

AGENDA
MAPLEWOOD CITY COUNCIL MEETING
TUESDAY, OCTOBER 13, 2015
7:30 P.M.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Motion to Excuse Councilperson
5. Approval of the Council Agenda
6. Public hearing to hear citizen's comments on a request by Abigail Bolyard of Bolyards Meat & Provisions located at 2810 Sutton Blvd. for a full liquor license.
7. Public hearing to hear citizen's comments on an amendment to the Maplewood Zoning Code, Section 56-72, Single Family Residential District permitted uses to allow short term vacation rentals in the Single Family Residential District as a Conditional Use Permit.
8. Public hearing to hear citizen's comments on a request by L'Arche St. Louis for a conditional use permit to operate a group home in the SR District at 3632 Manhattan.
9. Public hearing to hear citizen's comments on a request by Philip Manaois for a conditional use permit to operate a piano restaurant/bar at 7376 Manchester and to hear citizen's comments on a request for a full liquor license and a Sunday liquor license for this use.
10. Public hearing to hear citizen's comments on a request by Michael Borgard Jr. for a conditional use permit to operate an auto detail business and auto wholesale office at 2803 S. Big Bend Blvd.
11. Public Forum
12. Announcements
13. Approval of the September 22, 2015 City Council meeting minutes.
14. Motion to approve a request by Abigail Bolyard of Bolyard's Meat & Provisions located at 2810 Sutton Blvd. for a full liquor license.
15. Motion to approve a request by Andrew Graefe of The Jukebox Piano Bar located at 7376 Manchester Ave. for a full liquor and Sunday liquor license.
16. A Resolution of the City Council of the City of Maplewood, Missouri granting a pole sign permit to Hanley U-Gas located at 3033 S. Hanley Rd.

17. A Resolution of the City Council of the City of Maplewood, Missouri authorizing the City Manager to accept the bid of GT Distributors, Inc. to purchase six patrol rifles with slings and sling attachments in the amount of five thousand two hundred sixty dollars and eight cents (\$5,260.08).
18. An Ordinance of the City Council of the City of Maplewood, Missouri, granting a Conditional Use Permit to L'Arche to operate a group home for mentally and physically disabled individuals at 3632 Manhattan Avenue.
19. An Ordinance of the City Council of the City of Maplewood, Missouri, granting a Conditional Use Permit to Philip Manaois of Jukebox Piano Bar to operate an entertainment bar/restaurant facility at 7376 Manchester Road.
20. An Ordinance of the City Council of the City of Maplewood, Missouri, granting a Conditional Use Permit to Bogies Auto Detail to operate an auto detailing business and an internet wholesale auto sales business office use at 2803 S. Big Bend Blvd.
21. An Ordinance of the City Council of the City of Maplewood, Missouri, reaffirming the tax rates for the City of Maplewood and the Maplewood Special Business District on all real, personal, tangible and intangible property within the city of Maplewood, Missouri, for 2015.
22. Bill 5987 an Ordinance of the City Council of the City of Maplewood, Missouri, amending Ordinance 5573, as amended, Chapter 56, Zoning, Section 56-72 (4) SR Single Family Residential District Permitted Uses to allow short term vacation rentals in the SR District as a conditional use.
23. Bill 5988 an Ordinance of the City Council of the City of Maplewood, Missouri, amending Ordinance 5573, as amended, Chapter 14, Business and Business Regulations, by adding Article XIII, Division 3, Sections 14-800 to 14-804, Short term vacation rentals, establishing regulations governing Short term vacation rentals.
24. Bill 5990 an Ordinance of the City Council of the City of Maplewood, Missouri, to rezone 3368 Oxford from NB Neighborhood Business District to SR Single Family Residential District.
25. Bill 5991 an Ordinance of the City Council of the City of Maplewood, Missouri to rezone 2645 Lyle, 2647 Lyle and 2649 Lyle from CB Community Business District to SR Single Family Residential District.
26. Council Communication
27. Mayor's Report
28. City Attorney's Report
29. City Manager's Report

30. Motion to hold a Closed Session, if needed, to discuss matters relating to litigation, legal actions and/or communication from the City Attorney as provided for in Section 610.021(1)RSMO. and/or specifications for competitive bidding under Section 610.021(11) and/or sealed bids and related documents and sealed proposals and related documents under Section 610.021(11) and/or personnel matters under Section 610.021(13)RSMO. and/or employee matters under Section 610.021(3)RSMO. and/or real estate matters under Section 610.021(2)RSMO. and/or documents related to a negotiated contract under Section 610.021(12)RSMO.

31. Adjournment

**PUBLIC AGENDA NOTES
MAPLEWOOD CITY COUNCIL MEETING
TUESDAY, OCTOBER 13, 2015
7:30 P.M.**

The following is a brief description of the Agenda items for Tuesday, October 13, 2015:

ITEM NO. 6, is a public hearing to hear citizen's comments on a request by Abigail Bolyard of Bolyard's Meat & Provisions located at 2810 Sutton Blvd. for a full liquor license.

ITEM NO. 7, is a public hearing to hear citizen's comments on an amendment to the Maplewood Zoning Code, Section 56-72, Single Family Residential District permitted uses to allow short term vacation rentals in the Single Family Residential District as a conditional use permit.

ITEM NO. 8, is a public hearing to hear citizen's comments on a request by L'Arche St. Louis for a conditional use permit to operate a group home for the mentally and/or physically handicapped in the Single Family Zoning District at 3632 Manhattan.

ITEM NO. 9, is a public hearing to hear citizen's comments on a request by Philip Manaois for a conditional use permit to operate a piano restaurant/bar at 7376 Manchester and to hear citizen's comments on a request for a full liquor license and a Sunday liquor license for this use.

ITEM NO. 10, is a public hearing to hear citizen's comments on a request by Michael Borgard Jr. for a conditional use permit to operate an auto detail business and auto wholesale office at 2803 S. Big Bend Blvd.

ITEM NO. 14, is a motion to approve a request by Abigail Bolyard of Bolyard's Meat & Provisions located at 2810 Sutton Blvd. for a full liquor license. Bolyard's plans to offer alcoholic beverages to guests while they are waiting for their fresh cuts of meats and/or sandwiches and to be able to provide liquor with the catering aspect of their business.

ITEM NO. 15, is a motion to approve a request for a full liquor and Sunday liquor license by Andrew Graefe, co-owner of The Jukebox Piano Bar to be located at 7376 Manchester Ave. (formerly Jive & Wail). The other co-owner of this establishment is Philip Manaois (a/k/a Spanky) who was a partner in the original Jive & Wail.

ITEM NO. 16, is a resolution granting a pole sign permit to Hanley U-Gas located at 3033 S. Hanley Rd. to replace their existing pole sign with an updated pole sign.

ITEM NO. 17, is a resolution authorizing the City Manager to accept the bid of GT Distributors, Inc. to purchase six patrol rifles with slings and sling attachments in the amount of \$5,260.08. Monies are provided in the 2015-16 budget for this purchase.

ITEM NO. 18, is an ordinance granting a Conditional Use Permit to L'Arche to operate a group home for mentally and physically disabled individuals at 3632 Manhattan Avenue. L'Arche presently operates a facility at 2900 Marshall Ave. The Plan and Zoning Commission recommended 6 ayes, 0 nays, 1 absent to approve this conditional use permit.

ITEM NO. 19, is an ordinance granting a Conditional Use Permit to Philip Manaois of Jukebox Piano Bar to operate an entertainment bar/restaurant facility at 7376 Manchester Road (formerly Jive & Wail). Philip Manaois (a/k/a Spanky) was formerly a partner in the old Jive & Wail. He and co-owner Andrew Graefe are proposing to operate a similar facility to the old Jive & Wail. The Plan and Zoning Commission recommended approval by a vote of 6 ayes, 0 nays, 1 absent.

ITEM NO. 20, is an ordinance granting a Conditional Use Permit to Bogies Auto Detail to operate an auto detailing business and an internet wholesale auto sales business office use at 2803 S. Big Bend Blvd. Michael Borgard Jr. has previously operated an internet wholesale auto sales business office at that location and is now adding the auto detailing business. The Plan and Zoning Commission voted 6 ayes, 0 nays, 1 absent to approve this petition.

ITEM NO. 21, is an ordinance reaffirming the tax rates for the City of Maplewood and the Maplewood Special Business District on all real, personal, tangible and intangible property within the City of Maplewood, Missouri, for 2015.

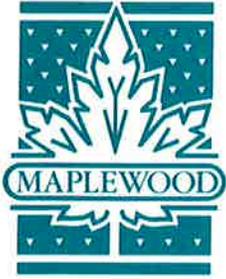
ITEM NO. 22, BILL 5987 is an ordinance amending the Zoning Code to allow short term vacation rentals in the Single Family Residential Zoning District as a conditional use permit. This bill has been read two times and tabled and a public hearing has been held and the bill is now ready for final Council action.

ITEM NO. 23, BILL 5988 is an ordinance that amends the Maplewood Code of Ordinances to establish the regulations for Airbnb operations. If the previous Bill 5987 is not approved, there is no need to proceed with this item. If Bill 5987 is approved, then this bill which has been read two times and tabled is now ready for final Council action.

ITEM NO. 24, BILL 5990 is an ordinance, to rezone 3368 Oxford from NB Neighborhood Business District to SR Single Family Residential District. The property owner will use both floors as a single family residence for her family. The property is surrounded on the north, east and south by single family homes and a mixed commercial use is to the west. The Plan and Zoning Commission recommended 6 ayes, 0 nays for approval. A public hearing has been held and the bill has been read two times and is now ready for final Council action.

ITEM NO. 25, BILL 5991 is an ordinance to rezone 2645 Lyle, 2647 Lyle and 2649 Lyle from CB Community Business District to SR Single Family Residential District. All three of these properties are presently being used as single family homes. None of the properties meet the bulk requirements for lot area, setbacks, etc. for residential properties and will still remain non-conforming uses. The Plan and Zoning Commission recommended 5 ayes, 1 nay to approve this rezoning request. A public hearing has been held and the bill has been read two times and is now ready for final Council action.

▼
City
of Maplewood



▼
Office
of the
City Manager

PUBLIC HEARING NOTICE

The Maplewood City Council will hold a public hearing on 10/13/15 at 7:30 p.m. in the City Council Chambers, 7601 Manchester, Maplewood, MO 63143, to hear citizen's comments on a request by Abigail Bolyard of Bolyards Meat & Provisions located at 2810 Sutton Blvd. for a full liquor license.

Ad as appearing in the September 25, 2015 **St. Louis Post-Dispatch**.

▼
City
of Maplewood



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Office
of the
City Manager

PUBLIC HEARING NOTICE

Maplewood City Council will hold a public hearing on 10/13/15 at 7:30 p.m. in the City Hall Council Chambers, 7601 Manchester Rd., Maplewood, MO 63143, to hear citizen's comments on an amendment to the Maplewood Zoning Code, Section 56-72, Single Family Residential District permitted uses to allow short term vacation rentals in the Single Family Residential District.

Ad as appearing in the September 25, 2015 **St. Louis Post-Dispatch**.

▼
*City
of Maplewood*



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PUBLIC HEARING NOTICE

Maplewood City Council will hold a public hearing on 10/13/15 at 7:30 p.m. in the City Hall Council Chambers, 7601 Manchester Rd., Maplewood, MO 63143, to hear citizen's comments on a request by L'Arche St. Louis for a conditional use permit to operate a group home in the SR District at 3632 Manhattan.

Ad as appearing in the September 25, 2015 **St. Louis Post-Dispatch**.

▼
7601 Manchester Road
Maplewood, MO 63143
(314) 645-3600



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PUBLIC HEARING NOTICE

Maplewood City Council will hold a public hearing on 10/13/15 at 7:30 p.m. in the City Hall Council Chambers, 7601 Manchester Rd., Maplewood, MO 63143, to hear citizen's comments on a request by Philip Manaois for a conditional use permit to operate a piano restaurant/bar at 7376 Manchester and to hear citizen's comments on a request for a full liquor license and a Sunday liquor license for this use.

Ad as appearing in the September 25, 2016 **St. Louis Post-Dispatch**.

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*City
of Maplewood*



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PUBLIC HEARING NOTICE

Maplewood City Council will hold a public hearing on 10/13/15 at 7:30 p.m. in the City Hall Council Chambers, 7601 Manchester Rd., Maplewood, MO 63143, to hear citizen's comments on a request by Michael Borgard Jr. for a conditional use permit to operate an auto detail business and auto wholesale office at 2803 S. Big Bend Blvd.

Ad as appearing in the September 25, 2016 **St. Louis Post-Dispatch**.

September 22, 2015

The September 22, 2015 Council meeting was called to order at 7:33 p.m., Deputy Mayor Karen Wood presiding.

ON ROLL CALL, the following members were present: Councilmember Cerven, Councilmember Dunn, Councilmember Faulkingham, Councilmember Greenberg and Deputy Mayor Wood.

MOTION TO EXCUSE COUNCILPERSON: Councilmember Cerven motioned to excuse Mayor White and Councilmember Wolf, duly seconded by Councilmember Dunn, which motion received the approval of the Council.

APPROVAL OF THE COUNCIL AGENDA: Councilmember Cerven motioned to approve the agenda, duly seconded by Councilmember Dunn, which motion received the approval of the Council.

PUBLIC HEARING TO HEAR CITIZEN'S COMMENTS ON THE PROPOSED 2015 PROPERTY AND PERSONAL PROPERTY TAX RATES: No one spoke.

PUBLIC HEARING TO HEAR CITIZEN'S COMMENTS ON A REQUEST BY ALICIA SIERRA TO REZONE 3368 OXFORD FROM NB NEIGHBORHOOD BUSINESS DISTRICT TO SR SINGLE FAMILY RESIDENTIAL DISTRICT: No one spoke.

PUBLIC HEARING TO HEAR CITIZEN'S COMMENTS ON A REQUEST BY PROPERTY OWNERS TO REZONE 2645 LYLE, 2647 LYLE AND 2649 LYLE FROM CB COMMUNITY BUSINESS DISTRICT TO SR SINGLE FAMILY RESIDENTIAL DISTRICT: Gary James, 2649 Lyle, questioned whether he had been paying the higher commercial property tax rate. Acting City Manager Anthony Traxler indicated that would be a question for the county assessor's office.

PUBLIC FORUM: No one spoke.

ANNOUNCEMENTS: None.

APPROVAL OF THE SEPTEMBER 8, 2015 CITY COUNCIL MEETING MINUTES AND CLOSED SESSION MINUTES: Councilmember Cerven motioned to approve, duly seconded by Councilmember Dunn, which motion received the approval of the Council.

BILL 5990, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, TO REZONE 3368 OXFORD FROM NB NEIGHBORHOOD BUSINESS DISTRICT TO SR SINGLE FAMILY RESIDENTIAL DISTRICT was given its first reading. It was moved by Councilmember Cerven, duly seconded by Councilmember Dunn that Bill No. 5990 be moved to its second reading, which motion received the majority approval; by voice vote, of the Council.

On its second reading, it was moved by Councilmember Cerven, duly seconded by Councilmember Dunn, that Bill No. 5990 be passed to its third and final reading, which motion received the majority approval; by voice vote, of the Council.

BILL 5991, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI TO REZONE 2645 LYLE, 2647 LYLE AND 2649 LYLE FROM CB COMMUNITY BUSINESS DISTRICT TO SR SINGLE FAMILY RESIDENTIAL DISTRICT was given its first reading. It was moved by Councilmember Cerven, duly seconded by Councilmember Dunn that Bill No. 5991 be moved to its second reading, which motion received the majority approval; by voice vote, of the Council.

On its second reading, it was moved by Councilmember Cerven, duly seconded by Councilmember Dunn, that Bill No. 5991 be passed to its third and final reading, which motion received the majority approval; by voice vote, of the Council.

BILL 5987, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING ORDINANCE 5573, AS AMENDED, CHAPTER 56, ZONING, SECTION 56-72 SR SINGLE FAMILY RESIDENTIAL DISTRICT PERMITTED USES TO ALLOW SHORT TERM VACATION RENTALS IN THE SR DISTRICT: Councilmember Dunn motioned to table this bill, duly seconded by Councilmember Cerven, which motion received the majority approval; by voice vote, of the Council.

BILL 5988, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING ORDINANCE 5573, AS AMENDED, CHAPTER 14, BUSINESS AND BUSINESS REGULATIONS, BY ADDING ARTICLE XIII, DIVISION 3, SECTIONS 14-800 TO 14-804, SHORT TERM VACATION RENTALS, ESTABLISHING REGULATIONS GOVERNING SHORT TERM VACATION RENTALS: Councilmember Cerven motioned to table this bill, duly seconded by Councilmember Dunn, which motion received the majority approval; by voice vote, of the Council.

BILL 5989, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, ESTABLISHING THE TAX RATE FOR THE CITY OF MAPLEWOOD AND THE MAPLEWOOD SPECIAL BUSINESS DISTRICT ON ALL REAL, PERSONAL, TANGIBLE AND INTANGIBLE PROPERTY WITHIN THE CITY OF MAPLEWOOD, MISSOURI, FOR 2015 was given its third and final reading. It was moved by Councilmember Cerven, duly seconded by Councilmember Dunn that Bill No. 5989 be approved, which motion received the following roll call vote: Ayes, members Cerven, Dunn, Faulkingham, Greenberg and Deputy Mayor Wood. Nays, none.

Bill 5989 was approved by the City Council on this 22nd day of September, 2015 as **Ordinance number 5783**.

COUNCIL COMMUNICATION: Councilmember Greenberg reminded the Council about the breakfast meeting on October 1, 2015 with the local AARP coordinator.

MAYOR'S REPORT: No report.

CITY ATTORNEY'S REPORT: No report.

CITY MANAGER'S REPORT: No report.

MOTION TO HOLD A CLOSED SESSION, IF NEEDED, TO DISCUSS MATTERS RELATING TO LITIGATION, LEGAL ACTIONS AND/OR COMMUNICATION FROM THE CITY ATTORNEY AS PROVIDED FOR IN SECTION 610.021(1)RSMO. AND/OR SPECIFICATIONS FOR COMPETITIVE BIDDING UNDER SECTION 610.021(11) AND/OR SEALED BIDS AND RELATED DOCUMENTS AND SEALED PROPOSALS AND RELATED DOCUMENTS UNDER SECTION 610.021(11) AND/OR PERSONNEL MATTERS UNDER SECTION 610.021(13)RSMO. AND/OR EMPLOYEE MATTERS UNDER SECTION 610.021(3)RSMO. AND/OR REAL ESTATE MATTERS UNDER SECTION 610.021(2)RSMO. AND/OR DOCUMENTS RELATED TO A NEGOTIATED CONTRACT UNDER SECTION 610.021(12)RSMO.: No need.

There being no further business before the Council, the meeting adjourned at 7:45 p.m.

INTEROFFICE MEMORANDUM

TO: Mayor & City Council

FROM: Martin J. Corcoran, City Manager

DATE: October 7, 2015

RE: Full Liquor License for Bolyard's Meat & Provisions

Abigail Bolyard is requesting a full liquor license for Bolyard's Meat & Provisions so that customers can enjoy an alcoholic beverage while waiting for their meats to be cut. In addition, the liquor license will also be used as part of their catering business. Staff recommends approval of this liquor license request.


Martin J. Corcoran
City Manager

Enclosure

LL-Bolyard's.docx

450.00
315.00 Pub hearing
135.00

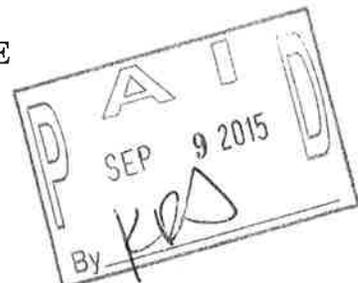
PETITION FOR LIQUOR LICENSE

CITY OF MAPLEWOOD

7601 Manchester Road

Maplewood, MO 63143

(314) 645-3600



SECTION 1

DATE: 9/8/15

1. NAME OF ESTABLISHMENT: Bolyards MEAT & Provisions

2. ADDRESS OF ESTABLISHMENT: 2810 SUTTON BLVD

MAPLEWOOD MO 63143 (314)647-2567
(CITY) (STATE) (ZIP) (PHONE)

3. Is ownership a corporation or partnership? If so, list names and addresses of individuals and their title(s):

Christopher Bolyard - Partner

Abigail Bolyard - Partner

4. NAME OF OWNER OR MANAGING OFFICER: Abigail Bolyard

5. Type of license requested - separate license shall be obtained for each of the following classes of sales: (Please check each classification that applies)

<u>Indicate Type of License Applied For:</u>	<u>Fee</u>
A. <u>STORAGE OF NON-INTOXICATING BEER</u> ____ For beer depot or store room, handling, selling or storing non-intoxicating beer.	\$75.00
B. <input checked="" type="checkbox"/> <u>FULL LIQUOR LICENSE</u> ____ To sell intoxicating liquor in excess of 5% by weight, by the drink at retail for consumption on the premises where sold.	\$450.00
C. <u>PACKAGED INTOXICATING LIQUOR</u> ____ To sell intoxicating liquor in the original package at retail only, and not for consumption on the premises where sold.	\$150.00
D. <u>SUNDAY PACKAGE LIQUOR LICENSE</u> ____ To sell intoxicating liquor in the original package at retail only, and not by the drink, not for consumption on the premises (which shall include the right to sell non-intoxicating beer at retail in the original package) on Sundays between the hours of 9:00 a.m. and 12:00 midnight.	\$300.00

- E. MALT LIQUOR BY THE DRINK - 5% OR WINES NOT IN EXCESS OF 14% ALCOHOL BY WEIGHT
 _____ To sell malt liquor containing alcohol over 3.2% but not more than 5% by weight at retail by the drink for consumption on the premises, where sold (includes light wines. \$ 52.50
- F. PACKAGED MALT LIQUOR OR LIGHT WINES (5% MALT LIQUOR)
 _____ To sell malt liquor containing over 3.2% but not more than 5% by weight in the original package at retail only, and not for consumption on the premises, where sold. \$ 22.50
- G. SUNDAY LIQUOR BY THE DRINK
 _____ To sell intoxicating liquor in excess of 5% percent by weight by the drink at retail for consumption on the premises (which shall include the right to sell non-intoxicating beer at retail by the drink for consumption on the premises) on Sundays between the hours of 9:00 a.m. and 12:00 midnight provided all requirements of state law are complied with. \$300.00
- H. MANUFACTURER SOLICITOR'S LICENSE
 _____ To sell intoxicating liquor containing not in excess of twenty-two percent (22%) of alcohol by weight and the privilege of selling to duly licensed wholesalers and soliciting orders for sale of intoxicating liquor containing not in excess of twenty-two percent of alcohol by weight, to, by or through a duly licensed wholesaler on the premises where sold. \$250.00
- I. ORIGINAL PACKAGE TASTING
 _____ To conduct wine, malt beverage and distilled spirit tasting on the licensed premises upon receipt of a special permit. \$ 25.00

Applicant hereby agrees that if a license is granted upon this petition, that applicant or any officer, agent, employee, or servant of applicant will not violate any provision of said Ordinance No. 4121 or of any amendments hereafter made to said ordinance, or any law of the State of Missouri or other ordinance of the City of Maplewood while in and upon the premises of the applicant herein described or knowingly allow any other person so to do.

Abigail Bolyard

Printed Name of Applicant

Abigail S Bolyard

Signature

9/9/15

Date

RECORD OF ARREST

A. Have you ever been arrested or indicted for the violation of any Federal, State, or City Laws?

NO

If so, give details: _____

B. Have you ever been convicted for the violation of any city ordinance, State or Federal Laws relating to liquor, gambling, immorality, peace disturbance?

NO

If so, give details: _____

I, Anigauil S Bolyard., hereby authorize the City of Maplewood Police Department to perform a police check on the information I have submitted. And I am willing to submit to fingerprinting and photographing, if requested.

Date: 09/09/15 Signature of Applicant: Anigauil S Bolyard.

Results of Police Check:

NO RECORD

Chief Stephen M. Kruse
Signature Chief of Police

**MAPLEWOOD POLICE DEPARTMENT
7601 MANCHESTER
MAPLEWOOD, MO 63143**

INTEROFFICE MEMORANDUM

TO: Mayor & City Council

FROM: Martin J. Corcoran, City Manager

DATE: October 7, 2015

RE: Full Liquor License & Sunday Liquor License for the Jukebox Piano Bar

The Jukebox Piano Bar, to be located at 7376 Manchester (formerly the old Jive & Wail), is requesting a full liquor license and Sunday liquor license. The establishment will serve food and alcoholic beverages. Staff recommends approval of the requested liquor licenses.



Martin J. Corcoran
City Manager

Enclosure

PETITION FOR LIQUOR LICENSE
CITY OF MAPLEWOOD
7601 Manchester Road
Maplewood, MO 63143
(314) 645-3600

750
430

1180

SECTION 1

DATE: 9/22/15

1. NAME OF ESTABLISHMENT: The Jukebox Piano Bar

2. ADDRESS OF ESTABLISHMENT: 7376 Manchester Rd

Maplewood mo 63143
(CITY) (STATE) (ZIP) (PHONE)

3. Is ownership a corporation or partnership? If so, list names and addresses of individuals and their title(s):

Co-owner of Corporation Andrew Graefe 715 Montego Dr Crestwood mo 63126

Co-owner of Corporation Philip Manais 9409 Talbot Dr Affton, mo 63123

4. NAME OF OWNER OR MANAGING OFFICER: Andrew W. Graefe

5. Type of license requested - separate license shall be obtained for each of the following classes of sales: (Please check each classification that applies)

<u>Indicate Type of License Applied For:</u>	<u>Fee</u>
A. <u>STORAGE OF NON-INTOXICATING BEER</u> ____ For beer depot or store room, handling, selling or storing non-intoxicating beer.	\$75.00
B. <input checked="" type="checkbox"/> <u>FULL LIQUOR LICENSE</u> ____ To sell intoxicating liquor in excess of 5% by weight, by the drink at retail for consumption on the premises where sold.	\$450.00
C. <u>PACKAGED INTOXICATING LIQUOR</u> ____ To sell intoxicating liquor in the original package at retail only, and not for consumption on the premises where sold.	\$150.00
D. <u>SUNDAY PACKAGE LIQUOR LICENSE</u> ____ To sell intoxicating liquor in the original package at retail only, and not by the drink, not for consumption on the premises (which shall include the right to sell non-intoxicating beer at retail in the original package) on Sundays between the hours of 9:00 a.m. and 12:00 midnight.	\$300.00
E. <u>MALT LIQUOR BY THE DRINK - 5% OR WINES NOT IN EXCESS OF 14% ALCOHOL BY WEIGHT</u> ____ To sell malt liquor containing alcohol over 3.2% but not more than 5% by weight at retail by the drink for consumption on the premises, where sold (includes light wines.	\$52.50

- F. PACKAGED MALT LIQUOR OR LIGHT WINES (5% MALT LIQUOR)
 _____ To sell malt liquor containing over 3.2% but not more than 5% by weight in the original package at retail only, and not for consumption on the premises, where sold. \$ 22.50
- G. SUNDAY LIQUOR BY THE DRINK
 ✓ _____ To sell intoxicating liquor in excess of 5% percent by weight by the drink at retail for consumption on the premises (which shall include the right to sell non-intoxicating beer at retail by the drink for consumption on the premises) on Sundays between the hours of 9:00 a.m. and 12:00 midnight provided all requirements of state law are complied with. \$300.00
- H. MANUFACTURER SOLICITOR'S LICENSE
 _____ To sell intoxicating liquor containing not in excess of twenty-two percent (22%) of alcohol by weight and the privilege of selling to duly licensed wholesalers and soliciting orders for sale of intoxicating liquor containing not in excess of twenty-two percent of alcohol by weight, to, by or through a duly licensed wholesaler on the premises where sold. \$250.00
- I. ORIGINAL PACKAGE TASTING
 _____ To conduct wine, malt beverage and distilled spirit tasting on the licensed premises upon receipt of a special permit. \$ 25.00

Applicant hereby agrees that if a license is granted upon this petition, that applicant or any officer, agent, employee, or servant of applicant will not violate any provision of said Ordinance No. 4121 or of any amendments hereafter made to said ordinance, or any law of the State of Missouri or other ordinance of the City of Maplewood while in and upon the premises of the applicant herein described or knowingly allow any other person so to do.

Andrew W. Graefe
 Printed Name of Applicant

[Signature]
 Signature

9-22-15
 Date

RECORD OF ARREST

A. Have you ever been arrested or indicted for the violation of any Federal, State, or City Laws?

NO

If so, give details: _____

B. Have you ever been convicted for the violation of any city ordinance, State or Federal Laws relating to liquor, gambling, immorality, peace disturbance?

NO

If so, give details: _____

I, Drew Gripe, hereby authorize the City of Maplewood Police Department to perform a police check on the information I have submitted. And I am willing to submit to fingerprinting and photographing, if requested.

Date: 9/22/15 Signature of Applicant: Drew Gripe

Results of Police Check:

Chief Stephen M. Kruse
Signature: Chief of Police
9-28-15

INTEROFFICE MEMORANDUM



To: Martin J. Corcoran, City Manager
From: Brian M. Herr, Building Official/Fire Marshal
Date: October 9, 2015
Subject: Hanley U-Gas Pole Sign

The Design Review Board reviewed and approved a submittal to modify an existing pole sign for Hanley U-Gas located at 3033 S. Hanley Road on October 8, 2015. The current sign is 19 feet tall with a 57.5 square foot sign panel. The proposed sign, which will use the existing supporting posts, will increase in height by four inches; however the sign panel will decrease in size to 38 square feet and the location of the sign will not change. The proposed pole sign modifications comply with the Maplewood sign code requirements, in that the LED fuel pricing numerals shall not contain flashers, animators or mechanical movement or contrivances of any kind.

Brian M. Herr
Building Official/Fire Marshal

Modifications to the pole sign for Hanley U-Gas located at 3033 S. Hanley Rd.

Applicant: Bob Williams Sign Contractor

Building Description: Retail

Project Description: The applicant is seeking approval of modifications to the existing pole sign

Staff Recommendation: The Staff has reviewed the plans and determined compliance with the City Ordinance

Attachments: Photos and specifications



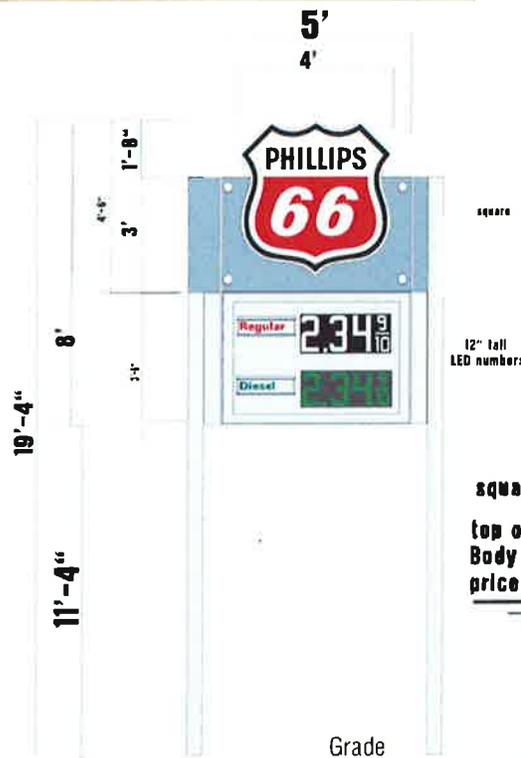
existing sign



**reuse existing pole
No change to location**



Existing sign



Proposed pole sign and existing canopy are 19'-4" high

Changes to the canopy signage approved at the September 10th 2015 D&R meeting

RESOLUTION

R15-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A POLE SIGN PERMIT TO HANLEY U-GAS LOCATED AT 3033 S. HANLEY RD.

WHEREAS, U-Gas desires to replace the pole sign at its location at 3033 Hanley Rd.; and

WHEREAS, the proposed pole sign complies with the sign code regulations for pole signs and has been recommended for approval by the Design and Review Board at their October 8, 2015 meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AS FOLLOWS: The City Council determines that the proposed pole sign:

- (1) Will not cause traffic hazards.
- (2) Will not diminish or impair property values within the neighborhood.
- (3) Will not adversely affect the public health, safety, order, convenience or general welfare of the community.
- (4) Is consistent with and not injurious to the character of the neighborhood.
- (5) Meets the height, size and location regulations in the sign code;

AND HEREBY GRANTS permission to U-Gas to erect a pole sign at 3033 S. Hanley Road as proposed in its application and approved by the Design and Review Board.

Passed this day of , 2015

James White, Mayor

Attest:

Karen R. Scheidt, Acting City Clerk

Approved this day of , 2015

James White, Mayor

Attest:

Karen R. Scheidt, Acting City Clerk

INTEROFFICE MEMORANDUM

TO: Martin J. Corcoran, City Manager

FROM: Chief Stephen M. Kruse

DATE: September 29, 2015

RE: Notice of Intent to Purchase Patrol Rifles

Sir:

The 2015/16 police department budget allocates \$10,200.00 for the purchase of six (6) patrol rifles. The specifications of the rifles sought for purchase are described as follows: *Colt – Model #LE6920MPS-B .223/.556 caliber, black Magpul SL Edition with slings and sling attachments.*

Accordingly, the Maplewood Police Department publicly solicited formal bids for purchase of the patrol rifles as required by Section 2-287 of the Maplewood City Code. The department also sent bid requests to *ten (10)* prospective vendors.

Four (4) vendors submitted bids as follows:

GT Distributors, Inc.
2545 Brockington Dr., Suite 100
Austin, Texas 78758
BP: 1-800-252-8310
Total Cash Cost = \$5,260.08

Kiesler Police Supply, Inc.
2802 Sable Mill Rd.
Jeffersonville, Indiana 47130
BP: 1-800-444-2950 ext. #171
Total Cash Cost = \$5,292.48

Ray O'Herron Company, Inc.
3549 Vermilion St. – PO Box 1070
Danville, Illinois 61834
BP 1-800-223-2097
Total Cash Cost = \$6,204.00

**Page (2) – Notice of Intent to Purchase Patrol Rifles
September 29, 2015**

Simmons Gun Specialties, Inc.
20241 W. 207th
Spring Hill, Kansas 66083
BP: 1-913-592-3939
Total Cash Cost = \$6,553.50

I recommend buying the patrol rifles, slings and sling attachments offered by GT Distributors, Inc. GT Distributors, Inc. submitted the lowest and best bid. The bid is significantly less than the amount budgeted for the purchase and meets all required specifications.

The original bid documents will remain on file in the Maplewood City Clerk's Office.

Respectfully submitted,

Stephen M. Kruse
Chief of Police

Attachment: Maplewood City Clerk's Office Bid Tabulation Sheet – Dated September 29, 2015

**CITY OF MAPLEWOOD, MISSOURI
CITY CLERK'S OFFICE**

BID TABULATION

Department Police Dept

Project Name Patrol Rifles

Bid Opening Date 9-29-15 Time 8:45 am

- ATTENDANCE LIST**
1. Lt. Gritter
 2. Karen Scherdt
 3. _____
 4. _____

NAME OF BIDDER

BID PRICE

NAME OF BIDDER	BID PRICE
1. <u>Simmons Gun Specialists</u>	<u>6,553.50</u>
2. <u>Ray O'Herron Co.</u>	<u>6,204.00</u>
3. <u>GT Distributors</u>	<u>5,260.08</u>
4. <u>Kiesler's</u>	<u>5,292.48</u>
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____

RESOLUTION

R15-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID OF GT DISTRIBUTORS, INC. TO PURCHASE SIX PATROL RIFLES WITH SLINGS AND SLING ATTACHMENTS IN THE AMOUNT OF FIVE THOUSAND TWO HUNDRED SIXTY DOLLARS AND EIGHT CENTS (\$5,260.08).

WHEREAS, the 2015/16 police department budget allocates \$10,200.00 for the purchase six patrol rifles; and

WHEREAS, bid requests were duly advertised and sent to ten prospective vendors; and

WHEREAS, bids were publicly opened on September 29, 2015; and

WHEREAS, four vendors submitted bids, all of which were considered responsive; and

WHEREAS, four bids were submitted in the amounts of \$5,260.08, \$5,292.48, \$6,204.00 and \$6,553.50; and

WHEREAS, the bid submitted by GT Distributors, Inc. for \$5,260.08 was the lowest and best bid; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI AS FOLLOWS: The City Manager is authorized, in the City's best interest, to accept the bid submitted by GT Distributors, Inc. for five thousand two hundred sixty dollars and eight cents (\$5,260.08) to purchase six patrol rifles with slings and sling attachments.

Passed this 13th day of October, 2015

James White, Mayor

Attest:

Karen R. Scheidt, Acting City Clerk

Approved this 13th day of October, 2015

James White, Mayor

Attest:

Karen R. Scheidt, Acting City Clerk

INTEROFFICE MEMORANDUM



To: Planning Commission
From: Anthony Traxler, Assistant City Manager/Director of Public Works
Date: September 23, 2015
Subject: Petition Number #2015-19- Request for a Conditional Use Permit in the SR Single Family Residential Zoning District – L’Arche, 3632 Manhattan

BACKGROUND

The subject property, 3632 Manhattan is located at the southern edge of Maplewood’s single family residential neighborhood. The site is fully developed supporting a ranch home with a walk-out lower level. The MetroLink tracks and various heavy industrial uses are located directly behind the house.

L’Arche is an organization that specializes in care for mentally and physically disabled individuals. L’Arche has another group home in Maplewood at 2900 Marshall Avenue and have operated with no complaints since 2011.

ZONING REQUEST

The petitioner, Paula Kilcoyne of L’Arche, is requesting a Conditional Use Permit on the subject property to allow a group home for mentally and physically disabled individuals.

Approval of this request, if granted by the Plan and Zoning Commission and the City Council, would bring this property into conformance with the Zoning Code of the City of Maplewood.

PLANNING AND ZONING ISSUES

1. **Proposed Use:** The property is zoned SR Single Family Residential District which allows group homes with a Conditional Use Permit. Missouri State Statutes state that municipalities cannot prohibit group homes for the mentally and physically disabled. However, municipalities can regulate the number and/or proximity to other group homes and the appearance of such homes to ensure they fit in with adjacent and surrounding properties. The proposed site is well suited for the proposed use. The site has a driveway that drops to the rear of the home and is immediately adjacent to heavy industry to the south and west. Across the street and to the east are residential homes. The attached application details the proposed

L'Arche operations including the number of individuals that will be on-site.

2. **Parking:** The site is has sufficient off-street parking to support the proposed group home. Additionally, the site has a large driveway and garage that is hidden from view from adjacent and surrounding residential properties due to the topography at this site.
3. **Impact to Adjacent Properties:** The proposed use should not significantly impact adjacent and surrounding properties. L'Arche looked at numerous sites in Maplewood and this location is by far the best available to support their expansion.

CONDITIONAL USE PERMIT STANDARDS FOR APPROVAL

In presenting any application for a Conditional Use Permit, the petitioner must demonstrate that the proposed conditional use meets the "Standards for Approval" criteria set forth in Section 56-877, Procedures for a Conditional Use Permit, of the Zoning Code (copy attached).

FINDING:

Staff recommends approval, subject to the conditions contained in the attached draft ordinance, based on the following findings of fact:

- 1) The scale and intensity for the proposed use is compatible with adjacent and surrounding properties.
- 2) L'Arche has historically operated a group home in Maplewood with no complaints.
- 3) Ample off-street screened parking is available to support the proposed use.
- 4) The proposed conditional use, at the above location, will contribute to and promote the welfare and convenience of the public by providing a group home for mentally and physically handicapped individuals in the community and surrounding area.

Anthony Traxler

From: Marty Corcoran
Sent: Friday, August 28, 2015 8:59 AM
To: Anthony Traxler
Subject: FW: Online Form Submittal: City Of Maplewood Application for Conditional Use Permit

Martin J. Corcoran
City Manager
City of Maplewood
7601 Manchester Road
Maplewood, Missouri 63143
Direct Line (314) 646-3603

From: noreply@civicplus.com [mailto:noreply@civicplus.com]
Sent: Friday, August 28, 2015 8:44 AM
To: Design <design@cityofmaplewood.com>; Marty Corcoran <marty@cityofmaplewood.com>; Karen Scheidt <k-scheidt@cityofmaplewood.com>
Subject: Online Form Submittal: City Of Maplewood Application for Conditional Use Permit

If you are having problems viewing this HTML email, click to view a [Text version](#).

City Of Maplewood Application for Conditional Use Permit

Application for Conditional Use Permit

Please note: A member of the City of Maplewood will contact you with the total you owe to complete your request.

Applicant Information

Name:*	Paula Kilcoyne
Contact Address:*	2900 Marshall Ave
Contact Phone:*	3147992888

Proposed Business Information

Proposed Business Name:*	
L'Arche St.Louis	
Address of Proposed Maplewood Location:*	Address of Existing Location (if applicable):
3632 Manhattan Ave	2900 Marshall Ave
Description of Business Activity:*	
Home where people with developmental disabilities and assistant care-givers live together, family-style.	
Anticipated Hours of Operation:*	Anticipated Number of Employees:*
24/7	4 (2 FTEs and 2 PT)

As applicant and/or owner of the above stated business, I hereby certify and verify that all of the information stated above is accurate.*
 I agree

Date:*\br/>8/27/2015

Property Information

Property Owner:*
L'Arche St.Louis
Property Owner Address:*
3632 Manhattan Ave
Intended Use of Property:*

Property Owner Phone #:*
3147814410

Currently we do not own this property but are putting in a bid to buy it. We are a community of people with and without disabilities who share life together. We are part of an international body of such communities that have been established for 50 years. We are licensed by the State of Missouri to provide live-in care to people with developmental disabilities 24/7. At the 3632 Manhattan Ave location we propose to have 3 or 4 (maximum allowed by our State program) people with developmental disabilities and 2 live-in care providers (plus 2 live-out part-time assistants) share a family-style life together. Being good neighbours, volunteering in the wider community and attending local churches is all a part of our current involvement in Maplewood at our other location on Marshall ave. We intend to be the same low-profile yet contributing citizens in this Manhattan home. Thank you for considering this request.

As the owner of the above stated property, I hereby verify and agree to the above stated intended use of this property by the applicant.*
 I agree

Date:*
8/27/2015



* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://mo-maplewood.civicplus.com/Admin/FormHistory.aspx?SID=6131>

The following form was submitted via your website: City Of Maplewood Application for Conditional Use Permit

Name:: Paula Kilcoyne

Contact Address:: 2900 Marshall Ave

Contact Phone:: 3147992888

Proposed Business Name:: L'Arche St.Louis

Address of Proposed Maplewood Location:: 3632 Manhattan Ave

Address of Existing Location (if applicable):: 2900 Marshall Ave

Description of Business Activity:: Home where people with developmental disabilities and assistant care-givers live together, family-style.

Anticipated Hours of Operation:: 24/7

Anticipated Number of Employees:: 4 (2 FTEs and 2 PT)

As applicant and/or owner of the above stated business, I hereby certify and verify that all of the information stated above is accurate.: I agree

Date:: 8/27/2015

Property Owner:: L'Arche St.Louis

Property Owner Phone #:: 3147814410

Property Owner Address:: 3632 Manhattan Ave

Intended Use of Property:: Currently we do not own this property but are putting in a bid to buy it. We are a community of people with and without disabilities who share life together. We are part of an international body of such communities that have been established for 50 years. We are licensed by the State of Missouri to provide live-in care to people with developmental disabilities 24/7.

At the 3632 Manhattan Ave location we propose to have 3 or 4 (maximum allowed by our State program) people with developmental disabilities and 2 live-in care providers (plus 2 live-out part-time assistants) share a family-style life together. Being good neighbours, volunteering in the wider community and attending local churches is all a part of our current involvement in Maplewood at our other location on Marshall ave. We intend to be the same low-profile yet contributing citizens in this Manhattan home.

Thank you for considering this request.

As the owner of the above stated property, I hereby verify and agree to the above stated intended use of this property by the applicant.: I agree

Date:: 8/27/2015

Additional Information:

Form submitted on: 8/28/2015 8:44:08 AM

Submitted from IP Address: 24.107.154.255

Referrer Page: <http://www.cityofmaplewood.com/index.aspx?nid=112>

Form Address: <http://mo-maplewood.civicplus.com/Forms.aspx?FID=103>



3632 Manhattan Avenue

Sec. 56-877. - Procedures for conditional use permit.

(a) *Applications.* Applications for a conditional use permit shall include a site plan and necessary descriptive material relating to the intensity and extent of use and such other information as shall be required by the zoning administrator. An application for a conditional use permit may be filed only by the owner of the property in question or by a tenant, with the owner's permission.

(b) *Standards for conditional use permit approval.* The zoning administrator shall post the property and mail notices to inform the public of the date, time and place of the plan and zoning commission meeting at which the conditional use permit application shall be considered, and of the date, time and place of the public hearing on such application to be held by the city council pursuant to this division. The zoning administrator shall refer the application to the plan and zoning commission to investigate and make a report and recommendation as to whether the following criteria are true with respect to the proposed conditional use:

- (1) Complies with all applicable provisions of this chapter;
- (2) At the specific location will contribute to and promote the community welfare or convenience;
- (3) Will not cause substantial injury to the value of neighboring property;
- (4) Complies with the overall neighborhood development plan and existing zoning district provisions;
- (5) Will provide, if applicable, off-street parking and loading areas in accordance with the standards contained in this chapter;
- (6) Will not substantially increase traffic hazards;
- (7) Will not substantially increase fire hazards;
- (8) Will not overtax public utilities; and
- (9) Will not place an undue burden on municipal services.

(c) *Report and recommendation.* Without unreasonable delay, and in all cases within 40 days after the first meeting at which the proposed conditional use is considered, the plan and zoning commission shall render to the city council a written report and recommendation on the proposed conditional use.

(d) *Hearing.* Upon receipt of the report and the recommendation of the plan and zoning commission, the city council shall hold a public hearing on the application and shall give notice of the date, time and place thereof by causing a notice thereof to be published at least one time, 15 days before the date of the hearing, in a newspaper of general circulation in the city.

(e) *Authorization.* After such hearing, the city council shall, by majority vote, make a determination as to whether the proposed conditional use satisfies the criteria listed in subsection (b) of this section for the plan and zoning commission report and recommendation. If the city council makes an affirmative determination as to all of the criteria, a conditional use permit shall be granted. If the city council makes a negative determination as to any of the criteria, a conditional use permit shall not be granted.

(f) *Conditions.* The plan and zoning commission may recommend and the city council may provide such terms, conditions or restrictions upon the construction, location and operation of the conditional use, as the plan and zoning commission or the city council may determine in order to further the general objectives of this division and to minimize the possibility of injury to the value of property in the neighborhood.

BILL NO.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A CONDITIONAL USE PERMIT TO L'ARCHE TO OPERATE A GROUP HOME FOR MENTALLY AND PHYSICALLY DISABLED INDIVIDUALS AT 3632 MANHATTAN AVENUE.

WHEREAS, Paula Kilcoyne of L'Arche applied to the City Council of the City of Maplewood, Missouri for a Conditional Use Permit as provided in Section 56-877 of the Maplewood Code of Ordinances, to operate a group home for mentally and physically disabled individuals at 3632 Manhattan Avenue; and

WHEREAS, the Plan and Zoning Commission recommended approval of this proposed Conditional Use Permit at their October 5, 2015 meeting by a vote of ayes, nays; and

WHEREAS, the City Council held a public hearing on this conditional use permit at their October 13, 2015 Council meeting.

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

Section I. L'Arche is hereby granted a Conditional Use Permit to operate a group home for physically and mentally disabled individuals at 3632 Manhattan Avenue.

Section II. The Conditional Use Permit is granted subject to all rules and regulations and to conditions set forth for the property described in Section I. as follows:

- (A) Permitted and Conditional Uses: The uses permitted in this Conditional Use Permit shall be as follows:
 - 1) All permitted land uses in the SR Single Family Residential District.
 - 2) A group living facility/group home for physically and mentally disabled individuals.
 - 3) The number of individuals living on-site shall meet the State of Missouri requirements for group homes for physically and mentally disabled individuals.
 - 4) The group home should keep a single family residential home exterior appearance.
- (B) Architectural Standards/Sign Requirements: Any exterior changes to the building and/or signage must be approved by the Design and Review Board prior to the issuance of a building permit. All non-conforming signage must be removed prior to the issuance of an occupancy permit/business license.
- (C) Exterior Storage of Materials: No outside storage of materials will be permitted.

Section III. Any expansion or alteration of use, structure or site must be approved by the Plan and Zoning Commission prior to the issuance of a building permit.

Section IV. The permittee shall, within 30 days, give written acceptance to the terms of this ordinance to the City Council.

Section V. This ordinance shall be in full force and effect fifteen (15) days after its passage and approval.

Passed this day of 2015

James White, Mayor

Attest:

Karen Scheidt, Acting City Clerk

Approved this day of 2015

James White, Mayor

Attest:

Karen Scheidt, Acting City Clerk

INTEROFFICE MEMORANDUM



To: Planning Commission
From: Anthony Traxler, Assistant City Manager/Director of Public Works
Date: September 23, 2015
Subject: Petition Number #2015-20 – Request for a Conditional Use Permit in the CB1 Community Business One Zoning District – Jukebox Piano Bar, 7376 Manchester

BACKGROUND

The subject property, 7376 Manchester Road is located at the southeast corner of Manchester Road and Sutton Boulevard. The site is fully developed supporting a two-story building with a variety of office uses located on the second floor. The street level has historically supported a variety of retail and restaurant uses including a furniture store, a burlesque theatre and most recently a restaurant and bar facility. A piano bar named Jive and Wail operated very successfully on-site for years before moving in 2008. The petitioner was the operator of Jive and Wail and will be bringing a similar concept with this proposal – a dueling piano entertainment bar and grill.

ZONING REQUEST

The petitioner, Phillip “Spanky” Manaois, is requesting a Conditional Use Permit on the subject property to allow an entertainment bar/restaurant facility.

Approval of this request, if granted by the Plan and Zoning Commission and the City Council, would bring this property into conformance with the Zoning Code of the City of Maplewood.

PLANNING AND ZONING ISSUES

1. **Proposed Use:** The property is zoned CB1 Community Business One District which allows restaurants with a Conditional Use Permit. The proposed use is ideally suited for the proposed location which has historically supported a similar use and other retail and restaurant businesses. The attached business outline details the proposed business operations.
2. **Parking:** The site is immediately adjacent to the Marietta Parking lot which has sufficient parking to support the proposed use. There is also adjacent on-street parking located on both Manchester Road and Sutton Boulevard.

3. **Impact to Adjacent Properties:** The proposed use should have a positive impact on adjacent and surrounding properties. The proposed entertainment bar/restaurant will be located within the heart of the City's business district and will only increase pedestrian traffic within the district.

CONDITIONAL USE PERMIT STANDARDS FOR APPROVAL

In presenting any application for a Conditional Use Permit, the petitioner must demonstrate that the proposed conditional use meets the "Standards for Approval" criteria set forth in Section 56-877, Procedures for a Conditional Use Permit, of the Zoning Code (copy attached).

FINDING:

Staff recommends approval, subject to the conditions contained in the attached draft ordinance, based on the following findings of fact:

- 1) The scale and intensity for the proposed use is compatible with adjacent and surrounding properties.
- 2) The site historically supported retail, entertainment and bar/restaurant facilities.
- 3) Ample parking is available to support the proposed use.
- 4) The proposed conditional use, at the above location, will contribute to and promote the welfare and convenience of the public by providing an entertainment bar/restaurant for the community and surrounding area.

City of Maplewood, Missouri
Application for Conditional Use Permit



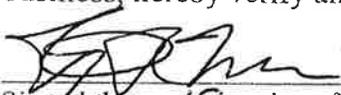
Applicant Information:

Name: PHILIP MANAOIS
Contact Address/Phone: 9409 TALBOT DR, ST. LOUIS, MO 63123

Proposed Business Information:

Proposed Business Name: _____
Address of Proposed Maplewood Location: 7376 MANCHESTER RD
Address of Existing Location (if Applicable): N/A
Description of Business Activity: OPERATE A BAR/RESTAURANT UTILIZING DUELING PIANOS ENTERTAINMENT AS FEATURED PERFORMANCE
Anticipated Hours of Operation: 6PM-1:30A Anticipated Number of Employees: _____

I, PHILIP MANAOIS, as applicant and/or business owner of the above stated business, hereby verify and certify that all of the information stated above is accurate.


Signed this 18 day of SEPT, 2015

Property Information:

Property Owner Name: _____
Property Owner Address/Phone: _____
Intended Use of Property: _____

I, _____, as owner of the above state property, hereby verify and agree to the above-stated intended use of the property by the applicant.

Signed this _____ day of _____, 20____

Office Use Only

Current Zoning Designation of Property: _____ Business License received? []
Site plan of building and surrounding area attached? [] Filing fee of \$100.00 received? []
Public Hearing Notice Fee of \$330.00 received? []

Received this _____ day of _____, 20____

Maplewood Zoning Administrator



7376 Manchester Road

The Jukebox Piano Bar

7376 Manchester Rd.

Maplewood, MO 63143

The Jukebox Piano Bar is a sing-along, clap-along, dance-along, have one helluva good time type of venue. Jukebox Piano Bar features A-list performing artists from around the country that perform a request driven show. Audience participation is a must and you will find crowds belting out the chorus to classic hits, rap songs, top 40, country and even alternative, jazz or pop. The show perpetuates, and the use of comedy, emotion and music make for a great place to celebrate birthdays, bachelorette parties, graduations, holiday parties, weddings and corporate outings.

The entertainers will be booked and perform alongside St. Louis native and professional piano player and co-owner Philip "Spanky" Manaois. Spanky has been in the dueling piano circuit for nearly 20 years and has an incredible resume. Spanky has owned two piano bars, booked dueling pianos for venues such as Harrah's Casino, performed dueling pianos for Cole Hamels (MLB pitcher) wedding, and performed 940 gigs just in the last 5 years! Having traveled the country for 11 years as a freelance dueling piano player, Spanky has performed in front of all types of audiences. In addition to the many weddings and corporate events he performs for, he also uses his dueling pianos show to raise money for fundraisers. Did you know that last year he had fifteen St. Louis Cardinals players dancing and singing to help raise over \$160,000 for Make-A-Wish?!

The dueling piano show is a big part of The Jukebox DNA but the great food, hand crafted drinks and excellent service help make this venue the premier destination for groups of all sizes, couples and individuals. Co-owner Drew Graefe has made a career of managing restaurants, bars and nightclubs and brings his expertise in coordinating a shareable menu, proactive service and perfectly proportioned cocktails. Drew has been in the industry for over 20 years and has the pleasure of opening over 12 venues across the country. He has been trained by some of the leaders in the food and beverage industry with corporations like Bar Management Group of Charlotte, NC, Barcelona Tapas in Clayton, and alongside tv personality Jon Taffer while opening The Jive and Wail. He believes his team is only as strong as his weakest link and operates with a "the customer is always right" mantra. Drew has an uncanny way of hiring, training and motivating great personalities and this will be apparent by our guests. Drew takes pride in relationship building and feels every guest should feel as though they are the most important person in the room while they are enjoying the venue.

The Jukebox will focus on entertainment Wednesday thru Saturdays and key holidays throughout the year. We will open at 5pm each of these evenings and close at 1:30am each night (WED-SAT) We will be open noon-midnight on Sundays. We will also offer a "Family" show each Sunday that will feature most of the songs you hear at night as long as they are appropriate to be played for all ages. We will serve a great food buffet that will be designed to be quick, tasteful and filling. The staff will be trained to provide great guest service for all ages.

Jukebox's menu will be designed by an Executive Chef that has over 15 years of culinary experience in St. Louis. He designed a menu that is "shareable" and helps promote the concept that many of our guests visit as a group. This same "shareable" concept will include smaller tastes that couples can share, and even someone can order "a la carte". The menu has a lot of "feel good" comfort choices "with a twist". The careful planning of a great menu combined with successful integration of a trained staff will help support the show and

Sec. 56-877. - Procedures for conditional use permit.

(a) *Applications.* Applications for a conditional use permit shall include a site plan and necessary descriptive material relating to the intensity and extent of use and such other information as shall be required by the zoning administrator. An application for a conditional use permit may be filed only by the owner of the property in question or by a tenant, with the owner's permission.

(b) *Standards for conditional use permit approval.* The zoning administrator shall post the property and mail notices to inform the public of the date, time and place of the plan and zoning commission meeting at which the conditional use permit application shall be considered, and of the date, time and place of the public hearing on such application to be held by the city council pursuant to this division. The zoning administrator shall refer the application to the plan and zoning commission to investigate and make a report and recommendation as to whether the following criteria are true with respect to the proposed conditional use:

- (1) Complies with all applicable provisions of this chapter;
- (2) At the specific location will contribute to and promote the community welfare or convenience;
- (3) Will not cause substantial injury to the value of neighboring property;
- (4) Complies with the overall neighborhood development plan and existing zoning district provisions;
- (5) Will provide, if applicable, off-street parking and loading areas in accordance with the standards contained in this chapter;
- (6) Will not substantially increase traffic hazards;
- (7) Will not substantially increase fire hazards;
- (8) Will not overtax public utilities; and
- (9) Will not place an undue burden on municipal services.

(c) *Report and recommendation.* Without unreasonable delay, and in all cases within 40 days after the first meeting at which the proposed conditional use is considered, the plan and zoning commission shall render to the city council a written report and recommendation on the proposed conditional use.

(d) *Hearing.* Upon receipt of the report and the recommendation of the plan and zoning commission, the city council shall hold a public hearing on the application and shall give notice of the date, time and place thereof by causing a notice thereof to be published at least one time, 15 days before the date of the hearing, in a newspaper of general circulation in the city.

(e) *Authorization.* After such hearing, the city council shall, by majority vote, make a determination as to whether the proposed conditional use satisfies the criteria listed in subsection (b) of this section for the plan and zoning commission report and recommendation. If the city council makes an affirmative determination as to all of the criteria, a conditional use permit shall be granted. If the city council makes a negative determination as to any of the criteria, a conditional use permit shall not be granted.

(f) *Conditions.* The plan and zoning commission may recommend and the city council may provide such terms, conditions or restrictions upon the construction, location and operation of the conditional use, as the plan and zoning commission or the city council may determine in order to further the general objectives of this division and to minimize the possibility of injury to the value of property in the neighborhood.

BILL NO.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A CONDITIONAL USE PERMIT TO PHILIP MANAOIS OF JUKEBOX PIANO BAR TO OPERATE AN ENTERTAINMENT BAR/RESTAURANT FACILITY AT 7376 MANCHESTER ROAD

WHEREAS, Philip Manaois applied to the City Council of the City of Maplewood, Missouri for a Conditional Use Permit as provided in Section 56-877 of the Maplewood Code of Ordinances, to operate an entertainment bar/restaurant facility at 7376 Manchester Road.; and

WHEREAS, the Plan and Zoning Commission recommended approval of this proposed Conditional Use Permit at their October 5, 2015 meeting by a vote of ayes, nays; and

WHEREAS, the City Council held a public hearing on this conditional use permit at their October 13, 2015 Council meeting.

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

Section I. Philip Manaois of Jukebox Piano Bar is hereby granted a Conditional Use Permit to operate an entertainment bar/restaurant facility at 7434 Manchester Road.

Section II. The Conditional Use Permit is granted subject to all rules and regulations and to conditions set forth for the property described in Section I. as follows:

- (A) Permitted and Conditional Uses: The uses permitted in this Conditional Use Permit shall be as follows:
 - 1) All permitted land uses in the CB1 Community Business One District.
 - 2) An entertainment piano bar/restaurant with food sales to equal at least 40% of gross receipts.
 - 3) Live entertainment is limited to dueling pianos, jazz, blues and/or family feature shows.
- (B) Architectural Standards/Sign Requirements: Any exterior changes to the building and/or signage must be approved by the Design and Review Board prior to the issuance of a building permit. All non-conforming signage must be removed prior to the issuance of an occupancy permit/business license.
- (C) Exterior Storage of Materials: No outside storage of materials will be permitted.

Section III. Any expansion or alteration of use, structure or site must be approved by the Plan and Zoning Commission prior to the issuance of a building permit.

Section IV. The permittee shall, within 30 days, give written acceptance to the terms of this ordinance to the City Council.

Section V. This ordinance shall be in full force and effect fifteen (15) days after its passage and approval.

Passed this day of 2015

James White, Mayor

Attest:

Karen Scheidt, Acting City Clerk

Approved this day of 2015

James White, Mayor

Attest:

Karen Scheidt, Acting City Clerk

INTEROFFICE MEMORANDUM



To: Planning Commission
From: Anthony Traxler, Assistant City Manager/Director of Public Works
Date: September 23, 2015
Subject: Petition Number #2015-21 – Request for a Conditional Use Permit in the AB Arterial Business Zoning District – Bogies, 2803 S. Big Bend Boulevard

BACKGROUND

The subject property, 2803 S. Big Bend is located on the northwest corner of Big Bend Boulevard and Woodland Avenue. The site is fully developed supporting a one-story brick building that has been vacant for several years. The site most recently supported the business operations of Tint Tech which moved across the street from the site to a new location. Prior to that, Bogies auto detailing and auto wholesale operated on site. The owner of Bogies and the property owner, Michael Borgard, has tried unsuccessfully to sell and/or lease the site and has decided to reopen the prior auto detailing and internet auto wholesale office.

ZONING REQUEST

The petitioner, Michael Borgard Jr., is requesting a Conditional Use Permit on the subject property to allow an auto detailing business and internet auto wholesale office.

Approval of this request, if granted by the Plan and Zoning Commission and the City Council, would bring this property into conformance with the Zoning Code of the City of Maplewood.

PLANNING AND ZONING ISSUES

1. **Proposed Use:** The property is zoned AB Arterial Business District which allows auto related uses with conditional use permit. The proposed uses will be required to be located inside the existing structure on-site and these same requirements allowed the business to previously operate on-site with no concerns.
2. **Parking:** The site has sufficient parking to support the proposed use on-site, vehicles will be stored indoors so parking is not a concern for this site.
3. **Impact to Adjacent Properties:** The proposed use should not impact adjacent or surrounding properties.

CONDITIONAL USE PERMIT STANDARDS FOR APPROVAL

In presenting any application for a Conditional Use Permit, the petitioner must demonstrate that the proposed conditional use meets the "Standards for Approval" criteria set forth in Section 56-877, Procedures for a Conditional Use Permit, of the Zoning Code (copy attached).

FINDING:

Staff recommends approval, subject to the conditions contained in the attached draft ordinance, based on the following findings of fact:

- 1) The scale and intensity for the proposed use is compatible with adjacent and surrounding properties.
- 2) The site historically supported the proposed business and business operations.
- 3) Ample parking is available to support the proposed use and vehicles will be stored indoors.
- 4) The proposed conditional use, at the above location, will contribute to and promote the welfare and convenience of the public by providing auto detailing and an internet auto sales office for the community and surrounding area.

Anthony Traxler

From: Marty Corcoran
Sent: Wednesday, September 16, 2015 3:51 PM
To: Anthony Traxler
Subject: FW: Online Form Submittal: City Of Maplewood Application for Conditional Use Permit

Martin J. Corcoran
City Manager
City of Maplewood
7601 Manchester Road
Maplewood, Missouri 63143
Direct Line (314) 646-3603

From: noreply@civicplus.com [mailto:noreply@civicplus.com]
Sent: Wednesday, September 16, 2015 3:51 PM
To: Design <design@cityofmaplewood.com>; Marty Corcoran <marty@cityofmaplewood.com>; Karen Scheidt <k-scheidt@cityofmaplewood.com>
Subject: Online Form Submittal: City Of Maplewood Application for Conditional Use Permit

If you are having problems viewing this HTML email, click to view a [Text version](#).

City Of Maplewood Application for Conditional Use Permit

Application for Conditional Use Permit

Please note: A member of the City of Maplewood will contact you with the total you owe to complete your request.

Applicant Information

Name:*	Michael Borgard Jr.
Contact Address:*	2803 S. Big Bend 63143
Contact Phone:*	3147037004

Proposed Business Information

Proposed Business Name:*	
Bogie's Auto Detail	
Address of Proposed Maplewood Location:*	Address of Existing Location (if applicable):
2803 S. Big bend	
Description of Business Activity:*	
Auto Detail, inside the warehouse, auto wholesale	
Anticipated Hours of Operation:*	Anticipated Number of Employees:*
9-5	2

As applicant and/or owner of the above stated business, I hereby certify and verify that all of the information stated above is accurate.*
 I agree

Date:*

09/15/2015

Property Information

Property Owner:*

Property Owner Phone #:*

Michael Borgard sr.
Property Owner Address:*
1502 topping rd.
Intended Use of Property:*
Auto detail, auto wholesale

314.580.2743

As the owner of the above stated property, I hereby verify and agree to the above stated intended use of this property by the applicant.*
 I agree

Date:*
9/15/2015

* indicates required fields.

View any uploaded files by [signing in](http://mo-maplewood.civicplus.com/Admin/FormHistory.aspx?SID=6158) and then proceeding to the link below:
<http://mo-maplewood.civicplus.com/Admin/FormHistory.aspx?SID=6158>

The following form was submitted via your website: City Of Maplewood Application for Conditional Use Permit

Name:: Michael Borgard Jr.

Contact Address:: 2803 S. Big Bend 63143

Contact Phone:: 3147037004

Proposed Business Name:: Bogie's Auto Detail

Address of Proposed Maplewood Location:: 2803 S. Big bend

Address of Existing Location (if applicable)::

Description of Business Activity:: Auto Detail, inside the warehouse, auto wholesale

Anticipated Hours of Operation:: 9-5

Anticipated Number of Employees:: 2

As applicant and/or owner of the above stated business, I hereby certify and verify that all of the information stated above is accurate.: I agree

Date:: 09/15/2015

Property Owner:: Michael Borgard sr.

Property Owner Phone #:: 314.580.2743

Property Owner Address:: 1502 topping rd.

Intended Use of Property:: Auto detail, auto wholesale

As the owner of the above stated property, I hereby verify and agree to the above stated intended use of this

property by the applicant.: I agree

Date:: 9/15/2015

Additional Information:

Form submitted on: 9/16/2015 3:51:25 PM

Submitted from IP Address: 24.217.124.65

Referrer Page: No Referrer - Direct Link

Form Address: <http://mo-maplewood.civicplus.com/Forms.aspx?FID=103>



2803 S. Big Bend Blvd

Sec. 56-877. - Procedures for conditional use permit.

(a) *Applications.* Applications for a conditional use permit shall include a site plan and necessary descriptive material relating to the intensity and extent of use and such other information as shall be required by the zoning administrator. An application for a conditional use permit may be filed only by the owner of the property in question or by a tenant, with the owner's permission.

(b) *Standards for conditional use permit approval.* The zoning administrator shall post the property and mail notices to inform the public of the date, time and place of the plan and zoning commission meeting at which the conditional use permit application shall be considered, and of the date, time and place of the public hearing on such application to be held by the city council pursuant to this division. The zoning administrator shall refer the application to the plan and zoning commission to investigate and make a report and recommendation as to whether the following criteria are true with respect to the proposed conditional use:

- (1) Complies with all applicable provisions of this chapter;
- (2) At the specific location will contribute to and promote the community welfare or convenience;
- (3) Will not cause substantial injury to the value of neighboring property;
- (4) Complies with the overall neighborhood development plan and existing zoning district provisions;
- (5) Will provide, if applicable, off-street parking and loading areas in accordance with the standards contained in this chapter;
- (6) Will not substantially increase traffic hazards;
- (7) Will not substantially increase fire hazards;
- (8) Will not overtax public utilities; and
- (9) Will not place an undue burden on municipal services.

(c) *Report and recommendation.* Without unreasonable delay, and in all cases within 40 days after the first meeting at which the proposed conditional use is considered, the plan and zoning commission shall render to the city council a written report and recommendation on the proposed conditional use.

(d) *Hearing.* Upon receipt of the report and the recommendation of the plan and zoning commission, the city council shall hold a public hearing on the application and shall give notice of the date, time and place thereof by causing a notice thereof to be published at least one time, 15 days before the date of the hearing, in a newspaper of general circulation in the city.

(e) *Authorization.* After such hearing, the city council shall, by majority vote, make a determination as to whether the proposed conditional use satisfies the criteria listed in subsection (b) of this section for the plan and zoning commission report and recommendation. If the city council makes an affirmative determination as to all of the criteria, a conditional use permit shall be granted. If the city council makes a negative determination as to any of the criteria, a conditional use permit shall not be granted.

(f) *Conditions.* The plan and zoning commission may recommend and the city council may provide such terms, conditions or restrictions upon the construction, location and operation of the conditional use, as the plan and zoning commission or the city council may determine in order to further the general objectives of this division and to minimize the possibility of injury to the value of property in the neighborhood.

BILL NO.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A CONDITIONAL USE PERMIT TO BOGIES AUTO DETAIL TO OPERATE AN AUTO DETAILING BUSINESS AND AN INTERNET WHOLESALE AUTO SALES BUSINESS OFFICE USE AT 2803 S. BIG BEND BOULEVARD

WHEREAS, Michael Borgard Jr. of Bogies Auto Detail applied to the City Council of the City of Maplewood, Missouri for a Conditional Use Permit as provided in Section 56-877 of the Maplewood Code of Ordinances, to operate an auto detail business and an internet wholesale auto sales business office use at 2803 S. Big Bend Boulevard; and

WHEREAS, the Plan and Zoning Commission recommended approval of this proposed Conditional Use Permit at their October 5, 2015 meeting by a vote of ayes, nays; and

WHEREAS, the City Council held a public hearing on this conditional use permit at their October 13, 2015 Council meeting.

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

Section I. Michael Borgard Jr. is hereby granted a Conditional Use Permit to operate an auto detail business and an internet wholesale auto sales business office use at 2803 S. Big Bend Boulevard.

Section II. The Conditional Use Permit is granted subject to all rules and regulations and to conditions set forth for the property described in Section I. as follows:

- (A) Permitted and Conditional Uses: The uses permitted in this Conditional Use Permit shall be as follows:
 - 1) All permitted land uses in the AB Arterial Business District.
 - 2) An auto detail business with all detailing operations enclosed in the structure on-site.
 - 3) An internet wholesale auto dealer office use.

- (B) Business Operation Requirements
 - 1) No auto vehicle repair work shall be permitted on-site.
 - 2) No auto body repair work shall be permitted on-site
 - 3) No drive-by-retail auto sales shall be permitted on-site (allowable auto sales shall be via the Internet or telephone).
 - 4) No signage shall be permitted for the wholesale auto dealer on-site.
 - 5) No signage shall be permitted for any vehicles for sale.
 - 6) No more than one (1) vehicle associated with the internet wholesale auto dealer may be parked outdoors at any time.
 - 7) All vehicles associated with the internet wholesale auto dealer must be parked under roof in the principal structure from 9:00 p.m. to 6:00 a.m.

8) Detailing work for the auto detailing business must be performed under roof in the principal structure.

(C) Architectural Standards/Sign Requirements: Any exterior changes to the building and/or signage must be approved by the Design and Review Board prior to the issuance of a building permit. All non-conforming signage must be removed prior to the issuance of an occupancy permit/business license.

(D) Exterior Storage of Materials: No outside storage of materials will be permitted.

Section III. Any expansion or alteration of use, structure or site must be approved by the Plan and Zoning Commission prior to the issuance of a building permit.

Section IV. The permittee shall, within 30 days, give written acceptance to the terms of this ordinance to the City Council.

Section V. This ordinance shall be in full force and effect fifteen (15) days after its passage and approval.

Passed this day of 2015

James White, Mayor

Attest:

Karen Scheidt, Acting City Clerk

Approved this day of 2015

James White, Mayor

Attest:

Karen Scheidt, Acting City Clerk

BILL NO.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, REAFFIRMING THE TAX RATES FOR THE CITY OF MAPLEWOOD AND THE MAPLEWOOD SPECIAL BUSINESS DISTRICT ON ALL REAL, PERSONAL, TANGIBLE AND INTANGIBLE PROPERTY WITHIN THE CITY OF MAPLEWOOD, MISSOURI, FOR 2015.

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

Section I. The 2015 tax levy within the City of Maplewood, Missouri, levied upon every dollar of taxable, tangible property in the City of Maplewood, Missouri, shown by the latest completed assessment shall be as follows per one hundred dollar (\$100.00) assessed valuation:

<u>Rate per \$100 Assessed Value</u>	<u>Residential</u>	<u>Commercial</u>	<u>Personal Property</u>
General Fund	\$0.1820	\$0.4700	\$0.5670
Policemen's & Firemen's Pension Fund	\$0.3800	\$0.4000	\$0.4450
Solid Waste Fund	\$0.1540	\$0.1590	\$0.2180
Debt Service	\$0.2800	\$0.2800	\$0.2800
Total Tax Rate.....	\$0.9960	\$1.3090	\$1.5100

Section II. The 2015 tax levy within the Maplewood, Special Business District, levied upon every dollar of taxable, tangible property in the Maplewood Special Business District, shown by the latest completed assessment shall be as follows per one hundred dollar (\$100.00) assessed valuation:

<u>Rate per \$100 Assessed Value</u>	<u>Residential</u>	<u>Commercial</u>	<u>Personal Property</u>
General Fund	0.0980	\$0.2610	\$0

Section III. This ordinance shall be effective 15 days after is passage and approval.

Passed this day of , 2015

James White, Mayor

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING ORDINANCE 5573, AS AMENDED, CHAPTER 56, ZONING, SECTION 56-72 SR SINGLE FAMILY RESIDENTIAL DISTRICT PERMITTED USES TO ALLOW SHORT TERM VACATION RENTALS IN THE SR DISTRICT AS A CONDITIONAL USE.

WHEREAS, the Plan and Zoning Commission recommended approval by a vote of 6 ayes, 0 nays of the amendment to the SR District at their July 6, 2015 meeting; and

WHEREAS, the City Council held a public hearing on October 13, 2015 regarding the proposed amendment to the SR District.

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

Section I. Section 56-72, Permitted Uses, (4) Conditional Uses, is hereby amended by adding a new subsection (e) Short term vacation rentals that meet the requirements of article XIII, division 3, sections 14-800 to 14-804, short term vacation rentals of the city code.

Section II. This ordinance shall be in full force and effect fifteen (15) days after its passage and approval.

Passed this th day of, 2015

James White, Mayor

Attest: _____
Karen Scheidt, Acting City Clerk

Approved this th day of , 2015

James White, Mayor

Attest: _____
Karen Scheidt, Acting City Clerk

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING ORDINANCE 5573, AS AMENDED, CHAPTER 14, BUSINESS AND BUSINESS REGULATIONS, BY ADDING ARTICLE XIII, DIVISION 3, SECTIONS 14-800 TO 14-804, SHORT TERM VACATION RENTALS, ESTABLISHING REGULATIONS GOVERNING SHORT TERM VACATION RENTALS.

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

Section I. Ordinance 5573, as amended, Chapter 14, Business and business regulations, is hereby amended by adding the following:

Section 14-800 Purpose:

- A. The purpose of this chapter is to establish regulations for short term vacation rentals in order to safeguard the peace, safety and general welfare of neighborhoods within the City of Maplewood by minimizing negative secondary affects related to short term vacation rentals including excessive noise, disorderly conduct, illegal parking, overcrowding, and excessive accumulation of refuse.
- B. This chapter is not intended to provide any owner of residential property with the right or privilege to violate any deed restriction or private conditions, governance or restrictions applicable to the property's owner that may prohibit the use of such owner's residential property for short term vacation rentals as defined in this chapter. Short term vacation rentals are not permitted in dwelling units that have deed restrictions for affordable housing purposes or other city imposed conditions of approval or restrictions would prohibit the use of such dwelling as a short term vacation rental as defined herein.

Section 14-801 Definitions:

- A. *Owner* means the person or entity that holds legal and equitable title to a short term vacation rental property and who resides there as the legal residence of such person.
- B. *Owner occupied* means the owner (or person controlling any entity that is the owner) resides in said short term vacation rental property as the owner's (or such controlling person's) legal residence.
- C. *Short term vacation rental* means a rental of any legally permitted dwelling unit, or a portion of such a legally permitted dwelling unit, located in a single family zoning district as defined by Section 56-71 to 56-73 of this code for a period of less than 30 consecutive calendar days, in compliance with the terms of this Ordinance Sections 14-800 to 14-804.
- D. *Short term vacation rental property* means the property in which a short term vacation rental is located.
- E. *Transient* means any person who occupies any rooms or accommodations within a short term vacation rental property for a period of less than thirty (30) continuous days.

Section 14-802 Short Term Vacation Rentals:

- A. Short term vacation rentals shall be permitted only in owner occupied single family residences within the SR Single Family Residential Zoning District and as permitted as provided in the zoning ordinance.
- B. Short term vacation rentals shall be subject to and shall comply with all requirements of the city and state building, fire, safety and occupancy codes and limits.
- C. The owner of the short term vacation rental shall spend the night on-site at the short term vacation rental property at all times during the term of any short term vacation rental.
- D. Not more than two (2) rooms in any dwelling unit may be rented at the same time as a short term vacation rental.
- E. The owner of any short term vacation rental shall be required to apply for and obtain a short term vacation rental permit and business license from the city before renting or advertising the availability of the short term vacation rental.
- F. A short term vacation rental permit shall be valid from July 1 and shall expire on the following June 30.
- G. Obtaining and renewing a short term vacation rental permit: The owner of the short term vacation rental property shall adhere to the following conditions and shall submit the following information on a short term vacation rental permit application form provided by the city, which shall include, at a minimum, the following information:
 - (1) The name, address and telephone number of the owner of the short term vacation rental property.
 - (2) Such other information as the city manager or designee deems reasonably necessary to administer this chapter.
- H. Any false statements or false information provided in the application for a short term vacation rental permit shall be grounds for denial of permit, permit revocation or imposition of penalties as outlined in this Code of Ordinances.
- I. A short term vacation rental permit application shall be denied if the owner has had a short term vacation rental permit revoked within the past twelve (12) months for the same or other short term vacation rental property. If a short term vacation rental permit is revoked twice, no short term vacation rental permit shall subsequently be issued for such owner or such short term vacation rental property.
- J. Operational requirement: The owner shall use reasonable, prudent business practices to insure that the short term vacation rental property is used in a manner that complies with all applicable laws, rules and regulations pertaining to the use and occupancy of the short term vacation rental property.
- K. The name, address and telephone number of a local contact person who shall be available 24 hours per day, 7 days per week, for the purpose of responding within 45 minutes to complaints regarding the condition, operation or conduct of occupants of the short term vacation rental unit or their guests, shall at all times be kept on file with the city.
- L. The owner shall post the short term vacation rental permit on the exterior of the short term vacation rental property within plain view for the general public with a 24 hours a day, 7 days a week local contact phone number for complaints. The permit shall be between 8 ½" by 11" and 4" by 5" in size and shall be displayed at all times that the short term vacation rental property is being used for a short term vacation rental.
- M. The owner or local contact shall upon notification that any Transient, occupant or guest of the short term vacation rental property has created unreasonable noise or disturbances, engaged in disorderly conduct or committed violation of any applicable law, rule or regulations pertaining to the use and occupancy of the short term vacation rental property, respond in a timely and appropriate manner to immediately halt or prevent reoccurrence of such conduct. Failure of the owner or local contact to respond to such

- calls or complaints regarding the condition, operation or conduct of the occupants and/or guests of a short term vacation rental in a timely and appropriate manner shall be grounds for revocation of the short term vacation rental permit and shall subject the owner to all administrative, legal and equitable remedies available to the city.
- N. The owner or local contact shall use reasonably prudent business practices to insure that the occupants and/or guests of the short term rental unit do not create unreasonable noise or disturbances, engage in disorderly conduct or violate any applicable law, rule or regulation pertaining to the use and occupancy of the subject short term vacation rental property.
- O. No amplified or reproduced sound shall be used outside or audible from the property line of any short term vacation rental property between the hours of 10:00 p.m. and 10:00 a.m.
- P. Prior to rental of a short term vacation rental property, the owner shall:
- (1) Obtain the contact information of all Transients, including the name, permanent address, telephone number and emergency contact for each person to occupy the short term rental vacation property.
 - (2) Require the Transient to execute a formal acknowledgement that he or she is legally responsible for compliance by all occupants or guests of the short term vacation rental unit with all applicable laws, rules and regulations pertaining to the use and occupancy of the short term vacation rental unit.
 - (3) Information required in Items (1) and (2) above shall be maintained by the owner for a period of three (3) years and shall be made available upon request to any officer of the city responsible for the enforcement of any provision of the municipal code or any applicable law, rule or regulation pertaining to the use and occupancy of the short term vacation rental property.
 - (4) On-site parking shall be allowed on approved driveway, garage and/or carport areas only.
 - (5) The number of occupants allowed to occupy any short term vacation rental property shall be limited to two (2) people per bedroom and no more than two (2) bedrooms within any short term vacation rental property shall be rented at the same time.
 - (6) The City Manager or designee shall have the authority to impose additional conditions on the use of any short term vacation rental property to insure that any potential secondary affects unique to the subject short term vacation rental unit are avoided or adequately mitigated.
- Q. The owner shall post the current short term vacation rental permit number on or in any advertisement appearing in any written publication or any website that promotes the availability or existence of a short term vacation rental property.

Section 14-803 Permit Procedure:

- A. Upon receiving an application for a permit for a short term vacation rental property that complies with the provisions of this chapter, the residents within 200 feet of the property lines of the subject property shall be notified of the application for short term vacation rental permit.
- B. The fee for a short term vacation rental permit shall be \$75 annually.

Section 14-804 Penalties and Enforcement:

- A. Upon request by the City Manager or designee, owners shall provide access to the short term vacation rental property and to any records related to the use and occupancy of the short term vacation rental property during normal business hours for the purpose of determining compliance with this chapter.
- B. Any person violating any of the provisions in this chapter shall be deemed guilty of a misdemeanor punishable pursuant to Section 1-11, General Penalty; Continuing Violations.
- C. In addition to any penalty imposed pursuant to Section 1-11 of this code, the City Manager or his designee may impose additional conditions on the use of any short term vacation rental permit pursuant to Section (P) (6) – Permits.
- D. Except as otherwise expressly provided in Sections 14-800 to 14-804, enforcement of Sections 14-800 to 14-804 is at the sole discretion of the city. Nothing in this chapter shall create a right of action on any person against the city or its agents for damages or to compel public enforcement of the provisions of Sections 14-800 and 14-804 against private parties.
- E. Pursuant to Chapter 1-11(c) of this code, each and every day during any portion of which a violation of this code or any other ordinance of this city is committed, continued or permitted, shall be a separate offense.

Section II. This ordinance shall be in full force and effect fifteen (15) days after its passage and approval.

Passed this day of , 2015

James White, Mayor

Attest:

Karen R. Scheidt, Acting City Clerk

Approved this day of , 2015

James White, Mayor

Attest:

Karen R. Scheidt, Acting City Clerk

BILL NO. 5990

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, TO REZONE 3368 OXFORD FROM NB NEIGHBORHOOD BUSINESS DISTRICT TO SR SINGLE FAMILY RESIDENTIAL DISTRICT.

WHEREAS, Alicia Sierra submitted a petition to the City Council requesting a change of zoning from the NB Neighborhood Business District to the SR Single Family Residential District for a parcel located at 3368 Oxford; and

WHEREAS, the Plan & Zoning Commission recommended approval (6 ayes, 0 nays) for the change of zoning request at their September 8, 2015 meeting; and

WHEREAS, the City Council of the City of Maplewood, Missouri, held a public hearing on this proposed rezoning at their September 22, 2015 City Council meeting.

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

Section I. The City Council of the City of Maplewood, Missouri, hereby rezones 3368 Oxford from NB Neighborhood Business District to SR Single Family Residential District.

Section II. This Ordinance shall be in full force and effect fifteen (15) days after passage and approval.

Passed this ____ th day of ____ 2015

James White, Mayor

Attest:

Karen Scheidt, Acting City Clerk

Approved this ____ th day of ____ 2015

James White, Mayor

Attest

Karen Scheidt, Acting City Clerk

BILL NO. 5991

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, TO REZONE 2645 LYLE, 2647 LYLE AND 2649 LYLE FROM CB COMMUNITY BUSINESS DISTRICT TO SR SINGLE FAMILY RESIDENTIAL DISTRICT

WHEREAS, Deb Dombar (2645 Lyle), Tony Spoto (2647 Lyle) and Gary James (2649 Lyle) submitted a petition to the City Council requesting a change of zoning from the CB Community Business District to the SR Single Family Residential District for parcels located at 2645, 2647 and 2649 Lyle; and

WHEREAS, the Plan & Zoning Commission recommended approval (5 ayes, 1 nay) for the change of zoning request at their September 8, 2015 meeting; and

WHEREAS, the City Council of the City of Maplewood, Missouri, did hold a public hearing on this proposed rezoning at their September 22, 2015 City Council meeting.

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

Section I. The City Council of the City of Maplewood, Missouri, hereby rezones 2645, 2647 and 2649 Lyle from CB Community Business District to SR Single Family Residential District.

Section II. This Ordinance shall be in full force and effect fifteen (15) days after passage and approval.

Passed this ____ th day of ____ 2015

James White, Mayor

Attest:

Karen Scheidt, Acting City Clerk

Approved this ____ th day of ____ 2015

James White, Mayor

Attest

Karen Scheidt, Acting City Clerk