



FLORISSANT CITY COUNCIL AGENDA
City Hall
955 rue St. Francois
Monday August 12, 2019
7:30 PM
Karen Goodwin, MMC/MRCC



I. PLEDGE OF ALLEGIANCE

II. ROLL CALL OF MEMBERS

III. APPROVAL OF MINUTES

- Meeting minutes and Executive minutes of July 22, 2019

IV. CERTIFICATE OF RECOGNITION

- Officer Kimberly Berry and Officer Freddie Lee

V. POLICE COMMENDATIONS

- Officer Michael Kiefer
- Officer Phil Busby – Mr. Phil Garrett

VI. HEARING FROM CITIZENS

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

VII. COMMUNICATIONS

VIII. PUBLIC HEARINGS

| | | |
|--|--|-------------------|
| <p>19-08-015 (Ward 7) Application Staff Report Plans</p> | <p>Request to authorize a Special Use Permit to 102 Venyou, LLC d/b/a 102 Venyou to allow for a catered banquet center located at 1815-1817 Dunn Road. (Planning and Zoning recommended approval on 7/15/19)</p> | <p>Lisha Bell</p> |
|--|--|-------------------|

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|---|--|-----------------------------------|
| 19-08-016 (Ward 6) Application Staff Report Plans | Request to authorize a Special Use Permit to Legends Academy, LLC d/b/a Legends Academy to allow for a Child Day Care Center located at 1645 N. New Florissant Road. (Planning and Zoning recommended approval on 7/15/19) | Jessica Carter |
| 19-08-017 (Ward 9) Application Staff Report Plans | Request for an amendment to Special Use Permit No. 8398 to allow for expansion of an existing restaurant/bar located at 125 Flower Valley Shopping Center. (Planning and Zoning recommended approval on 7/15/19) | Diane McNutt |
| 19-08-018 (Ward 3) Application Staff Report Plans | Request to amend B-5 Ordinance No. 7073 to allow for a carry-out restaurant for the property located at 8239 N. Lindbergh. (Planning and Zoning recommended approval on 7/15/19) | Frank Shahlari |
| 19-08-020 Staff Report | Request to amend the Zoning Code to allow medical marijuana establishments as a “Permitted Use” in certain zoning districts. (Planning and Zoning recommended approval on 7/25/19) | Phil Lum, Building Official |
| 19-08-019 (Ward 5) Application Staff Report Plans | Request to authorize a Special Use Permit to 225 Dunn, LLC to allow for a Medical Marijuana Dispensary for the property located at 225 Dunn Road. (Planning and Zoning recommended approval on 7/15/19) | Kyle Wilson |
| 19-08-021 (Ward 3) Application Staff Report Plans | Request to authorize a Special Use Permit to MoCanCure II, LLC to allow for a Medical Marijuana Dispensary for the property located at 8454 N. Lindbergh. (Planning and Zoning recommended approval on 7/25/19) | Mark Woolbright |
| 19-08-022 (Ward 3) Application Staff Report Plans | Request to authorize a Special Use Permit to Robust Holdings Missouri, LLC to allow for a Medical Marijuana Dispensary for the property located at 444 Howdershell Road. (Planning and Zoning recommended approval on 7/25/19) | Brad Rhodes |

IX. OLD BUSINESS

A. BILLS FOR SECOND READING

| | | |
|------|---|----------------------------------|
| 9515 | Ordinance to authorize an amendment to Special Use Permit No. 8394, as amended, to Smoke and Sip, LLC to allow for enclosure of a patio and pergola for a cigar bar for the property located at 411 rue St. Francois. | 2 nd Reading Henke |
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X. NEW BUSINESS

A. BOARD APPOINTMENTS

B. REQUESTS

| | | |
|----------------------|---|-----------------|
| (Ward 9) Application | Request for a Full Liquor by the Drink license for Chili's Grill & Bar located at 13901 New Halls Ferry Road. | Matthew Jacober |
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C. RESOLUTIONS

| | | |
|------|--|--------------------|
| 1011 | Resolution of the City of Florissant supporting a grant application for enhances to Koch Park splash pad area. | Council as a whole |
| 1012 | Resolution Of The Florissant City Council Honoring Police Officer Gary Schlottach for his 39 Years of Service as a dedicated Officer for The City Of Florissant. | Council as a whole |

D. BILLS FOR FIRST READING

| | | |
|------|--|--------|
| 9517 | Ordinance authorizing a transfer of \$40,000 from Capital Improvement fund Account no. 03-5-03-6148 "Capital Additions" to Account no. 03-5-03-30010 "Equipment Repairs-vehicles" to cover anticipated vehicle repair costs for the Public Works Department. | Caputa |
| 9518 | Ordinance to authorize a Special Use Permit to 102 Venyou, LLC d/b/a 102 Venyou to allow for a catered banquet center located at 1815-1817 Dunn Road. | Pagano |
| 9519 | Ordinance to authorize a Special Use Permit to Legends Academy, LLC d/b/a Legends Academy to allow for a Child Day Care Center located at 1645 N. New Florissant Road. | Henke |
| 9520 | Ordinance to authorize an amendment to Special Use Permit No. 8398 to allow for expansion of an existing restaurant/bar located at 125 & 129 Flower Valley Shopping Center. | Siam |
| 9521 | Ordinance to amend B-5 Ordinance No. 7073 to allow for a carry-out restaurant for the property located at 8239 N. Lindbergh. | Eagan |
| 9522 | Ordinance amending various sections of Chapter 405, the Zoning Code, to allow for medical marijuana related uses. | Caputa |

| | | |
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| 9523 | Ordinance to authorize a Special Use Permit to 225 Dunn, LLC to allow for a Medical Marijuana Dispensary for the property located at 225 Dunn Road. | Schildroth |
| 9524 | Ordinance to authorize a Special Use Permit to MoCanCure II, LLC to allow for a Medical Marijuana Dispensary for the property located at 8454 N. Lindbergh. | Eagan |
| 9525 | Ordinance to authorize a Special Use Permit to Robust Holdings Missouri, LLC to allow for a Medical Marijuana Dispensary for the property located at 444 Howdershell Road. | Eagan |
| 9526 | Ordinance to authorize a Fiscal Year 2019 Supplemental Budget Amendment to roll over Grant Revenue associated with the Fiscal Year 2019 re-appropriations of the Fiscal Year 2018 purchase order rollover. | Caputa |
| 9527 | Ordinance authorizing General Fund transfers of Salaries and Benefits for various departments. | Caputa |

XI. COUNCIL ANNOUNCEMENTS

XII. MESSAGE FROM THE MAYOR

XIII. ADJOURNMENT

THIS AGENDA WAS POSTED AT THE FLORISSANT CITY HALL AUGUST 9, 2019 AT 12:00 PM ON THE BULLETIN BOARD OUTSIDE THE COUNCIL CHAMBERS. ANY ONE WISHING TO ATTEND THE COUNCIL MEETING WHO HAS SPECIAL NEEDS SHOULD CONTACT THE CITY CLERK'S OFFICE AT 839-7630 OR TDD 839-5142 BY NOON ON MONDAY AUGUST 12, 2019.

CITY OF FLORISSANT



COUNCIL MINUTES

July 22, 2019

The Florissant City Council met in regular session at Florissant City Hall, 955 rue St. Francois on Monday, July 22, 2019 at 7:30 p.m. with Council President Caputa presiding. The Chair asked everyone in attendance to stand and join in reciting the Pledge of Allegiance.

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

Councilman Eagan moved to approve the Meeting and Executive Minutes of July 8, 2019, seconded by Schildroth. Motion carried.

The next item on the Agenda was *Hearing from Citizens*, of which there were none.

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

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

The Chair stated that the next item on the agenda was Second Readings.

Councilman Caputa moved that Bill No. 9510 Ordinance to authorize an amendment to Special Use Permit No. 8115 to allow for the expansion of a carry-out restaurant to a sit-down, carry-out restaurant with exterior smoker in a B-3 "Extensive Business District" for the property located at 17-18 Patterson Plaza Shopping Center be read for a second time, seconded by Eagan. Motion carried and Bill No. 9510 was read for a second time. Councilman Caputa moved that Bill No. 9510 be read for a third time, seconded by Pagano. Motion carried and Bill No. 9510 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.

Robert Smith, resident, stated that he was glad a sit-down restaurant was opening in Ward 4.

31 Being no other citizens who wished to speak, on roll call the Council voted: Caputa yes,
32 Schildroth yes, Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes and Eagan yes.
33 Whereupon the Chair declared Bill No. 9510 to have passed and became Ordinance No. 8531.

34 Councilman Schildroth moved that Bill No. 9511 Ordinance re-adopting a procedure to disclose
35 potential conflict of interest and substantial interest for certain officials as set forth in Title 1, Section
36 105.130 “Compliance with State Conflict Of Interest” law in the Florissant Code of Ordinances be read
37 for a second time, seconded by Caputa. Motion carried and Bill No. 9511 was read for a second time.
38 Councilman Parson moved that Bill No. 9511 be read for a third time, seconded by Siam. Motion
39 carried and Bill No. 9511 was read for a third and final time and placed upon its passage. Before the
40 final vote all interested persons were given an opportunity to be heard.

41 Being no citizens who wished to speak, on roll call the Council voted: Caputa yes, Schildroth
42 yes, Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes and Eagan yes. Whereupon
43 the Chair declared Bill No. 9511 to have passed and became Ordinance No. 8532.

44 Councilman Caputa moved that Bill No. 9512 Ordinance amending Chapter 530 “Streets and
45 Sidewalks” to establish procedures and requirements relating to right-of-way usage for the construction
46 and deployment of small wireless facilities be read for a second time, seconded by Schildroth. Motion
47 carried and Bill No. 9512 was read for a second time. Councilman Henke moved that Bill No. 9512 be
48 read for a third time, seconded by Schildroth. Motion carried and Bill No. 9512 was read for a third
49 and final time and placed upon its passage. Before the final vote all interested persons were given an
50 opportunity to be heard.

51 Being no citizens who wished to speak, on roll call the Council voted: Caputa yes, Schildroth
52 yes, Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes and Eagan yes. Whereupon
53 the Chair declared Bill No. 9512 to have passed and became Ordinance No. 8533.

54 Councilman Caputa moved that Bill No. 9514 Ordinance authorizing an appropriation of
55 \$19,900 from the General Revenue Fund to Acct. No. 01-5-70-16000 “Contract Services” to cover
56 contractors for the Media Department be read for a third time, seconded by Henke. Motion carried and
57 Bill No. 9514 was read for a third and final time and placed upon its passage. Before the final vote all
58 interested persons were given an opportunity to be heard.

59 Being no citizens who wished to speak, on roll call the Council voted: Caputa yes, Schildroth
60 yes, Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes and Eagan yes. Whereupon the
61 Chair declared Bill No. 9514 to have passed and became Ordinance No. 8534.

62 Councilman Caputa introduced Bill No. 9515 Ordinance to authorize an amendment to Special
63 Use Permit No. 8394, as amended, to Smoke & Sip, LLC to allow for enclosure of a patio and pergola
64 for a cigar bar for the property located at 411 rue St. Francois and said Bill was read for the first time
65 by title only.

66 Councilman Caputa introduced Bill No. 9516 Ordinance authorizing a transfer of \$12,000 from
67 Acct. No. 01-5-06-29010 “Golf Course Maintenance” to Acct. No. 01-5-06-30000 “Equipment Repair”
68 to cover additional equipment repair for the golf course and said Bill was read for the first time.
69 Councilman Schildroth moved that Bill No. 9516 be read for a second time, seconded by Eagan.
70 Motion carried and Bill No. 9516 was read for a second time. Councilman Caputa moved that Bill
71 No. 9516 be read for a third time, seconded by Schildroth. On roll call the Council voted: Caputa yes,
72 Schildroth yes, Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes and Eagan yes.
73 Having received the unanimous vote of all members present Bill No. 9516 was read for a third and final
74 time and placed upon its passage. Before the final vote all interested persons were given an opportunity
75 to be heard.

76 Being no persons who wished to speak, on roll call the Council voted: Caputa yes, Schildroth
77 yes, Henke yes, Pagano yes, Parson yes, Siam yes, Harris yes, Jones yes and Eagan yes. Whereupon
78 the Chair declared Bill No. 9516 to have passed and became Ordinance No. 8535.

79 The next item on the Agenda was Council Announcements.

80 Councilman Harris congratulated the members of the Florissant FISH Swimming Team for
81 winning their 10th straight Conference Championship. Both School Districts will be conducting “Back
82 to School Fairs” this Saturday in anticipation of the new school year.

83 Councilman Siam announced that there will be a Ward 9 Neighborhood Watch meeting on July
84 29th, at 7pm at JJE.

85 Councilman Jones gave a shout out to T.E.A.M. Food Pantry on St. Catherine and encouraged
86 everyone to support them through either volunteering or donating. He thanked the Mayor, Judge,
87 Council and the Police Department for supporting the “Double Your Fine” zones.

88 Councilman Parson asked residents to please remember their Florissant Five. Get to know your
89 neighbors and keep your neighborhood safe. With the heat this is especially important. Councilman
90 Parson reminded residents to pick up trash when they randomly see it on the ground in their
91 neighborhoods. Ward 8 will be holding a Ward Meeting on August 13 at 7 pm at the JJE Center.

92

93 Councilman Caputa reminded everyone to be a responsible firearm owner and keep them
94 secured. He congratulated the three new Block Captains for Ward 4.

95 The next item on the Agenda was Mayor Announcements.

96 The Mayor and his wife attended the finals of the Florissant FISH Tournament. It was a great
97 event and very exciting. The Senior Miss America Pageant was held on Sunday, July 14 at the Gary
98 Gaydos Theatre. *Music under the Stars* will be held this Saturday at St. Ferdinand Park. July 31 will
99 be the next *Wednesday Night Out* in Old Town along with a movie night out for families. August 16th
100 is the next Food Truck Night at the Shrine from 5-9.

101 The Council President announced that the next regular City Council Meeting was scheduled for
102 Monday, August 12, 2019 at 7:30 pm.

103 Councilman Schildroth moved to adjourn the meeting, seconded by Siam. Motion carried.
104 The meeting was adjourned at 7:48 p.m.

105

106

Karen Goodwin, City Clerk

107 The following Bills were signed by the Mayor:

| | | |
|-----|---------------|-----------|
| 108 | Bill No. 9510 | Ord. 8531 |
| 109 | Bill No. 9511 | Ord. 8532 |
| 110 | Bill No. 9512 | Ord. 8533 |
| 111 | Bill No. 9514 | Ord. 8534 |
| 112 | Bill No. 9516 | Ord. 8535 |
| 113 | | |



CITY OF FLORISSANT
CITY COUNCIL
OPEN EXECUTIVE SESSION

July 22, 2019

The City Council of the City of Florissant met in open Executive Session on Monday, July 22, 2019 at 6:30 pm. in the Council Chambers at 955 rue St. Francois, with President Caputa presiding. On Roll Call the following Council members were present: Siam, Parson, Harris, Eagan, Caputa, Schildroth, Henke, Pagano, and Jones. Also present was Mayor Timothy Lowery, City Clerk Karen Goodwin, IT Director Steve Weiersmueller, and City Attorney John Hessel.

Council President Caputa moved to amend the agenda to discuss the new Gateway trash service with Chuck Barcom. Seconded by Eagan, motion carried.

Mr. Barcom stated that he wanted to let the council know that there was a typo on the billing that went out that had to do with auto pay. New bills have been printed and will be sent out this week.

Mr. Barcom answered some questions that Councilman Harris had sent to him previously regarding stop service. He stated that they did not get everyone's phone number with the list of customers so when they get the phone numbers, customers should be able to sign on with their last 4 digits of their phone number. He said that he had a conversation with the clerks in the office and reminded them that he expects good customer service, even if a customer is frustrated. He informed the Council that all bulk picked up has been picked up for the entire month, going forward they will schedule pickups. Tonnages are dropping which is a sign that they are catching up with regular pickups.

Mr. Barcom stated that the recycling system will need some work. He would like to eventually go to dual stream recycle, which would be containers and fiber. The only way to accomplish this is to educate people on what to recycle and how. If the recycle is contaminated, it goes into the trash because they will not accept it. If the system can be cleaned up, there are rebates that would go back to the city for recyclables.

Council discussed some of the recent issues and thanked Mr. Barcom for handling them quickly and commented on the fact that he is out on the streets taking care of issues.

IT/Media Department discussion

Steve Weiersmueller, IT/Media Director discussed the new programming that has been added. He discussed the upgrade of the website that could be accomplished through the current vendor. Mr. Weiersmueller stated that they are phasing out old habits of the past. He discussed the cable channel. He said there are alternatives to shutting down the channel but they would need to upgrade some equipment to keep it running.

Mr. Weiersmueller proposed Swaggit as the choice for automating the council meetings and other programming. He stated that they would still need some contractors to do some of the video when the permanent staff could not be there. To answer Councilwoman Pagano's question, currently it costs \$467.50 to run each meeting with contractors which is \$11,220 per year.

Mr. Weiersmueller discussed the equipment that has been purchased already this year in the current budget. He discussed the warranty information on the equipment that would be installed by Swaggit. Councilman Harris asked about putting money in the budget each year for upgrades in the future.

Councilman Parson asked if there are any similar companies like Swaggit. Mr. Weiersmueller stated that he could not find any competitors to Swaggit for the meeting automation.

Councilman Schildroth asked how many other cities have cable stations. Mr. Weiersmueller stated that there are only a few. Councilman Schildroth asked how much work contractors would have going forward. Mr. Weiersmueller stated that there would be opportunities but it is yet to be seen.

Councilwoman Pagano asked about going out to bid for the contract with Swaggit. Mr. Weiersmueller stated that he would present this to finance as a sole source. Councilwoman Pagano asked if this is urgent or could it wait for budget.

Mayor Lowery clarified that the IT department is not looking for new money. They want to change what they are using the money for but it is already budgeted in this year's budget.

Mr. Weiersmueller discussed the procedures and guidelines they are developing for promoting businesses.

Council discussed additional changes to the media department and the request for additional funds that was on the agenda for the evening.

Council President Caputa moved to continue the executive session to immediately following the regular session, seconded by Pagano, motion carried.

The executive session resumed at 7:48 pm.

Food Truck discussion

The Council agreed that a food truck is not a good use for a gas station. Mr. Hessel clarified that a food truck or trailer that is mobile does not qualify for a special use permit under the current code. He stated that he would look into the regulations for food trucks further to determine if he would recommend any changes.

Grant Writer contract position

Council discussed the possibility of hiring a grant writer as a contract position. Councilman Jones stated that he has done research and a grant writer should be able to bring in enough to cover the salary for the position. As a contract position, if it doesn't work out they could eliminate the position after a period of time.

The Council agreed and Councilman Parson asked if the position could be performance based.

Mr. Hessel stated that the position could be handled as an independent contractor or a contract employee. In independent contractor does not have benefits but there is little control. A contract employee would have benefits but contracted for a specific period of time.

Council discussed potential elements of the contract and asked staff to look into it.

There being no further business to discuss, Councilwoman Pagano motioned to adjourn, seconded by Henke. Motion carried and the meeting adjourned at 8:18 p.m.

Karen Goodwin
City Clerk

Officer Kimberly Berry and Officer Freddie Lee – (Certificate of Recognition)

Officers Lee and Berry presented a proposal for a new program called Future Leaders Academy to reach high school age children during the summer to expose them to various positive career paths. Their Future Leaders Academy was approved and they were able to impact the first seventeen students by presenting positive steps toward successful futures. In their two week program they successfully implemented exposure to college admissions counselors, military recruiters, personal fitness instructors, experts in “how to apply for a job,” law enforcement career professionals. They were also able to keep the students engaged by providing fun activities such as the Cardinal Baseball game and a barbeque. The Future Leaders Academy was a progressive, “one of a kind,” impactful program. For their outstanding service to the community, for presenting the most favorable light on their profession and for their outreach program to the youth of our community you are both officially awarded this Certificate of Recognition.

Officer Michael Kiefer

On April 12, 2019 Officer Kiefer heard a radio broadcast regarding a Burglary 1st Degree in the 600 block of St. Catherine. The original broadcast identified the suspect only as a black male wearing a black jacket. When Officer Kiefer observed an individual riding a bicycle hurriedly away from the area of the burglary he was able to stop the bicyclist. When he obtained a detailed description from officers at the scene viewing a doorbell camera he realized he had stopped the correct suspect and took him into custody within two minutes of the broadcast. Officer Kiefers interview roadside also resulted in the suspect telling him where he had hidden the stolen property. A warrant was later issued for Burglary 1st Degree and bond was set at \$150,000. Due to Officer Kiefers excellent police work a dangerous felon has been removed from the City of Florissant. Officer Kiefer you are hereby officially commended.

Officer Phil Busby – Mr. Phil Garrett

On May 8, 2019 Officer Busby was on a routine traffic stop at the McDonalds on Pershall Road in the City of Hazelwood when he was approached by the manager of the McDonalds restaurant and informed that a patron inside had collapsed. Officer Busby rushed inside to find Mr. Phil Garrett totally unresponsive, with no pulse and no respiration. Officer Busby immediately began CPR and continued this life saving technique until relieved by the Hazelwood Fire Department. Mr. Garrett survived the event and was released from the hospital on May 17th. Without his quick reactions and the application of CPR Mr. Garrett may not have survived. For his quick response, immediate application life saving techniques and his professional conduct in a life and death emergency Officer Busby is officially commended.

CITY OF FLORISSANT

Public Hearing



In accordance with 405.310 of the Florissant Zoning Code a Public Hearing will be held by the City Council of Florissant, MO. in the Council Chambers, 955 Rue St. Francois, on Monday, August 12, 2019 at 7:30 P.M. on the following proposition:

To authorize a Special Use Permit to 102Venyoun, LLC d/b/a 102 Venyoun to allow for a catered banquet center in a B-3 Zoning District for the property located at 1815-1817 Dunn Road (legal description to govern). Citizens will have an opportunity to be heard. Anyone with special needs should contact the City Clerk at least 5 days before said public hearing by calling 839-7630 or TDD 839-5142.

CITY OF FLORISSANT, Karen Goodwin, MMC City Clerk

FLORISSANT PLANNING & ZONING COMMISSION APPLICATION



City Of Florissant - Public Works
314-839-7648

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

Please Print or Type The Following Information

Property Address: 1815-1817 DUNN RD
Property Owners Name: Geoffrey Daniels Phone #: 314-909-7700
Property Owners Address: 15400 S. Outer Forty Road Chesterfield Mo. 63017
Business Owners Name: Lisha Bell Phone #: 314-629-5754
Business Owners Address: 2220 Wedgwood Dr. W. Florissant Mo. 63033
DBA (Doing Business As) 102 VENYOU
Authorized Agents Name: Lisha Bell email: bell.lisha@att.net
(Authorized Agent to Appear Before The Commission) CO. Name: _____
Agents Address: 2220 Wedgwood Dr. W 63033 Phone #: 314-629-5754
Request Banquet hall - catering only NO kitchen

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

Lisha Bell
Applicant's Signature

5/31/19
Date

OFFICE USE ONLY

Received by: pel Receipt # 103554 Amount Paid: 300- Date: 6-19-19

STAFF REMARKS: Re-submit floor plan to scale with serving tables/seating/chairs.
COMMISSION ACTION TAKEN:

DATE APPLICATION REVIEWED: 6/19/19

pel
SIGNATURE OF STAFF WHO REVIEWED APPLICATION

300 receipt # 103554

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



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

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

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

Council Ward 7 Zoning B-3

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

SIGN. [Signature] DATE: 7-15-19

SPECIAL PERMIT FOR Cater-in Banquet Facility
Statement of what permit is being sought. (i.e., special permit for operation of a restaurant).

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

LOCATION 1815-1817 DUNN ROAD
Address of property.

1) Comes Now Lisha Bell (10AVENYOU) LLC
Enter name of petitioner. If a corporation, state as such. If applicable include DBA (Doing Business As)

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

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

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

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

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

7) The petitioner (s) state (s) the following factors and reason to justify the permit:
 (If more space is needed, separate sheets may be attached)

Lisha Bell Lisha Bell / bell.lisha@att.net
 PRINT NAME SIGNATURE email and phone

314-
629-5754

FOR 102VENYOU LLC
 (company, corporation, partnership)

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

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

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

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

PRESENTOR SIGNATURE Lisha Bell
 ADDRESS 2220 Wedgwood Dr. West Florissant MO. 63033
 STREET CITY STATE ZIP CODE
 TELEPHONE / EMAIL 314-629-5754
 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 authorizing an agent

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

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

REQUIRED INFORMATION

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

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

(a) If an individual:

- (1) Name and Address 102 VEnyou LLC 2220 Wedgwood Dr. W.
- (2) Telephone Number 314-629-5754
- (3) Business Address 2220 Wedgwood Dr. West Florissant MO. 63033
- (4) Date started in business 1/22/2019
- (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. see attached

(b) If a partnership:

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

(c) If a corporation:

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

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

Name Lisha Bell - 102VENYDU LLC
Address 2220 wedgwood Dr. West Florissant MO. 63033
Property Owner Geoffrey M. Daniels
Location of property 1815-1817 Dunn Road
Dimensions of property _____
Property is presently zoned _____ Requests Rezoning To _____
Proposed Use of Property Cater-in Banquet facility
Type of Sign _____ Height _____
Type of Construction _____ Number Of Stories _____
Square Footage of Building 2400 sqft Number of Curb Cuts _____
Number of Parking Spaces _____ Sidewalk Length _____
Landscaping: No. of Trees _____ Diameter _____
No. of Shrubs _____ Size _____
Fence: Type _____ Length _____ Height _____

PLEASE SUBMIT THE FOLLOWING INFORMATION ON PLANS OR DRAWINGS:

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

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 show 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 metes and bounds bearings and dimensions.

Waterford Plaza 27600 sq. ft. facility
1815-1817 Dunn Rd.
Florissant MO. 6303
(see map attached)

PROVIDE LOCATION MAP SHOWING AREA INVOLVING THIS PETITION

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

OFFICE USE ONLY

Date Application reviewed originally, revised 7/10/19

STAFF REMARKS: See staff report



Building Commissioner or Staff Signature

41 **III. SURROUNDING PROPERTIES:**

42 The properties to the North and East are in an 'R-6' Multiple Family Dwelling District
43 and includes Stonebridge Apartments at 1357 and 1476 Dunn Road. The adjacent site to
44 the North 1501 S Waterford, is also in an 'R-6' Multiple Family Dwelling Zoning
45 District.

46

47 **IV. STAFF ANALYSIS:**

48 Special Uses for this zoning district include: Restaurants, Taverns, Nightclubs and
49 Lounges. Therefore, staff determined that a Special Use Permit is in order as a similar
50 establishment.

51

52 The application is accompanied by a floor plan showing interior remodeling and the lease
53 showing 2057 s.f. The plan indicates a 1 accessible restroom, storage, 2 inaccessible
54 restrooms, serving counters and 12 tables with 8 seats each which would result in the
55 number of seats, a total of 96. Two accessible restrooms will be required by building
56 code.

57

58 There is a partial parking plan submitted dated 12/9/92, however, No exterior changes to
59 the site are anticipated. No outside equipment or signage is presented.

60

61 Occupant Load: The plan shows seating of 96 at tables and chairs. Staff of 3 would
62 result in the following parking:

63 Parking required for 96 max. seating = $96/3 = 32$

64 Employees 2 spaces for every 3 employees max. shift = 1

65 Total max. parking required 33 as compared to 8 required for retail.

66

67 **VI. STAFF RECOMMENDATIONS:**

68 If the Commission recommends approval, staff recommends the attached suggested
69 motion.

70

71 **Suggested Motion for 1815-1817 Dunn Road:**

72 I move to recommend approval of a Special Use to allow for a Cater-in Banquet
73 Facility in an existing 'B-3' Zoning District at **1815-1817 Dunn Road** subject to
74 the drawing submitted dated 06/26/19, with the following stipulations:

75

- 76 1. No outdoor dining permitted, without amendment to the Special Use.

77

78

79

80

81 **PROJECT COMPLETION.**

82 Construction shall start within 60 days of the issuance of building permits, and
83 the structure shall be completed in accordance with the plans within 180 days
84 of start of construction.

85 (end of Suggested Motion and Memo)

EXIST. CONSTRUCTION TO REMAIN (TYP.)

EXIST. SIDEWALK TO REMAIN (TYP.)

EXIST. UTILITY POLE/LIGHT STANDARD TO BE REMOVED (3 TYP.)

EXIST. CURB & ISLAND TO BE REMOVED - SHOWN DASHED (2 TYP.)

NEW LANDSCAPED ISLAND W/ ASPHALT CURB & PERIMETER (5 TYPICAL)
SEASONAL PLANTINGS OF ANNUAL &/OR PERENNIAL FLOWERS @ ISLANDS BY LANDLORD

EXIST. CONSTRUCTION TO REMAIN (TYPICAL)

NEW DUAL-HEAD 400W METAL HALIDE PARKING FIXTURE ON 20' STANDARD W/ CONC. PEDASTAL AND REQ'D FOR SUPPORT (5 DUAL HEAD / SINGLE HEAD STANDARD-TYPICAL)
NOTE: SEE LIGHT STANDARD DETAIL

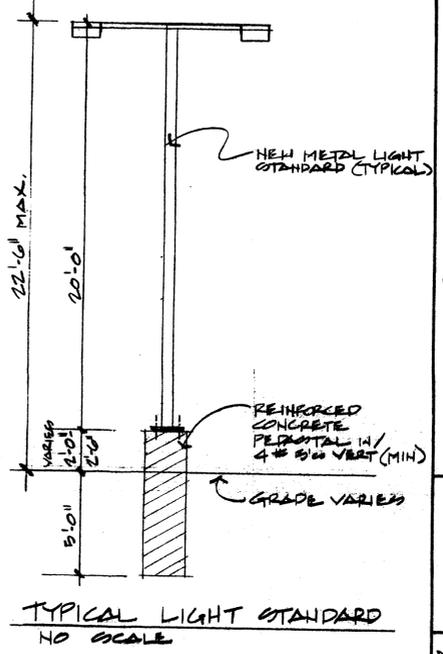
MOUND ASPHALT @ EA. END EXIST. WALKWAY FOR REQ'D FOR HANDICAPPED ACCESSIBILITY

NEW POWER PANEL:
NEW 100A 1PH, 3WIRE WEATHERPROOF SELECT. PANEL TO BE INST. @ TERMINATION OF EXIST. UNION ELECT. BUS DUCT ON NORTH EXTERIOR WALL OF SPACE 1891
PROVIDE 2 HOUR TIME CLOCK TO CONTROL NEW SITE LIGHTING & FUTURE SHOPPING CENTER SIGNAGE

TOTAL PARKING: 190 SPACES INCLUDING 7 HANDICAPPED

NEW ASPHALT OVERLAY & PAINT STRIPING W/ 9'x19' TYP. PARKING SPACES & 11'x19' TYP. ACCESSIBLE FOR HANDICAPPED (7) SPACES - PROVIDE SYMBOL PAINTED @ EACH (7 TYP.)
NOTE: TERMINATE OVERLAY @ LIGHT W/ REAR WALL OF COMMERCIAL STRUCTURE

NOTE: PROVIDE J-BOX W/ CUTOUT @ PEDASTAL FOR CONNECTION OF FUTURE ILLUMINATED SHOPPING CENTER SIGNAGE



TYPICAL LIGHT STANDARD
NO SCALE

PARKING PLAN
1/16" = 1'-0"

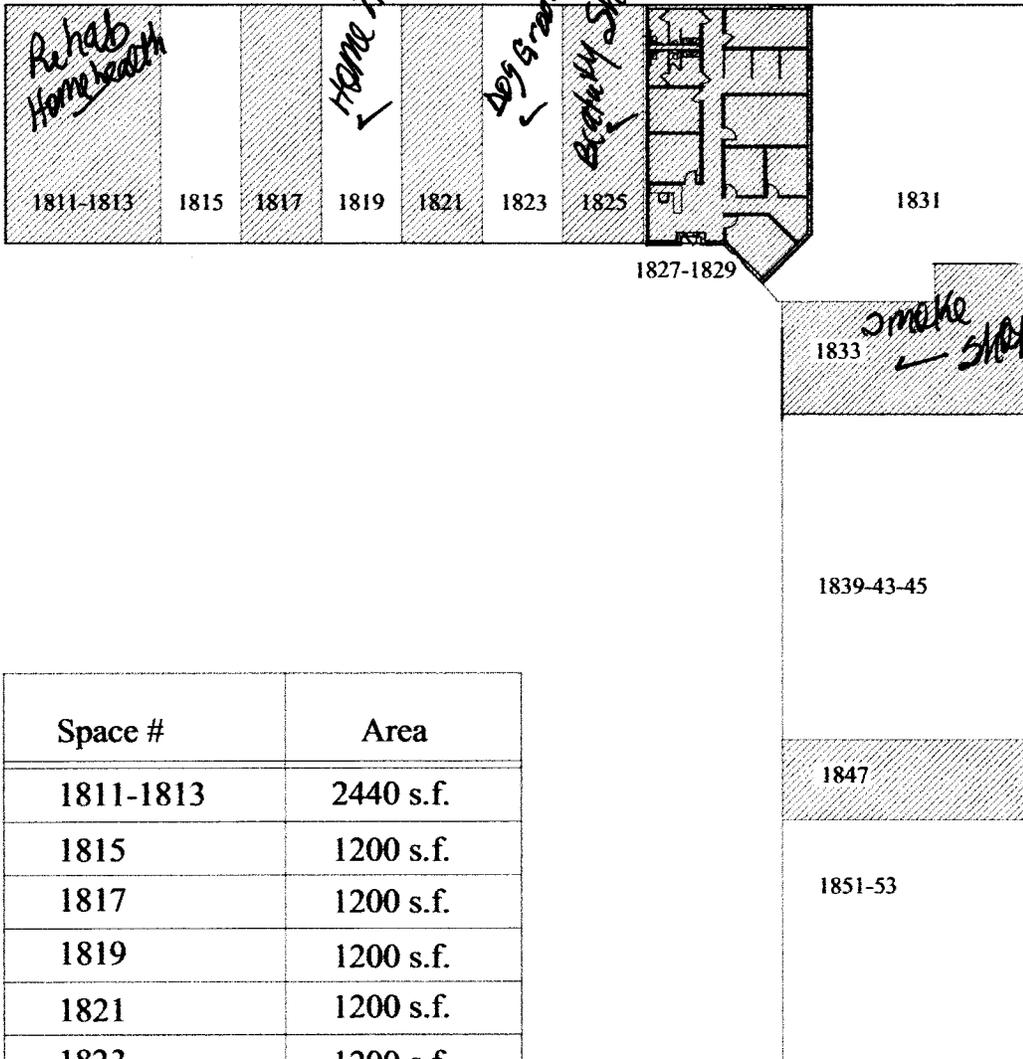
| DEVELOPMENT KEY | |
|--|-------------|
| TOTAL BLDG. AREA | 27,488 SF |
| EXISTING PARKING | 103 SPACES |
| PROPOSED PARKING (8'x19' TYP.) | 190 SPACES* |
| *Includes 7 Handicapped Spaces (8'x19'w/5'10" Access Lane) | |

Spinda
ARCHITECTS & ASSOCIATES
517 NORTH ELEVENTH STREET - SUITE 1100 - SAINT LOUIS, MISSOURI 63101
P.O. BOX 214 - 63101

| | |
|------------|----------|
| ISSUE DATE | 12-9-92 |
| REVISIONS | 12-14-92 |

DANIELS REALTY GROUP, INC.
PARKING FACILITIES
WATERFORD PLAZA
DUNN ROAD
FLORISSANT, MISSOURI 63033

SHEET NUMBER
1



| Space # | Area |
|------------|-----------|
| 1811-1813 | 2440 s.f. |
| 1815 | 1200 s.f. |
| 1817 | 1200 s.f. |
| 1819 | 1200 s.f. |
| 1821 | 1200 s.f. |
| 1823 | 1200 s.f. |
| 1825 | 1200 s.f. |
| 1827-1829 | 2539 s.f. |
| 1831 | 3921 s.f. |
| 1833 | 1907 s.f. |
| 1839-43-45 | 5660 s.f. |
| 1847 | 1230 s.f. |
| 1851-1853 | 3630 s.f. |

WATERFORD PLAZA

1811-1853 Dunn Road Florissant, MO. 63033

Schematic Plan

SUDA
ARCHITECTS
ASSOCIATES
 15 N. 10th St. Suite 202
 Saint Louis, MO 6310
 telephone: 314-241-515
 telefax: 314-241-9837



Daniels Realty Group Inc.
 8710 Manchester Rd.
 St. Louis, MO 63144

SUDA
ARCHITECTS
ASSOCIATES
 415 N. 10th St. Suite 202
 Saint Louis, MO 63101
 telephone: 314-241-5151
 telefax: 314-241-9837

Waterford Plaza Shopping Center
 1815-1817 Dunn Road
 Florissant, MO 63033

Proposed Floor Plan

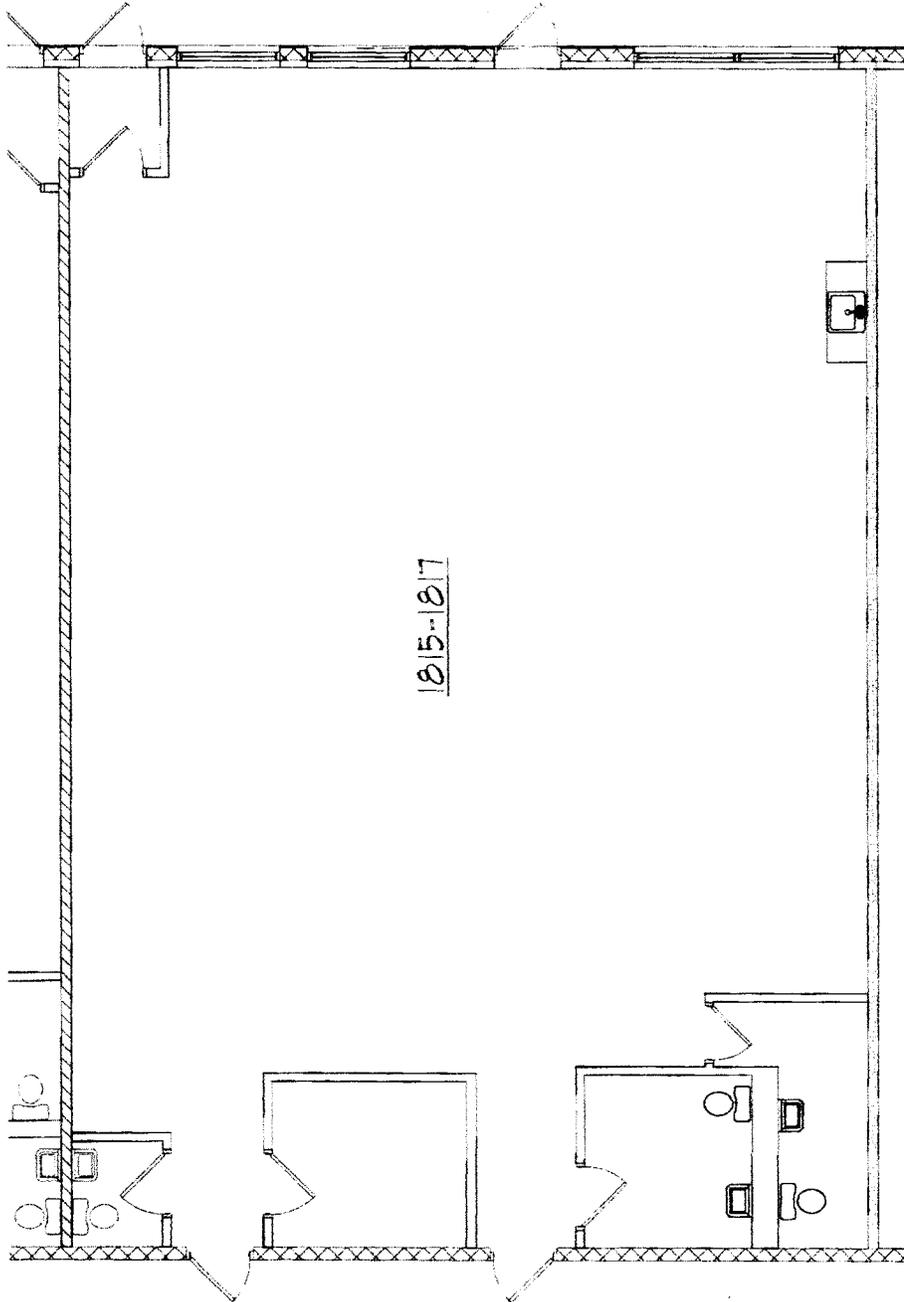
Job Number: 0408

Date: 02-13-04

Revisions:

Sheet No.

A-1



1815-1817



1 Proposed Floor Plan

1/8" = 1'-0"

CITY OF FLORISSANT

Public Hearing



In accordance with 405.310 of the Florissant Zoning Code a Public Hearing will be held by the City Council of Florissant, MO. in the Council Chambers, 955 Rue St. Francois, on Monday, August 12, 2019 at 7:30 P.M. on the following proposition:

To authorize a Special Use Permit to Legends Academy, LLC d/b/a Legends Academy to allow for a Child Day Care Center in a B-3 Zoning District for the property located at 1645 N New Florissant Road (legal description to govern). Citizens will have an opportunity to be heard. Anyone with special needs should contact the City Clerk at least 5 days before said public hearing by calling 839-7630 or TDD 839-5142.

CITY OF FLORISSANT, Karen Goodwin, 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: 1645 N. New Florissant Rd. Florissant, MO 63033

Property Owners Name: DCMTB Properties, LLC Phone/email: 6187918047, c.darr@1acrossedental.com

Property Owners Address: 1922 Edwardsville Club PLZ, Edwardsville, IL 62025

Business Owners Name: Jessica Carter Phone/email: 3146190305, carterjessica@gmail.com

Business Owners Address: 2245 Ainsworth Dr, St. Louis, MO 63136

DBA (Doing Business As) Legends Academy

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

Agents Address: Phone/email:

Request Child Day Care Center rec. appl.

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 Jessica Carter

Date 6-17-19

OFFICE USE ONLY Received by: JB Receipt # 619748 Amount Paid: 300.00 Date: 6/17/19

STAFF REMARKS:

DATE APPLICATION REVIEWED: 7/2/19

COMMISSION ACTION TAKEN:

SIGNATURE OF STAFF WHO REVIEWED APPLICATION Planning & Zoning Application Page 1 of 1 - Revised 7/15/15

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



City Of Florissant – Public Works
314-839-7648

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

PLANNING & ZONING ACTION
RECOMMENDED APPROVAL
PLANNING & ZONING
CHAIRMAN

Council Ward 6 Zoning B-3/pe1

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

SIGN [Signature] DATE: 7-15-19

SPECIAL PERMIT FOR Childcare center
Statement of what permit is being sought. (i.e., special permit for operation of a restaurant).

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

LOCATION 1645 N. New Florissant Rd
Address of property.

1) Comes Now Jessica K. Carter DBA Legends Academy LLC
Enter name of petitioner. If a corporation, state as such. If applicable include DBA (Doing Business As)

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

Legal interest in the Property) Lease
State legal interest in the property. (i.e., owner of property, lease).
Submit copy of deed or lease or letter of authorization from owner to seek a special use.

2) The petitioner(s) further state(s) that the property herein described is presently being used for B-3 Extensive Business District and that the deed restrictions for the property do not prohibit the use which would be authorized by said Permit.

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

REQUIRED INFORMATION

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

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

(a) If an individual:

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

(b) If a partnership:

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

(c) If a corporation:

- (1) Names & addresses of all partners Jessica Carter, 2245 Ainsworth Dr. St. Louis, MO 63136
- (2) Telephone numbers 314 619 0305
- (3) Business address 2245 Ainsworth Dr. St. Louis, MO 63136
- (4) State of Incorporation & a photocopy of incorporation papers LC001648046 Missouri
- (5) Date of Incorporation May 14, 2019
- (6) Missouri Corporate Number LC001648046
- (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 Legends Academy
- (9) Copy of latest Missouri Anti-Trust. (annual registration of corporate officers) If the property location is in a strip center, give dimensions of your space under square footage and do not give landscaping information.

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

Name Legends Academy
Address 1645 N. New Florissant ~~Ave~~ RD
Property Owner DCMTB Properties, LLC
Location of property 083540756
Dimensions of property 0114/0114-0200/0200
Property is presently zoned B-3 Extensive Requests Rezoning To _____
Proposed Use of Property Childcare Center
Type of Sign Ground sign Height _____
Type of Construction wood Number Of Stories 1
Square Footage of Building 1640 Number of Curb Cuts 0
Number of Parking Spaces 0 Sidewalk Length 0
Landscaping: No. of Trees ~~15~~ 3 Diameter 9sq ft
No. of Shrubs 15 Size small
Fence: Type Wood Length 88ft Height 6ft

PLEASE SUBMIT THE FOLLOWING INFORMATION ON PLANS OR DRAWINGS:

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

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

Jessica Carter, Jessica Carter / carterjessicaK@gmail.com
 PRINT NAME SIGNATURE email and phone 3146190305

FOR Legends Academy, LLC
 (company, corporation, partnership)

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

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

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

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

PRESENTOR SIGNATURE _____

ADDRESS _____
 STREET CITY STATE ZIP CODE

TELEPHONE / EMAIL _____ / _____
 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 authorizing an agent

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

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

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 show 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 metes and bounds bearings and dimensions.

Lot 3 085540592 5 22 81
Lot Dimensions 0114/0114 - 0200/0200

PROVIDE LOCATION MAP SHOWING AREA INVOLVING THIS PETITION

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

OFFICE USE ONLY

Date Application reviewed _____

STAFF REMARKS: _____

Building Commissioner or Staff Signature

41 There are 7 existing off street parking, and a drop-off drive in the front, accessible
42 parking and entry in the rear. Parking requirement is 2.66 per 1000 GSF or 1 per every
43 10 children and 1 per employee considering drop-off and pick up arrangements.
44

45 The design does include a 6 foot sightproof fence along the south property line abutting
46 an 'R-4' Single Family Dwelling District.
47
48

49 **III. SURROUNDING PROPERTIES:**
50

51 The properties to the North, 1780 N Highway 67 and 1675 N New Florissant are both
52 zoned 'B-3'. The property to the West is the Florissant Police Station, which is zoned
53 'R-4'. The property to the South is 1615 N New Florissant which is zoned 'R-4' Single
54 Family Dwelling District.
55
56

57 **IV. STAFF ANALYSIS:**
58

- 59 1. This application is accompanied by professionally completed architectural site
60 plan and building plans with Parking and Landscape Code information as shown
61 on the plans. Comments are made by staff for each drawings:
62 a. The existing property has a 6' wood fence existing which may serve as an
63 enclosure for the play area. The proposed 200' fence on the South side of
64 the property could be extended to the 40' building line about even with the
65 front entry drive.
66 b. The proposed floor plan contains s.f. for each day care area. The 'E' Use
67 group and occupant load can be derived from classroom sizes listed on the
68 plans. A Child Daycare in the 2018 IBC will have a max. occupant load
69 of 35 net s.f. Therefore, what code would allow, is approximately 20.
70 The State may determine occupant load higher that this. Parking
71 requirement 2.66 per 1000 s.f. based upon s.f. is 7 spaces, (based on 5
72 employees).
73 c. Accessibility for this change in occupancy looks to be provided on the
74 exterior. Issues involving access that will be addressed by the code
75 officials include:
76 i. A parking lot with 7 spaces shall have 1 accessible parking space,
77 of which shall be van accessible with an 8' loading zone.
78 ii. Any proposed infant rooms have to allow direct exit to the exterior.
79 iii. An interior accessible route is required between levels less than
80 300 s.f. of this Use Group.
81 iv. 5% of dining or eating surfaces shall be accessible.
82 v. Other features and facilities: Toilet and drinking fountain facilities
83 on the accessible floor shall be accessible. There is no drinking
84 fountain shown.

85 It is the intent of inclusion of this information to inform the Commission of the
86 requirements that will be met in the event that the Council Grants a Special Use

87 permit for this petition. Reasons for recommended denial or approval to the
88 Council should not include any of the above which are building code issues, but
89 the information should help the Commission understand the intended use and
90 flow of the site and assist the architect and petitioner.

91
92 2. Existing Building: The existing building is a 1952 masonry structure of 1640 s.f.,
93 according to County record.

94
95 3. Play Yard: Plan scales a fencing area about 46' x 22' with a shed of about 10' x 12'
96 which would be about 890 s.f. State regulations require a min. 750 s.f. play yard.

97
98 4. Landscape bold notes indicate that:

- 99 a. Frontage trees are required.
- 100 b. 10 new shrubs are required.

101
102 5. Technically, the Police Station is located in the 'R-4' District also, however, no fence
103 is proposed. Also, there is a landscaped buffer, not required between this property and
104 the car dealer property to the north.

105
106
107 **VI. STAFF RECOMMENDATIONS:**

- 108
- 109 1. The development meets the requirements of a Child Day Care Center as a Special
- 110 Use in the B-3 District, not located in a Shopping Center.
- 111 2. Should a motion for recommended approval be made, staff suggests consideration
- 112 the following:
 - 113 i. That a sight-proof fence or 15 foot landscape buffer be provided in
 - 114 accord with 405.245 along the Police Station property. Currently,
 - 115 there exists a landscaped area about 11 feet wide.
- 116

117 **Suggested Motion:**

118 I move to recommend approval of a Special Use Permit for a Child Day Care Center at
119 **1645 N New Florissant Road** as depicted on the Site Plan and Building Plans by Max
120 Bemberg- Architect, subject to the regulations in the 'B-3' - "Extensive Business
121 District", and the following additional requirements:

- 122
- 123 ~~a. Frontage trees are to be provided at 50' o.c.~~
- 124 ~~b. 10 new shrubs are to be provided as building plantings.~~
- 125 c. provide a protective barrier for the play area, i.e. bollards @ 5' o.c.
- 126

127 **PROJECT COMPLETION.**

128 Construction shall start within 60 days of the issuance of building permits, and
129 the structure shall be completed in accordance with the plans within 180 days
130 of start of construction.

131
132 (end of Suggested Motion and Memo)

ZONING COMPLIANCE

PARKING - PER 405.225

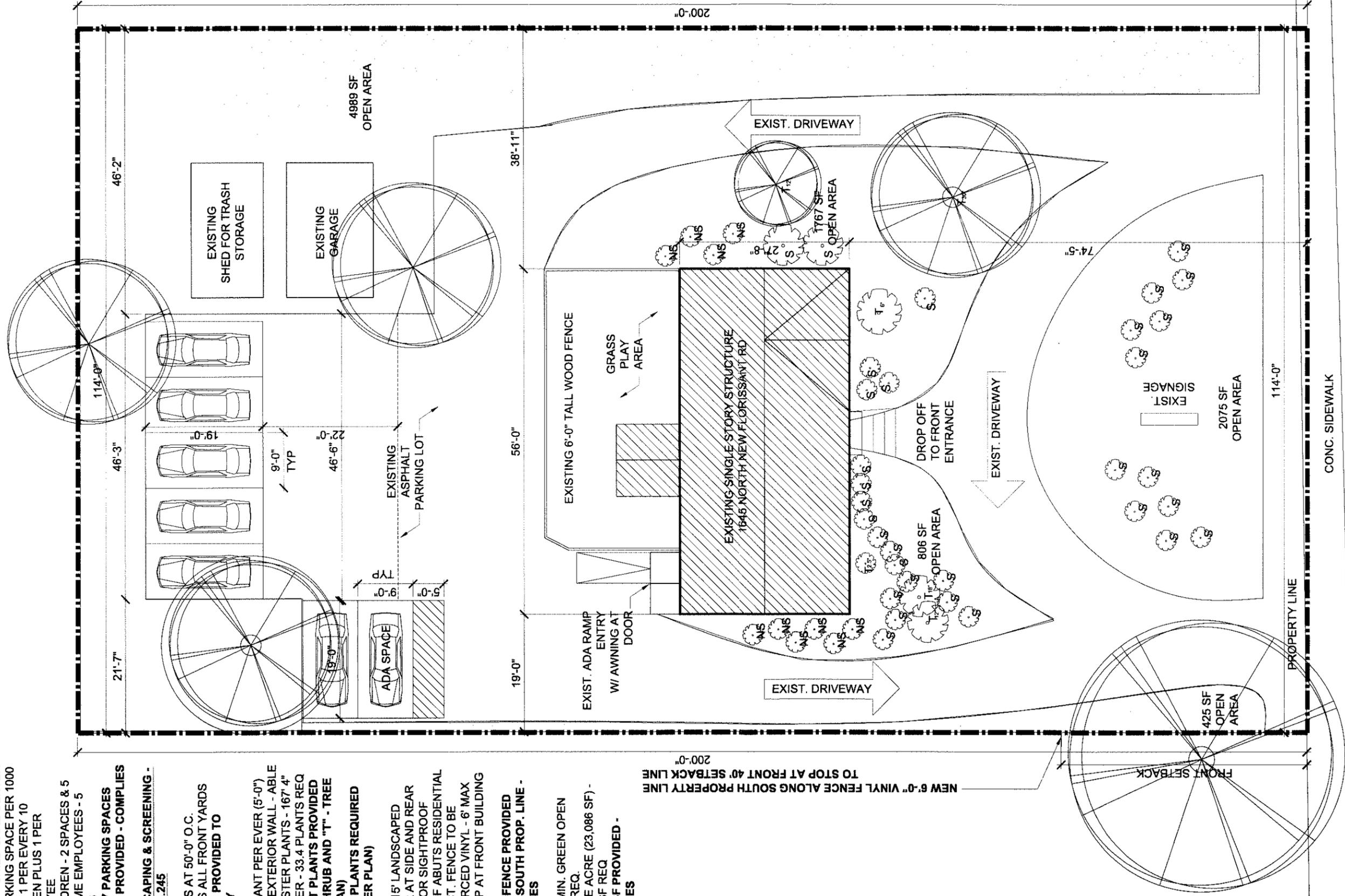
- TABLE 1 - CHILD CARE CENTER
- 266 PARKING SPACE PER 1000 GFA OR 1 PER EVERY 10 CHILDREN PLUS 1 PER EMPLOYEE
- 20 CHILDREN - 2 SPACES & 5 FULL TIME EMPLOYEES - 5 SPACES
- TOTAL 7 PARKING SPACES REQ. 17 PROVIDED - COMPLIES**

LANDSCAPING & SCREENING - PER 405.245

- 6) TREES AT 50'-0" O.C. ACROSS ALL FRONT YARDS - TREES PROVIDED TO COMPLY
- 7) (1) PLANT PER EVER (5'-0") ALONG EXTERIOR WALL - ABLE TO CLUSTER PLANTS - 167' 4" PERMITER - 33.4 PLANTS REQ
- 24 EXIST PLANTS PROVIDED ("S" - SHRUB AND "T" - TREE PER PLAN)
- 10 NEW PLANTS REQUIRED ("NS" PER PLAN)
- 8) MIN. 15' LANDSCAPED BUFFER AT SIDE AND REAR YARDS OR SIGHTPROOF FENCE IF ABUTS RESIDENTIAL DISTRICT. FENCE TO BE REINFORCED VINYL - 6' MAX TO STOP AT FRONT BUILDING LINE.
- 6' TALL FENCE PROVIDED ALONG SOUTH PROP. LINE - COMPLIES
- 9) 30% MIN. GREEN OPEN SPACE REQ. 0.53 SITE ACRE (23,086 SF) - 6925.8 SF REQ
- 10,063 SF PROVIDED - COMPLIES

NEIGHBORING SINGLE FAMILY STRUCTURE

NEW 6'-0" VINYL FENCE ALONG SOUTH PROPERTY LINE TO STOP AT FRONT 40' SETBACK LINE



SITE PLAN

SCALE: 1/16" = 1'-0"

NORTH NEW FLORISSANT RD

**DAYCARE FACILITY
1645 N NEW FLORISSANT RD**

CITY OF FLORISSANT

Public Hearing



In accordance with 405.310 of the Florissant Zoning Code a Public Hearing will be held by the City Council of Florissant, MO. in the Council Chambers, 955 Rue St. Francois, on Monday, August 12, 2019 at 7:30 P.M. on the following proposition:

To authorize an amendment to Special Use Permit No. 8398, to allow for expansion of existing restaurant/bar in a B-3 Extensive Business District for the property located at 125 Flower Valley Shopping Center (legal description to govern). Citizens will have an opportunity to be heard. Anyone with special needs should contact the City Clerk at least 5 days before said public hearing by calling 839-7630 or TDD 839-5142. CITY OF FLORISSANT, Karen Goodwin, MMC City Clerk.

FLORISSANT PLANNING & ZONING COMMISSION APPLICATION



City Of Florissant – Public Works 314-532-7645

"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: 125 Flower Valley Shopping Ctr 63033

Property Owners Name: Flower Valley Shopping Ctr Phone/email: _____

Property Owners Address: 919 Bellevue Manor Dr.

Business Owners Name: Diane McWatt Phone/email: mcwatt@hotmail.com

Business Owners Address: 4576 Behlman Farm Blvd. Florissant, Mo. 63034

DBA (Doing Business As) PRIVILEGE LOUNGE

Authorized Agents Name: Diane McWatt Co. Name: _____
(Authorized Agent to Appear Before The Commission)

Agents Address: " Phone/email: "

Request To expand PRIVILEGE LOUNGE with DIVIDING WALL TO 125 Flower Valley Shopping Ctr as a bar/restaurant.
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

Diane McWatt Applicant's Signature 6.15.19 Date

OFFICE USE ONLY

Received by: _____ Receipt # _____ Amount Paid: _____ Date: _____

STAFF REMARKS: _____

COMMISSION ACTION TAKEN:

DATE APPLICATION REVIEWED: _____

SIGNATURE OF STAFF WHO REVIEWED APPLICATION
Planning & Zoning Application
Page 1 of 1 – Revised 7/15/15

Receipt 619790
6/19/19
\$ 300

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



City Of Florissant - Public Works
314-839-7648

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

PLANNING & ZONING ACTION

Council Ward _____ Zoning _____

Initial Date Petitioner Filed _____

Building Commissioner to complete
ward, zone & date filed

SPECIAL PERMIT FOR Restaurant/BAR
Statement of what permit is being sought. (i.e., special permit for operation of a restaurant).

AMEND SPECIAL PERMIT #- _____ TO ALLOW FOR Restaurant/BAR
ordinance # _____ Statement of what the amendment is for.

LOCATION 175 Flower Valley Shopping Ctr. Florissant, Mo-63033
Address of property.

1) Comes Now LLC Pair-Lyn/Diane McWalt
Enter name of petitioner. If a corporation, state as such. If applicable include DBA (Doing Business As)

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

Legal interest in the Property) Flower Valley Group LLC
State legal interest in the property. (i.e., owner of property, lease).
Submit copy of deed or lease or other of _____ authorized that these owners is with a special use

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

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

Special Use Permit Application
Page 1 of 5 Revised 7/13/15

**RECOMMENDED APPROVAL
PLANNING & ZONING
CHAIRMAN**

SIGN. [Signature] DATE: 7-15-19

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

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

6) The petitioner(s) further state (s) that the Special Use Permit is sought for the following purposes, and no other, as listed in detail, all activities sought to be covered by the permit (i.e.; operation of a business, approval of building and/or site plans (preliminary and / or final), plan approval for signage, etc.):

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

Diane McNeer Diane McNeer mcneerdm@hotmail.com
PRINT NAME SIGNATURE email and phone 314-744-0008
FOR PRIVILEGE LOUNGE
(company, corporation, partnership)

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

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

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

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

PRESENTOR SIGNATURE Diane McNeer
ADDRESS 129 Flower Valley Shoppes Ct. Florissant, Mo. 63033
CITY STATE ZIP CODE
TELEPHONE / EMAIL 314-744-0008 / mcneerdm@hotmail.com
BUSINESS

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

Diane McNeer
Signature of Petitioner authorizing an agent

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

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

REQUIRED INFORMATION

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

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

(a) If an individual:

- (1) Name and Address Diane Mc Nutt
- (2) Telephone Number 314-744-0008
- (3) Business Address 129 Flower Valley Shopping Ctr. Flor. Mo. 63033
- (4) Date started in business 9-18-18
- (5) Name in which business is operated if different from (1) PRIVILEGE LOUNGE
- (6) If operating under a fictitious name, provide the name and date registered with the State of Missouri, and a copy of the registration.

(b) If a partnership:

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

(c) If a corporation:

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

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

Name Diane McNeer LLC/ARVILLE
Address 4526 Schuman Farm Blvd Florissant, Mo. 63034
Property Owner Flower Valley Shopping Ctr.
Location of property 125 Flower Valley Shopping Ctr
Dimensions of property 2200 Sq Ft
Property is presently zoned W19 Shop Requests Rezoning To BAR/RESTAURANT
Proposed Use of Property BAR/RESTAURANT
Type of Sign LED Sign Height 18-24 inches
Type of Construction PAINT METAL RASTER Number of Stories 1
Square Footage of Building 2200 Sq Ft Number of Curb Cuts 0
Number of Parking Spaces 50-100 Sidewalk Length 30 yards
Landscaping: No. of Trees 0 Diameter 0
No. of Shrubs 0 Size 0
Fence: Type REAL RATIO Length SEE DRAWINGS Height SEE DRAWINGS

PLEASE SUBMIT THE FOLLOWING INFORMATION ON PLANS OR DRAWINGS:

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

129 Flower Valley Shopping Center

GENERAL PROJECT NOTES

1. FIELD VERIFY ALL EXISTING CONDITIONS PRIOR TO STARTING WORK.
2. DO NOT SCALE DRAWINGS.
3. "±" (PLUS-MINUS) DIMENSIONS INDICATE APPROXIMATE EXISTING CONDITIONS FOR REFERENCE ONLY, AND ARE NOT TO BE USED FOR LAYOUT OF NEW CONSTRUCTION.
4. ALL WALL DIMENSIONS ARE TO OUTSIDE EDGE OF FINISHED GYP. BD. U.N.O.
5. ALL NEW INTERIOR PARTITIONS TO BE MTL STUDS WITH 5/8" GYP. BD. B.S. U.N.O.
6. PROVIDE ALL TRIM, ACCESSORIES AND JOINT FINISHING AS REQUIRED FOR GYP. BD. ASSEMBLIES. PROVIDE CORNER BEADS AT ALL EXPOSED HORIZONTAL AND VERTICAL CORNERS. CAULK ALL UNTAPED JOINTS AT PERIMETER.
7. USE APPROVED WATER-RESISTANT GYP. BD. OR CEMENT BD. IN AREAS TO BE EXPOSED TO MOISTURE.
8. ALL DOORS 7'-0" HIGH U.N.O.
9. GLAZING IN ALL DOORS TO BE FULLY TEMPERED, LAMINATED SAFETY, OR APPROVED SHATTER RESISTANT PLASTIC.
10. INTERIOR FINISHES SHALL HAVE A FLAME SPREAD RATING OF 200 OR LESS.
11. ALL TOILET ROOMS TO HAVE MIN. 50 CFM EXHAUST FANS, VENTED TO THE EXTERIOR.
12. LEAD FREE SOLDER IS REQUIRED ON ALL COPPER WATER SUPPLY PIPING.
13. ALL ELECTRICAL WORK SHALL CONFORM TO THE NEC AND LOCAL REGULATIONS.
14. ALL WORK SHALL MEET OR EXCEED ALL APPLICABLE LOCAL, STATE, AND FEDERAL CODE REQUIREMENTS.

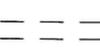
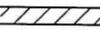
VERIFICATION OF EXISTING CONDITIONS:

INASMUCH AS THE REMODELING AND/OR REHABILITATION OF THE EXISTING FACILITY REQUIRES THAT CERTAIN ASSUMPTIONS BE MADE REGARDING EXISTING CONDITIONS, AND BECAUSE SOME OF THESE ASSUMPTIONS MAY NOT BE VERIFIABLE PRIOR TO CONSTRUCTION OR WITHOUT SIGNIFICANT COSTLY AND/OR DAMAGING INVESTIGATIONS, THE OWNER AGREES TO HOLD THE ARCHITECT HARMLESS AGAINST ALL DAMAGES, LIABILITIES OR COSTS ASSOCIATED WITH UNKNOWN CONDITIONS.

LIMITATION OF LIABILITY:

THE OWNER AGREES TO LIMIT THE ARCHITECT'S LIABILITY FOR ANY DAMAGES RELATING TO THIS PROJECT TO THE ARCHITECT'S FEE. THIS LIMITATION SHALL APPLY REGARDLESS OF THE CAUSE OF ACTION.

LEGEND

-  DETAIL NUMBER
-  DRAWING SHOWN ON
-  PORTION OF EXIST. WALL OR PARTITION TO BE REMOVED
-  NEW PARTITION, FURRING, OR INFILL
-  PATCH AND REPAIR EXIST. WALL WHERE PARTITION HAS BEEN REMOVED

BUILDING CODE INFORMATION:

Project Description: New restaurant expansion build-out in an existing strip mall shopping center.

Code: 2018 International Building Code
2018 International Exist. Building Code

Use Group: A-2
Construction Type: II-A

Sprinkler System: None

OCCUPANCY

DINING: ACTUAL SEATING = 83
STAGE: 129 SF / 15 SF PER OCC. = 9
KITCHEN: 437 SF / 200 = 3
BACK BAR: 1
TOTAL = 96 OCC'S

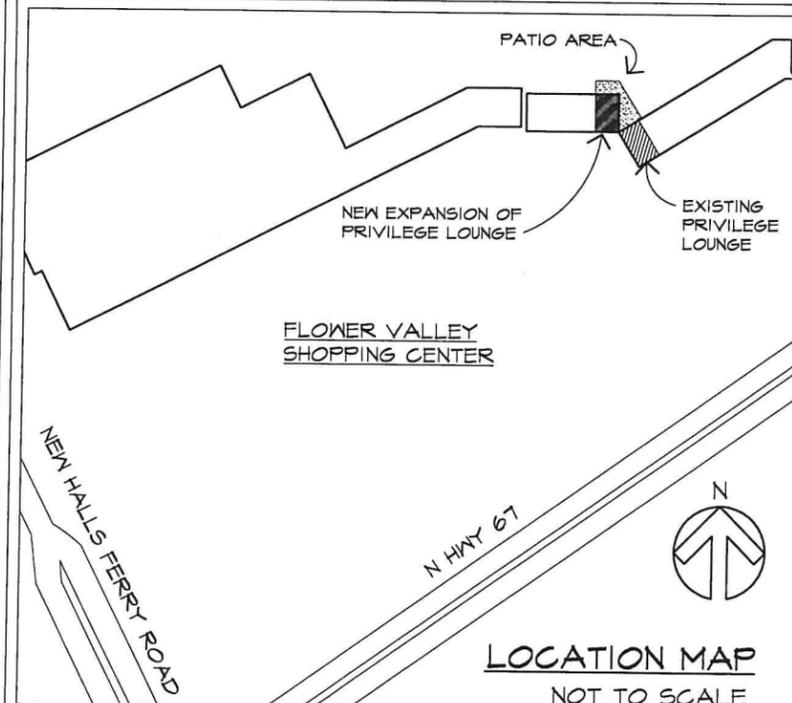
EGRESS WIDTH REQUIRED

96 OCC'S x .2"/OCC. = 19.2"

OF EXITS REQUIRED = 2

EGRESS WIDTH PROVIDED = 146" (4 EXITS)

TOTAL BUILDING AREA = 2121 SF



DRAWING LIST

- G-1 COVER SHEET/PROJECT NOTES
- A-1 FLOOR PLAN
- A-2 PATIO PLAN
- A-3 TOILET PLANS AND ELEVATIONS
- A-4 PARTITION SECTIONS
- E-1 ELECTRICAL LAYOUT/
REFLECTED CEILING PLAN



PHILIP A. GOMEZ
ARCHITECT #A-6390

128 BIRKDALE CT.
ST. CHARLES, MO 63303
314-504-7559

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These drawings, including all associated and referenced electronic data, are the sole property of the architect, and may not be altered in any way except by specific direction of the architect.

Client:

Diane McNutt

129 Flower Valley Shopping
Center, Florissant, MO 63033

Project:

**Privilege Lounge
Restaurant Expansion**

129 Flower Valley Shopping
Center, Florissant, MO 63033

Prj #:

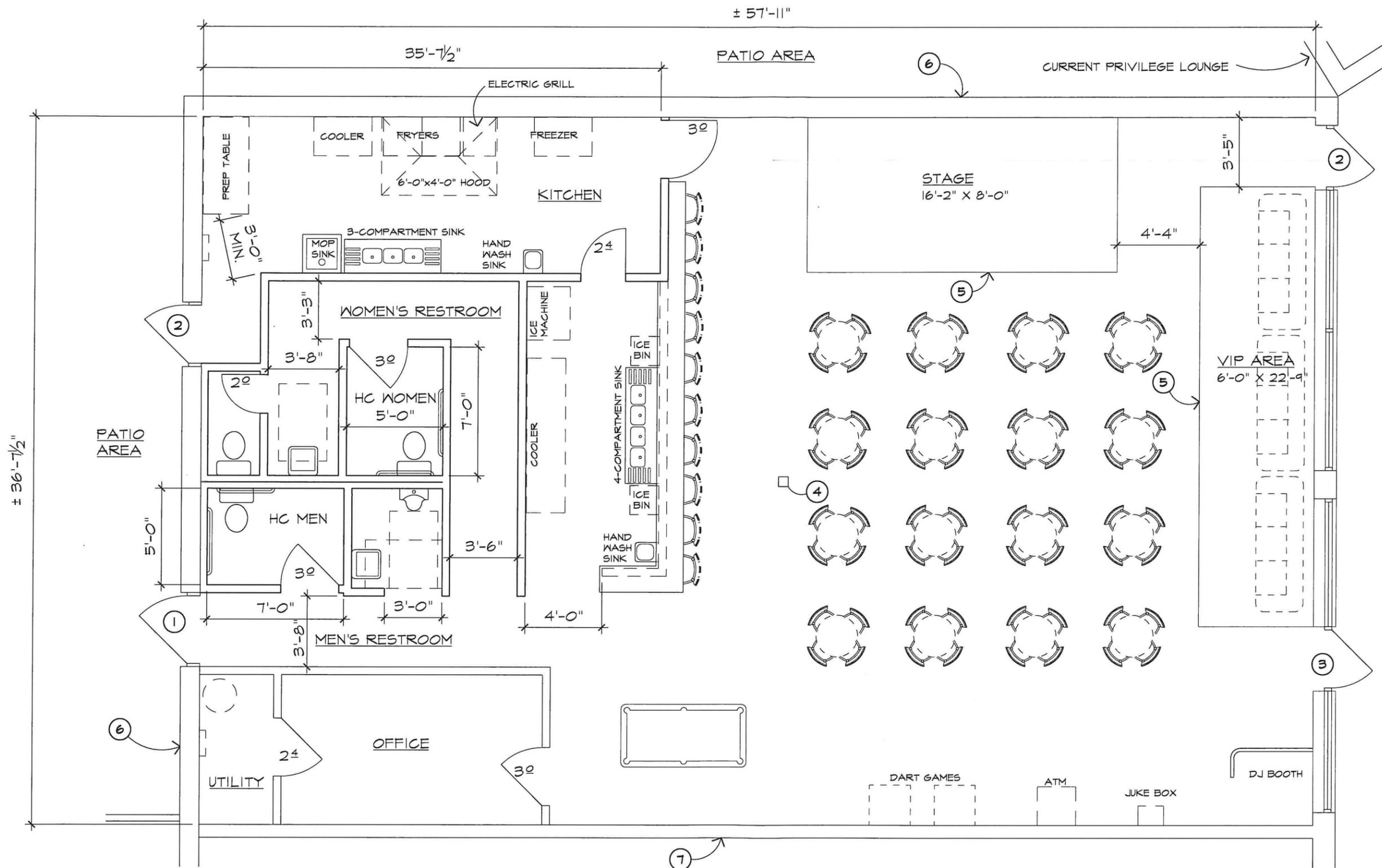
Date: **6-3-19**

Sheet Contents:

Project Notes

Sheet No.:

G-1



KEYED NOTES:

- ① EXISTING 3'-6" x 7'-0" EMERGENCY EXIT DOOR
- ② EXISTING 3'-0" x 7'-0" EXIT DOOR
- ③ EXISTING 3'-0" x 7'-0" MAIN ENTRANCE
- ④ EXISTING COLUMN W/ GYP. BD. COVERING
- ⑤ 6" STEP UP
- ⑥ EXISTING EXTERIOR WALL
- ⑦ EXISTING TENANT DEMISING WALL

FLOOR PLAN

3/16" = 1'-0"



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Diane McNutt

129 Flower Valley Shopping Center, Florissant, MO 63033

Project:

Privilege Lounge Restaurant Expansion

129 Flower Valley Shopping Center, Florissant, MO 63033

Prj #:

Date: **6-3-19**

Sheet Contents:

Floor Plan

Sheet No.:

A-1



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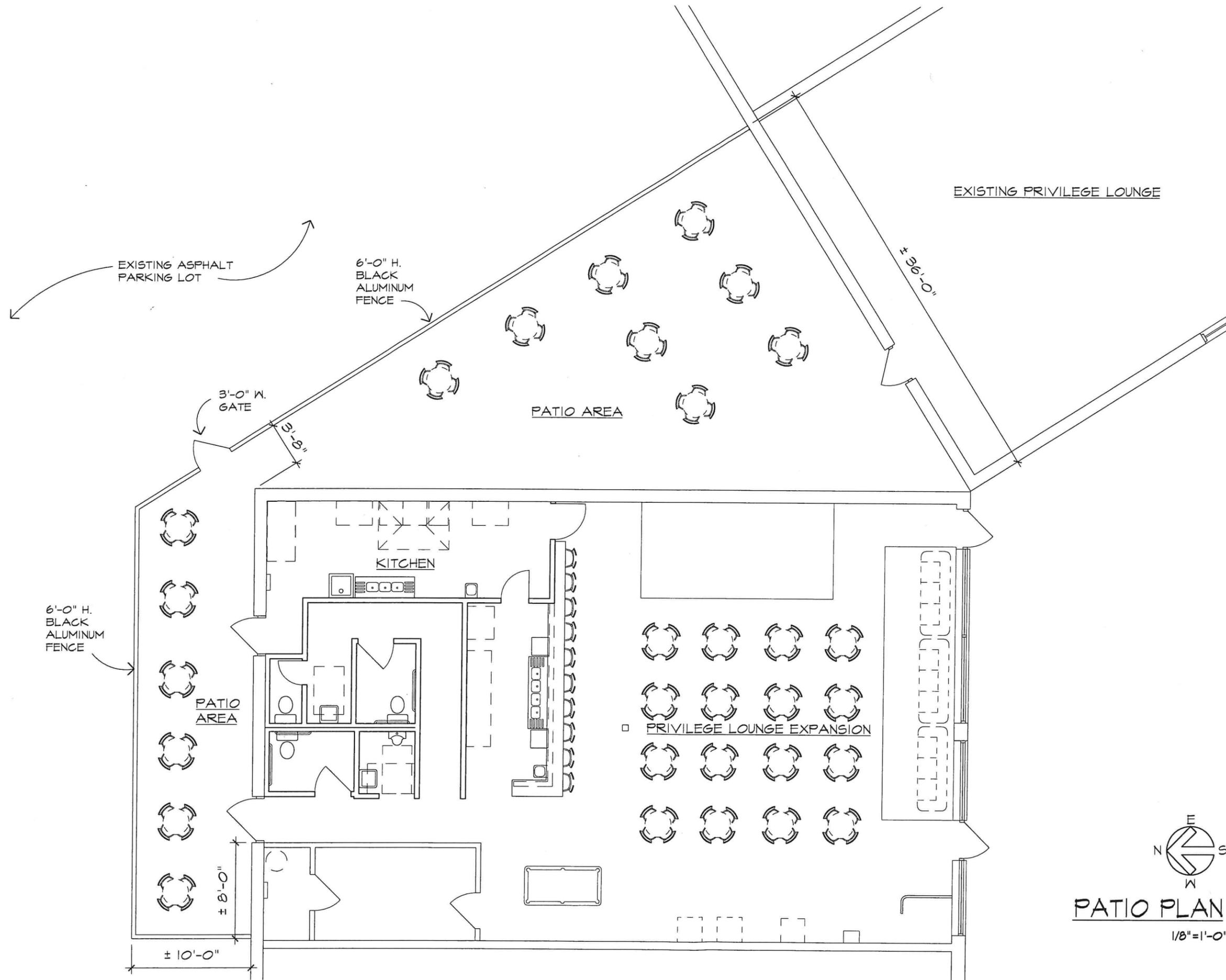
Date: **6-3-19**

Sheet Contents:

Patio Plan

Sheet No.:

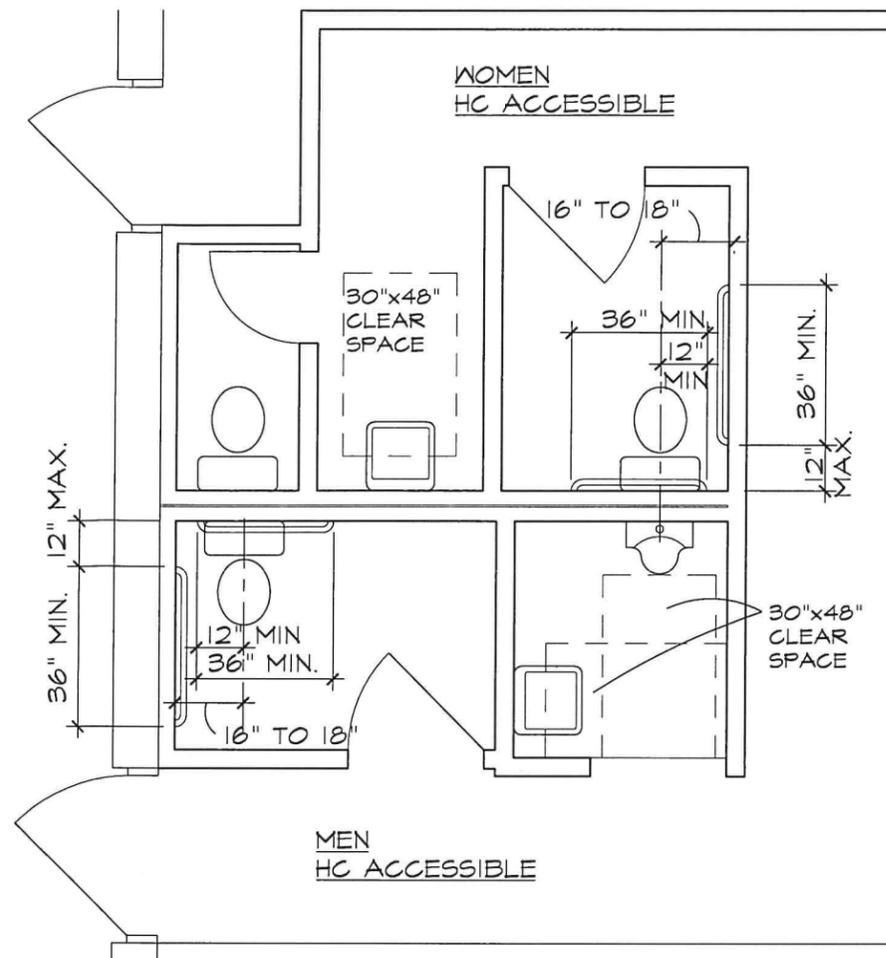
A-2



PATIO PLAN
1/8" = 1'-0"

GENERAL NOTES:

1. INSTALL PIPE INSULATION AT ALL EXPOSED HOT WATER AND DRAIN PIPES IN TOILET ROOMS.
2. PROVIDE BLOCKING AS REQUIRED BEHIND ALL TOILET ACCESSORIES AND TOILET PARTITIONS OCCURRING AT GYPSUM BD. WALLS.
3. THE OPERATING PARTS OF ANY DISPENSING / DISPOSAL FIXTURE SHALL BE WITHIN 48" MAX. OF FINISHED FLOOR.
4. EACH TOILET ROOM SHALL HAVE HANDICAP STALL NOTED AS H.C. - HANDICAP SHALL MEET ALL LOCAL/ STATE CODES AND COMPLY W/ FEDERAL A.D.A. REQUIREMENTS.
5. MOUNT ALL HC ACCESSIBLE DISPENSERS SO THAT CENTER OF DISPENSING ORIFICE IS 3'-4" MAX AFF.

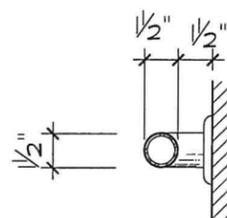


TOILET PLANS

3/8" = 1'-0"

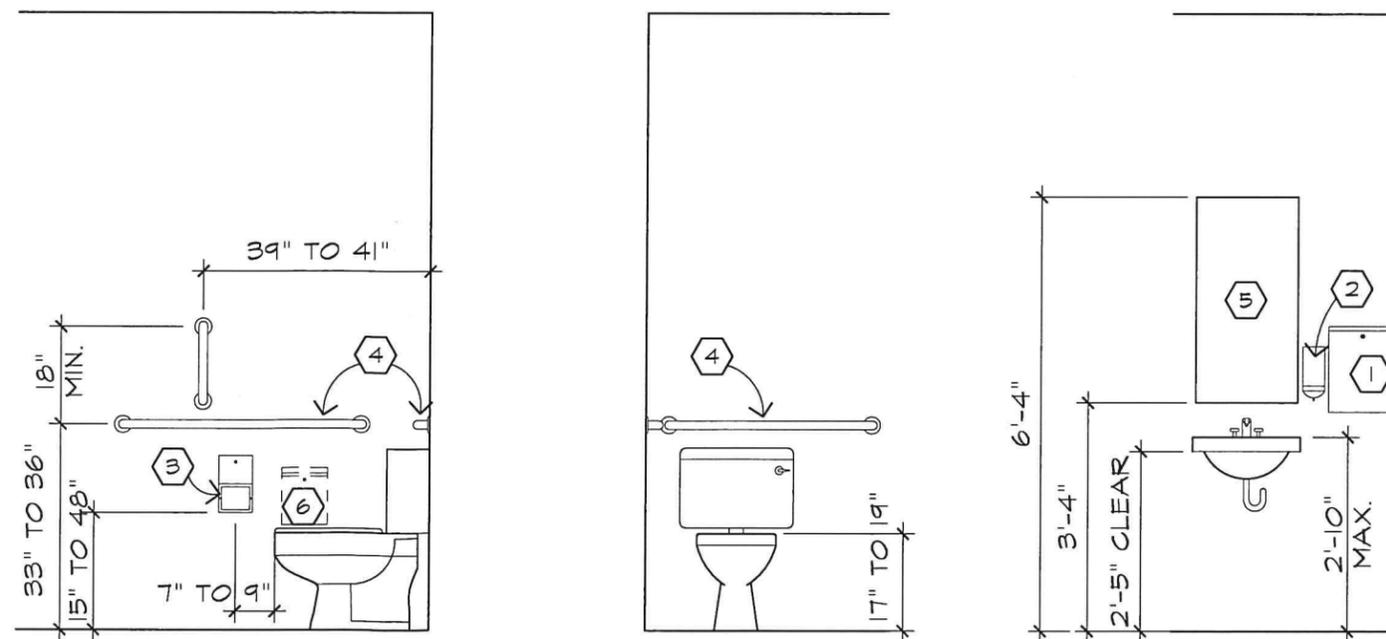
KEYED NOTES:

- ① PAPER TOWEL DISPENSER
- ② SOAP DISPENSER
- ③ TOILET TISSUE DISP.
- ④ GRAB BAR
- ⑤ FRAMELESS MIRROR
- ⑥ NAPKIN DISPENSER (WOMEN)



GRAB BAR

1-1/2" = 1'-0"



TYPICAL TOILET ELEVATIONS

3/8" = 1'-0"



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Project:

Privilege Lounge Restaurant Expansion

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Prj #:

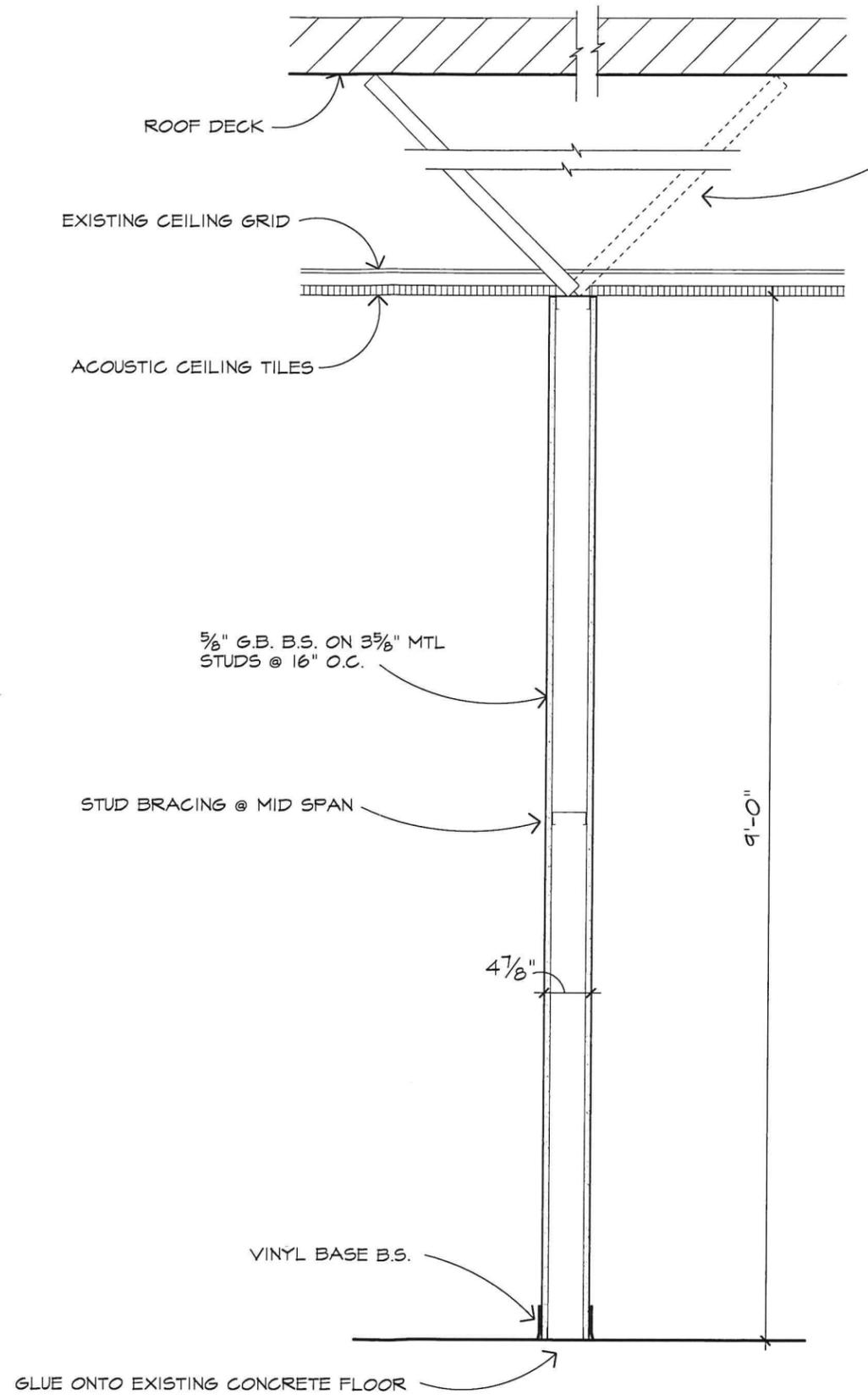
Date: **6-3-19**

Sheet Contents:

Toilet Plans and Elevations

Sheet No.:

A-3



DIAGONAL STUD BRACING AT 4'-0" O.C., STAGGERED IN OPP. DIRECTIONS - MAX. 45° FROM HORIZONTAL AXIS - DO NOT ATTACH TO CEILING GRID

5/8" G.B. B.S. ON 3 5/8" MTL STUDS @ 16" O.C.

STUD BRACING @ MID SPAN

4'-0"

4 7/8"

VINYL BASE B.S.

GLUE ONTO EXISTING CONCRETE FLOOR

TYPICAL INTERIOR PARTITION SECTION
3/4" = 1'-0"



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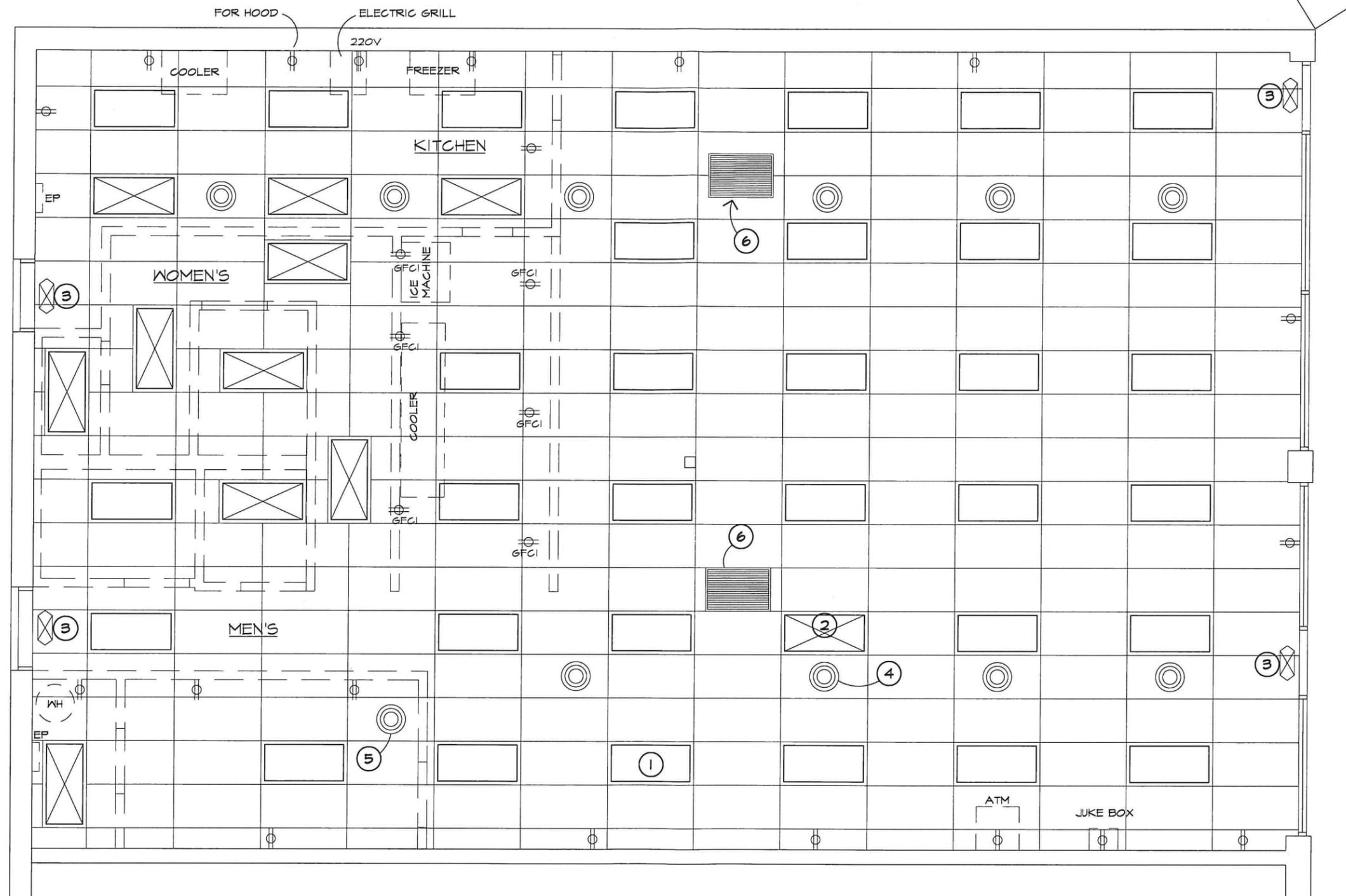
Date: **6-3-19**

Sheet Contents:

Typical Partition Section

Sheet No.:

A-4



KEYED NOTES:

- ① 2'x4' FLUORESCENT FIXTURE TO REMAIN, TYP.
- ② NEW OR RELOCATED 2'x4' FLUORESCENT FIXTURE, TYP.
- ③ ILLUMINATED EXIT SIGN ABOVE DOOR
- ④ EXISTING SUPPLY AIR DIFFUSER TO REMAIN, TYP.
- ⑤ RELOCATED SUPPLY AIR DIFFUSER
- ⑥ EXISTING RETURN AIR GRILL TO REMAIN
- ⑦ LINE OF PARTITION WALL BELOW CLG., TYP. - SEE TYP. PARTITION SECTION SHEET A-4

**ELECTRICAL LAYOUT/
REFLECTED CEILING PLAN**

3/16"=1'-0"



NOTE:
ALL CEILING GRID AND FIXTURES, LIGHTING AND AIR SUPPLY VENTS SHALL REMAIN. SOME LIGHTING FIXTURES TO BE RELOCATED AND GRID MODIFIED TO FIT NEW LAYOUT. DAMAGED CEILING TILES AND FIXTURES TO BE REPLACED AS NEC.



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Project:

**Privilege Lounge
Restaurant Expansion**

129 Flower Valley Shopping
Center, Florissant, MO 63033

Prj #:

Date: **6-3-19**

Sheet Contents:

**Elec. Layout /
Ref. Clg. Plan**

Sheet No.:

E-1

41 the Shop & Save building at 175 Flower Valley Shopping Center in a 'B-5' Planned
42 Commercial District. The property to the North is an Apartment complex in the County.
43

44 **IV. STAFF ANALYSIS:**

45 Site comments:

46 The Site locator picture indicates this is proposed in 2 separated buildings within
47 Flower Valley Shopping Center. It appears that unit 125 Flower Valley is on the
48 West side of the proposed patio and the building to the East of the the proposed
49 paved patio is under Ordinance No. 8398 where occupancy is limited to 80
50 occupants.
51

52 Parking conditions have changed over the years. The approved Shop & Save
53 Development Plan indicates 741 parking for both the grocery of 60,903 s.f. and
54 the strip center of 16, 470 s.f., however, the area behind the building was striped
55 for parking to meet the 1990 requirement.
56

57 Per today's parking code, the following would be the calculation:

58 Food markets over 5000 s.f. at 4.5/1000 s.f. x 60,903= 274

59 Commercial Retail centers under 100,000 s.f at 4/1000 s.f. x 16, 470 s.f. = 65*

60 Total spaces at current ratios = 339

61 Spaces currently striped = 454
62

63 The calculations for parking are:

64
65 129 Flower Valley SC

66 Cocktail Lounge 1 space for every 3 seats $80/3= 26$

67 2 spaces for every 3 employees max. shift, say 4

68 Total for Cocktail Lounge required = 30
69

70 125 Flower Valley SC and patio

71 Cocktail Lounge 1 space for every 3 seats $130/3= 43$

72 2 spaces for every 3 employees max. shift, say 4

73 Total for 125 Flower Valley SC = 47
74

75 Total parking required 77
76

77 Therefore, this use increases parking required by $21 + 39 = 60$ spaces more than
78 Retail space. Other uses such as bars, restaurants in the shopping center affect the
79 required parking total. Technically, the development plan could include parking
80 in the rear is to be included in the total and thereby increase the existing spaces to
81 a number greater than 741. Since the Shop & Save is vacant currently, there is no
82 shortage of parking.
83

84 G-1 Comments: These are the building permit plans with code information pertaining to
85 the 2018 International Building Code noted. These are not to be confused with the

86 requirements for parking per the Florissant Zoning Code. The Location Map shows the
87 relative location of the buildings and patio.

88
89 A1.0 Comments:

90 A bar is shown and required plumbing fixtures for the new space.

91 Building Code review note: Any occupant load over 100 per the IBC will trigger panic
92 hardware on egress doors.

93
94 A stage is shown on the plan which implies live performances or other activity. A VIP
95 area alongside the stage about 6' x 22' is shown.

96
97 A2.0 Comments:

98 The patio connecting 2 separate buildings is shown. The building code will require the
99 patio to have greater egress capacity to accommodate exits from both buildings and the
100 occupants of the patio. The separate buildings under one management is highly unusual.
101 There may be additional building code research besides the means of egress that will take
102 place under building code review. It is possible that each facility may function separately
103 as well as the patio as long as the proper means of egress is provided.

104
105 A3.0 Comments:

106 This sheet applies to the new restrooms for 125 Flower Valley.

107
108 A4.0 Comments:

109 This sheet shows new interior partitions.

110
111 E-1 Comments: A reflected ceiling plan is required only for building code review. No
112 exterior lighting or heaters are shown.

113
114 Construction set is included and is under plan review with a status letter sent to the
115 owner, however, not all this information is required for a zoning review.

116
117 **VI. STAFF RECOMMENDATIONS:**

118 **Suggested Motion for Recommended Approval** to allow a restaurant bar at **125 & 129**
119 **Flower Valley Shopping Center (Privilege Cocktail Lounge)** in an existing 'B-3'
120 Zoning District.

121
122 I move to **Recommended Approval** for a Special Use Permit to allow a Restaurant Bar
123 at **125 & 129 Flower Valley Shopping Center (Privilege Cocktail Lounge)** in an
124 existing 'B-3' Zoning District, subject to the following stipulations:

125
126 **1. GENERAL DEVELOPMENT CONDITIONS.**

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

(B) Bollards

130
131
132
133
134
135
136
137

(C) The project shall be as shown on G-1, A-1, A-2, A-3, A-4 and E-1 dated 6/3/19 by Philip A Gomez- Architect, attached and subject to building code review.

PROJECT COMPLETION.

Construction shall start within 30 days of the issuance of building permits, and the structure shall be completed in accordance with the plans within 120 days of start of construction.

138

(end of Suggested Motion and report)

1 INTRODUCED BY COUNCILMAN SIAM
2 MARCH 12, 2018

3
4
5 BILL NO. 9370

8398
ORDINANCE NO.

6
7 **ORDINANCE TO AUTHORIZE A SPECIAL USE PERMIT TO FLOWER**
8 **VALLEY GROUP, LLC D/B/A PRIVILEGE LOUNGE TO ALLOW FOR THE**
9 **OPERATION OF A COCKTAIL LOUNGE LOCATED AT 129 FLOWER**
10 **VALLEY SHOPPING CENTER.**

11
12 WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of
13 Florissant, by Special Use Permit, after public hearing thereon, to permit the location of a cocktail
14 lounge; and

15 WHEREAS, an application has been filed by Flower Valley Group, LLC d/b/a Privilege Lounge
16 for the property located at 129 Flower Valley Shopping Center for the location and operation of a
17 cocktail lounge; and

18 WHEREAS, the Planning and Zoning Commission of the City of Florissant, at their meeting of
19 February 20, 2018 has recommended that the said Special Use Permit be granted; and

20 WHEREAS, due notice of public hearing no. 18-02-010 on said application to be held on March
21 12, 2018 at 7:30 P.M. by the Council of the City of Florissant was duly published, held and concluded;
22 and

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

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

28
29 Section 1: A Special Use Permit is hereby granted to Flower Valley Group, LLC d/b/a Privilege
30 Lounge for the property located at 129 Flower Valley Shopping Center for the location and operation of
31 a cocktail lounge with the following additional requirements:

32 **1. GENERAL DEVELOPMENT CONDITIONS.**

- 33 a. Unless, and except to the extent otherwise specifically provided, development shall
34 be effected only in accordance with all ordinances of the City of Florissant.
35 b. The project shall be as shown on CS, A1.0, A2.0, A3.0, A4.0 dated 1/16/18 and P1.0

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dated January 28, 2018 by Deru & Associates, LLC attached, subject to building code review.

- c. Occupant load shall be 80 people.
- d. Signage shall comply with the City of Florissant regulations.

PROJECT COMPLETION

Construction shall start within 30 days of the issuance of building permits, and the structure shall be completed in accordance with the plans within 120 days of start of construction.

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

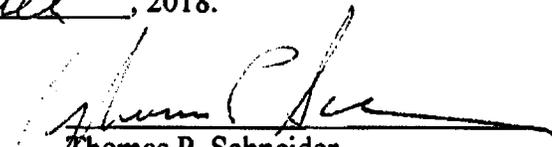
Section 3: This ordinance shall become in force and effect immediately upon its passage and approval.

Adopted this 26 day of March, 2018.



Jackie Pagano
President of the Council
City of Florissant

Approved this 28 day of March, 2018.

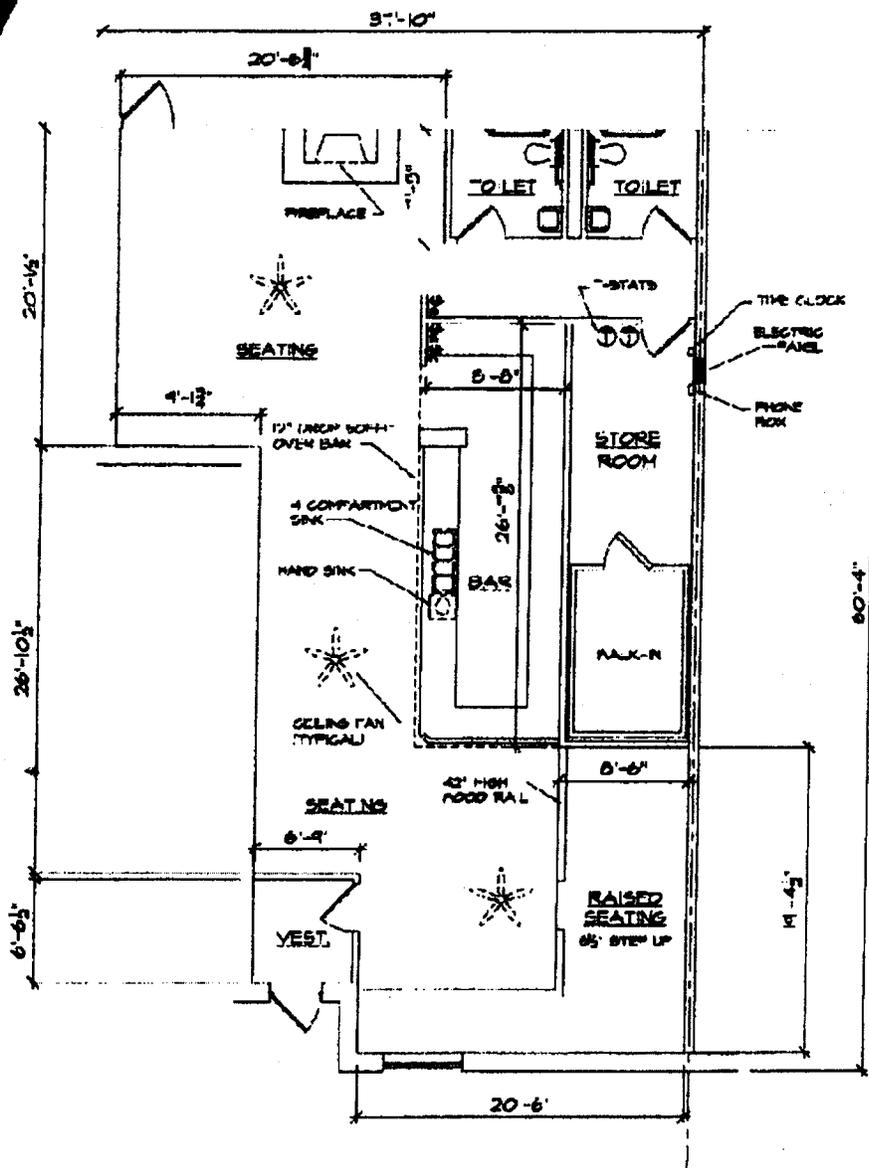


Thomas P. Schneider
Mayor, City of Florissant

ATTEST:



Karen Goodwin, MMC/MRCC
City Clerk



EXISTING FLOOR PLAN- SUITE 1033

SCALE: 1/4" = 1'-0"

1,907 RSP

3-21-16

ALL DIMENSIONS ARE APPROXIMATE
ELECTRIC PANEL: CAT # G0642UF, SERIES 501

CITY OF FLORISSANT



PUBLIC HEARING NOTICE

Notice is hereby given in accordance with Section 405.135 of the Florissant City Code, the Zoning Ordinance, as amended, that a Public Hearing will be held by the City Council of the City of Florissant, St. Louis County, Missouri, in the Council Chambers, 955 rue St. Francois, on Monday, August 12, 2019 at 7:30 P.M. on the following proposition, to wit:

To issue an amendment to B-5 Ordinance No. 7073 to allow for a carry-out restaurant for the property located at 8239 N Lindbergh (legal description to govern). Citizens and parties of interest will have the opportunity to be heard at said public hearing. Anyone with special needs should contact the City Clerk at least 5 days before said public hearing by calling 839-7630 or TDD 839-5142.

Karen Goodwin, MMC City Clerk.

FLORISSANT PLANNING & ZONING COMMISSION APPLICATION



City Of Florissant – Public Works
314-839-7648

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

Please Print or Type The Following Information

Property Address: 8239 N Lindbergh
Property Owners Name: KG Premier, LLC Phone #: _____
Property Owners Address: 8239 N Lindbergh Blvd, Florissant, MO 63031
Business Owners Name: NPC International Phone #: _____
Business Owners Address: 4200 W. 115th. St. Ste 200, Leawood, KS 66211
DBA (Doing Business As) Pizza Hut #4920
Authorized Agents Name: Frank Shahlari CO. Name: Lickel Architecture
(Authorized Agent to Appear Before The Commission)
Agents Address: 14 W. 3rd Street, Kansas City, MO 64105 Phone #: 913.708.1665
Request _____

State complete request (print or type only).

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

[Signature] 6.25.2019
Applicant's Signature Date

Received by: [Signature] Receipt # 619904 Amount Paid: 300.00 Date: 6.26.19
OFFICE USE ONLY

STAFF REMARKS: _____

DATE APPLICATION REVIEWED: _____

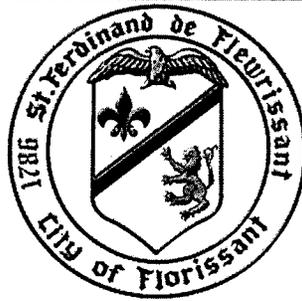
SIGNATURE OF STAFF WHO REVIEWED APPLICATION

COMMISSION ACTION TAKEN:

RECOMMENDED APPROVAL
PLANNING & ZONING
CHAIRMAN

SIGN. [Signature] DATE: 7-15-19

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:

8239 N Lindbergh Blvd Florissant, MO 63031

RECOMMENDED APPROVAL
PLANNING & ZONING
CHAIRMAN

Council Ward 3 Zoning B-5

SIGN.  DATE: 7-15-19

Initial Date Petitioner Filed 6/26/19
Building Commissioner to complete
ward, zone & date filed

PETITION TO AMEND B-5 ORDINANCE # _____

Enter ordinance number or number requesting to amend.

1) Comes Now NPC International, Inc. (Tenant) d/b/a Pizza Hut #4920

(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 Leasehold/Tenant

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 0.57 acres

2. The petitioner(s) hereby further state(s) that the property herein described in this petition is presently zoned in a B-5 District and is presently being used for retail (Boost Mobile)/vacant

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: proposed use as a delivery & carry-out Pizza Hut in an existing vacant end-cap bay.

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 Renee Siebert

PETITIONER(S) SIGNATURE (S) Renee Siebert
Print Name Signed by:

FOR NPC International, Inc.
9FDCD247FEF04C2...

(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.

DocuSigned by:
Renee Siebert
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 _____

(2) Telephone Number _____

(3) Business Address _____

(4) Date started in business _____

(5) Name in which business is operated if different from (1) _____

(6) If operating under a fictitious name, provide the name and date registered with the State of Missouri, and a copy of the registration.

(b) If a partnership:

(1) Names & addresses of all partners _____

(2) Telephone numbers _____

(3) Business address _____

(4) Name under which business is operated _____

(5) If operating under fictitious name, provide date the name was registered with the State of Missouri, and a copy of the registration.

(c) If a corporation:

(1) Names & addresses of all partners NPC International, Inc.

(2) Telephone numbers 620-231-3390

(3) Business address 720 W 20th Street Pittsburg, KS 66762

(4) State of Incorporation & a photocopy of incorporation papers Kansas

(5) Date of Incorporation 11/12/1974

(6) Missouri Corporate Number F00194323

(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 NPC International, Inc. d/b/a Pizza Hut

(9) If the property location is in a strip center, give dimensions of your space under square footage and do not give landscaping information. Approximately 48' 11 1/2" wide by 64' 9 1/4" long (usable space)

Please fill in applicable information requested.

Name NPC International, Inc. (Tenant)

Address 720 W 20th Street Pittsburg, KS 66762

Property Owner KG Premier, LLC

Location of property 8239 N Lindbergh Blvd, Florissant, MO 63031

Dimensions of property 3,550 square feet of shop space in an existing building

Property is presently zoned B-5 per ordinance # _____

Current & Proposed Use of Property Currently vacant retail - proposed Delivery & Carry-out Pizza Hut

Type of Sign no signs currently on storefront for this space Height NA

Type of Construction _____ Number Of Stories 1

Square Footage of Building 4,480 Number of Curb Cuts _____

Number of Parking Spaces _____ Sidewalk Length _____

Landscaping: No. of Trees _____ Diameter _____

No. of Shrubs _____ Size _____

Fence: Type _____ Length _____ Height _____

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

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

1
2 INTRODUCED BY COUNCILMAN SCHNEIDER
3 OCTOBER 11, 2004
4

5
6 BILL NO. 7974 SUBSTITUTE

ORDINANCE NO. 7073

7
8
9
10 **AN ORDINANCE AUTHORIZING THE REZONING OF THE**
11 **PROPERTY AT 604, 610 AND 614 LOYOLA DRIVE FROM R-5 DUPLEX**
12 **DWELLING DISTRICT TO B-5 PLANNED COMMERCIAL DISTRICT**
13 **FOR THE DEVELOPMENT OF A RETAIL CENTER**
14

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

21 WHEREAS, the Planning and Zoning Commission of the City of Florissant has
22 recommended to the City Council at their meeting of September 7, 2004 that Ordinance No.
23 1625 be amended to change the classification of the property at 604, 610 and 614 Loyola Drive
24 R-5 Duplex Dwelling District to B-5 Planned Commercial District ; and

25 WHEREAS, due and lawful notice of a public hearing on said proposed zoning change
26 was duly published, held and concluded on Monday, September 27, 2004 at 8:00 P.M. by the
27 Council of the City of Florissant; and

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

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

34
35 Section 1: Ordinance No. 1625, as amended, is hereby further amended by changing the
36 classification of the following described property from R-5 Duplex Dwelling District to B-5
37 Planned Commercial District:

38 *Lots 115, 116 and 117 of DeSmet Circle Subdivision, Plat Book 83 Page 61 of the*
 39 *St. Louis County Records being more particularly described as follows:*

40
 41 *Beginning at the southwest corner of lot 115 of DeSmet Circle Subdivision, Plat*
 42 *Book 83 Page 61 of the St. Louis County Records; thence North 18 degrees 5*
 43 *minutes 9 seconds East 130.00 feet to the south line of Loyola Avenue (50'w);*
 44 *thence along south line of Loyola Avenue being a curve to the right having a*
 45 *radius of 590.00 feet an arc distance of 177.23 feet to a point; thence continuing*
 46 *along said south line of Loyola Avenue South 54 degrees 42 minutes 11 seconds*
 47 *East 10.00 feet to a point; thence along a curve to the right having a radius of*
 48 *40.00 feet an arc distance of 27.01 feet to a point on the west line of Lindbergh*
 49 *Boulevard (80'w); thence along said west line of Lindbergh Boulevard South 35*
 50 *degrees 17 minutes 49 seconds West 121.22 feet to an old iron rod; thence*
 51 *departing said west line of Lindbergh Boulevard North 54 degrees 42 minutes 11*
 52 *seconds West 35.00 feet to a point; thence along a curve to the left, having a*
 53 *radius of 460.00 feet an arc distance of 138.15 feet to the point of beginning and*
 54 *continuing 0.57 acres more or less.*

55
 56 **Section 2:** The authority and approval embodied in this Ordinance is granted subject to
 57 all ordinances of the City of Florissant and on condition that the development and plan for the
 58 B-5 Planned Commercial District be carried out in accordance with the preliminary plans
 59 submitted, C(0), C(1), C(2), Landscape and Photometric, revised 8/25/04 filed with the
 60 Planning & Zoning Commission of the City of Florissant, and having received a recommended
 61 approval by the Planning & Zoning Commission on 9/7/2004 with certain conditions, and
 62 forwarded by said Planning & Zoning Commission to the Florissant City Council, and is
 63 attached hereto marked as Exhibit "A", adopted and incorporated herein by reference as if fully
 64 set out in this ordinance and made a part of this ordinance, subject to the following conditions:

65
 66 **1. PERMITTED USES**
 67

68 The uses permitted by this B-5 Planned Commercial District shall be limited to
 69 uses as permitted in a B-3 Extensive Commercial District. Uses other than those
 70 permitted by this Ordinance shall require approval by amendment to this B-5
 71 Ordinance.

72
 73 **2. FLOOR AREA, HEIGHT AND BUILDING REQUIREMENTS**
 74

75 The total gross floor area of the building shall be approximately 4900 square feet.
 76 The building shall not exceed 21 feet in height from grade.
 77 The building shall be constructed of masonry as defined in the Florissant City
 78 Code of Ordinances.
 79

80 **3. PERFORMANCE STANDARDS**

81
82 Uses within the B-5 Planned Commercial District identified herein shall conform
83 to the most restrictive performance standards as set forth in Section 20 of the
84 Florissant Zoning Ordinance to include screening of mechanical equipment.

85 The screening of the trash enclosure shall be of the same material as the masonry
86 of the building, with the metal painted gates.

87
88 **4. PLAN SUBMITTAL REQUIREMENTS**

89
90 Within ninety (90) days of the effective date of this ordinance, and prior to
91 issuance of any building or occupancy permit, the petitioner shall submit the Final
92 Site Development Plan to the ~~Planning & Zoning Commission~~ for review and
93 approval ~~thereby in accordance with Section 14.5, subsection 10 (4) of the Florissant~~
94 ~~Zoning Ordinance~~ **Building Commissioner** for review to determine compliance with
95 this ordinance. Where due cause is shown by the developer, this time interval may be
96 extended by the ~~Planning & Zoning Commission~~ **Building Commissioner**. The
97 existing and proposed contours, profile, ingress and egress, shall be established as
98 illustrated, per the plans submitted.

99
100 **5. FINAL SITE DEVELOPMENT PLAN GENERAL CRITERIA**

101 The above Final Site Development Plan shall include the following :

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

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

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

128
 129 a. Structure Setbacks.

130
 131 (1) No building, excluding retaining walls, light standards and fences, shall be
 132 located within 40 feet of the right of way off ~~North Highway 67~~ North
 133 ~~Lingbergh and Charbonier~~ Loyola, and shall meet all applicable
 134 requirements. The side yard setback along the southern property line shall be
 135 ten (10) feet, and the rear yard setback along the western property line shall be
 136 thirty-three (33) feet.

137
 138
 139 b. Parking, Loading and Internal Drives Setbacks.

140
 141 (1) Parking, loading spaces, internal drives and roadways shall be located in
 142 accordance with the preliminary site development plan attached hereto as
 143 Exhibit "A", revision B, 8/25/04, or as subsequently approved by the Planning
 144 and Zoning Commission.

145
 146 (2) All of the setbacks shall be approved by the Planning and Zoning
 147 Commission.

148
 149 c. Minimum Parking/Loading Space Requirements.

150
 151 (1) The parking regulations as required by Section 17 of
 152 the Florissant Zoning Ordinance shall be complied with except as may be
 153 varied by this Ordinance.

154
 155 (2) Parking spaces shall total at least twenty-seven, with two handicapped
 156 parking spaces provided as shown on the Preliminary Development plan.
 157 The location of the handicap parking spaces shall be in accordance with
 158 the adopted building code of the City.

159
 160 d. Road Improvements, Access and Sidewalks.

161
 162 (1) Access to the property shall be substantially as shown on the preliminary
 163 development plan dated 8/25/04. The Director of Public Works and the
 164 applicable highway department shall approve access to the roadways.

165
 166 (2) A new five (5) foot sidewalk shall be installed along Loyola and connect to
 167 the existing sidewalk on North Lindbergh..

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 169 e. Lighting Requirements.

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

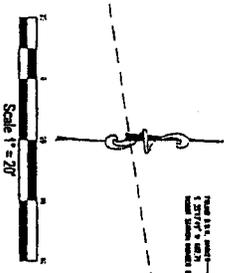
- (1) All lighting shall be as shown in accordance with the plan dated 8/25/04 Revision B, and or as otherwise approved by the Planning and Zoning Commission
- (2) Lighting level in the parking lot shall be a maximum of one-foot candle with a uniform ratio.
- (3) All exterior lights shall be directed inward into the building to minimize glare, and reviewed by the Building Commissioner.
- (3) The Planning & Zoning Commission may authorize the repositioning of light standards and adjustments in lighting levels on the property in accordance with good planning practices and other standards and requirements as set forth herein. Repositioning and adjustments may be approved to accommodate landscaping and green space requirements.

f. Sign Requirements.

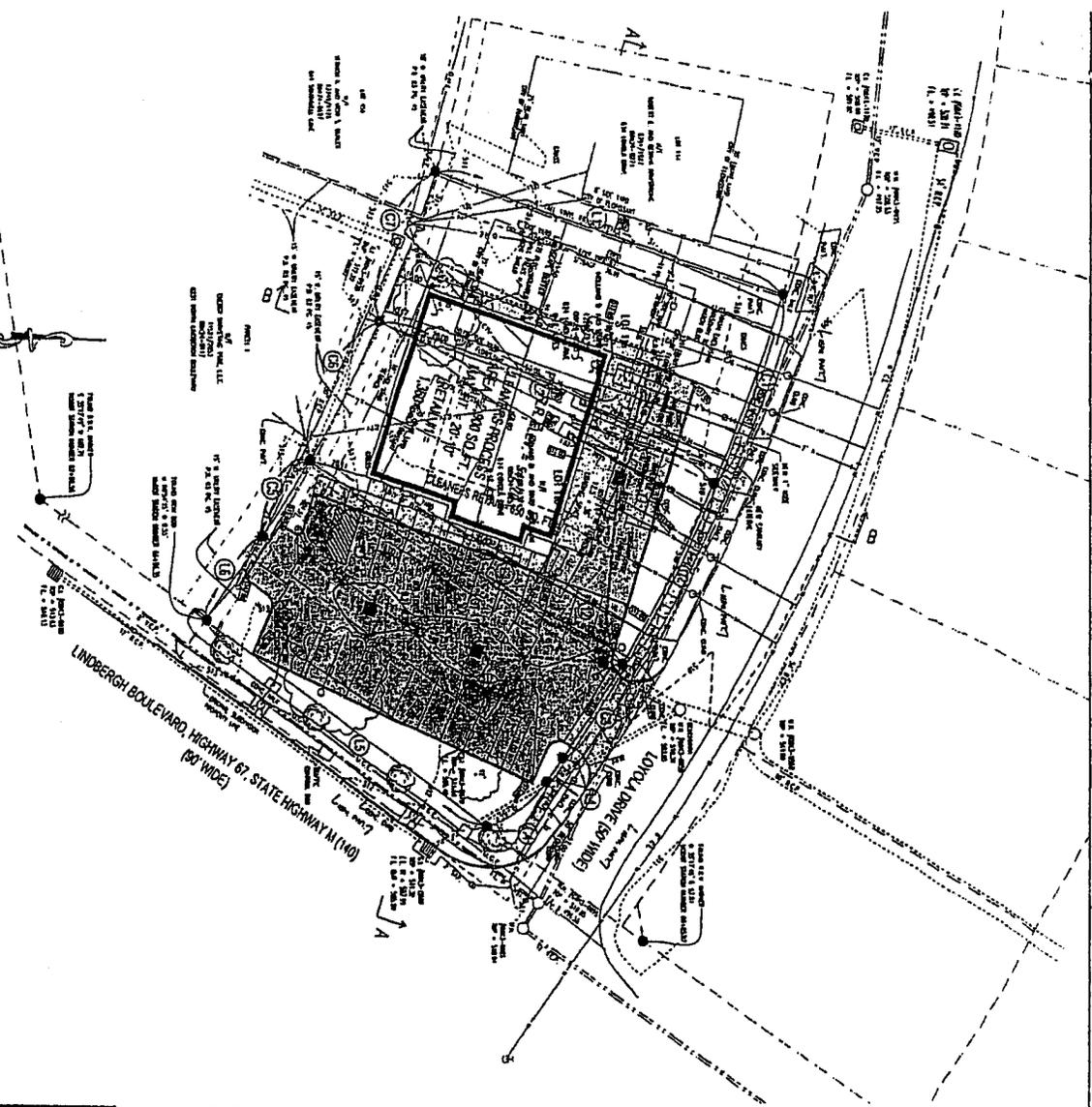
- (1) All signage shall comply with the sign ordinance, unless approved otherwise herein.
- (2) There shall be no freestanding signs.

g. Landscaping and Fencing.

- (1) Landscaping shall be installed in general accordance with the preliminary site plan dated 8/25/04, and attached hereto or as otherwise approved by the Planning & Zoning Commission.
- (2) Landscaping shall be maintained in good condition and shall be subject to review by the Director of Public Works. In the event that such landscaping is not maintained in accordance herewith and with directives of the Director of Public Works of maintenance thereof, renewal of the business license for the property may be refused until, or conditioned on, correction of the maintenance problems, as determined by the Director of Public Works.
- (3) The area between the building and the neighboring residential property along the western property line shall be landscaped in accordance with the Landscaping Plan and shall not be used for any purpose other than emergency escape from the building.



SITE IMPROVEMENT PLAN



| CHALLENGES | |
|------------------------|------------------------|
| 1. EXISTING PAVED AREA | 2. EXISTING SIDEWALK |
| 3. EXISTING DRIVEWAY | 4. EXISTING DRIVE |
| 5. EXISTING DRIVEWAY | 6. EXISTING DRIVEWAY |
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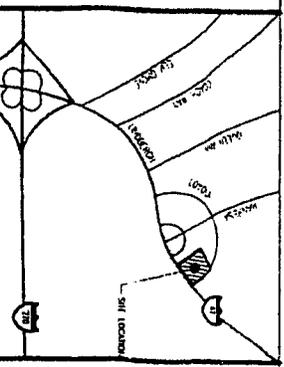
SITE DEVELOPMENT DATA
 PROPOSED ZONING - R-3 / PLANNED DEVELOPMENT
 EXISTING ZONING - R-3
 LOT AREA - 0.573 ACRES - 24,866 SF. (TOTAL 3 LOTS)
 PROPOSED BUILDING FOOTPRINT - 10,000 SF.
 EXISTING BUILDING FOOTPRINT - 2,500 SF.
 PROPOSED PAVED AREA - 2,151 SF. (60 ACRES)
 EXISTING PAVED AREA - 1,100 SF. (1.25 ACRES)
 PROPOSED PAVED AREA - 11,906 SF. (1.25 ACRES)

OWNER:
 AMERICAN CLEANERS
 100 N. BROADWAY
 ST. LOUIS, MO 63102
 PHONE: (314) 588-4800

ARCHITECT:
 HUNT SUELL ARCHITECTS
 1700 WATER GATE
 ST. LOUIS, MO 63103
 PHONE: (314) 991-0181

ENGINEER:
 FRONTIERS ENGINEERING GROUP
 114 SPOFFORD BLVD., SUITE 105
 ST. LOUIS, MO 63113
 PHONE: (314) 611-7200

REQUIRED PARKING:
 REQUIRED PARKING - 018 ST. 1' x 3' / 024 ST. 1' x 3' SPACES
 PROPOSED PARKING - 37 SPACES (TOTAL 107 SPACES)
 PROPOSED PARKING - 37 SPACES (TOTAL 107 SPACES)
 PROPOSED PARKING - 37 SPACES (TOTAL 107 SPACES)

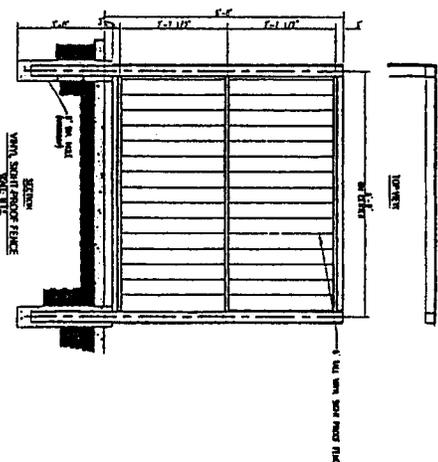
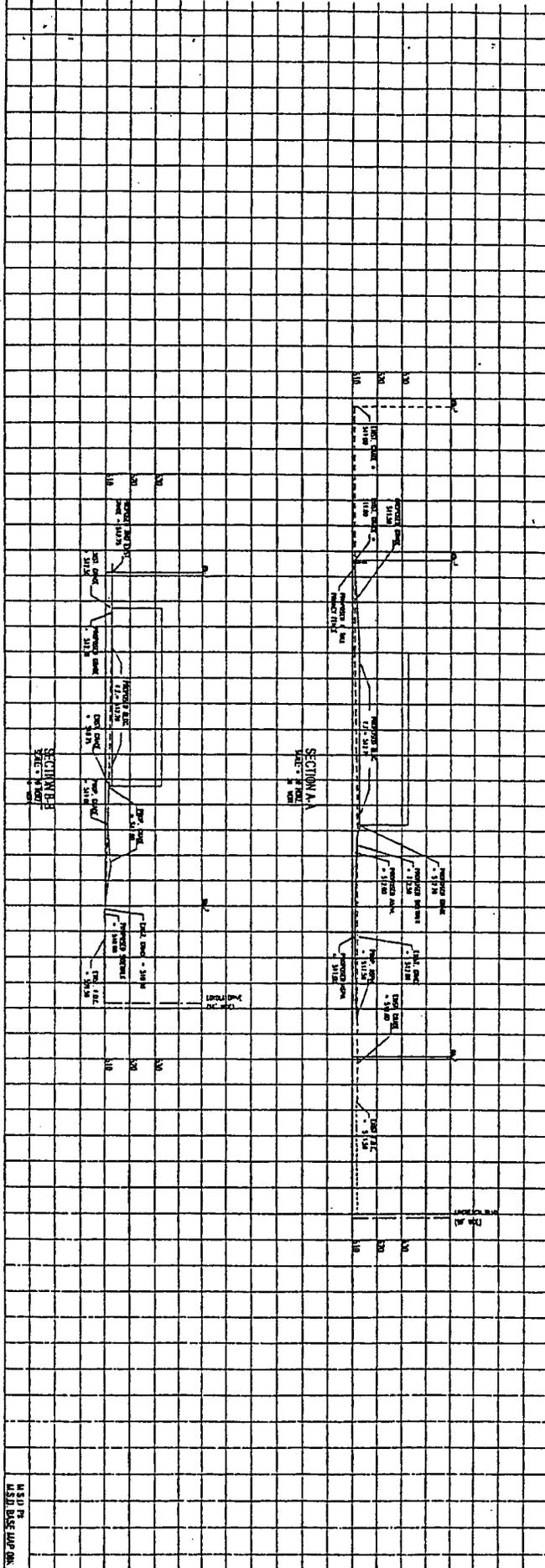


GENERAL NOTES:
 1. THE PROVISIONS OF THE CITY OF ST. LOUIS, MISSOURI, SHALL APPLY TO THIS PROJECT.
 2. THE PROVISIONS OF THE CITY OF ST. LOUIS, MISSOURI, SHALL APPLY TO THIS PROJECT.
 3. THE PROVISIONS OF THE CITY OF ST. LOUIS, MISSOURI, SHALL APPLY TO THIS PROJECT.
 4. THE PROVISIONS OF THE CITY OF ST. LOUIS, MISSOURI, SHALL APPLY TO THIS PROJECT.
 5. THE PROVISIONS OF THE CITY OF ST. LOUIS, MISSOURI, SHALL APPLY TO THIS PROJECT.
 6. THE PROVISIONS OF THE CITY OF ST. LOUIS, MISSOURI, SHALL APPLY TO THIS PROJECT.
 7. THE PROVISIONS OF THE CITY OF ST. LOUIS, MISSOURI, SHALL APPLY TO THIS PROJECT.
 8. THE PROVISIONS OF THE CITY OF ST. LOUIS, MISSOURI, SHALL APPLY TO THIS PROJECT.
 9. THE PROVISIONS OF THE CITY OF ST. LOUIS, MISSOURI, SHALL APPLY TO THIS PROJECT.
 10. THE PROVISIONS OF THE CITY OF ST. LOUIS, MISSOURI, SHALL APPLY TO THIS PROJECT.

DEC 1/30/91
 CHECKED: M.L.A.
 DRAWN: M.L.A.
 DATE: 12/1/91

CON/STRUCTURAL/LAND SURVEYING
 616 BROADWAY DRIVE, SUITE 110
 ST. LOUIS, MISSOURI 63102
 (314) 645-2000 FAX (314) 644-0662
 WWW: WWW.FHGROUP.COM

THE PROFESSIONAL SEAL OF THE ENGINEER WHO HAS REVIEWED THE PROVISIONS OF THE CITY OF ST. LOUIS, MISSOURI, SHALL APPLY TO THIS PROJECT.



C2
 Packet
 DETAILS AND SECTIONS
AMERICAN CLEANERS
 604 LOYOLA
 RICHMOND, MO 64136

SHEET NO. 1/20/74
 DRAWN BY: K.A.
 CHECKED BY: H.A.K. & L.P.
 SCALE: 1" = 20"



CIVIL / STRUCTURAL / LAND SURVEYING
 618 SHERWOOD DRIVE, SUITE 100
 ST. LOUIS, MISSOURI 63108
 (314) 842-2300 FAX (314) 842-2600
 WWW.AMC.COM

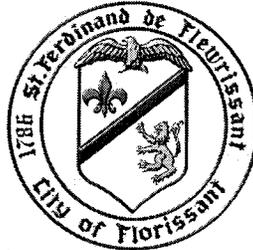
| NO. | DATE | REVISION |
|-----|----------|-------------------------------|
| 1 | 11/27/74 | REVISED FOR FINISHING & DOWNS |
| 2 | 12/12/74 | UPDATED DETAIL REVISED |
| 3 | 1/20/75 | ISSUED |

THE PROFESSIONAL SEAL OF THE ARCHITECT IS NOT TO BE USED UNLESS THE ARCHITECT IS REGISTERED IN THE STATE OF MISSOURI. THE ARCHITECT'S SEAL IS NOT TO BE USED UNLESS THE ARCHITECT IS REGISTERED IN THE STATE OF MISSOURI. THE ARCHITECT'S SEAL IS NOT TO BE USED UNLESS THE ARCHITECT IS REGISTERED IN THE STATE OF MISSOURI.

SCALE / REVISION DESCRIPTION

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MEMORANDUM



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."

To: Planning and Zoning Commissioners Date: July 9, 2019

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

Subject: Request recommended approval to amend a 'B-5' to allow for a carryout restaurant at **8239 N. Lindbergh Blvd. (Pizza Hut)** in a 'B-5' Zoning District.

STAFF REPORT
CASE NUMBER PZ-071519-8

I. PROJECT DESCRIPTION:

This item is before the Commission in order to review changes to a Shopping Center as a request for **recommended approval** to amend a 'B-5', Ordinance No. 7073 to allow for a carryout restaurant at **8239 N. Lindbergh Blvd. (Pizza Hut)** in a 'B-5' Zoning District.

II. EXISTING SITE CONDITIONS:

The existing address has been vacant as the former location of a dry cleaners and one other tenant is a phone store.

The structures existing on the site would remain for the development with no exterior changes except signage. No restaurant Use previously existed here, which precipitates the need for a 'B-5' amendment for this Use.

III. SURROUNDING PROPERTIES:

38 The properties adjacent and to the South and West are 634 Loyola and 641 Southwell,
39 both in the 'R-4' Single Family Dwelling District. The property to the South is a filling
40 station and 8231 N Lindbergh in a 'B-3' Zoning District.

41
42 **IV. STAFF ANALYSIS:**

43 The application is accompanied by professionally completed plans and signage design:
44

45 The following are staff comments regarding plans:

46 **A1 Floor Plan Comments:**

- 47 1. Customer area and accessible restroom is shown.
48 2. Floor plan shows the space is predominantly staff.
49 3. No tables are shown.

50 **N1 Site Plan Comments:**

- 51 1. Parking and Landscape is noted to remain.
52 2. Plan is distorted, therefore, staff attach an aerial of the site.
53

54 **Sign drawing Comments:**

- 55 1. Sign is shown on the front, about 13'-2" x 2'-9" = 36 s.f. x 2/3 = 24 s.f. for an
56 open letter sign.
57

58 **Parking comments:**

- 59 1. It appears that 23 parking spaces per the ordinance No. 7073 were provided,
60 with 3 employee parking spaces inaccessible along the north property line.
61 2. Space is per County record is 4880 total s.f. so the parking required:
62 a. Phone store: 20x68 = 1360 sf
63 b. vacancy: 22x71 less 55 = 1500 sf
64 c. Proposed Pizza Restaurant: 27x71 less 55 = 1862 sf
65 d. Total area 4722 s.f. per scale.
66 e. Parking required for shopping center 4.7x4.5/1000 = 21
67

68
69 **VI. STAFF RECOMMENDATIONS:**

70
71 **Suggested Motion** - I move to recommend approval to amend a 'B-5', Ordinance No.
72 No. 7073 to allow for a carryout restaurant with no exterior changes at **8239 N.**
73 **Lindbergh Blvd. (Pizza Hut)** in a 'B-5' Zoning District, according to the proposal
74 prepared by the petitioner as described related documents presented and according to the
75 attached drawings: **A1 dated 5/9/19 by Lickel Architecture**, and the following
76 additional requirements:
77

78 Changes to Ordinance 7073:

79
80 Change Section 2, paragraph 1 Permitted Uses to read as follows:

81
82 "The uses permitted by this 'B-5' Planned Commercial District shall be limited to uses as
83 permitted in a 'B-3' Extensive Business District, and a carryout restaurant as depicted by

84 plans A1 dated 5/9/19 by Lickel Architecture. Uses other than those permitted by this
85 Ordinance shall require approval by amendment to this 'B-5' Ordinance."
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2. **GENERAL DEVELOPMENT CONDITIONS.**

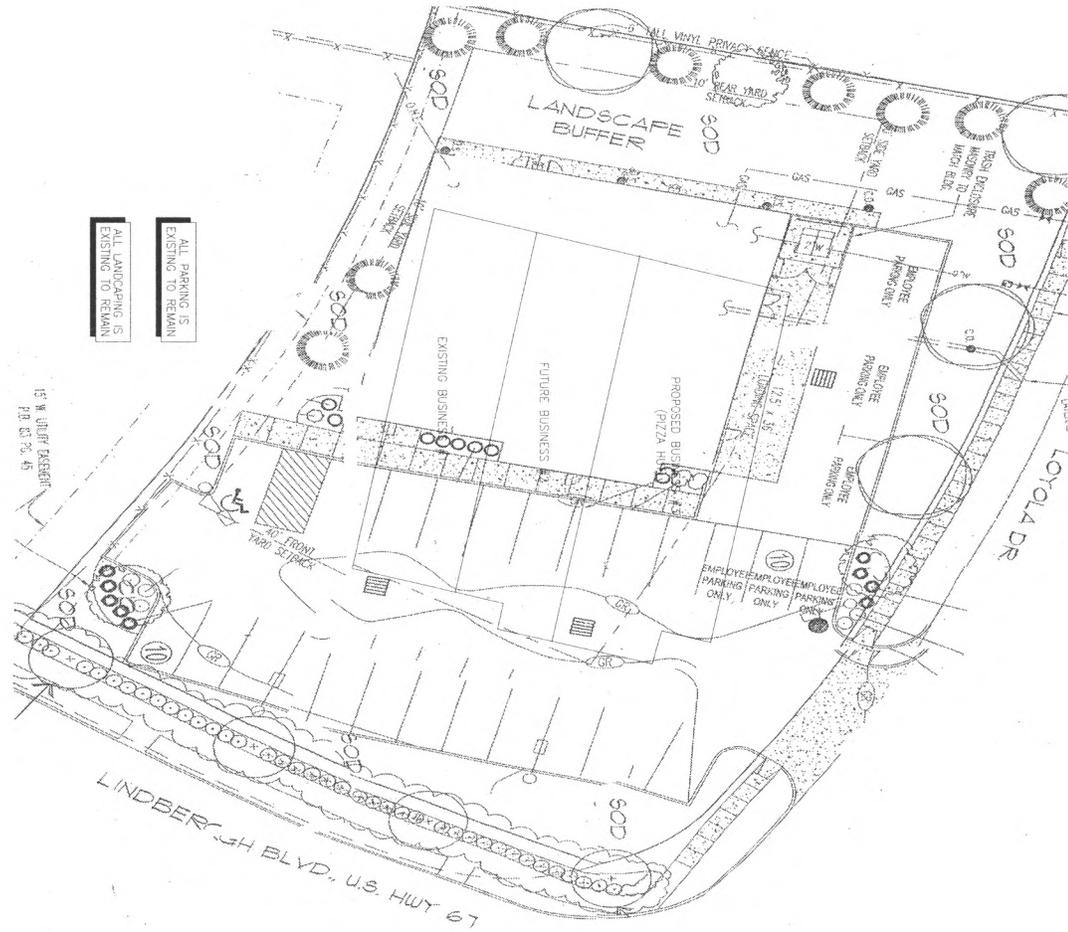
- a. Unless, and except to the extent, otherwise specifically provided herein, development shall be effected only in accordance with all ordinances of the City of Florissant.
- b. The Department of Public Works shall enforce the conditions of this ordinance in accordance with the Site Development Plan approved and all other ordinances of the City of Florissant.

3. **PROJECT COMPLETION.**

Construction shall start within 90 days of the issuance of building permits for the project and shall be developed in accordance of the approved final development plan within 6 months of start of construction.

(end report and suggested motion)

*1st Alder
and Lee Carry out
delivery*



ALL PARKING IS EXISTING TO REMAIN

ALL LANDSCAPING IS EXISTING TO REMAIN

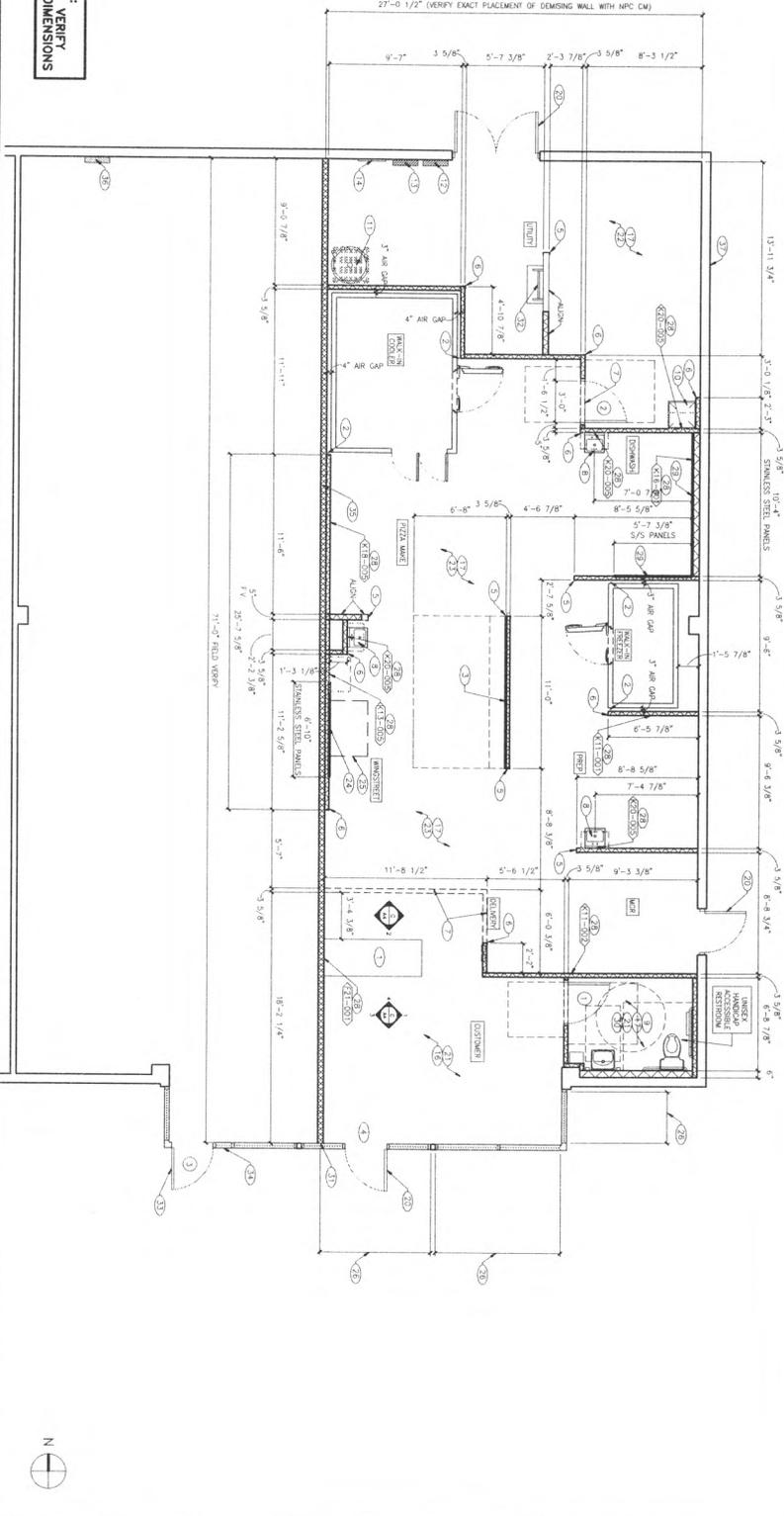
15' W. OTHER EASEMENT PER SEC. 70, 45



| | | | | | | | | | |
|---------------------------|--|--------|--|---|--|--|--|--|--|
| REVISIONS: | | | | PIZZA HUT #4920 8239 N LINDBERGH BLVD. FLOISSANT, MISSOURI | | | | DATE: 5/9/19 JOB NO: 4920 DRAWN: FS CHECKED: DL | |
| SHEET NUMBER N1 | | LICKEL | | APPROVED BY: [Signature] PROJECT NO: 19-0003 DATE: 05/09/2019 | | | | SITE PLAN | |

NOTE:
FIELD VERIFY
ALL DIMENSIONS

ARCHITECTURAL FLOOR PLAN



- DIMENSIONS**
- A. ALL DIMENSIONS ARE FROM FACE OF STUD AT NEW WALLS.
 - B. ALL DIMENSIONS ARE FROM FACE OF FINISHED MATERIAL.
 - C. ALL DIMENSIONS ARE FROM FACE OF FINISHED MATERIAL.
 - D. ALL DIMENSIONS ARE FROM FACE OF FINISHED MATERIAL.
 - E. ALL DIMENSIONS ARE FROM FACE OF FINISHED MATERIAL.
- FINISHES**
- A. INTERIOR WALL FINISHES SHALL BE 3/8" MFL STUDS.
 - B. INTERIOR WALL FINISHES SHALL BE 3/8" MFL STUDS.
 - C. INTERIOR WALL FINISHES SHALL BE 3/8" MFL STUDS.
 - D. INTERIOR WALL FINISHES SHALL BE 3/8" MFL STUDS.
 - E. INTERIOR WALL FINISHES SHALL BE 3/8" MFL STUDS.
- FINISH SUBSTRATES**
- A. INTERIOR WALL FINISHES SHALL BE 3/8" MFL STUDS.
 - B. INTERIOR WALL FINISHES SHALL BE 3/8" MFL STUDS.
 - C. INTERIOR WALL FINISHES SHALL BE 3/8" MFL STUDS.
 - D. INTERIOR WALL FINISHES SHALL BE 3/8" MFL STUDS.
 - E. INTERIOR WALL FINISHES SHALL BE 3/8" MFL STUDS.
- WALLS**
- A. NON-BEARING WALLS SHALL BE ANCHORED TO STRUCTURE.
 - B. NON-BEARING WALLS SHALL BE ANCHORED TO STRUCTURE.
 - C. NON-BEARING WALLS SHALL BE ANCHORED TO STRUCTURE.
 - D. NON-BEARING WALLS SHALL BE ANCHORED TO STRUCTURE.
 - E. NON-BEARING WALLS SHALL BE ANCHORED TO STRUCTURE.

FLOOR PLAN NOTES

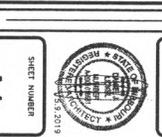
WALL LEGEND

KEY NOTES

- (1) 1" x 4" x 8" STUDS @ 16" O.C. WITH 1/2" GYPSUM BOARD ON BOTH SIDES.
- (2) 1" x 4" x 8" STUDS @ 16" O.C. WITH 1/2" GYPSUM BOARD ON BOTH SIDES.
- (3) 1" x 4" x 8" STUDS @ 16" O.C. WITH 1/2" GYPSUM BOARD ON BOTH SIDES.
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REVISIONS:

SHEET NUMBER
A1



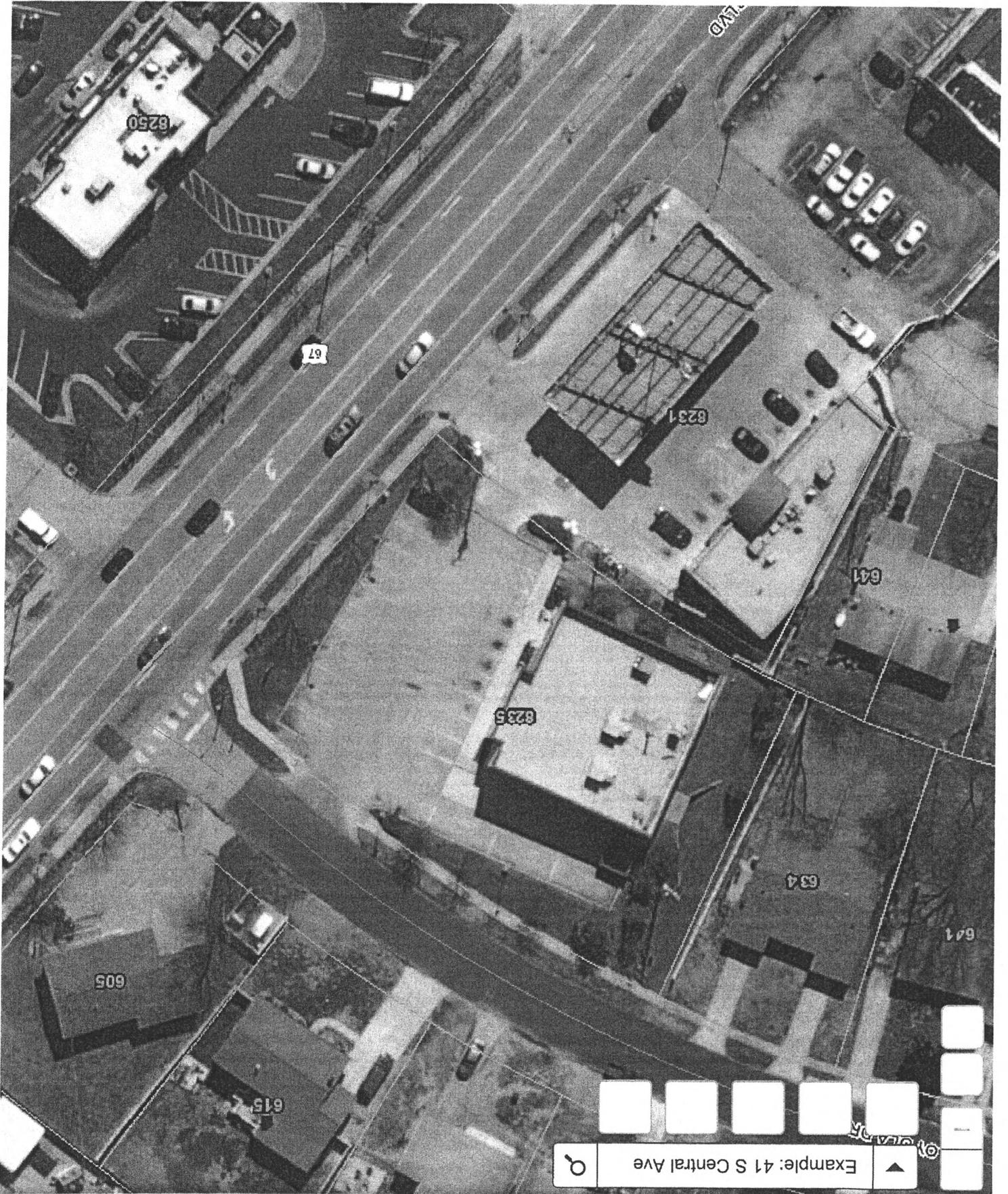
LICKEL
ARCHITECTS
1111 N. LINDBERGH BLVD.
ST. LOUIS, MO 63119

PIZZA HUT #4920
8239 N LINDBERGH BLVD.
FLORISSANT, MISSOURI



ARCHITECTURAL FLOOR PLAN

DATE: 5/9/19
JOB NO: 4920
DRAWN: FS
CHECKED: DL



CITY OF FLORISSANT



NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Florissant, MO, in the Council Chambers, 955 Rue St. Francois, on Monday, August 12, 2019 at 7:30 P.M. on the following proposition:

To amend and update the Zoning Code in order to allow for medical marijuana establishments as "Permitted Uses" in certain zoning districts. Citizens and parties of interest will have the opportunity to be heard at said public hearing. Anyone with special needs should contact the City Clerk at least 5 days before said public hearing by calling 839-7630 or TDD 839-5142. CITY OF FLORISSANT.

Karen Goodwin, CMC, City Clerk.

39 The City has been in contact with recent applicants concerning the limitation of time to
40 make an application to the State. Staff therefore recommends revising these
41 establishments in the zoning code to be Permitted Uses, rather than Special uses by
42 changing the following in ordinance no. 8519:

43 **Suggested Motion:**

44 I move to recommend approval to amend Title IV "Land Use" of the Florissant City
45 Code, Ord. No. 8519 as follows:

46
47 Changes to Section 2 underscored and highlighted as follows:

48 "Section 2: 405.125, 'B-3 Extensive Business District, Subsection B. Permitted Uses is
49 amended to include a new entry as follows and renumbered accordingly:..."

50 *Changes to Section 2 405.125, Change Line 65 changed to (100)feet*

51 Changes to Section 3 underscored and highlighted as follows:

52 "Section 2: 405.140, 'M-1' Limited Industrial District, Subsection B. Permitted Uses is
53 amended to include a new entry as follows and renumbered accordingly:..."

54
55 Changes to Section 4 underscored and highlighted as follows:

56 "Section 2: 405.145, 'M-2' Industry District, Subsection B. Permitted Uses is amended
57 to include a new entry as follows and renumbered accordingly:..."

58
59 Changes to Section 5 underscored and highlighted as follows:

60 "Section 2: 405.155, 'NU' Non-Urban District, Subsection B. Permitted Uses is
61 amended to include a new entry as follows and renumbered accordingly:..."

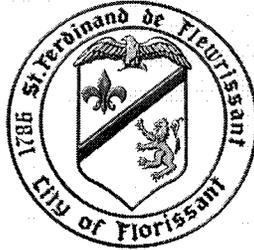
62
63
64 (End report and suggested motion)
65

RECOMMENDED APPROVAL
PLANNING & ZONING
CHAIRMAN

SIGN.  DATE: 7-25-19

Second Amendment
First Amendment

MEMORANDUM



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."

Memo To: Council Members

Date: July 26, 2019

Through: Mayor Timothy J. Lowery
Todd Hughes, P.E., Director of Public Works

From: Philip E. Lum- AIA, Building Commissioner

Cc: John Hessel, Karen Goodwin

Subject: PZ072519-2, **Recommended Approval** to amend the zoning code to update and change the zoning code, Ord. No. 8519, to allow medical marijuana establishments as Permitted Uses in certain Districts.

Be advised, staff recommended changing the Uses in Ord. No. 8519 regarding Medical Marijuana Establishments to be Permitted Uses instead of being Special Uses in the locations listed in the Ordinance.

The Planning & Zoning Commission recalled making these Special Uses in the ordinance due to the staff reporting other cities actions, but encouraged the change to Permitted Uses.

A citizen and business owner, Amber Strick, of NO EXCUSES Personal Training and Bootcamps, appeared and was granted permission to share her opinion to include the 'B-2' Zoning District for locating Marijuana Dispensaries.

Staff reminded the Commission on several occasions that Staff was recommending changes to locations in the Ordinance to Permitted Uses only, including the change for Dispensaries to be Permitted Uses only in the 'B-3' District. The chair and Mr. Lee interpreted the agenda item more broadly and amended the staff motion to include both the 'B-2' and 'B-3' Districts as permitted uses and to reduce the buffer zone from churches, schools and child day care centers for Dispensaries to 100 feet. The sole dissenting vote was Mr. Minks for reason of reducing the buffer zone without objecting to the addition of the 'B-2' District for dispensaries.

This item should appear as a public hearing before any Special Uses are considered at the next available Council Meeting because, if passed with 3 readings, it would negate the need to consider a Special Use Permit for Medical Marijuana establishments.

CITY OF FLORISSANT

Public Hearing



In accordance with 405.310 of the Florissant Zoning Code a Public Hearing will be held by the City Council of Florissant, MO. in the Council Chambers, 955 Rue St. Francois, on Monday, August 12, 2019 at 7:30 P.M. on the following proposition:

To authorize a Special Use Permit to 225 Dunn, LLC to allow for a Medical Marijuana Dispensary in a B-3 Zoning District for the property located at 225 Dunn Road (legal description to govern). Citizens will have an opportunity to be heard. Anyone with special needs should contact the City Clerk at least 5 days before said public hearing by calling 839-7630 or TDD 839-5142.

CITY OF FLORISSANT, Karen Goodwin, 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: 225 Dunn Road

Property Owners Name: ~~Savoy Properties~~ Phone/email: 314-749-2677

225 DUNN LLC

Property Owners Address: 1034 S. Brentwood Blvd, Suite 1200, St. Louis, MO 63117

Business Owners Name: New Growth Horizon Phone/email: 314-749-2677

Business Owners Address: 600 Mason Ridge Center Drive, St. Louis, MO 63141

DBA (Doing Business As) New Growth Horizon

Authorized Agents Name: Kyle Wilson Co. Name: Kadean Construction

(Authorized Agent to Appear Before The Commission)

Agents Address: 1558 Fenpark Drive, Fenton, MO 63026 Phone/email: 636-248-5282

Request Special Use Permit Application for Medical Marijuana Dispensary Facility

State complete request (print or type only).

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

[Signature]
Applicant's Signature

07.10.2019
Date

OFFICE USE ONLY

Received by: [Signature] Receipt # 1020110 Amount Paid: 300- Date: 7-11-19

STAFF REMARKS: _____

DATE APPLICATION REVIEWED: 7/10/19

COMMISSION ACTION TAKEN:

[Signature]
SIGNATURE OF STAFF WHO REVIEWED APPLICATION

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 show 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 metes and bounds bearings and dimensions.



PROVIDE LOCATION OF THIS PETITION
Provide

LOCATION OF THIS PETITION
intersection.

OFFICE USE ONLY

Date Application reviewed _____

STAFF REMARKS: _____

Building Commissioner or Staff Signature

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



City Of Florissant – Public Works
314-839-7648

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

PLANNING & ZONING ACTION
RECOMMENDED APPROVAL
PLANNING & ZONING
CHAIRMAN

Council Ward 5 Zoning B-3

Initial Date Petitioner Filed 7/9/19
Building Commissioner to complete
ward, zone & date filed

SIGN. [Signature] DATE: 7-15-19

SPECIAL PERMIT FOR MEDICAL MARIJUANA DISPENSARY FACILITY

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

AMEND SPECIAL PERMIT # 8519 TO ALLOW FOR MEDICAL MARIJUANA RELATED USES
ordinance # Statement of what the amendment is for.

LOCATION 225 DUNN ROAD

Address of property.

1) Comes Now ~~Savoy Properties LLC~~ 225 DUNN LLC
Enter name of petitioner. If a corporation, state as such. If applicable include DBA (Doing Business As)

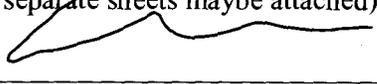
and states to the Planning and Zoning Commission that he (she) (they) has (have) the following legal interest in the tract of land located in the City of Florissant, State of Missouri, as described on page 3 of this petition.

Legal interest in the Property) Owner
State legal interest in the property. (i.e., owner of property, lease).
Submit copy of deed or lease or letter of authorization from owner to seek a special use.

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

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

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

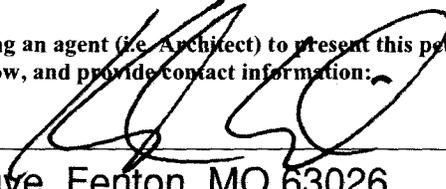
John Pennington  jpenninton@savoyproperties.com / 314-749-2677
 PRINT NAME SIGNATURE email and phone

FOR ~~Savoy Properties, LLC~~ 225 DUNN LLC
 (company, corporation, partnership)

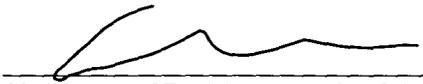
Print and sign application. If applicant is a corporation or partnership signature must be a CORPORATE OFFICER or a PARTNER. NOTE: Corporate officer is an individual named in corporate papers.

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

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

PRESENTOR SIGNATURE 
 ADDRESS 1558 Fenpark Drive, Fenton, MO 63026
 STREET CITY STATE ZIP CODE
 TELEPHONE / EMAIL 636-248-5282 kwilson@kadean.com
 BUSINESS

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


 Signature of Petitioner authorizing an agent

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

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

REQUIRED INFORMATION

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

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

(a) If an individual:

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

(b) If a partnership:

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

(c) If a corporation:

- (1) Names & addresses of all partners John Pennington / Craig Parker
- (2) Telephone numbers 314-749-2627 / 917-734-8430
- (3) Business address 600 Mason Ridge Center Drive, St. Louis, MO 63141
- (4) State of Incorporation & a photocopy of incorporation papers MO
- (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 New Growth Horizon
- (9) Copy of latest Missouri Anti-Trust. (annual registration of corporate officers) If the property location is in a strip center, give dimensions of your space under square footage and do not give landscaping Information.

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

Name _____

Address _____

Property Owner Savoy Properties

Location of property _____

Dimensions of property 51'-3" X 60'-5"

Property is presently zoned B3 EXTENSIVE COMMERCIAL Requests Rezoning To NO REZONING REQUESTED

Proposed Use of Property MEDICAL MARIJUANA DISPENSARY

Type of Sign _____ Height _____

Type of Construction _____ Number Of Stories _____

Square Footage of Building +/- 3,109 SF Number of Curb Cuts _____

Number of Parking Spaces 13 REQUIRED Sidewalk Length _____

Landscaping: No. of Trees _____ Diameter _____

No. of Shrubs _____ Size _____

Fence: Type _____ Length _____ Height _____

PLEASE SUBMIT THE FOLLOWING INFORMATION ON PLANS OR DRAWINGS:

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

39 Southwest area of the parking lot. Land Development Services shows 247 parking and
40 24 covered parking existing for a total of 271 provided.

41

42

43 **III. SURROUNDING PROPERTIES:**

44 The properties adjacent is therefore, only 251 Dunn Road, which contains all but the
45 buildings.

46

47 **IV. STAFF ANALYSIS:**

48 The application is accompanied by professionally completed plans. Alta Survey showing
49 existing parking and proposed floor plan by Kadean Construction dated 6/7/19.

50

51 The following are staff comments regarding plans:

52 **Survey Comments:**

- 53 1. Parcel 251 Dunn provides some covered parking and the balance open, striping
54 may have varied since 1990, rows of spaces listed on the plan may differ from
55 1990.
- 56 2. 1990 Survey indicates recorded easements exist for ingress/egress parking and
57 utilities with the Lot 6 and the remainder of the property.
- 58 3. An indenture was recorded at the County to include restrictions for the Florissant
59 Professional Campus that includes the use of common ground, signage and
60 architectural review.

61

62 **Floor Plan Comments:**

- 63 1. Parking and Landscape is to remain.
- 64 2. Plan indicates a vestibules, security office, waiting area, unisex toilets (must be
65 separate men and women per code), dispensary, consultation rooms, vault,
66 packaging and waste recall, utility closet, manager/IT and break room.
- 67 3. Tenant spaces on either side will exist.

68

69 **Parking comments:**

- 70 1. Parking for Medical Offices is 4.5 per 1000 gsf.
 - 71 2. Space is per each lot below in s.f. so the parking required per Lot:
 - 72 i. 8006 sf
 - 73 ii. 6006 sf
 - 74 iii. 5410 sf
 - 75 iv. 4208 sf
 - 76 v. 6212 sf
 - 77 vi. 9404 sf plus basement area of 3500 total 12,175 sf
- 78 Total $42,017 \text{ sf} \times 4.5/1000 = 189$ required, 271 provided in 1990.

79

80 **Ordinance 8519 comments:**

81 Passage of this ordinance allowed for Medical Marijuana establishments of various kinds
82 in various zoning districts. In this case, a dispensary, as further described in Ord. No
83 8519, is a Special Use in the 'B-3' Zoning District. The ordinance restricts dispensaries
84 from being located closer than 300 feet from a church, school or child day care.

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Staff created a map from the Florissant GIS system indicating in blue, parcels that are not eligible for consideration, but highlighting B-5 zones in bright red due to some B-5 ordinances that do not include B-3 Uses. This petitioner has proposed the use of a property that is eligible for consideration for a Special Use.

VI. STAFF RECOMMENDATIONS:

Suggested Motion - I move to recommend approval of a Special Use to allow for a Medical Marijuana Dispensary at **225 Dunn Road** in a 'B-3' Zoning District, according to the proposal prepared by the petitioner as described related documents presented and according to the attached drawing: **Ground Floor Plan dated 6/7/19 by Kadean Construction**, and the following additional requirements:

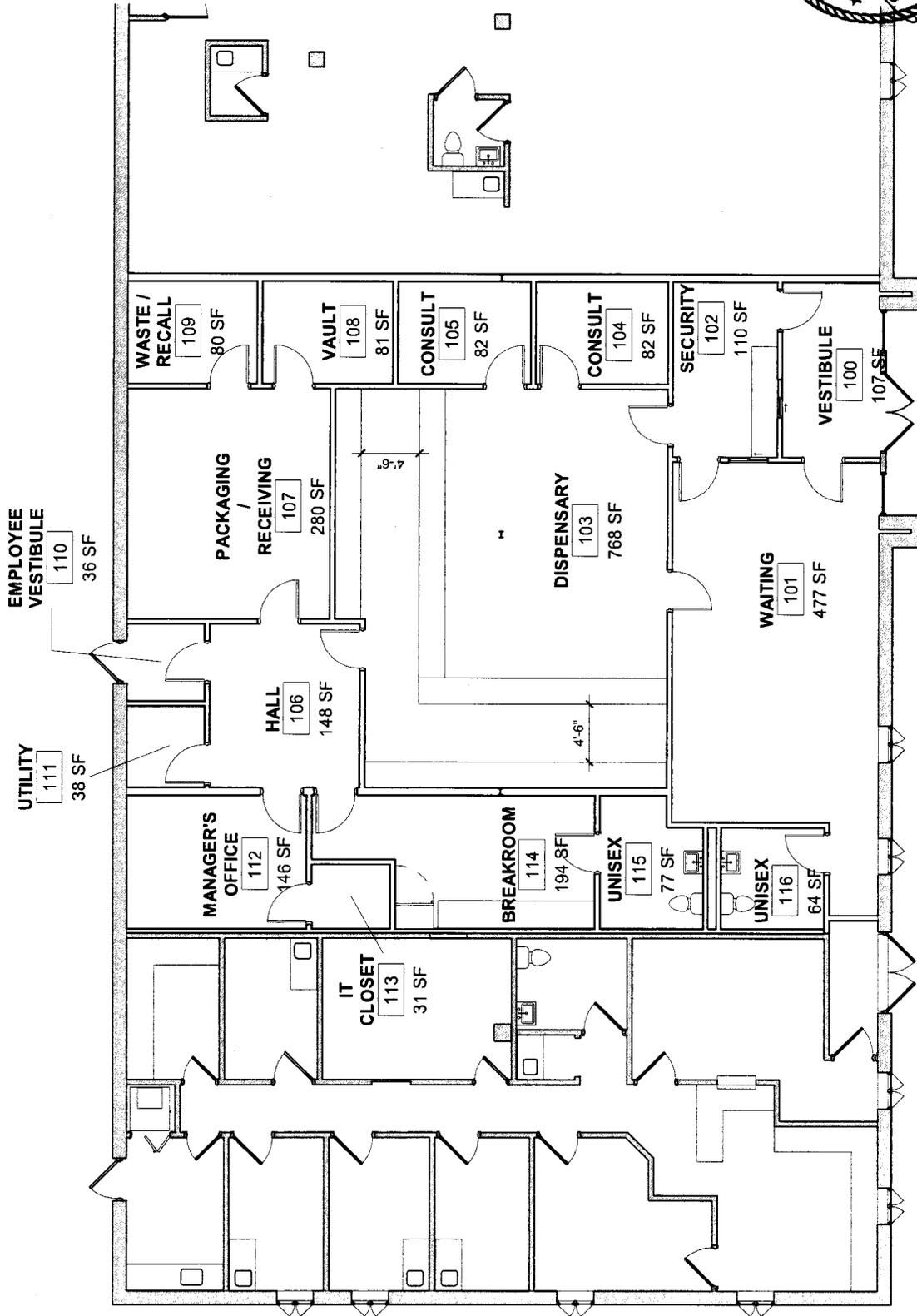
1. GENERAL DEVELOPMENT CONDITIONS.

- a. Unless, and except to the extent, otherwise specifically provided herein, development shall be effected only in accordance with all ordinances of the City of Florissant.
- b. The Department of Public Works shall enforce the conditions of this ordinance in accordance with the Site Development Plan approved and all other ordinances of the City of Florissant.

2. PROJECT COMPLETION.

Construction shall start within 90 days of the issuance of building permits for the project and shall be developed in accordance of the approved final development plan within 6 months of start of construction.

(end report and suggested motion)

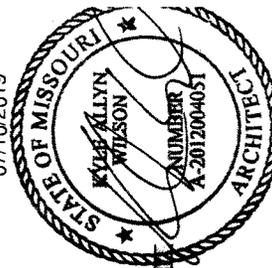


GROUND FLOOR PLAN

1/8" = 1'-0"



07/10/2019



06.07.2019

225 DUNN RD.

FLORISSANT, MO

CITY OF FLORISSANT

Public Hearing



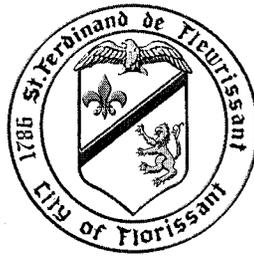
In accordance with 405.310 of the Florissant Zoning Code a Public Hearing will be held by the City Council of Florissant, MO. in the Council Chambers, 955 Rue St. Francois, on Monday, August 12, 2019 at 7:30 P.M. on the following proposition:

To authorize a Special Use Permit to MoCanCure II, LLC to allow for a Medical Marijuana Dispensary in a B-3 Zoning District for the property located at 8454 N Lindbergh (legal description to govern). Citizens will have an opportunity to be heard. Anyone with special needs should contact the City Clerk at least 5 days before said public hearing by calling 839-7630 or TDD 839-5142.

CITY OF FLORISSANT, Karen Goodwin, MMC City Clerk

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MEMORANDUM



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."

To: Planning and Zoning Commissioners Date: July 23, 2019

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

Subject: Request recommended approval for a Special Use to allow for a Medical Marijuana Dispensary at **8454 N Lindbergh** in a 'B-3' Zoning District.

STAFF REPORT
CASE NUMBER PZ-072519-1

I. PROJECT DESCRIPTION:

This item is a request for recommended approval for a Special Use to allow for a Medical Marijuana Dispensary at **8454 N Lindbergh** in a 'B-3' Zoning District.

II. EXISTING SITE CONDITIONS:

The existing address has been the former location of a tanning salon.

The structures existing on the site would remain for the development with no exterior changes except signage per the City Sign Ordinance.

The existing property at 8458 North Lindbergh is located within Meadow Park Plaza shopping center owned by Keeven Development. The site is a Shopping Center that has multiple tenants. The site is predominantly paved.

38 The subject building on the property contains a total of 2000 square feet within the a total
39 shopping center of 26,720 square feet according to records. The building is brick with
40 aluminum/glass storefront and canopy with signage.

41

42 **III. SURROUNDING PROPERTIES:**

43 The adjacent property to the South is 8428 in a 'B-3' District owned by Keeven Family
44 Partnership, 8430 Par-Tee is also owned by Keeven Family Partnership. Properties to the
45 East are #1, 2 and 3 Bruce Drive in the 'R-6' Multiple Family Dwelling District.

46

47 **IV. STAFF ANALYSIS:**

48 The application is accompanied by professionally completed proposed floor plan by
49 SPACE, drawing A2-17.

50

51 The following are staff comments regarding plans:

52

53 **Floor Plan Comments:**

- 54 1. Parking and Landscape is to remain.
55 2. Plan indicates a vestibules, security check-in and security pass through, waiting
56 lounge, single toilet, retail/customer (dispensary), consultation room, reception,
57 vault, back exit and office and sally port.
58 3. Tenant spaces on either side will exist.

59

60 **Parking comments:**

- 61 1. Parking for Medical Offices is 4.5 per 1000 gsf.
62 2. Parking for Retail is 4/1000 gsf.

63

64 According to staff survey Meadow Park Plaza has 125 parking spaces and is required to
65 have 107. Parking is evenly spaced in front and rear parking lots.

66

67 **Ordinance 8519 comments:**

68 Passage of this ordinance allowed for Medical Marijuana establishments of various kinds
69 in various zoning districts. In this case, a dispensary, as further described in Ord. No
70 8519, is currently a Special Use in the 'B-3' Zoning District. The ordinance restricts
71 dispensaries from being located closer than 300 feet from a church, school or child day
72 care.

73

74 Staff created a map from the Florissant GIS system indicating in blue, parcels that are not
75 eligible for consideration, but highlighting B-5 zones in bright red due to some B-5
76 ordinances that do not include B-3 Uses. This petitioner has proposed the use of a
77 property that is eligible for consideration for a Special Use.

78

79 **VI. STAFF RECOMMENDATIONS:**

80

81 **Suggested Motion** - I move to recommend approval of a Special Use to allow for a
82 Medical Marijuana Dispensary at **8454 N Lindbergh** in a 'B-3' Zoning District,
83 according to the proposal prepared by the petitioner as described related documents

84 presented and according to the attached drawing: **Floor Plan** by SPACE, drawing A2-
85 17and the following additional requirements:

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89 **1. GENERAL DEVELOPMENT CONDITIONS.**

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

b. The Department of Public Works shall enforce the conditions of this
ordinance in accordance with the Site Development Plan approved and all
other ordinances of the City of Florissant.

100 **2. PROJECT COMPLETION.**

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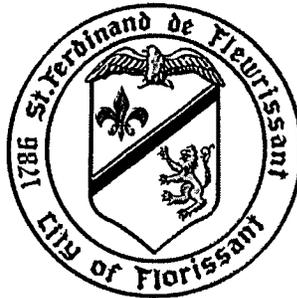
Construction shall start within 90 days of the issuance of building permits for
the project and shall be developed in accordance of the approved final
development plan within 6 months of start of construction.

(end report and suggested motion)

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

rec# 620249

#300



City Of Florissant – Public Works
314-839-7648

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

PLANNING & ZONING ACTION
RECOMMENDED APPROVAL
PLANNING & ZONING
CHAIRMAN

Council Ward 3 Zoning B-3

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

SIGN. [Signature] DATE: 7-25-14
MoCanCure II, LLC

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

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

LOCATION 8454 N. Lindbergh Blvd
Address of property.

1) Comes Now MoCanCure II, LLC
Enter name of petitioner. If a corporation, state as such. If applicable include DBA (Doing Business As)

and states to the Planning and Zoning Commission that he (she) (they) has (have) the following legal interest in the tract of land located in the City of Florissant, State of Missouri, as described on page 3 of this petition.
Legal interest in the Property Tenant
State legal interest in the property. (i.e., owner of property, lease).
Submit copy of deed or lease or letter of authorization from owner to seek a special use.

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

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

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

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

Mark Woolbright 314-393-9755

PRINT NAME SIGNATURE email and phone

President of MoCanCure II, LLC, a Missouri limited liability company

FOR _____
 (company, corporation, partnership)

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

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

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

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

PRESENTOR SIGNATURE _____
 18433 Edison Avenue, Chesterfield, MO 63005

ADDRESS _____
 STREET CITY STATE ZIP CODE

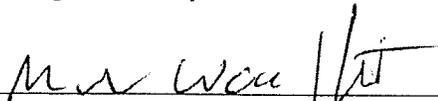
314-393-9755 mark.woolbright@mocancure.com

TELEPHONE / EMAIL _____
 BUSINESS

Paul Chesterton

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 authorizing an agent

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

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

REQUIRED INFORMATION

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

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

(a) If an individual:

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

(b) If a partnership:

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

(c) If a corporation:

- (1) Names & addresses of all partners Robert Rives, Mark Woolbright & David Mishler,
Managers _____
- (2) Telephone numbers 636-519-7255 _____
- (3) Business address 18433 Edison Avenue, Chesterfield, MO 63005 _____
- (4) State of Incorporation & a photocopy of incorporation papers Missouri _____
- (5) Date of Incorporation May 7, 2019 _____
- (6) Missouri Corporate Number LC001646850 _____
- (7) If operating under fictitious name, provide the name and date registered with the State of Missouri, and a copy of registration. Not applicable. _____
- (8) Name in which business is operated Same _____
- (9) Copy of latest Missouri Anti-Trust. (annual registration of corporate officers) If the property location is in a strip center, give dimensions of your space under square footage and do not give landscaping information.

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

MoCanCure II, LLC

Name _____

8454 N. Lindbergh Blvd.

Address _____

Keeven Development

Property Owner _____

8454 N. Lindbergh Blvd.

Location of property _____

2000 square feet

Dimensions of property _____

B-3

Same

Property is presently zoned _____ Requests Rezoning To _____

Medical Marijuana Dispensary

Proposed Use of Property _____

On Facade and Pylon

15 feet

Type of Sign _____ Height _____

Masonry

2

Type of Construction _____ Number Of Stories _____

17,000 sf

4

Square Footage of Building _____ Number of Curb Cuts _____

100

Number of Parking Spaces _____ Sidewalk Length _____

4-5

3 inch

Landscaping: No. of Trees _____ Diameter _____

20

various

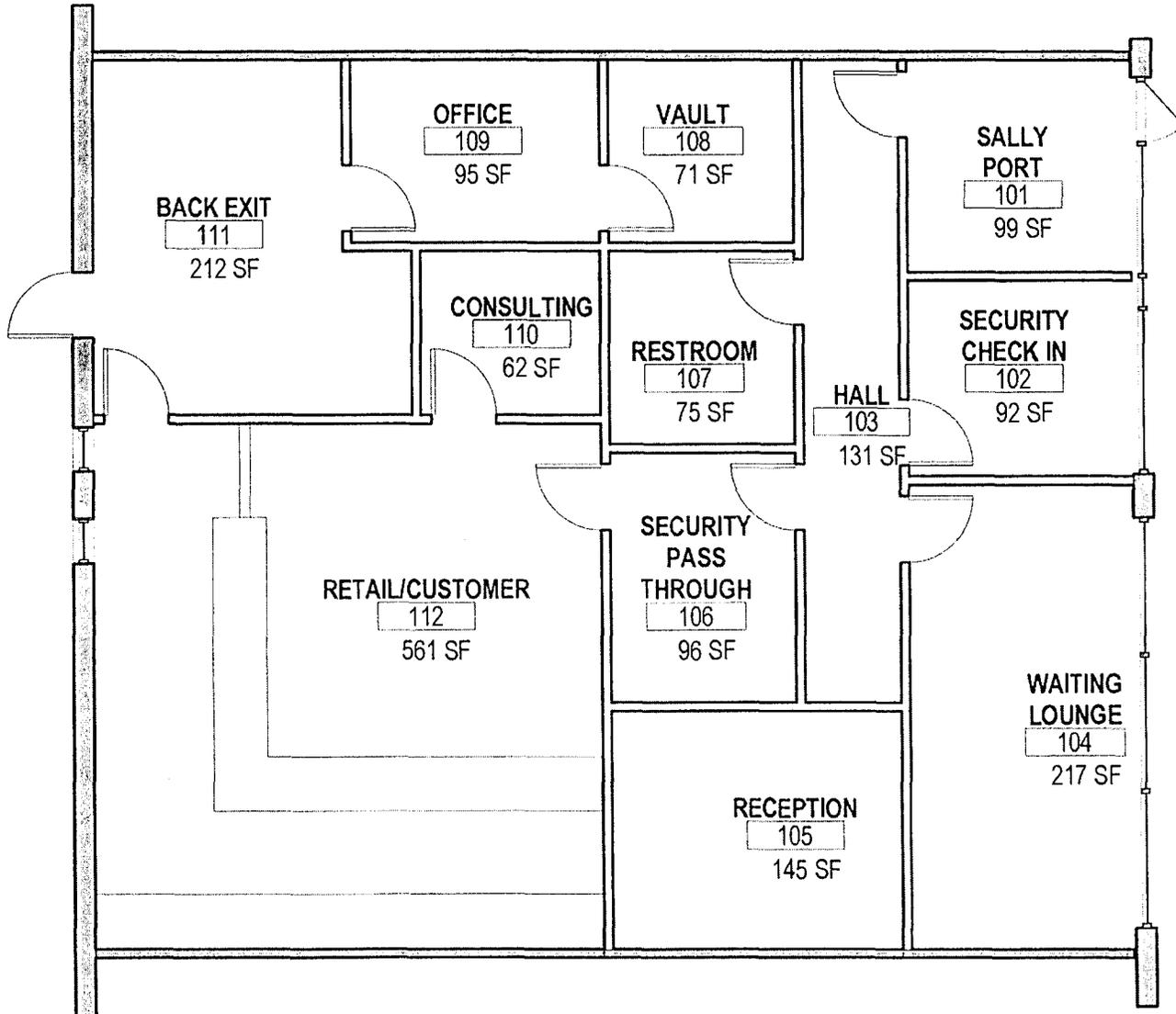
No. of Shrubs _____ Size _____

None

Fence: Type _____ Length _____ Height _____

PLEASE SUBMIT THE FOLLOWING INFORMATION ON PLANS OR DRAWINGS:

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



1 FLOOR PLAN - LEVEL 1
 A2-17 1/8" = 1'-0" REFERENCING /

S P A C E

4168 MANCHESTER
 ST. LOUIS, MO 63110
 314.534.4168 PHONE
 314.534.2026 FAX
 WWW.SPACESTL.COM

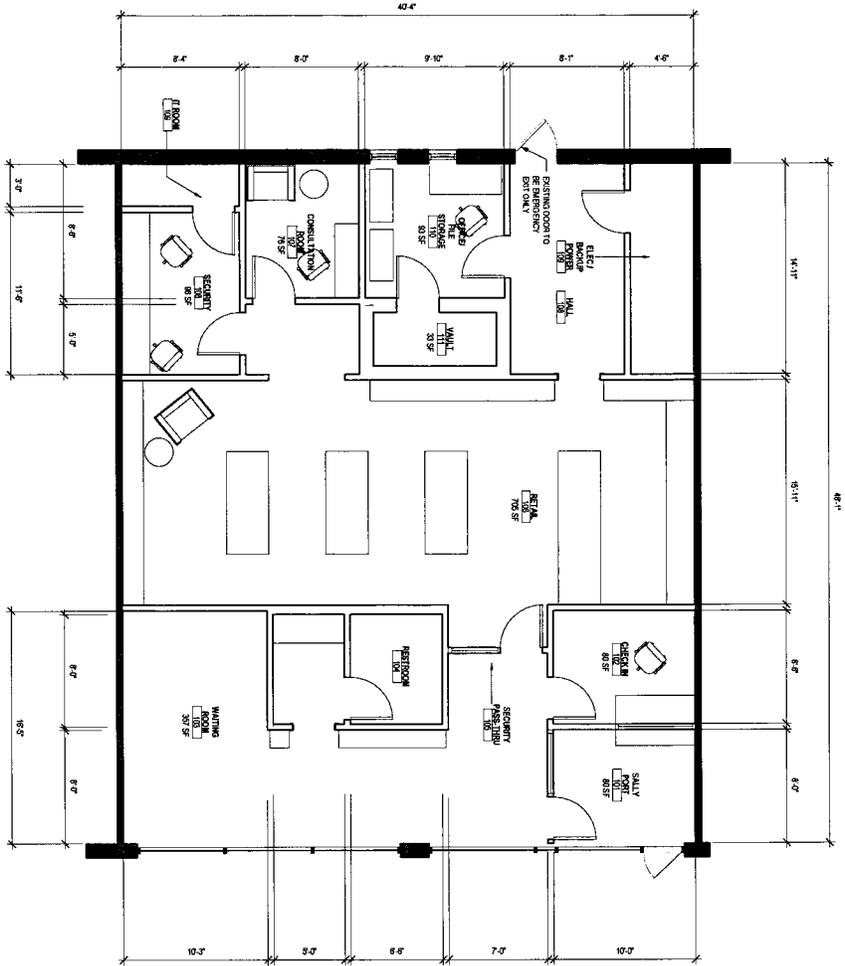
CLIENT NAME
 MoCanCure

DRAWING TITLE

Dispensary - 8454 Lindbergh

| PROJECT # | REVISIONS | DATE | SHEET # |
|-----------|-----------|------|---------|
| 19-022.01 | | No | A2-17 |

THE SEAL(S) AND SIGNATURE(S) APPLY ONLY TO THE DOCUMENT TO WHICH THEY ARE AFFIXED AND WE EXPRESSLY DISCLAIM ANY RESPONSIBILITY FOR ALL OTHER PLANS, SPECIFICATIONS, ESTIMATES, REPORTS, OR OTHER DOCUMENTS OR INSTRUMENTS RELATING TO OR INTENDED TO BE USED FOR ANY PART OR PARTS OF THE PROJECT. © COPYRIGHT 2014 SPACE LLC



1 FLOOR PLAN - LEVEL 1

KEYNOTE LEGEND

| NUMBER | NAME | AREA |
|--------|-----------------|--------|
| 101 | RECEPTION | 185 SF |
| 102 | CLERK IN | 80 SF |
| 103 | WAITING ROOM | 87 SF |
| 104 | RESTROOM | 26 SF |
| 105 | RESTROOM | 26 SF |
| 106 | RESTROOM | 26 SF |
| 107 | RESTROOM | 26 SF |
| 108 | SECURITY | 26 SF |
| 109 | SECURITY | 26 SF |
| 110 | OFFICE/RESTROOM | 26 SF |
| 111 | WALK | 26 SF |

NOT FOR CONSTRUCTION

PLAN NUMBER

THIS PLAN AND SPECIFICATIONS SHALL BE THE EXCLUSIVE PROPERTY OF SPACE ARCHITECTS. NO PART OF THIS PLAN OR SPECIFICATIONS SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF SPACE ARCHITECTS.

SPACE ARCHITECTS BUILDERS
4168 MANCHESTER
ST. LOUIS, MO 63110
314.534.4168 PHONE
314.534.2026 FAX
WWW.SPACESTL.COM

PROJECT STATUS: ISSUE DATE
LINDBERGH DISPENSARY
MoCanCure, LLC
8454 North Lindbergh
Florissant, MO 63031

| NO. | DATE | REVISIONS |
|-----|------|-----------|
| | | |

SHEET NO.
A2-00
FLOOR PLANS

PROJECT STATUS
ISSUE DATE: ISSUE DATE
PROJECT NO. ##-##-##

CITY OF FLORISSANT

Public Hearing



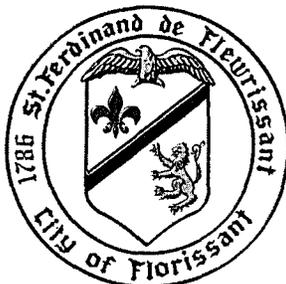
In accordance with 405.310 of the Florissant Zoning Code a Public Hearing will be held by the City Council of Florissant, MO. in the Council Chambers, 955 Rue St. Francois, on Monday, August 12, 2019 at 7:30 P.M. on the following proposition:

To authorize a Special Use Permit to Robust Holdings Missouri, LLC to allow for a Medical Marijuana Dispensary in a B-3 Zoning District for the property located at 444 Howdershell Road (legal description to govern). Citizens will have an opportunity to be heard. Anyone with special needs should contact the City Clerk at least 5 days before said public hearing by calling 839-7630 or TDD 839-5142.

CITY OF FLORISSANT, Karen Goodwin, MMC City Clerk

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

Paid
300 to
Rec. 620299



City Of Florissant – Public Works
314-839-7648

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

PLANNING & ZONING ACTION
RECOMMENDED APPROVAL
PLANNING & ZONING
CHAIRMAN

Council Ward _____ Zoning B3

Initial Date Petitioner Filed 7/25/19
Building Commissioner to complete
ward, zone & date filed

SIGN. [Signature] DATE: 7-25-19

SPECIAL PERMIT FOR Special Use Permit - Medical Marijuana Dispensary

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

AMEND SPECIAL PERMIT #- _____ TO ALLOW FOR Medical Marijuana Dispensary
ordinance # _____ Statement of what the amendment is for.

LOCATION 444 Howdershell Rd., Florissant, MO 63031
Address of property.

1) Comes Now Brad Rhodes Robust Holdings Missouri, LLC
Enter name of petitioner. If a corporation, state as such. If applicable include DBA (Doing Business As)

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

Legal interest in the Property) Lease Confirmation from owner - Mo Mangal Kabui V Center Commercial Properties, LLC
State legal interest in the property. (i.e., owner of property, lease).
Submit copy of deed or lease or letter of authorization from owner to seek a special use.

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

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

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

Bradley Rhodes, Co-Owner & Tyler Hannegan, Co-Owner
Bradley Rhodes *Bradley Rhodes* / (314) 276-3802
 PRINT NAME SIGNATURE email and phone

FOR Robust Holdings Missouri, LLC
 (company, corporation, partnership)

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

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

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

PRESENTOR SIGNATURE *Bradley Rhodes*
 ADDRESS 223 N Main St., St. Charles, MO 63301
 STREET CITY STATE ZIP CODE
 TELEPHONE / EMAIL Robust holdings Missouri, LLC / bradleytrhodes@gmail.com
 BUSINESS

I (we) the petitioner (s) do hereby appoint Tyler J. Hannegan & Bradley T. Rhodes as
 Print name of agent.
 my (our) duly authorized agent to represent me (us) in regard to this petition.

Bradley Rhodes
 Signature of Petitioner authorizing an agent

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

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

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

Bradley Rhodes, Co-Owner & Tyler Hannegan, Co-Owner

(314) 276-3802

PRINT NAME

SIGNATURE

email and phone

FOR

Robust Holdings Missouri, LLC

(company, corporation, partnership)

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

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

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

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

PRESENTOR SIGNATURE _____

ADDRESS 223 N Main St., St. Charles, MO 63301

STREET

CITY

STATE

ZIP CODE

TELEPHONE / EMAIL

Robust holdings Missouri, LLC / bradleytrhodes@gmail.com

BUSINESS

I (we) the petitioner (s) do hereby appoint Tyler J. Hannegan & Bradley T. Rhodes as

Print name of agent.

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

Signature of Petitioner authorizing an agent

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

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

REQUIRED INFORMATION

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

1) Type of Operation:

Individual _____ Partnership ~~XXX~~ Corporation LLC

(a) If an individual:

(1) Name and Address _____

(2) Telephone Number _____

(3) Business Address _____

(4) Date started in business _____

(5) Name in which business is operated if different from (1) _____

(6) If operating under a fictitious name, provide the name and date registered with the State of Missouri, and a copy of the registration.

(b) If a partnership:

(1) Names & addresses of all partners Tyler J. Hannegan & Bradley T. Rhodes

(2) Telephone numbers (636) 299-7781 & (314) 276-3802

(3) Business address 223 N. Main St. St. Charles, MO 63301

(4) Name under which business is operated Robust Holdings Missouri, LLC

(5) If operating under fictitious name, provide date the name was registered with the State of Missouri, and a copy of the registration.

(c) If a corporation:

(1) Names & addresses of all partners _____

(2) Telephone numbers _____

(3) Business address _____

(4) State of Incorporation & a photocopy of incorporation papers _____

(5) Date of Incorporation _____

(6) Missouri Corporate Number _____

(7) If operating under fictitious name, provide the name and date registered with the State of Missouri, and a copy of registration. _____

(8) Name in which business is operated _____

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

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

Name Villa De Cresta
Address 428 Howdershell Rd., Florissant, MO 63031
Property Owner Mo Mangal
Location of property 444 Howdershell Rd., Florissant, MO 63031
Dimensions of property 1,843 sq ft.
Property is presently zoned B3 Requests Rezoning To Special Use - Dispensary
Proposed Use of Property Special Use - Medical marijuana Dispensary
Type of Sign TBD Height TBD
Type of Construction Interior Modifications Number Of Stories 1
Square Footage of Building 35,000 Number of Curb Cuts 3
Number of Parking Spaces 155 Sidewalk Length _____
Landscaping: No. of Trees 8 (recently cut out) Diameter 6in
No. of Shrubs 0 Size _____
Fence: Type Wood Privacy Fence, 6ft tall in back Length 300ft. Height 6ft

PLEASE SUBMIT THE FOLLOWING INFORMATION ON PLANS OR DRAWINGS:

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

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There is an existing tenant sign in compliance, within the wall sign area limitation of 40 s.f.

There are 169 parking spaces off street parking in front of Villa De Chriesta, since the parking ratio was reduced to 4/1000 by the new ordinance, the parking likely easily complies. The parking required is 142 if the center were 100% retail.

Parking for this use

III. SURROUNDING PROPERTIES:

The properties to the East are residences in an R-4 District, it is also bounded by the street to the South and North also in a B-3 District along Howdershell. The property across Howdershell is in a B-3 District.

IV. STAFF ANALYSIS:

The application is accompanied by professionally completed site plan and proposed floor plan

The following are staff comments regarding plans:

Site Plan Comments:

1. Parking and Landscape is to remain.

Floor Plan Comments:

2. Plan indicates i.d. security check-in, waiting, secondary waiting, 2 toilet rooms, product/customer/consultation area, storage rooms, vault, back exit and office.
3. Tenant spaces on either side will exist.

Parking comments:

1. Parking for Retail is 4/1000 gsf. so parking demand remains unchanged.

Ordinance no. 8519 comments:

Passage of this ordinance allowed for Medical Marijuana establishments of various kinds in various zoning districts. In this case, a dispensary, as further described in Ord. No 8519, is currently a Special Use in the 'B-3' Zoning District. The ordinance restricts dispensaries from being located closer than 300 feet from a church, school or child day care.

Staff created a map from the Florissant GIS system indicating in blue, parcels that are not eligible for consideration, but highlighting B-5 zones in bright red due to some B-5 ordinances that do not include B-3 Uses. This petitioner has proposed the use of a property that is eligible for consideration for a Special Use.

VI. STAFF RECOMMENDATIONS:

86 **Suggested Motion** - I move to recommend approval of a Special Use to allow for a
87 Medical Marijuana Dispensary at **444 Howdershell** in a 'B-3' Zoning District, according
88 to the proposal prepared by the petitioner as described related documents presented and
89 according to the attached drawing: **Floor Plan to be stamped recommended approved**
90 and the following additional requirements:

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94 **1. GENERAL DEVELOPMENT CONDITIONS.**

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

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b. The Department of Public Works shall enforce the conditions of this
ordinance in accordance with the Site Development Plan approved and all
other ordinances of the City of Florissant.

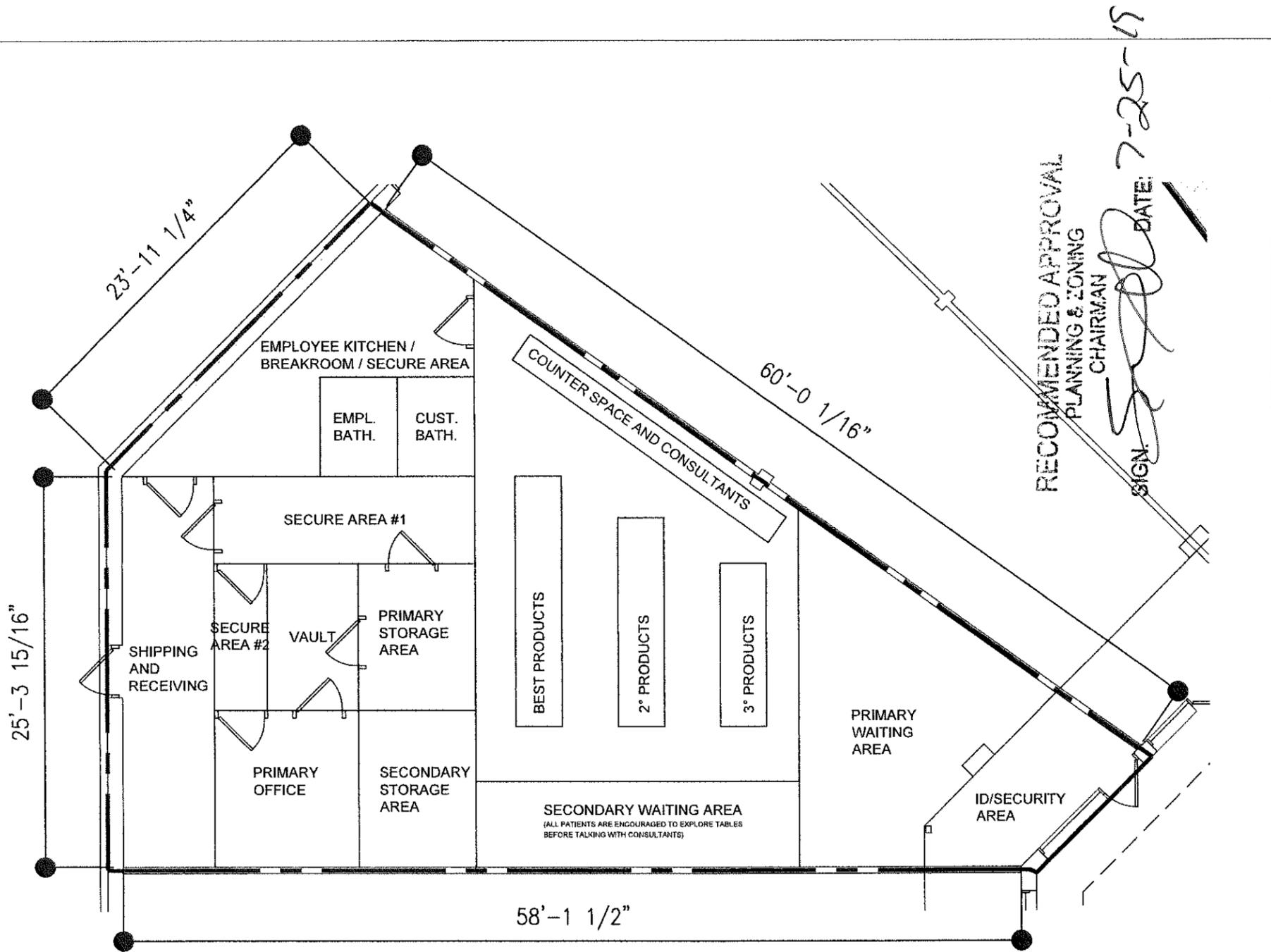
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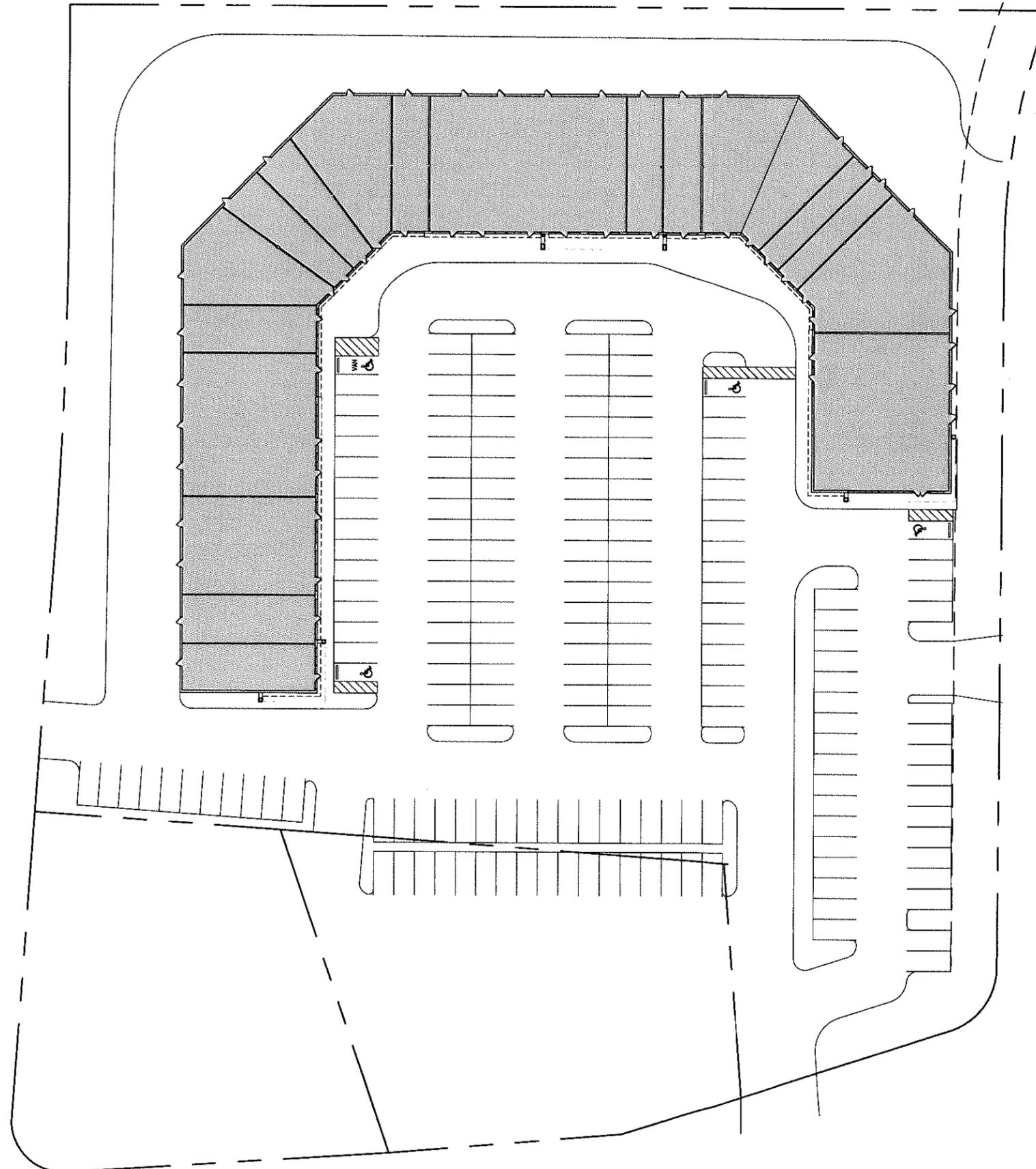
2. PROJECT COMPLETION.

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Construction shall start within 90 days of the issuance of building permits for
the project and shall be developed in accordance of the approved final
development plan within 6 months of start of construction.

(end report and suggested motion)





15 ARCHITECTURAL SITEPLAN
SCALE: 1"=20'

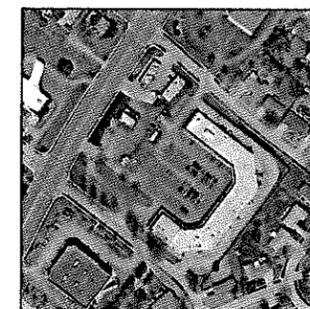
◆ SITE PLAN KEYED NOTES

1. PROTECT EXISTING (CONCRETE, SIDEWALK, ASPHALT) DRIVEWAY TO REMAIN FROM THE CONSTRUCTION ACTIVITIES. REPAIR/REPLACE DAMAGE WHICH OCCURS DURING CONSTRUCTION.
2. ALIGN SIDEWALK CONTROL AND EXPANSION JOINTS WITH STOREFRONT.
3. IDENTIFY THERMAL VARIATION IN THE 18MA WHICH CAUSES MOIST SPOTS IN THE FINING DUE TO THE COOLER FINING MATERIAL CANNOT BE COMPACTED CORRECTLY. THE LACK OF UNIFORM COMPACTION LEADS TO EARLY DEGRADATION IN THE AREA WHERE THE COOLER FINING WAS APPLIED. FINING THE ASPHALT BEFORE PLACEMENT REDUCES OR ELIMINATES THE TEMPERATURE DIFFERENTIALS.
4. RE-STRIPE EXISTING PARKING AREA AS INDICATED TO ACCOMMODATE NEW DRIVE LANE.
5. EXISTING SIDEWALK TO REMAIN, PROTECT DURING CONSTRUCTION (PATCH FLATWORK TO THE NEAREST EXPANSION OR CONTROL JOINT #7/AS REQ'D). SAW CUT ONLY IN STRAIGHT SQUARE 90 DEGREE ANGLES UNLESS OTHERWISE NOTED).
6. PROVIDE AND INSTALL NEW CONCRETE PAD IN AND IN FRONT OF THE DUMPSTER ENCLOSURE.
7. NEW (BLOCK, BRICK, WOOD/WHY) PRIVACY FENCE) DUMPSTER ENCLOSURE.
8. MINIMIZE STRAIGHT PIPE RUNS INTO THE DETENTION BASIN TO MINIMIZE EROSION DUE TO THE FORCE OF THE WATER. EXAMPLE WATERLOO, L. DESIGN SYSTEM SO THAT WATER IS SLOWED BEFORE ENTERING THE DETENTION BASIN.
9. PROVIDE A SOILS TEST TO DETERMINE SUITABILITY OF SOIL TO INSURE GROWTH OF PLANT LIFE. DETENTION BASINS WHERE THE TOPSOIL HAS BEEN REMOVED HAVE TROUBLE SUSTAINING THE LEVEL OF PLANT GROWTH NEEDED TO REDUCE EROSION.
10. PROVIDE AND INSTALL RP R4P ALONG EACH SIDE OF CONCRETE CHALKS IN THE BOTTOM OF THE DETENTION BASIN DURING CONSTRUCTION TO PREVENT EROSION ALONG THE SIDES OF THE CONCRETE.
11. PROTECT EXISTING LANDSCAPED AND PLANTED AREAS DURING CONSTRUCTION.
12. PROVIDE LANDSCAPING ALLOWANCE OF \$0000 PLANTING MATERIAL ONLY.
13. RE-SEED AS REQUIRED AFTER CONSTRUCTION IS COMPLETE.
14. CONSOLIDATE EXISTING ELECTRICAL METER/PANELS TO THIS LOCATION (RE: DEMO / POWER PLAN FOR SPECIFIC LOCATIONS).
15. WHEN GREASE TRAPS ARE USED, INCORPORATE MANHOLES IN LIEU OF CLEANOUTS ON LATERAL LINES TO REDUCE THE RISK OF CLOGS.
16. CONFIRM THAT SITE UTILITY ENTRANCE POINTS ARE COORDINATED WITH THE ARCHITECTURAL LAYOUT FOR METERS, PANELS AND ROUGH-INS.
17. PUBLIC FIRE HYDRANTS (MAINTAINED AND INSPECTED BY THE CITY).
18. PRIVATE FIRE HYDRANTS (INSPECTED AND TESTED BY DESCO).
19. NEW WHY PRIVACY FENCE AND GATE WITH CLOSER AND SELF LATCHING MECHANISM KEYS OPENED ONLY FROM THE OUTSIDE.
20. PARKING LOT LIGHTS & HOUSE LIGHTS ARE TO BE ON A GE GRASSLIN Q410T-X-MV TIMER. CONTACT: GRASSLIN (201) 825-9696 OR WWW.GRASSLIN.COM.
21. IRRIGATION TIMERS ARE TO BE ON A GE GRASSLIN Q410T-X-MV TIMER. CONTACT: GRASSLIN (201) 825-9696 OR WWW.GRASSLIN.COM.
22. NEW CONCRETE FILLED STEEL PIPE BOLLARD (RE:CO/ADDD).
23. PROVIDE AND INSTALL MAILBOXES AS INDICATED.
24. PROVIDE AND INSTALL ERG RACKS AS INDICATED.
- 25.

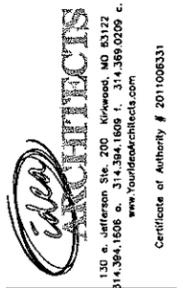
SITE PLAN GENERAL NOTES

- A. ALL LIGHTLY DRAWN AREAS INDICATE "NO WORK" OR "NOT IN CONTRACT" UNLESS OTHERWISE NOTED ON PLAN.
- B. PRIOR TO ANY CONSTRUCTION ACTIVITIES CALL 1-800-DIG-RIE TO MARK ALL UNDERGROUND UTILITIES. OTHERWISE CONTRACTOR WILL ASSUME ALL RESPONSIBILITY FOR DISTURBANCE OF ANY UNDERGROUND UTILITY LINES.
- C. ALL FLATWORK / CONCRETE / ASPHALT SHALL BE SAW CUT WITH A STRAIGHT EDGE IN 90 DEGREE ANGLES OR TO THE NEAREST EXPANSION OR CONTROL JOINT BEFORE REMOVAL OF MATERIAL TO BE DEMOLISHED.
- D. REMOVE ALL EXISTING AREAS INDICATED AS DEMOLITION TO PROVIDE LAYOUT SHOWN. CONSTRUCT AND/OR PROVIDE PROTECTION BARRIERS AS NEEDED FOR SAFETY AND TO CONTAIN DUST DUE TO DEMOLITION AND IN ORDER TO KEEP BUILDING SECURE AND WEATHER TIGHT DURING THE CONSTRUCTION PERIOD.
- E. PATCH AND REPAIR REMAINING SURFACES AS NEEDED DUE TO THE DEMOLITION OR THE REMOVAL OF CONSTRUCTION ONCE DEMOLITION HAS BEEN COMPLETED.
- F. REMOVE ANY AND ALL SITE ELECTRICAL COMPONENTS, EQUIPMENT, RECEPTACLES, ETC. NOT SHOWN ON THE DRAWINGS AND THAT ARE NOT IN USE IN AREAS OF WORK. ALL WIRING SHALL BE REMOVED BACK TO ITS SOURCE PANEL PATCH PANELS TO BE RE-TERMINATED TO ACHIEVE A WEATHER TIGHT SEAL AND MATCH EXISTING ADJACENT FINISHES. COORDINATE WITH THE BUILDING CONSTRUCTION MANAGER.
- G. EXCAVATE AS REQUIRED TO INSTALL NEW CURBS, BOLLARDS AND PIERS.
- H. REPAIR ALL CRACKS IN EXISTING REMAINING ASPHALT AND CAULK WITH ASPHALTIC CAULK BEFORE RE-SEALING PARKING SURFACE SHOWN.
- I. PROTECT EXISTING LANDSCAPING TO REMAIN AS INDICATED ON SITE PLAN.
- J. SLOPE ALL IMPERVIOUS SURFACES AWAY FROM BUILDING 1:40 MINIMUM FOR DRAINAGE.
- K. G.C. TO CONFIRM WATER SERVICE IS ADEQUATELY SIZED AND IN GOOD REPAIR FOR ADDITION/RENOVATION. INCLUDE ANY INCREASE IN SIZE / REPAIR IN BID.
- L. G.C. TO INCLUDE ESCROW REQUIRED BY LOCAL AUTHORITIES FOR SIDEWALK, LANDSCAPING, STREET REPAIRS, ETC. IF REQUIRED BY MUNICIPALITY OR GOVERNING AUTHORITIES.
- M. NO GRADE SHALL EXCEED 3:1 SLOPE UNLESS OTHERWISE NOTED.
- N. SIDEWALKS ALONG THE ACCESSIBLE ROUTE SHALL NOT HAVE A SLOPE EXCEEDING 1" VERTICAL AND 20' HORIZONTAL. SLOPES GREATER THAN 1:20 SHALL BE DESIGNED AS AN ACCESSIBLE RAMP. SLOPES FOR ACCESSIBLE RAMP SHALL NOT EXCEED 1:12 UNDER ANY CIRCUMSTANCE.
- O. DRAINING CONTRACTOR SHALL KEEP EXISTING ROADWAYS, SIDEWALKS, PARKING AREAS AND ANY OTHER PUBLIC AREAS CLEAR OF MUD AND DEBRIS AT ALL TIMES, NO EXCEPTIONS.
- P. ALL LANDSCAPED AREAS SHALL BE FILLED WITH MINIMUM OF 4" OF TOPSOIL.
- Q. ALL LANDSCAPED AREAS DISTURBED BY CONSTRUCTION SHALL BE IMMEDIATELY SEEDED, SOODED OR RE-LANDSCAPED AS DIRECTED BY (CITY, TENANT OR OWNER).
- R. ADEQUATE TEMPORARY OFF-STREET PARKING FOR CONSTRUCTION EMPLOYEES SHALL BE PROVIDED. PARKING ON NON SURFACED AREAS SHALL BE PROHIBITED TO ELIMINATE MUD AND DEBRIS FROM BEING TRACKED ONTO THE ROADWAYS CAUSING HAZARDOUS ROADWAY AND DRAINING CONDITIONS.
- S. SIDEWALKS, CURBS, RAMP, AND ACCESSIBLE PARKING SPACES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CURRENT APPROVED AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES (ADAA OR AND 119.1). IF ANY CONFLICT OCCURS BETWEEN THE ADAA AND THE INFORMATION ON THE PLANS THE ADAA SHALL TAKE PRECEDENCE AND THE CONTRACTOR SHALL NOTIFY THE ARCHITECT IMMEDIATELY.
- T. SIGNAGE FOR THIS SITE SHALL BE DESIGNED AND PROVIDED UNDER A SEPARATE PERMIT UNLESS NOTED OTHERWISE.
- U. SITE LIGHTING STANDARDS AND LOCATIONS SHALL BE REVIEWED AND APPROVED PER THE REQUIREMENTS OF THE GOVERNING BODY.
- V. ALL PROPOSED IMPROVEMENTS SHALL BE CONSTRUCTED TO GOVERNING BODIES STANDARDS.
- W. ALL ROOFTOP EQUIPMENT SHALL BE COMPLETELY SCREENED FROM VIEW OF ADJACENT PROPERTIES AND PUBLIC RIGHT OF WAY.
- X. INTERIM STORM WATER DRAINAGE CONTROL IN THE FORM OF SILTATION CONTROL MEASURES SHALL BE REQUIRED TO PROTECT ADJACENT PROPERTY AND PUBLIC RIGHT OF WAY. THE SILTATION CONTROL MEASURES SHALL BE INSTALLED AND APPROVED BY THE PUBLIC WORKS DEPARTMENT PRIOR TO ISSUANCE OF GRADING OR BUILDING PERMIT.

SEE GENERAL SPECIFICATIONS FOR ADDITIONAL INFORMATION



5 SATELLITE AERIAL
SCALE: NO SCALE



CONSULTANTS

Drawn by: Architect
NO# A-2004008995

Planning and Zoning Submission for:
Villa Del Cresta Plaza
Proposed Facade Renovation
428 Howdershell Rd., Florissant, (St. Louis Co.) MO 63031

DATE: P&Z Submission
07.17.2017

REVISIONS:

P&Z submission 02 08.07.2017

DRAWN BY:

PROJECT NO: 2015-103

SHEET NUMBER:

A010
Architectural Siteplan

1 INTRODUCED BY COUNCILMAN HENKE
2 JULY 22, 2019

3
4 BILL NO. 9515 ORDINANCE NO.

5
6 **AN ORDINANCE AUTHORIZING AN AMENDMENT TO SPECIAL USE**
7 **PERMIT NO. 8394, AS AMENDED, TO SMOKE AND SIP, LLC TO**
8 **ALLOW FOR THE ENCLOSURE OF A PATIO AND PERGOLA FOR**
9 **THE CIGAR BAR FOR THE PROPERTY LOCATED AT 411 RUE ST.**
10 **FRANCOIS.**

11
12 WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of
13 Florissant, by Special Use Permit, after public hearing thereon, to permit the location and
14 operation of a cigar bar; and

15 WHEREAS, pursuant to Ordinance No. 8394, the Florissant City Council has granted a
16 Special Use Permit to Smoke and Sip, LLC to allow for the operation of a bar located at 411 St.
17 Francois; and

18 WHEREAS, Ordinance No. 8394 was amended by Ordinance No. 8412 to allow for the
19 change of use to a cigar bar after approval of a zoning change; and

20 WHEREAS, an application has been filed by Smoke and Sip, LLC for an amendment to
21 said Special Use to enclose the patio and pergola; and

22 WHEREAS, the Planning and Zoning Commission of the City of Florissant at their
23 meeting on April 15, 2019 recommended that said Special Use Permit be amended; and

24 WHEREAS, due notice of public hearing no. 19-05-008 on said application to be held on
25 the 13th of May, 2019 at 7:30 P.M. by the Council of the City of Florissant was duly published
26 and held on May 13, 2019, June 10, 2019 and July 8th, 2019; and

27 WHEREAS, the Council, following said public hearing, and after due and careful
28 consideration, has concluded that the granting of an amendment to the Special Use Permit
29 authorized by Ordinance No. 8394, as amended by Ordinance No. 8412, would be in the best
30 interest of the City of Florissant, and would not adversely affect the character of the
31 neighborhood, traffic conditions, public utility facilities or any other matter pertaining to the
32 public safety or general welfare of the residents of the City of Florissant.

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

35
36 Section 1: The Special Use granted in Ordinance No. 8394, as amended by Ordinance
37 No. 8412 and as depicted by the plan submitted, is hereby amended to allow the enclosure of the

38 patio and pergola, subject to the regulations of the HB Historic Business District, the
39 requirements set forth in Ordinance No. 8394 and Ordinance No. 8412, and the following
40 additional requirements and terms:

- 41 4. The patio and pergola may be enclosed as shown on Lawrence Fabric
42 Structures sheet 1 of 1 dated 4/11/19, which indicates a fabric roof structure
43 and fabric roll up panels.
- 44 5. Occupants are limited to a maximum of 49 persons for indoor seating and a
45 maximum of 28 for seating within the enclosed fabric structure for a total of
46 77 customers and 6 employees for the maximum occupant load.
- 47 6. Customers shall not be allowed in the enclosed patio area after 10 pm on
48 Sunday through Thursday and after 11 p.m. on Friday and Saturday nights.
- 49 7. No music shall be piped in or otherwise played on the patio.

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51 **4. PROJECT COMPLETION.**

52 Construction shall start within 60 days of the issuance of building permits, and the
53 structure shall be completed in accordance with the plans within 180 days of start of
54 construction.
55

56 Section 2: Said Special Permit shall be conditioned on and shall remain in full force and
57 effect so long as the conditions set forth in Ordinance No. 8394, Ordinance No. 8412, and the
58 conditions set forth herein are adhered to.

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

61 Adopted this _____ day of _____, 2019.

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Jeff Caputa
President of the Council
City of Florissant

Approved this . day of _____, 2019.

Timothy J. Lowery
Mayor, City of Florissant

ATTEST:

Karen Goodwin, MPPA/MMC/MRCC
City Clerk

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



City Of Florissant – Public Works
314-839-7648

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

PLANNING & ZONING ACTION
RECOMMENDED APPROVAL
PLANNING & ZONING
CHAIRMAN

Council Ward 6 Zoning HB

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

X SIGN [Signature] DATE: 4-15-19

SPECIAL PERMIT FOR AMENDMENT TO THE SPECIAL USE PERMIT, ORD # 8412
Statement of what permit is being sought. (i.e., special permit for operation of a restaurant).

AMEND SPECIAL PERMIT #- 8412 TO ALLOW FOR INSTALL CANOPY AND WINDBREAK PANELS
ordinance # Statement of what the amendment is for.

LOCATION 411 RUE ST. FRANCIS
Address of property.

1) Comes Now TOM SCHEFFEL / LAURENCE FABRIC & METAL STRUCTURES
Enter name of petitioner. If a corporation, state as such. If applicable include DBA (Doing Business As)

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

Legal interest in the Property) ANTHONY BOWLSON
State legal interest in the property. (i.e., owner of property, lease).
Submit copy of deed or lease or letter of authorization from owner to seek a special use.

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

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

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: 411 RUE ST. FRANCOIS

Property Owners Name: ANTHONY BOULSON Phone/email: 248.897.1589
alboulson@aol.com

Property Owners Address: 132 Robbins Way DP Florissant MO 63034

Business Owners Name: Anthony Boulson Phone/email: 248-897-1589

Business Owners Address: _____

DBA (Doing Business As) _____

Authorized Agents Name: TOM SCHOEFFEL Co. Name: LAWRENCE FABRIC & METAL
(Authorized Agent to Appear Before The Commission) STRUCTURES

Agents Address: 3509 TREE COURT INDUSTRIAL BLVD Phone/email: 636.861.0100
tomschoeffel@lawrencefabric.com

Request INSTALL FABRIC CANOPY AND WINDBREAK PANELS FOR

EXISTING PATIO TRELIS AREA PER PLANS

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

Anthony Boulson
Applicant's Signature

Dec 13th 2018
Date

Received by: fy Receipt # 610803 Amount Paid: 300- Date: 12.13.18

STAFF REMARKS: _____

COMMISSION ACTION TAKEN:

DATE APPLICATION REVIEWED: _____

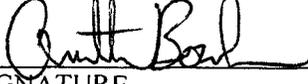
SIGNATURE OF STAFF WHO REVIEWED APPLICATION

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

RECOMMENDED APPROVAL
PLANNING & ZONING
CHAIRMAN

X SIGN: [Signature] DATE: 4-15-19

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

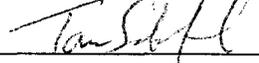
Anthony Bowler  / 248-897-1589
 PRINT NAME SIGNATURE email and phone

FOR _____
 (company, corporation, partnership)

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

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

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

PRESENTOR SIGNATURE 

ADDRESS 3509 TREE COURT W'S BLVD ST LOUIS MO 63122
 STREET CITY STATE ZIP CODE

TELEPHONE / EMAIL 636.866.0000 / tomschoeffel@lawrencefabryc.com
 BUSINESS

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


 Signature of Petitioner authorizing an agent

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

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

REQUIRED INFORMATION

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

1) Type of Operation:
Individual _____ Partnership Corporation _____

(a) If an individual:

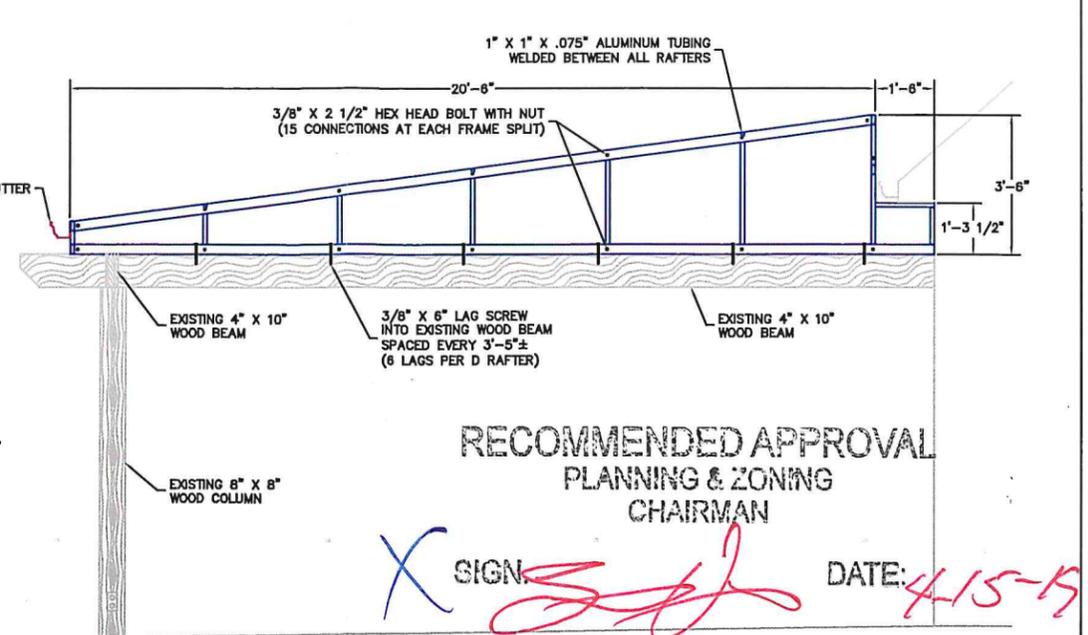
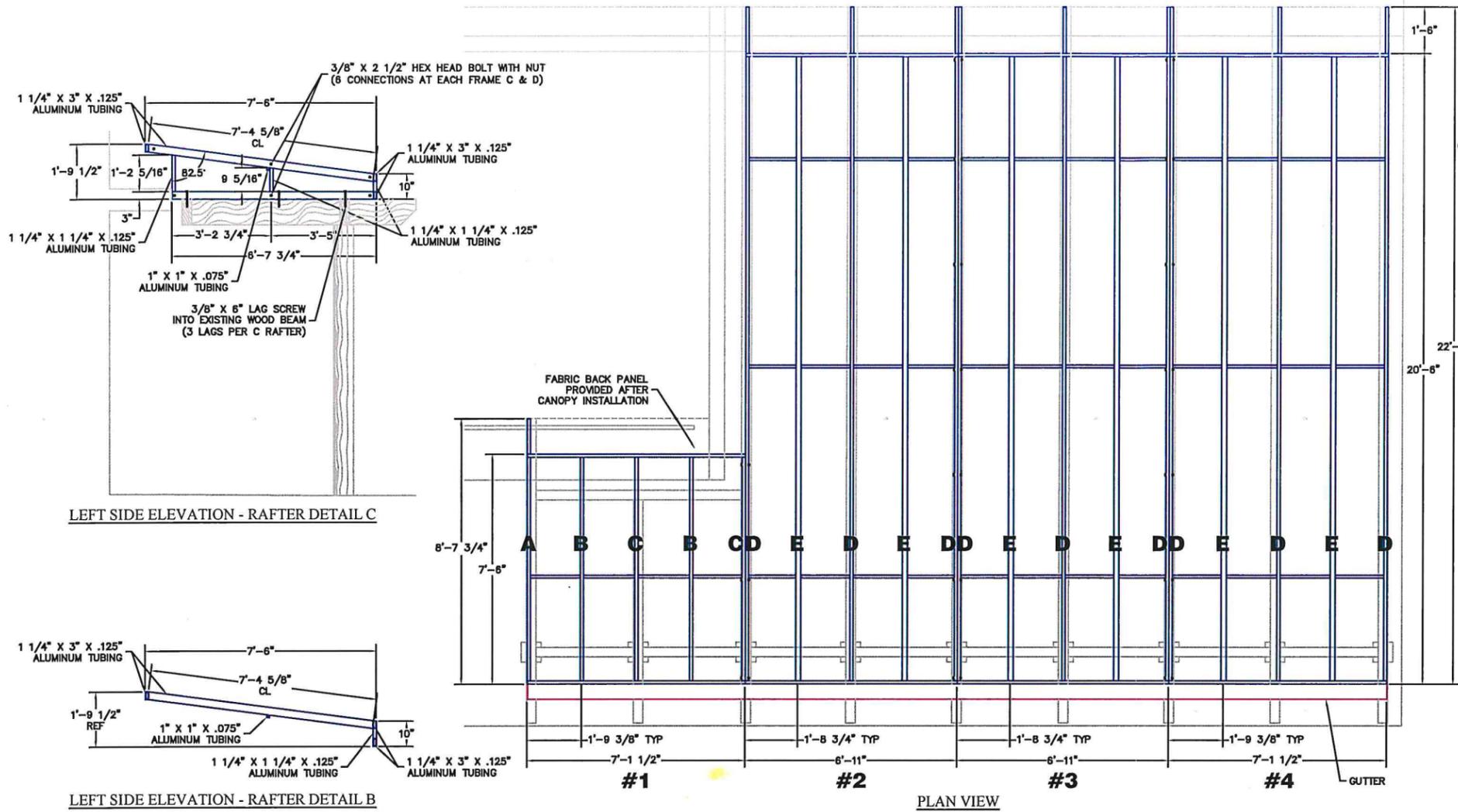
- (1) Name and Address Smoke: Sip INC
- (2) Telephone Number 314-395-5024
- (3) Business Address 411 RUE SAINT FRANCOIS FLORISSANT MO 63034
- (4) Date started in business MAY 4th 2018
- (5) Name in which business is operated if different from (1) _____
- (6) If operating under a fictitious name, provide 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 LENNEL WALDEN
- (2) Telephone numbers 314-337-6154
- (3) Business address 411 RUE SAINT FRANCOIS FLORISSANT MO 63031
- (4) Name under which business is operated SMOKE: SIP INC
- (5) If operating under fictitious name, provide date the name was registered with the State of Missouri, and a copy of the registration.

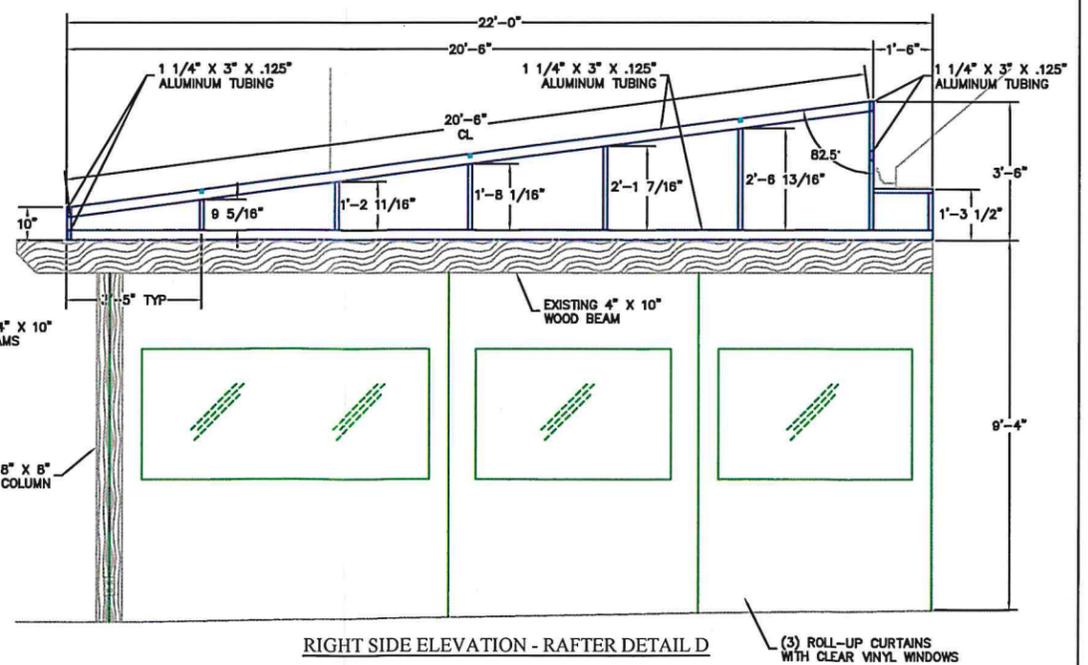
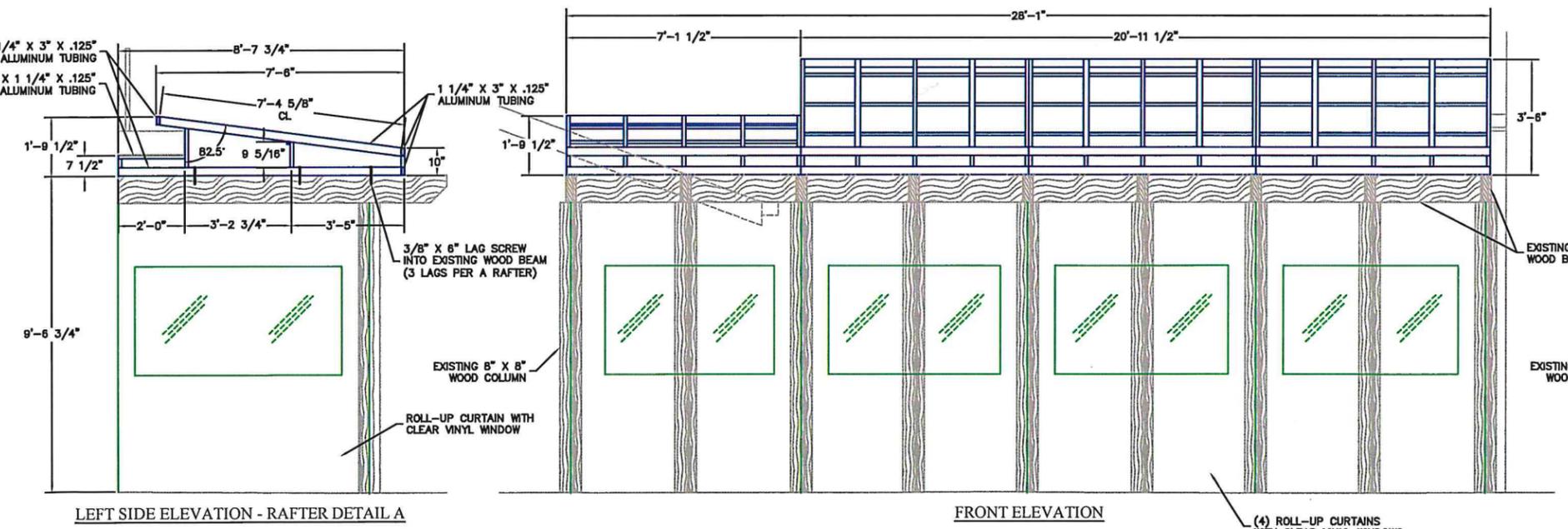
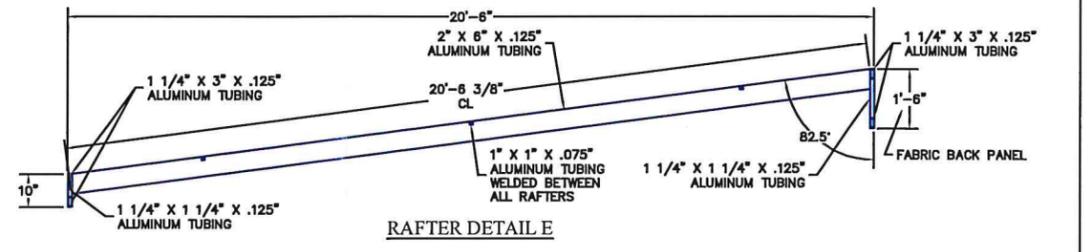
(c) If a corporation:

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



RECOMMENDED APPROVAL
PLANNING & ZONING
CHAIRMAN

X SIGN: *[Signature]* DATE: 4-15-19



NOTE:
- (1) TRADITIONAL PATIO CANOPY FRAME REQUIRED (MADE IN 4 SECTIONS)
- ALL FRAMING TO BE 1" X 1" X .075" 6060-T6, 1 1/4" X 1 1/4" X .125" 6063-T52 AND 1 1/4" X 3" X .125" 6063-T6 ALUMINUM TUBING (UNPAINTED)
- FABRIC TO BE #502-50659C TEAK FERRARI
- GUTTER REQUIRED TO BE INSTALLED FROM TOP OF CANOPY AS SHOWN

| | | | | | |
|---|--|----------------------------|------------------------|---|-----------|
| <p>3509 Tree Court Industrial Blvd. St. Louis, Missouri 63122 636.861.0100 636.861.0150 Fax</p> | | CUSTOMER | | SMOKE & SIP COCKTAIL LOUNGE 411 RUE ST. FRANCOIS FLORISSANT, MO 63031 | |
| | | DWG NO. 12154 | DRAWN BY P. LOUVIER | DATE 4-11-19 | REV 3 |
| LFS NO. 44372 | | PJT MANAGER G. OVERTURF | | SCALE 1/2" | SIZE D |



SMOKE AND SIP COCKTAIL LOUNGE
411 RUE ST. FRANCOIS FLORRISSANT MO 63031
ANTHONY BOWLSON (248)-897-1589



1
MEMORANDUM



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6
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."

7 To: Planning and Zoning Commissioners Date: December 20, 2018
8 Revised 4/8/19

9
10 From: Philip E. Lum, AIA-Building Commissioner c: Todd Hughes, P.E.,
11 Director Public Works
12 Deputy City Clerk
13 Applicant
14 File

15
16 Subject: Request Recommended Approval to amend a Special Use ordinance no.
17 8394 as amended by ordinance no. 8412, to allow for enclosure of a
18 patio and pergola for a Cigar Bar at 411 Rue St. Francois (Smoke & Sip,
19 LLC) in an 'HB' Historic Business Zoning District.
20

21
22
23
STAFF REPORT
CASE NUMBER PZ-010719-5

24 I. **PROJECT DESCRIPTION:**

25
26 This is a request for Review and Approval to allow for a fabric enclosure to be
27 constructed around an existing pergola structure on the patio.
28

29 II. **EXISTING SITE CONDITIONS:**

30
31 The existing property under construction at 411 Rue St. Francois for this project, was
32 formerly occupied in 2000 by Bristo Café and a Photo Studio and has a Special Use
33 Permit for a cigar bar, per the amending ord. no. 8412, attached.
34

35 The site is a stand alone frame building with Pergola covered Patio and off-street parking
36 lot.
37

38 There is an existing ground sign on premises adjacent to a 2-way curb cut off of Rue St.
39 Francois.
40

41 There are 13 parking spaces off street parking in the rear lot which connects to the
42 adjacent lot. The parking required is based upon seating capacity per 405.245.
43 Neighboring businesses have agreed with the petitioner to share parking. Public Works
44 **received** documentation of recorded parking agreements at St. Louis County. **One of the**
45 **agreements, with Riviera Plaza, LLC etal, appears to have been filed properly for 30**
46 **additional parking spaces. The other agreement filed is with Elliott Dixson**
47 **Barbershop, remains in question if Mr. Elliott Dixon cannot act for the listed owner,**
48 **a trust in the name of Elva J Dixon.**
49
50

51 **III. SURROUNDING PROPERTIES:**

52 The properties to the East and West are located within the HB Zoning District. Abutting
53 to the North are residences in the HR Historic Residential Zoning District.
54

55 **IV. STAFF ANALYSIS:**

56 The application is accompanied by a plan 1 of 1 dated 12/12/18 completed by Lawrence
57 Fabric Structures and no site plan since no other site changes are proposed.
58

59 There are 52 occupants noted for the ordinance no. 8412 with seating shown for 49 on the
60 furniture layout which allows for 3 employees. No patio seating is noted on ordinance
61 no. 8412, therefore staff must assume the patio seating is in addition to that already
62 approved.
63

64 Parking for a cocktail lounge/cigar bar is restricted by 405.225, which may be amended:

- 65 • 1 space for every 3 seats, $49/3=16$
- 66 • 2 spaces for every 3 employees max. shift = 2
- 67 • Patio seating shown in pictures $28/3=9$
- 68 • Therefore, total required parking of 27 exceeds those provided on the property 13.
- 69 • Applicant obtained adequate shared parking within 300 feet per 405.225 for the
70 current operation **and** the new parking required by adding the 30 spaces available
71 at the shopping center across the street.
72

73 The applicant first obtained a SUP as a Cocktail Lounge, then obtained this Special Use
74 Permit to operate a Cigar Bar. The City adopted its own Clean Air Act, in lieu of County
75 Chapter 605, which allows only Cigar Bars in the Historic District.
76

77 Nuisance regulations: Staff advised the fabric structure designer to document potential
78 noise abatement afforded by the proposed structure. This would not be an easy task, it
79 would require some acoustic study by an engineer familiar with such conditions. The
80 City has also received complaints of smoke odors which may require review of
81 regulations and the new smoking ordinance, recently adopted. **The City Attorney**
82 **agreed that a fabric structure would indeed inhibit noises generating from the patio.**
83 **He further advised that any establishment consistently in violation of City and/or St.**
84 **Louis County noise ordinances must be cited by police, then if after a period of time**
85 **of continuing noise problems, he could resolve the problem by filing an injunction at**
86 **the County level to intervene.**

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VI. STAFF RECOMENDATIONS:

Suggested Motion 411 Rue St. Francois (Smoke & Sip):

I move to recommend approval to amend the Special Use, ordinance no. 8394 as amended by ordinance no. 8412 and as depicted by the Plan submitted, which indicates the use of the property as a Cigar Bar with indoor and outdoor seating being a maximum of 49 indoor and 28 outdoor, for a total of 77 maximum, subject to the regulations of the 'HB' Historic Business District and the following additional requirements:

Amend Ordinance no. 8394, Section 1 to add the following additional requirements:

4. Pergola shall be enclosed as shown on Lawrence Fabric Structures sheet 1 of 1 dated ~~11/27/18~~ ^{4/11/19} which indicates as fabric roof structure and fabric ~~removable~~ ^{roll-up} panels.

5. Occupants are limited to a maximum of 49 persons for indoor seating and a maximum of 28 for outdoor seating within the fabric structure for a total of 77 customers and 6 employees for the maximum occupant load.

PROJECT COMPLETION.

Construction shall start within 60 days of the issuance of building permits, and the structure shall be completed in accordance with the plans within 180 days of start of construction.

(End of report and suggested motion)

1 INTRODUCED BY COUNCILMAN HENKE
2 MAY 14, 2018

8412

3
4
5 BILL NO. 9386

ORDINANCE NO.

6
7 **ORDINANCE AUTHORIZING AN AMENDMENT TO SPECIAL USE NO.**
8 **8394 TO SMOKE & SIP, INC. TO ALLOW FOR THE OPERATION OF A**
9 **CIGAR BAR FOR THE PROPERTY LOCATED AT 411 RUE ST.**
10 **FRANCOIS.**

11
12 WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of
13 Florissant, by Special Use Permit, after public hearing thereon, to permit the location of a cigar bar; and

14 WHEREAS, Special Use Permit No. 9394 was issued to Smoke & Sip, Inc. to allow for a
15 Cocktail Lounge for the property located at 411 rue St. Francois; and

16 WHEREAS, Ordinance No. 8402 amended the zoning code to allow for Cigar Bars in the
17 Historic Business District; and

18 WHEREAS, an application has been filed by Smoke & Sip, Inc. to amend Special Use Permit
19 8394 to allow for a Cigar Bar for the property located at 411 rue St. Francois; and

20 WHEREAS, the Planning and Zoning Commission of the City of Florissant, at their meeting of
21 April 16, 2018 has recommended that the said Special Use Permit be granted; and

22 WHEREAS, due notice of public hearing no. 18-05-017 on said application to be held on May 14,
23 2018, 2018 at 7:30 P.M. by the Council of the City of Florissant was duly published, held and
24 concluded; and

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

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

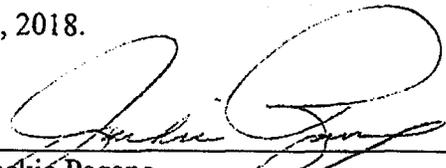
30
31 Section 1: Special Use Permit no. 8394 is hereby amended by changing the use from Cocktail
32 Lounge to Cigar Bar and subject to the following stipulations:

35 1. Construction shall start within 30 days of the issuance of building permits for the
36 project and shall be developed in accordance of the approved final development plan
37 within 120 days of start of construction.

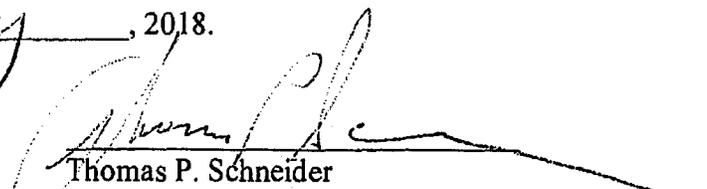
38
39 Section 2: Except as herein amended Ordinance No. 6586 shall remain in full force and effect.

40
41 Section 3: This ordinance shall become in force and effect immediately upon its passage and
42 approval.

43
44
45 Adopted this 14 day of May, 2018.

46
47
48 
49 Jackie Pagano
50 President of the Council
51 City of Florissant

52
53 Approved this 15 day of May, 2018.

54
55
56 
57 Thomas P. Schneider
58 Mayor, City of Florissant

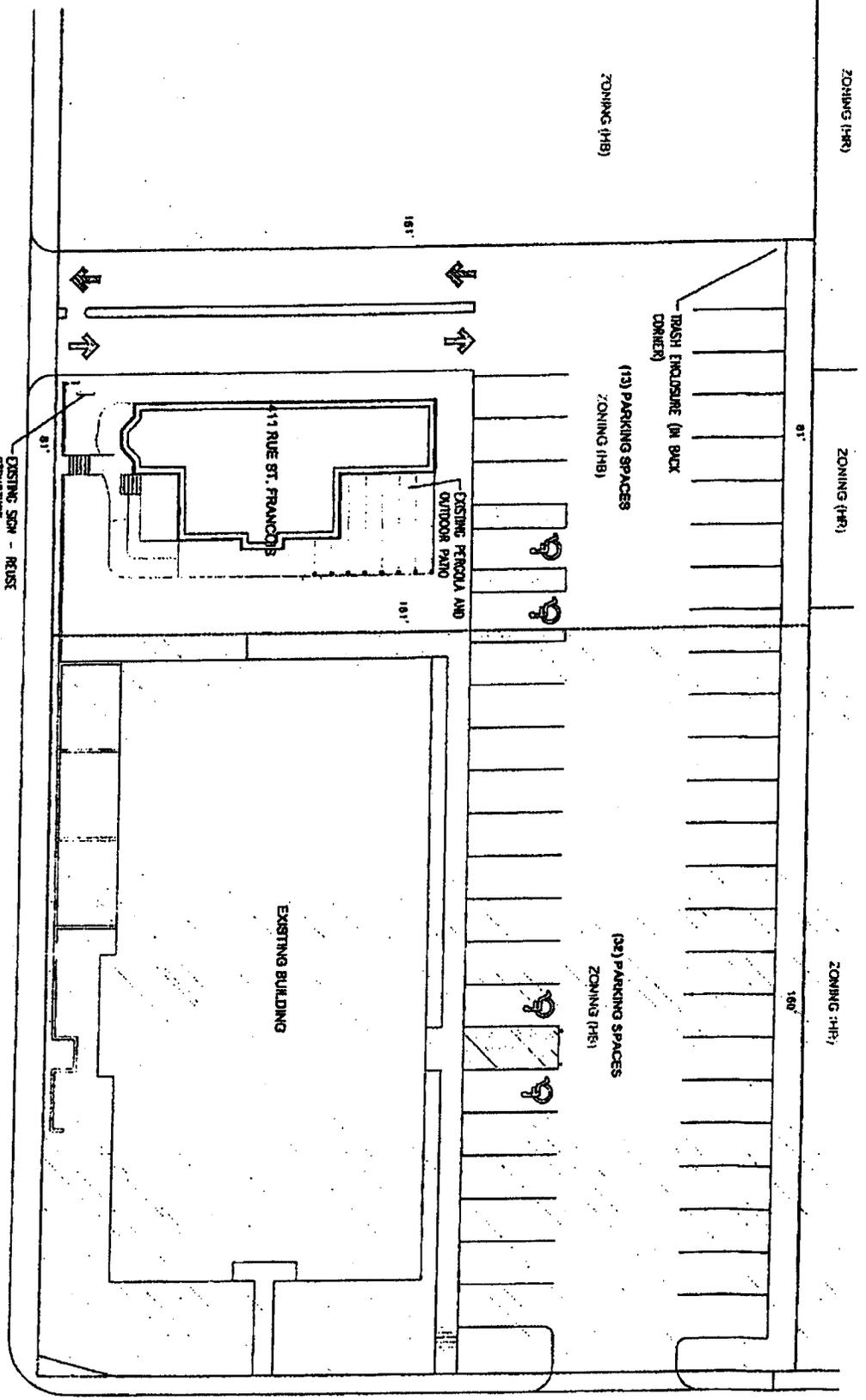
59
60
61 ATTEST:
62 
63
64 Karen Godwin, MMC/MRCC
65 City Clerk

OSITE PLAN
SCALE: 1"=10'-0"

DESIGN ALLIANCE

SAINT LOUIS DESIGN ALLIANCE
2000 MARKET BLVD
SAINT LOUIS, MO 63102
PH: 314.241.1100

411 RUE ST. FRANCOIS ST. FLORISSANT, MO 63031



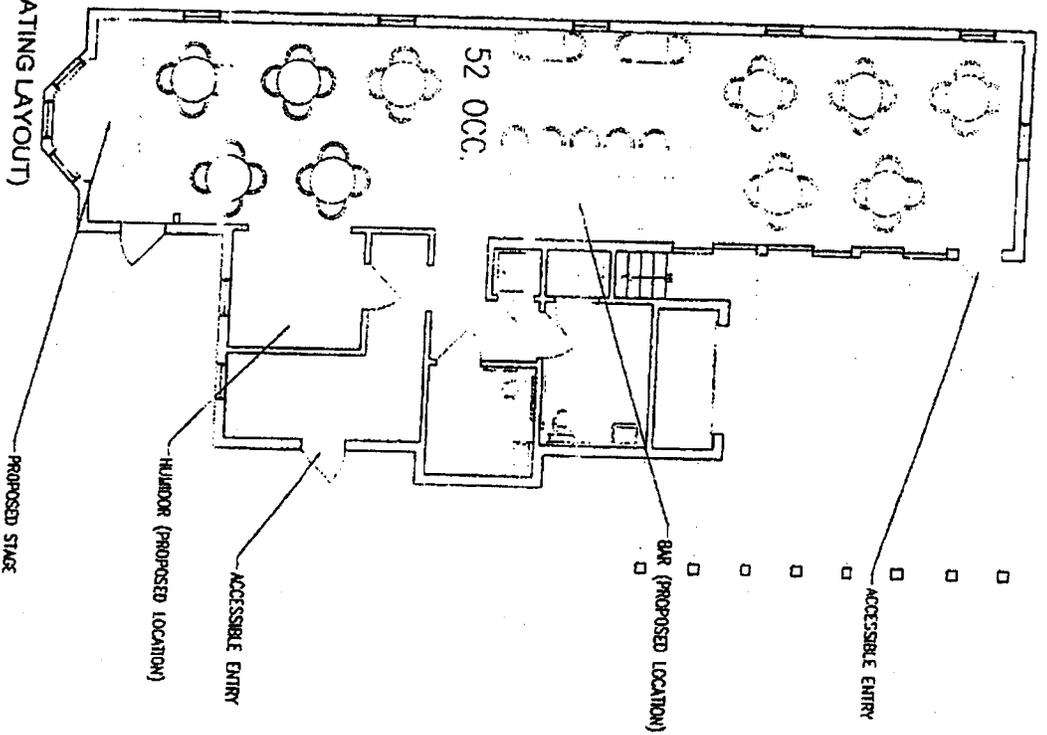
8412

11-17-2017

8412

0 FIRST FLOOR PLAN (PROPOSED SEATING LAYOUT)
SCALE: 1/8"=1'-0"

DESIGN ALLIANCE
SAINT LOUIS DESIGN ALLIANCE
624 LOCUST BLVD.
ST. LOUIS, MO 63101
SAINT LOUIS, MO 63101
411 RUE ST. FRANCOIS ST. FLOISSANT, MO 63031



CITY OF FLORISSANT

955 rue St. Francois
314-921-5700

APPLICATION FOR LIQUOR LICENSE

TYPE OF LICENSE REQUESTED:

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

To the City Clerk, City of Florissant, Saint Louis County Missouri:

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

TYPE OF LICENSE REQUESTED:

- Individual
- Partnership
(Attach list of Partners)
- Corporation
(Attach list of officers, addresses)
- Limited Liability Corp

Name of Business Chili's Grill & Bar

Business Address 13901 New Halls Ferry Road **Phone** 314-831-0548

Names of Applicant, Corporation, or LLC Brinker Missouri, Inc.

Address of Owner 3000 Olympus Boulevard Dallas TX 75019 **Phone** 972-770-9033
Street City State Zip

Name of Managing Officer Matthew A. Jacober

Home Address 221 E. Lockwood Avenue Webster Groves, MO 63119 **Years at address** 4
Street City/State Zip Home Phone

Managing Officer Date & Place of Birth _____ **Cell Phone** _____

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

Managing Officer Personal Property Taxes 2018 Paid? Yes No (Attach most recent copy)

Managing Officer Register Voter of Missouri? Yes No (Attach a 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 naturalization documentation)

Do you have an interest in any liquor license which is now in force? Yes
If so, give details Please see attached document entitled "Attachment to Application for Liquor License"

Have you previously held a liquor license of any type? Yes
If so, when and where Please see attached document entitled "Attachment to Application for Liquor License"

8/8/19
Accepted
Mayor
an

Have you ever had a liquor license suspended or revoked? YES
If so, give details Please see attached document entitled "Brinker International License Violations Report"

Have you ever been convicted of any violation of any federal or state law? YES
If so, give details "Please see attached document entitled "Brinker International License Violations Report"

Have you ever been convicted of any municipal or county ordinance violation? Yes
If so, give details Please see attached document entitled "Brinker International License Violations Report"

Have you ever been convicted of any violation of a federal law, state statute or local ordinance relating to intoxicating liquor? Yes
If so, give details Please see attached document entitled "Brinker International License Violations Report"

Has the location previously been occupied as a liquor establishment, liquor store or tavern? Yes
If so, state name Chili's Grill & Bar (under franchise ownership)

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:

Chili's Grill & Bar

Trade Name

[Signature]
Signature of Managing Officer

STATE OF MISSOURI) SS
COUNTY OF ST. LOUIS)

Matthew A. Jacober, of lawful age, being first duly sworn upon his 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 31st day of July, 2019.

LISA D. CLEEVE
Commission #13508751
Notary Public - Notary Seal
STATE OF MISSOURI
St. Louis County

Lisa D. Cleeve
Notary Public

My Commission Expires: My Commission Expires: Oct. 24, 2021

NOTE: APPLICATION MUST BE SWORN TO BEFORE A NOTARY PUBLIC

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 a.m. to midnight

TYPE OF OPERATION:

() Individual () Partnership (●) Corporation () Limited Liability Corp

Name of Business Chill's Grill & Bar

Location 13901 New Halls Ferry Road, Florissant, MO 63033 **Phone** 314-831-0548

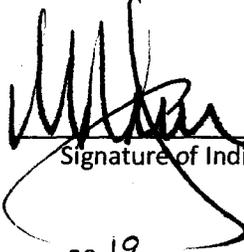
Exact Trade Name, LLC or Corporation Brinker Missouri, Inc.

The undersigned (Individual, Partnership, Corporation, LLC), hereby makes application to the City Clerk, City of Florissant, St. Louis County, Missouri for a "By the Drink/Package Liquor License" authorizing the sale of retail liquor on Sundays from 9:00 a.m. to midnight for the period beginning on _____ and expiring on June 30, 2017, 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 TBD 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)

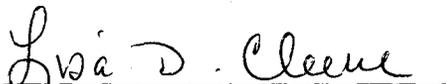
I Matthew A. Jacober of lawful age, being first duly sworn upon my oath, depose and say that I
(Print Name of Managing Officer)
have read this application and that I fully understand the same; that I know the contents thereof and the statements contained therein and that the same are true of my own knowledge.



Signature of Individual or **Managing Officer**

Subscribed and sworn to before me this 31st day of July, 2019.

LISA D. CLEEVE
Commission #13508751
Notary Public - Notary Seal
STATE OF MISSOURI
St. Louis County
My Commission Expires: Oct. 24, 2021



Notary Public

My Commission Expires: _____

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 _____ X _____ DATE _____

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

1. FULL NAME Christopher L. Green—President and Secretary
SOC. SEC. NO. _____ PLACE OF BIRTH Merriam, KS
DATE OF BIRTH _____ SEX Male
PHONE NUMBER 469-387-2091
ADDRESS 4005 Legacy Trail, Carrollton, TX 75010
LAST PREVIOUS ADDRESS 730 Sword Bridge Drive, Lewisville, TX 75056
NO. OF YEARS 4 years, 1 month

2. FULL NAME Daniel S. Fuller—Vice President, Treasurer and Assistant Secretary
SOC. SEC. NO. _____ PLACE OF BIRTH Phoenix, AZ
DATE OF BIRTH _____ SEX Male
PHONE NUMBER _____
ADDRESS 120 Hollywood Drive, Coppel, TX 75019
LAST PREVIOUS ADDRESS 372 Marble Creek Court, Sunnyvale, TX 75182
NO. OF YEARS 3 years, 6 months

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 The Realty Associates Fund X, L.P., c/o Sansone Group PHONE 314-727-6664
ADDRESS 120 S. Central Avenue Suite 500 CITY St. Louis STATE MO ZIP 63105

NAME OF BUSINESS Chili's Grill & Bar PHONE 314-831-0548
ADDRESS 13901 New Halls Ferry Road CITY Florissant STATE MO ZIP 63033

BUSINESS HOURS Sunday–Thursday: 11:00 a.m.–10:00 p.m.; Friday–Saturday: 11:00 a.m.–11:00 p.m.
OWNER/MANAGER Micheal Johnson PHONE 314-898-3430
HOME ADDRESS 841 Riderwood Drive CITY Hazelwood STATE MO ZIP 63042

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

CONTACT #1

NAME Micheal Johnson ADDRESS 841 Riderwood Drive
CITY & STATE Hazelwood, MO ZIP 63042 PHONE 314-898-3430
HAS KEY: YES (●) NO ()

CONTACT #2

NAME Shawn Votaw ADDRESS 6 Briar Hill Court
CITY & STATE St. Peters, MO ZIP 63376 PHONE 314-913-7595
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: A team of employees remain to clean and close the restaurant. This usually takes no longer than 1.5 hours.

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: Manager's office

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.



No Match Notification

A statewide search of the identifiers below has revealed no criminal conviction or sex offender information on file. Fingerprints were not provided and thus the result of the search cannot be guaranteed.

Date of Search: 05/29/2019

Name (1): MATTHEW JACOBBER

Name (2):

Name (3):

Date Of Birth:

SSN: xxx-xx-3928

Control Number: 4685772

If you have any questions, please do not hesitate to contact our office at 573-526-6153.

Missouri State Highway Patrol
Criminal Justice Information Services Division
PO BOX 9500
Jefferson City, MO 65102

RICHARD H. KELLETT
Chairman

TRUDI MCCOLLUM FOUSHEE
Commissioner

ERIC FEY
Director of Elections.

Saint Louis COUNTY ELECTION BOARD

JOHN W. MAUPIN
Secretary

JOHN P. KING
Commissioner

CHRISTIAN TOLBERT
Interim Director of Elections

CERTIFICATE OF REGISTRATION

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



This is to certify that Matthew Allen Jacober is a resident and registered voter in
Precinct 24 of Jefferson Township of the County of St. Louis and the
State of Missouri having registered on 2/22/00

I do hereby certify the following to be true and correct information obtained from the voter registration
file and verified by the applicant.

Current Address: 221 E. Lockwood Ave
City/State/Zip: Webster Groves; MO, 63119
Date of Birth: 6/19/72
U. S. Citizen: YES

IN WITNESS WHEREOF, I hereunto set my hand and the seal of said Board of Election
Commissioners located in St. Louis County, Missouri, this 21 Day of DECEMBER,
2016.


Signature of Election Board Official

(Seal)

BOARD OF ELECTION COMMISSIONERS

22 Sunnen Drive • Saint Louis, MO 63143 • PH 314/615-1800 • FAX 314/615-1999
Relay MO 711 or 800-735-2966 • web <http://www.stlouisco.com/elections>

ST. LOUIS COUNTY, MISSOURI



Personal Property Tax Receipt

This information reflects the tax status for the account and tax year indicated.

This receipt serves as proof of paid personal property taxes and must be submitted when applying for an annual permit or license from St. Louis County.

No Taxes Are Due

Effective 5/29/2019.

Tax Year: 2018
Account Number: I00156498
Account Status: Active
Name: Jacober Matthew A & Peggy L
Taxing Address: 221 E Lockwood Ave
 Saint Louis, MO 63119
School Sub Code: 134H
City Code: 064
Site Code: 1471
Total Assessed Value: 12,920
Tax Rate: 10.1302
Personal Property Declaration: 2018 declaration has been received.

Office Use: N5TP8W9E46685K15000EIR8YS 5/29/2019 12:37:46 PM

18 18 I00156498 JAC

Personal Property Tax Paid: I00156498

| Tax Year | Tax | Interest | Penalties | Other Charges | Total Tax | Amount Paid | Date Paid |
|----------|------------|----------|-----------|---------------|------------|-------------|------------|
| 2018 | \$1,308.83 | \$0.00 | \$0.00 | \$13.00 | \$1,321.83 | \$1,321.83 | 12/31/2018 |

Vehicles Detail: I00156498 - 2018

| Line Number | Reference Number | Description | Year | Make | Model | Product Code | Total Units | Assessed Value Per Unit | Total Assessed Value |
|-----------------------|------------------|-------------|------|------|-------------------|--------------|-------------|-------------------------|----------------------|
| 1 | 10 | Auto | 2012 | Lndr | Range Rover Sport | 797666 | 1 | 7,350 | 7,350 |
| 2 | 30 | Auto | 2016 | Suba | Forester | 349679 | 1 | 5,570 | 5,570 |
| Total >> | | | | | | | | | 12,920 |

If you have any questions, please contact the Collection Division at (314)615-5500.

STATE OF MISSOURI



John R. Ashcroft
Secretary of State

AMENDED CERTIFICATE OF AUTHORITY OF A FOREIGN CORPORATION

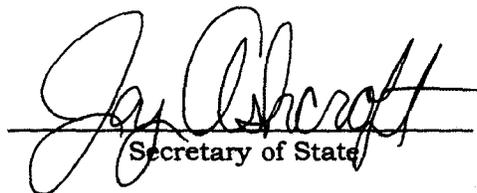
I, JOHN R. ASHCROFT, Secretary of State, of the State of Missouri, do hereby certify,

WHEREAS,

BRINKER MISSOURI, INC.
F00404392

incorporated under Law of the state of Virginia and now in existence and in good standing in said state, and qualified to transact business in Missouri has delivered to me, duly authenticated evidence of an amendment to its Articles of Incorporation as provided by law, and has, in all respects, complied with the requirements of law in governing Foreign Corporations, and accordance therewith issue this Certificate of Amendment.

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 13th day of September, 2017.


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

X001360391
Date Filed: 6/3/2019
Expiration Date: 6/3/2024
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:

Registration options: New Registration (checked), Renewal, Amendment, Correction

The undersigned is doing business under the following name and at the following address:

Business name to be registered: Chili's Grill & Bar
Business Address: 3000 Olympus Blvd.
City, State and Zip Code: Coppell, TX 75019

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:

Table with 6 columns: Name of Owners, Charter #, Street and Number, City and State, Zip Code, If Listed, Percentage of Ownership Must Equal 100%. Row 1: BRINKER MISSOURI, INC., F00404392, 6820 LBJ Frwy., Dallas, TX, 75240, 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)

BRINKER MISSOURI, INC. - Christopher L. Green (Signature)
BRINKER MISSOURI, INC. - CHRISTOPHER L. GREEN (Printed Name)
06/03/2019 (Date)

Name and address to return filed document:
Name: Lindsey Magalis
Address: Email: lindsey.magalis@cscglobal.com
City, State, and Zip Code:



State of Missouri
John R. Ashcroft, Secretary of State

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

F00404392
Date Filed: 9/13/2017
John R. Ashcroft
Missouri Secretary of State

Application for an Amended Certificate of Authority for a Foreign Corporation
(Submit with filing fee of \$25.00)

The below corporation, relating to amending its certificate of authority of Foreign Corporation, does hereby state:

1. Its name is: Brinker Missouri, Inc. Missouri Charter #: F00404392

Incorporated in the State of: Delaware

Qualified in the State of Missouri on 12/13/1994
month/day/year

2. By appropriate corporate action on: 06/28/2017, the corporation:
month/day/year

Changed its corporate name to: _____

Name it will use in Missouri if new name not available: _____

Changed its period of duration to: _____

Changed the state or country of its incorporation to: Virginia

3. There is attached hereto a Certificate of the Secretary of State or other state authority of the State of Virginia relating to the amendment(s), set forth in Item 2 above and showing that the Corporation is in existence and in good standing in said State. (Certificate must be less than 60 days old.)

4. Any other amendments to the certificate: _____

5. The effective date of this document is the date it is filed by the Secretary of State of Missouri, unless you indicate a future date, as follows: _____

(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)

Authorized Signature

Daniel Fuller, Vice President
Printed Name

8/29/2017
Title *month/day/year*

Attached is an original current certificate attesting to the change, duly authenticated by the secretary of state or other official having custody of corporate records in the state or country of incorporation.

Name and address to return filed document:

Name: _____

Address: _____

City, State, and Zip Code: _____

ORI-09132017-1566 State of Missouri
No of Pages 2 Pages



Amend/Restate - For Profit

FRANCHISE TERMINATION AND RELEASE AGREEMENT

This Franchise Termination and Release Agreement (this "Franchise Termination Agreement") between Brinker International Payroll Company, L.P., a Delaware limited partnership ("Franchisor"), ERJ Dining III, LLC, a Kentucky limited liability company ("Franchisee").

RECITALS:

A. Franchisor and Franchisee entered into those certain Chili's Grill & Bar® Domestic Franchise Agreements set forth on Schedule A attached hereto of various dates, between Franchisor and Franchisee (collectively, as amended, the "Franchise Agreements") pertaining to those certain Chili's® Grill & Bar Restaurants also set forth on Schedule A attached hereto (collectively, the "Franchised Restaurants"); and

B. Reference is made to that certain Asset Purchase Agreement dated on that certain date in July, 2019, as may be amended from time to time (the "APA") by and among Brinker Restaurant Corporation, Brinker Missouri, Inc. (collectively "Purchasers") and Franchisee;

C. Franchisor is an affiliate of Purchasers and will benefit directly or indirectly from the transaction contemplated by the APA between Franchisee and Purchasers; and

D. Pursuant to the APA, Franchisor and Franchisee agree to a termination of the Franchise Agreements to be effective as of the Closing Date (as defined in the APA) upon the terms and conditions set forth herein.

NOW, THEREFORE, for and in consideration of Ten Dollars (\$10.00), the mutual covenants set forth below, and for other good and valuable consideration, the receipt and sufficiency of which are hereby conclusively acknowledged, the parties agree as follows:

1. Recitals. The Recitals set forth above are hereby made a part of this Franchise Termination Agreement.

2. Termination of the Franchise Agreements. Except as otherwise expressly set forth in this Franchise Termination Agreement, on the Closing Date and upon consummation of the Closing (as defined in the APA), the Franchise Agreements and all rights and obligations of Franchisee and Franchisor thereunder will automatically terminate prospectively, without any further action of the Parties hereto, without liability to any party and will be of no further force and effect. Notwithstanding anything to the contrary in this Franchise Termination Agreement, Franchisee will continue to be responsible for all of its obligations and/or liabilities to Franchisor arising under the Franchise Agreements prior to the Closing Date, and Franchisee shall remain obligated to comply with any post-termination covenants set forth in the Franchise Agreements and shall thereafter remain responsible for those obligations and for all other obligations that survive the termination of the Franchise Agreements as provided therein, which obligations include, without limitation and by agreement of the parties hereto, the indemnity obligations, applicable post-termination obligations, and the covenants against competition and nondisclosure of confidential information set forth in the Franchise Agreements.

3. Release. Franchisee does hereby release and forever discharge Franchisor and its predecessor, Brinker International, Inc. ("BII") of and from any and all claims (of any kind or nature whatsoever, whether known or unknown, matured or unmatured, suspected or unsuspected, liquidated, fixed or contingent, disputed or undisputed) which Franchisee ever had (or now has) arising out of in any way (i) any act, omission, cause, event, incident, matter, dispute, or injury which may have occurred, resulted from, or arisen out of the Franchise Agreements prior to the Closing Date or (ii) any act, omission, cause, event, incident, matter, dispute, or injury which may have occurred, resulted from, or arisen prior to the Closing Date in connection with any business or non-business relationship between Franchisor, BII and/or Franchisee, other than and with respect to any amounts owed to Franchisee by Franchisor related to gift cards and/or Be Our Guest certificates.

4. General Provisions.

a. Entire Agreement. This Franchise Termination Agreement, when fully executed, supersedes all previous negotiations, representations, and discussions by the parties hereto concerning the subject matter hereof and integrates the whole of all of their agreements and understandings concerning the subject matter hereof. No oral representations or undertakings concerning the subject matter hereof shall operate to amend, supersede, or replace any of the terms or conditions set forth herein.

b. Authority. By their signatures below, the parties represent and warrant to each other that they have all necessary authority to enter into this Franchise Termination Agreement. Each party hereto represents and warrants that it is entering into this Franchise Termination Agreement solely for the purposes and consideration set forth herein, and further warrants that this Termination Agreement is being executed without reliance on any representation of any kind or character not expressly set forth herein. Each party warrants that it has read this Franchise Termination Agreement and has had the opportunity to consult with legal counsel as to its effect.

c. Counterpart Execution. This Franchise Termination Agreement may be executed in any number of identical multiple counterparts, each of which shall be deemed an original for all purposes and all of which shall constitute one and the same instrument.

d. Survival. Subject to the terms of the Franchise Agreements, all covenants, representations, warranties, and agreements of the parties contained herein shall survive execution and delivery of this Franchise Termination Agreement and shall continue until such time as all the obligations of the parties hereto shall have lapsed in accordance with their respective terms or shall have been discharged in full.

e. Notices. Any notice or other communication required or permitted hereunder shall be in writing and shall be personally delivered or mailed by expedited delivery service or certified or registered mail, return receipt requested, or sent by electronic delivery, or facsimile (provided the sender confirms the electronic delivery, telex, or facsimile by sending an original confirmation copy thereof by certified or registered mail or expedited delivery service within three Business Days after transmission thereof) to the parties at their respective addresses set forth below or to such other address as any party may hereafter specify in writing and delivered in accordance with this paragraph 4.e. Any such notice shall be deemed given when so delivered by personal delivery or, in the case of electronic delivery, facsimile or upon transmission (provided confirmation is sent as described above) or, in the case

of expedited delivery service or registered or certified mail, three Business Days after the date and time of mailing, to:

If to Franchisee: ERJ Dining III, LLC
3309 Collins Lane
Louisville, KY 40245
Attention: General Counsel
Email: kcampbell@bfcompanies.com

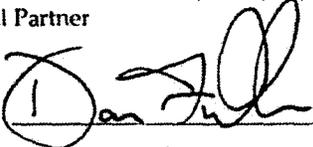
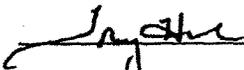
If to Franchisor: Brinker International Payroll Company, L.P.
3000 Olympus Boulevard
Dallas, Texas 75019-4880
Attention: General Counsel
Email: dan.fuller@brinker.com

f. No Third Party Beneficiaries. It is understood and agreed that there shall be no third party beneficiaries of any of the provisions of this Franchise Termination Agreement, and that the provisions of this Franchise Termination Agreement shall inure only to the benefit of the parties hereto.

g. Further Assurance. The parties hereto covenant and agree that they will execute such other and further instruments and documents as are or may become necessary or convenient to effectuate and carry out the intent of this Franchise Termination Agreement.

Remainder of page intentionally left blank

IN WITNESS WHEREOF, the parties hereto have executed this Franchise Termination Agreement to be effective as of the Closing Date.

| | |
|---|--|
| FRANCHISOR: Brinker International Payroll Company, L.P., a Delaware limited partnership By: BIPC Management LLC, a Delaware limited liability company Its: General Partner By:  Name: <u>Daniel Fuller</u> Title: <u>Vice President</u> Date: <u>7.11.19</u> | ERJ III: ERJ Dining III, LLC, a Kentucky limited liability company By:  Name: <u>Troy Hanke</u> Title: <u>Member</u> Date: <u>July 11, 2019</u> |
|---|--|



MATTHEW C. MERRIGAN
PARALEGAL
DIRECT: 913.451.5147

MAIN: 913.451.5100
FAX: 913.451.0875
MMERRIGAN@LATHROPGAGE.COM
LATHROPGAGE.COM

10851 MASTIN BOULEVARD, BUILDING 82,
SUITE 1000
OVERLAND PARK, KS 66210-1669

August 6, 2019

Via Federal Express

City of Florissant
ATTN: Anita Moore, Deputy City Clerk
955 rue St. Francois
Florissant, MO 63031

RE: Application for Liquor License
Brinker Missouri, Inc. d/b/a Chili's Grill & Bar
13901 New Halls Ferry Road, Florissant, MO 63033

Dear Ms. Moore:

Enclosed please find an Application for Liquor License for the Chili's Grill & Bar location referenced above, which is changing from franchise to corporate ownership on or after September 5, 2019.

If you have questions or require additional information, please do not hesitate to contact me. Thank you in advance for your time and assistance.

Best regards,

Lathrop Gage LLP

By: 
Matthew C. Merrigan

MCM

Enclosures

cc: Michele Bibb, Brinker International Inc., via e-mail (with enclosures)

SOURCE OF FUNDS AFFIDAVIT

The undersigned signatory, DANIEL FULLER, personally appeared before the undersigned Notary Public, duly authorized to administer oaths. After first being duly sworn, Daniel Fuller states under oath and deposes as follows:

1. My name is Daniel Fuller. I am a resident of the state of Texas above the age of majority and am competent to make this Affidavit. The facts contained in this Affidavit are true and correct based upon my knowledge as Vice President, Treasurer, and Assistant Secretary of Brinker Restaurant Corporation and Brinker Missouri, Inc., key parties in the acquisition transaction referenced below.
2. Brinker Restaurant Corporation's and Brinker Missouri, Inc.'s principal place of business is 3000 Olympus Blvd., Dallas, TX 75019.
3. Brinker Restaurant Corporation is a Virginia corporation. Its Federal Employer ID Number is 75-2340559. Brinker Missouri, Inc. is a Virginia corporation. Its Federal Employer ID Number is 75-2570179
4. Brinker Restaurant Corporation and Brinker Missouri, Inc. are purchasing 116 *Chili's Grill & Bar* restaurants from ERJ Dining, LLC, ERJ Dining II, LLC, ERJ Dining III, LLC, and ERJ Dining IV, LLC pursuant to effective date of the Asset Purchase Agreement. ERJ Dining, LLC, ERJ Dining II, LLC, ERJ Dining III, LLC, and ERJ Dining IV, LLC currently hold a variety of licenses and permits at the stores that Brinker Restaurant Corporation and Brinker Missouri, Inc. are acquiring.
5. Brinker Restaurant Corporation and Brinker Missouri, Inc. will pay a total purchase price of \$99,000,000 for the stores. Therefore, the average purchase price per store will be \$853,448
6. The transaction is entirely funded from capital provided by Brinker International, Inc., which may include existing cash on hand and funds received from Brinker International, Inc.'s revolving line of credit with a syndicate of national banks.

7. Brinker International, Inc. is a public company traded on the New York Stock Exchange under the ticker symbol EAT.

8. Brinker International, Inc. is the 100% owner of Brinker Restaurant Corporation. Brinker Restaurant Corporation is the 100% owner of Brinker Missouri, Inc.

9. Brinker Restaurant Corporation and Brinker Missouri, Inc. are the license applicants and controls the *Chili's* restaurants that are applying for the licenses or permits associated with this transaction.

FURTHER AFFIANT SAYETH NOT.



Signature of Affiant, Daniel Fuller

ACKNOWLEDGEMENT

STATE OF TEXAS)
) SS.
COUNTY OF DALLAS)

On this 19 day of July, 2019 before me, the undersigned Notary Public, personally appeared **DANIEL FULLER**, who is personally known to me.



Notary Public

My commission expires: 5-5-23

\\S46000\164 - # 11653938 v1



ASSIGNMENT AND ASSUMPTION OF LEASE AGREEMENT

This Assignment and Assumption of Lease Agreement (the "Assignment Agreement") is entered into by and between ERJ Dining III, LLC, a Kentucky limited liability company ("Assignor") and Brinker Missouri, Inc., a Virginia corporation ("Assignee") to be effective as of the Effective Date (defined below in Paragraph 1).

Preliminary Statements

A. The Realty Associates Fund X, L.P. ("Landlord") and Assignor, as tenant, are parties to that certain lease agreement dated 8/7/2003, (as may have been amended, assigned and/or supplemented, the "Lease") for real property located at 13901 New Halls Ferry Road, Florissant, MO 63033 (the "Premises"), where Assignor currently operates a Chili's Grill & Bar® restaurant.

B. In connection with that certain Asset Purchase Agreement dated on that certain date in July, 2019, as amended (the "Asset Purchase Agreement"), Assignee is purchasing a certain Chili's Grill & Bar® restaurant from Assignor and the parties desire to assign the Lease in accordance with the Asset Purchase Agreement and this Assignment Agreement.

NOW THEREFORE, with the intent of being legally bound hereby, in consideration of the mutual covenants and promises hereinafter set forth, and other good and valuable consideration, which the parties acknowledge is sufficient to create a legally binding agreement, the parties agree as set forth in this Assignment Agreement.

1. Effective Date. This Assignment Agreement shall not become effective and the obligations set forth herein shall not become binding upon Assignor and Assignee until the "Effective Date". The "Effective Date" of this Assignment Agreement shall be the closing date of the transaction contemplated by the Asset Purchase Agreement.

2. Assignment and Assumption. As of the Effective Date, Assignor assigns to Assignee all of Assignor's rights, duties, obligations, and liabilities under the Lease and (i) Assignee assumes all of Assignor's rights, duties, obligations, and liabilities under the Lease accruing from and after the Effective Date; (ii) Assignee agrees to remain unconditionally obligated to, and bound by, all terms applicable to Assignor under the Lease accruing from and after the Effective Date; and (iii) Assignee agrees to perform and observe all of the terms, conditions, restrictions, and covenants applicable to Assignor under the Lease accruing from and after the Effective Date.

3. Notices. Any notice required or permitted hereunder shall be given in writing, sent by (a) personal delivery, (b) generally recognized overnight courier service with proof of delivery, or (c) United States Mail postage prepaid, registered or certified mail, addressed as set forth below, or to such other address or to the attention of such other person as hereafter shall be designated in writing by the applicable party sent in accordance herewith. Any such notice or communication shall be deemed to have been given either (i) at the time of personal delivery or

(ii) in the case of delivery service or mail, as of the date of first attempted delivery at the address and in the manner provided herein.

If to Assignor: ERJ Dining III, LLC
3309 Collins Lane
Louisville, Kentucky 40245
Attention: Troy Hanke
Email: THanke@bfcompanies.com

w/ a copy to: ERJ Dining III, LLC
3309 Collins Lane
Louisville, Kentucky 40245
Attention: Karen M. Campbell
Email: KCampbell@bfcompanies.com

If to Assignee: Brinker Missouri, Inc.
3000 Olympus Blvd.
Dallas, TX 75019-4880
Attn: General Counsel
Email: Dan.Fuller@Brinker.com

4. Miscellaneous Provisions.

- a. Captions. The captions used in this Assignment Agreement are for convenience only and shall not be deemed to amplify, modify or limit the provisions hereof.
- b. Gender. Words of any gender used in this Assignment Agreement shall be construed to include any other gender, and words in the singular shall include the plural and vice versa, unless the context otherwise requires.
- c. Binding Effect. This Assignment Agreement shall be binding upon and shall inure to the benefit of Assignor and Assignee and their respective heirs, legal representatives, successors and assigns.
- d. Severability. If any term or provision, or any portion thereof, of this Assignment Agreement shall, to any extent, be invalid or unenforceable, then the remainder of this Assignment Agreement shall not be affected thereby and each remaining term and provision of this Assignment Agreement shall be valid and enforced to the fullest extent permitted by law.
- e. Counterparts. This Assignment Agreement may be signed in counterparts with the same force and effect as if all required signatures were contained in a single, original instrument.
- f. Attorneys' Fees. In the event of litigation between the parties to enforce this Assignment Agreement, the prevailing party in any such action shall be entitled to recover reasonable costs and expenses of suit, including, without limitation, court costs, attorneys' fees, and discovery costs.
- g. Governing Law. This Assignment Agreement shall be construed, interpreted, and enforced pursuant to the applicable laws of the State in which the Premises are located.

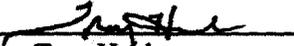
- h. Entire Agreement. This Assignment Agreement sets forth the entire agreement between the parties with respect to the transaction contemplated by this Assignment Agreement, and no amendment or modification of this Assignment Agreement shall be binding or valid unless expressed in writing executed by all of the parties hereto.
- i. Warranty of Authority. Each individual executing this Assignment Agreement on behalf of Assignor and Assignee represents and warrants that he or she is duly authorized to execute and deliver this Assignment Agreement on behalf of such party and that this Assignment Agreement is binding upon Assignor or Assignee (as the case may be).
- j. Rules of Construction. The terms of this Assignment Agreement have been examined, reviewed, negotiated, and revised by counsel for each party, and no implication will be drawn against any party by virtue of the preparation and drafting of this Assignment Agreement.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties hereto have executed this Assignment Agreement to be effective as of the Effective Date as defined in Paragraph 1 above.

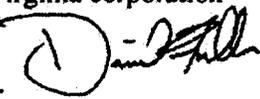
ASSIGNOR:

ERJ Dining III, LLC,
a Kentucky limited liability company

By: 
Name: Troy Hanke
Title: Member

ASSIGNEE:

Brinker Restaurant Corporation,
a Virginia corporation

By: 
Name: Daniel S. Fuller
Title: Vice President

Introduced by Council as a Whole
August 12, 2019

Resolution No. 1011

**RESOLUTION OF THE CITY OF FLORISSANT
SUPPORTING A GRANT APPLICATION FOR
ENHANCES TO KOCH PARK SPLASH PAD AREA.**

WHEREAS, the City Council deems it necessary to improve a public park or facility, more specifically known as Koch Park, to serve its citizens as well as those in the metropolitan area.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FLORISSANT MISSOURI AS FOLLOWS:

1. An application be made to the Municipal Park Grant Program in the County of St. Louis for a grant-in-aid for some or all the costs of the project, reimbursable by the Commission upon completion by the city.
2. That a project proposal be prepared and submitted to the Municipal Park Grant Commission.
3. The governing body hereby authorizes Mayor Timothy J. Lowery to sign and execute the necessary documents for forwarding the project proposal application and later execute an agreement for a grant-in-aid from the Municipal Park Grant Commission.
4. If a grant is awarded, the City of Florissant will enter into an agreement or contract with the Commission regarding said grant.

PASSED AND RESOLVED THIS _____ DAY OF _____, 2019.

Jeff Caputa
Council President

Karen Goodwin, MPPA MMC/MRCC
City Clerk

Resolution Of The Florissant City Council Honoring Police Officer Gary Schlottach for His 39 Years of Service as a Dedicated Officer for The City Of Florissant.

WHEREAS, after graduating from the Greater St. Louis Police Academy Officer Gary Schlottach began his law enforcement career with the City of Overland MO in December of 1978. In October of 1980 he joined the City of Florissant, and

WHEREAS, Officer Schlottach was assigned to the patrol division, the overlay squad that tracked down individuals with outstanding warrants, worked undercover in narcotics, he served on the Police Bicycle Unit and Florissant's Tactical Response Team. For two years he was a guest firearms instructor and red-handle firearms trainer with SLCMPA where he assisted in the in-service training of municipal police officers. He was also in charge of Florissant's Armorer Department and was the Firearms Instructor as well, and

WHEREAS, in 2001 he recommended the addition of a Code Enforcement Officer and worked independently for almost 12 years where he was responsible for orchestrating several code enforcement ordinances that were passed by City Council. Officer Schlottach worked tirelessly and was committed to enforcing the ordinances in the City of Florissant. In 2017 he was named Code Enforcement Officer of the Year by the MO Association of Code Enforcement. No other commissioned police officer has ever won this award in the State of Missouri, and

WHEREAS, Officer Schlottach represented the Florissant Police Department as the Deputy Director of Emergency Management Commission and is still a member of the Missouri Region C Incident Support Team that also covers three counties in Illinois, and

WHEREAS, Officer Schlottach is very passionate about hockey. He coached at the Mini Mite Level to the Bantams with the St. Peters Hockey Club, he was the Assistant Coach with Fort Zumwalt West, Assistant Coach with Chesterfield Central States Hockey Program, Assistant Coach with St. Louis University and for the past three years is the Head Coach for the Washington University Hockey Program and in 2019 was named Coach of the Year, and

WHEREAS, Officer Schlottach holds a Bachelor Degree in Criminal Justice from Lindenwood University. He has nine wonderful children which are his entire world. After forty-one years of wearing a police uniform he has retired from the Florissant Police Department and will now be moving onto his next endeavor.

Now, therefore, be it resolved by the Mayor and City Council of the City of Florissant, speaking for itself and on behalf of the citizens of the City of Florissant, that the Mayor and City Council go publicly on record as saying to Officer Gary Schlottach a sincere and heartfelt thank you for a job well done and wish you the best of luck in your well deserved retirement.

Adopted this 12th day of August, 2019

Jeff Caputa
President of the Council

Timothy J. Lowery
Mayor

ATTEST:

Karen Goodwin, MPPA/MMC/MRCC
City Clerk

1 INTRODUCED BY COUNCILMAN CAPUTA
2 AUGUST 12, 2019

3
4 BILL NO. 9517

ORDINANCE NO.

5
6 **ORDINANCE AUTHORIZING A TRANSFER OF \$40,000 FROM**
7 **CAPITAL IMPROVEMENT FUND ACCOUNT NO. 03-5-03-6148**
8 **“CAPITAL ADDITIONS” TO ACCOUNT NO. 03-5-03-30010**
9 **“EQUIPMENT REPAIRS-VEHICLES” TO COVER ANTICIPATED**
10 **VEHICLE REPAIR COSTS FOR THE PUBLIC WORKS**
11 **DEPARTMENT.**

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

15
16 Section 1: There is hereby authorized a transfer of \$40,000 from Capital Improvement
17 fund Account no. 03-5-03-6148 “Capital Additions” to Account no. 03-5-03-30010 “Equipment
18 Repairs-vehicles” to cover anticipated vehicle repair costs for the Public Works Department.

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

21 Adopted this _____ day of _____, 2019.

22
23 _____
24 Jeff Caputa
25 President of the Council
26 City of Florissant

27
28 Approved this _____ day of _____, 2019.

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30 _____
31 Timothy J. Lowery
32 Mayor, City of Florissant

33 ATTEST:

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35 _____
36 Karen Goodwin, MPPA/MMC/MRCC,
37 City Clerk

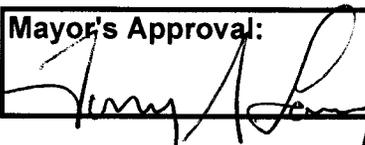
FLORISSANT CITY COUNCIL AGENDA REQUEST FORM

Date: 8/8/2019

Mayor's Approval:

Agenda Date Requested:

8/12/2019



Description of request: Budget Transfer from capital additions to vehicle repair

Transfer of Funds from

(See Attached Memo)

Department: Public Works

Recommending Board or Commission: N/A

Type of request:

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

Public Hearing needed: Yes / No

N

3 readings? : Yes / No

n

Back up materials attached:

Back up materials needed:

| | | | |
|------------|---|------------|--|
| Minutes | | Minutes | |
| Maps | | Maps | |
| Memo | X | Memo | |
| Draft Ord. | | Draft Ord. | |

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

For City Clerk Use Only:

Introduced by: _____

PH Speaker: _____

*cc to Clerk
8/4/19*



Memo To: City Council

Date: August 5, 2019

Thru: Mayor Timothy J. Lowery

From: Todd M. Hughes, P.E.
Director of Public Works and Health

Copy: Kimberlee Johnson

Subject: **Budget Transfer for Building and Equipment Maintenance – Capital Improvement Fund**

Due to higher than forecasted expenditures the Equipment Repairs – Vehicles account need more money to cover anticipated repair costs.

Therefore, I respectfully request that \$40,000 be transferred from Capital Improvement Fund Account 03-5-03-6148 – Capital additions – Public Works to be transferred to Account 03-5-03-30010 –Equipment Repairs - Vehicles.

Thank you in advance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Todd M. Hughes", written over a horizontal line.

Todd M Hughes, P.E.

CITY OF FLORISSANT

Public Hearing



In accordance with 405.310 of the Florissant Zoning Code a Public Hearing will be held by the City Council of Florissant, MO. in the Council Chambers, 955 Rue St. Francois, on Monday, May 13, 2019 at 7:30 P.M. on the following proposition:

To authorize an amendment to Special Use Permit No. 8394, as amended, to Smoke and Sip, LLC to allow for enclosure of a patio and pergola for a cigar bar for the property located at 411 rue St. Francois (legal description to govern). Citizens will have an opportunity to be heard. Anyone with special needs should contact the City Clerk at least 5 days before said public hearing by calling 839-7630 or TDD 839-5142. CITY OF FLORISSANT, Karen Goodwin, MMC

City Clerk

1 INTRODUCED BY COUNCILMAN EAGAN
2 AUGUST 12, 2019

3
4 BILL NO. 9521

ORDINANCE NO.

5
6 **ORDINANCE TO AMEND B-5 ORDINANCE NO. 7073 TO ALLOW**
7 **FOR A CARRY-OUT RESTAURANT FOR THE PROPERTY**
8 **LOCATED AT 8239 N. LINDBERGH.**
9

10 WHEREAS ordinance no. 7073 was passed in 2004 and authorized the rezoning of
11 several properties to a B-5 development for the placement of a retail center; and

12 WHEREAS, the Planning and Zoning Commission of the City of Florissant has
13 recommended to the City Council at their meeting of July 15, 2019 that B-5 ordinance no. 7073
14 be amended to allow for to allow for a restaurant located at 8239 N. Lindbergh; and

15 WHEREAS, due and lawful notice of public hearing no. 19-08-018 on said proposed
16 change was duly published, held and concluded on 12th of August by the Council of the City of
17 Florissant; and

18 WHEREAS, the Council, following said public hearing, and after due and careful
19 deliberation, has concluded that the amendment of B-5 ordinance no. 7073, as hereinafter set
20 forth, to be in the best interest of the public health, safety and welfare of the City of Florissant;
21 and

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

25 Section 1: B-5 Ordinance No. 7073 is hereby amended to allow for a carry-out and
26 delivery restaurant with no exterior changes at 8239 N. Lindbergh Blvd. in a B-5 Zoning
27 District, according to the proposal prepared by the petitioner as described in related documents
28 presented and according to the attached drawings: A1 dated 5/9/19 by Lickel Architecture, and
29 the following additional requirements:

30 Change Section 2, paragraph 1, "Permitted Uses" to read as follows:

31 "The uses permitted by this B-5 Planned Commercial District shall be limited to uses as
32 permitted in a B-3 Extensive Business District, and a carryout, delivery restaurant as depicted by
33 plans A1 dated 5/9/19 by Lickel Architecture. Uses other than those permitted by this
34 Ordinance shall require approval by amendment to this B-5."
35

36 **GENERAL DEVELOPMENT CONDITIONS**

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

39 b. The Department of Public Works shall enforce the conditions of this ordinance in
40 accordance with the Site Development Plan approved and all other ordinances of the City of
41 Florissant.

42
43 PROJECT COMPLETION.

44 Construction shall start within 90 days of the issuance of building permits for the
45 project, and shall be developed in accordance of the approved final development plan within 6
46 months of start of construction.

47
48 Section 2: Except as herein amended the B-5 Ordinance no. 6669 shall remain in full
49 force and effect.

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

52 Adopted this _____ day of _____, 2019.

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54 _____
55 Jeff Caputa
56 President of the Council

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58 Approved this _____ day of _____, 2019.

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60 _____
61 Timothy J. Lowery
62 Mayor, City of Florissant

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65 ATTEST:

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

1 INTRODUCED BY COUNCILMAN SIAM
2 AUGUST 12, 2019

3
4 BILL NO. 9520

ORDINANCE NO.

5
6 **ORDINANCE TO AUTHORIZE AN AMENDMENT TO SPECIAL USE**
7 **PERMIT NO. 8398 TO ALLOW FOR EXPANSION OF AN EXISTING**
8 **RESTAURANT/BAR LOCATED AT 125 & 129 FLOWER VALLEY**
9 **SHOPPING CENTER.**

10
11 WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of
12 Florissant, by Special Use Permit, after public hearing thereon, to permit the location and
13 operation of restaurants; and

14 WHEREAS, the Florissant City Council has heretofore granted Special Use Permit no.
15 8398 to Flower Valley Group LLC d/b/a Privilege Lounge to allow for the operation of a cocktail
16 lounge located at 125 & 129 Shopping Center; and

17 WHEREAS, an application has been filed by Flower Valley Group, LLC for an
18 amendment to the said Special Use Permit heretofore granted under Ordinance No. 8398 and
19 authorize the addition of certain conditions; and

20 WHEREAS, the Planning and Zoning Commission of the City of Florissant at their
21 meeting on July 15, 2019 has recommended that the said Special Use Permit be amended; and

22 WHEREAS, due notice of public hearing no. 19-08-017 on said application to be held on
23 the 22nd day of August, 2019 at 7:30 P.M. by the Council of the City of Florissant was duly
24 published, held and concluded; and

25 WHEREAS, the Council, following said public hearing, and after due and careful
26 consideration, has concluded that the granting of an amendment to the Special Use Permit
27 authorized by Ordinance No. 8398, as hereinafter provided would be in the best interest of the
28 City of Florissant.

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

31
32 Section 1: Special Use Permit no. 8398, is hereby amended to allow for the expansion
33 of a to allow a restaurant bar at 125 & 129 Flower Valley Shopping Center (Privilege Cocktail
34 Lounge) in a B-3 Zoning District subject to the following stipulations:

- 35
36 1. Bollards or some other type of vehicle barrier shall be installed
37 between the patio and rear parking lot lanes.

38 2. The project shall be as shown on G-1, A-1, A-2, A-3, A-4 and E-
39 1, dated 6/3/2019 by Philip Gomez-Architect, attached and subject to building
40 code review.

41
42 Section 2: Said Special Permit shall be conditioned on and shall remain in full force and
43 effect so long as the conditions set out in Ordinance 8398, are adhered to.

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

46
47 Adopted this ____ day of _____, 2019.

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51 _____
52 Jeff Caputa
53 President of the Council
54 City of Florissant

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56 Approved this ____ day of _____, 2019.

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59 _____
60 Timothy J. Lowery
61 Mayor, City of Florissant

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63 ATTEST:

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

1 INTRODUCED BY COUNCILMAN CAPUTA
2 AUGUST 12, 2019

3
4 BILL NO. 9522

ORDINANCE NO.

5
6 **AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER**
7 **405, THE ZONING CODE, TO ALLOW FOR MEDICAL MARIJUANA**
8 **RELATED USES**

9
10 WHEREAS, a Missouri Constitutional amendment was passed to legalize
11 medical marijuana in the state of Missouri; and

12
13 WHEREAS, the amendment allows cities to impose reasonable time, place
14 and manner regulations on marijuana facilities but cannot prohibit such facilities or
15 make operations unduly burdensome; and

16
17 WHEREAS, the City Council held a public hearing on June 10, 2019 and
18 passed Ordinance No. 8519 to permit medical marijuana related businesses to be
19 allowed as a “special use”; and

20
21 WHEREAS, City Staff recommended amendments to the medical marijuana
22 legislation, and the Planning and Zoning Commission further reviewed the
23 marijuana regulations on July 25, 2019 and recommended amending the zoning
24 code to allow medical marijuana related businesses as a “permitted use” and added
25 the B-2 Zoning District as a permissible zoning district for medical marijuana
26 dispensaries; and

27
28 WHEREAS, the City Council held a public hearing on August 12, 2019 to
29 consider the text amendments to the Zoning Code regarding medical marijuana;
30 and

31
32 WHEREAS, the City Council feels it is in the best interest of the City to
33 further amend the Zoning Code in accordance with recommendations of the
34 Planning and Zoning Commission to allow medical marijuana facilities as a
35 permitted use and to amend the regulations on the location of medical marijuana
36 facilities.

37
38 **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLORISSANT, ST.**
39 **LOUIS COUNTY, MISSOURI, AS FOLLOWS:**

40
41 **Section 1:** 405.125, ‘B-2’ Central Business District, Subsection B “Use
42 Regulations” is amended to include a new entry as follows and renumbered accordingly:
43

44 **Medical Marijuana Dispensary Facility** - (NAICS CC453999), which
45 abides by all applicable laws and regulations, but no Medical Marijuana
46 Dispensary Facility shall be sited on a property within three hundred (100)
47 feet of a property of any then-existing church, day care center, elementary
48 or secondary school. Measurements shall be made from the closest property
49 line of the proposed Dispensary Facility to the closest property line of any
50 such other use listed in this section, or in the case of location of a no
51 Medical Marijuana Dispensary Facility in a Shopping Center, the
52 measurement shall be taken from a determined centroid of the facility. On-
53 site Usage Prohibited: No Marijuana shall be smoked, ingested, infused or
54 otherwise consumed on the premises. All licenses issued to any Facility
55 shall be displayed at the Facility.

56
57
58 **Section 2:** 405.125, ‘B-3’ Extensive Business District, Subsection B “Use
59 Regulations” is amended to include a new entry as follows and renumbered accordingly:
60

61 **Medical Marijuana Dispensary Facility** - (NAICS CC453999), which
62 abides by all applicable laws and regulations, but no Medical Marijuana
63 Dispensary Facility shall be sited on a property within three hundred (100)
64 feet of a property of any then-existing church, day care center, elementary
65 or secondary school. Measurements shall be made from the closest property
66 line of the proposed Dispensary Facility to the closest property line of any
67 such other use listed in this section, or in the case of location of a no
68 Medical Marijuana Dispensary Facility in a Shopping Center, the
69 measurement shall be taken from a determined centroid of the facility. On-
70 site Usage Prohibited: No Marijuana shall be smoked, ingested, infused or
71 otherwise consumed on the premises. All licenses issued to any Facility
72 shall be displayed at the Facility.

73
74 **Section 3:** Section 405.140, M-1 “Limited Industrial District”, Subsection B “Use
75 Regulations” is hereby amended to include a new entry to read as follows and numbered
76 accordingly:
77

78 **Medical Marijuana-Infused Products Manufacturing Facility** (NAICS
79 CC325415), **Medical Marijuana Testing Facility** (NAICS CC541381)
80 and **Medical Marijuana Cultivation Facility-** (NAICS CC111419) which
81 abide by all applicable laws and regulations, but no Medical Marijuana
82 Related Facility shall be sited on a property within seven hundred fifty
83 (750) feet of a property of any then-existing church, day care center,
84 elementary or secondary school. Measurements shall be made from the
85 closest property line of the proposed Facility to the closest property line of
86 any such other use listed in this section, or in the case of location of a

87 Medical Marijuana Facility or Use in a Shopping Center, the measurement
88 shall be taken from a determined centroid of the facility. On-site Usage
89 Prohibited: No Marijuana shall be smoked, ingested, infused or otherwise
90 consumed on the premises. All licenses issued to any Facility shall be
91 displayed at the Facility.

92
93 Section 4: Section 405.145, M-2 “Industry District”, Subsection B “Use
94 Regulations” is hereby amended to include a new entry to read as follows and numbered
95 accordingly:

96
97 **Medical Marijuana-Infused Products Manufacturing Facility** (NAICS
98 CC325415), **Medical Marijuana Testing Facility** (NAICS CC541381)
99 and **Medical Marijuana Cultivation Facility-** (NAICS CC111419) which
100 abide by all applicable laws and regulations, but no Medical Marijuana
101 Related Facility shall be sited on a property within seven hundred fifty
102 (750) feet of a property of any then-existing church, day care center,
103 elementary or secondary school. Measurements shall be made from the
104 closest property line of the proposed Facility to the closest property line of
105 any such other use listed in this section, or in the case of location of a
106 Medical Marijuana Facility or Use in a Shopping Center, the measurement
107 shall be taken from a determined centroid of the facility. On-site Usage
108 Prohibited: No Marijuana shall be smoked, ingested, infused or otherwise
109 consumed on the premises. All licenses issued to any Facility shall be
110 displayed at the Facility.

111
112 Section 5: Section 405.155, NU “Non-Urban Zoning District” Subsection B “Use
113 Regulations” is hereby amended by adding a new section to include Medical Marijuana
114 Cultivation Facility to read as follows:

115
116 **Medical Marijuana Cultivation Facility-** (NAICS CC111419) as defined
117 in Section 405.035, which abides by all applicable laws and regulations,
118 subject to the following specific standards:

- 119
120 1. No marijuana-related use or facility shall emit an odor or in any way
121 cause a public nuisance per Section 405.1553 or Chapter 215, as
122 applicable. The applicant shall demonstrate that the appropriate
123 systems will be provided to prevent any odor of marijuana or fumes
124 from leaving the facility.
- 125 2. Marijuana cultivation and processing activities shall occur only within
126 an enclosed structure.
- 127 3. On-site Usage Prohibited: No Marijuana shall be smoked, ingested,
128 infused or otherwise consumed on the premises.
- 129 4. All licenses issued to any Facility shall be displayed at the Facility.

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

Adopted this _____ day of _____, 2019.

Jeff Caputa
President of the Council
City of Florissant

Approved this _____ day of _____, 2019.

Timothy J. Lowery
Mayor, City of Florissant

ATTEST:

Karen Goodwin, MPPA/MMC/MRCC
City Clerk

1 INTRODUCED BY COUNCILMAN EAGAN
2 AUGUST 12, 2019

3
4 BILL NO. 9524

ORDINANCE NO.

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6
7 **ORDINANCE TO AUTHORIZE A SPECIAL USE PERMIT TO**
8 **MOCANCURE II, LLC TO ALLOW FOR A MEDICAL MARIJUANA**
9 **DISPENSARY FOR THE PROPERTY LOCATED AT 8454 N. LINDBERGH**

10
11
12 WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of
13 Florissant, by Special Use Permit, after public hearing thereon, to permit the operation of a Medical
14 Marijuana dispensary; and

15 WHEREAS, an application has been filed by MoCanCure II, LLC for the operation of a
16 medical marijuana dispensary located at 8454 N. Lindbergh; and

17 WHEREAS, the Planning and Zoning Commission of the City of Florissant, at their meeting
18 of July 25, 2019 recommended approval of said Special Use Permit; and

19 WHEREAS, due notice of public hearing no.19-08-021 on said application to be held on the
20 12th of August, 2019 at 7:30 P.M. by the Council of the City of Florissant was duly published, held
21 and concluded; and

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

25 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 MoCanCure II for the location and
29 operation of a medical marijuana dispensary located at 8454 N Lindbergh in a B-3 Zoning District,
30 according to the proposal prepared by the petitioner as described in related documents presented and
31 according to the attached drawing "Floor Plan by SPACE, drawing A2-17".

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

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

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38 Adopted this _____ day of _____, 2019.

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Jeff Caputa
President of the Council

Approved this _____ day of _____, 2019.

Timothy J. Lowery
Mayor

ATTEST:

Karen Goodwin, MPPA/MMC/MRCC
City Clerk

1 INTRODUCED BY COUNCILWOMAN PAGANO
2 AUGUST 12, 2019

3
4 BILL NO. 9518

ORDINANCE NO.

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6
7 **ORDINANCE TO AUTHORIZE A SPECIAL USE PERMIT TO**
8 **102VENYOU, LLC D/B/A 102 VENYOU TO ALLOW FOR A CATERED**
9 **BANQUET CENTER LOCATED AT 1815-1817 DUNN ROAD.**

10
11
12 WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of
13 Florissant, by Special Use Permit, after public hearing thereon, to permit the operation of a banquet
14 centers; and

15 WHEREAS, an application has been filed by 102 Venyou for the operation of a catered
16 banquet center located at 1815-1817 Dunn Road; and

17 WHEREAS, the Planning and Zoning Commission of the City of Florissant, at their meeting
18 of July 15, 2019 recommended approval of said Special Use Permit; and

19 WHEREAS, due notice of public hearing no.19-08-015 on said application to be held on the
20 12th of August, 2019 at 7:30 P.M. by the Council of the City of Florissant was duly published, held
21 and concluded; and

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

25 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 102 Venyou, LLC for a Cater-In
29 Banquet Facility in an existing B-3 Zoning District at 1815-1817 Dunn Road subject to the drawing
30 submitted dated 6/26/19, with the following stipulation:

- 31
32 1. No outdoor dining permitted, without amendment to the Special Use.

33
34 Section 2: When the named permittee discontinues the operation of said business, the Special
35 Use Permit herein granted shall no longer be in force and effect.

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

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Adopted this _____ day of _____, 2019.

Jeff Caputa
President of the Council

Approved this _____ day of _____, 2019.

Timothy J. Lowery
Mayor

ATTEST:

Karen Goodwin, MPPA/MMC/MRCC
City Clerk

1 INTRODUCED BY COUNCILMAN SCHILDROTH
2 AUGUST 12, 2019

3
4 BILL NO. 9523

ORDINANCE NO.

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6
7 **ORDINANCE TO AUTHORIZE A SPECIAL USE PERMIT TO 225 DUNN,**
8 **LLC TO ALLOW FOR A MEDICAL MARIJUANA DISPENSARY FOR THE**
9 **PROPERTY LOCATED AT 225 DUNN ROAD.**

10
11
12 WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of
13 Florissant, by Special Use Permit, after public hearing thereon, to permit the operation of a Medical
14 Marijuana dispensary; and

15 WHEREAS, an application has been filed by 225 Dunn, LLC for the operation of a medical
16 marijuana dispensary located at 225 Dunn Road; and

17 WHEREAS, the Planning and Zoning Commission of the City of Florissant, at their meeting
18 of July 15, 2019 recommended approval of said Special Use Permit; and

19 WHEREAS, due notice of public hearing no.19-08-019 on said application to be held on the
20 12th of August, 2019 at 7:30 P.M. by the Council of the City of Florissant was duly published, held
21 and concluded; and

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

25 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 225 Dunn, LLC for the location and
29 operation of a medical marijuana dispensary located at 225 Dunn Road in a B-3 Zoning District,
30 according to the proposal prepared by the petitioner as described in related documents presented and
31 according to the attached drawing “Ground Floor Plan dated 6/7/19” by Kadean Construction.

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

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

39 Adopted this _____ day of _____, 2019.

40

41

42

Jeff Caputa

43

President of the Council

44

45 Approved this _____ day of _____, 2019.

46

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Timothy J. Lowery

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Mayor

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52

53 ATTEST:

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55

Karen Goodwin, MPPA/MMC/MRCC

56 City Clerk

57

1 INTRODUCED BY COUNCILMAN EAGAN
2 AUGUST 12, 2019

3
4 BILL NO. 9525

ORDINANCE NO.

5
6

7 **ORDINANCE TO AUTHORIZE A SPECIAL USE PERMIT TO ROBUST**
8 **HOLDINGS MISSOURI, LLC TO ALLOW FOR A MEDICAL MARIJUANA**
9 **DISPENSARY FOR THE PROPERTY LOCATED AT 444 HOWDERSHELL**
10 **ROAD.**

11

12 WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of
13 Florissant, by Special Use Permit, after public hearing thereon, to permit the operation of a Medical
14 Marijuana dispensary; and

15 WHEREAS, an application has been filed by Robust Holdings Missouri, LLC for the
16 operation of a medical marijuana dispensary located at 444 Howdershell Road; and

17 WHEREAS, the Planning and Zoning Commission of the City of Florissant, at their meeting
18 of July 25, 2019 recommended approval of said Special Use Permit; and

19 WHEREAS, due notice of public hearing no.19-08-022 on said application to be held on the
20 12th of August, 2019 at 7:30 P.M. by the Council of the City of Florissant was duly published, held
21 and concluded; and

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

25 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 Robust Holdings Missouri, LLC for the
29 location and operation of a medical marijuana dispensary located at 444 Howdershell Road in a B-3
30 Zoning District, according to the proposal prepared by the petitioner as described in related
31 documents presented and according to the attached "Floor Plan" to be stamped, recommended,
32 approved and the following requirements:

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

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

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Adopted this _____ day of _____, 2019.

Jeff Caputa
President of the Council

Approved this _____ day of _____, 2019.

Timothy J. Lowery
Mayor

ATTEST:

Karen Goodwin, MPPA/MMC/MRCC
City Clerk

1 INTRODUCED BY COUNCILMAN HENKE
2 AUGUST 12, 2019

3
4 BILL NO. 9519

ORDINANCE NO.

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6
7 **ORDINANCE TO AUTHORIZE A SPECIAL USE PERMIT TO LEGENDS**
8 **ACADEMY, LLC D/B/A LEGENDS ACADEMY TO ALLOW FOR A CHILD**
9 **DAY CARE CENTER LOCATED AT 1645 N. NEW FLORISSANT ROAD.**

10
11
12 WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of
13 Florissant, by Special Use Permit, after public hearing thereon, to permit the operation of a child day
14 care center; and

15 WHEREAS, an application has been filed by Legends Academy LLC for the operation of a
16 child daycare center located at 1645 N. New Florissant Road; and

17 WHEREAS, the Planning and Zoning Commission of the City of Florissant, at their meeting
18 of July 15, 2019 recommended approval of said Special Use Permit; and

19 WHEREAS, due notice of public hearing no.19-08-016 on said application to be held on the
20 12th of August, 2019 at 7:30 P.M. by the Council of the City of Florissant was duly published, held
21 and concluded; and

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

25 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 Legends Academy LLC for a Child Day Care
29 Center at 1645 N. New Florissant Road as depicted on the Site Plan and Building Plans by Max
30 Bemberg-Architect, subject to the regulations in the B-3 Zoning District and the following additional
31 requirements:

- 32 a. Provide a protective barrier for the play area, i.e. bollards @ 5' o.c.

33
34 Section 2: When the named permittee discontinues the operation of said business, the Special
35 Use Permit herein granted shall no longer be in force and effect.

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

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Adopted this _____ day of _____, 2019.

Jeff Caputa
President of the Council

Approved this _____ day of _____, 2019.

Timothy J. Lowery
Mayor

ATTEST:

Karen Goodwin, MPPA/MMC/MRCC
City Clerk

1 INTRODUCED BY COUNCILMAN CAPUTA
2 AUGUST 12, 2019

3
4 SUBSTITUTE BILL NO. 9522 ORDINANCE NO.

5
6 **AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER**
7 **405, THE ZONING CODE, TO ALLOW FOR MEDICAL MARIJUANA**
8 **RELATED USES**

9
10 WHEREAS, a Missouri Constitutional amendment was passed to legalize
11 medical marijuana in the state of Missouri; and

12
13 WHEREAS, the amendment allows cities to impose reasonable time, place
14 and manner regulations on marijuana facilities but cannot prohibit such facilities or
15 make operations unduly burdensome; and

16
17 WHEREAS, the City Council held a public hearing on June 10, 2019 and
18 passed Ordinance No. 8519 to permit medical marijuana related businesses to be
19 allowed as a “special use”; and

20
21 WHEREAS, City Staff recommended amendments to the medical marijuana
22 legislation, and the Planning and Zoning Commission further reviewed the
23 marijuana regulations on July 25, 2019 and recommended amending the zoning
24 code to allow medical marijuana related businesses as a “permitted use” and added
25 the B-2 Zoning District as a permissible zoning district for medical marijuana
26 dispensaries; and

27
28 WHEREAS, the City Council held a public hearing on August 12, 2019 to
29 consider the text amendments to the Zoning Code regarding medical marijuana;
30 and

31
32 WHEREAS, City Staff recommended changes to the recommendations of
33 the Planning and Zoning Commission concerning the regulation of the distance that
34 medical marijuana facilities can be located to an existing church, day care or
35 school; and

36
37 WHEREAS, the City Council feels it is in the best interest of the City to
38 further amend the Zoning Code in accordance with recommendations of City Staff
39 to allow medical marijuana facilities as a permitted use and to amend the
40 regulations on the location of medical marijuana facilities.

41
42 **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLORISSANT, ST.**
43 **LOUIS COUNTY, MISSOURI, AS FOLLOWS:**

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Section 1: 405.125, ‘B-2’ Central Business District, Subsection B “Use Regulations” is amended to include a new entry as follows and renumbered accordingly:

Medical Marijuana Dispensary Facility - (NAICS CC453999), which abides by all applicable laws and regulations, but no Medical 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 Medical 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 2: 405.125, ‘B-3’ Extensive Business District, Subsection B “Use Regulations” is amended to include a new entry as follows and renumbered accordingly:

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

Medical Marijuana-Infused Products Manufacturing Facility (NAICS CC325415), **Medical Marijuana Testing Facility** (NAICS CC541381) and **Medical Marijuana Cultivation Facility-** (NAICS CC111419) which abide by all applicable laws and regulations, but no Medical Marijuana Related Facility shall be sited on a property within seven hundred fifty

87 (750) feet of a property of any then-existing church, day care center,
88 elementary or secondary school. Measurements shall be made from the
89 closest property line of the proposed Facility to the closest property line of
90 any such other use listed in this section, or in the case of location of a
91 Medical Marijuana Facility or Use in a Shopping Center, the measurement
92 shall be taken from a determined centroid of the facility. On-site Usage
93 Prohibited: No Marijuana shall be smoked, ingested, infused or otherwise
94 consumed on the premises. All licenses issued to any Facility shall be
95 displayed at the Facility.

96
97 Section 4: Section 405.145, M-2 “Industry District”, Subsection B “Use
98 Regulations” is hereby amended to include a new entry to read as follows and numbered
99 accordingly:

100
101 **Medical Marijuana-Infused Products Manufacturing Facility** (NAICS
102 CC325415), **Medical Marijuana Testing Facility** (NAICS CC541381)
103 and **Medical Marijuana Cultivation Facility-** (NAICS CC111419) which
104 abide by all applicable laws and regulations, but no Medical Marijuana
105 Related Facility shall be sited on a property within seven hundred fifty
106 (750) feet of a property of any then-existing church, day care center,
107 elementary or secondary school. Measurements shall be made from the
108 closest property line of the proposed Facility to the closest property line of
109 any such other use listed in this section, or in the case of location of a
110 Medical Marijuana Facility or Use in a Shopping Center, the measurement
111 shall be taken from a determined centroid of the facility. On-site Usage
112 Prohibited: No Marijuana shall be smoked, ingested, infused or otherwise
113 consumed on the premises. All licenses issued to any Facility shall be
114 displayed at the Facility.

115
116 Section 5: Section 405.155, NU “Non-Urban Zoning District” Subsection B “Use
117 Regulations” is hereby amended by adding a new section to include Medical Marijuana
118 Cultivation Facility to read as follows:

119
120 **Medical Marijuana Cultivation Facility-** (NAICS CC111419) as defined
121 in Section 405.035, which abides by all applicable laws and regulations,
122 subject to the following specific standards:

- 123
124 1. No marijuana-related use or facility shall emit an odor or in any way
125 cause a public nuisance per Section 405.1553 or Chapter 215, as
126 applicable. The applicant shall demonstrate that the appropriate
127 systems will be provided to prevent any odor of marijuana or fumes
128 from leaving the facility.

1 INTRODUCED BY COUNCILMAN CAPUTA
2 AUGUST 12, 2019

3
4 BILL NO. 9526

ORDINANCE NO.

5
6 **ORDINANCE TO AUTHORIZE A FISCAL YEAR 2019 SUPPLEMENTAL**
7 **BUDGET AMENDMENT TO ROLL OVER GRANT REVENUE ASSOCIATED**
8 **WITH THE FISCAL YEAR 2019 RE-APPROPRIATIONS OF THE FISCAL**
9 **YEAR 2018 PURCHASE ORDER ROLLOVER.**

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

13
14 Section 1: There is hereby authorized the following Fiscal Year 2019 Supplemental Budget
15 Amendment to roll over Grant Revenue associated with the Fiscal Year 2019 re-appropriations of the
16 Fiscal Year 2018 purchase order rollover.

17
18 **General Fund**

19
20 01-4-34511 Police Forfeiture Revenue \$ 100,777

21
22 **Capital Improvement Fund**

23
24 03-4-03511 Grant Revenue – Robinwood \$ 86,976
25 03-4-03512 Grant Revenue – St. Anthony Bridge \$ 141,661

26
27 **Park Improvement Fund**

28
29 09-4-09540 Grant Revenue – Manion Park PH II \$ 406,848

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

32 Adopted this _____ day of _____, 2019.

33
34 _____
35 Jeff Caputa
36 President of the Council
37 City of Florissant

38 Approved this _____ day of _____, 2019.

39
40 _____
41 Timothy J. Lowery
42 Mayor, City of Florissant

43 ATTEST:

44 _____
45 Karen Goodwin, MPPA/MMC/MRCC,
46 City Clerk

FLORISSANT CITY COUNCIL

AGENDA REQUEST FORM

Date: 8/8/19

Mayor's Approval:

Agenda Date Requested:

Description of request:

FY 19 Supplemental Budget to roll over Grant Revenue associated with the FY19 re-appropriations of FY18 purchase orders rollover.

Department: Various

Recommending Board or Commission:

Type of request:

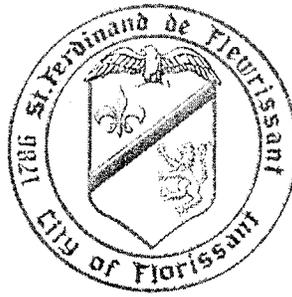
| Ordinances | X | Other | X |
|---------------------------------|-----|------------------------|-----|
| Appropriation | X | Liquor License | |
| Transfer | | Hotel License | |
| Zoning Amendment | | Special Presentations | |
| Amendment | | Resolution | |
| Special Use Transfer | | Proclamation | |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

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

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

For City Clerk Use Only:
 Introduced by: _____
 PH Speaker: _____

Ceto Creel
8/7/19



125-8-19

Memo To: City Council

Date: August 8, 2019

Thru: Mayor Timothy Lowery

From: Kimberlee Johnson
Director of Finance

Subject: Request re-appropriation of Grant Revenue associated with the FY 19 re-appropriation of FY18 purchase order rollover for project expenses for the following funds:

General Fund

01-4-34511 Police Forfeiture Revenue \$ 100,777

Capital Improvement Fund

03-4-03511 Grant Revenue – Robinwood \$ 86,976

03-4-03512 Grant Revenue – St. Anthony Bridge \$ 141,661

Park Improvement Fund

09-4-09540 Grant Revenue – Manion Park PH II \$ 406,848

Respectfully submitted,

Kimberlee Johnson, Director of Finance

1 INTRODUCED BY COUNCILMAN CAPUTA
2 AUGUST 12, 2019

3
4 BILL NO. 9527

ORDINANCE NO.

5
6 **ORDINANCE AUTHORIZING GENERAL FUND TRANSFERS OF SALARIES AND**
7 **BENEFITS FOR VARIOUS DEPARTMENTS.**
8

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

11
12 Section 1: There is hereby authorized the following transfers within the General Revenue Fund to
13 various accounts listed as follows:

| | | <u>From:</u> | <u>To:</u> |
|------------|----------|---------------|---------------|
| | | Health | Police |
| \$ 105,000 | Salaries | 01-5-42-10000 | 01-5-49-10000 |
| \$ 10,000 | Benefits | 01-5-42-13000 | 01-5-49-13000 |
| | | | |
| | | Public Works | Police |
| \$ 80,000 | Salaries | 01-5-48-10000 | 01-5-49-10000 |
| \$ 95,000 | Benefits | 01-5-48-13000 | 01-5-49-13000 |

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23 Prosecuting Attorney Department:

| | | | |
|----------|-------------|---------------|----------------------|
| \$15,000 | <u>From</u> | 01-5-35-16000 | Contract Services |
| | <u>To</u> | 01-5-35-10030 | Salaries – Part Time |

24
25
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27 Municipal Court Department:

| | | | |
|----------|-------------|---------------|----------------------|
| \$10,000 | <u>From</u> | 01-5-41-10030 | Salaries – Part Time |
| | <u>To</u> | 01-5-41-16000 | Contract Services |

28
29
30
31 Section 2: This ordinance shall become in force and effect immediately upon its passage and approval.

32 Adopted this _____ day of _____, 2019.

33
34
35 _____
36 Jeff Caputa
37 President of the Council
38 City of Florissant

39 Approved this _____ day of _____, 2019.

40
41 _____
42 Timothy J. Lowery
43 Mayor, City of Florissant

44 ATTEST:

45 _____
46 Karen Goodwin, MPPA/MMC/MRCC,
City Clerk

FLORISSANT CITY COUNCIL

AGENDA REQUEST FORM

Date: 8/8/19 _____

Mayor's Approval:

Agenda Date Requested: _____

Description of request:

General Fund - Transfer Salaries and Benefits for various departments per Year End Projections based on July 31, 2019 year-to date.

Department: Various

Recommending Board or Commission: _____

Type of request:

| Ordinances | X | Other | X |
|----------------------|---|-----------------------|---|
| Appropriation | | Liquor License | |
| Transfer | X | Hotel License | |
| Zoning Amendment | | Special Presentations | |
| Amendment | | Resolution | |
| Special Use Transfer | | Proclamation | |
| Special Use | | Subdivision | |
| Budget Amendment | | | |

Y/N Y/N

Public Hearing needed: **Yes / No**

3 readings? : **Yes / No**

Y

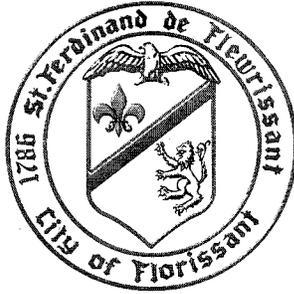
Back up materials attached:

Back up materials needed:

| | | | |
|------------|--|------------|--|
| Minutes | | Minutes | |
| Maps | | Maps | |
| Memo | | Memo | |
| Draft Ord. | | Draft Ord. | |

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

For City Clerk Use Only:
 Introduced by: _____
 PH Speaker: _____



Memo To: City Council

Date: August 8, 2019

Thru: Mayor Timothy Lowery

From: Kimberlee Johnson
Director of Finance

7/28-8-19

Subject: General Fund - Transfer Salaries and Benefits for various departments per Year End Projections based on July 31, 2019 year-to date.

| | | From: | To: |
|------------|----------|-------------------------------|-------------------------|
| \$ 105,000 | Salaries | Health 01-5-42-10000 | Police 01-5-49-10000 |
| \$ 10,000 | Benefits | 01-5-42-13000 | 01-5-49-13000 |
| \$ 80,000 | Salaries | Public Works 01-5-48-10000 | Police 01-5-49-10000 |
| \$ 95,000 | Benefits | 01-5-48-13000 | 01-5-49-13000 |

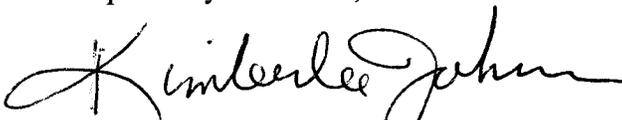
Prosecuting Attny Department:
\$15,000

| | | |
|------|---------------|----------------------|
| From | 01-5-35-16000 | Contract Services |
| To | 01-5-35-10030 | Salaries – Part Time |

Municipal Court Department:

| | | | |
|----------|------|---------------|----------------------|
| \$10,000 | From | 01-5-41-10030 | Salaries – Part Time |
| | To | 01-5-41-16000 | Contract Services |

Respectfully submitted,


Kimberlee Johnson, Director of Finance