



# City of Ellisville

One Weis Avenue  
Ellisville, MO 63011  
(636) 227-9660 FAX: (636) 227-9486

## APPLICATION FOR CONDITIONAL USE PERMIT

*(please type or print)*

**ALL APPLICABLE SECTIONS OF APPLICATION MUST BE COMPLETE. APPLICATION MUST BE CONSISTENT WITH SUBMITTED MATERIALS. A \$350.00 APPLICATION FEE AND \$50.00 PUBLIC HEARING FEE MUST ACCOMPANY THIS APPLICATION. NOTE: IF FILING MULTIPLE APPLICATIONS WHICH REQUIRE A PUBLIC HEARING, ONLY SUBMIT ONE FEE (\$50) TO COVER ALL PUBLIC HEARINGS.**

Property Address: \_\_\_\_\_

Applicant: \_\_\_\_\_

Project Name: \_\_\_\_\_

### PART B: SUMMARY

Briefly describe the Proposed Project and intended use(s) and Reason for Requesting a Conditional Use Permit:

\_\_\_\_\_  
\_\_\_\_\_

### PART C: AMENDING AN EXISTING CONDITIONAL USE PERMIT

Please describe the proposed amendment: \_\_\_\_\_

Please describe why the proposed amendment is necessary: \_\_\_\_\_

### PART D: SITE DESIGN

Total Square Footage of Site: \_\_\_\_\_ Total Square Footage of Building(s): \_\_\_\_\_

Building Lot Coverage: \_\_\_\_\_ Total Impervious Lot Coverage: \_\_\_\_\_

Building(s) Height(s): \_\_\_\_\_ Number of Floors: \_\_\_\_\_

Abutting Land Uses: \_\_\_\_\_

	North	South	East	West
Building Setbacks Provided/Required:	/	/	/	/
	Front	Rear	Side	Side

Landscape Buffer Provided/Required:	/	/	/	/
	Front	Rear	Side	Side

Parking Lot Landscape: Required: \_\_\_\_\_ Provided: \_\_\_\_\_

Total Number of Parking Spaces Provided: \_\_\_\_\_ Required by City Code: \_\_\_\_\_

HVAC Units/other equipment: \_\_\_\_\_ Location: \_\_\_\_\_ Screening: \_\_\_\_\_

Location of Trash Enclosure: \_\_\_\_\_ # Pick Ups/Week: \_\_\_\_\_ P/U time: \_\_\_\_\_

Location of Loading/Delivery/Dock: \_\_\_\_\_ # Deliveries/week: \_\_\_\_\_ P/U Time: \_\_\_\_\_

Fence: Required: \_\_\_\_\_ Location: \_\_\_\_\_ Type/Material: \_\_\_\_\_ Height: \_\_\_\_\_

Wall (Screen/Sound): Required: \_\_\_\_\_ Location: \_\_\_\_\_ Type/Material: \_\_\_\_\_ Height: \_\_\_\_\_

Public Art or Benefit Provided: \_\_\_\_\_ Describe: \_\_\_\_\_

**PART E: OPERATION**

Days of Operation: \_\_\_\_\_ Hours of Operation: \_\_\_\_\_

Total # of Employees: \_\_\_\_\_ #Employees on Maximum Shift: \_\_\_\_\_ Property Owned/Leased: \_\_\_\_\_

Describe Any Loud Noise and Proposed Mitigation: \_\_\_\_\_

Describe Any Odors/Smoke and Proposed Mitigation: \_\_\_\_\_

Describe Any Other Potential Concerns to Abutting Properties and Proposed Mitigation: \_\_\_\_\_

\_\_\_\_\_

Describe How Storm Water will be accommodated: \_\_\_\_\_

*Architectural review is required for any exterior renovation or façade changes. If any of these items are part of the project, complete an Architectural Review Board Application.*

**PART F: PERFORMANCE STANDARDS**

All land, buildings and uses must comply with the following performance standards. Other project or use specific factors may be regulated to protect the public health, welfare and safety as well as to protect the character of the neighborhood.

**Vibration.** Will the use be operated so that the maximum ground vibration generated is not perceptible (without instruments) at any point on the lot line of the lot on which the use is located; excluding vehicular traffic unrelated to the subject use? \_\_\_\_\_

**Noise.** Will the use be operated so that the maximum volume of sound or noise generated does not exceed seventy (70) decibels at any point on the lot line of the lot on which the use is located? \_\_\_\_\_

**Odor.** Will the use be operated so that no offensive or objectionable odor is perceptible at any point on the lot line of the lot on which the use is located? \_\_\_\_\_

**Smoke.** Will the use be operated so that no smoke from any source is emitted of a greater density than the density described as No. 1 on the Ringelmann Chart as published by the United States Bureau of Mines? \_\_\_\_\_

\_\_\_\_\_

**Toxic gases.** Will the use be operated so that there is no emission of toxic, noxious or corrosive fumes or gases? \_\_\_\_\_

\_\_\_\_\_

**Emission.** Emission of dirt, dust, fly ash and other forms of particulate matter. Emission of dirt, dust, fly ash and other forms of particulate matter shall not exceed eighty-five hundredths (85/100) pounds per one thousand (1,000) pounds of gases of which amount not to exceed five-tenths (5/10) pounds per one thousand (1,000) pounds of gases shall be of such size as to be retained on a three hundred twenty-five (325) mesh U.S. Standard Sieve. In the case of emission of fly ash or dust from a stationary furnace or combustion, device these standards shall apply to a condition of fifty (50) percent excess air on the stack at full load, which standards shall be varied in proportion to the deviation of the percentage of excess air from fifty (50) percent. Will the project comply with this standard? \_\_\_\_\_

**Air pollution.** Every form of objectionable odors, smoke, toxic gases, particulate matter such as dirt, dust, fly ash, must be restricted to specific low levels of emissions as set forth in Ord. No. 3347 of St. Louis County Code titled; Air Pollution Control Code, Chapter 612, as amended from time to time. Will the project/use comply with this standard? \_\_\_\_\_

**Radiation.** Every amount of radioactive emissions must be restricted to that considered safe by the Federal Radiation Board Standards, as amended from time to time. Will the use/project comply with this standard? \_\_\_\_\_

**Operations, heat and glare.** Every operation producing intense glare or heat must be enclosed so that they are imperceptible at any lot line without instruments. Will the project/use comply with this standard? \_\_\_\_\_

*Additional Standards applicable to all new restaurants and fast food restaurants, and upon change of ownership of existing restaurants and fast food restaurants, with the exception of Bar B Que Restaurants as defined in Section 30-18: (Ord. #2288, Sect. 2, 11-18-99)*

**Grease extraction efficiency:** Exhaust system shall have grease extraction efficiency of at least 90% as tested by an approved agency. Will the use/project comply with this standard? \_\_\_\_\_

**Maintenance:** Equipment shall be maintained at intervals as recommended by the manufacturer and property maintenance performed in accordance with manufacturer's instructions. Will the use/project comply with this standard? \_\_\_\_\_

**Cleaning:** Hoods, grease removal devices, fans, ducts and other appurtenances shall be cleaned to bare metal at frequent intervals prior to surfaces becoming heavily contaminated with grease or oily sludge. Will the use/project comply with this standard? \_\_\_\_\_

**PART G: STORM WATER QUALITY PROTECTION STANDARDS:**

All development and redevelopment must comply with storm water quality protection standards. To the maximum extent feasible, the development plan should preserve and/or protect existing natural resource areas that facilitate pollutant removal and reduce runoff.

1. As proposed, has land disturbance been minimized to the maximum extent feasible? \_\_\_\_\_
2. Can additional greenspace be preserved within the project boundary? \_\_\_\_\_
3. Can the proposed development be located in already developed areas? \_\_\_\_\_
4. Has stormwater been captured and infiltrated into the ground as part of the project? \_\_\_\_\_
5. Has stormwater been captured and reused for irrigation or décor as part of the project? \_\_\_\_\_  
If not, why not? \_\_\_\_\_
6. Have permeable surface materials been used to promote infiltration and limit runoff? \_\_\_\_\_
7. Can land disturbance be restricted to less sensitive areas within the project? \_\_\_\_\_
8. Is the development located outside the 100 year flood plain? \_\_\_\_\_
9. Is the development located outside the stream bank setback buffer? \_\_\_\_\_
10. Does the development warrant engineering channel protection controls (because of size or stream bank erosion problems)? \_\_\_\_\_
11. Does the development plan avoid sensitive areas? \_\_\_\_\_
12. Does the site development plan utilize stormwater credits? \_\_\_\_\_
13. Does the site development plan show structural BMPs? What is the acreage of drainage to the BMP? Will the BMP be above or below ground? \_\_\_\_\_
14. Who will be responsible for maintaining storm water controls? Are the structural BMP shown on the plan appropriate for the entity or person responsible for maintenance? \_\_\_\_\_
15. Is over 1 acre of impervious area being added? \_\_\_\_\_
16. Is the development tributary to any existing basins that need to be upgraded? \_\_\_\_\_

**PART H: ENVIRONMENTAL STATEMENT**

Will the proposed request adversely impact the environment?: \_\_\_\_\_ (Yes or No)

Has a Phase I Assessment or Phase II Environmental Report/Study been prepared in association with this request? \_\_\_\_\_ (Yes or No) If yes, please submit a copy of the report/study with this application.

By filing this application you acknowledge and are aware that the City may require a partial or comprehensive environmental assessment, impact analysis, or report, in conformity with Chapter 415, Environmental Report of the Land Use Regulations, at any time during the application or approval process.

**PART I: CRITERIA**

It shall be the responsibility of the applicant to clearly establish that the following criteria are met: (Respond Yes or No). Please be sure to respond to all questions (a-s).

- a. Will the use have any negative effect upon traffic conditions?
- b. Will the use substantially increase fire hazards?
- c. Will the use adversely affect the character of the neighborhood?
- d. Will the use adversely affect the general welfare of the community?
- e. Will the use overtax the sewage or public utilities?
- f. Will the use adversely affect or overtax Police or other City services?
- g. Will the use be the highest and best use of the location applied for? Describe: \_\_\_\_\_  
\_\_\_\_\_
- h. Will the use adversely affect the financial condition of the City including any adverse impact upon utilities, property and sales tax?
- i. Will the use have a substantial negative impact on the environment?
- j. Is the proposed use compatible with surrounding uses and with the surrounding neighborhood? Describe how: \_\_\_\_\_
- k. Is the comparative size, floor area and mass of the proposed use and/or proposed structure appropriate and reasonable in relation to adjacent structures and buildings on surrounding properties and in the surrounding neighborhood?
- l. Will the use adversely affect the neighborhood in terms of water runoff, noise transfer or heat generation due to significant amount of hard surfaced areas from buildings, sidewalk, drives, parking and service areas?
- m. Will the frequency and duration of various indoor and outdoor activities and special events associated with the proposed use have a deleterious impact on the surrounding area?
- n. Will the use be likely to remain in existence for a reasonable length of time and not become vacant or unused?
- o. Does the proposed use involve the presence of unusual, single-purpose structures or components of a temporary nature?
- p. Does the proposed use comply with the standards of good planning practices? If yes, describe how: \_\_\_\_\_  
\_\_\_\_\_
- q. Does the proposed use further the goals and objectives set forth in the Comprehensive Plan? If yes, which goals and how: \_\_\_\_\_
- s. Have sufficient measures been taken or will be taken by the applicant to negate, to an acceptable level, potentially adverse impacts? Describe the measures and how they will negate negative impacts: \_\_\_\_\_
- t. Will the use comply with all other applicable provisions of Chapter 400, including performance standards as set forth in Section **400.170**?

**PART J: PROCESS**

1. The City offers all applicants the opportunity to meet with City staff at any time to discuss a project. Please contact the City Planner to schedule a meeting: Ada Hood, [ahood@ellisville.mo.us](mailto:ahood@ellisville.mo.us) or via phone 636-227-9660.
2. The City also offers all applicants the opportunity to meet with the City Council in a Preliminary Conceptual Meeting. The Preliminary Conceptual Meeting is designed to provide the applicant with an

opportunity to present a concept to the City Council for initial feedback, before the applicant incurs significant costs for detailed drawings or plans. The meeting is informal and non-binding. There is no cost to schedule a meeting, an applicant need only submit the Preliminary Conceptual Meeting form at least seven (7) days prior to the regularly scheduled City Council meeting date.

3. All requests for Conditional Use Permits must be made by submitting the Application Cover Sheet and the CUP Application form, associated fees and plans.
4. To initiate the process, please submit one copy of the application forms and nine (9) copies of the plans for 'staff review.' This initial submittal must be made a minimum of thirty (30) days prior to the Planning and Zoning Commission meeting date. In the case of high traffic uses, where a traffic impact study will be required, the submittal should be made at least forty-five (45) days prior to the Planning and Zoning Commission meeting date. Staff will route the plans to various departments and applicable agencies for their review. Within fifteen (15) days of receipt of submittal, the City Planner shall notify the applicant of any deficiencies or the application shall be accepted for consideration by the Planning and Zoning Commission, unless said timeframe is mutually waived. The applicant must respond to the City Planner's list of deficiencies within seven (7) days to be scheduled at the next Planning and Zoning Commission meeting. Delays in resubmitting will delay consideration of the application to the following month. Applicants must respond to the City Planner's list of deficiencies within thirty (30) days or the application is deemed void, unless such timeframe is mutually waived. The resubmittal should include revised applications and documents, as applicable, and twenty-five (25) sets of plans, folded to approximately 8 ½ x 11 or 8 ½ x 14 in size.
5. The Planning and Zoning Commission may require a public hearing before their body. The Planning and Zoning Commission will consider the request and make a recommendation to the Council within sixty (60) days of official submission to the Commission unless said time period is extended by mutual agreement in writing. The failure of the Commission to act within sixty (60) days after the date of official submission to it shall be deemed approved. The "*date of official submission*" shall mean the date of the first (1st) official Planning and Zoning Commission meeting during which the application is received and placed on the agenda for consideration.
6. Upon receipt of the recommendation, the City Council shall hold a public hearing in relation to the request. The City Council may, at its discretion, add to or delete conditions recommended by the Planning and Zoning Commission. The City Council may refer the application back to the Planning and Zoning Commission for further study before making its final decision. The decision rendered by the City Council shall require a simple majority vote except that a vote of at least five (5) members of the City Council will be required to approve any application contrary to the Planning and Zoning Commission recommendation.
7. Amendments: Any change in the scope, use or aspect of an operation approved for a conditional use permit which results in a condition that differs from the provisions contained in the approved conditional use permit requires the approval of an amendment. Requests for amendments that are deemed by the Director of Planning to represent minor change(s) from the provisions of the originally approved conditional use permit may be approved by the Planning and Zoning Commission on a consent agenda. Minor amendments may include:
  - (1) Change in hours of operation;
  - (2) Change in days of operation;
  - (3) Increasing or decreasing outdoor dining capacity;
  - (4) Change in business or trade name, where ownership and nature of business or trade remains the same;
  - (5) Change in ownership of business not affecting the intensity of the use; and
  - (6) Other similar changes deemed minor by the Director of Planning.

**PART K: CHECKLIST**

\_\_\_\_\_ Completed Application Cover form (only one form is needed per project)

- \_\_\_\_\_ Letter addressed to the City Council describing the proposed use and providing a complete account of the proposed operation.
- \_\_\_\_\_ One fully executed copy of the lease, if applicable.
- \_\_\_\_\_ \$800 deposit for Landscape Plan Review, if applicable. Depending on what the actual cost of the third party review, an applicant may be owed a refund or may be billed for additional monies.
- \_\_\_\_\_ \$6,000 deposit for Traffic Report, if applicable. Depending on what the actual cost of the third party review, an applicant may be owed a refund or may be billed for additional monies.
- \_\_\_\_\_ Landscape Plan, Tree Preservation Plan, Street Tree Planting Plan
- \_\_\_\_\_ Existing and proposed landscaping, including name and size of plant material.
- \_\_\_\_\_ Lighting Plan and Photometric Plan in compliance with Section 400.492. A Sidewalk Luminaire plan in compliance with Section 400.493, if applicable.
- \_\_\_\_\_ Location and height of all light poles and type of lighting and shielding.
- \_\_\_\_\_ Location map, including north arrow and map scale.
- \_\_\_\_\_ Zoning district, subdivision name, lot number, dimensions and area, and zoning of adjacent parcels where different than site.
- \_\_\_\_\_ Name, address and telephone number of the person or firm submitting the application, the submitter's legal interest and the person or firm who desires the review comments to be forwarded to them.
- \_\_\_\_\_ Proposed use of the building and its construction type and distance from adjacent property lines.
- \_\_\_\_\_ Off-street parking and loading spaces, required and proposed, including the number, size and location of those designated for the handicapped.
- \_\_\_\_\_ Type and availability of all utilities and of sanitary sewage treatment and stormwater drainage facilities, including detention and retention ponds.
- \_\_\_\_\_ Dimensions of existing and proposed roadway pavement and right-of-way width for streets abutting the site.
- \_\_\_\_\_ Existing and proposed contour lines or elevations, based on mean sea level datum, at intervals of five (5) feet or less.
- \_\_\_\_\_ Location and size of existing and proposed freestanding signs.
- \_\_\_\_\_ Location and identification of all right-of-ways and easements (existing and proposed).
- \_\_\_\_\_ Overall dimensions of all buildings and the gross floor area of each building.
- \_\_\_\_\_ Approximate location of any stormwater retention or detention facilities, sink holes and springs, silt berms, ponds and other silt control facilities.
- \_\_\_\_\_ At least two (2) section profiles through the site showing existing and/or proposed structures, as well as existing natural grade and/or proposed final grade.
- \_\_\_\_\_ The proposed ingress and egress to the site including adjacent streets.
- \_\_\_\_\_ A plan showing the proposed design intent as it relates to architectural consideration. Plans should be in sufficient detail to allow evaluation of the proposal and should show color, texture and material to be used for all exterior construction.
- \_\_\_\_\_ Use(s) proposed to be operated on the subject improved property.
- \_\_\_\_\_ Demonstration of capacity to fulfill requirements imposed in conjunction with the application if approved in original or amended form.