

**AN ORDINANCE AMENDING ORDINANCE NUMBER 5503
AUTHORIZING THE ISSUANCE OF A NEW CONDITIONAL USE PERMIT FOR A
5,381 SQUARE FOOT OPERATION OF A DRY PASTA, DOUGH AND FLOUR
MIXES MANUFACTURING FROM PURCHASED FLOUR (NAICS 311824) FOR
VERO PASTO FULFILLMENT CENTER LOCATED AT
10650 GATEWAY BOULEVARD**

WHEREAS, under Section 405.380(C), all dry pasta, dough, and flour mixes manufacturing from purchased flour require the issuance of a conditional use permit as provided in Section 405.1070, Conditional Use Permits; and

WHEREAS, Ordinance NO. 5503 authorized the issuance of a conditional use permit for a 2,836 square foot Vero Pasto Fulfillment Center within the 5,381 square foot leased tenant space, for the manufacturing and assembly of pasta products for artisan pizza and pasta meal kits; and with a condition that 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; and

WHEREAS, an application was submitted by Cary Exler, of Katie's Pizza and Pasta Frozen, for an amendment to the conditional use permit for the installation of an exterior freezer storage unit; and

WHEREAS, a public hearing was held by the Creve Coeur Planning and Zoning Commission on Monday, June 3, 2024, 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 5-0 vote, recommended approval of the conditional use permit, subject to the conditions contained herein, at its meeting on June 3, 2024; 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 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: An amended Conditional Use Permit is authorized to be issued pursuant to Section 3 hereof to amend the previous Conditional Use Permit granted by Ordinance 5503, per Section 2 hereof, for the operation of a 5,381 square foot operation of a dry pasta, dough and flour mixes manufacturing from purchased flour (NAICS 311824) for Vero Pasto Artisan Pizza and Pasta Meal Kits Fulfillment Center at 10650 Gateway Boulevard, in LI (Light Industrial) District, whose legal description is as follows:

A tract of land in Lot 12 and part of Lot 11 of the Resubdivision of Section 2, 3 and 4 Of Lindbergh Warson Industrial Center Addition No. 1 as shown on the plat thereof recorded on Plat Book 100 page 52 of the St. Louis County Records and further described as follows:

Beginning at the Southwest corner of said Lot 12; thence South 89 degrees 14 minutes East 274.38 feet along the South lines of Lots 12 and 11 to a point; thence North 0 degrees 50 minutes East 271.74 feet to a point on the South line of Gateway Boulevard, 50 feet wide; thence on said South line of Gateway Boulevard along a curve to the right having a radius of 238.50 feet, a distance of 54.15 feet to a point of tangency; thence along said South line, North 62 degrees 55 minutes West, 0.15 feet to the Northwest corner of said Lot 11; thence continuing along said South line, North 62 degrees 55 minutes West, 12.27 feet to a point of curve; thence along a curve to the left having a radius of 188.50 feet, a distance of 86.75 feet to a point of tangency; thence North 78 degrees 17 minutes West 13.15 feet to the Northwest corner of said Lot 12; thence along the West line of said Lot 12 the following courses and distances: South 7 degrees 41 minutes 30 seconds West 158.46 feet to a point; thence along a curve to the right having a radius of 200.00 feet a distance of 131.01 feet to a point of tangency; thence South 45 degrees 13 minutes 30 seconds West 58.59 feet to the point of beginning.

Section 2: The Conditional Use Permit granted shall be subject to all applicable statutes, ordinances, rules and regulations, and governing Ordinance 5503 as amended as follows:

1. A building permit must be applied for in order to place the exterior freezer unit at the proposed location according to the site plan attached to Application #24-015.
2. The exterior freezer unit shall be allowed to be located at 10650 Gateway Boulevard for a period of no more than 24 months after approval of this amendment by the City Council or at such a time as the applicant, Katie's Pizza and Pasta Frozen, vacates the premises, whichever is less, subject to building permit approval. If the amount of time needs to be extended, the applicant shall bring the matter before the Planning and Zoning Commission and City Council for approval.

BILL NO. 6124

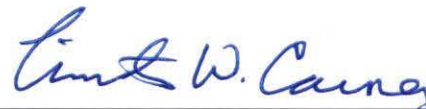
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3. Appropriate signage must be displayed in the parking lot in order to prohibit parking along the freezer unit.

Section 3: The City Administrator of the City of Creve Coeur is hereby authorized and directed to issue an amended 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 24th DAY OF JUNE, 2024.



TIMOTHY CARNEY
PRESIDENT OF CITY COUNCIL

APPROVED THIS 24th DAY OF JUNE, 2024.



DR. ROBERT HOFFMAN
MAYOR

ATTEST:



KELLIE HENKE
CITY CLERK

