS	YES	NO	ABSTAIN	RECUSE
Councilman Eagan, Joseph	X			
Councilman Harris, Andrew	X			
Councilman Manganelli, Paul	X			
Councilman Caputa, Jeff	X			
Councilman Schildroth, Keith	X			
Councilman O'Donnell, Thomas	X			
Councilwoman Pagano, Jackie	X			

Councilman Parson Jr., Robert	X			
Councilman Siam, Tommy	X			

Whereupon the Chair declared Bill No. 9857 to have passed and become Ordinance No. 8862.

#### **X. COUNCIL ANNOUNCEMENTS**

Councilman Manganelli noted the Knights of Columbus will be holding a bocce tournament on June 3<sup>rd</sup>.

Councilman Schildroth wished a happy birthday to Mike DeVito who celebrated his 100<sup>th</sup> birthday. He has been a long-time resident of Florissant, a World War 2 veteran, and has been an active member of the Florissant community.

Councilman Harris noted a family tradition of ice skating on Martin Luther King, Jr. Day and noted residents in Florissant can skate free and free popcorn and soda is provided. He encouraged residents to take advantage of the amenities the City of Florissant provides.

Councilman Caputa reminded residents to lock their firearms in the homes, not their vehicles and encouraged them to be responsible owners.

Councilman Eagan stated the annual St. Ferdinand charity basketball tournament and barbeque will be taking place beginning in February and go through the end of March. He noted the proceeds will go towards a North County resident who is fighting Stage 4 Breast Cancer.

#### **XI. MESSAGE FROM THE MAYOR**

Mayor Lowery noted the St. Louis County election board is accepting applications for those who are interested in serving during the April 4<sup>th</sup> election and has a student program which gives high school students the opportunity to work with veteran election judges.

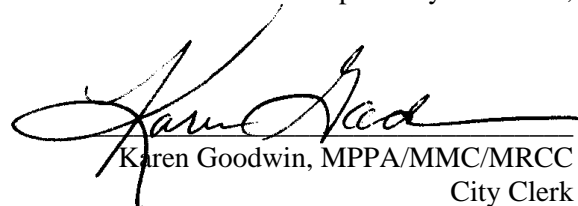
#### **XII. ADJOURNMENT**

The Council President stated the next regular City Council Meeting will be Monday, February 13, 2023 at 7:00 pm.

Councilman Siam moved to adjourn the meeting, seconded by Manganelli. Motion carried.

Adjourned at 7:27 PM

Respectfully submitted,

  
Karen Goodwin, MPPA/MMC/MRCC  
City Clerk

Bill No. 9846	Ord. No. 8853
Bill No. 9847	Ord. No. 8854
Bill No. 9848	Ord. No. 8855
Bill No. 9849	Ord. No. 8856
Bill No. 9850	Ord. No. 8857
Bill No. 9851	Ord. No. 8858
Bill No. 9852	Ord. No. 8859
Bill No. 9855	Ord. No. 8860
Bill No. 9856	Ord. No. 8861
Bill No. 9857	Ord. No. 8862



**CITY OF FLORISSANT**  
**CITY COUNCIL**  
**OPEN EXECUTIVE SESSION**

January 23, 2023

The City Council of the City of Florissant met in open Executive Session on Monday, January 23, 2023 at 6:30 pm. in the Council Chambers with President Joseph Eagan presiding. On Roll Call the following Council members were present: Harris, Manganelli, O'Donnell, Caputa, Siam, Pagano, Parson, Schildroth, Eagan. Also present was Mayor Timothy Lowery, City Clerk Karen Goodwin, City Attorney John Hessel.

Council President Eagan stated that the item on the agenda was the discussion of a proposed greenhouse by the Gardener's of Florissant Club.

David Jones was present representing the club. He stated that the Gardener's of Florissant have been helping Florissant for 65 years. They would like to partner with the City to raise money and apply for grants to construct a greenhouse. The approximate cost of construction and materials is \$450,000.

Councilwoman Pagano asked about the life of the greenhouse. Mr. Jones answered that they typically last 30-40 years. Councilwoman Pagano also asked about the monthly expenses and upkeep of the facility. Mr. Jones stated that they have 60+ members in the club.

Councilman Schildroth asked if they knew the amount of grants available. Mr. Jones stated that there are grants available up to \$100,000, but to apply, the city would need to designate the use of the land. Councilman Schildroth is concerned about upkeep and maintenance of the facility stating that he does not want to add another thing for the staff to handle.

Mr. Jones stated that the club would manage the greenhouse and that this is a longtime dream of the club.

Councilman Parson asked about educational programs. Mr. Jones stated that they would like to partner with the schools to allow students to have access to the facility and programs.

Mr. Jones stated that this facility would allow the city to expand planting around the city by starting their own plants and saving money. More stock to sell means more opportunities for the club to donate to local charities and scholarships.

Councilman Manganelli asked about the resistance of the material to hail.

There being no further business to discuss, Councilman Eagan motioned to adjourn, seconded by Harris. Motion carried and the meeting adjourned at 6:59 p.m.

A handwritten signature in black ink, appearing to read "Karen Goodwin", written over a horizontal line.

Karen Goodwin  
City Clerk



# Agenda Request Form

**For Administration Use Only:**

Meeting Date: 2/13/2023

Open ☒ [X]

Closed ☐ [ ]

Report No. 3/2023

**Date Submitted:**

**To:** City Council

**Title:** National School Counselor Week

**Prepared by:** Administrator

**Department:** Mayor

**Justification:**

**Attachments:**

1. Proclamation



**OFFICE OF**



**THE MAYOR**

## **CITY OF FLORISSANT**

*Whereas: School counselors are employed in public and private schools to help students reach their full potential; and*

*Whereas: School counselors are actively committed to helping students explore their abilities, strengths, interests, and talents as these traits relate to career awareness and development; and*

*Whereas: School counselors help parents focus on ways to further the educational, personal and social growth of their children; and*

*Whereas: School counselors work with teachers and other educators to help students explore their potential and set realistic goals for themselves; and*

*Whereas: School counselors seek to identify and utilize community resources that can enhance and complement comprehensive school counseling programs and help students become productive members of society; and*

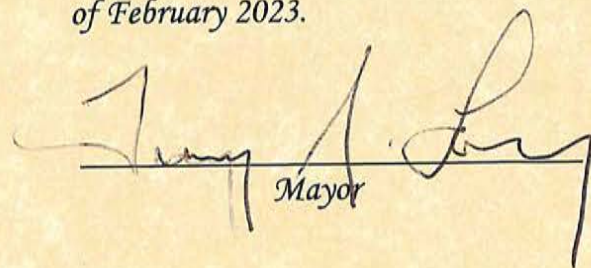
*Whereas: Comprehensive developmental school counseling programs are considered an integral part of the educational process that enables all students to achieve success in school.*

*Now, therefore, I, Timothy J. Lowery, Mayor of the City of Florissant, Missouri and Members of the City Council, do hereby proclaim February 6 -10, 2023 as:*

### **NATIONAL SCHOOL COUNSELOR WEEK 2023**



*In Witness Whereof I hereunto set my hand and cause to be affixed the Seal of the City of Florissant, Missouri, this 13<sup>th</sup> day of February 2023.*

  
Mayor



# Agenda Request Form

**For Administration Use Only:**

Meeting Date: 2/13/2023

Open ☒ [X]

Closed ☐ [ ]

Report No. 2/2023

**Date Submitted:**

**To:** City Council

**Title:** St. Ferdinand Fish Fry 70th Anniversary

**Prepared by:** Administrator

**Department:** Mayor

**Justification:**

**Attachments:**

1. Proclamation



**OFFICE OF**



**THE MAYOR**

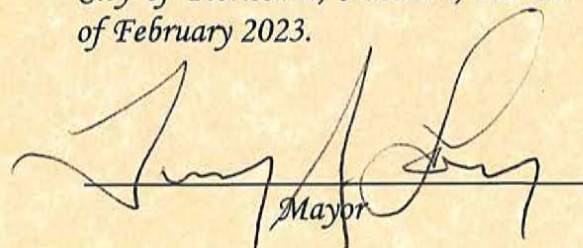
## **CITY OF FLORISSANT**

- Whereas:* The St. Ferdinand Fish Fry has been operating since 1954. It started as a once-a-month fundraiser at the Old St. Ferdinand Shrine; and
- Whereas:* Over the years the demand grew to a weekly event after moving to the new St. Ferdinand Church on its completion on Charbonier Road; and
- Whereas:* Volunteers come to St. Ferdinand every Thursday morning at 4:00 a.m. to help cut up the fish for the next day. It takes up to 3 days to prepare everything. Joni Sider has been the manager for the last 22 years; and
- Whereas:* The quality of food and friendly atmosphere at the Fish Fry has made the Friday night event a destination and family affair. Customers come from a 70-mile radius each week for the special secret spaghetti and Cole slaw which is a great part of the Fish Fry; and
- Whereas:* Customers that have relocated come back at least once a year and buy the fried cod, put it in dry ice and fly it back commercially to their out-of-state residence even as far as California; and
- Whereas:* The Fish Fry is supported and ran by the St. Ferdinand Parish and local community. The profits go back to the parish which helps keeps things running. St. Ferdinand has been voted the best Fish Fry in the metropolitan area.

Now, therefore, I, Timothy J. Lowery, Mayor of the City of Florissant, Missouri and Members of the City Council, do hereby congratulate the St. Ferdinand Parish Fish Fry for 70 years of commitment and for serving our community the best fish in the area.



In Witness Whereof I hereunto set my hand and cause to be affixed the Seal of the City of Florissant, Missouri, this 13<sup>th</sup> day of February 2023.

  
Mayor





# Agenda Request Form

**For Administration Use Only:**

Meeting Date: 12/12/2022

Open ☒ [X]

Closed ☐ [ ]

Report No. 15/2022

**Date Submitted:**

**To:** City Council

**Title:** Request to approve a final subdivision plat of "Lot 12 of St. Ferdinand Commons" for the property located at 3200 N. Hwy 67. (Planning and Zoning postponed the review of this item, therefore the City Council is requested to postpone to the next meeting)

**Prepared by:** Administrator

**Department:**

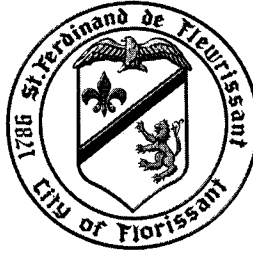
**Justification:**

See attachments

**Attachments:**

.

1  
2  
3  
**MEMORANDUM**



4  
5  
6  
7  
8  
**CITY OF FLORISSANT- Building Division**

*"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."*

9 To: Planning and Zoning Commissioners

Date: November 30, 2022

10  
11 From: Philip E. Lum, AIA-Building Commissioner c:

Todd Hughes, P.E.,  
Director Public Works  
Deputy City Clerk  
Applicant  
File

12  
13  
14  
15  
16  
17 Subject: **3200 N Highway 67 (Lot B- Alltru Credit Union) Request recommended approval**  
18 of a 'B-5' Planned Commercial District, to allow for a new bank (credit union) establishment.  
19

20  
21  
22  
**STAFF REPORT**  
**CASE NUMBER PZ-120522-6**

23 **I. PROJECT DESCRIPTION:**

24 This is a request for **recommended approval** of a 'B-5' Planned Commercial District, to allow  
25 for a new bank (credit union) establishment.  
26

27 **II. EXISTING SITE CONDITIONS:**

28 The existing property at **3200 N. Highway 67 lot B** is the site of 3.83 acres.  
29

30 The proposed amendment adds another Use to the parcel for location of an operation of a  
31 credit union that is generally a permitted use in B Districts.  
32

33 **III. SURROUNDING PROPERTIES:**

34 The adjacent property to the West is 3170 N. Highway 67 in a 'B-5' District. The  
35 adjacent property to the East is 3390 N highway 67 Walmart, in a 'B-5' District. The  
36 properties to the South include 3180 and 3184 in a 'B-5' Zoning District.  
37

38  
39 **IV. STAFF ANALYSIS:**

Plans received from the applicant include Preliminary Site Plan by Vance Engineering dated 10/14/22 and a submission packet entitled Alltru Credit Union Planning & Zoning Commission.

Comments on plans:

Preliminary Site Plan calcs include:

- Building of 6888 s.f.
- Green space 49%
- 15 Parking spaces 11 required. Parking in the front yard does not comply with the parking code, although the slope of the highway right of way in this area exceeds the front yard requirement.
- Rear canopy for drive through service.

Macro Plan and Site Plan are aerial photos that show the general location on the parcel.

Site Lighting Plan photometrics meets minimum standard for lighting level.

Site Landscape Plan appears to meet or exceed the minimum requirement.

Site Parking and Floor Plan includes request to exceed the required number of parking from 11 to 15.

Trash and HVAC screening plan compatible with building.

Signage includes a ground sign 6x10 and small channel letter signs less than 20 s.f.

Exterior Elevations include no masonry materials as defined by the City Code, but do include EIFS, Hardi-Plank siding and simulated stone and shingle roof, metal trim.

## **VI. STAFF RECOMMENDATIONS:**

### **SUGGESTED MOTION** **3200 N Highway 67 Lot B**

I move for Recommended Approval of a 'B-5' located at 3200 N Highway 67, Lot B with the stipulation that a Final Plat be approved prior to building permit issuance.

B-5 Ordinance recommended:

## **1. PERMITTED USES**

84 The use permitted in this 'B-5' Planned Commercial District shall be limited  
85 to a those Uses permitted in the 'B-3' District without a Special Use Permit  
86 which includes a Bank (Credit Union).  
87

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

89

90 The building shall be limited to existing building with a square footage of  
91 approximately 2400 square feet. The main building shall remain as depicted  
92 on the recorded Site Development Plan presented and consistent with the  
93 Alltru Credit Union Packet, attached.  
94

## 95 **3. PERFORMANCE STANDARDS**

96

97 Uses within this 'B-5' Planned Commercial District identified herein shall  
98 conform to the most restrictive performance standards as set forth in section  
99 405.135 of the Florissant Zoning Code.  
100

## 101 **5. FINAL SITE DEVELOPMENT PLAN GENERAL CRITERIA**

102

103 The above Final Site Development Plan shall include the following:  
104

- 105 a. Location and size, including height of building, landscaping and general use  
106 of the building.  
107
- 108 b. Gross square footage of building.  
109
- 110 c. Existing and proposed roadways, drives, and sidewalks on and adjacent to  
111 the property in question.  
112
- 113 d. Location and size of parking areas and internal drives.  
114
- 115 e. Building and parking setbacks.  
116
- 117 f. Curb cut locations.  
118
- 119 g. Existing proposed contours at intervals of not more than two (2) feet.  
120
- 121 h. Preliminary storm water and sanitary sewer facilities.  
122
- 123 i. Identification of all applicable cross-access and cross-parking agreements.  
124

## 125 **6. FINAL SITE DEVELOPMENT PLAN CRITERIA**

126

127 The above Final Site Development Plan shall adhere to the following specific  
128 design criteria:  
129

130  
131 a. Structure Setbacks.  
132

- 133 (1) No building, excluding retaining walls and light standards shall be  
134 located within forty (40) feet of the right-of-way of North Highway 67.  
135 (2) The setbacks shall be as approved by the Planning and Zoning  
136 Commission.  
137

138 b. Parking, Loading and Internal Drives Setbacks.  
139

- 140 (1) Parking, loading spaces, internal drives and roadways shall be located  
141 in accordance with the Site Development Plan attached.  
142 (2) All of the setbacks depicted on the Preliminary Development Plan are  
143 approved but may be modified with the approval of the Planning and  
144 Zoning Commission.  
145

146 c. Minimum Parking/Loading Space Requirements.  
147

- 148 (1) Parking regulations shall be as required by 405.225 of the Florissant  
149 Zoning Code, except as otherwise varied herein. There shall be a total  
150 of 15 parking spaces.  
151

152 d. Road Improvements, Access and Sidewalks.  
153

- 154 (1) The Director of Public Works, the Missouri Department of  
155 Transportation (MODOT) and St. Louis County Department of  
156 Highways shall approve any new work in the North Highway 67 right-  
157 of-way. The property owner shall comply with all requirements for  
158 roadway improvements as specified by the Director of Public Works  
159 and MODOT in approving new work.  
160

161 e. Lighting Requirements.  
162

163 Lighting of the property shall comply with the following standards and  
164 requirements:  
165

- 166 (1) All site lighting shall be directed downward and inward to reduce glare  
167 onto the adjacent properties and roads.  
168 (2) Lighting shall perform consistently with photometric plan presented.  
169

170 f. Sign Requirements.  
171

- 172 (1) All signage shall comply with the City of Florissant sign ordinance.  
173 (2) wall signs shall be as shown on elevations.  
174 (3) Ground sign location shall be as shown on Site Signage Plan.  
175



176 g. Landscaping and Fencing.  
177

- 178 (1) Landscaping shall be in accordance with the Site Development Plan  
179 attached, except as amended herein.  
180 (2) Any modifications to the landscaping plan shall be reviewed and  
181 approved by the Planning and Zoning Commission.  
182

183 h. Storm Water.  
184

185 Storm Water designs and drainage facilities shall comply with the  
186 following standards and requirements:  
187

- 188 (1) Written approval of any required below ground storm water detention  
189 by the Metropolitan St. Louis Sewer District shall be filed with the  
190 Department of Public Works.  
191  
192 (2) The Director of Public Works shall have reviewed storm water plans to  
193 assure that storm water flow will have no adverse affect the  
194 neighboring properties or roads.  
195

196 i. Miscellaneous Design Criteria.  
197

- 198 (1) All applicable parking, circulation, sidewalks, and all other site design  
199 features shall comply with the Florissant City Code.  
200  
201 (2) The minimum yard requirements shall be as shown on the Site  
202 Development Plan attached.  
203  
204 (3) All dumpsters shall be contained within a trash enclosure constructed  
205 of material to match the building with gates that are solid metal, metal  
206 reinforced vinyl or metal picket type with a maximum spacing of the  
207 pickets of 2 inches.  
208  
209 (5) All storm water and drainage facilities shall be constructed, and all  
210 landscaping shall be installed, prior to occupancy of the building,  
211 unless remitted by the Director of Public Works due to weather related  
212 factors.  
213  
214 (6) All mechanical equipment shall be roof mounted and screened from  
215 view by the building parapet walls. All electrical equipment shall be  
216 properly screened with landscaping as required by section 405.245 of  
217 the Florissant Municipal Code.  
218  
219 (7) Unless and except to the extent otherwise specifically provided herein,  
220 the Final Site Development Plan shall comply and be in accordance  
221 with all other ordinances of the City of Florissant.

222  
223 **7. AMENDMENTS TO THE SITE AND EXTERIOR BUILDING PLANS:**

224 Any changes to the approved plans attached hereto must be reviewed by the  
225 Building Commissioner. The Building Commissioner must make a determination  
226 as to the extent of the changes per the following procedure:  
227

- 228 1. The property owner or designate representative shall submit in writing a  
229 request for an amendment to the approved plans. The building  
230 commissioner shall review the plans for consistency with the purpose and  
231 content of the proposal as originally or previously advertised for public  
232 hearing and shall make an advisory determination.  
233 2. If the building commissioner determines that the requested amendment is  
234 not consistent in purpose and content with the nature of the purpose as  
235 originally proposed or previously advertised for the public hearing, then  
236 an amendment to the special use permit shall be required and a review  
237 and recommendation by the planning and zoning commission shall be  
238 required and a new public hearing shall be required before the City  
239 Council.  
240 3. If the building commissioner determines that the proposed revisions are  
241 consistent with the purpose and content with the nature of the public  
242 hearing then a determination of non-necessity of a public hearing shall be  
243 made.  
244 4. Determination of minor changes: If the building commissioner determines  
245 that an amendment to the special use permit is not required and that the  
246 changes to the plans are minor in nature the Building Commissioner may  
247 approve said changes.  
248 5. Determination of major changes: If the Building Commissioner  
249 determines that an amendment to the 'B-5' is not required but the changes  
250 are major in nature, then the owner shall submit an application for review  
251 and approval by the Planning and Zoning commission.  
252

253 **12. VERIFICATION PRIOR TO OCCUPANCY PERMIT**

254 Submit Final Development Plan for approval prior to recording per City Code  
255 Section 405.135.  
256

257 **13. GENERAL DEVELOPMENT CONDITIONS.**

- 258 a. Unless, and except to the extent, otherwise specifically provided herein,  
259 development shall be effected only in accordance with all ordinances of  
260 the City of Florissant.  
261  
262 b. The Department of Public Works shall enforce the conditions of this  
263 ordinance in accordance with the Final Site Development Plan approved  
264 by the Planning & Zoning Commission and all other ordinances of the  
265 City of Florissant.  
266  
267

268 **7. PROJECT COMPLETION.**

269  
270 Any new Construction shall start within 90 days of the issuance of building  
271 permits, and the development shall be completed in accordance of the final  
272 development plan within 365 days from start of construction.

273  
274  
275 (End of report and suggested motion)  
276



# Agenda Request Form

**For Administration Use Only:**

Meeting Date: 12/12/2022

Open ☒ [X]

Closed ☐ [ ]

Report No. 14/2022

**Date Submitted:**

**To:** City Council

**Title:** Request to rezone the property located at 3200 N Hwy 67 from B-3 "Extensive Business District" to B-5 "Planned Commercial District to allow for a credit union with attached drive-thru. (Planning and Zoning Recommended approval on December 5, 2022, this item is requested to be postponed to the next meeting pending subdivision approval)

**Prepared by:** Administrator

**Department:** Public Works

**Justification:**

See attachments

**Attachments:**

1. Public Hearing Notice
2. Re-zoning application
3. Staff Report
4. Plans

# CITY OF FLORISSANT

## **Public Hearing**

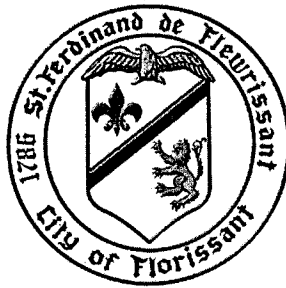


**In accordance with 410.020 of the Florissant Zoning Code a Public Hearing will be held by the City Council of Florissant, MO. in the Council Chambers, 955 rue St. Francois, on Monday, December 12, 2022 at 7:00 p.m. on the following proposition:**

**To approve a final subdivision plat of “Lot 12 of St. Ferdinand Commons” for the property located at 3200 N. Hwy 67. 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 email [kgoodwin@florissantmo.com](mailto:kgoodwin@florissantmo.com).**

**CITY OF FLORISSANT, Karen Goodwin, MMC City Clerk**

# FLORISSANT PLANNING & ZONING COMMISSION APPLICATION



City Of Florissant – Public Works 314-839-7648

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

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

Please Print neatly or Type the Following Information:

Property Address: 3200 N. Hwy 67, Florissant, MO

Property Owners Name: alltru Credit Union Phone/email: 636-916-8300

Property Owners Address: 1232 Wentzville Pkwy, Wentzville, MO 63385

Business Owners Name: alltru Credit Union Phone/email: 636-916-8300

Business Owners Address: 1232 Wentzville Pkwy, Wentzville, MO 63385

DBA (Doing Business As) alltru Credit Union

Authorized Agents Name: M. Clay Vance Co. Name: Vance Engineering  
(Authorized Agent to Appear Before The Commission)

Agents Address: 10537 Lackland Rd., St. Louis, MO Phone/email: 314-427-1800

Request Subdivide a parcel from a larger plat, rezone from B3 to B5,  
approval of design for proposed credit union w/ attached drive-thru.

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

Received by: [Signature] Receipt # 235109 Amount Paid: 300 <sup>00</sup> Date: 11-18-22

STAFF REMARKS:

DATE APPLICATION REVIEWED: 11/29/22

[Signature]  
SIGNATURE OF STAFF WHO REVIEWED APPLICATION

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

COMMISSION ACTION TAKEN:

RECOMMENDED APPROVAL  
PLANNING & ZONING  
CHAIRMAN

SIGN.

[Signature]

DATE:

12-05-2022

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



PLANNING & ZONING ACTION:

Address of Property:

3200 W. Hwy 101 Florissant, MO

Council Ward 9 Zoning 'B-3'

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

PETITION FOR A B-5 RE-ZONING:

- 1) Comes Now alltru Credit Union non-profit federally chartered credit union  
(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 alltru Credit Union, Purchaser pursuant to purchase agreement dated 8/24/2022

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 0.76
2. The petitioner(s) hereby further state(s) that the property herein described in this petition is presently zoned in a B3 District and is presently being used for: Vacant

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

3. The petitioner(s) hereby state(s) the following purpose to justify the re-zoning to a B-5:  
All neighboring properties to this parcel we are subdividing from, along

with the majority of surrounding properties on the south side of Hwy 67, are currently zoned B5.

**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 Michelle Rosner

PETITIONER(S) SIGNATURE (S) Michelle Rosner

Digitally signed by Michelle Rosner  
DN: cn=Michelle Rosner, o=Credit Union, ou=alltru, email=Mrosner@alltru.org, c=US  
Date: 2022.10.26 15:28:47 -05'00'

FOR alltru Credit Union

(company, corporation, partnership)

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

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

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

SIGNATURE Michelle Rosner

Digitally signed by Michelle Rosner  
DN: cn=Michelle Rosner, o=Credit Union, ou=alltru, email=Mrosner@alltru.org, c=US  
Date: 2022.10.26 15:28:07 -05'00'

ADDRESS 1232 Wentzville Pkwy Wentzville MO 63385

STREET CITY STATE ZIP CODE

TELEPHONE NUMBER 636 916 8300

I (we) the petitioner (s) do hereby appoint M. Clay Vance as

BUSINESS

Print name of agent.

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

Michelle Rosner

Digitally signed by Michelle Rosner  
DN: cn=Michelle Rosner, o=Credit Union, ou=alltru, email=Mrosner@alltru.org, c=US  
Date: 2022.10.26 15:33:04 -05'00'

**Signature of Petitioner(s) or Authorized Agent**

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



Please fill in applicable information requested.

Name alltru Credit Union

Address 1232 Wentzville Pkwy, Wentzville, MO 63385

Property Owner alltru Credit Union, Purchaser pursuant to purchase agreement dated 8/24/2022

Location of property 3200 Lindbergh Blvd, Florissant, MO

Dimensions of property 170' x 197'

Current Use of Property Vacant

Proposed Use of Property Financial Branch w/ Drive-thru

Type of Sign Monument Height 6'-0"

Type of Construction 5B Number Of Stories 1

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

Number of Parking Spaces 15 Sidewalk Length none

Landscaping: No. of Trees 7 Diameter 2.5"

No. of Shrubs 9, 12, 11 Size 5 Gal, 5 Gal, 3 Gal

Fence: Type NA 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.**

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

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

STAFF CHECK LIST / REVIEW SHEET

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

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

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

PROPOSAL \_\_\_\_\_

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

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

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 buildings screened from adjoining residential? no Yes / No

3) Are height of structures shown? ✓ Yes / No 24' max

4) Are all setbacks shown? ✓ Yes / No

5) Are building square footages shown? ✓ Yes / No 2400

6) What is the exterior construction of the buildings? shown no mas.

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 4/1000 to \_\_\_\_\_

d) Total Number 12 req'd 15 proposed

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

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

9) Are there any signs? ✓ Yes / No

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

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

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

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

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

- 12) Are two section profiles through the site showing preliminary building form, existing natural grade and proposed final grade shown? Yes / No ✓
- 13) Is proposed ingress/egress onto the site and internal traffic movements shown? ✓Yes / No
- 14) Was a traffic study submitted? Yes / No ✓  
Does the City Staff recommend a traffic study? Yes / No ✓
- 15) Are preliminary plans for sanitation and drainage (sanitary & storm water) facilities shown? Yes / No ✓
- 16) Is a legal description of the property shown? ✓Yes / No  
Does legal description appear to be proper? ✓Yes / No
- 17) Is an out-boundary plat of the property submitted? ✓Yes / No
- 18) Suggested time limitations of construction: Start 2 Finish 2
- 19) Is parking lot lighting shown? ✓Yes / No
- 20) Are new walkways required? ✓Yes / No
- 21) Is there sufficient handicapped access? ✓Yes / No
- 22) a) Are there proposed curb-cuts? ✓Yes / No  
b) Do the curb-cuts meet the City ordinances? ✓Yes / No
- 23) Will this project require any street improvements? Yes / No ✓
- 24) Staff recommendations for site development plans: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

11/29/22  
Date Application reviewed  
Philip E. L...  
Building Commissioner or Staff Signature

**NATIONAL CREDIT UNION ADMINISTRATION**

**AEROSPACE COMMUNITY  
FEDERAL CREDIT UNION**

**(A corporation chartered under  
the laws of the United States)**

**CHARTER NO. 24774**

**NCUA 4008  
PAGE 1**

## **ORGANIZATION CERTIFICATE**

### **AEROSPACE COMMUNITY FEDERAL CREDIT UNION**

**Charter No. 24774**

#### **TO NATIONAL CREDIT UNION ADMINISTRATION:**

**We, the undersigned, do hereby associate ourselves as a Federal Credit Union for the purposes indicated in and in accordance with the provisions of the Federal Credit Union Act, (12 U.S.C. 1751 et seq.). We hereby request approval of this organization certificate; we hereby apply for insurance of member accounts; we agree to comply with the requirements of said Act, with the terms of this organization certificate and with all laws, rules, and regulations now or hereafter applicable to Federal Credit Unions.**

- (1) The name of this credit union shall be Aerospace Community Federal Credit Union.**
- (2) This credit union will maintain its office and will operate in the territory described in the field of membership.**

- (3) The names and addresses of the subscribers to this certificate and the number of shares subscribed by each are as follows:

NAME	ADDRESS	SHARES
Robert B Ochterbeck	331 Swan Lake Drive O'Fallon, MO 63366	113.20
Thomas M McGuff	25 Mountain Laurel Drive St. Peters, MO 63376	11,844.61
George Winka	12090 Madrid Avenue St. Louis, MO 63138	82,243.17
Robert A Riccardi	1800 St. Francois Florissant, MO 63033	6,080.41
Thomas H McDuffey	507 Kimberly Lane St. Peters, MO 63376	2,468.05
Luther W Lovelace	PO Box 256 Pawnee, IL 62558	53,514.13
Paul M Sikorski	2116 Seven Oaks Drive St. Charles, MO 63303	23,541.16
Chaitanya V Doshi	3939 Oleatha Avenue St. Louis, MO 63116	8,572.53
Harold D Viemann	585 Rolling Glen Lane Ballwin, MO 63011	234.71
Nina G Pilger	30 Lakemont Drive St. Charles, MO 63304	8,645.08

- (4) The par value of the shares of this credit union will be stated in the bylaws.
- (5) The field of membership shall be limited to those having the following common bond:

Persons who live, worship, or work in and businesses and other legal entities located in the City of St. Louis and the Missouri Counties of St. Louis, St. Charles, Lincoln, and Warren.

- (6) The term of this credit union's existence shall be perpetual: Provided, however, that upon the finding that this credit union is bankrupt or insolvent or has violated any provision of this organization certificate, of the bylaws, of the Federal Credit Union Act including any amendments thereto or thereof, or of any regulations issued thereunder, this organization certificate may be suspended or revoked under the provisions of Section 120(b) of the Federal Credit Union Act.
- (7) This certificate is made to enable the undersigned to avail themselves of the advantages of said Act.
- (8) The management of this credit union, the conduct of its affairs, and the powers, duties, and privileges of its directors, officers, committees and membership shall be set forth in the approved bylaws and any approved amendments thereto or thereof.

IN WITNESS THEREOF we<sup>1</sup> have here unto subscribed our names this

(day) 24  
(month) February  
(year) 2004

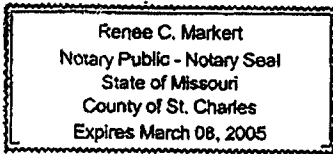
Luther W. Lovelace

Robert B. Osterbeck  
Robert A. Riccardi  
George Wink  
Paul M. Siborchi

Thomas J. M. Duff  
Harold V. Duff  
Amitya V. Doshi  
Anna D. Duff

<sup>1</sup> At least seven signers none of whom should administer the oath.





*Subscribed before me, an officer competent to*

*administer oaths, at*

**CITY**        **St. Charles**  
**STATE**      **Missouri**

this

(day)        24  
(month)     February  
(year)       2004

Signed Renee C. Markert

**Title** Notary public  
*(Notary public or other competent officer)*



National Credit Union Administration  
Office of Credit Union Resources and Expansion

CHARTER NO. 24774

**CERTIFICATE OF NAME CHANGE**

I, the undersigned, certify that in accordance with the prescribed procedures of the National Credit Union Administration, the name of the

1<sup>st</sup> Financial Federal Credit Union

was changed to

Alltru Federal Credit Union

The amendment of the charter changing the name of the credit union was approved on September 1, 2020.

Digitally  
signed by  
SUSAN RYAN



Susan M. Ryan  
Director, Division of Consumer Access

(NOTE: This certificate may be used to support the changing of the name of the credit union with the bank, the surety company, on investment certificates owned by the credit union, etc.)

NCUA 4106-II

1  
2  
3  
**MEMORANDUM**



4  
5  
6  
7  
8  
**CITY OF FLORISSANT- Building Division**

*"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."*

9 To: Planning and Zoning Commissioners Date: November 30, 2022

10  
11 From: Philip E. Lum, AIA-Building Commissioner c: Todd Hughes, P.E.,  
12 Director Public Works  
13 Deputy City Clerk  
14 Applicant  
15 File  
16

17 Subject: **3200 N Highway 67 (Lot B- Alltru Credit Union)** Request **recommended approval**  
18 of a 'B-5' Planned Commercial District, to allow for a new bank (credit union) establishment.  
19

20  
21  
22  
**STAFF REPORT**  
**CASE NUMBER PZ-120522-6**

23 **I. PROJECT DESCRIPTION:**

24 This is a request for **recommended approval** of a 'B-5' Planned Commercial District, to allow  
25 for a new bank (credit union) establishment.  
26

27 **II. EXISTING SITE CONDITIONS:**

28 The existing property at **3200 N. Highway 67 lot B** is the site of 3.83 acres.  
29

30 The proposed amendment adds another Use to the parcel for location of an operation of a  
31 credit union that is generally a permitted use in B Districts.  
32

33 **III. SURROUNDING PROPERTIES:**

34 The adjacent property to the West is 3170 N. Highway 67 in a 'B-5' District. The  
35 adjacent property to the East is 3390 N highway 67 Walmart, in a 'B-5' District. The  
36 properties to the South include 3180 and 3184 in a 'B-5' Zoning District.  
37

38  
39 **IV. STAFF ANALYSIS:**

Plans received from the applicant include Preliminary Site Plan by Vance Engineering dated 10/14/22 and a submission packet entitled Alltru Credit Union Planning & Zoning Commission.

Comments on plans:

Preliminary Site Plan calcs include:

- Building of 6888 s.f.
- Green space 49%
- 15 Parking spaces 11 required. Parking in the front yard does not comply with the parking code, although the slope of the highway right of way in this area exceeds the front yard requirement.
- Rear canopy for drive through service.

Macro Plan and Site Plan are aerial photos that show the general location on the parcel.

Site Lighting Plan photometrics meets minimum standard for lighting level.

Site Landscape Plan appears to meet or exceed the minimum requirement.

Site Parking and Floor Plan includes request to exceed the required number of parking from 11 to 15.

Trash and HVAC screening plan compatible with building.

Signage includes a ground sign 6x10 and small channel letter signs less than 20 s.f.

Exterior Elevations include no masonry materials as defined by the City Code, but do include EIFS, Hardi-Plank siding and simulated stone and shingle roof, metal trim.

## **VI. STAFF RECOMMENDATIONS:**

### **SUGGESTED MOTION** **3200 N Highway 67 Lot B**

I move for Recommended Approval of a 'B-5' located at 3200 N Highway 67, Lot B with the stipulation that a Final Plat be approved prior to building permit issuance.

B-5 Ordinance recommended:

#### **1. PERMITTED USES**

The use permitted in this 'B-5' Planned Commercial District shall be limited to a those Uses permitted in the 'B-3' District without a Special Use Permit which includes a Bank (Credit Union).

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

The building shall be limited to existing building with a square footage of approximately 2400 square feet. The main building shall remain as depicted on the recorded Site Development Plan presented and consistent with the Alltru Credit Union Packet, attached.

## **3. PERFORMANCE STANDARDS**

Uses within this 'B-5' Planned Commercial District identified herein shall conform to the most restrictive performance standards as set forth in section 405.135 of the Florissant Zoning Code.

## **5. FINAL SITE DEVELOPMENT PLAN GENERAL CRITERIA**

The above Final Site Development Plan shall include the following:

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

## **6. FINAL SITE DEVELOPMENT PLAN CRITERIA**

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

a. Structure Setbacks.

- (1) No building, excluding retaining walls and light standards shall be located within forty (40) feet of the right-of-way of North Highway 67.
- (2) The setbacks shall be as approved by the Planning and Zoning Commission.

b. Parking, Loading and Internal Drives Setbacks.

- (1) Parking, loading spaces, internal drives and roadways shall be located in accordance with the Site Development Plan attached.
- (2) All of the setbacks depicted on the Preliminary Development Plan are approved but may be modified with the approval of the Planning and Zoning Commission.

c. Minimum Parking/Loading Space Requirements.

- (1) Parking regulations shall be as required by 405.225 of the Florissant Zoning Code, except as otherwise varied herein. There shall be a total of 15 parking spaces.

d. Road Improvements, Access and Sidewalks.

- (1) The Director of Public Works, the Missouri Department of Transportation (MODOT) and St. Louis County Department of Highways shall approve any new work in the North Highway 67 right-of-way. The property owner shall comply with all requirements for roadway improvements as specified by the Director of Public Works and MODOT in approving new work.

e. Lighting Requirements.

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

- (1) All site lighting shall be directed downward and inward to reduce glare onto the adjacent properties and roads.
- (2) Lighting shall perform consistently with photometric plan presented.

f. Sign Requirements.

- (1) All signage shall comply with the City of Florissant sign ordinance.
- (2) wall signs shall be as shown on elevations.
- (3) Ground sign location shall be as shown on Site Signage Plan.

176 g. Landscaping and Fencing.

- 177
- 178 (1) Landscaping shall be in accordance with the Site Development Plan
- 179 attached, except as amended herein.
- 180 (2) Any modifications to the landscaping plan shall be reviewed and
- 181 approved by the Planning and Zoning Commission.
- 182

183 h. Storm Water.

184

185 Storm Water designs and drainage facilities shall comply with the

186 following standards and requirements:

187

- 188 (1) Written approval of any required below ground storm water detention
- 189 by the Metropolitan St. Louis Sewer District shall be filed with the
- 190 Department of Public Works.
- 191
- 192 (2) The Director of Public Works shall have reviewed storm water plans to
- 193 assure that storm water flow will have no adverse affect the
- 194 neighboring properties or roads.
- 195

196 i. Miscellaneous Design Criteria.

- 197
- 198 (1) All applicable parking, circulation, sidewalks, and all other site design
- 199 features shall comply with the Florissant City Code.
- 200
- 201 (2) The minimum yard requirements shall be as shown on the Site
- 202 Development Plan attached.
- 203
- 204 (3) All dumpsters shall be contained within a trash enclosure constructed
- 205 of material to match the building with gates that are solid metal, metal
- 206 reinforced vinyl or metal picket type with a maximum spacing of the
- 207 pickets of 2 inches.
- 208
- 209 (5) All storm water and drainage facilities shall be constructed, and all
- 210 landscaping shall be installed, prior to occupancy of the building,
- 211 unless remitted by the Director of Public Works due to weather related
- 212 factors.
- 213
- 214 (6) All mechanical equipment shall be roof mounted and screened from
- 215 view by the building parapet walls. All electrical equipment shall be
- 216 properly screened with landscaping as required by section 405.245 of
- 217 the Florissant Municipal Code.
- 218
- 219 (7) Unless and except to the extent otherwise specifically provided herein,
- 220 the Final Site Development Plan shall comply and be in accordance
- 221 with all other ordinances of the City of Florissant.

222  
223 **7. AMENDMENTS TO THE SITE AND EXTERIOR BUILDING PLANS:**

224 Any changes to the approved plans attached hereto must be reviewed by the  
225 Building Commissioner. The Building Commissioner must make a determination  
226 as to the extent of the changes per the following procedure:  
227

- 228 1. The property owner or designate representative shall submit in writing a  
229 request for an amendment to the approved plans. The building  
230 commissioner shall review the plans for consistency with the purpose and  
231 content of the proposal as originally or previously advertised for public  
232 hearing and shall make an advisory determination.  
233 2. If the building commissioner determines that the requested amendment is  
234 not consistent in purpose and content with the nature of the purpose as  
235 originally proposed or previously advertised for the public hearing, then  
236 an amendment to the special use permit shall be required and a review  
237 and recommendation by the planning and zoning commission shall be  
238 required and a new public hearing shall be required before the City  
239 Council.  
240 3. If the building commissioner determines that the proposed revisions are  
241 consistent with the purpose and content with the nature of the public  
242 hearing then a determination of non-necessity of a public hearing shall be  
243 made.  
244 4. Determination of minor changes: If the building commissioner determines  
245 that an amendment to the special use permit is not required and that the  
246 changes to the plans are minor in nature the Building Commissioner may  
247 approve said changes.  
248 5. Determination of major changes: If the Building Commissioner  
249 determines that an amendment to the 'B-5' is not required but the changes  
250 are major in nature, then the owner shall submit an application for review  
251 and approval by the Planning and Zoning commission.  
252

253 **12. VERIFICATION PRIOR TO OCCUPANCY PERMIT**

254 Submit Final Development Plan for approval prior to recording per City Code  
255 Section 405.135.  
256

257 **13. GENERAL DEVELOPMENT CONDITIONS.**

- 258 a. Unless, and except to the extent, otherwise specifically provided herein,  
259 development shall be effected only in accordance with all ordinances of  
260 the City of Florissant.  
261  
262 b. The Department of Public Works shall enforce the conditions of this  
263 ordinance in accordance with the Final Site Development Plan approved  
264 by the Planning & Zoning Commission and all other ordinances of the  
265 City of Florissant.  
266  
267



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274  
275  
276

**7. PROJECT COMPLETION.**

Any new Construction shall start within 90 days of the issuance of building permits, and the development shall be completed in accordance of the final development plan within 365 days from start of construction.

(End of report and suggested motion)





RECOMMENDED APPROVAL  
PLANNING & ZONING  
CHAIRMAN

FILED

DATE:

12-05-2022

alltru Credit Union | Planning & Zoning Comm

# alltru Credit Union

— FLORISSANT, MISSOURI —



# alltru Credit Union

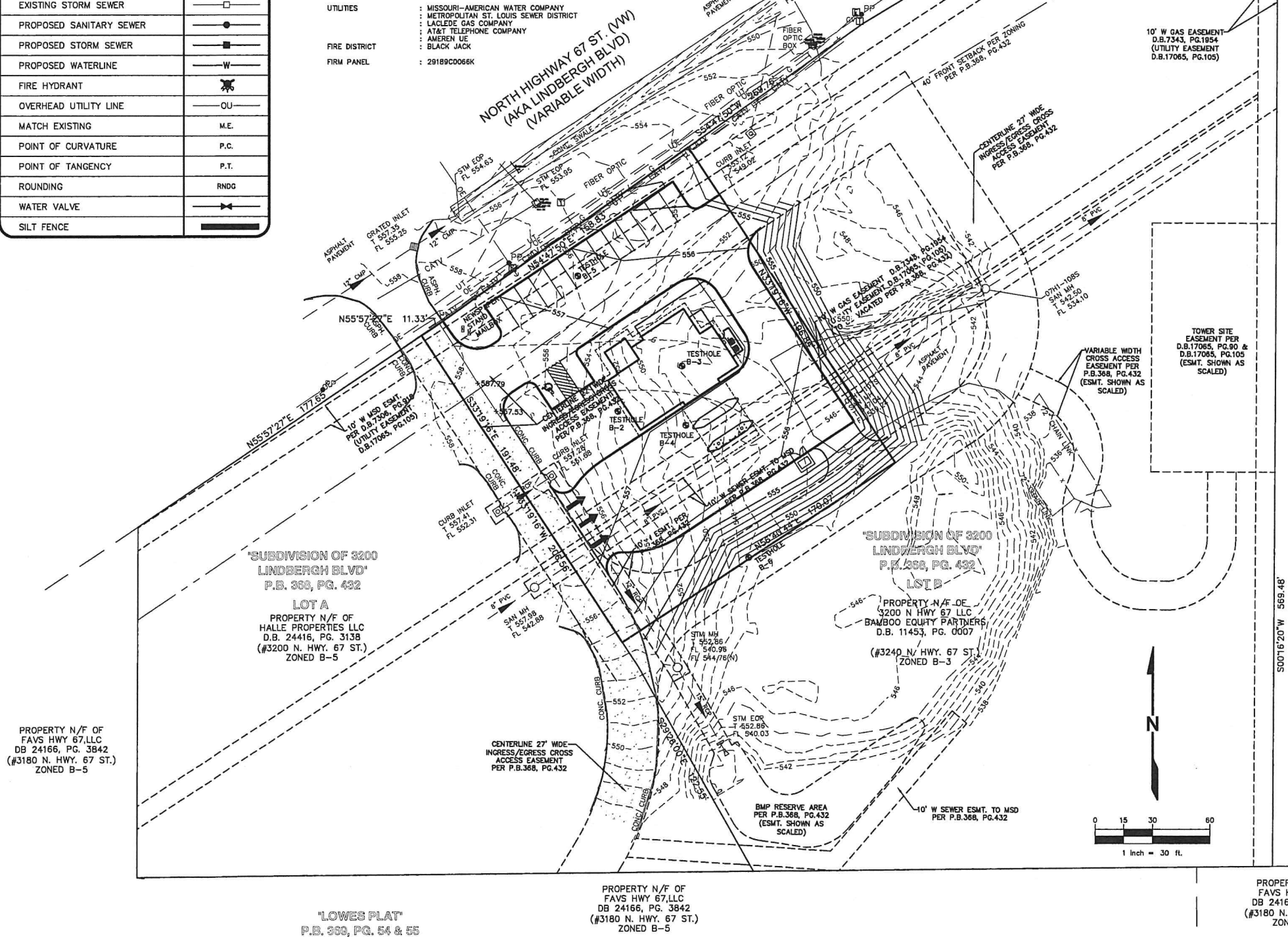
A TRACT OF LAND BEING PART OF LOT 12 OF ST. FERDINAND COMMONS,  
CITY OF FLORISSANT, ST. LOUIS COUNTY, MISSOURI

## LEGEND

DESCRIPTION	SYMBOL
EXISTING WATERLINE	—W—
EXISTING GAS LINE	—G—
EXISTING MAJOR CONTOUR	—500—
EXISTING MINOR CONTOUR	---502---
PROPOSED MAJOR CONTOUR	—500—
PROPOSED MINOR CONTOUR	---502---
EXISTING SANITARY SEWER	—O—
EXISTING STORM SEWER	—□—
PROPOSED SANITARY SEWER	—●—
PROPOSED STORM SEWER	—■—
PROPOSED WATERLINE	—W—
FIRE HYDRANT	⊕
OVERHEAD UTILITY LINE	—OU—
MATCH EXISTING	M.E.
POINT OF CURVATURE	P.C.
POINT OF TANGENCY	P.T.
ROUNDING	RNDG
WATER VALVE	⊕
SILT FENCE	—

## PROJECT DATA

LOCATOR NO. : 07H530287 (PARENT)  
OWNER : 3200 N HWY 67, LLC  
ACREAGE OF TRACT : 0.76 AC.  
PRESENT ZONING : B-3  
PRESENT USAGE : B-5  
PROPOSED USAGE : COMMERCIAL RETAIL / CREDIT UNION  
SCHOOL DISTRICT : FERGUSON - FLORISSANT  
ZIP CODE : 63033  
WATERSHED(S) : MISSOURI RIVER  
UTILITIES : MISSOURI-AMERICAN WATER COMPANY  
METROPOLITAN ST. LOUIS SEWER DISTRICT  
LACLEDE GAS COMPANY  
AT&T TELEPHONE COMPANY  
AMEREN UE  
BLACK JACK  
FIRE DISTRICT :  
FIRM PANEL : 29189CD066K



LOCATION MAP  
N.T.S.

## GENERAL NOTES

- THIS PLAN IS NOT TO BE USED FOR CONSTRUCTION. ANY PROPOSED SITE GRADING OR IMPROVEMENTS SHOWN HEREON SHALL BE DULY DESIGNED, APPROVED, AND PERMITTED BY THE APPROPRIATE ENTITIES PRIOR TO CONSTRUCTION.
- BOUNDARY AND TOPOGRAPHIC SURVEY BY SABUR, INC.
- LIGHTING SHALL COMPLY WITH THE CITY OF FLORISSANT REGULATIONS, AND SHALL BE SHIELDED AS APPROPRIATE.
- STORM DRAINAGE SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF MSD AND THE CITY OF FLORISSANT.
- PUBLIC UTILITIES ARE AVAILABLE TO THE SITE AND HAVE BEEN PLOTTED FROM AVAILABLE RECORDS.
- SITE IMPROVEMENT PLANS SHALL INCLUDE DESIGN OF BEST MANAGEMENT PRACTICES FOR SILTATION/EROSION CONTROL.

## PARKING CALCULATIONS

PARKING SPACES REQUIRED: 4 SPACES / 1000 SF  
2,400 SF / 1000 SF => 10 SPACES  
PARKING SPACES PROVIDED: 15 SPACES  
MAX ALLOWABLE PARKING 110% OF MIN REQUIRED => 11 SPACES

## SITE COVERAGES

BUILDING: 6,888 SF = 12%  
PAVED SURFACES: 21,620 SF = 39%  
GREEN SPACE: 27,619 SF = 48%  
TOTAL SITE: 56,127 SF = 100%  
SITE COVERAGE: 28,508 SF = 51%

## SETBACKS

BUILDING SETBACKS: FRONT - 40'  
SIDE & REAR - 0' (NOT ADJACENT TO RES)  
PARKING SETBACKS: 15' FRONT LANDSCAPE BUFFER (CAN BE VARIED IN B-5)

## PRELIMINARY PLAN DISCLAIMER

THIS PLAN WAS PREPARED USING RECORD/AVAILABLE SURVEYS, PROPERTY DESCRIPTIONS, TOPOGRAPHIC INFORMATION, UTILITY MAPS/MARKINGS, AERIAL PHOTOS, ETC. AS SUCH, THE DESIGN OF IMPROVEMENTS SHOWN HEREON IS TO BE CONSIDERED STRICTLY PRELIMINARY AND SUBJECT TO REVISION AS A RESULT OF ACTUAL BOUNDARY SURVEYS, FINAL ENGINEERING DESIGN AND AGENCY(S) REVIEW/APPROVAL.

I HEREBY CERTIFY THAT I HAVE PREPARED OR DIRECTED THE PREPARATION OF THIS PLAN BASED ON THIS INFORMATION. IT IS TO BE CONSIDERED STRICTLY PRELIMINARY, AND IS NOT TO BE USED FOR CONSTRUCTION.

M. CLAY VANCE, P.E., E-25616  
VANCE ENGINEERING, INC.

10/26/22



## NOTICE TO CONTRACTOR

UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE RECORDS. THEREFORE, THE LOCATIONS OF ANY UNDERGROUND FACILITIES SHOWN HEREON MUST BE CONSIDERED APPROXIMATE. PRIOR TO BEGINNING WORK ON THE SITE, IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXACT LOCATION OF THESE FACILITIES, ALONG WITH ANY IN EXISTENCE THAT ARE NOT SHOWN; TO VERIFY THEIR LOCATION BOTH HORIZONTALLY AND VERTICALLY (IN ACCORDANCE WITH THE REQUIREMENTS OF THE RESPECTIVE UTILITY/FACILITY OWNER); AND TO VERIFY THAT MINIMUM CLEARANCES AND COVER REQUIREMENTS BETWEEN THE EXISTING FACILITIES AND THE PROPOSED WORK WILL BE MET.



MSD P-XXXX-XX  
BASEMAP XXXX  
ZIP CODE: XXXXX  
HT #XXXX

Lalacchia Group  
157 North Milwaukee Street  
Milwaukee, WI 53202  
414-223-4400

Vance Engineering, Inc.  
10537 Lockland Road  
St. Louis, MO 63114  
P: 314.427.1800  
vanceengineering.com



alltru Credit Union

PRELIMINARY SITE PLAN

PRELIMINARY  
NOT FOR  
CONSTRUCTION

MICHAEL CLAY VANCE, P.E.  
CIVIL ENGINEER, E-25616  
REVISED

22082

10/14/2022

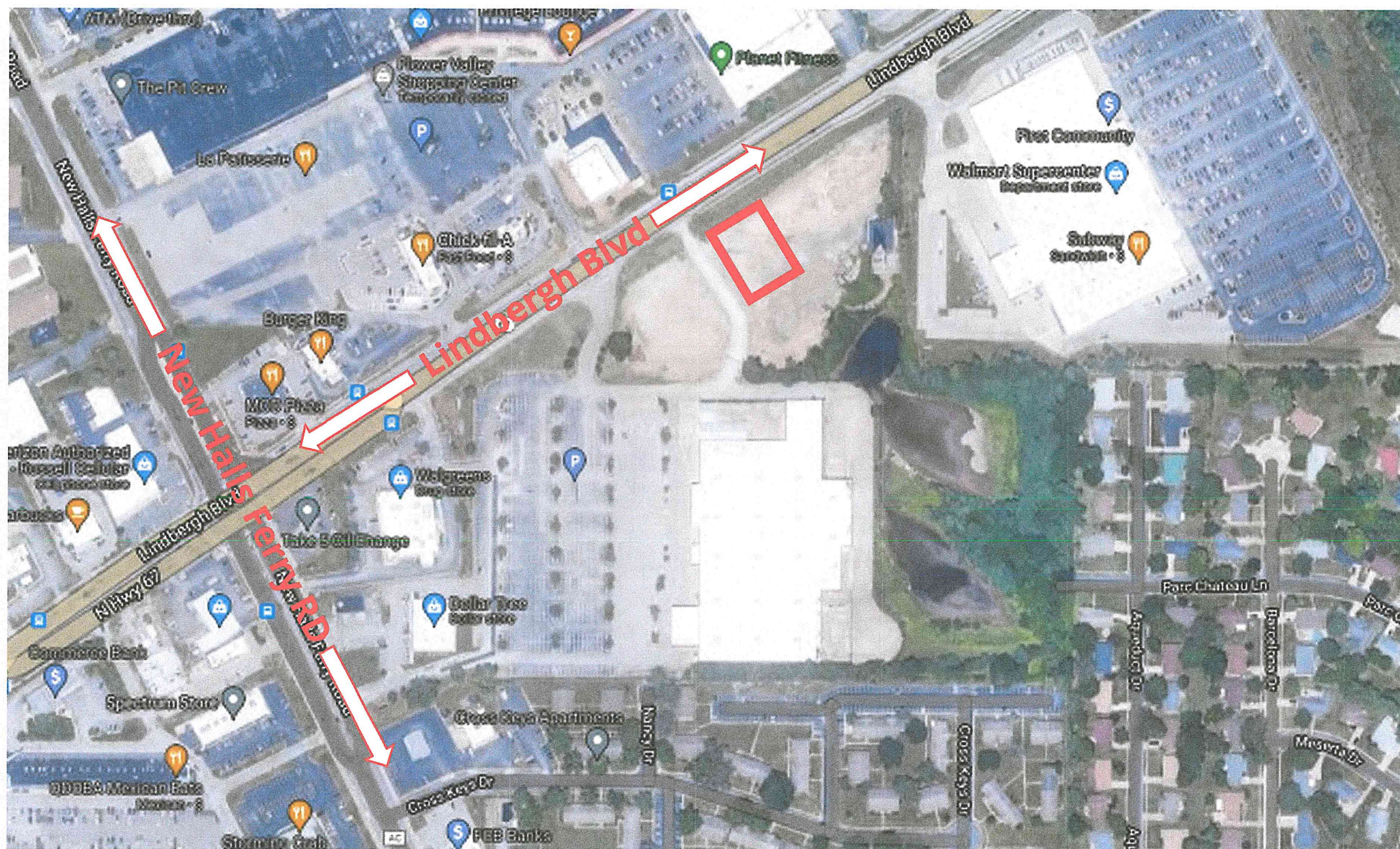
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## alltru Credit Union | Planning &amp; Zoning Comr







# SITE

Aerial View







# SITE

## Lighting

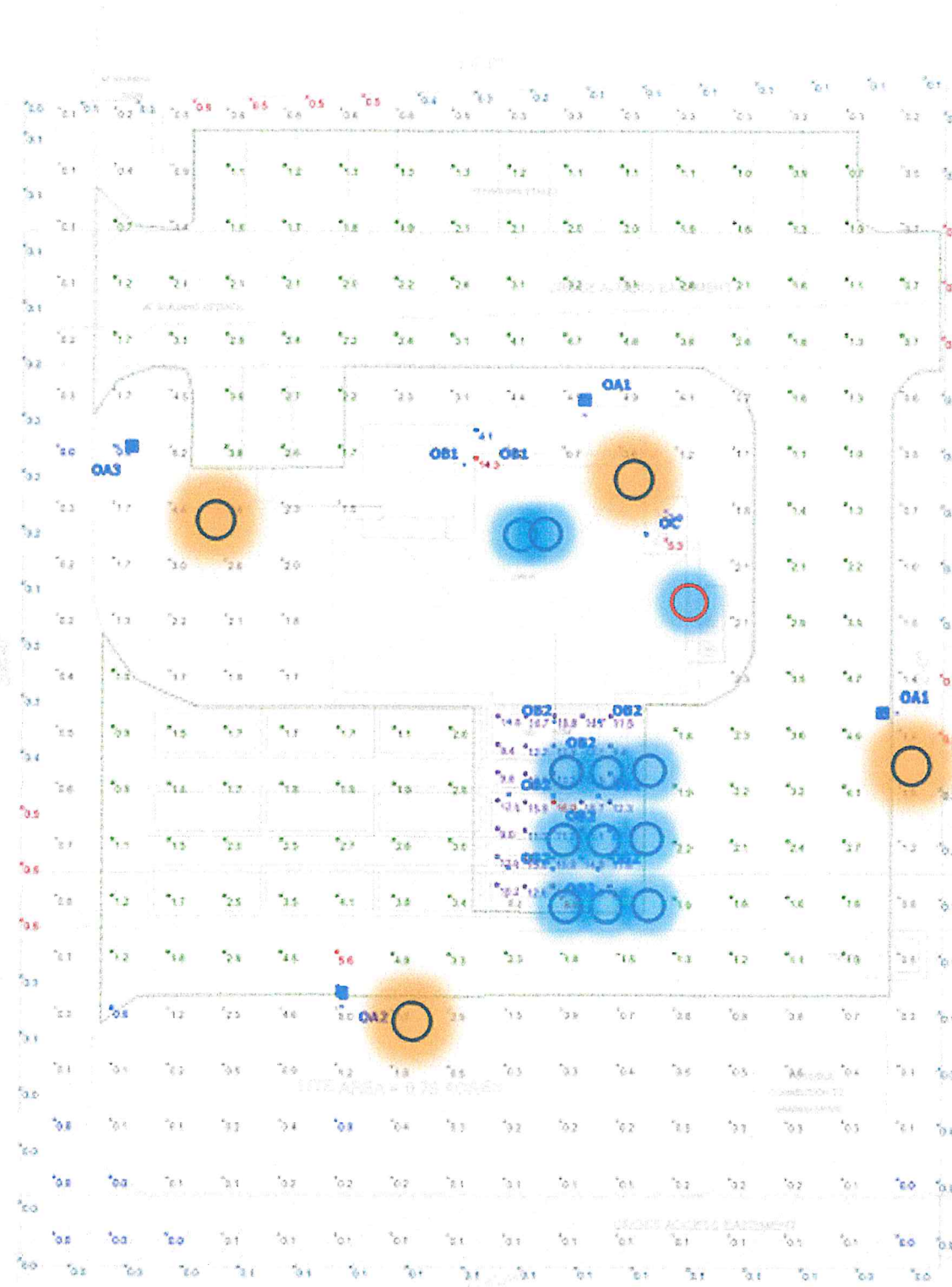
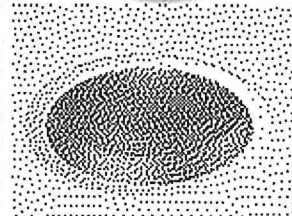
### KEY

- POLE LIGHTING  
OC =
- RECESSED SOFFIT LIGHTING
- WALL MOUNTED LIGHT
- SPOTLIGHT FOR FLAG
- BUILDING SIGNAGE / MONUMENT SIG

OA 1, 2, & 3 = D-Series  
Lithonia Exterior pole light

OC = Chloride, Emergency Exit Light

OB 1 & 2 = Leviton 6"  
Recessed Downlight



Fixture	Label	Qty	Manufacturer	Notes	Notes	Notes
	OA1	1	MANUFACTURER	FOR ALL AREAS OUT OF DOOR	SEE AREA LIGHTING TYPE 1 WITH 10000 KLM 10000	1
	OA2	1	MANUFACTURER	FOR ALL AREAS OUT OF DOOR	SEE AREA LIGHTING TYPE 2 WITH 10000 KLM 10000	1
	OA3	1	MANUFACTURER	FOR ALL AREAS OUT OF DOOR	SEE AREA LIGHTING TYPE 3 WITH 10000 KLM 10000	1
	OB1	1	MANUFACTURER	FOR ALL AREAS OUT OF DOOR	SEE AREA LIGHTING TYPE 4 WITH 10000 KLM 10000	1
	OB2	1	MANUFACTURER	FOR ALL AREAS OUT OF DOOR	SEE AREA LIGHTING TYPE 5 WITH 10000 KLM 10000	1
	OC	1	MANUFACTURER	FOR ALL AREAS OUT OF DOOR	SEE AREA LIGHTING TYPE 6 WITH 10000 KLM 10000	1

Fixture	Label	Qty	Manufacturer	Notes
	OA1	1	MANUFACTURER	FOR ALL AREAS OUT OF DOOR
	OA2	1	MANUFACTURER	FOR ALL AREAS OUT OF DOOR
	OA3	1	MANUFACTURER	FOR ALL AREAS OUT OF DOOR
	OB1	1	MANUFACTURER	FOR ALL AREAS OUT OF DOOR
	OB2	1	MANUFACTURER	FOR ALL AREAS OUT OF DOOR
	OC	1	MANUFACTURER	FOR ALL AREAS OUT OF DOOR







# SITE

## Parking – Proposed Increase

-- We are seeking an increase to 15 parking spaces based on the employee c and similar Financial branches we have done throughout the country

Per Ordinance 405.225

### PARKING CALCULATIONS

PARKING SPACES REQUIRED: 4 SPACES / 1000 SF  
2,400 S.F. X 4 SP / 1000 SF => 10 SPACES

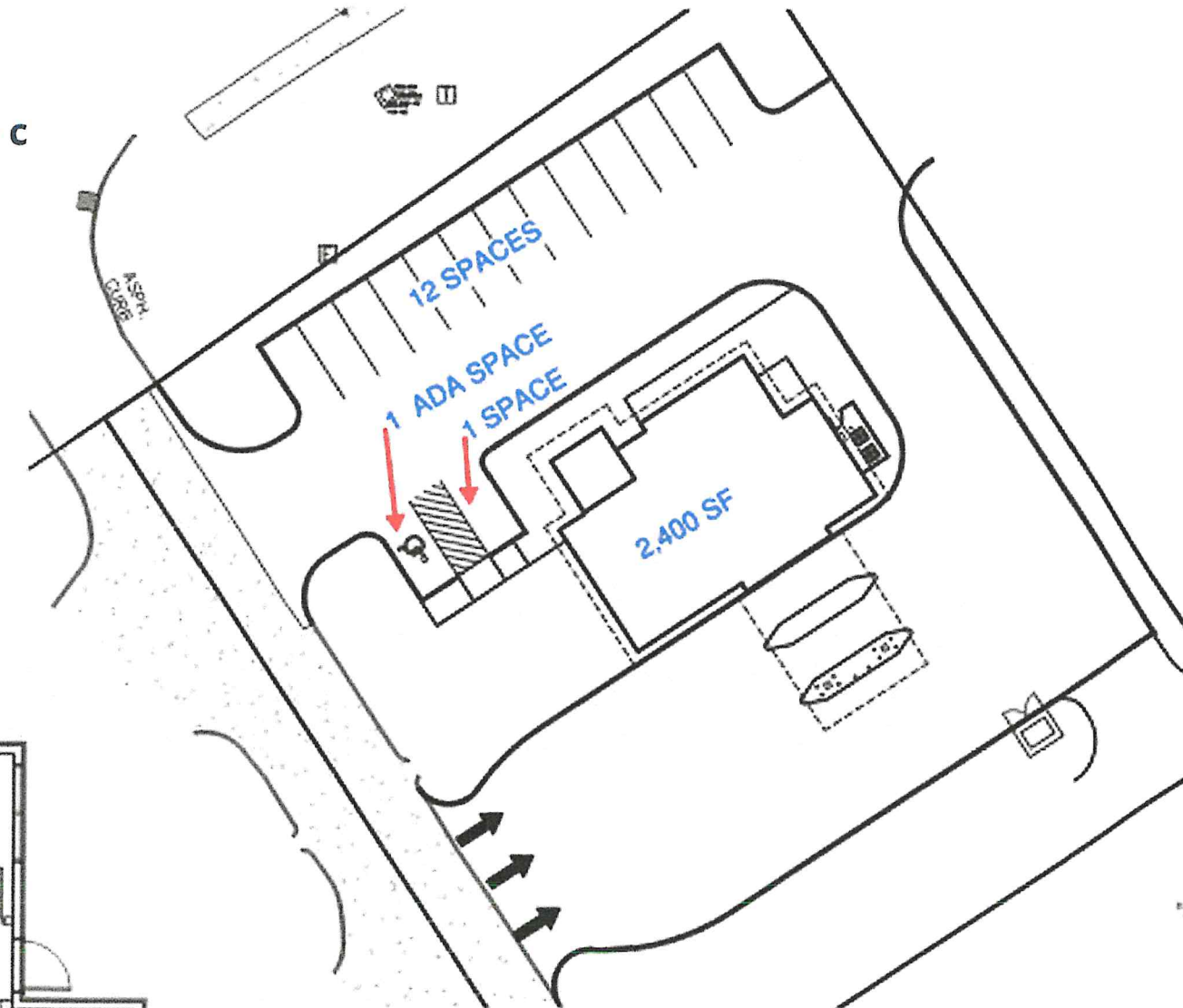
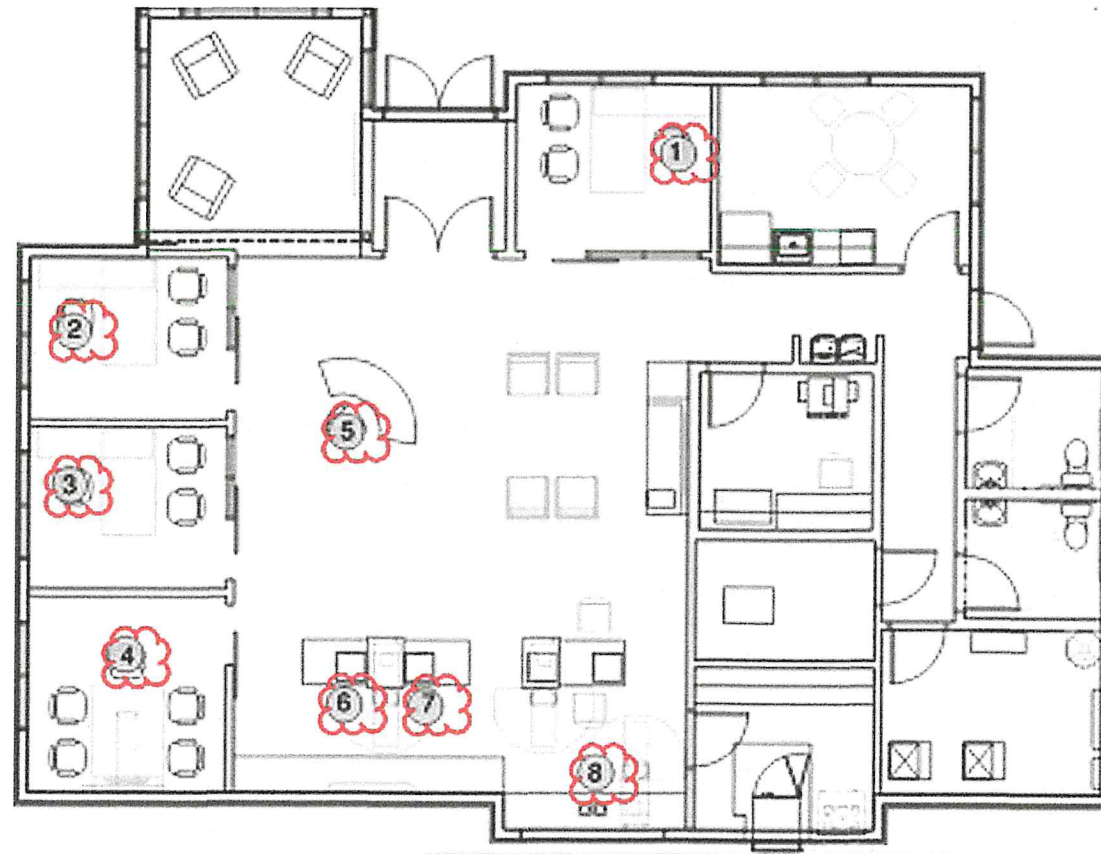
PARKING SPACES PROVIDED: 15 SPACES

MAX ALLOWABLE PARKING 110% OF MIN REQUIRED => 11 SPACES

Per Ordinance 405.135 E 2 b

- No less than 1 per 200 gross sf.
- $2400 / 200 = 12$  parking spaces minimum

There will be 8 employees at this location during maximum staffing. That would leave only 3 spots for members to park.



SIMILAR PROJECTS			
Location	Square Footage of Building	# of Parking Spaces Provided	Ratio
Greenfield, WI	4,200	39	108
Brookfield, WI	4,000	29	138
Mequon, WI	3,500	29	121
Portage, WI	3,500	30	117
Freepot, FL	4,600	27	170
Westbrook, ME	2,700	16	169
Williamstown, WV	3,500	33	106
Proposed	2,400	15	160





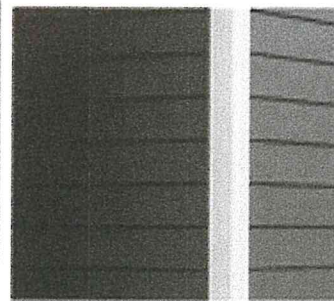
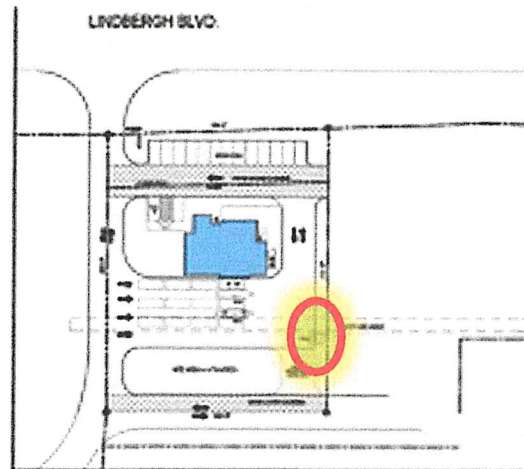
# SITE

## Trash Enclosure & HVAC Screening



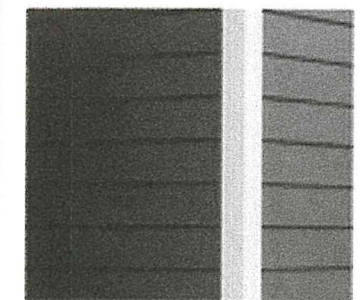
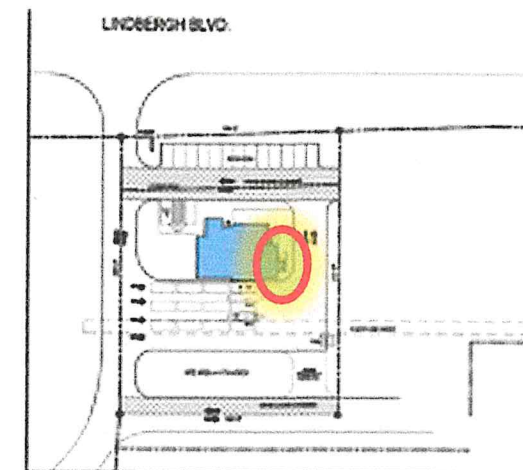
### Refuse Enclosure Materials

- 12'-0" wide x 10'-0" deep x 6'-0" tall
- Siding exterior (match Main)
- Metal Coping
- Concrete Pad
- Wood Gate on Metal Frame
- Gate to be lockable



### HVAC Screening Materials

- Siding exterior (match Main)
- Concrete Pad
- Wood Gate on Wood Frame
- Gate to be lockable
- 6'-0" Height



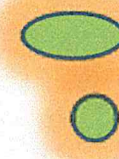




# SITE

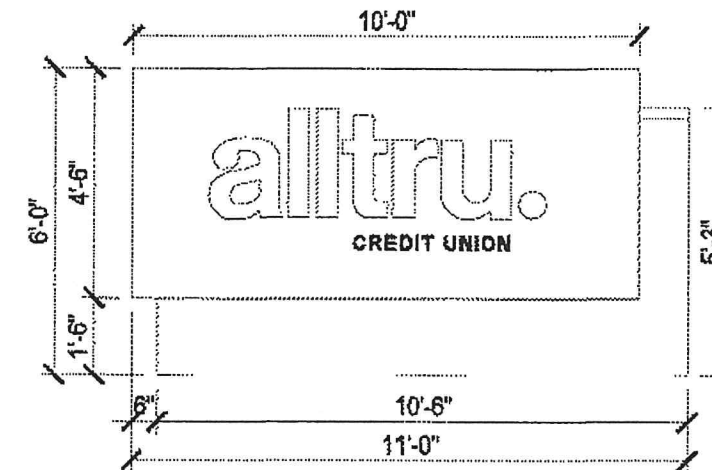
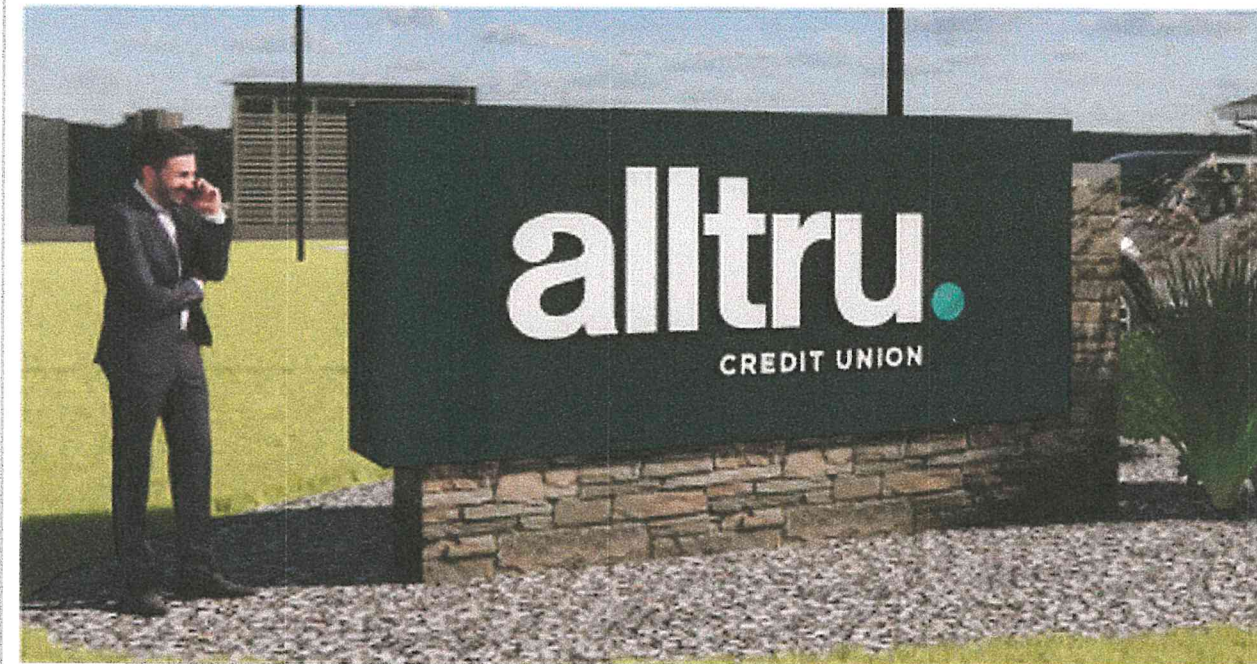
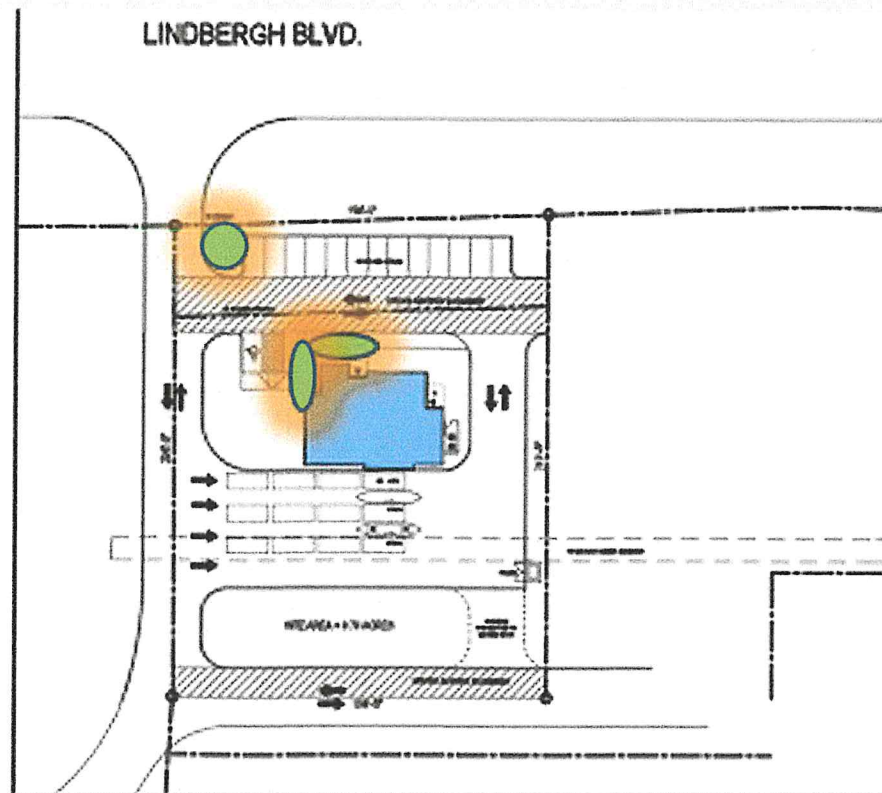
## Signage

### KEY



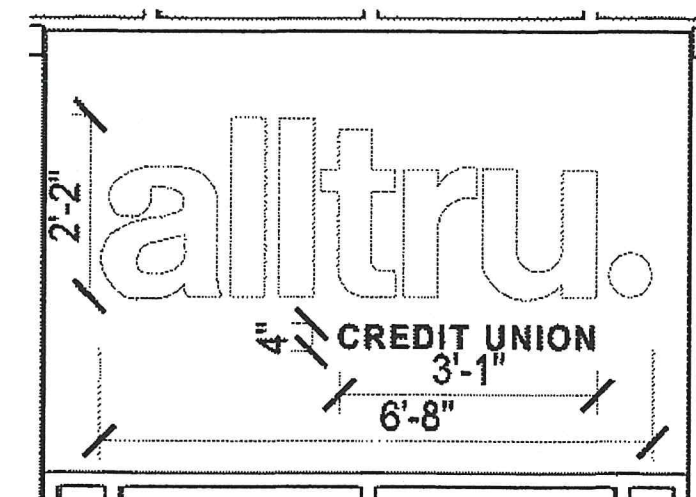
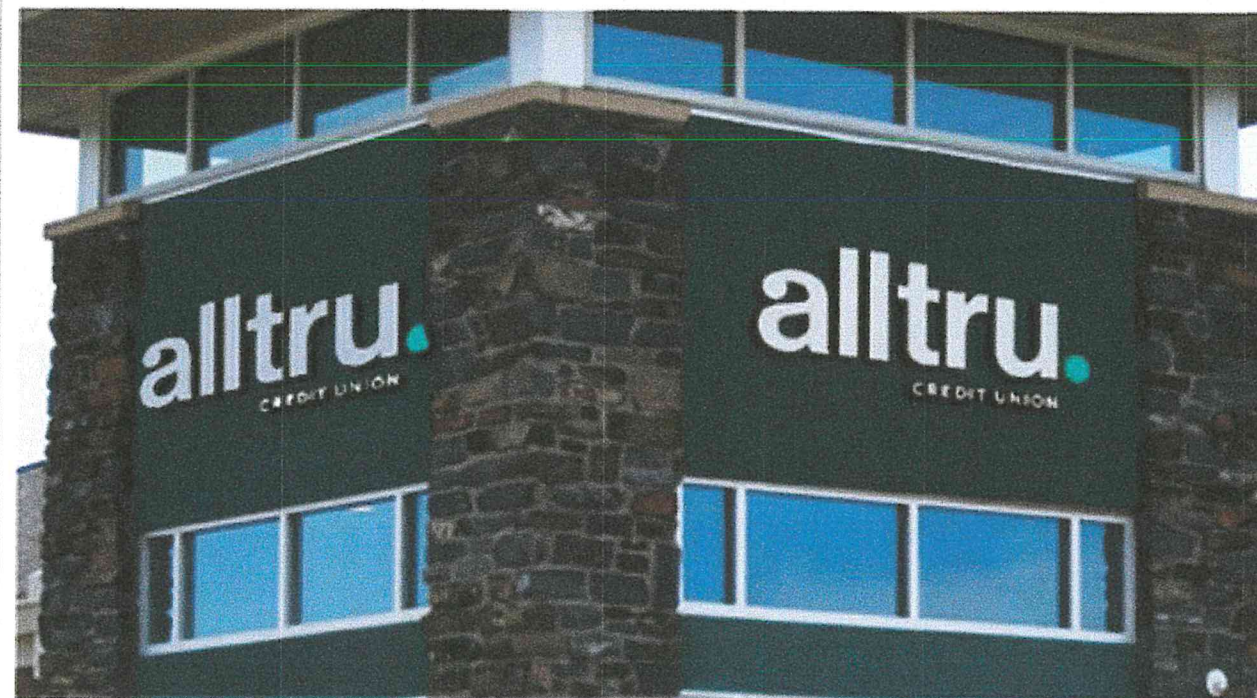
BUILDING SIGNAGE

MONUMENT SIGN



### MONUMENT SIGN

- INTERNALLY LIT BOX SIGN
- STONE BASE



### BUILDING SIGN

- INTERNALLY LIT CHANNEL LETTERS





# EXTERIOR ELEVATIONS

alltru Credit Union | Planning & Zoning Comr

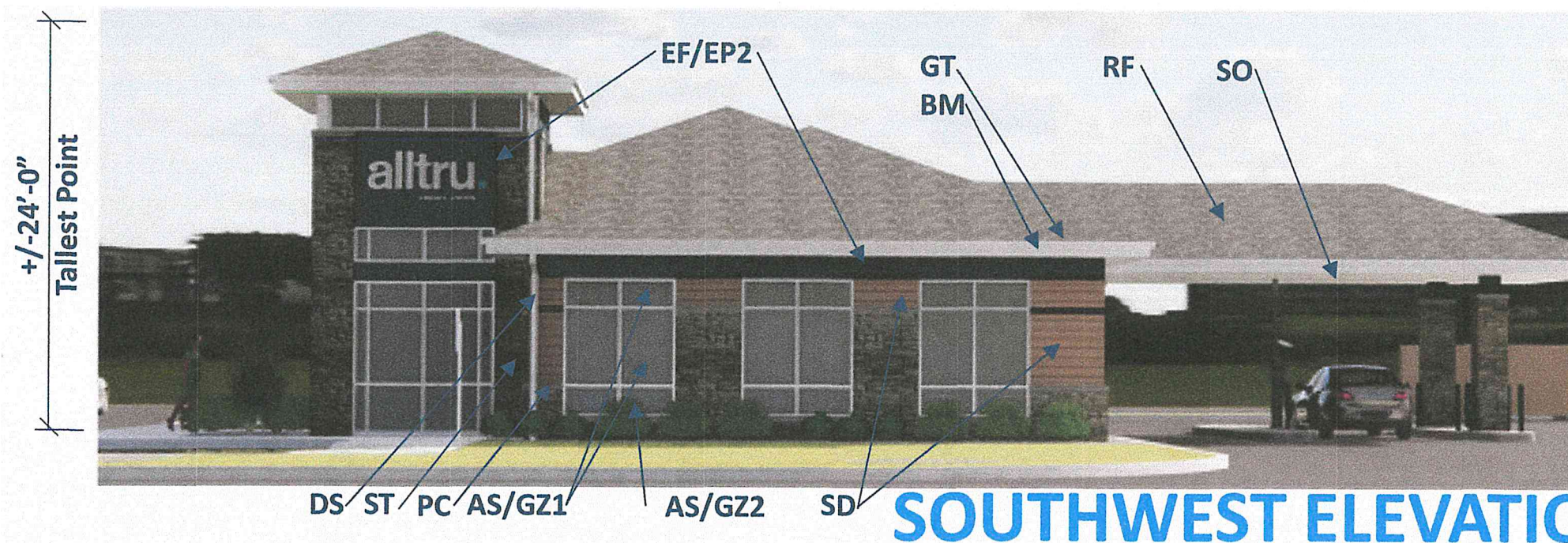
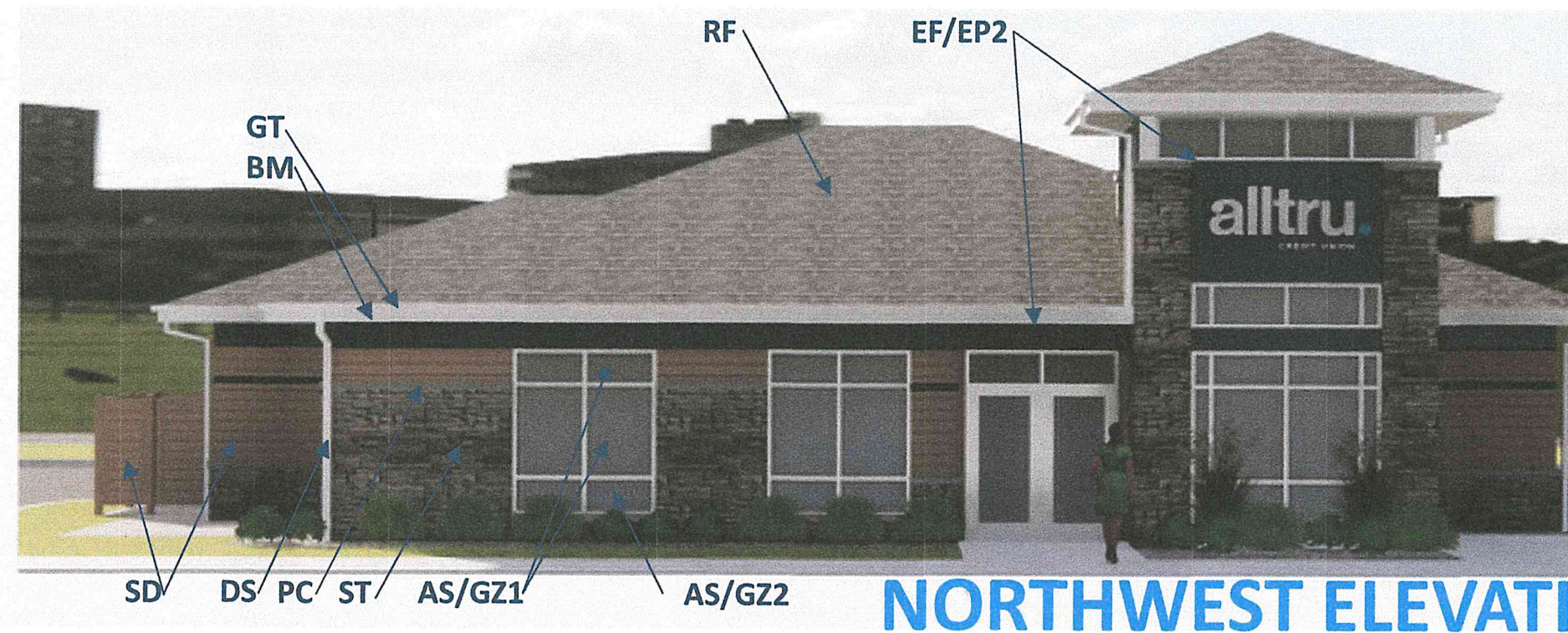
Front & Right Side

## NOTES

## KEY

- AS Aluminum Storefront:Kawneer, 451T, Clear Anodized  
GZ1 Glazing: Guardian SNX 51/23 on Clear  
GZ2 Glazing: Guardian Sunguard Spandrel HT, Warm Gray  
GZ3 BR Glazing by Financial Equipment  
EF ~~EIFS, StoTherm~~ *Replace with Hardi-Plank*  
SD Siding, Hardi Plank, Lap, Select Cedarmill, Khaki  
ST Stone Veneer, Lemke Stone, Thin cut, Brule River Blend  
PC Cast Stone Heritage, Sand Dune, Smooth  
RF CertainTeed, Landmark PRO, Moire Black  
SO Soffit, Firestone, UC-750, Half-Vent, Sandstone  
BM Brake Metal, Firestone, Sandstone  
DS Downspout, Firestone, Sandstone  
GT Gutter, Firestone, Sandstone  
BC Bollard Cover, Idealshield, Urban Bronze  
EP1 Paint, Sherwin Williams, match siding  
EP2 Paint, Sherwin Williams, match alltru Slate, Pantone 2217 C

## QUESTIONS







# EXTERIOR ELEVATIONS

alltru Credit Union | Planning & Zoning Comr

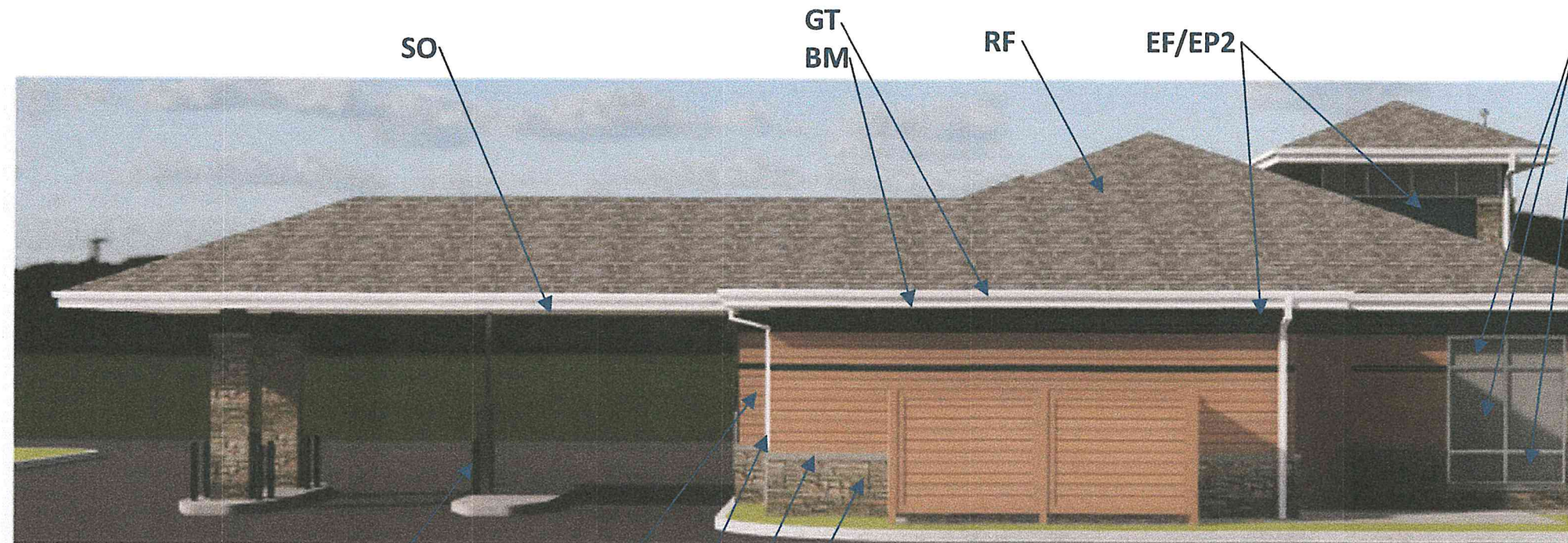
Left Side & Rear

## NOTES

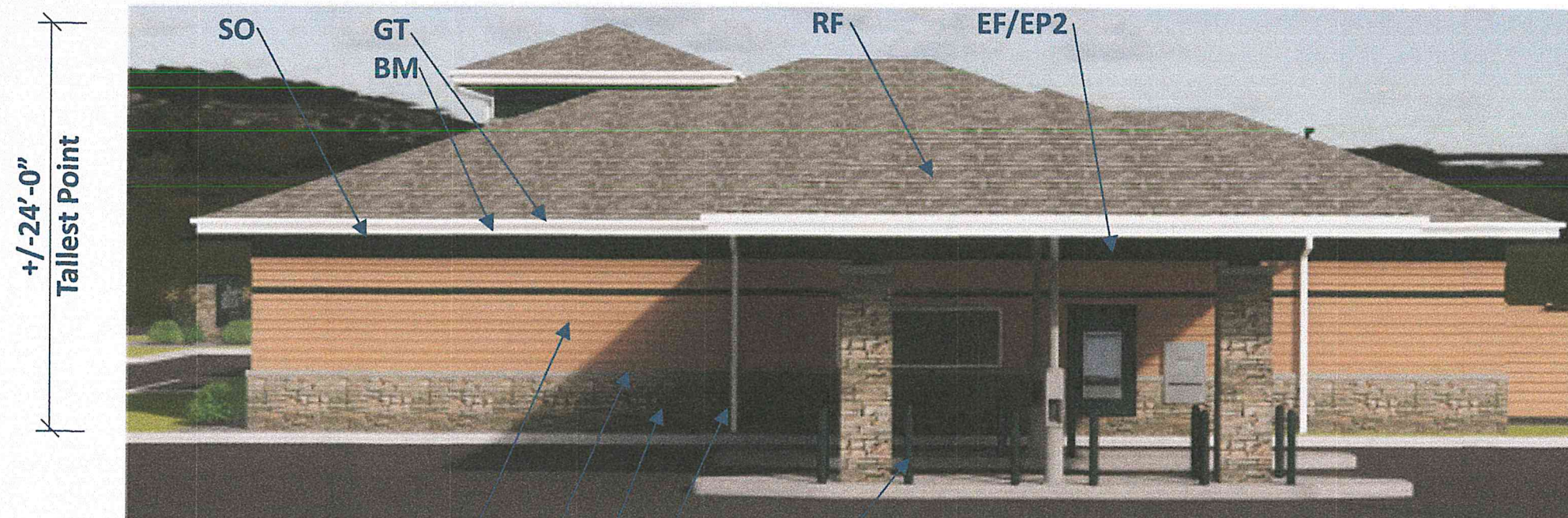
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## QUESTIONS



## NORTHEAST ELEVATION



## SOUTHEAST ELEVATION

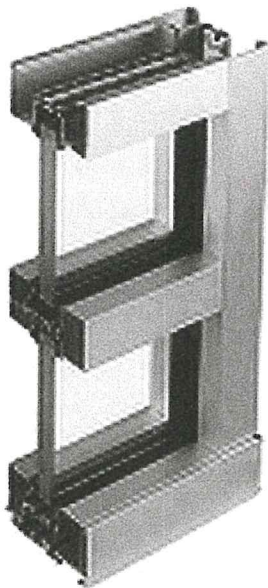




# EXTERIOR ELEVATIONS

## Aluminum Storefront System & Glazing

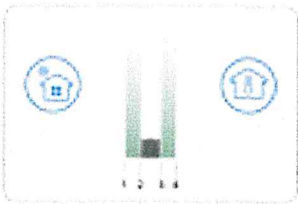
Kawneer 451T , Clear Anodized



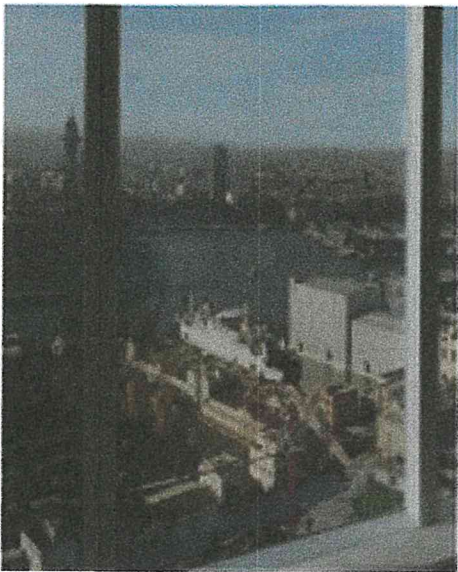
GZ1



DoubleGlazed



GLASS: Guardian Clear Glass (North America) Glass, 1/4" (6mm) (2-SunGuard® SNG 51/23 (North America))  
GAP: 10% Air, 90% Argon 1.2.7mm  
GLASS: Guardian Clear Glass (North America) Glass, 1/4" (6mm)



GZ3  
Bullet  
Resistant



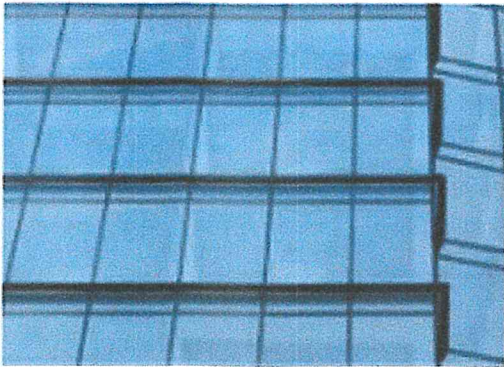
GZ2



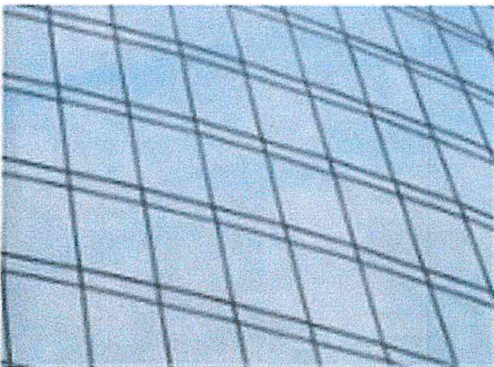
Color to be Warm Gray



GZ1



GZ2



Make-up Name ^	Glass 1 & Coating	Glass 2 & Coating	Visible Light			Solar Energy			Thermal Properties	
			Transmittance	Reflectance		Transmittance	Reflectance	Solar Heat Gain Coefficient (SHGC)	U-Value	
			Visible (t <sub>v</sub> %)	p <sub>v</sub> % out	p <sub>v</sub> % in	Solar (t <sub>s</sub> %)	p <sub>s</sub> % out		Winter Night (Btu/hr-ft²-F)	Summer (Btu/hr-ft²-F)
GZ1	SunGuard® SNG 51/23 (North America) on Guardian Clear Glass (North America)	Guardian Clear Glass (North America)	51	14	14	19	35	0.23	0.238	
GZ2	Warm Gray Frit 100% Full Coverage on Guardian Clear Glass (North America)	Guardian Clear Glass (North America)	2	21	36	6	19	0.20	0.474	





# EXTERIOR ELEVATIONS

alltru Credit Union | Planning & Zoning Comr

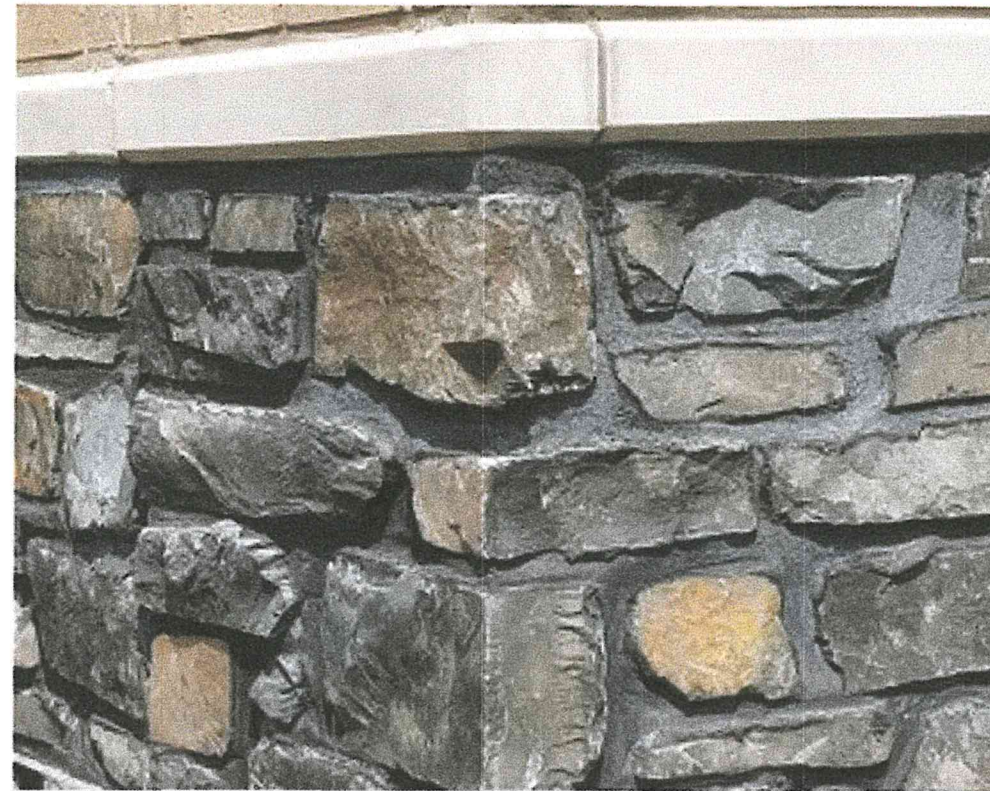
Materials: Stones & EIFS



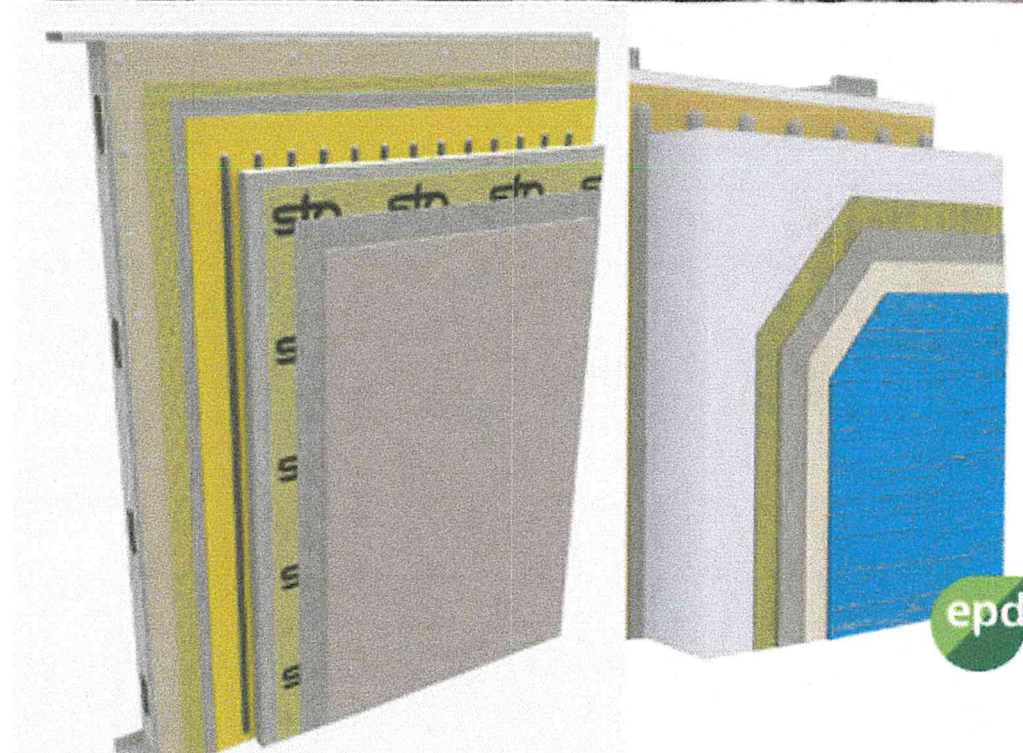
Precast : Heritage, Sand Dune, Smooth



Stone: Thin Cut, Brule River Blend



EIFS: Will Receive Paint



## StoTherm® ci

Superior energy savings, design freedom and versatility.

[COMPARE](#)

[VIEW SYSTEM & DOCUMENTS >](#)

### FEATURES

- ⊙ Fully integrated, energy-efficient EPS insulation
- ⊙ Fully integrated seamless air and water-resistive barrier
- ⊙ Explore our wide range of available colors and aesthetics including brick, wood, concrete, stone and traditional plaster.



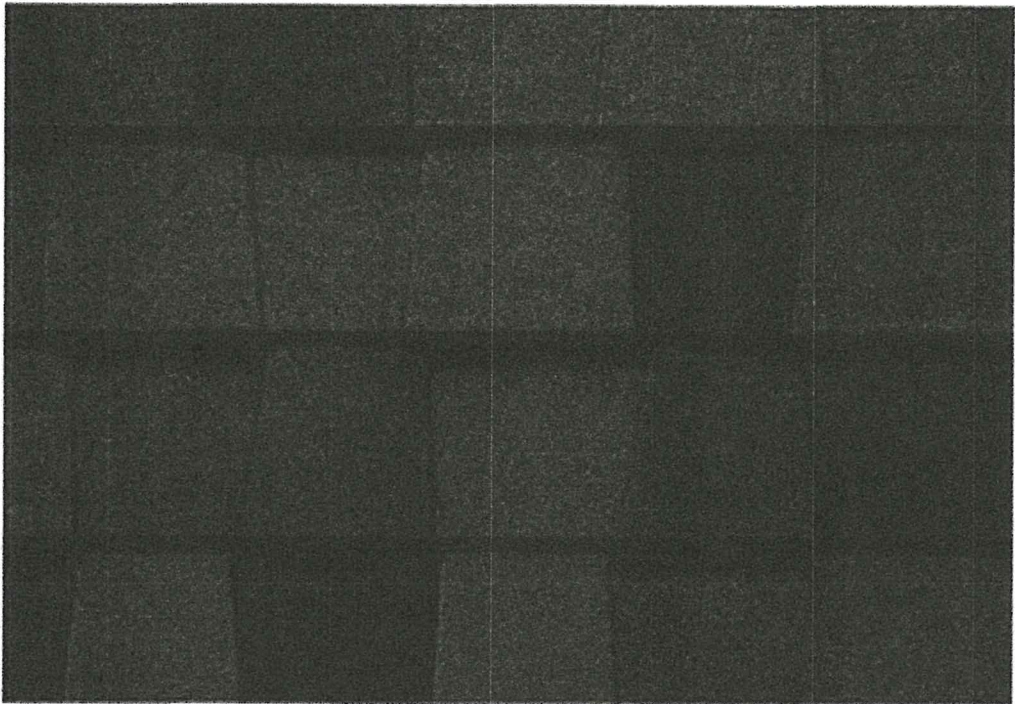


# EXTERIOR ELEVATIONS

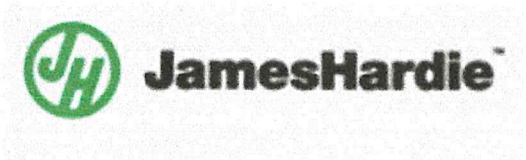
Materials: Roofing & Siding



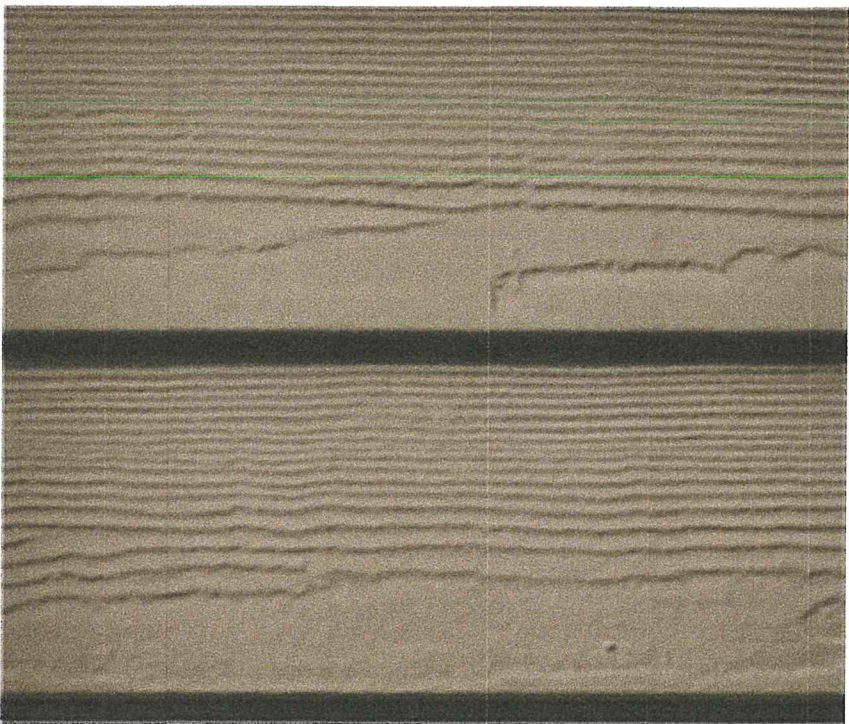
Shingles: Landmark PRO, Moire Black



Lifetime Products <sup>A</sup>	Warranty Period	SureStart Period	Wind Warranty Miles Per Hour	Algae Resistant Warranty Period <sup>1</sup>
Grand Manor® Presidential Shake® TL** Landmark® TL** Presidential Shake® (& IR) <sup>2**</sup> Carriage House® Belmont® (& IR) <sup>2</sup> Landmark® Premium Landmark® PRO NorthGate® ClimateFlex® <sup>2</sup> Highland Slate®	Lifetime*	10 Years	110"	15



Siding: Cedarmill Lap Siding, Khaki Brown



## Hardie® *HL5* siding

Includes HardiePlank® HZ5® Lap Siding, HardiePanel® HZ5® Vertical Siding, HardieShingle® HZ HardieSoffit® HZ5® Panels

Effective April 2021

1. LIMITED WARRANTY. James Hardie Building Products Inc. ("Hardie") warrants, for a period of thirty (30) years (the "Limited Warranty Period") from the date of purchase of Hardie Fiber-Cement HARDIEPLANK® HZ5®, HARDIEPANEL® HZ5®, HARDIESHINGLE® HZ5® and HARDIESOFFIT® HZ5® Products (each, the "Product") for installation within the U.S. (except Alaska), Puerto Rico and Canada (except Yukon Territory, Northwest Territories, and Nunavut) that such purchased Product, when

(A) A Covered Person must notice to Hardie within the time period specified in this Limited Warranty and any permanent repair. 1 describe the location and nature of the claimed defect and any additional information necessary for Hardie to investigate the claim. Photos of the Product showing the claimed defect must accompany the claim.





# EXTERIOR ELEVATIONS

Materials: Metals, Paint & Bollards

EP1

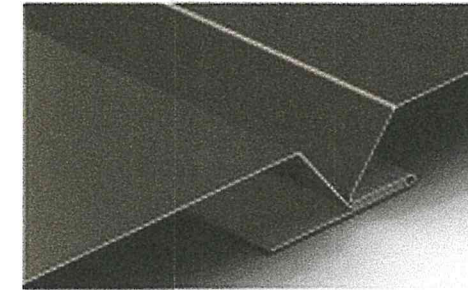
2217 C  
Pantone / PMS

EP2

9E8B78

Soffit: Firestone UC-750,  
Half Vented, Sandstone

**Firestone**  
Firestone Building Products



Brake Metal, Gutter &  
Downspout: Firestone  
Una-Clad, Sandstone

**Firestone**  
METAL PRODUCTS  
**UNA-CLAD**



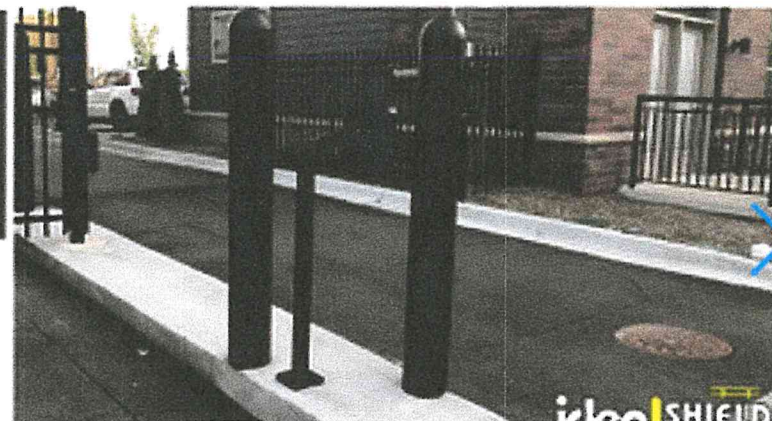
## TERMS, CONDITIONS, AND LIMITATIONS

Group 1: Adhesion - 35 years, Chalk - 30 years at 8, Fade - 30 years at 5:  
Almond, Bone White, Cityscape, Colonial Red, Hartford Green, Hamblek Green, Mansard Brown, Medium Bronze, Patina Green, Regal Blue, San  
Sherwood Green, Sierra Tan, Sky Blue, Slate Gray, Stone White, Terra Cotta, Tropical Palms, Burnished Slate

Bollard Covers:  
1/4" Smooth Surface



URBAN  
BRONZE  
(PANTONE  
2336 XGC)







# Agenda Request Form

**For Administration Use Only:**

Meeting Date: 2/13/2023

Open ☒ [X]

Closed ☐ [ ]

Report No. 1/2023

**Date Submitted:**

**To:** City Council

**Title:** Request to amend B-5 Ordinance no. 8648 to allow for sit-down, carry-out restaurants located at 1616/1620 Shackelford. (Planning and Zoning recommended approval on 1/17/2023)

**Prepared by:** Administrator

**Department:** Public Works

**Justification:**

Please see attachments

**Attachments:**

1. Public Hearing Notice
2. Application
3. Staff Report
4. Plans

# **CITY OF FLORISSANT**

## **Public Hearing**



**In accordance with 405.135 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, February 13, 2022 at 7:00 p.m. on the following proposition:**

**To amend Ord. No. 8648 to allow for sit-down, carry-out restaurants located 1616/1620 Shackelford. 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 email [kgoodwin@florissantmo.com](mailto:kgoodwin@florissantmo.com).**

**CITY OF FLORISSANT, Karen Goodwin, MMC City Clerk**

**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:

1620 & 1616 Shackelford Rd

**RECOMMENDED APPROVAL**  
**PLANNING & ZONING**  
**CHAIRMAN**

Council Ward 1 Zoning B-5

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

SIGN

DATE

1-17-2025

PETITION TO AMEND B-5 ORDINANCE # 8648

Enter ordinance number or number requesting to amend.

1) Comes Now MBR Florissant Shackelford, LLC

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

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

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

Legal interest in the Property Owner of the property

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 1.1

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 vacant next to Pomino's

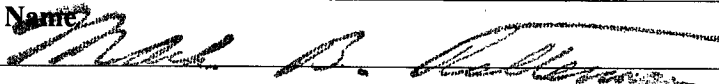
State current use of property, (or, state: vacant).

3. The petitioner(s) hereby state(s) the following reasons to justify the amendment to the existing B-5 ordinance:  
I would like to amend the ordinance to state: That the property located at 1620 & 1616 Schackelford to allow for sit-down, carry-out, and drive-thru restaurants.

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 Ratterman

PETITIONER(S) SIGNATURE (S) Print Name: 

FOR MBR Florissant Shackelford, 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 \_\_\_\_\_  
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 applicabe 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 Mark Ratterman
- (2) Telephone Number 636-487-0024
- (3) Business Address 201 N. Main St. Suite 300 St. Charles, MO 63301
- (4) Date started in business 08/14/2020
- (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.

**Please fill in applicable information requested.**

Name Mark Ratterman

Address 201 N. Main St. Suite 300 St. Charles, MO 63301  
Property Owner MBR Florissant Shackelford, LLC  
Location of property 1620 & 1616 Shackelford Rd  
Dimensions of property 51 x 66  
Property is presently zoned B-5 per ordinance # 8648  
Current & Proposed Use of Property B5 - to allow both suites to be zoned for sit-down, carry-out, and drive-thru restaurants.  
Type of Sign Pylon Height                       
Type of Construction Steel Number Of Stories 1  
Square Footage of Building 3,360 SF Number of Curb Cuts                       
Number of Parking Spaces 27 Sidewalk Length                       
Landscaping: No. of Trees                      Diameter                       
No. of Shrubs                      Size                       
Fence: Type                      Length                      Height                     

**PLEASE SUBMIT TEN (10) LEGIBLE FOLDED COPIES AND PDF MINIMUM SIZE 11X17 OR TO SCALE:**

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.**

A tract of land in Survey 176 of St. Ferdinand Commonfields, Township 47 North, Range 6 East, in St. Louis County, Missouri and being more particularly described as follows, to-wit:  
Beginning at a point on the Southeast line of Shackleford Road, 45 feet wide, where said point is intersected by the direct prolongation Northwestwardly of the Northeast line of Flamingo Park Plat 13, a recorded subdivision, thence Southeastwardly along the prolongation of the Northeast line of Flamingo Park Plat 13 and along the Northeast line of Flamingo Park Plat 13 South 55 degrees 09 minutes East 302.02 feet to a point, thence along the Northwestern line of said Flamingo Park Plat 13 North 37 degrees 23 minutes East, 150.08 feet to the most Southern corner of a tract of land described in Deed Book 6343 page 186 of the St. Louis County Records, thence along the Southwestern line of said tract North 52 degrees 37 minutes West 309.04 feet to a point on the Southeastern line of said Shackleford Road, 45 feet wide, thence along the Southeastern line of said Shackleford Road, 45 feet wide, South 34 degrees 51 minutes West, 163.59 feet to the Point of Beginning according to a survey by Rapp & Rapp. Surveyors made the 2nd day of June, 1970.

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

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

**STAFF CHECK LIST / REVIEW SHEET**

ADDRESS OF PROPERTY 1620 Shuckelford CURRENT ORD NO'S. \_\_\_\_\_  
PROPERTY OWNER OF RECORD Morp Mgmt. PHONE NO. \_\_\_\_\_  
AUTHORIZED AGENT Mark Patterman PHONE NO. \_\_\_\_\_  
PROPOSAL Amend Ord. 864B to allow 2nd restaurant

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:

n/a

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 buildings screened from adjoining residential?

Yes / No

3) Are the heights of structures shown?

Yes / No

na

4) Are all setbacks shown?

Yes / No

na

5) Are building square footages shown?

☒ Yes / No 3360

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

na

7) Is off street loading shown?

Yes / No

na

8) Parking:

na

a) Does parking shown meet the ordinance?

Yes / No

b) Is a variance required in accordance with the ordinance?

Yes / No

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

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

e) Will cross access and cross parking agreements be required?

Yes / No

f) Is the parking lot adequately landscaped?

Yes / No

9) Are there any signs?

Yes ☒ No

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

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

Are sizes, heights, details, and setbacks shown?

Yes / No

10) Are existing and proposed contours shown at not more than five (5) feet intervals?

Yes / No

na

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

na

12) Are two section profiles through the site showing preliminary building form, existing natural grade and proposed final grade shown?

Yes / No

na

13) Is proposed ingress/egress onto the site and internal traffic movements shown?

Yes / No

na



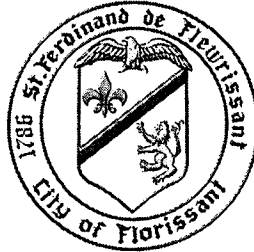
- 14) Was a traffic study submitted? Yes / ☒ No  
Does the City Staff recommend a traffic study? Yes / ☒ No
- 15) Are preliminary plans for sanitation and drainage (sanitary & storm water) facilities shown? Yes / No *na*
- 16) Is a legal description of the property shown? ☒ Yes / No  
Does legal description appear to be proper? ☒ Yes / No
- 17) Is an out-boundary plat of the property submitted? ☒ Yes / No
- 18) Suggested time limitations of construction: Number of Months 6 or /Start date \_\_\_\_\_ Finish date \_\_\_\_\_
- 19) Is parking lot lighting shown? Yes / No *na*
- 20) Are new walkways required? Yes ☒ No
- 21) Is there sufficient handicapped access? ☒ Yes / No
- 22) a) Are there proposed curb-cuts? Yes / No *na*  
b) Do the curb-cuts meet the City ordinances? Yes / No *na*
- 23) Will this project require any street improvements? Yes ☒ No
- 24) Staff recommendations for site development plans: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

pel 1/10/23  
Date Application reviewed

\_\_\_\_\_  
Building Commissioner or Staff Signature

1 **MEMORANDUM**



5 **CITY OF FLORISSANT**

6 To: Planning and Zoning Commissioners Date: January 10, 2023  
7 From: Philip E. Lum, AIA-Building Commissioner cc: Todd Hughes, P.E.  
8 Director of Public Works  
9 Applicant  
10 Deputy City Clerk  
11 File

12  
13 Subject: Request **recommended approval** to amend a 'B-5' Planned Commercial  
14 District, Ord. No. 8648, located at **1616 Shackelford Rd** to allow for a sit down carry out  
15 second restaurant as a Permitted Use.  
16

17 **STAFF REPORT**  
18 **CASE NUMBER PZ-011723-1**  
19

20 **I. PROJECT DESCRIPTION:**

21 The request before the commission is a Request for recommended approval to amend a  
22 'B-5' Planned Commercial District, Ord. No. 8648, located at **1616 Shackelford Rd** to  
23 allow for a second restaurant as a Permitted Use.  
24

25 **SITE CONDITIONS:**

26 The property is currently occupied by a sit down carry out and drive through restaurant,  
27 Domino's as expressly described in Ord. No. 8648, along with plans and rezoning to a  
28 'B-5' Planned Commercial District. No plans were received in the original rezoning that  
29 described a second restaurant for this ordinance.  
30

31 **III. SURROUNDING PROPERTIES:**

32 The property to the north is the Post Office at 1650 Shackelford. Other properties  
33 adjacent include 1570 Shackelford, 1665, 1675, 1685, 1705 and 1725 Verlene Dr.  
34

35 **IV. STAFF ANALYSIS:**

36 The building as originally proposed in 'B-5' Ord. No. 8648 for the Domino's at 1620  
37 Shackelford which had a stone veneer which was replaced. The plans submitted are C4  
38 dated 10/30/2020 by Civil Design, Inc. (illustrating no change in the site development  
39 plan and A1.0 from the original Ord. No. 8648.

Staff comments on Plans Submitted:

C4: Site Plan indicates the existing drive up window and circulation. It does not seem plausible for another drive through restaurant, therefore, the petition is for a sit down and carry out only. Ordinance indicates existing 27 parking spaces.

A1.0 Floor plan:

An Adjacent Tenant Space floor plan was shown for the original Ord. No. 8648, that shows double door entrance and single door exit in the rear. A sit down carry out restaurant in this location is about 1360 s.f. It would likely contain 2 restrooms, and 20-30 seats maximum.

A detailed floor plan is not necessary for the Adjacent Tenant Space to calculate parking for a restaurant Use less than 1500 s.f., and total parking required is calculated as follows:

Domino's Parking

Domino's Ordinance No. 8648 indicates graphically 30 seats in the existing restaurant. Parking code, section 405.225, allows for 4.5 spaces/ GFA (gross floor area) for restaurants under 1500 s.f.. The existing Domino's (1900 s.f.) is calculated as a "fast food" and required 15 spaces for customer seating and perhaps 4 employee parking for 6 employees on the maximum shift, a total of 19 spaces required.

Proposed Restaurant Parking

The Proposed Restaurant would be calculated at GSF, or 4.5 spaces per 1000 s.f.= 4.5 x 1.32 = 6 spaces required.

Total Parking Meets 405.225

Therefore the total required parking for the site is 19+6= 25 required and 27 provided meets the parking code.

**VI. STAFF RECOMMENDATIONS:**

1. See the following suggested motion:

I move for recommended approval to amend the 'B-5' Planned Commercial District, Ord. No. 8648 to allow for a sit down carry out second restaurant as a Permitted Use according to the proposal prepared by the petitioner.

Ord. No. 8648 shall be amended. Section 2, para. 1 shall be amended to read as follows:

1. **Permitted Uses**

The Uses permitted in this 'B-5' Planned Commercial District shall be limited to a sit down, carry out and drive through restaurant as herein described, a sit down carry out restaurant in the Adjacent Tenant Space and any Uses allowed as Permitted Uses in the 'B-3' District.

(End of suggested motion and staff report.)

Section 2: The property located at 1620 Shackelford Road (Domino's) is hereby rezoned from 'B-3' Extensive Business District to a 'B-5' Planned Commercial District, to allow for development of a sit down, carryout, drive-through restaurant and tenant space with the following conditions to be part of the record:

A sit down, carry out restaurant in the Adjacent Tenant Space

**1. PERMITTED USES**

The Uses permitted in this B-5 Planned Commercial District shall be limited to a sit down, carry out, drive through restaurant as herein described and any Uses allowed as Permitted Uses in the 'B-3' District.

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

- a. The building shall be limited to a single story building with a total square footage of approximately 3360 square feet. The main building shall not exceed 20 feet in height. The building shall be constructed of as depicted on the plans presented: Floor Plan A1.0 dated 9/18/20, Photometric Plans PH1.0 and PH2.0 by Gnich Architecture Studio, Landscape Plan L1 dated 7/30/20, Site Cross Sections CS-1 and Site Development Plan C1 both dated 7/30/20 by CDI, Elevations by Gnich Architecture Studio and Anchor Sign Package 8 pages dated 3/6/20.

**3. PERFORMANCE STANDARDS**

Uses within this B-5 Planned Commercial District identified herein shall conform to the most restrictive performance standards as set forth in Article VII of the Florissant Zoning Code.

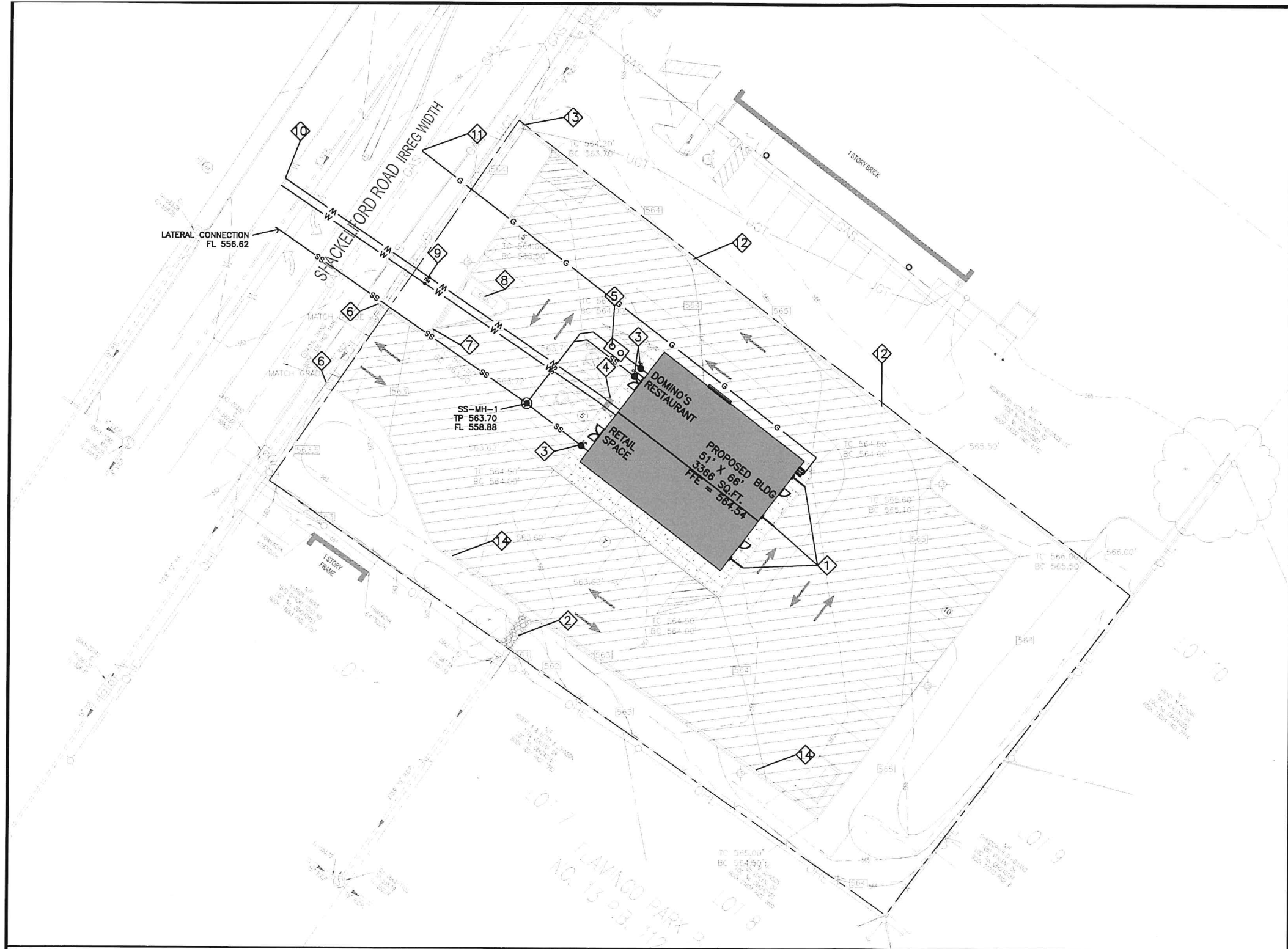
**5. FINAL SITE DEVELOPMENT PLAN GENERAL CRITERIA**

The above Final Site Development Plan shall include the following:

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

**6. FINAL SITE DEVELOPMENT PLAN CRITERIA**





**LEGEND:**

- FFE FIRST FLOOR ELEVATION
- PROPERTY LINE
- CONCRETE SIDEWALK (DETAIL SHEET D2)
- CONCRETE PAVEMENT
- ST STORM SEWER PIPING
- SS SANITARY SEWER
- W DOMESTIC WATER

**GRADING VOLUME:**

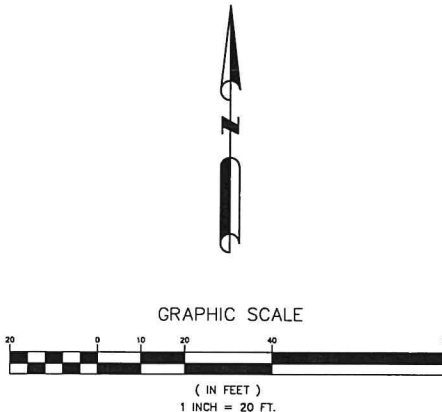
CUT = 414.35 CU FT  
FILL = 561.53 CU FT

**SITE NOTES (APPLY TO ALL CIVIL SHEETS):**

1. UNDERGROUND FACILITIES, STRUCTURES, AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS AND RECORDS AND THEREFORE THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. IT IS POSSIBLE THAT THERE MAY BE OTHERS, THE EXISTENCE OF WHICH IS PRESENTLY NOT KNOWN OR SHOWN. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THEIR EXISTENCE AND EXACT LOCATION BEFORE EXCAVATION OR TRENCHING TO AVOID DAMAGE THERETO.
2. THE LOCATION OF THE DOWNSPOUTS SHOWN ARE APPROXIMATE ONLY, CONTRACTOR SHALL CONFIRM EXACT LOCATION OF DOWNSPOUTS WITH ARCHITECT PRIOR TO CONSTRUCTION.
3. NO SLOPE SHALL EXCEED 1V:3H.
4. ALL UTILITY CONNECTIONS SHALL BE COMPLETED TO THE APPROPRIATE STANDARDS OF EACH RESPECTIVE UTILITY COMPANY.
5. CONTRACTOR SHALL MAINTAIN A MINIMUM OF 10' HORIZONTALLY AND 18" VERTICALLY BETWEEN ANY DOMESTIC WATER LINE AND ANY SANITARY SEWER LATERAL.
6. ALL NEW PEDESTRIAN WALKWAYS SHALL BE NO GREATER THAN 5% SLOPE IN THE LONGITUDINAL DIRECTION AND NO GREATER THAN 2% IN THE LATERAL DIRECTION (CROSS SLOPE).

**KEYED NOTES:**

- 1 PIPED DOWNSPOUT (4" PVC PIPE) INTEGRAL WITH MANUFACTURED TRENCH DRAIN. CONTRACTOR SHALL SUBMIT PART TO CDI FOR APPROVAL. DRAIN TO PAVEMENT.
- 2 ROCK LINED DRAINAGE SWALE PER DETAIL SHEET D2. USE MIX OF OVERSIZED DRAIN ROCK 1.5" - 4"
- 3 SANITARY CLEANOUTS SEE DETAIL SHEET D2
- 4 ACCESSIBLE CURB RAMP WITH TRUNCATED DOMES PER DETAIL SHEET D3
- 5 1000 GAL. OIL/WATER SEPARATOR
- 6 TAPER CURB TO MATCH EXISTING SIDEWALK ELEVATION.
- 7 6" CURB SEPARATION TO ACT AS DRAINAGE CHANNEL
- 8 STANDARD DOMINO'S POLE SIGN SEE ARCHITECTURAL PLANS
- 9 DOMESTIC WATER METER LOCATION. INSTALL PER MISSOURI AMERICAN WATER STANDARDS.
- 10 1" DOMESTIC WATER CONNECTION TO 8" MAIN. INSTALL PER MISSOURI AMERICAN WATER STANDARDS. COPPER PIPE SHALL BE TYPE K ONLY, AS SPECIFIED, MEETING THE REQUIREMENTS OF ASTM STANDARD B88.
- 11 GAS SERVICE CONNECTION PER SPIRE ENERGY STANDARD SPECIFICATIONS.
- 12 CURB AND GUTTER WITH 12" WIDE CURB CUTS EVERY 30' ALONG LENGTH OF CURB.
- 13 JOIN CURB AND GUTTER AT THIS LOCATION. MATCH NEW CURB WITH EXISTING CURB DIMENSIONS.
- 14 STANDARD CURB AND GUTTER (SEE DETAIL SHEET D2)



PRELIMINARY

NOT FOR CONSTRUCTION

DATE: 10/30/2020

CDI #: R4439

DESIGNED BY: JAG

DRAWN BY: JAG

CHECKED BY:

REV.	NO.	DATE	REMARKS
1	2	3	4

CIVIL ENGINEER: 5220 Oakland Avenue  
St. Louis, MO 63110  
314.863.3370  
CIVIL DESIGN, INC.  
WBE | DBE Certificate  
Missouri State Certificate  
of Authority #202006804

FLORISSANT DOMINO'S

1620 SHACKELFORD ROAD

FLORISSANT, MISSOURI

SHEET TITLE

SITE PLAN

SHEET NO.

C4

# **CITY OF FLORISSANT**

## **Public Hearing**



**In accordance with Chapter 405.475 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, February 13, 2022 at 7:00 p.m. on the following proposition:**

**To amend Sections 405.035, 405.120, 405.125, 405.140, 405.145, and 405.155 to allow for changes consistent with State Regulations regarding Cannabis/Marijuana products and facilities as presented. 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 email [kgoodwin@florissantmo.com](mailto:kgoodwin@florissantmo.com).**

**CITY OF FLORISSANT, Karen Goodwin, MMC City Clerk**

RECOMMENDED APPROVAL  
PLANNING & ZONING  
COMMISSION

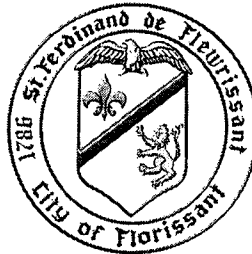
SIGN:



DATE:

1-17-23

## MEMORANDUM



## CITY OF FLORISSANT

To: Planning and Zoning Commissioners Date: January 11, 2023

From: Philip E. Lum, AIA-Building Commissioner cc: Todd Hughes, P.E.  
Director of Public Works  
Applicant  
Deputy City Clerk  
File

Subject: Request **recommended approval** to amend the Zoning Code to allow for changes consistent with State Regulations regarding Cannabis/Marijuana products and facilities.

## STAFF REPORT

### CASE NUMBER PZ-011723-2

#### I. PROJECT DESCRIPTION:

The request before the commission is a Request for recommended approval to amend the Zoning Code to allow for changes consistent with State Regulations regarding Cannabis/Marijuana products and facilities.

#### II. STAFF ANALYSIS:

Recent State legislation to allow recreational use of such products affects the Zoning Code definitions and uses.

The be consistent with State legislation, action is required, see attached document outlining changes to Section 1-5 of Article II, Section 405.035.

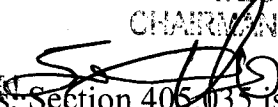
#### VI. STAFF RECOMMENDATIONS:

See the following suggested motion:

I move for recommended approval to amend the Zoning Code to allow for changes consistent with State Regulations regarding Cannabis/Marijuana products and facilities as presented.

(End of suggested motion and staff report.)



SIGN:  DATE: 1-17-2023  
**Section 1:** Article II: Definitions; Section 405.035 is hereby amended by adding the following definitions:

**MARIJUANA CULTIVATION FACILITY-** a facility licensed by the State of Missouri to acquire, cultivate, process, store, transport, and sell marijuana to a Marijuana Dispensary Facility, Marijuana Testing Facility, or to a -infused Products Manufacturing Facility.

**MARIJUANA DISPENSARY FACILITY:** a facility licensed by the State of Missouri to acquire, store, sell, transport, and deliver marijuana, marijuana-infused products and drug paraphernalia used to administer marijuana in accordance with applicable law and regulations.

**MARIJUANA-INFUSED PRODUCTS MANUFACTURING FACILITY-** a facility licensed by the State of Missouri, to acquire, store, manufacture, transport, and sell marijuana-infused products to a Marijuana Dispensary Facility, a Marijuana Test Facility, or to another Marijuana-Infused Projects Manufacturing Facility.

**MARIJUANA TESTING FACILITY-** a facility certified by the State of Missouri, to acquire, test, certify, and transport marijuana.

**Section 2:** 405.120, 'B-2' Central Business District, Subsection B "Use Regulations" is amended to include a new entry as follows and renumbered accordingly:

**Marijuana Dispensary Facility** - (NAICS CC453999), which abides by all applicable laws and regulations, but no Marijuana Dispensary Facility shall be sited on a property within three hundred (300) feet of a property of any then-existing church, day care center, elementary or secondary school. Measurements shall be made from the closest property line of the proposed Dispensary Facility to the closest property line of any such other use listed in this section, or in the case of location of a no Marijuana Dispensary Facility in a Shopping Center, the measurement shall be taken from a determined centroid of the facility. On-site Usage Prohibited: No Marijuana shall be smoked, ingested, infused or otherwise consumed on the premises. All licenses issued to any Facility shall be displayed at the Facility.

**Section 3:** 405.125, 'B-3' Extensive Business District, Subsection B "Use Regulations" is amended to include a new entry as follows and renumbered accordingly:

**Marijuana Dispensary Facility** - (NAICS CC453999), which abides by all applicable laws and regulations, but no Marijuana Dispensary Facility shall

be sited on a property within three hundred (300) feet of a property of any then-existing church, day care center, elementary or secondary school. Measurements shall be made from the closest property line of the proposed Dispensary Facility to the closest property line of any such other use listed in this section, or in the case of location of a no Marijuana Dispensary Facility in a Shopping Center, the measurement shall be taken from a determined centroid of the facility. On-site Usage Prohibited: No Marijuana shall be smoked, ingested, infused or otherwise consumed on the premises. All licenses issued to any Facility shall be displayed at the Facility.

**Section 4:** Section 405.140, M-1 "Limited Industrial District", Subsection B "Use Regulations" is hereby amended to include a new entry to read as follows and numbered accordingly:

**Marijuana-Infused Products Manufacturing Facility** (NAICS CC325415), **Marijuana Testing Facility** (NAICS CC541381) and **Marijuana Cultivation Facility-** (NAICS CC111419) which abide by all applicable laws and regulations, but no Marijuana Related Facility shall be sited on a property within seven hundred fifty (750) feet of a property of any then-existing church, day care center, elementary or secondary school. Measurements shall be made from the closest property line of the proposed Facility to the closest property line of any such other use listed in this section, or in the case of location of a Marijuana Facility or Use in a Shopping Center, the measurement shall be taken from a determined centroid of the facility. On-site Usage Prohibited: No Marijuana shall be smoked, ingested, infused or otherwise consumed on the premises. All licenses issued to any Facility shall be displayed at the Facility.

**Section 5:** Section 405.145, M-2 "Industry District", Subsection B "Use Regulations" is hereby amended to include a new entry to read as follows and numbered accordingly:

**Marijuana-Infused Products Manufacturing Facility** (NAICS CC325415), **Marijuana Testing Facility** (NAICS CC541381) and **Marijuana Cultivation Facility-** (NAICS CC111419) which abide by all applicable laws and regulations, but no Marijuana Related Facility shall be sited on a property within seven hundred fifty (750) feet of a property of any then-existing church, day care center, elementary or secondary school. Measurements shall be made from the closest property line of the proposed Facility to the closest property line of any such other use listed in this section, or in the case of location of a Marijuana Facility or Use in a Shopping Center, the measurement shall be taken from a determined centroid of the facility. On-site Usage Prohibited: No Marijuana shall be smoked, ingested, infused

or otherwise consumed on the premises. All licenses issued to any Facility shall be displayed at the Facility.

Section 6: Section 405.155, NU "Non-Urban Zoning District" Subsection B "Use Regulations" is hereby amended by adding a new section to include Marijuana Cultivation Facility to read as follows:

**Marijuana Cultivation Facility-** (NAICS CC111419) as defined in Section 405.035, which abides by all applicable laws and regulations, subject to the following specific standards:

1. No marijuana-related use or facility shall emit an odor or in any way cause a public nuisance per Section 405.1553 or Chapter 215, as applicable. The applicant shall demonstrate that the appropriate systems will be provided to prevent any odor of marijuana or fumes from leaving the facility.
2. Marijuana cultivation and processing activities shall occur only within an enclosed structure.
3. On-site Usage Prohibited: No Marijuana shall be smoked, ingested, infused or otherwise consumed on the premises.

All licenses issued to any Facility shall be displayed at the Facility



# Agenda Request Form

**For Administration Use Only:**

Meeting Date: 1/23/2023

Open ☒

Closed ☐

Report No. 4/2023

**Date Submitted:**

**To:** City Council

**Title:** Ordinance authorizing a transfer of Special Use Permit no. 4680 as amended from Desmet RHF Housing Inc. to All saints Apartments LLC. for the operation of housing units for the Elderly located at 1425 N. New Florissant Road.

**Prepared by:** Administrator

**Department:**

**Justification:**

See Attached Application

**Attachments:**

1. Application

INTRODUCED BY COUNCILMAN O'DONNELL  
JANUARY 23, 2023

BILL NO. 9853

ORDINANCE NO.

**ORDINANCE AUTHORIZING A TRANSFER OF SPECIAL USE PERMIT NO. 4680 AS AMENDED FROM DESMET RHF HOUSING INC. TO ALL SAINTS APARTMENTS LLC. FOR THE OPERATION OF HOUSING UNITS FOR THE ELDERLY LOCATED AT 1425 N. NEW FLORISSANT ROAD.**

WHEREAS, the Florissant Zoning Ordinance authorizes the Council of the City of Florissant, by Special Use Permit, after public hearing thereon, to permit the location of housing units for the elderly; and

WHEREAS DeSmet Associates was issued Special Use Permit no. 4680 for the location and building of housing units for the elderly located at 1425 N. New Florissant Road; and

WHEREAS special use permit no. 4680 was amended by ordinance no. 4815 to allow for additional housing units; and

WHEREAS special use permit no. 4680 was amended by ordinance no. 5922 to authorize assisted living units; and

WHEREAS special use permit no. 4680 was amended by ordinance no. 5962 to allow for a beauty parlor for the residents at 1425 N. New Florissant Road; and

WHEREAS special use permit no. 4680 as amended was transferred by ordinance no. 6413 to DeSmet RHF Housing Inc.; and

WHEREAS All Saints Apartments, LLC has filed an application to transfer Special use Permit no. 4680 as amended, authorizing the location and operation of housing units for the elderly located at 1425 N. New Florissant Road to its name; and

WHEREAS, the City Council of the City of Florissant determined at its meeting on January 23, 2023 that the business would be operated in substantially identical fashion as set out herein; and

WHEREAS, All Saints Apartments LLC has accepted the terms and conditions as they apply to a special use permit for housing units for the elderly.

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

Section 1: Special Use Permit no. 4680 as amended, is hereby transferred from DeSmet RHF Housing Inc. to All saints Apartments LLC. for the operation of housing units for the Elderly located at 1425 N. New Florissant Road.

Section 2: Said Permit herein authorized shall remain in full force and effect and subject to all of the ordinances of the City of Florissant.

Section 3: When the named permittee discontinues the operation of said business for longer than one hundred and eighty days (180) days, the Special Use Permit herein granted shall no longer be in force and effect.

Section 4: This ordinance shall become in force and effect immediately upon its passage and approval.

.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Joseph Eagan, Council President

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor Timothy J. Lowery

ATTEST:

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

## TRANSFER OF SPECIAL PERMIT

AUTHORIZED BY ORDINANCE NUMBER (S) : 4680 and all subsequent amendments:  
4815, 5922, 5962, 6413

FROM Desmet RHF Housing Inc.

TO All Saints Apartments LLC

FOR Operation of housing units for the elderly

ADDRESS 1425 N. New Florissant Rd. Florissant, MO 63033

Ward 6 Zoning R-4 Date Filed 12/15/2022 Accepted By

### TRANSFER OF SPECIAL USE PERMIT PETITION

TO THE CITY COUNCIL OF THE CITY OF FLORISSANT:

1. Comes now All Saints Apartments LLC and states to the City Council that he (she) (they) has (have) the following legal interest in the property located at 1425 N. New Florissant Road, Florissant, MO 63033 in the City of Florissant, Missouri. Legal interest: ( ) Lease or ( X ) Simple Title  
(Attach signed copy of lease or deed)
2. The petitioner(s) further state that he (she) (they) 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 petition.
3. The applicant will operate the business in the same manner and under the same conditions as set out in the original ordinance granting the special permit or any amendments thereto, except for any proposed change in sign face of an authorized sign.

PETITIONER SIGNATURE

Kurt Hunter

Individual's Name

FOR:

All Saints Apartments LLC

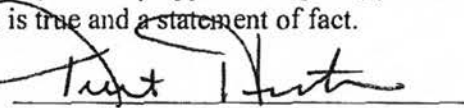
Company, Corporation, Partnership

4. I (we) hereby certify that (indicate **one only**):

( X ) I (we) have a legal interest in the above described property.

( ) I am (we are) the duly appointed agent (s) of the petitioner, and that all information given is true and a statement of fact.

SIGNATURE



ADDRESS 9645 Clayton Road, Ste 200, St. Louis, MO 63124

Telephone No. 314-265-0329,

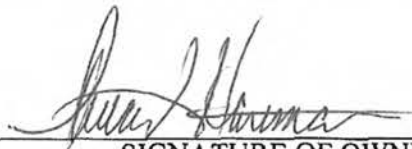
Email address kurt@straqr.com

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

\_\_\_\_\_  
PETITIONER SIGNATURE

**Note:** Petitioner or his/her authorized agent will be the only person(s) permitted to make the presentation to the City Council.

5. Acknowledgement and consent of (**current**) owner to Transfer the Special Use Permit.



\_\_\_\_\_  
SIGNATURE OF OWNER



**Information sheet to be attached to all requests for Transfer of Special Permit**

Type of Operation: (Select One)

Individual ☐

Partnership ☐

Corporation ☐

LLC ☒

**INDIVIDUAL:**

Name & address \_\_\_\_\_

Telephone number & email address \_\_\_\_\_

Business name/address/phone \_\_\_\_\_

Copy of fictitious name registration, if applicable \_\_\_\_\_

**PARTNERSHIP:**

Name & address of partner (s ) \_\_\_\_\_

\_\_\_\_\_

Telephone number(s) and email address (s) \_\_\_\_\_

Business name/ address /phone \_\_\_\_\_

Copy of fictitious name registration, if applicable \_\_\_\_\_

**CORPORATION OR LLC:**

Name & address of all corporate officers: Kurt Hunter 9645 Clayton Rd., Ste 200, St. Louis, MO 63124

Telephone numbers & email addresses 314-265-0329, kurt@straqr.com

Business name/address/phone All Saints Apartments LLC, 9645 Clayton Rd. Ste 200, St. Louis, MO 63124

Date of incorporation/LLC 11/4/2022

Copy of fictitious name registration, if applicable

Copy of latest Missouri Anti-Trust affidavit (annual registration of corporate officers)

Photocopy of Corporation/LLC Articles and Certificate

## TRANSFER OF SPECIAL USE PERMIT

The undersigned hereby acknowledges receipt of a copy of Ordinance Number 4680 and all subsequent amendments: 4815, 5922, 5962, 6413 which authorized a Special Permit:

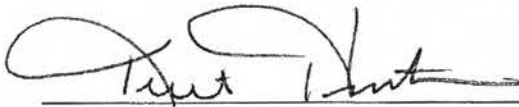
TO: Desmet RHF Housing Inc.

FOR: Operation of housing units for the elderly

and agree to the terms and conditions listed in said ordinance and to any additional term and conditions that the City Council shall deem appropriate.

All Saints Apartments LLC – Kurt Hunter

PRINT - NAME OF APPLICANT

A handwritten signature in black ink, appearing to read "Kurt Hunter", is written over a horizontal line.

SIGNATURE OF APPLICANT

December 26<sup>th</sup>, 2022

City of Florissant, Missouri  
City Hall  
955 St. Francis St.  
Florissant, Missouri 63031

RE: DeSmet Retirement Community

1425 N New Florissant Rd, Florissant, MO 63033

Ladies and Gentlemen,

On behalf of All Saints Apartments LLC, who has applied for transfer of special permits in connection with their acquisition of the above referenced retirement community, we are pleased to confirm that we plan to continue to serve similar clientele and to operate the facilities in the same manner as the current use.

We look forward to serving the Florissant community.

Sincerely,

A handwritten signature in black ink, appearing to be 'Kurt Hunter', with a stylized 'K' and a long horizontal stroke extending to the right.

Kurt Hunter

All Saints Apartments LLC

314-265-0329

kurt@straqr.com

2022121600112

CERTIFIED-FILED FOR RECORD  
12/16/2022 7:23:19AM

GERALD E. SMITH  
RECORDER OF DEEDS  
COUNTY OF ST. LOUIS, MISSOURI

PAGES: 7  
RECORDING FEE: \$39.00

THIS DOCUMENT WAS ERECORDED

GERALD E. SMITH, RECORDER OF DEEDS  
ST. LOUIS COUNTY MISSOURI  
41 S. CENTRAL AVE., CLAYTON, MO 63105-1799

Type of Instrument: WARRANTY DEED  
Grantor: DESMET RHF HOUSING INC  
Grantee: ALL SAINTS APARTMENTS LLC

NOTE: I, the undersigned Recorder of Deeds, do hereby certify that the information shown on this Certification Sheet as to the **TYPE OF INSTRUMENT, the NAMES of the GRANTOR and GRANTEE as well as the DESCRIPTION of the REAL PROPERTY affected** is furnished merely as a convenience only, and in the case of any discrepancy of such information between this Certification Sheet and the attached Document, **the ATTACHED DOCUMENT governs**. Only the DOCUMENT NUMBER, the DATE and TIME of filing for record of the recorded Document is taken from this CERTIFICATION SHEET.

RECORDER OF DEEDS DOCUMENT CERTIFICATION

STATE OF MISSOURI     )  
                                  SS.  
COUNTY OF ST. LOUIS    )

I, the undersigned Recorder of Deeds for said County and State, do hereby certify that the following and annexed instrument of writing, which consists of 7 pages, (this page inclusive), was filed for record in my office on the 16 day of December 2022 at 7:23 am and is truly recorded as the document number printed above.

In witness whereof I have hereunto set my hand and official seal the day, month and year aforesaid.

EW  
\_\_\_\_\_  
Deputy Recorder



*Gerald E. Smith*  
\_\_\_\_\_  
Recorder of Deeds  
St. Louis County, Missouri

20,162,625

*Space Above Line Reserved for Recorder's Use*

---

1.    **Title of Document:**    Special Warranty Deed
  
2.    **Date of Document:**    As of December 15, 2022
  
3.    **Grantor(s):**    DeSmet RHF Housing, Inc., a Missouri nonprofit public benefit corporation
  
4.    **Grantee(s):**    All Saints Apartments LLC, a Missouri limited liability company
  
5.    **Statutory Mailing Address(es):**  

Grantor:  
c/o Retirement Housing Foundation  
911 N. Studebaker Road  
Long Beach, CA 90815  
Attention: Roberg Amberg, Esq.

Grantee:  
  
c/o STRAQR  
9645 Clayton Road, #200  
St. Louis, MO 63124  
Attention: Kurt Hunter
  
6.    **Legal Description:**    See Exhibit A attached hereto.
  
7.    **Reference(s) to Book(s) and Page(s):** N/A

27964279  
89334887v.2  
057672\741743\87226719.2

### SPECIAL WARRANTY DEED

This Special Warranty Deed ("Deed") is made and entered into as of December 15, 2022 by and between DESMET RHF HOUSING, INC., a Missouri nonprofit public benefit corporation, having an address of c/o Retirement Housing Foundation, 911 N. Studebaker Road, Long Beach, CA 90815, Attention: Roberg Amberg, Esq. ("Grantor"), and ALL SAINTS APARTMENTS LLC, a Missouri limited liability company having an address of c/o STRAQR, 9645 Clayton Road, #200, St. Louis, MO 63124, Attention: Kurt Hunter ("Grantee").

Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration paid by Grantee, the receipt and sufficiency of which is hereby acknowledged, does by these presents, BARGAIN AND SELL, CONVEY AND CONFIRM unto Grantee the real estate and improvements located in the County of St. Louis, State of Missouri, more particularly described as follows (the "Real Estate"):

See Exhibit A attached hereto and incorporated herein by this reference.

SUBJECT, HOWEVER, TO those matters more particularly described on Exhibit B attached (the "Permitted Exceptions").

TO HAVE AND TO HOLD THE SAME, together with all fixtures, rights, privileges and appurtenances to the same belonging, unto Grantee, and to its successors and assigns forever, Grantor, for Grantor and Grantor's heirs, successors and assigns, is hereby covenanting that Grantor is lawfully seized of Grantor's interest in the Real Estate and has good right to convey its interest in the Real Estate and guarantees quiet possession of the Real Estate against the claims of those claiming any right, interest, or title through Grantor, except as provided herein. Grantor and the successors and assigns of Grantor will WARRANT AND DEFEND the title to the Real Estate unto Grantee and to its successors and assigns forever against the lawful claims of all persons claiming by, through or under Grantor, but none other, excepting, however, the Permitted Exceptions.

**[Remainder of Page Intentionally Left Blank.]**

SIGNATURE PAGE FOR SPECIAL WARRANTY DEED

IN WITNESS WHEREOF, the undersigned has or have caused this instrument to be executed as of the date first above written.

"Grantor"

DESMET RHF HOUSING, INC.,  
a Missouri nonprofit public benefit corporation

By: 

Name: Stuart Hartman

Its: President

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

On this \_\_\_\_ day of \_\_\_\_\_, 2022, before me personally appeared \_\_\_\_\_, personally known to me to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he)(she) signed it voluntarily for its stated purpose as \_\_\_\_\_ for the nonprofit public benefit corporation.

\_\_\_\_\_  
Notary Public

[Official Seal]

*see attached  
Acknowledgment  
12-13-2022*

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )

County of Los Angeles )

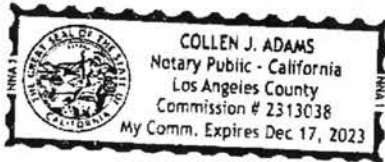
On December 13, 2023 before me, Colleen J. Adams, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Stuart Hartman  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Colleen J. Adams  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document Warranty Deed - (to Sonnet)

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_

Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

☐ Corporate Officer — Title(s): \_\_\_\_\_

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

☐ Corporate Officer — Title(s): \_\_\_\_\_

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_



### EXHIBIT A

A tract of land being part of Lot 55 of St. Ferdinand Commons, in St. Louis County, Missouri; being that parcel conveyed to DeSmet Associates Limited Partnership by instrument recorded in Book 7980 Page 751 of the St. Louis County Records and being more particularly described as:

Beginning at a point on the East line of a 2.50 acre tract of land conveyed to Engelbert Knobbe by instrument recorded in Book 1287 page 208 of said St. Louis County Records, distant South 0 degrees 20 minutes West (Adopted Bearing) 154.25 feet from its intersection with the Southeast line of Lindbergh Boulevard; thence South 89 degrees 48 minutes East 690.67 feet to the Western line of New Florissant Road (80 feet wide) according to instrument recorded in Book 6114 page 387 of said St. Louis County Records; thence along said Western line of New Florissant Road, Southwardly along a curve to the right, having a radius of 915.36 feet a distance of 331.08 feet; thence North 89 degrees 48 minutes West 613.44 feet to said East line of Knobbe Tract; thence along said East line of Knobbe Tract North 0 degrees 20 minutes East 319.91 feet back to the point of beginning according to an ALTA/ACSM "Land Title Survey" performed by Metron Surveying Co. dated March 31, 1997, Order No. 4056B in St. Louis County, Missouri.

## EXHIBIT B

1. Building lines, easements, restrictions and other matters shown on the recorded plat/map of DESMET CONDOMINIUMS, in Plat Book P308 and Page 68, which includes the following:

Declaration of Condominium for DeSmet Condominium, as more fully set forth in the instrument recorded 01/01/1991 in Book 9147 at Page 2241 and First Amendment to Declaration of Condominium for DeSmet Condominiums, as more fully set forth in the instrument recorded 08/01/1994 as Document No. 517 in Book 10272 at Page 511.

As affected by Termination of Declaration of Condominium for DeSmet Condominiums, as more fully set forth in the instrument recorded 01/08/1996 in Book 10705 at Page 490.

2. Easement for Underground Facilities granted to Southwest Bell Telephone Company as more fully set forth in the instrument recorded 07/02/1987 as Document No. 132 in Book 8157 at Page 2104.
3. Easement granted to Union Electric Company, a Missouri corporation, as more fully set forth in the instrument recorded 08/06/1987 in Book 8179 at Page 1844 and in Book 8271 at Page 859.
4. Maintenance Agreement with the Metropolitan St. Louis Sewer District, as more fully set forth in the instrument recorded 11/10/1987 in Book 8229 at Page 1340.
5. Easement granted to Laclede Gas Company, a Missouri corporation, as more fully set forth in the instrument recorded 03/07/1988 in Book 8278 at Page 2426.
6. Land Use Restriction Agreement, as more fully set forth in the instrument recorded 08/31/2000 in Book 12672 at Page 1372.
7. Tenancy either by month to month or by virtue of a written lease, by a party in possession of any part of the subject property.
8. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto.



## State of Missouri

John R. Ashcroft, Secretary of State

Corporations Division  
PO Box 778 / 600 W. Main St., Rm. 322  
Jefferson City, MO 65102

**LC014417232**  
**Date Filed: 11/4/2022**  
**John R. Ashcroft**  
**Missouri Secretary of State**

### Articles of Organization

(Submit with filing fee of \$105.00)

1. The name of the limited liability company is

All Saints Apartments LLC

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

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

To engage in any lawful act or activity for which limited liability companies may be formed, including the operation and improvement of Desmet and St. Catherine Apartments located in St. Louis County, Missouri (ii) to exercise all of the powers granted under the provisions of the law; and (iii) to do any and all things necessary, convenient, or incidental to the achievement of the foregoing.

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

<u>Kurt Hunter</u>	<u>9645 Clayton Rd</u>	<u>Saint Louis, MO 63124</u>
<u>Suite 200</u>		
<small>Name</small>	<small>Street Address: May not use PO Box unless street address also provided</small>	<small>City/State/Zip</small>

4. The management of the limited liability company is vested in: ☒ managers ☐ members (check one)

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

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

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

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

<u>Name</u>	<u>Address</u>	<u>City/State/Zip</u>
<u>Hunter, Kurt</u>	<u>9645 Clayton Rd Suite 200</u>	<u>Saint Louis MO 63124-1551</u>

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

New Series:

☐ The limited liability company gives notice that the series has limited liability.

New Series:

☐ The limited liability company gives notice that the series has limited liability.

New Series:

Name and address to return filed document:

Name: Kurt Hunter

Address: Email: kurt@straqr.com

City, State, and Zip Code: \_\_\_\_\_

☐ The limited liability company gives notice that the series has limited liability.  
(Each separate series must also file an Attachment Form LLC 1A.)

8. Principal Office Address (OPTIONAL) of the limited liability company (PO Box may only be used in addition to a physical street address):

9645 Clayton Rd Suite 200

Saint Louis, MO 63124-1551

*Address (PO Box may only be used in conjunction with a physical street address)*

*City/State/Zip*

9. The effective date of this document is the date it is filed by the Secretary of State of Missouri unless a future date is otherwise indicated: ;

*(Date may not be more than 90 days after the filing date in this office)*

In Affirmation thereof, the facts stated above are true and correct:

(The undersigned understands that false statements made in this filing are subject to the penalties provided under Section 575.040, RSMo)

**All organizers must sign:**

Kurt Hunter

KURT HUNTER

11/04/2022

*Organizer Signature*

*Printed Name*

*Date of Signature*

# STATE OF MISSOURI



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

## CERTIFICATE OF ORGANIZATION

WHEREAS,

*All Saints Apartments LLC*  
*LC014417232*

filed its Articles of Organization with this office on the 4th day of November, 2022, and that filing was found to conform to the Missouri Limited Liability Company Act.

NOW, THEREFORE, I, John R. Ashcroft, Secretary of State of the State of Missouri, do by virtue of the authority vested in me by law, do certify and declare that on the 4th day of November, 2022, the above entity is a Limited Liability Company, organized in this state and entitled to any rights granted to Limited Liability Companies.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the GREAT SEAL of the State of Missouri.  
Done at the City of Jefferson, this 4th day of November, 2022.

  
Secretary of State





# Agenda Request Form

**For Administration Use Only:**

Meeting Date: 2/13/2023

Open ☒

Closed ☐

Report No. 5/2023

**Date Submitted:**

**To:** City Council

**Title:** Ordinance authorizing a transfer of Special Use Permit no 4294 as amended from St Catherine RHF Housing, Inc. to All Saints Apartments, LLC for the operation of a retirement community located at 3350 St. Catherine.

**Prepared by:** Administrator

**Department:** Public Works

**Justification:**

See attached application

**Attachments:**

1. Application
2. Ordinances being transferred

INTRODUCED BY COUNCILMAN PARSON  
JANUARY 23, 2023

BILL NO. 9854

ORDINANCE NO.

**ORDINANCE AUTHORIZING A TRANSFER OF SPECIAL USE PERMIT NO 4294 AS AMENDED, FROM ST CATHERINE RHF HOUSING, INC. TO ALL SAINTS APARTMENTS, LLC FOR THE OPERATION OF A RETIREMENT COMMUNITY LOCATED AT 3350 ST. CATHERINE.**

WHEREAS, the Florissant Zoning Ordinance authorizes the Council of the City of Florissant, by Special Use Permit, after public hearing thereon, to permit the location of a retirement community; and

WHEREAS the Brookview Group was issued Special Use Permit no. 4924 for the operation of a retirement community located at 500 Clemens; and

WHEREAS special use permit no. 4924 was amended by ordinance no. 4975 to allow for the building of 96 housing units for residents 60 years and older; and

WHEREAS special sue permit no. 4924 was further amended by ordinance no. 5055 to amend the site plan granting an easement on St. Catherine and the addition of a 5-foot setback; and

WHEREAS special use permit no. 4924 was further amended by ordinance no. 5989 to allow for the addition of a beauty salon for the residents; and

WHEREAS special use permit no. 4924 was transferred by ordinance no. 6414 to St. Catherine RHF Housing, Inc.; and

WHEREAS All Saints Apartments, LLC has filed an application to transfer Special use Permit no. 4294, as amended, authorizing the location and operation of a retirement community located at 3350 St. Catherine to its name; and

WHEREAS, the City Council of the City of Florissant determined at its meeting on January 23, 2023 that the business would be operated in substantially identical fashion as set out herein; and

WHEREAS, All Saints Apartments, LLC has accepted the terms and conditions as they apply to a special use permit for a retirement Community.

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



Section 1: Special Use Permit no. 4294, as amended, is hereby transferred from St Catherine RHF Housing, Inc. to All Saints Apartments, LLC for the operation of a retirement community located at 3350 St. Catherine.

Section 2: Said Permit herein authorized shall remain in full force and effect and subject to all of the ordinances of the City of Florissant.

Section 3: When the named permittee discontinues the operation of said business for longer than one hundred and eighty days (180) days, the Special Use Permit herein granted shall no longer be in force and effect.

Section 4: This ordinance shall become in force and effect immediately upon its passage and approval.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Joseph Eagan, Council President

Approved this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor Timothy J. Lowery

ATTEST:

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

## TRANSFER OF SPECIAL PERMIT

AUTHORIZED BY ORDINANCE NUMBER (S) : 4294 and all subsequent amendments:  
4975, 5055, 5989, 6414

FROM St. Catherine RHF Housing Inc.

TO All Saints Apartments LLC

FOR Operation of housing units for the elderly

ADDRESS 3350 St. Catherine St. Florissant, MO 63033

Ward 8 Zoning R-4 Date Filed 12/15/2022 Accepted By

### TRANSFER OF SPECIAL USE PERMIT PETITION TO THE CITY COUNCIL OF THE CITY OF FLORISSANT:

1. Comes now All Saints Apartments LLC and states to the City Council that he (she) (they) has (have) the following legal interest in the property located at 3350 St. Catherine St. Florissant, MO 63033 in the City of Florissant, Missouri. Legal interest: ( ) Lease or ( X ) Simple Title  
(Attach signed copy of lease or deed)
2. The petitioner(s) further state that he (she) (they) 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 petition.
3. The applicant will operate the business in the same manner and under the same conditions as set out in the original ordinance granting the special permit or any amendments thereto, except for any proposed change in sign face of an authorized sign.

PETITIONER SIGNATURE

Kurt Hunter

Individual's Name

FOR:

All Saints Apartments LLC

Company, Corporation, Partnership

4. I (we) hereby certify that (indicate one only):

( X ) I (we) have a legal interest in the above described property.

( ) I am (we are) the duly appointed agent (s) of the petitioner, and that all information given is true and a statement of fact.

SIGNATURE



ADDRESS 9645 Clayton Road, Ste 200, St. Louis, MO 63124

Telephone No. 314-265-0329.

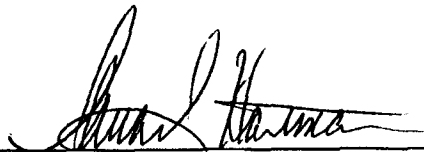
Email address kurt@straqr.com

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

\_\_\_\_\_  
PETITIONER SIGNATURE

**Note:** Petitioner or his/her authorized agent will be the only person(s) permitted to make the presentation to the City Council.

5. Acknowledgement and consent of (current) owner to Transfer the Special Use Permit.



\_\_\_\_\_  
SIGNATURE OF OWNER

**Information sheet to be attached to all requests for Transfer of Special Permit**

Type of Operation: (Select One)

Individual ☐

Partnership ☐

Corporation ☐

LLC ☒

**INDIVIDUAL:**

Name & address \_\_\_\_\_

Telephone number & email address \_\_\_\_\_

Business name/address/phone \_\_\_\_\_

Copy of fictitious name registration, if applicable \_\_\_\_\_

**PARTNERSHIP:**

Name & address of partner (s) \_\_\_\_\_

\_\_\_\_\_

Telephone number(s) and email address (s) \_\_\_\_\_

Business name/ address /phone \_\_\_\_\_

Copy of fictitious name registration, if applicable \_\_\_\_\_

**CORPORATION OR LLC:**

Name & address of all corporate officers: Kurt Hunter 9645 Clayton Rd., Ste 200, St. Louis, MO 63124

Telephone numbers & email addresses 314-265-0329, kurt@straqr.com

Business name/address/phone All Saints Apartments LLC, 9645 Clayton Rd. Ste 200, St. Louis, MO 63124

Date of incorporation/LLC 11/4/2022

Copy of fictitious name registration, if applicable

Copy of latest Missouri Anti-Trust affidavit (annual registration of corporate officers)

Photocopy of Corporation/LLC Articles and Certificate

## TRANSFER OF SPECIAL USE PERMIT

The undersigned hereby acknowledges receipt of a copy of Ordinance Number 4294 and all subsequent amendments: 4975, 5055, 5989, 6414 which authorized a Special Permit:

TO: St. Catherine RHF Housing Inc.

FOR: Operation of housing units for the elderly

and agree to the terms and conditions listed in said ordinance and to any additional term and conditions that the City Council shall deem appropriate.

All Saints Apartments LLC – Kurt Hunter

PRINT - NAME OF APPLICANT

A handwritten signature in dark ink, appearing to read "Kurt Hunter", is written over a horizontal line.

SIGNATURE OF APPLICANT

December 26<sup>th</sup>, 2022

City of Florissant, Missouri  
City Hall  
955 St. Francis St.  
Florissant, Missouri 63031

RE: St. Catherine Retirement Community  
3350 St. Catherine St., Florissant, MO 63033

Ladies and Gentlemen,

On behalf of All Saints Apartments LLC, who has applied for transfer of special permits in connection with their acquisition of the above referenced retirement community, we are pleased to confirm that we plan to continue to serve similar clientele and to operate the facilities in the same manner as the current use.

We look forward to serving the Florissant community.

Sincerely,

A handwritten signature in black ink, appearing to be 'Kurt Hunter', with a stylized 'K' and a horizontal line extending to the right.

Kurt Hunter

All Saints Apartments LLC

314-265-0329

kurt@straqr.com

2022121600121

CERTIFIED-FILED FOR RECORD  
12/16/2022 7:33:51AM

GERALD E. SMITH  
RECORDER OF DEEDS  
COUNTY OF ST. LOUIS, MISSOURI

PAGES: 7  
RECORDING FEE: \$39.00

THIS DOCUMENT WAS ERECORDED

GERALD E. SMITH, RECORDER OF DEEDS  
ST. LOUIS COUNTY MISSOURI  
41 S. CENTRAL AVE., CLAYTON, MO 63105-1799

Type of Instrument: WARRANTY DEED  
Grantor: ST CATHERINE RHF HOUSING INC  
Grantee: ALL SAINTS APARTMENTS LLC

NOTE: I, the undersigned Recorder of Deeds, do hereby certify that the information shown on this Certification Sheet as to the **TYPE OF INSTRUMENT**, the **NAMES of the GRANTOR and GRANTEE** as well as the **DESCRIPTION of the REAL PROPERTY affected** is furnished merely as a convenience only, and in the case of any discrepancy of such information between this Certification Sheet and the attached Document, **the ATTACHED DOCUMENT governs**. Only the **DOCUMENT NUMBER**, the **DATE** and **TIME** of filing for record of the recorded Document is taken from this **CERTIFICATION SHEET**.

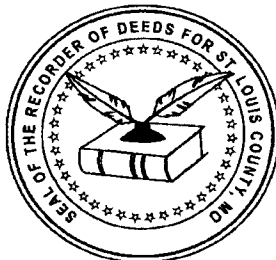
RECORDER OF DEEDS DOCUMENT CERTIFICATION

STATE OF MISSOURI       )  
                                  SS.  
COUNTY OF ST. LOUIS    )

I, the undersigned Recorder of Deeds for said County and State, do hereby certify that the following and annexed instrument of writing, which consists of 7 pages, (this page inclusive), was filed for record in my office on the 16 day of December 2022 at 7:33 am and is truly recorded as the document number printed above.

In witness whereof I have hereunto set my hand and official seal the day, month and year aforesaid.

JS  
\_\_\_\_\_  
Deputy Recorder



*Gerald E. Smith*

\_\_\_\_\_  
Recorder of Deeds  
St. Louis County, Missouri

20,162,637

*Space Above Line Reserved for Recorder's Use*

---

1. **Title of Document:** Special Warranty Deed
2. **Date of Document:** December 15, 2022
3. **Grantor(s):** St. Catherine RHF Housing, Inc., a Missouri nonprofit public benefit corporation
4. **Grantee(s):** All Saints Apartments LLC, a Missouri limited liability company
5. **Statutory Mailing Address(es):**  

Grantor:  
c/o Retirement Housing Foundation  
911 N. Studebaker Road  
Long Beach, CA 90815  
Attention: Roberg Amberg, Esq.

Grantee:  
  
c/o STRAQR  
9645 Clayton Road, #200  
St. Louis, MO 63124  
Attention: Kurt Hunter
6. **Legal Description:** See Exhibit A attached hereto.
7. **Reference(s) to Book(s) and Page(s):** N/A

27964327  
89334893v.2  
057672\741743\87226694.2



SPECIAL WARRANTY DEED

This Special Warranty Deed ("Deed") is made and entered into as of December 15, 2022 by and between ST. CATHERINE RHF HOUSING, INC., a Missouri nonprofit public benefit corporation, having an address of c/o Retirement Housing Foundation, 911 N. Studebaker Road, Long Beach, CA 90815, Attention: Roberg Amberg, Esq. ("Grantor"), and ALL SAINTS APARTMENTS LLC, a Missouri limited liability company having an address of c/o STRAQR, 9645 Clayton Road, #200, St. Louis, MO 63124, Attention: Kurt Hunter ("Grantee").

Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration paid by Grantee, the receipt and sufficiency of which is hereby acknowledged, does by these presents, BARGAIN AND SELL, CONVEY AND CONFIRM unto Grantee the real estate and improvements located in the County of St. Louis, State of Missouri, more particularly described as follows (the "Real Estate"):

See Exhibit A attached hereto and incorporated herein by this reference.

SUBJECT, HOWEVER, TO those matters more particularly described on Exhibit B attached (the "Permitted Exceptions").

TO HAVE AND TO HOLD THE SAME, together with all fixtures, rights, privileges and appurtenances to the same belonging, unto Grantee, and to its successors and assigns forever, Grantor, for Grantor and Grantor's heirs, successors and assigns, is hereby covenanting that Grantor is lawfully seized of Grantor's interest in the Real Estate and has good right to convey its interest in the Real Estate and guarantees quiet possession of the Real Estate against the claims of those claiming any right, interest or title through Grantor, except as provided herein. Grantor and the successors and assigns of Grantor will WARRANT AND DEFEND the title to the Real Estate unto Grantee and to its successors and assigns forever against the lawful claims of all persons claiming by, through or under Grantor, but none other, excepting, however, the Permitted Exceptions.

[Remainder of Page Intentionally Left Blank.]

SIGNATURE PAGE FOR SPECIAL WARRANTY DEED

IN WITNESS WHEREOF, the undersigned has or have caused this instrument to be executed as of the date first above written.

"Grantor"

ST. CATHERINE RHF HOUSING, INC.,  
a Missouri nonprofit public benefit corporation

By: 

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

Its: \_\_\_\_\_

Stuart Hartman

President

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

On this \_\_\_\_ day of \_\_\_\_\_, 2022, before me personally appeared \_\_\_\_\_, personally known to me to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he)(she) signed it voluntarily for its stated purpose as \_\_\_\_\_ for the nonprofit public benefit corporation.

\_\_\_\_\_  
Notary Public

[Official Seal]

*See attached  
Acknowledgment  
12-13, 2022*

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )

County of Los Angeles )

On December 13, 2022 before me, Colleen J. Adams, Notary Public

Date

Here Insert Name and Title of the Officer

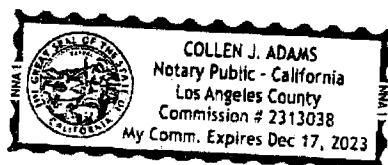
personally appeared Stuart Hartman

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Colleen J. Adams  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document** Warranty Deed (St. Catherine)

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_

Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

☐ Corporate Officer — Title(s): \_\_\_\_\_

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

☐ Corporate Officer — Title(s): \_\_\_\_\_

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

EXHIBIT A

PARCEL 1:

Part of Lot "A" of ST. CATHERINE APARTMENTS SUBDIVISION, a subdivision according to the plat thereof recorded in Plat Book 288 page 100 of the St. Louis County, Missouri Records; EXCEPTING THEREFROM that part conveyed to St. Louis County, Missouri, by deed recorded in Book 8689 page 2338 of the St. Louis County Records, and being more particularly described as:

Beginning at the Northwestern corner of Lot 50 of Mark Twain Hills, a subdivision recorded in Plat Book 91 page 50 of the St. Louis County Records, said point being also on the Eastern line of Clemens Drive, 50 feet wide; said point being also the Southwest corner of said Lot A; thence along the boundary of said Lot A, South 89 degrees 50 minutes 00 seconds East 237.56 feet; North 00 degrees 10 minutes 00 seconds East 4.00 feet; South 89 degrees 50 minutes 00 seconds East 70.02 feet; North 00 degrees 10 minutes 00 seconds East 1.00 feet; South 89 degrees 50 minutes 00 seconds East 127.40 feet; South 00 degrees 10 minutes 00 seconds West 5.00 feet; South 89 degrees 50 minutes 00 seconds East 189.90 feet; North 00 degrees 27 minutes 34 seconds East 499.57 feet to the South line of St. Catherine Street, 50 feet wide; North 89 degrees 26 minutes 56 seconds West 56.29 feet and North 89 degrees 50 minutes 11 seconds West 548.71 feet along said South line of St. Catherine Street to a point of curvature, being the Eastern corner of a tract of land conveyed to St. Louis County, Missouri by deed recorded in Book 8689 page 2338 of the St. Louis County Records; thence along a curve to the left having a radius of 20 feet, a distance of 31.31 feet to a point of tangency and said East line of Clemens Drive; thence along said East line of Clemens Drive and the boundary of said Lot A, South 00 degrees 27 minutes 34 seconds West 269.01 feet to the Northwest corner of Lot B of said St. Catherine Apartments Subdivision; thence continuing along said boundary of Lot A and the boundary of said Lot B, South 89 degrees 32 minutes 26 seconds East 123.60 feet; South 00 degrees 27 minutes 34 seconds West 126.00 feet; North 89 degrees 32 minutes 26 seconds West 123.60 feet to said East line of Clemens Drive; thence South 00 degrees 27 minutes 34 seconds West 85.00 feet along said Boundary of Lot A back to the point of beginning, according to a ALTA/ACSM "Land Title Survey" performed by Metron Surveying Co., dated October 10, 1996, Order No. 4057A in St. Louis County, Missouri.

PARCEL 2:

Together with a Non-Exclusive Easement for the purpose of providing ingress and egress for emergency vehicles including fire, police, ambulance, and other emergency vehicles as established by instrument recorded in Book 8888 page 2217.

EXHIBIT B

1. Building lines, easements, restrictions and other matters shown on the recorded plat/map of ST. CATHERINE APARTMENTS SUBDIVISION, recorded 06/27/1989 in Plat Book 288 and Page 100.
2. Building lines, easements, restrictions and other matters shown on the recorded plat/map of ST. CATHERINE CONDOMINIUMS, recorded 12/02/1991 in Plat Book 308 and Page 66, which included the following:

Declaration of Condominium, as more fully set forth in the instrument recorded 12/02/1991 in Book 9147 at Page 2206 and First Amendment, recorded 08/01/1994 in Book 10272 at Page 815.

As affected by Termination of Declaration of Condominium for St. Catherine Condominiums, as more fully set forth in the instrument recorded 01/08/1996 in Book 10705 at Page 496.
3. Easement granted to Union Electric Company as more fully set forth in the instrument recorded in Book 4626 at Page 380.
4. Storm Water Discharge Easement, as more fully set forth in the instrument recorded 07/03/1989 in Book 8554 at Page 1825.
5. Easement granted to Union Electric Company, a Missouri corporation, as more fully set forth in the instrument recorded 08/25/1989 in Book 8594 at Page 1648.
6. Right of Way granted to St Louis County, Missouri as more fully set forth in the instrument recorded 01/22/1990 in Book 8689 at Page 2338.
7. Permanent Roadway Improvement, Maintenance, Utility, Sewer and Sidewalk Easement granted to St Louis County, Missouri as more fully set forth in the instrument recorded 01/22/1990 in Book 8689 at Page 2341.
8. Easement for ingress and egress, as more fully set forth in the instrument recorded 01/22/1990 in Book 8888 at Page 2217.
9. Easement for Facilities granted to Southwestern Bell Telephone Company d/b/a AT&T Missouri, a Missouri corporation, as more fully set forth in the instrument recorded 02/04/2008 in Book 17783 at Page 2157.
10. Tenancy either by month to month or by virtue of a written lease, by a party in possession of any part of the subject property.
11. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto.



# State of Missouri

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

LC014417232  
Date Filed: 11/4/2022  
John R. Ashcroft  
Missouri Secretary of State

## Articles of Organization

(Submit with filing fee of \$105.00)

1. The name of the limited liability company is

All Saints Apartments LLC

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

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

To engage in any lawful act or activity for which limited liability companies may be formed, including the operation and improvement of Desmet and St. Catherine Apartments located in St. Louis County, Missouri (ii) to exercise all of the powers granted under the provisions of the law; and (iii) to do any and all things necessary, convenient, or incidental to the achievement of the foregoing.

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

Kurt Hunter	9645 Clayton Rd	Saint Louis, MO 63124
Name	Suite 200	City/State/Zip
Street Address: May not use PO Box unless street address also provided		

4. The management of the limited liability company is vested in: ☒ managers ☐ members (check one)

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

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

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

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

Name	Address	City/State/Zip
Hunter, Kurt	9645 Clayton Rd Suite 200	Saint Louis MO 63124-1551

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

New Series:

☐ The limited liability company gives notice that the series has limited liability.

New Series:

☐ The limited liability company gives notice that the series has limited liability.

New Series:

Name and address to return filed document:

Name: Kurt Hunter

Address: Email: kurt@straqr.com

City, State, and Zip Code: \_\_\_\_\_



☐ The limited liability company gives notice that the series has limited liability.  
(Each separate series must also file an Attachment Form LLC 1A.)

8. Principal Office Address (OPTIONAL) of the limited liability company (PO Box may only be used in addition to a physical street address):

9645 Clayton Rd Suite 200

Saint Louis, MO 63124-1551

*Address (PO Box may only be used in conjunction with a physical street address)*

*City/State/Zip*

9. The effective date of this document is the date it is filed by the Secretary of State of Missouri unless a future date is otherwise indicated: \_\_\_\_\_

*(Date may not be more than 90 days after the filing date in this office)*

In Affirmation thereof, the facts stated above are true and correct:

(The undersigned understands that false statements made in this filing are subject to the penalties provided under Section 575.040, RSMo)

**All organizers must sign:**

Kurt Hunter

KURT HUNTER

11/04/2022

*Organizer Signature*

*Printed Name*

*Date of Signature*

# STATE OF MISSOURI



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

## CERTIFICATE OF ORGANIZATION

WHEREAS,

*All Saints Apartments LLC*  
*LC014417232*

filed its Articles of Organization with this office on the 4th day of November, 2022, and that filing was found to conform to the Missouri Limited Liability Company Act.

NOW, THEREFORE, I, John R. Ashcroft, Secretary of State of the State of Missouri, do by virtue of the authority vested in me by law, do certify and declare that on the 4th day of November, 2022, the above entity is a Limited Liability Company, organized in this state and entitled to any rights granted to Limited Liability Companies.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the GREAT SEAL of the State of Missouri.  
Done at the City of Jefferson, this 4th day of November, 2022.

  
Secretary of State



INTRODUCED BY COUNCILMAN SCHMIDT  
JUNE 12, 2000

BILL NO. 7306 (AMENDED)

ORDINANCE NO. 6414

AN ORDINANCE TRANSFERRING THE SPECIAL USE PERMIT FOR THE OPERATION OF A RETIREMENT COMMUNITY AT 3350 ST. CATHERINE AS AUTHORIZED BY ORDINANCE NOS. 4924, 4975, 5055 AND 5989 FROM ST. CATHERINE RETIREMENT COMMUNITY, LLC TO ST. CATHERINE RHF HOUSING, INC.

WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of Florissant to transfer a Special Use Permit after an application has been filed indicating that the Special Use Permit would be operated under the same terms and conditions as the original ordinances; and

WHEREAS, pursuant to Ordinance Nos. 4924, 4975, 5055 and 5989 St. Catherine Retirement Community, LLC was granted a Special Use Permit for the operation of a retirement community on the property known and numbered as 3350 St. Catherine; and

WHEREAS, an application has been filed by St. Catherine RHF Housing, Inc. to transfer the Special Use Permit authorized by Ordinance Nos. 4924, 4975, 5055 and 5989 to its name; and

WHEREAS, the City Council of the City of Florissant determined at its meeting on May 22, 2000 that the business operated under Ordinance Nos. 4924, 4975, 5055 and 5989 would be operated in a substantially identical fashion as set out therein; and

WHEREAS, St. Catherine RHF Housing, Inc. has accepted the terms and conditions set out in Ordinance Nos. 4924, 4975, 5055 and 5989.

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


Section 1: The Special Use Permit authorized by Ordinance Nos. 4924, 4975, 5055 and 5989 is hereby transferred from St. Catherine Retirement Community LLC to St. Catherine RHF Housing, Inc.

Section 2: The conditions of said Special Permit shall remain in full force and effect only under the terms and conditions as provided in Ordinance Nos. 4924, 4975, 5055 and 5989.

Section 3: That when the named permittee discontinues the operation of said business the Special Permit herein authorized shall no longer be in force and effect.

Section 4: This ordinance shall become in force and effect upon notification from St. Catherine RHF Housing, Inc. that it has acquired the property.

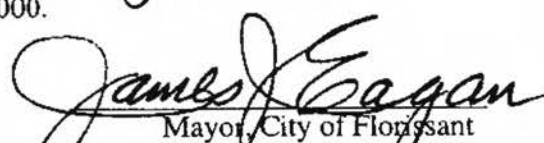
Adopted this 12th day of June, 2000.

  
President of the Council  
City of Florissant

Approved this 13th day of June, 2000.

ATTEST:

  
City Clerk

  
Mayor, City of Florissant

**Retirement  
Housing  
Foundation**

June 9, 2000

City of Florissant, Missouri  
City Hall  
955 St. Francis St.  
Florissant, Missouri 63031

RE: DeSmet Retirement Community and St. Catherine Retirement Community

Ladies and Gentlemen:

On behalf of DeSmet RHF Housing, Inc. and St. Catherine RHF Housing, Inc., which have applied for transfer of special permits in connection with their pending acquisition of the above-referenced retirement communities, we are pleased to confirm that the new owners plan to continue to serve similar clientele and to operate the facilities in substantially the same manner as they have been operated previously.

We understand and acknowledge that an amendment of the special permits would be required in order to offer different or more extensive housing services at such facilities or to serve a different customer base, such as residents with special needs or who would require significantly different levels of care or supervision. We further understand that the existing special permits for DeSmet already allow for a number of assisted living units in accordance with Missouri CF2 licensing, and permit the Director of Public Works to approve a reconfiguration or consolidation of certain housing units, including multi-occupancy of certain units, under various conditions.

We look forward to becoming a part of the Florissant community and to a mutually beneficial relationship.

Sincerely,

Laverne R. Joseph  
on behalf of  
DeSmet RHF Housing, Inc. and  
St. Catherine RHF Housing, Inc.

911 N. Studebaker Road, Long Beach, CA 90815-4900 • (562) 257-5100 • FAX (562) 257-5200  
Member, Council for Health and Human Service Ministries, United Church of Christ  
www.rhf.org • TDD (800) 545-1833 EXT. 359 • email: info@rhf.org





INTRODUCED BY COUNCILMAN SCHMIDT  
July 28, 1997

BILL NO 6860

ORDINANCE NO 5989

AN ORDINANCE AMENDING THE SPECIAL PERMIT HERETOFORE GRANTED TO ST CATHERINE RETIREMENT COMMUNITY LLC UNDER ORDINANCE NO 4924, AS AMENDED BY ORDINANCE NOS 4975 AND 5055 SO AS TO AUTHORIZE THE ADDITION OF A BEAUTY SALON FOR THE RESIDENTS AT SAID RETIREMENT COMMUNITY LOCATED AT 3350 ST. CATHERINE.

WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of Florissant, by Special Permit, after public hearing thereon, to permit the location of housing units where the same would otherwise be unauthorized, and

WHEREAS, the Florissant City Council has heretofore granted a Special Permit to St Catherine Retirement Community, LLC for the location of housing units on the property described in Ordinance No 4924, and

WHEREAS, an application has been filed by St Catherine Retirement Community, LLC for an Amendment to the said Special Permit heretofore granted under Ordinance No 4924, as amended by Ordinance Nos 4975 and 5055 so as to authorize the addition of a beauty salon for the residents at said retirement community, and

WHEREAS, the Planning and Zoning Commission of the City of Florissant has recommended that the said Special Permit be amended under certain conditions and

WHEREAS, due notice of a public hearing on said application to be held on the 14th day of July, 1997 at 8 00 P M by the Council of the City of Florissant was duly published, held and concluded, and

WHEREAS, the Council following said public hearing and after due and careful consideration, has concluded that the granting of an Amendment to the Special Permit authorized by Ordinance No 4924, as amended by Ordinance Nos 4975 and 5055, as hereinafter provided would be in the best interest of the City of Florissant

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

Section 1 The Special Permit heretofore granted to St Catherine Retirement Community, LLC under Ordinance No 4924 as amended by Ordinance Nos 4975 and 5005, is hereby amended as follows

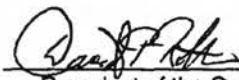
1 To authorize the addition of a beauty salon for the residents at said retirement community in accordance with the drawings attached hereto and made a part hereof as if fully set out herein and marked as Exhibit "A"

2 That the exhaust fan for said beauty salon meet the requirements of the St Louis County Code

Section 2 Except as herein amended Ordinance No 4924 as amended by Ordinance Nos 4975 and 5005, is hereby reaffirmed in its entirety

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

Adopted this 28th day of July, 1997



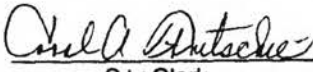
President of the Council  
City of Florissant

Approved this 29 day of July, 1997



Mayor City of Florissant

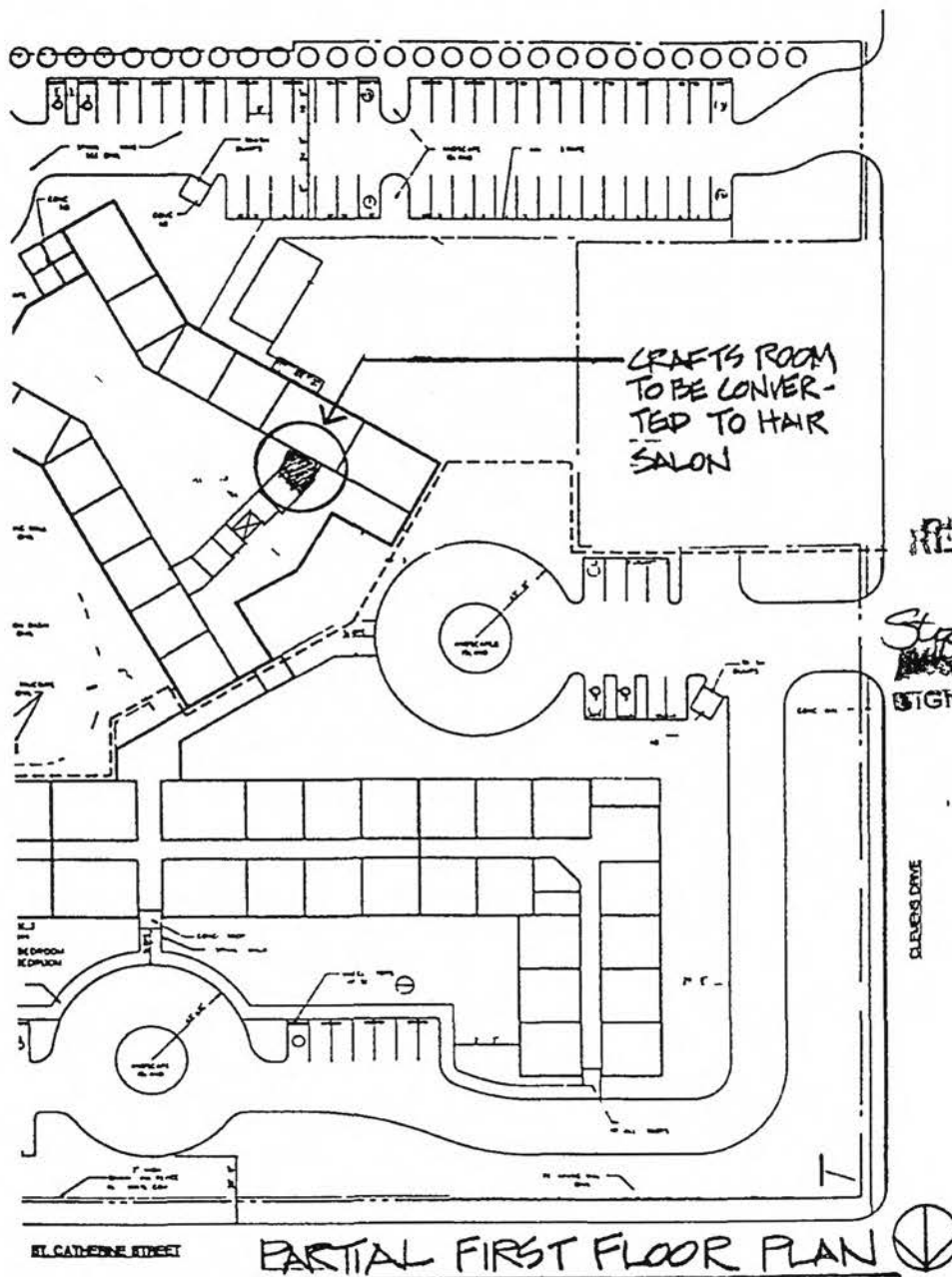
ATTEST



City Clerk

# St. Catherine Retirement Community Florissant, Missouri Beauty Shop Installation 5-20-97

These sheets call for the removal of cabinetry and one sink to make way for the installation of two barber booth hair cutting and washing stations. This work includes the construction of a coat closet and six new GFI receptacles.



RECOMMENDED APPROVAL  
 PLANNING & ZONING  
 CHAIRMAN  
*Stephen W. Miller* 6-16-97  
 SIGN: \_\_\_\_\_ DATE: \_\_\_\_\_



EXHIBIT "A"  
 Page 1 of 2

INTRODUCED BY COUNCILMAN SCHMIDT  
JUNE 12, 2000

BILL NO. 7306 (AMENDED)

ORDINANCE NO. 6414

AN ORDINANCE TRANSFERRING THE SPECIAL USE PERMIT FOR THE OPERATION OF A RETIREMENT COMMUNITY AT 3350 ST. CATHERINE AS AUTHORIZED BY ORDINANCE NOS. 4924, 4975, 5055 AND 5989 FROM ST. CATHERINE RETIREMENT COMMUNITY, LLC TO ST. CATHERINE RHF HOUSING, INC.

WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of Florissant to transfer a Special Use Permit after an application has been filed indicating that the Special Use Permit would be operated under the same terms and conditions as the original ordinances; and

WHEREAS, pursuant to Ordinance Nos. 4924, 4975, 5055 and 5989 St. Catherine Retirement Community, LLC was granted a Special Use Permit for the operation of a retirement community on the property known and numbered as 3350 St. Catherine; and

WHEREAS, an application has been filed by St. Catherine RHF Housing, Inc. to transfer the Special Use Permit authorized by Ordinance Nos. 4924, 4975, 5055 and 5989 to its name; and

WHEREAS, the City Council of the City of Florissant determined at its meeting on May 22, 2000 that the business operated under Ordinance Nos. 4924, 4975, 5055 and 5989 would be operated in a substantially identical fashion as set out therein; and

WHEREAS, St. Catherine RHF Housing, Inc. has accepted the terms and conditions set out in Ordinance Nos. 4924, 4975, 5055 and 5989.

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

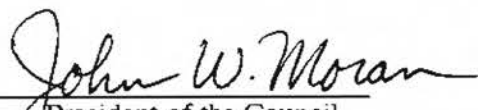
Section 1: The Special Use Permit authorized by Ordinance Nos. 4924, 4975, 5055 and 5989 is hereby transferred from St. Catherine Retirement Community LLC to St. Catherine RHF Housing, Inc.

Section 2: The conditions of said Special Permit shall remain in full force and effect only under the terms and conditions as provided in Ordinance Nos. 4924, 4975, 5055 and 5989.

Section 3: That when the named permittee discontinues the operation of said business the Special Permit herein authorized shall no longer be in force and effect.

Section 4: This ordinance shall become in force and effect upon notification from St. Catherine RHF Housing, Inc. that it has acquired the property.

Adopted this 12th day of June, 2000.

  
President of the Council  
City of Florissant

Approved this 13th day of June, 2000.

ATTEST:

  
City Clerk

  
Mayor, City of Florissant

AN ORDINANCE AMENDING THE SPECIAL PERMIT HERETOFORE GRANTED TO BROOKVIEW GROUP FOR THE LOCATION AND BUILDING OF HOUSING UNITS ON THE PROPERTY THEREIN DESCRIBED AND KOWN AS ST. CATHERINE APARTMENT COMMUNITY, 500 CLEMENS, AS AUTHORIZED UNDER ORDINANCE NO. 4924 AND AS AMENDED BY ORDINANCE NO. 4975.

WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of Florissant, by Special Permit, after public hearing thereon, to permit the location and building of housing units where the same would otherwise be unauthorized; and

WHEREAS, the Florissant City Council has heretofore granted a Special Permit for the location and building of housing units on the property described in Ordinance No. 4924, as amended by Ordinance No. 4975 which authorized the location and building of a maximum of 96 housing units for persons 60 years or older in accordance with the Site Plan submitted and and approved by the Planning and Zoning Commission of the City of Florissant; and

WHEREAS, an application has been filed by Brookview Group for an amendment to the said Special Permit heretofore granted under Ordinance No. 4924, as amended by Ordinance No. 4975; and

WHEREAS, the Planning and Zoning Commission of the City of Florissant has recommended that the said Special Permit be amended as requested; and

WHEREAS, due notice of a public hearing on said application to be held on the 24th day of July, 1989 at 8:00 P.M. by the Council of the City of Florissant was duly published, held and concluded; and

WHEREAS, the Council, following said public hearing and after due and careful consideration, has concluded that the amending of the Special Permit as authorized under Ordinance No. 4924, as amended by Ordinance No. 4975, would be in the best interest of the City of Florissant.

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

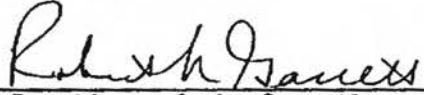


Section 1: The Special Permit heretofore authorized under Ordinance No. 4924, as amended by Ordinance No. 4975, is hereby further amended so as to grant to the said Brookview Group the right to amend the Site Plan showing the granting of an easement on St. Catherine and the addition of a 5 foot setback of the east wing of Building C, all as depicted on the Site Plan attached hereto and made a part hereof as if fully set out herein and marked Exhibit "A".

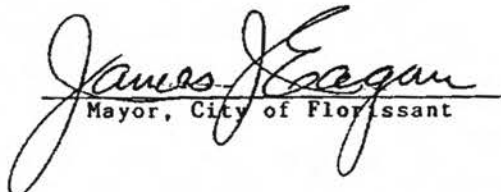
Section 2: Except as herein amended, Ordinance No. 4924, as amended by Ordinance No. 4975, is hereby reaffirmed in its entirety.

Section 3: This ordinance shall become in force and effect upon its passage and approval as provided by law.

Adopted this 28th day of August, 1989.

  
\_\_\_\_\_  
President of the Council  
City of Florissant

Approved this 29 day of August, 1989.

  
\_\_\_\_\_  
Mayor, City of Florissant

ATTEST:

  
\_\_\_\_\_  
City Clerk

INTRODUCED BY COUNCILMAN BOND  
August 12, 1991

BILL NO. 6083

ORDINANCE NO. 5269

AN ORDINANCE APPROVING THE ST. CATHERINE  
CONDOMINIUMS PLAT AS PREPARED BY METRON  
SURVEYING CO.

WHEREAS, the Plat for the St. Catherine Condominiums has been submitted to the City of Florissant for its approval.

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

Section 1: That the Plat of the St. Catherine Condominiums, a copy of which is attached hereto and incorporated by reference herein, is hereby approved with respect to the following described property:

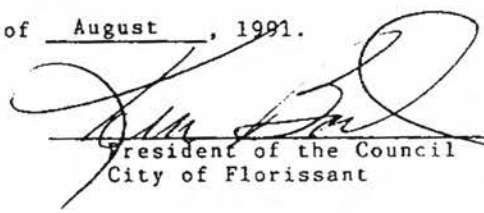
Lot "A" of St. Catherine Apartments Subdivision, a subdivision according to the Plat thereof recorded in Plat Book 288 Page 100 of the St. Louis County, Missouri Records.

Section 2: That the City Clerk of the City of Florissant is hereby authorized to execute such Plat on behalf of the City of Florissant.

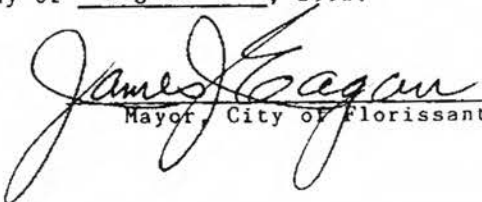
Section 3: That the applicant shall record the Plat and a certified copy of this ordinance with the Recorder of Deeds of St. Louis County, Missouri at the sole cost of the applicant.

Section 4: This ordinance shall become in force and effect immediately upon its passage and approval.

Adopted this 26th day of August, 1991.

  
President of the Council  
City of Florissant

Approved this 27 day of August, 1991.

  
Mayor, City of Florissant

ATTEST:

  
City Clerk

BILL NO. 5738

ORDINANCE NO. 4975

AN ORDINANCE AMENDING THE SPECIAL PERMIT HERETOFORE GRANTED TO BROOKVIEW GROUP FOR THE LOCATION AND BUILDING OF A HOUSING UNIT ON THE PROPERTY THEREIN DESCRIBED AND KNOWN AS ST. CATHERINE APARTMENT COMMUNITY, 500 CLEMENS, AS AUTHORIZED UNDER ORDINANCE NO. 4924.

WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of Florissant, by Special Permit, after public hearing thereon, to permit the location and building of housing units where the same would otherwise be unauthorized; and

WHEREAS, the Florissant City Council has heretofore granted a Special Permit for the location and building of housing units on the property described in Ordinance No. 4924; and

WHEREAS, an application has been filed by J. & P. Partners (Brookview Group) for an amendment to said Special Permit; and

WHEREAS, the Planning & Zoning Commission of the City of Florissant has recommended that the said Special Permit be amended as requested; and

WHEREAS, due notice of a public hearing on said application to be held on the 12th day of December, 1988 at 8:00 P.M. by the Council of the City of Florissant was duly published, held and concluded; and

WHEREAS, the Council, following said public hearing and after due and careful consideration, has concluded that the amending of the Special Permit as authorized under Ordinance No. 4924 under certain conditions would be in the best interest of the City of Florissant.

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

Section 1: The Special Permit heretofore authorized under Ordinance No. 4924 is hereby amended so as to grant to J. & P. Partners (Brookview Group) for the location and building of a maximum of 96 housing units for persons 60 years or older in accordance with the Site Plan submitted and approved by the Planning and Zoning Commission of the City of Florissant, a copy of which is attached hereto and made a part hereof and marked Exhibit "A", in accordance with the terms and conditions specified therein.

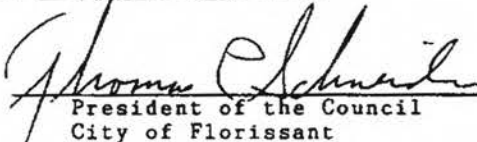
Section 2: The said Special Permit shall be conditioned on and shall remain in full force and effect so long as the conditions as set out in Ordinance No. 4924 are adhered to.

Section 3: The Special Permit authorized under Ordinance No. 4924, as herein amended, may be assigned provided that the assignee shall agree to abide by all of the terms and provisions of said ordinance and file such written acceptance with the City Clerk.

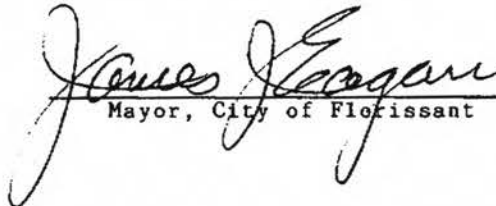
Section 4: No occupancy permit shall be issued for the occupancy of any unit proposed in this development until such time as written approval from the Fire Department for occupancy has been filed with the City of Florissant.

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

Adopted this 9th day of January, 1989.

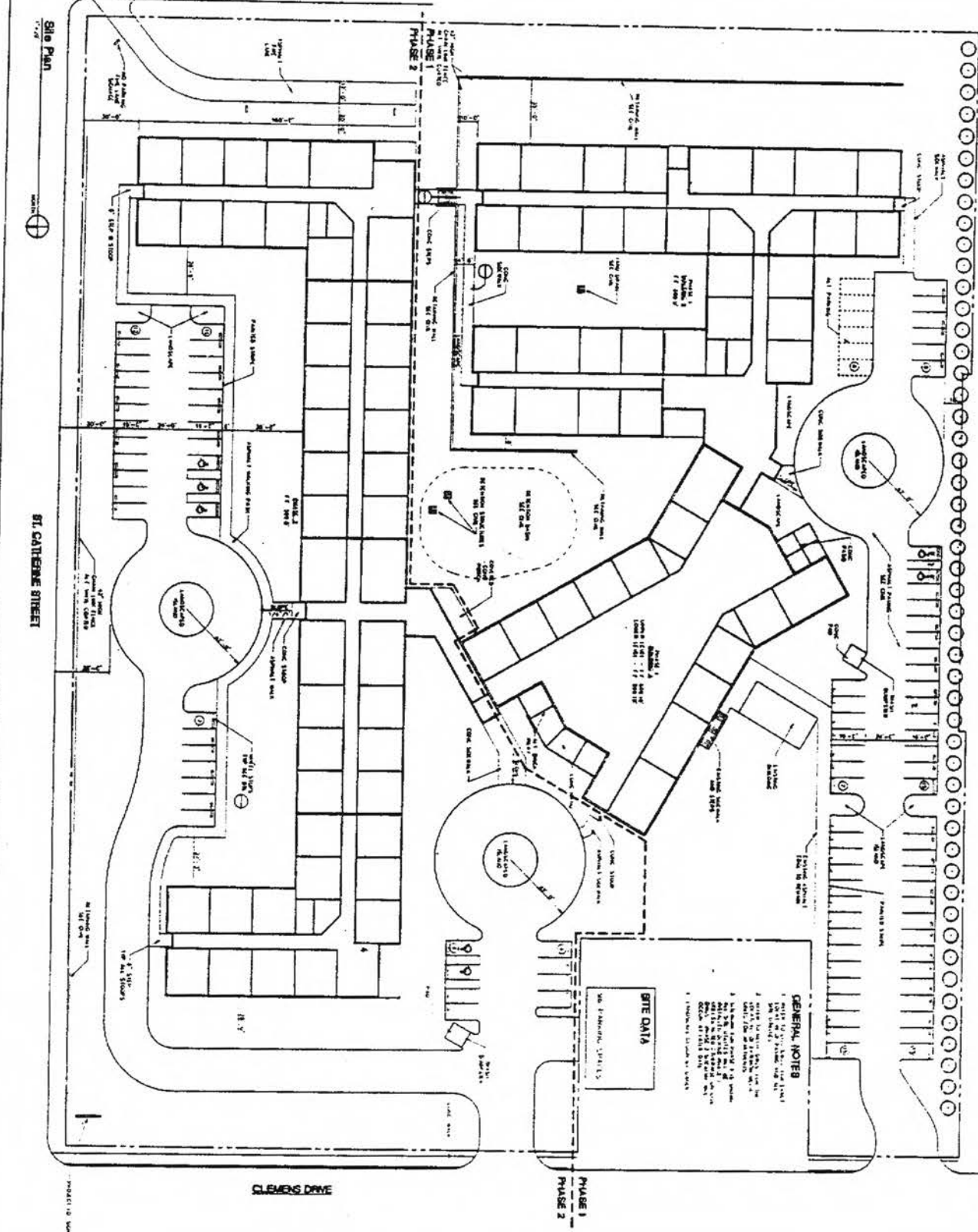
  
\_\_\_\_\_  
President of the Council  
City of Florissant

Approved this 10 day of January, 1989.

  
\_\_\_\_\_  
Mayor, City of Florissant

ATTEST:

  
\_\_\_\_\_  
City Clerk



1/1/78  
 1/1/78  
 1/1/78

St. Catherine Apartments

660 4975



INTRODUCED BY COUNCILMAN STEEL  
May 23, 1988

BILL NO. 5667

ORDINANCE NO. 4924

AN ORDINANCE AUTHORIZING A SPECIAL PERMIT TO  
BROOKVIEW GROUP FOR THE LOCATION AND BUILDING  
OF A HOUSING UNIT ON THE PROPERTY HEREINAFTER  
DESCRIBED AND KNOWN AS ST. CATHERINE APARTMENT  
COMMUNITY, 500 CLEMENS, FLORISSANT, MISSOURI.

WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of Florissant, by Special Permit, after public hearing thereon, to permit the location and building of housing units where the same would otherwise be unauthorized; and

WHEREAS, an application has been filed by the Brookview Group to locate and operate housing units on the property hereinafter described; and

WHEREAS, the Planning and Zoning Commission of the City of Florissant has recommended that said Special Permit be granted under certain conditions; and

WHEREAS, due notice of a public hearing on said application to be held on the 9th day of May, 1988 at 8:00 P.M. by the Council of the City of Florissant was duly published, held and concluded; and

WHEREAS, the Council, following said public hearing and after due and careful consideration, has concluded that the issuance of a Special Permit for the location and building of housing units on the property hereinafter described, under certain conditions, would be in the best interest of the City of Florissant.

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

Section 1: A Special Permit is hereby granted to Brookview Group for the location and building of a maximum of 112 housing units for persons 60 years or older in accordance with the Site Plan submitted and approved by the Planning & Zoning Commission of the City of Florissant on April 18, 1988, a copy of which is attached hereto as Exhibit "A", in accordance with the terms and conditions specified herein, on the following described property:

A parcel of land in part of Lots 84 and 85 of St. Ferdinand Commons, Township 47 North, Range 6 East, St. Louis County, Missouri, and being more particularly described as follows:

Beginning at the Northwestern corner of Lot 50 of Mark Twain Hills, a subdivision recorded in Plat Book 91 Page 50 of the St. Louis County Records, said point also being on the Eastern line of Clemens Drive, 50.00 feet wide; thence along the Northern line of said Lot 50 and the Northern line of Lot 49 of said Mark Twain Hills Subdivision and the Northern line of Lot 1 of Mark Twain Estates as recorded in Plat Book 193 Pages 18 and 19 of the St. Louis County Records, South 89 degrees 49 minutes 41 seconds East 237.49 feet to the Southwestern corner of a tract of land conveyed to Dalton Construction Company Inc. recorded in Deed Book 7328 Page 568 of the St. Louis County Records, said tract also being part of the amended plat of Lot 2 of Mark Twain Estates recorded in Plat Book 208 Page 7 of the St. Louis County Records; thence along the Western line of said amended Lot 2, North 0 degrees 10 minutes 19 seconds East 4.00 feet to the Northwestern corner of said Dalton tract, said corner also being the Northwestern corner of said amended Lot 2; thence along the Northern line of said Dalton tract and said amended Lot 2, South 89 degrees 49 minutes 41 seconds East 70.02 feet to a point on the Eastern line of said tract conveyed to Dalton Construction Company Inc. as recorded in Deed Book 7328 Page 568, and said point also being on the Western line of a tract of land conveyed to Dalton Construction Company Inc., as recorded in Deed Book 7437 Page 595 of the St. Louis County Records; thence North 0 degrees 10 minutes 19 seconds West 1.00 feet to the Northwestern corner of said tract conveyed to Dalton Construction Company Inc. as recorded in Deed Book 7437 Page 595; thence along the Northern line of said Dalton tract as recorded in Deed Book 7437 Page 595, North 89 degrees 49 minutes 41 seconds East 127.50 feet to the Northeastern corner of said Dalton tract as recorded in Deed Book 7437 Page 595; thence South 0 degrees 10 minutes 19 seconds West 5.00 feet to the Northwestern corner of Lot 4 of said Mark Twain Estates Subdivision, said corner is also the Southeastern corner of said Dalton tract as recorded in Deed Book 7437 Page 595; thence along the Northern line of said Lot 4, South 89 degrees 49 minutes 41 seconds East 189.82 feet to a point; thence North 0 degrees 15 minutes 24 seconds East 499.74 feet to a point on the Southern line of St. Catherine Street, 50.00 feet wide; thence along the Southern line of said St. Catherine Street, North 89 degrees 28 minutes 48 seconds West 54.86 feet to a point on the East-West Dividing line of said Lots 84 and 85; thence continuing along the Southern line of said St. Catherine Street, North 89 degrees 50 minutes West 568.40 feet to a point on the Eastern line of said Clemens Drive; thence along the Eastern line of said Clemens Drive, South 0 degrees 26 minutes 12 seconds West 289.00 feet to a point; thence South 89 degrees 33 minutes 48 seconds East 123.50 feet to a point; thence South 0 degrees 26 minutes 12 seconds West 126.00 feet to a point; thence North 89 degrees 33 minutes 48 seconds West 123.50 feet to a point on the Eastern line of said Clemens Drive; thence along the Eastern line of said Clemens Drive, South 0 degrees 26 minutes 12 seconds West 85.00 feet to the point of beginning, said tract contains 6.78 acres according to Survey executed in the month of February, 1988 by James Engineering and Surveying Company, Inc.

A parcel of land in part of Lots 84 and 85 of St. Ferdinand Commons, Township 47 North, Range 6 East, St. Louis County, Missouri, and being more particularly described as follows:

Beginning at the intersection point of the Southern line of St. Catherine Street, 50.00 feet wide, with the Eastern line of Clemens Drive, 50.00 feet wide; thence along the Eastern line of said Clemens Drive, South 0 degrees 26 minutes 12 seconds West 289.00 feet to a point; thence South 89 degrees 33 minutes 48 seconds East 123.50 feet to a point; thence South 0 degrees 26 minutes 12 seconds West 126.00 feet to a point; thence North 89 degrees 33 minutes 48 seconds West 123.50 feet to a point on the Eastern line of said Clemens Drive; thence along the Eastern line of said Clemens Drive, North 0 degrees 26 minutes 12 seconds East 126.00 feet to the point of beginning. Said parcel contains 15,561.0 square feet according to a survey executed in the month of February, 1988 by James Engineering and Surveying Company, Inc.

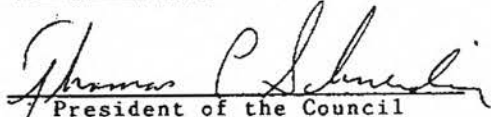
Section 2: Said Special Permit shall be conditioned on and shall remain in full force and effect only under the following conditions:

- (1) That a minimum of one (1) parking space for each housing unit constructed be provided on site for tenant and guest parking, and that before an occupancy permit is granted for any individual housing unit authorized hereby, a parking space therefor shall be constructed and provided.
- (2) That the construction of said project be in accordance with the ordinances and building code of the City of Florissant.
- (3) That the occupancy of said housing units shall be by persons sixty (60) years of age or older.
- (4) That any light standards on the parking lot shall not exceed twelve (12) feet in height.
- (5) That there shall be a maximum of 112 housing units.
- (6) That no portion of the buildings be closer than thirty (30) feet to the property lines.
- (7) That the parking lot landscaping meet the requirements of Section 17 of the Florissant Zoning Ordinance.
- (8) That eight (8) foot Tall White Pines shall be planted along the entire length of the south property line on twelve (12) foot centers.
- (9) That the sign be in accordance with the drawing attached hereto and marked Exhibit "B".

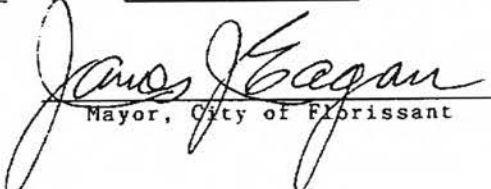
Section 3: That no occupancy permits shall be issued for the occupancy of any unit proposed in this development until such time as written approval from the Fire Department for occupancy has been filed with the City of Florissant.

Section 4: This ordinance shall become in force and effect upon its passage and approval as provided by law.

Adopted this 11th day of July, 1988.

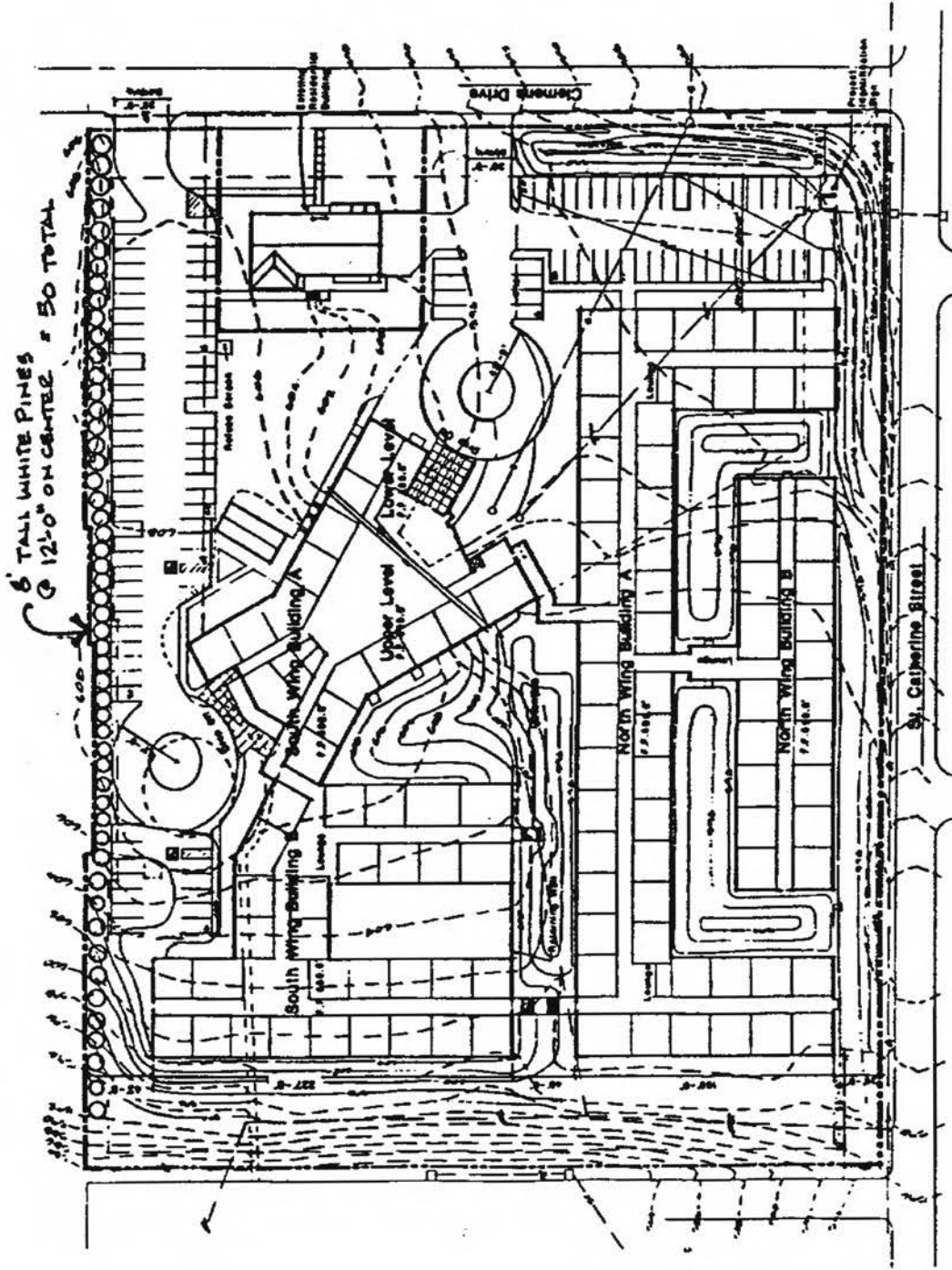
  
President of the Council  
City of Florissant

Approved this 12 day of July, 1988.

  
Mayor, City of Florissant

ATTEST:

  
City Clerk



James T. Burke  
4/13/84

Proposed Building Data	
South Wing	
Building A	15 Units
Building B	30 Units
North Wing	
Building A	48 Units
Building B	16 Units
Total Units	112
Parking	115 Cars Approx



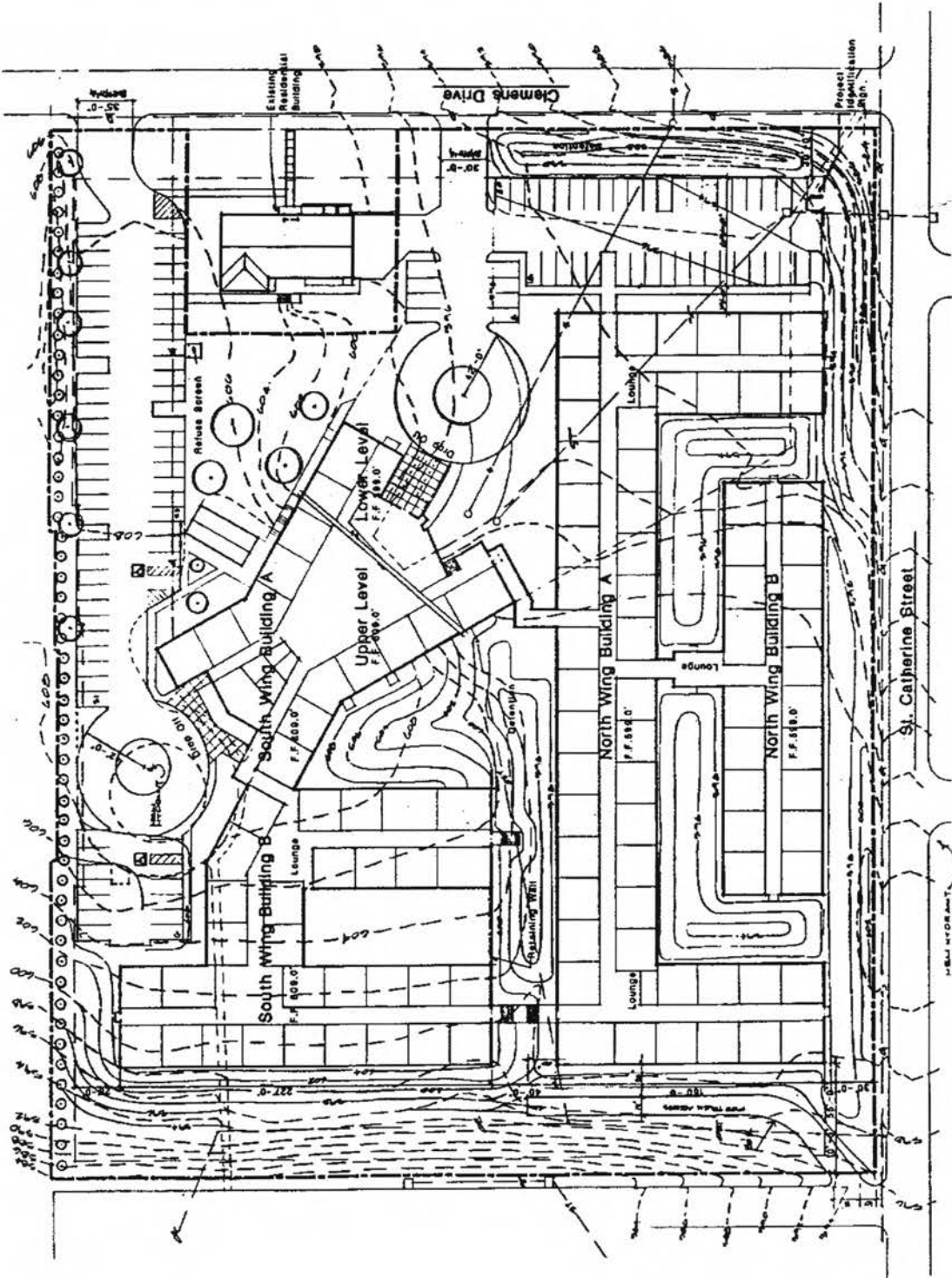
Apartment Community

Brookview Group

Brookview Group  
ARCHITECTS  
PLANNERS  
ENGINEERS  
LANDSCAPERS

Exhibit 'A'

REVISED 3-28-88



**Site Data**

6.78 Acres = 295,337 S.F.  
 Existing Site Plan  
 Paving 74,735 S.F.  
 Buildings 19,729 S.F.  
 Total 94,464 S.F.  
 Existing Total Coverage 32%  
 Proposed Site Plan  
 Paving 48,526 S.F.  
 Buildings 80,280 S.F.  
 Total 128,806 S.F.  
 Proposed Total Coverage 43%

**Proposed Building Data**

**South Wing**  
 Building A 15 Units  
 Building B 30 Units  
**North Wing**  
 Building A 48 Units  
 Building B 19 Units  
 Total Units 112  
 Parking 113 Cars Shown



0 30 60 120

*Henderson Group*

ARCHITECTS  
 PLANNERS  
 ENGINEERS  
 CIVIL  
 6-9-88  
 PREPARED BY  
 HENDERSON GROUP

St. Catherine Apartment Community

Brookview Group

Exhibit "A"  
 Showing Emergency Access

Submitted 6/27/88





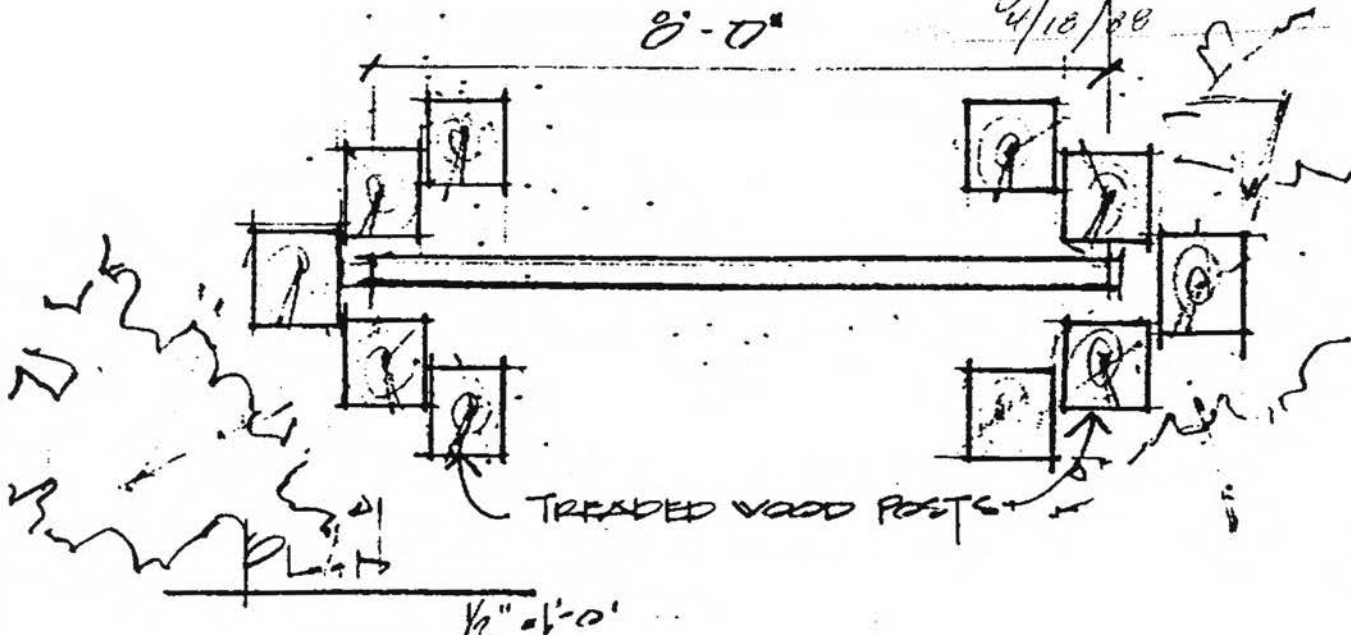
ELEVATION

$\frac{1}{2}" = 1'-0"$

APPROVED  
PLAN & ZONING  
COMMISSION

James T. Burke  
4/18/88

8'-0"



TREADED WOOD POST

3/18/88

ST. CATHERINE Apartment Community

Brookview Group Developers

Henderson Group Architects

Exhibit "B"



# Agenda Request Form

**For Administration Use Only:**

Meeting Date: 2/13/2023

Open ☒ [X]

Closed ☐ [ ]

Report No. 4/2023

**Date Submitted:**

**To:** City Council

**Title:** Request for a Full Liquor by the Drink license for Shade Restaurant & Bar located at 1752-1756 N. New Florissant Road.

**Prepared by:** Administrator

**Department:** City Clerk

**Justification:**

**Attachments:**

1. Liquor License Application

### APPLICATION FOR LIQUOR LICENSE

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Full Liquor by the Drink \$450 | <input type="checkbox"/> Malt Liquor & Wine by the Drink \$75.00 |
| <input type="checkbox"/> Full Package Liquor \$150                 | <input type="checkbox"/> Malt Liquor & Wine Package \$75         |
| <input type="checkbox"/> Full Liquor by Drink (Non-Profit) \$300   | <input type="checkbox"/> Tasting \$37.50                         |

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

The undersigned hereby makes application for the renewal of liquor license issued under Chapter 600 of the Florissant Code of Ordinances.

Type of License Requested:

- |   |  |
|---|--|
| <input type="checkbox"/> Individual                   | <input type="checkbox"/> Corporation (Attach list of Officers, Addresses, & Phone Numbers) |
| <input checked="" type="checkbox"/> Limited Liability | <input type="checkbox"/> Partnership (Attach list of partners)                             |

Name of **Business**: Shade Restaurant & Bar Phone: 314-780-4890

Business Address: 1752-1756 N. New Florissant, Florissant MO 63033 Email: Info@Shaderestaurant.com

Names of **Applicant, Corp., or LLC**: Shade Restaurant & Bar, LLC

Address of Owner: 38 Jost Villa Dr, Florissant MO 63034 Phone: 314-780-4890  
Street City State Zip

Name of **Managing Officer**: Leslie West

Home Address: 38 Jost Villa Dr, Florissant MO 63034 Years at Address: 5  
Street City State Zip

**Managing Officer**: Date of Birth: 01/27/81 Cell Phone: 314-780-4890

Driver's License No. [REDACTED] Social Security No. [REDACTED]  
(Provide photo copy) \*for identification in running record check  
Email: info@shaderestaurant.com

**Managing Officer**: Personal Property Taxes 2020 Paid? ☒ Yes ☐ No (Attached recent)

Registered Voter of Missouri? ☒ Yes ☐ No \*\*Attach Voter Registration Certificate

Have you ever been arrested? NO What Charge? N/A

Where? N/A Disposition? N/A

Citizen of U.S.A.? ☒ Yes ☐ No Naturalized? ☐ Yes Date \_\_\_\_\_ ☒ No

If Naturalized, Give Number: \_\_\_\_\_ Dist. \_\_\_\_\_  
(Provide Documents)

Do you have an interest in any liquor license which is now in force? ☐ Yes ☒ No

Give details: \_\_\_\_\_

Have you prev. held a liquor license of this type? ☐ Yes ☒ No

If so, when & where? \_\_\_\_\_

Have you ever had a liquor license suspended or revoked? ☐ Yes ☒ No

Give details: \_\_\_\_\_

Have you ever been convicted of any violation of any federal or state law? ☐ Yes ☒ No

Give details: \_\_\_\_\_

Have you ever been convicted of any violation of a federal law, state statute, or local ordinance relating to intoxication? ☐ Yes ☒ No

Give details: \_\_\_\_\_

Has the location previously been occupied as a liquor establishment, liquor store, or tavern?  
☒ Yes ☐ No

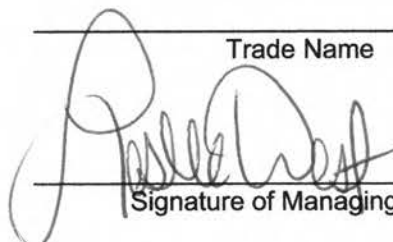
Provide name: **Shade Partners, LLC**

Is the location within 200 feet of property used for church, school, or public playground? ☐ Yes ☒ No

If Individual Applicant:



If Partnership, Corp., or LLC, complete below:

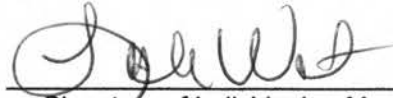
Trade Name \_\_\_\_\_  
  
Signature of Managing Officer \_\_\_\_\_

STATE OF MISSOURI ) SS  
COUNTY OF ST. LOUIS )

**Leslie Marie West**

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

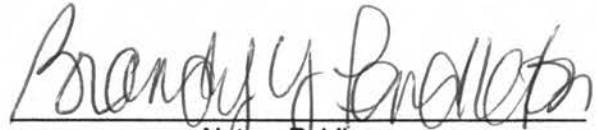
Deposes and states that he/she is the (applicant) (the managing officer of the corporation or partnership seeing the license hereunder), that he/she has read this application and fully understands same, that said license will be subject to all of the ordinances of the City pertaining to the operation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



Signature of Individual or Managing Officer

Subscribed and sworn to before me this 2nd day of Feb, 2023



  
Notary Public

My Commission Expires: 03/20/2026

**APPLICATION MUST BE SWORN TO BEFORE A PUBLIC NOTARY.**



## SUPPLEMENT TO APPLICATION FOR LIQUOR LICENSE

CORPORATION & LIMITED LIABILITY COMPANY:  
Copy of Certificate of Incorporation/ Registration &  
Articles of Organization papers must be attached

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

DATE \_\_\_\_\_

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

1. FULL NAME Residwest  
SOC. SEC. NO. [REDACTED] PLACE OF BIRTH St. Louis MO  
DATE OF BIRTH 11/27/81 SEX Female  
PHONE NUMBER 314-780-4840  
ADDRESS 38705+ Villa Dr. Florissant MO 63033  
LAST PREVIOUS ADDRESS \_\_\_\_\_  
NO. OF YEARS 7
2. FULL NAME \_\_\_\_\_  
SOC. SEC. NO. \_\_\_\_\_ PLACE OF BIRTH \_\_\_\_\_  
DATE OF BIRTH \_\_\_\_\_ SEX \_\_\_\_\_  
PHONE NUMBER \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
LAST PREVIOUS ADDRESS \_\_\_\_\_  
NO. OF YEARS \_\_\_\_\_
3. FULL NAME \_\_\_\_\_  
SOC. SEC. NO. \_\_\_\_\_ PLACE OF BIRTH \_\_\_\_\_  
DATE OF BIRTH \_\_\_\_\_ SEX \_\_\_\_\_  
PHONE NUMBER \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
LAST PREVIOUS ADDRESS \_\_\_\_\_  
NO. OF YEARS \_\_\_\_\_
4. FULL NAME \_\_\_\_\_  
SOC. SEC. NO. \_\_\_\_\_ PLACE OF BIRTH \_\_\_\_\_  
DATE OF BIRTH \_\_\_\_\_ SEX \_\_\_\_\_  
PHONE NUMBER \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
LAST PREVIOUS ADDRESS \_\_\_\_\_  
NO. OF YEARS \_\_\_\_\_

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

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

**EMERGENCY INFORMATION**

OWNER OF PROPERTY Reclib West PHONE 314-780-4890  
ADDRESS 3805 FV Mill Dr. CITY Florissant STATE MO ZIP 63033  
NAME OF BUSINESS Shale Restaurant & Bar PHONE 314-780-4890  
ADDRESS 1752 N. New Florissant CITY Florissant STATE MO ZIP 63033  
BUSINESS HOURS Tue-Sun 3-11 pm Sun 10-4  
OWNER/MANAGER Shale West PHONE 314-780-4890  
HOME ADDRESS 3805 FV Mill Dr. CITY Florissant STATE MO ZIP 63033

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

CONTACT #1 Duncan Lee ADDRESS 1001 13538 Paddock Road Ct  
NAME Duncan Lee CITY & STATE Florissant ZIP 63033 PHONE 314-575-9026  
HAS KEY: YES ( ☒ ) NO ( )

CONTACT #2 Timmy Meyers ADDRESS 1401 Cladine Ave  
NAME Timmy Meyers CITY & STATE Florissant ZIP 63033 PHONE 202-547-9534  
HAS KEY: YES ( ) NO ( ☒ )

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

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

IF YES, WHO: Tonia Jensen Cleaner

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

DESCRIBE: \_\_\_\_\_  
(YEAR) (MAKE/MODEL) (COLOR) (LICENSE NO.)

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

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

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

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

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

Have you ever had a liquor license suspended or revoked? N/A  
If so, give details \_\_\_\_\_

Have you ever been convicted of any violation of any federal or state law? \_\_\_\_\_  
If so, give details \_\_\_\_\_

Have you ever been convicted of any municipal or county ordinance violation? Speeding ticket  
If so, give details Drive too fast

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

Has the location previously been occupied as a liquor establishment, liquor store or tavern? yes  
If so, state name Snatch Partners

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

If Individual Applicant, sign below:

If Partnership, corporation or LLC complete the following:

Snatch Restaurant & Bar  
Trade Name

[Signature]  
Signature of Managing Officer

STATE OF MISSOURI ) SS  
COUNTY OF ST. LOUIS )

Leslie M. Webb, of lawful age, being first duly sworn upon \_\_\_\_\_ oath  
(Individual or **Managing Officer**)

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

[Signature]  
Signature of Individual or **Managing Officer**

Subscribed and sworn to before me this 2nd day of Feb, 2023.

My Commission Expires: 03/20/2026



Brandy Y. Pendleton  
Notary Public

NOTE: APPLICATION MUST BE SWORN TO BEFORE A NOTARY PUBLIC

# CITY OF FLORISSANT



FLORISSANT, MISSOURI

## WAIVER

Authorization to complete record check

I, Reshelle West  
RESIDING AT 38 East Villa Ct.  
IN THE CITY OF Florissant MO  
STATE Missouri

I do hereby authorize the City Clerk of the City of Florissant, Missouri to make a full and complete check of my record in the Metropolitan St. Louis area, state of Missouri, all prior areas of residence, and through the National Criminal Information Center in Washington, D.C.

Reshelle West  
Witness

[Signature]  
Signature

2/22/23  
Date

1/27/81  
Date of Birth

[Redacted]

\*\* Social Security Number

[Redacted]

\*\*Driver's License Number & State

*\*\* Social Security & Driver's License Numbers will be used for purposes of identification in completing record check.*

**APPLICATION FOR SUNDAY LIQUOR LICENSE**  
**TO THE CITY CLERK, CITY OF FLORISSANT, SAINT LOUIS COUNTY, MISSOURI**

Authorizing the sale of retail liquor by the drink or package in the City of Florissant on **SUNDAY** from 9:00 am to midnight.

**TYPE OF OPERATION:**

☐ Individual      ☐ Partnership      ☐ Corporation      ☒ Limited Liability Corp

**NAME OF BUSINESS** ShadeRestaurant&Bar

**LOCATION** 1752-1756 N. New Florissant, MO 63033      **PHONE** 314-780-4890

**EXACT TRADE NAME, LLC, OR CORP** Shade Restaurant & Bar, LLC

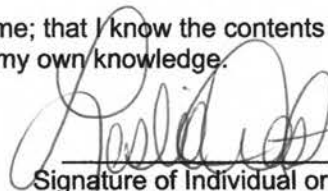
The undersigned (Individual, Partnership, Corporation, LLC), hereby makes application to the City Clerk, City of Florissant, St. Louis County, Missouri for a "By the Drink/Package Liquor License" authorizing the sale of retail liquor on Sundays from 9:00 am to midnight for the period beginning on 01/01/2022

and expiring on June 30, 2023, on the above described premises and agrees that if the license herein applied for is granted, and the licensee shall violate any provisions of the State Liquor Control Act or of the City of Florissant Code and particularly any provision of Chapter 600 of the Florissant City Code pertaining to alcoholic beverages or permit any other person to do so upon the licensed premises, the City Council, by a majority vote, may suspend or revoke such license.

1. I/WE presently hold Florissant License Number \_\_\_\_\_ authorizing the sale of retail liquor by the drink or package in Florissant for premises described in this application.

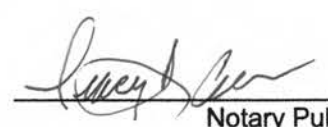
STATE OF MISSOURI      )SS  
COUNTY OF ST. LOUIS      )

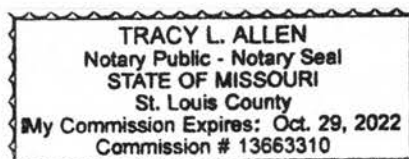
I, Leslie West of lawful age, being first duly sworn upon my oath, depose and say that I (Print name of Managing Officer) have read this application and that I fully understand the same; that I know the contents thereof and the statements contained therein and that the same are true of my own knowledge.

  
\_\_\_\_\_  
Signature of Individual or Managing Officer

Subscribed and sworn to before me this 9<sup>th</sup> day of 2022.

My Commission Expires: 10/29/2022

  
\_\_\_\_\_  
Notary Public







## State of Missouri

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

LC014383013  
Date Filed: 6/2/2022  
John R. Ashcroft  
Missouri Secretary of State

### Articles of Organization

(Submit with filing fee of \$105.00)

1. The name of the limited liability company is

Shade Restaurant & Bar LLC

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

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

To operate a restaurant and bar as well as provide event space.

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

Aaron Lamont Reeves

Jr 5920 Ridge Ave

Saint Louis, MO 63112-3510

Name

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

City/State/Zip

4. The management of the limited liability company is vested in: ☐ managers ☒ members (check one)

5. The events, if any, on which the limited liability company is to dissolve or the number of years the limited liability company is to continue, which may be any number or perpetual: 6/2/2097

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

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

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

Name

Address

City/State/Zip

WEST, LESLIE

38 Jost Villa Dr

Florissant MO 63034-2270

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

New Series:

☐ The limited liability company gives notice that the series has limited liability.

New Series:

☐ The limited liability company gives notice that the series has limited liability.

New Series:

☐ The limited liability company gives notice that the series has limited liability.

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

Name and address to return filed document:

Name: Aaron Lamont Reeves

Address: Email: aaronr1672@sbcglobal.net

City, State, and Zip Code: \_\_\_\_\_

# STATE OF MISSOURI



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

## CERTIFICATE OF ORGANIZATION

WHEREAS,

*Shade Restaurant & Bar LLC*  
*LC014383013*

filed its Articles of Organization with this office on the 2nd day of June, 2022, and that filing was found to conform to the Missouri Limited Liability Company Act.

NOW, THEREFORE, I, John R. Ashcroft, Secretary of State of the State of Missouri, do by virtue of the authority vested in me by law, do certify and declare that on the 2nd day of June, 2022, the above entity is a Limited Liability Company, organized in this state and entitled to any rights granted to Limited Liability Companies.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the GREAT SEAL of the State of Missouri.  
Done at the City of Jefferson, this 2nd day of June, 2022.

  
Secretary of State



MEMORANDUM  
CITY OF FLORISSANT



**TO:** Director of Public Works  
**FROM:** Savanna B Burton, City Clerk's Office  
**SUBJECT:** Liquor License Application

---

**DATE:** 5/10/2022

Please furnish to the City Clerk's Office information on the following liquor applicant:

Shade Restaurant

Name of Business

1752 N New Florissant

Address of Business



A school, free standing church or place of worship, public playground **is located** within 100 feet of the liquor applicant's place of business.



A school, free standing church or place of worship, public playground **is not located** within 100 feet of the liquor applicant's place of business.

Per Section 600.035

## PETITION

WHEREAS, Sec. 600.060 of the Florissant City Code provides that "No license for the sale of intoxicating liquors of any kind at retail by the drink for consumption on the premises where sold shall be issued unless a petition approving such issuance shall be filed with the application for license and which petition shall be signed by two-thirds of the assessed taxpaying citizens owning property and also two-thirds of the persons occupying, owning or conducting any business on the main or ground floor of buildings within a distance of two hundred (200) feet of the applicant's place of business in all directions."

NOW, THEREFORE, we the undersigned, do hereby approve the issuance of a license to

Shade Restaurant + Bar LLC.

### NAME OF BUSINESS

to sell intoxicating liquors of all kinds by the drink and for the consumption on the premises located at:

1752 N. New Florissant Rd.

### BUSINESS ADDRESS

### NAME

### ADDRESS

### PHONE

<u>Desi Inung</u>	<u>1758 N. New Florissant Rd.</u>	<u>314-838-6464</u>
<u>Retro active Joe</u>	<u>1762 N New Florissant rd</u>	<u>314-455-9078</u>
<u>HAREN McELROY</u>	<u>1772 N. NEW FLORISSANT RD.</u>	<u>314-921-1900</u>
<u>Nick Hasan</u>	<u>1774 N New Florissant Rd</u>	<u>314-817-9915</u>

I hereby certify that the foregoing petition contains the signatures of two-thirds of the assessed taxpaying citizens owning property and also two-thirds of the persons occupying, owning or conducting any business on the main or ground floor of buildings within a distance of two hundred (200) feet of the applicant's place of business in all directions.

[Signature]

Signature of Applicant  
(Individual or Managing Officer)

Subscribed and sworn to before me this 2nd day of Feb, 2023.



[Signature]  
Notary Public

03/20/2026



# Agenda Request Form

**For Administration Use Only:**

Meeting Date: 2/13/2023

Open ☒ [X]

Closed ☐ [ ]

Report No. 3/2023

**Date Submitted:**

**To:** City Council

**Title:** Request for a transfer of Special Use Permit no. 8643 from Selena Williams to Beautiful Memories d/b/a Dela Rae Events for the operation of an event center located at 3421 N. Hwy 67.

**Prepared by:** Administrator

**Department:** City Clerk

**Justification:**

**Attachments:**

1. Transfer application



## TRANSFER OF SPECIAL PERMIT

AUTHORIZED BY ORDINANCE NUMBER (S) 8643

FROM

Event Visions by Selena, LLC

TO

Beautiful Memories d/b/a Dela Rae Events

FOR

Event Center

ADDRESS

3421 N. Hwy 67

Ward \_\_\_\_\_ Zoning \_\_\_\_\_ Date Filed \_\_\_\_\_ Accepted By \_\_\_\_\_

### TRANSFER OF SPECIAL USE PERMIT PETITION

TO THE CITY COUNCIL OF THE CITY OF FLORISSANT:

1. Comes now Kim Allen and states to the City Council that he (she) (they) has (have) the following legal interest in the property located at 3421 N. Hwy 67 Florissant, MO 63033 in the City of Florissant, Missouri. Legal interest: ( ) Lease or ( ) Simple Title  
(Attach signed copy of lease or deed)
2. The petitioner(s) further state that he (she) (they) 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 petition.
3. The applicant will operate the business in the same manner and under the same conditions as set out in the original ordinance granting the special permit or any amendments thereto, except for any proposed change in sign face of an authorized sign.

PETITIONER SIGNATURE

Kim Allen  
Individual's Name

FOR:

Beautiful Memories DBA Dela Rae Events  
Company, Corporation, Partnership

4. I (we) hereby certify that (indicate **one only**):

(☒) I (we) have a legal interest in the above described property.

( ) I am (we are) the duly appointed agent (s) of the petitioner, and that all information given is true and a statement of fact.

SIGNATURE



ADDRESS

11307 Cadogan Dr. St. Louis mo 63138

Telephone No.

314-408-3327

Email address

Declaracoevents@yahoo.com

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

  
PETITIONER SIGNATURE

**Note:** Petitioner or his/her authorized agent will be the only person(s) permitted to make the presentation to the City Council.

5. Acknowledgement and consent of (**current**) owner to Transfer the Special Use Permit.

  
SIGNATURE OF OWNER

**Information sheet to be attached to all requests for Transfer of Special Permit**

Type of Operation: (Select One)

Individual ☐

Partnership ☐

Corporation ☐

LLC ☒

**INDIVIDUAL:**

Name & address \_\_\_\_\_

Telephone number & email address 314-283-3161 Delaraevents@yahoo.com

Business name/address/phone DeLa Rae Events 3421 N. Hwy 67, Florissant  
MO 63033

Copy of fictitious name registration, if applicable Attached

**PARTNERSHIP:**

Name & address of partner (s) \_\_\_\_\_

Telephone number(s) and email address (s) \_\_\_\_\_

Business name/ address /phone \_\_\_\_\_

Copy of fictitious name registration, if applicable \_\_\_\_\_

**CORPORATION OR LLC:**

Name & address of all corporate officers Kim Allen

11307 Cadigan Dr. St. Louis MO 63138

Telephone numbers & email addresses 314-409-3327 Delaracevents@yahoo.com

Business name/address/phone Beautiful Memories DBA DeLa Rae Events

Date of incorporation/LLC 8/2/2011

Copy of fictitious name registration, if applicable

Copy of latest Missouri Anti-Trust affidavit (annual registration of corporate officers)

Photocopy of Corporation/LLC Articles and Certificate

## TRANSFER OF SPECIAL USE PERMIT

The undersigned hereby acknowledges receipt of a copy of Ordinance  
Number 8043 which authorized a Special Permit:

TO: Kim Allen

FOR: Event Space

and agree to the terms and conditions listed in said ordinance and to any  
additional term and conditions that the City Council shall deem appropriate.

Kim Allen  
PRINT - NAME OF APPLICANT

[Signature]  
SIGNATURE OF APPLICANT

# State of Missouri



Robin Carnahan  
Secretary of State

## CERTIFICATE OF ORGANIZATION

WHEREAS,

*Beautiful Memories Linen & Event Services, LLC*  
*LC1159950*

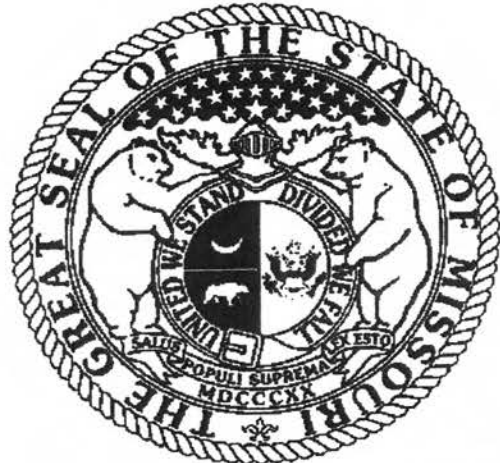
filed its Articles of Organization with this office on the August 2, 2011, and that filing was found to conform to the Missouri Limited Liability Company Act.

NOW, THEREFORE, I, ROBIN CARNAHAN, Secretary of State of the State of Missouri, do by virtue of the authority vested in me by law, do certify and declare that on the August 2, 2011, the above entity is a Limited Liability Company, organized in this state and entitled to any rights granted to Limited Liability Companies.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the GREAT SEAL of the State of Missouri. Done at the City of Jefferson, this August 2, 2011.

*Robin Carnahan*

Secretary of State







## State of Missouri

John R. Ashcroft, Secretary of State

Corporations Division

PO Box 778 / 600 W. Main St., Rm. 322

Jefferson City, MO 65102

X001751818

Date Filed: 1/10/2023

Expiration Date: 1/10/2028

John R. Ashcroft

Missouri Secretary of State

### Registration of Fictitious Name

(Submit with filing fee of \$7.00)

(Must be typed or printed)

This information is for the use of the public and gives no protection to the name being registered. There is no provision in this Chapter to keep another person or business entity from adopting and using the same name. The fictitious name registration expires 5 years from the filing date. (Chapter 417, RSMo)

Please check one box:

New  
☒ Registration    ☐ Renewal    ☐ Amendment    ☐ Correction  
Charter number    Charter number    Charter number

The undersigned is doing business under the following name and at the following address:

Business name to be registered: Dela Rae' Events

Business Address: 3421 N Highway 67

(PO Box may only be used in addition to a physical street address)

City, State and Zip Code: Florissant, MO 63033-1647

#### Owner Information:

If a business entity is an owner, indicate business name and percentage owned. If all parties are jointly and severally liable, percentage of ownership need not be listed. Please attach a separate page for more than three owners. The parties having an interest in the business, and the percentage they own are:

Name of Owners, Individual or Business Entity	Charter # Required If Business Entity	Street and Number	City and State	Zip Code	If Listed, Percentage of Ownership Must Equal 100%
Beautiful Memories Linen & Event Services, LLC	LC1159950	10234 Cedarhurst	St. Louis, MO	63136	100.00

#### All owners must affirm by signing below

In Affirmation thereof, the facts stated above are true and correct:

(The undersigned understands that false statements made in this filing are subject to the penalties of a false declaration under Section 575.060 RSMo)

Beautiful Memories Linen & Event Services, LLC - Kim  
Allen

BEAUTIFUL MEMORIES LINEN & EVENT  
SERVICES, LLC - KIM ALLEN

01/10/2023

Owner's Signature or Authorized Signature of Business Entity

Printed Name

Date

Name and address to return filed document:

Name: Beautiful Memories Linen & Events, LLC

Address: Email: beautifulmemories4u@yahoo.com

City, State, and Zip Code: \_\_\_\_\_

of said Lease or to collect any sums due Landlord from Tenant shall constitute an election of remedies by Landlord or result in a diminution or restriction of Landlord's rights under this Guaranty.

5. Guarantor hereby waives all right to any notice of default or non-performance by Tenant under said Lease. All notices which are required to be sent between the parties shall be delivered by United States registered or certified mail, postage prepaid, addressed to the parties at their respective addresses below:

**LANDLORD**

DEP Properties LLC  
41 Rio Vista Dr.  
St. Louis MO 63124

**GUARANTOR(s)**

Kim Allen  
11307 Cardigan Dr.  
St. Louis, MO 63138

Either Landlord or Guarantor may designate a different address by giving notice to the other party of same at the address set forth above.

6. Landlord's waiver of the performance of any obligation of Tenant under said Lease, or any other forbearance on the part of Landlord, or any failure by Landlord to enforce any of its rights under said Lease, or any modification of any lease term by Landlord and Tenant, shall in no way release Guarantor from liability hereunder or terminate or diminish the validity of this Guaranty; and all notices to Guarantor of any such modification, waiver, or forbearance or failure by Landlord under the terms of said Lease are hereby waived.

7. Guarantor agrees that, in the event Tenant shall become insolvent or shall be adjudicated bankrupt, or in the event Tenant shall file a petition for reorganization or similar relief under any present or future provision of the Federal Bankruptcy Act, or if such a petition filed by any creditors of Tenant shall be approved by a court, or if Tenant shall seek a judicial re adjustment of the rights of its creditors under any present or future Federal or State law, or if a receiver of all or part of Tenant's property and assets is appointed by a State or Federal Court, and in any such proceeding said Lease shall be terminated or rejected or the obligations of the Tenant thereunder shall be abated, reduced, or modified, Guarantor shall immediately pay to Landlord, or Landlord's successors or assigns, an amount equal to all Base Rent and Additional Rent due Landlord under said Lease which was accrued through the date of such termination, rejection or modification. In addition thereto, Guarantor agrees to pay to Landlord, each month, commencing after such termination, rejection or modification, as applicable, through the expiration date of the then current term of this Lease, at the time, place and in the manner set forth in said Lease, an amount equal to the difference between the monthly obligations of Tenant under said Lease and the actual monthly amount of rent and other charges, if any, received by Landlord during and for such month, whether as a result of any reorganization of Tenant or the rejection or termination of said Lease and the reletting of the Premises by Landlord. Guarantor's obligation to make payment in accordance with the terms of this Guaranty shall not be impaired, modified, changed, released or limited in any manner whatsoever by any impairment, modification, change, release or limitation of the liability of Tenant or its estate in bankruptcy resulting from the operation of any present or future provision of the Federal Bankruptcy Act or other statute, or from the decision of any court.

8. Guarantor shall not be subrogated to any of the rights of Landlord under said Lease, or in or to the premises demised thereby, or to any other rights of Landlord by reason of any of the provisions of this Guaranty, or by reason of the performance by Guarantor of any of its obligations hereunder; and Guarantor shall look solely to Tenant for any recoupment of any losses or damages suffered by Guarantor as a result of Landlord enforcing this Guaranty.

T KA  
L KA

9. This Guaranty shall extend to and be binding upon the parties' respective heirs, representatives, administrators, successors, and assigns.

This Guaranty, consisting of 3 pages including the page on which these signatures appear, and the notarial acknowledgement(s) thereof, is entered into by the undersigned Guarantor(s), acting jointly and severally, as of the 27 day of December 2022.

**GUARANTOR:**

**Kim Allen**

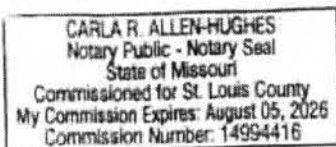
By: [Signature] (sign)

STATE OF MISSOURI )  
COUNTY OF St Louis ) SS

On this 28<sup>th</sup> day of December 2022, before me personally appeared, Kim Allen, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they have executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written)

(SEAL)



[Signature]  
Notary Public

Print Name: Carla R. Allen-Hughes

My Commission Expires: 08/05/26

T [Signature]  
L [Signature]

1 INTRODUCED BY COUNCILMAN SIAM  
2 OCTOBER 12, 2020

3  
4 BILL NO. 9628

ORDINANCE NO. 8643

5  
6 **ORDINANCE TO AUTHORIZE A SPECIAL USE PERMIT TO ALLOW**  
7 **FOR AN EVENT CENTER ESTABLISHMENT IN A B-3 EXTENSIVE**  
8 **COMMERCIAL DISTRICT FOR THE PROPERTY LOCATED AT 3421**  
9 **N. HWY 67.**

10  
11 WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of  
12 Florissant, by Special Permit, after public hearing thereon, to permit the location and operation  
13 of event centers in the City of Florissant; and

14 WHEREAS, an application has been filed by Event Visions by Selena LLC for the  
15 operation of an event center located at 3421 N. Hwy 67; and

16 WHEREAS, the Planning and Zoning Commission at their meeting September 21, 2020,  
17 recommended that a Special Permit be granted; and

18 WHEREAS, due notice of public hearing no. 20-10-030 on said application to be held on  
19 the 12<sup>th</sup> of October, 2020 at 7:30 P.M. by the Council of the City of Florissant was duly  
20 published, held and concluded; and


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

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

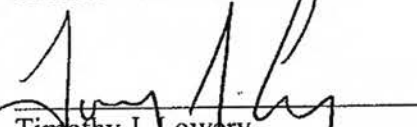
27  
28 Section 1: A Special Use Permit is hereby granted to Event Visions By Selena, LLC for  
29 an event center located at 3421 N. Highway 67 as shown in the plans attached hereto.

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

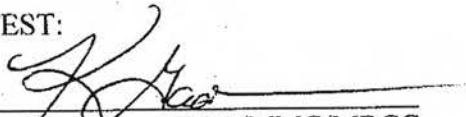
33 Adopted this 26<sup>th</sup> day of October 2020.

34   
35 Keith Schildroth  
36 President of the Council

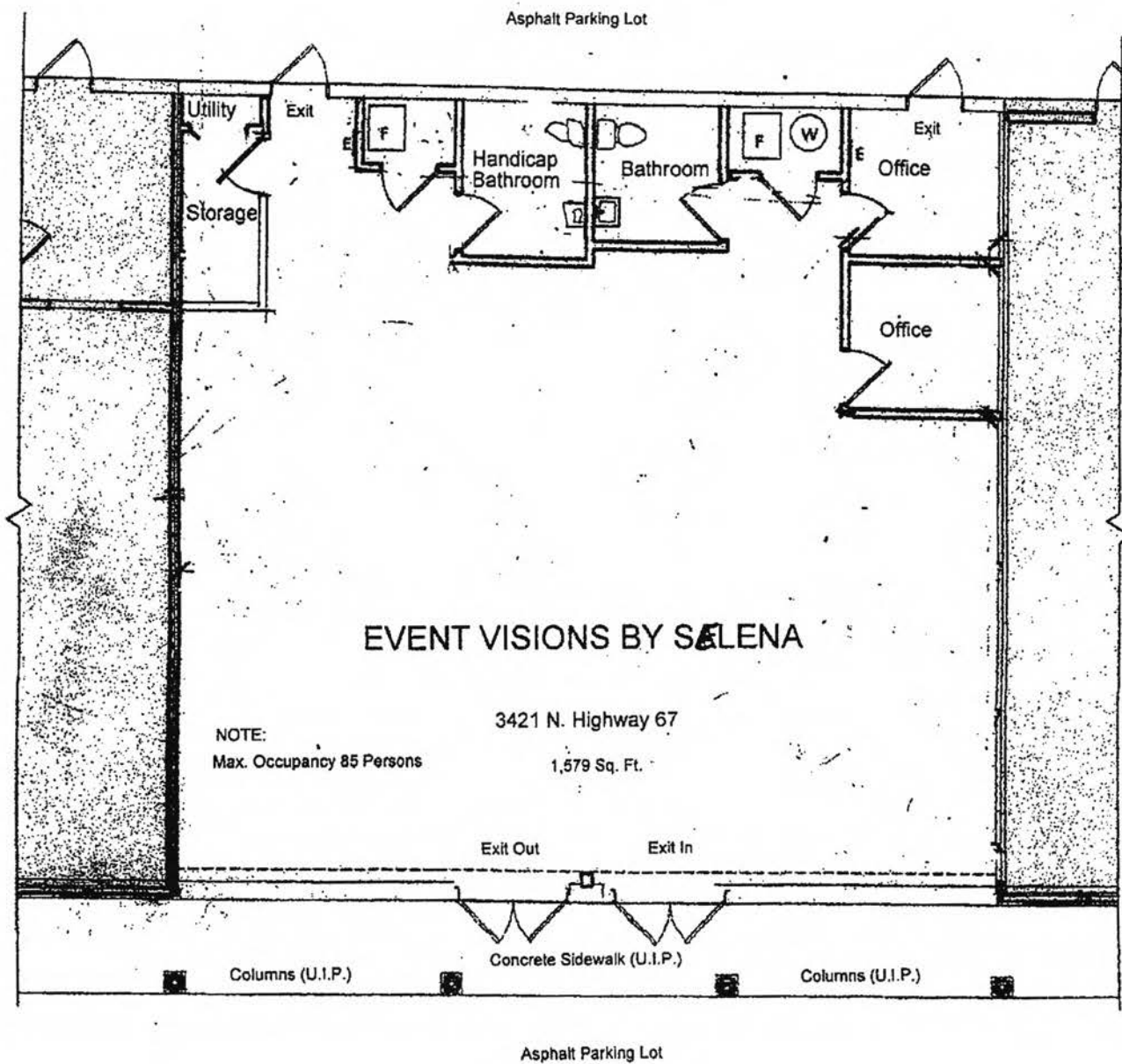
37 Approved this 26<sup>th</sup> day of Oct, 2020.

38   
39 Timothy J. Lowery  
40 Mayor, City of Florissant

41  
42 ATTEST:

43   
44 Karen Goodwin, MPPA/MMC/MRCC  
45 City Clerk  
46

8643



LINBERCH PLAZA

Highway 67





# Agenda Request Form

**For Administration Use Only:**

Meeting Date: 2/13/2023

Open ☒

Closed ☐

Report No. 9/2023

**Date Submitted:**

**To:** City Council

**Title:** Ordinance authorizing an amendment to B-5 Ordinance no. 8648 to allow for sit-down, carry-out restaurants located at 1616/1620 Shackelford.

**Prepared by:** Administrator

**Department:** Public Works

**Justification:**

Please see attachments

**Attachments:**

1. Public Hearing Notice
2. Application
3. Staff Report
4. Plans

INTRODUCED BY COUNCILMAN HARRIS  
FEBRUARY 13, 2023

BILL NO. 9858

ORDINANCE NO.

**ORDINANCE AUTHORIZING AN AMENDMENT TO B-5 ORDINANCE NO. 8648 TO ALLOW FOR SIT-DOWN, CARRY-OUT RESTAURANTS LOCATED AT 1616/1620 SHACKELFORD.**

WHEREAS, ordinance no. 8648 was passed in October of 2020, approving the rezoning of 1620 Shackelford to a B-5 Planned Commercial District to allow for a sit-down, carry-out, drive-through restaurant and tenant space; and

WHEREAS MBR Florissant Shackelford, LLC has applied for an amendment to the development plan authorized by ordinance 8648 to allow for a sit-down, carry-out restaurant use in adjacent the tenant space; and

WHEREAS, the Planning and Zoning Commission of the City of Florissant has recommended to the City Council at their meeting of January 17, 2023 that an amendment to B-5 ordinance no. 8648, as to allow for a sit-down, carry-out restaurant use in adjacent the tenant space located at 1616/1620 Shackelford; and

WHEREAS, due and lawful notice of a public hearing no. 23-02-004 on said proposed change was duly published, held and concluded on the 13th day of February, 2023 by the Council of the City of Florissant; and

WHEREAS, the Council, following said public hearing, and after due and careful deliberation, has concluded that that an amendment to B-5 ordinance no. 8648, to allow for a sit-down, carry-out restaurant use in adjacent the tenant space located at 1616/1620 Shackelford is in the best interest of the public health, safety and welfare of the City of Florissant; and

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

Section 1: B-5 ord. no. 8648, is hereby amended to allow for , as to allow for a sit-down, carry-out restaurant use in adjacent the tenant space located at 1616/1620 Shackelford as depicted in plans represented Gnich Architecture Studio and labeled A1.0 and C4 dated 10/30/2020 and attached hereto.

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

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2023.

---

Joseph Eagan

President of the Council

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

---

Timothy J. Lowery  
Mayor, City of Florissant

ATTEST:

---

Karen Goodwin, MPPA/MMC/MRCC  
City Clerk

# **CITY OF FLORISSANT**

## **Public Hearing**



**In accordance with 405.135 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, February 13, 2022 at 7:00 p.m. on the following proposition:**

**To amend Ord. No. 8648 to allow for sit-down, carry-out restaurants located 1616/1620 Shackelford. 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 email [kgoodwin@florissantmo.com](mailto:kgoodwin@florissantmo.com).**

**CITY OF FLORISSANT, Karen Goodwin, MMC City Clerk**



**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:

1620 & 1616 Shackelford Rd

**RECOMMENDED APPROVAL**  
**PLANNING & ZONING**  
**CHAIRMAN**

Council Ward 1 Zoning B-5

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

SIGN

DATE

1-17-2025

PETITION TO AMEND B-5 ORDINANCE # 8648

Enter ordinance number or number requesting to amend.

1) Comes Now MBR Florissant Shackelford, LLC

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

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

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

Legal interest in the Property Owner of the property

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 1.1

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 vacant next to Pomino's

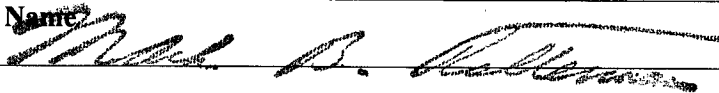
State current use of property, (or, state: vacant).

3. The petitioner(s) hereby state(s) the following reasons to justify the amendment to the existing B-5 ordinance: I would like to amend the ordinance to state: That the property located at 1620 & 1616 Schackelford to allow for sit-down, carry-out, and drive-thru restaurants.

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 Ratterman

PETITIONER(S) SIGNATURE (S) 

FOR MBR Florissant Shackelford, 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 \_\_\_\_\_  
STREET CITY STATE ZIP CODE

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

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

\_\_\_\_\_  
Signature of Petitioner(s) or Authorized Agent

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

Please check the box for the appropriate type of operation then fill in applicabe 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 Mark Ratterman
- (2) Telephone Number 636-487-0024
- (3) Business Address 201 N. Main St. Suite 300 St. Charles, MO 63301
- (4) Date started in business 08/14/2020
- (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.

**Please fill in applicable information requested.**

Name Mark Ratterman

Address 201 N. Main St. Suite 300 St. Charles, MO 63301  
Property Owner MBR Florissant Shackelford, LLC  
Location of property 1620 & 1616 Shackelford Rd  
Dimensions of property 51 x 66  
Property is presently zoned B-5 per ordinance # 8648  
Current & Proposed Use of Property B5 - to allow both suites to be zoned for sit-down, carry-out, and drive-thru restaurants.  
Type of Sign Pylon Height \_\_\_\_\_  
Type of Construction Steel Number Of Stories. 1  
Square Footage of Building 3,360 SF Number of Curb Cuts \_\_\_\_\_  
Number of Parking Spaces 27 Sidewalk Length \_\_\_\_\_  
Landscaping: No. of Trees \_\_\_\_\_ Diameter \_\_\_\_\_  
No. of Shrubs \_\_\_\_\_ Size \_\_\_\_\_  
Fence: Type \_\_\_\_\_ Length \_\_\_\_\_ Height \_\_\_\_\_

**PLEASE SUBMIT TEN (10) LEGIBLE FOLDED COPIES AND PDF MINIMUM SIZE 11X17 OR TO SCALE:**

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.**

A tract of land in Survey 176 of St. Ferdinand Commonfields, Township 47 North, Range 6 East, in St. Louis County, Missouri and being more particularly described as follows, to-wit:

Beginning at a point on the Southeast line of Shackleford Road, 45 feet wide, where said point is intersected by the direct prolongation Northwestwardly of the Northeast line of Flamingo Park Plat 13, a recorded subdivision, thence Southeastwardly along the prolongation of the Northeast line of Flamingo Park Plat 13 and along the Northeast line of Flamingo Park Plat 13 South 55 degrees 09 minutes East 302.02 feet to a point, thence along the Northwestern line of said Flamingo Park Plat 13 North 37 degrees 23 minutes East, 150.08 feet to the most Southern corner of a tract of land

described in Deed Book 6343 page 186 of the St. Louis County Records, thence along the Southwestern line of said tract North 52 degrees 37 minutes West 309.04 feet to a point on the Southeastern line of said Shackleford Road, 45 feet wide, thence along the Southeastern line of said Shackleford Road, 45 feet wide, South 34 degrees 51 minutes West, 163.59 feet to the Point of Beginning according to a survey by Rapp & Rapp. Surveyors made the 2nd day of June, 1970.

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

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

**STAFF CHECK LIST / REVIEW SHEET**



ADDRESS OF PROPERTY 1620 Shuckelford CURRENT ORD NO'S. \_\_\_\_\_

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

AUTHORIZED AGENT Mark Patterman PHONE NO. \_\_\_\_\_

PROPOSAL Amend Ord. 864B to allow 2nd restaurant

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: n/a

- 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 buildings screened from adjoining residential? Yes / No

3) Are the heights of structures shown? Yes / No na

4) Are all setbacks shown? Yes / No na

5) Are building square footages shown? Yes/No 3360

6) What is the exterior construction of the buildings? na

7) Is off street loading shown? Yes / No na

8) Parking: na

- a) Does parking shown meet the ordinance? Yes / No  
b) Is a variance required in accordance with the ordinance? Yes / No  
c) Ratio shown \_\_\_\_\_ to \_\_\_\_\_  
d) Total Number \_\_\_\_\_  
e) Will cross access and cross parking agreements be required? Yes / No  
f) Is the parking lot adequately landscaped? Yes / No

9) Are there any signs? Yes No

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

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

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

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

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 na

12) Are two section profiles through the site showing preliminary building form, existing natural grade and proposed final grade shown? Yes / No na

13) Is proposed ingress/egress onto the site and internal traffic movements shown? Yes / No na

- 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 *na*
- 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: Number of Months 6 or /Start date \_\_\_\_\_ Finish date \_\_\_\_\_
- 19) Is parking lot lighting shown? Yes / No *na*
- 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 *na*  
Yes / No *na*
- 23) Will this project require any street improvements? Yes ☒ No
- 24) Staff recommendations for site development plans: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

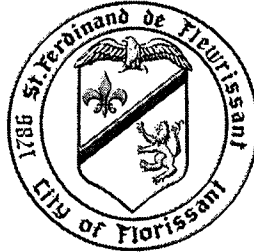
25) Staff Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

pel 1/10/23  
Date Application reviewed

\_\_\_\_\_  
Building Commissioner or Staff Signature

1

**MEMORANDUM**



**CITY OF FLORISSANT**

5 To: Planning and Zoning Commissioners Date: January 10, 2023

6

7 From: Philip E. Lum, AIA-Building Commissioner cc: Todd Hughes, P.E.  
8 Director of Public Works  
9 Applicant  
10 Deputy City Clerk  
11 File

12

13 Subject: Request **recommended approval** to amend a 'B-5' Planned Commercial  
14 District, Ord. No. 8648, located at **1616 Shackelford Rd** to allow for a sit down carry out  
15 second restaurant as a Permitted Use.

16

17 **STAFF REPORT**

18 **CASE NUMBER PZ-011723-1**

19

20 **I. PROJECT DESCRIPTION:**

21 The request before the commission is a Request for recommended approval to amend a  
22 'B-5' Planned Commercial District, Ord. No. 8648, located at **1616 Shackelford Rd** to  
23 allow for a second restaurant as a Permitted Use.

24

25 **SITE CONDITIONS:**

26 The property is currently occupied by a sit down carry out and drive through restaurant,  
27 Domino's as expressly described in Ord. No. 8648, along with plans and rezoning to a  
28 'B-5' Planned Commercial District. No plans were received in the original rezoning that  
29 described a second restaurant for this ordinance.

30

31 **III. SURROUNDING PROPERTIES:**

32 The property to the north is the Post Office at 1650 Shackelford. Other properties  
33 adjacent include 1570 Shackelford, 1665, 1675, 1685, 1705 and 1725 Verlone Dr.

34

35 **IV. STAFF ANALYSIS:**

36 The building as originally proposed in 'B-5' Ord. No. 8648 for the Domino's at 1620  
37 Shackelford which had a stone veneer which was replaced. The plans submitted are C4  
38 dated 10/30/2020 by Civil Design, Inc. (illustrating no change in the site development  
39 plan and A1.0 from the original Ord. No. 8648.

Staff comments on Plans Submitted:

C4: Site Plan indicates the existing drive up window and circulation. It does not seem plausible for another drive through restaurant, therefore, the petition is for a sit down and carry out only. Ordinance indicates existing 27 parking spaces.

A1.0 Floor plan:

An Adjacent Tenant Space floor plan was shown for the original Ord. No. 8648, that shows double door entrance and single door exit in the rear. A sit down carry out restaurant in this location is about 1360 s.f. It would likely contain 2 restrooms, and 20-30 seats maximum.

A detailed floor plan is not necessary for the Adjacent Tenant Space to calculate parking for a restaurant Use less than 1500 s.f., and total parking required is calculated as follows:

Domino's Parking

Domino's Ordinance No. 8648 indicates graphically 30 seats in the existing restaurant. Parking code, section 405.225, allows for 4.5 spaces/ GFA (gross floor area) for restaurants under 1500 s.f.. The existing Domino's (1900 s.f.) is calculated as a "fast food" and required 15 spaces for customer seating and perhaps 4 employee parking for 6 employees on the maximum shift, a total of 19 spaces required.

Proposed Restaurant Parking

The Proposed Restaurant would be calculated at GSF, or 4.5 spaces per 1000 s.f.= 4.5 x 1.32 = 6 spaces required.

Total Parking Meets 405.225

Therefore the total required parking for the site is 19+6= 25 required and 27 provided meets the parking code.

**VI. STAFF RECOMMENDATIONS:**

1. See the following suggested motion:

I move for recommended approval to amend the 'B-5' Planned Commercial District, Ord. No. 8648 to allow for a sit down carry out second restaurant as a Permitted Use according to the proposal prepared by the petitioner.

Ord. No. 8648 shall be amended. Section 2, para. 1 shall be amended to read as follows:

1. **Permitted Uses**

The Uses permitted in this 'B-5' Planned Commercial District shall be limited to a sit down, carry out and drive through restaurant as herein described, a sit down carry out restaurant in the Adjacent Tenant Space and any Uses allowed as Permitted Uses in the 'B-3' District.

(End of suggested motion and staff report.)

Section 2: The property located at 1620 Shackelford Road (Domino's) is hereby rezoned from 'B-3' Extensive Business District to a 'B-5' Planned Commercial District, to allow for development of a sit down, carryout, drive-through restaurant and tenant space with the following conditions to be part of the record:

A sit down, carry out restaurant in the Adjacent Tenant Space

**1. PERMITTED USES**

The Uses permitted in this B-5 Planned Commercial District shall be limited to a sit down, carry out, drive through restaurant as herein described and any Uses allowed as Permitted Uses in the 'B-3' District.

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

- a. The building shall be limited to a single story building with a total square footage of approximately 3360 square feet. The main building shall not exceed 20 feet in height. The building shall be constructed of as depicted on the plans presented: Floor Plan A1.0 dated 9/18/20, Photometric Plans PH1.0 and PH2.0 by Gnich Architecture Studio, Landscape Plan L1 dated 7/30/20, Site Cross Sections CS-1 and Site Development Plan C1 both dated 7/30/20 by CDI, Elevations by Gnich Architecture Studio and Anchor Sign Package 8 pages dated 3/6/20.

**3. PERFORMANCE STANDARDS**

Uses within this B-5 Planned Commercial District identified herein shall conform to the most restrictive performance standards as set forth in Article VII of the Florissant Zoning Code.

**5. FINAL SITE DEVELOPMENT PLAN GENERAL CRITERIA**

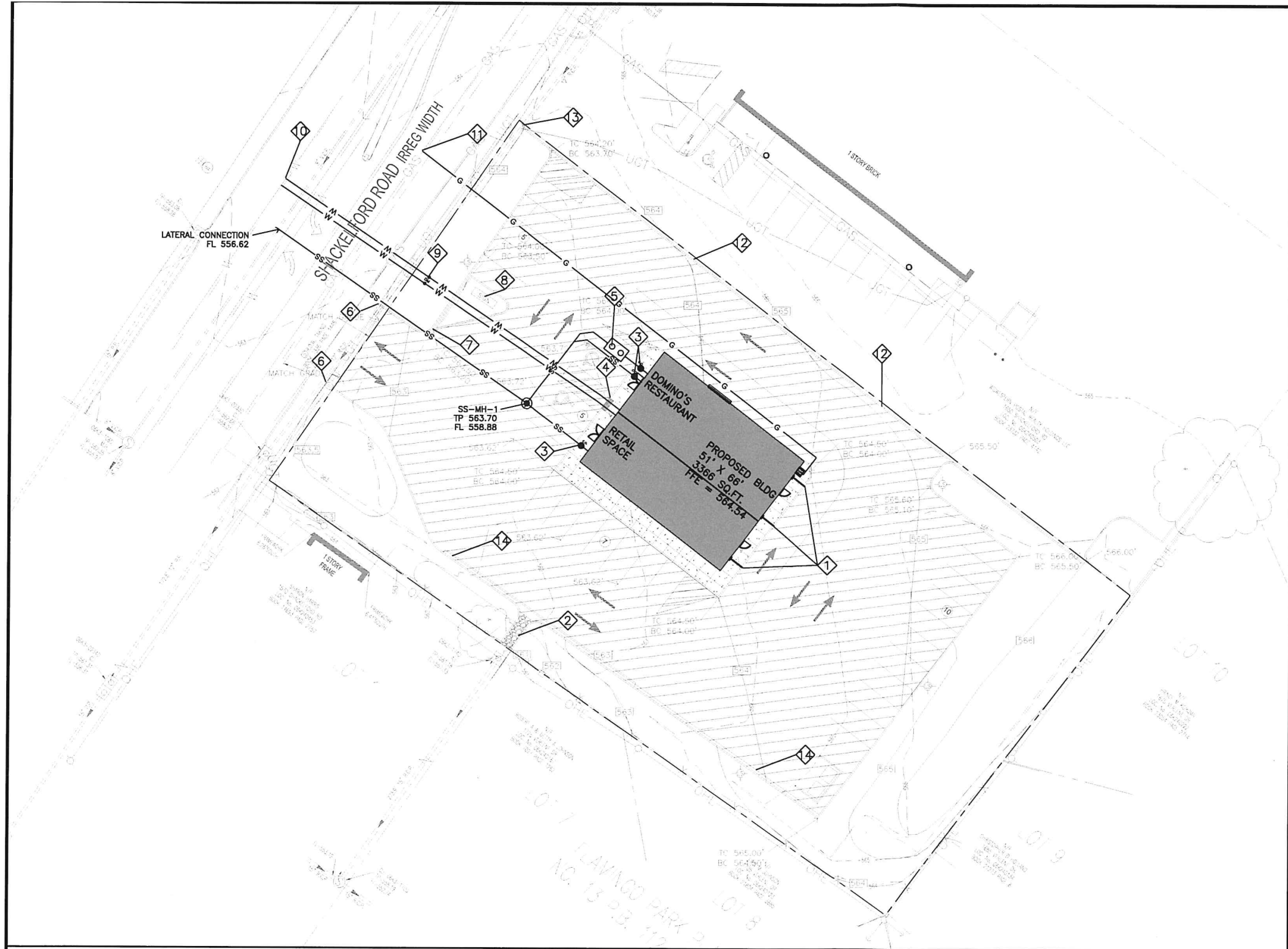
The above Final Site Development Plan shall include the following:

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

**6. FINAL SITE DEVELOPMENT PLAN CRITERIA**







**LEGEND:**

- FFE FIRST FLOOR ELEVATION
- PROPERTY LINE
- CONCRETE SIDEWALK (DETAIL SHEET D2)
- CONCRETE PAVEMENT
- ST STORM SEWER PIPING
- SS SANITARY SEWER
- W DOMESTIC WATER

**GRADING VOLUME:**

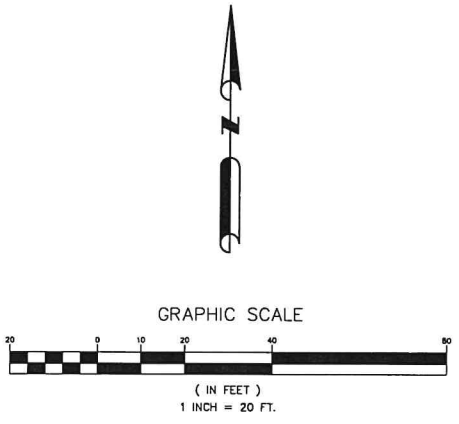
CUT = 414.35 CU FT  
FILL = 561.53 CU FT

**SITE NOTES (APPLY TO ALL CIVIL SHEETS):**

- UNDERGROUND FACILITIES, STRUCTURES, AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS AND RECORDS AND THEREFORE THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. IT IS POSSIBLE THAT THERE MAY BE OTHERS, THE EXISTENCE OF WHICH IS PRESENTLY NOT KNOWN OR SHOWN. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THEIR EXISTENCE AND EXACT LOCATION BEFORE EXCAVATION OR TRENCHING TO AVOID DAMAGE THERETO.
- THE LOCATION OF THE DOWNSPOUTS SHOWN ARE APPROXIMATE ONLY, CONTRACTOR SHALL CONFIRM EXACT LOCATION OF DOWNSPOUTS WITH ARCHITECT PRIOR TO CONSTRUCTION.
- NO SLOPE SHALL EXCEED 1V:3H.
- ALL UTILITY CONNECTIONS SHALL BE COMPLETED TO THE APPROPRIATE STANDARDS OF EACH RESPECTIVE UTILITY COMPANY.
- CONTRACTOR SHALL MAINTAIN A MINIMUM OF 10' HORIZONTALLY AND 18" VERTICALLY BETWEEN ANY DOMESTIC WATER LINE AND ANY SANITARY SEWER LATERAL.
- ALL NEW PEDESTRIAN WALKWAYS SHALL BE NO GREATER THAN 5% SLOPE IN THE LONGITUDINAL DIRECTION AND NO GREATER THAN 2% IN THE LATERAL DIRECTION (CROSS SLOPE).

**KEYED NOTES:**

- PIPED DOWNSPOUT (4" PVC PIPE) INTEGRAL WITH MANUFACTURED TRENCH DRAIN. CONTRACTOR SHALL SUBMIT PART TO CDI FOR APPROVAL. DRAIN TO PAVEMENT.
- ROCK LINED DRAINAGE SWALE PER DETAIL SHEET D2. USE MIX OF OVERSIZED DRAIN ROCK 1.5" - 4".
- SANITARY CLEANOUTS SEE DETAIL SHEET D2.
- ACCESSIBLE CURB RAMP WITH TRUNCATED DOMES PER DETAIL SHEET D3.
- 1000 GAL. OIL/WATER SEPARATOR.
- TAPER CURB TO MATCH EXISTING SIDEWALK ELEVATION.
- 6" CURB SEPARATION TO ACT AS DRAINAGE CHANNEL.
- STANDARD DOMINO'S POLE SIGN SEE ARCHITECTURAL PLANS.
- DOMESTIC WATER METER LOCATION. INSTALL PER MISSOURI AMERICAN WATER STANDARDS.
- 1" DOMESTIC WATER CONNECTION TO 8" MAIN. INSTALL PER MISSOURI AMERICAN WATER STANDARDS. COPPER PIPE SHALL BE TYPE K ONLY, AS SPECIFIED, MEETING THE REQUIREMENTS OF ASTM STANDARD B88.
- GAS SERVICE CONNECTION PER SPIRE ENERGY STANDARD SPECIFICATIONS.
- CURB AND GUTTER WITH 12" WIDE CURB CUTS EVERY 30' ALONG LENGTH OF CURB.
- JOIN CURB AND GUTTER AT THIS LOCATION. MATCH NEW CURB WITH EXISTING CURB DIMENSIONS.
- STANDARD CURB AND GUTTER (SEE DETAIL SHEET D2).



PRELIMINARY

NOT FOR CONSTRUCTION

DATE: 10/30/2020  
CDI #: R4439  
DESIGNED BY: JAG  
DRAWN BY: JAG  
CHECKED BY:

REV. NO.	DATE	REMARKS
1		
2		
3		
4		

CIVIL ENGINEER:  
5220 Oakland Avenue  
St. Louis, MO 63110  
314.863.3370  
**CDI**  
CIVIL DESIGN, INC.  
WBE | DBE Certificate  
Missouri State Certificate  
of Authority #202006804

FLORISSANT DOMINO'S  
1620 SHACKELFORD ROAD  
FLORISSANT, MISSOURI

SHEET TITLE  
**SITE PLAN**

SHEET NO.  
**C4**



# Agenda Request Form

**For Administration Use Only:**

Meeting Date: 2/13/2023

Open ☒

Closed ☐

Report No. 10/2023

**Date Submitted:**

**To:** City Council

**Title:** Ordinance authorizing an amendment to Sections 405.035, 405.120, 405.125, 405.140, 405.145, and 405.155 to allow for changes consistent with State Regulations regarding cannabis/marijuana products and facilities.

**Prepared by:** Administrator

**Department:** Public Works

**Justification:**

Please see attachments

**Attachments:**

1. Public Hearing
2. Staff Report

INTRODUCED BY COUNCILMAN EAGAN  
FEBRUARY 13, 2023

BILL NO. 9859

ORDINANCE NO.

**ORDINANCE AUTHORIZING AN AMENDMENT TO SECTIONS 405.035, 405.120, 405.125, 405.140, 405.145, AND 405.155 TO ALLOW FOR CHANGES CONSISTENT WITH STATE REGULATIONS REGARDING CANNABIS/MARIJUANA PRODUCTS AND FACILITIES.**

**WHEREAS** recent State legislation allowing recreational use of cannabis/marijuana products affects the zoning code definitions and uses; and

**WHEREAS** to be consistent with State Legislation, changes to the zoning code is necessary; and

**Section 1:** Article II: Definitions, Section 405.035 is hereby amended by adding the following definitions:

**MARIJUANA CULTIVATION FACILITY**

A facility licensed by the State of Missouri to acquire, cultivate, process, store, transport, and sell marijuana to a Marijuana Dispensary Facility, Marijuana Testing Facility, or to a -infused Products Manufacturing Facility.

**MARIJUANA DISPENSARY FACILITY**

A facility licensed by the State of Missouri to acquire, store, sell, transport, and deliver marijuana, marijuana-infused products and drug paraphernalia used to administer marijuana in accordance with applicable law and regulations.

**MARIJUANA-INFUSED PRODUCTS MANUFACTURING FACILITY**

A facility licensed by the State of Missouri, to acquire, store, manufacture, transport, and sell marijuana-infused products to a Marijuana Dispensary Facility, a Marijuana Test Facility, or to another Marijuana-Infused Projects Manufacturing Facility.

**MARIJUANA TESTING FACILITY**

A facility certified by the State of Missouri, to acquire, test, certify, and transport marijuana.

**Section 2:** 405.120, 'B-2' Central Business District, Subsection B "Use Regulations" is amended by deleting the current entry and replacing with a new entry as follows and renumbered accordingly:

**Marijuana Dispensary Facility** - (NAICS CC453999), which abides by all applicable laws and regulations, but no Marijuana Dispensary Facility shall be sited on a property within three hundred (300) feet of a property of any then-existing church, day care center, elementary or secondary school. Measurements shall be made from the closest property line of the proposed Dispensary Facility to the closest property line of any such other use listed in this section, or in the case of location of a no Marijuana Dispensary Facility in a Shopping Center, the measurement shall be taken from a determined centroid of the

facility. On-site Usage Prohibited: No Marijuana shall be smoked, ingested, infused or otherwise consumed on the premises. All licenses issued to any Facility shall be displayed at the Facility.

**Section 3:** 405.125, ‘B-3’ Extensive Business District, Subsection B “Use Regulations” is amended by deleting the current entry and replacing with a new entry as follows and renumbered accordingly:

**Marijuana Dispensary Facility** - (NAICS CC453999), which abides by all applicable laws and regulations, but no Marijuana Dispensary Facility shall be sited on a property within three hundred (300) feet of a property of any then-existing church, day care center, elementary or secondary school. Measurements shall be made from the closest property line of the proposed Dispensary Facility to the closest property line of any such other use listed in this section, or in the case of location of a no Marijuana Dispensary Facility in a Shopping Center, the measurement shall be taken from a determined centroid of the facility. On-site Usage Prohibited: No Marijuana shall be smoked, ingested, infused or otherwise consumed on the premises. All licenses issued to any Facility shall be displayed at the Facility.

**Section 4:** Section 405.140, M-1 “Limited Industrial District”, Subsection B “Use Regulations” is hereby amended by deleting the current entry and replacing with a new entry as follows and renumbered accordingly:

**Marijuana-Infused Products Manufacturing Facility** (NAICS CC325415), **Marijuana Testing Facility** (NAICS CC541381) and **Marijuana Cultivation Facility-** (NAICS CC111419) which abide by all applicable laws and regulations, but no Marijuana Related Facility shall be sited on a property within seven hundred fifty (750) feet of a property of any then-existing church, day care center, elementary or secondary school. Measurements shall be made from the closest property line of the proposed Facility to the closest property line of any such other use listed in this section, or in the case of location of a Marijuana Facility or Use in a Shopping Center, the measurement shall be taken from a determined centroid of the facility. On-site Usage Prohibited: No Marijuana shall be smoked, ingested, infused or otherwise consumed on the premises. All licenses issued to any Facility shall be displayed at the Facility.

**Section 5:** Section 405.145, M-2 “Industry District”, Subsection B “Use Regulations” is hereby amended by deleting the current entry and replacing with a new entry as follows and renumbered accordingly:

**Marijuana-Infused Products Manufacturing Facility** (NAICS CC325415), **Marijuana Testing Facility** (NAICS CC541381) and **Marijuana Cultivation Facility-** (NAICS CC111419) which abide by all applicable laws and regulations, but no Marijuana Related Facility shall be sited on a property within seven hundred fifty (750) feet of a property of any then-existing church, day care center, elementary or secondary school. Measurements shall be made from the closest property line of the proposed Facility to the closest property line of any such other use listed in this section, or in the case of location of a Marijuana Facility or Use in a Shopping Center, the measurement shall be taken from a determined centroid of the facility. On-site Usage Prohibited: No Marijuana shall be smoked, ingested,



infused or otherwise consumed on the premises. All licenses issued to any Facility shall be displayed at the Facility.

Section 6: Section 405.155, NU “Non-Urban Zoning District” Subsection B “Use Regulations” is hereby deleting the existing section and adding a new section to include Marijuana Cultivation Facility to read as follows:

**Marijuana Cultivation Facility-** (NAICS CC111419) as defined in Section 405.035, which abides by all applicable laws and regulations, subject to the following specific standards:

1. No marijuana-related use or facility shall emit an odor or in any way cause a public nuisance per Section 405.1553 or Chapter 215, as applicable. The applicant shall demonstrate that the appropriate systems will be provided to prevent any odor of marijuana or fumes from leaving the facility.
2. Marijuana cultivation and processing activities shall occur only within an enclosed structure.
3. On-site Usage Prohibited: No Marijuana shall be smoked, ingested, infused or otherwise consumed on the premises.

All licenses issued to any Facility shall be displayed at the Facility

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

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Joseph Eagan, Council President

Approved this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Timothy J. Lowery, Mayor

ATTEST:

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

# **CITY OF FLORISSANT**

## **Public Hearing**



**In accordance with Chapter 405.475 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, February 13, 2022 at 7:00 p.m. on the following proposition:**

**To amend Sections 405.035, 405.120, 405.125, 405.140, 405.145, and 405.155 to allow for changes consistent with State Regulations regarding Cannabis/Marijuana products and facilities as presented. 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 email [kgoodwin@florissantmo.com](mailto:kgoodwin@florissantmo.com).**

**CITY OF FLORISSANT, Karen Goodwin, MMC City Clerk**

RECOMMENDED APPROVAL  
PLANNING & ZONING  
COMMISSION

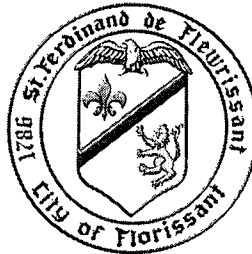
SIGN:



DATE:

1-17-23

## MEMORANDUM



## CITY OF FLORISSANT

To: Planning and Zoning Commissioners Date: January 11, 2023

From: Philip E. Lum, AIA-Building Commissioner cc: Todd Hughes, P.E.  
Director of Public Works  
Applicant  
Deputy City Clerk  
File

Subject: Request **recommended approval** to amend the Zoning Code to allow for changes consistent with State Regulations regarding Cannabis/Marijuana products and facilities.

## STAFF REPORT

### CASE NUMBER PZ-011723-2

#### I. PROJECT DESCRIPTION:

The request before the commission is a Request for recommended approval to amend the Zoning Code to allow for changes consistent with State Regulations regarding Cannabis/Marijuana products and facilities.

#### II. STAFF ANALYSIS:

Recent State legislation to allow recreational use of such products affects the Zoning Code definitions and uses.


The be consistent with State legislation, action is required, see attached document outlining changes to Section 1-5 of Article II, Section 405.035.

#### VI. STAFF RECOMMENDATIONS:

See the following suggested motion:

I move for recommended approval to amend the Zoning Code to allow for changes consistent with State Regulations regarding Cannabis/Marijuana products and facilities as presented.

(End of suggested motion and staff report.)

SIGN:  DATE: 1-17-2023  
**Section 1:** Article II: Definitions; Section 405.035 is hereby amended by adding the following definitions:

**MARIJUANA CULTIVATION FACILITY-** a facility licensed by the State of Missouri to acquire, cultivate, process, store, transport, and sell marijuana to a Marijuana Dispensary Facility, Marijuana Testing Facility, or to a -infused Products Manufacturing Facility.

**MARIJUANA DISPENSARY FACILITY:** a facility licensed by the State of Missouri to acquire, store, sell, transport, and deliver marijuana, marijuana-infused products and drug paraphernalia used to administer marijuana in accordance with applicable law and regulations.

**MARIJUANA-INFUSED PRODUCTS MANUFACTURING FACILITY-** a facility licensed by the State of Missouri, to acquire, store, manufacture, transport, and sell marijuana-infused products to a Marijuana Dispensary Facility, a Marijuana Test Facility, or to another Marijuana-Infused Projects Manufacturing Facility.

**MARIJUANA TESTING FACILITY-** a facility certified by the State of Missouri, to acquire, test, certify, and transport marijuana.

**Section 2:** 405.120, 'B-2' Central Business District, Subsection B "Use Regulations" is amended to include a new entry as follows and renumbered accordingly:

**Marijuana Dispensary Facility** - (NAICS CC453999), which abides by all applicable laws and regulations, but no Marijuana Dispensary Facility shall be sited on a property within three hundred (300) feet of a property of any then-existing church, day care center, elementary or secondary school. Measurements shall be made from the closest property line of the proposed Dispensary Facility to the closest property line of any such other use listed in this section, or in the case of location of a no Marijuana Dispensary Facility in a Shopping Center, the measurement shall be taken from a determined centroid of the facility. On-site Usage Prohibited: No Marijuana shall be smoked, ingested, infused or otherwise consumed on the premises. All licenses issued to any Facility shall be displayed at the Facility.

**Section 3:** 405.125, 'B-3' Extensive Business District, Subsection B "Use Regulations" is amended to include a new entry as follows and renumbered accordingly:

**Marijuana Dispensary Facility** - (NAICS CC453999), which abides by all applicable laws and regulations, but no Marijuana Dispensary Facility shall

be sited on a property within three hundred (300) feet of a property of any then-existing church, day care center, elementary or secondary school. Measurements shall be made from the closest property line of the proposed Dispensary Facility to the closest property line of any such other use listed in this section, or in the case of location of a no Marijuana Dispensary Facility in a Shopping Center, the measurement shall be taken from a determined centroid of the facility. On-site Usage Prohibited: No Marijuana shall be smoked, ingested, infused or otherwise consumed on the premises. All licenses issued to any Facility shall be displayed at the Facility.

**Section 4:** Section 405.140, M-1 "Limited Industrial District", Subsection B "Use Regulations" is hereby amended to include a new entry to read as follows and numbered accordingly:

**Marijuana-Infused Products Manufacturing Facility** (NAICS CC325415), **Marijuana Testing Facility** (NAICS CC541381) and **Marijuana Cultivation Facility-** (NAICS CC111419) which abide by all applicable laws and regulations, but no Marijuana Related Facility shall be sited on a property within seven hundred fifty (750) feet of a property of any then-existing church, day care center, elementary or secondary school. Measurements shall be made from the closest property line of the proposed Facility to the closest property line of any such other use listed in this section, or in the case of location of a Marijuana Facility or Use in a Shopping Center, the measurement shall be taken from a determined centroid of the facility. On-site Usage Prohibited: No Marijuana shall be smoked, ingested, infused or otherwise consumed on the premises. All licenses issued to any Facility shall be displayed at the Facility.

**Section 5:** Section 405.145, M-2 "Industry District", Subsection B "Use Regulations" is hereby amended to include a new entry to read as follows and numbered accordingly:

**Marijuana-Infused Products Manufacturing Facility** (NAICS CC325415), **Marijuana Testing Facility** (NAICS CC541381) and **Marijuana Cultivation Facility-** (NAICS CC111419) which abide by all applicable laws and regulations, but no Marijuana Related Facility shall be sited on a property within seven hundred fifty (750) feet of a property of any then-existing church, day care center, elementary or secondary school. Measurements shall be made from the closest property line of the proposed Facility to the closest property line of any such other use listed in this section, or in the case of location of a Marijuana Facility or Use in a Shopping Center, the measurement shall be taken from a determined centroid of the facility. On-site Usage Prohibited: No Marijuana shall be smoked, ingested, infused



or otherwise consumed on the premises. All licenses issued to any Facility shall be displayed at the Facility.

Section 6: Section 405.155, NU "Non-Urban Zoning District" Subsection B "Use Regulations" is hereby amended by adding a new section to include Marijuana Cultivation Facility to read as follows:

**Marijuana Cultivation Facility-** (NAICS CC111419) as defined in Section 405.035, which abides by all applicable laws and regulations, subject to the following specific standards:

1. No marijuana-related use or facility shall emit an odor or in any way cause a public nuisance per Section 405.1553 or Chapter 215, as applicable. The applicant shall demonstrate that the appropriate systems will be provided to prevent any odor of marijuana or fumes from leaving the facility.
2. Marijuana cultivation and processing activities shall occur only within an enclosed structure.
3. On-site Usage Prohibited: No Marijuana shall be smoked, ingested, infused or otherwise consumed on the premises.

All licenses issued to any Facility shall be displayed at the Facility



# Agenda Request Form

**For Administration Use Only:**

Meeting Date: 2/13/2023

Open ☒

Closed ☐

Report No. 11/2023

**Date Submitted:**

**To:** City Council

**Title:** An ordinance amending Chapter 210, Article I, Section 210.010, and Article XI, Offenses Concerning Drugs, Sections 1800, 1810, 1830, and enacting section 1900 and 1910 of the code of ordinances, City of Florissant, Missouri.

**Prepared by:** Administrator

**Department:** City Clerk

**Justification:**

The Missouri Constitution has been amended to permit the use, possession, sale, transportation, manufacture and cultivation of medical and recreational marijuana, therefore, the code of ordinances is to be amended accordingly.

**Attachments:**

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**INTRODUCED BY COUNCILMAN EAGAN  
FEBRUARY 13, 2023**

**BILL NO. 9860**

**ORDINANCE NO.**

**AN ORDINANCE AMENDING CHAPTER 210, ARTICLE I, SECTION 210.010, AND ARTICLE XI, OFFENSES CONCERNING DRUGS, SECTIONS 1800, 1810, 1830, AND ENACTING SECTION 1900 AND 1910 OF THE CODE OF ORDINANCES, CITY OF FLORISSANT, MISSOURI.**

WHEREAS, the Code of Ordinances, City of Florissant, Missouri (the "Code"), Chapter 210, Article XI establishes violations related to marijuana and other controlled substances; and

WHEREAS, the Missouri Constitution has been amended to permit the use, possession, sale, transportation, manufacture and cultivation of medical and recreational marijuana; and

WHEREAS, the regulation and partial prohibition of marijuana is a matter of public safety that is properly subject to the police power and other municipal regulation;

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

Section 1. Chapter 210, Art. I, Section 210.010 Definitions. of the Code is revised by adding the terms as stated herein to read as follows:

**MARIJUANA OR MARIHUANA**

*Cannabis indica*, *Cannabis saliva*, and *Cannabis ruderalis*, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the marijuana plant and marijuana-infused products. "Marijuana" or "marihuana" do not include industrial hemp, as defined by Missouri statute, or commodities or products manufactured from industrial hemp.

**MARIJUANA ACCESSORIES**

Any equipment, product, material, or combination of equipment, products, or materials which is specifically designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling, or otherwise introducing marijuana into the human body.

**MARIJUANA-INFUSED PRODUCTS**

Products that are infused, dipped, coated, sprayed, or mixed with marijuana or an extract thereof, including, but not limited to, products that are able to be vaporized or smoked, edible products, ingestible products, topical products, suppositories, and infused prerolls.

Section 2. Chapter 210, Art. XI, Offenses Concerning Drugs, Section 210.1800, Possession of Marijuana or Synthetic Cannabinoid., of the Code is amended to read as follows:

**Section 210.1800 Possession of Synthetic Cannabinoid. [1]**

A person commits the offense of possession of any synthetic cannabinoid, as that term is defined in Section 195.010, RSMo., if he or she knowingly possesses any synthetic cannabinoid, except as authorized by Chapter 579 or Chapter 195, RSMo.

Section 3. Chapter 210, Art. XI, Offenses Concerning Drugs, Section 210.1810, Possession of a Controlled Substance., of the Code is amended to read as follows:

A person commits the offense of possession of a controlled substance, as defined in Section 195.010, RSMo., if he or she knowingly possesses a controlled substance, not including marijuana, except as authorized by Chapter 579, RSMo., or Chapter 195, RSMo.

Section 4. Chapter 210, Art. XI, Offenses Concerning Drugs, Section 210.1830, Unlawful Possession of Drug Paraphernalia., of the Code is amended to read as follows:

A person commits the offense of unlawful possession of drug paraphernalia if he or she knowingly uses, or possesses with intent to use, drug paraphernalia, to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body, a controlled substance or an imitation controlled substance in violation of Chapter 579, RSMo., or Chapter 195, RSMo., except as allowed by Article XIV, Section 1 or Section 2 of the Missouri Constitution.

Section 5. Chapter 210, Art. XI, Offenses Concerning Drugs, Section 210.1900, is hereby enacted to read as follows:

**Section 210.1900 Marijuana and Marijuana Accessories Regulations.**

**A. Unlawful Possession.**

1. It is an offense for any person to knowingly purchase, possess, consume, use, inject, inhale, process, or transport *more than six ounces of marijuana*.
2. A person who is a least twenty-one (21) years of age who knowingly possesses *between three and six ounces* of marijuana shall thereby commit a violation and be subject to penalty as set forth in subsection F.3. hereto.
3. It is an offense for any person younger than twenty-one years of age to knowingly purchase, possess, consume, use, ingest, inhale, process, or transport *marijuana or marijuana accessories*. However, a person who is under twenty-one (21) years of age who possesses, uses, ingests, inhales, or transports three ounces or less of marijuana, or possesses marijuana accessories, may only be subject to a civil penalty not to exceed \$100 and forfeiture of the marijuana. Any such person shall be provided the option of attending up to four hours of drug education or counseling in lieu of the civil penalty.
4. Exception is hereby made for each of the foregoing offenses and violations in this subsection A. if such person is a qualifying patient or primary caregiver possessing a valid identification card issued by the Missouri Department of Health and Senior Services issued for the medical

use of marijuana or except as otherwise allowed by Article XIV, Section 1 or Section 2 of the Missouri Constitution, or Chapter 195 or Chapter 579, RSMo.

**B. *Unlawful Distribution.***

1. It is an offense for any person or entity, except those facilities licensed to do so by the State of Missouri, to knowingly distribute or deliver *for consideration* marijuana or marijuana accessories.
2. It is an offense for any person or entity, except those facilities licensed to do so by the State of Missouri, to knowingly deliver or distribute *without consideration* more than six ounces of marijuana.
3. It is an offense for any person who is at least twenty-one (21) years of age to knowingly deliver or distribute *without consideration* marijuana or marijuana accessories to a person younger than twenty-one (21) years of age.
4. Except for those facilities licensed to do so by the State of Missouri, a person who is at least twenty-one (21) years of age who knowingly delivers or distributes *without consideration*, or possesses with the intent to distribute or deliver, between three and six ounces of marijuana to a person *who is at least twenty-one years of age*, shall thereby commit a violation and be subject to penalty as set forth in subsection F.3. hereto.
5. It is an offense for any person younger than twenty-one (21) years of age to knowingly deliver or distribute *without consideration* marijuana or marijuana accessories. A person who is under twenty-one (21) years of age who delivers or distributes without consideration three ounces or less of marijuana, or delivers or distributes without consideration marijuana accessories, may only be subject to a civil penalty not to exceed \$100 and forfeiture of the marijuana. Any such person shall be provided the option of attending up to four hours of drug education or counseling in lieu of the civil penalty.
6. Exception is hereby made for each of the foregoing offenses and violations in this subsection B. if such person is a qualifying patient or primary caregiver possessing a valid identification card issued by the Missouri Department of Health and Senior Services issued for the medical use of marijuana and except as otherwise allowed by Article XIV, Section 1 or Section 2 of the Missouri Constitution, or Chapter 195 or Chapter 579, RSMo.

**C. *Unlawful Cultivation.***

1. It is an offense for any person or entity to possess marijuana plants without a valid registration for cultivation on file with the State of Missouri.
2. It is an offense for any person or entity, except those facilities licensed to do so by the State of Missouri, to keep more than twelve flowering marijuana plants, more than twelve nonflowering plants (over fourteen inches tall), or more than twelve clones (plants under fourteen inches tall).
3. Any person or entity who cultivates marijuana plants shall keep the plants and any marijuana produced by the plants at one private residence, in a locked space, and in a place that is not visible by normal, unaided vision from a public place. A person or entity who violates this subsection 3. may be subject to a civil penalty not exceeding \$250.00 and forfeiture of the marijuana.



D. ***No Marijuana or Marijuana Accessories on School Grounds.*** It is an offense for any person to possess or consume marijuana, or to possess marijuana accessories, on the grounds of a public or private preschool, elementary or secondary school, institution of higher education, or in a school bus.

E. ***No Public Consumption of Marijuana.*** It is an offense for any person to smoke or consume marijuana in any public area of the City, including but not limited to outdoor areas, places of employment, public meeting, and public places, and in any place where smoking is prohibited as set forth in Chapter 250, the Indoor Clean Air Code. Exception is hereby made for areas licensed for such activity by the authorities having jurisdiction over the licensing and/or permitting of said activity. A person who smokes marijuana in a public place in violation of this subsection E is subject to a civil penalty not exceeding \$100.

F. ***Penalties for Marijuana Violations.***

1. Each violation of the subsections of this Section 250.1900 shall constitute a separate offense.
2. Except as otherwise set forth in this Section 250.1900, a person may be punished for violation of this Section as provided in Chapter 100, Section 100.080 of the Code.
3. A person who possesses more than three ounces but less than six ounces of marijuana, or produces more than three ounces but less than six ounces of marijuana, or delivers without receiving any consideration or remuneration to a person who is at least twenty-one years of age more than three ounces but less than six ounces of marijuana, or possesses with the intent to deliver more than three ounces but less than six ounces of marijuana, commits a violation and is subject to the following:
  - a. for a first offense, a civil penalty not to exceed \$250 and forfeiture of the marijuana;
  - b. for a second offense, a civil penalty not to exceed \$250 and forfeiture of the marijuana;
  - c. for a third offense, an infraction punishable by a fine not to exceed \$1,000 and forfeiture of the marijuana;
  - d. for a person under 21 years of age, a civil penalty not to exceed \$250. Any such person shall be provided the option of attending up to eight hours of drug education or counseling in lieu of the civil penalty.

In lieu of payment, penalties under this subsection 3. may be satisfied by the performance of community service, with a pay-down rate equal to the greater of \$15 or the minimum wage in effect at the time of the judgment.

G. ***Defenses.*** In any complaint, information, action or proceeding brought for the enforcement of this Section, it shall not be necessary to include any exception, excuse, proviso or exemption contained in this Code or Article XIV, Section 1 or Section 2 of Article XIV of the Missouri Constitution or Chapter 195 or Chapter 579, RSMo., and the burden of proof of any such exception, excuse, proviso or exemption shall be upon the defendant.

Section 6. Chapter 210, Art. XI, Offenses Concerning Drugs, Section 210.1910, Sale of Marijuana, Marijuana-Infused Products, Marijuana Accessories., of the Code is enacted to read as follows:

**Section 210.1910 Sale of Marijuana, Marijuana-Infused Products, Marijuana Accessories.**

A. ***No Sales to Persons Under Twenty-One (21) Years of Age.***

1. A person who sells marijuana, including marijuana-infused products, or marijuana accessories, shall deny the sale of such products to any person who is less than twenty-one (21) years of age.
2. A person or entity selling marijuana, including marijuana-infused products, or marijuana accessories, shall require proof of age from a prospective purchaser or recipient if an ordinary person would conclude on the basis of appearance that such prospective purchaser or recipient may be under the age of twenty-one (21).
3. The operator's or chauffeur's license issued pursuant to the provisions of Section 302.177, RSMo., or the operator's or chauffeur's license issued pursuant to the laws of any State or possession of the United States to residents of those States or possessions, or an identification card as provided for in Section 302.181, RSMo., or the identification card issued by any uniformed service of the United States, or a valid passport shall be presented by the holder thereof upon request of any owner or employee of an establishment that sells to marijuana, including marijuana-infused products, or marijuana accessories, for the purpose of aiding the registrant, agent or employee to determine whether or not the person is at least twenty-one (21) years of age when such person desires to purchase or possess marijuana, including marijuana-infused products, or marijuana accessories, procured from a vendor. Upon such presentation, the owner or employee of the establishment shall compare the photograph and physical characteristics noted on the license, identification card or passport with the physical characteristics of the person presenting the license, identification card or passport.
4. A person cited for selling marijuana, including marijuana-infused products, or marijuana accessories to any person less than twenty-one (21) years of age in violation of this Section shall conclusively be presumed to have reasonably relied on proof of age of the purchaser or recipient, and such person shall not be found guilty of such violation of such person raises and proves as an affirmative defense that such individual presented a driver's license or other government-issued photo identification purporting to establish that such person was twenty-one (21) years of age or older.

**B. *Persons Under Twenty-One (21) Years of Age Prohibited from Purchasing.***

1. Any person less than twenty-one (21) years of age shall not purchase or attempt to purchase marijuana, including marijuana-infused products, or marijuana accessories.
2. Any person less than twenty-one (21) years of age shall not misrepresent his/her age to purchase marijuana, including marijuana-infused products, or marijuana accessories.
3. No person shall, without authorization from the Department of Revenue, reproduce, alter, modify, or misrepresent any chauffeur's license, motor vehicle operator's license or identification card.

**C. *Proximity to Certain Institutions.*** It shall be unlawful for any person to sell, offer for sale, give away, or deliver marijuana, including marijuana-infused products, or marijuana accessories, within 300 feet of any church, day care center, elementary or secondary school.

**D. *Separate Offense.*** Each violation of the subsections of this Section 250.1910 shall constitute a separate offense.

Section 210.1920 through Section 210.1960. **(Reserved)**

Section 7. This ordinance shall be in full force and effect after its passage and approval, as provided by law. This ordinance shall not negate, nullify, or otherwise affect causes of action, citations, or prosecutions which were instituted prior to this ordinance.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Joseph Eagan, Council President

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Timothy J. Lowery, Mayor

ATTEST:

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



# Agenda Request Form

**For Administration Use Only:**

Meeting Date: 2/13/2023

Open ☒

Closed ☐

Report No. 12/2023

**Date Submitted:**

**To:** City Council

**Title:** An Ordinance amending Chapter 342, Alcohol-Related Traffic Offenses of the Code of Ordinances, City of Florissant, Missouri

**Prepared by:** Administrator

**Department:** City Clerk

**Justification:**

The Missouri Constitution has been amended to permit the use, possession, sale, transportation, manufacture and cultivation of medical and recreational marijuana, therefore the code of ordinances is to be amended accordingly.

**Attachments:**

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**INTRODUCED BY COUNCILMAN EAGAN  
FEBRUARY 13, 2023**

**BILL NO. 9861**

**ORDINANCE NO.**

**AN ORDINANCE AMENDING CHAPTER 342, ALCOHOL-RELATED TRAFFIC  
OFFENSES, OF THE CODE OF ORDINANCES, CITY OF FLORISSANT,  
MISSOURI.**

WHEREAS, the Code of Ordinances, City of Florissant, Missouri (the "Code"), Chapter 342 establishes violations related to the operation of motor vehicles and traffic; and

WHEREAS, the Missouri Constitution has been amended to permit the use, possession, sale, transportation, manufacture and cultivation of medical and recreational marijuana; and

WHEREAS, the regulation and partial prohibition of marijuana is a matter of public safety that is properly subject to the police power and other municipal regulation;

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

Section 1. Chapter 342, Alcohol-Related Traffic Offenses. of the Code is amended by amending the title to "Alcohol and Drug-Related Traffic Offenses."

Section 2. Chapter 342, Section 342.010 Definitions., of the Code is hereby revised by adding and amending the terms as stated herein to read as follows:

**INTOXICATED**

Substantially impaired mental or physical capacity resulting from introduction of any substance(s) into the body, including alcohol, controlled substance(s), drug(s), or marijuana, or any combination thereof.

Section 3. Chapter 342, Section 342.020 Driving While Intoxicated., of the Code is hereby amended to read as follows:

A person commits the offense of "*driving while intoxicated*" if he/she operates a motor vehicle while intoxicated. No person convicted of or pleading guilty to the offense of driving while intoxicated shall be granted a suspended imposition of sentence for such offense, unless such person shall be placed on probation for a minimum of two (2) years.

As applied exclusively to marijuana, a conviction of a person who is at least twenty-one years of age shall require evidence that the person was in fact under the influence of marijuana at the time the person was in physical control of the motorized form of transport and not solely on the presence of tetrahydrocannabinol (THC) or THC metabolites, or a combination thereof, in the person's system.

Section 5. Chapter 342, Section 342.070 Consumption of Alcoholic Beverages in a Motor Vehicle Prohibited. Is hereby amended to read as follows:

**Section 342.070 Consumption of Alcoholic Beverages and Marijuana in A Motor Vehicle Prohibited.**

1. No person shall consume any alcoholic beverages or marijuana while operating a motor vehicle or other motorized form of transport in the City.
2. No person shall smoke marijuana within a motor vehicle or other motorized form of transport while it is being operated in the City.

Section 4. This ordinance shall be in full force and effect after its passage and approval, as provided by law. This ordinance shall not negate, nullify, or otherwise affect causes of action, citations, or prosecutions which were instituted prior to this ordinance.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Joseph Eagan, Council President

Approved this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Timothy J. Lowery, Mayor

ATTEST:

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