



PLANNING AND ZONING COMMISSION

AGENDA FOR REGULAR MEETING

March 9, 2026

PLANNING AND ZONING COMMISSION:

Shawn Luesse, Chair
Julie Bartch, Vice-Chair
Missy Palitzsch, Secretary
Dan Borgmeyer, Mayor
Michael Galba, City Council Liaison

John Morgan
Chris DeGuentz
Tyson King
Adriana Perrone
Keith Liston

Commission Members:

A regular meeting of the St. Charles Planning and Zoning Commission will be held on **Monday, March 9, 2026**, beginning at 6:00 p.m. on the fourth floor of City Hall Chambers, 200 North Second Street, St. Charles, Missouri.

1. Call to order and the roll.
2. The Pledge of Allegiance.
3. Approve the minutes of the February 9, 2026 Planning and Zoning Commission meeting.

PUBLIC HEARING: Rezoning

4. Case No. Z-2026-05. (99 to 1, LLC, Mark Bayliss & Kayla Fozzard) An application to annex and establish the zoning for a 0.88-acre tract of land located at 1408 Fischer Lane, from St. Charles County "R1E" Single-Family Residential District to the City of St. Charles "R-1E" Single-Family Residential District. The subject property will be located in Ward 5 upon annexation.

PUBLIC HEARING: Conditional Use

5. Case No. CU-2024-22. (Bench Racers – Frederick Stark & Stephanie Lai) An application to amend an existing Conditional Use Permit to include Liquor Sales via §400.290(C)(2) within the "FD/FPD" Frenchtown District and also within the Frenchtown Preservation District overlay located at 1801 N. 2nd Street. The subject property is located in Ward 1.

PUBLIC HEARING: Conditional Use

6. Case No. CU-2026-03. (Abelardo's Mexican Food, LLC) An application for a Conditional Use Permit per §400.220(C)(1)(a) for In-Vehicle Sales/Service (a restaurant drive-through) within the "C-2" General Business District, located at 2412 W Clay Street. The subject property is located in Ward 9.

PUBLIC HEARING: Conditional Use

7. Case No. CU-2026-05. (Sushi Ai – Yan Chen) An application for a Conditional Use Permit per §400.220(C)(1)(a) for Liquor Sales within the "C-2" General Business District, located at 3010 W. Clay Street. The subject property is located in Ward 9.

PUBLIC HEARING: Planned Development Amendment

8. Case No. PDA-2026-01. (Charlestowne Crossing, LLC) An application to amend an existing Planned Development district for a planned Senior Housing Facility and Congregate Care Facility development, specifically to establish the district entitlements within the PD-MU Planned Development Mixed-Use District. The subject property is located in Ward 8.

PUBLIC HEARING: Conditional Use

9. Case No. CU-2024-20. (XRP Homes, LLC) An application to amend an existing Conditional Use Permit from §400.290(C)(5) specifically to expand a meeting facility use and §400.290(C)(2) for the addition of Liquor Sales within FD/FHP Frenchtown District/Frenchtown Historic Preservation District located at 1106 N 2nd Street. The subject property is located in Ward 1.

PUBLIC HEARING: Rezoning

10. Case No. Z-2026-06. (Green Farms Biosystems LLC) An application to rezone an approximately 29,169 square feet tract of land located at Lot 3E of the Three Flags #2 Subdivision, 470 feet (more or less) northeast of the S. 5th Street and Interstate 70 interchange, from “C-2” General Business District to “C-3” Highway Business District for a proposed Marijuana Facility. The subject property is located in Ward 2.

PUBLIC HEARING: Conditional Use

11. Case No. CU-2024-08. (Mauro Gonzalez Alvarez) An application to amend an existing Conditional Use Permit from §400.480 to expand a temporary retail sales use (Food Trucks) to include an additional food stand within the C-3 Highway Business District located at 2139 First Capitol Drive. The subject property is located in Ward 2.

Adjourn

The City of St. Charles offers all interested citizens the opportunity to attend public meetings. If you wish to attend this public meeting and require an accommodation due to a disability, please contact the Office of the City Clerk to coordinate an accommodation at least two (2) business days in advance of the scheduled meeting at 636-949-3282 or 636-949-3289 (TTY - for the hearing impaired). The City of St. Charles, Missouri fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information or to obtain a Title VI Complaint Form, please call the City Clerk’s Office at 636-949-3282 or visit City Hall located at 200 North Second Street, St. Charles, Missouri, 63301.

INCLEMENT WEATHER: In case of inclement weather, please call 636-949-3222 after 4:00 p.m. on the day of the meeting to be informed of the status of the meeting.

Posted on 3/4/2026 at 4:30 PM LB



**PLANNING AND ZONING COMMISSION
MEETING MINUTES
February 9, 2026
City Hall – Council Chambers
200 N Second Street, 4th Floor
St. Charles, MO 63301**

MEMBERS PRESENT:

Shawn Luesse, Chairperson
Missy Palitzsch, Secretary
Mayor Dan Borgmeyer
Michael Galba, City Council Liaison
Adriana Perrone
Tyson King
Keith Liston
John Morgan

MEMBERS ABSENT

Julie Bartch, Vice-Chair
Chris DeGuentz

STAFF PRESENT:

John Boyer, Assist. Director of C.D./Planning Manager
Lara Berry, Planner
Madelyn Brown, Planner

A regular meeting of the St. Charles Planning and Zoning Commission was held on **Monday, February 9, 2026**, beginning at 6:00 p.m. on the fourth floor of City Hall Chambers, 200 North Second Street, St. Charles, Missouri.

The meeting was called to order by Chair, Sean Luesse, at 6:00 p.m. Secretary took roll. Those in attendance are noted above.

1. Call to order and the roll.
2. The Pledge of Allegiance.
3. Approve the minutes of the January 12, 2025 Planning and Zoning Commission meeting.

Mayor Borgmeyer made a motion to approve the minutes. Secretary Palitzsch seconded the motion. All were in favor. The minutes were approved.

Councilmember Galba made a motion to amend the agenda in order to consider Item #12 (Case No TA-2026-01) first. Secretary Palitzsch seconded the motion. Motion passed.

PUBLIC HEARING: Text Amendment

4. Case No. TA-2026-01. (City of St. Charles) An application to amend Chapter 400 of the Code of Ordinances specifically concerning Data Centers.

Assistant Director Boyer provided the Commission with an overview of the Text Amendment application. The public hearing for the application opened with fourteen (14) speakers from the public, with eight (8) speaking in opposition, three (3) speaking in favor, and three (3) with general questions.

Secretary Palitzsch made a motion to close the public hearing. Councilmember Galba seconded the motion. All were in favor and the public hearing closed.

Secretary Palitzsch motioned to TABLE this application until the April 13, 2026 Planning and Zoning Commission meeting. Mayor Borgmeyer seconded the motion. The motion passed (6 in favor, 2 opposed) and the item was tabled.

PUBLIC HEARING: Rezoning

5. Case No. Z-2026-03. (Clement Management Services LLC) An application to establish the zoning for a 150,401 square foot tract of land located at 3707 Veterans Memorial Parkway, to the City of St. Charles “C-2” General Business District. The subject property is located in Ward 6.

Planner Brown provided the Commission with an overview of the Establishment of Zoning request. The applicant addressed the Commission. The public hearing for the application opened with one (1) speaker from the public, with general questions. Secretary Palitzsch made a motion to close the public hearing. Councilmember Galba seconded the motion. All were in favor and the public hearing closed.

Secretary Palitzsch motioned to forward the Establishment of Zoning with a favorable recommendation, as submitted. Commissioner Morgan seconded the motion. The application will be forwarded to the City Council with a favorable recommendation (8 in favor, 0 opposed) at their March 3, 2026 meeting.

PUBLIC HEARING: Rezoning

6. Case No. Z-2026-04. (JD Ferry Inc.) An application to annex and establish the zoning for an 18,324 square foot tract of land located at 3701 Veterans Memorial Parkway, from St. Charles County “C2” General Commercial District to the City of St. Charles “C-2” General Business District. The subject property will be located in Ward 6 upon annexation.

Planner Brown provided the Commission with an overview of this annexation and establishment of zoning request. The applicant addressed the Commission. The public hearing for the application opened with one (1) speaker from the public, with general questions. Secretary Palitzsch made a motion to close the public hearing. Commissioner Liston seconded the motion. All were in favor and the public hearing closed. Commissioner Morgan motioned to forward the Annexation application, as submitted. Secretary Palitzsch seconded the motion. The Annexation application will be forwarded to the City Council with a favorable recommendation (8 In Favor, 0 Opposed) at their March 3, 2026 meeting.

Secretary Palitzsch motioned to forward the Establishment of Zoning application, as submitted. Commissioner Morgan seconded the motion. The Establishment of Zoning application will be forwarded to the City Council with a favorable recommendation (8 In Favor, 0 Opposed) at their March 3, 2026 meeting.

PUBLIC HEARING: Rezoning

7. Case No. Z-2026-01. (Boone’s Lick Development LLC) An application to rezone approximately 3.00 acre tract of land, which include three (3) parcels, two (2) of which are generally located at the northwest corner of Allen Avenue and Sandra Avenue from “R-1E/EHP” Single-Family Residential District within the Extended Historic Preservation District and one (1) parcel generally located northwest of the intersection of Reservoir Avenue and Allen Avenue from “C-1/EHP” Neighborhood Business District within the Extended Historic Preservation District to “C-2/EHP” General Business District within the Extended Historic Preservation District for a proposed Motor Court Use (19 total units). The property is located in Ward 2.

Planner Brown provided the Commission with an overview of the Rezoning request. The applicant addressed the Commission. The public hearing for the application opened with eight (8) speakers from the public, in opposition with concerns related to traffic, the impact of the use on a residential area, and potential future uses of the C-2 district. Secretary Palitzsch made a motion to close the public hearing. Mayor Borgmeyer seconded the motion. All were in favor and the public hearing closed.

Secretary Palitzsch motioned to forward the Rezoning with a favorable recommendation, as submitted. Councilmember Galba seconded the motion. The motion failed (0 in favor, 8 opposed) and the application will be forwarded to the City Council with an unfavorable recommendation at their March 3, 2026 meeting.

PUBLIC HEARING: Rezoning

8. Case No. Z-2026-02. (Jonathan Milo) An application to rezone a one (1) acre (more or less) tract of land located at 1423 S 5th Street from “C-2” General Business District to “C-3” Highway Business District for a proposed Marijuana Facility. The property is located in Ward 2.

Chair Luesse recused himself from this application and Secretary Palitzsch motioned to have Councilmember Galba take over as Acting Chair for this item. Commissioner Morgan seconded the motion. Motion passed.

Planner Berry provided the Commission with an overview of the Rezoning request. The applicant addressed the Commission. The public hearing for the application opened with five (5) speakers from the public. One (1) speaker was opposed, two (2) were in favor, and two (2) had general questions. Secretary Palitzsch made a motion to close the public hearing. Commissioner Morgan seconded the motion. All were in favor and the public hearing closed.

Secretary Palitzsch motioned to forward the Rezoning with a favorable recommendation, as submitted. Commissioner Morgan seconded the motion. The Rezoning application will be forwarded to the City Council with a favorable recommendation (6 In Favor, 1 Opposed, 1 Recusal) at their March 3, 2026 meeting.

PUBLIC HEARING: Conditional Use

9. Case No. CU-2026-01. (Miami Grill – Yaser Fawaqa) An application for a Conditional Use Permit per §400.220(C)(1)(a) for In-Vehicle Sales/Service (a restaurant drive-through) within the “C-2/EHP/FSC-HD” General Business District within the Extended Historic Preservation District and within the Fifth Street Corridor-Hospital District (T4-NMX Neighborhood Mixed Use), located at 620 S. 5th Street. The subject property is located in Ward 2.

Planner Brown provided the Commission with an overview of the Conditional Use Permit. The applicant addressed the Commission. The public hearing for the application opened with two (2) speakers from the public, one (1) as a representative of the business and one (1) with concerns about the lighting (which is being addressed via a separate Landmarks Board review EC-2026-06 on the February 23, 2026 meeting).

Secretary Palitzsch made a motion to close the public hearing. Councilmember Galba seconded the motion. All were in favor and the public hearing closed. Secretary Palitzsch motioned to forward the Conditional Use application, with the following conditions:

1. **This conditional use permit for in-vehicle sales (drive-thru) associated with a permitted restaurant is issued to the applicant (Yaser Fawaqa) and business (Miami Grill) only for the property located at 620 S 5th Street and is not transferable to another location and/or tenant/business.**
2. **Non-compliance with any building codes, property maintenance codes, fire codes, noise control codes, ordinances concerning disturbances or conditions of this approval is grounds for revocation of the conditional use approval.**

Commissioner Morgan seconded the motion. The Conditional Use application will be forwarded to the City Council with a favorable recommendation (8 In Favor, 0 Opposed) at their March 3, 2026 meeting.

PUBLIC HEARING: Conditional Use

9. Case No. CU-2026-02. (Strange Sisters LLC – Sarah & Julie Davison) An application for a Conditional Use Permit per §400.220(C)(1)(a) for Liquor Sales within the “C-2” General Business District, located at 2454 W. Clay Street. The subject property is located in Ward 9.

Planner Brown provided the Commission with an overview of the Conditional Use Permit. The applicant addressed the Commission. The public hearing for the application opened with no speakers from the public. Secretary Palitzsch made a motion to close the public hearing. Commissioner Liston seconded the motion. All were in favor and the public hearing closed. Secretary Palitzsch motioned to forward the Conditional Use application, with the following conditions:

1. **This conditional use permit for a liquor sales associated with a retail/bar use is issued to the applicant (Sarah & Julie Davison) and business (Tomes & Tonics) only for the property located at 2454 West Clay Street and is not transferable to another location and/or tenant/business.**

2. **Approval of this Conditional Use is not approval of a liquor license. A liquor license shall be approved by the City Council prior to any liquor sales.**
3. **Liquor sales shall not occur independent of the primary business use and shall only be accessory to the submitted retail/bar.**
4. **Non-compliance with any building codes, property maintenance codes, fire codes, noise control codes, ordinances concerning disturbances or conditions of this approval is grounds for revocation of the conditional use approval.**
5. **Violations of Chapter 600 dealing with Liquor/Alcoholic Beverages may be grounds for revocation of this Conditional Use.**

Councilmember Galba seconded the motion. The Conditional Use application will be forwarded to the City Council with a favorable recommendation (8 In Favor, 0 Opposed) at their March 3, 2026 meeting.

SITE PLAN:

5. Case No. SP-2026-01. (AEROBIC MO LLC – Michael Kalimtzis) A site plan application for an elevation amendment located at 1095 Regency Parkway and within the C-2 General Business District. The subject property is located in Ward 6.

Planner Berry provided the Commission with an overview of the Site Plan request. The applicant addressed the Commission. The Commission had a discussion with the applicant and staff about the masonry on the building. Secretary Palitzsch made a motion to approve the Site Plan, subject to the following condition:

1. **Prior to issuance of a building permit, the applicant shall revise the building elevations for further façade enhancements to promote a cohesive architectural appearance of the entire structure.**

Councilmember Galba seconded the motion. All were in favor.

SITE PLAN:

5. Case No. SP-2026-02. (St. Charles Engineering & Surveying, Inc. – Michael Meiners) A Site Plan application for a new office & warehouse with outdoor storage located on a 1.14-acre tract of land located on the southeast corner of Walsh Court and Elm Point Industrial Drive. The property is zoned -1 Light Industrial District and is located in Ward 8.

Planner Berry provided the Commission with an overview of the Site Plan request. The applicant addressed the Commission. The Commission had a discussion with the applicant and staff about the masonry and landscaping. Councilmember Galba made a motion to approve the Site Plan, subject to the following condition:

1. **Prior to the issuance of a building permit, the applicant shall revise the building elevations to increase masonry treatment along street-facing elevations, with full-height masonry used to define and visually distinguish the office portion of the building from the warehouse component.**
2. **A landscape plan documenting compliance with City Code shall be submitted and approved prior to issuance of a building permit.**
3. **All exterior lighting, including wall pack lighting, shall be hooded or shielded to direct light straight down.**
4. **The outdoor storage area’s surface shall be comprised of reclaimed asphalt and shall be properly maintained to control dust and remain in compliance with applicable nuisance and dust control standards.**

Secretary Palitzsch seconded the motion. All were in favor.

Adjournment

*The next regular meeting of the Planning and Zoning Commission is scheduled for **March 9, 2026.***

Secretary Palitzsch made a motion to adjourn the meeting. Councilmember Galba seconded the motion. All were in favor. The meeting adjourned at 8:43 p.m.

SECRETARY

DATE



AGENDA ITEM #4

**STAFF REPORT
CASE NO. Z-2026-05
1408 FISCHER LANE**

**MARCH 9, 2026
BY LARA BERRY**

PREVIOUS OWNER: 99 to 1, LLC – Jacob Gould
20 Green Mountain Court
Defiance, Missouri 63341

CURRENT OWNER: Mark Bayliss & Kayla Fozzard
1408 Fischer Lane
St. Charles, Missouri 63303

ADDRESS/LOCATION: 1408 Fischer Lane
Ward 5 upon annexation

ACREAGE: 0.88-Acre

EXISTING ZONING: County R1E Single-Family Residential District

REQUESTED ZONING: City R-1E Single-Family Residential District

SURROUNDING ZONING:

<u>Direction</u>	<u>Zoning</u>	<u>Use</u>
North	R-1E Single-Family Residential	Single-Family Residential
South	R-1E Single-Family Residential District	Single-Family Residential
East	PD-R Planned Development Residential	Single-Family Residential
West	R-1D Single-Family Residential District	Single-Family Residential

REQUEST

The City has received an application to annex and establish zoning for the property located at 1408 Fischer Lane, from St. Charles County R1E Single-Family Residential District to City of St. Charles R-1E Single-Family Residential District. The subject property is a 0.88-acre lot located off Hackmann Road.

The annexation of this property would further incorporate a remaining pocket of land within

unincorporated St. Charles County. The property is currently developed and used as a single-family residence, and the owner has requested annexation in order to connect to City utilities. Upon annexation, the property would continue to operate in compliance with the regulations of the R-1E Single-Family Residential District.

Staff further notes that during the review of these requests, ownership of the subject property transferred. Prior to the transfer of ownership, the City became aware that the property was connected to the City's sanitary sewer system without an established utility account. Annexation is required in order to formalize the utility connection, establish a City utility account, and ensure ongoing compliance with applicable City utility regulations. Both the seller and the current property owner have executed the annexation and rezoning applications to facilitate this process.



Figure 1: Area Zoning Map.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The St. Charles Comprehensive Plan adopted in 2002, and updated in 2026, recommends that land use decisions be based on a project's location and compatibility with surrounding development. The Comprehensive Plan identifies 21 activity centers in the city, locations characterized by distinct locations of visibility, activity, and traffic. Polygon-based Sub-Districts are also identified, which reflect the extent of established core activity and the transition to surrounding lower-density development. The plan recommends that development should align with the predominant land uses, assets, and needs of the nearest activity center. The activity centers should be surrounded by land uses that respond to context, promote compatibility, and support the City's long-term goals for balanced growth. Proposed new uses should be judged based upon their distance from the nearest activity center and/or sub-district, their compatibility with what surrounds it, and whether

the level of development it will generate aligns with the surrounding area or is counter to that goal.

The subject property is located nearest to Activity Center #9 (Wapelhorst Park). Properties immediately adjacent to the site are zoned and developed for single-family residential use. The Department of Community Development finds the proposed annexation and establishment of R-1E zoning to be consistent with the Updated 2026 Comprehensive Plan and compatible with existing development patterns in the surrounding area.

STAFF RECOMMENDATION

After review of these requests, the City’s Zoning Ordinance, Comprehensive Plan and area development patterns, staff believes the requested rezoning is appropriate and is compatible with the zoning of the surrounding area. The Department of Community Development recommends that the annexation and rezoning request be forwarded to the City Council with a favorable recommendation.

Recommended Motions:

Motion to forward a **favorable** recommendation to the City Council for annexation of the subject property, as noted in Z-2026-05.

Motion to forward a **favorable** recommendation of approval to the City Council for the establishment of zoning for the subject property via Z-2026-05.





Figure 3: Photo of the Subject Property.



AGENDA ITEM #5

**STAFF REPORT
CONDITIONAL USE NO. CU-2024-022
TEMPORARY RETAIL SALES (FOOD TRUCKS) &
LIQUOR SALES
1801 NORTH 2ND STREET**

**MARCH 9, 2026
BY LARA BERRY**

<i>APPLICANT/OWNER:</i>	Bench Racers Jovial LLC - Stephanie Lai & Fredrick Stark 1106 Evans Ave St. Charles, Missouri 63301
<i>ADDRESS/LOCATION:</i>	1801 North 2 nd Street Ward 1
<i>ACREAGE:</i>	2.48 acres (overall)
<i>CURRENT ZONING:</i>	FD/FPD - Frenchtown District within the Frenchtown Preservation District
<i>PROPOSED USE:</i>	Temporary Retail Sales (Food Trucks) & Liquor Sales

SUMMARY/ANALYSIS

In 2024, the applicant was approved for a Temporary Retail Sales use to allow food trucks to operate at 1801 N. 2nd Street. At that time, the applicant indicated that a request for Liquor Sales approval would be submitted at a later date. Since that approval, the applicant has completed site improvements necessary to support an indoor/outdoor restaurant concept, including coordination with staff regarding indoor operations within the primary structure.

While this establishment was originally proposed as a food truck establishment, the owner is now requesting a liquor license. In accordance with the Frenchtown District regulations, any permitted or conditional use that requests a liquor license, must also obtain a Conditional Use Permit. Based on staff concerns that, in the event food trucks are not available, the establishment could function primarily as a bar (a use prohibited within the Frenchtown District), the applicant has worked with staff and a food service vendor to ensure food availability independent of food trucks.

Along with the outdoor site improvements (seating areas, additional restrooms, food truck parking, etc.), the applicant has installed a small prep-kitchen within the primary structure for serving a limited food menu. The limited food menu is intended to ensure continuous food availability during all hours of liquor service and to maintain compliance with the restaurant use classification within the Frenchtown District. The proposed food menu includes pulled pork and brisket sandwiches, chips, snack bars, and crackers. Along with these food items, the applicant intends to

sell water, soda, and alcoholic beverages such as beer, seltzers, and single shot liquor/spirits. The applicant also notes that these items will be served in aluminum containers and plastic cups; however, there is no intention to serve draft beer.

As approved in the original application, the applicant intends to have a variety of different food truck vendors, two (2) full-time trucks and three (3) that will rotate; however, the new proposal slightly alters the proposed hours of operation. These changes are outlined in the table below:

	Previous Request	Current request
<i>Monday</i>	Closed	Closed
<i>Tuesday</i>	Closed	Closed
<i>Wednesday</i>	12:00 – 9:00 PM	4:00 – 9:00 PM
<i>Thursday</i>	12:00 – 9:00 PM	4:00 – 9:00 PM
<i>Friday</i>	12:00 – 9:00 PM	4:00 – 10:00 PM
<i>Saturday</i>	12:00 – 9:00 PM	12:00 – 10:00 PM
<i>Sunday</i>	12:00 – 7:00 PM	12:00 – 9:00 PM

Overall, the revised hours shift weekday operations later into the afternoon while modestly extending weekend evening hours. The applicant has indicated that food trucks may operate earlier in the day (as early as 10:00 AM) if available; however, the primary structure and liquor sales will be limited to the hours listed above. The food truck will operate all year round, and this business will operate in compliance with Section 400.480 pertaining to temporary retail sales.

While the Frenchtown Preservation District does not include explicit music regulations similar to those in the Historic Downtown District, such standards are intended to mitigate potential secondary impacts on nearby residential properties. The applicant has stated that all outdoor music will cease by 9:00 PM during normal business operations. Hours may change during festivals, holidays, and for private events; to which the applicant has stated they will coordinate with the City.

Staff additionally notes that any land use that requires liquor sales, within the Frenchtown District, shall cease operations by 11:00 PM and due to the potential negative secondary effects of the location and operations of establishments that predominantly sell intoxicating beverages, the City Council may place additional regulations on these uses to reduce or eliminate these effects, including, but not limited to, additional limits on hours of operation, separation and location restrictions, other nuisances, and the manner of operation. Staff believes the proposed hours of operation are reasonable given the site's location along a primarily commercial corridor and its proximity to surrounding residential neighborhoods; however, the Planning & Zoning Commission may wish to discuss whether additional limitations are appropriate.

Consistency with Comprehensive Plan

The St. Charles Comprehensive Plan adopted in 2002, and updated in 2026, recommends that land use decisions be based on a project's location and compatibility with surrounding development. The Comprehensive Plan identifies 21 activity centers in the city, locations characterized by distinct locations of visibility, activity, and traffic. Polygon-based Sub-Districts are also identified which reflect the extent of established core activity and the transition to surrounding lower-density

development. The plan recommends that development should align with the predominant land uses, assets, and needs of the nearest activity center. The activity centers should be surrounded by land uses that respond to context, promote compatibility, and support the City's long-term goals for balanced growth. Proposed new uses should be judged based upon their distance from the nearest activity center and/or sub-district, their compatibility with what surrounds it, and whether the level of development it will generate aligns with the surrounding area or is counter to that goal.

The subject property is located near the intersection of North 2nd Street and Tecumseh Street, which is within Activity Center #21. The Frenchtown Activity Center is bordered by North 3rd Street to the west, Hwy 370 to the north, the Missouri River to the east, and Clark St to the south, and will be anchored by the City Centre Complex. This property is located in a predominantly commercial corridor of the City, surrounded to the west by residential. Based upon the subject property's location, it has been identified and planned that more intense uses should be appropriate. Within the Comprehensive Plan, as described above, adjacency to nodes/activity centers is encouraged to accommodate higher densities and intense uses. As you move further from that node/activity center, the intensity/density should decrease. Based upon this information, an indoor/outdoor restaurant with food trucks and liquor sales would be supported by the Comprehensive Plan.

Consistency with Other Area Studies

The Frenchtown area has received numerous attention over the years, with multiple area studies being accomplished to assist in redevelopment efforts. This section is devoted to the review of the proposal against these sub-area studies

Frenchtown Great Streets (June 2020)

In 2020, the City Council formally accepted and approved the findings and the plan for the Frenchtown Great Streets Plan. This plan was a local effort with support from area residents, the City, St. Charles County, and East-West Gateway Council of Governments to provide a framework for the revitalization effort of Frenchtown. This plan is the most current vision of future development compared to the city's Comprehensive Plan (amended in 2012). The approved Great Street Plan outlines four (4) district plan categories, each accompanied by its own set of goals aimed at fulfilling the mission of the plan. The following paragraphs discuss how the proposed business is in harmony with both the plans and the accompanying goals.

Development Assets

- **Goal 3: Establish sub-districts within Frenchtown - Proposal meets this goal**

Six (6) districts are defined under Goal 3 of Development Assets. These districts identify and group unique characteristics within Frenchtown to better guide development. The subject property is located in the area identified as the "New Frenchtown."

DA 03.04 Establish the New Frenchtown District – The plan identifies a strategic vision for the New Frenchtown District that involves an opportunity to create a new redevelopment node with a focus on new mixed-use construction and other contemporary uses, through a mix of adaptive reuse and progressive infill, which would create an eclectic and hip energy that new construction alone is unlikely to provide.

Staff Analysis: The proposal is consistent with the strategic vision of the New Frenchtown District. By including the adaptive reuse of the historic Texaco building, the project facilitates the creation of a new entertainment center that may encourage more

redevelopment in the surrounding area.



Figure 1: Frenchtown Sub-districts map.

- **Goal 4: Encourage New Development**

As addressed earlier, The Frenchtown Great Streets Plan puts emphasis on adaptive reuse development as well as new infill developments. The proposed projected business assists with the specific recommendations outlined in the Great Street Plans, including:

- DA 04.03 Establish a Redevelopment District - Establishing a redevelopment district will help actualize a bigger vision for the area that would require assembly, shared parking, infrastructure improvements, and high quality development.

Staff Analysis: The proposed business plan aligns with the goals of encouraging new development within the Frenchtown Preservation District. By reactivating an underutilized highly-visible property, the project will significantly incentivize additional redevelopment in an area that consist largely of vacant lots.

- **Goal 5: Create the catalytic development**

Catalyst sites and projects are those that, if realized, can trigger further investment in adjacent or nearby areas creating a ripple effect that can have profound impact on the community as a whole. New real estate development in itself generates new market activity and vibrancy, but also signals to future investors that market conditions are sound. Catalyst sites (single parcels or assembled) are typically those of scale with considerable development capacity.

- DA. 05.04 New Frenchtown sites – New Frenchtown contains a number of potential development opportunity sites along North Second and Tecumseh Streets, but the best short-term catalyst sites are the two 1.8-acre sites situated along the east side of North Second Street between Olive and Wilkinson Streets. Both sites are significantly underutilized real estate that, if assembled, would lend itself to more mixed-use “whole-block” development that is in proximity of the parks and river, but also provides new marketable retail services along North Second Street.

***Staff Analysis:** The proposed business is within the potential development sites and directly aligns with the goal of creating a catalytic development by facilitating the redevelopment in the area. This project is adjacent to parks, river access, and will activate an underutilized block along North 2nd Street.*

Consistency with Conditional Use standards

Section 400.980 of the City Code outlines standards of review for the conditional use application. The standards are as follows:

- 1) How the proposed conditional use (the use in general) is in harmony with the purposes, goals, objectives, policies and standards of the Comprehensive Plan, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the city.
- 2) Whether the proposed conditional use (in its proposed location) is in harmony with the purposes, goals, objectives, policies and standards of the Comprehensive Plan, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the city.

Regarding 1) and 2), Conditional Uses are not allowed by-right as they can be problematic if not located and/or conditioned properly. In this case, the proposal is located at 1801 North 2nd Street, within Activity Center #21 (Frenchtown) and near Activity Center #14 (Hwy 370/N. 3rd Street/N. Hwy 94 Interchange). This intensity pattern is consistent with the goals of the Comprehensive Plan, and the Frenchtown Great Streets Plan and the proposed use at this location could operate in conformance with the density, intensity, and activity guidelines provided above.

- 3) Whether the proposed conditional use, in its proposed location and as depicted on the required site plan, results in a substantial or undue adverse impact on the adjacent property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions and policies of the Zoning Ordinance, Comprehensive Plan, or any other plan, program, or ordinance adopted or under consideration pursuant to official notice by the city.

Based upon a review of the proposed land uses, if conditioned properly and operated in compliance with the Zoning Ordinance, the proposal should not have an adverse impact on the character of the neighborhood, public safety and general welfare of the city.

- 4) Whether the proposed conditional use maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property as

directed by the Comprehensive Plan.

Staff believes the proposed food trucks use and liquor sales can be compatible within its commercial surroundings and should not produce negative effects to neighboring properties or the neighborhood, if conditioned properly. Staff believes this use can operate in a manner that is consistent with the area.

- 5) Whether the proposed conditional use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.

Staff believes the proposed conditional use in this location will not have an undue burden on public services as this proposal has been reviewed by Community Development, Finance, and Fire Departments with no outstanding comments.

- 6) Whether the public benefits of the proposed conditional use outweigh the potential adverse impacts of the proposed conditional use as identified above, after taking into consideration any proposal by the petitioner and any requirements recommended by the petitioner and/or City Staff to ameliorate such impacts.

After review of the proposal, and the above standards for evaluating Conditional Uses, staff believes the proposed uses, if conditioned properly and operated in compliance with City Codes, would prevent any potential adverse impacts and the public benefits would outweigh any potential adverse impacts.

Furthermore, the City Code allows the Planning and Zoning Commission to recommend conditions of approval to protect surrounding properties, as well as to give consideration with respect to location in the recommendations. The proposed uses comply with the above standards.

STAFF RECOMMENDATION

This conditional use can operated in conformance with City requirements, is compatible with surrounding land uses and complies with the Comprehensive Plan of the City of St. Charles. Staff recommends approval of the proposed conditional use for Temporary Retail Sales (Food Trucks) and Liquor Sales, subject to the following conditions:

1. This conditional use permit for Liquor Sales associated with a Restaurant use and Temporary Retail Sales (Food Trucks) is issued to the applicant (Jovial LLC – Frederick Stark and Stephanie Lai) and the business (Bench Racers) only for the property located at 1801 North 2nd Street and is not transferable to another location and/or tenant/business.
2. Any change to the submitted proposal, including but not limited to additional dining area, outdoor patio expansion, may require additional approvals from the City.
3. Approval of this Conditional Use is not approval of a liquor license. A liquor license shall be approved by the City Council prior to any liquor sales.
4. Liquor sales shall not occur independently of the primary business use and shall only be accessory to the operation of the restaurant use. Food service shall be continuously available during all hours of liquor sales, whether provided by food trucks or the primary structure. In the absence of available food service, liquor sales shall cease.
5. Hours of operation, more specifically the closing time, shall be limited to those listed in this report (9:00 PM on weekdays/10:00 PM on Friday and Saturday).
6. Non-compliance with any building codes, property maintenance codes, fire codes, noise control ordinances, or conditions of this approval is grounds for revocation of the conditional

use approval.

7. Violations of Chapter 600 (Liquor/Alcoholic Beverages) may be grounds for revocation of this Conditional Use.
8. Outdoor amplified music shall cease by 9:00 PM on all operating days, unless otherwise approved by the City in connection with a permitted special event.
9. Private events, festivals, or deviations from the approved hours of operation may require additional City approvals and shall comply with all applicable permit requirements.

Recommended Motion:

*Motion to forward the amended application CU-2024-22 to the City Council with a **favorable** recommendation, subject to the conditions recommended by staff.*



Figure 2: Subject Site seen from North 2nd Street



Figure 3: Aerial Photo of the Subject Property.

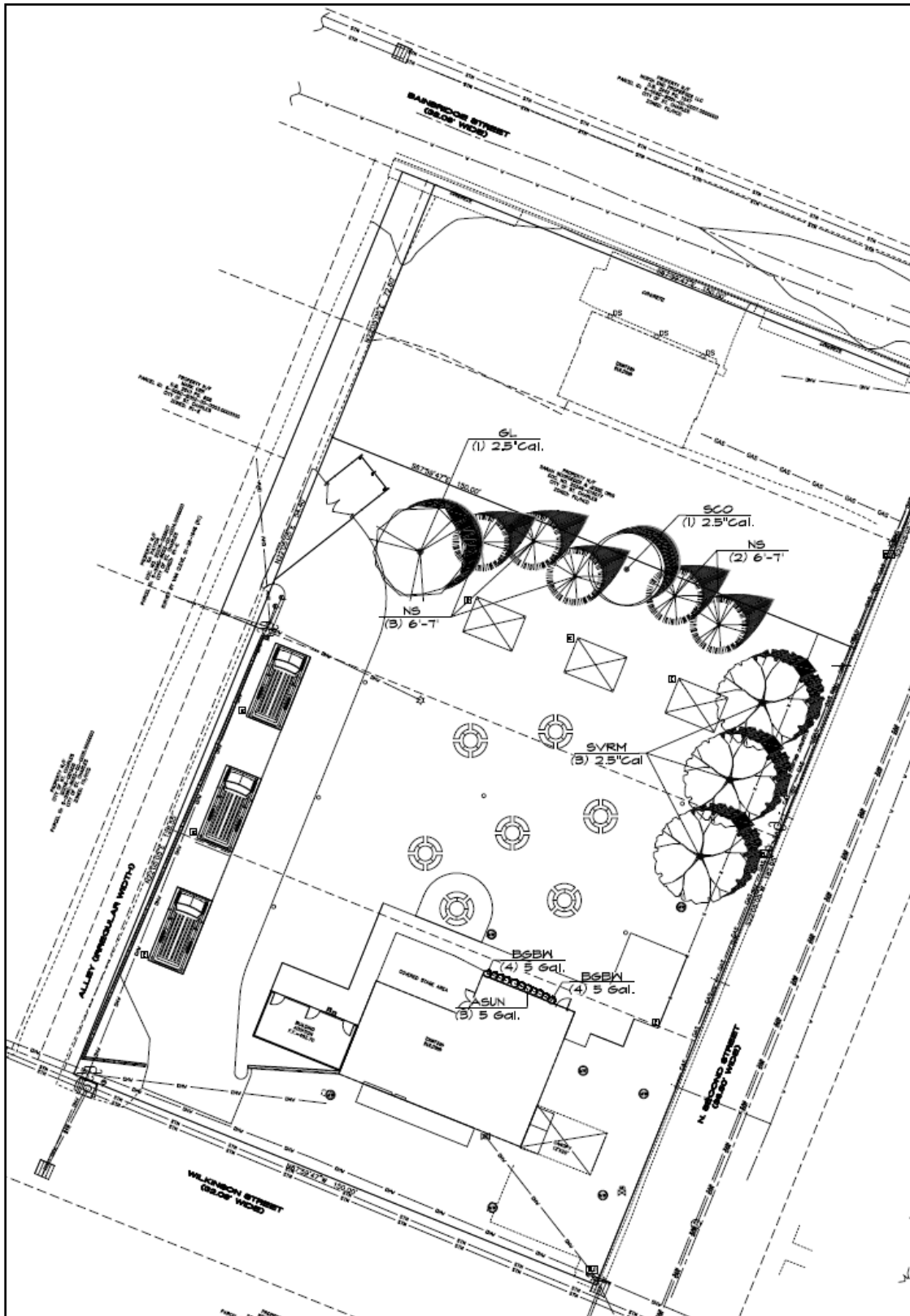


Figure 4: Site Plan of Location.

Bench Racers 1801 N. 2nd Street



Conditional Use Request

Bench Racers

Fred Stark and Stephanie Lai

636-293-7526

admin@jovialus.com

Request to sell alcohol at Food Truck Venue

- 1801 N building will house a bar that serves aluminum bottle beer and seltzers
 - Will also serve single shots of spirits in plastic cups
 - Water and selection of soda will be available
 - Site will not have draft beer served inside of building
- 1801 building will serve prepared food from vendor
 - Pulled Pork and Brisket sandwiches with bag of chips
 - Snack bars and crackers also available for single sales
- Alcohol serving hours
 - Wednesday and Thursday 4 to 9 pm
 - Friday 4 to 10 pm
 - Saturday noon to 10 pm
 - Sunday noon to 9 pm

Current pictures of building



Exterior



Exterior



Interior



Interior



Rendering not to scale



Looking forward to meeting the neighbors





AGENDA ITEM #6

**STAFF REPORT
CONDITIONAL USE NO. CU-2026-03
DRIVE-THRU USE
2412 W CLAY STREET**

**MARCH 9, 2026
BY MADELYN P. BROWN**

APPLICANT: Abelardo’s Mexican Food, LLC
13275 Miami Street
Omaha, NE 68164

OWNER: St. Charles Partnership, L.P.
727 Craig Road, Suite 100
St. Louis, MO 63141

ADDRESS/LOCATION: 2412 W Clay Street
Ward 9

LOT SIZE: Approx. 2,810 square feet (building)

CURRENT ZONING: C-2 General Business District

PROPOSED USE: Drive-thru associated with a permitted restaurant use

SUMMARY/ANALYSIS

This request is for an in-vehicle sales (drive-thru) use specifically associated with a new restaurant use (Abelardo’s Mexican Food) located 2412 W Clay Street. The property is zoned C-2 General Business District. City Ordinance requires approval of a Conditional Use Permit for establishments with a drive-thru use. This request is specific to the drive-thru use only and is not applicable to the other uses permitted by right within the referenced zoning district.

The building was formerly the location of a Fuzzy’s Tacos restaurant, which has been closed for an extended period of time. The applicant is proposing to utilize the existing drive-thru lane and window associated with the prior restaurant use. No modifications to the site, parking area, or drive-thru configuration are proposed as a part of this application. Abelardo’s Mexican Food provides various food options; including tacos, burritos, quesadillas, etc. Liquor sales are not associated with proposed business. The hours of operation are Monday through Thursday 7:00 a.m. to 12:00 a.m., Friday through Saturday 7:00 a.m. to 1:00 a.m., and Sunday 7:00 a.m. to 11:00 p.m.

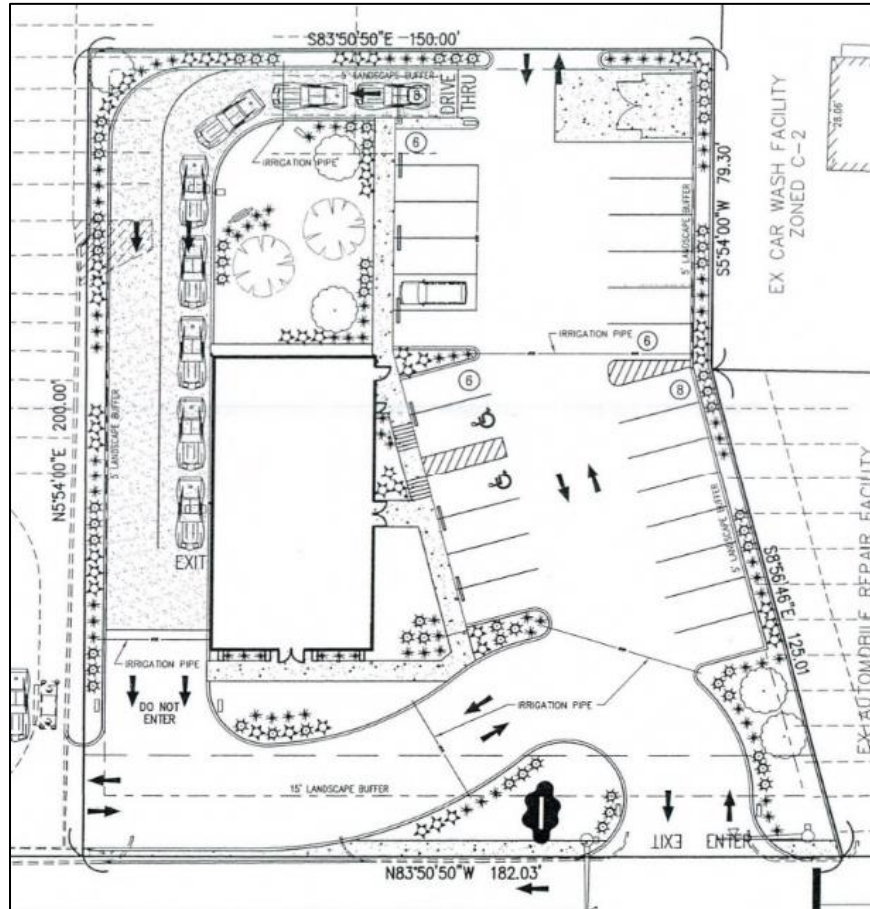


Figure 1: Original drive-thru site plan approved for subject property.

Consistency with Comprehensive Plan

The St. Charles Comprehensive Plan adopted in 2002, and updated in 2026, recommends that land use decisions be based on a project’s location and compatibility with surrounding development. The Comprehensive Plan identifies 21 activity centers in the city, locations characterized by distinct locations of visibility, activity, and traffic. Polygon-based Sub-Districts are also identified which reflect the extent of established core activity and the transition to surrounding lower-density development. The plan recommends that development should align with the predominant land uses, assets, and needs of the nearest activity center. The activity centers should be surrounded by land uses that respond to context, promotes compatibility, and supports the City’s long-term goals for balanced growth. Proposed new uses should be judged based upon its distance from the nearest activity center and/or sub-district, its compatibility with what surrounds it, and whether the level of development it will generate aligns with the surrounding area or is counter to that goal.

This property is located closest Activity Center #5 (I-70/Zumbahl Interchange). The proposed drive-thru at this location associated with a permitted use can be compatible with its commercial/residential surroundings along West Clay.

Consistency with Conditional Use standards

Section 400.980 of the City Code outlines standards of review for the conditional use application.

The standards are as follows:

- a) How the proposed conditional use (the use in general) is in harmony with the purposes, goals, objectives, policies and standards of the Comprehensive Plan, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the city.
- b) Whether the proposed conditional use (in its proposed location) is in harmony with the purposes, goals, objectives, policies and standards of the Comprehensive Plan, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the city.

Regarding a) and b), Conditional Uses are not allowed by-right as they can be problematic if not located and/or conditioned properly. In this case, the proposal is located at 2412 W Clay, closest to Activity Center #5. This intensity pattern is consistent with the goals of the Comprehensive Plan, and the proposed use at this location could operate in conformance with the density, intensity, and activity guidelines provided above.

- c) Whether the proposed conditional use, in its proposed location and as depicted on the required site plan, results in a substantial or undue adverse impact on the adjacent property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions and policies of the Zoning Ordinance, Comprehensive Plan, or any other plan, program, or ordinance adopted or under consideration pursuant to official notice by the city.

Based upon a review of the proposed land uses, if conditioned properly and operated in compliance with the Zoning Ordinance, the proposal should not have an adverse impact on the character of the neighborhood, public safety and general welfare of the city. Additionally, this site was previously the location of a drive-thru use. This further reduces any potential of adverse impact.

- d) Whether the proposed conditional use maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property as directed by the Comprehensive Plan.

Staff believes the restaurant with a drive-thru use as proposed can be compatible within its commercial/residential surroundings and should not produce negative effects to adjacent properties or the neighborhood. Staff believes this use will operate in a manner that is consistent with the area.

- e) Whether the proposed conditional use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.

Staff believes the proposed conditional use in this location will not have an undue burden on public services as this proposal has been reviewed by Community Development, Finance, and Fire Departments with no outstanding comments.

- f) Whether the public benefits of the proposed conditional use outweigh the potential adverse impacts of the proposed conditional use as identified above, after taking into consideration any proposal by the petitioner and any requirements recommended by the petitioner and/or City Staff to ameliorate such impacts.

After review of the proposal, and the above standards for evaluating Conditional Uses, staff believes the proposed uses if conditioned properly would prevent any potential adverse impacts and the public benefits would outweigh any potential adverse impacts.

Furthermore, the City Code allows the Planning and Zoning Commission to recommend conditions of approval to protect surrounding properties, as well as to give consideration with respect to location in the recommendations. The proposed use complies with the above standards.

STAFF RECOMMENDATION

This conditional use can operate in conformance with City requirements, is compatible with surrounding land uses and complies with the Comprehensive Plan of the City of St. Charles. Staff recommends **approval** of the proposed conditional use for in-vehicle sales (drive-thru) associated with a permitted restaurant use subject to the following conditions:

1. This conditional use permit for in-vehicle sales (drive-thru) associated with a permitted restaurant is issued to the applicant and business (Abelardo's Mexican Food) only for the property located at 2412 W Clay Street and is not transferable to another location and/or tenant/business.
2. Non-compliance with any building codes, property maintenance codes, fire codes, noise control codes, ordinances concerning disturbances or conditions of this approval is grounds for revocation of the conditional use approval.
3. Any required landscaping, including trees and shrubs, that has died shall be replaced prior to issuance of a Certificate of Occupancy.

Recommended Motion:

Motion to forward the Conditional Use Permit application for in-vehicle sales (drive-thru) associated with a permitted restaurant use at 2412 W Clay Street to the City Council with a favorable recommendation, subject to the conditions recommended by staff.



Figure 2: Aerial view of the subject site.



Figure 3: Street view of the subject site.

TACOS



BIG TACOS

- CARNE ASADA** | 3.99
Steak w/ Guac & Pico
- CARNITAS** | 3.99
Shredded Pork w/ Guac & Pico
- ADOBADA** | 3.99
Marinated Pork w/ Guac & Pico
- CABEZA** | 4.30
Beef Cheek w/ Onion & Cilantro
- BEEF** | 3.30
Ground Beef, Shredded Cheese & Lettuce
- FISH** | 3.99
Pico, Ranch & Lettuce
- POLLO ASADO** | 3.99
Grilled Chicken w/ Guac & Pico

STREET MINI TACOS

- ORDER OF 4 | 11.50
- ORDER OF 5 | 12.50
- CHOICES: STEAK, TRIPA, ADOBADA, CHORIZO, TONGUE, CABEZA, GRILLED CHICKEN, MARINATED PORK

- EXTRA TACO** | 2.75
Fresh Onion, Cilantro, Fried Onions, & Fried Jalapeño

Breakfast

PLATES Served with Rice and Beans

- CHORIZO C/HUEVO** | 13.00
Mexican Sausage & Eggs
- HAM OMELETTE** | 11.49
Ham, Grilled Pico & Cheese
- STEAK OMELETTE** | 11.49
Steak, Grilled Pico & Cheese
- POTATO EGG** | 10.49
- CHORIZO EGG** | 11.49
- STEAK EGG** | 11.49

Breakfast BURRITOS

STUFFED W/ CHEESE, POTATOES & YOUR CHOICE OF:

- CHICKEN** | 3.30
Chicken, Lettuce & Cheese
- LENGUA** | 4.30
Tongue w/ Onion & Cilantro
- FRIED TACO** | 3.30
Ground Beef or Chicken
- TRIPLE TACO** | 4.30
Beef Tripe w/ Onion & Cilantro
- TACO SALAD** | 9.99
w/ Beans, Pico, Lettuce, Shredded Cheese, Sour Cream & Choice of Meat

TOSTADAS

- WITH BEANS, LETTUCE & CHEESE
- CARNE ASADA** | 5.50
- CARNITAS** | 5.50
- ADOBADA** | 5.50
- BEAN** | 3.50
- BEEF** | 5.50
- CHICKEN** | 5.50
- GRILLED CHICKEN** | 5.50

ENCHILADAS

- WITH LETTUCE & CHEESE
- SINGLE** | 3.70
- CHEESE** | 7.40
- BEEF** | 7.40
- CHICKEN** | 7.40
- MIXED** | 7.40

- STEAK RANCHERO** | 11.49
Diced Steak, Grilled Pico & 2 Fried Eggs
- HUEVOS RANCHEROS** | 10.49
Grilled Pico & 2 Fried Eggs
- SAUSAGE EGG** | 11.49
- HAM AND EGG** | 11.49
- BACON EGG** | 11.49
- HASH BROWN** | 12.49
Sausage, Bacon, Egg
- MACHACA** | 11.49
Shredded Beef w/ Peppers
- MEAT LOVERS** | 13.49
Steak, Chorizo, Sausage, Bacon & Egg

BURRITOS



SMOTHER ANY BURRITO FOR | 1.99 + TAX
Choice of queso, enchilada sauce or hatch green chile

- BEAN & CHEESE** | 7.10
Beans & Cheese Burrito
- CLASSIC CARNE ASADA** | 11.49
Steak, Guacamole, Pico
- TRADITIONAL CARNE ASADA** | 11.49
8oz Diced Steak, Onion, Cilantro, Rice and Beans
- CARNE ASADA FRIES** | 12.49
Steak, Fries, Guac, Pico, Cheese, S. Cream & Beans
- CHICKEN** | 11.49
Chicken in Red Sauce with Rice, Lettuce, & Cheese
- CARNITAS** | 12.49
Shredded Pork w/ Guacamole & Pico
- GROUND BEEF** | 11.49
Beef, Beans & Cheese
- ADOBADA** | 12.49
Marinated Pork, Guacamole, Pico Rice & Beans
- ARIZONA** | 11.49
Diced Steak, Potatoes, Grilled Pico & Cheese
- GREEN CHILE** | 12.49
Pork w/ Green Sauce & Rice
- FISH** | 11.49
Lettuce, Ranch & Pico de Gallo
- CHILE RELLENO** | 11.49
Chile Relleno, Guacamole, Pico, Rice & Beans
- SPICY DIABLO** | 13.49
Steak, Shrimp, Lettuce, Sour Cream, Rice & Fries
- POLLO ASADO** | 12.49
Grilled Chicken, Guacamole, Pico, Rice & Beans
- SHRIMP** | 13.49
Shrimp, Lettuce, Sour Cream, Rice & Fries
- VEGGIE** | 10.49
Beans, Rice, Guacamole, Pico, Lettuce & Cheese
- CABEZA** | 12.49
Beef Cheek, Beans, Rice, Onions & Cilantro
- LENGUA** | 12.49
Beef Tongue, Beans, Rice, Onions & Cilantro
- TRIPA** | 12.49
Beef Tripe, Beans, Rice, Onions & Cilantro
- CALIFORNIA** | 11.49
Diced Steak, French fries, Pico & Cheese
- NEBRASKA** | 11.49
Marinated Pork, Grilled Pico, Potatoes & Cheese
- IOWA** | 11.49
Chicken, Grilled Pico, Potatoes & Cheese
- FAJITA** | 12.49
Steak or Chicken Fajitas, Beans & Rice
- CHICKEN CHIPOTLE** | 13.49
Chicken, Rice, Fries, Pico, Lettuce & Sour Cream
- STEAK RANCHERO** | 11.49
Steak, Grilled Pico, Sauce, Rice & Beans
- SHRIMP FAJITA** | 13.49
Shrimp, Veggies, Cheese, Rice & Beans
- BIRRIA** | 12.49
Birria, Rice, Beans, Onion & Cilantro
- TAKIS BURRITO** | 12.49
Steak, Fries, Cheddar Cheese, Jalapeño, Queso, Takis
- SURF & TURF** | 13.49
Steak, Shrimp, Grilled Onion, Rice, Chipotle Sauce and Mayo

QUESADILLAS

- CARNE ASADA** | 11.00
Diced Steak
- CHICKEN** | 11.00
Shredded Chicken
- CARNITAS** | 11.00
Shredded Pork
- ADOBADA** | 11.00
Marinated Pork
- GROUND BEEF** | 11.00
- FAJITA** | 12.49
Chicken or Steak
- MAR Y TIERRA** | 12.49
Steak & Shrimp
- CHEESE** | 7.00
- POLLO ASADO** | 11.00
Grilled Chicken



ROLLED TAQUITOS

- 5 W/GUAC & CHEESE | 8.19
- 3 W/CHEESE | 4.19
- 3 W/GUAC & CHEESE | 5.19
- 5 W/CHEESE | 7.19
- 12 W/CHEESE | 12.00
- 12 W/GUAC & CHEESE | 13.00
- 3 FLAUTAS W/GUAC & S.CREAM | 6.19

BIRRIA SPECIALTY

- BIRRIA BURRITO** | 12.49
- 3 BIRRIA TACOS** | 13.99
w/ Onion & Cilantro
- 3 QUESO TACOS** | 14.99
w/ Onion & Cilantro
- BIRRIA PLATE** | 15.99
Includes Rice & Beans



RICE BOWLS

ADD AVOCADO FOR: | 2.00

- CARNE ASADA RICE BOWL** | 12.49
Carne Asada, White Rice, Black Beans, Corn Salsa, Lime & Pico
- POLLO ASADO RICE BOWL** | 12.49
Grilled Chicken, White Rice, Black Beans, Corn Salsa, Lime & Pico
- SHRIMP RICE BOWL** | 12.49
Shrimp, White Rice, Black Beans, Corn Salsa, Lime & Pico
- ULTIMATE BREAKFAST** | 13.99
Egg (Scrambled) Hash Brown, Fajita, Sausage, Bacon, Queso Dip, Shredded Cheese, Served in our Flour Tortilla Bowl
- CHILAQUILES RICE BOWL** | 12.49
Red Chilaquiles (Mild Red Sauce) 2 Fried Eggs, Sour Cream, Onion, Cilantro, Queso Chihuahua
- TEXAS RICE BOWL** | 13.99
Steak, Shrimp, Chicken, Rice, Queso Dip, Fajita, Mix & Cheese

TORTAS

| 10.49 + TAX
Mexican Sandwich - Choice of meat, Guacamole, Lettuce, Onion & Tomato



- CARNE ASADA** Diced Steak
- CARNITAS** Shredded Pork
- ADOBADA** Marinated Pork
- CHICKEN** Shredded Chicken
- MACHACA** Shredded Beef & Egg
- FISH TORTA** Lettuce, Pico & Ranch
- HAM TORTA**
- POLLO ASADO** Grilled Chicken
- CHORIZO CON HUEVO** Mexican Sausage and Egg

Nachos and FRIES

SPECIALTIES



- "OG" ASADA**
Steak, Beans, Guac, Pico, S. Cream & Cheese
- * SURF & TURF**
Steak, Shrimp, Sour Cream, Guac & Mayo Chipotle
- * FAJITAS**
Fajitas, Steak, Beans, Guac, Pico, S. Cream & Cheese
- * SPICY DIABLO**
Steak, Shrimp, Diablo Sauce, Guac & Sour Cream
- COWBOY**
Cheese, Grilled Chicken, Sour Cream, Grilled Jalapeños
- * WAKE UP!**
2 Eggs, Bacon, Sour Cream, Guac & Cheese
- * BIRRIA**
Birria, Beans, Guac, Pico, S. Cream & Cheese



REGULAR MACHOS AND FRIES OPTIONS:

CHOOSE FROM: BEEF, CHICKEN, STEAK OR PORK

INCLUDES: BEANS, GUAC, PICO, S. CREAM & CHEESE

1/2 SIZE | 11.49
FULL SIZE | 13.49

SPECIALTY PRICING: \$1 UPCHARGE

CHIPS W/ QUESO | 5.00
CHIPS W/ SALSA | 3.20
PLAIN CHIPS | 3.00

COMBOS

ALL COMBOS
INCLUDES:
RICE AND BEANS



- | | | |
|---|---|---|
| N1 12.49 ^{-TAX}
TACO & TOSTADA | N2 12.49 ^{-TAX}
TWO BEEF TACOS | N3 12.49 ^{-TAX}
TWO ENCHILADAS |
| N4 12.49 ^{-TAX}
TOSTADA & ENCHILADA | N5 12.49 ^{-TAX}
ENCHILADA & TACO | N6 12.49 ^{-TAX}
BURRITO & ENCHILADA |
| N7 13.49 ^{-TAX}
2 BEEF OR CHICKEN
BURRITOS | N8 13.49 ^{-TAX}
TWO CARNE
ASADA TACOS | N9 12.49 ^{-TAX}
TWO CHICKEN TACOS |
| N10 13.00 ^{-TAX}
CHORIZO PLATE | N11 12.49 ^{-TAX}
MACHACA PLATE | N12 13.00 ^{-TAX}
TWO CHILES RELLENOS |
| N13 12.49 ^{-TAX}
TWO FISH TACOS | N14 13.00 ^{-TAX}
CARNITAS PLATE | N15 13.49 ^{-TAX}
CARNE ASADA PLATE |
| N16 14.49 ^{-TAX}
ADOBADA PLATE | N17 14.49 ^{-TAX}
GREEN CHILE PLATE | N18 15.49 ^{-TAX}
2 CARNE ASADA
BURRITOS |
| N19 12.49 ^{-TAX}
4 ROLLED TAQUITOS
PLATE | N20 14.49 ^{-TAX}
CHIMICHANGA PLATE | N21 13.49 ^{-TAX}
POLLO ASADO PLATE |
| N22 13.49 ^{-TAX}
FAJITAS-CHICKEN
OR STEAK PLATE | N23 15.49 ^{-TAX}
FAJITAS MIXED
PLATE | N24 13.49 ^{-TAX}
TWO FAJITA TACOS
PLATE |
| N25 12.49 ^{-TAX}
4 CHICKEN FLAUTAS
PLATE | N26 12.49 ^{-TAX}
BEEF OR BURRITO
& TACO | |



SIDE ORDERS

- SHREDDED CHEESE | 1.10
- QUESO DIP | 3.10
- GUACAMOLE | 2.99
- SOUR CREAM | 1.20
- CARROTS & JALAPEÑOS | 2.10
- RICE | 4.19
- BEANS | 4.19
- FRENCH FRIES | 4.19

DESSERTS

- PLAIN CHURRO | 2.00
- FILLED CHURRO | 3.00
BAVARIAN CREAM, RASPBERRY, APPLE
- CHEESECAKE CHIMICHANGA | 6.00
- CINNAMON CHIPS | 2.49

Talapeño POPPERS

CRISPY JALAPEÑO
PEPPERS FILLED
WITH CREAM CHEESE



3 FOR
\$3.99 + TAX

6 FOR
\$6.99 + TAX

SIDES:
FRENCH FRIES OR
BEANS

Drinks

- JARRITOS | 3.00
- MEXICAN COCA COLA | 3.50

ABELARDO'S REFRESHERS



Horchata, Tamarindo,
Jamaica, Piña

- MEDIUM | 3.00
- LARGE | 3.50

SOFT DRINKS

Other Products Also Available

- MEDIUM | 2.54
- LARGE | 2.84



*Whether dining out or preparing food at home,
consuming raw or undercooked meats, poultry,
seafood, shellfish or eggs may increase your
risk of food borne illness.

\$7 KIDS Menu

YOUR CHOICE OF: TACO,
ENCHILADA, 5 CHICKEN NUGGETS,
CHEESE: QUESADILLA/OMELETTE
DRINK: JUICE BOX

A LA CARTE

- | | |
|-------------------------------|-----------------|
| CAMARONES A LA DIABLA 15.49 | 1 TAMALE 3.19 |
| 1 CHILE RELLENO 3.19 | SOPE 3.19 |



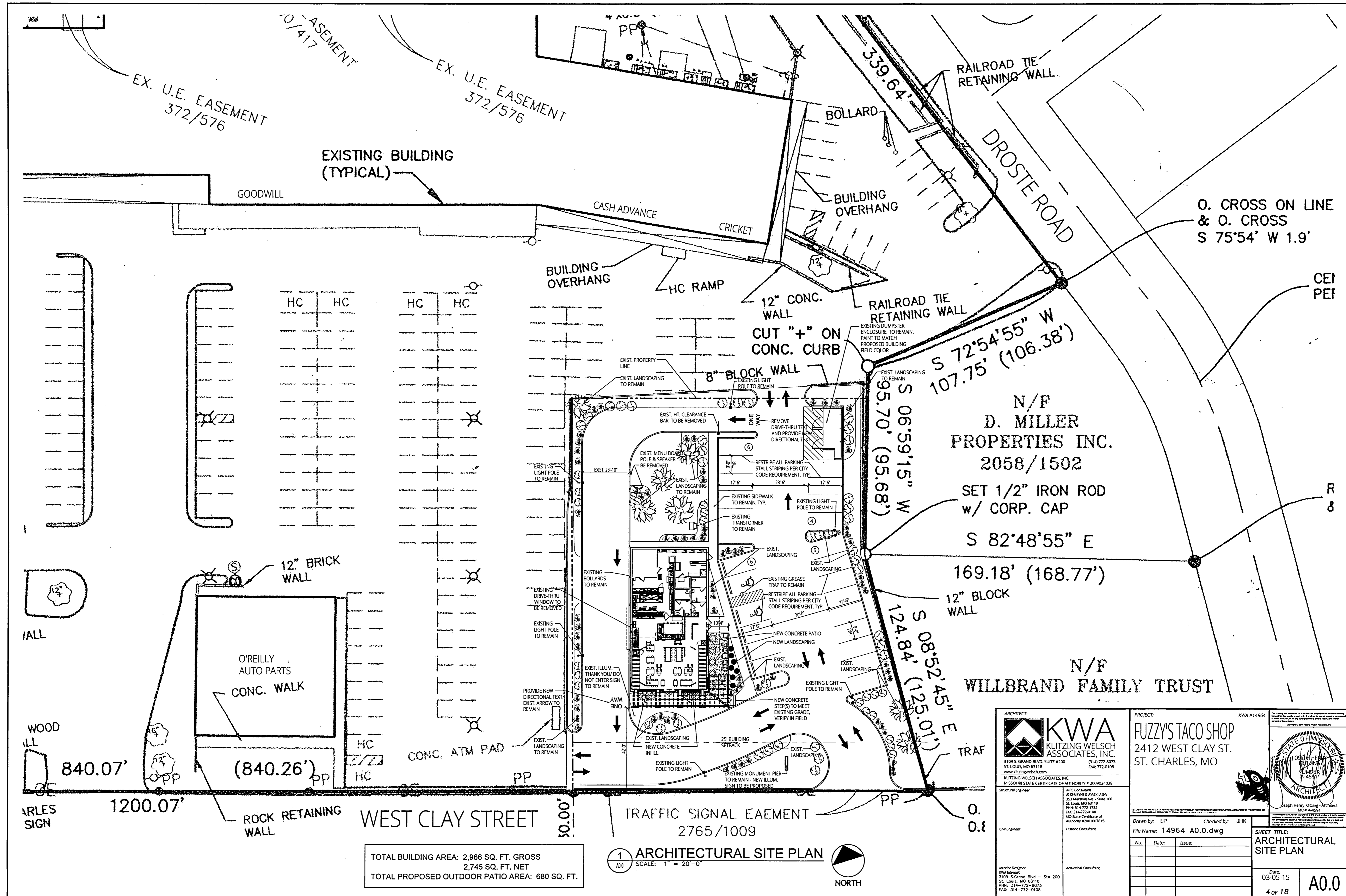
TAKE OUT MENU

VIEW OUR



Locations

ABELARDOSMEXICANFOOD.COM



TOTAL BUILDING AREA: 2,966 SQ. FT. GROSS
 2,745 SQ. FT. NET
 TOTAL PROPOSED OUTDOOR PATIO AREA: 680 SQ. FT.

1 ARCHITECTURAL SITE PLAN
 SCALE: 1" = 20'-0"

ARCHITECT: **KWA**
 KLITZING WELSCH ASSOCIATES, INC.
 3109 S GRAND BLVD SUITE #200
 ST. LOUIS, MO 63118
 WWW.KWAARCHITECT.COM
 (314) 772-8079
 FAX: 772-0108

PROJECT: **FUZZY'S TACO SHOP**
 2412 WEST CLAY ST.
 ST. CHARLES, MO

STATE OF MISSOURI ARCHITECTS
 Joseph Henry Klitzing - Architect
 No. 45519

Drawn by: LP
 File Name: 14964 A0.0.dwg
 No. Date Issue

Checked by: JHK

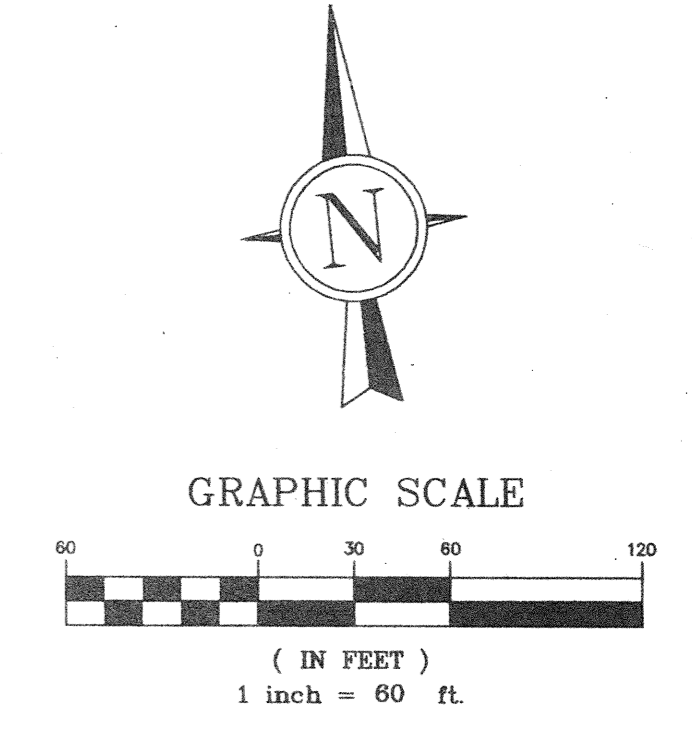
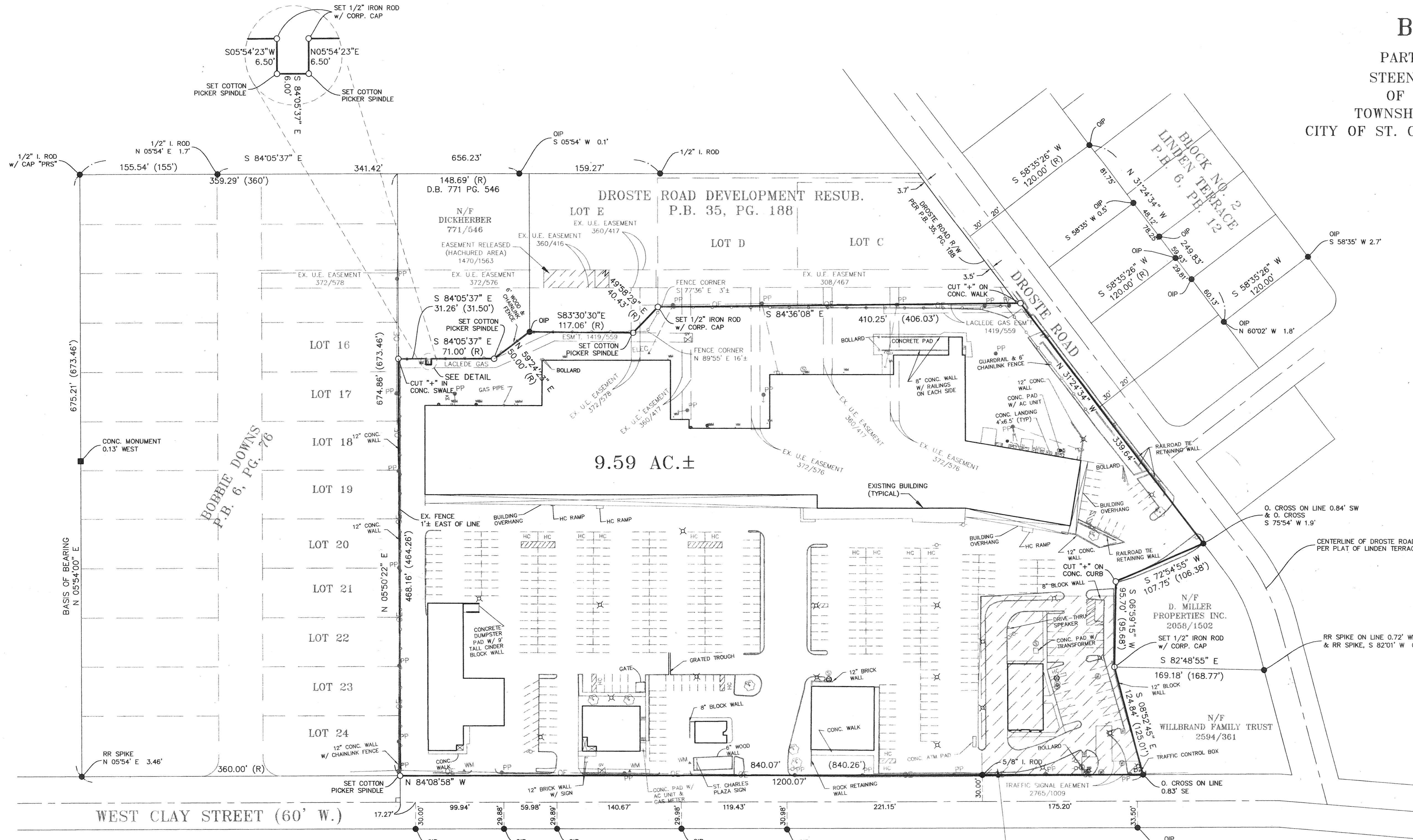
SHEET TITLE:
 ARCHITECTURAL
 SITE PLAN

Date: 03-05-15
 4 of 18

A0.0

BOUNDARY SURVEY

PART OF LOTS 13 & 14 IN BLOCK 6
STEEN AND CUNNINGHAMS SUBDIVISION
OF THE COMMONS OF ST. CHARLES
TOWNSHIP 47 NORTH, RANGES 4 & 5 EAST
CITY OF ST. CHARLES, ST. CHARLES COUNTY, MISSOURI.



1. CLASS OF PROPERTY: URBAN
2. BEARINGS, DISTANCES AND/OR ACREAGE SHOWN IN () OR DENOTED BY (R) IS INFORMATION OF RECORD.
3. THE CENTERLINE OF DROSTE ROAD IS SHOWN ACCORDING TO LINDEN TERRACE SUBDIVISION AS RECORDED IN PLAT BOOK 6, PAGE 12 OF THE ST. CHARLES COUNTY RECORDS USING THE FOUND MONUMENTATION WITHIN BLOCK NUMBER 2 AS SHOWN.
4. THE NORTH LINES OF THE SUBJECT TRACT WERE RE-ESTABLISHED ACCORDING TO DEED OF RECORD FOR THE DICKHERBER RECORDED IN BOOK 771, PAGE 546 AND THE RESUB. OF DROSTE ROAD DEVELOPMENT RECORDED IN PLAT BOOK 35, PAGE 188 USING THE FOUND MONUMENTATION ALONG THE NORTH LINE OF SAID SUBDIVISION AND MONUMENTS ALONG THE WESTERLY PROLONGATION OF SAID NORTH LINE.
5. THE ENTIRE SUBJECT TRACT IS COVERED BY EXISTING BUILDINGS OR EXISTING PAVEMENT. THIS IS A RESURVEY OF A TRACT AS DESCRIBED IN DEED BOOK 4089, PAGE 1706 OF THE ST. CHARLES COUNTY RECORDS EXCLUDING THAT PORTION AS DESCRIBED BY DEED BOOK 2058, PAGE 1502.

TITLE COMMITMENT PROVIDED BY LAWYERS TITLE INSURANCE CORPORATION
COMMITMENT NUMBER 8-28340
EFFECTIVE DATE: OCTOBER 18, 2006

SCHEDULE B - SECTION 2 ITEMS REVIEWED AS FOLLOWS (ONLY THE ITEMS NOT MARKED "DELETE" AS PROVIDED WERE EXAMINED):

ITEM 8) EASEMENTS GRANTED TO UNION ELECTRIC COMPANY BY INSTRUMENTS RECORDED IN BOOK 308, PAGE 467, BOOK 360 PAGE 416, BOOK 372 PAGE 576 AND BOOK 372 PAGE 578. EASEMENT IN BOOK 308 PAGE 467 DOES NOT AFFECT THE SUBJECT PROPERTY AS DESCRIBED, IT DOES AFFECT THE ADJOINING PROPERTY TO THE NORTH (PART OF ORIGINAL TRACT) AS SHOWN AND MAY BENEFIT THE SUBJECT TRACT FOR PROVIDING UTILITIES. DOCUMENT RECORDED IN BOOK 360 PAGE 416 DOES NOT AFFECT THE SUBJECT PROPERTY AS DESCRIBED, HOWEVER THE DOCUMENT MENTIONS 3 STRIPS OF GROUND BUT ONLY DESCRIBES ONE 20 FOOT EASEMENT THAT IS NORTH OF THE SUBJECT PROPERTY AS SHOWN (SIMILAR NOTATION AS IN PREVIOUS EXPLANATION FOR DOCUMENT RECORDED IN BOOK 308 PAGE 467). PORTIONS OF EASEMENTS MENTIONED IN DOCUMENT RECORDED IN BOOK 360, PAGE 417 DOES AFFECT THE SUBJECT PROPERTY AS SHOWN. PORTIONS OF EASEMENTS RECORDED IN BOOK 372 PAGE 576 AFFECT THE SUBJECT PROPERTY AS SHOWN, INCLUDING PORTIONS OF THE EASEMENTS ENCRANCH INTO THE EXISTING BUILDING AS SHOWN. PORTION OF EASEMENTS RECORDED IN BOOK 372, PAGE 578 AFFECT THE SUBJECT PROPERTY AS SHOWN, INCLUDING A PORTION OF THE EASEMENT AFFECTS THE BUILDING AS SHOWN.

ITEM 11) NOTICE OF EASEMENTS TO LACLEDE GAS COMPANY AS RECITED IN DEEDS RECORDED IN BOOK 524 PAGE 943, BOOK 524 PAGE 947 AND BOOK 536 PAGE 748. ALL OF THESE DOCUMENTS MAKE THE PROPERTY SUBJECT TO ANY RIGHTS OR EASEMENTS THAT MAY EXIST BUT DO NOT INDICATE ANY RECORDED DOCUMENTS, LOCATION OF EXISTING UTILITIES, INCLUDING GAS LINES WAS NOT PART OF THIS SURVEY. SEVERAL OF THE UTILITY LINES AND APPURTENANCES FALL OUTSIDE OF THE RECORD EASEMENTS SHOWN.

ITEM 20) EASEMENT GRANTED TO LACLEDE GAS COMPANY BY INSTRUMENT RECORDED IN BOOK 1419 PAGE 559. AFFECTS THE SUBJECT PROPERTY AS SHOWN.

ITEM 23) PERMANENT TRAFFIC SIGNAL EASEMENT GRANTED TO THE CITY OF ST. CHARLES, MISSOURI ACCORDING TO INSTRUMENT RECORDED IN BOOK 2765 PAGE 1009. AFFECTS THE SUBJECT PROPERTY AS SHOWN.

ITEM 25) DECLARATION OF RESTRICTIONS RECORDED AUGUST 29, 2003 IN BOOK 3615 PAGE 217. AFFECTS THE SUBJECT PROPERTY AS INDICATED IN THE DOCUMENT WITH THE TENANT AREA SHOWN HEREON. OWNER SHOULD HAVE THEIR ATTORNEY REVIEW THE DOCUMENT TO DETERMINE AFFECTS.

CERTIFICATE OF SURVEY & ACCURACY

THIS IS TO CERTIFY THAT DURING SEPTEMBER, 2006 AT THE REQUEST OF ST. CHARLES PARTNERSHIP, L.P., WE HAVE EXECUTED A PROPERTY BOUNDARY SURVEY OF A TRACT OF LAND BEING PART OF LOTS 13 & 14 IN BLOCK 6 OF STEEN AND CUNNINGHAMS SUBDIVISION OF THE COMMONS OF ST. CHARLES IN TOWNSHIP 47 NORTH, RANGES 4 & 5 EAST IN THE CITY OF ST. CHARLES, ST. CHARLES COUNTY, MISSOURI.

I HEREBY CERTIFY THAT THIS PLAT WAS DRAWN FROM A SURVEY PERFORMED UNDER MY SUPERVISION IN ACCORDANCE WITH THE CURRENT "MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" OF THE MISSOURI DEPARTMENT OF NATURAL RESOURCES AND DEPARTMENT OF ECONOMIC DEVELOPMENT.

BUESCHER DITCH & ASSOCIATES, INC.; L.C. 2001010600-D

BY: *Mark A. Ditch*
MARK A. DITCH, PLS 2225

12/04/07

BOUNDARY SURVEY	
2402 WEST CLAY, ST. CHARLES	
BUESCHER DITCH & ASSOC., INC.	
CIVIL ENGINEERING AND SURVEYING 2 EAST FIFTH STREET, SUITE 200 P.O. BOX 521 WASHINGTON, MISSOURI 63090	
Ph. (636) 239-6255 Fax (636) 239-7681	
DATE: 12/04/07	NO. 1
REVISIONS: TITLE COMMITMENT	DRAWN BY: GLS
DATE: 09-21-06	JOB NO.: 06056
SHEET NO. 1 OF 1	



AGENDA ITEM #7
STAFF REPORT
CONDITIONAL USE NO. CU-2026-05
LIQUOR SALES

3010 W. CLAY STREET

MARCH 9, 2026
BY LARA BERRY

APPLICANT: Yan Chen
SUSHI AI
3010 W. Clay Street
St. Charles, Missouri 63301

OWNER: W. Clay LLC
10 Clayton Terrace
St. Louis, MO 63131

ADDRESS/LOCATION: 3010 W. Clay Street
Ward 9

LOT SIZE: 1.53-acres

CURRENT ZONING: “C-2” General Business District

PROPOSED USE: Liquor Sales associated with a permitted Restaurant use

SUMMARY/ANALYSIS

This request is for liquor sales specifically associated with a permitted restaurant use at 3010 W. Clay Street. The subject property, formerly Culpeppers Grill and Bar, is located just west of the Zumbahl Road and W. Clay Street intersection. The applicant, Sushi Ai, is currently located at 2009 Zumbahl Road (Bogey Hills Plaza) and will be relocating to this stand-alone restaurant. In July 2025, the Planning and Zoning Commission approved elevation changes for the subject property via Site Plan application SP-2025-06.

A restaurant use is permitted by right at this location; however, liquor sales associated with the use is a conditional use. The conditional use request is limited solely to liquor sales associated with the restaurant use and does not apply to the restaurant use itself or any other permitted uses.

Sushi Ai has several locations throughout the St. Louis Metro area, serving Japanese cuisine. The alcoholic beverage menu associated with this restaurant and this request includes wine, beer, sake, and other specialty cocktails. The restaurant serves lunch and dinner, daily from 10:30 AM to 10:30 PM.



Figure 1: Parking lot view of the subject business.

Consistency with Chapter 600 (Alcoholic Beverages)

Section 600.280 of the City Code outlines limitations on granting a liquor license. Specifically, subsection (C) states the following:

“No liquor license or restaurant liquor license shall be granted to any person for any premises if the property line of the premises sought to be licensed is less than three hundred (300) feet from the property line of any property used as a hospital, school or church, from the property line of any property in a residential zoning district, any residential land use in the "HCD" zoning district, or in the O-I zoning district, unless the applicant for the license shall first obtain the consent of the City Council. Such consent shall not be granted until at least ten (10) days' written notice has been provided to all owners of property within three hundred (300) feet of the proposed licensed premises.”

The subject property is directly adjacent to a residentially zoned district, “R-M” Manufactured/Modular Residential District, Sunnydale Mobile Home Park. Due to this adjacency, the notification provisions of Section 600.280(C) are applicable. However, since a Conditional Use Permit is associated with a public hearing, and all property owners within 300 feet of the subject property are notified 15 days prior to the hearing, this notification process constitutes compliance with the above-mentioned code section. Therefore, the requirements of Chapter 600 related to notification of surrounding property owners are satisfied through the City’s Conditional Use Permit process.

Consistency with Comprehensive Plan

The St. Charles Comprehensive Plan adopted in 2002, and updated in 2026, recommends that land use decisions be based on a project's location and compatibility with surrounding development. The Comprehensive Plan identifies 21 activity centers in the city, locations characterized by distinct locations of visibility, activity, and traffic. Polygon-based Sub-Districts are also identified which reflect the extent of established core activity and the transition to surrounding lower-density development. The plan recommends that development should align with the predominant land uses, assets, and needs of the nearest activity center. The activity centers should be surrounded by land uses that respond to context, promotes compatibility, and supports the City's long-term goals for balanced growth. Proposed new uses should be judged based upon its distance from the nearest activity center and/or sub-district, its compatibility with what surrounds it, and whether the level of development it will generate aligns with the surrounding area or is counter to that goal.

This property is located closest to Activity Center #5 (I-70/Zumbahl Interchange). The proposed liquor sales, when accessory to a permitted restaurant use, represent a low-intensity commercial activity consistent with this corridor and are therefore compatible with the surrounding commercial and residential uses along West Clay, if conditioned appropriately.

Consistency with Conditional Use standards

Section 400.980 of the City Code outlines standards of review for the conditional use application. The standards are as follows:

- a) How the proposed conditional use (the use in general) is in harmony with the purposes, goals, objectives, policies and standards of the Comprehensive Plan, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the city.
- b) Whether the proposed conditional use (in its proposed location) is in harmony with the purposes, goals, objectives, policies and standards of the Comprehensive Plan, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the city.

Regarding a) and b), Conditional Uses are not allowed by-right as they can be problematic if not located and/or conditioned properly. In this case, the proposal is located on W. Clay Street, near Activity Center #5. This intensity pattern is consistent with the goals of the Comprehensive Plan and the proposed uses at this location could operate in conformance with the density, intensity, and activity guidelines provided above.

- c) Whether the proposed conditional use, in its proposed location and as depicted on the required site plan, results in a substantial or undue adverse impact on the adjacent property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions and policies of the Zoning Ordinance, Comprehensive Plan, or any other plan, program, or ordinance adopted or under consideration pursuant to official notice by the city.

Based upon a review of the proposed land uses, if conditioned properly and operated in compliance with the Zoning Ordinance and Comprehensive Plan, the proposal should not

have an adverse impact on the character of the neighborhood, public safety, and general welfare of the city.

- d) Whether the proposed conditional use maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property as directed by the Comprehensive Plan.

Staff believes the restaurant with liquor sales, if conditioned appropriately, can be compatible within its commercial surroundings and should not produce negative effects on neighboring properties or the neighborhood. Staff believes this use can operate in a manner that is consistent with the area, as conditioned.

- e) Whether the proposed conditional use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.

Staff believes the proposed conditional use in this location will not have an undue burden on public services as this proposal has been reviewed by Community Development, Finance, and Fire Departments with no outstanding comments.

- f) Whether the public benefits of the proposed conditional use outweigh the potential adverse impacts of the proposed conditional use as identified above, after taking into consideration any proposal by the petitioner and any requirements recommended by the petitioner and/or City Staff to ameliorate such impacts.

After review of the proposal and the above standards for evaluating Conditional Uses, staff believes the proposed use, if conditioned properly, would prevent any potential adverse impacts, and the public benefits would outweigh any potential adverse impacts.

Furthermore, the City Code allows the Planning and Zoning Commission to recommend conditions of approval to protect surrounding properties, as well as to give consideration with respect to location in the recommendations. The proposed liquor sales associated with a restaurant use complies with the above standards.

STAFF RECOMMENDATION

This conditional use can operate in conformance with City requirements, is compatible with surrounding land uses and complies with the Comprehensive Plan of the City of St. Charles. Staff recommends approval of the proposed conditional use for liquor sales associated with a permitted use, subject to the following conditions:

1. This conditional use permit for liquor sales associated with a restaurant use shall be issued to the applicant (Yan Chen) with Sushi Ai restaurant located at 3010 W. Clay Street and shall not be transferable to another location and/or tenant/business.
2. Any change to the submitted proposal, including but not limited to the expansion of the building or outdoor patio, special events, or live outdoor music may require additional approvals from the City.
3. Approval of this Conditional Use is not approval of a liquor license. A liquor license shall be approved by the City Council prior to liquor sales.

4. Liquor sales shall not occur independently of the primary business use and shall only be accessory to the operation of the restaurant use.
5. Liquor sales shall be limited to the restaurant's normal operating hours of 10:30 AM to 10:30 PM, unless otherwise approved by the City.
6. Non-compliance with any building codes, property maintenance codes, fire codes, noise control ordinances, or conditions of this approval is grounds for revocation of the conditional use approval.
7. Violations of Chapter 600 (Liquor/Alcoholic Beverages) may be grounds for revocation of this Conditional Use.

Recommended Motion:

Motion to forward the Conditional Use Permit application CU-2026-05 to the City Council with a favorable recommendation, subject to the conditions recommended by staff.



Figure 2: Aerial Photo of the Subject Site.



2009 Zumbahl Rd
St. Charles, MO 63303
636-949-8888

Beverages

- Fountain Drinks \$2.99
 - Pepsi, Mountain Dew, Dr Pepper, Root Beer, Lemonade, Starry
 - Diet Pepsi, Diet Dr. Pepper
- Hot/Iced Tea (Unsweetened) \$2.99
- Ramune (Japanese Soda) \$3.99

Dessert

- Cheesecake Tempura \$4.99
- Mochi \$3.99
 - Green Tea, Red Bean, Strawberry, Mango
- Ice Cream \$3.99
 - Vanilla, Chocolate, Green Tea
- Fried Ice Cream \$3.99
 - Vanilla, Chocolate, Green Tea
- Fried Oreos (4) \$4.99

18% Gratuity will be added for parties 6 and up

Hot Appetizers

- **Edamame** \$4.99

Salted Soybeans

- **Gyoza** \$4.99

6pc Grilled Pork Dumplings

- **Shrimp Shumai** \$4.99

6pc Steamed Shrimp Dumplings

- **Harumaki** \$4.99

3pc Fried Vegetable Spring Rolls

- **Crab Rangoon** \$4.99

6pc Fried Crab Honey Cream Cheese
Wontons

- **Chicken Nuggets** \$4.99

...8pc Chicken Nuggets

- **Yakitori** \$5.99

6pc Chicken and Onion Skewers

- **Fried Oyster** \$6.99

6pc Fried Breaded Oysters

- **Ika Yaki** \$9.99

Grilled Squid (or Fried on Request)

- **Hamachi Kama Yaki** \$8.99

Grilled Yellowtail Collar

- **Tempura Appetizer**

- Vegetable \$4.99

- Shrimp \$6.99

- Soft-shell Crab \$8.99

- **Teriyaki Appetizer**

- Chicken \$5.99

- Beef \$6.99

- Shrimp \$6.99

* = Raw | *S* = Spicy

Cold Appetizers

- **Kani Su** **\$8.99**
Crab | Avocado | Ponzu |
Cucumber Wrapped

- **Tako Su*** **\$10.99**
Octopus | Avocado | Ponzu |
Cucumber Wrapped

- **Yellowtail Jalapeno**SS*** **\$9.99**
4pc Yellowtail | Jalapeno |
Masago* | Scallion |
Tempura Flakes | Ponzu

- **Tuna Pizza**S*** **\$10.99**
4pc Tuna | Wonton Chip |
Avocado | Cucumber | Onion
| Masago* | Scallion |
Spicy Mayo | Eel Sauce

- **Tuna Tataki*** **\$10.99**
6pc Lightly Seared Tuna |
Masago* | Scallion | Ponzu

- **Sashimi Appetizer***
 - 4pc Salmon **\$8.99**
 - 4pc Tuna **\$8.99**
 - 4pc White Tuna **\$8.99**

Soup & Salad

- Miso Soup **\$2.49**
- House Salad **\$2.49**
- Avocado Salad **\$5.99**
- Seaweed Salad **\$4.99**
- Ika Salad **\$6.99**

* = Raw | **S** = Spicy

Rolls (8 Pieces)

- **St. Louis*** **\$9.99**
Inside: Salmon | Crab | Honey
Cream Cheese | Tempura Flakes
*Fried Upon Request
- **Popup***S**** **\$10.99**
Inside :Spicy Salmon | Crab | Shrimp |
Cucumber | Avocado |
Top: Masago* | Tempura Flakes
- **Volcano***S**** **\$10.99**
Inside: Spicy (Salmon | Tuna | Yellowtail)
Top: Masago* | Sriracha
- **Crazy Spicy Crab **S**** **\$10.99**
Inside: Crab | Avocado | Cucumber
Top: Crab | Spicy Mayo
- **Mountain***S**** **\$10.99**
Inside: Avocado | Cucumber
Top: Tuna | Scallion | Spicy Mayo
- **Fashion*** **\$10.99**
Inside: Crab | Avocado | Cucumber
Top: Tuna
- **Rainbow*** **\$10.99**
Inside: Crab | Avocado | Cucumber
Top: Salmon | Shrimp | Tuna |
Red Snapper | White Tuna
- **Obama's Choice **S**** **\$10.99**
Inside: Shrimp Tempura |
Cream Cheese
Top: Spicy Mayo | Eel Sauce |
Shredded Nori
- **Crazy Tuna* **S**** **\$12.99**
Inside: Pepper Tuna | Avocado
Top: Tuna | Masago* | Scallion |
Tempura Flakes | Spicy Mayo
- **Supersonic***S**** **\$12.99**
Inside: Spicy Scallop | Cucumber |
Tempura Flake
Top: Smoked Salmon | Shrimp | Avocado
- **Paul's** **\$11.99**
Inside: Shrimp Tempura | Cucumber
Top: Eel | Avocado | Eel Sauce

- **Green Dragon** **\$11.99**
Inside: Eel | Cucumber
Top: Avocado | Masago* | Tempura Flakes |
Eel Sauce
- **Under Control***S**** **\$12.99**
Inside: Spicy Tuna
Top: Shrimp Tempura | Masago* | Eel Sauce
- **B.O.G.***S**** **\$11.99**
Inside: Spicy Tuna | Avocado
Top: Three Type Tobiko*
- **Red Dragon** **\$12.99**
Inside: Soft-Shell Crab
Top: Eel | Avocado | Masago* |
Tempura Flakes | Eel Sauce
- **World Series*** **\$12.99**
Inside: Soft-Shell Crab
Top: Tuna | Eel | Avocado | Masago* |
Tempura Flakes | Eel Sauce
- **Sexy Girl **S**** **\$13.99**
Inside: Shrimp Tempura
Top: Seared Rib Eye | Tobiko* | Spicy Mayo |
Eel Sauce | Sriracha
- **Yummy***S**** **\$13.99**
Inside: Eel | Crab | Honey Cream Cheese
Top: Salmon | Tuna | Yellowtail |
Red Snapper | Avocado | Tobiko* |
Tempura Flakes | Spicy Mayo | Eel Sauce
- **Pink Lady **S**** **\$13.99**
Inside: Crab | Seaweed Salad
Top: Spicy Mayo | Sriracha
* Rolled w/ Soy Paper
- **Hawaiian** **\$14.99**
Inside: Coconut Shrimp | Crab |
Honey Cream Cheese
Top: Mango | Avocado | Tobiko* |
Coconut Sauce
- **Halloween **S**** **\$14.99**
Inside: Soft-Shell Crab | Avocado |
Cucumber | Masago*
Top: Tobiko* | Shredded Nori | Wasabi |
Scallion | Spicy Mayo | Eel Sauce

* = Raw | **S** = Spicy

More Rolls (4 - 8 Pieces)

(One Piece Temaki Upon Request)

- **Cucumber** \$4.99
- **Avocado** \$4.99
- **Sweet Potato** \$4.99
- **Vegetable** \$5.99
Cucumber | Avocado | Sweet Potato
- **Pickled Radish** \$4.99
- **California** \$5.99
- **Salmon*** \$5.99
- **Tuna*** \$5.99
- **Yellowtail*** \$5.99
Yellowtail | Scallion
- **Salmon Skin** \$5.99
Fried Salmon Skin | Cucumber
- **Eel** \$7.99
Eel | Cucumber | Eel Sauce
- **Spicy Crab **S**** \$5.99
- **Spicy Salmon***S**** \$7.99
- **Spicy Tuna***S**** \$7.99
- **Spicy Scallop***S**** \$8.99

- **Futo Maki** \$6.99
Crab | Egg | Masago* | Cucumber | Avocado |
Pickled Radish
- **Black & White** \$6.99
Eel | Cream Cheese
- **Philadelphia*** \$7.99
Salmon | Cream Cheese | Scallion
*Fried Upon Request
- **Alaska*** \$7.99
Salmon | Avocado | Cucumber
- **Honey** \$6.99
Crab | Honey Cream Cheese |
Tempura Flakes

- **Yamasa** \$6.99
Crab | Tempura Flake | Masago* | KP Mayo
- **Jalapeno **SS**** \$6.99
Crab | Avocado | Cucumber | Jalapeno |
Spicy Mayo
- **Christmas*** \$7.99
Tuna | Avocado | Masago*
*Fried Upon Request
- **Boston **S**** \$7.99
Shrimp | Crab | Cucumber | Lettuce |
Avocado | Masago* | Spicy Mayo
- **Michigan***S**** \$8.99
Spicy Tuna | Tempura Flakes | Masago*
- **Shrimp Tempura** \$7.99
Shrimp Tempura | Avocado | Cucumber |
Masago* | Eel Sauce
- **American Dream** \$7.99
Eel | Shrimp Tempura | Avocado | Cucumber
| Masago* | Eel Sauce
- **Rock & Roll** \$7.99
Fried (Salmon | Red Snapper | Crab) |
Eel Sauce
- **Maryland*** \$7.99
Salmon | Eel | Avocado | Cucumber |
Masago* | Eel Sauce
- **Spider** \$9.99
Soft-Shell Crab | Avocado | Cucumber |
Masago* | Eel Sauce
- **Snow White** \$9.99
Inside: Crab | Avocado | Cucumber
Top: Crab | Honey Cream Cheese |
Tempura Flake
- **Wasabi Crunch** \$9.99
Inside: Crab | Avocado | Cucumber
Top: Tempura Flake | Wasabi Mayo

* = Raw | **S** = Spicy

Sushi Entree

+ Soup | Salad

(Chef's Choice for Nigiri & Sashimi)

- **Sansoku Maki*** **\$15.99**
California R | Tuna R | Salmon R
- **Nigiri Regular*** **\$18.99**
9pc Nigiri | California R
- **Nigiri Deluxe*** **\$22.99**
12pc Nigiri | Tuna R
- **Sashimi Regular*** **\$23.99**
15pc Sashimi
- **Sashimi Deluxe*** **\$31.99**
21pc Sashimi
- **Nigiri & Sashimi*** **\$29.99**
5pc Nigiri | 7pc Sashimi | Tuna R

Party Tray

(Chef's Choice for Nigiri & Sashimi)

- **Vegetarian** **\$26.99**
Cucumber | Avocado | Sweet Potato |
Vegetable | Pickled Radish |
Vegetarian Futo Maki
- **Spicy Lover***S**** **\$39.99**
Jalapeno | Spicy Salmon | Volcano |
Michigan | Spicy Scallop | Super Spicy Salmon
- **Kiss of Tempura***S**** **\$33.99**
Shrimp Tempura | Green Dragon | Popup |
Michigan | 4pc Nigiri
- **Angel*** **\$40.99**
12pc Nigiri | 9pc Sashimi | Tuna |
Green Dragon
- **Hell***S**** **\$45.99**
4pc Nigiri | Volcano | Crazy Tuna | Eel |
Spider | Red Dragon
- **Sushi Ai Special***S**** **\$55.99**
15pc Nigiri | 9pc Sashimi | World Series |
Spider | Spicy Tuna | Shrimp Tempura

Nigiri or Sashimi

(1pc per Order)

- Egg **\$2.25**
- Tofu Skin **\$2.25**
- Avocado **\$2.25**
- Salmon* **\$2.49**
- Smoke Salmon* **\$2.49**
- Tuna* **\$2.49**
- White Tuna* **\$2.49**
- Pepper Tuna* **\$2.49**
- Shrimp **\$2.49**
- Crab **\$2.49**
- Red Clam* **\$2.49**
- Squid* **\$2.49**
- Spicy Salmon***S** **\$2.49**
- Spicy Tuna***S** **\$2.99**
- Spicy Scallop***S** **\$2.99**
- Octopus* **\$2.99**
- Masago** **\$2.99**
- Eel **\$2.99**
- Salmon Roe* **\$2.99**
- Yellowtail* **\$2.99**
- Albacore Tuna* **\$2.99**
- Scallop* **\$3.49**
- Sweet Shrimp* **\$4.99**

S = Spicy

Kitchen Entree

+ Soup | Salad | White Rice or Fried Rice (\$2)

- **Teriyaki or Hibachi**
(Broccoli | Carrot | Zucchini | Mushrooms | Onion)
 - Chicken \$13.99
 - Beef \$14.99
 - Shrimp \$14.99
 - Salmon \$15.99
- **General Tso's Chicken S** \$13.99
- **Sesame Chicken** \$13.99
- **Orange Chicken S** \$13.99

Bento

Lunch (10:30 - 3:00 | Mon - Sat)

+ Salad | Vegetable Tempura |
White Rice or Fried Rice (\$2)

Dinner

+ Lunch Sides | Soup | California Roll

- **Teriyaki**
(Broccoli | Carrot | Zucchini | Mushrooms | Onion)
 - Chicken \$10.99 / \$14.99
 - Beef \$11.99 / \$15.99
 - Shrimp \$11.99 / \$15.99
 - Salmon \$12.99 / \$16.99
 - Scallop \$12.99 / \$16.99
- **General Tso's Chicken S** \$11.99 / \$15.99
- **Sesame Chicken** \$11.99 / \$15.99
- **Orange Chicken S** \$11.99 / \$15.99

Gluten-Free Steamed Vegetables

+Soup | White Rice

Broccoli | Zucchini | Mushroom | Carrot | Onion

- **Just Vegetables** \$12.99
- **Chicken** \$13.99
- **Beef** \$14.99
- **Shrimp** \$14.99

Fried Rice

Egg | Carrot | Onion

- **Vegetable** \$9.99
Broccoli | Mushroom | Zucchini
- **Chicken** \$10.99
- **Beef** \$11.99
- **Shrimp** \$11.99
- **Seafood** \$12.99

Scallop | Shrimp | Crab | Salmon | Red Snapper

Lo Mein

Broccoli | Carrot | Onion | Zucchini | Mushroom

- **Vegetable** \$10.99
- **Chicken** \$11.99
- **Beef** \$12.99
- **Shrimp** \$12.99
- **Seafood** \$13.99

Scallop | Shrimp | Crab | Salmon | Red Snapper

Yaki Soba (Stir-fry Thin Noodles)

Broccoli | Carrot | Onion | Zucchini | Mushroom

- **Chicken** \$11.99
- **Beef** \$12.99
- **Shrimp** \$12.99
- **Seafood** \$13.99

Scallop | Shrimp | Crab | Salmon | Red Snapper

Udon (Noodle Soup)

Egg | Broccoli | Mushroom | Fishcake

- **Chicken** \$11.99
- **Beef** \$12.99
- **Shrimp** \$12.99
- **Seafood** \$13.99

Scallop | Shrimp | Crab | Salmon | Red Snapper

WINE

Pinot Grigio Riff, Italy	\$6.5 G / \$19.5 B
Sauvignon Blanc Sirius, France	\$7 G / \$21 B
Chardonnay Les Volets, France	\$6.5 G / \$19.5 B
Riesling Leitz, Germany	\$7 G / \$21 B
Moscato Centorri, Italy	\$6.5 G / \$19.5 B
Pinot Noir Pavette, California	\$7.5 G / \$22 B
Merlot Grayson, California	\$6.5 G / \$19.5 B
Cabernet Sauvignon Grayson, California	\$6.5 G / \$19.5 B
Plum Wine Fu-Ki	\$6 G / \$18 B

BEER

3.50

Budweiser
Bud Light
Bud Select,
Michelob Ultra
Heineken
Corona
Sapporo
Asahi
Kirin
Bell's Two-Hearted Ale

SAKE

Sake Bomb \$5.99 Lychee / Apple Sake \$6.99
Hot Sake \$5.25 (S) / \$7.95 (L)
Ginjo \$12.99 Nigori \$9.99

COCKTAILS

Sakura \$7.50

Lychee sake, dry sake, plum wine, simple syrup,
cherry juice.

Purple Ninja \$8.00

Red wine blend, citrus punch, rum, peach schnapps,
club soda.

Zing \$8.00

Gin, watermelon syrup, lime juice, club soda, lime.

Mai Tai \$7.50

Spiced rum, coconut rum, OJ, pineapple juice, grenadine,
orange, cherry.

*Flaming Volcano Bowl (for 2 people) \$15.50

Gin, vodka, rum, spiced rum, 151, peach schnapps, OJ,
pineapple juice, lemon juice, grenadine.

Long Island (regular/strawberry/mango)

\$7.50/\$8.00

Vodka, gin, rum, tequila, triple sec, sweet and sour mix,
lemon wedge, pepsi.

Lemon Drop \$6.00

Vodka, lemon juice, simple syrup, lemon wedge.

Mojito (regular/strawberry/mango) \$7.00/\$7.50

Rum, simple syrup, mint, lime, club soda.

Margaritas (regular/strawberry/mango) \$7.00/\$7.50

Tequila, lime juice, triple sec, sweet and sour, lemon.



SUSHI AI



AGENDA ITEM #8

**STAFF REPORT
CASE NO. PDA-2026-01
CHARLESTOWNE SENIOR LIVING
PLANNED DEVELOPMENT AMENDMENT**

**NOVEMBER 11, 2025
BY MADELYN P. BROWN**

APPLICANT: Charlestowne Crossing, LLC
239 Fox Hill Road
St. Charles, MO 63301

OWNER: FHRA, LLC
239 Fox Hill Road
St. Charles, MO 63301

ADDRESS/LOCATION: Located at the southwest corner of Highway B and
Boschertown Rd (Parcel ID # 5-116B-C390-00-
000B.2000000)
Ward 6

ACREAGE: 8.24 Acres

ZONING: PD-MU Planned Development Mixed Use

REQUEST

The applicant has submitted a petition to amend an existing PD-MU Planned Development-Mixed Use for a new senior living development within the City of St. Charles. The property is 8.24 acres in total size and located at the southwest corner of Highway B and Boschertown Rd. This amendment is to establish zoning entitlements and development standards through the submittal of a Preliminary Development Plan. Pending the approval of this amendment, a site plan application(s) will be submitted for review at a later date.

BACKGROUND

The subject tract of land was originally a part of the New Town at St. Charles development during its establishment in 2003. As such, the subject parcel of land was zoned PD-MU, consistent with the zoning designation throughout New Town. Over time, plans for New Town evolved, and the development boundaries were reduced in response to market conditions. In 2017, 67 acres that were formerly a part of New Town were rezoned to the R-1E Single-Family Residential District to allow for construction of a new residential development by Charlestowne Crossing LLC. The subject tract, while also sold to Charlestowne Crossing LLC, remained zoned PD-MU for future

development. The original development entitlements, due to the removal from the New Town development applicable to this parcel, have also been removed. Now that the applicant is prepared to move forward with development of the site, an application has been submitted to reestablish entitlements of the PD-MU for the proposed senior living development.



Figure 1: Aerial view of subject site.

ANALYSIS

Overview

The applicant is proposing to amend the existing PD-MU to allow for a senior living development. The proposal includes four (4) housing types to be constructed in three (3) phases:

- Phase One (1) consists of a 42,600-square-foot Assisted Living facility.
- Phase Two (2) includes a 60,000 square foot Independent Living facility, as well as five groupings of attached dwellings totaling eleven (11) units.
- Phase Three (3) consists of a 40,000 square foot Long Term Care building.

Land Uses

Per the PD standards, a wide range of uses identified within the residential, commercial, and industrial zoning districts are permitted within a PD-MU Planned Development Mixed Use zoning; however, the applicant is specifically proposing a Senior Housing Facility and Congregate Care Facility use. If approved as submitted, no other uses would be permitted without an amendment to the request. Table 1, below, details the standards requested for this PD-MU Planned Development.

Requested PD-MU	
Permitted Uses	Senior Housing and Congregate Care Facility
Density	23.17 Units per acre (190 units/beds)
Front Yard Setback	25 ft
Side Yard Setback	25 ft
Rear Yard Setback	25 ft
Interior Lot Line Setback	0 Ft
Min. Distance Between Buildings	N/A
Max. Lot Coverage	57%
Max. Building Height	N/A

Table 1: Requested PD-MU Standards.

Density

The applicant is proposing a maximum density of 23.17 units per acre. The PD-MU zoning district regulations do not specifically establish maximum densities per acre. Additionally, there is not an underlying zoning district to establish density due to the existing PD zoning. In order to determine the appropriateness of the proposed density, Staff has analyzed the proposal through the lens of the new St. Charles Comprehensive Plan, “2026 Guiding STC”, and nearby developments.

The Comprehensive Plan, originally adopted in 2002 and updated in 2026, recommends that land use decisions be based on a project’s location and compatibility with surrounding development. In this case, the proposal is directly adjacent to the Charlestowne and New Town developments, and is closest to Activity Center #19 (North City). These nearby developments are high in density with a broad range of uses. Additionally, this is a growth-focused area within the City of St. Charles, with new residences and commercial development along Highway N 94. Therefore, higher density can be considered appropriate in this location. The proposed density is typical of senior living developments in similar contexts and is considered appropriate given the type of residential care and range of services provided on site. Additional evaluation of this proposal using the Comprehensive Plan as a guide has been provided on Pages 6 and 7, within the Compliance with the Comprehensive Plan section.

There are other approved multi-family developments within the general vicinity with densities comparable to or greater than what is being proposed. This includes the New Town Senior Living Facility at 3200 Granger Boulevard, which was proposed to include 132 dwelling units at a density of 32.12 units per acre; however, that development is no longer proposed. Also included are the Reed Crossing Apartments at 3451 Reed Crossing, with 108 dwelling units or 43.72 units per acre. Based on this comparison, the proposed density of this application is appropriate and can be consistent with the surrounding area and developments.

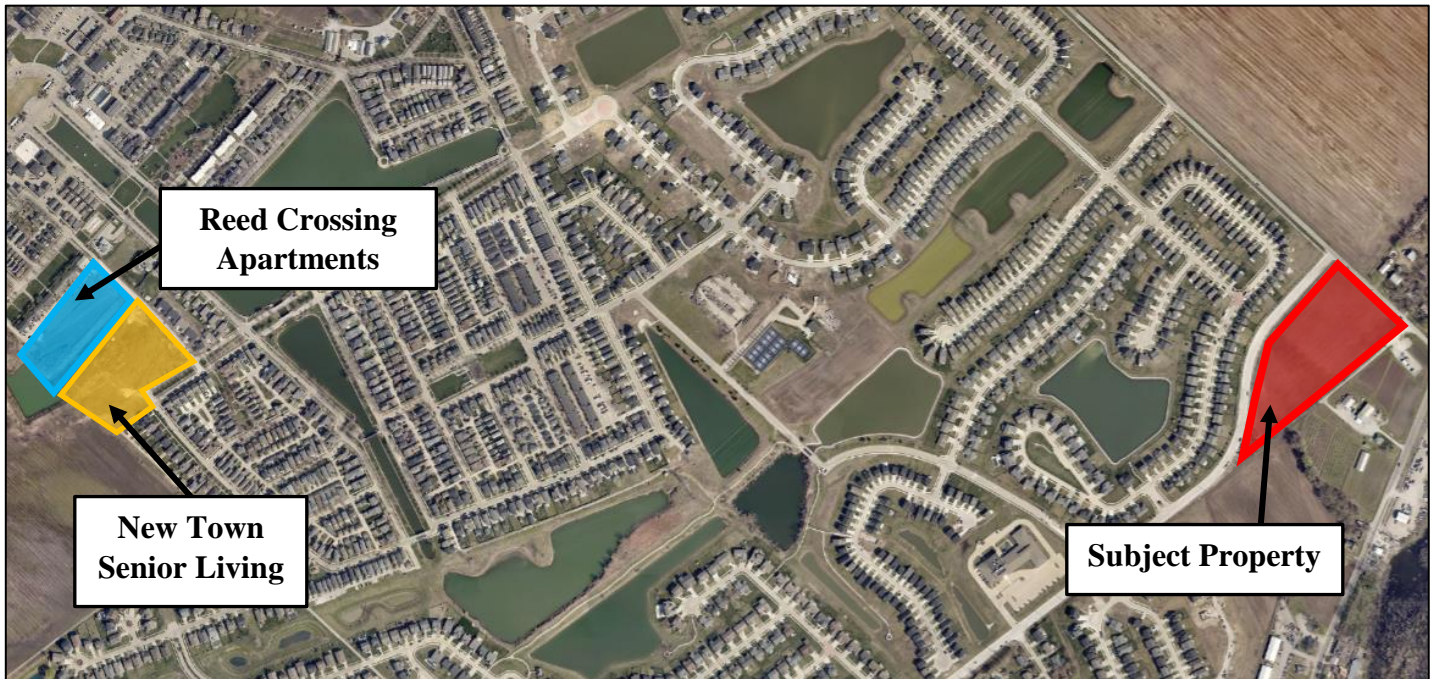


Figure 2: Subject property and nearby multi-family developments.

Architectural

The applicant has submitted sample images to provide examples for the architectural design and general appearance proposed for this development. These images have been provided below as reference only, and are not for review/approval of the Commission as a part of this application. During the forthcoming site plan submittal(s), additional renderings and elevations will be required which identify specific materials. The applicant has testified that the architectural design standards of the City will be met during the site plan approval stage.



Figure 3: Example design image.



Figure 4: Example design image.



Figure 5: Example design image.

Access/Transportation/Parking

Two (2) new access points are proposed for the site from Boschertown Road. The Fire Marshal has reviewed this plan and approves the proposed access. A traffic memo has also been submitted to the City which testifies that a traffic study is not required or warranted. The City's Engineering Department has reviewed the memo and accepts the memos findings (no traffic study required). Additionally, the sight distance at the proposed access point has been reviewed and found to be compliant with City standards, and the Engineering Department has approved the design as proposed.

Per the parking requirements identified in Section 400.670 of the Zoning Code, a Senior Housing Facility requires one (1) parking space per dwelling unit plus one (1) per each employee on the maximum shift. A Congregate Care Facility requires one (1) parking space per two (2) beds. Based on this calculation, one hundred forty-five (145) parking spaces would be required, which will be met per the provided plan.

Open Space/Amenities

A total of 3.58 acres (155,728 square feet) of open space has been provided on the overall 8.26 acre tract of land with the remaining 4.68 acres (203,142 square feet) acres being designated to structures and paved areas. This totals 43% open space and 57% site coverage. The PD-MU District permits a maximum site coverage of 70%. The proposed development complies with this standard, as the allowable site coverage has not been exceeded.

A courtyard space has been provided as an amenity available to residents within the Assisted Living building. Additional amenities will be identified during the approval of the site plan and future phasing approvals.

Buffering/Landscaping

In accordance with the PD-MU Planned Development – Mixed Use District standards, a 25 foot landscaped buffer is required along the perimeter of the development adjacent to residential uses/zoning. In this instance, residential use/zoning are adjacent only along the Boschertown Road

perimeter at the west side of the subject site. In accordance with this requirement, the plan depicts the required buffer along this property boundary. This buffer is intended to mitigate the effect of the proposed mixed use development on the existing/established development.

The Preliminary Development Plan has attested that the required one (1) tree per thirty (30) lineal feet will be planted within the required landscape buffer. Furthermore, the plan also states that all landscaping within parking areas will also be compliant with City code. Staff will review and certify compliance during site plan review.

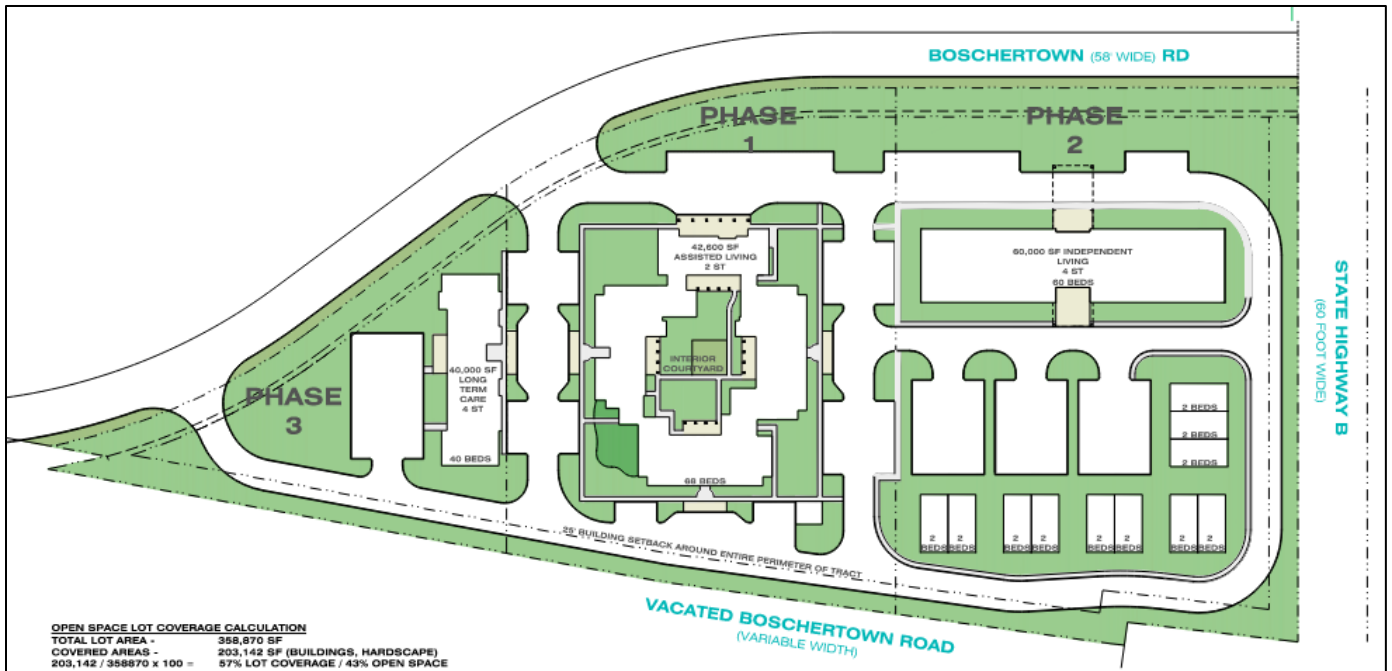


Figure 6: Preliminary Development Plan.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The St. Charles Comprehensive Plan adopted in 2002, and updated in 2026, recommends that land use decisions be based on a project's location and compatibility with surrounding development. The Comprehensive Plan identifies 21 activity centers in the city, locations characterized by distinct locations of visibility, activity, and traffic. Polygon-based Sub-Districts are also identified which reflect the extent of established core activity and the transition to surrounding lower-density development. The plan recommends that development should align with the predominant land uses, assets, and needs of the nearest activity center. The activity centers should be surrounded by land uses that respond to context, promotes compatibility, and supports the City's long-term goals for balanced growth. Proposed new uses should be judged based upon its distance from the nearest activity center and/or sub-district, its compatibility with what surrounds it, and whether the level of development it will generate aligns with the surrounding area or is counter to that goal.

As previously discussed within the density analysis (above, on Page 3), this property is closest to Activity Center #9 (North City). The proposed development is consistent with the surrounding development patterns and densities in the area. While the properties along Highway 94 and Highway B have historically consisted of farmland, largely in unincorporated county, there is a

clear pattern of redevelopment responding to the growing residential population. As mentioned above, the proposed density is typical of this style of development and would serve as an appropriate transition from nearby residential uses to existing and future commercial uses along Highway N 94.

The Department of Community Development considers this proposal to be generally consistent with the Updated 2026 Comprehensive Plan and compatible with surrounding land uses.

STAFF RECOMMENDATION

After review of the request, the City's Zoning Ordinance, Comprehensive Plan and area development patterns, staff believes the Planned Development Amendment is appropriate and consistent with the surrounding area. The Department of Community Development recommends that this request be forwarded to the City Council with a favorable recommendation.

Recommended Motion:

- 1. Motion to forward a recommendation of approval to the City Council for the Planned Development amendment PDA-2026-01, as submitted by the applicant.*

PRELIMINARY SITE PLAN CHARLESTOWNE SENIOR LIVING

ARCHITECT



CONSULTANT

SEAL

OWNER / CLIENT

PROJECT

CHARLESTOWNE SENIOR LIVING

ISSUE

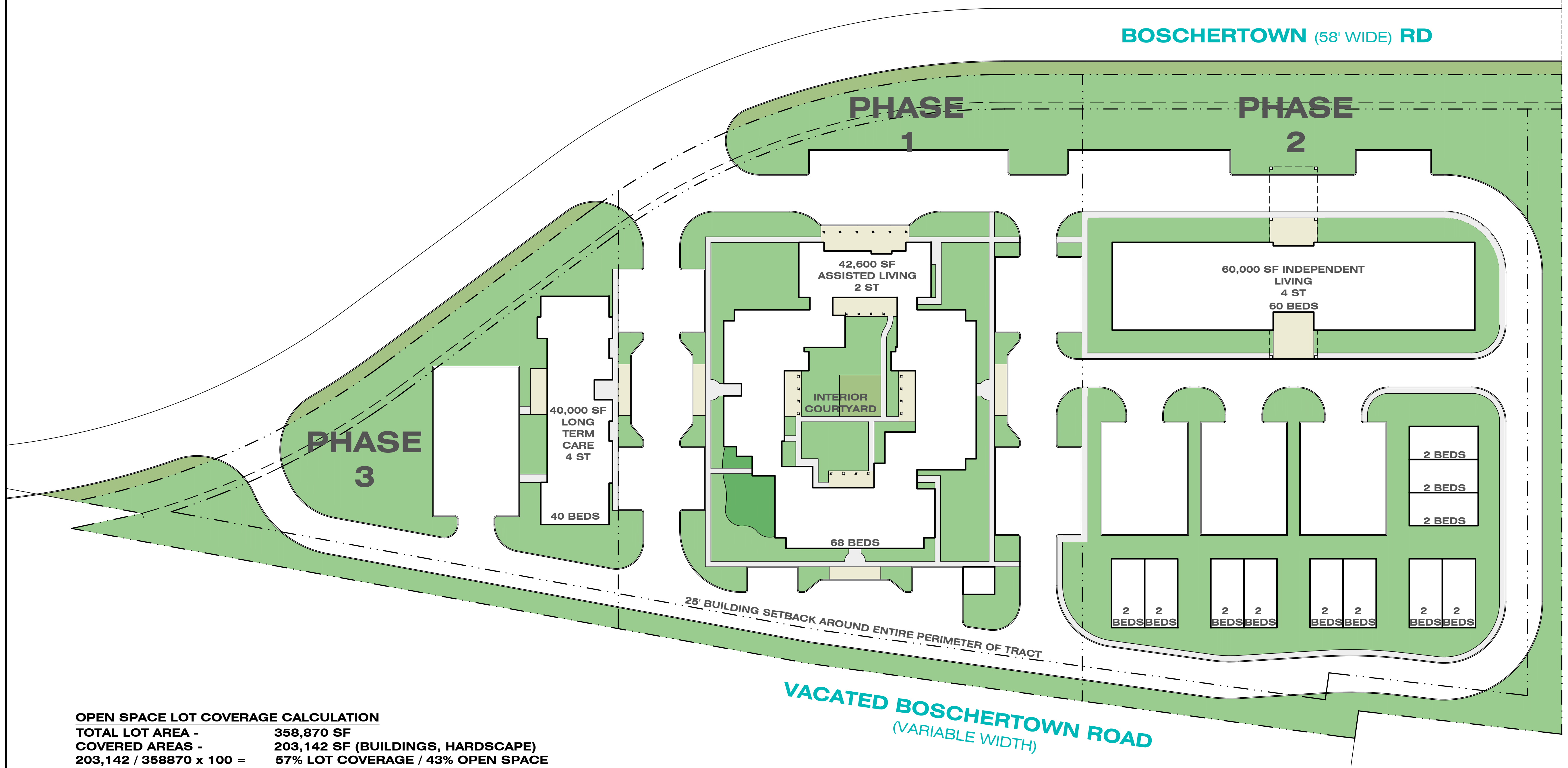
SCHEMATIC DESIGN

REVISIONS

NO	DATE	DESCRIPTION

SHEET TITLE

OVERALL SITE PLAN



OPEN SPACE LOT COVERAGE CALCULATION
 TOTAL LOT AREA - 358,870 SF
 COVERED AREAS - 203,142 SF (BUILDINGS, HARDSCAPE)
 203,142 / 358870 x 100 = 57% LOT COVERAGE / 43% OPEN SPACE

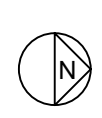
DENSITY CALCULATION
 INDEPENDENT LIVING 82 BEDS
 ASSISTED LIVING 68 BEDS
 LONG TERM CARE 40 BEDS
 190 BEDS

GENERAL NOTES
 MAXIMUM INDEPENDENT LIVING EMPLOYEE SHIFT = 20 EMPLOYEES
 PARKING REQUIREMENTS WILL BE IN COMPLIANCE WITH CITY CODE
 25' SETBACKS WITH THE EXCEPTION OF 0' SIDE YARD SETBACKS ON INTERIOR LOTS
 25' LANDSCAPE BUFFER ALONG BOSCHERTOWN ROAD WITH 1 TREE PLANTED EVERY 30'
 LANDSCAPING WITHIN PARKING AREAS WILL BE IN COMPLIANCE WITH CITY CODE

SITE PLAN

1"=40'-0"

0' 10' 20' 40'
1"=40'





AGENDA ITEM #9

**STAFF REPORT
NO. CU-2024-08
AMENDED CONDITIONAL USE
MEETING FACILITY & LIQUOR SALES
1106 N. 2ND STREET
MARCH 9, 2026
BY MADELYN P. BROWN**

APPLICANT/OWNER: XRP Homes LLC
610 Hawthorne Dr
Farmington, MO 63640

ADDRESS/LOCATION: 1106 N. 2nd Street
Ward 1

ACREAGE/SIZE: 5,400 square feet (overall)

CURRENT ZONING: FD/FHP Frenchtown District within the Frenchtown
Historic Preservation District overlay

PROPOSED USE: Meeting Facility and Liquor Sales

SUMMARY/ANALYSIS

This request is to amend a previously approved Conditional Use application for a meeting facility (La Rivière Events) located at 1106 N. 2nd Street. The property is located within the FD/FHP Frenchtown District within the Frenchtown Historic Preservation District overlay. The FD District requires approval of a Conditional Use Permit for Meeting Facilities. At the October 28, 2024 meeting, the Planning and Zoning Commission recommended approval of the applicant's request for a new meeting facility, with final approval granted by the City Council on November 19, 2024. The applicant is requesting approval to expand the meeting facility to include an outdoor patio area. Additionally, the applicant seeks approval of a liquor sales use to serve alcoholic beverages during events. All previously approved conditions of the Conditional Use Permit shall remain in effect unless otherwise amended through this request. The hours of operation will remain as previously approved.

Meeting Facility Expansion

The applicant has submitted a site plan for the addition of a 592 square foot patio space to the north of the existing building. The patio will serve as outdoor seating during events. Additionally, a new restroom is proposed within the existing building footprint to accommodate the expanded use. This addition constitutes an expansion of the existing conditional use approval by extending the boundaries of the use into new space. Because this property is located within the Extended Historic Preservation District, a review of a Site Plan falls under the purview of the Landmarks Board and not the Planning and Zoning Commission. This item is slated for Site Plan review at Landmarks March 23, 2026 meeting. The site plan has been included as an attachment for reference.

Liquor Sales

The applicant has submitted a request for approval of a liquor sales use as part of this conditional use amendment and expansion. Per the applicant's attached statement, beverage services are proposed to be offered as part of event packages at the venue and will include beer, wine, and cocktails. Currently, the venue permits patrons to bring their own food and beverages. The applicant is now proposing to provide beverage service and catered food in conjunction with scheduled private events. No food preparation will occur on site. Food and beverages will not be available independently to the general public. The proposed liquor sales would be accessory to the principal event venue use and, therefore, the venue would not be classified as a bar.

At this time, the applicant has not submitted a liquor license application in conjunction with the request for approval of the liquor sales use. While it is common City practice to process liquor license applications concurrently with the associated land use approval to streamline the overall review process, this is not a requirement of City code. Therefore, the liquor license application may be submitted and reviewed at a later date.

Consistency with Comprehensive Plan

The St. Charles Comprehensive Plan adopted in 2002, and updated in 2026, recommends that land use decisions be based on a project's location and compatibility with surrounding development. The Comprehensive Plan identifies 21 activity centers in the city, locations characterized by distinct locations of visibility, activity, and traffic. Polygon-based Sub-Districts are also identified which reflect the extent of established core activity and the transition to surrounding lower-density development. The plan recommends that development should align with the predominant land uses, assets, and needs of the nearest activity center. The activity centers should be surrounded by land uses that respond to context, promotes compatibility, and supports the City's long-term goals for balanced growth. Proposed new uses should be judged based upon its distance from the nearest activity center and/or sub-district, its compatibility with what surrounds it, and whether the level of development it will generate aligns with the surrounding area or is counter to that goal.

This property is located closest to Activity Center #21 (Frenchtown). The proposed uses at this location is in general conformance with the density and activity guidelines provided above.

Consistency with Conditional Use standards

Section 400.980 of the City Code outlines standards of review for the conditional use application. The standards are as follows:

- a) How the proposed conditional use (the use in general) is in harmony with the purposes, goals, objectives, policies and standards of the Comprehensive Plan, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the city.
- b) Whether the proposed conditional use (in its proposed location) is in harmony with the purposes, goals, objectives, policies and standards of the Comprehensive Plan, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the city.

Regarding 1) and 2), Conditional Uses are not allowed by-right as they can be problematic if not located and/or conditioned properly. In this case, the proposal is located on N 2nd

Street, adjacent to Activity Center #21. This intensity pattern is consistent with the goals of the Comprehensive Plan, and the amended use at this location could continue to operate in conformance with the density, intensity, and activity guidelines provided above.

- c) Whether the proposed conditional use, in its proposed location and as depicted on the required site plan, results in a substantial or undue adverse impact on the adjacent property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions and policies of the Zoning Ordinance, Comprehensive Plan, or any other plan, program, or ordinance adopted or under consideration pursuant to official notice by the city.

Based upon a review of the proposed land uses, if conditioned properly and operated in compliance with the Zoning Ordinance, the proposal should continue to not have an adverse impact on the character of the neighborhood, public safety and general welfare of the city.

- d) Whether the proposed conditional use maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property as directed by the Comprehensive Plan.

Staff believes the proposed expanded conditional use with added an added liquor sales use can be compatible within its commercial surroundings and should not produce negative effects to neighboring properties or the neighborhood. Staff believes this use will operate in a manner that is consistent with the area.

- e) Whether the proposed conditional use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.

Staff believes the proposed conditional use expansion in this location will not have an undue burden on public services as this proposal has been reviewed by Community Development, Finance, and Fire Departments with no outstanding comments.

- f) Whether the public benefits of the proposed conditional use outweigh the potential adverse impacts of the proposed conditional use as identified above, after taking into consideration any proposal by the petitioner and any requirements recommended by the petitioner and/or City Staff to ameliorate such impacts.

After review of the proposal, and the above standards for evaluating Conditional Uses, staff believes the proposed uses if conditioned properly would prevent any potential adverse impacts and the public benefits would outweigh any potential adverse impacts.

Furthermore, the City Code allows the Planning and Zoning Commission to recommend conditions of approval to protect surrounding properties, as well as to give consideration with respect to location in the recommendations. The proposed use complies with the above standards.

Consistency with Chapter 600 (Alcoholic Beverages)

Section 600.280 of the City Code outlines limitations on granting a liquor license. Specifically subsection (C) states the following:

“No liquor license or restaurant liquor license shall be granted to any person for any premises if the property line of the premises sought to be licensed is less than three hundred (300) feet from the property line of any property used as a hospital, school or church, from the property line of any property in a residential zoning district, any residential land use in the "HCD" zoning district, or in the O-I zoning district, unless the applicant for the license shall first obtain the consent of the City Council. Such consent shall not be granted until at least ten (10) days' written notice has been provided to all owners of property within three hundred (300) feet of the proposed licensed premises.”

The subject property is located in close proximity to a residential zoning district to the east of N 2nd Street. Because of this adjacency, the notification provisions of Section 600.280(C) are applicable. However, since a Conditional Use Permit is associated with a public hearing, and all property owners within 300 feet of the subject property are notified 15 days prior to the hearing, this notification process constitutes compliance with the above-mentioned code section. Therefore, the requirements of Chapter 600 related to notification of surrounding property owners are satisfied through the City’s Conditional Use Permit process.

STAFF RECOMMENDATION

This amended conditional use can operated in conformance with City requirements, is compatible with surrounding land uses and complies with the Comprehensive Plan of the City of St. Charles. Staff recommends approval of the amended conditional use permit for the expansion of a meeting facility use and the addition of a liquor sales use, subject to the following conditions:

1. This amended conditional use permit for the expansion of a meeting facility use and the addition of a liquor sales use is issued to the applicant (XRP Homes LLC) and business (Riverside Events) only for the property located at 1106 N 2nd Street and is not transferable to another location and/or tenant/business.
2. Any change to the submitted proposal, including but not limited to hours of operation, expansion of use to additional indoor or outdoor space, etc. may require additional City approval.
3. This establishment shall maintain the occupancy limitation as established by the Fire Marshal.
4. Approval of this Conditional Use is not approval of a liquor license. A liquor license shall be approved by the City Council prior to any liquor sales.
5. Liquor sales shall not occur independent of the primary business use and shall only be accessory to the submitted event space.
6. Non-compliance with any building codes, property maintenance codes, fire codes or conditions of this approval is grounds for revocation of the conditional use approval.

7. Violations of Chapter 600 dealing with Liquor/Alcoholic Beverages may be grounds for revocation of this Conditional Use.

Recommended Motion:

Motion to forward the amended Conditional Use Permit for the expansion of a meeting facility use and the addition of a liquor sales use at 1106 N 2nd Street to the City Council with a favorable recommendation, subject to the conditions recommended by staff.



Figure 1: Aerial photo of the subject site.

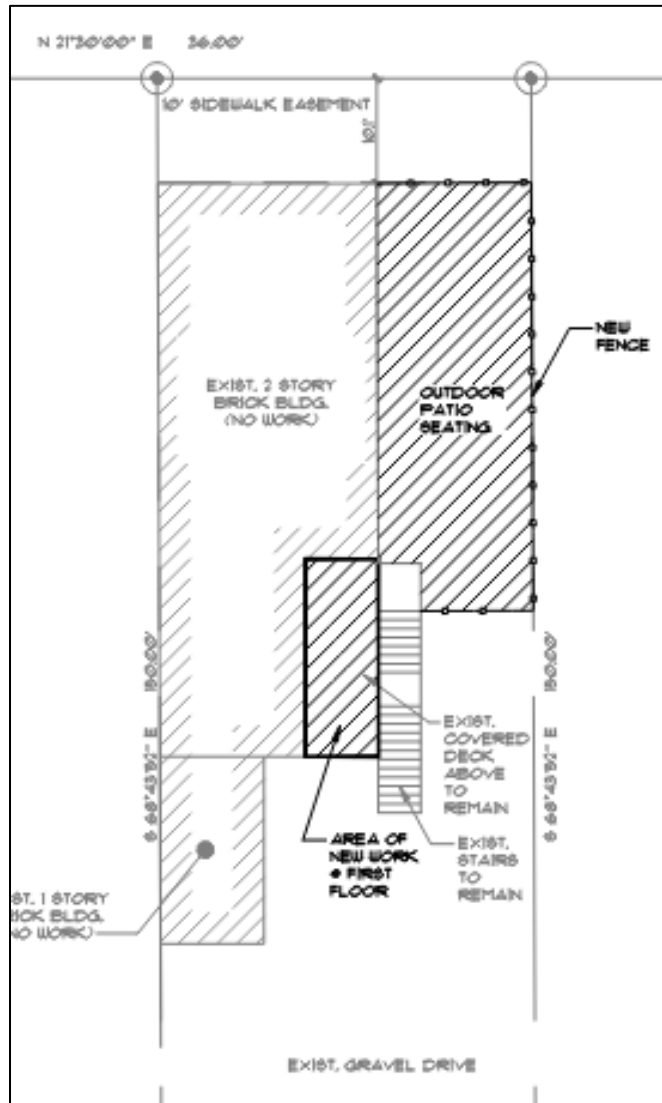


Figure 2: Submitted site plan.



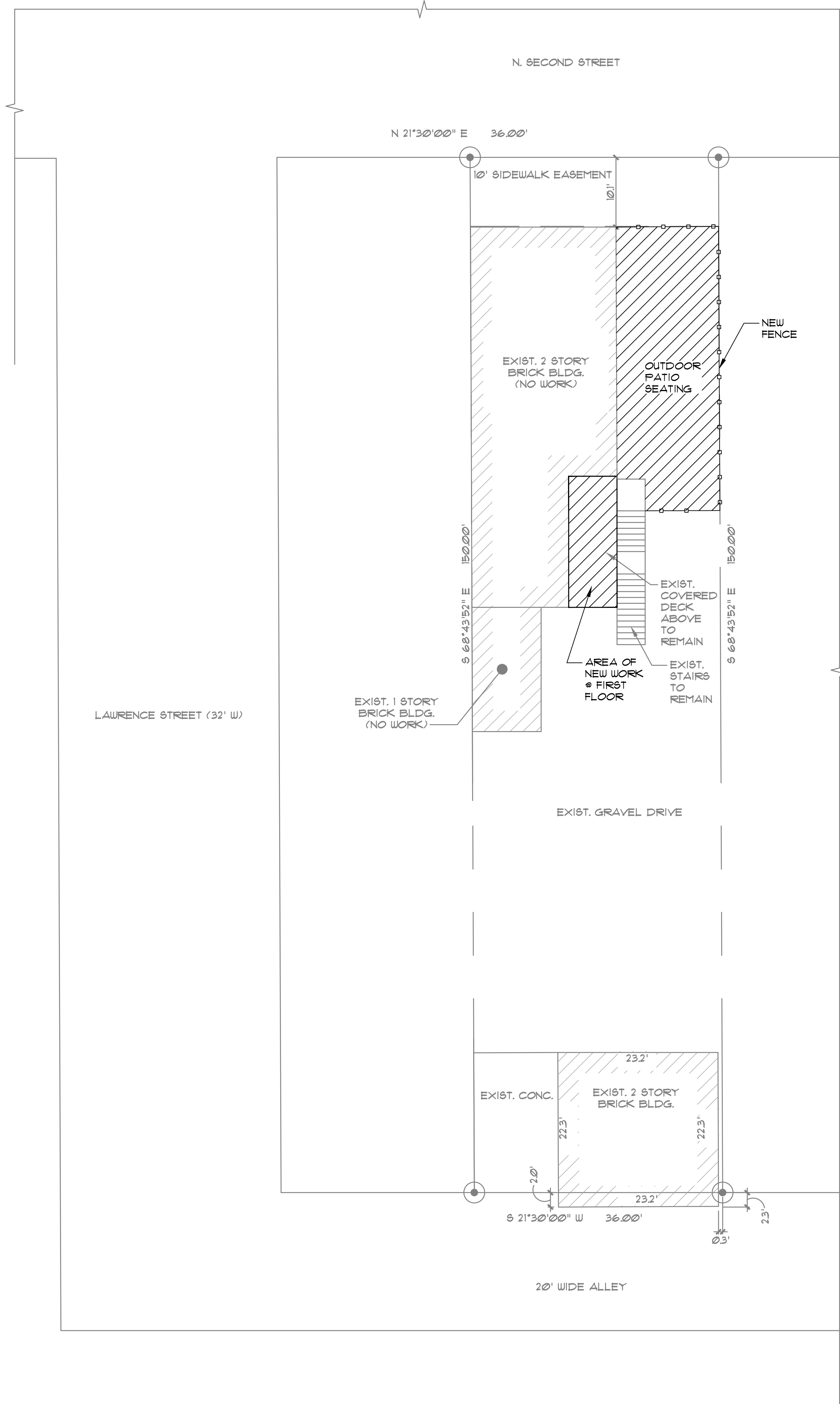
Figure 3: Street view of subject property.

Narrative of Proposed Use

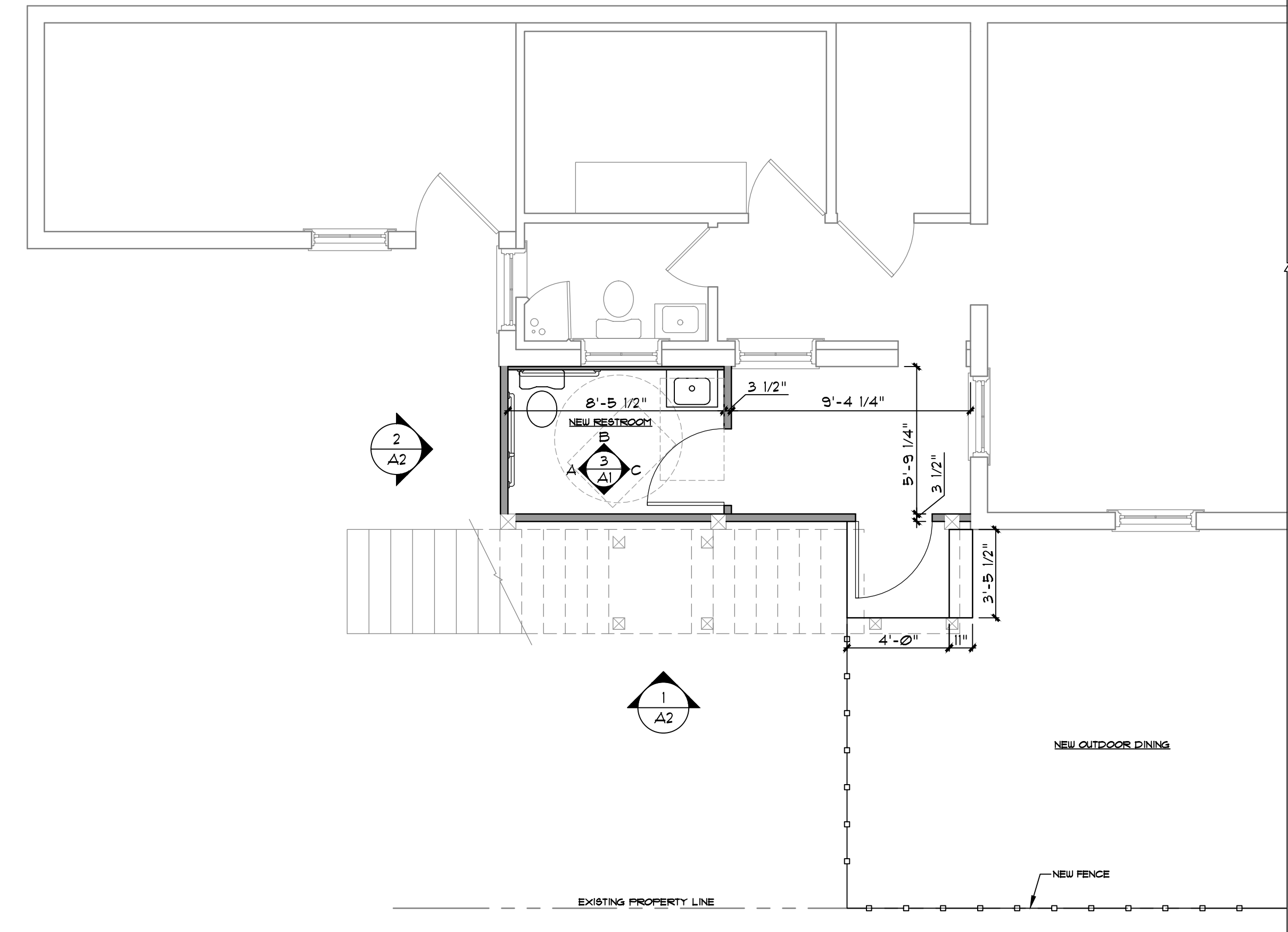
Marcia Randoll desires to increase the occupancy of 1106 N 2nd St, St Charles, MO 63301 by the addition of a second bathroom and the construction of an outdoor patio. La Rivière Events is an intimate, riverside event venue in the historic Frenchtown District of St. Charles, Missouri. The space blends French-inspired elegance with modern comfort—perfect for birthday parties, micro-weddings, corporate off-sites, and community meet-ups. La Rivière Events offers private events and is not open to the general public.

Additionally, Ms. Randoll is requesting to sell liquor in connection with events held at the venue. While guests are currently permitted to bring their own food and beverages, the venue is not authorized to sell either food or liquor. The Applicant therefore proposes to offer professionally catered food in conjunction with beverage service provided by the venue as part of event packages, enabling more comprehensive offerings for clients. For example, the venue may host themed events—such as a “Samba and Feijoada” night—where food is provided through professional catering, beverages are sold by the venue, and both may be included in all-inclusive ticket sales or sold to attendees during the private event. All events, whether ticketed or not, are private events and will not allow admission by the general public.

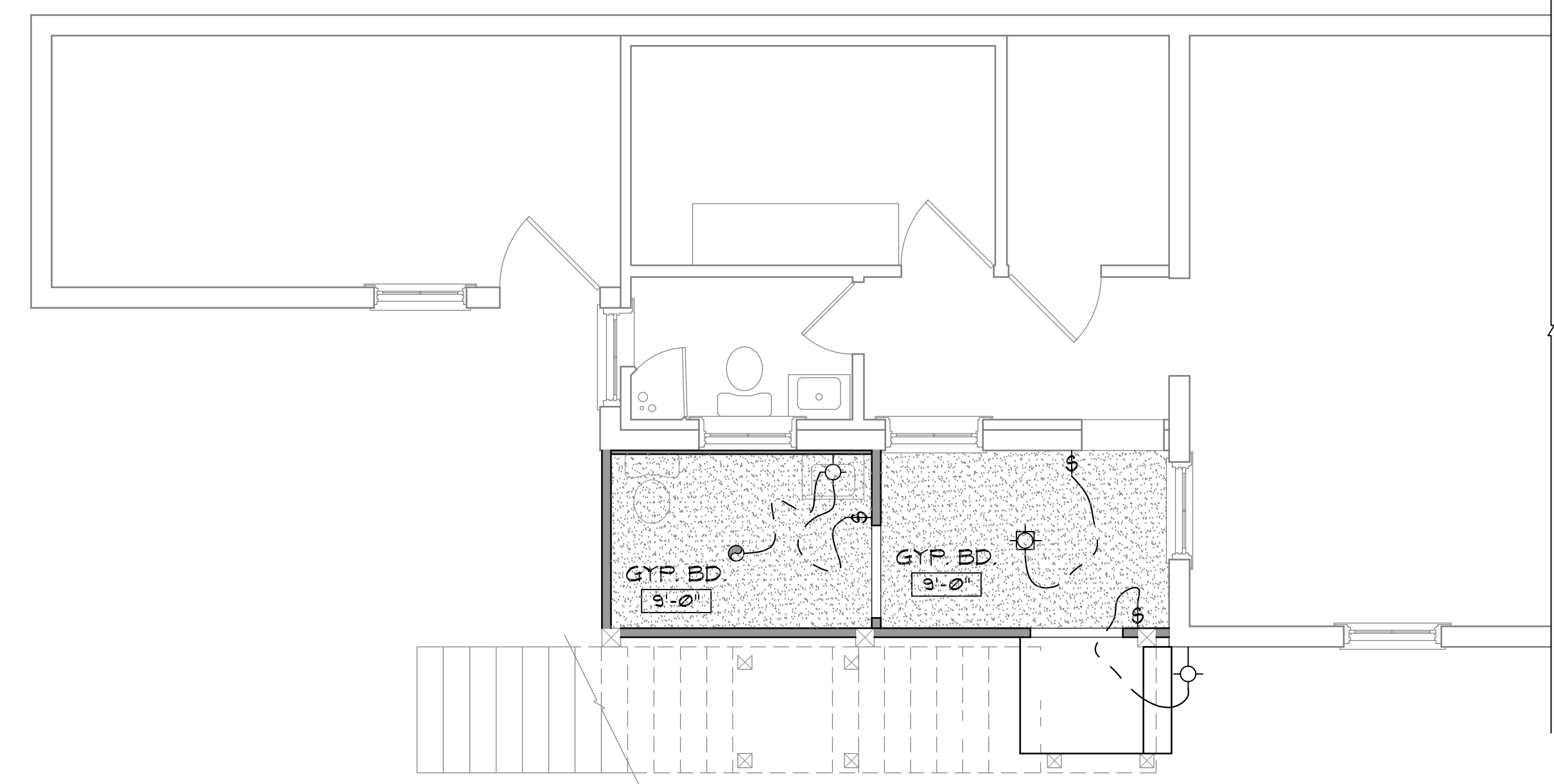
The Applicant plans to utilize third-party catering services for events held on the premises. Any on-site equipment will be limited to a simple warming oven used solely to heat or hold pre-prepared food; no food will be cooked or prepared from scratch on site. The venue will not operate as a restaurant and will not be open for regular food or drink service to the general public. Any food and liquor sales will occur only in connection with scheduled special events hosted at the venue.



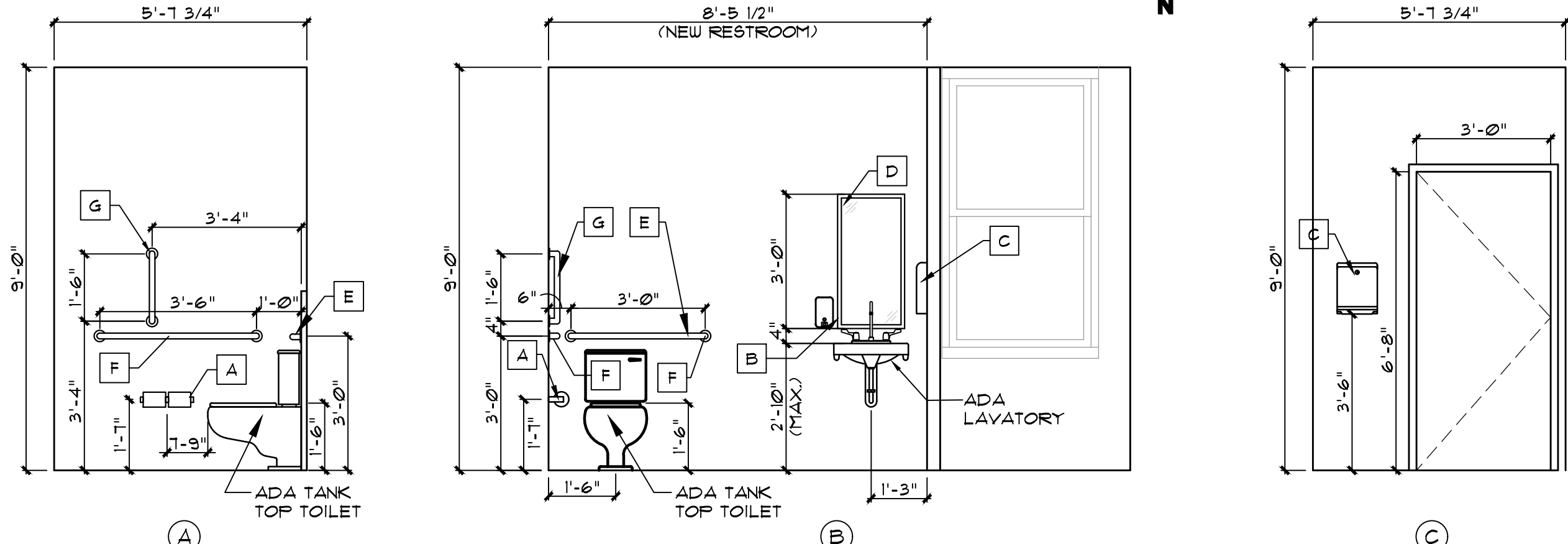
1 SITE PLAN
SCALE: 1"=10'



2 FLOOR PLAN
SCALE: 1/4"=1'-0"



3 REFLECTED CEILING PLAN
SCALE: 1/4"=1'-0"



4 BATHROOM ELEVATIONS
SCALE: 3/8"=1'-0"

STEPHEN J. HOLLANDER
MO Architect No. A-6126

THIS DRAWING CONTAINS
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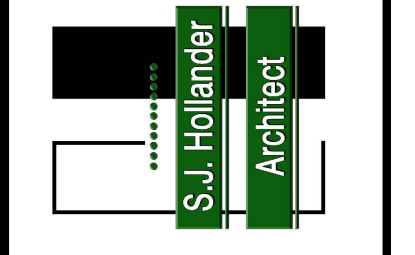
© S.J. HOLLANDER
2026 ARCHITECT

Restroom Addition for:
La Riviere Events
1106 N 2nd Street
St Charles, MO 63301

PROJECT NO.
225111

REVISIONS NO.	DATE	ITEM

S.J. Hollander Architect
Stephen J. Hollander, AIA
519 First Capitol Drive
St. Charles, Missouri 63301
Phone (636) 947-4140
Missouri Architectural Corporation #000801



DATE
January 13, 2026

SHEET TITLE
**Floor Plan
and Details**

SHEET NO.

A1

Progress Print 1-13-2026 Progress Set - NOT FOR CONSTRUCTION



AGENDA ITEMS #

**STAFF REPORT
CASE NO. Z-2026-06
REZONING: C-2 TO C-3
S. FIFTH STREET
LOT 3E – THREE FLAGS #2 SUBDIVISION**

**MARCH 9, 2026
BY LARA BERRY**

APPLICANT: Green Farms Biosystems LLC
766 Spirit 40 Park Drive
Chesterfield, Missouri 63005

OWNER: Three Flags Center 2016, LLC
343 S. Kirkwood Road, Box 220456
St. Louis, Missouri 63122

ADDRESS/LOCATION: Lot 3E of the Three Flags #2 Subdivision
Ward 2

LOT SIZE: Approximately 29,185 square feet

EXISTING ZONING: C-2 General Business District

REQUESTED ZONING: C-3 Highway Business District

PROPOSED USE: Marijuana Dispensary

SURROUNDING ZONING:

Direction	Zoning	Land Use
North	PD-RF	Common Ground
South	Highway 70	Interstate Highway/MODOT Right-of-Way
East	C-2	Hotel
West	C-2	Parking Lot & Multi-Tenant Commercial

SUMMARY OF REQUEST

The City has received an application from Armstrong Teasdale representing Green Farms Biosystems LLC, for an undeveloped parcel located on Lot 3E of the Three Flags #2 Subdivision, to rezone the property from C-2 General Business District to C-3 Highway Business District. While the applicant has identified a marijuana dispensary as a potential future use, the rezoning request must be evaluated based on the appropriateness of the C-3 district and its full range of permitted and conditional uses.

On June 20, 2023, the City Council passed Ordinance #23-071 relating to the regulation of marijuana and associated businesses in compliance with Section XIV of the Missouri Constitution. Among a number of amendments to the previously approved Medical Marijuana Regulations (Chapter 675 of the City of St. Charles Code of Ordinances) and most relevant to this application, there were amendments made to Permitted Locations (Section 675.110). These locations are provided below:

Permitted Locations:

- A. *A Marijuana Facility may be located in any of the following zoning districts as a permitted use:*
- *I-2 Heavy Industrial District*
 - *I-1 Light Industrial District*
 - *C-3 Highway Business District*
- B. *No Marijuana Facility shall be located at the following locations:*
1. *Within one thousand (1, 000) feet of a daycare as defined in Article 14 of the Missouri Constitution;*
 2. *Within one thousand (1, 000) feet of any educational institution or school as defined in Article 14 of the Missouri Constitution, or college or university, either public or private;*
 3. *Within one thousand (1, 000) feet of any church as defined in Article 14 of the Missouri Constitution;*
 4. *Within one thousand (1, 000) feet of any public park or public pool*
 5. *Within one thousand (1, 000) feet of any halfway house or correctional facility;*
 6. *Within one thousand (1, 000) feet of any other Marijuana Facility; or*
 7. *Within any building or structure that contains a residential unit.*
- C. *No Marijuana Facility shall be located more than one thousand (1, 000) feet from the centerlines of Interstate 70 or Interstate 370.*

While the applicant has expressed an intent to pursue a marijuana dispensary in the future, this application is limited to a rezoning request. Accordingly, this review focuses on whether the requested C-3 Highway Business District is appropriate for this location, independent of any single proposed use, and whether the district's permitted and conditional uses are compatible with the surrounding development pattern.

No official site plan has been submitted at this time; however, sample elevations have been provided for reference only (Figures 1-3 on the next page). If the rezoning is approved, future development of the site may require Site Plan approval, at which time staff will evaluate compliance with all applicable design standards, including parking, access, traffic, landscaping, lighting, and other operational considerations.



Figures 1-3: Sample Elevations for a proposed building.

PAST REVIEWS

The Commission may recall three (3) previous rezoning requests from the last few years for this general area. Staff provides the following summaries of these requests:

Z-2022-16

In November of 2022, the Three Flags Center, the multi-tenant plaza, to the east of this subject site, requested a rezoning of the 2.37-acre parcel. Associated with this request, the applicant was also requesting a Conditional Use Permit (CU-2022-74) for a Tattoo Establishment. While Planning Staff provided a favorable recommendation for both the rezoning and conditional use request, the Commission forwarded the rezoning application to the City Council with a non-favorable recommendation (0 in favor, 7 opposed); however, the Commission did provide a favorable recommendation (7 in favor, 0 opposed) to Council regarding the conditional use. The Commission provided the explanation for the non-favorable recommendation on the rezoning proposal because they had concerns with the other land uses associated with the proposed rezoning for this prominent property. Subsequently, the City Council also did not vote in favor (1 in favor, 7 opposed) of the rezoning and the request failed due to similar reasons as the Commission.

Z-2023-12

In September of 2023, there was a similar request for the subject parcel. Although Planning Staff provided a favorable recommendation for the rezoning request, staff received a request to withdraw the application the morning before the Planning and Zoning Commission meeting that the request was to be considered.

Z-2026-02

Most recently, at the February 9, 2026, Planning and Zoning Commission meeting, there was a request to rezone the property located at 1423 S. 5th Street, from C-2 General Business District to C-3 Highway Business District. That applicant intends to also operate a Marijuana Dispensary, should the rezoning be approved. Planning Staff provided a favorable recommendation for the

rezoning request, and the Commission forwarded the rezoning application to the City Council with a favorable recommendation (6 in favor, 1 opposed, 1 recusal). The City Council held a public hearing on this item at their March 3, 2026, meeting, with final action anticipated at the March 17, 2026 meeting.

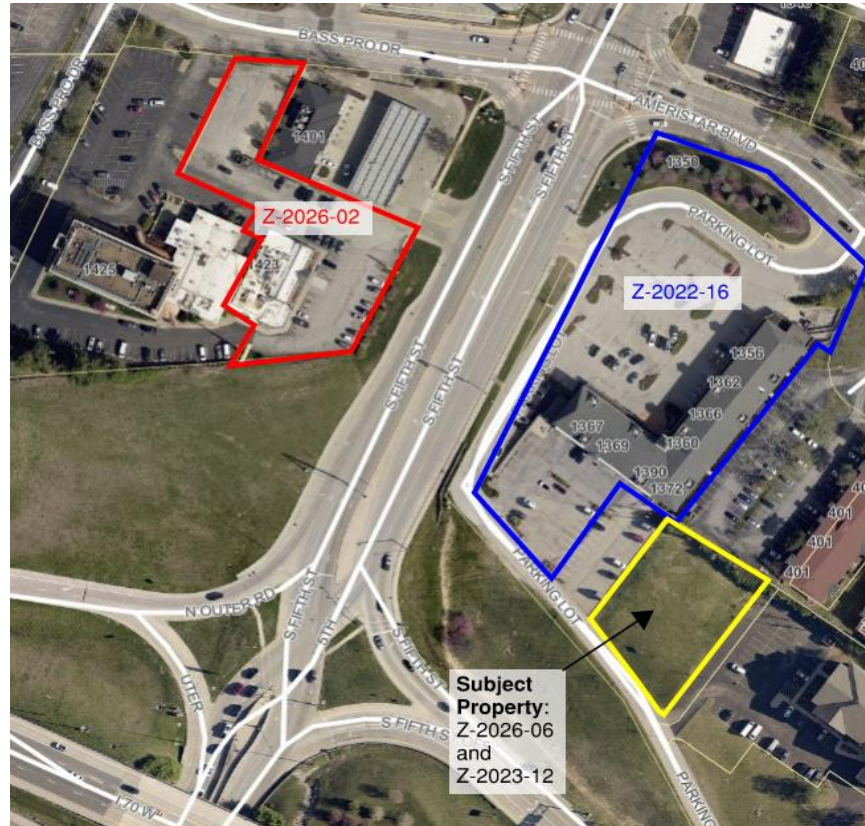


Figure 1: Aerial Photo of the Subject Property with Previous Applications Identified.

While two (2) of the prior rezoning requests in the immediate area were not ultimately approved or were withdrawn and one (1) request is currently under consideration, staff's current recommendation is based on the specific location of the subject property, its direct adjacency to Interstate 70, allowed land uses of the C-3 district and its correlation to a designated Activity Center where higher-intensity commercial uses are anticipated by the Comprehensive Plan.

ANALYSIS

Figure 2 on page 5 identifies the area zoning of the subject parcel along with adjacent parcels. Predominantly, every parcel north of the S. 5th Street and I-70 interchange is zoned C-2 General Business District, with mixed-use and commercial zoning surrounding the C-2 districts. Just west of the subject property, within Mark Twain Village, the majority of the parcels are zoned C-3 Highway Business District. Given the subject property's proximity to Interstate 70 and nearby C-3-zoned properties, the requested rezoning is consistent with the general zoning pattern in this area. Per the Purpose statement of the C-3 Highway Business District, it is intended to be a zoning district which permits all types of commercial activity: retailing, wholesaling, warehousing, provision of personal and business services and entertainment.

While this application should focus on the appropriateness of the proposed Zoning District, staff notes that currently, this property appears to comply with all location requirements for the proposed marijuana use except for being in a qualifying zoning district.

Additionally, as previously mentioned, staff notes that the subject property is located within 1,000 feet of another active rezoning application intended for a marijuana-related use, at 1423 S 5th Street. For purposes of applying applicable separation requirements, specifically how a “location” is established under the City Code and state regulations, staff in coordination with the Legal Department, has determined that such a location is considered established at the issuance of a city-issued business license for that specific location. Any final determination regarding compliance with separation requirements and licensure will occur through the appropriate regulatory review processes (staff administrative review).

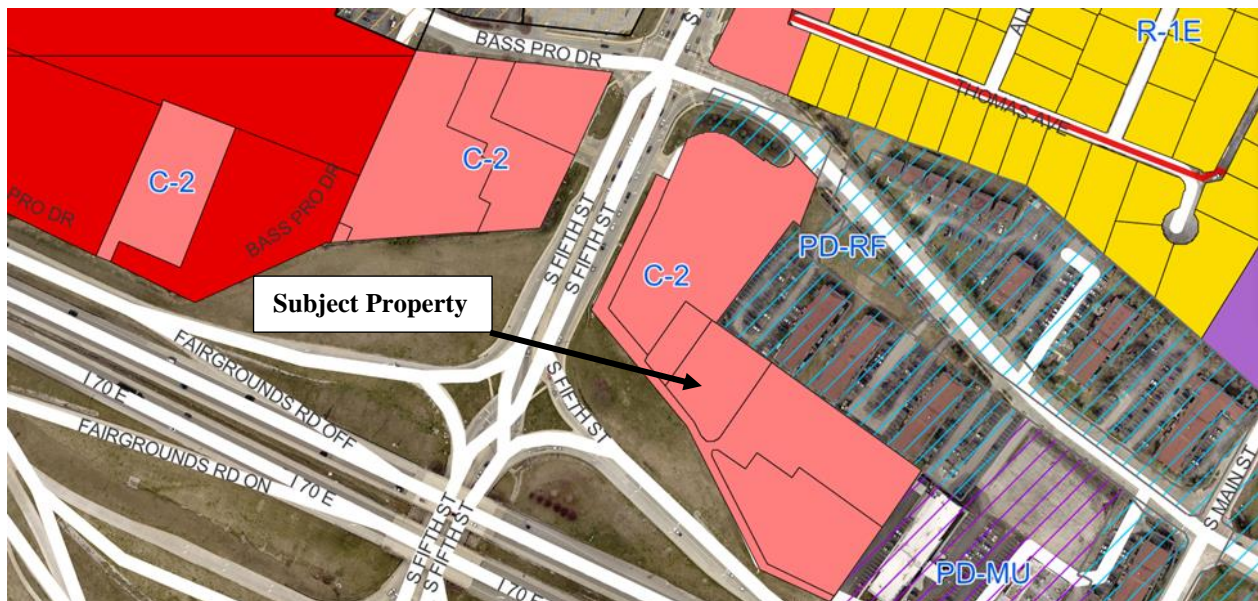


Figure 2: Area Zoning of the Subject Property.

Staff notes that changing the zoning of this property could potentially open this property to a number of other uses, both permitted by right and conditional uses (special review) within the C-3 District. These uses are listed in the table on the following page (proposed land use is highlighted for convenience).

Many of the uses permitted within the C-3 Highway Business District are commercial in nature and similar in intensity to existing development along the Interstate 70 corridor. Several uses are also subject to additional performance standards or spacing requirements, which further limits potential incompatibility with surrounding properties.

Permitted Uses	Conditional Uses
Animal service establishments with or without a kennel for overnight stays	Fertilizer storage associated with a retail business
Kratom products facility	Material storage yards, in connection with a permitted use
Lumber and building materials stores, but not a lumberyard.	Sale or storage of stone products
Marijuana facility	Welding or soldering shops
Mini-warehouses	Agricultural or farm implements for sale, storage or repair
Mortuary and monument sales	Boat and boat trailer, repair, sales and storage
Nurseries for growing plants, trees, shrubs	Mobile home sales
Painting shops and bottling works	Tattooing, body piercing or branding establishment
Printing, publishing and engraving establishments	Truck stop
Radio and television stations and studios or recording studios	Bus terminal
Retail establishments greater than eight thousand (8,000) square feet	More than one (1) dwelling unit above the ground floor up to a maximum of eighteen (18) units per acre
Wholesale establishment, truck terminal or warehouse (less than 15,000 sf)	Taverns and bars

Table 1: C-3 Zoning District Uses (highlighted is the intended land use).

While this property is currently a vacant piece of land and the applicant has proposed a specific use, Planning Staff, the Commission and the City Council must consider the possibility of this property being redeveloped in the future for any uses allowed via the C-3 district. Staff recommends that the Commission and City Council consider the full range of permitted and conditional uses within the C-3 district when evaluating the rezoning request. Currently, the Zoning Code provides additional regulations on some of the more sensitive uses, such as Tattoo Establishments and Animal Service Establishments.

Some of these have additional regulations that could exclude the subject property from these uses are:

- One tattoo, body piercing or branding establishment shall not be located within seven thousand five hundred (7,500) feet of a similar establishment.

Staff's Comment(s): The closest tattoo establishment, Frenchtown Tattoo Company, is just over 7,500 feet. As mentioned in the Past Reviews portion of this report, both staff and the Commission provided a favorable recommendation for a Tattoo Establishment; however, that was contingent upon the rezoning request.

- Animal service establishments with or without a kennel for overnight stays, including veterinarian, small animal hospital, pet adoption, grooming and other similar uses. Any rooms, cages, or pens be maintained within a completely enclosed, soundproof building, and such use be operated in such a way as to produce no objectionable noise or odors outside its walls. Open pens or runs shall be at least three hundred (300) feet from a residential district.

Staff's Comment(s): Depending on the location of the open pens or runs, this may be an available use; there is a residential district within 300 feet of the property on the north side of Ameristar Boulevard.

The I-70/Fifth Street Interchange area has been identified as an Activity Center that should accommodate more intense uses and density. This node interchange is the location of generally the densest commercial development of the City, for example, Ameristar Casino, Bass Pro Shop, Streets of St. Charles, and Riverpointe.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The St. Charles Comprehensive Plan adopted in 2002, and updated in 2026, recommends that land use decisions be based on a project's location and compatibility with surrounding development. The Comprehensive Plan identifies 21 activity centers in the city, locations characterized by distinct locations of visibility, activity, and traffic. Polygon-based Sub-Districts are also identified, which reflect the extent of established core activity and the transition to surrounding lower-density development. The plan recommends that development should align with the predominant land uses, assets, and needs of the nearest activity center. The activity centers should be surrounded by land uses that respond to context, promote compatibility, and support the City's long-term goals for balanced growth. Proposed new uses should be judged based upon their distance from the nearest activity center and/or sub-district, their compatibility with what surrounds it, and whether the level of development it will generate aligns with the surrounding area or is counter to that goal.

The subject property is located near the I-70/Fifth Street Interchange and has been identified as Activity Center #7. This area should accommodate more intense uses and density. This node interchange is the location of generally the densest commercial development of the City, for example, Ameristar Casino, Bass Pro Shop (Mark Twain Village), Streets of St. Charles, and Riverpointe. Based upon its proximity to this node, it has been identified and planned that more intense uses should be appropriate. Within the Comprehensive Plan, and described above, adjacency to nodes/activity centers are encouraged to accommodate higher densities and intense uses.

Based on the subject property's proximity to Activity Center #7 and Interstate 70, the requested C-3 Highway Business District zoning is consistent with the Comprehensive Plan's guidance for accommodating higher-intensity commercial uses at major interchange nodes.

STAFF RECOMMENDATION

After review of the rezoning request, potential land uses within the City's Zoning Ordinance, the updated 2026 Comprehensive Plan, and area development patterns, staff finds the requested rezoning to be appropriate and compatible with the surrounding area land uses and zoning. The Department of Community Development recommends that the rezoning request be forwarded to the City Council with a **favorable** recommendation, as submitted.

Recommended Motions:

Motion to forward a favorable recommendation to the City Council for application Z-2026-06.



Rhys J. Williams

Direct T 314.259.4756

rwilliams@atllp.com

January 26, 2026

City of St. Charles Planning Division
200 N. 2nd Street
3rd Floor, Room 303
St. Charles, MO 63301
Attn: John Boyer, Planning Manager
john.boyer@stcharlescitymo.gov

Re: Application for Rezone – Parcel ID # 6-014D-A734-00-003E.0000000 on S. 5th Street (Lot 4), St. Charles, MO 63301 (the “Site”)

John:

Please be advised that this firm represents Green Farms Biosystems LLC (“**Applicant**”). Applicant is under contract to purchase the Site and intends to close on its acquisition on February 18, 2026. Please allow this letter to serve as Applicant’s request that the City of St. Charles, Missouri (the “**City**”) amend its District Zoning Map within Chapter 156 of the City’s Ordinances to rezone the Site from a C-2 General Business District to a C-3 Highway Business District. Applicant is currently under contract to purchase the Site.

The Site is located in the City’s C-2 General Business District. The Site is currently raw land consisting of approximately 0.67 acres and has remained undeveloped in the City for many years. Applicant seeks to develop the Site and construct a facility to operate as a Marijuana Dispensary Facility.

In conformity with Amendment 3 of the Missouri Constitution and the rules and regulations promulgated by the Missouri Department of Health and Senior Services Division of Cannabis Regulation, the City’s Zoning Code (§ 675.110.A) currently authorizes the operation of a Marijuana Dispensary Facility for the sale of adult use and medical marijuana as a permitted use in a C-3 district. The City codified additional requirements and standards with respect to the operation and facility specifications for any Marijuana Dispensary Facility, and Applicant satisfies all but one of those requirements.

The Site will meet all distance requirements in § 675.110.B.1-6, as the proposed building will be located more than 1,000 feet from a church, educational institution, daycare, public park or public pool, halfway house or correctional facility, or any other Marijuana Facility. The proposed structure will not contain any residential unit, thus satisfying § 675.110.B.7. Further, the proposed structure on the Site will be located within 1,000 feet of Interstate 70, as required by § 675.110.C. Further, should the City authorize the rezone of the Site, Applicant will also ensure satisfaction of all other use-specific and operational standards set forth in § 675.110.E-F.

The only standard not met is that the Site is located within the C-2 General Business District. However, when reviewing an application for rezone, the City must balance its perception of the uses allowed in C3 with the other district and site-specific considerations as follows:

- i. That the rezone is consistent with the City's Comprehensive Plan and other surrounding districts.

This request is consistent with the City's Comprehensive Plan. Applicant's proposed development of the Site represents a higher and better use than the currently vacant lot. If the Site is rezoned to the C-3 Highway Business District, Applicant will contribute to the economic viability of the I-70/Fifth Street Activity Center. The proposed use as a Marijuana Dispensary Facility is in harmony with the predominant land use in the area, given the proximity to I-70 and Fifth Street. This Activity Center is an important hub of commercial activity in the City due to the high volume of traffic on I-70. A rezone would permit the Site to contribute to the economic wellbeing of the I-70/Fifth Street Activity Center rather than provide no economic benefit as a vacant lot. The Site is bordered by a C-3 property to the northwest and PD-Commercial properties to the east, southeast, and southwest. These zones promote a variety of commercial uses that fulfil the goal of the I-70/Fifth Street Activity Center. A C-3 zone offers a broader range of possibilities, thus maximizing the economic productivity and vibrancy of this Activity Center. Further, PD-Commercial districts incorporate all of the permitted uses by right within C-3 uses. The C-3 district is the City's Business Highway District. The Site's very close proximity to I-70 lends itself to a highway business zoning classification, as is the case the Northwest side of I-70 and 5th Street.

Applicant's proposed use of the Site will contribute to the economic wellbeing of the City in the form of significant sales tax revenue. This economic boost from the proposed rezone of the Site to a C-3 is harmonious with the nearby Planned Development – Riverfront District. The proposed use of the Site and economic benefit to the City is complimentary to what St. Charles is recognized for as a critical destination for travelers and locals alike, particularly for nearby businesses that are casinos, restaurants, bars, and music venues.

- ii. The application supports the character of the neighborhood, considering the design of streets, civic spaces, and other open spaces, the scale, pattern, and format of buildings, the compatibility, transitions, and integration of existing and potential future uses, and the suitability of the subject property for the uses to which it has been restricted.

The Site is small, vacant and is situated between a highway, a retail center, a hotel and an apartment complex. It cannot accommodate larger-scaled operations and parking for a restaurant or fast-food restaurant, or for a multi-family development. The current economic environment is prohibitive for many operators to erect a stand-alone retail facility. However, the Site is ideal for the use proposed by Applicant, giving it the ability to both construct a safe and innocuous building with its own parking for patrons. In fact, unlike a typical fast-food restaurant, the square footage and parking necessary for a Marijuana Dispensary Facility is not as onerous. The vast majority of patrons that frequent these establishments shop online, order their products ahead of time, and merely park, enter the facility, and leave the facility in less than 5 to 7 minutes.

To that end, Applicant encloses preliminary renderings of the building it plans to build at the Site. Applicant has designed a facility that it hopes the City will be proud of, and operates itself in a manner that will be respectful to the City and its inhabitants.

- iii. The effect of approval on surrounding property, including the likelihood that surrounding areas may be developed in accordance with current zoning or future plans.

January 26, 2026

Page 3

In addition to the aforementioned, as the City's zoning code provides that all C-1 and C-2 uses are authorized in a C-3 Highway Business District, all of those uses currently available in a C-2 will still be available once the Site is rezoned.

Please note that upon approval of its rezone, Applicant is committed to working with the City's staff to ensure the facility is designed in a manner that makes the City proud of this partnership.

Please let me know if there are any questions or if there is additional information I can provide. You can contact me via phone at 314.259.4756 or via email at rwilliams@atllp.com.

Sincerely,



Rhys J. Williams

RJW:

cc: Joe Delia (via email – joe.delia@uscanna.com)

Joe Goff, Jr. (via email – jgoff@atllp.com)



AGENDA ITEM #11

**STAFF REPORT
NO. CU-2024-08
AMENDED CONDITIONAL USE
TEMPORARY RETAIL SALES
2139 1ST CAPITOL DRIVE**

**MARCH 9, 2026
BY MADELYN P. BROWN**

APPLICANT: Mauro Gonzales
1106 Evans Ave
St. Charles, Missouri 63301

OWNER: EHW Property, LLC
2139 1st Capitol Dr
St. Louis, Missouri 63301

ADDRESS/LOCATION: 2139 1st Capitol Dr
Ward 2

ACREAGE: 2.48 acres (overall)

CURRENT ZONING: C-3 General Business District

PROPOSED USE: Temporary Retail Sales (Food Stand)

SUMMARY/ANALYSIS

This request is to amend a previously approved Conditional Use application for a temporary retail sales use at 2139 1st Capitol Dr, the location of El-Mel, Inc. At its September 23, 2024 meeting, the Planning and Zoning Commission recommended approval of the applicant's request for temporary retail sales for a new food truck, with final approval granted by the City Council on October 15, 2024. The applicant is now requesting approval to place an additional food stand on the property, adjacent to the existing food truck. The proposed food stand will provide fruit beverages, fruit cups, shaved ice, and smoothies. Liquor sales are not proposed at this time.

The applicant has submitted an updated site plan designating space for both the existing food truck and the proposed food stand. Both will be located at the northeast corner of the site, adjacent to the intersection of 1st Capitol and West Clay. During the original conditional use approval, the applicant identified eight (8) parking spaces for customers, which will remain. The minimum parking requirement continues to be met for both the temporary retail sales use and El-Mel, Inc. The proposed hours of operation will remain unchanged, operating from 10:00 a.m. to 11:00 p.m., seven days a week, year-round. The applicant is not proposing any other physical improvements or modifications to the existing property at this time, and this business will operate in compliance with Section 400.480 pertaining to temporary retail sales.

Consistency with Comprehensive Plan

The St. Charles Comprehensive Plan adopted in 2002, and updated in 2026, recommends that land

use decisions be based on a project's location and compatibility with surrounding development. The Comprehensive Plan identifies 21 activity centers in the city, locations characterized by distinct locations of visibility, activity, and traffic. Polygon-based Sub-Districts are also identified which reflect the extent of established core activity and the transition to surrounding lower-density development. The plan recommends that development should align with the predominant land uses, assets, and needs of the nearest activity center. The activity centers should be surrounded by land uses that respond to context, promotes compatibility, and supports the City's long-term goals for balanced growth. Proposed new uses should be judged based upon its distance from the nearest activity center and/or sub-district, its compatibility with what surrounds it, and whether the level of development it will generate aligns with the surrounding area or is counter to that goal.

This property is located in between Activity Center #3 (Lindenwood University Sub-District) and Activity Center #17 (W. Clay St./Droste Rd. Sub-District). The proposed uses at this location is in general conformance with the density and activity guidelines provided above.

Consistency with Conditional Use standards

Section 400.980 of the City Code outlines standards of review for the conditional use application. The standards are as follows:

- a) How the proposed conditional use (the use in general) is in harmony with the purposes, goals, objectives, policies and standards of the Comprehensive Plan, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the city.
- b) Whether the proposed conditional use (in its proposed location) is in harmony with the purposes, goals, objectives, policies and standards of the Comprehensive Plan, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the city.

Regarding 1) and 2), Conditional Uses are not allowed by-right as they can be problematic if not located and/or conditioned properly. In this case, the proposal is located on 2139 First Capitol Drive, adjacent to Activity Center #3 and Activity Center #17. This intensity pattern is consistent with the goals of the Comprehensive Plan, and the amended use at this location could continue to operate in conformance with the density, intensity, and activity guidelines provided above.

- c) Whether the proposed conditional use, in its proposed location and as depicted on the required site plan, results in a substantial or undue adverse impact on the adjacent property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions and policies of the Zoning Ordinance, Comprehensive Plan, or any other plan, program, or ordinance adopted or under consideration pursuant to official notice by the city.

Based upon a review of the proposed land uses, if conditioned properly and operated in compliance with the Zoning Ordinance, the proposal should continue to not have an adverse impact on the character of the neighborhood, public safety and general welfare of

the city. However, expansion of the use beyond the two (2) approved food stands/trucks may not be desirable, as an increase in scale of the operation could intensify activity on the site beyond what is associated with this request and a typical temporary retail sales use. Conditions 3 and 4 of the approval (on Page 4, below), have been included to address potential concerns regarding the scale of operation and potential negative impact.

- d) Whether the proposed conditional use maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property as directed by the Comprehensive Plan.

Staff believes the proposed amended temporary retail sales use can be compatible within its commercial surroundings and should not produce negative effects to neighboring properties or the neighborhood. Staff believes this use will continue to operate in a manner that is consistent with the area.

- e) Whether the proposed conditional use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.

Staff believes the proposed conditional use amendment in this location will not have an undue burden on public services as this proposal has been reviewed by Community Development, Finance, and Fire Departments with no outstanding comments.

- f) Whether the public benefits of the proposed conditional use outweigh the potential adverse impacts of the proposed conditional use as identified above, after taking into consideration any proposal by the petitioner and any requirements recommended by the petitioner and/or City Staff to ameliorate such impacts.

After review of the proposal, and the above standards for evaluating Conditional Uses, staff believes the proposed amended use if conditioned properly would prevent any potential adverse impacts and the public benefits would outweigh any potential adverse impacts.

Furthermore, the City Code allows the Planning and Zoning Commission to recommend conditions of approval to protect surrounding properties, as well as to give consideration with respect to location in the recommendations. The proposed use complies with the above standards.

STAFF RECOMMENDATION

This amended conditional use can continue to operate in conformance with City requirements, is compatible with surrounding land uses and complies with the Comprehensive Plan of the City of St. Charles. Staff recommends approval of the proposed amended conditional use for temporary retail sales (food truck) to permit an additional food stand, subject to the following conditions:

1. The Conditional Use Permit for temporary retail sales (food truck) is for the use of Mauro Gonzales only at the property located at 2139 1st Capitol Dr and is not transferable to another user or location.



Figure 2: Proposed food stand.



Figure 3: Street view of subject property.



Figure 4: Submitted site plan.

Business Plan

Rey Tropikal by Panchorin

Operating Location: 2139 1st Capitol Dr, St Charles, MO 63301

1. Business Overview

Rey Tropikal by Panchorin is a small, owner-operated, low-risk mobile food business specializing in fresh fruit cups, natural fruit beverages, shaved ice (raspados), and smoothies. The business will operate from a permitted mobile stand at 2139 1st Capitol Dr, St Charles, MO 63301, next to an established and successful food truck that already attracts steady daily customers.

2. Business Concept

- Fresh fruit cups (mango, watermelon, pineapple, mixed fruit)
- Fruit prepared with chili, lime, and natural toppings
- Shaved ice (raspados/granizados)
- Natural fruit drinks and smoothies
- Seasonal summer beverages

3. Market Strength & Location Advantage

The neighboring food truck sells Mexican and Guatemalan meals and has already built a strong and consistent customer base in the community. Rey Tropikal will complement this operation by offering refreshing, healthy dessert and beverage options. This strategic positioning provides built-in customer flow, reduces startup risk, and increases operational stability.

4. Target Customers

- Families in the local community
- Workers and nearby businesses
- Customers visiting the neighboring food truck
- Individuals seeking fresh and healthy snack options

5. Operations & Compliance

The business will be fully owner-operated to ensure accountability and quality control. All food will be prepared fresh daily and stored according to health department standards. The stand will maintain strict cleanliness, proper food handling procedures, and responsible waste disposal in compliance with St. Charles city regulations. Operating hours will align with the neighboring food truck to maximize efficiency and customer convenience.

6. Financial Projection

Based on existing daily customer traffic at the location and the high demand for fresh fruit and cold beverages, Rey Tropikal by Panchorin projects an estimated average gross revenue of approximately \$500 per day during regular operations. This represents an estimated monthly gross revenue of approximately \$15,000, depending on seasonal variation and weather conditions. These projections reflect realistic and sustainable expectations for a low-overhead, high-demand mobile food business.



Q&A Center

Ref Hospital by anchors in

WEST CLAY STREET

DRIVE

EXISTING PROPERTY LINE

PROPOSED