

FERGUSON CITY COUNCIL

**Council Special Meeting Minutes
July 8, 2008**



COUNCIL MEETING, 6:00 P.M.

CITY HALL - 110 CHURCH STREET

A Special meeting of the Ferguson City Council was called to order at 6:00 p.m. on July 8, 2008 by Mayor Brian P. Fletcher, in the Council Chamber of City Hall, 110 Church Street, Ferguson, Missouri.

Mayor Fletcher requested that everyone stand for a moment of silent prayer, after which the Pledge of Allegiance was recited. On roll call, the following Council Members were present:

Mayor Brian P. Fletcher
Kynan S. Crecelius
Michael Salant
James W. Knowles, III
Dwayne James
Peggy Faul
Fran Grecco

Mrs. Matthies declared a quorum was present.

Also present were City Manager John Shaw, City Attorney Stephanie Karr and City Clerk Deborah Matthies.

Mayor Fletcher welcomed all present and explained the Special Council meeting was for the first reading of Bill No. 6850.

BILLS REQUIRING FIRST READINGS

BILL NO. 6850 - AN ORDINANCE AMENDING THE ZONING REGULATIONS PERTAINING TO THE DB-1 AND DB-2 ZONING DISTRICTS AND AMENDING SECTION 23.4 OF THE ZONING CODE RELATING TO THE CRITERIA FOR REVIEWING APPLICATIONS FOR SPECIAL USE PERMITS, was introduced by Council as a whole and read the first time.

City Manager, John Shaw explained Bill No. 6850 needs to be reviewed by Council and any amendments made before the July 22, 2008 meeting. The purpose of placing this on a Special Council Meeting was to be able to get this Ordinance in place by the end of July as opposed to the end of August.

City Attorney, Stephanie Karr gave a background on the Ordinance and explained that when the downtown vision committee reworks the vision of downtown there will be zoning changes and ordinance amendments based on their recommendations to Council and Council's final decisions. Ms. Karr felt that Council's view was that some changes were urgent in nature and that Council wanted to at least have a temporary provision in place regarding businesses in the downtown area to carry over until the downtown vision committee finishes its work.

Ms. Karr explained that this Ordinance is a rough draft and there will be changes made prior to the second reading. As a temporary basis staff is looking at DB-1 and DB-2 specifically. Stated in this particular Ordinance all of the uses are going to be special uses at least in the interim. Council might want to say that some uses might be permissible if the business saturation element is enforced with respect to those businesses. Those could easily be moved back to permissible with a limitation, which is the saturation element. Those that remain as special uses, their criteria has been reworked for considering special uses.

Ms. Karr gave a presentation to the Plan Commission and explained how there is an element of discretion when looking at special use permit applications and consider all of the criteria. Ms. Karr has reworked the criteria and included a saturation element.

Ms. Karr commented that a principle in planning is to have citizens able to walk to one area or have a short drive to commercial areas in finding all of their needs. You do not want commercial areas to be completely saturated with one particular use.

Ms. Karr commented she did include an element of saturation and an element of variety of services and a good balance of goods and services in the Ordinance.

Staff was concerned, that over the next months, when applications are received if this would slow down businesses from coming. Council might want to consider which uses to move back to the permitted category over the next few months, until the conclusion of the downtown vision committee.

Council discussed which uses and kinds of limitations, and what types of uses moved to permitted where the business could move right in as long as the saturation limitation is met.

Ms. Karr commented that all designated Special Use Permits come before Planning & Zoning and Council. That is how this particular Ordinance is set up until staff hears from Council what uses Council wants to be able to move in right away and whether Council wants saturation limits applied to those particular businesses.

Council discussed procedures, denials and guidelines for approving the application process, saturation levels and various classes of use and retail requirements versus services requirements. Also the possibility of certain restrictions on businesses and retail limitations on buildings fronting on Florissant Road, by each building having some element of retail.

Discussion of a possible policy for varieties of businesses and size limitations, businesses which would provide economic value to the City and the possibility of restricting businesses to retail or personal services that would generate sales tax to the City. The idea of DB-1 and DB-2 being special use to give the ability to evaluate each entity and its place in the downtown area.

Council also discussed the future possibility of architectural guidelines for downtown with more strict provisions, increasing and improving the types of businesses moving into downtown so they have the look, feel and functions wanted in this community.

City Manager requested Council to review the proposed Ordinance and forward staff suggestions and/or changes. Staff will update the Ordinance for second reading.

Mayor announced a closed session.

ADJOURNMENT

At 6:30 p.m. a motion was made by Council Member Knowles, seconded by Council Member Grecco, to enter into closed session in accordance with RSMo 610.021/610.022 Section(s) (1)(2)(3) and (13). Motion carried.

Having concluded the closed session at 9:35 p.m., a motion was made by Council Member Faul, seconded by Council Member Grecco to convene to open session. On roll call vote, the motion carried.

There being no further business to consider, Council Member Knowles, seconded by Council Member Grecco moved to adjourn the meeting. The meeting adjourned at 9:35 p.m.

Brian P. Fletcher – Mayor
City of Ferguson, Missouri

ATTEST:

Deborah L. Matthies – City Clerk
City of Ferguson, Missouri

Approved: 7/22/08

