

1st Reading 9/10/2024

2nd Reading 9/10/2024

BILL NO. 24-30

ORDINANCE NO. 5478

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO GATEWAY CUSTARD, LLC TO OPERATE A DRIVE-THRU RESTAURANT AT 9535 WATSON ROAD IN THE CITY OF CRESTWOOD, MISSOURI

WHEREAS, Gateway Custard, LLC has filed an application for a conditional use permit to operate an Andy's Frozen Custard drive-thru restaurant at 9535 Watson Road, which is located in the City of Crestwood, Missouri ("City"); and

WHEREAS, pursuant to Sections 26-15 and 26-17 of the Municipal Code of the City of Crestwood, Missouri (the "Code"), a drive-thru restaurant may only be operated in a PD-MXD 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 September 4, 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 drive-thru restaurant subject to certain conditions; and

WHEREAS, notice of a public hearing before the Board of Aldermen on said application to be held on September 10, 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 Gateway Custard, LLC, to operate a drive-thru restaurant at 9535 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;
- 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 PD-MXD 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 a traffic stop bar be added to the drive-thru lane exit to improve traffic safety in the parking lot;
- k. Bollards, planters, or a decorative barrier shall be installed at the border of the patio to provide protection for pedestrians from vehicular traffic.
- l. That the 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 Section 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: Gateway Custard, LLC, through its authorized representative(s), shall file a written acceptance of the conditions hereof, and 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 10th day of September, 2024.



Mayor

ATTEST:


City Clerk

APPROVED this 10th day of September, 2024.



Mayor

EXHIBIT A

[*Materials and Drawings submitted by Applicant*]



MEMORANDUM

To: Kris Simpson, City Administrator
From: Danny Jendusa, City Planner
Date: September 4, 2024
Subject: CUP-7-24 Andy's Frozen Custard (9535 Watson Rd.)

Gateway Custard LLC has submitted an application for a Conditional Use Permit to operate an Andy's Frozen Custard drive-thru restaurant at the newly constructed east outbuilding "D" in the Dierbergs Crestwood Crossing shopping center at 9535 Watson Rd.

The applicant will occupy approximately 2,300 square feet- or about 1/3rd of the footprint of the new outbuilding. The construction of a drive-thru ready facility in this location was approved during the Preliminary & Final Development Plan approvals for Phase 1 of the Crestwood Crossing PD-MXD district in 2021 and 2022, though a drive-thru restaurant remains a Conditional Use in this district.

Because a Conditional Use Permit is tied to the occupant of a site, the applicant requires a Conditional Use Permit to actually operate the drive-thru establishment and complete tenant finishes in the building.

RECOMMENDED ACTION

On September 4, 2024, the Planning, Zoning, and Architectural Review Commission voted 6-0 to recommend approval of the requested CUP with an additional condition added to those already recommended by city staff. The additional condition "I." should state:

"Bollards, planters, or a decorative barrier shall be installed at the border of the patio to provide protection for pedestrians from vehicular traffic"



Notice of Public Hearing

City of Crestwood

CUP-7-24 A Request for a Conditional Use Permit submitted by Brandon Arnold on behalf of Gateway Custard, LLC to operate a Restaurant with a Drive-Thru at 9525 Watson Road

Notice is hereby given that a public hearing will be held before the Planning, Zoning, and Architectural Review Commission of the City of Crestwood, Missouri at the Crestwood Government Center at 1 Detjen Drive, Crestwood, MO 63126 on Wednesday, September 4, 2024, at 6:00 p.m. for the purpose of hearing all citizens' written and oral comments regarding a request submitted by Brandon Arnold on behalf of Gateway Custard, LLC for a Conditional Use Permit to operate a Restaurant with a Drive-Thru at 9525 Watson Road in the "PD-MXD" Planned Development- Mixed Use District.

Pending the results of the above-referenced public hearing, a second public hearing is tentatively scheduled to 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, September 10, 2024, at 7:00 p.m. for the purpose of hearing all citizens' written and oral comments regarding this matter.

The application and supporting documents were filed on August 9, 2024, 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 djendusa@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: 8/15/2024.

Posted in Government Center Lobby on 8/15/2024.

***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

CUP-7-24 GATEWAY CUSTARD, LLC (Andy's)

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

Ex. 6. City's Comprehensive Plan



Conditional Use Permit Submittal Package

Crestwood, Missouri

[9 AUGUST 2024]

Overview

Andy's Frozen Custard (Andy's) is a quick service restaurant that offers primary frozen custard-based treats. Andy's was established in 1986 and is based in Springfield, Missouri. There are currently over 150+ locations across 15+ states, primarily in the Midwest and Southeast United States.

The greater St. Louis area is being developed by franchise owners Brandon Arnold and Greg Anderson, a family group that began franchising with Andy's in 2005 and now operate 16 locations through Missouri, Kentucky, and North Carolina.

Menu

Andy's serves both vanilla and chocolate frozen custard made fresh hourly on site. The custard can be served plain (in a cup or cone) or used as a base for a variety of other treats, including sundaes, milkshakes, concretes, floats, splits, etc., for which there are a variety of topping choices.

Andy's does not currently (nor have plans to) serve food items other than frozen treats.

Hours of Operation

Andy's is open year-round with the exception of Thanksgiving, Christmas Eve, Christmas Day, and New Year's Eve.

Regular hours:

11 AM to 11 PM, Sunday through Thursday
11 AM to 11:30 PM, Friday & Saturday

Summer hours (Memorial Day through Labor Day):

11 AM to 11:30 PM, Sunday through Thursday
11 AM to Midnight, Friday & Saturday

Andy's peak sales occur between 7 PM to 9 PM and on Fridays, Saturdays, and Sundays.

Site

Andy's Frozen Custard serves its customers via a drive thru pick up window, and walk-up pick up windows. There is no indoor dining area.

Drive Thru

The drive thru has historically generated approximately 50 percent of sales in the summer months and 90 percent in the winter months.

The drive thru at Andy's does not use a speaker/microphone system for ordering. During off-peak times, the customer pulls up the drive thru window and the order is taken in person by the Andy's team member there.

When the drive thru queue begins to stack (3+ cars), an employee (the "Runner") will greet the customer at their car window with a tablet computer used for capturing the order and payment. This eliminates the time used to take the order at the window and moves cars through quicker.

Order times are tracked. Time begins when the car approaches the pickup window and stops when they pull away with their treats. Without the "runner" in use, times typically average below 90 seconds per vehicle. With the "runner", times average below 45 seconds per vehicle.

Walk-Up Windows

Andy's provides a patio area with walk-up ordering windows to accommodate customers that prefer to enjoy their treats on site. Three service windows at the patio are typical. A public restroom is available to customers. Other than access to a restroom, customers do not enter the building.

There are benches provided on the patio for customers to sit while they enjoy their treats.

Staffing

Andy's staffing levels vary by season and sales volume, but a staff of 20-30 employees per location is typical. This usually consists of a few full-time employees, and many part time employees.

Any given day there are between 2 and 12 employees working in the store at a time.

Business Volume

200-400 transaction per day is the range for a typical store in the summer. Approximately 50/50 drive thru to walk-up ratio is also typical. The drive thru can easily process 60+ vehicles per hour and the queue rarely exceeds 10 vehicles.

Community

Andy's Frozen Custard mission statement is: "Serving our community and its people by creating an environment that promotes memories through our superior product and exceptional staff."

Serving the community goes beyond providing treats, jobs, and a sales tax base. Andy's is very active in the communities we serve through donations, profit sharing events, and sponsorships.

Andy's also is a good neighbor in the sense we put a high emphasis on service times. Not only does this minimize the wait times for our customers but prevents our drive thru queue from stacking onto public roadways, which would be a nuisance and safety concern.

Andy's also places a high value the environment surrounding the store. Because there is no indoor dining, Andy's views its whole property as its dining room. Each day begins with a thorough trash collection around the whole property and anything that may have blown onto neighboring properties. "Lot runs" are conducted throughout the day to maintain this effort. Andy's pressure washes frequently, typically twice weekly, to keep its patio and walkways clean and well kept. Andy's values beautiful and well-kept landscaping.

Project Narrative



Conditional Use Permit Submission for:

Andy's Frozen Custard [Crestwood Plaza]

9 August 2024

6400 W. Main St., Ste 10
Belleville, IL 62223
(618) 623-9252

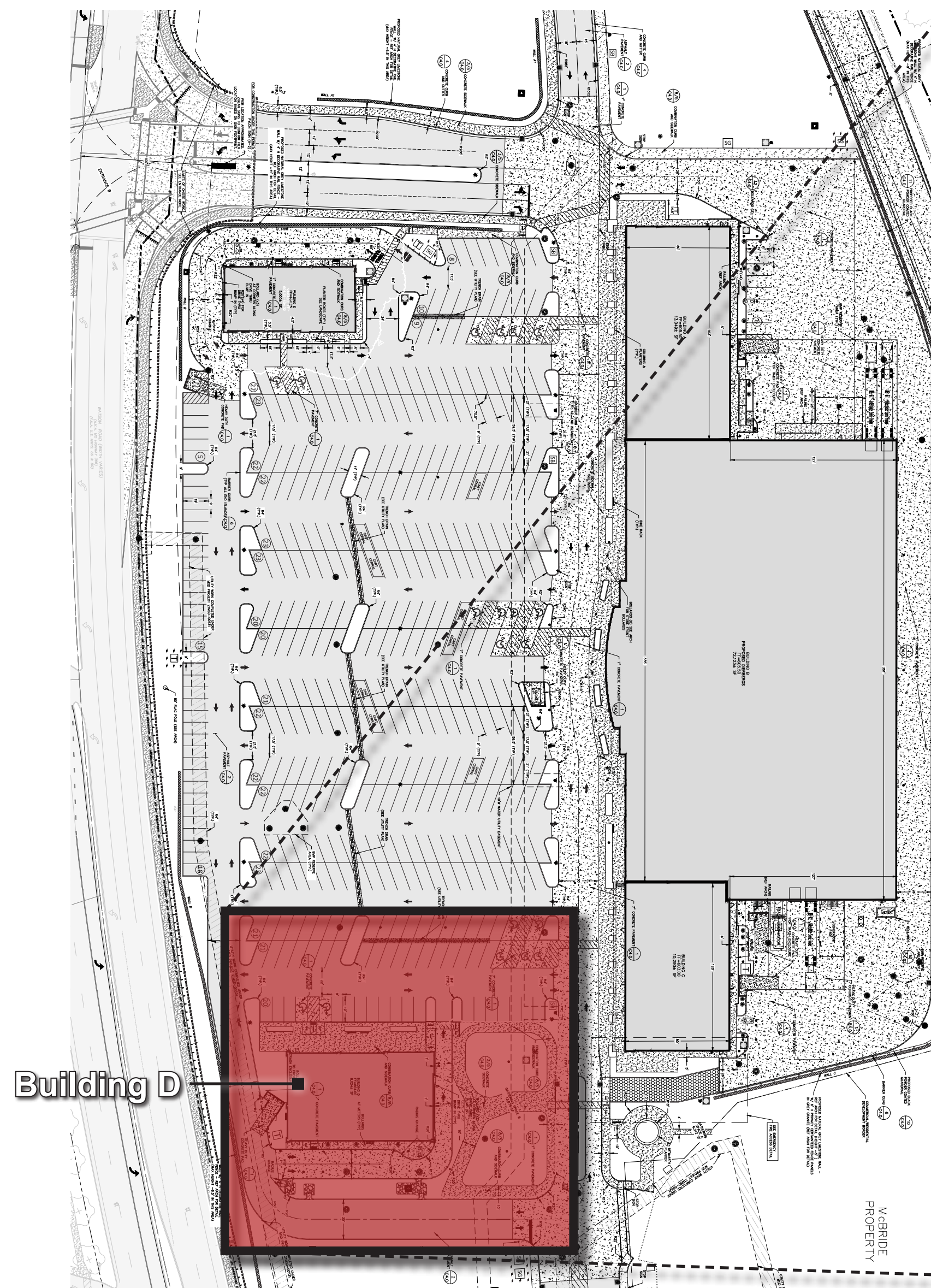
14205 W. 95th Street
Lenexa, KS 66215
(913) 378-9533

143 W. Clinton Place
St. Louis, MO 63122
(314) 965-7445

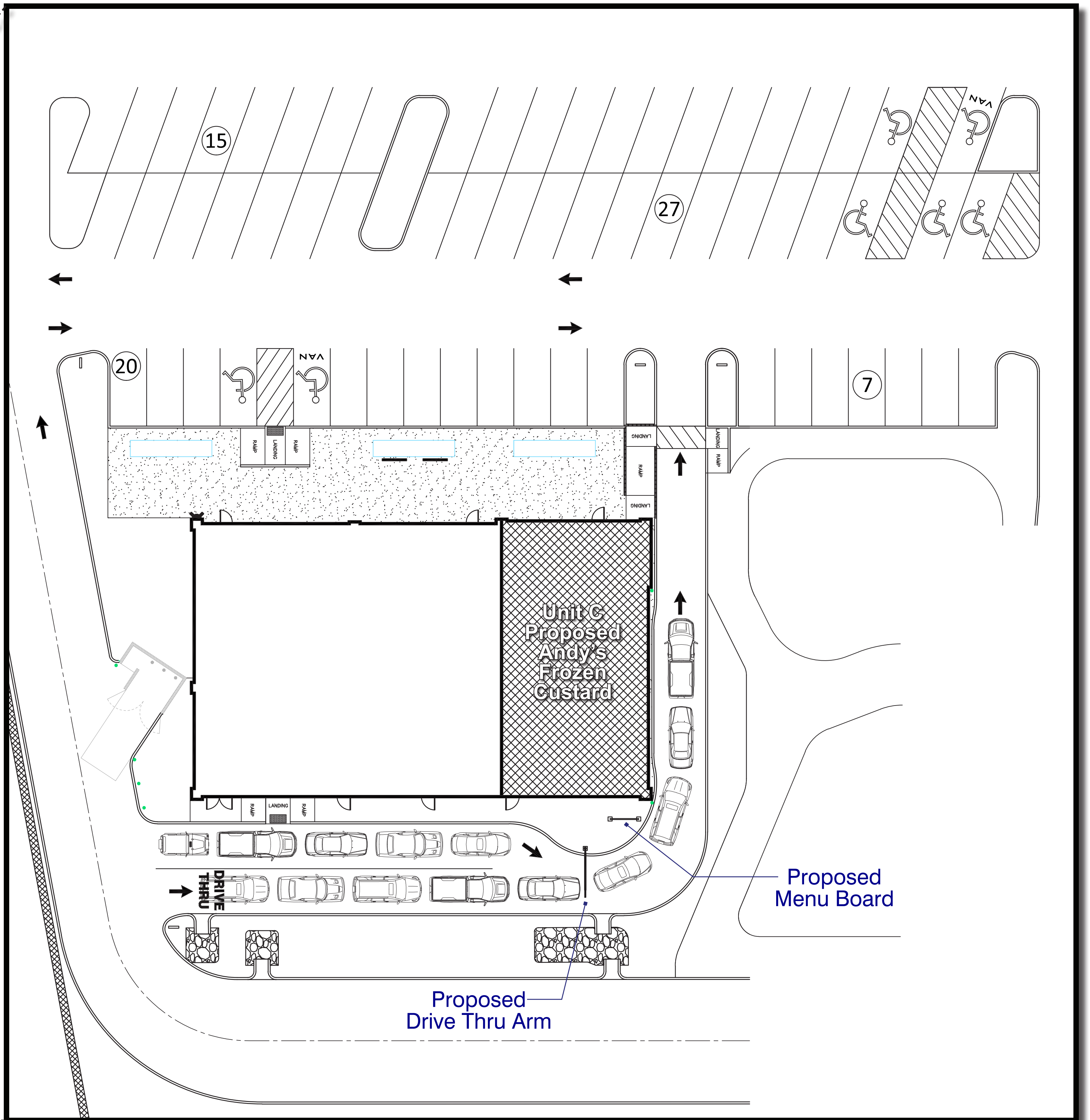


Archimages

architecture | interiors



Overall Site Plan



Building D



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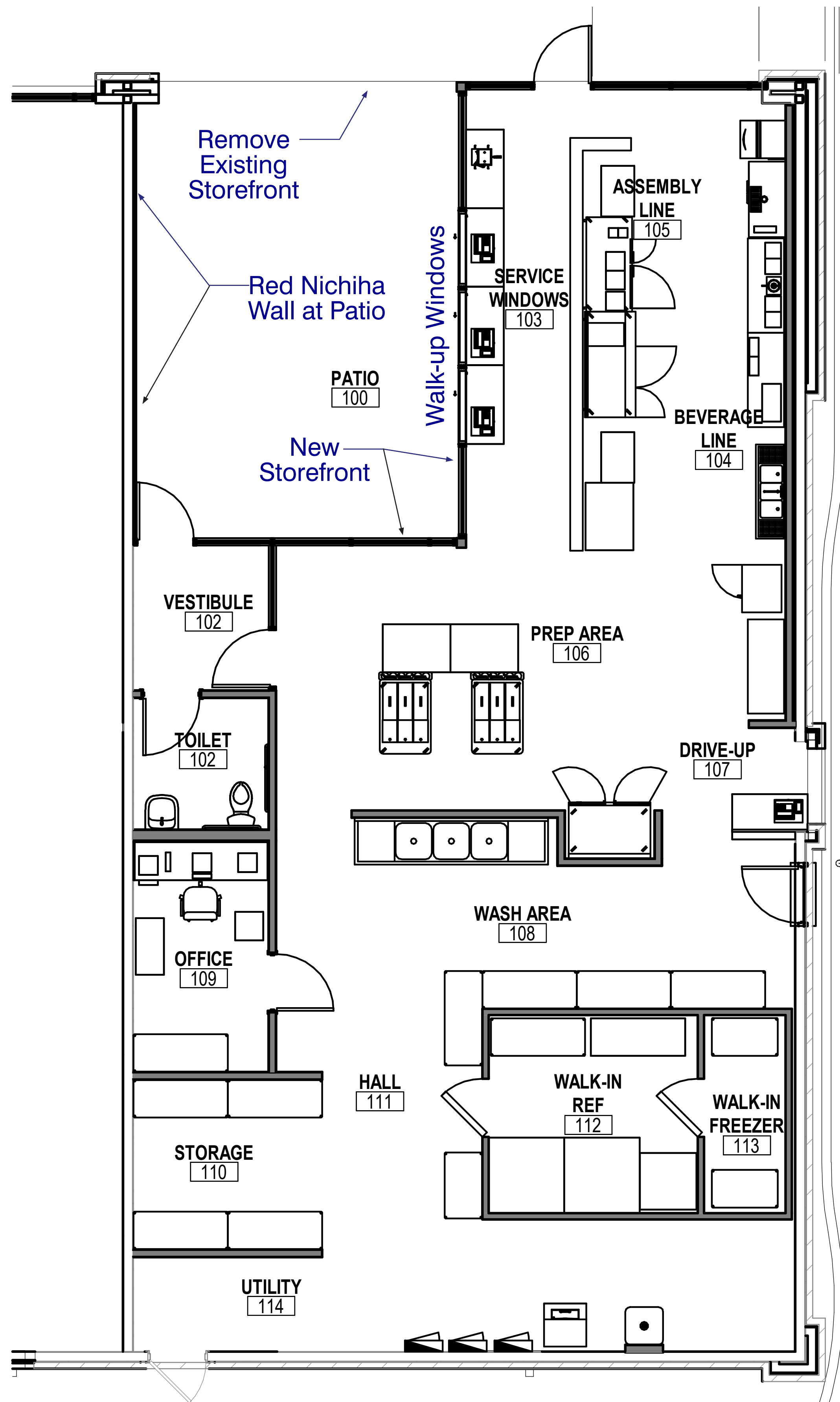
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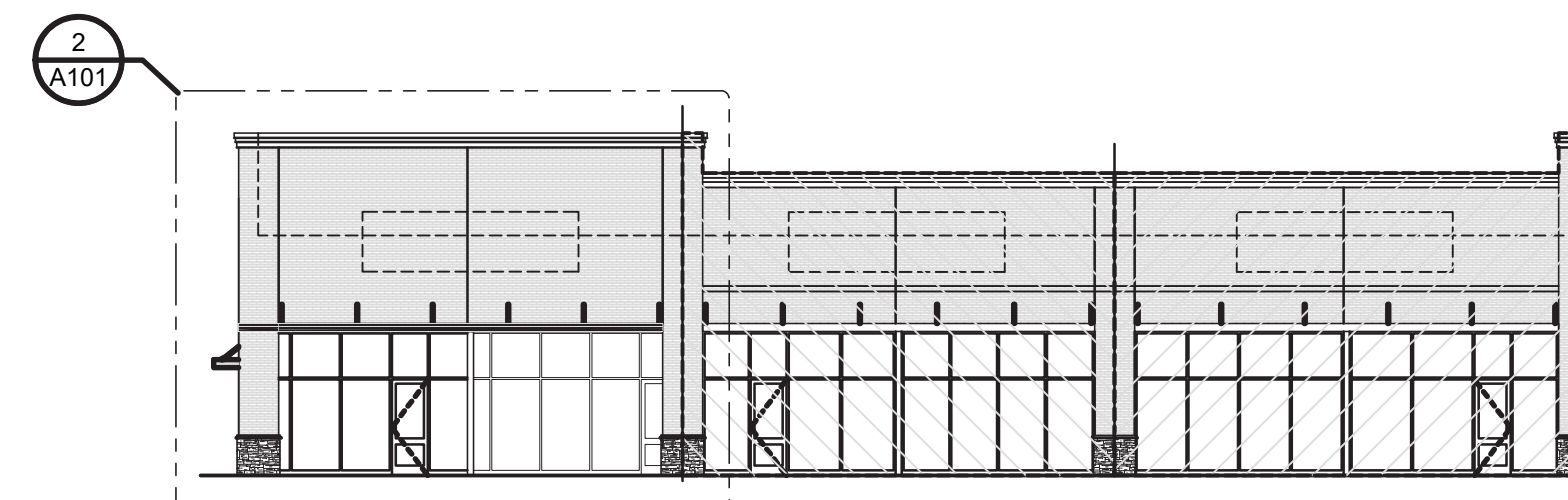


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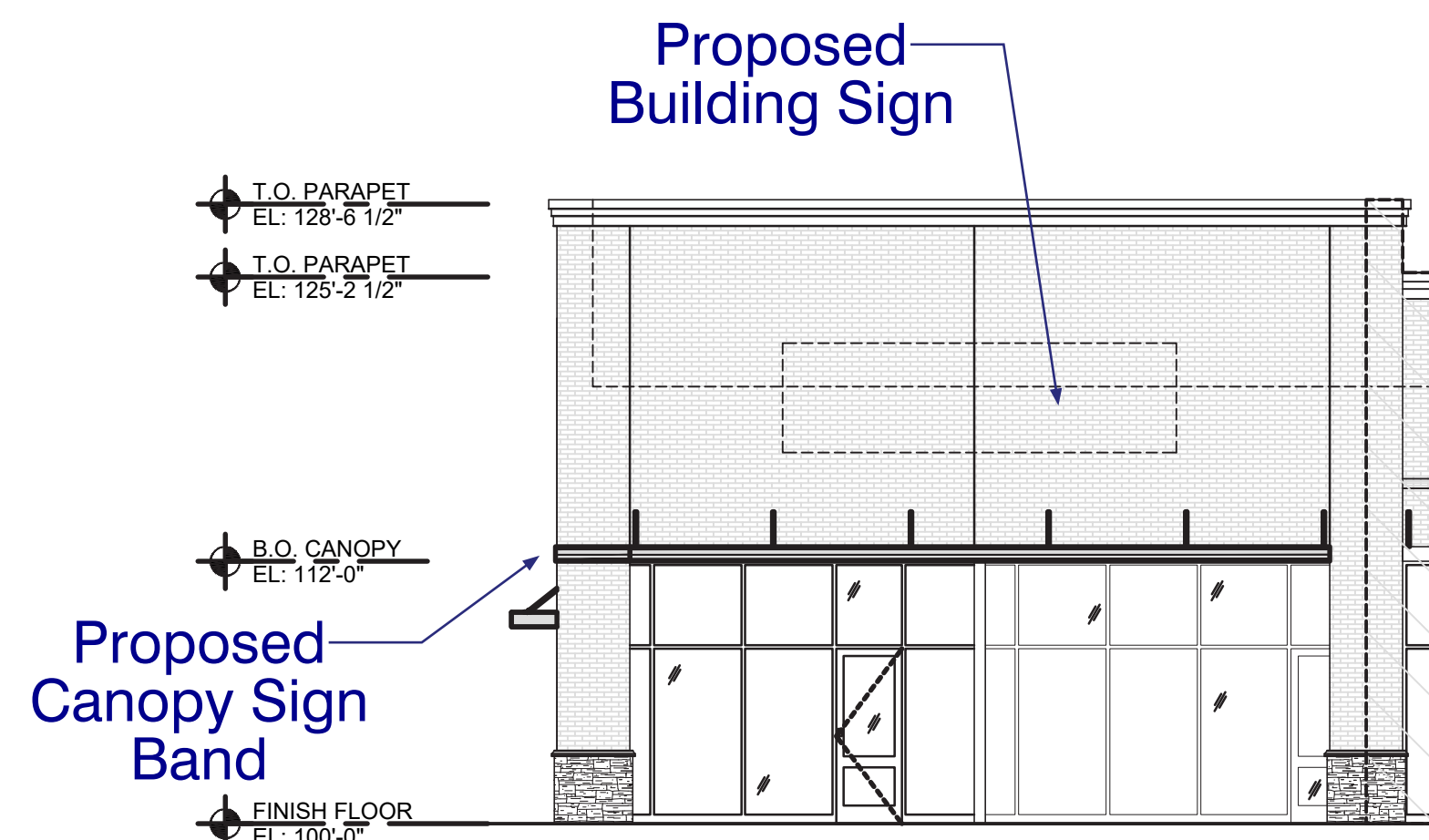
architecture | interiors



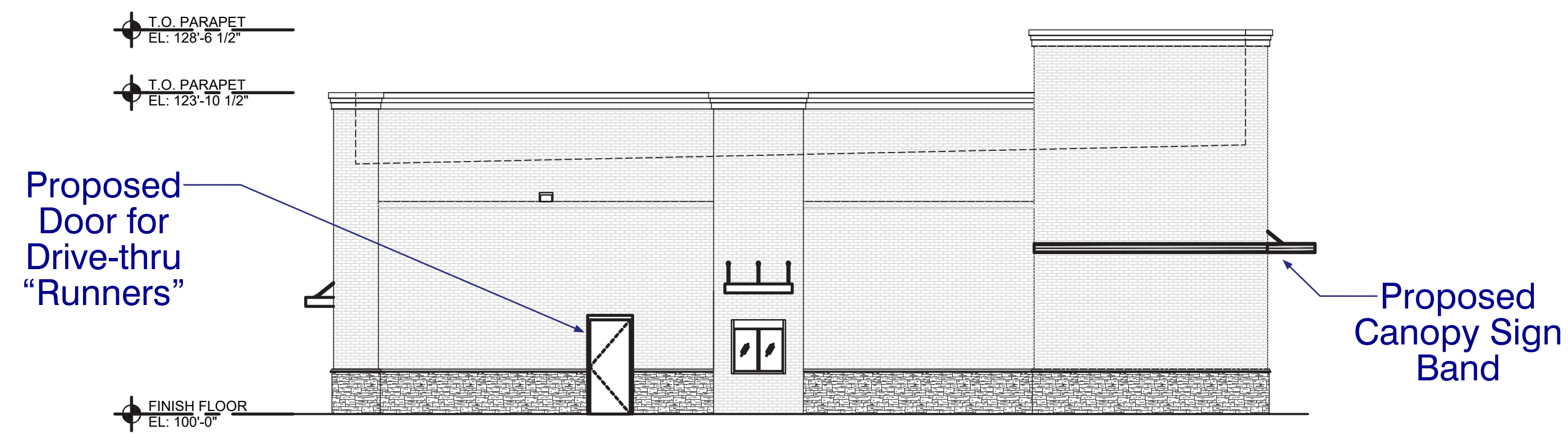
Floor Plan



Overall West Elevation



Partial West Elevation



North Elevation



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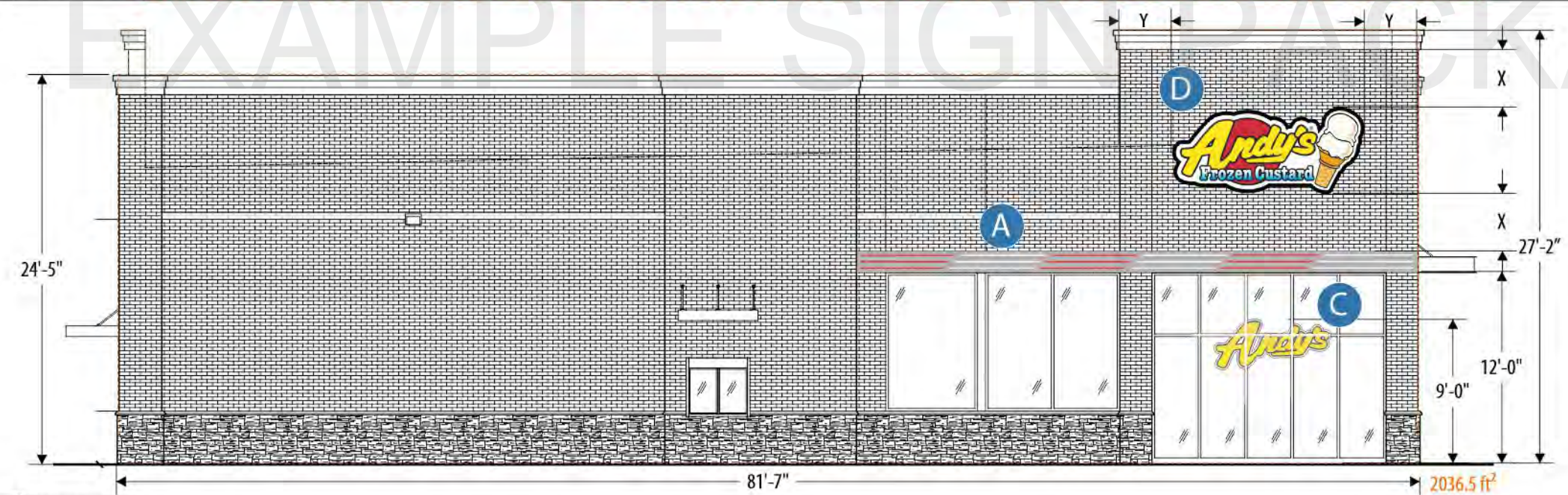
Archimages

architecture | interiors

EXAMPLE SIGN PACKAGE



PINNACLE SIGN
GROUP
VISUAL BRANDING THAT MAKES A DIFFERENCE



ANDY'S FROZEN CUSTARD

CUSTOMER: AS SHOWN

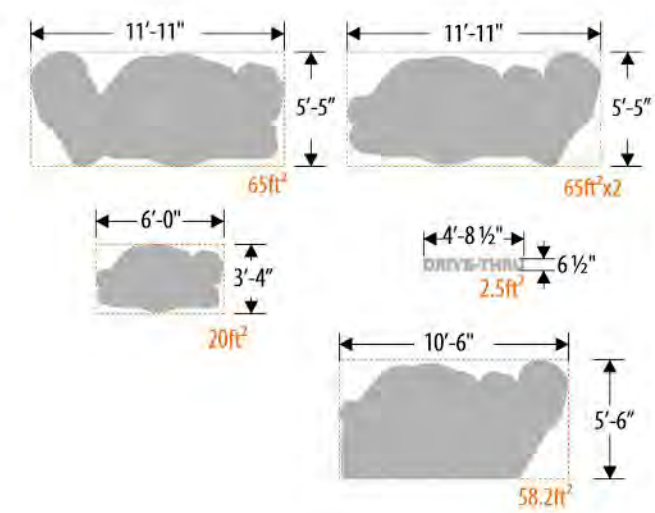
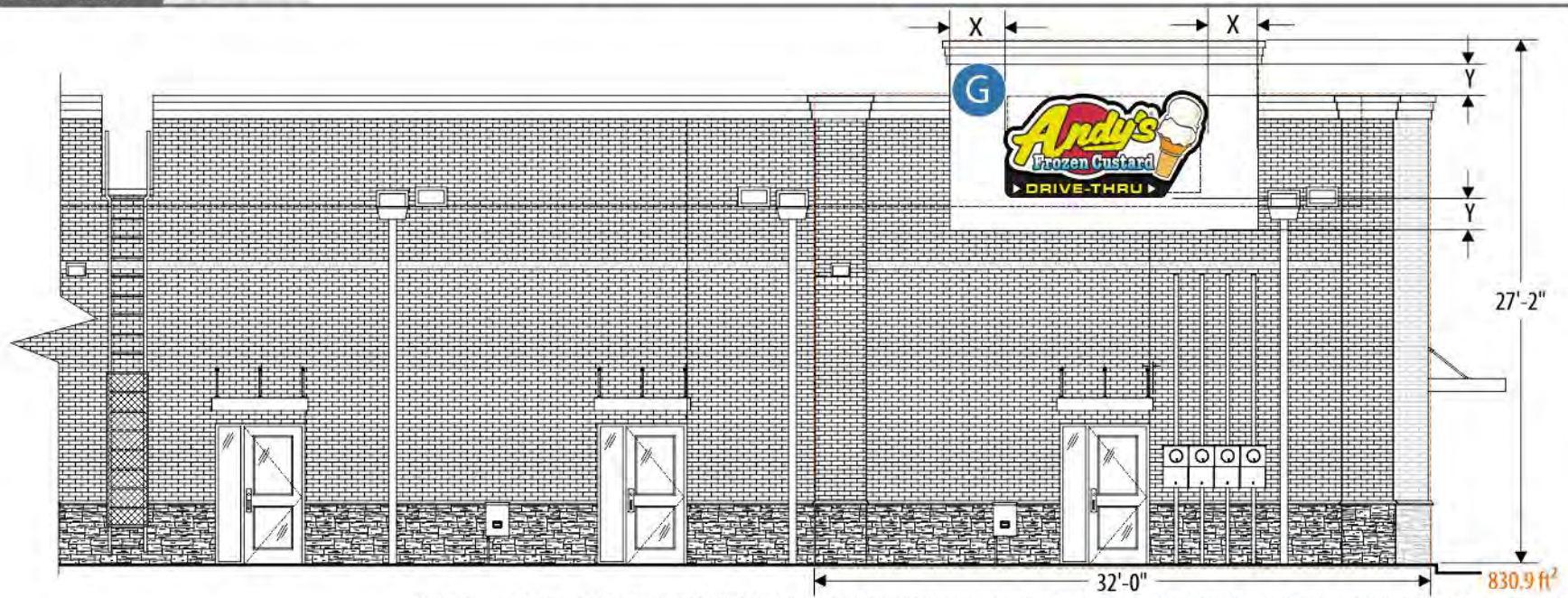
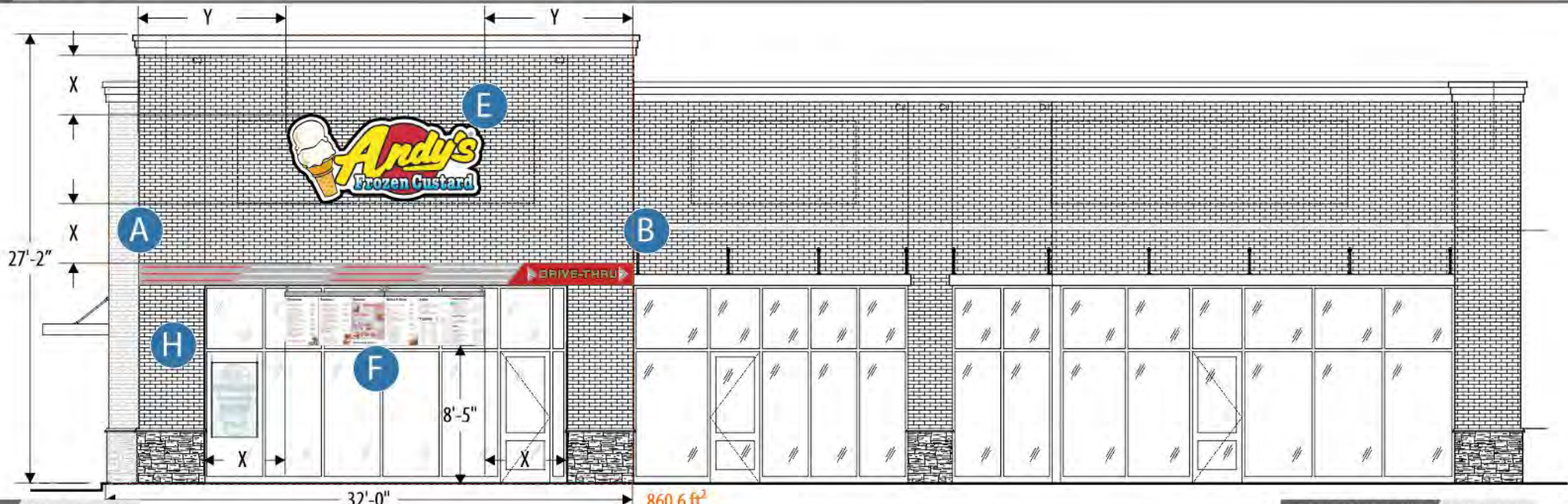
DRAWING NUMBER: 0728-22-ELEV-1 ELEVATION

DATE REVISED: 09.08.22

DESIGNER: DEREK CROUCH PROJECT MANAGER: TIM SWAIM

LOCATION: LAKE ST. LOUIS MISSOURI

SCOPE OF WORK:



BUILDING SIGNAGE

- A LED Illuminated Corner Fascia Cabinets (AFC-OPT-FASC-3)
- B LED Illuminated Fascia Cabinets (AFC-OPT-FASC-1)
- C LED Lit "Script" Wall Sign (0728-22-IWAL-1)
- D 12' Pan Embossed Wall Logo/Cone Combo (AFC-NTYP-EWAL-12-R)
- E 12' Pan Embossed Wall Logo/Cone Combo (AFC-NTYP-EWAL-12-L)
- F Illuminated Wall Menu (0728-22-MENU-1)
- G Pan Face Drive Thru Sign (0728-22-EWAL-1)

WINDOW SIGNAGE

- H Neon "Made Fresh Hourly" Sign (AFC-STND-IWAL-2)

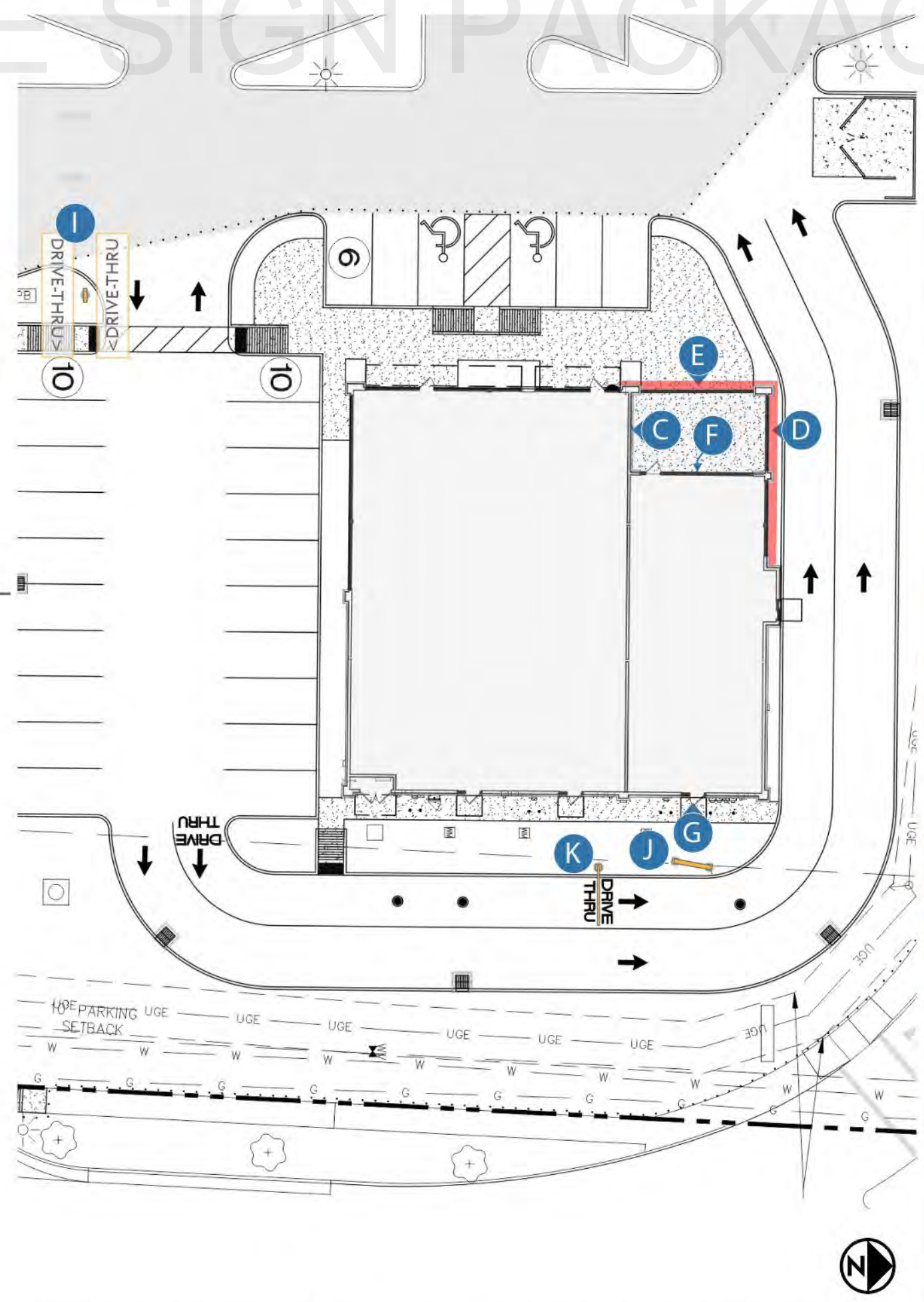
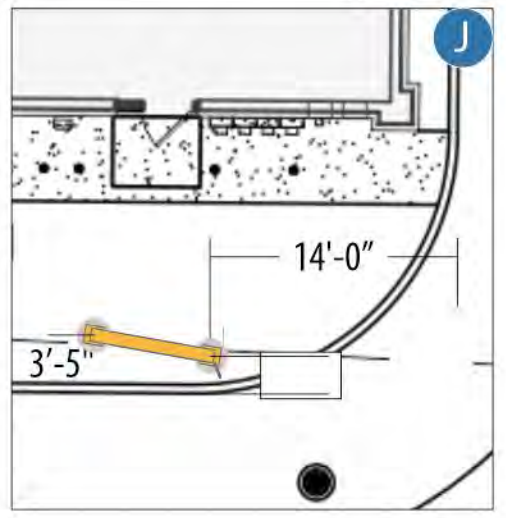
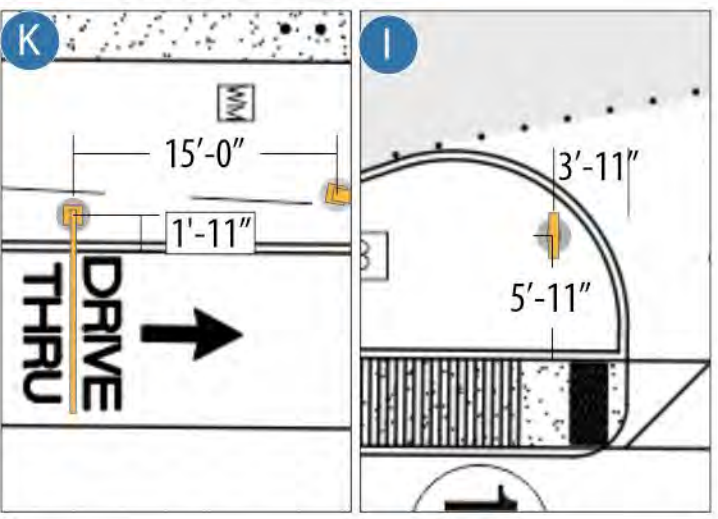
RELEVANT INFORMATION

WEST FACADE AREA FT²	2,036.5
NORTH FACADE AREA FT²	860.6
EAST FACADE AREA FT²	830.9
ALLOWABLE # (0.0345 + 0.0015 + 0.0015) x 60'	223.68
DRIVE THRU LETTERS: 2.5H² x 1	2.5
12' COMBO LOGO: 65H² x 2	130
6' PAN FACE LOGO: 20H² x 1	20
10' PAN FACE LOGO: 58.2H² x 1	58.2
TOTAL SIGNAGE FT²	210.7

- I** DIRECTIONAL SIGN (AFC-NTYP-DIRE-1)
2.5' Height, 2-Sided Illuminated Directional
- J** 1-SIDED MENU BOARD (AFC-STND-MENU-1-SS)
3 Over 3 Panel Standard Menu; "Order at Window" Sign Panel w/ Bracket, Located at Drive-Thru
- K** CLEARANCE SIGN (AFC-STND-BAR-1)
9' Clearance Standard Clearance Bar; "No Trailers" Sign Panel



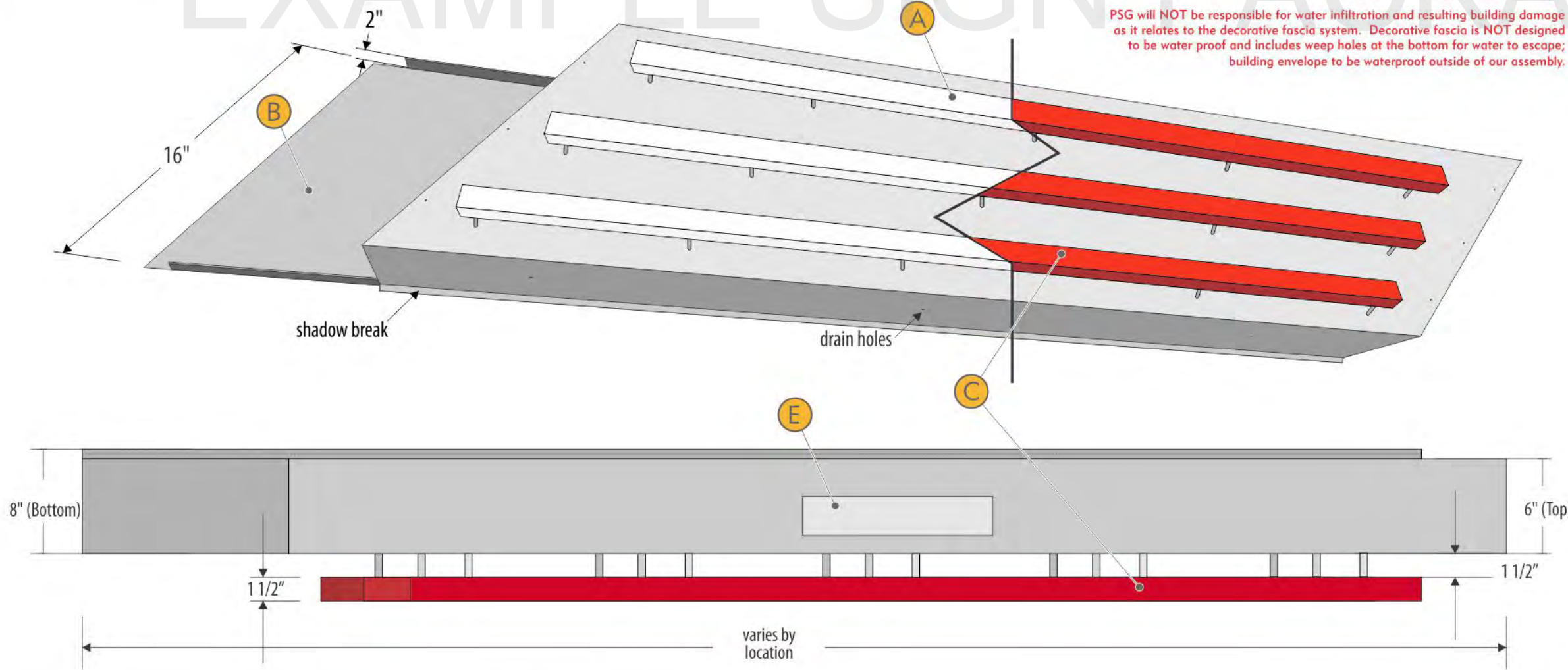
PLACEMENT DETAIL SCALE: NTS



ANDY'S FROZEN CUSTARD	
CUSTOMER	
0728-22-SITE-1	AS SHOWN
DRAWING NUMBER	ELEVATION
09.08.22	
DATE REVISED	
DEREK CROUCH	TIM SWAIM
DESIGNER	PROJECT MANAGER
LAKE ST. LOUIS MISSOURI	
LOCATION	

SIGN SCHEDULE	QUANTITY
BUILDING SIGNAGE	
C LED Lit "Script" Wall Sign (0728-22-IWAL-1)	1
D 12' Pan Embossed Wall Logo/Cone Combo (AFC-NTYP-EWAL-12-R)	1
E 12' Pan Embossed Wall Logo/Cone Combo (AFC-NTYP-EWAL-12-L)	1
F Illuminated Wall Menu (0728-22-MENU-1)	1
G Pan Face Drive Thru Sign (0728-22-EWAL-1)	1
DETACHED SIGNAGE	
I 2-Sided Illuminated Directional (AFC-STND-DIRE-1)	1
J 1-Sided Menu Board (AFC-STND-MENU-1-SS)	1
K Clearance Bar (AFC-STND-BAR-1)	1

The lighted fascia system PSG is providing is purely decorative and NOT to be made part of a waterproof envelop design. PSG will NOT be responsible for water infiltration and resulting building damage as it relates to the decorative fascia system. Decorative fascia is NOT designed to be water proof and includes weep holes at the bottom for water to escape; building envelope to be waterproof outside of our assembly.



ANDY'S FROZEN CUSTARD

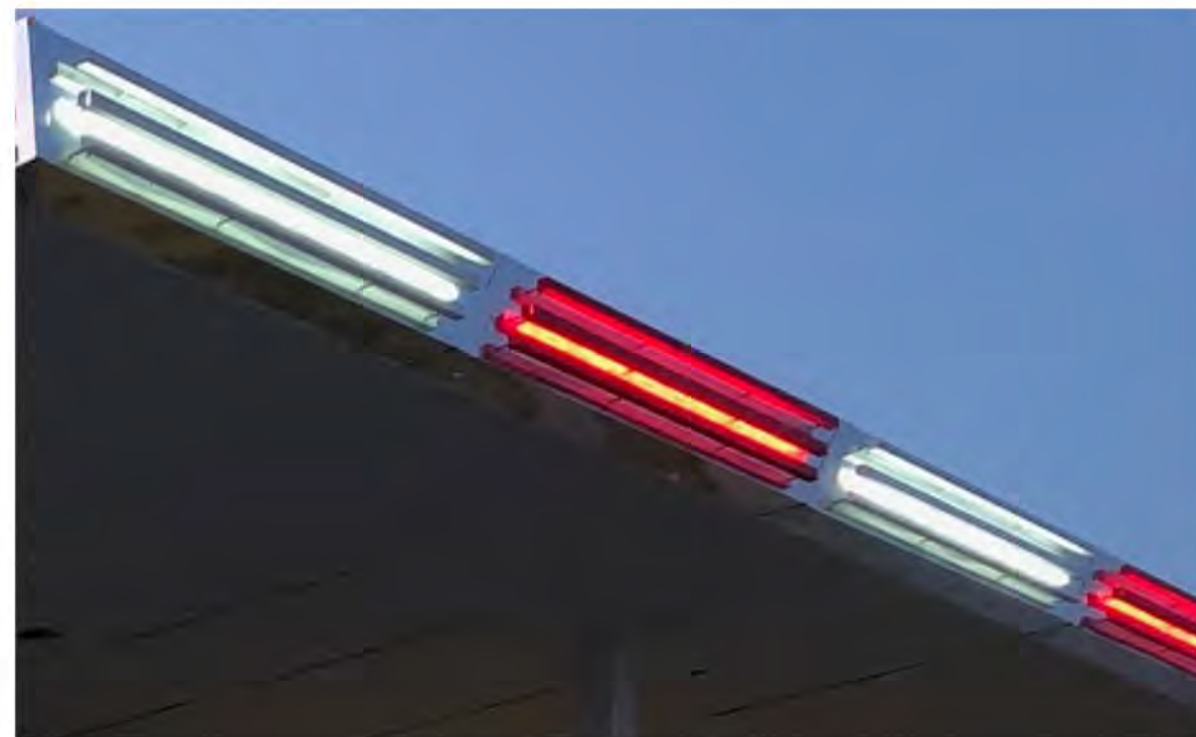
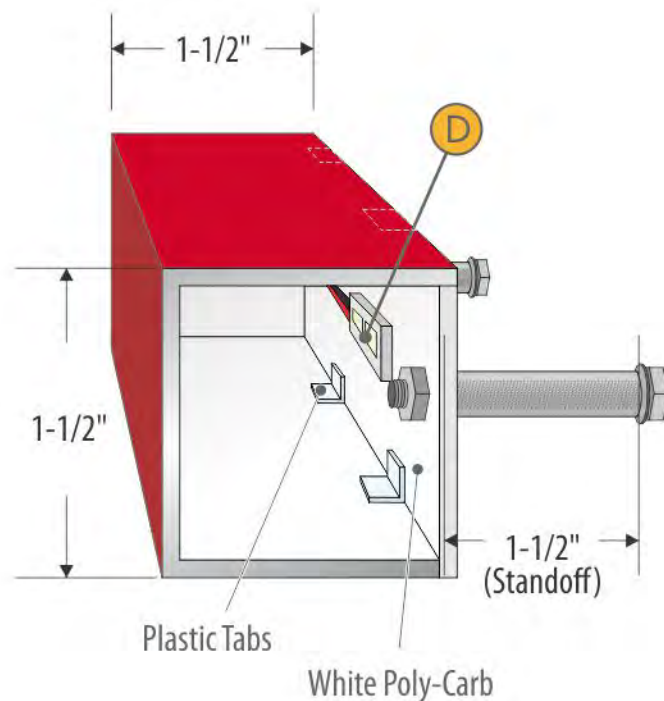
CUSTOMER	AS SHOWN
DRAWING NUMBER	ELEVATION
DATE REVISED	
DESIGNER	PROJECT MANAGER

ALL

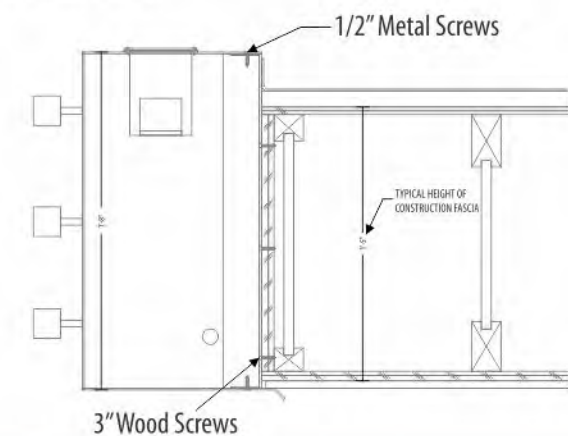
- LOCATION
- SCOPE OF WORK
- A** .040 Polished Aluminum Face
 - Finish - Bright Clear Anodized Aluminum
 - B** .063 Aluminum Backpan
 - C** Painted Aluminum Reverse Channel
 - Paint - White (Gloss)
 - Paint - MP 10224 Hot Rod Red (Gloss)
 - D** LED Accent Lighting
 - LED - White
 - LED - Red
 - E** Access Panel

ILLUMINATING CENTER ELEMENT DETAIL SCALE: NTS

EXAMPLE SCALE: NTS



ATTACHMENT METHOD



1 Face-scale: NTS

EXAMPLE SIGN PACKAGE



ANDY'S FROZEN CUSTARD

CUSTOMER	AS SHOWN
DRAWING NUMBER	ELEVATION
DATE REVISED	
DESIGNER	PROJECT MANAGER

ALL

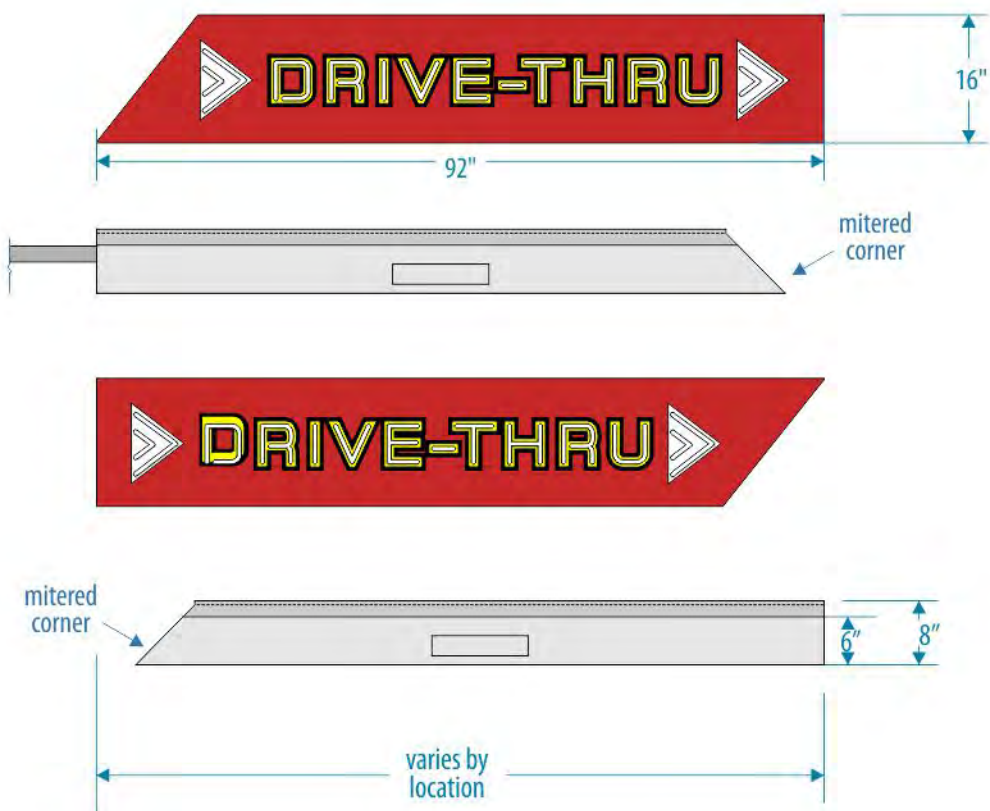
- LOCATION
- SCOPE OF WORK
- A** .040 Polished Aluminum Face
 - Paint - To Match PMS 186 (Gloss)
 - B** .063 Aluminum Backpan
 - C** 1" Internally LED Illuminated Acrylic Push Thrus
 - D** Cut Vinyl; Applied to Face
 - Vinyl - PMS Process Yellow
 - Vinyl - Black
 - Vinyl - White
 - E** Access Panel

AFC DISCLAIMER - FASCIA

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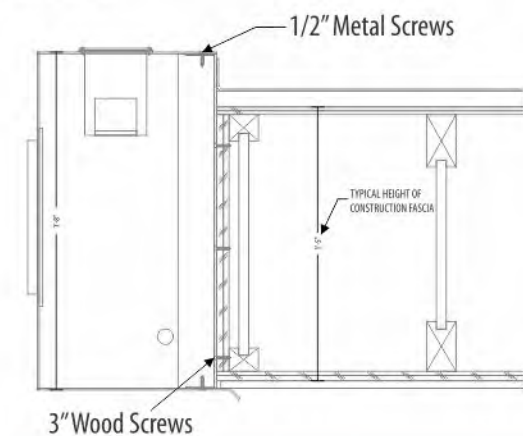
2 Orthographic Views: scale: 1/2" = 1'



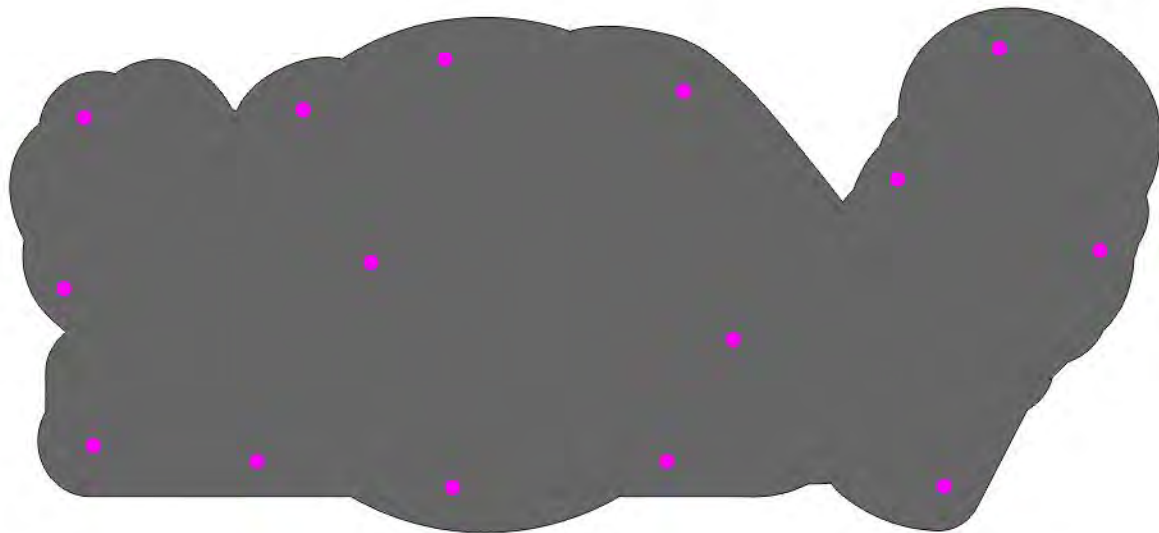
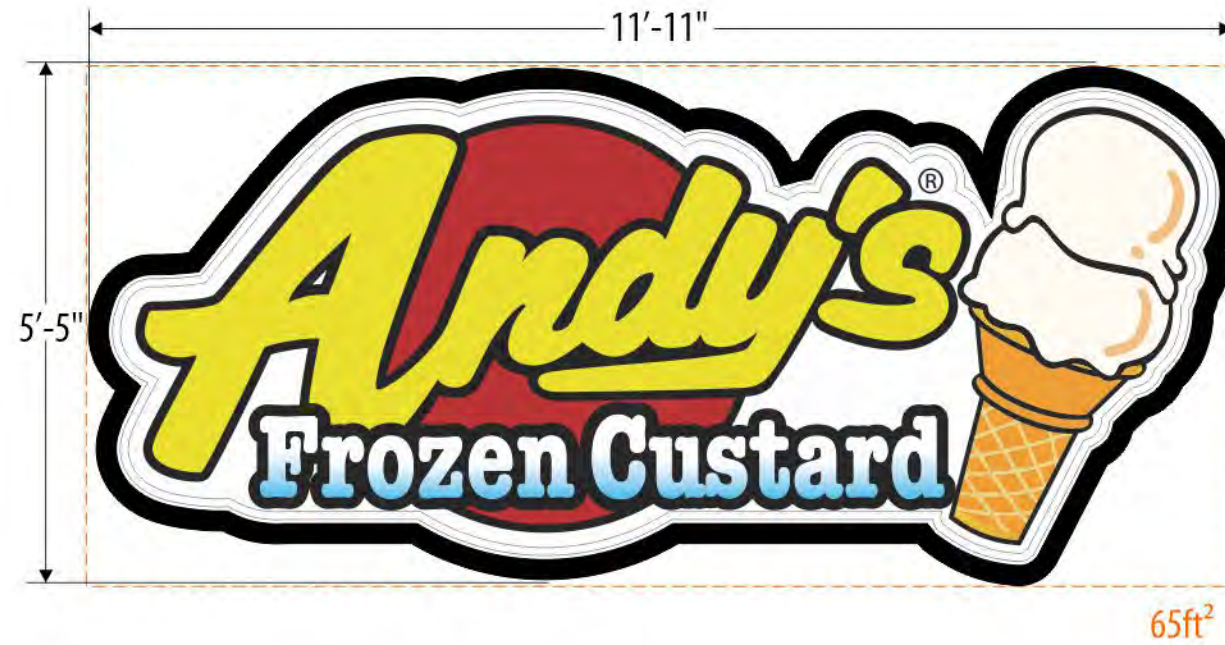
3 Example: scale: NTS



ATTACHMENT METHOD



WANDY'S FROZEN CUSTARD/MASTER RENDERINGS



ANDY'S FROZEN CUSTARD

CUSTOMER:	
AFC-NTYP-EWAL-12-R	AS SHOWN
DRAWING NUMBER ELEVATION	
08.01.22	
DATE REVISED	
BUDDY HINDS	TIM SWAIM
DESIGNER	PROJECT MANAGER

ALL

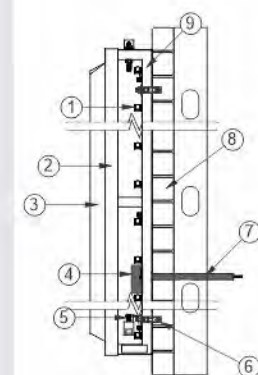
LOCATION

SCOPE OF WORK

New Illuminated Pan Face Wall Signs

- A** Internally LED Illuminated Aluminum Contour Cabinet
 - Paint - MP Jvs923 Black (Glass)
- B** Multi-Level Back Sprayed Pan Face
 - Face - See Logo For Color Specs
- C** Flush Mounted to Exterior Wall

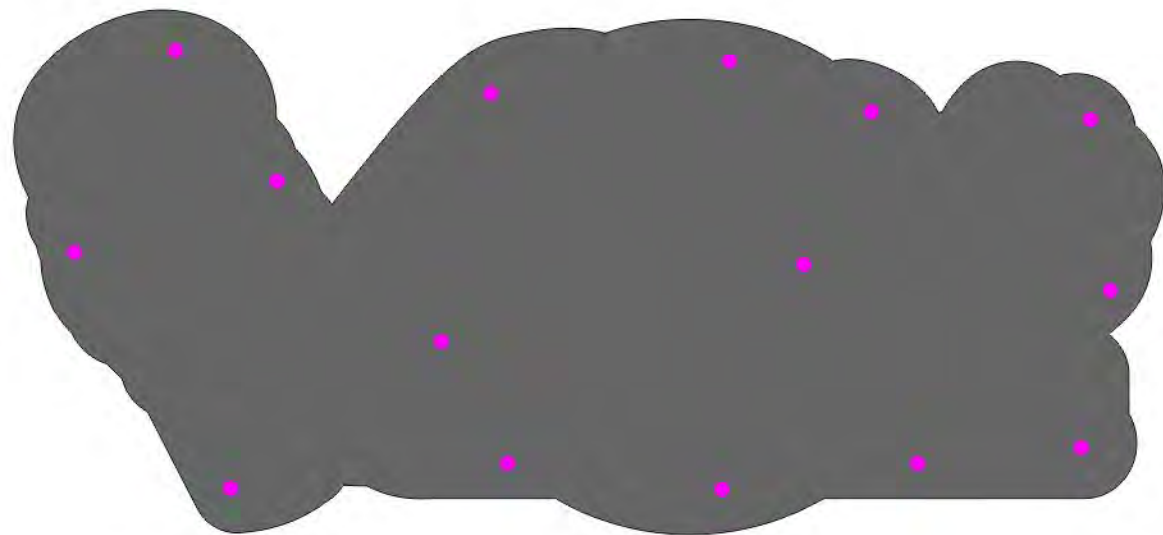
ATTACHMENT METHOD



1. WHITE LED STICK LIGHTING
2. PAN FACE RETAINER
3. EMBOSSED PAN FACE
4. 12 VOLT DC TRANSFORMER
5. TOGGLE ON/OFF SWITCH
6. 1/4" WEDGE ANCHORS
7. POWER PASS THROUGH
8. WALL - BRICK
9. ALUMINUM .063" BACKS/ .080" RETURNS

ANDY'S FROZEN CUSTARD MASTER RENDERINGS (NON-TYPICAL) PSG IN HOUSE ONLY





ANDY'S FROZEN CUSTARD

CUSTOMER:	
AFC-NTYP-EWAL-12-L	AS SHOWN
DRAWING NUMBER: ELEVATION	
DATE REVISED: 08.01.22	
DESIGNER: BUDDY HINDS	PROJECT MANAGER: TIM SWAIM

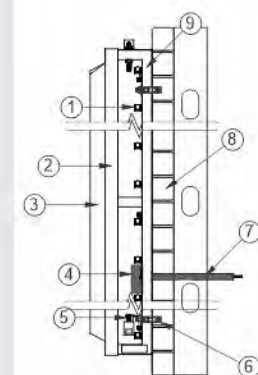
ALL LOCATION

SCOPE OF WORK

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ATTACHMENT METHOD

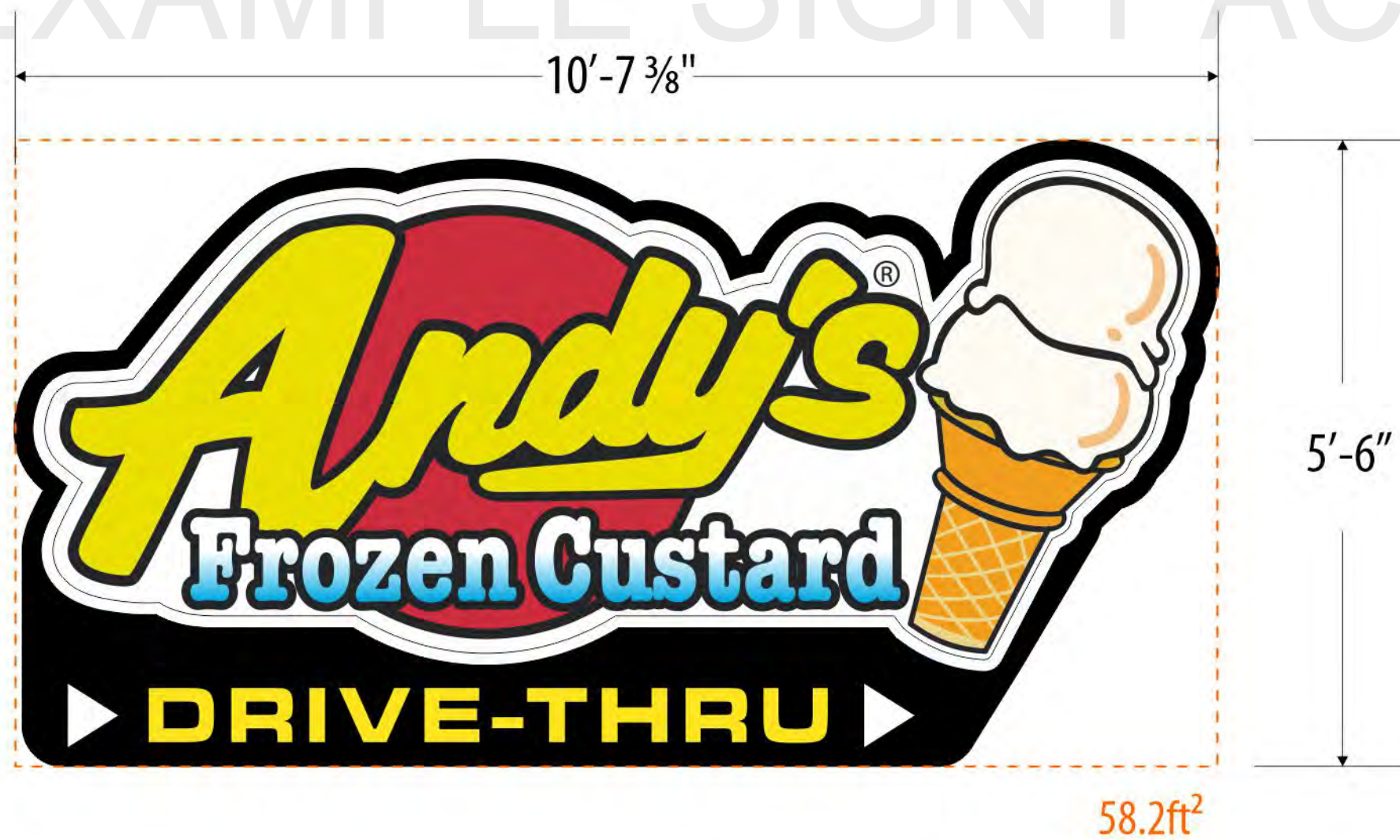


1. WHITE LED STICK LIGHTING
2. PAN FACE RETAINER
3. EMBOSSED PAN FACE
4. 12 VOLT DC TRANSFORMER
5. TOGGLE ON/OFF SWITCH
6. 1/4" WEDGE ANCHORS
7. POWER PASS THROUGH
8. WALL - BRICK
9. ALUMINUM .063" BACKS/ .080" RETURNS

ANDY'S FROZEN CUSTARD MASTER RENDERINGS (NON-TYPICAL) PSG IN HOUSE ONLY



EXAMPLE SIGN PACKAGE



ANDY'S FROZEN CUSTARD

CUSTOMER:	
0728-22-EWAL-1	AS SHOWN
DRAWING NUMBER ELEVATION	
08.23.22	
DATE REVISED	
DEREK CROUCH	TIM SWAIM
DESIGNER	PROJECT MANAGER

LAKE ST. LOUIS MISSOURI

LOCATION

SCOPE OF WORK

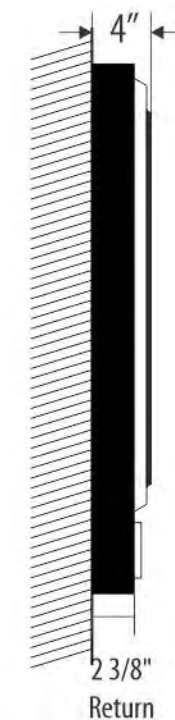
New Illuminated Pan Face Wall Signs

- A** Internally LED Illuminated Aluminum Contour Cabinet
 - Paint - MP Jvs923 Black (Glass)
- B** Multi-Level Back Sprayed Pan Face
 - Face - See Logo For Color Specs
- C** Internally LED Illuminated Push Thru Acrylic
 - Cut Vinyl - 3M Yellow Translucent
- D** Flush Mounted to Exterior Wall

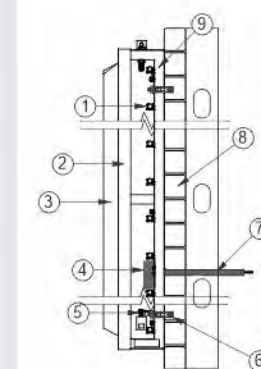
ATTACHMENT POINTS SCALE: 1/2" = 1'



SIDE VIEW SCALE: 3/4" = 1'



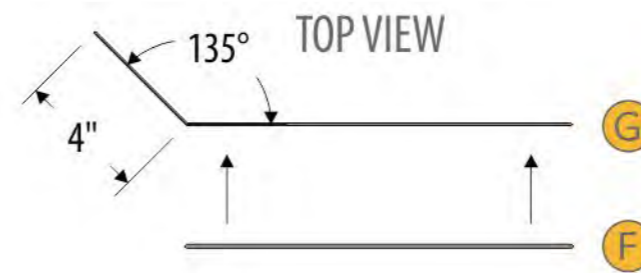
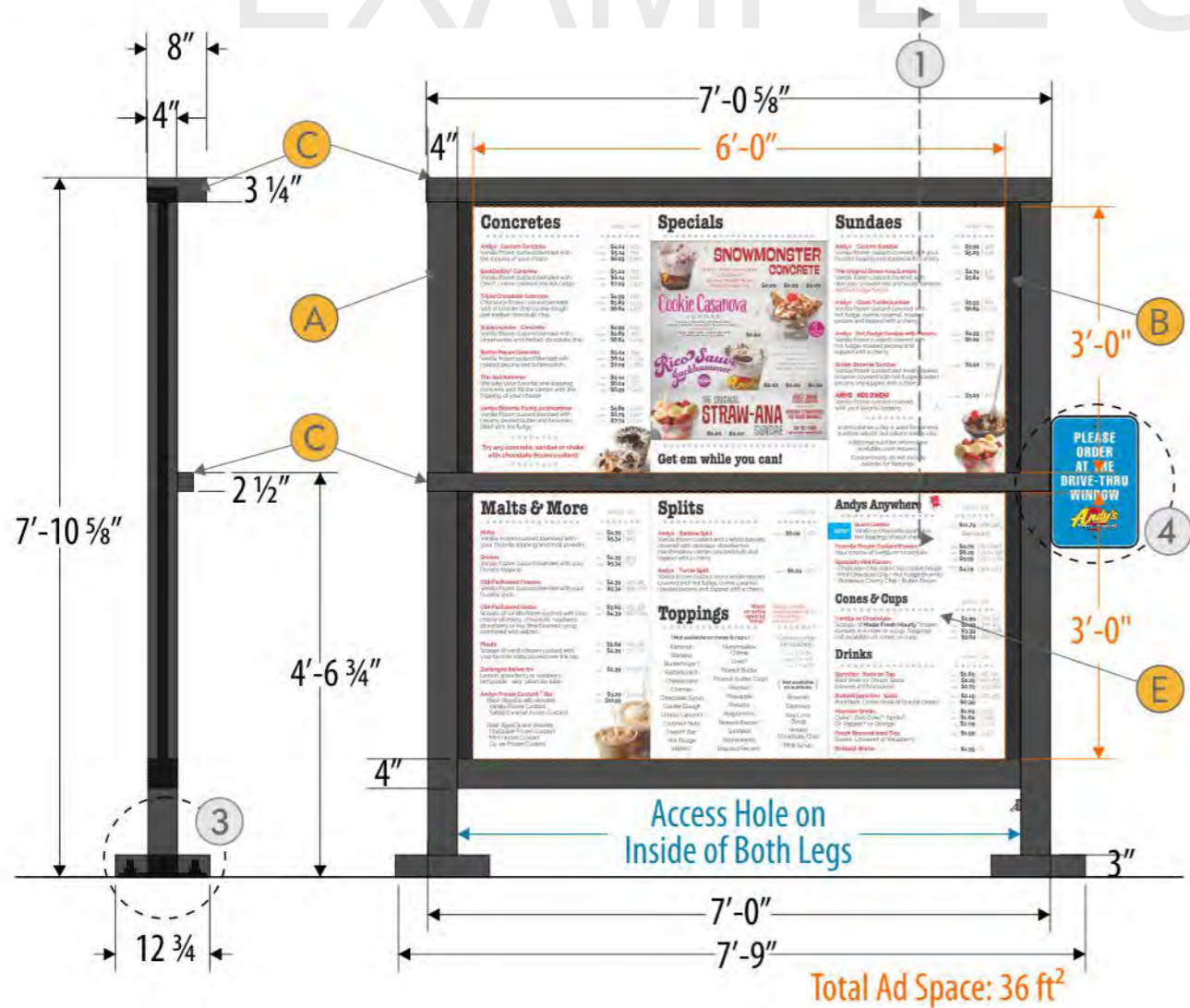
ATTACHMENT METHOD



1. WHITE LED STICK LIGHTING
2. PAN FACE RETAINER
3. EMBOSSED PAN FACE
4. 12 VOLT DC TRANSFORMER
5. TOGGLE ON/OFF SWITCH
6. 1/4" WEDGE ANCHORS
7. POWER PASS THROUGH
8. WALL - BRICK
9. ALUMINUM .063" BACKS/ .080" RETURNS



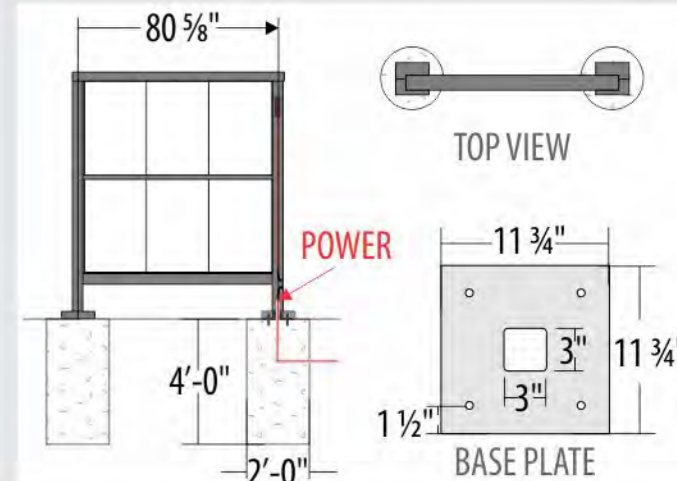
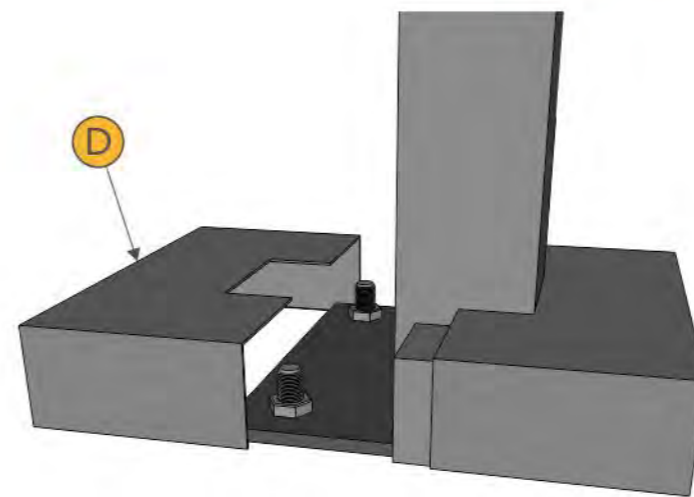
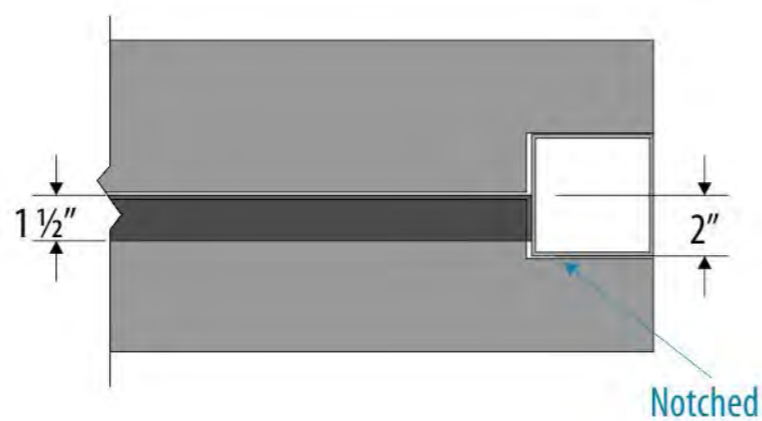
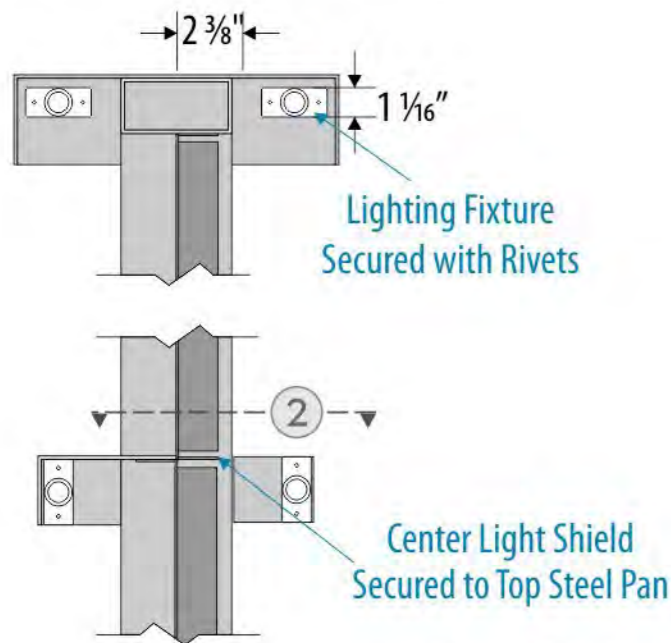
E:\CUSTOMER FILE MASTER\CUSTOMER FILE SYSTEM\ANDY'S FROZEN CUSTARD\LOCATIONS\MISSOURI\LAKE ST.\ART\RENDERINGS



1 - CROSS-SECTION VIEW SCALE: NTS

2 - MIDDLE LIGHT SHIELD SCALE: NTS

3 - BASEPLATE COVER SCALE: NTS



ANDY'S FROZEN CUSTARD - MASTER

CUSTOMER: AFC-STND-MENU-1-SS AS SHOWN
DRAWING NUMBER: ELEVATION

03.17.22
DATE REVISED

BUDDY HINDS DESIGNER
TIM SWAIM PROJECT MANAGER

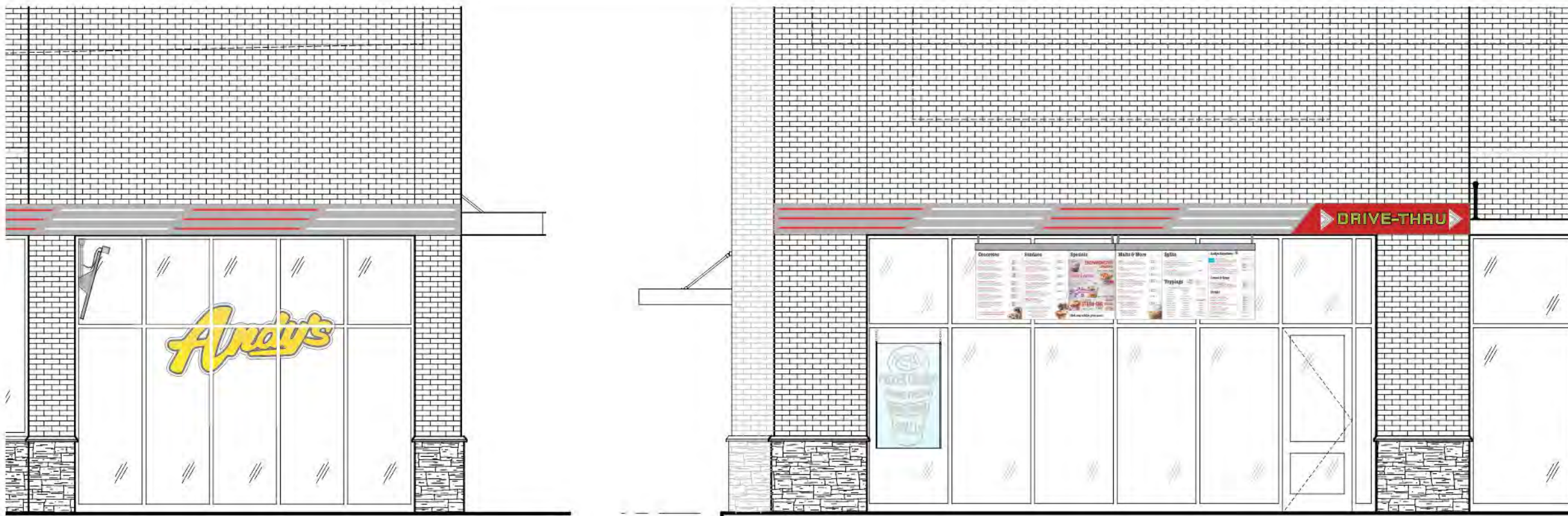
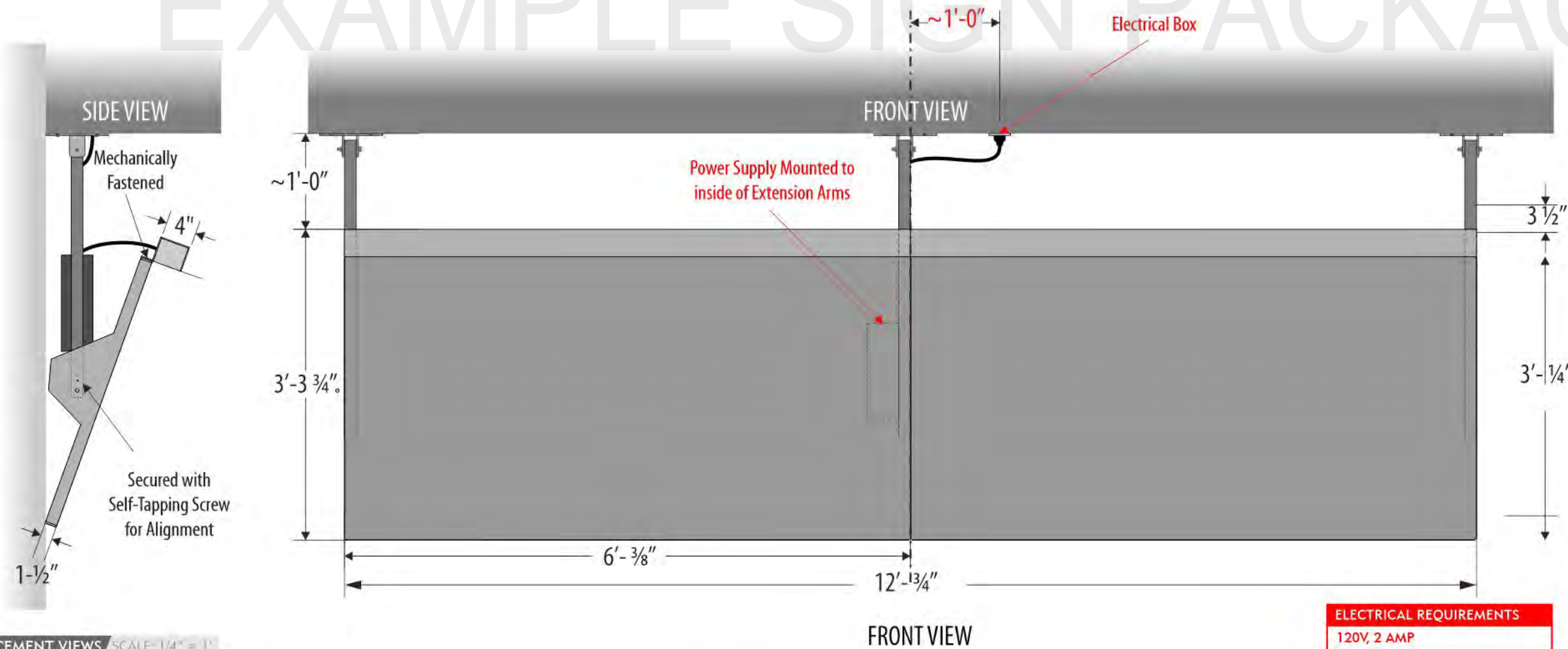
ALL

LOCATION: 1-Sided Internally Illuminated Menu

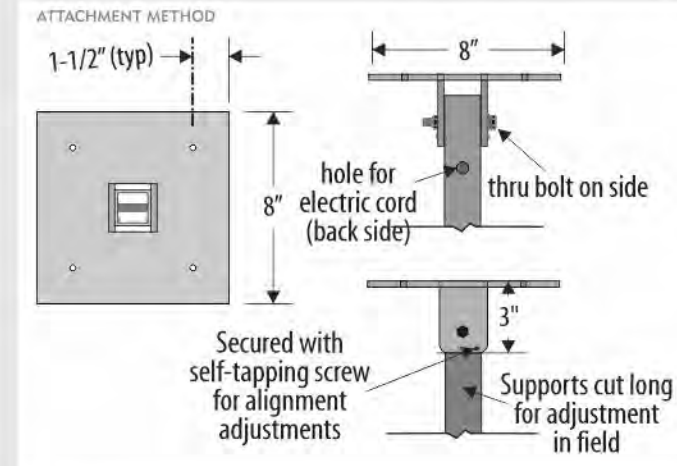
- A** Painted 4" Aluminum Tube Frame
 - Paint - Black (Satin)
- B** Painted Steel Pan Magnet Backer
 - Paint - Black (Satin)
- C** Fabricated Aluminum Light Shield
- D** Bolt Covers Painted to Match
- E** Magnetic Menu Panels by Others
- F** .080 Aluminum "Drive Thru" Sign
- G** Painted .080 Aluminum Bracket
 - Paint - Black (Satin)
- ▶** Electrical Requirements - 120V; 2A

ANDY'S FROZEN CUSTARD MASTER/RENDERINGS/STANDARD DRAWINGS

EXAMPLE SIGN PACKAGE



ANDY'S FROZEN CUSTARD	
CUSTOMER	
0728-22-MENU-1	AS SHOWN
DRAWING NUMBER	ELEVATION
08.23.22	
DATE REVISED	
DEREK CROUCH	TIM SWAIM
DESIGNER	PROJECT MANAGER
LAKE ST. LOUIS MISSOURI	
LOCATION	
SCOPE OF WORK	
Illuminated Wall Menus	
A	Bent Steel Pan Magnet Menu Boards ● Paint - MP LV5953 Super Sparkle Silver (Satini)
B	Replacement Magnetic Seasonal Menu (by others)
C	Fabricated Aluminum Light Shield ● Paint - MP LV5953 Super Sparkle Silver (Satini)
D	LED Tube Lighting
E	Mounted to Canopy w/ Custom Brackets

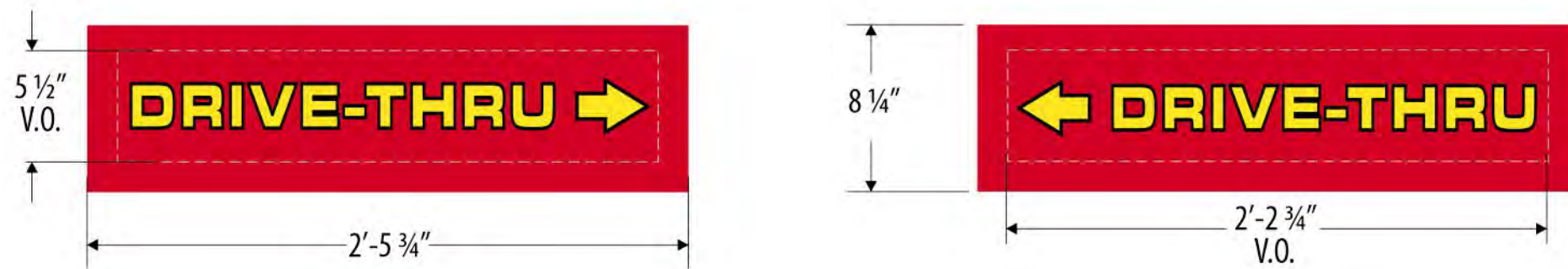
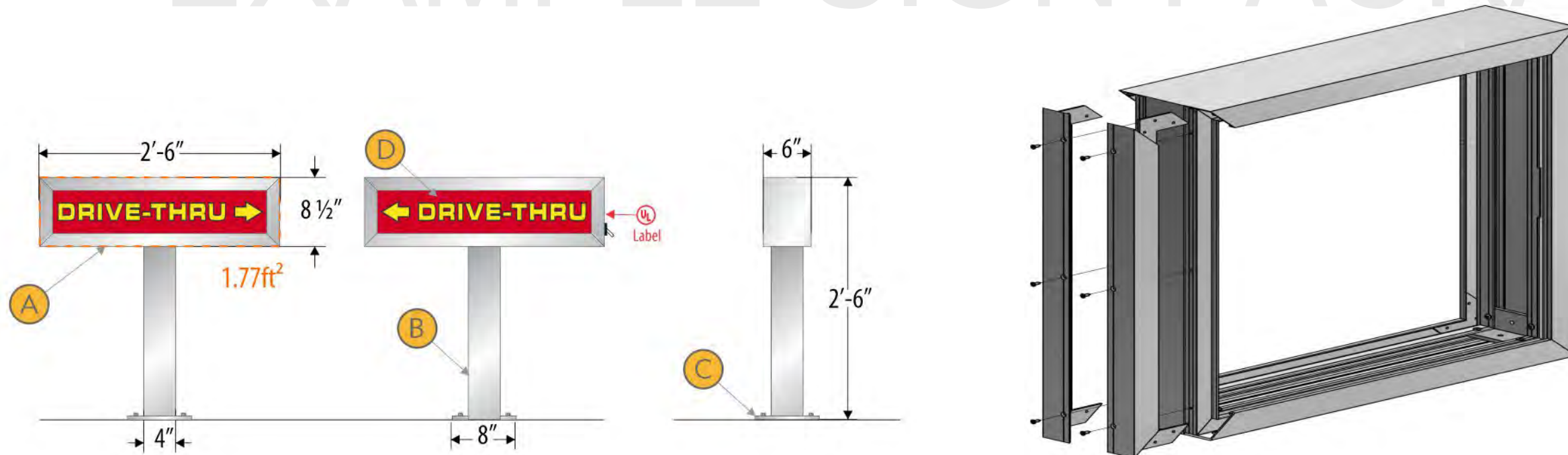


MOUNTED FLUSH AGAINST WALL



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EXAMPLE SIGN PACKAGE



ANDY'S FROZEN CUSTARD - MASTER
CUSTOMER:

AFC-NTYP-DIRE-1 AS SHOWN
DRAWING NUMBER ELEVATION

02.21.22
DATE REVISED

BUDDY HINDS TIM SWAIM
DESIGNER PROJECT MANAGER

ALL
LOCATION

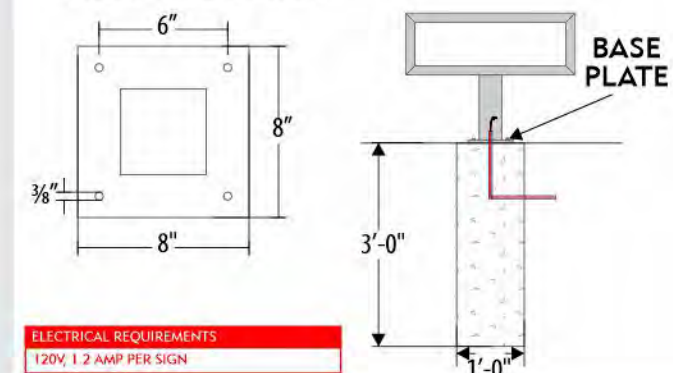
SCOPE OF WORK

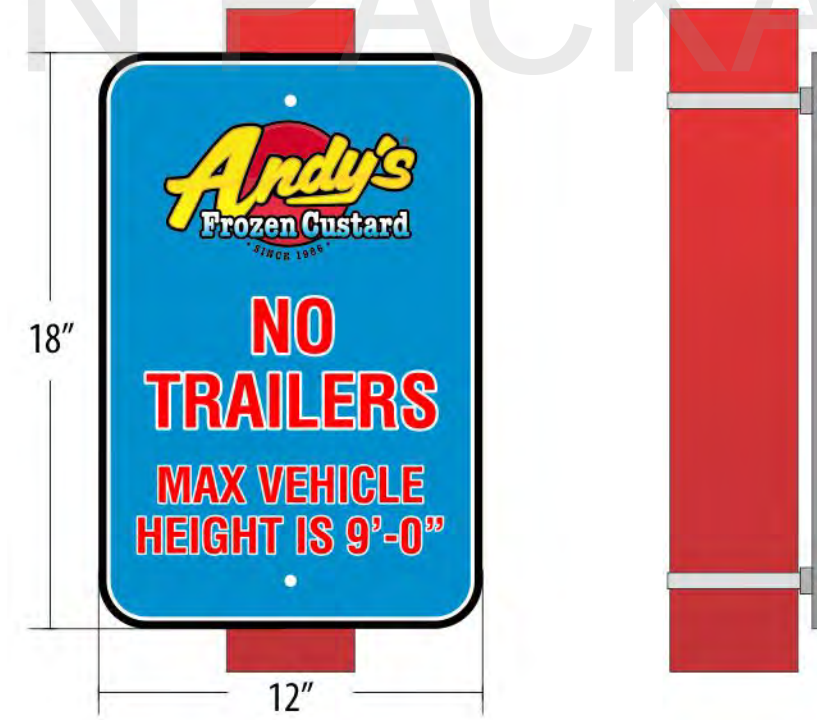
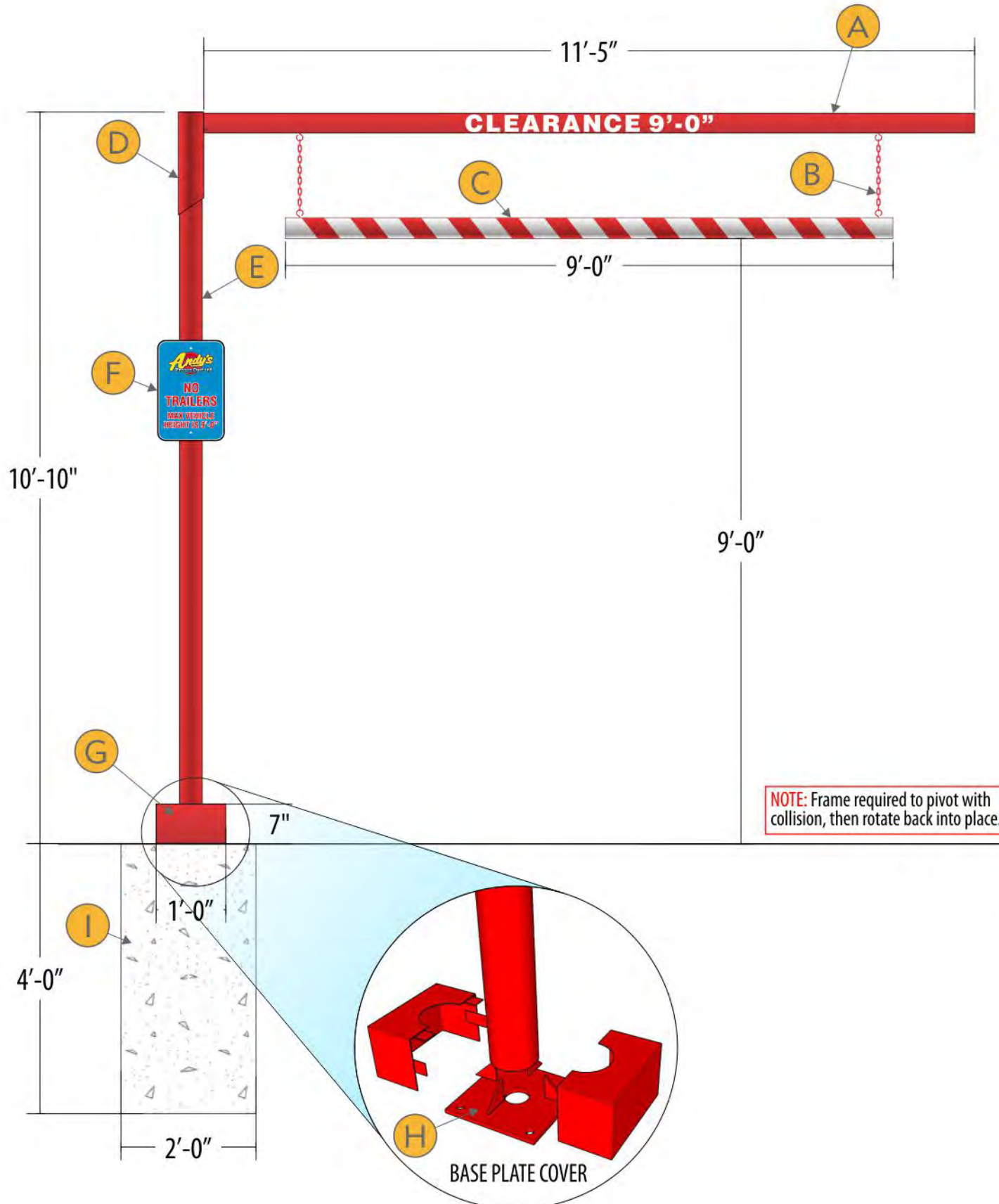
2-Sided Internally Illuminated Directional

- A** Aluminum Extruded Cabinet
 - Paint - MP LVS953 Super Sparkle Silver (Satin)
- B** 4" Aluminum Square Post
 - Paint - MP LVS953 Super Sparkle Silver (Satin)
- C** 1/4" Aluminum Mounting Bracket
 - Paint - MP LVS953 Super Sparkle Silver (Satin)
- D** Clear Acrylic w/ Printed Vinyl Graphics
 - 1st Layer Vinyl - Digital Print on Clear Applied to 1st Surface
 - 2nd Layer Vinyl - Digital Print on Translucent Applied to 1st Surface

ATTACHMENT METHOD

BASE PLATE DETAIL





ANDY'S FROZEN CUSTARD

CUSTOMER	AS SHOWN
DRAWING NUMBER	ELEVATION
DATE REVISED	
DESIGNER	PROJECT MANAGER

02.18.22
DATE REVISED

BUDDY HINDS
DESIGNER

TIM SWAIM
PROJECT MANAGER

ALL
LOCATION

SCOPE OF WORK

- A** Painted 3.5" Square Tube with White Reflective Vinyl Applied to Both Sides
 - Paint - MP 10224 Hot Rod Red
 - Vinyl - 3M 680cr
- B** Hanging Metal Chain
 - Paint - MP 10224 Hot Rod Red
- C** Painted 4" PVC Pipe Capped on Ends; White Reflective Vinyl Applied
 - Paint - MP 10224 Hot Rod Red
 - Vinyl - 3M 680cr
- D** Painted 4.5" Steel Pipe
 - Paint - MP 10224 Hot Rod Red
- E** Painted 4" Steel Pipe
 - Paint - MP 10224 Hot Rod Red
- F** Digital Printed .080 Aluminum Sign; Fastened with Adjustable Hose Clamp Brackets
 - Digital Print Graphics
- G** Painted Bolt Head Cover
 - Paint - MP 10224 Hot Rod Red
- H** 12" Base Plate w/ Wedge Anchors into Concrete
- I** 24" x 48" Round Pier Footing

ATTACHMENT METHOD



ADJUSTABLE HOSE CLAMP BRACKETS

ANDY'S FROZEN CUSTARD MASTER RENDERINGS, STANDARD RENDERINGS

EXAMPLE SIGN PACKAGE

C LED ILLUMINATED "SCRIPT" WALL SIGN (0728-22-IWAL-1)



H NEON "MADE FRESH HOURLY" SIGN (AFC-STND-IWAL-2)



INTERIOR SITE SCALE: NTS



ANDY'S FROZEN CUSTARD	
CUSTOMER	
0728-22-INT-1	AS SHOWN
DRAWING NUMBER	ELEVATION
08.23.22	
DATE REVISED	
DEREK CROUCH	TIM SWAIM
DESIGNER	PROJECT MANAGER
LAKE ST. LOUIS MISSOURI	
LOCATION	
SCOPE OF WORK:	
C	LED Lit Wall "Script" Sign (0728-22-IWAL-1)
H	Neon "Made Fresh Hourly" Sign (AFC-STND-IWAL-2)

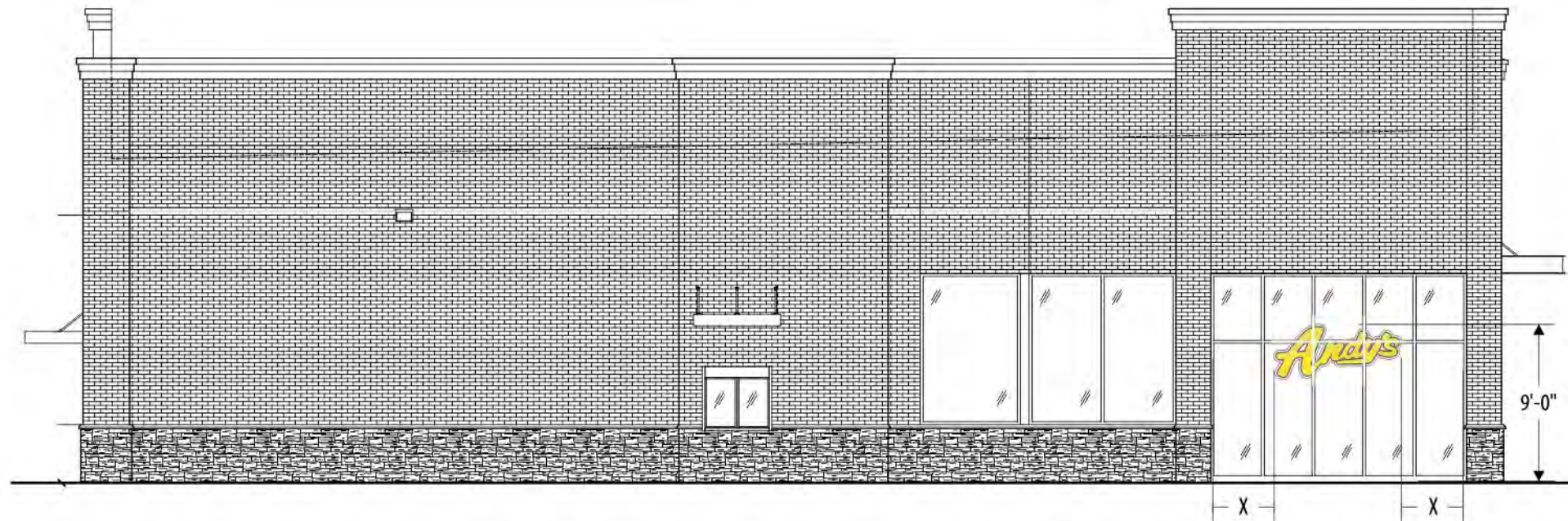
ATTACHMENT METHOD



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2 Placement - scale: 1" = 7'



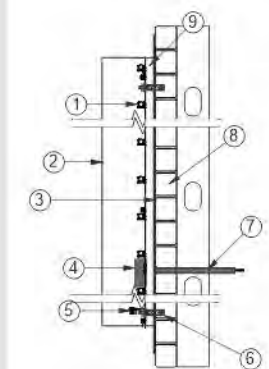
ANDY'S FROZEN CUSTARD

CUSTOMER:	
0728-22-IWAL-1	AS SHOWN
DRAWING NUMBER	ELEVATION
08.23.22	
DATE REVISED	
DEREK CROUCH	TIM SWAIM
DESIGNER	PROJECT MANAGER

LAKE ST. LOUIS MISSOURI

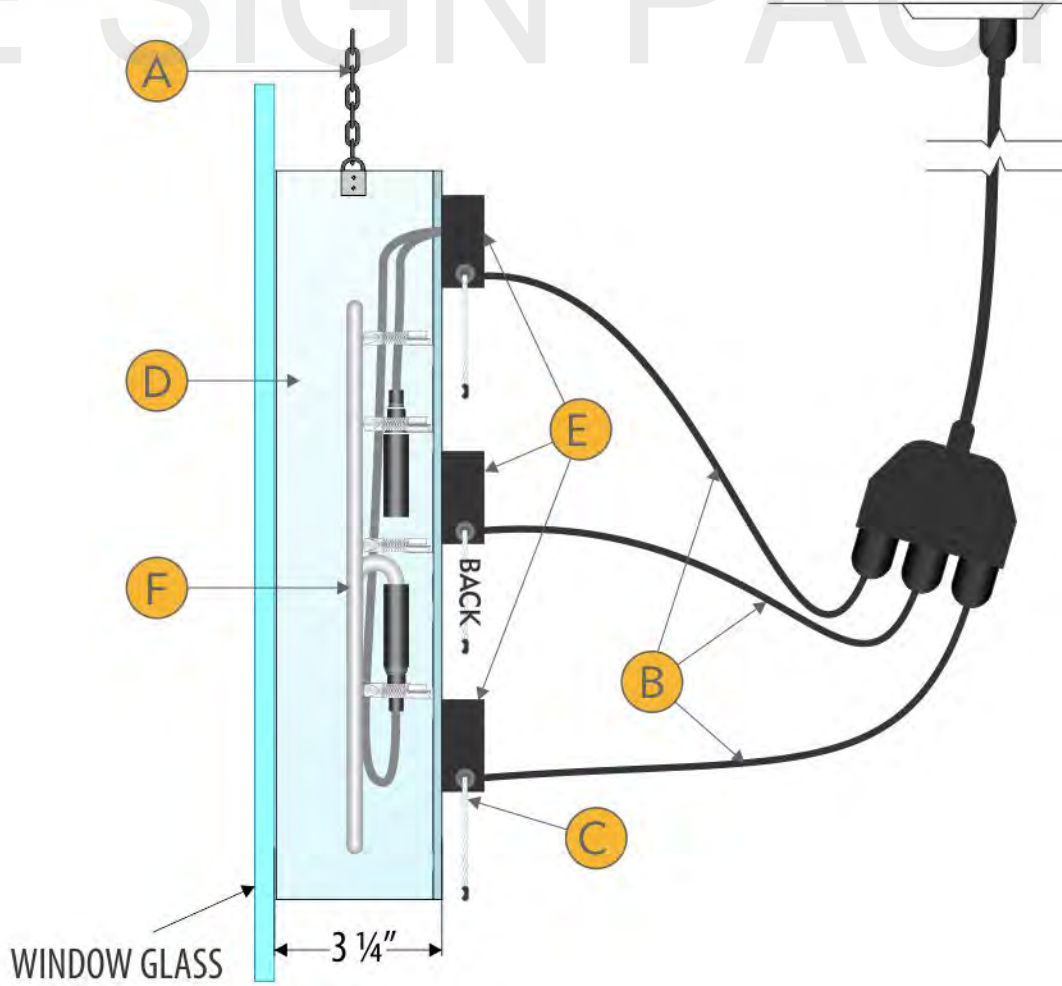
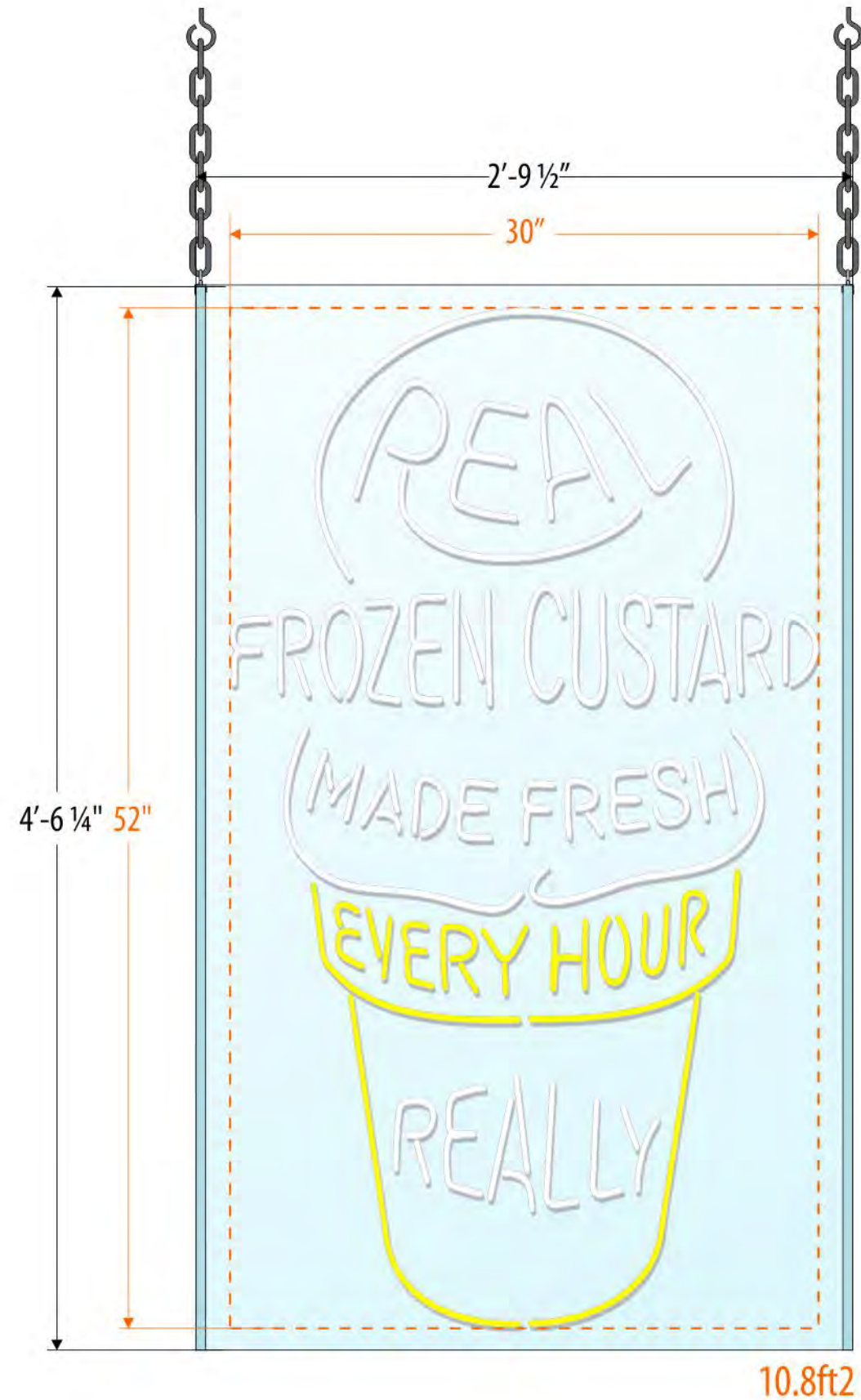
- LOCATION
- SCOPE OF WORK
Interior Wall Sign
- A** Painted .125 Aluminum Backer Panel; Cut Vinyl Applied
 - Paint - White (Satin)
 - Vinyl - 3M Black (Opaque)
 - B** LED Illuminated Channel Letter Flush Mounted to Backer Panel
 - Transcaps/Returns - Black
 - Face - Digital Print Vinyl
 - C** Mechanically Fastened from Back of Sign to Top of Wall w/ 2" x 4" Angle Brackets

ATTACHMENT METHOD



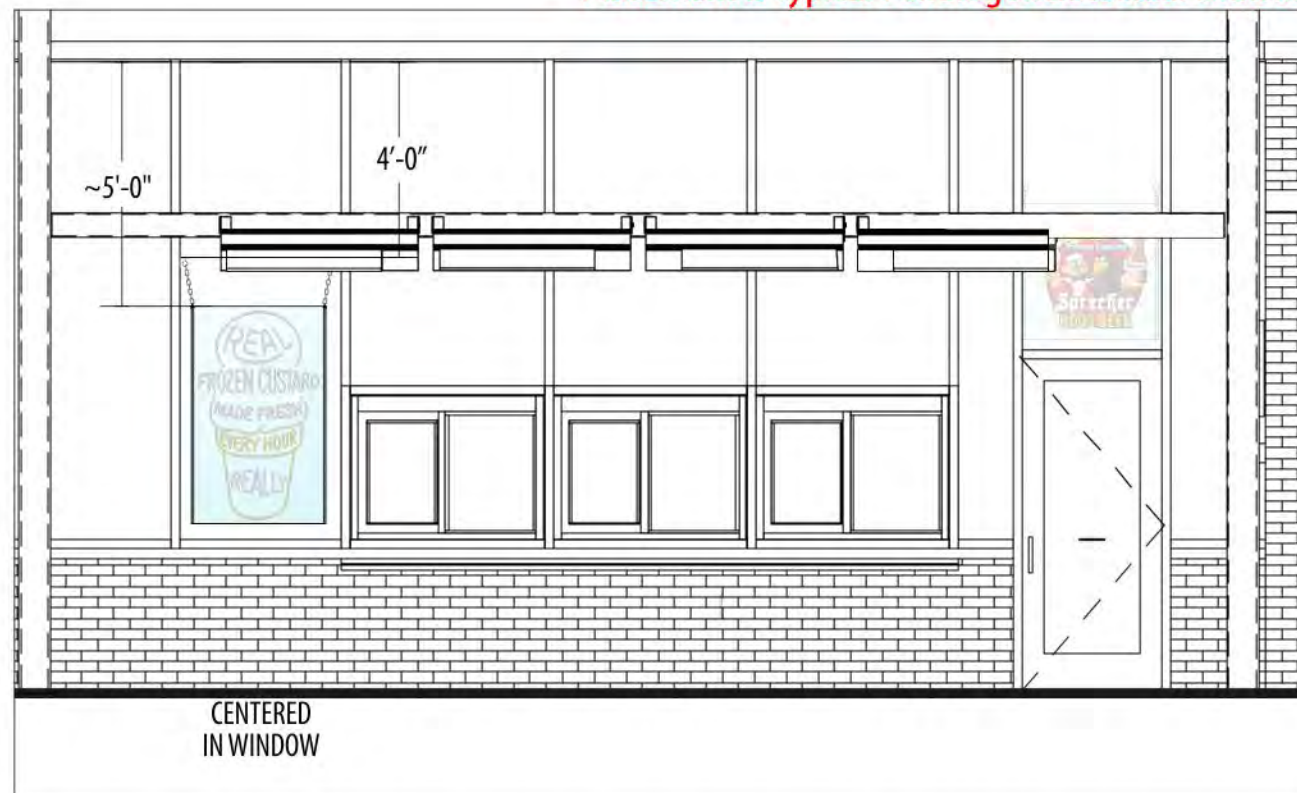
1. WHITE LED STICK LIGHTING
2. CHANNEL LETTERS
3. ALUMINUM BACKER
4. 12 VOLT DC TRANSFORMER
5. TOGGLE ON/OFF SWITCH
6. 1/4" WEDGE ANCHORS
7. POWER PASS THROUGH
8. WALL - BRICK
9. ALUMINUM .063" BACKS/ .080" RETURNS





PLACEMENT INFO SCALE: 3/16" = 1'

* Placement is Typical Pending Architectural Drawings



ANDY'S FROZEN CUSTARD

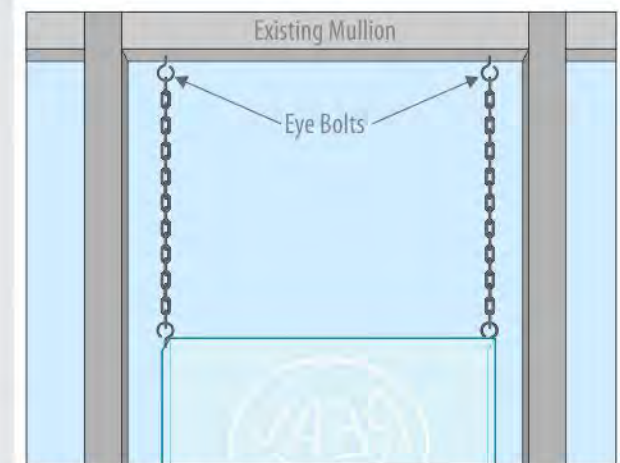
CUSTOMER:	AS SHOWN
DRAWING NUMBER:	ELEVATION
DATE REVISED:	
DESIGNER:	PROJECT MANAGER:

LOCATION

SCOPE OF WORK
Hanging Neon Window Sign

- A** Chain D-Clip to Ceiling (Adjust to Measure)
- B** 6' Cord to 120v Service (qty. 3) Plugged into 6' 3-Way Extension Cord
- C** On/Off Switch w/ Chain
- D** 3/16" Clear Acrylic, Custom Bent to Shape
- E** Electronic Transformer
- F** Neon Tube Lighting
 - Neon - Clear Bright Yellow 12mm
 - Neon - Snow White 10mm

Electrical Requirements
- 120V, 3A per Sign; 3 Cords to Outlet 108" AFF



APPLICATION NUMBER: CUP-7-24

APPLICATION (PROJECT) NAME: ANDY'S FROZEN CUSTARD

APPLICANT: GATEWAY CUSTARD LLC
PO BOX 109
CAMDENTOWN, MO 65020

PROPERTY OWNER NAME: DIERBERGS CRESTWOOD CROSSING

APPLICANT'S REQUEST: CONDITIONAL USE PERMIT TO OPERATE A
DRIVE-THRU RESTAURANT

SITE LOCATION: 9535 WATSON ROAD
CRESTWOOD, MO 63126

PARCEL/LOCATOR NUMBER: 25L140654

EXISTING ZONING / PLANNING DISTRICT: "PD-MXD" PLANNED DEVELOPMENT-MIXED USE
DISTRICT

TOTAL SITE AREA: APPROXIMATELY 0.6 ACRES

P&Z HEARING DATE: SEPTEMBER 4, 2024

BOA PUBLIC HEARING DATE: SEPTEMBER 10, 2024

REPORT DATE: AUGUST 30, 2024

CASE MANAGER: DANNY JENDUSA, CITY PLANNER

RECOMMENDATION: **APPROVAL**



PROPOSAL SUMMARY

Gateway Custard LLC has submitted an application for a Conditional Use Permit to operate an Andy's Frozen Custard drive-thru restaurant at the newly constructed east outbuilding D in the Dierbergs Crestwood Crossing shopping center at 9535 Watson Rd. The applicant will occupy approximately 2,300 square feet- or about 1/3rd of the interior footprint of the new outbuilding. The construction of a drive-thru ready facility in this location was approved during the Preliminary & Final Development Plan approvals for Phase 1 of the Crestwood Crossing PD-MXD district in 2021 and 2022. Because a Conditional Use Permit is tied to the occupant of a site, the applicant requires a Conditional Use Permit to operate a drive-thru establishment and complete tenant finishes in the building.

The restaurant will include an exterior walk-up order window as well as a drive-thru window. There will not be interior seating.

REQUESTED 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 a future public hearing, tentatively scheduled for September 10, 2024.

ZONING CONTEXT

The subject property was zoned to "PD-MXD" Planned Development- Mixed Use in November 2021. The purpose of the planned development district type is to provide a means of achieving greater flexibility in development of land in a manner not possible in conventional zones; to encourage a more imaginative and innovative design of projects; to promote a more desirable community environment; and to retain maximum control over both the structure and future operation of the development. The planned development regulations are not intended to allow excessive densities, or the development of incompatible land uses, either within the development, or as the development relates to the general neighborhood.

ZONING AND LAND USE HISTORY

In November 2021, the Board of Aldermen re-zoned the 47-acre former Crestwood Plaza mall site from "PD-C" Planned Development Commercial District to "PD-MXD" Planned Development Mixed Use District with a Preliminary Development Plan to construct a horizontal mixed use district with a full-service grocery store, restaurant and retail options, eighty-one (81) single family homes for purchase,

several open space plaza / public gathering spaces, and a bicycle/pedestrian bridge over Gravois Creek to connect to the Grant's Trail Greenway.

In March 2022, the Planning Commission and Board of Aldermen approved the Final Development Plan for Phase 1 of the redevelopment for the first commercial retail buildings, including the subject outbuilding near Watson Rd. It was recognized at that time that this building would be sited and designed to accommodate a drive-thru establishment.

In fall 2022, city staff administratively approved building permits to allow the property owner to construct the shell of the subject outbuilding at 9535 Watson Rd, according to the Crestwood Crossing Phase 1 Final Development Plan.

EXISTING SITE CONDITIONS PHOTOS



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.

FINDINGS

A review of these criteria 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.

BURDEN OF PROOF

In presenting any application for a Conditional Use Permit, the applicant must 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:

3. The location, nature and height of buildings, structures, walls, and fences on the site, and
 4. 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.

Following thorough analysis of the site plan and design of Phase 1 of the Dierbergs Crestwood Crossing district, the Final Development Plan was approved with the recognition that the subject building would be constructed to accommodate a drive-thru establishment in this location. The subject building has been constructed in accordance with the Final Development Plan, and the applicant has submitted plans to operate consistent with the previously approved site plan and design. Therefore, staff asserts the proposed drive-through restaurant has demonstrated it will meet the necessary burden of proof for approval of a Conditional Use Permit to operate in this particular location.

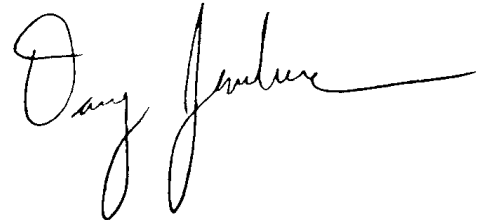


RECOMMENDATION

RECOMMENDATION

The City Planner recommends approval of the application for a Conditional Use Permit to operate an Andy's Frozen Custard restaurant with a drive-thru at 9535 Watson Rd 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 PD-MXD 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 a traffic stop bar be added to the drive-thru lane exit to improve traffic safety in the parking lot;
- k. 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

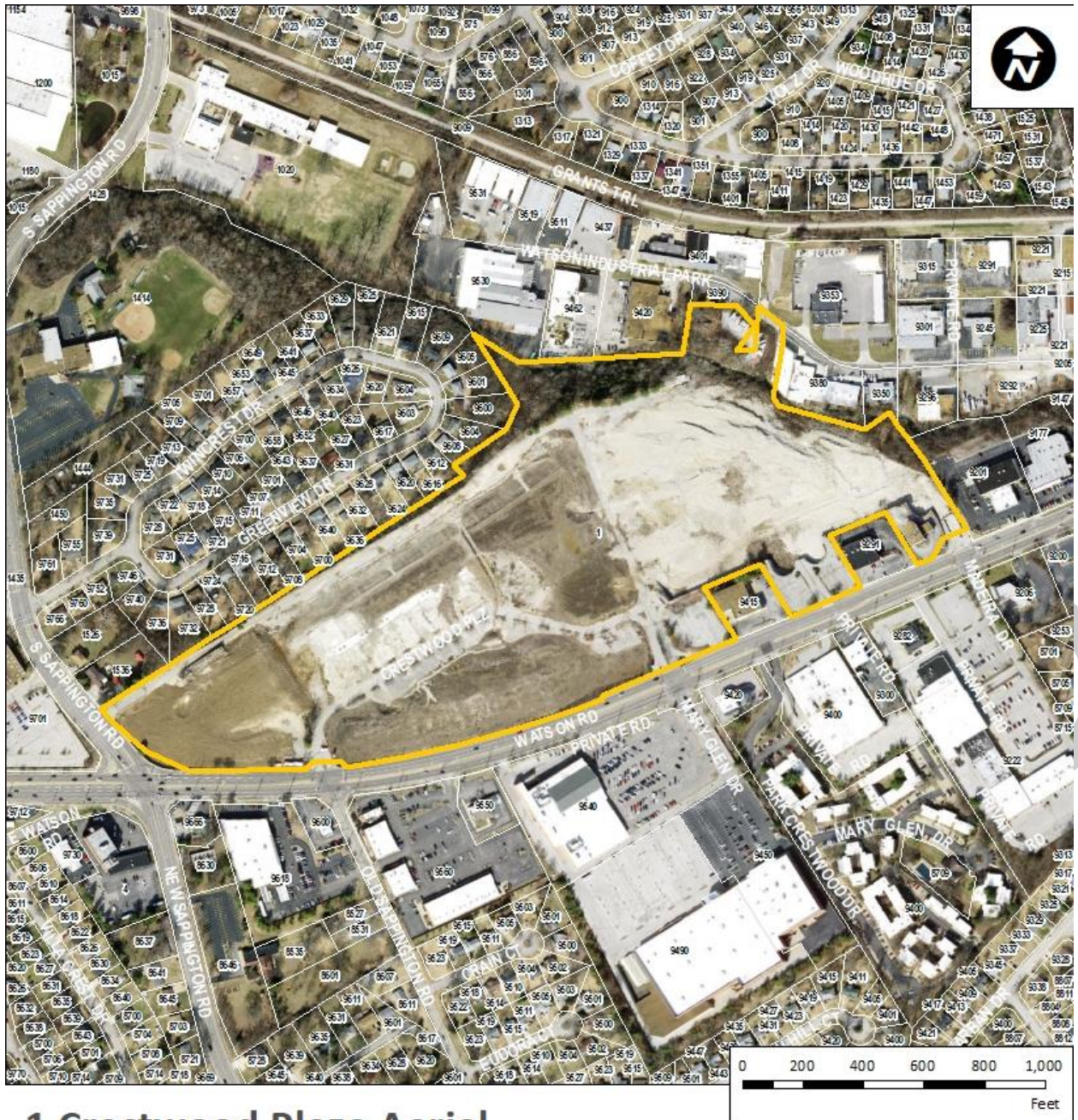


APPENDIX

The background features a large, light gray watermark of the word "CRESTWOOD". The letters "O" and "O" in "WOOD" 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.

SUPPLEMENTAL MAPS AND EXHIBITS

FIGURE 1: AERIAL PHOTOGRAPH



1 Crestwood Plaza Aerial

 1 Crestwood Plaza Site Location

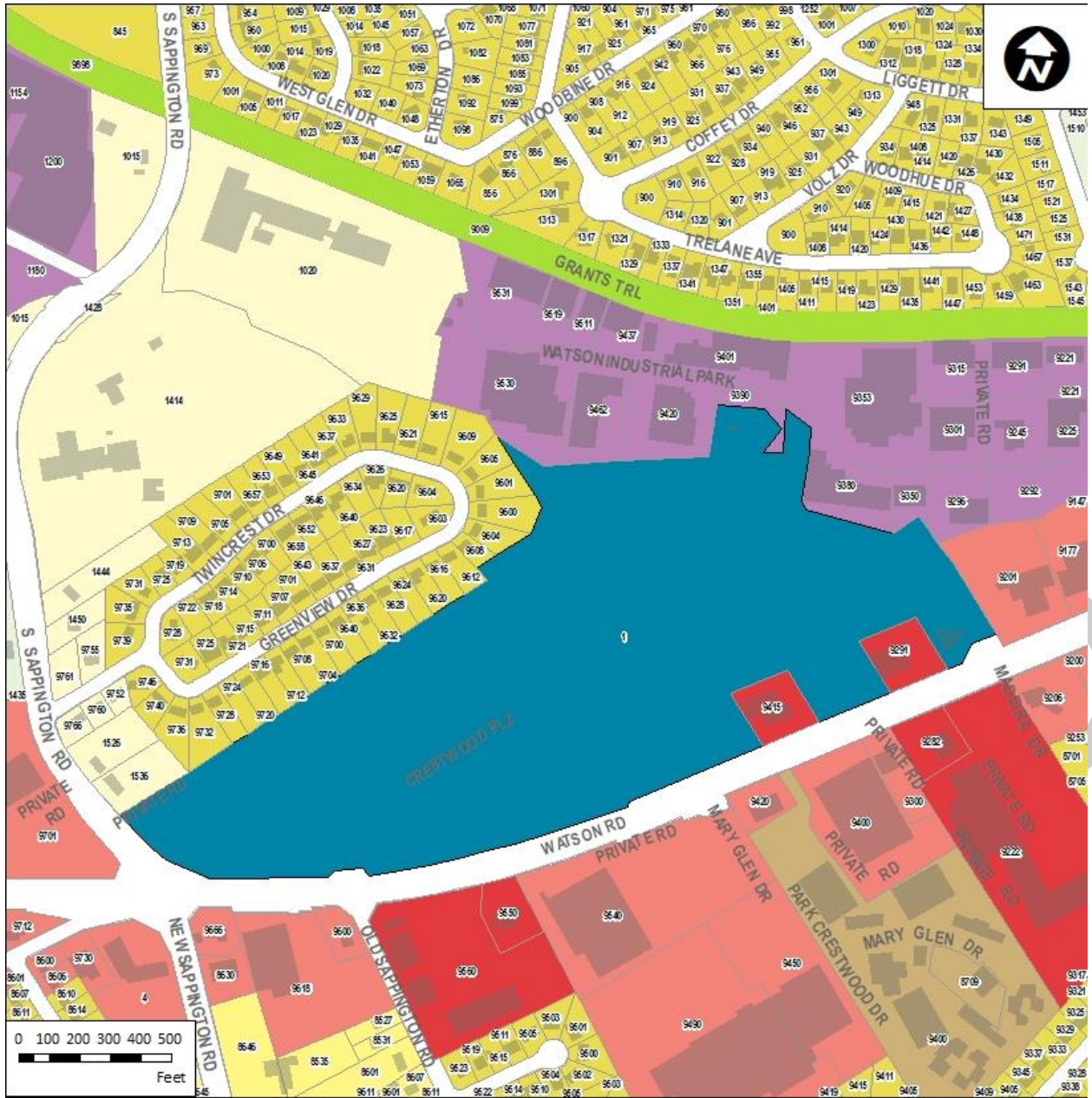


Map by John Cruz
jcruz@cityofcrestwood.org

Oct 7, 2021

Development\Crestwood Crossing\1 Crestwood Plaza - Aerial

FIGURE 2: ZONING MAP



1 Crestwood Plz- Zoning Zoning Graphics Key

	R-1		C-1
	R-2		PD-C
	R-3		PD-R
	R-4		M-1
	R-5		Grant's Trail
	Parks		PD-MXD



Map by Danny Jendusa
djendusa@cityofcrestwood.org
June 29, 2023

Development\Crestwood Crossing\1-crestwood-plaza-zoning3

EXHIBIT A: SITE PLAN

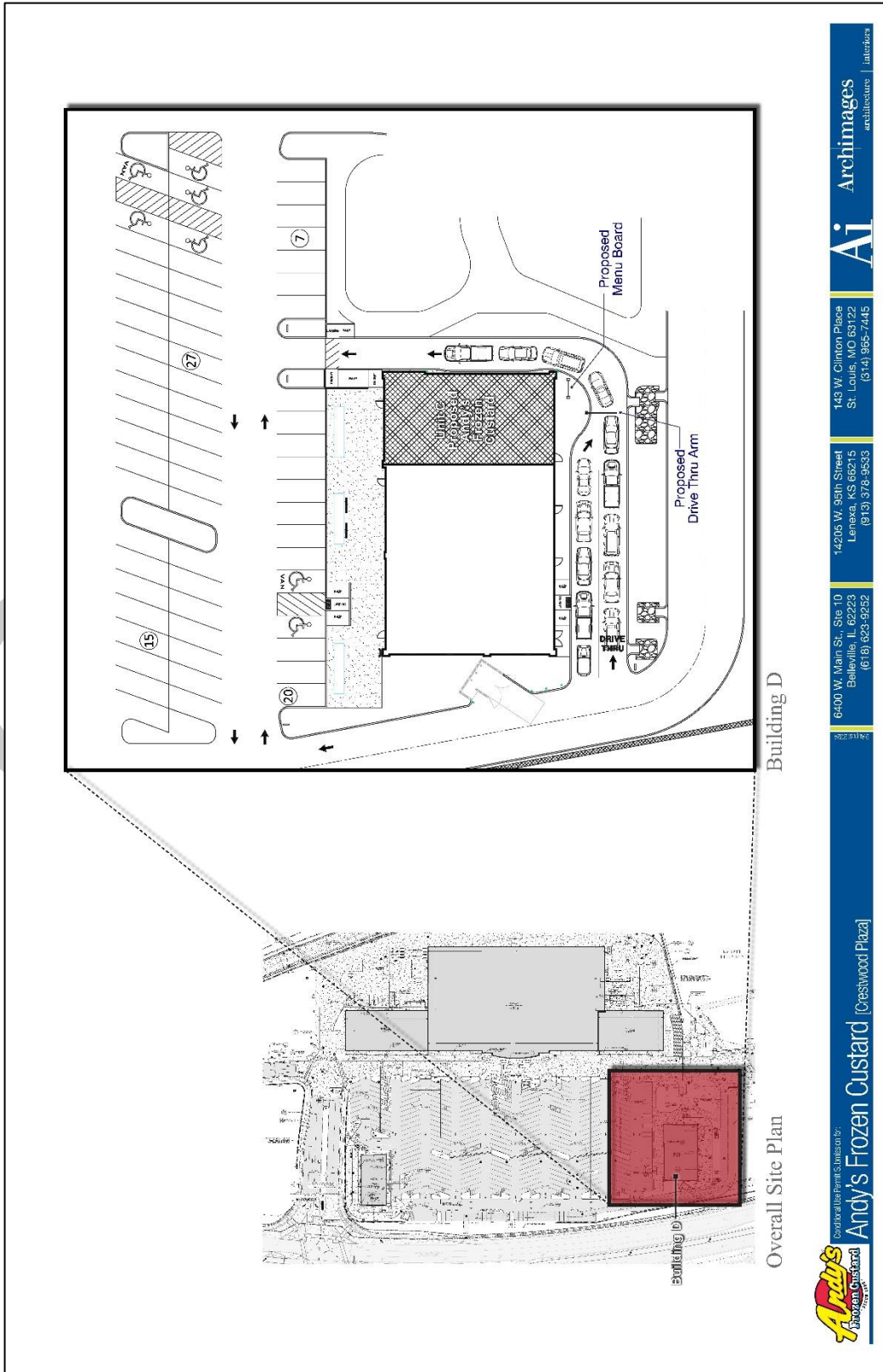


EXHIBIT B: CONCEPTUAL RENDERINGS

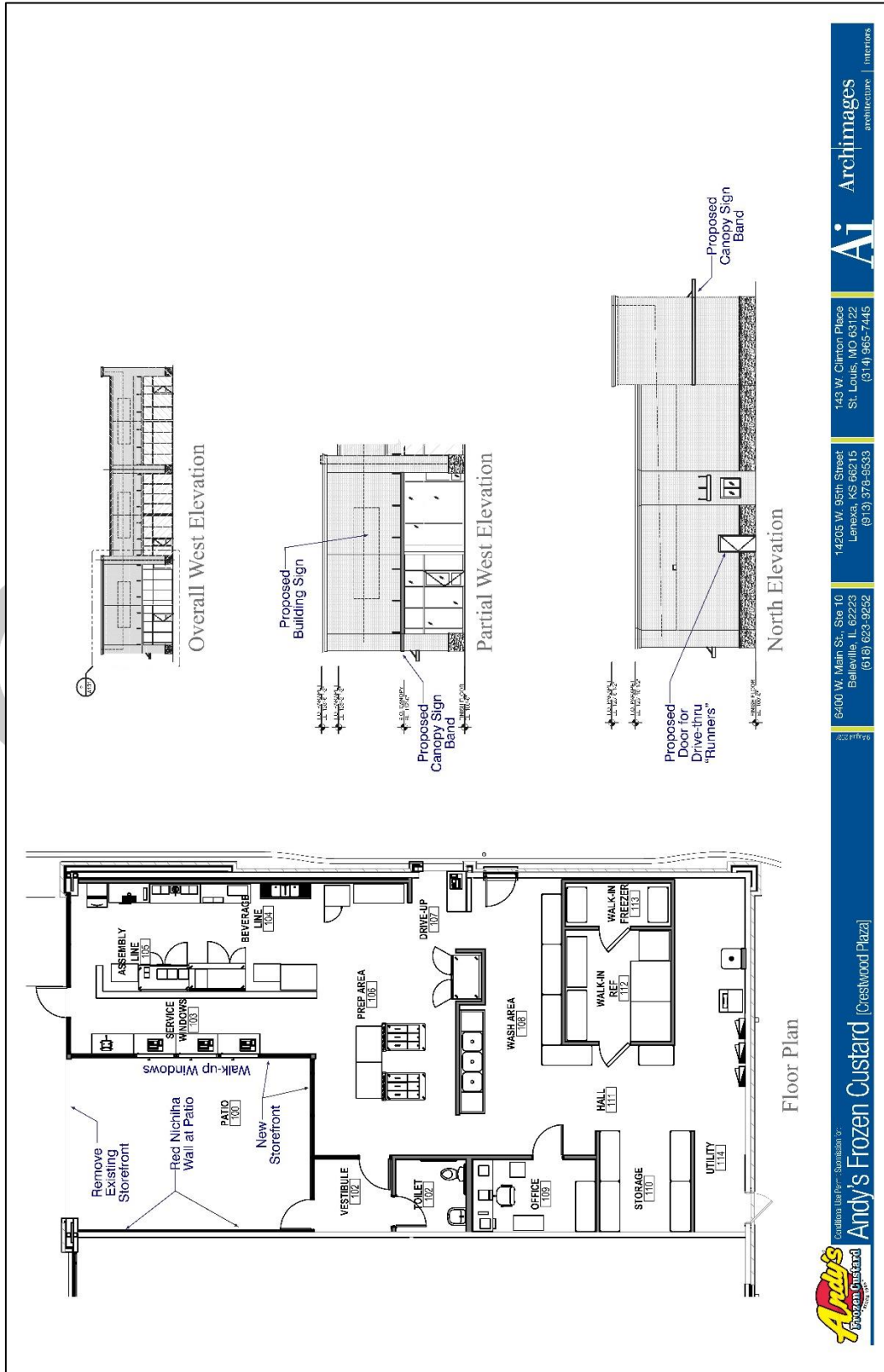


EXHIBIT C: PHOTOS OF EXISTING CONDITIONS



Andy's Frozen Custard - 9535 Watson Road
Request for a Conditional Use Permit



Andy's Frozen Custard - 9535 Watson Road
Request for a Conditional Use Permit



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