

AGENDA
MAPLEWOOD CITY COUNCIL MEETING
TUESDAY, SEPTEMBER 13, 2016
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 Christ Church to amend the PA zoning district to allow a commissary for food trucks as a conditional use.
7. Public hearing to hear citizen's comments on a request by Ryan Reel of Tapped to be located at 7278 Manchester (formerly A Pizza Story) for a full and Sunday liquor license.
8. Public Forum
9. Announcements
10. Approval of the August 9, 2016 City Council meeting minutes
11. Motion to approve a request by Ryan Reel of Tapped to be located at 7278 Manchester Ave. for a full and Sunday liquor license.
12. Motion to reject all bids received on September 1, 2016 for the Veteran's Memorial due to the high cost.
13. Motion to renew consideration of the motion for a first reading of an Ordinance of the City Council of the City of Maplewood, Missouri, amending Ordinance 5573, as amended, Chapter 56, Zoning, Section 56-206 Conditional Uses and Sec. 56-207 Prohibited Uses to allow Craft Beer Stores that meet various requirements within the CB Community Business District as a Conditional Use (requested by Councilmember Cerven).
14. A Joint Resolution of the Missouri cities of Brentwood, Clayton, Maplewood, Richmond Heights and Rock Hill authorizing the City Manager/City Administrator and Fire Chief from each city to move forward with the development of a joint fire command staff structure for the participating cities.
15. A Resolution of the City Council of the City of Maplewood, Missouri approving the re-appointment of certain directors to the Board of Directors of the Deer Creek Center Community Improvement District.

16. A Resolution of the City Council of the City of Maplewood, Missouri, granting a ground sign permit to Jim Butler Maserati/Alfa Romeo at 3050 S. Hanley Road that exceeds the height and area requirements.
17. An Ordinance of the City Council of the City of Maplewood, Missouri, granting a Conditional Use Permit to Joseph Daniel of Little Caesars Pizza to operate a restaurant facility at 7325 Manchester Road.
18. An Ordinance of the City Council of the City of Maplewood, Missouri, granting a Conditional Use Permit to Wallis Petroleum to operate a convenience store with gas pumps at 3033 S. Hanley Road.
19. An Ordinance of the City Council of the City of Maplewood, Missouri, granting a Conditional Use Permit to Chris Rayburn of The Blue Duck to operate a restaurant facility at 7401 Manchester Road (formerly Monarch Restaurant).
20. An Ordinance of the City Council of the City of Maplewood, Missouri, granting a Conditional Use Permit to Dawn Medina of New Destiny Childcare to operate a daycare facility in the AB Arterial Business District at 3732 Cambridge Avenue.
21. An Ordinance of the City Council of the City of Maplewood, Missouri, amending Ordinance No. 5573, the Maplewood Code of Ordinances, as amended, by amending Chapter 12, Buildings and Building Regulations, Section 12-92, Adoption of Building Code, Section 12-93, Adoption of Residential Code and Section 12-94, Adoption of Existing Building Code, by deleting the text of said sections and inserting text to adopt the 2015 International Building Code, the 2015 International Residential Code and the 2015 International Existing Building Code in its stead.
22. An Ordinance of the City Council of the City of Maplewood, Missouri, authorizing the City Manager to execute an Intergovernmental Cooperation Agreement between the cities of Clayton and Maplewood, Missouri providing for the sharing of a fire rescue pump truck to be utilized in a reserve role when either city's front line fire trucks are unavailable.
23. An Ordinance of the City Council of the City of Maplewood, Missouri, establishing 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 2016.
24. An Ordinance of the City Council of the City of Maplewood, Missouri, amending Ordinance 5573, as amended, Chapter 56, Zoning, Section 56-206 Conditional Uses and Sec. 56-207 Prohibited Uses to allow Craft Beer Stores that meet various requirements within the CB Community Business District as a Conditional Use. This item will be acted on only if the motion to renew is approved.
25. Bill 6029 an Ordinance of the City Council of the City of Maplewood, Missouri, adopting the budget for the City of Maplewood, Missouri, for the fiscal year beginning July 1, 2016 through June 30, 2017.

26. Bill 6030 an Ordinance of the City Council of the City of Maplewood, Missouri, amending Ordinance 5573, as amended, Chapter 56, Zoning, Section 56-359, (10), Conditional uses use limitations to allow commissaries for food trucks as a conditional use in the PA Public Activity District.
27. Council Communication
28. Mayor's Report
29. City Attorney's Report
30. City Manager's Report
31. 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.
32. Adjournment

**PUBLIC AGENDA NOTES
MAPLEWOOD CITY COUNCIL MEETING
TUESDAY, SEPTEMBER 13, 2016
7:30 P.M.**

The following is a brief description of the agenda items for Tuesday, September 13, 2016:

ITEM NO. 6, is a public hearing to hear citizen's comments on a request by Christ Church to amend the PA zoning district to allow a commissary for food trucks as a conditional use.

ITEM NO. 7, is a public hearing to hear citizen's comments on a request by Ryan Reel of Tapped to be located at 7278 Manchester (formerly A Pizza Story) for a full and Sunday liquor license.

ITEM NO. 11, is a motion to approve a request by Ryan Reel of Tapped to be located at 7278 Manchester Ave. for a full and Sunday liquor license. The liquor license will contain the stipulation that at least 50% of sales must be for food sold at retail at that location.

ITEM NO. 12, is a motion to reject all bids received on September 1, 2016 for the Veteran's Memorial due to the high cost.

ITEM NO. 13, is a motion to renew consideration of the motion for a first reading of the Craft Beer Store ordinance. This item has been requested by Councilmember Cerven.

ITEM NO. 14, is a joint resolution authorizing the City Manager and Fire Chief to move forward with the development of a joint fire command staff structure for the participating cities. This resolution indicates the city's support to continue to move forward in analyzing the feasibility of combining administrative and support functions for the five city departments participating (Brentwood, Clayton, Maplewood, Richmond Heights and Rock Hill). The cities of Brentwood, Clayton, Richmond Heights and Rock Hill have already passed similar resolutions.

ITEM NO. 15, is a resolution approving the reappointment of certain directors to the Board of Directors of the Deer Creek Center Community Improvement District. The directors being reappointed are Laura Lashley and Patrick Nasi with terms expiring August 21, 2020.

ITEM NO. 16, is a resolution granting a ground sign permit to Jim Butler Maserati/Alfa Romeo at 3050 S. Hanley Road that exceeds the height and area requirements. The proposed sign was approved by the Design and Review Board on September 8, 2016. The dealership has proposed a hybrid pole sign that does not meet ground clearance requirements. However, Section 6-49(b)(3) of the sign code allows the City Council to approve a ground sign exceeding the height and area requirements provided the total area in square feet of other exterior wall signs for the building are reduced. The proposed wall signage for the dealership was reduced from 359 square feet to 94 square feet. This is the exact same type of sign that was approved for Porsche.

ITEM NO. 17, is an ordinance granting a Conditional Use Permit to Joseph Daniel of Little Caesars Pizza to operate a restaurant facility at 7325 Manchester Road which is adjacent to St. Louis Kitchen in the Shop'n Save Center. Little Caesars is presently operating in the Deer Creek Center. This store will close when the new store opens. The Plan and Zoning Commission recommended by a vote of 6 ayes, 0 nays to approve this request.

ITEM NO. 18, is an ordinance of the City Council of the City of Maplewood, Missouri, granting a Conditional Use Permit to Wallis Petroleum to operate a convenience store with gas pumps at 3033 S. Hanley Road (presently a Phillips 66 station with convenience store and car wash). The present owner is selling the operation. The Plan and Zoning Commission recommended by a vote of 6 ayes, 0 nays to approve this request.

ITEM NO. 19, is an ordinance of the City Council of the City of Maplewood, Missouri, granting a Conditional Use Permit to Chris Rayburn of The Blue Duck to operate a restaurant at 7401 Manchester Road (formerly Monarch Restaurant). The Blue Duck will take one of four spaces in the Monarch building that is presently being renovated by David Schlafly. The Blue Duck presently has a restaurant operation in Washington, Missouri and this will be a second location. The Plan and Zoning Commission recommended by a vote of 6 ayes, 0 nays to approve this request.

ITEM NO. 20, is an ordinance of the City Council of the City of Maplewood, Missouri, granting a Conditional Use Permit to Dawn Medina of New Destiny Childcare to operate a daycare facility in the AB Arterial Business District 3732 Cambridge Avenue. The number of children permitted onsite will be subject to the review and approval of the State of Missouri and the City of Maplewood Fire Marshal's office. The Plan and Zoning Commission recommended by a vote of 6 ayes, 0 nays to approve this request.

ITEM NO. 21, is an ordinance amending the Maplewood Code of Ordinances in regards to adoption of a new International Building Code. Construction within the City of Maplewood is currently governed by the 2009 editions of the International Building Codes. In order to ensure the city's ISO insurance ratings remain in good standing, the City of Maplewood needs to update its current building codes to the 2015 versions of the International Codes which are the latest and most up-to-date codes available. The codes regulate the minimum building standards for new construction and modifications/additions to existing structures, both commercial and residential within the city.

ITEM NO. 22, is an ordinance of the City Council of the City of Maplewood, Missouri, authorizing the City Manager to execute an Intergovernmental Cooperation Agreement between the cities of Clayton and Maplewood, Missouri providing for the sharing of a fire rescue pump truck to be utilized in a reserve role for usage when either city's front line fire trucks are unavailable. The sharing of a reserve fire truck is a win-win for both cities in that it reduces the cost to have a reserve pumper and it upgrades the reserve pumper available to us.

ITEM NO. 23, is an ordinance establishing the tax rates for 2016. The tax rates shown on the ordinance are last year's rates. The city has not received our certified rates back from the Secretary of State's office but in order to have the tax rates established by October 3, 2016, the ordinance needs to be read two times and tabled at this Council meeting. The public hearing on the tax rates will be held on Tuesday, September 27, 2016.

ITEM NO. 24, is the ordinance that would allow Craft Beer Stores as a conditional use in the CB Community Business District as a Conditional Use. If the motion to renew (item 13 on the agenda), is approved then this item will need to be acted on.

ITEM NO. 25, Bill 6029 is an ordinance adopting the budget for the City of Maplewood, Missouri, for the fiscal year beginning July 1, 2016 through June 30, 2017. A public hearing on the city's budget was held on August 9, 2016. This bill has been read two times and tabled and is now ready for final Council action.

ITEM NO. 26, Bill 6030 is an ordinance amending Ordinance 5573, as amended, Chapter 56, Zoning, Section 56-359, (10), Conditional uses use limitations to allow commissaries for food trucks as a conditional use in the PA Public Activity District. Christ Church is requesting this amendment so they can apply for a conditional use permit to allow food trucks the ability to utilize their existing on-site commercial kitchen. This amendment would not allow food trucks the ability to sell food, only to prepare it for sale elsewhere. A public hearing has been held and the bill has been read two times and tabled and is now ready for final Council action.

CLOSED SESSION: The City Council will need to hold a Closed Session to discuss two real estate matters.



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PUBLIC HEARINGS NOTICE

Maplewood City Council will hold a public hearing on 9/13/16 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 Christ Church to amend the PA zoning district to allow a commissary for food trucks as a conditional use.

A second hearing will be held immediately after for a Conditional Use Permit to allow a food truck commissary at Christ Church 2200 Bellevue Ave.

Ad as appearing in the August 26, 2016 **St. Louis Post-Dispatch**.

▼
*City
of Maplewood*



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PUBLIC HEARING NOTICE

Maplewood City Council will hold a public hearing on 9/13/16 at 7:30 p.m. in the City Council Chambers, 7601 Manchester, Maplewood, MO 63143, to hear citizen's comments on a request by Ryan Reel of Tapped to be located at 7278 Manchester (formerly A Pizza Story) for a full and Sunday liquor license.

Ad as appearing in the August 26, 2016 **St. Louis Post-Dispatch**.

August 9, 2016

The August 9, 2016 Council meeting was called to order at 7:30 p.m., Mayor James White presiding.

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

MOTION TO EXCUSE COUNCILPERSON: Councilmember Wood motioned to excuse Councilmember Faulkingham, duly seconded by Councilmember Cerven, which motion received the approval of the Council.

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

PUBLIC HEARING FOR THE PURPOSES OF ALLOWING ALL INTERESTED PARTIES TO COMMENT ON THE PROPOSED 2016-2017 FISCAL YEAR BUDGET FOR THE CITY OF MAPLEWOOD: Adelina Mart, 7601 Weaver, questioned the proposed funding for a skateboard park and had concerns about the overall layout of the park. She stated she would like to see a comprehensive citywide park plan for the future.

PUBLIC HEARING TO HEAR CITIZEN'S COMMENTS ON A REQUEST FOR A CONDITIONAL USE PERMIT TO OPERATE A CATERING FACILITY (SOMETHING ELEGANT CATERING) AND TO HAVE A FULL LIQUOR LICENSE AT 2200 YALE AVE.: No one spoke.

PUBLIC HEARING TO HEAR CITIZEN'S COMMENTS ON A REQUEST FOR A CONDITIONAL USE PERMIT TO OPERATE A RESTAURANT (RAISING CANE'S) AT 2707 S. BIG BEND BLVD.: John Hendel, 7508 Ellis, spoke against the proposal and was upset that variances were granted for this site.

Adelina Mart, 7601 Weaver and Bob Oliver, 7544 Ellis, echoed Mr. Hendel's comments.

Jason Robey, 7538 Comfort, wanted to see additional consideration of the plan and wanted it to be more pedestrian friendly.

Stephanie Scott, 2009 Alameda, agreed with prior speakers and wants the city to come up with a vision for future commercial development.

PUBLIC HEARING TO HEAR CITIZEN'S COMMENTS ON A REQUEST FOR A CONDITIONAL USE PERMIT BY BOLYARD'S TO OPERATE A SANDWICH SHOP (RESTAURANT) AT 2810 SUTTON BLVD.: No one spoke.

PUBLIC FORUM: Brandon and Ryan Anderson, 952 Cleveland, and owners of Craft Beer Cellar indicated they were available if the City Council had any questions or comments.

David Seymour, 2207 Blendon, encouraged a revote for the Craft Beer Cellar.

Brian Phillips, 7322 Marietta, indicated Craft Beer Cellar would bring in a tremendous amount of revenue and would be good for the business district.

Sandi Phillips, 7639 Marion Ct., identified herself as a member of the plan and zoning commission and indicated that the commission unanimously supports Craft Beer Cellar.

Abbie Bolyard, 7443 Lohmeyer and owner of Bolyard's spoke in favor of Craft Beer Cellar.

Nancy Wilson, 2618 Margarete indicated she would like to see the City Council keep adequate buffers between commercial parking lots and residential structures.

Nick Deccio, 7601 Weaver, spoke in favor of Craft Beer Cellar.

Bill Barnes, 7462 Teasdale and property owner in Maplewood explained the Raising Cane's variances that were asked for and added that the site will have a significant amount of green space added as part of the project.

Emily Knippa, 3500 Cambridge and a member of the plan and zoning commission and spoke in support of Craft Beer Cellar.

Dan Slavin, owner of the property where Craft beer Cellar wants to locate, spoke in favor of Craft Beer Cellar and also read a letter from Rob Birenbaum that was supportive of Craft Beer Cellar.

David Sims, 2034 Hiawatha supported Craft Beer Cellar.

Sandi Phillips, 7639 Marion Ct., provided a brief explanation of the plan and zoning commission's support for the proposed PA district food truck amendment.

Beth Newman, 7401 Gayola, expressed concern of the overall business district.

ANNOUNCEMENTS: None.

APPROVAL OF THE JULY 12, 2016 CITY COUNCIL MEETING MINUTES AND JULY 26, 2016 WORK SESSION MINUTES: Councilmember Wood motioned to approve, duly seconded by Councilmember Cerven, which motion received the majority approval, by voice vote, of the Council.

MOTION TO APPROVE A REQUEST BY KARA SULLIVAN OF FLAVOR 360 D/B/A SOMETHING ELEGANT LOCATED AT 2200 YALE AVENUE FOR A FULL LIQUOR LICENSE: Councilmember Wood motioned to approve, duly seconded by Councilmember Cerven, which motion received the approval of the Council.

R16-50, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION AND SIGN ALL DOCUMENTS NECESSARY FOR A GRANT FROM THE MUNICIPAL PARKS GRANT COMMISSION OF ST. LOUIS COUNTY FOR A SKATEBOARD PARK was introduced. It was moved

by Councilmember Wood, seconded by Councilmember Cerven to approve the resolution which motion received the following roll call vote: Ayes, members Cerven, Dunn, Greenberg, Mayor White, Wolf and Wood. Nays, none.

BILL 6029, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, FOR THE FISCAL YEAR BEGINNING JULY 1, 2016 THROUGH JUNE 30, 2017 was given its first reading. It was moved by Councilmember Wood, duly seconded by Councilmember Cerven that Bill No. 6029 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 Wood, duly seconded by Councilmember Cerven, that Bill No. 6029 be passed to its third and final reading, which motion received the majority approval; by voice vote, of the Council.

BILL 6030, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING ORDINANCE 5573, AS AMENDED, CHAPTER 56, ZONING, SECTION 56-359, (10), CONDITIONAL USES USE LIMITATION TO ALLOW COMMISSARIES FOR FOOD TRUCKS AS A CONDITIONAL USE IN THE PA PUBLIC ACTIVITY DISTRICT was given its first reading. It was moved by Councilmember Wood, duly seconded by Councilmember Cerven that Bill No. 6030 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 Wood, duly seconded by Councilmember Cerven, that Bill No. 6030 be passed to its third and final reading, which motion received the majority approval; by voice vote, of the Council.

BILL 6023, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, TO RE-ADOPT AND TO ESTABLISH AND MAKE PUBLIC A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN MUNICIPAL OFFICIALS was given its third and final reading. It was moved by Councilmember Wood, duly seconded by Councilmember Cerven that Bill No. 6023 be approved, which motion received the following roll call vote: Ayes, members Cerven, Dunn, Greenberg, Mayor White, Wolf and Wood. Nays, none.

BILL NO. 6023 was approved by the City Council on this 9th day of August, 2016 as **Ordinance number 5819**.

BILL 6024, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI AUTHORIZING THE CITY OF MAPLEWOOD TO CREATE A SPECIAL TAX LIEN TO RECOVER COSTS INCURRED BY CITY STAFF TO ABATE A PROLIFERATION OF TRASH AND DEBRIS AT 2542 S. BIG BEND BOULEVARD was given its third and final reading. It was moved by Councilmember Wood, duly seconded by Councilmember Cerven that Bill No. 6024 be approved, which motion received the following roll call vote: Ayes, members Cerven, Dunn, Greenberg, Mayor White, Wolf and Wood. Nays, none.

BILL NO. 6024 was approved by the City Council on this 9th day of August, 2016 as **Ordinance number 5820**.

BILL 6025, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A CONDITIONAL USE PERMIT TO KARA SULLIVAN OF FLAVOR 360 D/B/A SOMETHING ELEGANT CATERING TO OPERATE A CATERING FACILITY AT 2200 YALE AVENUE was it third and final reading. A motion was made by Councilmember Wood that Bill No. 6025 be tabled for the reading of the findings of fact, duly seconded by Councilmember Cerven, which motion received the majority approval; by voice vote, of the Council.

The Mayor and City Council make the following findings of fact for the petition for a Conditional Use Permit for an office facility at 2200 Yale:

- a. The proposed use complies with all applicable provisions of the Zoning Code.
- b. The proposed use will contribute to and promote the community welfare and convenience.
- c. The proposed use will not cause substantial injury to the value of neighboring property.
- d. The proposed use does comply with the overall neighborhood development plan and existing zoning provisions.
- e. The proposed use will provide, if applicable, off-street parking and loading areas in accordance with the standards of the Zoning Code.
- f. The proposed use will not substantially increase traffic hazards.
- g. The proposed use will not substantially increase fire hazards.
- h. The proposed use will not overtax public utilities.
- i. The proposed use will not place an undue burden on municipal services.
- j. The proposed use is consistent with the design, construction and original intended use of the structure.
- k. The proposed use serves a community need, and no detrimental effect will be made upon the character of the zoning district in which the conditional use is proposed.

It was then moved by Councilmember Wood, duly seconded by Councilmember Cerven, that the findings of fact be approved, which motion received the following roll call vote: Ayes, members Cerven, Dunn, Greenberg, Mayor White, Wolf and Wood. Nays, none.

Councilmember Wood motioned to bring Bill No. 6025 back onto the table, duly seconded by Councilmember Cerven, which motion received the majority approval; by voice vote, of the Council.

A motion was made by Councilmember Wood, duly seconded by Councilmember Cerven that Bill No. 6025 be approved which motion received the following roll call vote: Ayes, members Cerven, Dunn, Greenberg, Mayor White, Wolf and Wood. Nays, none.

BILL NO. 6025 was approved by the City Council on this 9th day of August, 2016 as **Ordinance number 5821**.

BILL 6026, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A CONDITIONAL USE PERMIT TO RAISING CANES TO OPERATE A RESTAURANT FACILITY AT 2707 S. BIG BEND BOULEVARD was given its third and final reading. A motion was made by Councilmember Wood that Bill No. 6026 be tabled for the reading of the findings of fact, duly seconded by Councilmember Cerven, which motion received the majority approval; by voice vote, of the Council.

The Mayor and City Council make the following findings of fact for the petition for a Conditional Use Permit for a café/restaurant at 2707 S. Big Bend Blvd.:

- a. The proposed use complies with all applicable provisions of the Zoning Code.
- b. The proposed use will contribute to and promote the community welfare and convenience.
- c. The proposed use will not cause substantial injury to the value of neighboring property.
- d. The proposed use does comply with the overall neighborhood development plan and existing zoning provisions.
- e. The proposed use will provide, if applicable, off-street parking and loading areas in accordance with the standards of the Zoning Code.
- f. The proposed use will not substantially increase traffic hazards.
- g. The proposed use will not substantially increase fire hazards.
- h. The proposed use will not overtax public utilities.
- i. The proposed use will not place an undue burden on municipal services.

It was then moved by Councilmember Wood, duly seconded by Councilmember Cerven, that the findings of fact be approved, which motion received the following roll call vote: Ayes, members Cerven, Dunn, Greenberg, Mayor White, Wolf and Wood. Nays, none.

Councilmember Wood motioned to bring Bill No. 6026 back onto the table, duly seconded by Councilmember Cerven, which motion received the majority approval; by voice vote, of the Council.

A motion was made by Councilmember Wood, duly seconded by Councilmember Cerven that Bill No. 6021 be approved which motion received the following roll call vote: Ayes, members Cerven, Dunn, Greenberg, Mayor White, Wolf and Wood. Nays, none.

BILL NO. 6026 was approved by the City Council on this 9th day of August, 2016 as **Ordinance number 5822**.

BILL 6028, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A CONDITIONAL USE PERMIT TO ABBIE BOLYARD TO OPERATE A SANDWICH SHOP (RESTAURANT) AT 2810 SUTTON BOULEVARD was given its first reading. A motion was made by Councilmember Wood that Bill No. 6028 be tabled for the reading of the findings of fact, duly seconded by Councilmember Cerven, which motion received the majority approval; by voice vote, of the Council.

The Mayor and City Council make the following findings of fact for the petition for a Conditional Use Permit for a sandwich shop (restaurant) at 2810 Sutton Blvd:

- a. The proposed use complies with all applicable provisions of the Zoning Code.
- b. The proposed use will contribute to and promote the community welfare and convenience.
- c. The proposed use will not cause substantial injury to the value of neighboring property.
- d. The proposed use does comply with the overall neighborhood development plan and existing zoning provisions.
- e. The proposed use will provide, if applicable, off-street parking and loading areas in accordance with the standards of the Zoning Code.
- f. The proposed use will not substantially increase traffic hazards.
- g. The proposed use will not substantially increase fire hazards.
- h. The proposed use will not overtax public utilities.
- i. The proposed use will not place an undue burden on municipal services.

It was then moved by Councilmember Wood, duly seconded by Councilmember Cerven, that the findings of fact be approved, which motion received the following roll call vote: Ayes, members Cerven, Dunn, Greenberg, Mayor White, Wolf and Wood. Nays, none.

Councilmember Wood motioned to bring Bill No. 6028 back onto the table, duly seconded by Councilmember Cerven, which motion received the majority approval; by voice vote, of the Council.

A motion was made by Councilmember Wood, duly seconded by Councilmember Cerven that Bill No. 6021 be approved which motion received the following roll call vote: Ayes, members Cerven, Dunn, Greenberg, Mayor White, Wolf and Wood. Nays, none.

BILL NO. 6028 was approved by the City Council on this 9th day of August, 2016 as **Ordinance number 5823**.

COUNCIL COMMUNICATION: None.

MAYOR'S REPORT: None.

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.

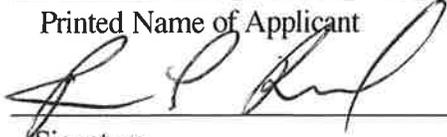
There being no further business before the Council, the meeting adjourned at 8:28 p.m.

- 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. ~~X~~ 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.

Ryan P. Reel

Printed Name of Applicant


 Signature

08-18-2016

Date

INTEROFFICE MEMORANDUM

TO: Mayor & City Council

FROM: Martin J. Corcoran, City Manager

DATE: September 9, 2016

RE: Veteran's Memorial

Bids for the Veteran's memorial were publicly opened at 3:00 p.m. on September 1, 2016. Two bids were received with both greatly exceeding the proposed budget. It is recommended that the City Council reject all bids and authorize the architect to revise the plans so that they meet the budget constraints. It is also my recommendation that the additional work should be at no cost to the city due to the fact that the bids were nowhere close to the agreed upon budget for the project.


Martin J. Corcoran
City Manager

**Maplewood Veterans Memorial Plaza
 BID TABULATION**

**Hellmuth + Bicknese Architects, Project No. 14003
 August 1, 2016**

NO.	BIDDER NAME	ADDENDA		BASE BID	ALTERNATE BIDS						
		1	2		A-1	A-2	A-3	A-4	A-5	A-6	
1	Ideal Landscape Construction, Inc	Y	Y	\$445,368.00	(\$10,350.00)	\$3,500.00	\$5,000.00	\$5,000.00	\$5,000.00	(\$1,200.00)	\$18,000.00
2	Integra, Inc.	Y	Y	\$544,445.00	(\$6,500.00)	no bid	\$7,500.00	\$650.00	no bid	no bid	no bid

INTEROFFICE MEMORANDUM

TO: Mayor & City Council

FROM: Martin J. Corcoran, City Manager

DATE: September 9, 2016

RE: Joint Command

Attached is a resolution authorizing the City Manager and Fire Chief to participate with the cities of Brentwood, Clayton, Richmond Heights and Rock Hill with the development of a joint fire command staff structure. This resolution indicates the city's support to continue to move forward in analyzing the feasibility of combining administrative and support functions for the city's fire departments. The cities of Brentwood, Clayton, Richmond Heights and Rock Hill have passed similar resolutions.

If you have any questions, please contact me.


Martin J. Corcoran
City Manager

Enclosure

Joint Command.docx

RESOLUTION

R16-

A JOINT RESOLUTION OF THE MISSOURI CITIES OF BRENTWOOD, CLAYTON, MAPLEWOOD, RICHMOND HEIGHTS AND ROCK HILL AUTHORIZING THE CITY MANAGER/CITY ADMINISTRATOR AND FIRE CHIEF FROM EACH CITY TO MOVE FORWARD WITH THE DEVELOPMENT OF A JOINT FIRE COMMAND STAFF STRUCTURE FOR THE PARTICIPATING CITIES.

WHEREAS, the cities of Brentwood, Clayton, Glendale, Maplewood and Rock Hill commissioned Emergency Services Consulting International (ESCI) to analyze the feasibility of combining administrative and support function for the cities' fire departments in 2014 and updated again in 2016; and

WHEREAS, the ESCI study found significant opportunity to improve the efficiency and effectiveness of administrative, training oversight and command functions of fire and emergency medical services through a joint command structure. Moreover, the study concluded that combining administrative and support functions is feasible and suggests establishing a joint fire command staff structure for the five cities; and

WHEREAS, significant continued analysis and preparatory work is required to implement these changes and improvements which will require the commitment of each city to genuinely engage in affirmative steps towards implementation of a mutually agreed plan.

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

Section 1. The City Manager and Fire Chief of the City of Maplewood are hereby authorized to begin working with the representatives from Brentwood, Clayton, Richmond Heights and Rock Hill to establish a joint fire command staff structure as outlined in the 2016 ESCI study attached hereto as Exhibit A.

Section 2. This resolution shall take effect and be in full force following its passage and upon the passage of the Joint Resolution by the governing bodies of the other four named cities.

Passed this day of , 2016

James White, Mayor

Attest:

Karen R. Scheidt, Deputy City Clerk

INTEROFFICE MEMORANDUM

TO: Mayor & City Council

FROM: Martin J. Corcoran, City Manager

DATE: September 9, 2016

RE: Resolution Reappointing Directors to the Deer Creek Center Community Improvement District

It is being requested that Laura Lashley and Patrick Nasi be reappointed to the Deer Creek Community Improvement District Board of Directors for terms expiring August 21, 2020. For your information, I am also a member of this board.

If you have any questions, please contact me.



Martin J. Corcoran
City Manager

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI APPROVING THE RE-APPOINTMENT OF CERTAIN DIRECTORS TO THE BOARD OF DIRECTORS OF THE DEER CREEK CENTER COMMUNITY IMPROVEMENT DISTRICT

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

SECTION 1. Pursuant to Section 67.1451.5 of the Community Improvement District Act, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri, as amended (the "**CID Act**"), the Mayor hereby re-appoints and the City Council hereby consents to the re-appointment of Laura Lashley ("**Laura**") as a director to the Deer Creek Center Community Improvement District's (the "**District**") Board of Directors for a term expiring August 21, 2020. No further action by the Mayor or the City Council is required for Laura's re-appointment as a director to the District's Board of Directors.

SECTION 2. Pursuant to Section 67.1451.5 of the CID Act, the Mayor hereby re-appoints and the City Council hereby consents to the re-appointment of Patrick Nasi ("**Patrick**") as a director to the District's Board of Directors for a term expiring August 21, 2020. No further action by the Mayor or the City Council is required for Patrick's re-appointment as a director to the District's Board of Directors.

SECTION 3. This Resolution shall be in full force and effect from the date of its passage and approval.

Passed this 9th day of August, 2016.

James White, Mayor

Attest:

Karen R. Scheidt, Acting City Clerk

Approved this 9th day of August, 2016.

James White, Mayor

Attest:

Karen R. Scheidt, Acting City Clerk

INTEROFFICE MEMORANDUM



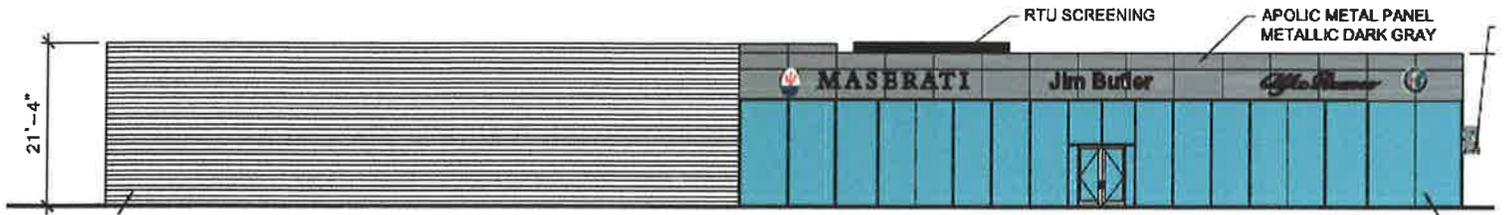
To: Martin J. Corcoran, City Manager
From: Brian M. Herr, Building Official/Fire Marshal
Date: September 9, 2016
Subject: Jim Butler Maserati/Alfa Romeo signage

The Design & Review Board met on September 8, 2016 and reviewed and approved the proposed signage for Jim Butler Maserati/Alfa Romeo. The dealership has proposed a hybrid pole sign/ground sign (does not meet the ground clearance requirement for pole signs). However, as per section 6-49(b)(3) of the sign code the City Council can approve a ground sign exceeding the height and area requirements, provided the total area in square feet of other exterior wall signs for the building be reduced. The proposed wall signage for the dealership was reduced from 359 square feet to 94 square feet.

The sign will be internally lit MASERATI/ALFA ROMEO brand crests. The sign will be constructed out of aluminum metal panel similar to the material used on the building. The height of the building is 21'-4" feet tall and the proposed sign is 20 feet tall with two sign logos on each face totaling 40.63 square feet. The proposed sign complies with the Maplewood sign code requirements.

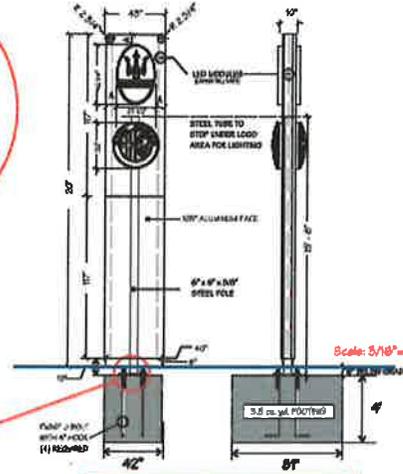
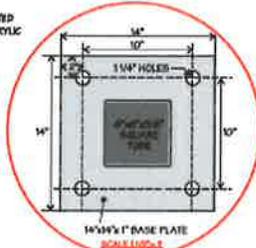
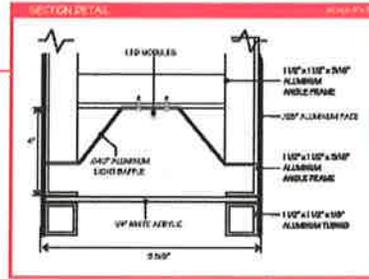
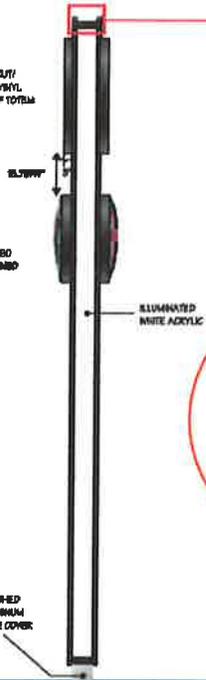
Brian M. Herr
Building Official/Fire Marshal

Signage for Maserati-Alfa Romeo located at 3050 S. Hanley Rd.



6" DEEP ILLUMINATED BEZEL-CUT/ FLUSH ACRYLIC LOGO WITH VINYL GRAPHICS MOUNTED TO FACE OF TOTEM

7" DEEP ILLUMINATED ALFA ROMEO BADGE. DETAILS TO BE DETERMINED

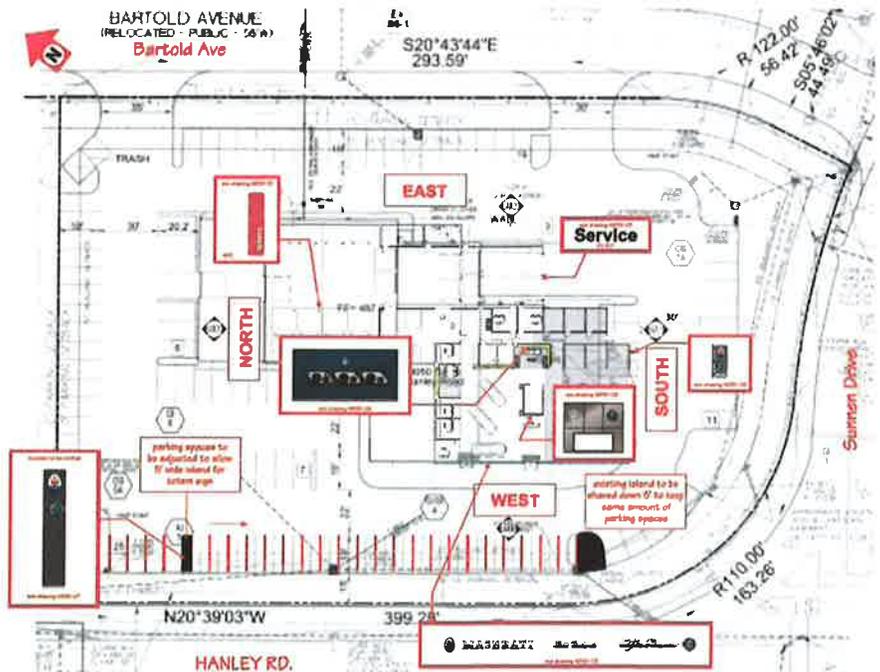


CONCRETE FOOTING DIMENSIONS AND REQUIREMENTS ARE SUBJECT TO LOCAL ZONING JURISDICTIONS.

- LEGEND**
- BRUSHED ALUMINUM BASE COVER
 - PUB #4490c VINYL COLOR SPEC DM #20 RED
 - WHITE ACRYLIC PAGES AND SIDES
 - DARK METALLIC GRAY MATCHING ACM
 - ALFA ROMEO COLORS TRV

- GENERAL NOTES**
- LED ILLUMINATED LOGO CABINETS
 - ALFA LOGOS PROVIDED BY OTHERS
 - LED ILLUMINATED ACRYLIC SIDES
 - 1/2" ALUMINUM FACE
 - 6" x 6" x 2 1/2" STEEL POLE
 - 1/2" x 1/2" x 2 1/2" BASE PLATE

- SIGNAL REQUIREMENTS**
- SIGN PROVIDED BY OTHERS
 - ELECTRICAL REQUIREMENTS
 - 1) 20 AMP 120 VOLT CIRCUIT (per sign)



RESOLUTION

R16-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A GROUND SIGN PERMIT TO JIM BUTLER MASERATI/ALFA ROMEO AT 3050 S. HANLEY ROAD THAT EXCEEDS THE HEIGHT AND AREA REQUIREMENTS.

WHEREAS, Jim Bulter Maserati/Alfa Romeo desires to erect a ground sign at 3050 S. Hanley Road that exceeds the height and area requirements; and

WHEREAS, Section 6-49(b)(3) of the sign code provides that the city council can approve the proposed ground sign; and

WHEREAS, the Design and Review Board, at their September 8, 2016 meeting, approved the proposed ground sign.

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

AND HEREBY GRANTS permission to Jim Butler Maserati/Alfa Romeo to erect a ground sign exceeding the height and area requirements as provided by section 6-49(b)(3) of the sign code at 3050 S. Hanley Road. as proposed in its application and approved by the Design and Review Board.

Passed this 13th day of September, 2016

James White, Mayor

Attest:

Karen R. Scheidt, Deputy City Clerk

Approved this 13th day of September, 2016

James White, Mayor

Attest:

INTEROFFICE MEMORANDUM



To: Planning Commission
From: Anthony Traxler, Assistant City Manager/Director of Public Works
Date: September 1, 2016
Subject: Petition Number #2016-22 – Request for a Conditional Use Permit in the CB1 Community Business 1 Zoning District – Little Caesars Pizza, 7325 Manchester Road

BACKGROUND

The subject property, 7325 Manchester Road is located at the intersection of Manchester Road and Sutton Boulevard within the Maplewood Square shopping center. The site is fully developed supporting a strip mall with numerous stores including the Shop-n-Save grocery store. Little Caesars Pizza is planning on relocating its business operations from Deer Creek Center to Maplewood Square.

ZONING REQUEST

The petitioner, Joseph Daniel, is requesting a Conditional Use Permit on the subject property to allow a restaurant facility – Little Caesars Pizza.

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 District which allows restaurants with a Conditional Use Permit. The proposed use is ideally suited for the location within the Maplewood Square shopping center. The restaurant will offer carry-out service and will be open from 11:00 a.m. to 10:00 p.m. during the week and 11:00 p.m. on weekends.
2. **Parking:** The site, which is within Maplewood Square, has sufficient on-site parking to support the proposed use.
3. **Impact to Adjacent Properties:** The proposed use should have a positive impact on adjacent and surrounding properties. The proposed 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) Ample off-street parking is available to support the proposed use.
- 3) The proposed conditional use, at the above location, will contribute to and promote the welfare and convenience of the public by providing an additional restaurant for the community and surrounding area.

PAID
AUG 22 2016
By KRS

PAID
AUG 22 2016
KRS

City of Maplewood, Missouri
Application for Conditional Use Permit



Applicant Information:

Name: Joseph Daniel
Contact Address/Phone: 869 Misty Valley Rd O'Fallon IL 62269

Proposed Business Information:

Proposed Business Name: Little Caesars 7325
Address of Proposed Maplewood Location: ~~7325~~ Manchester Rd #003 ~~7325 7325~~
Address of Existing Location (if Applicable): 3244 Laclede Station Rd
Description of Business Activity: Pizza Restaurant - Sell pizza, breakfasts, wings

Anticipated Hours of Operation: 11:00 AM - 10:00 PM, 11:00 AM - 11:00 PM, 7 days Anticipated Number of Employees: 15

I, Joseph Daniel, 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 22 day of August, 2016

Property Information:

Property Owner Name: Brixmor SPE 1, LLC
Property Owner Address/Phone: 40 Skokie Blvd, Suite 600, Northbrook IL 60062 (847) 562-4101
Intended Use of Property: Pizza Restaurant - sell pizza, breakfasts, wings

I, THOMAS LITZLER, 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 22 day of August, 2016

Office Use Only

Current Zoning Designation of Property: _____
Site plan of building and surrounding area attached? []

Business License received? []
Filing fee of \$100.00 received? [X]
Public Hearing Notice Fee of \$330.00 received? [X]

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.

(Ord. No. 4062, § 905 06(3), 10-14-1980; Ord. No. 4258, § 2, 6-10-1986; Ord. No. 4524, § 1, 3-24-1992; Ord. No. 4560, § 1, 11-10-1992; Ord. No. 4646, § 1, 5-24-1994)

BILL NO.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A CONDITIONAL USE PERMIT TO JOSEPH DANIEL OF LITTLE CAESARS PIZZA TO OPERATE A RESTAURANT FACILITY AT 7325 MANCHESTER ROAD

WHEREAS, Little Caesars 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 restaurant facility at 7325 Manchester Road.; and

WHEREAS, the Plan and Zoning Commission recommended approval of this proposed Conditional Use Permit at their September 6, 2016 meeting by a vote of ayes, nays; and

WHEREAS, the City Council held a public hearing on this conditional use permit at their September 27, 2016 Council meeting.

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

Section I. Joseph Daniel of Little Caesars is hereby granted a Conditional Use Permit to operate a restaurant facility at 7325 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 1 District.
 - 2) A restaurant facility.
- (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.

INTEROFFICE MEMORANDUM



TO: Plan & Zoning Commission

FROM: Anthony Traxler, Assistant City Manager/Director of Public Works

DATE: September 1, 2016

RE: **Petition #2016-23 – Request for a Conditional Use Permit to operate a convenience store with gasoline pumps at 3033 S. Hanley Road. - Presently Phillips 66**

BACKGROUND

The site, 3033 S. Hanley Road, has been a convenience store with gas pumps for many years. Wallis Companies (RJCA, LLC) is planning on purchasing the site and continue the current business operations under a new ownership group.

ZONING REQUEST

The petitioners will continue to operate the service station in its present format and are requesting a transfer of the Conditional Use Permit to do so. The petitioners are also applying for a packaged liquor license and Sunday packaged liquor license for the sale of packaged beer and wine. The hours of operation will remain 24 hours per day, 7 days a week.

PLAN AND ZONING ISSUES

1. **Zoning Restrictions:** The property is zoned LM Light Manufacturing District and a Conditional Use Permit is required in order for gasoline to be sold at this location.
2. **Sufficient off-street parking** is provided for both the convenience store and the operation of the gas pumps.
3. **Impact on Adjacent Properties:** There should not be a significant impact on the adjacent properties as this location has historically been a convenience store with gas pumps. This location has not caused problems for the surrounding businesses or neighborhood.

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 56-877B., 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 granting a Conditional Use Permit:

- 1) The scale and intensity for the proposed use will be compatible with adjacent properties in the surrounding area.
- 2) The use will be beneficial to the surrounding community by offering a convenience store with gasoline pumps.

City of Maplewood, Missouri
Application for Conditional Use Permit



Applicant Information:

Name: Wallis Petroleum, L.C.
Contact Address/Phone: 106 E. Washington, Cuba, Missouri 65453 (636) 549-1612

Proposed Business Information:

Proposed Business Name: Wallis Petroleum #505
Address of Proposed Maplewood Location: 3033 South Hanley Road, Maplewood
Address of Existing Location (if Applicable): 3033 South Hanley Road, Maplewood
Description of Business Activity: Convenience Store with fuel sales

Anticipated Hours of Operation: 24/7 Anticipated Number of Employees: 10

I, Regina Peak, 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 1st day of August, 2016

Property Information:

Property Owner Name: RJCA, LLC
Property Owner Address/Phone: 106 E. Washington, Cuba, Missouri 65453 (573) 885-2277
Intended Use of Property: Convenience Store with fuel sales. No change in business operations, change in ownership only.

I, Rachel Andreasson, as owner of the above state property, hereby verify and agree to the abovestated intended use of the property by the applicant.

Signed this 1st day of August, 2016

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



106 East Washington
Cuba, MO 65453
573.885.2277
Fax: 573.885.4760
www.wallisco.com

8-2-2016

Maplewood Zoning Administrator
7601 Manchester Rd.
Maplewood, MO 63143

Re: 3033 South Hanley Road Conditional Use Permit

To Whom It May Concern;

Please accept the applications for Transfer of Ownership of a Conditional use permit for the above listed location. RJCA, LLC has entered into a Purchase Agreement and is currently in the due diligence phase. Please accept the application contingent on closing.

Please do not hesitate to contact me with any questions or concerns regarding this correspondence.

Sincerely,

A handwritten signature in blue ink, appearing to read "Regina Peak", written over a faint circular stamp.

Regina Peak
Compliance Administrator
Wallis Companies



3033 S. Hanley

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.

(Ord. No. 4062, § 905 06(3), 10-14-1980; Ord. No. 4258, § 2, 6-10-1986; Ord. No. 4524, § 1, 3-24-1992; Ord. No. 4560, § 1, 11-10-1992; Ord. No. 4646, § 1, 5-24-1994)

BILL NO.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A CONDITIONAL USE PERMIT TO WALLIS PETROLEUM TO OPERATE A CONVENIENCE STORE WITH GAS PUMPS AT 3033 S. HANLEY ROAD

WHEREAS, Wallis Petroleum, L. C. has applied to the City Council of the City of Maplewood, MO for a Conditional Use Permit as provided in Section 56-877 of the Maplewood Code of Ordinances to operate a convenience store with gas pumps at 3033 S. Hanley.; and

WHEREAS, the Plan and Zoning Commission recommended approval of this proposed Conditional Use Permit at their September 6, 2016 meeting by a vote of ayes, nays, absent; and

WHEREAS, the City Council will hold a public hearing on this conditional use permit petition at their September 27, 2016 Council meeting.

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

Section I. Wallis Petroleum, L.C. is hereby granted a Conditional Use Permit to operate a convenience store with gas pumps at 3033 S. Hanley Road.

Section II. The Conditional Use Permit is granted subject to all rules and regulations as 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 Zoning District.
 - 2) A convenience store.
- (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 & Zoning Commission prior to the issuance of a building permit.

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

Passed this day of , 2016

James White, Mayor

Attest:

INTEROFFICE MEMORANDUM



To: Planning Commission
From: Anthony Traxler, Assistant City Manager/Director of Public Works
Date: September 1, 2016
Subject: Petition Number #2016-24 – Request for a Conditional Use Permit in the CB Community Business Zoning District – The Blue Duck Restaurant, 7401 Manchester Road

BACKGROUND

The subject property, 7401 Manchester Road is located at the intersection of Manchester Road and Sutton Boulevard. The site is fully developed one-story brick building with a rear parking lot. The site, which is currently vacant, previously supported Monarch Restaurant. The proposed restaurant has an existing location in Washington, MO and will offer classic American comfort food. The restaurant will occupy approximately 4,424 square feet of the site. The remaining portion of the site will be occupied in the future by other retail users that are yet to be determined.

ZONING REQUEST

The petitioner, Chris Rayburn of The Blue Duck, is requesting a Conditional Use Permit on the subject property to allow a 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 CB Community Business District which allows restaurants with a Conditional Use Permit. The proposed use is ideally suited for this location which has historically supported a restaurant facility. David Schlafly purchased the building and has a proven track record of quality development so this will be a welcome addition to the business district.
2. **Parking:** The site has sufficient on-site parking in the rear parking lot 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 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 a restaurant facility.
- 3) Ample on-site and street 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 additional restaurant for the community and surrounding area.

City of Maplewood, Missouri
Application for Conditional Use Permit



Applicant Information:

Name: Chris Rayburn



Contact Address/Phone: 516 W. Front St. Ste 100 Washington, MO 63090
314-853-5842

Proposed Business Information:

Proposed Business Name: The Blue Duck

Address of Proposed Maplewood Location: 7401 Manchester Rd

Address of Existing Location (if Applicable): 516 W. Front St. Ste 100 Washington, MO

Description of Business Activity: Restaurant (see attached)

Anticipated Hours of Operation: Tues-Sat 11AM-12AM Anticipated
Sun 11AM-9PM

Number of Employees: 20

I, Chris Rayburn, 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 10th day of August, 20 16

Property Information:

Property Owner Name: David Schlafly / Schlafly Corporation

Property Owner Address/Phone: 2 N. Meramec #3, Clayton, MO 314-565-5144

Intended Use of Property: Restaurant

I, David Schlafly, 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 29th day of August, 2016

Office Use Only

Current Zoning Designation of Property: _____
Site plan of building and surrounding area attached? []

Business License received? []
Filing fee of \$100.00 received? [✓]
Public Hearing Notice Fee of \$330.00 received? [✓]

Received this _____ day of _____, 20____

Maplewood Zoning Administrator



7401 Manchester

General Description - The Blue Duck

The Blue Duck Hospitality Group, LLC, owned by Chris and Karmen Rayburn, intends to open a second location of The Blue Duck restaurant in a portion of the building owned by David Schlafly at 7401 Manchester Rd. (the former Monarch restaurant). The Blue Duck is presently located 516 W. Front Street in Washington, Missouri. The restaurant has been operating in this location since 2013. The Rayburns have operated the restaurant since 2010.

The Blue Duck serves creative and classic American comfort food in a casual, family friendly atmosphere. The menu includes a variety of appetizers, soups, salads, sandwiches, entrees and desserts, with everything from the breads to cured and smoked meats made in house (menu for current location is attached). The restaurant will also offer a full bar.

The new location will occupy around 4424 sq. ft. of the building at 7401 Manchester Rd. being redeveloped by David Schlafly. The entrance to the restaurant will be located along Sutton Blvd. There is a parking lot behind the building that will be available for use by restaurant customers.

Trash/recycling/cooling oil receptacles will be located behind the building (same area that was used by previous restaurant tenant). A trailer mounted smoker will also be located behind the building and will be used a few days per week during business hours, usually during the daytime.

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 CHRIS RAYBURN OF THE BLUE DUCK TO OPERATE A RESTAURANT FACILITY AT 7401 MANCHESTER ROAD

WHEREAS, Chris Rayburn of The Blue Duck has 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 restaurant facility at 7401 Manchester Road; and

WHEREAS, the Plan and Zoning Commission recommended approval of this proposed Conditional Use Permit at their September 6, 2016 meeting by a vote of ayes, nays; and

WHEREAS, the City Council held a public hearing on this conditional use permit at their September 27, 2016 Council meeting.

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

Section I. Chris Rayburn of The Blue Duck is hereby granted a Conditional Use Permit to operate a restaurant facility at 7401 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 CB Community Business District.
 - 2) A restaurant facility.
- (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.

INTEROFFICE MEMORANDUM

TO: Plan & Zoning Commission

FROM: Anthony Traxler, Assistant City Manager/Director of Public Works

DATE: September 2, 2016

RE: **Petition #2016-25 – Review and recommendation for a conditional use permit to operate a daycare center at 3734 Cambridge Avenue**

BACKGROUND

The subject property at 3732 Cambridge Avenue is zoned AB Arterial Business District. The structure is a two-story frame home located along Cambridge Avenue, just east of S. Big Bend Blvd. The house has historically operated as office space and was most recently occupied by a law office. The site is located between S. Big Bend Blvd and a large apartment complex.

ZONING REQUEST

The petitioner, Dawn Medina of New Destiny Childcare is requesting a conditional use permit to operate a daycare center at 3732 Cambridge Avenue.

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.

PLAN & ZONING ISSUES

1. **Business Operations:** The petitioner has indicated that she would like to provide child care at the subject property. There could be as many as 3 employees on-site. The conditional use ordinance requires evidence of approval for a day-care center operation from the State of Missouri Fire Marshall's Office be provided to the City of Maplewood in conjunction with the annual renewal of the petitioner's business license. Additionally, the number of children permitted on-site will be subject to the State of Missouri Fire Marshall's Office.

The attached photos show that the existing driveway would allow for patrons to enter the lot via Cambridge Avenue., park, walk children to the day care center via the rear entrance (deck), drop off the children and exit the site.

2. **Impact on Adjacent Properties:** The property is surrounded by commercial on to the west and across Cambridge Avenue, to the east is a large apartment complex and to the south is a house. The Conditional Use Ordinance mandates children be indoors until 8:00 a.m. which should mitigate the noise to the adjacent apartment complex and house. The site is zoned commercial and the proposed use should have minimal impact on surrounding or adjacent 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 56-877b, 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 is located within a commercial district.
- 3) The proposed conditional use, at the above location, will contribute to and promote the welfare and convenience of the public by providing child care for the community and surrounding area.

City of Maplewood, Missouri
Application for Conditional Use Permit



Applicant Information:

Name: Dawn Medina
Contact Address/Phone: 314.225.4011

Proposed Business Information:

Proposed Business Name: New Destiny Childcare
Address of Proposed Maplewood Location: 3732 Cambridge
Address of Existing Location (if Applicable): _____
Description of Business Activity: Daycare & Learning Center

Anticipated Hours of Operation: 6am - 6pm Anticipated Number of Employees: 3
I, Dawn Medina, as applicant and/or business owner of the above stated business, hereby verify and certify that all of the information stated above is accurate.

Dawn Medina
Signed this 29 day of August, 20 16

Property Information:

Property Owner Name: SUGAR CREEK HOLDINGS LLC
Property Owner Address/Phone: 114 WOODBURY PL, WILCOXVILLE MISSOURI MO 63119 (314) 962-0600
Intended Use of Property: DAYCARE & LEARNING CENTER

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

John A. St. Thomas & Myers
Signed this 29th day of August, 20 16

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

3732 Cambridge

FRONT

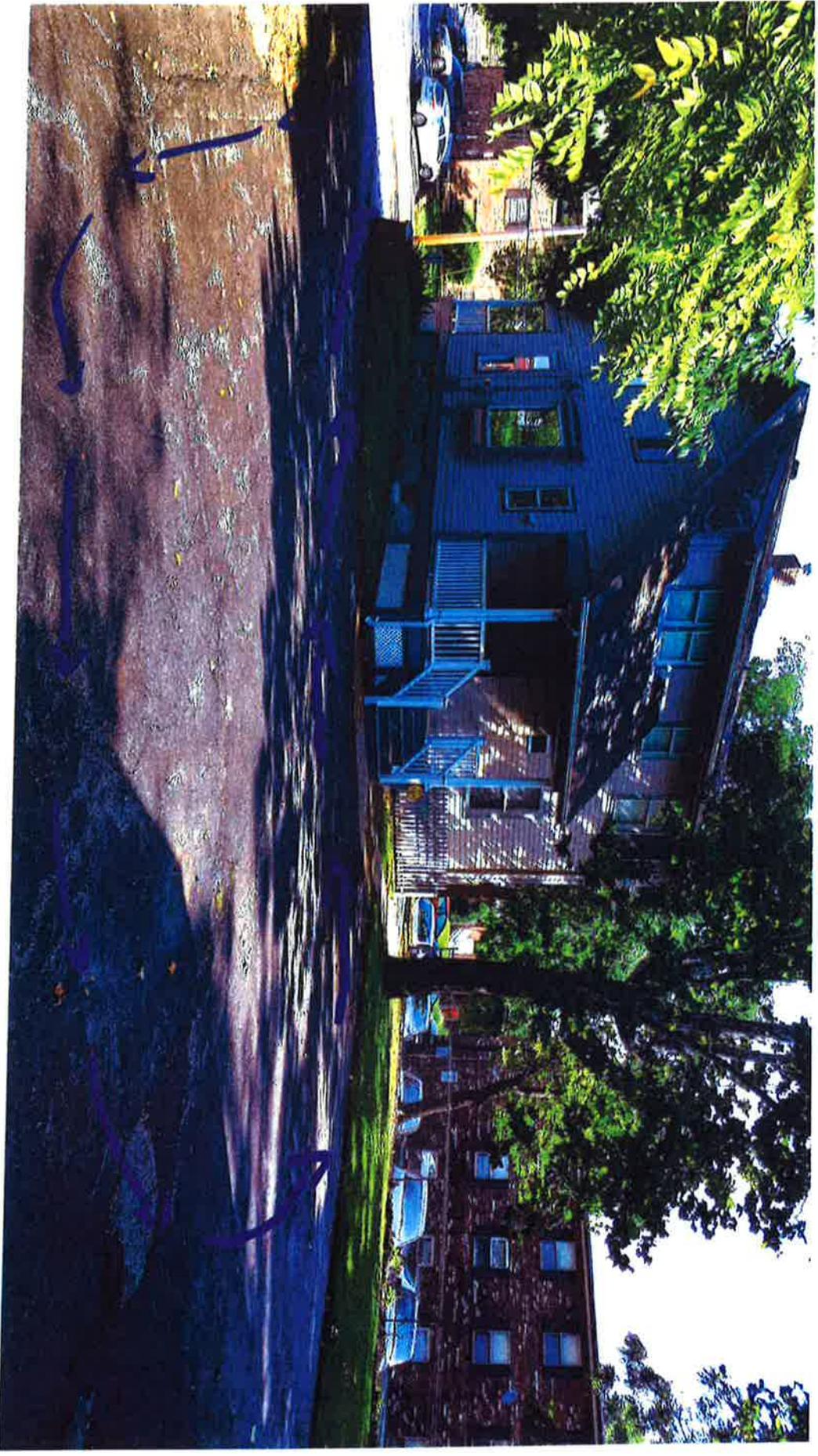
1/7



New Deshire Childcare

3732 Cambridge

2/7

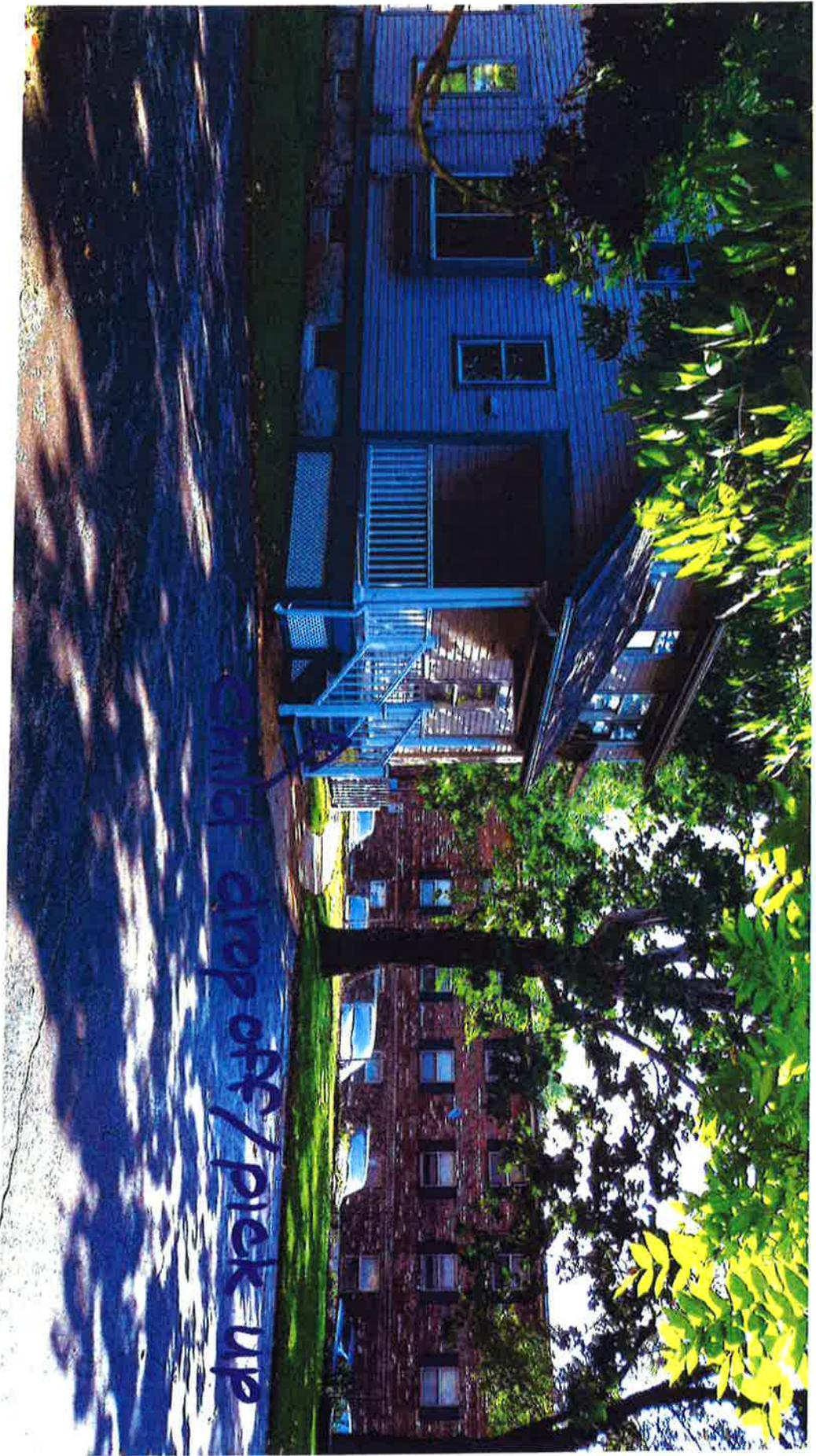


PARENT DROP OFF

Northwestern Children

3782 Cambridge

3/7

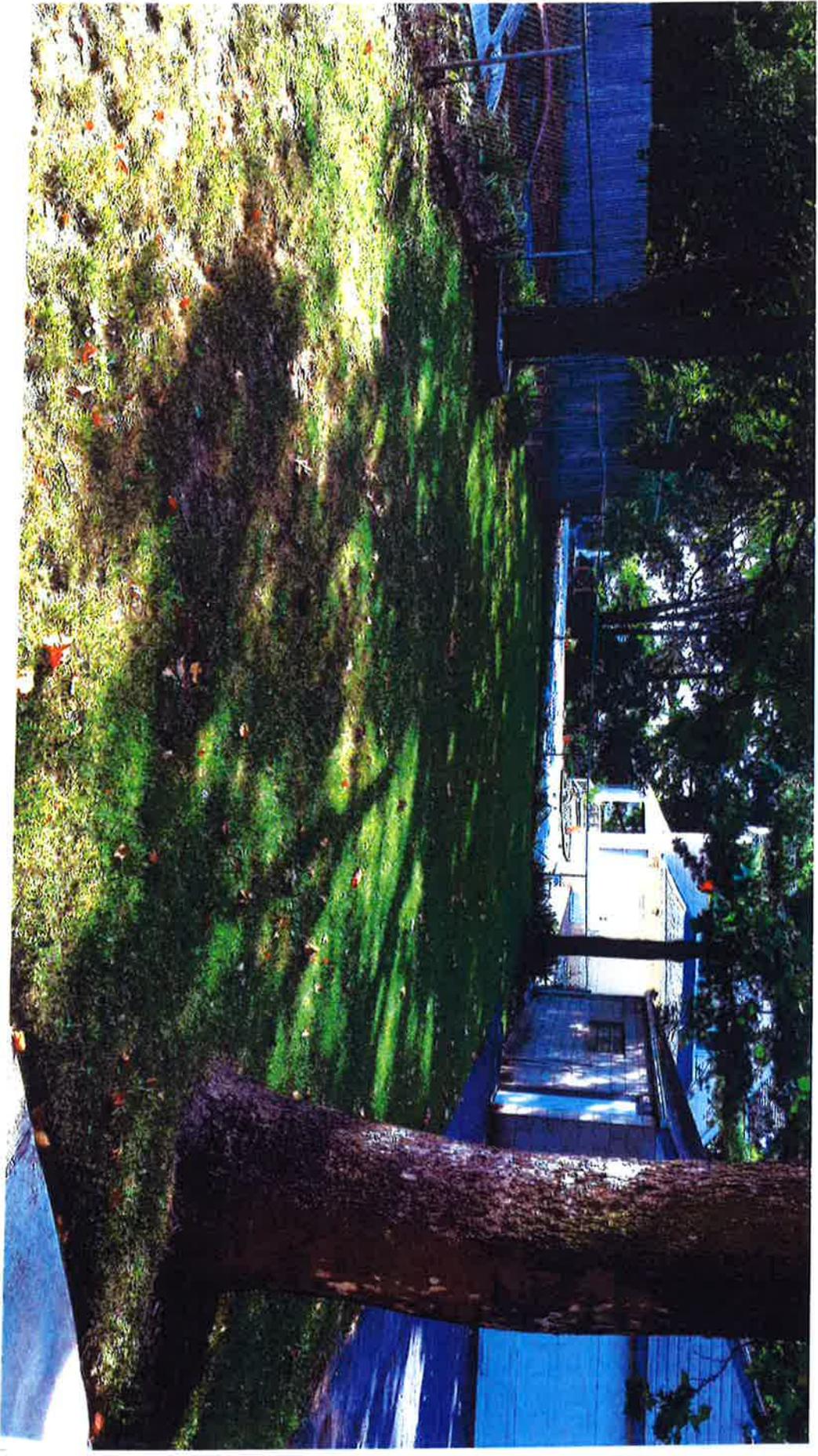


Abigail Heston Children

3732 Cambridge

FENCED IN PLAY AREA

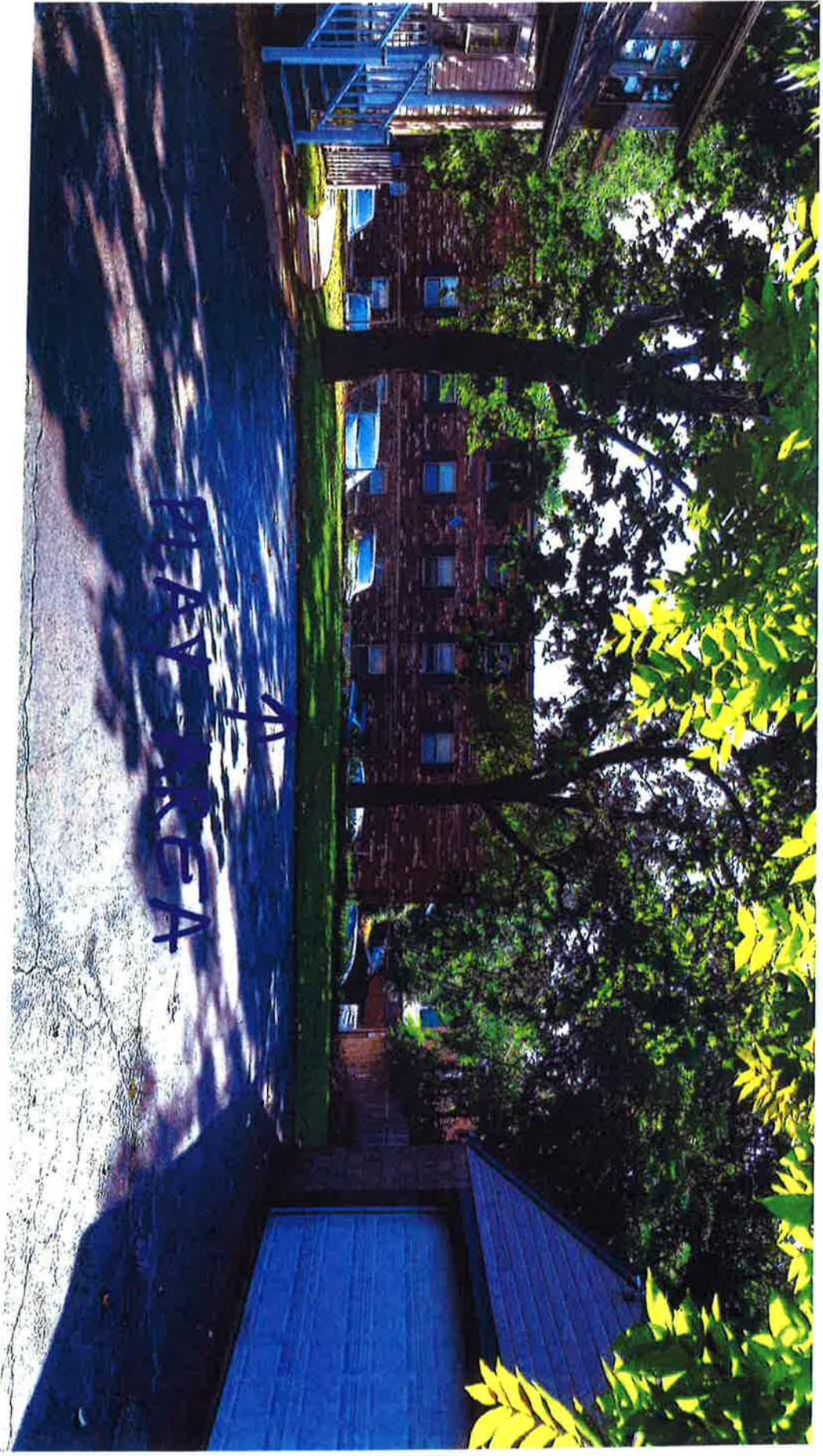
4/7



Alon Defina Children,

3732 Cambridge

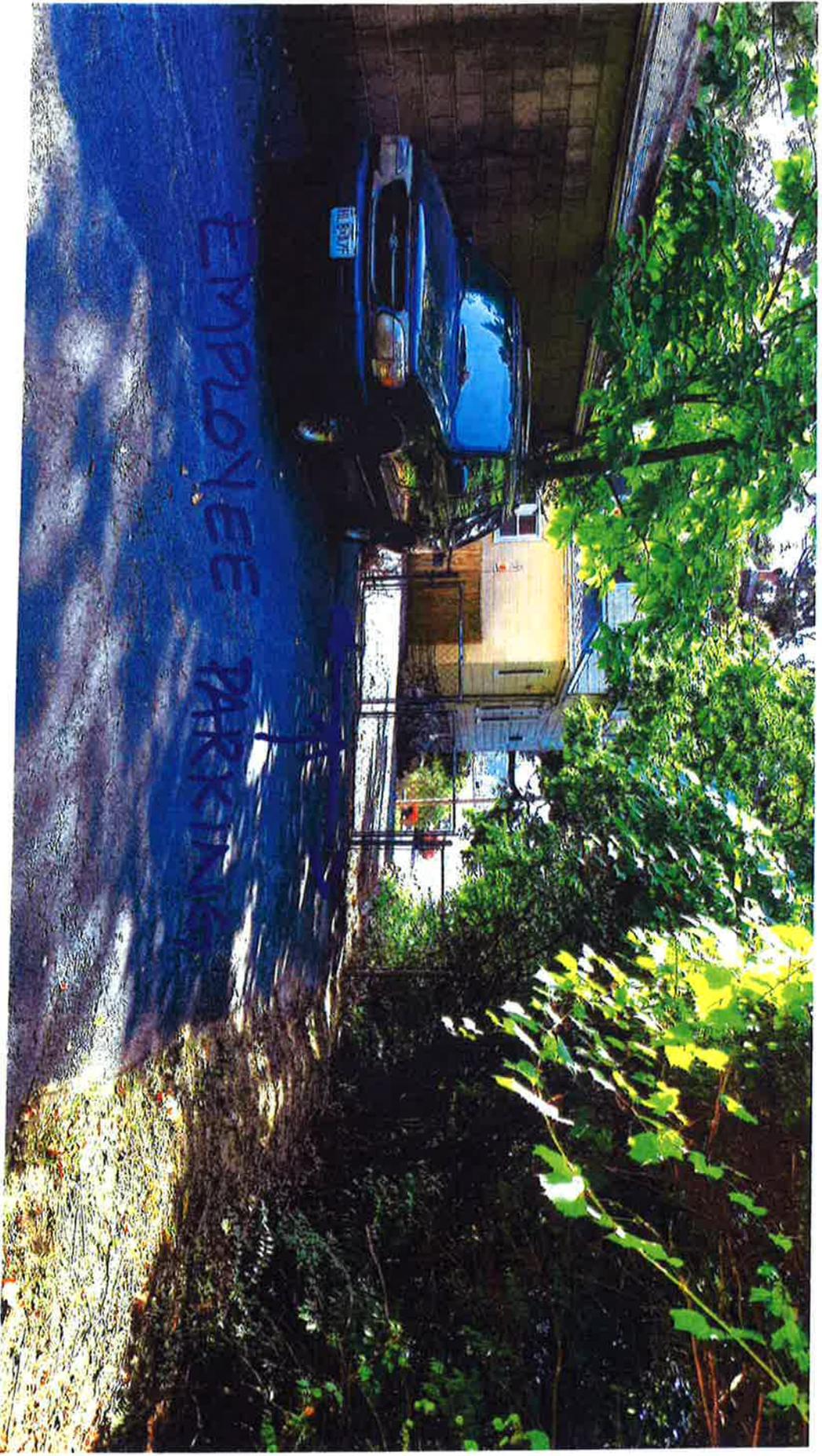
5/7



New Nestm Childcare

3732 Cambridge

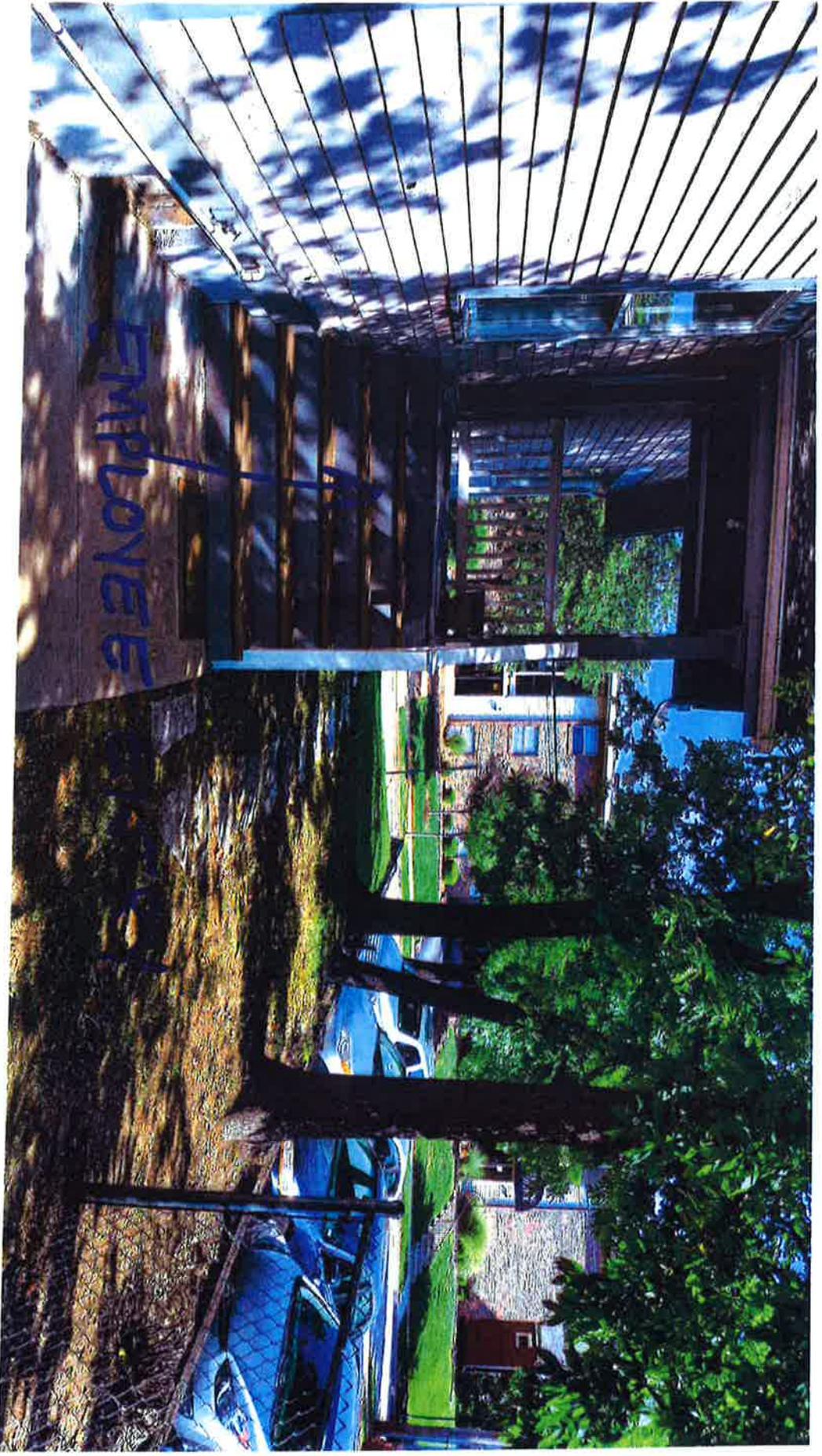
6/17



NewHartford Children

3732 Cambridge

7/7



Alan, Noemi / Childcare.

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.

(Ord. No. 4062, § 905.06(3), 10-14-1980; Ord. No. 4258, § 2, 6-10-1986, Ord. No. 4524, § 1, 3-24-1992; Ord. No. 4560, § 1, 11-10-1992; Ord. No. 4646, § 1, 5-24-1994)

BILL NO.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A CONDITIONAL USE PERMIT TO DAWN MEDINA OF NEW DESTINY CHILDCARE TO OPERATE A DAYCARE FACILITY IN THE AB ARTERIAL BUSINESS DISTRICT AT 3732 CAMBRIDGE AVENUE

WHEREAS, Dawn Medina of New Destiny Childcare has 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 provide a daycare center at 3732 Cambridge Avenue; and

WHEREAS, the Plan and Zoning Commission recommended approval of this proposed Conditional Use Permit at their September 6, 2016 meeting by a vote of ____ ayes, ____ nays; and

WHEREAS, the City Council will hold a public hearing on this conditional use permit at their September 27, 2016 Council meeting.

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

Section I. Dawn Medina of New Destiny Childcare is hereby granted a Conditional Use Permit to operate a daycare center at 3732 Cambridge 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 AB Arterial Business Zoning District.
 - 2) A daycare center with the following stipulations:
 - a) Evidence of approval for a daycare center operation from the State of Missouri Fire Marshall's Office must be provided to the City of Maplewood in conjunction with the annual renewal of the petitioner's business license.
 - b) The Conditional Use Permit will be for a period of 12 months automatically renewable each year thereafter if there are no complaints from neighbors and/or the city.
 - c) Hours of operation will be 6 a.m. to 6 p.m., Monday to Friday.
 - d) The number of children permitted on-site shall be subject to the review and approval of the State of Missouri and the City of Maplewood Fire Marshall's Office.
 - e) Children must be dropped off and/or picked up to the rear (deck) of 3732 Cambridge Avenue.

- f) Children being dropped off and/or picked up from the daycare center must be accompanied by an adult at all times.
- g) Children must remain indoors between 6 a.m. to 8:00 a.m.
- (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.
- (D) Business Operations: No more than three (3) employees can work on site at any given time.

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

Passed this day of 2016

James White, Mayor

Attest:

Karen Scheidt, Acting City Clerk

Approved this day of 2016

James White, Mayor

Attest:

Karen Scheidt, Acting City Clerk

INTEROFFICE MEMORANDUM



To: Mayor & City Council
From: Anthony J. Traxler
Date: September 8, 2016
Subject: Adoption of the 2015 Edition of the International Building, Residential and Existing Building Codes

Construction within the City of Maplewood is currently governed by the 2009 editions of the International Building Codes. In order to ensure our ISO insurance ratings remain in good standing, the City of Maplewood needs to update its current building codes to the 2015 versions of the International Codes which are the latest and most up-to-date codes available. The codes regulate the minimum building standards for new construction and modifications/additions to existing structures, both commercial and residential within the city.

The attached ordinance recommends adoption of the codes as written with the exception of the various amendments contained in the attached ordinance. Note, language was added to the residential code to allow persons the option to opt out of residential fire sprinklers if they were to purchase a new structure. This opt out clause was included because it is required by Missouri State Statute. The other amendments are more general changes and are mostly for clarification purposes or remove language not related to the City of Maplewood (example, oil derricks were excluded from needing a building permit, we deleted this text). Last, we added some definitions to clarify our requirements for items such as retaining walls.

If you have any questions or comments on this matter, feel free to contact me at 646-3635 or Brian Herr at 646-3634.

BILL NO.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING ORDINANCE NO. 5573, THE MAPLEWOOD CODE OF ORDINANCES, AS AMENDED, BY AMENDING CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, SECTION 12-92, ADOPTION OF BUILDING CODE, SECTION 12-93, ADOPTION OF RESIDENTIAL CODE AND SECTION 12-94, ADOPTION OF EXISTING BUILDING CODE BY DELETING THE TEXT OF SAID SECTIONS AND INSERTING TEXT TO ADOPT THE 2015 INTERNATIONAL BUILDING CODE, THE 2015 INTERNATIONAL RESIDENTIAL CODE AND THE 2015 INTERNATIONAL EXISTING BUILDING CODE IN ITS STEAD

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

Section I. Section 12-92, Adoption of building code; amendments, of the Maplewood Code of Ordinances, as amended, is hereby amended by deleting the text as found therein and inserting text adopting the 2015 International Building Code, to read as follows.

Section 12-92. Adoption of building code; amendments.

- (a) *Adoption.* The International Building Code, 2015 edition, as published by the International Code Council, is hereby adopted as the building code of the city for new construction and incorporated herein by reference, subject only to the specific provisions of the Code of Ordinances of this city.
- (b) *Additions, insertions and changes.* The International Building Code, 2015 edition, is amended and revised in the following respects:

Section 101.1 Title. Insert City of Maplewood, Missouri

Delete all text in Section 105.2 and replace with the following: **105.2 Work exempt from permit.** Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. *Permits* shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 100 square feet.
2. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
3. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18 925 L) and the ratio of height to diameter or width does not exceed 2:1.
4. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
5. Temporary motion picture, television and theater stage sets and scenery.

6. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18 925 L) and are installed entirely above ground.
7. Swings and other playground equipment accessory to detached one- and two-family *dwelling*s.
8. Window *awnings* supported by an *exterior wall* that do not project more than 54 inches (1372 mm) from the *exterior wall* and do not require additional support of Groups R-3 and U occupancies.
9. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.
10. Modification of an existing fire alarm system involving 5 or fewer fire alarm system devices.

Insert the following new section:

Section 105.6.1. Qualifications of contractors and workers. The Building Official shall not be required to issue a building permit unless the contractor and workers are qualified to carry out the proposed work in accordance with the requirements of this code. Refusal or inability to comply with code requirements on other work shall be considered as evidence of lack of such qualifications.

Delete Section 111 **CERTIFICATION OF OCCUPANCY** in its entirety.

Delete Section 113 **BOARD OF APPEALS** in its entirety.

SECTION 202 DEFINITIONS Insert definition for **RETAINING WALL**. A structure constructed of natural or manmade inorganic material. Wood tie walls are not permitted. Existing tie walls may be repaired if the extent of the repair does not exceed 20 percent of the length and/or area of the wall. Tie walls requiring more than 20 percent repairs must be replaced with a retaining wall. A wall less than 24 inches in height is considered landscaping.

Section 1612.3 Establishment of flood hazard areas. Insert St. Louis County, Missouri, February 4, 2015

Section II. Section 12-93, Adoption of residential code; amendments, of the Maplewood Code of Ordinances, as amended, is hereby amended by deleting the text as found therein and inserting text adopting the 2015 International Residential Code, to read as follows.

Section 12-93. Adoption of residential code; amendments.

(a) *Adoption.* The International Residential Code, 2015 edition, as published by the International Code Council, is hereby adopted as the residential building code of the city for new construction and incorporated herein by reference, subject only to the specific provisions of the Code of Ordinances of this city.

(b) *Additions, insertions and changes.* The International Residential Code, 2015 edition, is amended and revised in the following respects:

Section 101.1 Title. Insert City of Maplewood, Missouri

Delete all text in Section 105.2 and replace with the following: **105.2 Work exempt from permit.** Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. *Permits* shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 100 square feet (18.58 m²).
2. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
3. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
4. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
5. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
6. Swings and other playground equipment.
7. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.

Insert the following new section:

Section 105.6.1. Qualifications of contractors and workers. The Building Official shall not be required to issue a building permit unless the contractor and workers are qualified to carry out the proposed work in accordance with the requirements of this code. Refusal or inability to comply with code requirements on other work shall be considered as evidence of lack of such qualifications.

Delete the text in Section 108.3 and replace with the following text in its stead: **Section 108.3. Building Permit Valuations.** Building permit fees shall be determined in accordance with Chapter 12 Article II. Division 1 of the Maplewood Municipal Code.

Insert the following new section:

Section 108.7. Penalty fee. The Public Works Director is authorized to assess a penalty of up to \$500.00 or 50 percent of the permit fee based on the cost of construction, whichever is greater, for work performed without a valid permit issued by the City of Maplewood. The payment of penalty fee shall not relieve any persons from fully complying with the requirements of this code or from other penalties prescribed herein.

SECTION 202 DEFINITIONS Insert definition for **RETAINING WALL.** A structure constructed of natural or manmade inorganic material. Wood tie walls are not permitted. Existing tie walls may be repaired if the extent of the repair does not exceed 20 percent of the length and/or area of the wall. Tie walls requiring more than 20 percent repairs must be replaced with a retaining wall. A wall less than 24 inches in height is considered landscaping.

Table R301.2(1) Insert:

**TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

<u>GROUND SNOW LOAD</u>	<u>WIND DESIGN</u>		<u>SEISMIC DESIGN CATEGORY</u>	<u>SUBJECT TO DAMMAGE FROM</u>			<u>WINTER DESIGN TEMP</u>	<u>ICE BARRIER UNDERLAYMENT REQUIRED</u>	<u>FLOOD HAZARDS</u>	<u>AIR FREEZING INDEX</u>	<u>MEAN ANNUAL TEMP</u>
	<u>Speed (mph)</u>	<u>Topographic effects</u>		<u>Weathering</u>	<u>Frost line depth</u>	<u>Termite</u>					
<u>20</u>	<u>90</u>		<u>C</u>	<u>Severe</u>	<u>30"</u>	<u>Moderate</u>	<u>6°</u>	<u>No</u>	<u>Yes</u>	<u>1000</u>	<u>54°</u>

Delete the text in Section R309.5 and replace with the following text in its stead:
Section R309.5. Fire sprinklers. Private garages shall be protected by fire sprinklers where the garage wall has been designed based on Table 302.1(2), Footnote a, and the homeowner has opted to purchase a fire sprinkler system for their residence, as per Missouri Revised Statutes 67.281. Sprinklers in garages shall be connected to an automatic sprinkler system that complies with Section P2904. Garage sprinklers shall be residential sprinklers or quick-response sprinklers, designed to provide a density of 0.05 gpm/ft². Garage doors shall not be considered obstructions with respect to sprinkler placement.

Delete the text in Section R310.6 and replace with the following text in its stead:
Section R310.6 Alterations and additions. All unfinished areas and reconfigured space converted to sleeping rooms and unfinished basement spaces being converted to habitable space shall have emergency escape and rescue openings.

Insert the following new section:

Section R310.7 Bathrooms in unfinished basements. Bathrooms or bathroom rough-ins shall not be permitted within unfinished basements on new construction unless an emergency escape and rescue opening is provided to allow for future conversion to habitable space.

Delete the text in Section R313.1 and replace with the following text in its stead:
R313.1 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in townhouses in accordance with §67.281 of the Missouri Revised Statutes.

Delete the text in Section R313.2 and replace with the following text in its stead:
Section R313.2. One- and two-family dwellings automatic fire systems. A single-family dwelling or residence or multi-unit dwellings of four or fewer units shall offer to any purchaser on or before the time of entering into the purchase contract the option, at the purchaser's cost, to install or equip fire sprinklers in the dwelling, residence, or unit. Notwithstanding any other provision of law to the contrary, no purchaser of such a single-family dwelling, residence, or multi-unit dwelling shall be denied the right to choose or decline to install a fire sprinkler system in such dwelling or residence being purchased by any code, ordinance, rule, regulation, order, or resolution by any county or other political subdivision. Any county or other political subdivision shall provide in any such code, ordinance, rule, regulation, order, or resolution the mandatory option for purchasers to have the right to choose and the requirement that builders offer to purchasers the option to

purchase fire sprinklers in connection with the purchase of any single-family dwelling, residence, or multi-unit dwelling of four or fewer units.

Exception: An automatic residential fire sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with an automatic residential sprinkler system

Delete the text in Section R403.1.7 and replace with the following text in its stead: **Section R403.1.7 Footings on or adjacent to slopes.** The placement of buildings and structures on or adjacent to slopes steeper than one unit vertical in three units horizontal (33.3 – percent slope) shall conform to Sections R403.1.7.1 through R403.1.7.4 or have plans signed and sealed by a registered engineer.

Section III. Sec. 12-94. Adoption of existing building code; amendments of the Maplewood Code of Ordinances, as amended, is hereby amended by deleting the text as found therein and inserting text adopting the 2015 International Existing Building Code, with amendments, to reads as follows.

Section 12-94. Adoption of existing building code, amendments.

- (a) Adoption. The Existing Building Code, 2015 Edition, as published by the International Code Council, is hereby adopted as the building code for existing structures within the city and incorporated herein by reference, subject only to the specific provisions of the Code of Ordinances of the city.
- (b) Additions, deletions, insertions and changes. The Existing Building Code, 2015 Edition, is amended and revised in the following respects:

Section 101.1 Title. Insert City of Maplewood, Missouri

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

Passed this day of , 2016

James White, Mayor

Attest:

Karen R. Scheidt, Deputy City Clerk

Approved this day of , 2016

James White, Mayor

Attest:

INTEROFFICE MEMORANDUM



To: Martin J. Corcoran, City Manager
From: Terry J. Merrell, Fire Chief
Date: September 8, 2016
Subject: Reserve fire truck sharing with Clayton Fire Department

Mr. Corcoran,

The Clayton Fire Department has recently taken delivery of a new rescue pumper and have proposed we jointly utilize the rescue pumper they have replaced as a reserve unit to replace our 24 year old reserve pumper truck. I believe the arrangement offers mutual benefits.

Our current reserve fire truck is utilized when our front line rescue pumper truck needs maintenance or repairs. We also make it available to other cities when their front line fire trucks are out of service for maintenance or repair. The Clayton Fire Department is the most frequent “borrower” of our reserve pumper truck. The fire truck Clayton is proposing to share is a 2006 KME Predator model with approximately 55,000 miles. In comparison, our reserve truck is a 1992 Pierce Dash model with approximately 73,000 miles.

The arrangement will not affect our Insurance Service Office (ISO) rating and will improve the Clayton rating. Clayton’s fire station is not large enough to accommodate a reserve fire truck and the truck would be housed at the Maplewood fire station. Expenses for maintenance and repairs would be split equally between our cities. We would have access to a much newer reserve fire truck with additional capabilities. The fire truck we would share carries the designation as a rescue pumper carrying many tools and equipment our current reserve does not. The fire truck

also is air conditioned and our current reserve truck is not. There are also several other beneficial design aspects in relation to drivability and safety.

It is my recommendation the city proceed with adoption of the intergovernmental agreement that has been jointly prepared to share a reserve fire truck with the City of Clayton.

Please let me know if you have any questions.

BILL NO.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL COOPERATION AGREEMENT BETWEEN THE CITIES OF CLAYTON AND MAPLEWOOD, MISSOURI PROVIDING FOR THE SHARING OF A FIRE RESCUE PUMP TRUCK TO BE UTILIZED IN A RESERVE ROLE WHEN EITHER CITY'S FRONT LINE FIRE TRUCKS ARE UNAVAILABLE.

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

Section I. The City Manager is hereby authorized to execute an Intergovernmental Cooperation Agreement between the cities of Clayton and Maplewood for the sharing of a fire rescue pump truck to be utilized in a reserve role when either city's front line fire trucks are unavailable.

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

Passed this day of , 2016

James White, Mayor

Attest:

Karen R. Scheidt, Deputy City Clerk

Approved this day of , 2016

James White, Mayor

Attest:

Karen R. Scheidt, Deputy City Clerk

INTERGOVERNMENTAL COOPERATION AGREEMENT

BETWEEN THE CITIES OF CLAYTON AND MAPLEWOOD, MISSOURI,
PROVIDING FOR THE SHARING OF A FIRE RESCUE PUMPER TRUCK TO BE UTILIZED
IN A RESERVE ROLE FOR USAGE WHEN EITHER CITY'S FRONT LINE FIRE TRUCKS
ARE UNAVAILABLE

This agreement entered into on the effective date hereinafter set forth, by and between the
City of Clayton, Missouri ("Clayton") and the City of Maplewood, Missouri ("Maplewood"):

WITNESSETH

WHEREAS, Maplewood currently owns a 1992 Pierce Dash fire truck it utilizes as a
reserve fire truck which is placed in service when Maplewood's front line 2005 Pierce Dash fire
truck requires repair or maintenance; and

WHEREAS, Maplewood allows other fire agencies to use the reserve fire truck when the
other agencies' front line fire trucks require repairs and maintenance; and

WHEREAS, Clayton is replacing its current front line fire truck, a 2006 KME Predator,
and, after it has been removed from front line service, is willing to make that vehicle available as a
resource shared between Clayton and Maplewood as hereinafter provided, to be jointly maintained
with Maplewood; and

WHEREAS, Clayton's 2006 KME Predator is newer and has improved capabilities
compared to the 1992 Pierce Dash currently owned by Maplewood; and

WHEREAS, Clayton's fire station does not have capacity to garage a reserve fire truck;
and

WHEREAS, Chapter 70 of the Revised Statutes of Missouri authorize joint exercise by
two or more local governments of any power common to them, and both Maplewood and Clayton
are authorized to operate and maintain firefighting services and equipment such as that
encompassed by this Agreement; and

WHEREAS, the parties hereto desire to contract and cooperate with one another to share a
reserve fire truck for their mutual advantage and to sustain their firefighting capabilities.

NOW, THEREFORE, for and in consideration of the premises, the mutual advantages to
be derived therefrom and in consideration of the mutual covenants herein contained, it is agreed by
and between the parties hereto as follows::

1. Pursuant to the joint powers authorization of Chapter 70 of the Revised Statutes of

Missouri, the undersigned cities do hereby enter into a cooperative agreement for the provision of sharing use and maintenance of that certain 2006 KME Predator a fire rescue pumper truck (hereinafter "vehicle") owned by Clayton as a reserve truck in support of each party's firefighting service.

2. The cities of Clayton and Maplewood will share use and maintenance of the vehicle and each may use the vehicle when that city's front line fire truck(s) are unavailable or during special events.
3. In the event both fire departments need the vehicle concurrently, the vehicle will be made available on an alternating occurrence basis between the departments.
4. When not in use by Clayton the vehicle will be garaged at the Maplewood fire station.
5. The maintenance program for the vehicle and on-board equipment will be developed by Clayton and coordinated with Maplewood.
6. Standard preventive and routine maintenance expenses for the vehicle and on-board equipment will be shared equally between Clayton and Maplewood.
7. Excluding repairs to the vehicle or on-board equipment necessary to repair accident damage or misuse, the owner city of the vehicle will serve as the contract entity for repairs, maintenance or replacement and will bill the other city for shared expenses. Individual repairs totaling \$2,500.00 and greater must be approved by both cities before being undertaken. If one city withholds approval, the other city may repair the vehicle/equipment at its sole cost.
8. All repairs to the vehicle and on-board equipment resulting from accident damage or misuse will be undertaken and paid for directly to the repair provider by the city utilizing the vehicle at the time the damage occurred. For damage covered by insurance, the cost of repairs up to the deductible amount will be paid by the city utilizing the vehicle at the time the damage occurred.
9. In the event the vehicle is damaged to an extent determined to be a total loss or both cities agree the extent of needed repairs would not be in the best interests of both cities, insurance proceeds (if any) will be utilized by the owner city to purchase a replacement vehicle. In the event the owner city elects not to replace the vehicle, the insurance proceeds will be split equally between the two cities.
10. Cumulative repair expenses in excess of \$5000.00 during the first year of the agreement will be paid by Clayton. Cumulative repair expenses in excess of \$7500.00 incurred during the 2nd year will be paid by Clayton. Beginning with year 3 of the agreement all repair expenses will be shared equally. This does not apply to repairs required to correct

INTEROFFICE MEMORANDUM

TO: Mayor & City Council
FROM: Martin J. Corcoran, City Manager
DATE: September 9, 2016
RE: Ordinance Establishing Tax Rates

Attached is an ordinance establishing tax rates for 2016.

The city must establish its tax rates and forward them to St. Louis County Director of Revenue no later than Monday, October 3, 2016. The public hearing for our 2016 tax rates will be on Tuesday, September 27, 2016. The rates shown in the ordinance are last year's rates. We have not received certified rates back from the Secretary of State's office but in order to have the tax rates established by October 3, 2016, the ordinance needs to be read two times and tabled.

If you have any questions, please contact me.


Martin J. Corcoran
City Manager

Enclosure

Tax Rates.docx

BILL NO.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, ESTABLISHING 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 2016.

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

Section I. The 2016 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 dollars (\$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 2016 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 27th day of September, 2016

Approved this 27th day of September , 2016

James White, Mayor

James White, Mayor

Attest:

Attest:

INTEROFFICE MEMORANDUM

TO: Mayor & City Council
FROM: Martin J. Corcoran, City Manager
DATE: September 9, 2016
RE: Craft Beer Ordinance

Attached is an ordinance that would allow Craft Beer stores as conditional uses in the CB Community Business District. If the motion to renew is approved (Item 13 on the agenda) then this item will be on the agenda as Item 24. If the motion is defeated, the item will need to be deleted from the agenda.


Martin J. Corcoran
City Manager

Enclosure

Craft Beer.docx

BILL NO.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING ORDINANCE 5573, AS AMENDED, CHAPTER 56, ZONING, SECTION SEC. 56-206 CONDITIONAL USES AND SEC. 56-207 PROHIBITED USES TO ALLOW CRAFT BEER STORES THAT MEET VARIOUS REQUIREMENTS WITHIN THE CB COMMUNITY BUSINESS DISTRICT AS A CONDITIONAL USE

WHEREAS, the Plan and Zoning Commission recommended approval by a vote of ayes, nays of the amendments to the CB Community Business District at their July 6, 2016 meeting; and

WHEREAS, the City Council held a public hearing on August 9, 2016 regarding the proposed amendments to the CB Community Business District.

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

Section I. Section 56-206. Conditional Uses of the Community Business District is hereby amended by adding the following text:

(20) Craft Beer Stores that meet the following requirements:

1. Craft Beer Stores that sell only craft beer in bulk and by the drink and specialize in craft beer related items such as craft beer books, barware, bitters, mixers, glassware related to alcoholic beverages, offer classes in craft beer making and offer tastings to customers on-site (in many cases a corkage fee may be associated with this on-site tastings).
2. No hard alcohol can be sold on the premises.
3. No lottery tickets can be sold on the premises.
4. No tobacco products can be sold on the premises.

Section II. Section 56-207. (6) Prohibited Uses of the Community Business District is amended by deleting the existing text and replacing it with the following text in its stead:

- (6) Package Liquor stores are prohibited, except for Craft Beer Stores that meet the requirements as stipulated in Section 56-206 (20) above.

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

Passed this th day of, 2016

James White, Mayor

Attest: _____
Karen Scheidt, Deputy City Clerk

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, ADOPTING THE BUDGET FOR THE CITY OF MAPLEWOOD, MISSOURI, FOR THE FISCAL YEAR BEGINNING JULY 1, 2016 THROUGH JUNE 30, 2017.

WHEREAS, the Charter of the City of Maplewood, Missouri, requires the submission of a budget with an accompanying message to the City Council for each fiscal year beginning July 1 by the City Manager; and

WHEREAS, the City Manager has submitted to the Council a budget as required covering the fiscal year beginning July 1, 2016 through June 30, 2017; and

WHEREAS, a public hearing was conducted on the budget by the City Council after appropriate public notice on August 9, 2016 at 7:30 p.m. in the City Council Chambers.

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

Section 1. The budget, as submitted below, is hereby approved and adopted for the fiscal year beginning July 1, 2016 through June 30, 2017.

APPROPRIATIONS:

	BUDGET
GENERAL GOVERNMENT	
Legislative Department	\$ 57,394
Executive Department	\$1,502,626
Legal Department	\$ 611,808
TOTAL GENERAL GOVERNMENT:	\$2,171,828
PUBLIC SAFETY	
Police Department	\$3,837,636
Fire Department	\$1,739,697
TOTAL PUBLIC SAFETY:	\$5,577,333
PUBLIC WORKS	
Public Works Department	\$1,909,882
TOTAL GENERAL FUND:	\$9,659,043
Policemen's & Firemen's Retirement	\$1,682,000
Special Business District	\$ 167,450
South Big Bend Special Allocation Fund	\$ -0-
Deer Creek Special Allocation Fund	\$ -0-
Hanley Road Special Allocation Fund	\$ 900,000
1/2 Cent Capital Improvements Fund	\$ 3,994,100

1/2 Cent Parks Improvements Fund	\$1,268,969
Sewer Lateral Fund	\$ 120,000
Police Asset Sharing	\$ 25,000
1/4 Cent Fire Sales Tax	\$ 820,805
Solid Waste Disposal	\$ 549,000
Cambridge Commons	\$ 120,000
Deer Creek SAF	\$ 500,000
 TOTAL ALL FUNDS:	 \$19,806,367

Section 2. This ordinance shall be in full force and effect fifteen (15) days after its passage and approval.

Passed this 13th day of September, 2016

James White, Mayor

Attest:

Karen R. Scheidt, Deputy City Clerk

Approved this 13th day of September, 2016

James White, Mayor

Attest:

Karen R. Scheidt, Deputy City Clerk

BILL NO. 6030

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING ORDINANCE 5573, AS AMENDED, CHAPTER 56, ZONING, SECTION 56-359, (10), CONDITIONAL USES USE LIMITATIONS TO ALLOW COMMISSARIES FOR FOOD TRUCKS AS A CONDITIONAL USE IN THE PA PUBLIC ACTIVITY DISTRICT

WHEREAS, the Plan and Zoning Commission recommended approval by a vote of ayes, nays of the amendment to the AB District at their August 1, 2016 meeting; and

WHEREAS, the City Council held a public hearing on September 13, 2016 regarding the proposed amendment to the PA District.

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

Section I. Section 56-359 (10) PA Public Activity District conditional uses is hereby amended by inserting the following text:

(e) Kitchen commissary for food trucks.

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

Passed this day of 2016

James White, Mayor

Attest: _____
Karen Scheidt, Deputy City Clerk

Approved this day of 2016

James White, Mayor

Attest: _____
Karen Scheidt, Deputy City Clerk