

City of O'Fallon Planning and Development Department

100 North Main Street
O'Fallon, Missouri 63366
www.ofallon.mo.us



For additional information send inquiries to:
E-mail: tcoffman@ofallon.mo.us or call (636) 379-5544

Conditional Use Permit/Conditional-Approval Application

OFFICE USE ONLY		
Date of Initial Submittal: _____	Case No.: _____	Application Fee \$100.00 Paid: _____

Subject Property Information (Please Type or Print all requested information):

Property Location (Including Address, if applicable): _____

Proposed Use of Property: _____

Current Zoning: _____ Proposed Zoning (If Applicable): _____

Contact Information:

Applicant: _____	Property Owner: _____
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Name: _____ Name: _____

Contact Person: _____ Contact Person: _____

Address: _____ Address: _____

City/State/Zip: _____ City/State/Zip: _____

Phone: _____ Phone: _____

E-mail: _____ E-mail: _____

Contract Purchaser (if applicable): _____	Engineer: _____
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Name: _____ Name: _____

Contact Person: _____ Contact Person: _____

Address: _____ Address: _____

City/State/Zip: _____ City/State/Zip: _____

Phone: _____ Phone: _____

Email: _____ Email: _____

Applicant Signature

Date

Owner Signature

Date

APPLICATION SUBMITTAL INFORMATION

- All items shall be submitted electronically to tcoffman@ofallon.mo.us. Electronic submittals shall be Adobe PDF with the measuring functionality enabled for review purposes. If an electronic submission cannot be made, please provide one (1) copy of all documents no larger than 11X17 in size.
- The applicant will be billed for the application fee of \$100.00. The fee shall to be paid regardless of Conditional Use Permit approval.
- The applicant will be billed for the cost of \$ 1.24 mailing fee for the notification of each adjacent property owner within a 300 foot radius of the subject site. Two notification letters are sent to the adjacent properties, the first provides notification of the pending application, and the second provides notification of the Commission or Councils final action.
- Within a week and a half of receipt of the application, City Staff may send an email to all parties listed on this application with a report listing comments and issues that need to be addressed in order to meet City standards. The applicant will then be asked to revise and resubmit the plans as an Adobe PDF electronically.
- As part of the revised 2nd submittal, responses as to how you have addressed each of the comment items shall be provided. If the applicant fails to address all of the noted items on their 2nd submittal, the submission may not be brought before the Planning and Zoning Commission.

This Conditional Use Permit Application and Checklist outlines the items typically addressed with an initial submittal of a Conditional Use Permit. This checklist is a guide to the generally required information on a Conditional Use Permit, but may not be inclusive of all the information that may be required to meet City Code. Please refer to Title IV: Land Use Chapter of the O'Fallon Municipal Code for more specific and detailed requirements.

- Provide an explanation of the nature of the use or business. Indicate which of the following Conditional Uses of the Property is proposed:
 - Bar, Pub, Nightclub, and Tavern
 - Restaurant, coffee shop, bakery, and similar dining establishment (without drive thru windows) which sell or serve alcoholic beverages by the drink
 - Microbrewery within a restaurant or a do-it-yourself beer and wine making store
 - Day Care Center (Commercial District)
 - Kennel (Agricultural District)
 - Other/Please specify:_____ (See Appendix A) (Action from the Planning and Zoning Commission and City Council Required.)
- Include on the plans a site location map that shows site in relation with the surrounding area. Include boundary dimensions, including bearings and distances and size of the subject property, correlated with the legal description of said property.
- Label parking spaces required, showing all supporting calculations. In addition, the site plan shall demonstrate, with appropriate labels and markings, that all parking spaces and loading zones, especially those designed for handicapped accessibility, are of sufficient width and depth (including all adjacent lane stripping and ramp access routes) to meet all zoning and ADA requirements.
- Chapter 402 of the *Zoning Code* provides the requirements for landscaping and screening on a developing site, using these requirements, construct a detailed landscape plan, with a full legend or key, that shows the location, number, and types, of plant materials required based on linear street frontage, zoning district, parking lot, and bufferyard landscape requirements. Supporting

calculations demonstrating compliance with these requirements shall be included on the landscape plans.

- Provide details for all proposed improvements shall be submitted with the Conditional Use Permit.
- Demonstrate compliance with Article XIII of the *Zoning Code*, Performance Standards.
- Any other information deemed necessary by the Planning and Zoning Commission; or any additional information deemed necessary by the Director of Planning and Development to adequately illustrate the proposed development shall be provided.

CRITERIA FOR EVALUATION

In reviewing any application for a Conditional Use Permit, the Planning and Zoning Commission shall identify and evaluate all factors relevant to the application, and shall report its Findings in full, along with its recommendations for disposition of the proposed Conditional Use to the City Council. The facts to be considered by the Planning and Zoning Commission shall include but not be limited to the following:

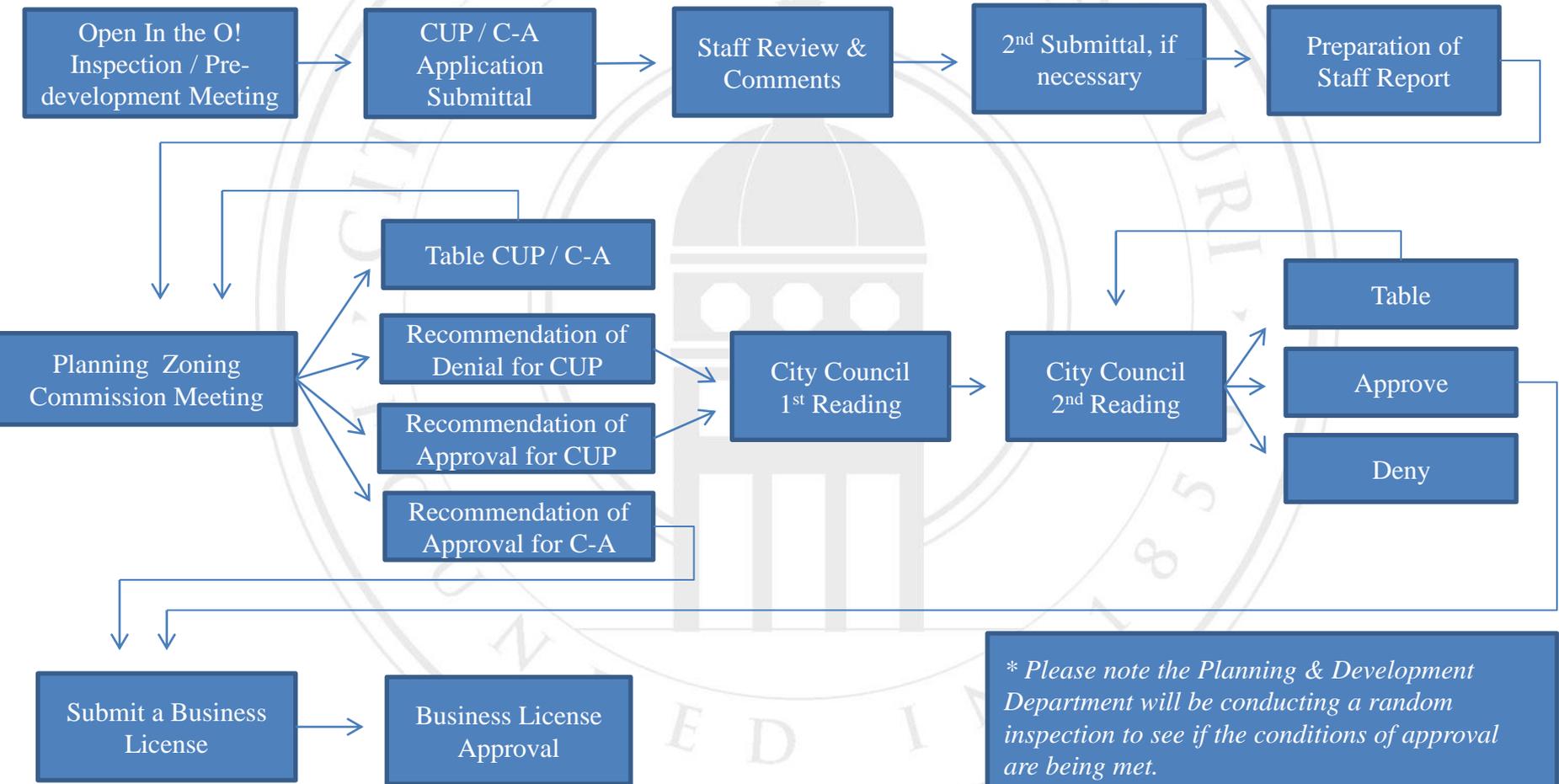
1. The proposed Conditional Use complies with all applicable provisions of the Zoning Code, including intensity of use regulations, yard regulations, and use limitations.
2. The proposed Conditional Use at the specified location will contribute to and promote the welfare and convenience of the public.
3. The proposed Conditional Use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.
4. 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:
 - The location, nature and height of building, structures, walls and fences on the site.
 - The nature and extent of proposed landscaping and screening on the site.
5. Off-street parking and loading areas shall be provided in accordance with the standards set forth in the Zoning Code.
6. Adequate utility, drainage, and other such necessary facilities have or will be provided.
7. Adequate access roads or entrance and exit drives must be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.
8. In consideration of requests for any Conditional Use Permits, the Planning and Zoning Commission and/or City Council shall require such conditions of use as it deems necessary to protect the best interest of the City and the surrounding property and to achieve the objectives of the Zoning Code. These additional requirements shall include, but not be limited to, those special provisions applying to Miscellaneous Conditional Uses specified in Section 400.330 of the Zoning Code. A violation of a requirement, condition, or safeguard shall be considered a violation of the Zoning Code, and grounds for an Administrative Official of the City to terminate and cancel such Conditional Use Permit.

9. A time limitation may be required on the Conditional Use specified in Appendix "A" of the Zoning Code. Said Conditional Use Permit shall be renewable at the discretion of the Planning and Zoning Commission and/or City Council.
10. No application which has been denied (either wholly or in part) shall be resubmitted for a period of twelve (12) months from the date of said order of denial, except on grounds of new evidence or proof of change of factors found valid by the Director of Community Development. If the facts of the case do not establish that the findings and standards set forth in the Zoning Code will apply to the proposed use, the Conditional Use shall be denied.

Please Note:

- Prior to approval of a *Building Permit*, a *Construction Site Plan* must be reviewed and approved by City Staff. In addition, the appropriate Fire District will need to review and approve the development.
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- Outstanding Municipal Code Requirements and conditions of approval of the *Conditional Use Permit* shall be addressed on Construction Site Plans.
- Any business occupying the site requires approval of a *Business License*.
- Once the Conditional Use Permit has been approved by the Planning and Zoning Commission, the permittee must submit a letter accepting all conditions, safeguards and restrictions upon the conditional use. The permittee shall within thirty (30) days of the adoption of the resolution granting the conditional use permit notify the Planning and Development Department in writing that the conditional use permit is accepted and that the conditions, safeguards and restrictions set forth therein are understood and will be complied with. Failure to submit the required written acceptance will result in the rescinding of the approval.

Conditional Use Permit (CUP) / Conditional Approval (C-A) Process



** Please note the Planning & Development Department will be conducting a random inspection to see if the conditions of approval are being met.*

** The applicant or another representative must attend all Planning & Zoning Commission and City Council Meetings.*