

**TENTATIVE AGENDA  
MEETING OF THE CITY COUNCIL  
CITY OF LADUE, MISSOURI  
COUNCIL CHAMBERS  
9345 CLAYTON ROAD  
LADUE, MISSOURI 63124  
WEDNESDAY, JUNE 28, 2017  
8:00 A.M.**

The Hon. Nancy Spewak, Mayor, to preside and call the meeting to order.

Adoption and Approval of the Agenda.

**Public Forum:** The Mayor will recognize any visitors who wish to address the Mayor and Council on City matters. **(Speakers will be limited to 3 minutes)**

**Public Hearings:**

**PH1:** Proposed text amendment to the Zoning Ordinance (#1175) for the addition of requirements for Special Events.

**PH2:** Request for a Special Use Permit for a new 10,205 sq. ft. gymnasium. The proposed gymnasium will be located at 10094 Litzsinger Road, on the Litzsinger School Property in the "A" Residential Zoning District.

**Old Business:** None

**New Business:**

**Proposed Legislation:**

**Bill No. 2157** - An ordinance amending Section VII of Ordinance 1175, the Zoning Ordinance of the City of Ladue, St. Louis County, Missouri, concerning requirements for Special Events in the City of Ladue.

**Bill No. 2158** - An ordinance of the City of Ladue, St. Louis County, Missouri, amending the Code of Ordinances Section 14-10 to authorize the public consumption or sale of alcohol at special events.

**Adjournment:** Next meeting dates: Monday July17, 2017 and Monday, August 21, 2017.

**Note:** Pursuant to Section 610.022 RSMO., the City Council could vote to close the public meeting and move to executive session to discuss matters relating to litigation, legal actions and/or communications from the City Attorney as provided under section 610.021 (1) RSMO. 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).

Posted Date: 6/15/17

Time: 4:00 PM. By: J. R. [Signature]

**BILL NO. 2157**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING SECTION VII OF ORDINANCE 1175, THE ZONING ORDINANCE OF THE CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI, CONCERNING REQUIREMENTS FOR SPECIAL EVENTS IN THE CITY OF LADUE.**

**WHEREAS**, there may be certain locations within the City of Ladue that may be appropriate for Special Events; and

**WHEREAS**, it is in the best interests of the City to establish a consistent procedure and policy regarding Special Events; and

**WHEREAS**, the Zoning and Planning Commission discussed the new Special Events requirements at their public meeting on May 24<sup>th</sup>, 2017; and

**WHEREAS**, after recommending changes to the code updates, the Zoning and Planning Commission voted to recommend approval of the code changes included herein by a vote of 6 in favor, 0 opposed; and

**WHEREAS**, a duly noticed and published public hearing was held on June 28, 2017, regarding the proposed amended regulations in conformity with all requirements of Section 89.060 of the Missouri Revised Statutes and Zoning Ordinance 1175; and

**WHEREAS**, this bill has been made available for public inspection prior to its consideration by the City Council and read by title two times in open meeting prior to passage.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:**

SECTION 1. Amend Section VII.D. of Ordinance 1175, the Zoning Ordinance of the City of Ladue, St. Louis County, Missouri to add to the list of uses allowed with a Special Use Permit the following:

Special Event (as defined by Subsection VII.H.(1)), but only in the G Commercial District.

SECTION 2. Amend Section VII.D. of Ordinance 1175, the Zoning Ordinances of the City of Ladue, St. Louis County, Missouri to enact a new Subsection VII.H as follows:

H. Special Events that meet the following definition shall be required to obtain a Special Use Permit and comply with the requirements as stated in this Subsection H.

(1) Special Event shall be defined as follows:

An event that is different from the usual activities conducted on a site and is planned to include any of the following:

- Amplified music played outdoors

- Fireworks
- Sale of alcoholic beverages
- Amusement structures (e.g. bounce house, etc.)
- Multiple vendor sales

(2) Events that meet the definition in Section H.(1) shall be required to obtain a Special Use Permit at least 30 days prior to the event and comply with the following:

- (a) Event will only be allowed in the G Commercial Area.
- (b) Event shall not cause a nuisance or be detrimental to the public health and safety.
- (c) All outdoor activities must end by sunset.
- (d) Adequate sanitary facilities must be provided on the premises for the persons attending the event.
- (e) All tents, amusement structures (e.g. bounce houses), and other temporary structures shall comply with all City Ordinances and the International Building Code, as adopted by the City, as well as all applicable City, State, and Federal health, safety, environmental, and other applicable requirements.
- (f) Adequate parking must be provided. Illegal street parking will not be tolerated. Failure to show that adequate parking will be provided shall be grounds for denial of a Special Use Permit.
- (g) Event shall not cause excessive traffic congestion.
- (h) Activities shall not be allowed to obstruct the public right-of-way, unless the event organizer has obtained permission from the appropriate City authority.
- (i) Activities will require authorization from the Police Department, Fire Department, Public Works Department, and/or other City staff, as applicable.
- (j) All evidence of the special event must be cleaned up at the close of the event, including any litter or decorations carried away by wind.
- (k) Temporary signage, as defined by Section X of Ordinance 1175 may be allowed with an approved Special Use Permit, but must comply with the following:
  - i. Event signage shall not exceed 10 square feet.
  - ii. Banners and decorations shall not create excessive visual clutter nor shall they distract motorists. The full list of prohibited signage is listed in Section 130-7 of the Ladue Code of Ordinances.

- iii. Temporary signage materials may be displayed for no more than 10 days. Signage materials must be taken down immediately upon completion of the event.
  - (l) Because the intention of this Section is to allow for the temporary use of property under specific controlled conditions, the City's issuance of a Special Use Permit is not intended to, and expressly does not, create a vested property right in any use of property allowed by the City's grant of a Special Use Permit nor does it create a right or expectation in the property owner to the City's issuance of a subsequent permit for the same use. The City may, at its sole discretion, based upon the health, safety, and welfare of the citizens of the City of Ladue and the community as a whole, revoke an existing Special Use Permit for violation of its terms or other exigent circumstances or decline issuance of further permits.
  - (m) Substantive complaints from previous events hosted by the organizer or violations of this Section by the event organizer shall be grounds for denial of permits.
  - (n) Any Special Use Permit issued according to this Section shall not be transferred to any other person or to any other location for the operation of a special event at that location.
- (3) The following items are required to make application for a Special Use Permit for a Special Event:
- (a) Special Use Permit Application and fee (\$250 for non-profit organizations, \$500 for for-profit organizations).
  - (b) Special Event Request Form.
  - (c) A certificate of insurance from the property owner or leaseholder demonstrating general liability coverage of the business, organization, or event in an amount not less than \$500,000.00 per single incident. If event is to take place on City property or right-of-way, the City shall be named as an additional insured party.
  - (d) If event will utilize public right-of-way or public property, a statement acknowledging that the applicant agrees, at all times, to defend, indemnify, and to hold harmless the City of Ladue, its elected officials, officers, agents, and employees from any and all claims, demands, suits, proceedings, and actions, liability and judgment, costs, damages, losses, and expenses of any kind, including attorneys' fees, arising directly or indirectly from the special event.
  - (e) A sketch of the property showing the areas of outdoor sales, food, entertainment, and other activities.
  - (f) Design and size of all temporary signage.

- (g) Descriptions and/or pictures of any structures, decorations, tents, booths, or other items to be located on the site of event, that are different from the everyday activities of the site.
  - (h) Any additional information reasonably necessary and relevant to the issuance of the Special Event Permit.
- (4) Certain events shall be exempt from the requirements in this Subsection VII.(H), as follows:
- (a) Events described as follows shall be exempt from all City of Ladue Special Event Permit requirements, but shall otherwise comply with other applicable City ordinances:
    - i. Gatherings held on school (public or private) or church property that are consistent with the expected use of that property.
    - ii. Gatherings on a commercial property with all activities to take place inside a building, as long as event does not create excessive traffic congestion, burden nearby streets and parking areas, nor otherwise cause disruptive, unsafe, or inappropriate conditions.
    - iii. Private events and social gatherings held entirely on private residential property or private clubs that do not create a nuisance or violate the sound ordinance, or involve the use of or have an impact on public property, facilities, or streets or rights-of-way, other than for lawful parking, and do not require the provision of city public safety services.
    - iv. Expressive Events, which shall be defined as an activity in which persons are exercising their freedom of speech, such as assembling, demonstrating, or marching, and other similar means of expressing thoughts and ideas, so long as such expressions are conducted in an orderly manner and do not violate the noise ordinance or involve amplified music, fireworks, alcoholic beverages, amusement structures, or multiple vendor sales.
  - (b) Events sponsored by the City of Ladue shall be exempt from Special Use Permit requirements, but must obtain an Administrative Special Event Permit and meet all other applicable requirements.

SECTION 3. The portions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance are valid, unless the court finds that the valid portions of this Ordinance are so essential and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City Council would have enacted the valid portions without the invalid ones, or unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

SECTION 4. This Ordinance shall take effect and be in force from and after its passage and approval by the Mayor.

**PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.**

\_\_\_\_\_  
President, City Council

**APPROVED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.**

\_\_\_\_\_  
Nancy Spewak, Mayor

**ATTEST:**

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Laura Rider, City Clerk

**BILL NO. 2158**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI, AMENDING THE CODE OF ORDINANCES SECTION 14-10 TO AUTHORIZE THE PUBLIC CONSUMPTION OR SALE OF ALCOHOL AT SPECIAL EVENTS.**

**WHEREAS**, the Ladue City Council understands that businesses and community, civic, and resident groups will occasionally host a special event within the City limits and these special events may be near public streets, on private property available for public access, and in public areas; and

**WHEREAS**, alcohol may be desired to be sold and consumed at these special events; and

**WHEREAS**, the Ladue City Council finds it in the best interest of citizens to amend its Liquor Code to allow for the sale and consumption of alcohol at these special events by Special Use Permit or at special events sponsored by the City to help ensure compliance with City, County, and State Liquor Codes; and

**WHEREAS**, this bill having been made available for public inspection prior to its consideration by the City Council and read by title two times in open meeting prior to its passage.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:**

**Section 1.** Section 14-10, Public Consumption or Sale of Alcohol, shall be amended by adding a new subsection (c) to read as follows:

(c) Consumption and sale of alcoholic beverages may be authorized in conjunction with a Special Event. Notwithstanding subsections (a) and (b), sale of intoxicating liquor near public streets and consumption of alcoholic beverages on private property available for public access and in public areas shall be permitted by Special Use Permit issued by the city or for special events sponsored by the city in accordance with Ordinance 1175 when such sale or consumption is otherwise in compliance with this Chapter and state and county liquor laws and all required liquor licenses have been obtained.

**Section 2.** This ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

**PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.**

\_\_\_\_\_  
President, City Council

**ADOPTED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.**

\_\_\_\_\_  
Nancy Spewak, Mayor

**ATTEST:**

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Laura Rider, City Clerk