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**CITY OF ARNOLD, PLANNING COMMISSION**  
**JULY 24 2018, MEETING**

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**TO:** THE PLANNING COMMISSION  
**FROM:** CHRISTIE HULL BETTALE - EIT, COMMUNITY DEVELOPMENT  
**SUBJECT:** 2018-26, CONDITIONAL USE FOR A FAST FOOD RESTAURANT AND  
TEMPORARY SEASONAL STRUCTURE, 1261 WATER TOWER PLACE  
**DATE:** JULY 20, 2018  
**CC:**

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**Request**

Mrs Alexia Taylor with Interplan, representing MOD Pizza has submitted for approval of a Conditional Use Permit for a fast food restaurant at 1261 Water Tower Place. Please find attached the application and written responses to the criteria used to review a conditional use permit. Also refer to the Staff report dated July 20, 2018, 2018-27 Commercial site plan for plans and elevations.

**Analysis**

We are pleased to see this new style of fast food dining be brought to Arnold. MOD Pizza is Artisan-style pizzas and salads are individually sized, made on demand, and ready in just minutes. Dough and ingredients are fresh and in house and pizzas are baked brick oven style.

Staff's main points have been outlined in the Staff report for File Number 2018-27, Commercial Site Plan approval for MOD Pizza and those comments are applicable here and the proposed conditions of approval for this application reflect those comments.

To address the patio addition, has a timber awning with fabric covering which is temporary in nature and will be removed in the winter season. A board of adjustment approval will be needed for the awning, any temporary structure must abide by the 50' set back and the proposal is not meeting this requirement.

This Conditional Use Permit Request is twofold: 1<sup>st</sup> for fast food and 2<sup>nd</sup> for the allowance of a temporary structure. Note: any temporary structure placed in excess of 31 day requires a CUP.

When reviewing a conditional use permit, the following must be taken into consideration:

**The use is deemed consistent with good planning practice.** Fast food is not inconsistent with good planning practice.

**The use can be operated in a manner that is not detrimental to the permitted developments and uses in the district.** The use will not be detrimental to the permitted developments and other uses in the district since there are other fast food restaurants operating the vicinity with no detrimental impacts.

**The use can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area.** The existing space at 1261 Water Tower Place will be renovated. The updates and new styling will be fresh look and unique improvement that will complement the surrounding area.

**The use is deemed essential or desirable to preserve and promote the public health, safety, and general welfare of the City of Arnold.** The use can be deemed desirable by providing a choice in dining opportunities. In addition, the building renovation will promote the health, safety and welfare of the uses of the area.

### **Staff Recommendation**

Staff recommends the Planning Commission approve the requested conditional use permit with the below findings and conditions.

#### **Findings:**

1. Fast food is not inconsistent with good planning practice.
2. The use will not be detrimental to the permitted developments and other uses in the district since there are other fast food restaurants operating the vicinity with no detrimental impacts.
3. The existing space at 1261 Water Tower Place will be renovated. The updates and new styling will be fresh look and unique improvement that will complement the surrounding area.
4. The use can be deemed desirable by providing a choice in dining opportunities. The use can be deemed desirable by providing a choice in dining opportunities. In addition, the building renovation will promote the health, safety and welfare of the uses of the area.

#### **Conditions:**

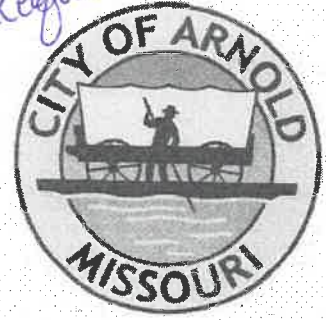
1. The Board of Adjustment approves the variances for MOD Pizza 50' yard setback for the Seasonal Awning.
2. The Commercial Site Plan for MOD Pizza is approved by the Planning Commission.
3. Should trees need to be removed, they need replacement inch for inch in caliper with city approved type of tree to be reviewed by staff.

4. Any existing or new dumpster for use by MOD pizza must have a screened enclosure complimentary with the building and per city code requirements.
5. Current ADA standards will be met for new construction and site improvements.

Sign up by: 7/9  
P&Z meeting 7/24

Public Hearing  
Notice Required

Community Development Department  
City of Arnold  
2101 Jeffco Blvd.  
Arnold, MO 63010  
636-282-2378  
636-282-6677 Fax



### CONDITIONAL USE PERMIT APPLICATION

File Number 2018-26

\$400.00 Fee - Paid

#### APPLICANT/CONTRACT PURCHASER

Alexia Taylor  
Name

604 Courtland St. Ste. 100 Orlando, FL 32804  
Address, City, State, Zip

407.645.5008  
Telephone Number

407.629.9124  
Facsimile Number

1261 Water Tower Place Arnold, MO 63010  
Property Address (or nearest intersection)

#### OWNER

MOD Superfast Pizza, LLC  
Name

2035 158th CT NE #200 Belleue, WA 98008  
Address, City, State, Zip

Telephone Number

Facsimile Number

C-3  
Zoning of Property

Proposed Use Fast food restaurant (restaurant without table service)

#### Adjacent Zoning/Uses

C3	C3	C3	C3
North	South	East	West

6/28/18  
Date of Application

Alexia Taylor  
Signature of Applicant

7/24/18  
Meeting Date Targeting

David Zimmerman  
Signature of Owner

Email or Call 407/645-5008 (Alexia)  
Q: Ataylor@interplanllc.com

7.19.18

City of Arnold  
2101 Jeffco Blvd.  
Arnold, MO 63010

Reference: City of Arnold, MO Special Use Application  
IP # 2018.0043  
MOD Pizza Arnold, MO

Dear Christie R Hull Bettale, EIT:

Please accept this letter as acknowledgment of the items listed below for request of review of the application for conditional use approval for the proposed MOD Pizza located in Arnold, MO.

- a. Such development or use is deemed consistent with good planning practice.
- b. The development or use can be operated in a manner that is not detrimental to the permitted developments and uses in the district.
- c. The development or use can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area.
- d. The development or use is deemed essential or desirable to preserve and promote the public health, safety, and general welfare or the City of Arnold.

Sincerely,  
**INTERPLAN LLC**



Richard B. Paszkiet, NCARB, AIA, LEED AP BD+C  
Associate Director