



**MINUTES**  
**BOARD OF ALDERMEN**  
**CITY OF GREEN PARK, MISSOURI**  
**January 20, 2009**

Mayor Konopka called the Meeting of the Board of Aldermen to order at 7:00 p.m. on Tuesday, January 20, 2009 at the Green Park City Hall, 11100 Mueller Road, Suite 3, Green Park, Missouri. The roll was called and the following officers were present:

	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
Mayor: Tony Konopka	x		
Aldermen: Fred Baras	x		
Anthony Pousosa	x		
Tim Thuston			x
Carol Hamilton	x		
Mark Hayden	x		
Jackie Wilson	x		

**PUBLIC HEARING:**

- 1. Preliminary Development Plan submitted on behalf of Golden Corral for 6110 South Lindbergh Blvd. for development of the area near the intersection of Lindbergh Blvd. and Flori Drive including the construction of a new Golden Corral Restaurant.**

Gary Hurst, representative of Golden Corral, introduced himself and gave a brief description of the restaurant. The building is approximately 11,000 square feet and will seat about 420 guests. Normal open hours will be 11 a.m. to 9 p.m. with the exception of Friday and Saturday closing at 10 p.m. Also, a breakfast buffet will be served on Saturdays and Sundays from 7:30 a.m. to 11 a.m. The restaurant is planning on hiring approximately 175-200 people when they initially open, but will probably reduce that amount to 70-90 employees on an on-going basis. The Golden Corral in Green Park will be modeled after the restaurant in Shiloh, Illinois. The Shiloh facility is in its third year of operation and has served more than 450,000 guests. The Green Park location is expected to exceed that amount. There was no public comment either in favor or against the matter.

**REGULAR MEETING:**

- 1. Reading and Approval of Meeting Minutes**

Mayor Konopka asked for motion to approve the Minutes of the Board of Aldermen Meeting of December 15, 2008. A motion was made by Alderman Baras and seconded by Alderman Hayden that the minutes be approved. Upon a voice vote being taken it was announced that the motion passed.

**2. Citizen Comments & Petitions**

John Judd from the office of Senator Jim Lembke introduced himself and reported that the new district office is at 5714 So. Lindbergh and the phone number is (314) 849-0089. They are available to serve all the people and will also make this office location available to anyone for their meeting needs.

Jim Smoot, Chamber of Commerce, reported that nearly \$10,000 was donated to the Maggie Weathers' fund. Casa Gallardo set a record for Wednesday sales during the fund raising for Maggie. Jim also reported that applications are available for the Young Entrepreneur Scholarship Fund from the Chamber of Commerce office and also available from City Hall. Entry deadline is February 10, 2009.

**3. Reports of Officers & Committees:**

**3.1 Mayor & Board of Aldermen**

Mayor Konopka thanked everyone for attending and commented that today was a memorable day with the inauguration of President Obama. Mayor Konopka also reported that Marv Gibbs with Lions Choice invited him to attend a meeting at the Lions Choice facility. This meeting was conducted by MoDOT to layout the ground rules and expectations for the contractors. Mayor Konopka, Alderman Baras, City Engineer Derrick Madej, and City Attorney Paul Rost were in attendance as observers.

Alderman Baras reported the street sign replacement project has been completed.

**3.2 City Attorney**

Nothing to report.

**3.3 City Engineer/Building Commissioner**

Nothing to report.

**3.4 City Administrator/City Clerk**

Nothing to report.

**3.5 Treasurer**

Report is in the Board of Aldermen Packet.

**4. Unfinished Business**

None

**5. New Business:**

**5.1** Lions Choice Preliminary Plat 2 for 6032 S. Lindbergh Blvd.

Dave Bohler of Clayton Engineering presented the Lions Choice Preliminary Plat 2 for 6032 S. Lindbergh Blvd. There were no questions from the Board.

City Engineer, Derrick Madej, reported we still needed comments and/or conceptual approval from the Metropolitan St. Louis Sewer District, the Fire District, and MoDOT. Also, need copy of any agreements (effected property owners) for the proposed Yuma Dr. 20' wide roadway easement vacation and new easement dedication.

Dave Bohler reported plans have been submitted to MSD and Mehlville Fire District and they are awaiting comments and/or conceptual approval. A letter of conceptual approval from MoDOT has been given to Zella Pope. The agreements with the adjoining property owners along Yuma Drive have been prepared and will be provided to City Hall.

**Alderman Pousosa made a motion to approve the Lions Choice Preliminary Plat 2 for 6032 S. Lindbergh Blvd. The motion was seconded by Alderman Hayden. Upon a voice vote being taken it was announced the motion passed.**

**5.2 Preliminary Development Plan submitted on behalf of Golden Corral for 6110 South Lindbergh Blvd. for development of the area near the intersection of Lindbergh Blvd. and Flori Drive including the construction of a new Golden Corral restaurant.**

City Engineer, Derrick Madej, reported comments and/or conceptual approval must still be provided from the Metropolitan St. Louis Sewer District, Fire District, and MoDOT. Also, a recorded Subdivision Plat 2 (including escrow establishment) for this development as directed by the City must be provided. A copy of any agreements (effected property owners) for the proposed private Yuma Dr. 20' wide roadway easement vacation and new easement dedication must also be provided.

Derrick also reported that City ordinance requires that commercial lots abutting residential districts must provide a 25' landscape buffer. City ordinance requires that light standards for parking lot lighting must be set back 25 ft. from right-of-way. The proposed relocated billboard must meet zoning criteria. Also, the plans indicate proposed relocated billboard center top elevation= 635.08 and adjacent proposed ground elevation = 583.00. As a result the height of the proposed billboard is approximately 52.08 ft., whereas City Zoning Code allows 35 ft. maximum. Derrick requested Dave Bohler to present his "Statement of Need" pursuant to Section 405.460(C)(8) of the Zoning Code.

Dave Bohler presented the following “Statement of Need” to the Board:

1. The rear yard has been reduced from 25’ to 10 feet. Private Yuma Drive adjoins the rear property line and provides a buffer to the residential zoned property. The reduced yard area enables us to meet the parking space requirement with a closer proximity to the restaurant.
2. The light standard as shown along Lindbergh Blvd. is approximately 15’ from the right-of-way line. This location is necessary to provide continuous light for the parking area.
3. Proposed billboard (Could not buyout the owner of the billboard. Agreement with the owner states the billboard has to stay within the property.)
  - a. The existing billboard is located approximately 90 ft. from residential zoned property. The new location will be 365 ft. from residential property, a substantially greater distance.
  - b. The new location is approximately 1,430 ft. +/- from the closest billboard on the same side of Lindbergh.
  - c. The existing billboard is approximately 11 ft. from the closest property line; at the new location the centerline of the proposed billboard will be 20 ft. from the property line and 39.5 ft. from the Lindbergh right-of-way line. To move it to 50 feet would eliminate required parking spaces.
  - d. The proposed location is 120 ft. from the proposed Golden Corral building.
  - e. The proposed billboard is 80 ft. from the proposed Golden Corral sign. To move the Golden Corral sign further north would require the sign to overhang proposed parking spaces.
  - f. There is no park, playground, school, library, or hospital within 1000 ft. of the proposed billboard location.
  - g. The height of the proposed billboard matched the height of the existing for visibility purposes. The grade of Lindbergh falls 17 feet lower than the current location.

**Alderman Hayden made a motion to approve the Preliminary Development Plan submitted on behalf of Golden Corral for 6110 South Lindbergh Blvd. for development of the area near the intersection of Lindbergh Blvd. and Flori Drive including the construction of a new Gold Corral restaurant incorporating the Planning & Zoning Commission’s recommendations as follows:**

1. **Approval of the Red Lion Subdivision Plat 2.**
2. **Developer to provide comments and/or conceptual approval from the Metropolitan St. Louis Sewer District and Fire District for this development.**
3. **Developer to provide comments and/or conceptual approval from the Missouri Department of Transportation (MoDOT) for this development.**
4. **Developer to provide a recorded Subdivision Plat 2 (including escrow establishment) for this development as directed by the City.**
5. **Developer to provide a copy of any agreements (effected property owners) for the proposed private Yuma Dr. 20' wide roadway easement vacation and new easement dedication.**
6. **Developer to provide as-built information and MSD construction acceptance when available.**
7. **Developer to provide a revised photometric plan.**
8. **Developer to revise development plan to indicate the three 45' trees shown will be changed to ornamental trees not to exceed 25'.**

**And, pursuant to Section 405.460(C)(7), the Planning and Zoning Commission recommends approval of the requested modification of the applicable zoning district regulations to allow, as shown on the amended Final Development Plan, as follows:**

1. **Reduction of the 25' rear yard setback to 10'.**
2. **Reduction of the 30' setback for structures from the ROW to allow the light standard as shown along Lindbergh Blvd. to be located approximately 15' from the right-of-way line as shown on the development plan.**
3. **Allow relocation of the billboard as follows:**
  - a. **Reduce 1000 foot setback from residentially zoned area to 365 feet to actually increase the setback as it exists today (currently 90 feet).**
  - b. **Reduce requirement that outdoor advertising structure be 50 feet of any property line of the lot on which the sign is located to 11 feet to allow for parking and keep at optimal distance from residential.**
  - c. **Reduce required distance of 100 feet of any on-premises sign to 80 feet from the proposed Golden Corral sign to avoid moving the Golden Corral sign further north thereby causing the sign to overhang proposed parking spaces.**
  - d. **Allow the height limit to match the height of the existing sign for visibility purposes because the grade of Lindbergh is 17 feet lower than the current location.**

**The motion was seconded by Alderman Wilson. Upon a vote being taken it was announced the motion passed.**

**5.3 Discussion of Alpha Industrial Park escrow release review.**

City Attorney Derrick Madej reported that he and Alderman Baras inspected the granular emergency access drive. Forty tons of compacted clean rock were installed. The inspection also indicated that the emergency access gate had been vandalized and was able to be opened. As a result, the gate was repaired and hinges reinstalled.

Paul Rost, City Attorney, reported that before final release of the escrows, certain improvements and repairs are needed for the streets before the City would take over maintenance. Alpha agreed to perform the repairs but the City wanted some type of guarantee/warranty from Alpha on the sealed slabs. Instead of Alpha agreeing to maintain and/or replace those slabs for a period of 5 years should they deteriorate further, Alpha will establish a street maintenance fund with the City in the amount of \$50,000 to allow the City to perform any and all maintenance on the streets.

Paul further reported the City and Commerce Center decided to have a written agreement laying out what is expected of each party. Thus, the reason for the “Post-Escrow Release Agreement.”

Derrick Madej reported the following number of slabs needing repair/replacement:

Repair & Replace	.....91 Slabs
Route & Seal	.....150 Slabs
Epoxy	.....43 Slabs
Curb	.....159 ft.
Route & Seal Curb Inlet Sump	.....3 Areas
Repair & Replace Curb Inlet Sump	.....2 Slabs
Epoxy Curb	.....8 Areas

Derrick reported/recommended the following escrow releases:

<u>Phase 1</u>	
Storm & Sanitary	95%
Streets	80%
Water	95%
<u>Phase 2</u>	
Grading	95%
Streets	80%
Sanitary	95%
Storm	95%
Water	95%
Emergency Access	100%

<u>Phase 3A</u>	
Storm & Sanitary	95%
Streets	80%
Water	95%

<u>Phase 3A – Lake Bluff Dr. Extension #2</u>	
Streets	80%
Grading	95%

<u>Lot 14 Subdivision</u>	
Storm & Sanitary	95%
Streets	80%
Grading	95%
Mobilization	100%

<u>Phase 3C – Revised</u>	
Grading	95%
Streets	80%
Sanitary	80%
Storm	80%
Water	100%

**5.4 Discussion of Post-Escrow Release Agreement between the City of Green Park and Alpha Cement Property Acquisition**

This was addressed as part of 5.3.

**6. Citizens Comments & Petitions**

None.

**7. Audit of Bills & Claims**

Alderman Baras made a motion to approve payment of the bills. Alderman Hamilton seconded the motion. Upon a vote being taken it was announced that the motion passed.

**8. Miscellaneous**

None

**9. Closed Executive Session**

None

**10. Adjournment**

Alderman Hamilton made a motion to adjourn the meeting. Alderman Wilson seconded the motion. Upon voice vote it was unanimously approved and the meeting was adjourned at 7:45 p.m.

Minutes  
Board of Aldermen  
City of Green Park, Missouri  
January 20, 2009  
Page 8

---

Tony Konopka, Mayor

Attest:

---

Administrator/City Clerk