

**INTRODUCED BY:**

**ALDERMAN PLUFKA  
ALDERMAN WEGGE  
ALDERMAN LOCHMOELLER  
ALDERWOMAN HARTER**

**ALDERWOMAN PARKER TICE  
ALDERWOMAN SIMS  
ALDERMAN GOULD  
ALDERMAN ERGER**

**An Ordinance Amending Ordinances No. 3619 And 4863 Relating to a Conditional Use Permit And Site Development Plan For McDonalds at 1595 S. Hanley Road**

**WHEREAS**, Beck Reed, Rogue Architects, on behalf of McDonald’s USA LLC, at 1595 S. Hanley Road (“Subject Property”) has applied for a revision to the site development plan and conditional use permit to allow certain modifications to the exterior building; and

**WHEREAS**, Ordinance NO. 3619 authorized a conditional use permit and approved a site development plan for a McDonald’s Restaurant with Drive-thru facilities on the Subject Property in 1998; and

**WHEREAS**, Ordinance No. 4863 authorized the second drive-through lane, and modifications to the exterior elevations and other site improvements in 2018; and

**WHEREAS**, The Subject Property is zoned PD-Planned Development Overlay District, and pursuant to Section 400.1380(C)(5) and (6) Restaurants and Drive-in or carry-out sales of foods or of other goods or services are allowed as conditional uses that require review by the Planning and Zoning Commission and approval by the Board of Aldermen; and

**WHEREAS**, in accord with the applicable ordinances of the City of Brentwood, the application was submitted to the Planning and Zoning Commission for its investigation and report, and further that the Planning and Zoning Commission has returned its final report and has recommended that the revised site development plan and conditional use permit be approved subject to certain conditions; and

**WHEREAS**, after due notice as required by law a public hearing regarding the revised conditional use permit was duly held by the Board of Aldermen on the 20th day of May 2024, at which the public was given an opportunity to be heard; and,

**WHEREAS**, the Board of Aldermen hereby finds and determines that the applicant has borne the burden of proving that the conditional use permit contemplated will not:

- a) Substantially increase traffic hazards or congestion
- b) Substantially increase fire hazards
- c) Adversely affect the character of the neighborhood
- d) Adversely affect the general welfare of the community
- e) Overtax public utilities; and

**WHEREAS**, the Board of Aldermen further finds and determines that the applicant has borne the burden of proving that the conditional use permit contemplated:

- f) Complies with all other applicable provisions of the zoning code including performance standards in regard to yard and setbacks, parking and loading areas, screening and buffering, refuse storage and service areas
- g) Will contribute and promote the community welfare and convenience at the specific location,
- h) Will not cause substantial injury to the value of the neighboring property
- i) Complies with the Brentwood Comprehensive Plan or plans for any applicable zoning district regulations and provisions of the zoning chapter
- j) Will provide, if applicable, erosion control and on-site storm water detention in accordance with the standards contained in this ordinance
- k) Will be compatible with the surrounding area and thus will not impose an excess burden or have a substantial negative impact on surrounding or adjacent use or on community facilities or services.

**NOW, THEREFORE, BE IT ORDAINED, BY THE BOARD OF ALDERMEN OF THE CITY OF BRENTWOOD, MISSOURI, AS FOLLOWS:**

**SECTION 1.** The following documents submitted in association with the application for an amended conditional use permit and site plan by Rouge Architects, Inc. on behalf of McDonald's and on file in the office of the Director of Planning and Development depict the extent of improvement proposed for the site:

- 024-0765 Brentwood, MO N23523 NashvilleFO SAO Only + BDA-Rev2 emailed on May 6, 2024.
- 024-0005 McDonald’s Brentwood MO (Hanley Rd) Landscape Plan 20240404 emailed on April 17, 2024

The site development plan and building elevations described on the referenced documents are hereby approved for the Subject Property.

**SECTION 2.** McDonald’s Restaurant with Drive-thru services is hereby granted a revised conditional use permit and revised site development plan in accordance with the plans approved in Section 1, above, subject to the following conditions:


1. The Applicant shall submit for a building permit to be consistent with the drawings submitted for the Planning and Zoning Commission meeting on April 10, 2024, except as modified below.
2. Given the traffic impacts that this business has on Hanley Road, the property owners will cooperate and negotiate in good faith with the City and the County for the purpose of conveying required easements and right-of-way as needed for the St. Louis County Project AR-1853, per the drawing provided by St. Louis County, and indicate such on a revised site plan for the Building Permit.
3. All landscaping shall be permanently maintained in good condition with at least the same quality and quantity of landscaping as initially approved. In order to present a healthy, neat and orderly appearance, landscaped areas shall be provided with adequate irrigation for the maintenance of grass, shrubs, ground covering and other landscaping by utilizing a sprinkler system, home bibs and/or such other method of providing water, as required under Section 400.1730 Screening and landscaping.
4. No site plan or conditional use permit approved by the Board of Aldermen shall be valid for a period longer than twelve (12) months from the date granted, unless within such period a building permit is obtained, and substantial construction is commenced.

**SECTION 3.** The Director of Planning and Development shall be charged with the responsibility for the enforcement of this ordinance.

**SECTION 4.** This Ordinance shall be in full force and effect from and after the date of its final passage and approval by the Mayor.

**PASSED BY THE BOARD OF ALDERMEN THIS 17th DAY OF JUNE, 2024.**

ATTEST:


  
Kelle Silvey, Deputy City Clerk

  
David A. Dimmitt, Mayor

**APPROVED BY THE MAYOR THIS 17th DAY OF JUNE, 2024.**

ATTEST:

  
Kelle Silvey, Deputy City Clerk

  
David A. Dimmitt, Mayor

1<sup>st</sup> Reading: May 20, 2024  
2<sup>nd</sup> Reading: June 17, 2024

