

1st Reading 1/23/2024
2nd Reading 1/23/2024

BILL NO. 23-70

ORDINANCE NO. 5424

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO KERAS CHILDRENS FAMILY LP TO OPERATE A VEHICLE SERVICE AND REPAIR FACILITY FOR SUNSET HILLS SUBARU AT 9960 WATSON ROAD IN THE CITY OF CRESTWOOD, MISSOURI, as amended.

WHEREAS, Keras Childrens Family LP has filed an application for a conditional use permit to operate a “Vehicle Service/Repair - Limited” facility to provide basic vehicle maintenance and service for Sunset Hills Subaru, at 9960 Watson Road, which is located in the City of Crestwood, Missouri (“City”); and

WHEREAS, pursuant to Section 26-15 and 26-17 of the Municipal Code of the City of Crestwood, Missouri (the “Code”), a “Vehicle Service/Repair - Limited” facility may only be operated in a C-1 District upon the issuance of a conditional use permit by the Board of Aldermen; and

WHEREAS, pursuant to duly published notice, a hearing was held on January 3, 2024, before the Planning, Zoning and Architectural Review Commission of the City (the “Commission”) on said application; and

WHEREAS, the Commission has recommended that the Board of Aldermen approve this application for a conditional use permit to operate a “Vehicle Service/Repair - Limited” facility, subject to certain conditions; and

WHEREAS, notice of a public hearing before the Board of Aldermen on said application to be held on January 28, 2024, was duly published, and notice thereof given to nearby property owners as provided by ordinance; and

WHEREAS, following said hearing and consideration, the Board of Aldermen does herewith specifically find that the granting of the requested conditional use permit is consistent with the standards set out in the Zoning Code and will not:

1. Substantially increase traffic hazards or congestion;
2. Adversely affect the visual coherence, predominant usage, or development character of surrounding or adjacent neighborhoods;
3. Substantially increase fire, health or any other public safety hazards, or make difficult access by fire and emergency vehicles;
4. Adversely affect the general welfare of the community;
5. Overtax public utilities, services or other municipal facilities;
6. Be developed and operated in a manner that is physically and/or visually incompatible with the permitted uses in the surrounding areas;
7. Substantially increase stormwater drainage onto other lots; or
8. Create a nuisance; and

WHEREAS, the Board of Aldermen has found and determined that a conditional use permit should be approved, subject to the conditions herein set forth.

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

SECTION 1: Subject to the conditions hereof, a conditional use permit is hereby authorized to be granted to Keras Childrens Family LP, to operate a “Vehicle Service/Repair - Limited” facility to provide basic vehicle maintenance and service for Sunset Hills Subaru at 9960 Watson Road, in accordance with the materials and drawings submitted by the applicant, all of which are attached collectively hereto as Exhibit A, except as same may be revised in order to

comply with the terms and conditions hereof and the requirements of any other City Ordinances. The City Attorney is directed to prepare a written order with findings of fact and conclusions consistent with this Ordinance.

SECTION 2: Said conditional use permit approval is conditioned upon and shall become and remain in force and effect only upon the following terms and conditions:

- a. That all signs be in compliance with the present Sign Ordinances of the City of Crestwood, as set forth in Chapter 26 of the City's Code and appropriately sized signage to be approved the City Planner within 150 days and shall be installed within 365 days of approval of this ordinance;
- b. That the plans be approved by the City of Crestwood Public Works and Fire Department;
- c. That the applicant shall be responsible for complying with all applicable provisions of the 1990 Americans with Disabilities Act (ADA), as amended;
- d. That the conditional use permit is to be allowed for the C-1 zoning district;
- e. That the plans meet all City of Crestwood Codes;
- f. That no exterior changes are to occur without the proper approvals and permits;
- g. That any interior plans or drawings be approved by the City of Crestwood and St. Louis County;
- h. That the facility meet the requirements of ICC/ANSI A117.1 Standard on Accessible and Useable Buildings and Facilities, with regard to provisions for the disabled;
- i. That the use be operated in conformance with the relevant performance standards contained in Chapter 26 of the City's Code, as amended;

- j. That all vehicle service and storage of equipment and supplies occur indoors;
- k. That all overnight exterior storage of vehicles shall be limited to the south rear parking lot;
- l. That no major body work or painting shall be permitted. "Major body work" shall include installation and replacement of fenders, doors, bumpers, or other major body or exterior trim parts, but shall not include diagnostic services; lubrication of vehicles; installation and replacement of engines, transmissions, and radiators; engine tune-ups; the sale and installation of minor parts and accessories such as tires, batteries, shock absorbers, brakes, mufflers, and tail pipes; tire recapping or vulcanizing;
- m. That parking for a minimum of forty-seven (47) cars be provided and properly striped, which shall include at least two (2) ADA-accessible parking spaces, and properly maintained in a condition satisfactory to the City;
- n. That the hours of operation shall be as follows:
 - 1) That all site maintenance including parking area be done only between the hours of 7:00am and 7:00pm, Monday through Saturday;
 - 2) That any truck deliveries shall be made only between the hours of 7:00am and 7:00pm, Monday through Saturday; and
 - 3) That vehicle service and repair shall only be done between the hours of 8:00am and 6:00pm, Monday through Saturday;
- o. That no exterior public address system is permitted and no public address system capable of being heard outside of the building is permitted. This condition shall not prohibit an alarm system for security purposes;

- p. That the existing pole sign and sign structure on the Watson Road frontage are either removed or a new code-compliant sign is installed on the existing pole or on a new sign support structure;
- q. That the exterior repainting of the building shall occur within 180 days of approval of this ordinance; and
- r. That this approval is given on the condition that all of the above conditions are approved by the City and construction/use commences within the time provided by Sec. 26-11(H)(3) of the City's Code.


SECTION 3: When all of the conditions hereof have been met, the Director of Public Works is authorized and directed to issue the necessary permits. Should there be a violation of any of said conditions, the City shall notify permittee/applicant and if such violation is not corrected within thirty (30) days, the City shall have the right to reconsider said approvals and amend, modify or revoke same after notice and an opportunity for permittee/applicant to be heard.

SECTION 4: Keras Childrens Family LP, through its authorized representative(s), shall file a written acceptance of the conditions hereof, and a record a copy of this Ordinance, together with a copy of the approved plans and any amendments thereto.

SECTION 5: Any and all applicable site plan approvals and/or conditional use permits in connection with this property shall remain in full force and effect unless inconsistent herewith.

SECTION 6: This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and its approval by the Mayor.

PASSED AND SIGNED this 23rd day of January, 2024.



Mayor

ATTEST:



City Clerk

APPROVED this 23rd day of January, 2024.



Mayor

EXHIBIT A

[*Materials and Drawings submitted by Applicant*]



MEMORANDUM

To: Kris Simpson, City Administrator
From: Danny Jendusa, City Planner
Date: January 4, 2024
Subject: CUP-1-24 Sunset Hills Subaru (9960 Watson Rd.)

Keras Childrens Family LP has submitted a request for a Conditional Use Permit to operate a "Vehicle Service/Repair- Limited" use for basic vehicle maintenance and service for Sunset Hills Subaru in the former NTB National Tire & Battery facilities at 9960 Watson Rd. The subject property is zoned "C-1" Local Commercial district.

The applicant identified during the Planning Commission public hearing on January 3, 2023 that they would utilize the facility to refurbish inventory vehicles for re-sale at their dealership at 10100 Watson Rd in the City of Sunset Hills.

Per Section 26-11(F.), the Board of Aldermen shall not approve any conditional use permit application, or any amendment to an existing conditional use permit, unless the proposed conditional use is consistent with the standards herein, and unless the board determines that the proposed conditional use will not:

1. Substantially increase traffic hazards or congestion;
2. Adversely affect the visual coherence, predominant usage, or development character of surrounding or adjacent neighborhoods;
3. Substantially increase fire, health, or any other public safety hazards, or make difficult access by fire and emergency vehicles;
4. Adversely affect the general welfare of the community;
5. Overtax public utilities, services, or other municipal facilities;
6. Be developed and operated in a manner that is physically and/or visually incompatible with the permitted uses in the surrounding areas;
7. Substantially increase stormwater drainage onto other lots;
8. Create a nuisance.

Following the additional information provided by the applicant during the Planning Commission hearing, the City Planner finds the proposed use to be both consistent with and inconsistent with the 2017 Comprehensive Plan recommendations and that the proposed use would not conflict with the review criteria for approval of a Conditional Use Permit.

RECOMMENDED ACTION

On January 3, 2024, the Planning, Zoning, and Architectural Review Commission voted 5-0 to recommend approval of the requested Conditional Use Permit with conditions, as expressed in the attached draft ordinance. One additional condition was added:

"That the existing pole sign and sign structure on the Watson Road frontage are either removed or a new code-compliant sign is installed on the existing pole or on a new sign support structure."



Notice of Public Hearing

City of Crestwood

CUP-1-24 A Request for a Conditional Use Permit to operate a Vehicle Service/Repair use at 9960 Watson Rd.

Notice is hereby given that a public hearing will be held before the Board of Aldermen of the City of Crestwood, Missouri at the Crestwood Government Center at 1 Detjen Drive, Crestwood, MO 63126 on Tuesday, January 23, 2024, at 7:00 p.m. for the purpose of hearing all citizens' written and oral comments regarding a request for a Conditional Use Permit submitted by Keras Childrens Family LP to operate a "Vehicle Service/Repair- Limited" use facility at 9960 Watson Rd..

The application and supporting documents were filed on December 8, 2023, and may be viewed at the desk of the City Planner at the Government Center. Written comments may be submitted prior to 3:00pm the day of the meeting to the City Planner by email to djendus@cityofcrestwood.org. All written comments must contain the name and address of the commenter to be read during the meeting.

By order of the Board of Aldermen, City of Crestwood, Missouri.

ATTEST:

/s Helen Ingold

City Clerk

City Clerk's Office received from the City Planner and dated: 1/4/2024.

Posted in Government Center Lobby on 1/4/2024.

***ANYONE WITH SPECIAL NEEDS WISHING TO ATTEND MAY CALL (314)

729-4700 SO APPROPRIATE ACCOMMODATIONS CAN BE MADE***

One Detjen Drive * Crestwood, Missouri 63126-1697 * 314-729-4700 * Fax 314-729-4794

www.cityofcrestwood.org

Keras Childrens Family LP - 9960 Watson Rd,

1/23/2024 Application No. CUP-1-24; Keras Childrens Family LP, seeks to a conditional use permit to operate a “vehicle service and repair – limited” facility to provide basic vehicle maintenance and service for Sunset Hills Subaru.

Exhibit # 3 - City of Crestwood Code, Chapter 26 containing the Zoning Code

Exhibit # 6. City’s Comprehensive Plan

&

Exhibit # 7 City of Crestwood Ordinance No. 3485

DESCRIPTION OF PROPOSAL FOR 9960 WATSON

LEGAL DESCRIPTION: A TRACT OF LAND BEING PART OF LOT 3 OF SUBDIVISION BY COMMISSIONERS IN PARTITION OF THE ESTATES OF OSWALD STURDY, DECEASED, IN U.S. SURVEY 2453, TOWNSHIP 44 NORTH, RANGE 5 AND 6 EAST, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A FOUND IRON PIPE IN THE SOUTH LINE OF STATE HIGHWAY ROUTE 66 (NEW WATSON ROAD 100 FEET WIDE) AT ITS INTERSECTION WITH THE WEST LINE OF CRESTWOOD MEDICAL PARK SUBDIVISION AS RECORDED IN PLAT BOOK 207 PAGE 62, THENCE ALONG SAID WEST LINE SOUTH 5 DEGREES 52 MINUTES 00 SECONDS EAST A DISTANCE OF 540.22 FEET TO A SET IRON PIN WITH A PLASTIC CAP STAMPED LS-219D IN THE NORTH LINE OF STURDY ESTATES PLAT ONE, AS RECORDED IN PLAT BOOK 71 PAGE 9; THENCE ALONG SAID NORTH LINE, SOUTH 84 DEGREES 04 MINUTES 57 SECONDS WEST A DISTANCE OF 160.68 FEET TO A SET IRON PIN WITH A PLASTIC CAP STAMPED LS-219D IN THE EAST LINE OF A TRACT OF LAND CONVEYED TO FFCA ACQUISITION CORPORATION BY DEED RECORDED IN DEED BOOK 10885 PAGE 1658; THENCE ALONG SAID EAST LINE, NORTH 5 DEGREES 52 MINUTES 00 SECONDS WEST A DISTANCE OF 543.73 FEET TO A SET IRON PIN WITH A PLASTIC CAP STAMPED LS-219D IN THE SAID SOUTH LINE OF STATE HIGHWAY ROUTE 66; THENCE ALONG SAID SOUTH LINE, NORTH 85 DEGREES 20 MINUTES 00 SECONDS EAST A DISTANCE OF 160.72 FEET TO THE POINT OF BEGINNING.

SUMMARY OF PROPOSAL:

The Keras Childrens Family, LP would like to submit a Conditional Use Permit application for the property located at 9960 Watson Road (formerly the NTB site)

The property will be used solely as an auto repair overflow facility for Sunset Hills Subaru.

There will be approximately 15 employees and they will operate the business between the hours of 8 am – 6 pm, Monday through Saturday.

The building height and gross floor area (12,370 sq ft under roof) will stay the same.

The proposed business intends to conform to the City's Comprehensive Plan.

The site area of the property is 2.03 acres. This is currently a commercial building.

There are currently 45 standard parking spaces and 2 handicap (will this stay the same)

The target completion date of the building is February 2024.

There are no proposed changes to the boundary.

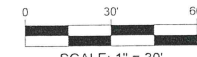
There are no proposed changes to the existing floor plan.

There are no landscaping changes planned for the site.

Photos attached.

ALTA/NSPS LAND TITLE SURVEY

A TRACT OF LAND BEING PART OF LOT 3 OF SUBDIVISION BY COMMISSIONERS IN PARTITION OF THE ESTATES OF OSWALD STURDY, DECEASED, IN U.S. SURVEY 2453, TOWNSHIP 44 NORTH, RANGE 5 AND 6 EAST, ST. LOUIS COUNTY, MISSOURI



NOTES:

- Underground facilities, structures, and utilities have been plotted from available surveys and records. Therefore, their location must be considered approximate only. There may be others, the existence of which is presently not known. (NFV) = Not Field Verified.
- Bearings referenced to Grid North of the Missouri Coordinate System 1983, East Zone per GPS observations utilizing the MoDOT Network. Field work was completed on this site by BFA on November 14, 2023.
- M = Indicates measured survey information gathered by BFA, Inc. on November 14, 2023.
R = Recorded boundary info per Warranty Deed recorded on November 14, 2012 in Book 20248 Page 45.
- This site scales within Zone X, defined as areas determined to be outside the 0.2% annual chance floodplain, as shown on the Flood Insurance Rate Map prepared by the Federal Emergency Management Agency for Jefferson County, Missouri, Map No. 29099C0050F, dated June 20, 2019.
- No Zoning Report provided at time of survey. This site is zoned C-1, Commercial District & WROA (Watson Road Overlay Area) per the City of Crestwood, Missouri. Building setback lines as per the City of Crestwood, MO Zoning Code:
Front Yard= 30 Feet
Side Yard= 5 Feet
Rear Yard= 50 Feet
- The Subject Property shown hereon is the same property as described in Title Commitment No. NCS-1198297-PHX1, dated November 06, 2023. Prepared by First American Title Insurance Company.

EASEMENT NOTES, as per Title Commitment No. NCS-1198297-PHX1, dated November 06, 2023. Prepared by First American Title Insurance Company.

Schedule B-II Exceptions:

ITEM 9: Restrictions, conditions and easements contained in instruments recorded in Book 1528, Page 343 and Book 1561, Page 377. **Affects Subject Property, Restrictions on property usage.**

ITEM 10: Easement granted Union electric company according to the instrument recorded in Book 2466, Page 487 and Book 7467, Page 1456. **Affects Subject Property, shown on Survey.**

ITEM 11: Maintenance agreement with the Metropolitan St. Louis Sewer District according to instrument recorded in Book 11624, Page 804. **Affects Subject Property, blanket easement.**

RECORD LEGAL DESCRIPTION, This legal description hereon is the same as the legal description set forth in Title Commitment No. NCS-1198297-PHX1, dated November 06, 2023. Prepared by First American Title Insurance Company.

A tract of land being part of Lot 3 of subdivision by Commissioners in partition of the estates of Oswald Sturdy, deceased, in U.S. Survey 2453, Township 44 North, Range 5 and 6 East, St. Louis County, Missouri and being more particularly described as follows:

Beginning at a found iron pipe in the south line of State Highway 66 (New Watson Road 100 feet wide) at its intersection with the west line of Crestwood Medical Park Subdivision as recorded in plat book 207 page 62, thence along said west line south 5 degrees 52 minutes 00 seconds east a distance of 540.22 feet to a set iron pin with a plastic cap stamped LS-2190 in the north line of Sturdy Estates Plat one, as recorded in plat book 71 page 9; thence along said north line, south 84 degrees 04 minutes 57 seconds west a distance of 160.68 feet to a set iron pin with a plastic cap stamped LS-2190 in the east line of a tract of land conveyed to FPCA Acquisition Corporation by deed recorded in deed book 10885 page 1658; thence along said east line, north 5 degrees 52 minutes 00 seconds west a distance of 543.73 feet to a set iron pin with a plastic cap stamped LS-2190 in the said south line of State Highway 66; thence along said south line, north 85 degrees 20 minutes 00 seconds east a distance of 160.72 feet to the point of beginning.

ENCROACHMENT NOTES:

- POSSIBLE ENCROACHMENT OF RETAINING WALL AND CURB ALONG THE EAST PROPERTY LINE OF SUBJECT PROPERTY.
- POSSIBLE ENCROACHMENT OF ADJACENT LANDSCAPING (MULCH) ALONG THE WEST PROPERTY LINE OF SUBJECT PROPERTY.

Parking Table:
Standard Spaces: 45
Handicap Spaces: 2

ALTA/NSPS SURVEY LEGEND	
DESCRIPTION	EXISTING
AERIAL ELECTRIC	—AE—
UNDERGROUND ELECTRIC	—UE—
UNDERGROUND TELEPHONE	—UT—
GAS LINE	—G—
FIBER OPTIC LINE	—FO—
WATERLINE	—W—
SANITARY SEWER	—SS—
STORM SEWER	=====
EASEMENT	----
PROPERTY LINE	=====
CHAINLINK FENCE	-----
UTILITY POLE	⊙
SANITARY MANHOLE	⊙
WATER VALVE	⊙
FIRE HYDRANT	⊙
CATCH BASIN	⊙
JUNCTION BOX	⊙
CLEANOUT	⊙
GRATED INLET	⊙

SURVEYORS CERTIFICATION:

To First American Title Insurance Company, its successors and assigns and Keras Childrens Family, LP, a Tennessee Limited Partnership, its successors and assigns.

This is to certify that this map or plat and the survey on which it was based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS and includes items 1, 2, 3, 4, 5, 6, 7a, 8, 9, 10, 11(a&b), 13, and 19 of Table A thereof. The field work was completed on November 14, 2023.

Date of Plot or Map _____

PRELIMINARY

Mark R. Frankenberg, PLS #2365
State of Missouri Registered Land Surveyor for BFA, Inc.
Incorporated Land Surveying Corporation #000095

DRAWN	E.R.D.
CHECKED	J.B.S.
DATE	11/30/23
SCALE	1"=30'
JOB No.	8135
SHEET NAME	ALTA/NSPS LAND TITLE SURVEY



SITE LOCATION MAP
NOT TO SCALE

P:\Work\8135_Crestwood MO 9960 Watson Road\8135 Survey\8135 ALTA.dwg
11/30/2023 3:37 PM

TELEPHONE (636) 239-4751
BFA Engineering-Surveying



103 ELM STREET
WASHINGTON, MISSOURI 63090

9960 WATSON ROAD
ST. LOUIS COUNTY
CRESTWOOD, MO 63126

ALTA/NSPS LAND TITLE SURVEY
A TRACT OF LAND BEING PART OF LOT 3 OF SUBDIVISION BY COMMISSIONERS IN PARTITION OF THE ESTATES OF OSWALD STURDY, DECEASED, IN U.S. SURVEY 2453, TOWNSHIP 44 NORTH, RANGE 5 AND 6 EAST, ST. LOUIS COUNTY, MISSOURI

APPLICATION NUMBER: CUP-1-24

APPLICATION (PROJECT) NAME: SUNSET HILLS SUBARU CUP

APPLICANT: KERAS CHILDRENS FAMILY LP
10100 WATSON RD
SUNSET HILLS, MO 63127

PROPERTY OWNER NAME: KERAS CHILDRENS FAMILY LP
10100 WATSON RD
SUNSET HILLS, MO 63127

APPLICANT'S REQUEST: CONDITIONAL USE PERMIT TO OPERATE A
"VEHICLE SERVICE/REPAIR- LIMITED" USE
FACILITY

SITE LOCATION: 9960 WATSON ROAD
CRESTWOOD, MO 63126

PARCEL/LOCATOR NUMBER: 25M220681

EXISTING ZONING / PLANNING DISTRICT: "C-1" LOCAL COMMERCIAL DISTRICT

TOTAL SITE AREA: APPROXIMATELY 2.03 ACRES

P&Z HEARING DATE: JANUARY 3, 2024

BOA PUBLIC HEARING DATE: JANUARY 23, 2024

REPORT DATE: DECEMBER 28, 2023

CASE MANAGER: DANNY JENDUSA, CITY PLANNER

RECOMMENDATION: APPROVAL WITH CONDITIONS



REQUEST

Keras Childrens Family LP has submitted a request for a Conditional Use Permit to operate a “Vehicle Service/Repair- Limited” use for basic vehicle maintenance and service for Sunset Hills Subaru in the existing facilities at 9960 Watson Rd.

ACTION

The Planning, Zoning, and Architectural Review Commission is requested to vote to recommend approval, approval with conditions, or denial of the requested Conditional Use Permit. The Planning Commission’s recommendation will be forwarded to the Board of Aldermen for a final vote following an additional public hearing, tentatively scheduled for January 23, 2024.

EXISTING CONDITIONS

The subject property is located at 9960 Watson Road on the south side of Watson. It is the former site of a National Tire & Battery vehicle service & repair facility. The existing facilities were built in 1998, following city approval of the NTB development. The building contains one service bay window facing Watson Rd and one pass-through garage door at the rear of the building opening to the south parking lot. The garage contains interior space to service multiple vehicles. The facility also includes a retail showroom, customer service desk, and interior waiting area, and exterior parking lot with 47 parking spaces.



ZONING CONTEXT & SURROUNDING LAND USE

The subject property is zoned “C-1” Local Commercial District. The district is composed of those areas of the City whose principal use is and ought to be general retail, service, and repair business activities which serve the entire City and surrounding area. This district is provided to permit the development of these business activities, to protect adjacent areas against encroachment by incompatible uses, and to lessen congestion on public streets. To these ends, certain uses which would function more effectively in other districts and would interfere with the operation of these business activities and the purpose of this district, have been excluded.

The proposed vehicle service & repair facility falls under the description of a “Vehicle Service/Repair-Limited” use, which is a Conditional Use in the “C-1” zoning district.



Cropped image from Figure 2: Zoning Map with Building Footprints

Various commercial uses are located on Watson Rd in the “C-1” districts to the north, east and west. The Sturdy Estates residential subdivision is located to the south of the subject property in the “R-3” Single Family Residential District.

EXISTING CONDITIONS MATRIX			
DIRECTION	EXISTING LAND USE	ZONING	COMMENTS
North	Vehicle service/repair & retail	“C-1”	Car-X Tire & Auto; and O’Reilly Auto Parts
East	Restaurant	“C-1”	Rich & Charlie’s
West	General Commercial	“C-1”	Currently vacant
South	Single Family Residential	“R-3”	Sturdy Estates subdivision

ZONING AND LAND USE HISTORY

The existing facilities at the subject property were built in 1998, following the approval of a Site Plan to construct a National Tire & Battery vehicle service & repair facility via Ordinance 3485. The Site Plan approval ordinance contained many conditions, similar to what the City would approve in a Conditional Use Permit today.

PROPOSAL SUMMARY

Keras Childrens Family LP has submitted a request for a Conditional Use Permit to operate a “Vehicle Service/Repair- Limited” use for basic vehicle maintenance and service for Sunset Hills Subaru in the existing facilities at 9960 Watson Rd. Sunset Hills Subaru operates their auto dealership approximately 400-ft to the west , across the municipal boundary in the City of Sunset Hills, at 10100 Watson Rd.



The applicant has indicated they will conduct routine vehicle service & maintenance at the subject property, and will operate in accordance with the conditions placed upon NTB since 1997 via Ord 3485, with minor adjustments for slightly different hours of operation. The applicant has identified that both customers and Sunset Hills Subaru staff will drop off and pick up vehicles at the 9960 Watson Rd. location.

The applicant has identified they will not be making alterations to the existing facilities or grounds.

COMPREHENSIVE PLAN

The 2017 Comprehensive Plan is a guiding document for the City of Crestwood. It provides a roadmap for the city to advance the community’s goals and informs official policy.

The Comprehensive Plan recommends “Core Commercial” uses in this “Western Watson” sub-area. The re-occupancy of the existing auto repair facilities at this site with another vehicle service & repair use remains consistent with the Land Use Plan.

REVIEW CRITERIA

Per Section 26-11(F.), the Board of Aldermen shall not approve any conditional use permit application, or any amendment to an existing conditional use permit, unless the proposed conditional use is consistent with the standards herein, and unless the board determines that the proposed conditional use will not:

1. Substantially increase traffic hazards or congestion;
2. Adversely affect the visual coherence, predominant usage, or development character of surrounding or adjacent neighborhoods;
3. Substantially increase fire, health, or any other public safety hazards, or make difficult access by fire and emergency vehicles;
4. Adversely affect the general welfare of the community;
5. Overtax public utilities, services, or other municipal facilities;
6. Be developed and operated in a manner that is physically and/or visually incompatible with the permitted uses in the surrounding areas;
7. Substantially increase stormwater drainage onto other lots;
8. Create a nuisance.

BURDEN OF PROOF

In presenting any application for a Conditional Use Permit, the applicant must further demonstrate that the proposed use meets the burden of proof criteria contained in Section §26-11 (b)(2), Burden of Proof.

- The proposed conditional use complies with all applicable provisions of these applicable district regulations.
- The proposed conditional use at the specified location will contribute to and promote the welfare or convenience of the public.
- The proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it will be located.
- The location and size of the conditional use, the nature and intensity of the operation involved in, or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the conditional use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations.

In determining whether the conditional use will so dominate the immediate neighborhood, consideration shall be given to:

1. The location, nature and height of buildings, structures, walls, and fences on the site, and
 2. The nature and extent of proposed landscaping and screening on the site.
- Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations.

- Adequate utility, drainage, and other such necessary facilities have been or will be provided.
- The proposed uses are deemed consistent with good planning practice and are not inconsistent with the goals, objectives, and policies of the Comprehensive Plan; can be operated in a manner that is not detrimental to the permitted developments and uses in the district; can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; and are deemed essential or desirable to preserve and promote the public health, safety, and general welfare of the city.

ANALYSIS

An analysis of the seven (7) criteria contained in Section 26-11(F.) follows:

SUBSTANTIALLY INCREASE TRAFFIC HAZARDS OR CONGESTION

FINDING

The City Planner finds that the proposed use will not substantially increase traffic hazards or congestion.

ADVERSELY AFFECT THE VISUAL COHERENCE, PREDOMINANT USAGE, OR DEVELOPMENT CHARACTER OF SURROUNDING OR ADJACENT NEIGHBORHOODS

FINDING

The City Planner finds that the proposed use will not adversely affect the visual coherence, predominant usage, or development character of surrounding or adjacent neighborhoods.

SUBSTANTIALLY INCREASE FIRE, HEALTH, OR ANY OTHER PUBLIC SAFETY HAZARDS, OR MAKE DIFFICULT ACCESS BY FIRE AND EMERGENCY VEHICLES

FINDING

The City Planner finds that the proposed use will not substantially increase fire, health, or any other public safety hazards, or make difficult access by fire and emergency vehicles.

ADVERSELY AFFECT THE GENERAL WELFARE OF THE COMMUNITY

FINDING

The City Planner finds that the proposed use will not adversely affect the general welfare of the community.

OVERTAX PUBLIC UTILITIES, SERVICES, OR OTHER MUNICIPAL FACILITIES

FINDING

The City Planner finds that the proposed use will not overtax public utilities, services, or other municipal facilities.

BE DEVELOPED AND OPERATED IN A MANNER THAT IS PHYSICALLY AND/OR VISUALLY INCOMPATIBLE WITH THE PERMITTED USES IN THE SURROUNDING AREAS

FINDING

The City Planner finds that the proposed use will not be developed and operated in a manner that is physically and/or visually incompatible with the permitted uses in the surrounding areas.

SUBSTANTIALLY INCREASE STORMWATER DRAINAGE ONTO OTHER LOTS

FINDING

The City Planner finds that the proposed use will not substantially increase stormwater drainage onto other lots.

CREATE A NUISANCE

FINDING

The City Planner finds that the proposed use will not create a nuisance.

FINDINGS AND RECOMMENDATION

The City Planner finds that the proposed conditional use will not:

1. Substantially increase traffic hazards or congestion;
2. Adversely affect the visual coherence, predominant usage, or development character of surrounding or adjacent neighborhoods;
3. Substantially increase fire, health, or any other public safety hazards, or make difficult access by fire and emergency vehicles;
4. Adversely affect the general welfare of the community;
5. Overtax public utilities, services, or other municipal facilities;
6. Be developed and operated in a manner that is physically and/or visually incompatible with the permitted uses in the surrounding areas;
7. Substantially increase stormwater drainage onto other lots;
8. Create a nuisance.

As outlined under Section § 26-11 (F).

BURDEN OF PROOF

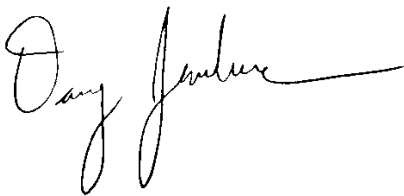
Overall, the City Planner finds that the request **meets** the burden of proof criteria for a Conditional Use Permit, outlined under Section § 26-11 (b)(2).

RECOMMENDATION

The City Planner recommends the **approval** of the application for a Conditional Use Permit with the following conditions:

- a. That all signs be in compliance with the present Sign Ordinances of the City of Crestwood, as set forth in Chapter 26 of the City's Code;
- b. That the plans be approved by the City of Crestwood Public Works and Fire Department;
- c. That the applicant shall be responsible for complying with all applicable provisions of the 1990 Americans with Disabilities Act (ADA), as amended;
- d. That the conditional use permit is to be allowed for the C-1 zoning district;
- e. That the plans meet all City of Crestwood Codes;
- f. That no exterior changes are to occur without the proper approvals and permits;
- g. That any interior plans or drawings be approved by the City of Crestwood and St. Louis County;

- h. That the facility meet the requirements of ICC/ANSI A117.1 Standard on Accessible and Useable Buildings and Facilities, with regard to provisions for the disabled;
- i. That the use be operated in conformance with the relevant performance standards contained in Chapter 26 of the City's Code, as amended;
- j. That all vehicle service and storage of equipment and supplies occurs indoors;
- k. That all overnight exterior storage of vehicles shall be limited to the south rear parking lot;
- l. That no major body work or painting shall be permitted. "Major body work" shall include installation and replacement of fenders, doors, bumpers, or other major body or exterior trim parts, but shall not include: diagnostic services; lubrication of vehicles; installation and replacement of engines, transmissions, and radiators; engine tune-ups; the sale and installation of minor parts and accessories such as tires, batteries, shock absorbers, brakes, mufflers, and tail pipes; tire recapping or vulcanizing;
- m. That parking for a minimum of forty-seven (47) cars be provided and properly striped, which shall include at least two (2) ADA-accessible parking spaces, and properly maintained in a condition satisfactory to the City.
- n. That the hours of operation shall be as follows:
 - 1) That all site maintenance including parking area be done only between the hours of 7:00am and 7:00pm, Monday through Saturday
 - 2) That any truck deliveries shall be made only between the hours of 7:00am and 7:00pm, Monday through Saturday
 - 3) That vehicle service and repair shall be done only between the hours of 8:00am and 6:00pm, Monday through Saturday
- o. That no exterior public address system is permitted and no public address system capable of being heard outside of the building is permitted. This condition shall not prohibit an alarm system for security purposes; and
- p. That this approval is given on the condition that all of the above conditions are approved by the City and construction/use commences within the time provided by Sec. 26-11(H)(3) of the City's Code.



Danny Jendusa, AICP
City Planner

APPENDIX


The background features a large, light gray watermark of the word "CRESTWOOD". The letters "O" and "O" in "CRESTWOOD" are replaced by two overlapping circles, one light green and one light teal, with thin vertical lines extending downwards from their centers, resembling stylized trees or a logo.

SUPPLEMENTAL MAPS AND EXHIBITS

FIGURE 1: AERIAL PHOTOGRAPH



9960 Watson Site Location Aerial

 9960 Watson Site Location

Service Layer Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

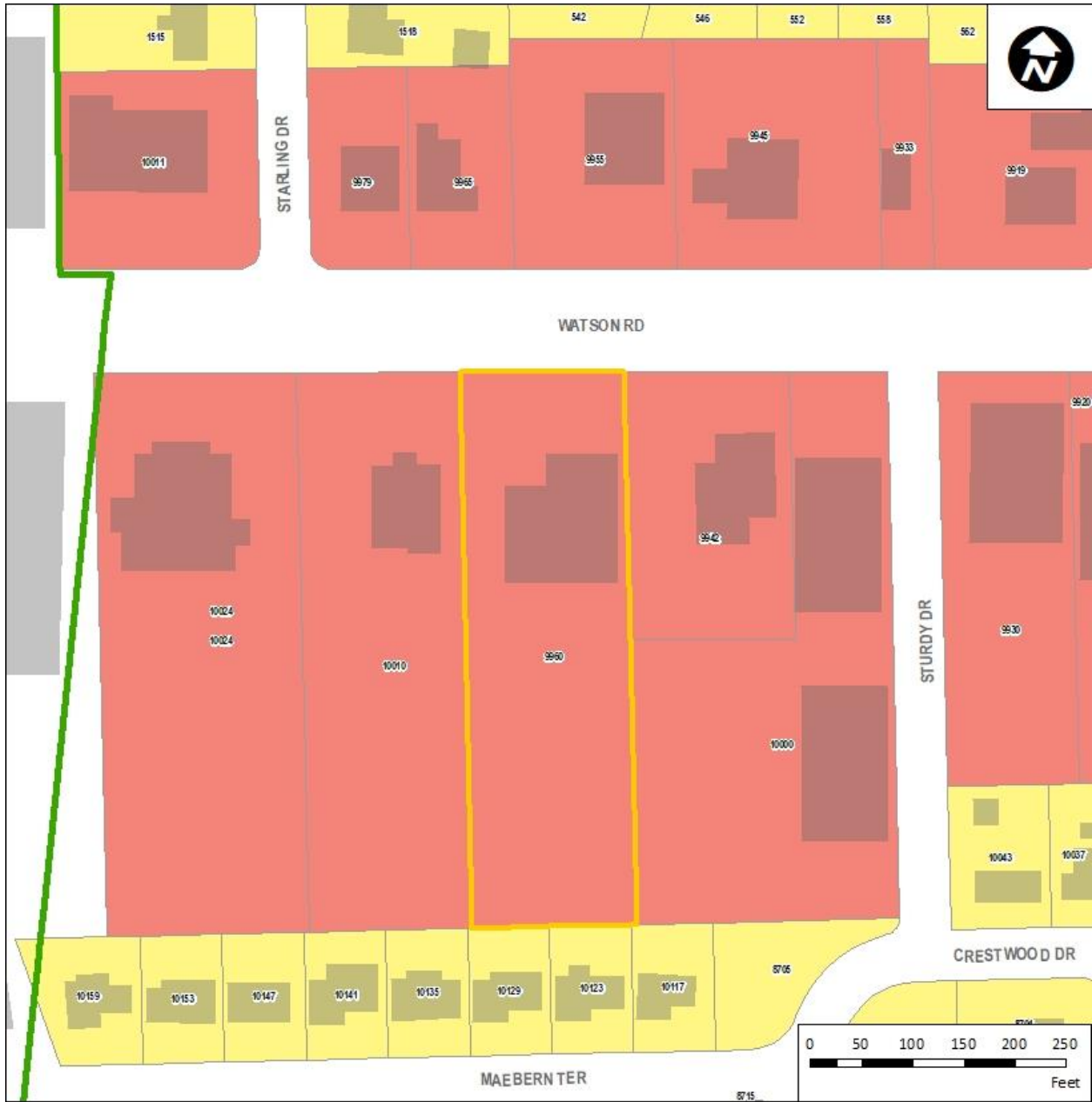


Map by Danny Jendusa
djendusa@cityofcrestwood.org

December 28, 2023

Development\Watson\9960 Watson\9960-watson-aerial

FIGURE 2: ZONING MAP



9960 Watson Site Location- Zoning

- 9960 Watson Site Location
- Building Footprints
- R-1
- R-2
- R-3
- R-4
- R-5
- C-1
- PD-C
- PD-R
- M-1
- Grant's Trail
- Parks



Map by Danny Jendusa
 djendusa@cityofcrestwood.org
 December 28, 2023

Development\Watson\9960 Watson\9960-watson-zoning

EXHIBIT B: EXISTING CONDITIONS PHOTOS



