



city of CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966
www.creve-coeur.org

NOTICE OF PUBLIC HEARING

APPLICATION TO PLANNING AND ZONING COMMISSION #22-008 TEXT AMENDMENT TO CONDITIONAL USES, SECTION 405.470.A.14 FOOD SERVICES AND DRINKING PLACES WITH DRIVE- THROUGH SERVICES

FOR THE MEETING OF: **Monday, May 16, 2022 at 6:00 P.M.**

LOCATION: MX, GC, CB, PO, PC, and LI Zoning Districts

REQUEST: Jason Jaggi, Director of Community Development, on behalf of the City of Creve Coeur, Planning Division, has submitted a text amendment application to consider amendments to the conditional use standards as provided by Section 405.470.A.14 Food Services and Drinking Places (NAICS 722). Specifically, the text amendment proposes changes to the conditional use standards for drive through restaurants with respect to site design, size of buildings, and operational aspects of these uses. The current regulations for drive-through restaurants were adopted by the City in 2014.

Text Amendments to the Zoning Ordinance require review by the Planning and Zoning Commission and final approval by the City Council.

ADDITIONAL INFORMATION: The Planning and Zoning Commission will conduct a Public Hearing on this request on Monday, May 16, 2022, prior to providing a recommendation to the City Council. Additional information is available at the Government Center, Planning Division offices. Meetings are held at 6:00 P.M., in the Council Chambers of the Creve Coeur Government Center located at 300 North New Ballas Road.

We encourage you to attend if you have any questions or wish to make a statement. In addition, you can submit written or e-mail comments in advance or at the meeting. Additional information regarding this proposal is available at the Government Center, Planning Division offices or on the City's website at www.crevecoeurmo.gov/447/Current-Planning-Projects. You may also call (314) 872-2504 or e-mail jjaggi@crevecoeurmo.gov.

Key Issues:

- Are the changes consistent with the purposes of the Zoning Code?
- Are the changes consistent with the objectives and strategies of the Comprehensive Plan?

Creve Coeur 2030 Comp. Plan References

- Chapter 3, Objectives and Strategies

Zoning Code References

- Section 405.470.A.14 Food Services and Drinking Places

APPLICANT: Jason Jaggi, AICP
Director of Community Development
City of Creve Coeur
300 N. New Ballas Road
Creve Coeur, MO 63141

STAFF CONTACT: Jason Jaggi, AICP, Director of Community Development



city
of

CREVE COEUR

File # 22-008

300 North New Ballas Road • Creve Coeur, Missouri 63141
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TEXT AMENDMENT APPLICATION

RECEIVED
APR 18 2022
PLANNING DEPT.

PLEASE COMPLETE FRONT AND BACK PAGES

<i>Applicant:</i>	<i>Applicant's Representative (if applicable):</i>
Jason Jaggi, Director of Community Development	
<i>Name</i>	<i>Name</i>
City of Creve Coeur	
<i>Company (If Applicable)</i>	<i>Company (If Applicable)</i>
300 North New Ballas Road	
<i>Address</i>	<i>Address</i>
Creve Coeur MO 63141	
<i>Address</i>	<i>Address</i>
Telephone # 314-872-2504	Telephone # _____
Fax # _____	Fax # _____
Email: jjaggi@crevecoeurmo.gov	Email: _____

Applicant's Status (Indicate one):

- City Official (Mayor, City Councilor, Planning Commissioner, Zoning Administrator)
- Private Party (Financial, contractual, or proprietary interest)
- Other Governmental Interest (Jurisdiction: _____)

The undersigned hereby requests to be placed on the Agenda for the Planning and Zoning Commission meeting at 6:30 P.M. on Monday, April 15, 2022, 2022.



Applicant's Signature

Applicant's Representative's Signature

April 15, 2022

Date

Date

Description of Request (attach additional sheets as needed): _____

Review and Amendments to the Conditional Use Standards for Drive Through Services for Food Services and Drinking Places (NAICS 722) within the City's commercial, light industrial and mixed use zoning districts.

Affected Section(s) of the Zoning or Subdivision Code: _____

Conditional Uses, Section 405.470.A.14 of the Zoning Ordinance, Food services and drinking places (NAICS 722).

Proposed Ordinance Language (attach additional sheets as needed): _____

See attached proposed revisions

Office Use Only

____ Proposed Ordinance Language
____ Fees Paid
____ Written Justification

Received By:

Megan Walker

Date: 4/18/2022

P&Z Case #22-008

**May 16, 2022 Planning and Zoning Commission
Public Hearing**

**Proposed Drive-Through Restaurant Ordinance Zoning Code Text
Amendments**

Section 405.470.A. Conditional Uses

14. *Food services and drinking places* — (NA/CS 722). Shall be located on sites of not less than two (2) acres with the following exceptions and conditions:

[Ord. No. 5400 §2, 11-10-2014]

a. The acreage requirement does not apply to restaurants without drive-through services within the "GC" District;

b. The acreage requirement does not apply to restaurants without drive-through services in the "CB," "PO," "PC" and "LI" Districts that are located within a retail or office building;

[Ord. No. 5626, 2-11-2019]

c. Drive-through services on sites in the "MX," "GC," "CB," "PO," "PC," and "LI" Districts that **abut residential uses** are subject to the following:

(1) Drive-through facilities shall be limited to one (1) restaurant with no more than two (2) service windows, two (2) order facilities and two (2) designated stacking lanes which shall all be located on the rear or one (1) end of a multi-tenant retail building having a continuous structure frontage of at least two hundred (200) feet. Such frontage may include one (1) passageway or arcade (not open on the sides).

(2) The drive-through order facility and service window shall only be on or adjacent to a wall not facing a primary street., ~~unless otherwise approved, and~~ If adjacent to residential uses, the facility and service window shall be completely screened from the ground-floor level of adjacent residences with a property line wholly or partially within two hundred (200) feet of either the order facility or the service window by means of a solid barrier or topographic

change. Vegetation cannot be used to meet this requirement but may be needed to address aesthetic concerns. If adjacent to a street, the drive-through order facility and service window shall provide visual screening in the form of dense landscaping as approved by the Planning and Zoning Commission.

(3) The drive-thru restaurant shall ~~have provide no less than two thousand four hundred (2,400) square feet of gross floor area (area under roof) and a minimum of fifty five (55) indoor dining with seatings and chairs~~ for customers. Unenclosed outdoor seating for patrons of the restaurant may be proposed and if so provided, shall not require additional off-street parking.

(4) The drive-thru order facility and service window shall be no less than fifty (50) feet from any property line of any residential use.

(5) The designated stacking lane shall be no less than one-hundred ninety (190) feet long [approximately ten (10) cars] excluding the space being served by the window, which shall be no less than nine (9) feet wide by nineteen (19) feet long. The lane shall, at a minimum, provide for vehicular escape prior to the point of the facility order board, which escape route can be shared with the general parking lot circulation.

(6) The entrance to the designated stacking lane shall be no less than fifty (50) feet from the nearest point on the property line across the nearest vehicular entrance.

(7) ~~If the designated stacking lane crosses between the building and principal street frontage it shall be screened in a manner consistent with Section 4045.470.A.14.c.2 above. The designated stacking lane shall not cross between the building and principal street frontage.~~

(8) A traffic study shall be submitted by the applicant that demonstrates, to the satisfaction of the City, that the required drive-thru facilities shall not interfere with site circulation or be hazardous to motorists or pedestrians entering, exiting or passing by the site on adjacent roadways.

(9) The order facility shall utilize automatic volume control which adjusts outbound volume based on the outdoor ambient noise level.

(10) An acoustical study shall be submitted demonstrating that the order facility and service windows will not produce sounds exceeding sixty (60) dB as measured at any property line abutting a residential use, up to a height of eight (8) feet above ground at the property line and demonstrating that the order facility and service windows will not increase ambient sound levels at other property lines above the average Monday to Friday midday level.

d. Drive-thru services on sites in the "MX," "GC," "CB," "PO," "PC," and "LI" Districts that only **abut non-residential uses** are subject to the following:

(1) Drive-thru facilities shall be limited to one (1) restaurant with no more than two (2) service windows, two (2) order facilities and two (2) designated stacking lanes in a coordinated development located on one (1) or more lots totaling three (3) or more acres, with shared access and two (2) or more buildings (including the proposed drive-through), one (1) of which shall have a continuous structure frontage of at least ~~two-one~~ hundred and fifty (200150) feet. ~~Such frontage may include one (1) passageway or arcade (not open on the sides).~~ All buildings shall be designed with similar use of materials and design elements such that the buildings are aesthetically complementary to each other.

(2) The drive-thru order facility and service window shall only be on or adjacent to a wall not facing a primary street, ~~unless otherwise approved.~~ If adjacent to a street, the drive-through order facility and service window shall provide visual screening in the form of dense landscaping as approved by the Planning and Zoning Commission.

(3) The drive-thru restaurant shall have pedestrian-oriented site features. These features include but are not limited to, the following: landscaped planting areas adjacent to the building, outdoor seating areas, and pedestrian connections throughout the site. Unenclosed outdoor seating areas shall not require additional off-street parking. ~~landscape adjacent to the building equivalent in area to fifty percent (50%) of the gross floor area of the entire restaurant use (area under roof).~~

(4) ~~If the drive-thru restaurant is freestanding, an eight-foot wide planted landscape strip shall be adjacent to at least two (2) other sides of the building, exclusive of the pedestrian area.~~

(54) If the drive-thru restaurant is freestanding, it shall have no less than two thousand ~~five hundred~~ (2,500,000) square feet of gross floor area (area under roof) and a minimum of fifty-five (55) indoor seats for customers.

(6) Any service areas, including, but not limited to, trash receptacles, compactors, transformers, outdoor cooking or refrigeration equipment ~~and utility connections~~, must be fully enclosed. ~~Such enclosures shall appear as a part of the restaurant building to the maximum extent as found to be practicable by the City.~~

(7) The designated stacking lane shall be no less than one-hundred ninety (190) feet long [approximately ten (10) cars], excluding the space being served by the window, which shall be no less than nine (9) feet wide by nineteen (19) feet long. The lane shall, at a minimum, provide for vehicular escape prior to the point of the facility order board, which escape route can be shared with the general parking lot circulation.

(8) The entrance to the designated stacking lane shall be no less than fifty (50) feet from the nearest point on the property line across the nearest vehicular entrance.

(9) ~~If t~~The designated stacking lane ~~shall not crosses~~ between the building and principal street frontage, it shall be screened in a manner consistent with Section 405.470.A.14.d.2 above.

(10) A traffic study shall be submitted by the applicant that demonstrates, to the satisfaction of the City, that the required drive-~~thru~~-through facilities shall not interfere with site circulation or be hazardous to motorists or pedestrians entering, exiting or passing by the site on adjacent streets.

(11) The order facility shall utilize automatic volume control which adjusts outbound volume based on the outdoor ambient noise level.

(12) An acoustical study shall be submitted demonstrating that the order facility and service windows will not increase ambient sound levels at the property lines above the average Monday to Friday midday level.

e. "Drive-thru" shall mean service to on-premises patrons who do not enter the restaurant/patio area, but rather receive service through a drive-up window.