



**AGENDA
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
FEBRUARY 18, 2025
6:00 PM**

CALL TO ORDER

ROLL CALL

Ms. Julie LaBonte (Chair)
Mr. Thomas Buelter
Ms. Rhonda O'Brien
Mr. Larry Potashnick
Ms. Marjorie Richter
Mr. Stephan Tomlinson
Mr. AJ Wang

Mr. Carl Lumley, City Attorney
Mr. Jason Jaggi, AICP, Director of Community Development
Ms. Bethany L. Moore, AICP, City Planner
Ms. Claralyn Bollinger, Recording Secretary

ACCEPTANCE OF THE AGENDA

APPROVAL OF MINUTES

1. **January 21, 2025 Planning and Zoning Commission Draft Meeting Minutes**

PUBLIC COMMENT

An opportunity for members of the public to address the Planning and Zoning Commission regarding issues or concerns not already on the agenda for this meeting. Those wishing to speak will be asked to limit comments to three minutes and to complete a speaker card.

UNFINISHED BUSINESS

1. **Public Hearing. Application #24-039: A Conditional Use Permit for a Drive-Through Facility for a Comprehensive Marijuana Dispensary, Key Cannabis, Located at 105 North Lindbergh Boulevard**

Chad Hanson, of Premier Architecture Design and Build, has submitted an application on behalf of Key Cannabis Dispensary, a marijuana dispensary, located at 105 North Lindbergh Boulevard within the "GC" General Commercial zoning district, for a Conditional Use Permit to use the existing drive through at this location. NAICS CC453999 Comprehensive or Medical Marijuana Dispensary Facility



**AGENDA
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
FEBRUARY 18, 2025
6:00 PM**

provides any drive-through or drive-up portion of any such dispensary shall be a Conditional Use which requires review and final approval by the City Council upon the recommendation of the Planning and Zoning Commission. This item was continued from the January 21, 2025 Planning and Zoning Commission meeting.

NEW BUSINESS

1. Public Hearing. Application #25-001: Text Amendment to the Zoning Ordinance to Amend Section 405.460 Accessory Uses to Establish Size Limitations and Design Standards for Accessory Buildings in Single-Family Residential Districts

Jason Jaggi, Director of Community Development, of the City of Creve Coeur has submitted a text amendment application to amend Section 405.460 of the Zoning Ordinance to establish size limitations and design standards for accessory buildings in single-family residential districts. The proposed amendments would introduce size limitations for individual accessory buildings on a single-family residential lot and would limit the total floor area of all accessory buildings combined to not exceed the ground floor area of the principal building. The proposed amendments would also establish new design standards to require larger accessory buildings to utilize similar exterior materials as the principal building. Text Amendments to the Zoning Ordinance require a public hearing and review by the Planning and Zoning Commission with final approval by the City Council.

WORK AGENDA

PENDING APPLICATIONS

1. • **Graze Craze CUP**

DEPARTMENT REPORTS

- **Olivia Village Updates**

ADJOURNMENT



**AGENDA
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
FEBRUARY 18, 2025
6:00 PM**

Pursuant to Section 610.022 RSMo., the Planning and Zoning Commission could, at any time during the meeting, vote to close the public meeting and move to closed 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) or other matters as permitted by Chapter 610.

Posted by: _____

Date/Time posted: _____

If you need special accommodations to attend a meeting, services may be arranged by contacting the Office of the City Administrator in advance.



**DRAFT MINUTES
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
JANUARY 21, 2025
6:00 PM**

CALL TO ORDER

ROLL CALL

**Ms. Julie LaBonte (Chair)
Mr. Thomas Buelter
Ms. Rhonda O'Brien
Mr. Larry Potashnick –
absent
Ms. Marjorie Richter
Mr. Stephan Tomlinson
Mr. AJ Wang**

**Mr. Carl Lumley, City Attorney
Mr. Jason Jaggi, AICP, Director of Community Development Ms.
Bethany L. Moore, AICP, City Planner
Ms. Claralyn Bollinger, Recording Secretary and Administrative Services
Supervisor**

ACCEPTANCE OF THE AGENDA

Ms. Richter moved to accept the agenda. Mr. Buelter seconded. All in favor.

APPROVAL OF MINUTES

1. December 16, 2024 Planning and Zoning Commission Draft Meeting Minutes

Ms. Richter made a motion to accept the December 16, 2024 minutes. Ms. O'Brien seconded. All in favor.

2. January 8, 2025 Planning and Zoning Commission Special Meeting Draft Minutes

Ms. Richter made a motion to accept the January 8, 2025 minutes. Ms. O'Brien seconded. All in favor.

PUBLIC COMMENT

No public comments.



**DRAFT MINUTES
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
JANUARY 21, 2025
6:00 PM**

UNFINISHED BUSINESS

No unfinished business.

NEW BUSINESS

1. Public Hearing. Application #24-034: A Conditional Use Permit for A Snack and Non-Alcoholic Beverage Bar, Tropical Smoothie Cafe, Located at 727 N. New Ballas Road within Plaza Shops

Speakers were sworn in. Maulik Patel gave his presentation. He and his mother will own the Tropical Smoothie Cafe franchise. The first Tropical Smoothie Café opened in 1997 and now there are over 1,000 locations. It is a dine in, fast casual restaurant that also has a take away portion of the business and does deliveries. They sell smoothies, quesadillas, wraps and bowls. No drive thru at this proposed location.

Ms. O'Brien: Are you open now?

Mr. Patel: We opened on December 21, 2024.

Ms. O'Brien: Is the food being prepared on site? Mr.

Patel: Yes.

Ms. O'Brien: So, there's a kitchen there?

Mr. Patel: Yes but no fryer. We mainly use a toaster oven and a panini press.

Ms. Moore gave the City's presentation. The City issued a temporary occupancy permit pending a decision on the CUP application. Six parking spaces are required and that is available in the shopping center. Maximum seating is 14.

Mr. Buelter: There will be later in the day hours. What about the existing lighting? Are employees supposed to park in back?

Ms. Moore: The lighting is sufficient, and no additional lighting is proposed. Employees park in the back.

Mr. Jaggi: I wanted to add to what Bethany said about the Conditional Use Permit situation. They were issued a permit for tenant finish improvements and realized they needed a Conditional Use Permit after that process had begun, so we talked to them about that. Our Building Division was comfortable issuing a temporary occupancy permit, knowing that they still had to go through this process and it wasn't finally approved until they went through this process. So, the owner sent us acknowledgment that they understood the risks and that they still wanted to open. I just want to make sure the Commission is clear on that.

Mr. Wang: There is a fountain. Next door is the bubble tea place and people sometimes sit around the fountain. That's not outdoor seating, is it?

Ms. Moore: No, it's not outdoor seating; it's part of the common area. Oshi does have outdoor seating. There was a separate project site development plan proposal in the past that was approved which will take out the fountains and add more plantings and benches.



**DRAFT MINUTES
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
JANUARY 21, 2025
6:00 PM**

There were no public comments.

Mr. Lumley offered exhibits into the record.

Mr. Wang made a motion to recommend approval subject to the conditions stated in the draft ordinance and Ms. Richter seconded. The vote on the motion being 6 ayes and 0 nays, motion carried.

2. Public Hearing. Application #24-039: A Conditional Use Permit for a Drive-Through Facility for a Comprehensive Marijuana Dispensary, Key Cannabis, Located at 105 North Lindbergh Boulevard

Speakers were sworn in. Chris Issinghoff, Chief Compliance Officer, made the Key Cannabis presentation. Orders will be placed in advance through web app or phone orders, then the customers can pick up the order through the drive through. No orders will be placed on site at the drive through window and picked up. Transactions can take a little bit of time when you are in person. Key Cannabis is expecting 20-25% increase in total transactions and a 20-25% increase in tax revenue for the City of Creve Coeur. The proposed awning is blue and would match the colors of the Key Cannabis brand and complement the green roof. We are planning to restripe the parking lot.

Chad Hansen with Premier Architecture spoke. He said Mr. Jaggi hit all the key points. The striping of the parking lot will be done with the addition of the awning in the rear of the building. I don't think it will be a blight to the community.

Ms. O'Brien: Will people pay online or buy when they come?

Mr. Issinghoff: The order is placed online, then payment is made when the cannabis is picked up. This is required by Missouri Health and Senior Services' regulations. With 14 locations in Missouri, we can get some accurate estimates as to volume. At our slowest store it's 10% of total volume that goes through the drive through. At our busiest store it's 15% of total volume that goes through the drive through. Currently we see 63 customers per day so we may get 11 cars at the drive through window. We show room for 5 vehicles to be stacked in queueing, but we don't expect that to happen. Transactions are quick to complete.

Mr. Buelter: 8:00 a.m.-10:45 p.m. daily hours. Are there peaks in the sales where we might have an opportunity to get over 5 cars in line?

Mr. Issinghoff: 3:00-6:00 p.m. is when we see the most sales. At this location that could be 4 or 5 cars.

Ms. O'Brien: So, if 5 cars get stacked in line, is there still room to enter off the street and access the property?

Mr. Hansen: If we really had to, there is space to stack about 15 cars on site without getting into the street.

Mr. Jaggi gave the City's presentation. Dispensaries are permitted uses in commercial districts as long as they comply with distance requirements from schools and religious organizations. This is a gateway building into Creve Coeur in the GC (General Commercial) District with the



**DRAFT MINUTES
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
JANUARY 21, 2025
6:00 PM**

signage of the City in front and business behind it. The dispensary has been in operation for a few years. It does have new ownership and it is proposed to change the name from Homestate Dispensary to Key Cannabis. One lane of the drive through is proposed to re-open; there are 3 drive through lanes from when the building was a bank. 3-5 vehicles is our minimum standard and I agree that it could accommodate more vehicles and potentially more lanes, but it is not anticipated to need that. This is a limited drive through facility. The hours would be 8:00 a.m. to 10:00 p.m. They are proposing entering off Ladue and not Lindbergh, but there isn't anything to stop the customers from entering off southbound Lindbergh.

Ms. LaBonte: Isn't there a median on the Ladue side? Mr. Jaggi: Yes, but it stops just short of their driveway.

Mr. Jaggi discussed requirements for drive throughs that are not restaurants and conditions of approval and blue color of canopy. There will be appropriate ingress and egress to the site.

Ms. O'Brien: How does the approval work if the volume would increase? Would that require that they come back?

Mr. Jaggi: This is not tied to any volume benchmarks. However, it is a Conditional Use Permit. If there are any unforeseen issues that arise which are creating additional traffic or if it is a nuisance type situation, there is a process in our ordinance to revoke the conditional use. We have not listed any limits on cars per day. It is designed to be a lower volume type operation but that could possibly change.

Mr. Buelter: Hours are stated to be 8:00 a.m. - 10:00 p.m. seven days per week. What were the previous hours?

Mr. Jaggi: This is what they are stating their hours will be. Staff can adjust that upon request.

Mr. Buelter: If you have people coming in from Ladue and Lindbergh, is the path off Ladue going to be striped that way? Can there be wayfinding signs?

Mr. Jaggi: I believe it's just shown that way, but there could be some directional signage we could approve as part of a sign plan.

Mr. Buelter: Wayfinding signs for when the person comes in there so the person doesn't pull a U-turn by the building. Just so traffic is controlled.

Mr. Jaggi: I would ask the applicant to come back up; they might have some thoughts on that as well.

Ms. LaBonte: And I was thinking a similar thing and maybe understanding the walking paths. It looks like there is one outlined at the top, but they may walk through the drive through as well.

Mr. Hansen: He spoke about the walking paths across the parking lot. There is an existing ADA crosswalk on the parking lot. Pedestrians will be routed along the building, toward the northeast. We can put up some signage or barriers so people aren't walking out into the traffic and drive through lane.

Mr. Issinghoff: We may put some bollards out there. Our existing hours are 11:00 a.m. - 6:45 p.m.

Mr. Buelter: Is it appropriate to have the ADA spot moved from the back to the front of the



**DRAFT MINUTES
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
JANUARY 21, 2025
6:00 PM**

building?

Mr. Hansen: The way we have it makes most sense. One by Lindbergh will need to be used for upstairs which is not the dispensary floor. There is an elevator there by the door.

Public Comments

Greg and Teri Wolfner of 4 Ladue Court spoke. When they built their house, no mention was made about the dispensary.

They asked "Who owns a part of the parking lot? AT&T does and they are not maintaining the parking area; there are potholes on the parking lot.

We have had to call the Police several times for people on the parking lot smoking. It is a revolving door of people through the dispensary. There are a lot more than 60-70 people coming in the side entrance every day. The signage would be facing my house. We are concerned about increased traffic from the drive through.

If this were to happen, we have suggestions. He proposed an 8 foot commercial privacy fence on part of the parking lot to block his house's view. Is the sign going to be lit up until 10:00 or 11:00 at night? He also proposed that the new sign be on the north side of the building where people on Lindbergh can see it since it cannot be seen from the back of the building. Park where it was originally laid out to be. Do they have permission from AT&T to use that part of the parking lot? AT&T could care less because nobody is ever in their building.

Green Giant Fir trees could also be planted to obscure the drive through. Ladue school buses line up on the dispensary's parking lot waiting to pick up students. Thanks for your time and for listening to us.

Marty Satz of 408 Foxbrook Drive spoke about living for 40 years behind nearby commercial occupancy buildings. He lives about 1,000 feet north of this site. He has served the City of Creve Coeur and a Planning and Zoning Commission member and on the Board of Adjustment. He thinks this is a real imposition to any resident who is going to have to live behind this business. He thinks that Planning and Zoning Commission and others are swayed too often by lawyers and design consultants. They want to make a change that is strictly for monetary benefit. We aren't hiring lawyers, architects and traffic engineers. We are simply homeowners.

First problem is entrance and egress to this site. Imagine someone trying to make a left turn into this site from Ladue Road and it will cause a major traffic jam. There are signs at the end of the divider on Ladue Road that say to not make such left turns.

Another thing I would like you to consider is that we had a bank at this location that felt a drive through lane was sufficient to handle their traffic. The bank operated 8:00 a.m.-6:00 p.m. I think. The drive through facility was sufficient for the bank and it represents 10-15% of the dispensary's revenue. You're weighing the quality of life for your residents against a 10-15% tax revenue increase. Headlights will flash across the residents' living rooms and bedrooms. That should be totally unacceptable. It's an invasion of their privacy, not much different than having each of those people driving coming up and knocking on their back door. Would you want that to occur across



**DRAFT MINUTES
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
JANUARY 21, 2025
6:00 PM**

your living room or bedroom at night?

I personally object to even having this occupancy in our City. I make no bones about it. The petitioner is here about how much money they can or cannot make. That is the only thing that makes any difference to the petitioner. I don't know why an official body of the City of Creve Coeur would make any concession to this business or make it any more commercially viable. When you go in business, you take the good and the bad. I owned my own business for 18 years. You have to make changes as they come.

Mr. Wolfner: Consider the hours of operation for the drive through, think about people like me listening to their loud rap music and people on the parking lot smoking marijuana.

Ms. O'Brien: Should this be continued so we can have some discussion?

Mr. Jaggi: I can respond to some of these questions, and we can have the applicant respond too. Who owns the property's parking lot? It's a shared parking lot with AT&T. There is a cross-access agreement. We can get into code enforcement issues on the parking lot. It is not the dispensary's area to maintain. I don't know if the dispensary has rights to access that parking area.

Ms. LaBonte: So, the AT&T parking lot is what?

Mr. Jaggi: He showed it on the lot layout plan. They have access to enter their property from AT&T's part of the parking lot.

Ms. O'Brien: I understand that it is someone else's property, but it seems to me that the whole thing should be straightened out.

Mr. Jaggi: I think that has been straightened out. If there is a maintenance agreement, that would specify AT&T's property.

Ms. LaBonte: It affects the flow through AT&T's property.

Mr. Jaggi: We have a condition that they are to make any repairs and bring this up to standard on the cross-access area.

Ms. O'Brien: The thing I am wondering about is if you have a problem with your shared access before you make a petition, you should create the environment for what is appropriate to happen.

Mr. Jaggi: It could be without looking at the specific language of the cross-access agreement, it might tell us there has been an arrangement between the businesses. We can look into that further

Mr. Jaggi: Regarding signage, we have not reviewed that extensively to see if it meets our sign code. Businesses are allowed to have rear entry signs. We don't know if this one is illuminated or not. We can get that to you as well. Regarding the landscaping, that could be required by the Commission. There are opportunities to add more screening. Regarding marijuana usage, this is a legal use in the state of Missouri. We have to follow the state law. We determined a drive through would be a Conditional Use Permit.

Ms. LaBonte: What can we put about signage, because the law is to not smoke outside publicly? There should be some posting.



**DRAFT MINUTES
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
JANUARY 21, 2025
6:00 PM**

Mr. Jaggi: It is regulated by the Police. I am not aware of any Police concerns over here. We can get some information from them.

Ms. LaBonte: That would be helpful.

Mr. Jaggi: We anticipated that there might be a request for a drive through since there was one with the previous building use.

Mr. Buelter: I have another one. The light noise that the adjoining property was speaking to. We don't want light noise going onto the adjoining property. If there can be screening that will block the light noise.

Mr. Jaggi: I believe we can get answers for you as well. The applicant should address some of these comments on this as well. There can be additional screening. My initial thought is there can be green shrubs.

Ms. O'Brien: It should be explored.

Ms. LaBonte: I agree.

Mr. Buelter: I know we are in a quandary. There is open area but it's not their part of the parking lot. That owner cannot go on AT&T's property.

Ms. O'Brien: Unless it says it in the shared access agreement.

Ms. LaBonte: I feel that there is a lot to be explored here so I request that we have a continuance. I do think that the way the traffic is being directed, it's creating a lot of light noise coming toward the houses. Banks are closed by 6:00 p.m. so that was different with the light noise then. This creates a completely different queueing issue at night. I'd be curious if we understand is the traffic coming in mostly from Ladue or Lindbergh?

Ms. Richter: Banks have 24/7 ATM's so they would have traffic at night, too.

Mr. Wang: The residents brought up an interesting point about the parking lot and the people are smoking there.

Mr. Jaggi: When you have areas that are underutilized, it doesn't look like anything is happening there, folks tend to gravitate toward them not always for the best reasons.

Ms. Richter: So, AT&T doesn't use the building?

Mr. Jaggi: I believe they have equipment in there, but no staff members that occupy the building on a regular basis. The neighbors may be able to speak more to that than I can.

Mr. Wolfner: It's an AT&T switching station.

Mr. Wang: I think we should spend time thinking about this.

Ms. LaBonte: I agree.

Ms. O'Brien made a motion to continue the public hearing to the next meeting. Mr. Buelter seconded. The vote on the motion being 6 ayes and 0 nays, motion carried.

**3. Application #24-036: A Condominium Plat for the Property Located at 10901
Olive Boulevard**

Mr. Jaggi gave the City's presentation. This is in the CB (Central Business) District.



**DRAFT MINUTES
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
JANUARY 21, 2025
6:00 PM**

Condominium plats define ownership structures. We consider it to be a subdivision process. They are adding a condominium plat on top of it. They identify the units, common areas, maintenance rights and they are required to submit a declaration which is similar to a homeowners association document. BMO Bank would be one unit and hair salon, and a retail entity would be second unit.

He addressed conditions of approval. He had asked for a revised drawing to be submitted to staff that outlines the common areas. The declaration document we recommend that the City Attorney review those to make sure that the City's interest is being protected and ability to make assessments. You could see on the drawing who is responsible for what.

Mr. Lumley offered exhibits into the record.

Ms. LaBonte: Who manages the parking then?

Mr. Jaggi: We don't regulate allocation of parking spaces between users. That would be up to them to enforce.

David Hutkin: I am the owner of the property that was developed in 2004-2005. I have spoken with City Attorney Carl Lumley about this project. I don't plan on changing anything about the shopping center. I'm contractually bound to maintain the plaza in a first-class manner. I also own the building where Total Access Urgent Care is located.

Mr. Wang made a motion to recommend approval of the condominium plat subject to the conditions stated in the draft ordinance and Ms. O'Brien seconded. The vote on the motion being 6 ayes and 0 nays, motion carried.

4. Application #24-037: Public Facility Site Development Plan Approval for Sport Fields Renovations at Ladue Schools West Campus Located at 10900 Ladue Road

Brandon Harp president of CVC Civil Engineers made Ladue Schools' presentation. It is in the Zone A Residential Area. Project includes: add 34 parking spaces, upgrades to the baseball field including restrooms, batter's box, press box, scoreboard, batting cages and dugout improvements, increase tennis courts from 5 to 8 and add 16-foot-high parking lights and reconfigure the stormwater detention basin. Tennis courts and ball fields will not have lighting. Additional shrubbery will be added to thwart lights shining onto residences. 27 new trees will be planted. There will be 103 total parking spaces when the project is completed.

Ms. O'Brien: What about the trees in the parking lot? Will there be two trees in each island?

Mr. Harp: Interior islands have two trees, one in each half of the island and exterior areas have one tree.

Ms. O'Brien: I've noticed that some trees tend to not do well.

Mr. Harp: If you make the islands too narrow, that affects the trees. These islands are 9 feet in width, and we have had great success with that.



**DRAFT MINUTES
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
JANUARY 21, 2025
6:00 PM**

Mr. Buelter: Is there a sprinkler system involved in the landscaping?

Mr. Harp: Yes it is irrigated.

Mr. Wang: The lighting is all over the parking lot with no lights on the tennis courts?

Mr. Harp: No lights on the tennis courts or the fields.

Mr. Wang: Are you taking down the old tennis courts first then putting in the new ones?
Personally, I play tennis there.

Mr. Harp: As you know the tennis courts there are in pretty bad shape. They will either be new asphalt courts or we are looking at an option to use post-tension concrete.

Ms. LaBonte: Can you talk a little bit about the height of the new press box and how visible that will be from the neighbors?

Mr. Harp: Topography falls off significantly north to south. Press box is 16 feet high. The residences are pretty heavily landscaped with buffer yards near the press box. It's pretty opaque around the perimeter.

Mr. Buelter: Are the uses and timing on old sets of fields still the same or will there be new uses and operations?

Mr. Harp: No changes in operations. It's all daytime play because there are no lights.

Ms. O'Brien: Do a lot of spectators come?

Mr. Harp: A lot of parents do come for tennis. There will be sufficient area for spectators to watch the games. 50-60 parents for field games.

Mr. Buelter: Is the increase in the detention pond in response to removal of permeable area on the whole site?

Mr. Harp: All the impervious areas drain into the area by the Early Childhood Center and then is piped underground to a detention basin near the current tennis courts, then is piped into a southern storage basin then out via pipe through the neighborhood to the south. Changes would remove the second detention basin and alter how water is piped to the southern detention basin. These changes will need to be reviewed and permitted by Metropolitan Sewer District and the City.

Ms. Richter: Why is the speed limit 30 miles per hour in the school zone? I've not seen such a high speed limit in other school zones?

Mr. Harp: I would have to defer to the City on that. The school doesn't have authority to set a speed limit on a City street.

Ms. Moore gave the City's presentation. Site coverage is proposed to be 25% and that is within the allowable limit for this zoning district. New outbuildings will be built more toward the interior of the campus. Continuous opaque screening is required per the landscaping regulations. Proposed bathrooms and press box with dugout will be built of complementary material to the existing buildings.

Ms. LaBonte: Did notices go to the residents?

Ms. Moore: Yes, they go to all residences within 300 feet, so this one had a lot. There is an



**DRAFT MINUTES
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
JANUARY 21, 2025
6:00 PM**

existing 50-foot buffer yard toward all residences. They are allowed 25% site coverage; it is proposed to be 21%. The new outbuildings are pretty far from the property line. They are adding additional evergreen trees to increase the buffer. 27 new trees here. New lighting is only on the parking lots, not the fields. New scoreboard will face into the property. It will have LED lighting for the score area, but not a huge LED display.

Ms. LaBonte: Is there a scoreboard there today?

Ms. Moore: Yes.

Mr. Wang made a motion to approve the site plan subject to the recommended conditions and Mr. Tomlinson seconded. The vote on the motion being 6 ayes and 0 nays, motion carried.

5. Application #24-038: A Site Development Plan for the Commercial Use of a Single-Family Structure for A Hair Salon, Curl Sanctuary, Located at 11144-11148 Olive Boulevard

Jessica McTaggart: Her business Curl Sanctuary has been renting for the last 10 plus years just outside of Creve Coeur. No outside structural changes are proposed to this building. Upgrading landscaping is proposed including adding some trees. 3-4 hair stylists will be at the site. 12-18 clients on most days, sometimes as few as 6-8 clients. We are excited to make our permanent home in Creve Coeur.

Ms. Moore made the City's presentation. Commercial use of a single-family structure is proposed. Previously this building had been an animal skin clinic for several decades. It is in a C Single-Family Residential Zoning District. Close to site coverage allowance. Additional buffering is not required. The building is required to appear as a residential building as much as possible. She discussed the conditions of approval.

Ms. Moore: Staff has requested additional landscaping be installed around the parking area to give it a residential feel. Additional parking is within the backyard, and you access it by driving through the back wall area of the garage.

Ms. O'Brien: When construction is done, they would put in the landscaping?

Ms. Moore: Yes, it's too cold now.

Mr. Wang made a motion to approve the site plan subject to the recommended conditions and Ms. O'Brien seconded. The vote on the motion being 6 ayes and 0 nays, motion carried.

WORK AGENDA

PENDING APPLICATIONS

1. Accessory Structures Text Amendment-February 18th Meeting Agenda

Mr. Jaggi stated he presented the accessory structures concept to the City Council. Some members thought that it should be lower than 400 square feet for when the primary building materials must match the main house. We will take a look at that.



**DRAFT MINUTES
CITY OF CREVE COEUR
PLANNING AND ZONING
300 NORTH NEW BALLAS RD
JANUARY 21, 2025
6:00 PM**

February 3 meeting may be canceled.

DEPARTMENT REPORTS

Staff will look for feedback on signage code at the February 18 meeting.

ADJOURNMENT

Meeting adjourned at 8:09 p.m.

Submitted by:

Recording Secretary

Chair



APPLICATION TO PLANNING AND ZONING COMMISSION
#24-039: A CONDITIONAL USE PERMIT FOR A DRIVE-THROUGH FACILITY
FOR A COMPREHENSIVE MARIJUANA DISPENSARY, KEY CANNABIS,
LOCATED AT 105 NORTH LINDBERGH BOULEVARD

FOR THE MEETING OF: Tuesday, February 18, 2025, 6:00 PM

LOCATION: 105 North Lindbergh Boulevard, zoned “GC” General Commercial District

REQUEST: Chad Hanson, of Premier Architecture Design and Build, has submitted an application on behalf of Key Cannabis Dispensary, a marijuana dispensary, located at 105 North Lindbergh Boulevard within the “GC” General Commercial zoning district, for a Conditional Use Permit to use the existing drive through at this location. NAICS CC453999 Comprehensive or Medical Marijuana Dispensary Facility provides any drive-through or drive-up portion of any such dispensary shall be a Conditional Use which requires review and final approval by the City Council upon the recommendation of the Planning and Zoning Commission. This item was continued from the January 21, 2025 meeting.

Key Issues:

- Does the request further the goals and/or implement the Comprehensive Plan?
- Is the request consistent with the required findings for a conditional use permit?

Creve Coeur 2030 Plan References

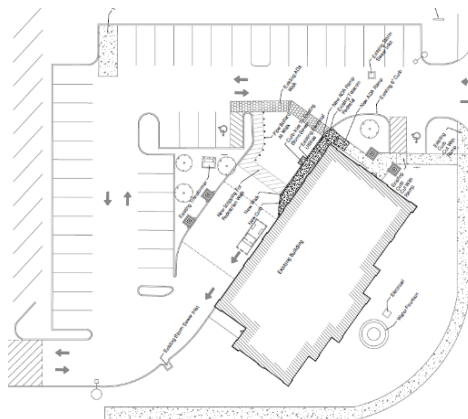
- Mixed-Use District
- Design Guidelines

Zoning Code References

- Section 405.360: GC-General Commercial District
- Section 405.470: Conditional Use Permit

APPLICANTS: Chad Hanson
Premier Architecture Design and Build
347 S. Williams Street
Murphysboro, IL 62966

PROPERTY OWNER: Rainbow Justice MO LLC
500 Park Ave, 10th Floor
New York, NY 10022



REPORT PREPARED BY: Jason Jaggi, Director of Community Development

DATE: February 12, 2025

ATTACHMENTS: Applicant's Revised Materials received February 7, 2025
Revised Draft Ordinance

BACKGROUND

Chad Hansen, with Premier Architecture Design and Build, on behalf of Key Cannabis Dispensary, submitted a conditional use permit application to operate a drive through facility as part of the existing marijuana dispensary located at 105 North Lindbergh Boulevard. The former Homestate Dispensary has been sold and renamed to Key Cannabis Dispensary. The existing building was originally constructed in 2004 as a bank with a drive-through component located to the rear of the building with three drive through lanes. The ground floor of this building has been used as a marijuana dispensary since 2021.

The Planning and Zoning Commission conducted a public hearing on this request at the prior meeting on January 21, 2025. The Commission requested additional information on several items and continued this application to the next meeting. This report will summarize the changes made to the proposal since the last meeting. Please refer to the prior staff report prepared for the January 21, 2025 meeting for additional information.

REVISIONS TO PRIOR PROPOSAL

Below is a summary of the changes that have been made by the applicant in response to the Commission's concerns.

- Surrounding Property Boundaries. The site plan has been expanded to show nearby properties. The subject property is located on the northwest corner of Ladue Road and North Lindbergh Blvd. It does not share a property line with the Ladue Court single family properties. A portion of the AT&T property extends to Ladue Road and is located between the subject property and the Ladue Court properties.
- Hours of Operation. The current dispensary operates from 11:00am to 6:45pm. The applicant intends to expand the business hours to match the other Key Cannabis locations. The new hours of operation for the dispensary would be 9:00 am to 8:45pm with the drive through maintaining the same hours. The prior operating hours for the drive through was proposal was 8:00am to 10:00pm. The condition of approval within the draft ordinance has been revised to show the allowable hours of operation for the drive through from 9:00am to 9:00pm, seven days a week.
- Site Access and Circulation. The applicant has provided the access easement license from the AT&T property that provides shared access onto Ladue Road. The property containing the dispensary is responsible for maintenance within this area. The license also grants the dispensary the use and maintenance of two parking spaces. The site plan has been updated to show the lane configurations on Ladue Road and Lindbergh Boulevard. Full access into the site via the shared access on Ladue Road allows vehicles to enter and exit the site going eastbound and westbound.

The site plan has been updated to show areas that are designated with signage for employee parking and customer parking. Employee parking is designated on the west end of the property. Customer parking is located on the eastern end closer to the pedestrian walkway. A sign has been added to the site plan to discourage blocking of the pedestrian walkway from the parking lot to the rear entrance. The site plan has been revised to show the stacking lane while providing access to the drive through from both entrances on Lindbergh and Ladue.

- Landscaping and Screening of Drive through Facility. Staff was unable to locate the original landscape plan for the entire site; however, the applicant has submitted a revised landscape plan that addresses missing plant material with notations that the decorative features at the corner of Lindbergh and Ladue will remain and be properly maintained, in line with the original site plan approval for this property.

To address concerns with screening of the drive through lanes from nearby residential uses on Ladue Court, the landscape plan has been updated to provide a solid row of upright evergreen trees (Green Giant Arborvitae) that will grow between 40-60-feet and 12-18 feet wide at maturity.

- Signage. The rear entry sign has been reduced in size to 24 square feet. The sign code allows signs that are attached to the building, less than 25 square feet, and not legible from adjacent properties as “incidental signs”. The sign appears to meet with this requirement based on the proposed landscape screening that would block its view from adjacent properties. All building signs require final review and the issuance of a sign permit by staff prior to installation.
- Police Department Calls for Service. At the last meeting, there were questions raised about crime associated with marijuana dispensaries. In response to these questions, Staff contacted the Creve Coeur Police Department and requested a three-year history on calls for service at the two dispensaries located in the City. Attached is the Police Department’s report for the Commission’s review.

CONDITIONAL USE STANDARDS

The City Council, with the recommendation of the Planning and Zoning Commission, considers conditional use permit requests based upon the following standards as provided in Section 405.1070.E:

E. Standards. The burden of persuasion shall rest with the applicant to clearly establish to the satisfaction of the City Council that the proposed conditional use will meet the following criteria. The City Council shall not approve a conditional use unless it finds that the application and information presented clearly indicate that the proposed conditional use:

1. Complies with all applicable provisions of this Zoning Ordinance Chapter 405 including but not limited to environmental performance standards presented in Section 405.550, the criteria in Section 405.470 and the standards of this Chapter in regard to yard and setback, parking and loading areas, screening and buffering, refuse, storage and service areas and signs.
2. Will contribute to and promote the welfare and convenience of the community at the specific location.
3. Will not cause substantial injury to the value of neighboring property.
4. Is consistent with the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans, unless good cause is demonstrated for deviation there from.
5. Will provide, if applicable, erosion control and on-site stormwater detention in accordance with the standards contained in this Chapter.
6. Will be compatible with the character of the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on pedestrian or vehicular traffic or on community facilities or services, including but not limited to emergency services.

In addition, the following conditional use standards for drive through facilities, including marijuana dispensaries apply:

Section 405.470.A.8

All drive-through and drive-in sales of goods or services, including, but not limited to, pharmacies, banking facilities, and marijuana dispensary facilities (not including restaurants) (CC442100) (conditional use in the "PH," "MX," "PC," "GC," "CB" and "L1" Districts).

- a. Shall provide space for at least three (3) cars per drive-up window or station.

- b. Shall provide landscaping to screen the view of drive-up waiting spaces from surrounding properties.
- c. Drive-up window access, waiting spaces and egress shall not interfere with site circulation or be hazardous to motorists entering, exiting or passing by the site.
- d. When provided in the "PH" District, drive-through services shall be limited to uses complementary to the medical uses existing on the campus.

The Commission should confirm these requirements are satisfied in its recommendation to the City Council.

SUMMARY AND CONCLUSION

In consideration of the revisions made to this request and the January 21, 2025, staff report, the proposal appears to not be in conflict with the recommendations of the Comprehensive Plan and the Design Guidelines and that it meets the minimum requirements of the Zoning Ordinance, including the Conditional Use requirements, subject to the suggested conditions in the draft ordinance. Staff recommends the following conditions of approval:

1. The Conditional Use Permit shall be for the operation of a drive through component associated with a marijuana dispensary at 105 N. Lindbergh Boulevard, with drive through facilities and related site improvements as shown in the revised "Site Development Plan" submitted on February 7, 2025 as bound together and submitted in conjunction with Application #25-039 by Premier Architecture, except as modified below.
2. Hours of operation for the drive through component shall be the same as the walk-in retail component, which are 9:00 a.m. to 9:00 p.m., seven days a week.
3. No external speakers, except at the pickup window, shall be permitted.
4. The operator of the dispensary with a drive through shall maintain the existing landscaping and related site features including operation of the fountain, city gateway signage, and decorative landscape walls. Additional landscaping shall be installed and maintained in accordance with the Landscape Plan submitted by Premier Architecture on February 5, 2025. Any missing landscaping shall be replaced in accordance with the approved plans prior to receiving final occupancy for the drive through.
5. The parking lot, including drive aisles, shall be repaired, as necessary, resealed and striped prior to receiving final occupancy approval of the drive through component.
6. All lighting shall be in compliance with Section 405.680, Lighting, of the Zoning Ordinance.
7. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code and require approval of a sign permit.
8. Any future enlargement, extension, expansion, or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.
9. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.
10. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained, and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.

11. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

ACTION

If the Commission determines the proposal is not in conflict with the recommendations of the Comprehensive Plan and the Design Guidelines and that it meets the minimum requirements of the Zoning Ordinance, including the Conditional Use requirements, it may vote on a recommendation to the City Council. Any changes to the draft ordinance should be discussed and made by separate actions.

MOTION

The following is an example of an appropriate motion for this application:

“I move to recommend approval of Application #24-039 for a Conditional Use Permit for a drive through facility associated with a marijuana dispensary located at 105 North Lindbergh Blvd. subject to the conditions contained in the draft ordinance attached to the staff report dated February 12, 2025” (conditions may be added, eliminated, or modified by preceding motion).

APPENDIX 1: COMPREHENSIVE PLAN AND DESIGN GUIDELINES

Included and attached by reference. See body of report for specific excerpts.

APPENDIX 2: ZONING CODE

Included and attached by reference. See body of report for specific excerpts.

APPENDIX 3: AERIAL PHOTO



APPENDIX 4: SITE PHOTOGRAPHS

Photo Date: 1-16-25



Description:
View looking
South at the rear
of the building
showing the
former drive
through area of
the building.



Description:
Close-up view of
the rear of the
building showing
the drive through
lanes and
overhead canopy
that will be
reutilized for the
dispensary.



Description:
View of the front
of the building
taken from
Google Maps
looking Northeast
at the intersection
of Lindbergh and
Ladue.

BILL NO. _____

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE
PERMIT FOR A DRIVE THROUGH FACILITY FOR A COMPREHENSIVE
MARIJUANA DISPENSARY, KEY CANNABIS LOCATED AT 105 NORTH
LINDBERGH BOULEVARD**

WHEREAS, under Section 405.360(C), a drive-through component for marijuana dispensaries in the “GC”, General Commercial zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, Chad Hanson, of Premier Architecture Design and Build, on behalf of Key Cannabis, on behalf of Key Cannabis Dispensary has submitted an application for a conditional use permit for a drive through component to the existing marijuana dispensary, at 105 North Lindbergh Boulevard; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Tuesday, January 21, 2025, and continued to February 18, 2025, beginning at 6:00 p.m. or immediately following the close of the previous public hearing, on said application for the conditional use permit as provided by Section 405.1070(D)(2); and

WHEREAS, notice of publication for said public hearing had been previously published at least 15 days prior to the hearing, in the St. Louis Countian, a newspaper of general circulation in the City of Creve Coeur; and

WHEREAS, the Planning and Zoning Commission reviewed and, by a __ vote, recommended approval of the conditional use permit, subject to the conditions contained herein, at its meeting on February 18, 2025; and

WHEREAS, all parties desiring to be heard, either for or against said application, were given an opportunity to be heard, and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the Council; and this Bill having been read by title in open meeting two times before final passage by the City Council, and

WHEREAS, the City Council finds that the application and evidence presented clearly indicate that the proposed conditional use, when subject to certain conditions set forth herein:

1. Complies with all applicable provisions of this Zoning Ordinance Chapter 405 including but not limited to environmental performance standards presented in Section 405.550, the criteria in Section 405.470 and the standards of this chapter in regard to yard and setback, parking and loading areas, screening and buffering, refuse, storage and service areas and signs.
2. Will contribute to and promote the welfare and convenience of the community at the specific location.
3. Will not cause substantial injury to the value of neighboring property.
4. Is consistent with the applicable provisions of the City’s Comprehensive Plan and any applicable neighborhood or sector plans, unless good cause is demonstrated for deviation there from.
5. Will provide, if applicable, erosion control and on-site stormwater detention in accordance with the standards contained in this Chapter.
6. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on pedestrian

BILL NO. _____

ORDINANCE NO. _____

or vehicular traffic or on community facilities or services, including but not limited to emergency services.

NOW, THEREFORE, be it ordained by the City Council of the City of Creve Coeur, St. Louis County, Missouri, as follows:

Section 1: A Conditional Use Permit is authorized to be issued pursuant to Section 3 hereof for the operation of a drive through component to the existing marijuana dispensary, at 105 North Lindbergh Boulevard in the “GC” General Commercial zoning district, whose legal description is as follows:

A tract of land in the East ½ of the Northwest ¼ of Section 12, Township 45 North, Range 5 East and described as follows:

Beginning at the intersection of the West line of Lindbergh Boulevard, 100 feet wide, with the North line of Ladue Road, 60 feet wide; thence North along said West line of Lindbergh Boulevard, 200 feet to a point; thence West and parallel with the North line of Ladue Road, 200 feet to a point; thence South and parallel with the West line of Lindbergh Boulevard, 200 feet to a point to the North line of Ladue Road; thence East along said North line Ladue Road, 200 feet to the beginning, EXCEPTING THEREFROM that part taken by condemnation cause No. 287401 a Report of Commissioners of which is recorded in Book 6326 page 1139.

Section 2: The Conditional Use Permit granted shall be subject to all applicable statutes, ordinances, rules and regulations, and the following conditions:

1. The Conditional Use Permit shall be for the operation of a drive through component associated with a marijuana dispensary at 105 N. Lindbergh Boulevard, with drive through facilities and related site improvements as shown in the revised “Site Development Plan” submitted on February 7, 2025 as bound together and submitted in conjunction with Application #25-039 by Premier Architecture, except as modified below.
2. Hours of operation for the drive through component shall be the same as the walk-in retail component, which are 9:00 a.m. to 9:00 p.m., seven days a week.
3. No external speakers, except at the pickup window, shall be permitted.
4. The operator of the dispensary with a drive through shall maintain the existing landscaping and related site features including operation of the fountain, city gateway signage, and decorative landscape walls. Additional landscaping shall be installed and maintained in accordance with the Landscape Plan submitted by Premier Architecture on February 5, 2025. Any missing landscaping shall be replaced in accordance with the approved plans prior to receiving final occupancy for the drive through.
5. The parking lot, including drive aisles, shall be repaired, as necessary, resealed and striped prior to receiving final occupancy approval of the drive through component.
6. All lighting shall be in compliance with Section 405.680, Lighting, of the Zoning Ordinance.
7. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code and require approval of a sign permit.
8. Any future enlargement, extension, expansion, or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.
9. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit

BILL NO. _____

ORDINANCE NO. _____

shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.

10. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained, and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.
11. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

Section 3: The City Administrator of the City of Creve Coeur is hereby authorized and directed to issue a Conditional Use Permit in accordance with the provisions of this ordinance, said permit to expressly provide for the conditions and stipulations hereinabove set out in Section 2 of this ordinance. Exercise of the rights granted pursuant to the issued permit shall constitute acceptance of all conditions and stipulations set forth herein.

Section 4: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS ____ DAY OF _____, 2025.

TIM CARNEY
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2025.

DR. ROBERT
HOFFMAN
MAYOR

ATTEST:

BILL NO. _____

ORDINANCE NO. _____

KELLIE HENKE
CITY CLERK



MEMORANDUM

DATE: 01/27/2025

TO: Chief Jeffrey Hartman

FROM: Captain Tim Koncki

SUBJECT: Calls for Service at Cannabis Dispensaries in Creve Coeur

Chief,

The information below outlines a three-year history of police calls for service at two cannabis dispensary locations within Creve Coeur.

105 N Lindbergh - Key Cannabis Dispensary			
Calls for Service	2022	2023	2024
Alarm	0	1	1
Area Check	6	2	18
Business Check	2	0	1
Extra Patrol	1	0	3
Follow Up Invest	1	1	4
Suspicious Person	0	0	1
Suspicious Vehicle	0	1	3
Traffic Stop	1	10	2
Total Calls	11	15	33

11062 Olive Boulevard – Terrabis Dispensary			
Calls for Service	2022	2023	2024
Assault	0	0	1
Assist Motorist	0	1	0
Alarm	5	11	10
Area Check	41	6	4
Business Check	1	2	0
Extra Patrol	7	0	0
Harassment	1	0	0
Follow Up Invest	0	0	0
Property Damage	0	0	1
Suspicious Person	0	1	0
Suspicious Vehicle	1	3	0
Traffic Stop	3	3	3
Stealing	0	0	1
Total Calls	59	27	20

Regarding the business at 105 N Lindbergh, there was one arrest wherein a suspect stole a copper downspout. There were no arrests at 11062 Olive Boulevard during the three-year time period.

There were no calls for service on Ladue Court that related to 105 N Lindbergh Boulevard.

The traffic stop totals are not directly related to either business as the location only indicates where the traffic violator came to a stop.

Area checks, business checks, and extra patrols are self-initiated entries by Officers who chose to document in CAD that they did a drive-through patrol of the property.

Respectfully submitted,

Capt. Tim Koncki

Capt. Koncki DSN 513



APPLICATION TO PLANNING AND ZONING COMMISSION
#24-039: A CONDITIONAL USE PERMIT FOR A DRIVE-THROUGH FACILITY
FOR A COMPREHENSIVE MARIJUANA DISPENSARY, KEY CANNABIS,
LOCATED AT 105 NORTH LINDBERGH BOULEVARD

FOR THE MEETING OF: Tuesday, January 21, 2025, 6:00 PM

LOCATION: 105 North Lindbergh Boulevard, zoned “GC” General Commercial District

REQUEST: Chad Hanson, of Premier Architecture Design and Build, has submitted an application on behalf of Key Cannabis Dispensary, a marijuana dispensary, located at 105 North Lindbergh Boulevard within the “GC” General Commercial zoning district, for a Conditional Use Permit to use the existing drive through at this location. NAICS CC453999 Comprehensive or Medical Marijuana Dispensary Facility provides any drive-through or drive-up portion of any such dispensary shall be a Conditional Use which requires review and final approval by the City Council upon the recommendation of the Planning and Zoning Commission.

Key Issues:

- Does the request further the goals and/or implement the Comprehensive Plan?
- Is the request consistent with the required findings for a conditional use permit?

Creve Coeur 2030 Plan References

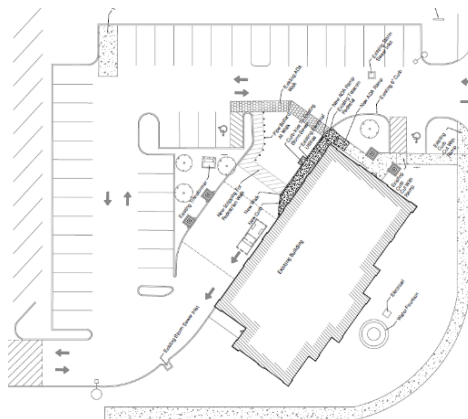
- Mixed-Use District
- Design Guidelines

Zoning Code References

- Section 405.360: GC-General Commercial District
- Section 405.470: Conditional Use Permit

APPLICANTS: Chad Hanson
Premier Architecture Design and Build
347 S. Williams Street
Murphysboro, IL 62966

PROPERTY OWNER: Rainbow Justice MO LLC
500 Park Ave, 10th Floor
New York, NY 10022



REPORT PREPARED BY: Jason Jaggi, Director of Community Development

DATE: January 17, 2025

ATTACHMENTS: Applicant’s Materials received January 13, 2025
Draft Ordinance

PROPOSAL

Chad Hansen, with Premier Architecture Design and Build, on behalf of Key Cannabis Dispensary, has submitted a conditional use permit application to operate a drive through facility as part of the existing marijuana dispensary located at 105 North Lindbergh Boulevard. The former Homestate Dispensary has been sold and renamed to Key Cannabis Dispensary. The existing building was originally constructed in 2004 as a bank with a drive-through component located to the rear of the building with three drive through lanes. The ground floor of this building has been used as a marijuana dispensary since 2021. The drive through windows have been removed along with other supporting elements such as kiosks. The overhead canopy and drive lanes of the former drive through component remain.

The applicant intends to restore the former drive through facility to offer marijuana products that are sold in the store. According to the application submitted, the planned drive through will be utilized as a pickup window only. All orders will be placed through the company's website prior to arrival. There will be no menu board or order on arrival. The processing of the online orders and coordination of the pickup at the drive through window will be accomplished by one to two employees. The operation of the drive through facility will be the same as the indoor operations, 8:00am to 9:45pm, 7 days a week.

The exterior changes to the site and building are relatively minor. The proposed changes involve reutilizing the existing drive through canopy and restoring one of the prior three drive through lanes. The stacking lane configuration shown on the site plan for the single drive through lane provides a capacity for 3-5 vehicles. The entrance to the drive through facility will be from Ladue Road only. A small drive through service window will be installed underneath the overhead canopy and a new rear entrance to the dispensary will be added with a new walkway placed along the rear of the building. A small entrance canopy with a blue metal roof cover will be added to accentuate the new entrance at the rear of the building.

The applicant has submitted their proposed building signage as part of this request. Signage is subject to a separate review at the staff level; however, the proposed signage provides the Commission with a full view of how all of the elements fit together. The primary sign on the front of the building will be replaced with the new business name, Key Cannabis Dispensary. A new sign is also proposed at the rear entrance.

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Office Building	GC General Commercial	N/A
South	Gas Station	GC General Commercial	Ladue Rd
East	Residential	City of Ladue	N. Lindbergh Blvd
West	Residential	B Single Family Residential	N/A

COMPREHENSIVE PLAN REVIEW

The subject property is located within the Lindbergh Corridor as identified in the City's comprehensive plan, *Creve Coeur 2030*. The Lindbergh Corridor is part of the Mixed-Use District (MU) place type. The MU place-type supports the development of a wide variety of medium-density uses including commercial, retail, office, institutional, dining, community services and multi-family residential within a suburban context. The land uses are supported primarily through vehicular means with the goal for improved walkability, pedestrian connections to adjacent neighborhoods, and landscaped streetscapes (p 102).

The proposal seeks to utilize the former drive through component when this property contained a bank. As a result, this drive through proposal does not represent a significant change in the historical use of the property. However, this property has been viewed as an eastern gateway to Creve Coeur and was carefully planned to support this goal through building orientation, elaborate landscaping and placement of the drive-through in a less visible location behind the building. This proposal does not change these attributes; however, staff has included a condition that the enhanced site features, including the extensive landscaping, city signage, planters and the water feature be maintained and any missing landscaping is replaced. The elements of the site contribute to the goals of Lindbergh corridor MU place-type, particularly beautifully landscaped streetscapes.

DESIGN GUIDELINES

Given the scope of this request, the review of the Design Guidelines is limited. The Design Guidelines recommend that service areas should be positioned to minimize view and visual impact (p 10). Further architectural consistency of the colors, materials and detailing are to be provided between all elevations (p 9).

This proposal utilizes the former drive through component which is located to the rear of the building in agreement with the guidelines. The proposed rear entrance canopy is proposed to be painted in a blue color to match the corporate color scheme of the business, including the proposed wall sign that would be located next to the canopy at this rear entrance. The Commission should review the request by the applicant to keep the blue accent color on the rear of the building to determine if it represents a significant departure from the Design Guidelines recommendations. If required to be green to match the building, a condition of approval should be added.

ZONING REVIEW

Recreational marijuana uses were incorporated into the City's zoning code in February 2023 in accordance with state law (City Ordinance No 5828). At that time, allowing drive through facilities for marijuana dispensaries was discussed and the determination was made to require such proposals to obtain a conditional use permit. As such, Table A, Permitted and Conditional Uses allows marijuana dispensaries as a permitted use (subject to certain locational

requirements) with a drive through or drive-up portion requiring a conditional use review (NAICS Code: CC453999).

The conditional use review for drive through facilities, including permitted marijuana dispensaries, requires consideration of the following requirements as provided in Section 405.470.A.8. The criteria are provided below with staff's analysis:

- a. *Shall provide space for at least three (3) cars per drive-up window or station.*
Criterion met. The site plan provides a stacking lane accommodating a minimum of three cars.
- b. *Shall provide landscaping to screen the view of drive-up waiting spaces from surrounding properties.*
Criterion met. The proposal involves reutilizing the former drive through located behind the building which is largely screened by the building and existing landscaping.
- c. *Drive-up window access, waiting spaces and egress shall not interfere with site circulation or be hazardous to motorists entering, exiting or passing by the site.*
Criterion met. The proposal involves reutilizing the former drive through located behind the building. The drive through has dedicated service lanes that are separated from the circulation elsewhere on the site. A clearly defined pedestrian crossing is placed with proposed additional signage to increase the safety of the motorists utilizing the drive through and the pedestrians entering the building from the parking lot.
- d. *When provided in the "PH" District, drive-through services shall be limited to uses complementary to the medical uses existing on the campus.*
Criterion not applicable. This property is not located within the PH District.

In addition to the above specific requirements for drive through facilities, the general review criteria for all conditional uses as found in Section 405.1070.E. are provided below for the Commission's consideration:

Standards. The burden of persuasion shall rest with the applicant to clearly establish to the satisfaction of the City Council that the proposed conditional use will meet the following criteria. The City Council shall not approve a conditional use unless it finds that the application and information presented clearly indicate that the proposed conditional use:

1. Complies with all applicable provisions of this Zoning Ordinance Chapter 405 including but not limited to environmental performance standards presented in Section 405.550, the criteria in Section 405.470 and the standards of this Chapter in regard to yard and setback, parking and loading areas, screening and buffering, refuse, storage and service areas and signs.
2. Will contribute to and promote the welfare and convenience of the community at the specific location.
3. Will not cause substantial injury to the value of neighboring property.

4. Is consistent with the applicable provisions of the City's Comprehensive Plan and any applicable neighborhood or sector plans, unless good cause is demonstrated for deviation there from.
5. Will provide, if applicable, erosion control and on-site stormwater detention in accordance with the standards contained in this Chapter.
6. Will be compatible with the character of the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on pedestrian or vehicular traffic or on community facilities or services, including but not limited to emergency services.

In consideration of the above standards, the proposed addition of a drive through to an existing dispensary requires additional review due to the potential to create negative impacts to the surrounding area. In this case, the drive through will be small in scale and will utilize the existing canopy and drive through facilities when this building was used as a bank. Further, the application states that this drive through will be used only as a pick-up window as the orders will be placed ahead of time. Signage is proposed to reduce conflicts between motorists utilizing the drive through and pedestrians. These aspects suggest that the drive through has been designed to be low volume. The Commission should confirm these conditions with the applicant as part of their deliberations on this request.

Landscaping

As mentioned previously in this report, the site plan was approved with the use of extensive landscaping and outstanding site features including decorative brick accent walls, city “gateway” signage, fountain, and concrete planters with seasonal plantings. Staff has included a condition of approval that these site components be maintained in accordance with the original site plan on file and any deficiencies are addressed prior to final occupancy approval for the drive through component.

Other Review Items

No changes to the site are proposed including lighting, the trash enclosure or parking. These items appear to be in satisfactory condition. Staff has discussed with the applicant the need to repair, reseal and restripe the asphalt parking lot. Staff has issued a condition of approval that this property maintenance item be addressed as part of the conditional use permit for the drive through facility.

SUMMARY AND CONCLUSION

Based on the above analysis, the proposal appears to not be in conflict with the recommendations of the Comprehensive Plan and the Design Guidelines and that it meets the minimum requirements of the Zoning Ordinance, including the Conditional Use requirements with the exception of a few minor elements as discussed in this report. These include the request for the blue canopy as opposed to using a green color to match the rest of the building, the need to maintain the original site and landscaping plan and bring the site up to these requirements with respect to the landscaping; and, the need to address the maintenance of the parking lot. With these considerations in mind, Staff recommends the following conditions of approval:

1. The Conditional Use Permit shall be for the operation of a drive through component associated with a marijuana dispensary at 105 N. Lindbergh Boulevard, with drive-thru facilities as shown in

the “Site Development Plan” submitted on January 13, 2025 as bound together and submitted in conjunction with Application #25-039 by Premier Architecture, except as modified below.

2. Hours of operation for the drive through component shall be the same as for the walk-in retail component, which is 8:00 a.m. to 10:00 p.m., seven days a week. Additional business hours may be permitted with the Zoning Administrator’s approval.
3. No external speakers or menu boards shall be permitted.
4. The operator of the dispensary with a drive through shall maintain the existing landscaping and related site features including operation of the fountain, city gateway signage, decorative landscape walls and enhanced plantings as previously approved with the site development plan on file in the offices of the Department of Community Development. Any missing landscaping shall be replaced in accordance with the site development plan prior to receiving final occupancy of the drive through.
5. The parking lot, including drive aisles, shall be repaired, as necessary, and resealed and striped prior to receiving final occupancy of the drive through component.
6. All lighting shall be in compliance with Section 405.680, Lighting, of the Zoning Ordinance.
7. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code and require permit approval.
8. Any future enlargement, extension, expansion, or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.
9. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.
10. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained, and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.
11. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

ACTION

If the Commission determines the proposal is not in conflict with the recommendations of the Comprehensive Plan and the Design Guidelines and that it meets the minimum requirements of the Zoning Ordinance, including the Conditional Use requirements, it may vote on a recommendation to the City Council. Any changes to the draft ordinance should be discussed and made by separate actions.

MOTION

The following is an example of an appropriate motion for this application:

“I move to recommend approval of Application #24-039 for a Conditional Use Permit for a drive through facility associated with a marijuana dispensary located at 105 North Lindbergh Blvd. subject to the conditions contained in the draft ordinance attached to the staff report dated January 17, 2025” (conditions may be added, eliminated, or modified by preceding motion).

APPENDIX 1: COMPREHENSIVE PLAN AND DESIGN GUIDELINES

Included and attached by reference. See body of report for specific excerpts.

APPENDIX 2: ZONING CODE

Included and attached by reference. See body of report for specific excerpts.

APPENDIX 3: AERIAL PHOTO



APPENDIX 4: SITE PHOTOGRAPHS

Photo Date: 1-16-25



Description:
View looking
South at the rear
of the building
showing the
former drive
through area of
the building.



Description:
Close-up view of
the rear of the
building showing
the drive through
lanes and
overhead canopy
that will be
reutilized for the
dispensary.



Description:
View of the front
of the building
taken from
Google Maps
looking Northeast
at the intersection
of Lindbergh and
Ladue.



General Commercial District (GC) ———

Site Location ———

Single Family Residential District (B)

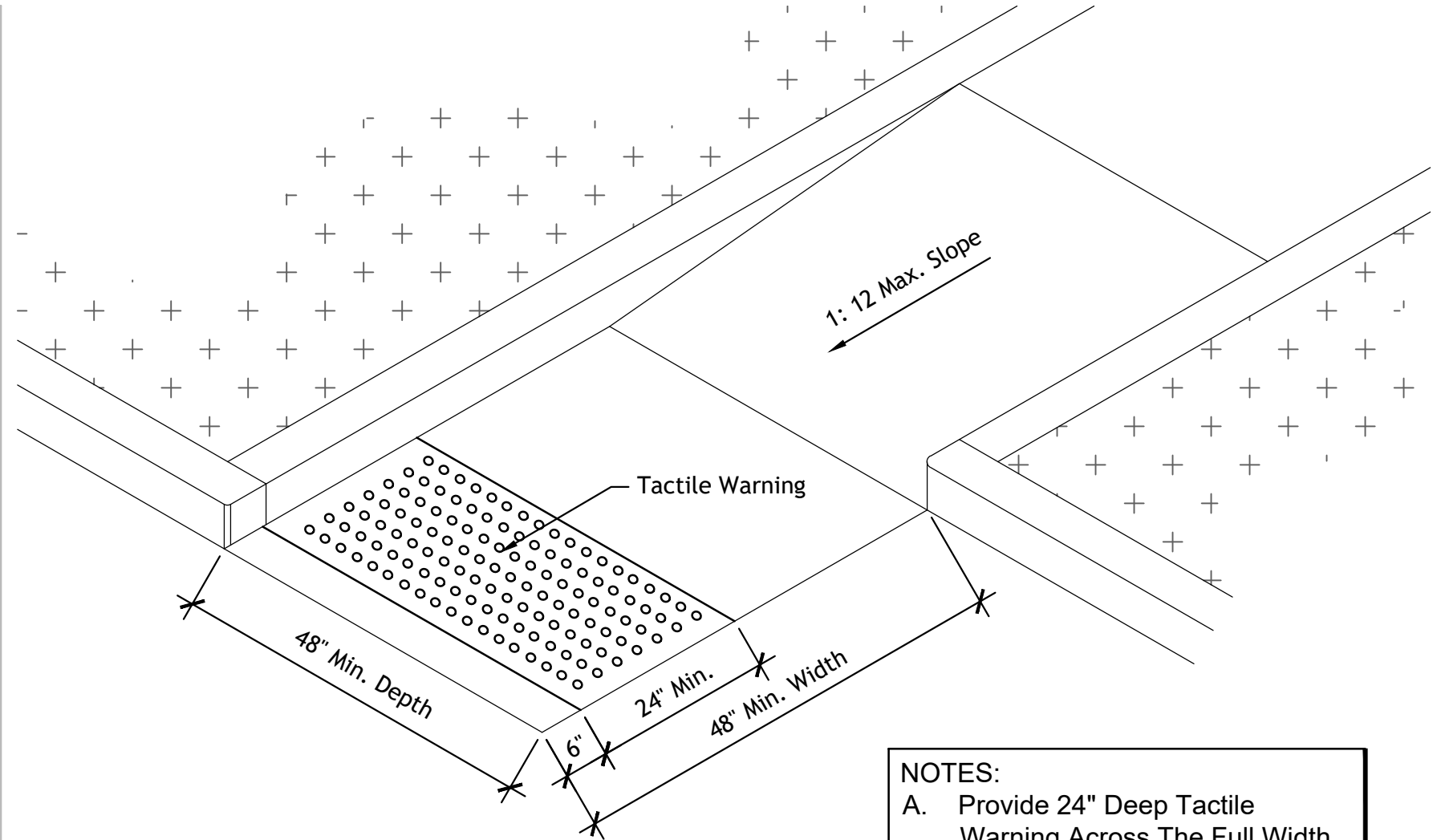
Single Family Residential District (A)



Project No.: 24023

Page 39 of 67

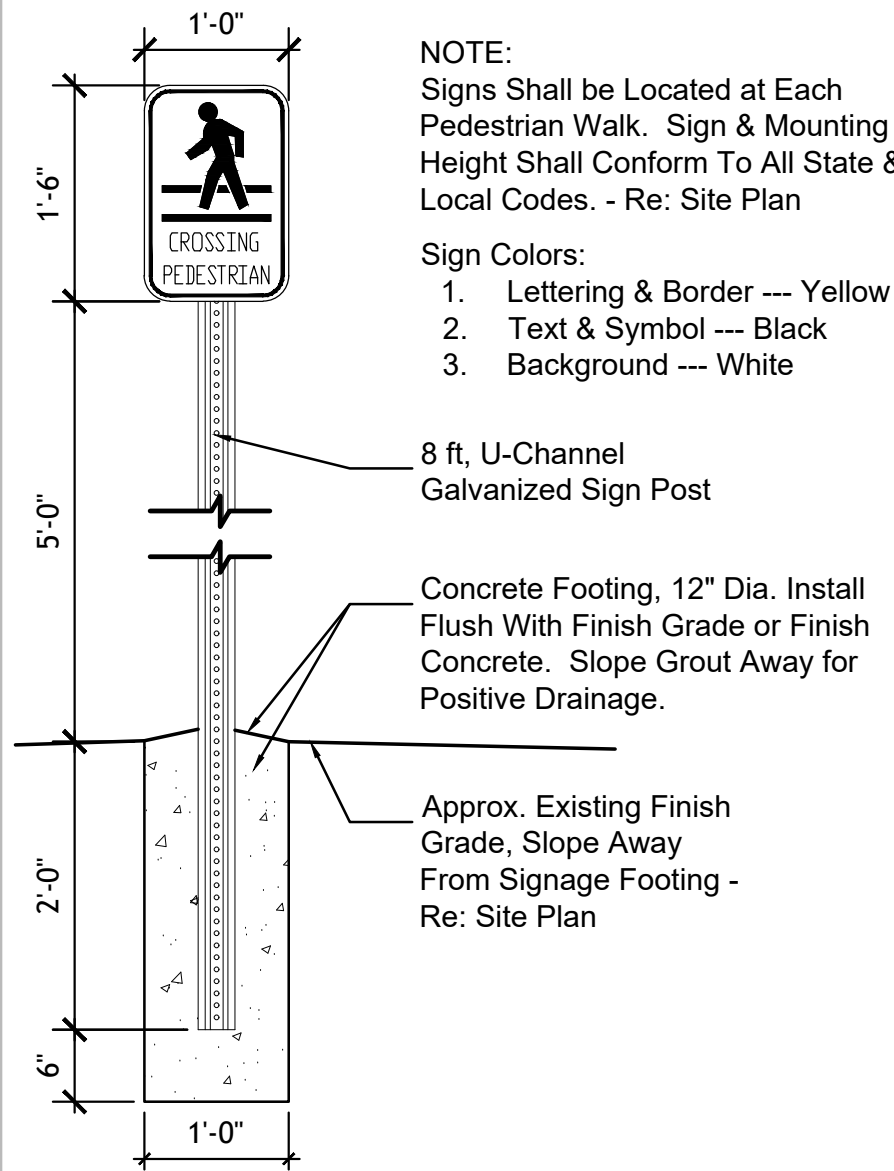




Typical Curb Ramp Detail

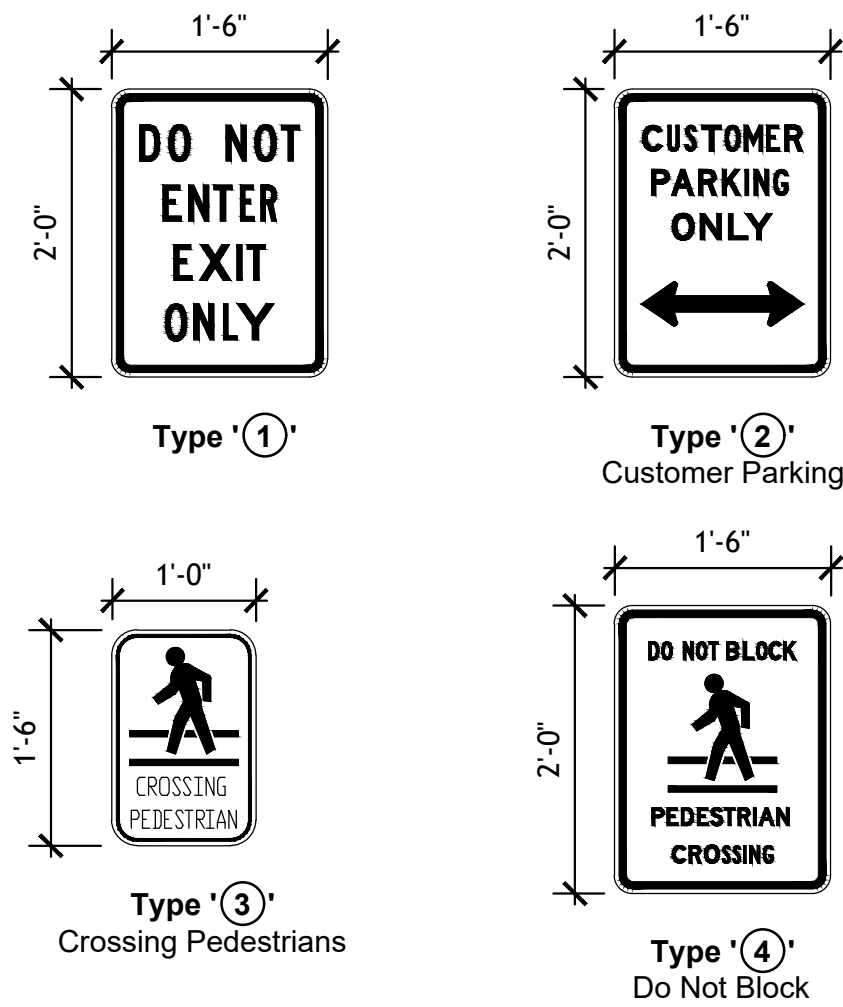
2 SCALE: NTS

NOTES:
A. Provide 24" Deep Tactile Warning Across The Full Width Of The Ramp As Shown. Tactile Warning Textures Shall Comply With ADA Standards.



Pedestrian Crossing Sign Detail

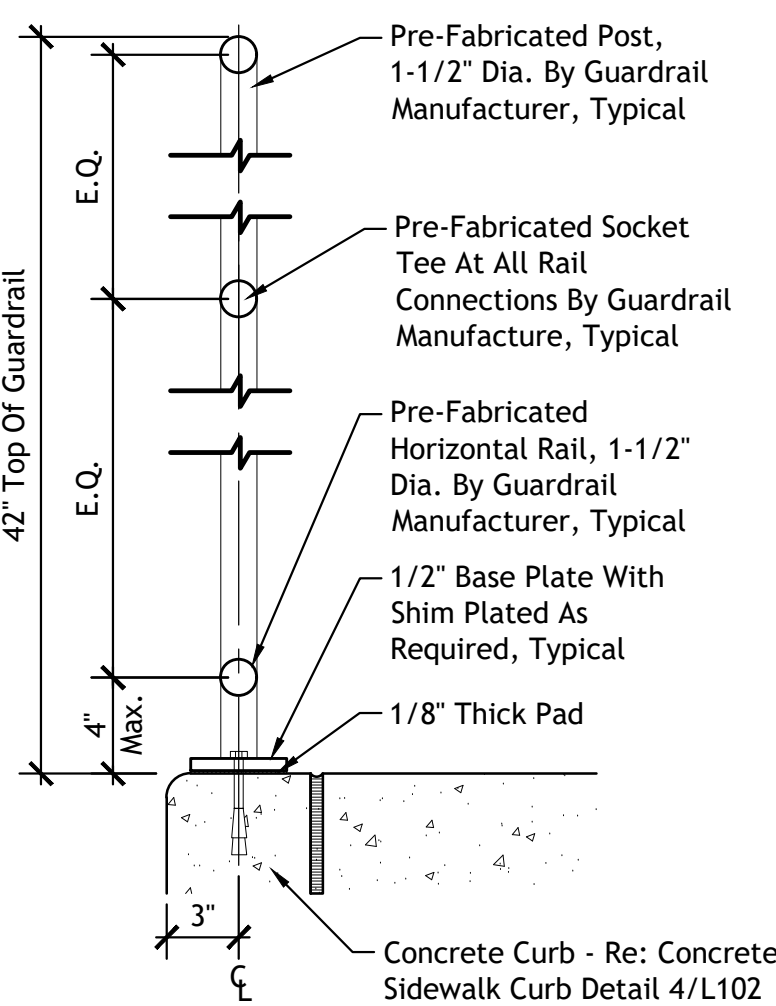
4 SCALE: 3/4" = 1'-0"



Signage Schedule

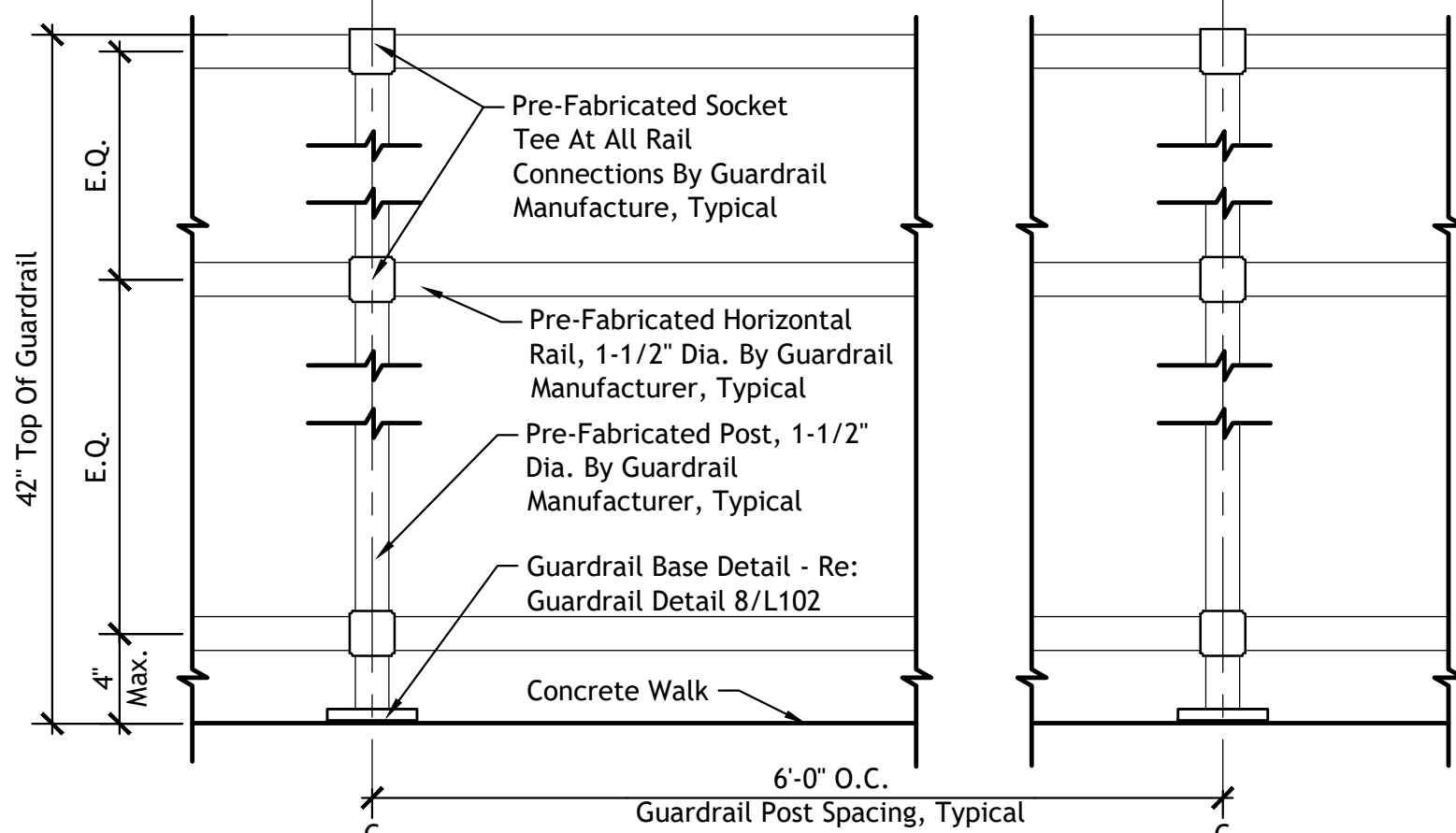
3 SCALE: 3/4" = 1'-0"

Refer Site Plan Sheet 1/L101 For Signage Location



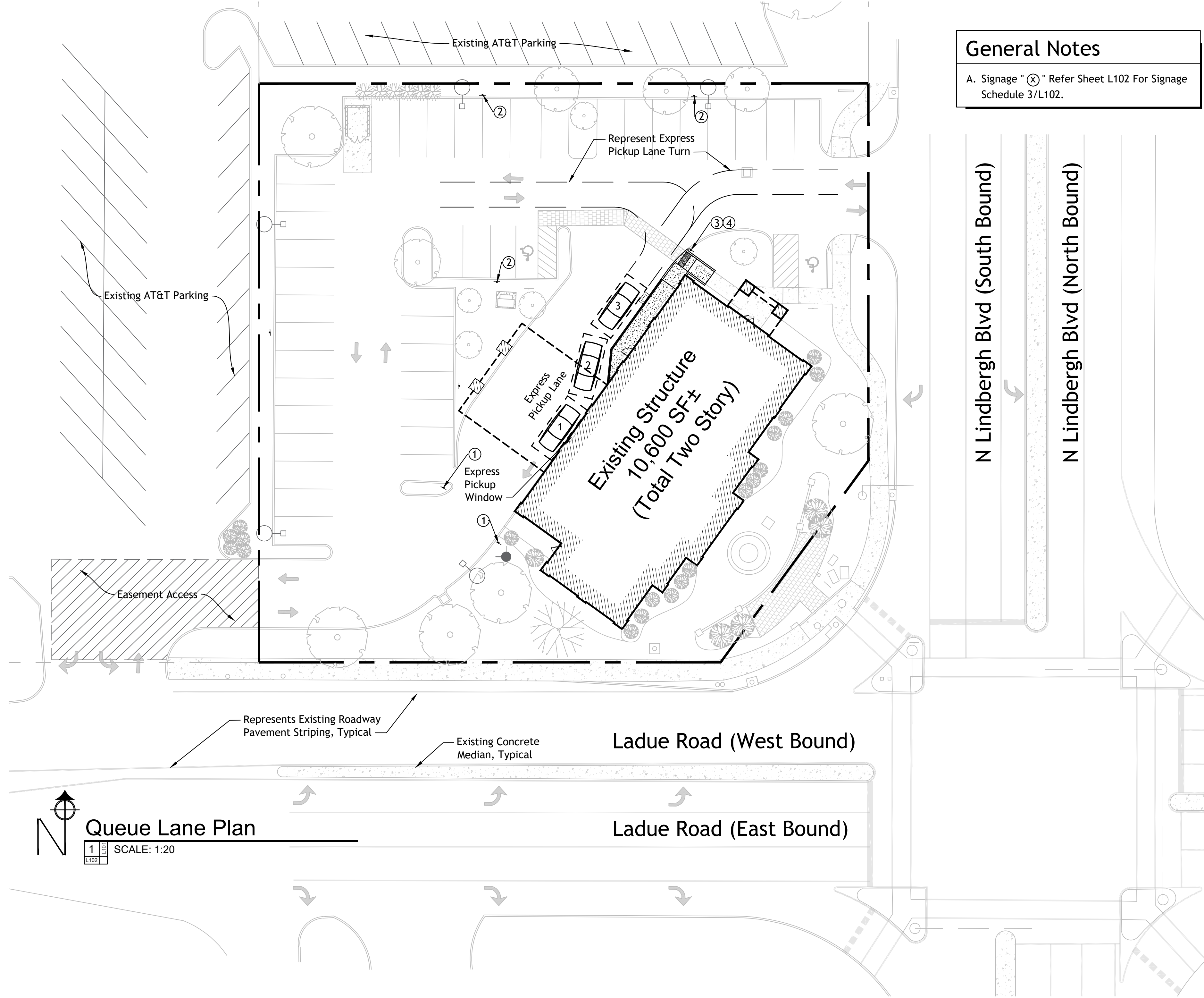
Guardrail Detail

8 SCALE: 1 1/2" = 1'-0"



Guardrail Elevation

7 SCALE: 1 1/2" = 1'-0"



General Notes

A. Signage "X" Refer Sheet L102 For Signage Schedule 3/L102.

Seal:



I, Chad Hanson, a licensed architect in the state of Missouri, have prepared these preliminary drawings for the owner using agency to use in their Conditional Use Permit (CUP) and Zoning Application only and in not intended for construction. These preliminary drawings are not to be used for construction.

Key Cannabis Dispensary

105 N. Lindbergh Blvd, Creve Coeur, MO 63141

Document Date:
12/18/24

Document Phase:
CUP Application

rev.	date	remark
1	12/18/24	CUP Submission
2	01/09/25	CUP Revisions
3	02/06/25	P&Z Resubmission

Drawn By: MG

Site Plan

L102

Project No.: 24023

Page 41 of 67

Seal:



I, Chad Hanson, a licensed architect in the state of Missouri, have prepared these preliminary drawings for the owner/using agency to use in their Conditional Use Permit (CUP) and Zoning Application only and is not intended for construction. These preliminary drawings are not to be used for construction.

Key Cannabis Dispensary

105 N. Lindbergh Blvd

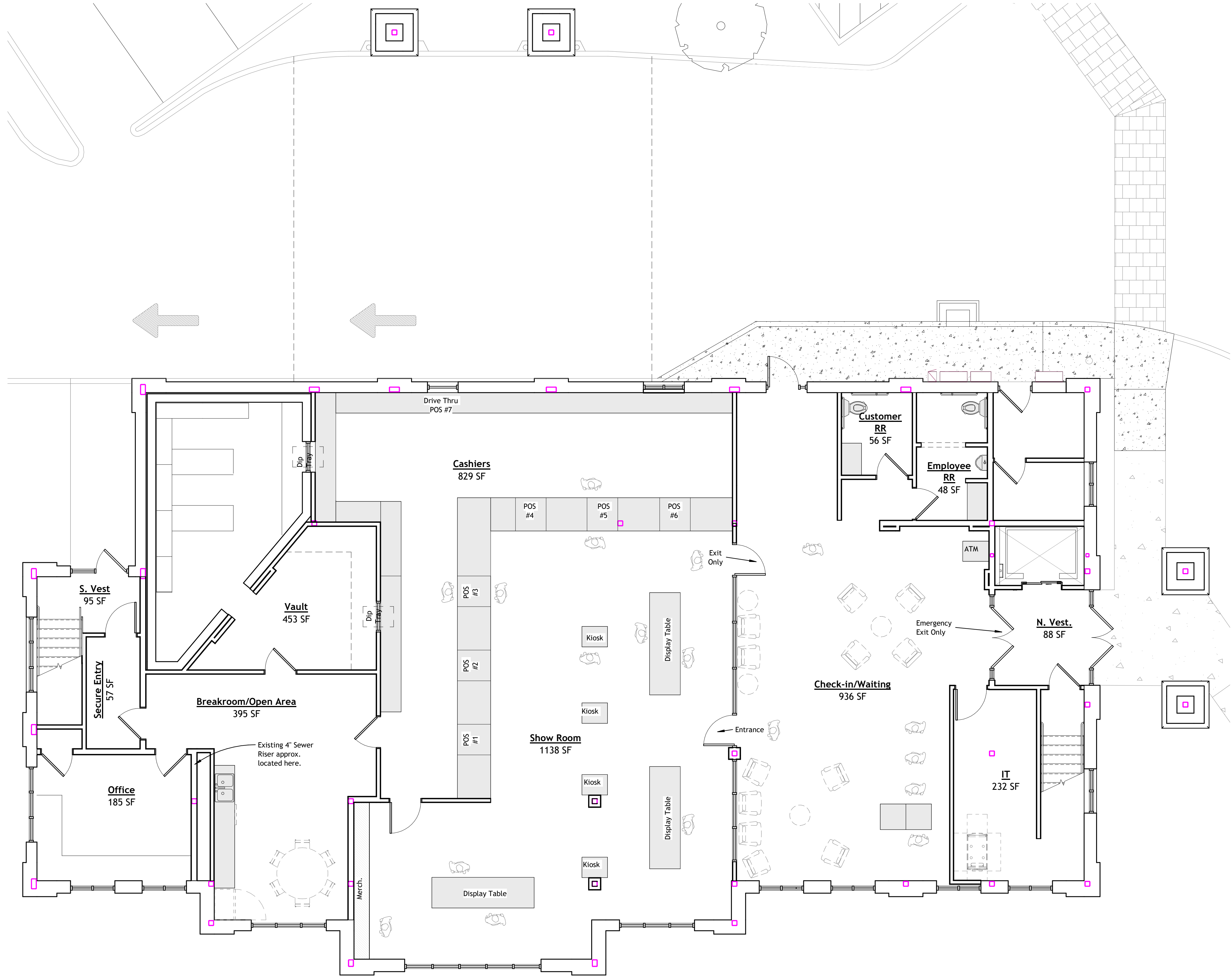
Document Date:		
XX/XX/202X		
Document Phase:		
Pre-Design		
rev.	date	remark
1	11/26/24	Skitch 01
2	12/2/24	Skitch 02 lan Notes
3	12/2/24	Skitch 03
4	12/3/24	Skitch 04
5	12/18/24	CUP Application

Drawn By: Author

Floor Plan

Skt04

Project No.: 24023



Floor Plan

1 SCALE: 3/16" = 1'-0"

Seal:



I, Chad Hanson, a licensed architect in the state of Missouri, have prepared these preliminary drawings for the owner (using agency to use in their Conditional Use Permit (CUP) and Zoning Application only and is not intended for construction. These preliminary drawings are not to be used for construction.



Exterior Perspective

2 SCALE:
2001



Partial Northwest Elevation

1 SCALE: 1/4" = 1'-0"
1/2001

Key Cannabis Dispensary

105 N. Lindbergh Blvd

Document Date:
12/18/24

Document Phase:
CUP Application

rev.	date	remark
1	12/10/24	Skch Ele 02
2	12/11/24	Skch Ele 02 - Notes
3	12/18/24	CUP Submission
4	01/09/25	CUP Revisions
5	02/06/25	P&Z Resubmission

Drawn By: MG

Exterior Elevation
& Perspective

A201

Project No.: 24023

DATE: February 6, 2025
TO: Mr. Jason W. Jaggi, AICP Director of Community Development
ADDRESS: 300 N. New Ballas Rd., Creve Coeur, MO 63141
PROJECT: 105 N Lindbergh Blvd · Conditional Use Permit · Ref Code:6DR18A
REFERENCE: Response to 1-21-25 P&Z Staff Meeting Notes

Mr. Jagg

Below is a response to the 1-21-25 staff meeting notes.

1. Locate original landscape plan and identify areas that are missing—determine if prior screening plantings have been removed and not replaced (City staff)
 1. Premier Architecture has collaborated with the city to review the original landscaping plan. We have identified several landscaping elements that need replaced or serviced, including the following:
 - a. Sugar Maple at the entrance of Laude Road.
 - b. Green Dem Boxwood shrubs in front of the building (southeast side).
 - c. Water fountain restoration in front of the building (southeast side).
 - d. Replacement or leveling of missing and uneven pavers in front of the building (southeast side).
 - e. Replacement missing ground cover along the sign in front of the building (southeast side).

Premier Architecture has provided a landscaping plan documenting the above items along with existing landscaping to remain. Additionally, the Using Agency has secured a LOI with a landscaping company for a maintenance contract.
 2. Add landscaping to provide further screening of the drive through facility. Submit landscape plan showing this information to the City (Applicant)
 1. Premier Architecture has developed a landscaping plan that proposes the introduction of Thuja Junior Giant trees to serve as a natural screen, addressing concerns related to the increased traffic generated by the new express pickup lane. This plan specifically considers the needs of residential properties located to the west. The landscaping plan will include detailed information on the proposed locations for these trees.
 3. Obtain cross access easement language at Ladue Road entrance (Applicant)
 1. The Using Agency has provided the following excerpt provide by the title company and has ordered copies of the documents for the County Recorder's Office:

Terms, provisions, easements, and conditions set forth in the Access and Parking License recorded August 18, 2003 in [Book 15202, Page 2683] and matters shown on the plan attached thereto.

The following matters shown on survey completed by Jared M. Minnick of Minnick Surveying, LLC for Bock & Clark, an NV5 Corporation on March 8, 2022, last revised March 11, 2022, job number

Principal: Chad L. Hanson, Architect

CO: ARC.00407692; IL: 001.021952; KY: 9091; MA: 952578-RA-R; ME: ARC5298; MO: 2019035237; NC: 17540; NJ: 21AI02158200; NM: 6540; OH: ARC.2118521; ON: 9602; PA: RA409026; TX: 30705; UT: 11617321-0301; VA: 019872

<https://premierarchitecturedesign679.sharepoint.com/sites/PremierArchitecture/Shared Documents/Jobs/24023 Elevat Creve Coeur MO/04 Permits/Zoning/Response to 1-21-25 P&Z Staff Notes.docx>

9180, NV5 Network Project Number 202200444-005 RRF: (A) Surveyor notes brick structure at the southeast corner of the subject property exceeds the southeast boundary into the intersection of Ladue Road and North Lindbergh Boulevard by a minimum extent of 5.17 feet; (B) Surveyor notes westerly adjoiner asphalt crosses onto the southwest side of the subject property by an undisclosed distance; (C) Surveyor notes concrete sidewalk from Ladue Road right-of-way exceeds the southern boundary onto south side of the subject property by a maximum extent of 0.58 feet; (D) Surveyor notes concrete island at the southwest side of the subject property crosses the western boundary onto lands of others by an undisclosed distance; (E) Surveyor notes portion of sidewalk from North Lindbergh Boulevard right-of-way exceeds the eastern boundary onto the northeast corner of the subject property by an undisclosed distance; (F) Surveyor notes northeasterly corner of the subject building lies within the Easement for Highway Purposes detailed in Book 3804, Page 21 by a maximum extent of 0.43 feet; (G) Three vaults of unknown utility type at the southeast side of the subject property are without benefit of easement; (H) Two manholes of unknown utility type at the south and west sides of the subject property are without benefit of easement; (I) Iron pipe found at the easterly southeast corner of the subject property lies 2.29 feet south and 4.17 feet west of property corner; (J) Right-of-way marker found at the southerly southeast corner of the subject property found offset 5.12 feet from property corner.

4. Clarify access to property and show adjacent properties more clearly on drawings. Show allowable turning movements on Lindbergh and Ladue on plans (Applicant)
 1. Premier Architecture has made the following changes to the site plan:
 - a. Increased the site to show adjacent properties, streets, and property lines.
 - b. Identified the adjacent AT&T parking lot and building.
 - c. Show residential properties to the west.
 - d. Show existing roadway configuration, movement, and road striping
 - e. Added additional site signage
 - f. Added vicinity and zoning maps
 - g. Clarified guardrail location and details
5. Revise plan to show directional signage/circulation. What happens when cars enter site from Lindbergh? (Applicant)
 1. Vehicles entering from Lindbergh will have the option to either park or merge into the express pick-up lane. The updated queue lane plan indicates that three vehicles can be accommodated in line, in compliance with city codes, while also allowing for additional vehicles to enter from both Ladue Road and Lindbergh Boulevard. Furthermore, the revised queue lane plan illustrates the turning movement prior to entering the queue lane, ensuring that traffic on the street remains unobstructed.
6. Explore safe pedestrian access route to the building from west end of parking lot (Applicant).
 1. The design intent is to install a pedestrian guardrail between the new sidewalk and the parking lot. The updated drawings reflect the location of the guardrail and include detailed specifications regarding its construction.

Principal: Chad L. Hanson, Architect

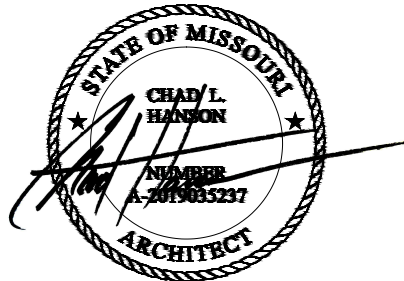
CO: ARC.00407692; IL: 001.021952; KY: 9091; MA: 952578-RA-R; ME: ARC5298; MO: 2019035237; NC: 17540; NJ: 21A102158200; NM: 6540; OH: ARC.2118521; ON: 9602; PA: RA409026; TX: 30705; UT: 11617321-0301; VA: 019872

<https://premierarchitecturedesign679.sharepoint.com/sites/PremierArchitecture/Shared Documents/Jobs/24023 Elevat Creve Coeur MO/04 Permits/Zoning/Response to 1-21-25 P&Z Staff Notes.docx>

7. Request calls for service information from Creve Coeur Police at both dispensaries and confirm ability for left turns into site from east bound Ladue Road (City staff)
 1. No action required by Premier Architecture or Using Agency.
8. Determine allowable signage by city code based on proposed signage (City staff)
 1. The signage will be limited to 24 square feet (4' x 6') to comply with the maximum allowable size of 25 square feet for secondary signs. The drawings will be revised to reflect this adjustment; however, the Using Agency will handle the application for the sign permit separately.
9. Consider reducing hours of operation for the drive through (Applicant)
 1. The Using Agency is making efforts to implement reasonable accommodations in response to concerns raised by the public and the planning board. Therefore, they are still requesting hours of operation from 8:00 AM to 9:45 PM, seven days a week.

Respectfully,

Chad L. Hanson, Architect



Principal: Chad L. Hanson, Architect

CO: ARC.00407692; IL: 001.021952; KY: 9091; MA: 952578-RA-R; ME: ARC5298; MO: 2019035237; NC: 17540; NJ: 21A102158200; NM: 6540; OH: ARC.2118521; ON: 9602; PA: RA409026; TX: 30705; UT: 11617321-0301; VA: 019872

<https://premierarchitecturedesign679.sharepoint.com/sites/PremierArchitecture/Shared Documents/Jobs/24023 Elevat Creve Coeur MO/04 Permits/Zoning/Response to 1-21-25 P&Z Staff Notes.docx>

BILL NO. _____

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE
PERMIT FOR A DRIVE THROUGH FACILITY FOR A COMPREHENSIVE
MARIJUANA DISPENSARY, KEY CANNABIS LOCATED AT 105 NORTH
LINDBERGH BOULEVARD**

WHEREAS, under Section 405.360(C), a drive-through component for marijuana dispensaries in the “GC”, General Commercial zoning district require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, Chad Hanson, of Premier Architecture Design and Build, on behalf of Key Cannabis, on behalf of Key Cannabis Dispensary has submitted an application for a conditional use permit for a drive through component to the existing marijuana dispensary, at 105 North Lindbergh Boulevard; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Tuesday, January 21, 2025, beginning at 6:00 p.m. or immediately following the close of the previous public hearing, on said application for the conditional use permit as provided by Section 405.1070(D)(2); and

WHEREAS, notice of publication for said public hearing had been previously published at least 15 days prior to the hearing, in the St. Louis Countian, a newspaper of general circulation in the City of Creve Coeur; and

WHEREAS, the Planning and Zoning Commission reviewed and, by a __ vote, recommended approval of the conditional use permit, subject to the conditions contained herein, at its meeting on January 21, 2025; and

WHEREAS, all parties desiring to be heard, either for or against said application, were given an opportunity to be heard, and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the Council; and this Bill having been read by title in open meeting two times before final passage by the City Council, and

WHEREAS, the City Council finds that the application and evidence presented clearly indicate that the proposed conditional use, when subject to certain conditions set forth herein:

1. Complies with all applicable provisions of this Zoning Ordinance Chapter 405 including but not limited to environmental performance standards presented in Section 405.550, the criteria in Section 405.470 and the standards of this chapter in regard to yard and setback, parking and loading areas, screening and buffering, refuse, storage and service areas and signs.
2. Will contribute to and promote the welfare and convenience of the community at the specific location.
3. Will not cause substantial injury to the value of neighboring property.
4. Is consistent with the applicable provisions of the City’s Comprehensive Plan and any applicable neighborhood or sector plans, unless good cause is demonstrated for deviation there from.
5. Will provide, if applicable, erosion control and on-site stormwater detention in accordance with the standards contained in this Chapter.
6. Will be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or on pedestrian

BILL NO. _____

ORDINANCE NO. _____

or vehicular traffic or on community facilities or services, including but not limited to emergency services.

NOW, THEREFORE, be it ordained by the City Council of the City of Creve Coeur, St. Louis County, Missouri, as follows:

Section 1: A Conditional Use Permit is authorized to be issued pursuant to Section 3 hereof for the operation of a drive through component to the existing marijuana dispensary, at 105 North Lindbergh Boulevard in the “GC” General Commercial zoning district, whose legal description is as follows:

A tract of land in the East ½ of the Northwest ¼ of Section 12, Township 45 North, Range 5 East and described as follows:

Beginning at the intersection of the West line of Lindbergh Boulevard, 100 feet wide, with the North line of Ladue Road, 60 feet wide; thence North along said West line of Lindbergh Boulevard, 200 feet to a point; thence West and parallel with the North line of Ladue Road, 200 feet to a point; thence South and parallel with the West line of Lindbergh Boulevard, 200 feet to a point to the North line of Ladue Road; thence East along said North line Ladue Road, 200 feet to the beginning, EXCEPTING THEREFROM that part taken by condemnation cause No. 287401 a Report of Commissioners of which is recorded in Book 6326 page 1139.

Section 2: The Conditional Use Permit granted shall be subject to all applicable statutes, ordinances, rules and regulations, and the following conditions:

1. The Conditional Use Permit shall be for the operation of a drive through component associated with a marijuana dispensary at 105 N. Lindbergh Boulevard, with drive-thru facilities as shown in the “Site Development Plan” submitted on January 13, 2025 as bound together and submitted in conjunction with Application #25-039 by Premier Architecture, except as modified below.
2. Hours of operation for the drive through component shall be the same as the walk-in retail component, which is 8:00 a.m. to 10:00 p.m., seven days a week. Additional business hours may be permitted with the Zoning Administrator’s approval.
3. No external speakers or menu boards shall be permitted.
4. The operator of the dispensary with a drive through shall maintain the existing landscaping and related site features including operation of the fountain, city gateway signage, decorative landscape walls and enhanced plantings as previously approved with the site development plan on file in the offices of the Department of Community Development. Any missing landscaping shall be replaced in accordance with the site development plan prior to receiving final occupancy of the drive through.
5. The parking lot, including drive aisles shall be repaired, as necessary, and resealed and striped prior to receiving final occupancy of the drive through component.
6. All lighting shall be in compliance with Section 405.680, Lighting, of the Zoning Ordinance.
7. All signs and banners shall be in conformance with Article VIII, Sign Regulations, of the Zoning Code and require permit approval.
8. Any future enlargement, extension, expansion, or alteration in the use of the structures or site must be approved by the City Council upon receipt of the recommendation of the Planning and Zoning Commission as an amendment to the Conditional Use Permit before a Building Permit for the enlargement, expansion or alteration may be issued.

BILL NO. _____

ORDINANCE NO. _____

9. Failure to comply with any one or all of the conditions of this permit shall be adequate cause for the revocation of said permit by the City Council, provided, however, no permit shall be revoked without prior notice to the owner of the intention of the City Council to revoke this permit and reasonable time granted to the owner to correct or remedy any such breach of conditions, except for repeated breaches or violations.
10. No conditional use permit granted by the City Council shall be valid for a period longer than one year from the date it grants the conditional use permit, unless within such period: (1) a building permit is obtained and construction is begun; or (2) if a building permit is not required, an occupancy permit is obtained, and the use of the building commenced. The City Council may grant extensions to the one (1) year period of not more than one hundred and eighty (180) days each, without notice or hearing, provided that a written request for such extension is filed by the original applicant and approved by the City Council prior to the date the conditional use permit is scheduled to expire.
11. Any transfer of ownership or lease of the property shall include in the transfer or lease agreement a provision that the purchaser or lessee agrees to the conditions herein set forth, and written confirmation thereof signed by the new owner or lessee shall be filed with the City at the time of such transfer or lease. Failure to comply with this provision shall not excuse anyone from these conditions.

Section 3: The City Administrator of the City of Creve Coeur is hereby authorized and directed to issue a Conditional Use Permit in accordance with the provisions of this ordinance, said permit to expressly provide for the conditions and stipulations hereinabove set out in Section 2 of this ordinance. Exercise of the rights granted pursuant to the issued permit shall constitute acceptance of all conditions and stipulations set forth herein.

Section 4: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS ____ DAY OF _____, 2025.

TIM CARNEY
PRESIDENT OF CITY COUNCIL

APPROVED THIS ____ DAY OF _____, 2025.

DR. ROBERT
HOFFMAN
MAYOR

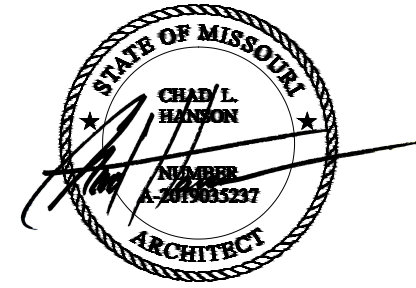
ATTEST:

BILL NO. _____

ORDINANCE NO. _____

KELLIE HENKE
CITY CLERK

Seal:



I, Chad Hanson, a licensed architect in the state of Missouri, have prepared these preliminary drawings for the owner/using agency to use in their Conditional Use Permit (CUP) and Zoning Application only and is not intended for construction. These preliminary drawings are not to be used for construction.

Key Cannabis Dispensary

105 N. Lindbergh Blvd

Document Date:

12/18/24

Document Phase:

CUP Application

rev.	date	remark
1	12/18/24	CUP Submission
2	01/09/25	CUP Revisions

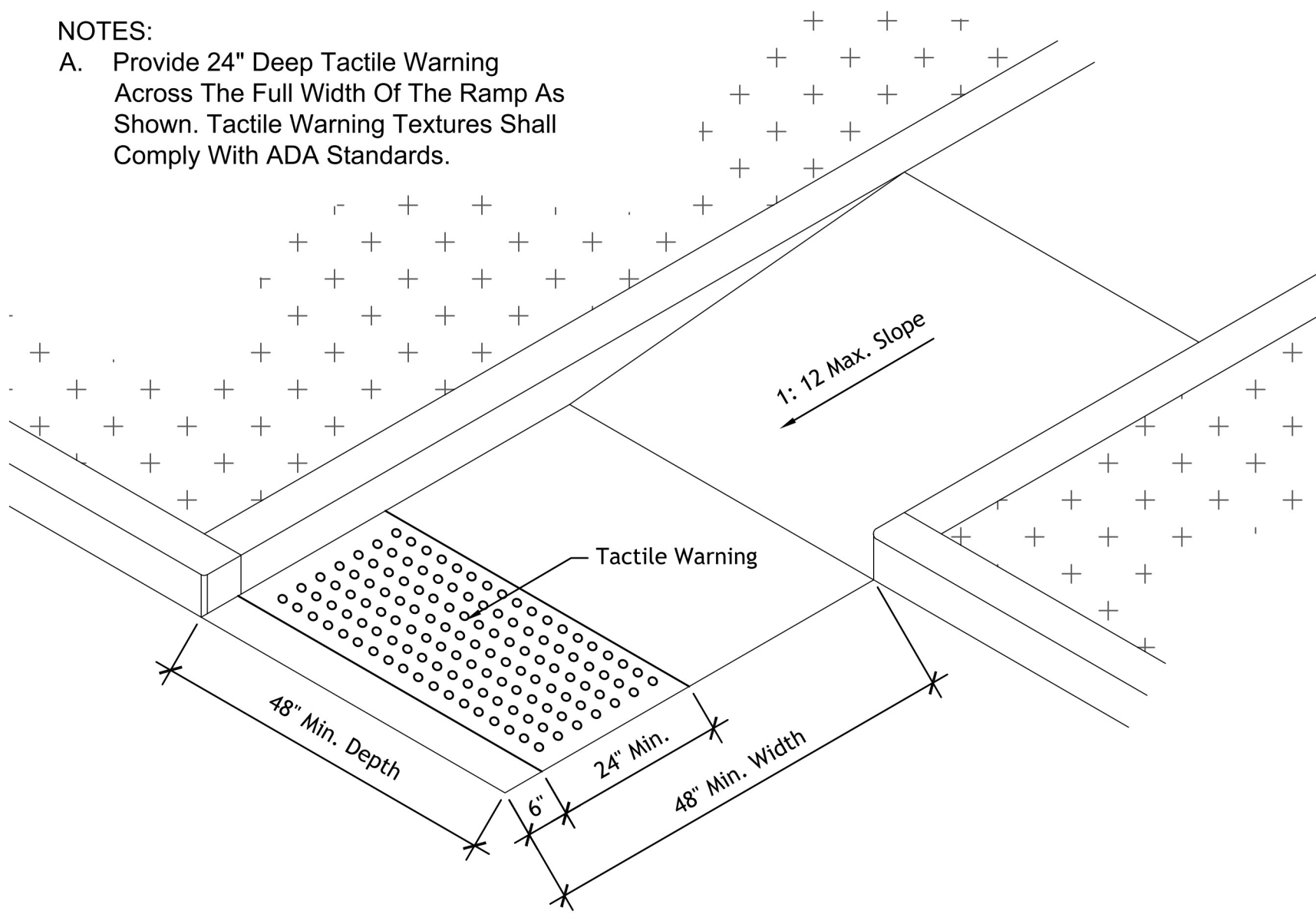
Drawn By: MG

Drive-Thru Cue

L102

Project No.: 24023

NOTES:
A. Provide 24" Deep Tactile Warning Across The Full Width Of The Ramp As Shown. Tactile Warning Textures Shall Comply With ADA Standards.

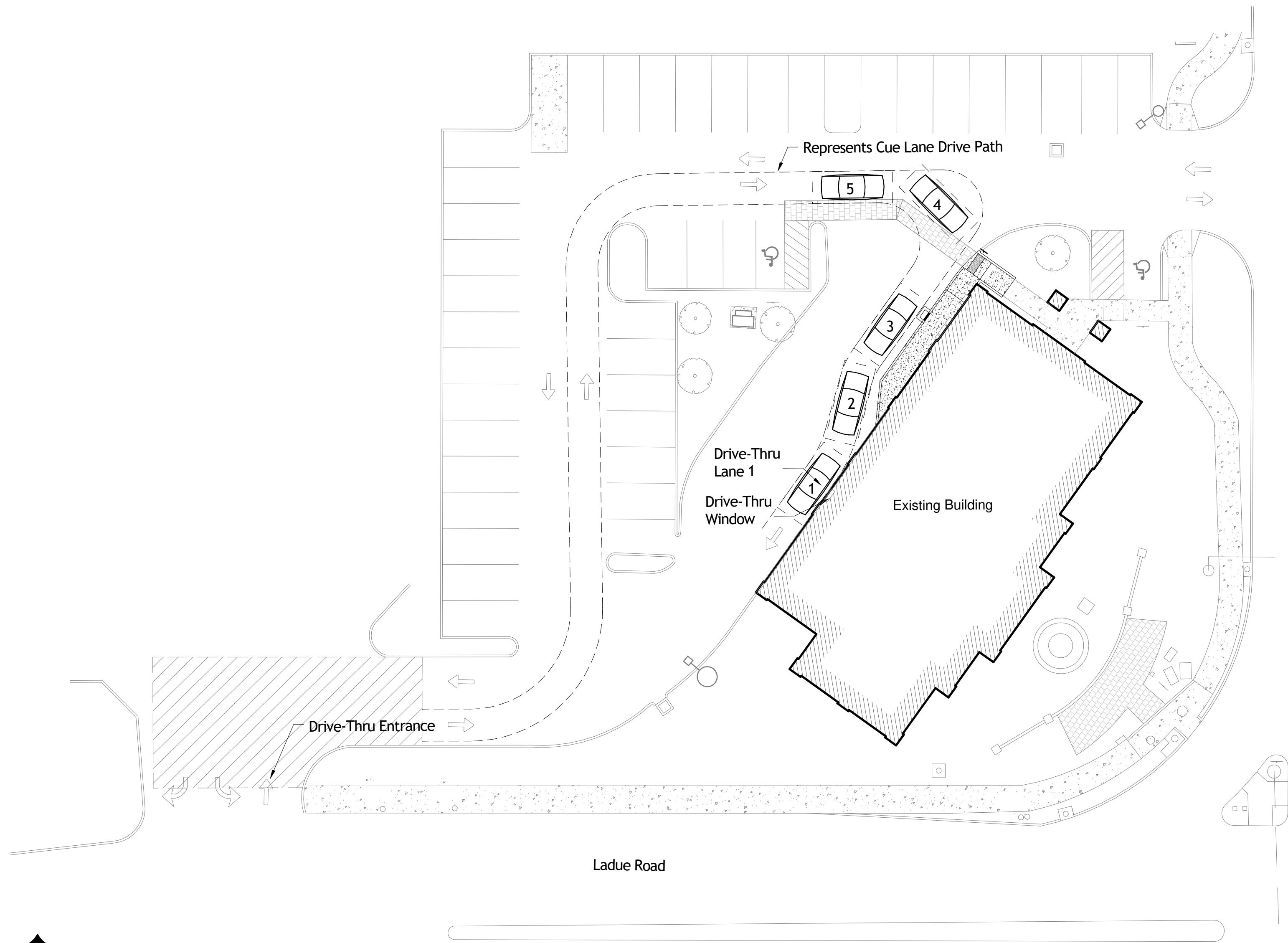


Curb Ramp Detail

2 SCALE: NOT TO SCALE

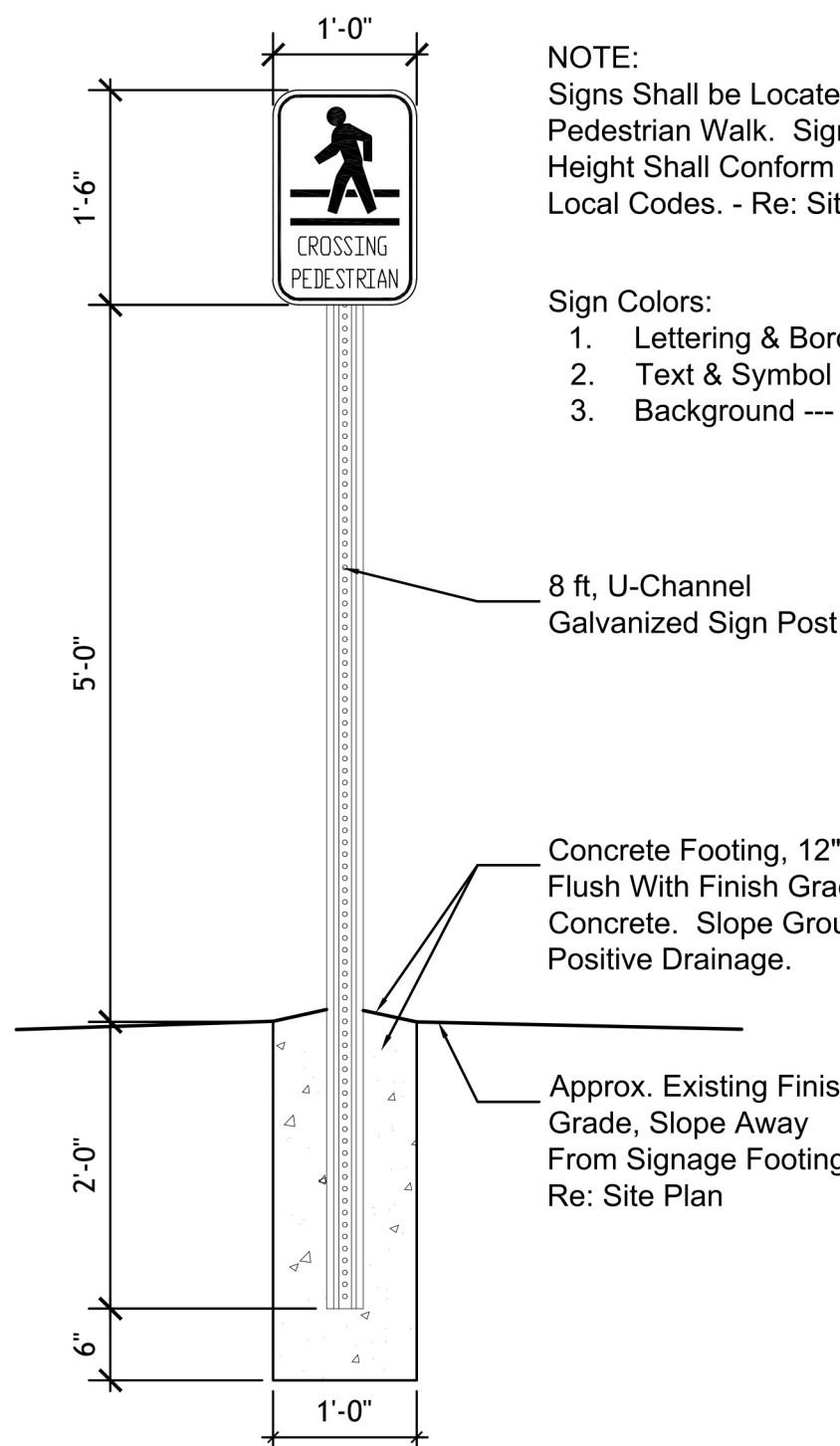
Queue Lane Plan

1 SCALE: 1" = 20'-0"



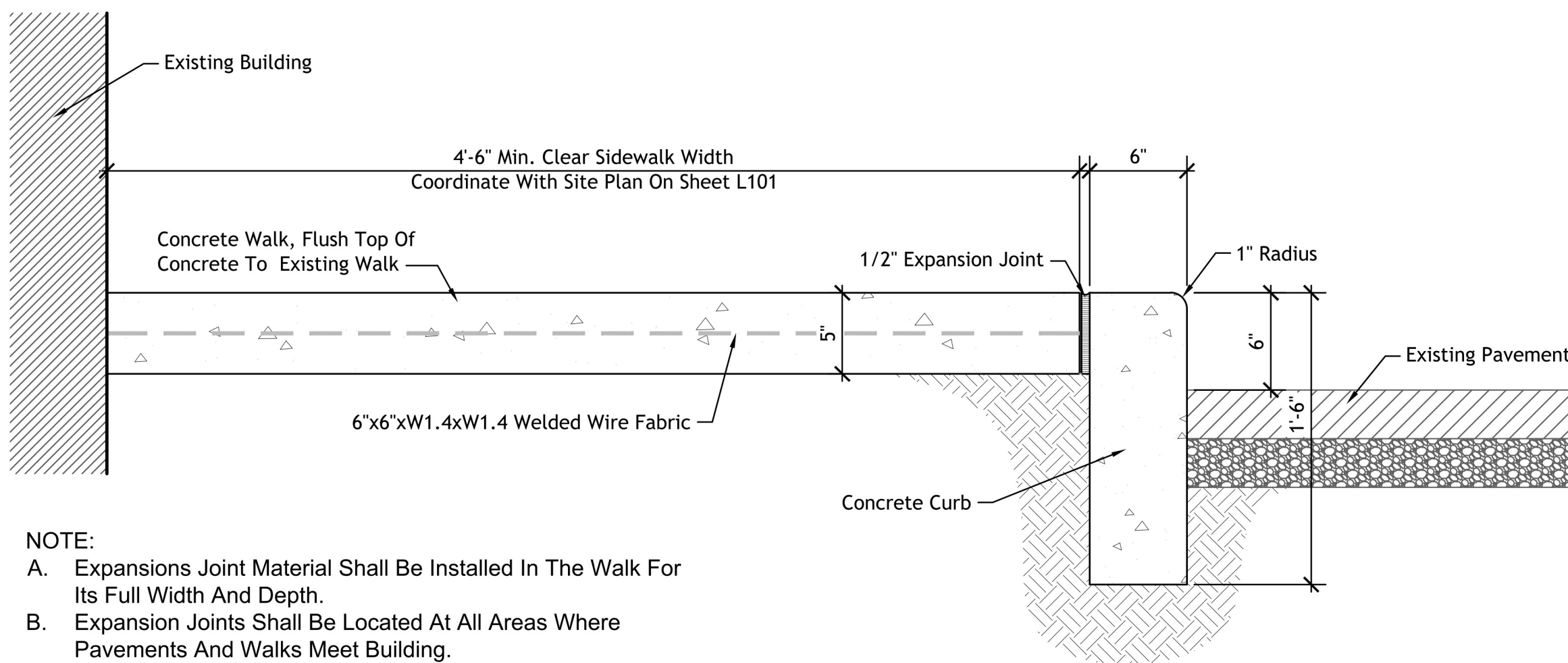
NOTE:
Signs Shall be Located at Each Pedestrian Walk. Sign & Mounting Height Shall Conform To All State & Local Codes. - Re: Site Plan

Sign Colors:
1. Lettering & Border --- Yellow
2. Text & Symbol --- Black
3. Background --- White



Pedestrian Crossing Sign Detail

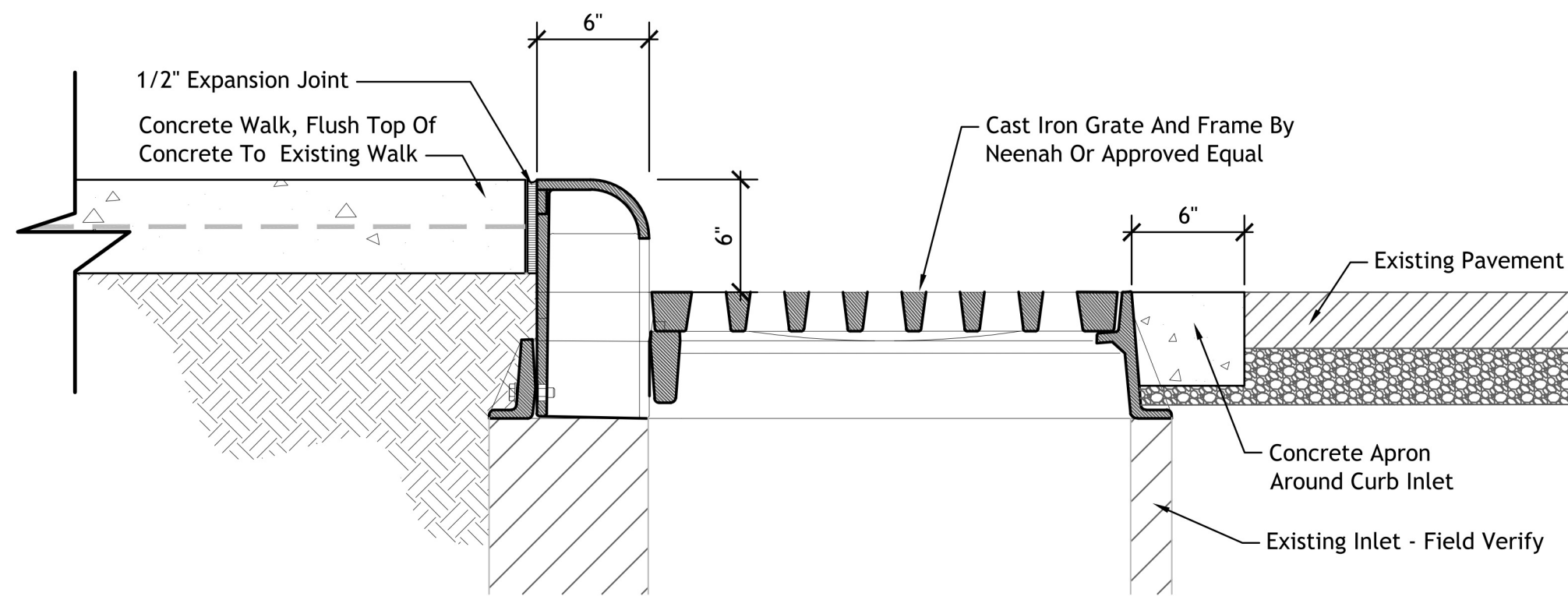
5 SCALE: 3/4" = 1'-0"



NOTE:
A. Expansions Joint Material Shall Be Installed In The Walk For Its Full Width And Depth.
B. Expansion Joints Shall Be Located At All Areas Where Pavements And Walks Meet Building.

Concrete Sidewalk Curb Detail

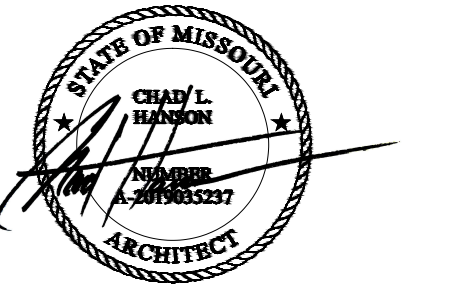
4 SCALE: 1 1/2"=1'-0"



Grate Detail

3 SCALE: 1 1/2"=1'-0"

Seal:



I, Chad Hanson, a licensed architect in the state of Missouri, have prepared these preliminary drawings for the owner/using agency to use in their Conditional Use Permit (CUP) and Zoning Application only and to get amended for construction. These preliminary drawings are not to be used for construction.

Key Cannabis Dispensary

105 N. Lindbergh Blvd

Document Date:
12/18/24
Document Phase:
CUP Application

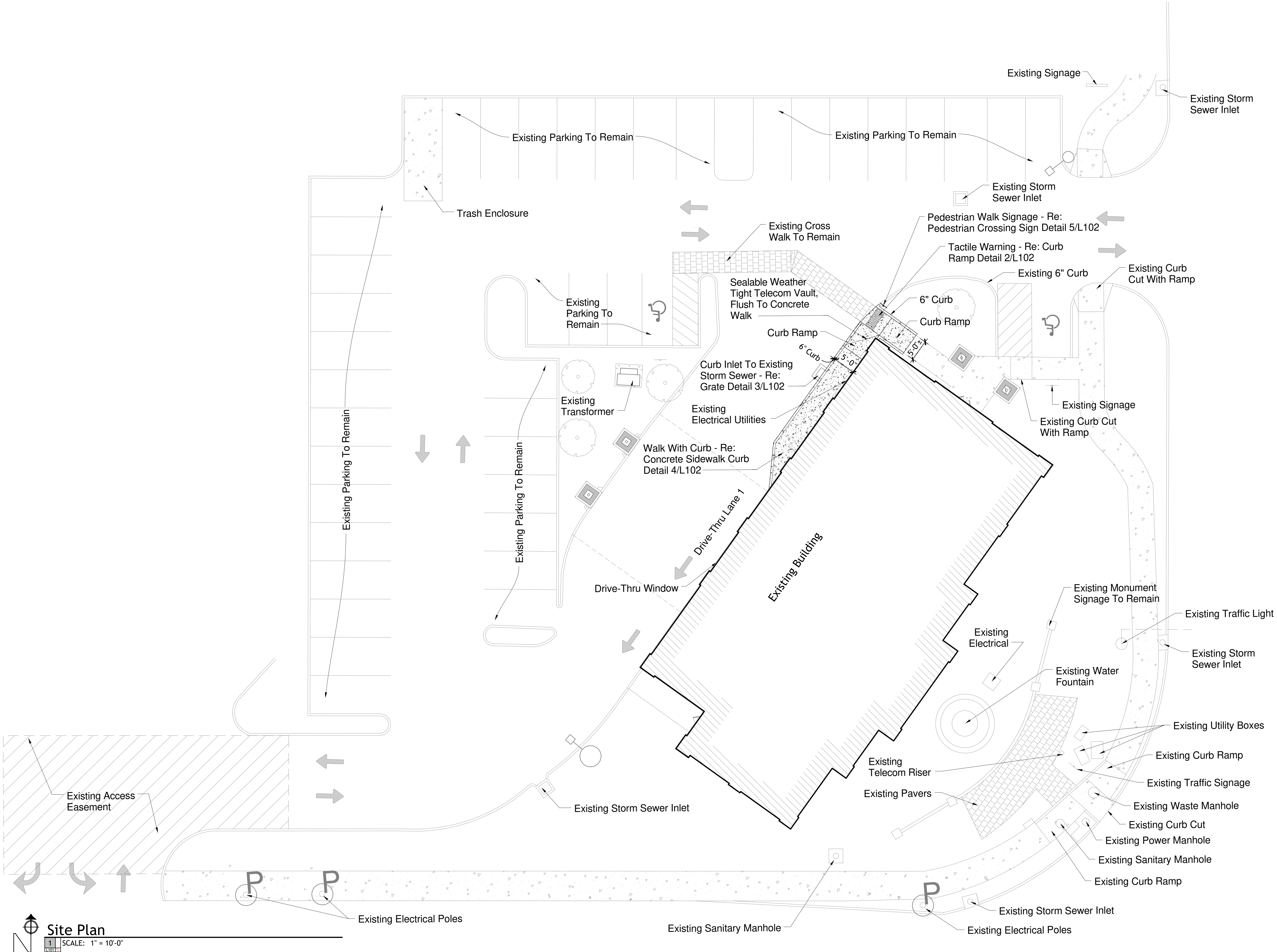
rev.	date	remark
1	12/18/24	CUP Submission
2	01/09/25	CUP Revisions

Drawn By: MG

Site Plan

L101

Project No.: 24023





Seal:



I, Chad Hanson, a licensed architect in the state of Missouri, have prepared these preliminary drawings for the owner (using agency to use in their Conditional Use Permit (CUP) and Zoning Application only and is not intended for construction. These preliminary drawings are not to be used for construction.

Key Cannabis Dispensary

105 N. Lindbergh Blvd

Document Date:
12/18/24
Document Phase:
CUP Application

rev.	date	remark
1	12/10/24	Skch Ele 02
2	12/11/24	Skch Ele 02 - Notes
3	12/18/24	CUP Submission
4	01/09/25	CUP Revisions

Drawn By: MG

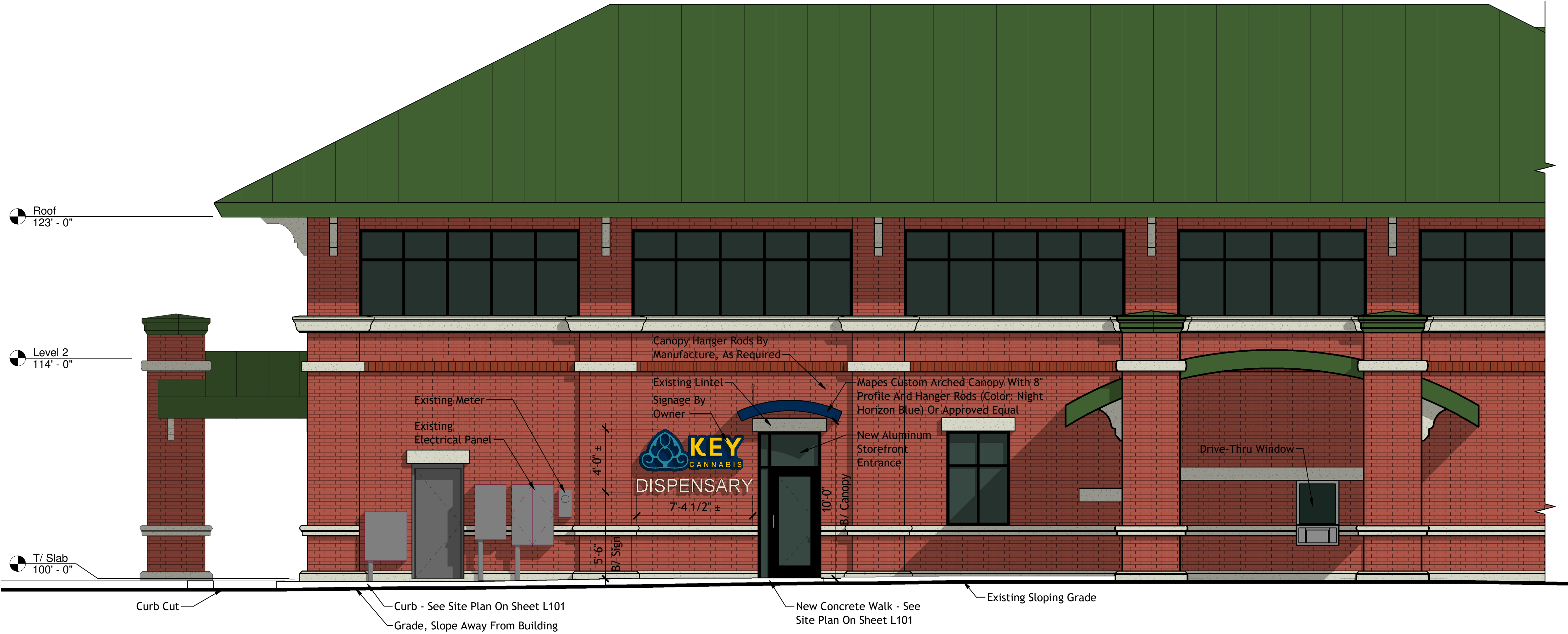
Exterior Elevation
& Perspective

A201

Project No.: 24023

Exterior Perspective

2 SCALE:
1/200



Partial Northwest Elevation

1 SCALE: 1/4" = 1'-0"



**APPLICATION TO PLANNING AND ZONING COMMISSION
#25-001: TEXT AMENDMENT TO THE ZONING ORDINANCE TO AMEND
SECTION 405.460 ACCESSORY USES TO ESTABLISH SIZE LIMITATIONS
AND DESIGN STANDARDS FOR ACCESSORY BUILDINGS IN SINGLE-
FAMILY RESIDENTIAL DISTRICTS**

FOR THE MEETING OF: Tuesday, February 18, 2025, 6:00 P.M.

LOCATION: Single-Family Residential Zoning Districts

REQUEST: Jason Jaggi, Director of Community Development, of the City of Creve Coeur has submitted a text amendment application to amend Section 405.460 of the Zoning Ordinance to establish size limitations and design standards for accessory buildings in single-family residential districts. The proposed amendments would introduce size limitations for individual accessory buildings on a single-family residential lot and would limit the total floor area of all accessory buildings combined to not exceed the ground floor area of the principal building. The proposed amendments would also establish new design standards to require larger accessory buildings to utilize similar exterior materials as the principal building.

ADDITIONAL INFORMATION: Text Amendments to the Zoning Ordinance require a public hearing and review by the Planning and Zoning Commission with final approval by the City Council.

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

REPORT PREPARED BY: Bethany L. Moore, AICP City Planner
DATE: February 12, 2025
ATTACHMENTS: Draft Ordinance

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?

Zoning Code References

- Section 405.460 Accessory Structures and Uses
- Section 405.1060 Zoning Changes and Text Amendments

BACKGROUND

At the joint City Council/Planning and Zoning Commission work session held on August 26, 2024, City staff discussed the desire for regulations concerning the appearance and size of detached accessory buildings. Concerns were raised over the minimal regulations for accessory building size and lack of regulations for appearance compatibly with the existing house and surrounding residential character of the neighborhood, leading to potentially large, industrial looking accessory buildings in residential areas. The current zoning code does not address the design or appearance compatibility of accessory buildings and also has no regulations for primary building appearance either. The size of accessory buildings is currently limited by height, 15 feet for lots in the “A” or “B” single family residential zoning districts and 12 feet for all other residential zoning districts, and square footage, the total area for such buildings shall not exceed the ground floor area of the principal building. In addition, the site coverage requirements indirectly limit the size of accessory buildings on a property. Staff has proposed revisions to the ordinance in response to comments received at the joint work session and by the Commission and City Council in subsequent work sessions. The goal of the regulations is to limit the size of individual accessory buildings to 50 percent or less of the ground floor square footage of the primary building and encourage complementary materials of accessory buildings 400 square feet or larger that correspond to the primary residence and maintain the residential character of the neighborhoods.

SUMMARY OF PROPOSED AMENDMENTS

The proposed amendments involve the regulations for size and design. Other edits have also been made to provide clarifications throughout. Please refer to the attached redlined draft ordinance for the specific language proposed under these amendments.

Section 405.460.C—Use Limitations

1. No accessory structure shall be built prior to the completion of construction of the principal use.
2. No accessory structure shall be utilized unless the principal structure to which it is accessory is occupied.
3. All accessory uses and structures shall comply with the use limitations applicable in the zoning district in which located.
4. An accessory structure may feature finished indoor areas but shall not be used as a dwelling unless specifically allowed in the applicable zoning district regulations.
5. Accessory structures in any residential district shall not exceed twelve (12) feet in height, except for properties located in the "A" or "B" Single-Family Residential Districts, accessory structures shall not exceed fifteen (15) feet in height or the height of the principal building, whichever is less.
6. The ~~total floor~~ area of any individual accessory building shall not exceed fifty (50) percent of all accessory buildings shall not exceed the ground floor area of the principal building in a single-family residential district including the floor area of an attached, enclosed garage at the ground level. The total floor area of all accessory buildings combined shall not exceed the ground floor area of the principal building in a single-family residential district.

New Section 405.460.E—Design Standards

1. In single-family residential districts, any accessory building 400 square feet or larger in size shall be constructed utilizing similar exterior wall finish materials to those of the primary building.

2. Should the Zoning Administrator determine such an application does not meet the design requirements outlined above, the application, as requested, by the applicant, may be reviewed and acted upon by the Planning and Zoning Commission as a Minor Site Development Plan per the procedures in Section 405.1080.

COMPREHENSIVE PLAN REVIEW

The Creve Coeur 2030 comprehensive plan's recommendations seek to protect the physical characteristics of residential neighborhoods while guiding contextually-sensitive redevelopment as dictated by existing and future market forces (p. 64). Further, Objective #2 in the plan states the following: "Creve Coeur will preserve and evolve its high-quality residential development and stable property values while enhancing the diversity of housing types and improving the walkability and accessibility of neighborhoods" (p. 46). These recommendations are relevant to the review of accessory buildings in that there appears to be a strong market demand for larger accessory buildings in Creve Coeur. The proposed amendments would allow for growth and continued investment within the City's residential neighborhoods while seeking to protect the established character of those neighborhoods.

CONCLUSION AND ACTION

The proposed amendments have been submitted to address concerns raised with the existing regulations for accessory buildings. As these proposed regulations would apply to all single-family zoning districts, the regulations would limit the size of any individual accessory building to 50 percent of the ground floor square footage of the principal building and require design standards for any accessory building 400 square feet or larger. There is also a provision in the amendment that requires Planning and Zoning Commission review if City staff determines that the design standards are not met. The site coverage and height limits that are currently in place within all residential zoning districts are still in effect and serve as an additional size limiting agent.

MOTION

If the Planning and Zoning Commission believes the proposed changes to Section 405.460 Accessory Uses and Structures are appropriate, the following would be a suitable motion for this application:

"I move to recommend approval of the text amendments to Section 405.460 of the Zoning Code to modify the requirements for accessory uses and structures as shown on the attached draft ordinance as part of Application 25-001 at the meeting of February 18, 2025."

APPENDIX 1: COMPREHENSIVE PLAN

Included and attached by reference. See body of report for specific excerpts.

APPENDIX 2: ZONING CODE

Included and attached by reference. See body of report for specific excerpts.

**AN ORDINANCE AMENDING SECTION 405.460 ACCESSORY USES AND
STRUCTURES OF THE ZONING ORDINANCE**

WHEREAS, an application was made by the Director of Community Development for the City of Creve Coeur to amend Section 405.460 of the Zoning Ordinance which regulates accessory uses and structures; and

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri has recognized the need for such regulations in the City Code of Ordinances as set forth herein, to more effectively implement the goals of the Comprehensive Plan and the purposes of the Zoning Code; and

WHEREAS, the Planning and Zoning Commission of the City of Creve Coeur, Missouri, held a public hearing thereon at the Creve Coeur Government Center on Tuesday, February 18, 2025 and beginning at 6:00 p.m., or immediately following the close of the previous public hearing; and

WHEREAS, the Planning and Zoning Commission reviewed and, by a vote of ____ recommended approval of the subject amendments as set forth herein at its meeting on Tuesday, February 18, 2025; and

WHEREAS, notice of said public hearing had previously been published at least 15 days prior to the hearing in the St. Louis Countian, a newspaper of general circulation in the City of Creve Coeur and otherwise posted and published in accordance with the Zoning Ordinance; and

WHEREAS, all persons who presented themselves at said meeting and desiring to be heard were given an opportunity to be heard and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the City Council; and the Bill was read by title in open meeting two times before final passage by the City Council; and

WHEREAS, the City Council being fully informed finds that amending the City Code of Ordinances would be in harmony with and bear a substantial relation to the public welfare, health, safety, comfort, and convenience of the citizens of the City of Creve Coeur and in the public interest.

NOW, THEREFORE, be it ordained by the City Council of the City of Creve Coeur, Missouri, as follows:

SECTION 1: Section 405.460 of the Zoning Ordinance, of the City of Creve Coeur's Code of Ordinances shall be amended as follows:

Section 405.460 Accessory Uses and Structures

A. Authorization. Accessory uses are permitted in any zoning district in connection with any principal use which is permitted within such district, subject to the limitations of this Section and other applicable provisions of this Zoning Code.

B. Permitted Accessory Uses And Structures. A "permitted accessory use or structure" is any use or structure that complies with the definitions contained in Section 405.120, including, but not limited to, the following typical uses:

1. In residential districts, private parking of licensed passenger vehicles, including private garages or carports.
2. In non-residential districts, off-street parking for licensed passenger vehicles, including garages, and loading spaces as required by Article VII and any additional off-street parking or loading spaces which are devoted exclusively to the principal use or activity subject to other limitations and regulations of this Chapter.
3. In all districts, private parking or storage of major recreational equipment or commercial vehicles in accordance with Section 355.150 of the Code.
4. A structure for storage incidental to a permitted use.
5. A child's playhouse or play equipment.
6. Recreation facilities located within the required side or rear yard, including private swimming pools, bathhouses, tennis, basketball, racquetball, handball and other game courts, hockey/ice rinks, batting cages, and other similar facilities, provided that such facilities are set back at least fifteen (15) feet from any lot line and any fence associated with such uses shall comply with the provisions of Section 405.640. Patios constructed in conjunction with any swimming pool may be located within a required rear yard, provided that they are not located within an easement or closer than ten (10) feet to any property line.
7. Greenhouses.
8. Statuary, arbors, trellises, barbecue stoves, doghouses, flagpoles, fences, walls, hedges and gazebos, provided these elements are in compliance with other regulations of this Chapter including those relating to fences in Section 405.640.
9. Auditoriums and other public assembly halls clearly accessory to any permitted use in a multi-family or non-residential district.
10. Health clubs, including baths and gymnasiums clearly accessory to a permitted use in a multi-family or non-residential district.
11. Fallout shelters.

12. Mechanical equipment or utility facilities which are specifically related to and required by a permitted use.

13. Solar collectors, provided such accessory structures shall not be located in the front yard or along street right-of-way within the area equivalent to the front yard setback of the applicable zoning district, and shall not exceed a maximum height of six (6) feet or a maximum capacity exceeding the reasonably anticipated needs of the primary use on the site. Solar collectors incorporated into a structure shall not cause the structure to exceed maximum height limits.

14. Boat docks on a body of water.

15. Outdoor lighting, provided these are in conformance with the standards and regulations specified in Section 405.680.

16. Satellite dish antennas up to one (1) meter in diameter shall be permitted in the "A," "B," "C," "D" and "AR" Districts.

17. Satellite dish antennas up to two (2) meters in diameter shall be permitted in the "MR," "HE," "PH," "PO," "RO," "MX," "PC," "GC," "CB" and "LI" Districts.

18. Accessory antennas.

19. Roof-mounted telecommunication equipment in the "A," "B," "HE," "PH," "PO," "RO," "MX," "PC," "GC," "CB" and "LI" Zoning Districts, subject to the following:

a. Administrative approval may be granted for the placement of roof-mounted telecommunication equipment, subject to the conditions outlined under Sections 405.470(A)(4) and (5) and 405.690 and the following design standards:

(1) An antenna is rectangular in shape, limited to a width of one and one-half (1.5) feet, height of six (6) feet and a depth of one (1) foot.

(2) The antennas and band are mounted to the face of an existing wall, including existing penthouses and do not extend beyond the height of the wall.

(3) No more than four (4) antennas are placed on a band per building wall plane.

(4) No part of the antenna, including the antenna and holding brackets, extends beyond two (2) feet from the face of the wall on which it is mounted.

(5) All wiring and conduits connecting to the antennas from the rooftop must be within the wall cavity; thus no exposed wire or conduits are permitted, other than the antenna wall brackets.

(6) All equipment shelters in non-residential districts shall either be completely enclosed or fully screened from the rooftop elevation. All equipment shelters in residential districts must be located within the primary structure on which the antennas are mounted or below grade level so as to minimize the visibility from the outside.

b. Any application which does not meet the standards cited in Subsection (B)(19)(a) above shall require application for a conditional use permit in accordance to Section 405.1070 and subject to the standards of Section 405.470(A)(4) and (5) and Section 405.690.

c. Consideration of an application shall meet applicable time limitations pertaining to proposed wireless communications facilities and support structures under Sections 67.5090 et seq., RSMo., and FCC Declaratory Ruling WT Docket No. 08-165, rel. 11-15-2009.[1]

[1] Note: Review of an application shall be completed within applicable time limitations, including those pertaining to proposed wireless communications facilities and support structures under State and Federal law, which are generally: 45 days for collocation or replacement of wireless facilities or non-substantial modifications of existing facilities, 60 days for small wireless facilities on new poles, and 120 days for other (not small) wireless facilities on new poles or substantial modifications of such existing facilities. See Sections 67.5090 et seq., and 67.5110 et seq., RSMo., and 47 CFR 1.40001 and 1.6003.

d. Any telecommunication equipment that is no longer in use for its original communication purposes shall be removed at the owner's expense. The owner shall provide the City with a copy of the notice to the FCC of intent to cease operations and shall be given ninety (90) days from the date of ceasing operations to remove the equipment. Removal of existing equipment shall not be a condition of approval of any subsequent application.

20. Horses and horse stables in residential districts "A," "B," "C," and "D," provided that:

- a. The lot on which the use exists is at least three (3) acres in size;
- b. No more than one (1) horse is kept per one (1) acre of fenced pasture;
- c. All horses are kept within a stable; and
- d. The stable is set back from any property line a minimum of fifty (50) feet.

21. Disguised support structure.

- a. Any freestanding, man-made structure designed for support of antennas, the presence of which is camouflaged or concealed as an appropriately placed architectural or natural feature. Such structures may include, but are not limited to, clock towers, observation towers, water towers, light standards, flagpoles, church steeples.
- b. The placement of disguised support structures, which:
 - (1) Do not require a new structure or addition; and
 - (2) Are permitted in the applicable zoning districts, may be administratively approved by the Department of Community Development.
- c. The mounting of disguised support structure antennas shall not exceed the height limit established by the applicable zoning district regulations, and each such antenna shall be concealed or disguised by architectural or natural elements or camouflaged by including, but not limited to, painting a color matching the surface to which they are attached. The location of all equipment, equipment shelters, wires, conduits and/or any other related accessories or devices shall either be completely situated within an existing structure or fully screened from view. Notwithstanding the items above, equipment shelters and related elements, in appropriate residential districts, must be located within the primary structure (on which the antennas are concealed or disguised) or below grade level. However, the equipment may be located in an addition to the primary structure, in which event a conditional use permit must be secured if required by this Code. Furthermore, other reasonable design standards or requirements, not listed or identified herein, may be required by the City as a condition of the administrative approval.
- d. The location of such equipment shall not be placed closer than one hundred fifty (150) feet from any residential structure.
- e. Should the Director of Community Development determine such an application does not meet the spirit, intent and conditions outlined above in Subsection 405.460(B)(22)(a), (b) and/or (c) and cannot be administratively approved, the application, as requested by the applicant, may be reviewed and acted on by the Planning and Zoning Commission and City Council as per the procedures in Section 405.1070.
- f. Consideration of an application shall meet applicable time limitations pertaining to proposed wireless communications facilities and support structures under Section 67.5090 et seq., RSMo., and FCC Declaratory Ruling WT Docket No. 08-165, rel. 11-15-2009.[2]

[2]Note: Review of an application shall be completed within applicable time limitations, including those pertaining to proposed wireless communications facilities and support structures under State and Federal law, which are generally: 45 days for collocation or replacement of wireless facilities or non-substantial modifications of existing facilities, 60 days for small wireless facilities on new poles, and 120 days for other (not small) wireless facilities on new poles or substantial modifications of such existing facilities. See Sections 67.5090 et seq., and 67.5110 et seq., RSMo., and 47 CFR 1.40001 and 1.6003.

g. Any telecommunication equipment that is no longer in use for its original communication purposes shall be removed at the owner's expense. The owner shall provide the City with a copy of the notice to the FCC of intent to cease operations and shall be given ninety (90) days from the date of ceasing operations to remove the equipment. Removal of existing equipment shall not be a condition of approval of any subsequent application.

C. Use Limitations.

1. No accessory structure shall be built prior to the completion of construction of the principal use.
2. No accessory structure shall be utilized unless the principal structure to which it is accessory is occupied.
3. All accessory uses and structures shall comply with the use limitations applicable in the zoning district in which located.
4. An accessory structure may feature finished indoor areas but shall not be used as a dwelling unless specifically allowed in the applicable zoning district regulations.
5. Accessory structures in any residential district shall not exceed twelve (12) feet in height, except for properties located in the "A" or "B" Single-Family Residential Districts, accessory structures shall not exceed fifteen (15) feet in height or the height of the principal building, whichever is less.
6. The ~~total floor~~ area of any individual accessory building shall not exceed fifty (50) percent of all accessory buildings shall not exceed the ground floor area of the principal building in a single-family residential district including the floor area of an attached, enclosed garage at the ground level. The total floor area of all accessory buildings combined shall not exceed the ground floor area of the principal building in a single-family residential district.

D. Location.

1. An accessory building attached to a principal building in a substantial manner by a wall or roof shall be considered part of the principal building and shall comply in all respects with the requirements of this Chapter applicable to a principal building.
2. If the separation of an accessory structure and primary building is less than ten (10) feet, the accessory structure shall conform to the same yard requirements as the principal building.
3. No accessory structure or use shall be located in any required corner visibility triangle as established in Section 405.670.
4. No accessory structure, except those exempted by Section 405.630(A), shall be located within a front yard.
5. Accessory structures and uses shall be set back at least five (5) feet from the rear lot line.
6. Accessory structures and uses shall maintain the same side yard as is required for the principal structure located on the zoning lot, except that off-street parking, fences, walls and hedges may be located in the required side yard areas subject to other applicable restrictions of this Zoning Code.

E. Design Standards

1. In single-family residential districts, any accessory building 400 square feet or larger in size shall be constructed utilizing similar exterior wall finish materials to those of the primary building.
2. Should the Zoning Administrator determine such an application does not meet the design requirements outlined above, the application, as requested, by the applicant, may be reviewed and acted upon by the Planning and Zoning Commission as a Minor Site Development Plan per the procedures in Section 405.1080.

SECTION 2: This ordinance shall become effective in accordance with Section 3.11 (g) of the City Charter.

ADOPTED THIS ____ DAY OF _____, 2025.

TIMOTHY CARNEY
PRESIDENT OF CITY COUNCIL

BILL NO. _____

ORDINANCE NO. _____

APPROVED THIS ____ DAY OF _____, 2025.

DR. ROBERT HOFFMAN
MAYOR

ATTEST:

KELLIE HENKE
CITY CLERK



city
of

CREVE COEUR

File # _____

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 872-2500/872-2501 • Fax (314) 872-2505 • Relay MO 1-800-735-2966
www.creve-coeur.org

TEXT AMENDMENT APPLICATION

PLEASE COMPLETE FRONT AND BACK PAGES

Applicant:	Applicant's Representative (if applicable):
Jason Jaggi, Director of Community Development	Same
<i>Name</i>	<i>Name</i>
City Creve Coeur	
<i>Company (If Applicable)</i>	<i>Company (If Applicable)</i>
300 North New Ballas Rd	
<i>Address</i>	<i>Address</i>
Creve Coeur MO 63141	
<i>Address</i>	<i>Address</i>
Telephone # 314-872-2501	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, Tuesday Feb. 18, 2025.

Applicant's Signature

Applicant's Representative's Signature

Tuesday Feb. 18

Date

Date

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

Introduce maximum size restrictions for accessory buildings in residential zoning districts and design standards for larger buildings

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

Section 405.460 Accessory Uses and Structures

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

See attached

Office Use Only

____ **Proposed Ordinance Language**

Received By: _____

____ **Fees Paid**

____ **Written Justification**

Date: _____



DEPARTMENT OF COMMUNITY DEVELOPMENT MEMORANDUM

Meeting Date: November 18, 2024

To: Planning and Zoning Commission

Memo Prepared by: Jason W. Jaggi, AICP, Director of Community Development

Subject: **Work Session Item: Accessory Structures and Uses**

Attachments: Draft Code Revisions

At the August 24, 2024, Joint Work Session with the City Council and Planning and Zoning Commission, staff included the review of the accessory uses and structures zoning requirements as a future work item. Specifically, the focus was to determine if further adjustments should be made to provide regulations concerning the appearance and/or size of detached accessory buildings. The goal of these additional regulations would be to encourage complementary design of larger accessory buildings that correspond to the primary residence and maintain the residential character of neighborhoods.

Staff has prepared a first draft incorporating such changes within Zoning Code Section 405.460 Accessory Structures and Uses. These changes would introduce a new design standards section to provide a basic requirement for accessory buildings 400 square feet or larger (the size of a small two car garage, 20'x 20') to have similar wall materials and that complement the design of the primary house. In addition, if there is any ambiguity to the complementary nature of the detached structure to the primary residence, the application can be forwarded to the Planning and Zoning Commission for review and approval. The second component of the attached revisions are to limit the size of any individual detached accessory building to no more than 60 percent of the ground floor area of the primary residence. A clarification has been added to allow the ground floor area calculation to include an attached enclosed garage. The requirement that all of the accessory buildings combined cannot exceed the ground floor area of the primary building remains in place.

There are many different types and varying sizes of accessory buildings within residential areas. The most common include garages, pool houses, and storage buildings. Further, concerning matters of design, appropriate development can be a matter of opinion. For these reasons, Staff has taken a targeted and cautious approach to these amendments. Staff looks forward to reviewing these proposed changes in greater detail at the meeting and receiving direction from the Commission. Depending on the depth of the discussion, staff with either present a second draft for further discussion at a future work session or we will incorporate any desired changes and prepare a formal amendment for public hearing and Planning and Zoning Commission approval.