



Plan Commission

6801 Delmar Boulevard, University City, Missouri 63130 | 314-505-8500 | Fax: 314-862-3168

AGENDA

PLAN COMMISSION MEETING

Wednesday, February 26, 2025 at 6:30 pm

Location: Hybrid meeting (both in-person and virtual* attendance options)

Heman Park Community Center (975 Pennsylvania Avenue)

**For virtual meeting details, see next page.*

- 1. Roll Call**
- 2. Approval of Minutes**
 - a. May 2, 2024 Plan Commission Minutes
 - b. January 22, 2025 Plan Commission Minutes
- 3. Public Comments** – (Limited to 3 minutes for individual’s comments, 5 minutes for representatives of groups or organizations.)
- 4. Old Business**
- 5. New Business**
 - a. **Amendment to CUP-24-05**

Applicant: Michael Del Pietro
Request: Consider amendment to conditional use permit to allow for a reduction in the required parking from 31 to 29 parking stalls
Location: 7489 Delmar Boulevard
PUBLIC HEARING, VOTE REQUIRED
 - b. **Amendment to CUP-22-09**

Applicant: 170 and Olive Holdco, LLC
Request: Conditional Use Permit (CUP) to allow a reduction of up to 20% in the number of required off-street parking spaces, as required by Section 400.2140 of the Zoning Ordinance, for Lot 9 of the Market at Olive, Plat 2, in the “PD-C” Planned Commercial District.
Location: 8630 Olive Boulevard
PUBLIC HEARING, VOTE REQUIRED
- 6. Other Business**
- 7. Reports**
 - a. Council Liaison Report
 - b. Code Review Committee
 - c. Comprehensive Plan Committee
 - d. Housing & Third Ward Revitalization Task Force Report
 - e. Staff Updates
- 8. Adjournment**



Plan Commission

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VIRTUAL MEETING DETAILS

PLAN COMMISSION MEETING

Wednesday, February 26, 2025 at 6:30 pm

Location: Hybrid meeting (both in-person and virtual* attendance options)

Heman Park Community Center (975 Pennsylvania Avenue)

**For virtual meeting details, see next page.*

Observe and/or Listen to the Meeting (your options to join the meeting are below):

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/88569599321?pwd=5aLAza6F3wmbP4ZyYFjmeUf31fX8LT.1>

Passcode: 751079

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+13126266799,,88569599321#,,,,*751079# US (Chicago)

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+1 301 715 8592 US (Washington DC)

+1 253 215 8782 US (Tacoma)

+1 305 224 1968 US

+1 346 248 7799 US (Houston)

+1 646 931 3860 US

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Citizen Participation

Comments may be sent via email to: jwagner@ucitymo.org or mailed to the City Hall – 6801 Delmar Blvd. – Attention John L. Wagner, Director of Planning and Development. Such comments will be provided to the Plan Commission prior to the meeting. Comments will be made a part of the official record and made accessible to the public online following the meeting. Please note, when submitting your comments or invites, a **name and address must be provided**. Please also note if your comment is on an agenda or non-agenda item, and a name and address are not provided, the provided comment will not be recorded in the official record.



MEETING MINUTES (DRAFT)

PLAN COMMISSION

Location: via Videoconference (Zoom)

Thursday, May 2, 2024 at 6:00pm

The Plan Commission held a special session on Monday, May 2, 2024 via Videoconference (Zoom). The meeting commenced at 6:02 pm and adjourned at 6:20 pm.

Call to Order – (6:02 pm)

1. Roll Call

Present

Margaret Holly (Chair)

Al Fleischer

Charles Gascon

Ellen Hartz

Patricia McQueen

Jeff Hales (Council Liaison)

Absent

Mark Harvey

Tori Gonzales

Staff Present

John Wagner, Director of Planning & Development

John Mulligan, City Attorney

Noah Chapin, Planner

2. Approval of Minutes – None

3. Public Comments - None

4. Old Business - None

5. New Business

a. **SUB-24-03**

Applicant: U City, LLC.

Request: Approval of record plat at 8676 Olive (Market at Olive)

Location: 8676 Olive Boulevard

VOTE REQUIRED

Applicant Caroline Saunders explained that due to changes in the commercial tenants they are requesting to re-subdivide the lot from one large lot into 4 smaller lots.

Commissioner McQueen asked a question clarifying that there will be an access road from the signalized intersection on Olive and there will be shared access to all the resulting lots.

Mr. Mulligan clarified that the previous design had two out-lots at the request of Dierbergs, but the design now accommodates three tenants at the front and one large lot at the rear.

Commissioner Gascon clarified that this application was just for the lot subdivision and there would still be final development plans in the future.

A motion to recommend approval of the record plat was made by commissioner Fleischer, no discussion followed. Vote passed 5-0.

6. **Other Business:**
7. **Reports:**
 - a **None**
8. **Adjournment** – The meeting was adjourned at 6:20 pm.

DRAFT



MEETING MINUTES (DRAFT)
PLAN COMMISSION

Location: Videoconference (Zoom)
Wednesday, January 22, 2025, at 6:30pm

The Plan Commission held its regular session on Wednesday, January 22, 2025, via Videoconference (Zoom). The meeting commenced at 6:30 pm and adjourned at 7:40 pm.

Call to Order – (6:30 pm)

1. Roll Call

Present

Matt Belz

Mark Harvey

Patricia McQueen

Ellen Hartz

Charles Gascon

Tori Gonzalez

Al Fleischer Jr.

Staff Present

Mary Kennedy, Planner

John Wagner, Director of Planning & Development

John Mulligan, City Attorney

Noah Chapin, Planner

2. Public Comments – None

3. Approval of Minutes – Minutes from October 23, 2024, approved as written.

4. Old Business - None

5. New Business

a. Welcome new commissioner, Matt Belz

b. Election of 2025 Plan Commission Officers

i **Chair:** Charles Gascon nominated, approved unanimously.

ii **Vice Chair:** Patricia McQueen nominated, approved unanimously.

iii **First Alternate:** Tori Gonzalez nominated, approved unanimously.

c. Committee Appointments

i Code Review Committee: Committee will stay the same. Members will be commissioners Fleischer, Hartz, and Gonzalez.

ii Comprehensive Plan Committee: Members will be commissioners Harvey, McQueen, and Belz.

d. TXT-25-01

Applicant: City of University City

Request: Consider proposed text amendments regarding code sections 400.160, 400.1020, and 400.1050 regarding prevailing pattern determination

Location: N/A

VOTE REQUIRED



Department of Planning and Zoning

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 505-8500, Fax: (314) 862-3168

Ms. Kennedy introduced the item. The text amendment pertains to the “prevailing pattern” language in the zoning code as it relates to minimum lot area and minimum lot width. The amendment would allow a new mechanism for lots within subdivisions platted pre-1926 to satisfy legal requirements even if they are slightly below the “prevailing pattern” as defined in code § 400.1020(C), based on justification from nearby lots of similar width. The amendment was previously discussed and recommended by the Code Review Committee of this commission. Specifics about how many lots to include, how to calculate, and the implications of the new prevailing pattern text were discussed.

Mr. Chapin presented some maps that illustrate the analysis and implications of the amendment.

Ms. Kennedy elaborated on the agreement of this text amendment with the city’s goals, such as increasing housing density and allowing residential infill.

Commissioner Fleischer commented that the upcoming comprehensive zoning code amendment will likely also address this issue and clean up the language and methodology for lot minimums, and that this amendment may only be necessary in the meantime.

Motion to recommend approval of the text amendment to City Council was made by Commissioner Harvey, seconded by Commissioner McQueen. Motion passed unanimously.

6. **Other Business** - none
7. **Reports** - none
8. **Adjournment** – The meeting was adjourned at 7:40 pm.



Department of Planning and Development

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 505-8500, Fax: (314) 862-3168

STAFF REPORT

Highlighted text indicates changes from the original CUP staff report

Meeting Date	February 26, 2025
File Number	CUP-24-05
Council District	2
Location	7489 Delmar Boulevard
Applicant	Michael Del Pietro dba MDP5 LLC.
Property Owner	Michael Del Pietro dba MDP5 LLC.
Request	Amending Conditional Use Permit (CUP) to allow for restaurant use. New Request: Changes to site circulation and parking reduction terms.

Comprehensive Plan Conformance:

Yes No No reference

Staff Recommendation:

Approval Approval with Conditions Denial

Attachments:

1. Application Form
2. Narrative
3. Site Plan, Building Plan, and Elevations
4. Landscape Plan
5. Boundary Survey
6. Purchase Agreement
7. Department Comments

Applicant Request

The applicant, Michael Del Pietro dba MDP5 LLC., is requesting an amendment to the previously approved Conditional Use Permit (CUP) to authorize restaurant use for the property located at 7489 Delmar Boulevard. Changes to the CUP are as follows:

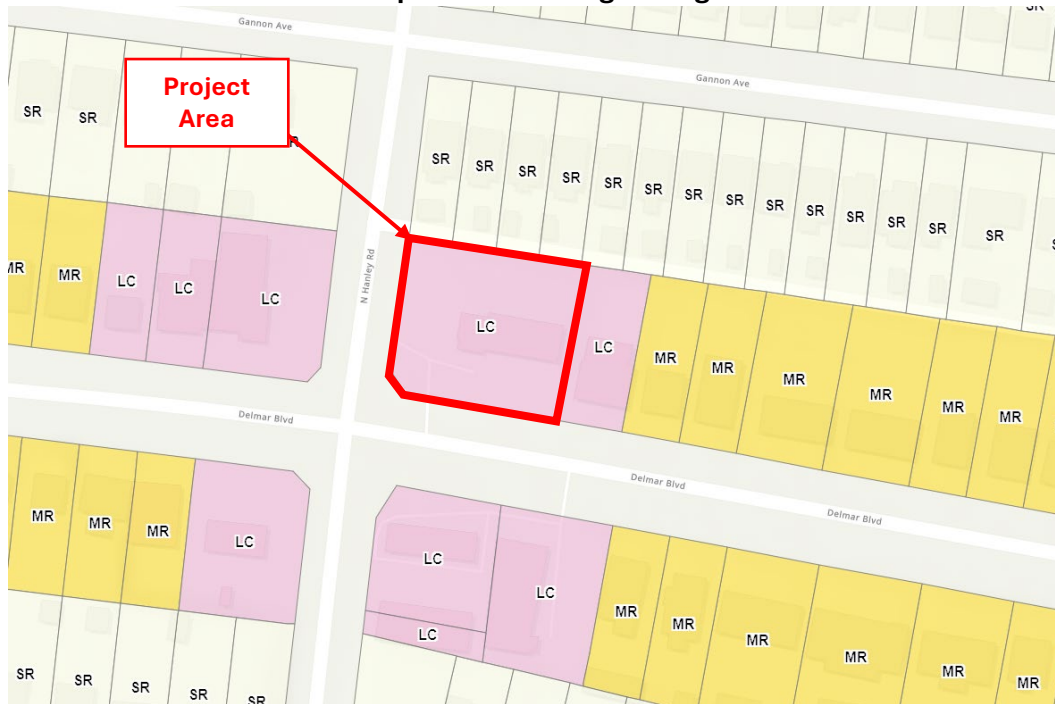
- Site plan changes including leaving open one of the Hanley curb cuts that was previously shown as closed, resulting in a loss of 2 parking spaces.
- Parking reduction increased from % to % to account for the reduction in parking spaces.

Existing Property

The subject property has a total area of approximately 0.45 acres and was previously occupied by an auto repair shop. The auto repair shop building is still standing and will be renovated and repurposed to serve the proposed restaurant use. Currently, the site features multiple curb cuts on both streets and parking surrounding the building on all sides.



Map 1. Surrounding Zoning



Analysis

Land Use and Zoning

The subject property is currently zoned Limited Commercial (“LC”), in which restaurants are a conditional use.

Table 1. Surrounding Zoning & Land Use

North	Single Family (SR); single-family homes
East	Limited Commercial (LR); Property management office
South	Limited Commercial (LR); Gas station; dry cleaners
West	Limited Commercial (LR); Dry cleaners

Off-Street Parking and Loading Requirements

Required parking: Restaurants, bars, and taverns

1 space per 75 square feet gross floor area (does not include patio)

$2,512 \text{ ft}^2 / 75 = 33.49$, **34 parking spaces required**

The applicant is proposing to provide 31 parking spaces. The property is located within 500 feet of a bus stop, which allows the parking requirement to be reduced by 10%, per § 400.2130(E).

The applicant is requesting to amend their site plan to add a second ingress/egress (on Hanley), which reduced the parking spaces by two, so they are now proposing to provide 29 parking spaces. With this exception, the required parking total for the proposed use is 30.6 parking spaces. Therefore, the applicant requires an additional reduction through the CUP of 5.2%.

As a note, the proposed outdoor dining area is not included in the above parking calculation because the zoning code does not require additional parking for outdoor dining areas. If the proposed patio, which is 756 square feet in area, were included in the calculation, 43.57 parking spaces would be required. The 10% reduction for transit proximity would amount to a reduction of 4.36 spaces. In addition, the City Council has the authority to reduce the parking requirements by 20% through the CUP procedure per § 400.2700(D)(2). This 20% reduction which would amount to 8.714 spaces. With these two reductions combined, the required parking for the interior + outdoor dining would be 30.50 (31) parking spaces, which the applicant has provided in the proposed site plan. It is staff’s opinion that 31 parking spaces is appropriate for the proposed use including the patio.

Site Coverage

The site is almost entirely paved, exceeding the 70% site coverage maximum for this lot. However, since the applicant is not increasing the degree of nonconformity, this maximum does not apply. In fact, by repaving portions of the site and adding strips of landscaping, the site coverage nonconformity will be slightly reduced.

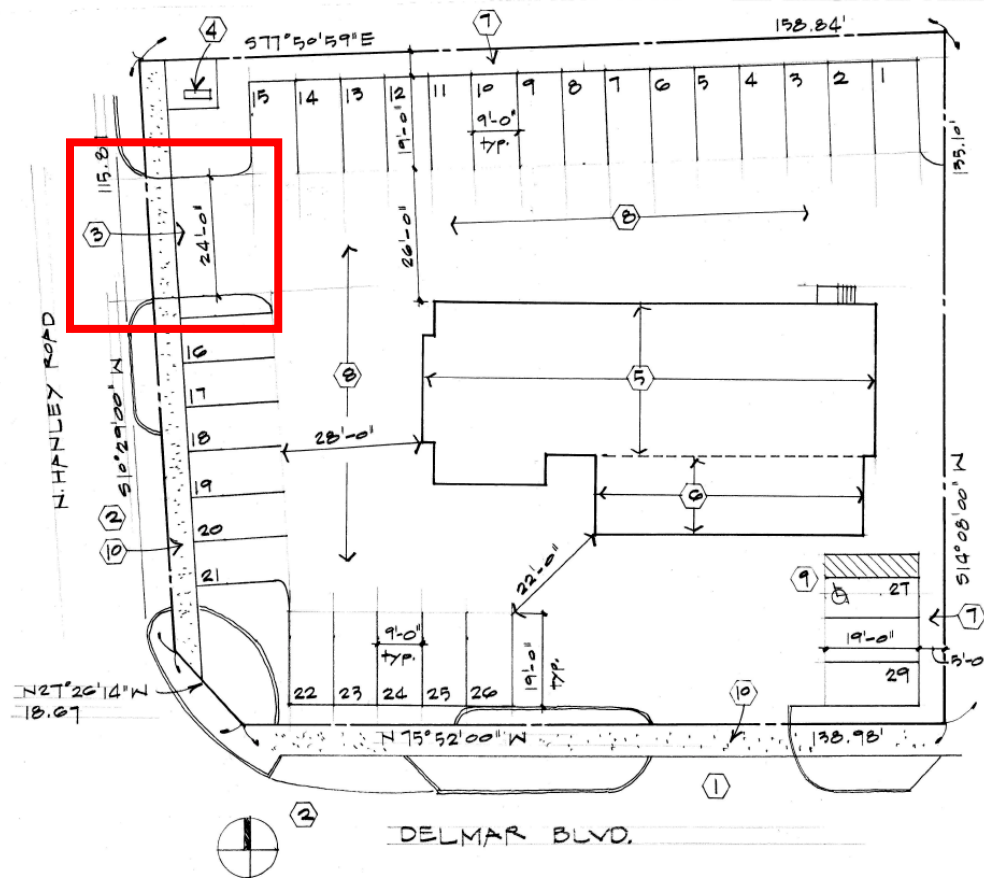
Dimensional Regulations

As a reuse of an existing building, any existing dimensional non-conformities are allowed to remain as long as the applicant does not increase the degree of the non-conformity. An existing dimensional non-conformity is a 2-foot landscape buffer at the north property line. The code requires a 10-foot landscape buffer, but because the proposed reuse and modifications would not increase the degree

of this non-conformity, they're not required to provide the full width of the buffer. The applicant is, however, willing to widen the buffer to 5 feet and plant shrubs and small trees, and this widened buffer is shown in the proposed site plan. There is also an existing fence at the north property line which will remain.

Circulation and Access

Access to the site will be restricted to two curb cuts, one each on Delmar and Hanley. The other 2 existing curb cuts will be closed. Staff has recommended that the applicant work with the County to determine how to safely close the curb cuts. The applicants are currently working with the County on what strategies would be acceptable.



The curb cut highlighted in red above was previously intended to be closed. The applicant is now seeking permission to keep that curb cut open for circulation and emergency access reasons. Staff agrees and has no issue with this curb cut remaining open as long as the parking reduction is approved.

Comprehensive Plan

The future character and land use map designates this site as an Activity Center, which encourages reuse of existing buildings and infill, neighborhood scale commercial uses, and walkability. The proposed use and site design are both in accordance with the recommendations of the city's comprehensive plan.

Other Departments' Comments

The proposed plans were shared with the Fire Department, Department of Public Works, and Police Department. Their responses are attached to this staff report, which included no comments.

Review Criteria

The applicant is in accordance with the Conditional Use Permit review criteria, as set forth in §400.2710 of the Zoning Code, and listed below:

1. The proposed use complies with the standards of this Chapter, including performance standards, and the standards for motor vehicle-oriented businesses, if applicable, as contained in Section 400.2730 of this Article.
2. The impact of projected vehicular traffic volumes and site access is not detrimental with regard to the surrounding traffic flow, pedestrian safety, and accessibility of emergency vehicles and equipment.
3. The proposed use will not cause undue impacts on the provision of public services such as police and fire protection, schools, and parks.
4. Adequate utility, drainage and other such necessary facilities have been or will be provided.
5. The proposed use is compatible with the surrounding area.
6. The proposed use will not adversely impact designated historic landmarks or districts.
7. Where a proposed use has the potential for adverse impacts, sufficient measures have been or will be taken by the applicant that would negate, or reduce to an acceptable level, such potentially adverse impacts. Such measures may include, but not necessarily be limited to:
 - a. Improvements to public streets, such as provision of turning lanes, traffic control islands, traffic control devices, etc.
 - b. Limiting vehicular access so as to avoid conflicting turning movements to/from the site and access points of adjacent properties, and to avoid an increase in vehicular traffic in nearby residential areas.
 - c. Provision of cross-access agreement(s) and paved connections between the applicant's property and adjacent property(ies) which would help mitigate traffic on adjacent streets;
 - d. Provision of additional screening and landscape buffers, above and beyond the minimum requirements of this Chapter;
 - e. Strategically locating accessory facilities, such as trash storage, loading areas, and drive-through facilities, so as to limit potentially adverse impacts on adjacent properties while maintaining appropriate access to such facilities and without impeding internal traffic circulation;
 - f. Limiting hours of operation of the use or certain operational activities of the use (e.g., deliveries); and
 - g. Any other site or building design techniques which would further enhance neighborhood compatibility.

Findings of Fact

According to §400.2720, the Plan Commission shall not recommend approval of a conditional use permit unless it shall, in each specific case, make specific written findings of fact based directly upon the particular evidence presented to it supporting the conclusion that the proposed conditional use:

1. Complies with all applicable provisions of this Chapter;
2. At the specific location will contribute to and promote the community welfare or convenience;

3. Will not cause substantial injury to the value of neighboring property;
4. Is consistent with the Comprehensive Plan, neighborhood development plan (if applicable), the Olive Boulevard Design Guidelines (if applicable), and any other official planning and development policies of the City; and
5. Will provide off-street parking and loading areas in accordance with the standards contained in Article VII of this Chapter.

Process – Required City Approvals

Plan Commission. Section 400.2700(C) of the Zoning Code requires that CUP applications be reviewed by Plan Commission. The Plan Commission shall make a recommendation to the City Council for their consideration. A public hearing is required at the Plan Commission meeting.

City Council. Section 400.2700(D) of the Zoning Code requires that CUP applications be reviewed by City Council for final decision, subsequent to a public hearing and recommendation from Plan Commission. In conducting its review, City Council shall consider the staff report, Plan Commission’s recommendation, and application to determine if the proposed CUP application meets the requirements of the Zoning Code.

Staff Recommendation

Staff recommends approval of the Conditional Use Permit for a restaurant to be located at 7489 Delmar Boulevard with the following conditions:

1. If changes to on-site circulation result from the County’s input, the applicant must submit the revised site plan to the Department of Planning & Development for their review and approval prior to issuance of any building permits. **Since the original CUP was approved, the applicant has proposed changes to site circulation with the addition of one curb cut; therefore, the applicant must obtain approval from St. Louis County for the modified curb cuts on Delmar Boulevard and Hanley Road, and the closure of the other two existing curb cuts.**



Department of Planning & Development

6801 Delmar Boulevard • University City, Missouri 63130 • 314-505-8500 • Fax: 314-862-3168

APPLICATION FOR CONDITIONAL USE PERMIT
Under Article 11 of the Zoning Code of University City, Missouri

1. Address/Location of Site/Building: 7489 Delmar Blvd.

2. Zoning District (check one):

SR LR MR HR HRO GC LC CC IC PA PD

3. Applicant's Name, Corporate or DBA Name, Address, Phone Number, and Email: Michael Del Pietro
MDP5 LLC • 7327 Westmoreland Dr., University City, MO
314.359.9407 Michael@mdprestaurants.com

4. Applicant's Interest in the Property: Owner Owner Under Contract Tenant*
Tenant Under Contract* Other* (explain):

* Zoning Code Section 400.2680 requires that the application come from one (1) or more of the owners of record or owners under contract of a lot of record (or zoning lot), or their authorized representative.

5. Owner's Name, Corporate or DBA Name, Address, Phone Number, and Email (if other than Applicant):

same as applicant

6. Please state, as fully as possible, how each of the following standards are met or will be met by the proposed development or use for which this application is being made. Attach any additional information to this application form.

a) Complies with all applicable provisions of the University City Zoning Code (e.g. required yards and setbacks, screening and buffering, signs, etc.).

repurpose of existing building and site for new restaurant use. all zoning code requirements will be met.

b) At the specific location will contribute to and promote the community welfare or convenience.

noted as per initial Conditional Use Permit application

c) Will not cause substantial injury to the value of neighboring property.

Noted as per initial Conditional Use Permit application

d) Is consistent with the Comprehensive Plan, neighborhood development plan (if applicable), and any other official planning and development policies of the City.

yes

e) Will provide off-street parking and loading areas in accordance with the standards contained in Article 7 of the University City Zoning Code

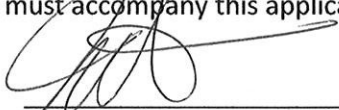
yes

**** In addition to this application form, memo detailing the following information is required:**

1) Description of the proposed Conditional Use, in narrative form. Please include historical information about the applicant, the company and/or the organization. Explain why this site was chosen for the proposal, state the number of employees that will be working at the site, state the hours of operation, explain other features unique to the proposed use and submit any other information that will help the Plan Commission and City Council in their decisions. 2) Estimated impact of the conditional use on the surrounding properties and adjacent streets, including, but not limited to, average daily and peak hour traffic generation, existing traffic volumes of adjacent streets, if available, use of outdoor intercoms, and any other operational characteristics of the proposed use that may have impacts on other adjacent or nearby properties. 3) Legal description of the property(s) proposed for the Conditional Use Permit when the proposed use involves a substantial addition or new construction.

A Public Hearing before the Plan Commission is required. Notice of such Public Hearing must be published in a newspaper of general circulation at least fifteen (15) days in advance. Upon receipt of a Plan Commission Recommendation, the City Council must consider this application and supporting information before a Use Permit may be granted. A fee of \$250 must accompany this application.

1-27-25
Date


Applicant's Signature and Title

Representing (if applicable)

FOR OFFICE USE ONLY

_____ Date Application was Received.

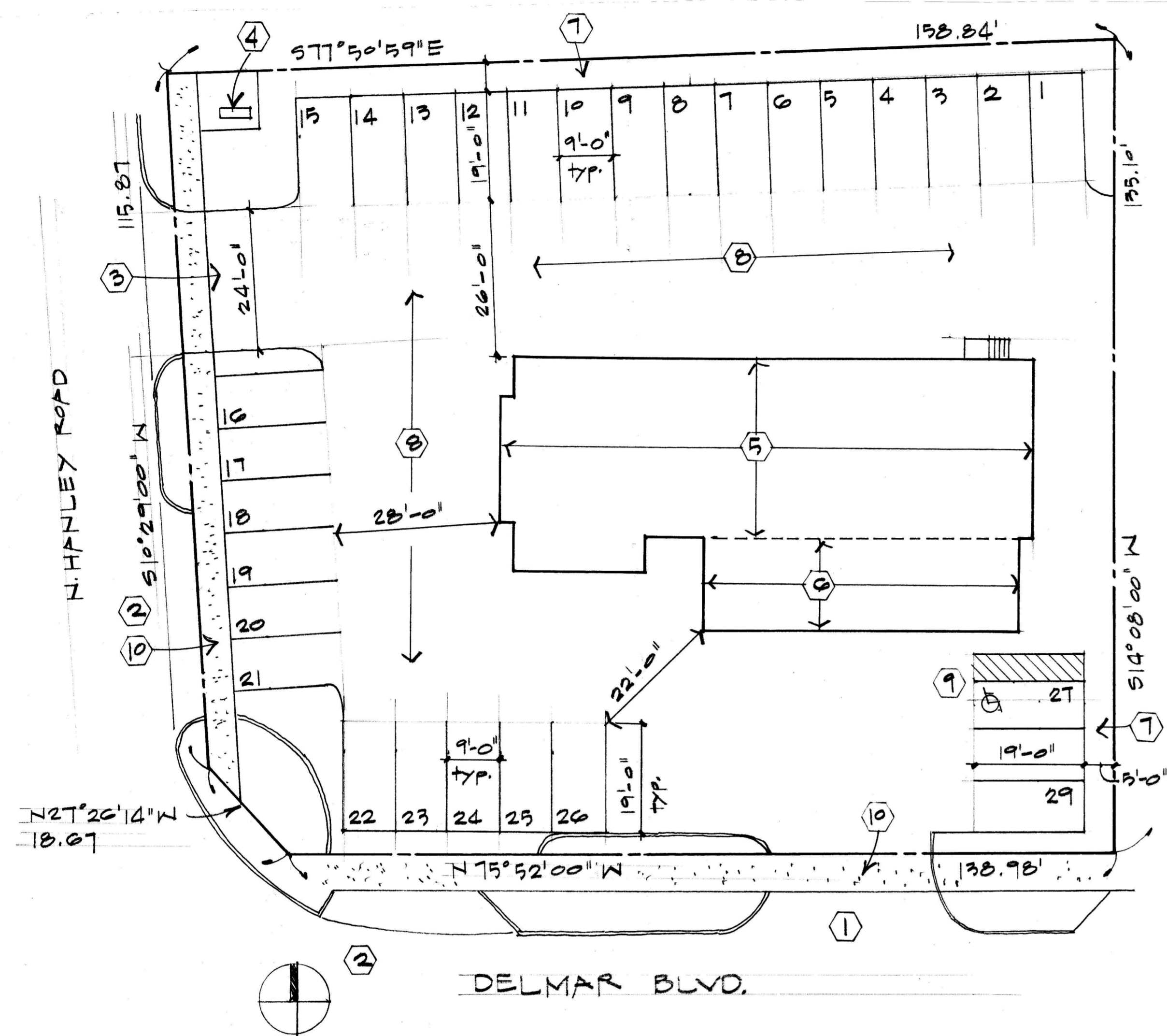
_____ Application Fee in the Amount of \$ _____ Receipt # _____

_____ Application returned for corrections or additional data, drawings, etc.

_____ Case # _____ created.

CONDITIONAL USE PERMIT MEMO FOR 7489 DELMAR BLVD.

1. Michael Del Pietro, dba as MDP5 LLC, has the property under contract (see attached preliminary sales contract).
Address: 7327 Westmoreland Dr., University City, MO 63130
Phone: 314-359-9407
2. Legal Description of Property: Lot 43 and Part of Lots 42 and 44 in Block 3 of West Delmar No.2, Plat Book 10 Page 81, U.S. Survey 2033, Township 45 North, Range 6 East, St. Louis County, MO.
3. Street Address: 7489 Delmar Blvd., University City, MO 63130
4. Michael Del Pietro has been in the restaurant business for 20 plus years. He attended and majored in hotel and restaurant management at the University of Nevada and then the Culinary Institute of America.
He opened his first restaurant in 1994.
Currently, Michael owns and operates Sugo's restaurant in Frontenac and Edwardsville, IL., Babbo's in Chesterfield, IL Palato in Clayton, and Del Pietro's in Richmond Heights. This location is a prime location to service the surrounding residential neighborhood and a demographic base that would welcome a friendly establishment serving a simple breakfast / coffee menu, lunch (pizza and sandwiches), and early sit down dinner service. The location is close to Michael's home address and since this will be the one location where he actually owns the building, it will receive his full time attention.
Hours of operation tentatively would be 7am till 9:00pm.
Number of employees to be 5- 6 per shift.
5. Impact of this Conditional Use on surrounding properties should be minimal. The location is located at an intersection that currently has commercial operations on all four corners so there should be no additional traffic concerns. The plan will be to close off two of the four existing curbcuts (the two closest to the Delmar Blvd. / Hanley intersection) which should in fact, improve the traffic flow at the intersection. The site shall offer adequate on site parking and in addition there is street parking on Delmar Blvd. as available

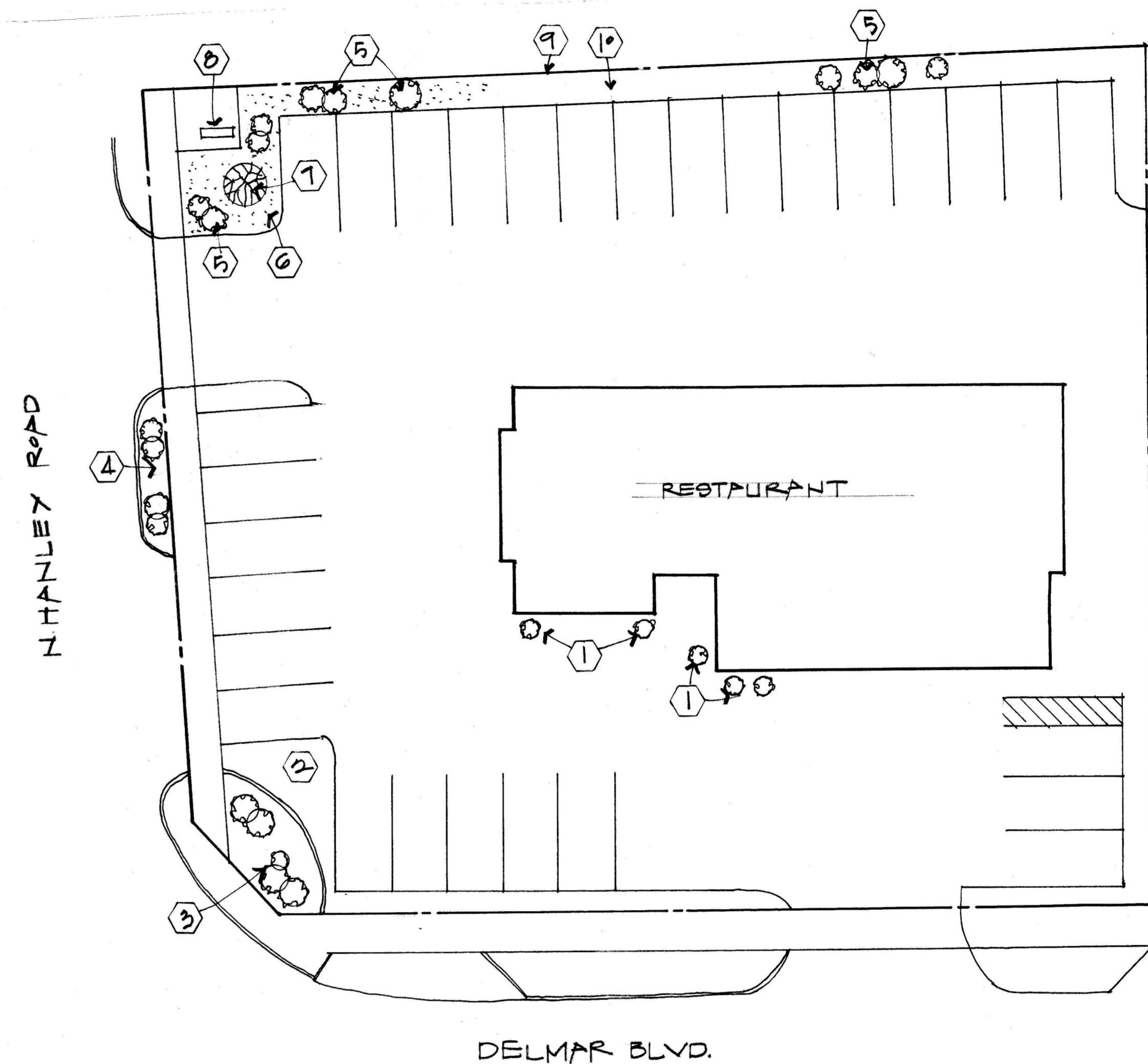


SITE PLAN

SITE PLAN KEYED NOTES

- ① Existing curb cut to remain
- ② Existing curb cut to be removed (proposed)
- ③ Reworked curb cut set slightly to the West of existing. New curb cut to be 24'-0" wide.
- ④ Existing AT&T equipment vault
- ⑤ Existing building. 2,814.0 SF
- ⑥ Proposed covered patio addition. 14 ft. x 54 ft. = 756 SF
- ⑦ 5'-0" landscape buffer
- ⑧ Drive aisle
- ⑨ Handicapped parking stall
- ⑩ Existing sidewalk

PARKING STALL COUNT = 29 STALLS TOTAL



CONCEPTUAL LANDSCAPING PLAN

KEYED NOTES

- ① Decorative evergreen shrubs in planters
- ② Paved area
- ③ Planting area of low shrubs (boxwoods or similar) with mulch
- ④ Planting area with drought resistant decorative grasses and mulch
- ⑤ Drought resistant shrubs
- ⑥ Mulched area
- ⑦ Decorative flowering tree (Dogwood or similar)
- ⑧ Existing AT&T equipment vault
- ⑨ Existing wooden fence to remain
- ⑩ 5' landscaped buffer zone with mulch

Date: 1-27-25 Project:

Revisions: **Preliminary Plan
Proposed Restaurant
7489 Delmar Blvd.
University City, MO**



Department of Planning and Development

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 505-8500, Fax: (314) 862-3168

STAFF REPORT

As presented in 2022, see below for amendment request

MEETING DATE: September 28, 2022

FILE NUMBER: CUP 22-09

COUNCIL DISTRICT: 3

Applicant: 170 and Olive Holdco, LLC

Location: 8630 Olive Boulevard

Property Owner: 170 and Olive Holdco, LLC

Request: Conditional Use Permit (C.U.P.) to allow a reduction of up to 20% in the number of required off-street parking spaces, as required by Section 400.2140 of the Zoning Ordinance, for Lot 9 of the Market at Olive, Plat 2, in the "PD-C" Planned Commercial District.

Existing Zoning: GC – General Commercial

Existing Land Use: Vacant

Proposed Zoning: No Change

Proposed Land Use: Commercial

Surrounding Zoning and Current Land Use:

North: GC – General Commercial District / PA – Public Activity Dist.

East: GC – General Commercial District / PA – Public Activity Dist.

South: SR – Single-family Residential District

West: IC – Industrial Commercial District

STAFF RECOMMENDATION

Approval Approval with Conditions Denial

COMPREHENSIVE PLAN CONFORMANCE

Yes No No reference

Attachments:

- A. Application for Conditional Use Permit
- B. C.U.P. Applicant Memo and Site Plan

Applicant's Request – Parking Reduction

As noted in the Applicant Memo, a mix of uses is proposed for Lot 9 (Building O) of Phase Two of the Market at Olive development: 3,800 square-feet of restaurant uses and 8,400 square-feet of office/commercial uses, consisting of four (4) tenants. If these uses were parked according to §400.2140 of the Zoning Ordinance, 93 spaces would be required. The Applicant is requesting a decrease of 10 spaces, or a 10.75% decrease.

It should be noted that the Applicant is also requesting/providing an increase in the number of stacking spaces required in lieu of the parking spaces. The Applicant's rationale is outlined in the memo.

Staff Recommendation

Staff is of the opinion that the proposed use to allow would have minimal impact on the surrounding properties and streets adjacent to the Development and provide for a better development.³⁸

Staff is recommending approval of the request for a Conditional Use Permit to decrease the number of required off-street parking spaces, as required by Section 400.2140 of the Zoning Ordinance, for Lot 9 of the Market at Olive, Plat 2 from 93 to 83, a decrease of 10.75%.

Amendment Request Below:

Meeting Date: February 26, 2025

Request: Amend the conditions of the CUP relating to parking reduction and total parking counts to reflect the new proportion of uses on the site.

The parking calculation in 2022:

- 3,800 sq.ft. Restaurant (1 space per 75 sq.ft.) = 51 parking spaces
- 8,400 sq.ft. Commercial/Office (1 space per 200 sq.ft.) = 42 parking spaces
- 93 Total parking spaces required
- A 10.75% parking reduction was approved, resulting in 83 parking spaces being provided.

Parking calculation with new proportion of uses:

- 6,419 sq.ft. Restaurant (1 space per 75 sq.ft.) = 86 parking spaces
- 5,572 sq.ft. Commercial/Retail (1 space per 200 sq.ft.) = 28 parking spaces
- 114 Total parking spaces required

Reductions

- 10% automatic reduction in parking requirement for being located within 500 ft of a transit stop results in 102.6 parking spaces required, per § 400.2130(E).
- The applicant wishes to provide 88 total parking spaces, which requires amending the parking reduction approved through the CUP from 10.75 to 14.23%. The Plan Commission has the authority to recommend, and the City Council has the authority to approve this reduction, per § 400.2700(D)(2).

Staff believes that this is an acceptable amount of parking based on the current configuration of the larger development, as well as increased market demand for drive-through services versus indoor dining.

Staff Recommendation

Staff recommends approval of the amendment to CUP-22-09.

January 27, 2025

John Wagner
City of University City
6801 Delmar Boulevard
University City, MO 63130

**Re: Lot 9 (Building O) – Application for Amendment to Conditional Use Permit
8616 Olive, 8620 Olive, 8624 Olive, 8628 Olive (Lot 9, Building O)
CUP 22-09**

John:

On behalf of 170 and Olive Holdco, LLC (“Applicant”) enclosed is an Application to amend Conditional Use Permit (CUP) 22-09 regarding Lot 9 of Market at Olive Plat 2 (“Lot 9”). Lot 9 contains a 12,200 square foot mixed use (retail and restaurant) with one (1) drive-through window (“Building O”). CUP 22-09 provides for a reduction in the number of required off-street parking spaces, as required by Section 400.2140 of the Zoning Ordinance, for Lot 9 from 93 to 83, a decrease of 10.75%.

CUP-22 does not specify whether the permitted reduction in off-street parking spaces is specific to specific uses in Building O. At the time of the previously filed application for CUP 22-09, Applicant anticipated 3,800 SF of restaurant uses and drive-through with the remainder to be leased to either restaurant or office/commercial uses. As of the date of this Application, Applicant anticipates 6,400 SF of restaurant space with the remainder (5,600 SF) as other commercial retail.

The purpose of this Application is to request clarification that CUP-22 permits 83 off-street parking spaces regardless of uses within Building O or, in the alternative, request amendment to CUP 22-09 to allow for 88 off-street parking spaces with an anticipated 6,400+/- SF of restaurant and 5,600+/- SF of other commercial retail or office uses.

Other than requested clarification or amendment to CUP 22-09, Building O complies with the PD-C zoning. Building O’s design layout takes into account the known end-cap end-user’s (Panera and Five Guys) current standard building layout and drive-through configuration which is driven by market demand for less indoor dining and more drive through options.

If you have any questions or need further information, please contact me.

Very truly yours,



Caroline P. Saunders
(314) 323-0581



Department of Community Development

6801 Delmar Boulevard • University City, Missouri 63130 • 314-505-8500 • Fax: 314-862-3168

APPLICATION FOR CONDITIONAL USE PERMIT Under Article 11 of the Zoning Code of University City, Missouri

1. Address/Location of Site/Building: **8616 Olive, 8620 Olive, 8624 Olive, 8628 Olive (Lot 9, Building O)**

2. Zoning District (check one):

SR LR MR HR HRO GC LC CC IC PA PD

2. Applicant's Name, Corporate or DBA Name, Address and Daytime Telephone: _

170 and Olive Holdco, LLC
Attn: Caroline Saunders
1401 South Brentwood
Suite 600
Brentwood, MO 63144

4. Applicant's Interest in the Property: X Owner

* Please Note: Zoning Code Section 400.2680 requires that the application may only come from one (1) or more of the owners of record or owners under contract of a lot of record (or zoning lot), or their authorized representative. If you are applying as a tenant, tenant under contract or other, you must attach a letter from the owner stating you are an authorized representative of them and they give you permission to file this application for Conditional Use on their behalf.

5. Owner's Name, Corporate or DBA Name, Address and Daytime Telephone, if other than Applicant:

Same as above.

6. Please state, as fully as possible, how each of the following standards are met or will be met by the proposed development or use for which this application is being made. Attach any additional information to this application form.

a) Complies with all applicable provisions of the University City Zoning Code (e.g. required yards and setbacks, screening and buffering, signs, etc.).

Building O complies with its current zoning designation.

b) At the specific location will contribute to and promote the community welfare or convenience.

Development of and uses within Building O are consistent with the Market at Olive TIF Redevelopment Plan.

c) Will not cause substantial injury to the value of neighboring property.

Development of and uses within Building O are consistent with the Market at Olive TIF Redevelopment Plan.

d) Is consistent with the Comprehensive Plan, neighborhood development plan (if applicable), and any other official planning and development policies of the City.

The proposed uses within Building O are consistent with the Comprehensive Plan.

e) Will provide off-street parking and loading areas in accordance with the standards contained in Article 7 of the University City Zoning Code

This application is for either a clarification or an amendment to existing CUP 22-09 to allow for a reduction in the number of required off-street parking for mixed uses included in Building O (anticipated 6,400 SF of restaurant uses and drive-through with the remainder (5,600 SF) as other commercial retail of office uses. See enclosed further explanation.

** Please Note: You should also submit twelve (12) copies of a memo detailing the following information:

- 1) Description of the proposed Conditional Use, in narrative form. Please include historical information about the applicant, the company and/or the organization. Explain why this particular site was chosen for the proposal, state the number of employees that will be working at the site, state the hours of operation, explain other features unique to the proposed use and submit any other information that will help the Plan Commission and City Council in their decisions.
- 2) Estimated impact of the conditional use on the surrounding properties and adjacent streets, including, but not limited to, average daily and peak hour traffic generation, existing traffic volumes of adjacent streets, if available, use of outdoor intercoms, and any other operational characteristics of the proposed use that may have impacts on other adjacent or nearby properties.
- 3) Legal description of the property(s) proposed for the Conditional Use Permit, when the proposed use involves a substantial addition or new construction.

A Public Hearing before the Plan Commission is required by Ordinance. Notice of such Public Hearing must be published in a newspaper of general circulation at least fifteen (15) days in advance. Upon receipt of a Plan Commission Recommendation, the City Council must consider this application and supporting information before a Use Permit may be granted. A fee of \$250 must accompany this application.

January 27, 2025
Date

Applicant's Signature and Title

170 and Olive Holdco, LLC

Representing (if applicable) _____

FOR OFFICE USE ONLY

_____ Application First Received.

_____ Application Fee in the Amount of \$ _____ Receipt # _____

_____ Application returned for corrections, additional data.

_____ Final complete application received.

_____ File # _____ created.

U-CITY PARKING REGULATIONS – MARKET AT OLIVE

The evolution of dining establishments from the time University City's existing parking regulations were enacted to the parking needs for restaurants today has changed dramatically.

Dining outside the home was previously dominated by full-service, sit-down restaurants that accommodated 150-200 diners, many arriving with only two people per car and occupying a parking space for an hour or longer (e.g. Olive Garden, Texas Roadhouse, etc.), resulting in bringing 75-100 customer cars to a restaurant of 5,000 SF+/- plus a sizable number of employees, creating the need for a parking ratio of 13.33:1,000 as stipulated in the existing zoning code.

Today's dining establishments, especially those at Market At Olive, are predominantly quick service or fast casual restaurants derive more than 50% and up to 70% of their revenue from a combination of their drive through window and mobile pickup orders where the customer orders ahead on their app, park, run into the restaurant, pick up their order and return to their car occupying a parking space for less than two minutes. Those customers who dine inside the restaurant generally spend approximately 15 minutes inside the restaurant. These restaurants also have much fewer employees than full-service restaurants since menus are simpler, table service is not provided and the restaurant occupies only 1/3 to 1/2 the size of a full-service, sit-down restaurant. This combination of circumstances greatly reduces the amount of parking needed to satisfy parking demand.

As a result of these new trends in dining, it is not necessary, as evidenced by these restaurant operators not requesting parking be provided in the quantity prescribed by the City's parking regulations, to provide the quantity of parking spaces required by the City's parking regulations.

Therefore, we respectfully request that the CUP for Building "O" be amended such that the off-street parking required for restaurants be reduced from 1:75 SF to 1:125 SF; and the planned mixed uses within Building O (anticipated 6,400+/- SF of restaurant and 5,800+/- SF of other commercial retail or office uses) require not more than 88 off-street parking spaces.

Thank you for your consideration of this request.