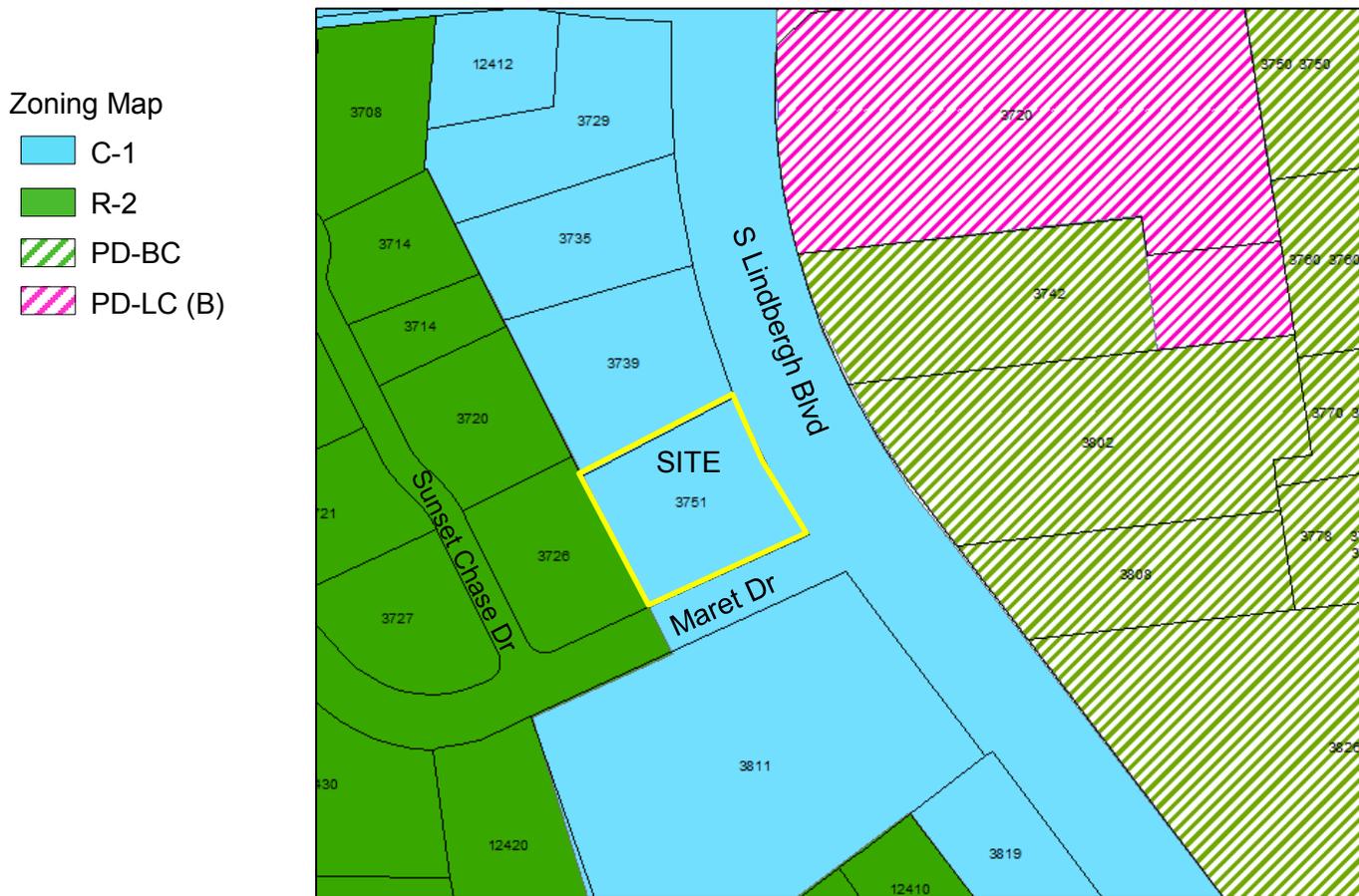


Summary:

This petition is for a Conditional Use Permit for a restaurant at 3751 South Lindbergh Boulevard. The property is located on the northwest corner of South Lindbergh Boulevard and Maret Drive. The property is currently zoned C-1 Commercial District. The properties to the north and south are also zoned C-1. The properties to the west are zoned R-2 Single Family Residential. The properties to the east are zoned PD-BC Planned Development-Business Commercial and PD-LC(B) Planned Development-Limited Commercial.



History and staff analysis:

In March of 2018, an Amended Conditional Use Permit was approved for a Jimmy John’s Restaurant, with a drive through on this property. The restaurant is now operating and is located in the northern end of this multi tenant building.

This petition is for the addition of a second restaurant, a bakery, to the remaining space in the existing building. Restaurants are a conditional use and therefore, require review and a recommendation from the Planning & Zoning Commission, followed by approval from the Board of Aldermen. Appendix B Zoning Regulations, Section 7.1 describes conditional uses as those types of uses which tend to be problematic because they:

1. Have a tendency to generate significant traffic volumes and/or turning movements,
2. Have operational characteristics that may have a detrimental impact on adjacent or nearby properties, or
3. Have other characteristics which may impact public health, safety, or welfare; but can be approved if such uses meet the criteria established herein. Conditional uses also include public and quasi-public uses affected with the public interest. In order to ensure that detrimental impacts are avoided or mitigated to a satisfactory level, conditional uses must be reviewed, approved and issued a conditional use permit, in accordance with the provisions of this section.

This is an existing multi tenant building, with one (1) existing tenant. This proposed restaurant would occupy the remainder of the building.

Per Appendix B Zoning Regulations, Section 7.3-1 Criteria: The board shall not approve any conditional use, which they determine to:

- A) Substantially increase traffic hazards or congestion.

Any new tenant or business will affect traffic. However, the addition of this tenant should not substantially increase traffic hazards or congestion.

- B) Substantially increase fire hazards.

Approval from Mehlville Fire District would be required prior to issuance of an occupancy permit.

- C) Adversely affect the character of the neighborhood.

This is an existing development and the proposed use should not adversely affect the character of the neighborhood.

- D) Adversely affect the general welfare of the community.

This is an existing development and the proposed use should not adversely affect the welfare of the community.

E) Overtax public utilities.

The proposed use should not overtax public utilities.

F) Conflict with standards contained in Subsections 7.3-2 and 7.3-3.

Subsections 7.3-2 and 7.3-3 do not apply to the proposed use.

G) Conflict with the goals and objectives or proposed land use in the comprehensive plan.

The proposed use does not conflict with the goals and objectives or proposed land use in the comprehensive plan.

Staff recommendation:

Based on information provided by the petitioner, staff recommends approval of this petition.

Update:

At the September 1, 2021 meeting, the Planning & Zoning Commission voted to recommend approval of this Petition with the condition that all occupancy permits and business licenses are obtained.