

THE CITY OF CLAYTON

Board of Aldermen
Virtual Zoom Meeting
June 14, 2022
7:00 p.m.

Minutes

The meeting was open to individuals to attend in-person and/or virtually via Zoom.

Mayor Harris called the meeting to order and requested a roll call. The following individuals were in attendance:

In-person: Aldermen: Rich Lintz, Susan Buse, Becky Patel, Gary Feder, Mayor Harris, City Manager Gipson, City Attorney Karr

Virtually: Aldermen Ira Berkowitz and Bridget McAndrew

Motion made by Alderman McAndrew to approve the May 24, 2022, minutes. Alderman Berkowitz seconded.

Motion to approve the minutes passed unanimously on a voice vote.

PUBLIC REQUESTS AND PETITIONS

Scott McCrary, Senior at Clayton high School, addressed the Board with a recommendation that the City create a City flag and shared a suggested design.

RECOGNITIONS AND AWARDS

Mayor Harris presented a proclamation to Charlie Brennan.

A PUBLIC HEARING AND A RESOLUTION - A CONDITIONAL USE PERMIT FOR M1 BANK LOCATED AT 7801 FORSYTH BOULEVARD

Mayor Harris opened the public hearing and requested proof of publication.

City Manager Gipson reported that this is a public hearing and subsequent resolution for a conditional use permit for the proposed installation of an additional drive-through banking lane on the north side of the subject building occupied by M1 Bank.

The applicant previously received approval for the proposed project in 2020 but did not begin construction within one year of approval and the approval expired. The applicant again proposes to add one additional 24-hour virtual teller drive-through lane, for a total of two drive-through lanes, located on the north (rear) side of the building.

Tyler Stephens, Core10, addressed the Board to answer questions.

Mayor Harris closed the public hearing

Motion made by Alderman Lintz to approve Resolution No. 2022-11, granting a Conditional Use Permit for M1 Bank located at 7801 Forsyth Boulevard. Alderman McAndrew seconded.

The motion passed unanimously on a voice vote.

A PUBLIC HEARING AND A RESOLUTION TO CONSIDER APPROVING A CONDITIONAL USE PERMIT FOR 14 A N. MERAMEC AVENUE D/B/A IVY CAFÉ

Mayor Harris opened the public hearing and requested proof of publication.

City Manager Gipson reported that this is a public hearing to consider an application for a Conditional Use Permit submitted by Ashley Morrison and Julie Keane of Abre Enterprises, LLC, restaurant owners, to allow for the operation of a 1,550 square foot restaurant to be known as Ivy Café.

Ashley Morrison and Julie Keane of Abre Enterprises, LLC, restaurant owners, addressed (virtually) the Board to answer questions.

Mayor Harris closed the public hearing

Motion made by Alderman Lintz to approve Resolution No. 2022-12, granting a Conditional Use Permit for 14 A N. Meramec Avenue d/b/a Ivy Café. Alderman Patel seconded.

The motion passed unanimously on a voice vote.

A MOTION CONSIDER APPROVING A LIQUOR LICENSE FOR ARBRE ENTERPRISES, LLC (IVY CAFÉ) LOCATED AT 14 N. MERAMEC UNIT A

City Manager Gipson reported that Arbre Enterprises LLC is requesting a liquor license to sell all kinds of intoxicating liquor at retail by the drink, including Sundays, at 14 N. Meramec Unit A.

Motion made by Alderman Lintz to approve a liquor license for Arbre Enterprises, LLC d/b/a Ivy Café located at 14 A N. Meramec Avenue. Alderman Berkowitz seconded.

The motion passed unanimously on a voice vote.

A PUBLIC HEARING AND A RESOLUTION - TRANSFER OF A CONDITIONAL USE PERMIT FOR 7624 WYDOWN BOULEVARD D/B/A WRIGHT'S TAVERN (FORMERLY I FRATELLINI).

Mayor Harris opened the public hearing and requested proof of publication.

City Manager Gipson reported that this is a public hearing to consider an application for a Conditional Use Permit Transfer submitted by Matthew McGuire of Box Hill Group – Wydown, LLC, restaurant owner, to allow for the operation of a 1,100 square foot restaurant to be known as Wright's Tavern. The previous restaurant has been closed for an extended period of time and therefore staff has decided to present the transfer request to the Board of Aldermen for final approval.

Matthew McGuire, owner, addressed the Board to answer questions.

Mayor Harris closed the public hearing

Motion made by Alderman Lintz to approve Resolution No. 2022-13, granting a Conditional Use Permit transfer for Box Hill Group – Wydown, LLC, d/b/a Wright’s Tavern located at 7624 Wydown Boulevard. Alderman Berkowitz seconded.

The motion passed unanimously on a voice vote.

A PUBLIC HEARING AND A RESOLUTION - A CONDITIONAL USE PERMIT FOR 7923 FORSYTH BOULEVARD D/B/A GHOST KITCHEN

Mayor Harris opened the public hearing and requested proof of publication.

City Manager Gipson reported that this is a public hearing to consider an application for a Conditional Use Permit submitted by Jim Kellogg of Neo Atomic, LLC, restaurant owner, to allow for the operation of a 1,600 square foot restaurant. Ghost Kitchens operate as restaurants, but without on-site dining options. The proposed use will feature three different food categories prepared in a shared kitchen and served through carry-out and delivery services. The only on-site seating provided will be outdoor dining. The restaurant will be open seven days a week from 7:00 a.m. to 9:00 p.m. A liquor license is not being requested.

Jim Kellogg, owners, addressed the Board to answer questions.

Mayor Harris closed the public hearing

Motion made by Alderman Lintz to approve Resolution No. 2022-14, granting a Conditional Use Permit for Neo Atomic, LLC, d/b/a Ghost Kitchen located at 7923 Forsyth Boulevard. Alderman Berkowitz seconded.

The motion passed unanimously on a voice vote.

A PUBLIC HEARING AND A RESOLUTION TO CONSIDER APPROVING A TRANSFER OF A CONDITIONAL USE PERMIT FOR BAR LES FRERES LOCATED AT 7637-7639 WYDOWN BOULEVARD

Mayor Harris opened the public hearing and requested proof of publication.

City Manager Gipson reported that this this is a request to consider an application for a Conditional Use Permit Transfer submitted by Tara Gallina of Bar Les Freres, LLC, restaurant owner, to allow for the continued operation of a restaurant known as Bar Les Freres under different ownership. The previous restaurant has been closed for an extended period of time and therefore staff has decided to present the transfer request to the Board of Aldermen for final approval.

Tara Gallina, owner, addressed the Board to answer questions.

Mayor Harris closed the public hearing

Motion made by Alderman Lintz to approve Resolution No. 2022-15, granting a Conditional Use Permit transfer for Bar Les Freres, LLC located at 7637-7639 Wydown Boulevard. Alderman Berkowitz seconded.

The motion passed unanimously on a voice vote.

ORDINANCES TO CONSIDER APPROVING REZONING A PLANNED UNIT DEVELOPMENT AND A SUBDIVISION PLAT (LOT CONSOLIDATION) FOR 8220 – 8260 FORSYTH BOULEVARD

City Manager Gipson reported that this is the rezoning and related Planned Unit Development for a proposed mixed-use development as discussed at the May 24, 2022, Board of Aldermen meeting. The rezoning, Planned Unit Development, and Subdivision Plat are being addressed together in this report, though the plat and the land use elements entail separate ordinances on the Board's agenda. The project received Architectural Review Board approval and Site Plan, Lot Consolidation, Rezoning and Development Plan approval by the Plan Commission on May 2, 2022.

David Robert, Midas Capital, addressed the Board and provided a presentation on the project and to answer questions.

Peter Smith, 23 Brighton Way, addressed the Board expressing concerns regarding parking.

Anna Krane, Director of Planning, was in attendance to answer questions.

Alderman Lintz introduced Bill No. 6901, an ordinance to approve a rezoning and a Planned Unit Development for 8220-8260 Forsyth Blvd. (Forsyth Curve Project) including adding the condition that the developer shall install electric vehicle charging stations on two public metered parking spaces on Forsyth Boulevard and dedicate it to the City upon completion of the project to be read for the first time by title only. Alderman Berkowitz seconded.

City Attorney Karr reads Bill No. 6901, first reading, an Ordinance Providing for the Rezoning of Certain Property Located at 8220 – 8260 Forsyth Boulevard from C-1 Neighborhood Commercial District and Maryland Gateway Overlay District to a Planned Unit Development District to be Known as the Forsyth Curve Planned Unit District; Providing for the Change in the Zoning Map of the City of Clayton, Missouri; Approving a Planned Unit Development for the Subject Property; and Other Actions Related Thereto by title only.

The motion passed unanimously on a voice vote.

Motion made by Alderman Lintz that the Board give unanimous consent to consideration for adoption of Bill No. 6901 on the day of its introduction. Alderman Berkowitz seconded.

The motion passed unanimously on a voice vote.

Alderman Lintz introduced Bill No. 6901, an ordinance to approve a rezoning and a Planned Unit Development for 8220-8260 Forsyth Blvd. (Forsyth Curve Project) including adding the condition that the developer shall install electric vehicle charging stations on

two public metered parking spaces on Forsyth Boulevard and dedicate it to the City upon completion of the project to be read for the second time by title only. Alderman Berkowitz seconded.

City Attorney Karr reads Bill No. 6901, second reading, an Ordinance Providing for the Rezoning of Certain Property Located at 8220 – 8260 Forsyth Boulevard from C-1 Neighborhood Commercial District and Maryland Gateway Overlay District to a Planned Unit Development District to be Known as the Forsyth Curve Planned Unit District; Providing for the Change in the Zoning Map of the City of Clayton, Missouri; Approving a Planned Unit Development for the Subject Property; and Other Actions Related Thereto by title only.

The motion passed on a roll call vote: Alderman Lintz – Aye; Alderman Berkowitz – Aye; Alderman McAndrew – Aye; Alderman Buse – Aye; Alderman Patel – Aye; Alderman Feder – Aye; and Mayor Harris – Aye. The bill, having received majority approval was adopted and became Ordinance No. 6760 of the City of Clayton.

AN ORDINANCE TO CONSIDER APPROVING A LOT CONSOLIDATION PLAT FOR 8220-8260 FORSYTH BOULEVARD (2ND READING)

Alderman Lintz introduced Bill No. 6902, an ordinance to approve a plat/lot consolidation for 8220-8260 Forsyth Blvd. (Forsyth Curve Project) to be read for the second time by title only. Alderman McAndrew seconded.

City Attorney Karr reads Bill No. 6902, second reading, an Ordinance Providing for the Approval of a Plat to Consolidate Certain Property Located on Forsyth Boulevard in the City of Clayton, Missouri by title only.

The motion passed on a roll call vote: Alderman Lintz – Aye; Alderman Berkowitz – Aye; Alderman McAndrew – Aye; Alderman Buse – Aye; Alderman Patel – Aye; Alderman Feder – Aye; and Mayor Harris – Aye. The bill, having received majority approval was adopted and became Ordinance No. 6761 of the City of Clayton.

ORDINANCES TO CONSIDER APPROVING REZONING, A PLANNED UNIT DEVELOPMENT AND A SUBDIVISION PLAT FOR 7808, 7814-7820 FORSYTH BOULEVARD, 4-8, 10, 14-16, 18-22 SOUTH CENTRAL AVENUE

Mayor Harris opened the public hearing and requested proof of publication.

City Manager Gipson reported that this request is for a public hearing to solicit input regarding the rezoning and related Planned Unit Development for a proposed mixed-use development. The rezoning, Planned Unit Development, and Subdivision Plat are being addressed together in this report, though the plat and the land use elements entail separate ordinances on the Board's agenda. The project received Architectural Review Board approval and the Plan Commission recommended approval of the Site Plan, Lot Consolidation, Rezoning and Development Plan on June 6, 2022.

The 38,505 square-foot site includes seven parcels and an alley. The site is located southeast of the intersection of South Central Avenue and Forsyth Boulevard, adjacent to the St. Louis County surface parking lot. The properties have a zoning designation of HDC High Density Commercial

District and are located in the Northeast Downtown Overlay District. The site is currently improved with two-story buildings and an alley. Adjacent land uses include retail, office, and governmental.

David Robert, Midas Capital, addressed the Board and provided a presentation on the project and to answer questions.

Tom Young, HDA, addressed the Board to answer questions.

Alderman McAndrew exited the meeting at 9:05 p.m.

Mayor Harris closed the public hearing.

Alderman Lintz introduced Bill No. 6903, an ordinance to approve a rezoning and a PUD for 7808, 7814-7820 Forsyth Boulevard, 4-8, 10, 14-16, 18-22 S. Central Avenue for a Mixed-Use Development and to add the street tree irrigation to be read for the first time by title only. Alderman Berkowitz seconded.

City Attorney Karr reads Bill No. 6903, first reading, an Ordinance Providing for the Rezoning of Certain Property Located at 7808, 7814-7820 Forsyth Boulevard, 4-8, 10, 14-16, 18-22 South Central Avenue from HDC High Density Commercial District and Northeast Downtown Overlay District to a Planned Unit Development District to be Known as the Forsyth-Central Mixed-Use Planned Unit District; Providing for the Change in the Zoning Map of the City of Clayton, Missouri; Approving a Planned Unit Development for the Subject Property; and Other Actions Related Thereto by title only.

The motion passed unanimously on a voice vote.

AN ORDINANCE TO CONSIDER APPROVING A LOT CONSOLIDATION/SUBDIVISION PLAT FOR 7808, 7814-7820 FORSYTH BOULEVARD, 4-8, 10, 14-16, 18-22 SOUTH CENTRAL AVENUE

Alderman Lintz introduced Bill No. 6904, an ordinance to approve a Lot Consolidation/Plat for 7808, 7814-7820 Forsyth Boulevard, 4-8, 10, 14-16, 18-22 S. Central Avenue for a Mixed-Use Development to be read for the first time by title only. Alderman Berkowitz seconded.

City Attorney Karr reads Bill No. 6904, first reading, an Ordinance Providing for the Approval of a Major Subdivision Plat to Consolidate Certain Property Located on Forsyth Boulevard and South Central Avenue and to Relocate a Public Alley in the City of Clayton, Missouri by title only.

The motion passed unanimously on a voice vote.

A MOTION TO CONSIDER APPROVING APPOINTMENTS TO THE BOARDS AND COMMISSIONS

City Manager Gipson reported that the following individuals have expressed interest in being appointed to or continuing to serve as a member of the following Boards or Commissions of the City. Mayor Harris has reviewed and agrees with the recommendations for appointment or reappointment to the respective Board or Commission and, therefore, submits the following nominations for the Board's consideration.

Clayton Equity Commission

Lauren Rodriguez-Goldstein Ward 2 (3-yr term through June 30, 2025)
Christine Schmiz Ward 2 (3-yr term through June 30, 2025)
Shantay Bolton Ward 1 (3-yr term through June 30, 2025)

Parks & Recreation Commission

Ben Beinfeld Ward 1 (3-yr term through June 30, 2025)
Daniel Henke-Cilenti Ward 1 (3-yr term through June 30, 2025)

Sustainability Committee

Carol Klein Ward 3 unexpired term through June 30, 2024)

Motion made by Alderman Lintz to approve the appointments to the Boards & Commissions. Alderman Berkowitz seconded.

The motion passed unanimously on a voice vote.

OTHER

Alderman Buse provided an updated on the following:

- Community Equity Commission met and discussed affordable housing

Alderman Patel provided an updated on the following:

- Picnic in the Park event
- STL Artworks’ event
- DeMun Mural project

Alderman Feder provided an update on the following:

- Picnic in the Park event
- Wine & Music Festival event
- Municipal League of St. Louis County annual event

Mayor Harris provided an update on the following:

- Wine & Music Festival event
- Mayors’ for Meals event is scheduled June 20-24.

Motion made by Alderman Lintz to adjourn the meeting. Alderman Berkowitz seconded.

The motion passed unanimously on a voice vote.

There being no further business the meeting adjourned at 9:52 p.m.

Mayor

ATTEST:

City Clerk