



Department of Public Works

CONDITIONAL USE PERMIT

The City of Crestwood has designated a number of uses which are considered essentially desirable, necessary or convenient to the community, but which by their nature or in their operation have:

- a tendency to generate excessive traffic;
- a potential for attracting a large number of persons to the area of the use thus creating noise or pollutants;
- a detrimental effect upon the value or potential development of other properties in the neighborhood;
- an extraordinary potential for accidents or danger to public health or safety.

A Conditional Use Permit may be initiated by a verified application of one (1) or more of the owners of record or owners under contract of a lot or tract of land. Procedures for application, review and approval of a Conditional Use Permit are as follows:

Procedure for Obtaining a Conditional Use Permit

1. Submit a single, complete site plan (see Zoning Code for information required on site plan), floor plan, building elevations (4 sides), landscaping, lighting (with photometric isogrid) and other details important in the operation of the proposed business to the Director of Public Works for review and comments. The deadline for submission of a completed site plan is typically two (2) weeks prior to the next Planning & Zoning Commission meeting, which is held the first Wednesday of each month.
2. Upon review, the Director of Public Works will contact the engineer, architect, or petitioner with comments regarding the proposal. These comments will include a discussion of the number of variances that may need to be requested should the petitioner decide not to amend the proposal. All variances are granted on the basis of the petitioner successfully proving the existence of hardship unique to the site. Such a variance request will be heard by the Board of Adjustment at a separate hearing.
3. Once the final plan is completed and the necessary variances have been identified, it will be necessary for the applicant to prepare a petition letter. There is no standard format for the petition letter. The petition letter is created by the applicant and is unique for each type of use. However, there are some common features of all petition letters and they are:
 - A request to be placed on the agenda for the next Planning & Zoning Commission meeting in order to request a Conditional Use Permit.
 - A statement defining the scope and nature of the use, what the company does, etc.

This petition letter is an opportunity for the petitioner to "put his best foot forward" to define his proposal for the Commission. It is advisable for the petitioner to avail himself the full use of this opportunity.

4. Once all site plan revisions are complete, the petitioner will need to provide:
 - 15 copies of the site plan, building elevations and floor plan
(Please staple and fold all drawings)
 - 15 copies of the applicant's petition letter
 - \$125 public hearing fee to be paid in the City Clerk's office
 - Should the petitioner be a lessee (tenant), it will be necessary to provide written approval from the owner of the property with regard to the proposed Conditional Use Permit.
5. When the petitioner appears before the Planning & Zoning Commission, he should be prepared to present his proposal, answer questions and otherwise address the Commission's concerns regarding the proposed conditional use.
6. The Commission will discuss the proposal later in the meeting and should they vote to recommend approval to the Board of Aldermen, a set of conditions is typically prepared.
7. Following the Planning & Zoning Commission recommendation, the Board of Aldermen will consider at a later date the petitioner's request in a public hearing. At this point, the applicant must provide an additional 15 copies of the items listed above in Section 4. The public will have an opportunity to review the proposal and comment. The petitioner will again present his proposal and answer questions from the Board of Aldermen. Should the Board of Aldermen approve the proposal, the City Attorney will be directed to prepare an ordinance incorporating the conditions. Typically at the next meeting the Board of Aldermen will conduct a first and second (should the first reading be unanimous) reading of the ordinance. Once the two readings are completed, the Conditional Use Permit is complete and the applicant can then obtain the necessary building/construction permits.
8. After the applicant's successful effort to obtain a Conditional Use Permit, it may be necessary for him to receive additional approvals (depending on the nature and location for the use) regarding landscaping, lighting and exterior signage. Further information regarding this process can be obtained from the Department of Public Works at 729-4720. The Planning & Zoning Commission meets the first Wednesday of each month. The Board of Aldermen meets the 2nd and 4th Tuesday of each month.

A typical Conditional Use permit takes 60-90 days to receive all approvals needed to begin a project. Complex projects often take longer to receive complete approval.