

AGENDA
MAPLEWOOD CITY COUNCIL MEETING
TUESDAY, FEBRUARY 14, 2023 @ 7:30 P.M.
CITY COUNCIL CHAMBERS
(7601 MANCHESTER ROAD)
OR
VIA TELECONFERENCE
WWW.CITYOFMAPLEWOOD.COM FOR DETAILS)

1. Call to Order
2. Land Acknowledgement
3. Pledge of Allegiance
4. Roll Call
5. Motion to Excuse Councilperson
6. Approval of the Council Agenda
7. Public hearing to hear citizen's comments on a request for a conditional use permit to allow an accessory dwelling unit at 7216 Moller Avenue
8. Public hearing to hear citizen's comments on a request for a conditional use permit to operate a short-term vacation rental at 7711 Lindbergh Drive
9. Public Forum
10. Announcements
11. Approval of the January 24, 2023 City Council meeting minutes and Closed Session minutes
12. A Resolution of the City Council of the City of Maplewood, Missouri authorizing the City Manager to accept the bid and execute a contract with TRC Outdoor for grass cutting services
13. An Ordinance of the City Council of the City of Maplewood, Missouri, appropriating one thousand one hundred twenty dollars (\$1,120.00) in local grant funds to account 32-0000-70010 ½ Cent Fire Sales Tax Capital Outlay
14. An Ordinance of the City Council of the City of Maplewood, Missouri, granting a Conditional Use Permit to Lori Olsen to allow an Accessory Dwelling Unit at 7216 Moller Avenue

15. An Ordinance of the City Council of the City of Maplewood, Missouri, granting a Conditional Use Permit to Marina Palmieri to allow short term vacation rentals at 7711 Lindbergh Drive
16. Bill 6216 an Ordinance of the City Council of the City of Maplewood, Missouri, amending Ordinance 5573 of the Maplewood Code of Ordinances, as amended, by amending Chapter 50, Traffic and Motor Vehicles, Section 50-203, Stop intersection signs, by adding a stop sign for northbound Cherry Street traffic at the intersection of Elm Avenue
17. Report–Timeline for repairs for residential streets and sidewalks
18. Old Business – Ordinance Review Committees
19. Council Communication
20. Mayor’s Report
21. City Attorney’s Report
22. City Manager’s Report
23. Public Forum
24. 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
25. Adjournment



PUBLIC HEARING NOTICE

▼
Maplewood City Council will hold a public hearing on **2/14/23 at 7:30 p.m.** in the Council Chambers, 7601 Manchester, Maplewood, MO 63143 to hear citizen's comments on a request for a conditional use permit to allow an accessory dwelling unit at 7216 Moller Avenue.

Ad as appearing in the 1/24/23 **St. Louis Countian**.



▼
PUBLIC HEARING NOTICE

Maplewood City Council will hold a public hearing on **2/14/23 at 7:30 p.m.** in the Council Chambers, 7601 Manchester, Maplewood, MO 63143 to hear citizen's comments on a request for a conditional use permit to operate a short term vacation rental at 7711 Lindbergh Drive.

Ad as appearing in the 1/24/23 **St. Louis Countian**.

January 24, 2023

The January 24, 2023 City Council meeting was called to order at 7:33 p.m., Mayor Knapper presiding.

LAND ACKNOWLEDGEMENT: Mayor Knapper acknowledged that this meeting is being held on traditional lands of the Kickapoo, Osage, Miami, Iroquois and Great Sioux Nation people.

ON ROLL CALL, the following members were present: Mayor Knapper, Councilmember Crosley, Councilmember Homa, Councilmember Page and Councilmember Phillips.

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

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

PUBLIC FORUM: None.

ANNOUNCEMENTS: Councilmember Phillips invited the public to the parks master plan open house to be held on Thursday, January 26 from 5:00-7:00 p.m. at City Hall.

APPROVAL OF THE JANUARY 10, 2023 CITY COUNCIL MEETING MINUTES: Councilmember Homa motioned to approve, seconded by Councilmember Crosley, which motion received the approval of the Council.

R23-3, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID OF MUNIE GREENCARE PROFESSIONALS IN THE AMOUNT OF ONE HUNDRED SEVENTY-ONE THOUSAND FIVE HUNDRED TWENTY-FOUR DOLLARS (\$171,524) FOR IMPROVEMENTS TO THE DEER CREEK PARK SAND VOLLEYBALL COURT, BASEBALL AND SOCCER ATHLETIC FIELDS AND RELATED DRAINAGE FACILITIES WITH A CONTINGENCY OF 7% OR TWELVE THOUSAND SEVEN DOLLARS (\$12,007) FOR A TOTAL OF ONE HUNDRED EIGHTY-THREE THOUSAND FIVE HUNDRED THIRTY-ONE DOLLARS (\$185,531) was introduced. It was moved by Councilmember Homa and seconded by Councilmember Crosley to approve the resolution, which motion received the following roll call vote: Ayes, Mayor Knapper, members Crosley, Homa, Page and Phillips. Nays, none.

R23-4, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH ST. LOUIS COUNTY FOR PLACEMENT OF LICENSE PLATE RECOGNITION CAMERAS was introduced. It was moved by Councilmember Homa and seconded by Councilmember Crosley to approve the resolution, which motion received the following roll call vote: Ayes, Mayor Knapper, members Crosley, Homa, Page and Phillips. Nays, none.

BILL 6216, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING ORDINANCE 5573 OF THE MAPLEWOOD CODE OF ORDINANCES, AS AMENDED, BY AMENDING CHAPTER 50, TRAFFIC AND MOTOR VEHICLES, SECTION 50-203, STOP INTERSECTION SIGNS, BY ADDING A STOP SIGN FOR NORTHBOUND CHERRY STREET TRAFFIC AT THE INTERSECTION OF ELM AVENUE was given its first reading. It was moved by Councilmember Homa, duly seconded by Councilmember Crosley, that Bill No. 6216 be moved to its second reading, which motion received the approval, by voice vote, of the Council.

On its second reading, it was moved by Councilmember Homa, duly seconded by Councilmember Crosley, that Bill No. 6216 be passed to its third and final reading, which motion received the approval, by voice vote, of the Council.

BILL 6213, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A CONDITIONAL USE PERMIT TO WILLIAM AND JENNIFER SWIFT TO ALLOW AN ACCESSORY DWELLING UNIT AT 7468 MAPLE AVENUE was given its third and final reading. A motion was made by Councilmember Homa that Bill No. 6213 be tabled for the reading of the findings of fact, duly seconded by Councilmember Crosley, which motion received the 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 to allow an accessory dwelling unit at 7468 Maple Avenue:

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

It was then moved by Councilmember Homa, duly seconded by Councilmember Crosley, that the findings of fact be approved, which motion received the following roll call vote: Ayes, Mayor Knapper, members Crosley, Homa, Page and Phillips. Nays, none.

Councilmember Homa motioned to bring Bill 6213 back onto the table, duly seconded by Councilmember Crosley, which motion received the approval, by voice vote, of the Council.

A motion was made by Councilmember Homa, duly seconded by Councilmember Crosley, that Bill No. 6213 be approved, which motion received the following roll call vote: Ayes, Mayor Knapper, members Crosley, Homa, Page and Phillips. Nays, none.

BILL NO. 6213 was approved by the City Council on this 24th day of January, 2023 as **Ordinance No. 6008**.

BILL 6214, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, TO REZONE 3727 OXFORD AVENUE FROM SR SINGLE FAMILY RESIDENTIAL DISTRICT TO AB ARTERIAL BUSINESS DISTRICT was given its third and final reading. It was moved by Councilmember Homa, duly seconded by Councilmember Crosley, that Bill No. 6214 be approved, which motion received the following roll call vote: Ayes, Mayor Knapper, members Crosley, Homa, Page and Phillips. Nays, none.

Bill No. 6214 was approved by the City Council on this 24th day of January, 2023 as **Ordinance Number 6009**.

BILL 6215, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A CONDITIONAL USE PERMIT TO BRANDON BERKEL TO ALLOW SHORT TERM VACATION RENTALS AT 2320 BELLEVUE AVENUE was given its third and final reading. A motion was made by Councilmember Homa that Bill No. 6215 be tabled for the reading of the findings of fact, duly seconded by Councilmember Crosley, which motion received the 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 to allow short term rentals at 2320 Bellevue Avenue:

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

It was then moved by Councilmember Homa, duly seconded by Councilmember Crosley, that the findings of fact be approved, which motion received the following roll call vote: Ayes, Mayor Knapper, members Crosley, Homa, Page and Phillips. Nays, none.

Councilmember Homa motioned to bring Bill 6215 back onto the table, duly seconded by Councilmember Crosley, which motion received the approval, by voice vote, of the Council.

A motion was made by Councilmember Homa, duly seconded by Councilmember Crosley, that Bill No. 6215 be approved, which motion received the following roll call vote: Ayes, Mayor Knapper, members Crosley, Homa, Page and Phillips. Nays, none.

BILL NO. 6215 was approved by the City Council on this 24th day of January, 2023 as **Ordinance No. 6010**.

OLD BUSINESS: None.

COUNCIL COMMUNICATION: None.

MAYOR'S REPORT:

- Would like to focus on passing ordinances that address the issues of displacement of low-moderate renters to help them stay in Maplewood.
- Asked Attorney Graves to research the mixed income neighborhoods overlay district ordinance currently in place in Philadelphia and determine if such an ordinance could be created for Maplewood.
- Noted that the MO House of Representatives have added eight bills that would negatively affect the LGBTQIA+ community and encouraged residents to contact their representative if they do not support these bills.

CITY ATTORNEY'S REPORT: No report.

CITY MANAGER'S REPORT:

- Mr. Reese and Community Development Director Miller attended the 2022 Green Business Challenge recognition event held at the Botanical Gardens. Some of the city's top accomplishments were an electronics recycling event for residents and businesses, installation of an EV charging station in the Special Business District, a city public works employee received his master gardener certification, the Sustainability Commission's development of a sustainability action plan and the Commission is leading the development of a mid-county sustainability consortium collaboration with Brentwood, Clayton, St. Louis County and Webster Groves.

PUBLIC FORUM: None.

MOTION TO HOLD A CLOSED SESSION 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: Councilmember Homa motioned to hold a Closed Session to discuss personnel matters, seconded by Councilmember Crosley, which motion received the following roll call vote: Ayes, Mayor Knapper, Councilmember Crosley, Councilmember Homa, Councilmember Page and Councilmember Phillips. Nays, none.

There being no further business before the Council, the meeting adjourned.

INTEROFFICE MEMORANDUM



To: Mayor and City Council
From: Anthony Traxler, Acting City Manager/Director of Public Works
Date: February 9, 2023
Subject: Grass Cutting Bid

A request for bids was placed in the St. Louis Countian on January 13, 2023 for grass cutting service for all parks, the City Hall and Aquatic Center grounds, alleys, street medians and dead ends, railroad rights-of-way and vacant lots. The request for bid also listed a mandatory pre-bid meeting scheduled for 1/24/2023 at 10:00 a.m. The work is arranged into two bid lists. **List No. 1** consists of city parks and the City Hall and Aquatic Center grounds. **List No. 2** consists of alleys, medians and dead ends, railroad rights-of-way and vacant lots. The following bids were received on January 31st:

Company Name	List #1	List #2
*TRC Outdoor	\$1,753	\$970
Contemporary Landscape	\$2,611	\$1,330

**Attended the Mandatory Pre-Bid Meeting*

The City recommends awarding both lists to TRC Outdoor. Their references were complementary.

Please see the attached resolution requesting City Council approval of the above requested grass cutting bids. Note the contracts are for one (1) year with a potential city approved two (2) year extension (with COLA price increases) possible. If you have any questions, comments or concerns regarding this matter, feel free to contact me at 646-3635.

RESOLUTION

R23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID AND EXECUTE A CONTRACT WITH TRC OUTDOOR FOR GRASS CUTTING SERVICES

WHEREAS, bids were duly advertised and publicly opened on January 31, 2023 at 10:00 a.m. at Maplewood City Hall; and

WHEREAS, two (2) bids were received and one (1) was considered responsive; and

WHEREAS, TRC Outdoor submitted the low bid for Bid List #1 at a cost of one thousand seven hundred fifty three (\$1,753) per cutting; and

WHEREAS, TRC Outdoor submitted the low bid for Bid List #2 at a cost of nine hundred seventy dollars (\$970) per cutting; and

WHEREAS, the references supplied by TRC Outdoor were complementary.

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

The City Manager is hereby authorized to accept the bid and execute a contract with TRC Outdoor for grass cutting services for the items on Bid List #1 (city parks, city hall, aquatic center, etc.) and Bid List #2 (alleys, medians, dead ends, etc.) for the period of April 2023 through November, 2023.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to renew said contracts for two (2) additional years, with optional increases in an amount not to exceed the Cost of Living Index as determined by the United States Department of Labor.

Passed this 14th day of February, 2023.

Nikylan Knapper, Mayor

Attest:

Karen Scheidt, City Clerk

Approved this 14th day of February, 2023.

Nikylan Knapper, Mayor

Attest:

Karen Scheidt, City Clerk

INTEROFFICE MEMORANDUM

TO: Michael Reese, City Manager

FROM: Fire Chief Peter Marsac

DATE: January 27, 2023

RE: Missouri American Water Grant

Sir:

The Maplewood Fire Department received a grant from Missouri American Water on September 9th, 2022 in the amount of \$1,120.00 for the purchase of 6 (6) Type V Personal Flotation devices to be utilized by Swiftwater Technicians.

The grant funding purchase was not budgeted for the 2022/2023 Fiscal Year. With the emergency purchase of the rescue boat these PFD's will be assigned to the rescue boat for our members to use during rescue incidents. Purchasing the equipment now with grant funding reduces future expenditures.

I request that the funds be appropriated to Account 32-0000-70010 ½ Cent Fire Tax Capital Outlay, which is used to purchase such items.

Respectfully submitted,

Peter C. Marsac
Fire Chief

BILL NO.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, APPROPRIATING ONE THOUSAND ONE HUNDRED TWENTY DOLLARS (\$1,120.00) IN LOCAL GRANT FUNDS TO ACCOUNT 32-0000-70010 1/2 CENT FIRE SALES TAX CAPITAL OUTLAY.

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

Section I. One thousand one hundred twenty dollars (\$1,120.00) is hereby appropriated to ½ Cent Fire Sales Tax Capital Outlay account 32-0000-70010.

Section II. These funds will be used to purchase six (6) Type V Personal Flotation Devices to be assigned to the new rescue boat.

Section III. The City Manager hereby certifies that one thousand one hundred twenty dollars (\$1,120.00) is available for appropriation to account 32-0000-70010 ½ Cent Fire Sales Tax Capital Outlay.

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

Passed this day of

Nikylan Knapper, Mayor

Attest:

Karen Scheidt, City Clerk

Approved this day of

Nikylan Knapper, Mayor

Attest:

Karen Scheidt, City Clerk

INTEROFFICE MEMORANDUM



To: Planning Commission
From: Anthony Traxler, Assistant City Manager/Director of Public Works
Date: February 3, 2023
Subject: **Petition #2023-4** - Request for a Conditional Use Permit to Allow an Accessory Dwelling Unit (ADU) at 7216 Moller Avenue

BACKGROUND

The subject property (7216 Moller Avenue) is an approximately 9,600 square foot lot, with a two story, owner occupied home. To the rear of the home is a detached garage that fronts and is accessed via Lowry Avenue. Lowry Avenue serves as an access road between Moller Avenue and Rule Avenue. The site is surrounded by single family residential homes.

On October 25, 2022, the City Council approved ordinance #6000 (copy attached) which allows accessory dwelling units (ADU's) with a conditional use permit in the SR Single Family Residential District and established the regulations governing these ADU's.

ZONING REQUEST

The petitioner, Lori Olsen, is requesting a Conditional Use Permit on the subject property to convert the existing detached garage into an ADU.

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

PLANNING AND ZONING ISSUES

1. **Proposed Use:** The property is zoned SR Single Family Residential District. The petitioner would like to convert the existing 360 square foot detached garage into an ADU for extended living space, renting out to another individual and/or in the future to serve as housing for her disabled child.

I sent the petitioner a copy of ordinance #6000 which contains the ADU requirements and she indicated meeting these requirements will not be an issue.

2. **ADU Regulations/Parking:** Assuming the ADU is approved and the garage is converted into an ADU, the site still supports numerous off-street parking spaces. There is a driveway immediately adjacent to the home that fronts Moller Avenue and there is second driveway off of Lowry Avenue that leads to the detached garage (proposed ADU). For a house to have two separate driveways with this much available off-street parking in Maplewood is atypical for Maplewood. Further, staff visited the site and surrounding neighborhood on several occasions at different times of day and evening and available parking nearby is not a concern. The proposed ADU meets all other regulations contained in ordinance #6000.

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 based on the has following findings of fact:

- 1) The scale and intensity for the proposed use should be compatible with adjacent and surrounding properties.
- 2) The proposed conditional use, at the above location, will contribute to and promote the welfare and convenience of the public by providing an ADU in the community and surrounding area.
- 3) The site has ample off-street parking to support the proposed ADU.

BILL NO.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A CONDITIONAL USE PERMIT TO LORI OLSEN TO ALLOW AN ACCESSORY DWELLING UNIT AT 7216 MOLLER AVENUE

WHEREAS, Lori Olsen 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 allow an accessory dwelling unit at 7216 Moller Avenue, subject to City of Maplewood ordinance #6000; and

WHEREAS, the Plan and Zoning Commission recommended approval of this proposed Conditional Use Permit at their February 6, 2023 meeting by a vote of 5 ayes, 0 nays, 2 absent; and

WHEREAS, the City Council held a public hearing on this conditional use permit at their February 14, 2023 Council meeting.

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

Section I. Lori Olsen is hereby granted a Conditional Use Permit to allow an accessory dwelling unit at 7216 Moller 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 Use – One (1) accessory dwelling unit as per the requirements of the City of Maplewood Codes and Ordinances.

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

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

Passed this day of 2023

Nikyln Knapper, Mayor

Attest:

Karen Scheidt, City Clerk

Approved this day of 2023

Nikylan Knapper, Mayor

Attest:

Karen Scheidt, City Clerk

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING CHAPTER 56, ZONING, INCLUDING SECTION 56-3. – DEFINITIONS.; SECTION 56-72. – PERMITTED USES.; AND SECTION 56.560. – SPECIFICALLY PROHIBITED USES; AND ADDING A NEW SECTION 56-74. – REGULATIONS FOR ACCESSORY DWELLING UNITS, ALL TO ALLOW ACCESSORY DWELLING UNITS AS CONDITIONAL USES IN THE SR SINGLE FAMILY RESIDENTIAL ZONING DISTRICT

WHEREAS, the Plan and Zoning Commission approved by a vote of 6 ayes, 0 nays the amendments to the zoning ordinance at their October 3, 2022 meeting; and

WHEREAS, the City Council held a public hearing on October 11, 2022 regarding the proposed amendments to the zoning ordinance; and

WHEREAS, the City Council finds that the City’s housing supply is falling short of current and future housing demand, with potential serious consequences for the well-being of its residents, particularly lower-income and middle-income earners; and

WHEREAS, the City Council believes that accessory dwelling units will assist in allowing the City to meet its residential housing needs by increasing the supply of more affordable and a diverse type of housing;

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

Section I. Section 56-3. of Chapter 56, Article I of the Code is hereby amended by adding the following definition:

Accessory dwelling unit. A smaller, subordinate, dwelling containing a single dwelling unit that is either attached to or detached from the principal single-family dwelling.

Section II. Subsection 4 of Section 56-72. of Division 2 of Article II of Chapter 56 of the Code is hereby amended by adding the following new subsection (f):

f. Accessory dwelling unit.

Section III. A new Section 56-74 is hereby added to Chapter 56, Article II, Division 2 as follows:

Sec. 56-74. – Regulations for accessory dwelling units.

(a) In addition to meeting the requirements of Sec. 56-877 of this chapter, accessory dwelling units (ADU) must comply with the following conditions to receive a conditional use permit for such use:

- (1) At least one of either the principal single-family dwelling or the subordinate accessory dwelling unit must be owner-occupied.
- (2) A maximum of one accessory dwelling unit per lot is permitted.

- (3) The accessory dwelling unit shall not exceed 800 gross square feet.
- (4) Minimum accessory dwelling unit setback requirements shall be as set forth in Sec. 56-561 of this chapter.
- (5) No accessory dwelling unit shall be permitted in the front yard.
- (6) Accessory dwelling units shall not require off-street parking in addition to that required by Chapter 56 unless the planning and zoning commission determines that on-street parking in the area (area defined as within 300 feet of the site in question) surrounding the proposed accessory dwelling unit is inadequate to meet the needs of the residents in the area.
- (7) Accessory dwelling units must have means of ingress/egress for emergency services.
- (8) Accessory dwelling units shall have been reviewed and approved by the design and review board.
- (9) Short-term vacation rentals are prohibited in the accessory dwelling unit.

(b) Notice of public hearing for a conditional use permit for an accessory dwelling unit shall be given as set forth in Sec. 56-877 of this chapter, except that in addition to giving notice by publication, notice shall also be given to all owners within 500 feet of the premises for which the conditional use permit is sought.

Section IV. Subsection (c) of Section 56-560. of Chapter 56, Article III, Division 4 of the Code is hereby amended by deleting the existing text and inserting the following text in its stead:

(c) With the exception of accessory dwelling units (ADU's) as set forth in Article II, Division 2 of this chapter, it shall be unlawful for any person, firm or corporation to occupy an accessory building for purposes of residency or any other use resulting in systematic human occupancy.

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

Passed this 25th day of October, 2022

Nikylah Knapper
Nikylah Knapper, Mayor

Attest: Karen Scheidt
Karen Scheidt, City Clerk

Approved this 25th day of October, 2022

Nikylah Knapper
Nikylah Knapper, Mayor

Attest: Karen Scheidt
Karen Scheidt, City Clerk

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)



7216 Moller Avenue - House with adjacent driveway off of Moller Avenue



Detached garage for 7216 Moller Avenue off of Lowry Avenue



Existing Detached Garage

FINDINGS OF FACT

The Mayor and City Council make the following findings of fact for the petition for a Conditional Use Permit to allow an accessory dwelling unit at 7216 Moller Avenue:

- 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.

INTEROFFICE MEMORANDUM



To: Planning Commission
From: Anthony Traxler, Assistant City Manager/Director of Public Works
Date: February 3, 2023
Subject: **Petition #2023-5** - Request for a Conditional Use Permit to Operate a Short-Term Vacation Rental (STVR) in the SR Single Family Residential Zoning District at 7711 Lindbergh Drive

BACKGROUND

The subject property (7711 Lindbergh Drive) is an approximately 8,450 square foot lot, with a one story, owner occupied home that is approximately 1,064 square feet. The site is surrounded by single family homes to the south and east, to the north of the site is a vacant single-family lot and to the west of the site is a large MSD stormwater culvert and apartment complex.

On October 13, 2015, the City Council approved ordinance #5785 (copy attached) which allowed for short term vacation rentals with a conditional use permit and established the rules governing these STVR's. On November 8, 2022 the City Council amended this ordinance via ordinance #6001 (copy attached) to allow a thirty-day period of time each fiscal year where the owner of the home would not have to be present when renting out their home (copy attached).

ZONING REQUEST

The petitioner, Marina Palmieri, is requesting a Conditional Use Permit on the subject property to allow short term vacation rentals.

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

PLANNING AND ZONING ISSUES

1. **Proposed Use:** The property is zoned SR Single Family Residential District. The petitioner would like to operate a STVR at the subject property.

I explained the aforementioned rules to the petitioner and we reviewed ordinances #5785 and #6001 which contains the STVR requirements and the petitioner indicated meeting these

requirements will not be an issue.

2. **Parking:** The site has a driveway where two vehicles could park. Typically, there is also available on-street parking near the house although residents from a nearby apartment complex off of West Bruno occasionally park on Lindbergh Drive.

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 based on the following findings of fact:

- 1) The scale and intensity for the proposed use should be compatible with adjacent and surrounding properties.
- 2) The proposed conditional use, at the above location, will contribute to and promote the welfare and convenience of the public by providing short term vacation rental units in the community and surrounding area.

BILL NO.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, GRANTING A CONDITIONAL USE PERMIT TO MARINA PALMIERI TO ALLOW SHORT TERM VACATION RENTALS AT 7711 LINDBERGH DRIVE

WHEREAS, Marina Palmieri 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 allow short term vacation rentals at 7711 Lindbergh Drive, subject to City of Maplewood ordinances #5785 and #6001; and

WHEREAS, the Plan and Zoning Commission recommended approval of this proposed Conditional Use Permit at their February 6, 2023 meeting by a vote of 5 ayes, 0 nays, 2 absent; and

WHEREAS, the City Council held a public hearing on this conditional use permit at their February 14, 2023 Council meeting.

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

Section I. Marina Palmieri is hereby granted a Conditional Use Permit to allow short term vacation rentals at 7711 Lindbergh Drive.

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 Use – Short term vacation rental as per the requirements of the City of Maplewood Codes and Ordinances.

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

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

Passed this day of 2023

Nikyln Knapper, Mayor

Attest:

Karen Scheidt, City Clerk

Approved this day of 2023

Nikylan Knapper, Mayor

Attest:

Karen Scheidt, City Clerk

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

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

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

Section 14-800 Purpose:

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

Section 14-801 Definitions:

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

Section 14-802 Short Term Vacation Rentals:

- A. Short term vacation rentals shall be permitted only in owner occupied single family residences within the SR Single Family Residential Zoning District and as permitted as provided in the zoning ordinance.
- B. Short term vacation rentals shall be subject to and shall comply with all requirements of the city and state building, fire, safety and occupancy codes and limits.
- C. The owner of the short term vacation rental shall spend the night on-site at the short term vacation rental property at all times during the term of any short term vacation rental.
- D. Not more than two (2) rooms in any dwelling unit may be rented at the same time as a short term vacation rental.
- E. The owner of any short term vacation rental shall be required to apply for and obtain a short term vacation rental permit and business license from the city before renting or advertising the availability of the short term vacation rental.
- F. A short term vacation rental permit shall be valid from July 1 and shall expire on the following June 30.
- G. Obtaining and renewing a short term vacation rental permit: The owner of the short term vacation rental property shall adhere to the following conditions and shall submit the following information on a short term vacation rental permit application form provided by the city, which shall include, at a minimum, the following information:

- (1) The name, address and telephone number of the owner of the short term vacation rental property.
 - (2) Such other information as the city manager or designee deems reasonably necessary to administer this chapter.
- H. Any false statements or false information provided in the application for a short term vacation rental permit shall be grounds for denial of permit, permit revocation or imposition of penalties as outlined in this Code of Ordinances.
- I. A short term vacation rental permit application shall be denied if the owner has had a short term vacation rental permit revoked within the past twelve (12) months for the same or other short term vacation rental property. If a short term vacation rental permit is revoked twice, no short term vacation rental permit shall subsequently be issued for such owner or such short term vacation rental property.
- J. Operational requirement: The owner shall use reasonable, prudent business practices to insure that the short term vacation rental property is used in a manner that complies with all applicable laws, rules and regulations pertaining to the use and occupancy of the short term vacation rental property.
- K. The name, address and telephone number of a local contact person who shall be available 24 hours per day, 7 days per week, for the purpose of responding within 45 minutes to complaints regarding the condition, operation or conduct of occupants of the short term vacation rental unit or their guests, shall at all times be kept on file with the city.
- L. The owner shall post the short term vacation rental permit on the exterior of the short term vacation rental property within plain view for the general public with a 24 hours a day, 7 days a week local contact phone number for complaints. The permit shall be between 8 1/2" by 11" and 4" by 5" in size and shall be displayed at all times that the short term vacation rental property is being used for a short term vacation rental.
- M. The owner or local contact shall upon notification that any Transient, occupant or guest of the short term vacation rental property has created unreasonable noise or disturbances, engaged in disorderly conduct or committed violation of any applicable law, rule or regulations pertaining to the use and occupancy of the short term vacation rental property, respond in a timely and appropriate manner to immediately halt or prevent recurrence of such conduct. Failure of the owner or local contact to respond to such calls or complaints regarding the condition, operation or conduct of the occupants and/or guests of a short term vacation rental in a timely and appropriate manner shall be grounds for revocation of the short term vacation rental permit and shall subject the owner to all administrative, legal and equitable remedies available to the city.
- N. The owner or local contact shall use reasonably prudent business practices to insure that the occupants and/or guests of the short term rental unit do not create unreasonable noise or disturbances, engage in disorderly conduct or violate any applicable law, rule or regulation pertaining to the use and occupancy of the subject short term vacation rental property.
- O. No amplified or reproduced sound shall be used outside or audible from the property line of any short term vacation rental property between the hours of 10:00 p.m. and 10:00 a.m.
- P. Prior to rental of a short term vacation rental property, the owner shall:
- (1) Obtain the contact information of all Transients, including the name, permanent address, telephone number and emergency contact for each person to occupy the short term rental vacation property.
 - (2) Require the Transient to execute a formal acknowledgement that he or she is legally responsible for compliance by all occupants or guests of the short term vacation rental unit with all applicable laws, rules and regulations pertaining to the use and occupancy of the short term vacation rental unit.
 - (3) Information required in Items (1) and (2) above shall be maintained by the owner for a period of three (3) years and shall be made available upon request to any officer of the city responsible for the enforcement of any provision of the municipal code or any applicable law, rule or regulation pertaining to the use and occupancy of the short term vacation rental property.
 - (4) On-site parking shall be allowed on approved driveway, garage and/or carport areas only.
 - (5) The number of occupants allowed to occupy any short term vacation rental property shall be limited to two (2) people per bedroom and no more than two (2) bedrooms within any short term vacation rental property shall be rented at the same time.
 - (6) The City Manager or designee shall have the authority to impose additional conditions on the use of any short term vacation rental property to insure that any potential secondary affects unique to the subject short term vacation rental unit are avoided or adequately mitigated.

- Q. The owner shall post the current short term vacation rental permit number on or in any advertisement appearing in any written publication or any website that promotes the availability or existence of a short term vacation rental property.

Section 14-803 Permit Procedure:

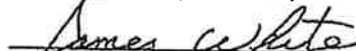
- A. Upon receiving an application for a permit for a short term vacation rental property that complies with the provisions of this chapter, the residents within 200 feet of the property lines of the subject property shall be notified of the application for short term vacation rental permit.
- B. The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

Section 14-804 Penalties and Enforcement:

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

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

Passed this 13th day of October, 2015


James White, Mayor

Attest:


Karen R. Scheidt, Acting City Clerk

Approved this 13th day of October, 2015


James White, Mayor

Attest:


Karen R. Scheidt, Acting City Clerk

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING CHAPTER 14 – BUSINESSES AND BUSINESS REGULATIONS, ARTICLE XIII., SECTION 14-801. DEFINITIONS AND SECTION 14-802. – SHORT TERM VACATION RENTALS, AMENDING THE REGULATIONS FOR SHORT-TERM VACATION RENTALS.

WHEREAS, the City Council may adopt ordinances necessary to preserve the health, safety, and welfare of its residents; and

WHEREAS, the Section 14-802 of the City's Code of Ordinances contains regulations for short-term vacation rentals in the City of Maplewood; and

WHEREAS, the City Council recognizes that such regulations are necessary to limit the impact of transient occupants in residential neighborhoods and to allow citizens to enjoy quiet enjoyment of their homes and properties; and

WHEREAS, the City Council further recognizes that some citizens of the City of Maplewood wish to utilize their primary legal residence as a short-term vacation rental property temporarily when they are not using the property; and

WHEREAS, after due consideration, the City Council now finds and determines that it would be in the best interest of the City to allow such citizens to rent their primary legal residence as a short-term vacation rental property while they are not using the residence for up to thirty nights per year and that doing so will have a limited impact on residential neighborhoods.

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

Section I. Chapter 14, Article XIII, Section 14-802. Short term vacation rentals. is hereby amended by deleting the existing subsection (c) and replacing it with the following:

- (c) The owner of the short term vacation rental shall spend the night on-site at the short term vacation rental property at all times during the term of any short term vacation rental except that during each short term rental permit year (from July 1 to June 30), the owner may rent the short term vacation rental for a total of thirty (30) days without spending the night on-site as otherwise required herein.

Section II. Chapter 14, Article XIII, Section 14-802. Short term vacation rentals. is hereby amended by deleting subsection (d) in its entirety.

C

Section III. This ordinance shall take effect and be in force from and after its passage and approval as provided by law.

Passed this 8th day of November, 2022

Nikylah Knapper
Nikylah Knapper, Mayor

Attest: Karen Scheidt
Karen Scheidt, City Clerk

Approved this 8th day of November, 2022

Nikylah Knapper
Nikylah Knapper, Mayor

Attest: Karen Scheidt
Karen Scheidt, City Clerk

C

C

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)



7711 Lindbergh Drive

FINDINGS OF FACT

The Mayor and City Council make the following findings of fact for the petition for a Conditional Use Permit to allow short term rentals at 7711 Lindbergh Drive:

- 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.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLEWOOD, MISSOURI, AMENDING ORDINANCE 5573 OF THE MAPLEWOOD CODE OF ORDINANCES, AS AMENDED, BY AMENDING CHAPTER 50, TRAFFIC AND MOTOR VEHICLES, SECTION 50-203, STOP INTERSECTION SIGNS, BY ADDING A STOP SIGN FOR NORTHBOUND CHERRY STREET TRAFFIC AT THE INTERSECTION OF ELM AVENUE

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

Section I. Section 50-203, Stop Intersection Signs, by adding a stop sign on northbound Cherry Street at the intersection of Elm Avenue.

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

Passed this day of 2023

Nikylan Knapper, Mayor

Attest:

Karen Scheidt, City Clerk

Approved this day of 2023

Nikylan Knapper, Mayor

Attest:

Karen Scheidt, City Clerk



TO: City Council
CC: Michael Reese, City Manager
FROM: Mayor Nikylan Knapper and Councilperson Eric Page
DATE: February 7, 2023
RE: Timeline for Repairs for Residential Streets and Sidewalks

Community members have noticed the repair and beautification of crosswalks in the Special Business District on Manchester Avenue and have reached out to Councilperson Page and myself to inquire about repairs to residential streets and sidewalks. They would like to know when repairs will be completed for residential streets and sidewalks. I have requested City Manager Reese to provide information on the following regarding residential streets and sidewalks:

- Is there a list of streets that are to be repaired?
- Where is this list located and can it be made public and placed on the City website where is it easily noticed and accessible?
- What is the timeline for repairs of residential streets and sidewalks?
- What funds are used to pay for repairs for residential streets and sidewalks and does funding effect the timeline for repairs?
- If there is a repair list, how can residents submit their requests for repairs to residential streets and sidewalks for inclusion on the list?

INTEROFFICE MEMORANDUM

TO: Mayor Nikylan Knapper and Council Member Eric Page
CC: City Council Members
FROM: Michael D. Reese, City Manager
DATE: February 10, 2023
RE: Report-Timeline for Repairs for Residential Streets and Sidewalks

Below are answers to the questions regarding **Timeline for Repairs for Residential Streets and Sidewalks**. I provided some additional background information in some of my responses that may be useful to you.

- 1) **Is there a list of streets that are to be repaired?** Yes, this information is contained in the annual budget – ½ Cent Capital Improvements Account, Fund 2400. For example, in the 2022-2023 FY Budget, we listed the following street and sidewalk projects (see attached Budget Work Paper):

Street Reconstruction - (Summer/Fall, 2022) Total contract amount is \$813,209 and \$894,530 with a 10% contingency for extra miscellaneous and sidewalk work. Picadilly Avenue (Greenwood to City Limit north of Commonwealth), Commonwealth Avenue (Greenwood to City Limit North of Tennyson) and Arbor Avenue plus miscellaneous sidewalk improvements.

Manchester Phase 4 – construction and construction inspection. Total construction cost \$2,154,600 – (Federal share \$1,280,000) Construction inspection cost \$140,000.

- 2) **Where is this list located and can it be made public and placed on the City website where it is easily noticed and accessible?** The budget is on our website but I understand that this is not a likely place where the public will choose to go for street and sidewalk projects. Thus, we have a “Road Construction” link under the Public Works webpage. This page is updated in the spring and lists residential street and sidewalk work to be performed (after bids are accepted). This page is updated during construction season to provide weekly road project updates to the public – see “Residential Road Construction” which contains detailed updates on residential road and sidewalk projects (see attached Manchester Road Resurfacing – construction updates and City of Maplewood 2021 and 2022 Capital Improvements). We also notify all residents who will be directly impacted via hand delivered notices prior to commencement of any street or sidewalk projects.

Finally, the Street Ratings Map, which lists the condition of all city streets, is updated annually and is available on the Public Works webpage under “Programs and Resources, City Maps.” This map is also listed on the website under “How Do I, Find, City Maps.” This Street Inventory and Ratings Map is attached.

- 3) **What is the timeline for repairs of residential streets and sidewalks?** A typical timeline is bids are put together by staff in December/early January timeframe, advertised, pre-bid meeting held (Public Works just held a pre-bid meeting for upcoming residential roads and sidewalks two days ago on February 8th), staff receives bids in late February/early March, reviews bids for completeness, then formally requests City Council approval in March/April. This summer’s Streets and Sidewalks projects will place a heavy emphasis on sidewalk replacements throughout the city as the bid calls for replacing 2,420 square yards of sidewalk (approximately 1,400 four-foot by four-foot slabs). The sidewalk improvements will be accomplished between June and October of this year and are based on those sidewalks that are in the worst condition from a thorough staff review and residential inquiries.

Zephyr Place and Southwest Avenue: Zephyr Place from Sutton Boulevard to Oakview Terrace will be reconstructed (concrete construction). Approximately 18 slabs on Southwest Avenue that were damaged due to a prior MSD project will also be replaced.

Road construction start times vary depending on the contractor’s availability but generally construction starts in June and ends by October; however, there are exceptions to this construction schedule.

Most exceptions are due to utilities. For example, Zephyr Place has been on hold for nearly 6 years for a couple of reasons, both related to utilities. MSD replaced the combined sewer under Zephyr Place but did not backfill properly which caused significant settlement of the road, in some cases the road would sink as much as 6 or 7 inches. As a result, from approximately 2017 until 2021, additional overlays had to be added (4 to 5 total overlays). Once it was determined the settlement had most likely ceased, staff was prepared to recommend Zephyr Place be reconstructed last summer 2022. However, Missouri American Water inexplicably removed this water main from their list of mains that need to be replaced. Staff spent the better part of late 2022 and early 2023 arguing with MO American Water that they need to replace their main so we could then replace Zephyr Place. They are now in the process of replacing the water main on Zephyr Place and all lead service lines. This is anticipated to be completed by July 1st and after that the City will completely reconstruct (concrete construction) Zephyr Place from Sutton to Roseland Terrace and numerous sidewalks in this area. The city’s project should start in July and be wrapped up by October 2023.

Manchester Road Phase 4 Overlay: The Manchester Road project is also an exception, only this delay was not related to utilities. This project was supposed to be completed in October 2022. However, due to supply issues, we were notified in late August that the brick pavers (crosswalks), scheduled to be delivered in September, would not arrive until

late November. Because of this, we had to delay the project until after the holiday shopping season and it has only recently resumed. This project is now scheduled to be completed in approximately four weeks, weather dependent.

Because Manchester Road is classified as a “collector” roadway, it qualifies for federal funding through the Surface Transportation Grant which was applied for and received. A total of \$1,280,000 in federal funds are being used in the Manchester Road Phase 4 project. The project has three main objectives. First, to replace a dilapidated roadway that has not been resurfaced in over 25 years. Second, to bring our business district into compliance with current ADA standards. And third, to improve pedestrian safety by adding a mid-block pedestrian crossing in the 7300 block of Manchester, bumping out the southeast corner of Manchester and Sutton (one of our most dangerous pedestrian crossings in town) to reduce the crossing distance for pedestrians, and adding brick pavers, with reinforced concrete beds to highlight or draw motorist’s attention to the crosswalks and pedestrians using them.

I believe it is important to invest in both the economic engine (Manchester Road in downtown Maplewood) because this helps businesses flourish and generates sales tax revenue for the City and in our neighborhood streets and sidewalks for quality of life purposes.

- 4) **What funds are used to pay for repairs for residential streets and sidewalks and does funding effect the timeline for repairs.** ½ Cent Capital Improvements Account, Fund 2400 funds residential and commercial road and sidewalk projects. The availability of funding determines what can be repaired and when it can be repaired. In the past few years, inflation for road projects has spiked significantly, much more so than other items or services which impacts the number of street and sidewalk projects that can be completed. However, we hope this will recede in the near future so we can go back to a more traditional number of street and sidewalk projects.

- 5) **Is there a repair list, how can residents submit their requests for repairs to residential streets and sidewalks for inclusion on the list?** Residents can report road or sidewalk concerns via the city website’s “Citizen Request Center,” via email, and/or by calling staff directly. Input from residents is a critical piece of maintaining and improving our infrastructure, especially when a hazard exists. Staff repairs any liability concerns immediately and/or at a minimum, we rope off or isolate the area to alert residents of the hazard. Staff keeps records of street and sidewalk concerns for use when determining which street and sidewalk projects to recommend for future improvements, as well as for liability purposes.

I hope this information is useful to you. I look forward to sharing this information during the City Council meeting on February 14 and answering any more questions that you may have.

Attachments

BUDGET WORK PAPER

BUDGET WORK PAPER		
DEPARTMENT:	1/2 CAPITAL IMPROVEMENTS	
FUND:	1/2 CAPITAL IMPROVEMENTS	F.Y. 2022-23
LINE ITEM REFERENCE	JUSTIFICATION FOR LINE ITEM	LINE ITEM TOTAL
70001	Capital Outlay All Dept See detailed breakdown	\$507,000
70120	Engineering & Testing Services	\$30,000
70150	City Hall Improvements Savings Guaranteed Contract Payment - year 7 of 10 (\$73,815) --City Hall improvements, Old Firehouse Improvements (\$25,000); carpeting for city hall (\$25,000)	\$123,815
70270	Computer Supplies & Equipment Computer supplies & equipment to be replaced as needed	\$0
70300	Street Reconstruction - (Summer/Fall, 2022) Street reconstruction. Total contract amount is \$813,209 and \$894,530 with a 10% contingency for extra misc. and sidewalk work. Picadilly Ave (Greenwood to City Limit north of Commonwealth) Commonwealth Ave (Greenwood to City Limit north of Tennyson) and Arbor Ave plus misc sidewalk improvements.	\$894,530
70305	Sewer Lateral Expenses expenses associated with sewer lateral reconstruction	\$60,000
70604	Manchester Phase 4- construction and construction inspection Total construction cost \$2,154,600-(Federal share \$1,280,000) Construction inspection cost \$140,000	\$2,294,600
71070	Greenwood railroad crossing improvements Improvements required by Union Pacific	\$250,000

Memorandum

Date: February 2, 2023 **OA Project #:** 19133.001
To: Anthony Traxler / Laura Miller
From: Mike Busch
Subject: Manchester Road Resurfacing – construction update

Anthony / Laura,

Update from NB West – work on the new cross walks will continue on Manchester Road for the next 2 to 3 weeks. Best guess on the schedule for the remainder of the project is as follows, all weather permitting as the repaving operations are all temperature dependent:

- Week of 2/20 – complete work on new cross walks
- Approximately 2/13 – 3/3 – complete pedestrian signal work
- Approximately 2/27 thru 3/17 – complete surface milling repaving operations

NB West will provide an updated schedule to complete the project in the next week or two once they are able to get a better idea on current progress, weather conditions, and sub-contractor schedules. We will keep you posted as work progresses, thanks.

Memorandum

Date: December 16, 2022 **OA Project #:** 19133.001
To: Anthony Traxler / Laura Miller
From: Mike Busch
Subject: Manchester Road Resurfacing – construction update

Anthony / Laura,

We heard from NB West today, they are planning to resume work on Manchester Road the first week of January, weather permitting. They will be working on the new cross walks, starting on the side roads on the east end of the job and working their way west. Once the side roads are complete, they will begin work on Manchester Road. We'll keep you posted as we get closer. Thanks and have a great Holiday Season.

October 14, 2022

Laura / Anthony,

NB West is working on the ramp near 7270 today, hoping to pour concrete this afternoon and planning to work tomorrow to complete that ramp, assuming they can get concrete delivered.

They are scheduled to complete all of the curb ramps early to mid-next week, and then will be on hold for approximately 2 weeks waiting for concrete pavers to come in. Once they get the pavers in stock, they will begin working on the crosswalks.

Let us know if you need any additional information. Thanks and have a good weekend.

Mike Busch, PE, PTOE
SENIOR PROJECT MANAGER

o 314.588.8381
c 618.581.5340



[Website](#) • [LinkedIn](#) • [Instagram](#)

ESTABLISHED 1980

PRESIDENTS
1980 - 1991 HRINSIN, JOHN A.
1992 - BERTHOLD, WILLIAM K.



CIVIL/STRUCTURAL/LAND SURVEYING

**City of Maplewood
2021 and 2022 Capital Improvements**

**Project Update
October 14, 2022**

To: Anthony Traxler City of Maplewood
From: Steve Miller Frontenac Engineering
Ken Olson Frontenac Engineering

2021 Outstanding Work:

- 2538 Florent Ave. – Awaits some efforts.
- 2622 Margarett Ave. – Awaits some efforts. This may be subbed out to a different contractor.

Work that should be completed the week ending October 14, 2022:

2022 Capital Improvements

- Commonwealth Ave. – the southeast bound lane was poured 10/4 from Greenwood to Cambridge and from Cambridge southeast to Tennyson. Opened for most of the way.
- Piccadilly Ave. – Greenwood to Cambridge has been opened in both directions. Oxford to Commonwealth has been opened in both directions. Northwest bound lane from Oxford to Cambridge has been broken up.
- Arbor Ave. – Lower part of Arbor is open in both directions. The sidewalk has been prepped for concrete. An abandoned manhole was found in Arbor so that panel was not poured. The top remains closed because of a tight turning radius.
- 3412 Oxford Ave. – This was supposed to be poured 10/14. There was no concrete available to Spencer this day. It will be poured first of next week.

Work to be started the week ending October 21, 2022:

- Commonwealth Ave. – Remaining intersection at Cambridge will be dug out and poured. Aprons have been set and are ready for concrete. This should finish all sidewalk and aprons.
- Piccadilly Ave. – Pour the northwest bound lane between Cambridge and Oxford Wednesday. Aprons, handicap ramps, and any remaining sidewalk should be poured this week. Many aprons are set and await concrete.
- Arbor Ave. – The two remaining panels should be poured this week. The sidewalk and aprons should be finished this week.

Punch list:

- Commonwealth Ave.:
 - 7433 – 8' x 4' sidewalk slab to ease the transition from new to old walks.
 - 3301 Cambridge Ave. – re-slope the grade around the sidewalk and trim out the tree lawn area.
- Piccadilly Ave.:
 - 3412 Oxford Ave. – Apron needs to be placed.
 - Clean the side of the law office (concrete splatter), fix curb.
 - Grade areas where sidewalk was raised/lowered.
 - 7515 Piccadilly Ave. – Fix the landscaping blocks near the driveway. Concrete walk is not straight.
 - 3351 Cambridge Ave. – stump will need to be taken down further for proper backfilling.
 - Replace Marshall's Auto Service apron/drive.
- Arbor Ave.:
 - Replace errantly cracked pavement.
 - Replace incorrectly troweled section.
 - 2 drives will need asphalt patching.

Miscellaneous Concrete and Asphalt Repairs:

3140 Big Bend (James side)	Sidewalk replacement	Concrete
3500 Cambridge Ave. (St. Elmo Side)	15' x 14' Driveway	Concrete
3551 Cambridge Ave.	40' x 4' Sidewalk	Concrete
3601-3631 Cambridge Ave.	500' x 4' Sidewalk	Concrete
3620 Cambridge Ave.	60' x 4' Sidewalks	Concrete
3625 Cambridge Ave.	10' x 4' Sidewalk	Concrete
3626 Cambridge Ave.	60' x 4' Sidewalks	Concrete
7600 Comfort (Side of the house)	12.2 x 4 & 3.5x4 Sidewalk	Concrete
7423 Flora Ave.	Trip hazard sent to city	Concrete
2538 Florent Ave.	Apron & Sidewalk	Concrete
*3332 Greenwood	12 x 6 Apron	Concrete
James Ave. (Both sides of the street)	750' x 4' Sidewalk (total)	Concrete
From the east R.O.W. line of Big Bend east to the west R.O.W. line of Walter Ave.		
7447 Manchester (Lyle side)	old torn up park lawn replace	Concrete
7418 Maple Ave.	Coach walk 5' x 4'	Concrete
2622 Margarett Ave.	Apron approved by Anthony	Concrete
2639-2643 Margarett	Sidewalk replacement 55'	Concrete
** 3414 Oxford Ave.	Driveway apron and sidewalk	Concrete
3658 Oxford Ave. to 3637 Commonwealth	275' x 4' Sidewalk	Concrete
7200 Block of Richmond Pl.	1600' x 4' Sidewalk	Concrete
From the east R.O.W. line of Oakview Terrace to the west R.O.W. line of Bellevue Ave.		
7300 Block of Sussex Ave.	Sidewalk Replacement 275'	Concrete
Fire department sidewalk	35' x 4' Sidewalk	Concrete

* Cleanout not yet performed yet by the city

** To be completed by **Spencer**

Please consider these first

Sidewalks are finished. Some handicap intersections remain and will be tackled after the streets are poured.

Piccadilly Ave:



Looking southeast, aprons ready for concrete



Looking southeast ready for tear out



Southeast lane is open. Aprons are prepped for concrete.

Commonwealth Ave.



Commonwealth Ave. at Cambridge Ave. looking northwest. The intersection is the last remaining portion. Aprons are prepped for concrete.

Arbor Ave.





Lower portion is open. Upper portion remains closed due to a sharp turn up top. Sidewalk is ready for concrete. Upper portion should be poured next week.



Abandoned manhole at Arbor and Flora. M.S.D. filled the hole and the panel awaits concrete

Color coded progress:

New concrete that is open – 

New concrete that is curing – 

To be removed next - 

Arbor



Commonwealth



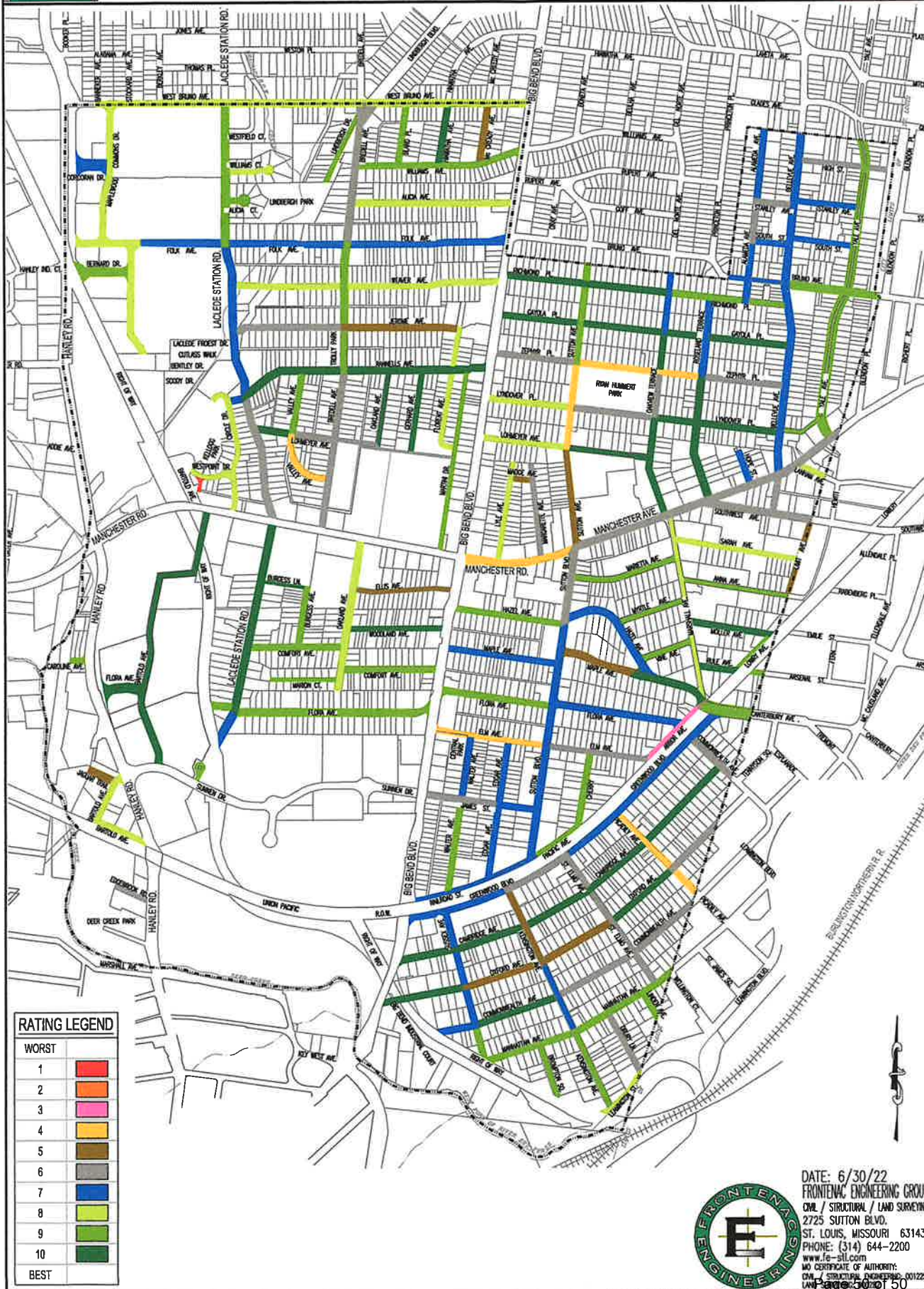
Piccadilly





CITY OF MAPLEWOOD

STREET INVENTORY AND RATINGS



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