

#### FLORISSANT CITY COUNCIL AGENDA

City Hall

955 Rue St. Francois THURSDAY, SEPTEMBER 14, 2023 7:00 PM





#### I. PLEDGE OF ALLEGIANCE

#### II. ROLL CALL OF MEMBERS

#### III. APPROVAL OF MINUTES

8-28-2023	City Council Minutes	

#### IV. HEARING FROM CITIZENS

#### V. COMMUNICATIONS

#### VI. PUBLIC HEARINGS

23-09-016	Request recommended approval of a Special Use Permit to allow for a Carry-Out Restaurant in an existing 'B-3' Extensive Business District.	Suzetta Porter
23-09-017	Public Hearing to establish the rate of taxation to be levied upon all real estate and tangible personal property in the City of Florissant, county of St. Louis, State of Missouri, for the year 2023, for the payment of interest and principal on the General Obligation Bonds authorized by the voters at the Special Bond Election on August 2, 2022.	Kimberlee Johnson

#### VII. OLD BUSINESS

	BILLS FOR SECOND READING	
9900	Ordinance authorizing a Special Use Permit for the operation of a sit down and carry-out restaurant, at 1290 N Highway 67 (Sugarfire) in a 'B-3' Zoning District.	O'Donnell
9901	Ordinance authorizing an amendment to Title III "Traffic Code", Schedule III "Stop Intersections", Table IIIA "One-Way Stops" by adding a stop sign on Surrey at Tremont.	Siam

#### VIII. NEW BUSINESS

	BOARD APPOINTMENTS	
	REQUESTS	
Special Event Permit	Request to approve a Special Event Permit for October 21, 2023 to 2.0 Restaurant and Bar located 462 N. Highway 67	Ward 6
	RESOLUTIONS	
	BILLS FOR FIRST READING	
9906	Ordinance approriating the Community Development Block Grant (CDBG) Funds to the 2023 Fiscal Year for the City of Florisssnt.	Council as a Whole
9907	Ordinance establishing the rate of taxation to be levied upon all real estate and tangible personal property in the City of Florissant, county of St. Louis, State of Missouri, for the year 2023, for the payment of interest and principal on the General Obligation Bonds authorized by the voters at the Special Bond Election on August 2, 2022.	Council as a Whole
9908	Ordinance amending Chapter 340, Section 340.290 "Miscellaneous Driving Rules" and deleting section 210.580	Eagan
9909	Ordinance authorizing a Special Use Permit to allow for a Carry-Out Restaurant in an existing 'B-3' Extensive Business District located at 2636 N. Highway 67.	Siam

#### IX. COUNCIL ANNOUNCEMENTS

#### X. MESSAGE FROM THE MAYOR

#### XI. ADJOURNMENT

THIS AGENDA WAS POSTED ON THE BULLETING BOARD IN THE LOBBY AT CITY HALL AND ON THE CITY WEBSITE AT FLORISSANTMO.COM ON SEPTEMBER 8, 2023 BY 12:00 PM.

ANY ONE WISHING TO ATTEND THE COUNCIL MEETING WHO HAS SPECIAL NEEDS SHOULD CONTACT THE CITY CLERK BY NOON ON MONDAY, THURSDAY, SEPTEMBER 14, 2023



# **Agenda Request Form**

For Administration Use Only:

**Meeting Date: 9/14/2023** 

Open [X] Closed [ ]

Report No. 22/2023

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Date	C L	:44	
17316	71111		-(1:

To: City Council

**Title:** City Council Minutes 8-28-2023

**Prepared by:** Ms. Deputy City Clerk Savanna Burton

**Department:** 

Justification:

#### **Attachments:**

1. CC Minutes 8-28-2023

### **CITY OF FLORISSANT**



#### **COUNCIL MINUTES**

Monday, August 28, 2023

The Florissant City Council met in regular session at Florissant City Hall, 955 Rue St. Francois on Monday, August 28, 2023 at 7:00 PM with Council President Eagan presiding.

#### I. PLEDGE OF ALLEGIANCE

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

#### II. ROLL CALL OF MEMBERS

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

#### III. APPROVAL OF MINUTES

#### 8-14-2023. **Council Minutes 8-14-2023**

Councilman Manganelli made a motion to approve the City Council Minutes of August 14, 2023, seconded by Caputa. Motion carried.

#### IV. SPECIAL PRESENTATIONS

#### **2023 Beautiful Home Awards**

Ward 1	Mrs. Nadine Fluck	1385 Thrush
Ward 2	Mrs. Rose Reidel	85 LaVenta
Ward 3	Mr. & Mrs. Kathy & Rob Gyngard	1220 Kostka
Ward 4	Ms. Tina Grover	820 North Park
Ward 5	Mr. & Mrs. Aaron and Emily Stover	318 Reighley Pl
Ward 6	Mr. & Mrs. Martin & Sharon Margherio	1210 St. Antoine
Ward 7	Mr. & Mrs. Tom and Barb Preuss	270 Duquette
Ward 8	Mr. & Mrs. Bobby and Mary Lewis	1090 Sulky
Ward 9	Mrs. Marianne Manning	1440 Tina
Mayor's	Choice Mrs. Tina Butler	5 Elm

The Beautiful Home Awards were presented by Mayor Lowery, the city council, and Trisha Crow.

#### V. HEARING FROM CITIZENS

Annie Magney noted the Flower Valley Shopping Center has had issues which have caused loss of business. She stated the landlord has not responded or shown up to the building this year. Ms. Magney noted people will stand outside her business and sell drugs. Her customers have become uncomfortable and she has begun servicing customers through the rear door.

Marikit Villasis, 119 Flower Valley Shopping Center, mentioned concerns of loitering and issues with none customers entering the businesses. Ms. Villasis stated her business is also being affected by the people loitering and causing customers to be uncomfortable. She noted she isn't sure what can be done, but hopes the Council has a solution.

Mayor Lowery noted he is aware of the issues with the shopping center owner and the city would continue to assist in cleaning the property until the landlord is reached. He stated they will not be issuing anymore permits for the shopping center until the issues with the landlord are resolved. Mayor Lowery noted he would come back to the property with Chief Fagan to discuss more enforcement in the area.

#### VI. <u>COMMUNICATIONS</u>

There were none.

#### VII. PUBLIC HEARINGS

23-08-015. Request to authorize a Special Use Permit for the operation of a sit down and carry-out restaurant, at 1290 N Highway 67 (Sugarfire) in a 'B-3' Zoning District.

The City Clerk reported that Public Hearing 23-08-015 for the Request to authorize a Special Use Permit for the operation of a sit down and carry-out restaurant, at 1290 N. Highway 67 (Sugarfire) in a 'B-3' Zoning District. The Chair declared the Public Hearing to be open.

Charlie Downs, owner, noted he is hoping have the business running by the end of the year. He stated the business would be operating 7 days a week from 7am to 8-8:30pm or whenever the food is sold out with sit down and carry-out options and a maximum capacity of 42 people. Ralph Zurheide noted once the permits were received, they would hope to be open in 3 months. Mr. Downs noted the property at the rear may be interested in allowing for parking on her property for Sugarfire and would enter into a parking agreement with resurfacing completed.

Councilman Parson noted concerns with traffic on Lindbergh effecting entrance in the business. Mr. Downs believes once the business is open, traffic into the business will settle down and is willing to work with the Police Department regarding other traffic concerns and he would not add a drive-thru at any point. He stated he may potentially come back later to apply for a beer and wine license.

Being no further comments, Councilman O'Donnell made a motion to close the Public Hearing, seconded by Caputa. Motion carried.

#### VIII. OLD BUSINESS

#### BILLS FOR SECOND READING

9897. Ordinance authorizing an amendment to 'B-5' Ordinance No. 6792 to allow for the operation of a liquor store for the property located at 350 Howdershell (BARRS Liquor & More).

Councilman Eagan moved that Bill No. 9897 be read for a second time, seconded by Manganelli.

Councilman Eagan noted he spoke out about this request at the previous meeting and a letter was received after the first meeting on Friday, August 25, 2023 and is attached.

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Councilman Eagan stated he does want to support BARRS Liquor & More, but could not support them or any other business inside this property due to the current issues with the landlord cleaning up the property.

Councilman Manganelli noted he did pass by the property after receiving the communication and agrees with Councilman Eagan.

Motion carried and Bill No. 9897 was read for a second time.

Councilman Eagan moved that Bill No. 9897 be read for a third time, seconded by Manganelli. Motion carried and Bill No. 9897 was read for a third time and place upon its passage.

Before the final vote was taken, all interested persons were given the opportunity to be heard. Being no further comments, on roll call the Council voted as follows:

#### **VOTING**

Motion by: Councilman Eagan, Joseph Second by: Councilman Manganelli, Paul

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

Whereupon the Chair declared Bill No. 9897 to have failed.

S9898.

Ordinance authorizing a Special Use Permit to allow for a Vehicle Rental and Custom Vinyl Graphics establishment for the property located at 14090 New Halls Ferry in a 'B-3' Extensive Business District (Rentals and Wraps, LLC).

Councilman Siam moved to accept Substitute Bill No. 9898, seconded by Parson.

Councilman Harris noted the Staff Report recommends a site plan and trash enclosure be submitted in accordance with the City Code.

Councilman Eagan noted a motion was on the floor to accept Substitute Bill No. 9898. Motion carried.

Councilman Harris moved to amend the Bill to add a condition that a Site Plan and trash enclosure design, seconded by Parson. Motion carried.

Councilman Siam moved that Substitute Bill No. 9898 be read for a second time, seconded by O'Donnell.

Councilman Manganelli made a motion to suspend the rules to speak with the petitioner, seconded by Schildroth. Motion carried.

Corey Franklin, petitioner, noted the renters of his vehicles will be age 25 or older and 35 or older for the Corvette. He stated he has double insurance for the Slingshots and is unsure of the amount of coverage and does speak with the renters regarding their experiences with the vehicles.

Motion carried and Substitute Bill No. 9898 was read for a second time.

Councilman Siam moved that Substitute Bill No. 9898 be read for a third time, seconded by Schildroth. Motion carried and Substitute Bill No. 9898 was read for a third time and placed upon its passage.

Before the final vote was taken, all interested persons were given the opportunity to be heard. Being no further comments, on roll call the Council voted as follows:

#### **VOTING**

Motion by: Councilman Siam, Tommy Second by: Councilman Schildroth, Keith

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

Whereupon the Chair declared Substitute Bill No. 9894 to have passed and become <u>Ordinance No. 8903</u>.

#### IX. <u>NEW BUSINESS</u>

**BOARD APPOINTMENTS** 

There were none.

#### **BILLS FOR FIRST READING**

E9899.

Ordinance authorizing various transfers between Park Improvement accounts to assist with the renovations taking place at the James J. Eagan and John F. Kennedy Centers.

Bill No. 9899 was read for the first time.

Councilman Schildroth moved that Bill No. 9899 be read for a second time, seconded by Caputa. Motion carried and Bill No. 9899 was read for a second time.

Councilman Parson moved that Bill No. 9899 be read for a third time, seconded by

O'Donnell. On roll call the Council voted: Caputa yes, Schildroth yes, O'Donnell yes,

Pagano yes, Parson yes, Harris yes, Manganelli yes, and Eagan yes.

Having received a unanimous vote of all members present Bill No. 9899 was read for a third and final time and placed upon its passage.

Before the final vote all interested persons were given an opportunity to be heard. Seeing none, on roll call the Council voted as follows:

#### **VOTING**

Motion by: Councilman Parson Jr., Robert Second by: Councilman O'Donnell, Thomas

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

Whereupon the Chair declared Bill No. 9899 to have passed and become Ordinance No. 8904.

- 9900. Ordinance authorizing a Special Use Permit for the for the operation of a sit down and carry-out restaurant, at 1290 N Highway 67 (Sugarfire) in a 'B-3' Zoning District.

  Bill No. 9900 was read for the first time.
- 9901. Ordinance authorizing an amendment to Title III "Traffic Code", Schedule III "Stop Intersections", Table IIIA "One-Way Stops" by adding a stop sign on Surrey at Tremont.

  Bill No. 9901 was read for the first time.
- 9902. Ordinance authorizing a transfer in the General Revenue Fund of \$18,000 from account no. 101-50002-405-000000 "Part Time Seasonal", \$10,000 to account no. 101-52801-405-000000 Merchandise Concessions and \$8,000 to account no. 101-52800-405-000000 Merchandise Pro Shop for additional concessions and merchandise for golf tournaments. Bill No. 9902 was read for the first time.

Councilman Manganelli moved that Bill No. 9902 be read for a second time, seconded by Caputa. Motion carried and Bill No. 9902 was read for a second time.

Councilman Manganelli moved that Bill No. 9902 be read for a third time, seconded by Harris. On roll call the Council voted: Caputa yes, Schildroth yes, O'Donnell yes, Pagano yes, Parson yes, Harris yes, Manganelli yes, and Eagan yes.

Having received a unanimous vote of all members present Bill No. 9902 was read for a third and final time and placed upon its passage.

Before the final vote all interested persons were given an opportunity to be heard. Seeing none, on roll call the Council voted as follows:

#### **VOTING**

Motion by: Councilman Manganelli, Paul Second by: Councilman Harris, Andrew

YES	NO	ABSTAIN	RECUSE
X			
X			
X			
X			
X			
X			
X			
X			
X			
	X X X X X X	X X X X X X	X X X X X X X

Whereupon the Chair declared Bill No. 9902 to have passed and become Ordinance No. 8905.

9903. Ordinance authorizing a transfer in the Park Improvement Fund of \$20,000 from account no. 209-55026-400-000000 "Professional Services – grass cutting in common ground" to account no. 209-53011-400-000000 "Equipment Repair and Maintenance - Parks" for additional Equipment Repair for Parks

Bill No. 9903 was read for the first time.

Councilman Schildroth moved that Bill No. 9903 be read for a second time, seconded by Eagan. Motion carried and Bill No. 9903 was read for a second time.

Councilman Schildroth moved that Bill No. 9903 be read for a third time, seconded by O'Donnell. On roll call the Council voted: Caputa yes, Schildroth yes, O'Donnell yes, Pagano yes, Parson yes, Harris yes, Manganelli yes, and Eagan yes.

Having received a unanimous vote of all members present Bill No. 9903 was read for a third and final time and placed upon its passage.

Before the final vote all interested persons were given an opportunity to be heard. Seeing none, on roll call the Council voted as follows:

#### **VOTING**

Motion by: Councilman Schildroth, Keith Second by: Councilman O'Donnell, Thomas

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

Whereupon the Chair declared Bill No. 9903 to have passed and become Ordinance No. 8906.

9904. Ordinance authorizing various transfers within the American Recovery Plan Act (ARPA) funds for sidewalk repair for the Parks Department.

Bill No. 9904 was read for the first time.

Councilman Caputa moved that Bill No. 9904 be read for a second time, seconded by Pagano. Motion carried and Bill No. 9904 was read for a second time.

Councilman Caputa moved that Bill No. 9904 be read for a third time, seconded by Siam. On roll call the Council voted: Caputa yes, Schildroth yes, O'Donnell yes, Pagano yes, Parson yes, Harris yes, Manganelli yes, and Eagan yes.

Having received a unanimous vote of all members present Bill No. 9904 was read for a third and final time and placed upon its passage.

Before the final vote all interested persons were given an opportunity to be heard. Seeing none, on roll call the Council voted as follows:

#### **VOTING**

Motion by: Councilman Caputa, Jeff Second by: Councilman Siam, Tommy

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

Whereupon the Chair declared Bill No. 9904 to have passed and become Ordinance No. 8907.

9905. Ordinance authorizing a transfer of \$1,600 from account no. 101-55201-402-000000 "Valley of Flowers" to account no. 101-52450-402-000000 "Software Purchase and Maintenance" to cover the software costs due to increased ticket sales.

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Bill No. 9905 was read for the first time.

Councilman Schildroth moved that Bill No. 9905 be read for a second time, seconded by Parson. Motion carried and Bill No. 9905 was read for a second time.

Councilman Schildroth moved that Bill No. 9905 be read for a third time, seconded by Caputa. On roll call the Council voted: Caputa yes, Schildroth yes, O'Donnell yes, Pagano yes, Parson yes, Harris yes, Manganelli yes, and Eagan yes.

Having received a unanimous vote of all members present Bill No. 9905 was read for a third and final time and placed upon its passage.

Before the final vote all interested persons were given an opportunity to be heard. Seeing none, on roll call the Council voted as follows:

#### **VOTING**

Motion by: Councilman Schildroth, Keith Second by: Councilman Caputa, Jeff

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

Whereupon the Chair declared Bill No. 9905 to have passed and become Ordinance No. 8908.

Motion to move the September 11th City Council meeting to Thursday September 14th, 2023 due to scheduling conflicts.

Councilman Eagan moved to move the Monday, September 11, 2023 meeting to Thursday, September 14, 2023 due to scheduling conflicts. Seconded by Schildroth, motion carried.

#### X. COUNCIL ANNOUNCEMENTS

Councilman Manganelli reminded residents the last Florissant Food Truck Night is on Friday, September 15, 2023.

Councilman Caputa noted he is getting many calls of cars parked on sidewalks and front lawns and has asked residents to inform the police department of these issues. He reminded residents to secure firearms inside their homes rather than their vehicles.

Councilman Eagan noted the Irish Festival Committee will hold their Halfway to St. Patrick's Day Parade Party on September 15<sup>th</sup>, 2023 at the VFW Hall on St. François beginning at 8pm.

#### XI. MESSAGE FROM THE MAYOR

Mayor Lowery noted he met with students from UMSL earlier in the day who are studying the social and economic issues within the City of Florissant. He thanked the students for taking the time to visit the city.

The Movie Night at City Hall was rescheduled to August 30, 2023 from 6pm to 9pm.

The Stop and Shop Vendor Fair is being hosted by the Florissant Parks Department with dates of September 6, October 8, and November 3 at the JFK Center Parking Lot with free admission.

The Parks Department will host the Glo Run on Saturday, September 16, 2023 beginning at St. Ferdinand Park at 5pm. The event will have food vendors, games, and raffles with the race beginning at 7pm. The registration is \$25 through August 29<sup>th</sup> and \$30 any time after August 29<sup>th</sup>.

On September 8, The Suicide Prevention Organization will hold a Home Run Derby at St. Ferdinand Park. On September 9<sup>th</sup>, they will host a softball tournament and a Pickleball Glow Tournament on September 30<sup>th</sup> at the James J Eagan Center.

Mayor Lowery will host the Senior Town Hall Meeting on September 14, 2023 from 9am to 11am at the James J Eagan Center.

#### XII. ADJOURNMENT

The Council President stated the next regular City Council Meeting will be Thursday, September 14, 2023 at 7:00 pm.

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

Adjourned at 8:02 PM

Respectfully submitted,

Karen Goodwin, MPPA/MMC/MRCC

City Clerk

Bill No. 9899	Ord. No. 8904
Bill No. 9902	Ord. No. 8905
Bill No. 9903	Ord. No. 8906
Bill No. 9904	Ord. No. 8907
Bill No. 9905	Ord. No. 8908



# **Agenda Request Form**

For Administration Use Only:

Meeting Date: 9/14/2023

Open [X] Closed [ ]

Report No. 14/2023

**Date Submitted:** 

To: City Council

**Title:** Request recommended approval of a Special Use Permit to allow for a Carry-Out

Restaurant in an existing 'B-3' Extensive Business District.

**Prepared by:** Administrator

**Department:** Public Works

**Justification:** 

Please See attachments

#### **Attachments:**

- 1. PH BLB Wings
- 2. Staff Report BLB Wings
- 3. Application BLB Wings
- 4. BLB Wings Site Plan

### **CITY OF FLORISSANT**

### **Public Hearing**



In accordance with 405.125 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, September 14, 2023 at 7:00 p.m. on the following proposition:

To authorize a Special Use Permit to allow for carry-out restaurant located at 2636 N Highway 67 in an existing 'B-3' Extensive Business District (BLB Wings). Citizens will have an opportunity to be heard. Anyone with special needs should contact the City Clerk at least 5 days before said public hearing by calling 839-7630 or email kgoodwin@florissantmo.com.

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

#### **MEMORANDUM**



#### CITY OF FLORISSANT

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

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7 To: Planning and Zoning Commissioners Date: July 12, 2023

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

Director Public Works Deputy City Clerk

Applicant File

Subject: Request approval of a Special Use Permit for the operation of a

carry-out restaurant, at 2636 N Highway 67 (BLB Wings) in a 'B-3'

Zoning District.

STAFF REPORT
CASE NUMBER PZ-071723-4

#### 24 I. PROJECT DESCRIPTION:

This is a request for approval of a special use permit to allow for the operation of a carry-out restaurant at 2636 N Highway 67, currently zoned 'B-3'.

#### **II. EXISTING SITE CONDITIONS:**

The existing property at 2636 N Hwy 67 has been vacant. The site is a tenant space within Surrey Plaza 1 Shopping Center and has multiple tenants. The site is predominantly paved except for a grassy area along N. Highway 67. There is a restaurant out-parcel at 2678 N Hwy 67.

The subject building on the property is shown on the attached plan as 49'-4"x 18'-7" or containing just less than 1000 square feet and has a separation wall between it and other tenants. The front facing (North) wall of the building is aluminum and glass storefront with stucco plaster canopy, painted. The tenants are allowed canopy mounted signage areas on the building fascia.

There are ample parking spaces in front of this tenant space with off street parking in front of Surrey Plaza 1 sized for occupancy at capacity, approximately 225 spaces. **III. SURROUNDING PROPERTIES:** The property to the west is a B-3 District, it is also bounded by Trotterway to the East with Advance Auto and the property to the south is a residential R-4 District. The property across N Highway 67 are also B-2 properties. Dairy Queen is located in the out-parcel at 2678 N Hwy 67. IV. STAFF ANALYSIS: The application is accompanied by a plan for conversion of a carryout restaurant with a kitchen remodel for a carry out only restaurant. There are no tables in the customer lobby. The current zoning allows for a restaurant if a Special Use is granted by City Council and since the current special use has expired, a new Special Use is required. VI. STAFF RECOMMENDATIONS: If the Special Use Permit is approved, staff recommends that the applicant submit plans compliant with the 2021 International Existing Building Code for a Change of Use and obtain the necessary permits for remodeling and signage. Suggested Motion 2636 N Highway 67- BLB Wings I move to recommend approval for a Special Use Permit to allow for a carry-out restaurant, subject to the conditions set forth below with these conditions being part of the record. 1. The uses permitted shall be limited to a Carryout Restaurant. 2. Plans shall be consistent with plan dated 5/23/23 by Abdulai Bah of QCD, LLC. 

(end report and suggested motion)

#### 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 Wing Restaurant Statement of what permit is being sought	. (i.e., special permit for operation of a restaurant).		
AMEND SPECIAL PERMIT #TO ALLOW	W FOR		
ordinance #	Statement of what the amendment is for.		
LOCATION 2636NHWY 67	W FOR  Statement of what the amendment is for.  Florrisant Mo. 63033		
Address of property.			
1) Comes Now BIB WINGS			
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) the tract of land located in the City of Florissant, State of Misso			
Legal interest in the Property)	· .		
State legal interest in the property. (i.e	., owner of property, lease).  of authorization from owner to seek a special use.		
2) The petitioner(s) further state(s) that the property herein desc	cribed is presently being used for Refail		

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.

and that the deed restrictions for the property do not prohibit the use which

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

would be authorized by said Permit.

- 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)	
PRINT NAME SIGNATURE LANGELLAND 1 SUZZET + taporter fag mail, com 3 i email and phone	14.
FOR BLB WINGS	
(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.	
<ol> <li>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.</li> </ol>	
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 Suggetta Foster	
ADDRESS 123/ ARGYLE Ave St Louis Mo 6314	
TELEPHONE/EMAIL BHO WINGS 3 14 4 198 P13 SUZZEHa porterfagmail. Com	n
TELEPHONE / EMAIL BHOWARDS 3144 198 PIS SUZZETTA POTTETTO GMANTICO	
I (we) the petitioner (s) do hereby appoint  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.

Special Use Permit Application Page 2 of 5- Revised 7/15/15

### 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.

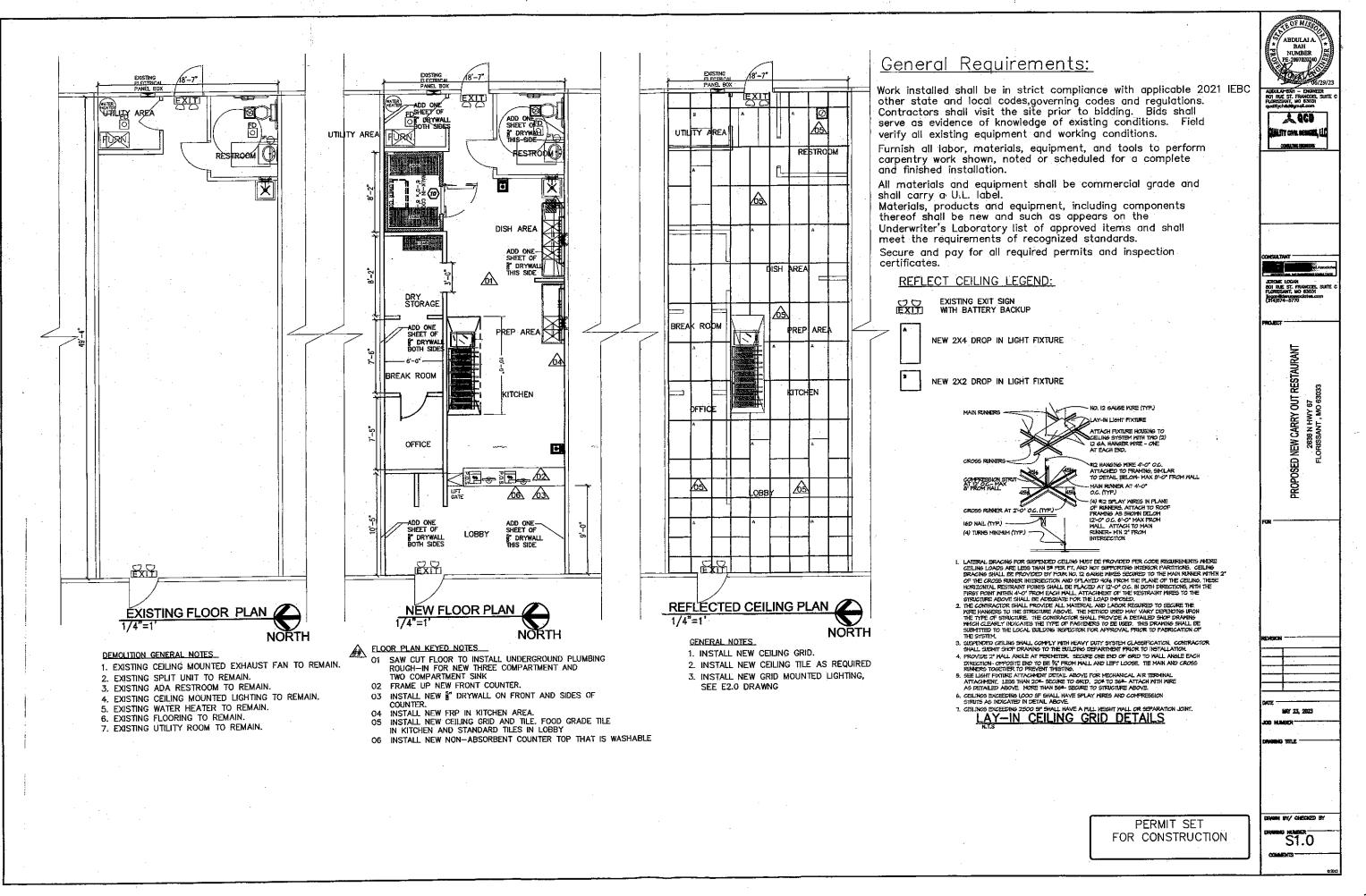
1) Typ Ind	oe of Operatio	n:	Partnership		Corporation
	n individual:			1	1 011
	(1) Name ar	nd Address_	SUZZEHA	Porter	9231 Argyle Ave SH.
	(2) Tolombo	na Nīmakan	214 479 8013	3	
	(3) Business	Address	2636	NHWYE	1 2023
	(4) Date star	rted in busin	ess	//	1 2023
	(6) If operat and a co	ing under a t py of the reg	fictitious name, provid	e the name and	date registered with the State of Missouri,
(b) If a	partnership:				
	(1) Names &	addresses o	of all partners		
	(2) Telephor	ne numbers_			
	(4) Name un	der which b	usiness is operated		
	(5) If operati and a cop	ng under fic by of the reg	titious name, provide of istration.	late the name v	was registered with the State of Missouri,
c) If a c	corporation:				
	(1) Names &	addresses o	f all partners		
	(2) Telephon	e numbers_			
	(4) State of In	ncorporation	& a photocopy of inco	orporation pape	ers
	(5) Date of Ir	ocorporation			
	(6) Missouri	Corporate N	umber		
·	(7) If operating and a cop	ng under fict y of registra	itious name, provide th	he name and da	ate registered with the State of Missouri,
	(8) Name in v	which busine	ess is operated		
	(9) Copy of la	atest Missou p center, giv	ri Anti-Trust. (annual 1	registration of	corporate officers) If the property location ware footage and do not give landscaping

Special Use Permit Application Page 3 of 5- Revised 7/15/15 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	
Location of property 2636	NHWY 67 Florenisant No 63033
Dimensions of property 1200 sq	NHWY 67 Florisant No 63033
	Requests Rezoning To
Proposed Use of Property Retail	Wings
Type of Sign <u>Channel Lette</u>	ens/BD-Height
Type of Construction <u>Repovation</u>	Number Of Stories.
Square Footage of Building	Number of Curb Cuts
Number of Parking Spaces many	Sidewalk Length
Landscaping: No. of Trees	Diameter
No. of Shrubs	_ Size
Fence: Type \( \int \beta \) \( \beta \) 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.





### **Agenda Request Form**

For Administration Use Only:

**Meeting Date: 9/14/2023** 

Open [X] Closed [ ]

Report No. 13/2023

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Date	VIII	nm	itto	· •
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To: City Council

Title: Public Hearing to establish the rate of taxation to be levied upon all real estate and

tangible personal property in the City of Florissant, county of St. Louis, State of Missouri, for the year 2023, for the payment of interest and principal on the General Obligation Bonds authorized by the voters at the Special Bond Election on August

2, 2022.

**Prepared by:** Administrator

**Department:** Finance

**Justification:** 

#### **Attachments:**

1. Public Hearing notice

### **CITY OF FLORISSANT**

### **Public Hearing**



In accordance with Section 67.110 of the Revised Statutes of Missouri, a Public Hearing will be held by the City Council of the City of Florissant in the Council Chambers at 955 rue St. Francois on September 14th, 2023 at 7:00 pm to set the property tax rates for 2023.

The tax rate is determined by dividing the amount of revenue required by the current assessed valuation. The result is multiplied by 100 so the tax rate will be expressed in cents per \$100 valuation. The proposed levy is subject to change pending action of the City Council, the Board of Equalization and/or the tax rate certification by the State Auditor.

Assessed Valuation City of Florissant	Previous Year's Valuation <u>2022</u>	Current Year's Valuation <u>2023</u>
Real Property	585,954,790	727,295,670
Personal Property	122,442,720	126,489,190
Other Tangible Property	14,017,340	14,074,749
Total	722,414,850	867,859,609
Proposed Property Tax Revenue	989,360	
Proposed Tax Rate	0.120	

Citizens will have an opportunity to be heard. Anyone with special needs should contact the City Clerk at least 5 days before said public hearing by calling 839-7630 or email <a href="mailto:cityclerk@florissantmo.com">cityclerk@florissantmo.com</a>.

CITY OF FLORISSANT, Karen Goodwin, MMC City Clerk



### **Agenda Request Form**

For Administration Use Only:

**Meeting Date: 8/28/2023** 

Open [X] Closed [ ]

Report No. 45/2023

**Date Submitted:** 

To: City Council

**Title:** Ordinance authorizing a Special Use Permit for the operation of a sit down

and carry-out restaurant, at 1290 N Highway 67 (Sugarfire) in a 'B-3' Zoning

District.

**Prepared by:** Administrator

**Department:** Public Works

**Justification:** 

Please see attachments

#### **Attachments:**

- 1. 1290 N Highway 67 Public Hearing Notice
- 2. 1290 N Highway 67 Staff Report
- 3. 1290 N Highway 67 Application
- 4. 1290 N Highway 67 Plans

### **CITY OF FLORISSANT**

### **Public Hearing**



In accordance with 405.125 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 28, 2023 at 7:00 p.m. on the following proposition:

To authorize a Special Use Permit to allow for sit down, carry-out restaurant located at 1290 N Highway 67 in an existing 'B-3' Extensive Business District (Sugarfire). Citizens will have an opportunity to be heard. Anyone with special needs should contact the City Clerk at least 5 days before said public hearing by calling 839-7630 or email kgoodwin@florissantmo.com.

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

#### **MEMORANDUM**



#### CITY OF FLORISSANT

"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."

6 7

To: Planning and Zoning Commissioners Date: July 12, 2023

8

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3 4 5

1

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

10

Director Public Works

File

11

Deputy City Clerk Applicant

13 14 15

16 17

12

Subject: Request **recommended approval** of a Special Use Permit for the

operation of a sit down and carry-out restaurant, at 1290 N Highway 67

(Sugarfire) in a 'B-3' Zoning District.

18 19

20

21

# STAFF REPORT CASE NUMBER PZ-080723-1

2223

24

2526

#### I. **PROJECT DESCRIPTION**:

This is a request for recommended approval of a special use permit to allow for the operation of a sit down and carry-out restaurant at 1920 N Highway 67, currently zoned 'B-3'.

272829

30

31

32

#### II. **EXISTING SITE CONDITIONS**:

The existing property at 1920 N Hwy 67 has been partially vacant. The site is predominantly paved. The grassy area along N. Highway 67 is located in the right of way. The restaurant is currently negotiating a cross parking agreement with the adjacent property located at 1145 N Lafayette.

3334

- The subject building on the property is shown on the attached plan as containing just some 2550 square feet and has separation walls between tenants. The walls of the
- some 2550 square feet and has separation walls between tenants. The walls of the building are CMU (concrete units) painted. With signage areas on the windows of the
- 38 overhead doors.

39	There are parking spaces around the building and off street parking off N Lafayette total
40	25 spaces.
41	
42	W. GVPD GVPD VG DD GDVD TVDG
43	III. SURROUNDING PROPERTIES:
44	The property to the west 1920 N Highway 67 and the property to the South are both
45	located in a B-3 District, it is also across N Lafayette from U-Haul at 1350 N Highway 67
46	in a B-5 Zoning District.
47	
48	IN COMPANIE AND A VOICE
49	IV. STAFF ANALYSIS:
50	The application is accompanied by a plans for conversion of the building into a carryout
51	restaurant with a kitchen and 44 chairs shown in the plan for remodel on plan A100,
52	A102 and S100 dated 7/21. Staff requested clarifications on Plan A101 and photometric
53 54	plan 1 of 1 both dated 7/26/23.
54 55	Dhotomotric Dlon 1 of 1 shovy 4 tymes of fivetynes A. D. C. and D.
55 56	Photometric Plan 1 of 1 show 4 types of fixtures A, B, C, and D.
57	A101 Comments
58	1. was amended to show all signs under 100 s.f. including:
59	a. Sugar Fire Signage on 2 elevations Sugar is 7x3x0.67= 30 s.f. Fire
60	is 4.5x4x0.67=24 s.f. on 2 elevations, even if taken as one sign 54
61	s.f.
62	b. Curbside sign is 75 s.f.
63	c. Sugarfire logo mural is 55 s.f.
64	c. Sugarire logo marar is 33 s.i.
65	2. Elevation notes include
66	a. painting existing façade
67	b. Stained wood slat panels,
68	c. Black wall pack light fixtures,
69	d. New storefront.
70	e. Alum. mill finish canopy
71	f. Black metal mesh roof screens.
72	g. Planters (in repurposed conveyor belt bases.
73	h. Corrugated cover over smoker area.
74	i. Chainlink screen of smoker and trash area with slats.
75	
76	A102 Comments: Axonometric view and rendering shows 3D views.
77	
78	A101 Comments
79	S100 Site Plan Comments
80	<ul> <li>Plan shows projection of canopies over paved areas.</li> </ul>
81	<ul> <li>Parking spaces provided meet current parking code for restaurant.</li> </ul>
82	Van and accessible spaces shown.
83	One new light pole location shown.

84 Some new landscape around site perimeter 10 shrubs and 5 trees. 85 Trees shown must meet current landscape size of 2.5" caliper. 86 Survey 1 of 1 dated May 19 shown for clarity 87 88 The current zoning allows for a restaurant if a Special Use is granted by City Council and 89 since the current special use has expired, a new Special Use is required. 90 91 VI. STAFF RECOMMENDATIONS: 92 If the Special Use Permit is approved, staff recommends that the applicant submit plans 93 compliant with the 2021 International Existing Building Code for a Change of Use and 94 obtain the necessary permits for remodeling and signage. 95 96 Suggested Motion 1920 N Highway 67- Sugarfire 97 98 I move to recommend approval for a Special Use Permit to allow for a sit down 99 carry-out restaurant, subject to the conditions set forth below with these 100 conditions being part of the record. 101 102 1. The uses permitted shall be limited to a Sit down and Carryout Restaurant. 103 2. Plans shall be consistent with plans submitted: 104 a. A100, A102 and S100 dated 7/21. Plan A101 and photometric plan 1 105 of 1 both dated 7/26/23. 106 107 108 (end report and suggested motion) 109

### 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."

	Since dimension with the combined to the distribution.
PLANNING & ZONING ACTION	Council Ward Zoning
RECOMMENDED APPROVAL	<del></del>
PLANNING & ZONING	Initial Date Petitioner Filed
CHAIRMAN	Building Commissioner to complete
SIGN. Allan L. Mindoate: 8-	7-23
SPECIAL PERMIT FOR Operation of a Resta	urant
	g sought. (i.e., special permit for operation of a restaurant).
AMEND SPECIAL PERMIT #- TO A	ALLOW FOR
ordinance#	ALLOW FOR Statement of what the amendment is for.
LOCATION 1290 N Highway 67	
Address of property.	^
1) Comes Now Florissant BBQ, LLC dba	Sugarfire Smokehouse
	te as such. If applicable include DBA (Doing Business As)
and states to the Planning and Zoning Commission that h the tract of land located in the City of Florissant, State of	
	. •
Legal interest in the Property) Sugarfire Realty Flor	rissant, LLC
State legal interest in the prop	erty. (i.e., owner of property, lease). r letter of authorization from owner to seek a special use.
	ein described is presently being used for
would be authorized by said Permit.	
3) The petitioner(s) further states (s) that they (he) (she) existing development showing location and use of all st required by the Zoning Ordinance or determined necess	tructures, off-street parking, and all other information

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

- 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)

Charles M Downs PRINT NAME SIGNATURE			,downsiii@aol.com 314-852-1897	
			email and phone	
FOR	Florrisant BBQ, LLC.			
	(company, corporation, partnership)		ation, 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):
- 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

1539 S. Kingshighway, St. L:ouis, MO 63110

STREET CITY STATE ZIP CODE

TELEPHONE / EMAIL

BUSINESS

I (we) the petitioner (s) do hereby appoint Kaemmerlen Facility Solutions, Kurt Kaemmerlen 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.

Special Use Permit Application -Page 2 of 5- Revised 7/15/15

### REQUIRED INFORMATION

Please mark an "X" in the appropriate type of operation, then fill in app1icable section (a), (b) or (c). Corporations are to submit copy of Missouri corporate papers with registration papers.

Type of Operation:     Individual	Partnership	Corporation X
(a) If an individual:		
(1) Name and Ad	dress	
(2) Telephone Nu	ımber	
(3) Business Add	ress	
(4) Date started in	n business	
(5) Name in which	h business is operated if different	from (1)
	nder a fictitious name, provide the the registration.	name and date registered with the State of Missouri,
(b) If a partnership:		
(1) Names & add	resses of all partners	
(2) Telephone nu	mbers	
(3) Business addr	ess	
(4) Name under v	which business is operated	
	nder fictitious name, provide date the registration.	the name was registered with the State of Missouri,
(c) If a corporation:		
(1) Names & add	resses of all partners Charles	M Downs
(2) Telephone nur	mbers 314-852-1297	
(3) Business addre	<sub>ess</sub> 1290 N Highway 67	7
(4) State of Incorp	poration & a photocopy of incorpor	ration papers Missouri
(5) Date of Incorp	oration May 5, 2023	
(6) Missouri Corp		230
		ame and date registered with the State of Missouri,
(8) Name in which	business is operated	
		tration of corporate officers) If the property location a under square footage and do not give landscaping

Special Use Permit Application Page 3 of 5- Revised 7/15/15

# 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			
•			
		***************************************	
Property is presently zoned	Requ	ests Rezoning To	
Proposed Use of Property			<del></del>
Type of Sign	4,,-	_ Height	
Type of Construction		Number Of Stories.	
Square Footage of Building	7	Number of Curb Cuts	
Number of Parking Spaces	71-76-7-1	_ 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.

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	1000		
STAFF REMARKS:			
// // // // // // // // // // // // //			
	Building Commissioner or Staff Signature		

Special Use Permit Application Page 5 of 5- Revised 7/15/15



# KAEMMERLEN FACILITY SOLUTIONS

1539 S. KINGSHIGWAY ST. LOUIS, MO 63110

314-535-2222 WWW.KAEMMERLENSOLUTIONS.COM

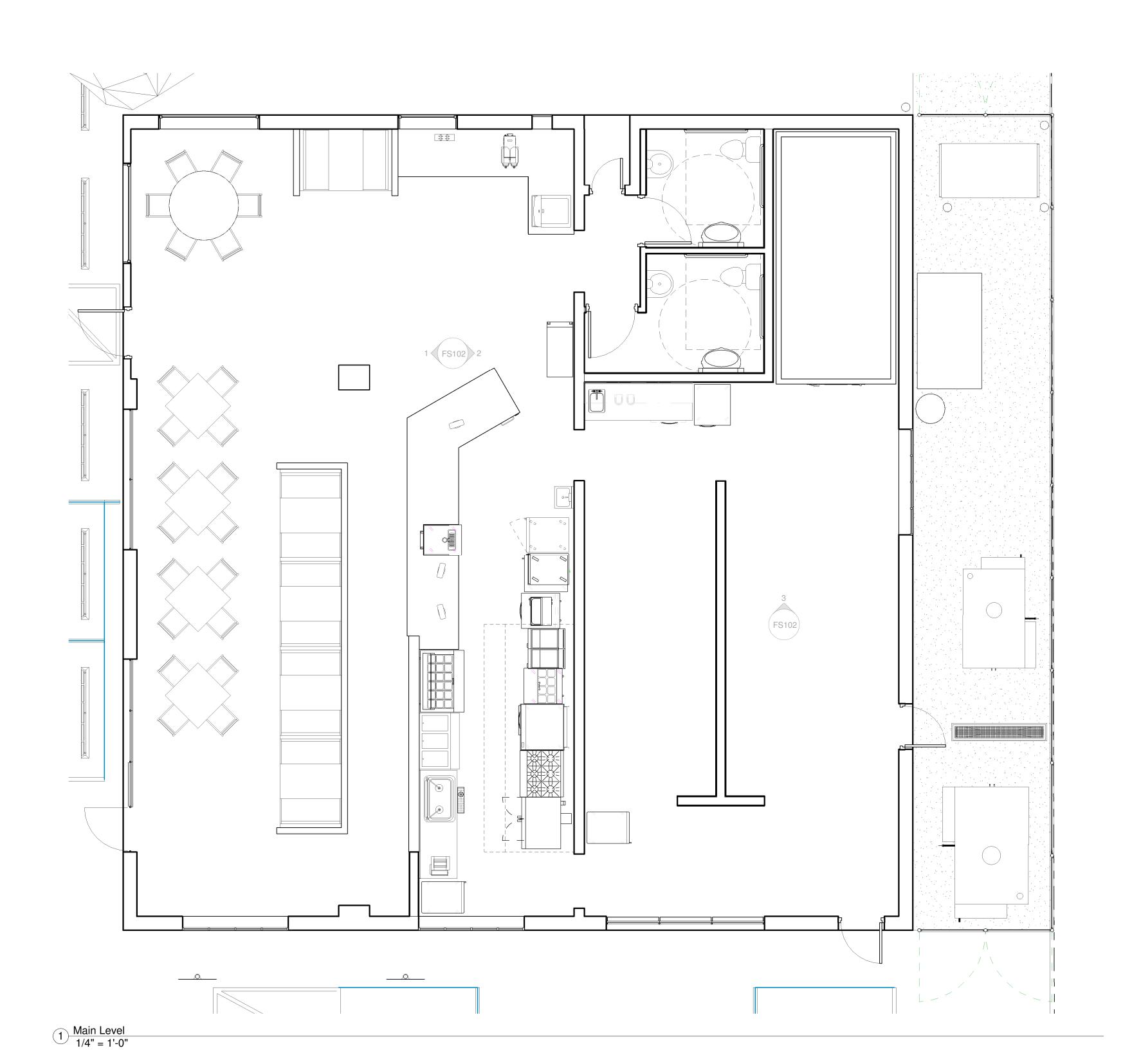
REVISIONS

SCALE |/4" = |'-0"

ISSUE DATE 8/9/2023

AIOO FLOOR PLAN

SCALE AS NOTED WHEN PRINTED ON A 24" X 36" SHEET





KAEMMERLEN FACILITY SOLUTIONS

1539 s. kingshigway st. louis, mo 63110

314-535-2222 WWW.KAEMMERLENSOLUTIONS.COM

REVISIONS

SCALE 1/8" = 1'-0"

ISSUE DATE 8/9/2023

S100

SITE PLAN

SCALE AS NOTED WHEN PRINTED ON A 24" X 36" SHEET



## **Agenda Request Form**

For Administration Use Only:

**Meeting Date: 8/28/2023** 

Open [X] Closed [ ]

Report No. 46/2023

**Date Submitted:** 

To: City Council

Title: Ordinance authorizing an amendment to Title III "Traffic Code", Schedule III

"Stop Intersections", Table IIIA "One-Way Stops" by adding a stop sign on Surrey

at Tremont.

**Prepared by:** Administrator

**Department:** Public Works

**Justification:** 

Please see attached memo

## **Attachments:**

1. Agenda request form and documents

## INTRODUCED BY COUNCILMAN SIAM AUGUST 28, 2023

BILL NO. 9901

ORDINANCE NO.

# ORDINANCE AUTHORIZING AN AMENDMENT TO TITLE III "TRAFFIC CODE", SCHEDULE III "STOP INTERSECTIONS", TABLE IIIA "ONE-WAY STOPS" BY ADDING A STOP SIGN ON SURREY AT TREMONT.

WHEREAS\_the Traffic Commission at is meeting on August 8, 2023 recommended the placement of a stop sign on Surrey at Tremont; and

WHEREAS the City Councils feels that it is in the best interest of the City to allow for the placement of a stop sign at Surrey at Tremont.

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

<u>Section 1:</u> Title III "Traffic Code", Schedule III "Stop Intersections", Table IIIA "One-Way Stops" is hereby amended by adding the following:

#### **Surry at Tremont**

<u>S</u>	Section 2: This o	rdinance shall become	e in force and effect immediately upon its passage and
approval	l <b>.</b>		
A	Adopted this	day of	, 2023.
			Joseph Eagan, Council President
A	Approved this	day of	, 2023.
			Timothy J. Lowery, Mayor
ATTEST	Γ:		1111101119 0. 20 019, 112119 01
Karen G	oodwin, MPPA/M rk	MC/MRCC	

## FLORISSANT CITY COUNCIL

AGENDA REQUEST FORM					
8/11/2023 Mayor's Approval:					
Agenda Date Requeste	d: 8/28/23				
Description of request:	Request was made	e to place	a stop	sign on Surrey at Tremont	
Department: Street <i>&lt;</i>	far / in				
Recommending Board	/ or Commission: Tra	affic Comr	nissior	1	
Type of request:	Ordinances		Х	Other	
	Appropriation			Liquor License	
	Transfer			Hotel License	
	Zoning Amendment			Special Presentations	
Amendment Special Use Transfer				Resolution	
			Proclamation		
	Special Use Budget Amendment			Subdivision	
			Y/N		
Dublic Hearing peopled					Y/N
Public Hearing needed:	Yes / No		No	3 readings?: Yes / No	Yes
Public Hearing needed: Yes / No  Title til traffic Colice Schedule til gopulerse  Back up materials attached:  Back up materials needed:					
ONEWRY Stops	Minutes		Х	Minutes	
	Maps			Maps	
	Memo			Memo	
	Draft Ord.			Draft Ord.	
Note: Please include necessary for documents inclusion on the Agenda. A are are to be turned in to the on Tuesday prior to the	to be generated for All agenda requests e City Clerk by 5pm	Introduc	ced by:	Jse Only:	

Page 5
Mayor's Advisory Traffic Commission 08/08/23

# 06/23 REQUEST WAS MADE TO PLACE STOP SIGN ON SURREY AT TREMONT Approved Ward 9

Request was made to place a stop sign on Surry at Tremont. Zach Schneider read the email from Councilman Siam dated May 30, 2023. Mr. Bell, 3590 Tremont, said he lives in the house right there at Tremont and Surrey. He said if you come straight down on Tremont, Tremont has the right-of-way. Surrey runs right into Tremont. He said these guys in these Chargers are flying coming down Surrey and making a left or right turn right onto Tremont. He said his house is right there. He said when he was coming home there was a Charger coming down Surrey and turned right in front of him. He said he almost hit him. He said no one even stops on Surrey. He said it is a small street and no one ever really parks on that small street. He said those cars just fly by. He said someone is going to get torn up because Surrey traffic does not stop, but Tremont is the main street. He said the people on Surrey just come right around and don't even look. Zach Schneider said there is zero traffic enforcement there. There is no stop sign there dumping traffic into the main thoroughfare. Mr. Bell said there used to be a stop sign there on Surrey. Kim Redden asked Kyle Rachow if he could check on that. Kyle Rachow said he would check and see, but when he talked to Jason Timme, Street Superintendent, he said he doesn't remember how long it's been since there has been one there, if there was one. Kim Redden said it does seem a little confusing, so obviously, common sense tells you that Tremont has the rightof-way. Unfortunately, we have a lot of drivers out there that have no common sense. Al Schneider asked if these drivers are turning more toward Balmoral or turning the other way. Mr. Bell said they come down Surrey and they turn left on Tremont. Teri Reiter said it is a problem when two streets cross and neither one has a stop sign. Everybody thinks they have the right-of-

Page 6 Mayor's Advisory Traffic Commission 08/08/23

way. Mr. Bell said you don't want to put one on Tremont because that would be in the middle of the street. But he is asking for a stop sign on Surrey pulling out onto Tremont. Kyle Rachow said there are a lot of intersections like that within the City. It just depends on how much traffic you have and how fast are they going. Kim Redden asked if there would be an accident there, who would be at fault. Kyle Rachow told her it would be the person turning onto Tremont because you are turning onto another roadway. He said the person on Surrey should yield to Tremont because they are entering another roadway. Tremont has the right-of-way. Teri Reiter said she is not opposed to putting a stop sign there, but she doesn't think it is going to solve the problem. She said there is a much deeper problem over there with speeding. Mr. Taylor said he would like the stop sign because something bad is going to happen. He said there is a lot of traffic there. He said he would like to see a stop sign go up, or even a yield sign. He said a four-wheeler came down the street and came around the corner on two wheels. He said if someone comes around there and misses the turn, they will be up in Mr. Bell's house. Kim Redden said she is not opposed to a stop sign, but it is not going to solve the problem. She doesn't want to give a false illusion that this will solve the problem. Zach Schneider said it will solve the problem at that intersection. They will see the stop sign and more than likely they will stop. There are going to be people who don't stop and who won't obey the law. He said what he is hearing is a speeding problem. Kim Redden said if the people are not adhering to the speed limit laws, you can't expect them to adhere to the stop sign laws. She said this is a constant problem. She said on her way here tonight someone blew through the stop sign right in front of her and it was her turn to go. Mr. Bell said he agrees with her. He said the only thing is, there is no difference that on Hambletonian at Hollywood there is a stop sign. So he feels there should be a stop sign at Surrey. He wants to

Page 7
Mayor's Advisory Traffic Commission 08/08/23

know the difference between Hollywood and Surrey. He said it seems like the same scenario. Zach Schneider asked if the people are stopping or are they running that stop sign all the time. Mr. Bell said they are stopping. Al Schneider said but there is a yield sign at Tremont. Mr. Bell said there are kids out there that actually catch the bus right there at Hambletonian and Hollywood. The school bus stops right there and the kids get on and off the bus right there. Kim Redden said Hambletonian does get more traffic than Tremont and Mr. Bell agreed. Dave Clasby said this street is not unique to the City of Florissant. He said we are all having a problem with speeding and people just not paying attention to signs. He said it is not particular to Tremont. Mr. Taylor asked, as a citizen, what can he do. He was told what he is doing is a start. Dave Clasby said if the residents want a stop sign, he is all for it. If you ask for the traffic monitoring system up there, the police will monitor it. If there is a guy leaving for work every day and is doing 80 m.p.h. down the street at 7:00 every morning, ask for cop to be sitting there waiting for him. He said they will eventually get him. He said but if it is random people and they are just cruising through the neighborhood, that is more difficult. He said it's not just at Tremont, it's all over. He said he lives off of Derhake and you should see the cars flying up and down Derhake. He said we even have a Fire Department right there and they still speed up and down there. Al Schneider said he heard a key thing and that is a special time. He said he had a gal coming down his street every morning at 8:30. She was flying down the street. He set his phone up between the storm door and the frame and hit it on video when he saw her coming. He said he took the video over to the station and talked to an officer there. The office said that was his sector. He said he would be over there on Friday. When she came flying down the street and missed the stop sign, he came out of the dead end and got her down the street. Al Schneider said if you

Page 8
Mayor's Advisory Traffic Commission
08/08/23

have ring cameras they are great. Mr. Taylor said he just doesn't want anyone to get hurt.

Al Schneider said nobody does. Zach Schneider said he would like to make a motion to recommend a stop sign to the City Council. Zach Schneider asked Officer Feldman if the speed monitors had been placed up there. Officer Feldman said not on Surrey, but they have been on Tremont. Kim Redden suggested to Mr. Bell to put big boulders around the edge of his yard so if someone does lose control, they won't come into his house.

Motion was made by Zach Schneider to make a recommendation to place a stop sign on Surrey at Tremont. Motion was second by Kim Redden. On the roll call the commission voted: Donna Smith-Pupillo – yes, Al Schneider – yes, Teri Reiter – yes, Zach Schneider – yes, Dave Clasby – yes, and Kim Redden - yes. Motion carried. Item 06/23 was dropped from the Agenda.

# 07/23 REQUEST WAS MADE TO PLACE STOP SIGNS ON LAFAYETTE AT ST. JOSEPH TO CREATE A FOUR-WAY STOP INTERSECTION Denied – Alternate recommendation was approved WARD 6

Request was made to place a stop signs on Lafayette at St. Joseph to create a four-way stop intersection. Zach Schneider read the e-mail from Councilman O'Donnell, dated July 5, 2023. Teri Reiter said this is the third time this has come up. The last time was about a year ago. Kim Redden said she really likes the idea of putting up "cross traffic does not stop" signs on St. Joseph. She said there was a car parked right in front of the fire hydrant on St. Joseph. She said she couldn't see beyond the car for oncoming traffic. Zach Schneider said he agrees that the cross traffic signs would be the best solution.

## MaryAnn Fitzpatrick

I tem 06/23

From:

**Todd Hughes** 

Sent:

Tuesday, May 30, 2023 12:46 PM

To:

MaryAnn Fitzpatrick; Jason Timme

**Subject:** 

Fwd: Request for Stop Signs at Tremont & Surrey - Ward 9

Please add to agenda.

Todd

From: Cheryl Entwistle <centwistle@florissantmo.com>

Sent: Tuesday, May 30, 2023 12:44:44 PM

To: Todd Hughes < THughes@florissantmo.com>

Subject: FW: Request for Stop Signs at Tremont & Surrey - Ward 9

Hi

See email request below.

Thanks Cheryl

From: Karen Goodwin < kgoodwin@florissantmo.com>

Sent: Tuesday, May 30, 2023 12:12 PM

To: Cheryl Entwistle <centwistle@florissantmo.com>

Subject: FW: Request for Stop Signs at Tremont & Surrey - Ward 9

From: Ward 9 Tommy Siam <ward9@florissantmo.com>

Sent: Tuesday, May 30, 2023 12:09 PM

To: Karen Goodwin < kgoodwin@florissantmo.com >

Subject: Request for Stop Signs at Tremont & Surrey - Ward 9

Hi Karen,

Please forward for addition to the Traffic Commission's agenda. I've received a request from a resident on Tremont to place stop signs at Surrey and Tremont.

The requesting resident is Robert Taylor of 3580 Tremont. His phone number is 314-939-4671. He has indicated to me that he is interested in attending the meeting of the Traffic Commission where this is considered.

Thanks, Tommy

Tommy Siam, Councilman Ward 9, City of Florissant (314) 757-2594 ward9@florissantmo.com



## **Agenda Request Form**

For Administration Use Only:

Meeting Date: 9/14/2023

Open [X] Closed [ ]

Report No. 14/2023

**Date Submitted:** 

To: City Council

**Title:** Request to approve a Special Event Permit for October 21, 2023 to 2.0 Restaurant

and Bar located 462 N. Highway 67

**Prepared by:** Ms. Deputy City Clerk Savanna Burton

**Department:** City Clerk

**Justification:** 

Please see attached application

#### **Attachments:**

- 1. 2.0 Restaurant Event Permit
- 2. 2.0 Restaurant reports



## SPECIAL EVENT PERMIT APPLICATION CITY OF FLORISSANT

CITY CLERK DEPARTMENT

955 RUE ST FRANCOIS ST FLORISSANT, MO 63031 (314) 839-7631 // cityclerk@florissantmo.com

Lic#	23-
_/_	J
Event	Date/Time
Counc	:il app
\$100	Per Event

				\$100 Pe	r Event
Business Information				<b>建</b> 新 新 5 克克	THE THE ATTENDED
2.0 Restavant & Bar	462 N HW	16	7 6	303	
Business Name D/B/A if applicable	Business Address		-	Code	Ward
to to the second to the second the second to					
Applicant Information					
trinceton lama Deu	35/84				WO
Applicant Full Name	Date of Birth L	river's L	er's License # State		
SI4 Bella Une Mailing Address	Steas	WP		63	137
Staining Address	City	Stat	<u>e</u>	Z	Cip Code
Pdew OSO ychar com	314-356-5075 3	4-676	-1457	34) 3	551-5398
Applicant Email Address	Primary Phone #   Se	condary	Phone #	Busir	iess Phone #
Applicant Role: Property Owner Busi			ness ager [	コ Autl Age	norized  nt
Special Event Information					
Sopprity Reunion					#25
Event Title	Name of Event Coordinato different than above)	· (if	Date(s) Event	of	Charge for event
			10/2	1/23	Yes
Email of Event Coordinator Paew 03@ yaha com	Phone Number for Event Coordinator		3H-3	56500	
Somety Pourion	L'ive mu	5	agt	Le Vi	2
with the removal.	1 -(00 1 10	1	200	<u> </u>	
Soronty Remion DJ for Music	time 8:00	-112	:00pr	$\gamma$	
Description of Special Event to be held (Plea	se provide details including ty	pe of acti	vity and inte	ended use	of the business)
Atta	ch additional information as n	eeded.			
					CC Oct Dec

I, the applicant, as the owner or authorized agent for the business for which the event will be held, do hereby certify that I have the authority to make this request for a Special Event Permit for the activity described within this application. This business holds a valid certificate of occupancy, a current Business License and Liquor License (if applicable). I understand that this application authorizes the Chief of Police and the Fire Department Chief to investigate the premises where it is proposed to conduct such form of entertainment having particular regard to its provisions for safeguarding the patrons and the public. The Police Chief shall also investigate the applicant and the report of such investigations shall be made to the City Clerk's Office. The application and reports shall there upon be referred to the City of Florissant City Council for approval. I understand that incomplete or false information within this application will result in a VOIDED or REJECTED submission.

Signature		AND A DOMESTIC OF THE SECOND S
1200	Pancolon Day	9(5/2023
Applicant's Signature	Applicant's Printed Name	Date

## Special Event Permit Application Checklist (For Office Use Only)

20 Restaurant + Bar 462N Huyli	1 October 21, 2023
Business Name/location	Date of Event

Required Information	Responsible Party	Date
Completed /signed Application	City Clerk	9-5-2023
Business License Check	Finance Dept	
Liquor License Check	City Clerk	9-5-2023
Police Department report (Attached)	Police Dept	
Fire Department report (Attached)	Fire Dept	
City Council decision	City Clerk	
Payment Received	Finance Dept	

## **Savanna Burton**

From: Sent: To: Cc: Subject:	Cliff Robinson <crobinson@fvfpd.com> Wednesday, September 6, 2023 09:25 Savanna Burton Tim Fagan Re: 2.0 Restaurant &amp; Bar Special Event Permit</crobinson@fvfpd.com>
WARNING – This email	is from an external source. This email did not come from within the City of Florissant organization.
Good morning Savanna,	
business shall have a completed business had a fire inspection co post a seating chart of the even	ess owner need to complete before the fire district completes its investigation. First, the I fire inspection within 12 months of the special event and have all items corrected. This ampleted on April 18, 2023 and it passed inspection. Second, the business owner shall to Lastly, the business owner shall not exceed the posted Occupant Load for the sowner submit the seating chart the fire district will sign off the special event permit
Let me know if you have any oth	ner questions or concerns.
Cliff Robinson Deputy Chief/Fire Marshal Florissant Valley Fire Protection 661 St. Ferdinand Street Florissant, MO 63031 <a href="mailto:crobinson@fvfpd.com">crobinson@fvfpd.com</a> 314-837-8790 - Office	District
On Tue, Sep 5, 2023 at 1:59 PM	Savanna Burton < <u>sburton@florissantmo.com</u> > wrote:
Good Afternoon,	
We received an application for	r a special event at 2.0 Restaurant and Bar. Please return at your earliest convenience.
Thank you!	

## Savanna Burton

Deputy City Clerk, CMC/MRCC

City of Florissant

314-839-7631

#### Savanna Burton

From:

Tim Fagan

Sent:

Wednesday, September 6, 2023 14:31

To:

Savanna Burton

Subject:

RE: Updated 2.0 Restaurant Special Event Permit

I approve this event.





Chief Timothy Fagan Florissant Police Department 1700 N Hwy 67 Florissant, MO 63031 314-831-7000 Main 314-830-6046 Fax

From: Savanna Burton <sburton@florissantmo.com>
Sent: Wednesday, September 6, 2023 11:24 AM

To: Tim Fagan <ffagan@florissantmo.com>; crobinson@fvfpd.com

Subject: Updated 2.0 Restaurant Special Event Permit

Good Morning,

I have attached the amended Special Event Permit for 2.0 Restaurant and Bar.

Thank you,

Savanna Burton

Deputy City Clerk, CMC/MRCC City of Florissant 314-839-7631



## **Agenda Request Form**

For Administration Use Only:

**Meeting Date: 9/14/2023** 

Open [X] Closed [ ]

Report No. 51/2023

**Date Submitted:** 

**To:** City Council

**Title:** Ordinance approriating the Community Development Block Grant (CDBG) Funds

to the 2023 Fiscal Year for the City of Florisssnt.

**Prepared by:** Carol O'Mara

**Department:** Community Development

**Justification:** 

This is a request for approval of an ordinance for the appropriation of 2023 CDBG Funding:

These funds have already been approved / allocated but need to be added to the budget for expenditure.

PROPOSED USE OF CDBG FUNDS 2023 ACTUAL Financial Summary

FY2023 CDBG Program

Community Development Block Grant Resources Entitlement Amount Estimate \$266,625.00

Total FY2023 Funding \$266,625.00

Proposed Uses of CDBG Funds

**Housing Programs** 

Home Improvement Program \$ 93,300.00 Home Improvement Program – Mechanical \$ 90,000.00

Project IMPACT \$ 30,000.00

Project IMPACT - Volunteer Program

ASSIST (Accessibility Home Modification Program)

**ADA Public Facilities** 

**Public Services** 

Mortgage, Rental & Utility Assistance \$ 0.00

Grant Administration \$ 53,325.00

\_\_\_\_\_

Total \$266,625.00

## INTRODUCED BY COUNCIL AS A WHOLE **SEPTEMBER 14, 2023**

BILL NO. 9906 ORDINANCE NO.

## AN ORDINANCE APPROPRIATING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR THE 2023 FISCAL YEAR FOR THE CITY OF FLORISSANT.

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

Section 1: The appropriation of the 2023 Fiscal Year Community Development Block Grant (CDBG) Funds for the City of Florissant is hereby approved.

Section 2: The expenditures of the Community Development Budget for the 2023 fiscal year are hereby approved as follows:

## CDBG 2023 ACTUAL **Financial Summary**

FY2023 CDBG Program

#### **Community Development Block Grant Resources**

**Entitlement Amount Actual** 

\$266,625.00

## **Total FY2023 Actual Funding**

\$266,625.00

Proposed Uses of CDBG Funds

#### **Housing Programs**

Home Improvement Program – Acct # 205.55320-000-230000

\$93,300.00

Home Improvement Program Mechanical – Acct # 205.55325.000.230000 \$90,000.00

Project I.M.P.A.C.T. – Acct # 205-55330-000-230000

\$30,000.00

Volunteer Program

ASSIST (Accessibility Home Modification Program)

**ADA Public Facilities** 

#### **Public Services**

Mortgage, Rental & Utility Assistance - Acct # 205-55340-000-230000 \$

0.00

**Total** 

**Grant Administration** 

Acct #205.55312.000.230000

\$ 53,325.00

\$266,625.00

Adopted this	day of	, 2023.
		Joseph Eagan President of the Council
Approved this	day of	, 2023.
TTEST:		Timothy J. Lowery Mayor



## **Agenda Request Form**

For Administration Use Only:

Meeting Date: 9/14/2023

Open [X] Closed [ ]

Report No. 52/2023

**Date Submitted:** 

To: City Council

**Title:** Ordinance establishing the rate of taxation to be levied upon all real estate and

tangible personal property in the City of Florissant, county of St. Louis, State of Missouri, for the year 2023, for the payment of interest and principal on the General Obligation Bonds authorized by the voters at the Special Bond Election on August

2, 2022.

**Prepared by:** Administrator

**Department:** Finance

#### **Attachments:**

1. Public Hearing notice

## INTRODUCED BY COUNCIL AS A WHOLE SEPTEMBER 14, 2023

BILL NO. 9907

ORDINANCE NO.

AN ORDINANCE ESTABLISHING THE RATE OF TAXATION TO BE LEVIED UPON ALL REAL ESTATE AND TANGIBLE PERSONAL PROPERTY IN THE CITY OF FLORISSANT, COUNTY OF ST. LOUIS, STATE OF MISSOURI, FOR THE YEAR 2023, FOR THE PAYMENT OF INTEREST AND PRINCIPAL ON THE GENERAL OBLICATION BONDS AUTHORIZED BY THE VOTERS AT THE SPECIAL BOND ELECTION ON AUGUST 2, 2022.

WHEREAS, pursuant to State law and the City's ordinances, a public hearing was duly advertised and held on September 14, 2023, setting forth the assessed valuation of real and personal property in the City and the tax rate for 2023, and

WHEREAS, failure to meet this certification could put at risk the tax revenues that are needed to pay the interest and principal on the General Obligation Bonds authorized by the voters at the Special Bond Election on August 2<sup>nd</sup>, 2022.

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

<u>SECTION 1.</u> That there be and is hereby levied on all real estate and certain tangible personal property, subject to taxation in the City of Florissant, County of St. Louis, State of Missouri, for the year 2023:

A tax for the payment of interest and principal on General Obligation Bonds of 12 cents (\$0.12) for each One Hundred Dollars (\$100.00) of assessed valuation on all Real Estate and tangible Personal Property.

<u>SECTION 2.</u> This ordinance shall be in full force and effect after its passage and approval, as provided by law.

Adopted thisday of, 2023	3.
Approved this day of	Joe Eagan President of the Council City of Florissant , 2023.
ATTEST:	Timothy J. Lowery Mayor, City of Florissant
Karen Goodwin, MPPA/MMC/MRCC	

City Clerk

## **CITY OF FLORISSANT**

## **Public Hearing**



In accordance with Section 67.110 of the Revised Statutes of Missouri, a Public Hearing will be held by the City Council of the City of Florissant in the Council Chambers at 955 rue St. Francois on September 14th, 2023 at 7:00 pm to set the property tax rates for 2023.

The tax rate is determined by dividing the amount of revenue required by the current assessed valuation. The result is multiplied by 100 so the tax rate will be expressed in cents per \$100 valuation. The proposed levy is subject to change pending action of the City Council, the Board of Equalization and/or the tax rate certification by the State Auditor.

Assessed Valuation City of Florissant	Previous Year's Valuation <u>2022</u>	Current Year's Valuation <u>2023</u>
Real Property	585,954,790	727,295,670
Personal Property	122,442,720	126,489,190
Other Tangible Property	14,017,340	14,074,749
Total	722,414,850	867,859,609
Proposed Property Tax Revenue	989,360	
Proposed Tax Rate	0.120	

Citizens will have an opportunity to be heard. Anyone with special needs should contact the City Clerk at least 5 days before said public hearing by calling 839-7630 or email <a href="mailto:cityclerk@florissantmo.com">cityclerk@florissantmo.com</a>.

CITY OF FLORISSANT, Karen Goodwin, MMC City Clerk



## **Agenda Request Form**

For Administration Use Only:

**Meeting Date: 9/14/2023** 

Open [X] Closed [ ]

Report No. 53/2023

**Date Submitted:** 

To: City Council

**Title:** An ordinance amending Chapter 340, Section 340.290 "Miscellaneous Driving

Rules" and deleting section 210.580

**Prepared by:** Administrator

**Department:** Police Department

#### **Justification:**

The City previously adopted regulations concerning the use of a hand-held electronic wireless communication device while operating a motor vehicle for individuals under the age of 21 years-old pursuant to Section 304.820, R.S.Mo. and individuals over the age of 21 years old.

Section 304.820, R.S.Mo. was repealed by Senate Bill 398, and Section 304.822, R.S.Mo. was passed to prohibit the use of a hand-held electronic wireless communication device while operating a motor vehicle for individuals of any age within the state of Missouri. The City Council desires to amend its current regulations to comply with Missouri state legislation.

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## INTRODUCED BY COUNCILMAN EAGAN SEPTEMBER 14, 2023

**BILL NO. 9908** 

#### ORDINANCE NO.

## AN ORDINANCE AMENDING CHAPTER 340, SECTION 340.290 "MISCELLANEOUS DRIVING RULES" AND DELETING SECTION 210.580.

WHEREAS, the City previously adopted regulations concerning the use of a hand-held electronic wireless communication device while operating a motor vehicle for individuals under the age of 21 years-old pursuant to Section 304.820, R.S.Mo. and individuals over the age of 21 years old, and

WHEREAS, Section 304.820, R.S.Mo. was repealed by Senate Bill 398, and

WHEREAS, Section 304.822, R.S.Mo. was passed to prohibit the use of a hand-held electronic wireless communication device while operating a motor vehicle for individuals of any age within the state of Missouri, and

WHEREAS, the City Council desires to amend its current regulations to comply with Missouri state legislation.

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

SECTION 1. Chapter 340, Section 340.290, "Use of Hand-held Electronic Wireless Communication Devices While Driving Prohibited" is hereby deleted in its entirety and the following inserted in lieu thereof:

#### Section 340.290. Use of Electronic Communication Device While Driving Prohibited

1. As used in this Section, the following terms shall mean:

#### **ELECTRONIC COMMUNICATION DEVICE:**

A communication, portable device that is used to initiate, receive, store, or view communication, information, images, or data electronically.

- (a) Such term shall include but not be limited to: cellular telephones; portable telephones; text-messaging devices; personal digital assistants; pagers; broadband personal communication devices; electronic devices with mobile data access; computers, including but not limited to tablets, laptops, notebook computers, and electronic or video game systems; devices capable of transmitting, retrieving, or displaying a video, movie, broadcast television image, or visual image; and any substantially similar device that is used to initiate or receive communication or store and review information, videos, images, or data.
- (b) Such term shall not include: radios; citizens band radios; commercial two-way radio communication devices or their functional equivalent; subscription-based emergency communication

devices; prescribed medical devices; amateur or ham radio devices; or global positioning system receivers, security, navigation, communication, or remote diagnostics systems permanently affixed to the vehicle.

#### **OPERATOR:**

A person who is in actual physical control.

#### **VOICE-OPERATED OR HANDS-FREE FEATURE:**

A feature or function, whether internally installed or externally attached or connected to an electronic communication device, that allows a person to use an electronic communication device without the use of either hand, except to activate, deactivate, or initiate the feature or function with a single touch or single swipe.

- 2. Except as otherwise provided in this section, while operating a motor vehicle or commercial vehicle upon the roads exclusively within the jurisdiction of the City of Florissant, Missouri, no operator shall:
- (1) Physically hold or support, with any part of his or her body, an electronic communication device:
- (2) Write, send, or read any text-based communication, including but not limited to a text message, instant message, email, or social media interaction on an electronic communication device. This subdivision shall not apply to operators of a motor vehicle using a voice-operated or hands-free feature or function that converts the message to be sent as a message in a written form, provided that the operator does not divert his or her attention from lawful operation of the vehicle;
- (3) Make any communication on an electronic communication device, including a phone call, voice message, or one-way voice communication; provided however, that this prohibition shall not apply to use of a voice-operated or hands-free feature or function;
- (4) Engage in any form of electronic data retrieval or electronic data communication on an electronic communication device;
- (5) Manually enter letters, numbers, or symbols into any website, search engine, or application on an electronic communication device:
- (6) Watch a video or movie on an electronic communication device, other than watching data related to the navigation of the vehicle; or
- (7) Record, post, send, or broadcast video, including a video conference, on an electronic communication device, provided that this prohibition shall not apply to electronic devices used for the sole purpose of continually monitoring operator behavior by recording or broadcasting video within or outside the vehicle.
- 3. The operator of a school bus shall not use or operate an electronic communication device while the school bus is in motion unless the device is being used in a similar manner as a two-way radio to allow live communication between the operator and school officials or public safety officials. The operator of a school bus shall not use or operate an electronic communication device or a two-way radio while loading or unloading passengers.
  - 4. This section shall not apply to:

- (1) Law enforcement officers or operators of emergency vehicles who are both using the electronic communication device and operating the emergency vehicle in the performance of their official duties:
- (2) Operators using an electronic communication device for the sole purpose of reporting an emergency situation and continuing communication with emergency personnel during the emergency situation:
- (3) Operators of a motor vehicles using an electronic communication device solely through a voice-operated or hands-free feature or function;
- (4) Operators of a commercial vehicles using a voice-operated or hands-free feature or function, as long as the operator remains seated and is restrained by a seat belt as required by law;
- (5) Operators of commercial vehicles reading a message displayed on a permanently installed communication device designed for a commercial vehicle with a screen that does not exceed ten inches tall by ten inches wide in size;
- (6) Operators using electronic communication devices while the vehicle is lawfully stopped or parked;
  - (7) Commercial vehicles that are responding to a request for roadside assistance;
- (8) The use of an electronic communication device to relay information between a transit or forhire vehicle operator and that operator's dispatcher, provided the device is mounted or affixed to the vehicle;
- (9) The use of an electronic communication device to access or view a map for navigational purposes;
- (10) The use of an electronic communication device to access or listen to an audio broadcast or digital audio recording; or
- (11) The use of an electronic communication device to relay information through a transportation network company's digital network to a transportation network company driver, provided the device is mounted or affixed to the vehicle.
- 5. A violation of this section shall be deemed an infraction and shall be deemed a moving violation for purposes of point assessment under Section 302.302, R.S.Mo.
- 6. A law enforcement officer who stops a motor vehicle for a violation of this section shall inform the operator of the operator's right to decline a search of their electronic communication device. No warrant shall be issued to confiscate or access an electronic communication device based on a violation of this section unless the violation results in serious bodily injury or death.
  - 7. A violation of this section shall not be used to establish probable cause for any other violation.
- 8. The provisions of this section shall be subject to the reporting requirements set forth in Section 590.650, R.S.Mo.
- 9. Prior to January 1, 2025, a law enforcement officer who stops a motor vehicle for a violation of this section shall not issue a citation for a violation of this section and shall only issue a warning.
  - 10. No person shall be stopped, inspected, or detained solely for a violation of this section.

	•	s, Article VI, Section 210.580, "Use of Hand-held Electronioniving Prohibited for Persons Over the Age of 21" is hereby
Adopted this	day of	, 2023.
		Joseph Eagan, Council President
Approved this	day of	, 2023.
		Mayor, City of Florissant
ATTEST:		
Karen Goodwin, MPPA/I	MMC/MRCC	



## **Agenda Request Form**

For Administration Use Only:

Meeting Date: 9/14/2023

Open [X] Closed [ ]

Report No. 54/2023

**Date Submitted:** 

To: City Council

**Title:** Ordinance authorizing a Special Use Permit to allow for a Carry-Out Restaurant in

an existing 'B-3' Extensive Business District located at 2636 N. Highway 67. .

**Prepared by:** Administrator

**Department:** Public Works

**Justification:** 

Please See attachments

#### **Attachments:**

- 1. PH BLB Wings
- 2. Staff Report BLB Wings
- 3. Application BLB Wings
- 4. BLB Wings Site Plan

## INTRODUCED BY COUNCILMAN SIAM SEPTEMBER 14, 2023

BILL NO. 9909

ORDINANCE NO.

# ORDINANCE AUTHORIZING A SPECIAL USE PERMIT TO ALLOW FOR A CARRY-OUT RESTAURANT IN AN EXISTING 'B-3' EXTENSIVE BUSINESS DISTRICT LOCATED AT 2636 N. HIGHWAY 67.

WHEREAS, the Florissant Zoning Ordinance authorizes the City Council of the City of Florissant, by Special Permit, after public hearing thereon, to permit the location and operation of a carry-out restaurant in the City of Florissant; and

WHEREAS, an application has been filed by Suzetta Porter d/b/a BLB Wings to allow for the operation of restaurant located at 2636 N. Hwy 67, and

WHEREAS, the Planning and Zoning Commission at their meeting on August 21, 2023, recommended that a Special Permit be granted; and

WHEREAS, due notice of public hearing no. 23-09-016 on said application to be held on the 14<sup>th</sup> day of September, 2023 at 7:00 P.M. by the Council of the City of Florissant was duly published, held and concluded; and

WHEREAS, the Council, following said public hearing, and after due and careful consideration, has concluded that the issuance of a Special Permit for a carry-out restaurant would be in the best interest of the City of Florissant.

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

<u>Section 1:</u> A Special Use Permit is hereby granted to **Suzetta Porter d/b/a BLB Wings** to allow for the operation of carry-out restaurant located **2636 N. Hwy 67** with the following stipulations:

- 1. The uses permitted shall be limited to a Carryout Restaurant.
- 2. Plans shall be consistent with plan dated 5/23/23 by Abdulai Bah of QCD, LLC

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

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

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

Adopted this	day of	, 2023.	
		Joseph Eagan President of the Council	
Approved this	day of	, 2023.	

	Mayor Timothy J. Lowery
ATTEST:	
Karen Goodwin, MPPA/MMC/MRCC	
City Clerk	

## **CITY OF FLORISSANT**

## **Public Hearing**



In accordance with 405.125 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, September 14, 2023 at 7:00 p.m. on the following proposition:

To authorize a Special Use Permit to allow for carry-out restaurant located at 2636 N Highway 67 in an existing 'B-3' Extensive Business District (BLB Wings). Citizens will have an opportunity to be heard. Anyone with special needs should contact the City Clerk at least 5 days before said public hearing by calling 839-7630 or email kgoodwin@florissantmo.com.

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

## **MEMORANDUM**



## CITY OF FLORISSANT

"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 12, 2023

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

Director Public Works Deputy City Clerk

Applicant File

Subject: Request approval of a Special Use Permit for the for the operation of a

carry-out restaurant, at 2636 N Highway 67 (BLB Wings) in a 'B-3'

Zoning District.

# STAFF REPORT CASE NUMBER PZ-071723-4

#### I. **PROJECT DESCRIPTION**:

This is a request for approval of a special use permit to allow for the operation of a carry-out restaurant at 2636 N Highway 67, currently zoned 'B-3'.

#### **II. EXISTING SITE CONDITIONS:**

The existing property at 2636 N Hwy 67 has been vacant. The site is a tenant space within Surrey Plaza 1 Shopping Center and has multiple tenants. The site is predominantly paved except for a grassy area along N. Highway 67. There is a restaurant out-parcel at 2678 N Hwy 67.

The subject building on the property is shown on the attached plan as 49'-4"x 18'-7" or containing just less than 1000 square feet and has a separation wall between it and other tenants. The front facing (North) wall of the building is aluminum and glass storefront with stucco plaster canopy, painted. The tenants are allowed canopy mounted signage areas on the building fascia.

There are ample parking spaces in front of this tenant space with off street parking in front of Surrey Plaza 1 sized for occupancy at capacity, approximately 225 spaces. **III. SURROUNDING PROPERTIES:** The property to the west is a B-3 District, it is also bounded by Trotterway to the East with Advance Auto and the property to the south is a residential R-4 District. The property across N Highway 67 are also B-2 properties. Dairy Queen is located in the out-parcel at 2678 N Hwy 67. IV. STAFF ANALYSIS: The application is accompanied by a plan for conversion of a carryout restaurant with a kitchen remodel for a carry out only restaurant. There are no tables in the customer lobby. The current zoning allows for a restaurant if a Special Use is granted by City Council and since the current special use has expired, a new Special Use is required. VI. STAFF RECOMMENDATIONS: If the Special Use Permit is approved, staff recommends that the applicant submit plans compliant with the 2021 International Existing Building Code for a Change of Use and obtain the necessary permits for remodeling and signage. Suggested Motion 2636 N Highway 67- BLB Wings I move to recommend approval for a Special Use Permit to allow for a carry-out restaurant, subject to the conditions set forth below with these conditions being part of the record. 1. The uses permitted shall be limited to a Carryout Restaurant. 2. Plans shall be consistent with plan dated 5/23/23 by Abdulai Bah of QCD, LLC. 

(end report and suggested motion)

## 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 WardZoning
	Initial Date Petitioner Filed Building Commissioner to complete ward, zone & date filed
SPECIAL PERMIT FOR Wing Restaurant Statement of what permit is being sought	
Statement of what permit is being sought	t. (i.e., special permit for operation of a restaurant).
AMEND SPECIAL PERMIT #TO ALLO	W FOR
LOCATION 2636NHWY 67	FLORRISANT MO. 63033
Address of property.	
1) Comes Now	
Enter name of petitioner. If a corporation, state as suc	h. If applicable include DBA (Doing Business As)
and states to the Planning and Zoning Commission that he (she) the tract of land located in the City of Florissant, State of Misso	
Legal interest in the Property)	
State legal interest in the property. (i.e	
Submit copy of deed or lease or letter of the property herein description of the prope	of authorization from owner to seek a special use.  cribed is presently being used for Refail
and that the deed restrict	ions 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 7/15/15

- 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)
PRINT NAME SIGNATURE Email and phone
FOR BLB WINGS
(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 Suggitta Foster
ADDRESS P23/ARGYLE Ave St Louis Mo 63144
TELEPHONE / EMAIL BIB WINGS 3 14 4 198/13 SUZZEHaporterfagnail. Com BUSINESS
I (we) the petitioner (s) do hereby appoint asas
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.

Special Use Permit Application Page 2 of 5- Revised 7/15/15

## 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	
(1) Name and Addres	· SuzzeHA,	Porter	923/ Argyle Ave Stl/
(2) Telephone Numbe	r 314 479 8013		
(3) Business Address	2636 N	1HWY6	7 Florrismt Mo. 63033
(4) Date started in bus	siness	///	1 2023
(5) Name in which bu	siness is operated if differe	ent from (1)	7 Florrismt Mo.63033
	a fictitious name, provide t		date registered with the State of Missouri,
(b) If a partnership:			
(1) Names & addresse	s of all partners		
(2) Telephone number	·s		
(3) Business address_			
(5) If operating under and a copy of the re	fictitious name, provide dat egistration.	te the name w	vas registered with the State of Missouri,
c) If a corporation:			
(1) Names & addresses	s of all partners		· · · · · · · · · · · · · · · · · · ·
(2) Telephone numbers	S		
(3) Business address_			
			rs
(5) Date of Incorporation	on		ورور و و و و و و و و و و و و و و و و و
(6) Missouri Corporate	Number		
(7) If operating under f and a copy of regist	ictitious name, provide the tration.	name and da	te registered with the State of Missouri,
			·
(9) Copy of latest Misson is in a strip center, go Information.	ouri Anti-Trust. (annual regive dimensions of your spa	gistration of c ace under squ	corporate officers) If the property location are footage and do not give landscaping

Special Use Permit Application Page 3 of 5- Revised 7/15/15 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	
Location of property 2636	NHWY 67 Florisant No 63033
Dimensions of property	NHWY 67 Florisant No 63033
Property is presently zoned	Requests Rezoning To
Proposed Use of Property <u>Retail</u>	Wings
Type of Sign Channel Celle	ns/H)Height
Type of Construction Repovation	Number Of Stories.
Square Footage of Building	Number of Curb Cuts
Number of Parking Spaces many	Sidewalk Length
Landscaping: No. of Trees	Diameter
No. of Shrubs	_Size
Fence: Type	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.

