

**RECORD OF PROCEEDINGS**

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**MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING  
CITY OF BALLWIN – 300 PARK DR  
September 6, 2016**

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The meeting of the Planning and Zoning Commission was called to order by Chairman Weaver at 7:03 p.m. Members in attendance were:

**PRESENT**

Chairman Mark Weaver  
Commissioner Tracy Bolte  
Commissioner Lynn Goetz  
Commissioner Frank Karr  
Commissioner Chad Silker  
Commissioner Mike Utt  
Commissioner Vern Young  
Alderman Ray Kerlagon  
Mayor Tim Pogue

Code Enforcement Supervisor Jerry Klein  
Plan Reviewer Mike Roberts  
City Administrator Eric Hanson  
City Attorney Robert E. Jones' representative

**ABSENT**

Secretary Lisa Zimmerman

**Approval of Minutes**

A motion was made by Commissioner Karr and seconded by Commissioner Silker to approve the minutes of the August 1, 2016 meeting of the Planning & Zoning Commission as submitted. The motion received unanimous approval from the Commission members present.

**Z 16-03 Zoning Ordinance Change – Text Amendment**

Self-Storage SUE

Petitioner: Mr. Benjamin Hagedorn, North Point Development LLC, 5015 NW Canal St #200, Riverside MO 64150

**Z 16-04 Zoning Ordinance Change – Add Manchester Rd Revitalization Overlay Zoning**

North Point Self-Storage, 14918 Manchester Rd, Ballwin MO 63011

Petitioner: Mr. Benjamin Hagedorn, North Point Development LLC, 5015 NW Canal St #200, Riverside MO 64150

*Commissioner Vern Young recused himself from the discussion of and voting on these petitions, due to his involvement with the Ballwin Athletic Association.*

Mr. George Stock of Stock & Associates Consulting Engineers addressed the Commission on behalf of the petitioner, requesting approval for the zoning ordinance change. Mr. Stock introduced Benjamin Hagedorn and J.J. Jenkins of North Point Development, and Bill Biermann and Dan Thies of the William Biermann Company.

Mr. Stock described the site and the proposed development. The existing buildings will be razed. Mr. Stock said the front (north) portion of the site is not proposed for development as part of this petition. Only the southern (rear) portion is proposed to be developed with a four-story, fully enclosed indoor self-storage facility.

Mr. Stock stated that the office hours will be 9:00 a.m. – 6:00 p.m. The site manager will walk the facility twice a day (morning and evening) to ensure that there are no safety issues, security concerns, or activities not allowed by the lease agreement. The site will be cleaned daily. There will be 26 security cameras recording the activities and usage of the tenants. “Working units” are prohibited, and tenants will not have access to power outlets, effectively preventing a laboratory or greenhouse for the production of materials or substances. Access to the facility is restricted through the use of keypads for paid tenants between the hours of 6:00 a.m. – 10:00 p.m.

Mr. Stock said that the site abuts to the Ballwin Athletic Association (BAA) to the south. It fronts on two streets: Manchester Road and Ballpark Drive. Access to the facility will be from Ballpark Drive. Mr. Stock showed the Commission photos of the site, showing the elevation changes from north to south.

Mr. Stock described the proposed development, noting that the building footprint is approximately 26,000 sq.ft., with a total square footage of 100,550. As these facilities are low traffic generators, only the 11 parking spaces are required per the ITE (Institute of Transportation Engineers) are shown on the plan; however, City code requires 100 spaces. The petitioner will request a waiver to this requirement. Mr. Stock stated that having this low traffic development at the rear of the site, and leaving the front portion of the site for retail development will help mitigate traffic congestion on Ballpark Drive and at the signalized intersection.

Mr. Stock noted that the proposed development plan eliminates the cross access easement laid out in the MRD. He said representatives of the BAA and the petitioner have had meetings about traffic concerns. The petitioner feels the proposed development is a good fit due to the low traffic volume.

Mr. Stock said the petitioner is asking for relief from several code requirements. First, city code limits the building height to 45’; the proposed building’s parapet is 49’ high. Second, city code requires a 25’ rear yard setback. Due to frontage on Ballpark Drive, the west side of the building is considered the rear of the building, and abuts asphalt paving for the development to the west. Therefore, the petitioner is asking that the rear yard setback be reduced to 10’.

Mr. Stock stated that the HVAC units will be elevated a few feet from the drainage swale, so as not to inhibit drainage. Access to the facility will be from a driveway connection to the BAA, as well as one on Ballpark Drive, which will be aligned with the entrance to the shopping center to the east.

Mr. Stock said the landscaping plan includes trees along the south portion of the site, as well as landscape buffering for the HVAC units on the west, and the north wall. A decorative aluminum fence will be installed in front of the parking spaces along Ballpark Drive. Mr. Stock detailed the types of landscaping plantings that will be used.

Mr. Stock said the building has been redesigned to include more aesthetically pleasing features, including softening the color palette to blend more with the surrounding buildings.

Commissioner Goetz asked Mr. Stock about the expected customer base. Mr. Ben Hagedorn responded, saying the average customer varies based on the demographic of the area, generally within a five-mile range. In the Ballwin area, it will typically be homeowners who are running out of space as well as small businesses that need paper/file storage.

Commissioner Goetz asked what the petitioner’s plans are for the north portion of the site. Mr. Bill Biermann responded, saying that currently only the southern portion is under contract. He expects that the north portion of the site will be a retail development, but they don’t have it under contract.

Commissioner Bolte said that currently, the many spaces available on the lot are used for overflow parking for the BAA. Mr. Biermann said that there is a cross-parking agreement that exists between the BAA and the site. The petitioner has had discussions with the BAA and several options are under consideration. Mr. Biermann said the petitioner will endeavor to be a good neighbor.

Mayor Pogue said that when the previous petitioner brought a similar plan to the Planning & Zoning Commission, he contacted the storage facilities within a five-mile area, and none had occupancy rates higher than 80%. He said he sat in on many Comprehensive Plan and Great Streets Initiative meetings and “a need for off-site storage facilities” was never brought up. He said he doesn’t feel this type of development is a good fit and will not support it. Mr. Biermann said that a storage facility recently built in Rock Hill filled to capacity within two years. Mayor Pogue said that is a different type of community. Mr. Biermann said that he appreciates the mayor’s position, but the petitioner would not be considering the site if they didn’t feel the need exists.

Mr. Stock asked Mayor Pogue if the Great Streets Initiative meetings he attended included resident input. Mayor Pogue said it included input from residents and businesses. Mr. Stock said he understands not putting a storage facility on Manchester Road, but it seems to be a good fit on this site due to the topography of the site. Mayor Pogue said that it wasn’t just frontage properties that were discussed at the meetings.

Chairman Weaver said that regarding the MRD, the petitioner has eliminated the cross access easement, which is one of the biggest considerations. He said the customers of the businesses in the strip mall to the west might want to have access to come out on Ballpark Drive at a signalized intersection and not have to make a left turn onto a busy street like Manchester Road. Mr. Biermann said that there is provision in the MRD that the cross-access easement requirement should not negatively impact surrounding neighborhoods. It is the petitioner’s understanding that the BAA was concerned about the traffic generated using cross-access to Ballpark Drive.

Chairman Weaver asked how customers access the site. Mr. Stock said customers would enter from Ballpark Drive and pull in to the loading area. They would have to back out in order to exit the building. Commissioner Bolte asked how large of a vehicle would fit into the loading bay. Mr. Hagedorn said the bay is generally 40’ wide and 30’ deep. Mr. Bolte said it would be difficult for a large moving truck to maneuver on the proposed site. Mr. Bolte asked about lighting. Mr. Hagedorn said there will be LED lights attached to the ceiling. Commissioner Karr asked if there would be any retail sales. Mr. Biermann said that the portion of the site that fronts on Manchester Rd is expected to be a retail development. Mr. Hagedorn added that the office of the storage facility will also sell moving and storage supplies.

Chairman Weaver asked if the site manager is on site 24 hours. Mr. Hagedorn said that the manager is there during the hours of operation, but does not live on-site. Chairman Weaver asked about the length of recording capability of the security cameras, and at what point does it overlap. Mr. Hagedorn said all cameras are recording 24/7 and there will be 30 days of DVR storage.

Commissioner Karr asked about watering the landscaping. Mr. Biermann said the site will be fully irrigated.

Chairman Weaver opened the public hearing for Petitions Z 16-03 and Z 16-04, and asked if anyone wished to speak in favor of the petitions. No one came forward. Chairman Weaver asked if anyone wished to speak in opposition to the petitions. No one came forward, and Chairman Weaver closed the public hearing.

Commissioner Bolte noted on the elevation drawings, the HVAC units appear to be on the ground. Mr. Stock said they are not. They will be elevated.

Chairman Weaver asked if the windows shown on the elevations are real or faux. Mr. Hagedorn said that some will be real and some not, depending on how they line up with interior hallways. He said they want as much natural light as possible.

Commissioner Bolte asked what the petitioner plans for the surface of the north portion of the site after the building is razed. Mr. Biermann said ideally there will be a petition for a retail space; however, if not, it would be grass. Chairman Weaver asked if it could be temporary parking for the BAA. Mr. Biermann said he could discuss it with the owner of the property. Mr. Bolte asked about egress in case of fire. Mr. Hagedorn said it is a fully sprinkled building, but the stairs all lead to the exterior.

Mayor Pogue made a motion to send a negative recommendation of Petition Z 16-03 to the Board of Aldermen. Commissioner Silker seconded the motion. A voice vote was taken with the following result: Weaver, Karr, Silker, Utt, Kerlagon, and Pogue – Aye; Bolte and Goetz – Nay. Commissioner Young abstained. The motion passed 6-2.

Mayor Pogue made a motion to send a negative recommendation of Petition Z 16-04 to the Board of Aldermen. Commissioner Silker seconded the motion. A voice vote was taken with the following result: Weaver, Karr, Silker, Utt, Kerlagon, and Pogue – Aye; Bolte and Goetz – Nay. Commissioner Young abstained. The motion passed 6-2.

### **SUE 16-07 Special Use Exception – Recreational & Entertainment Facilities in the C-1 District**

Circus Trix, 14820 Manchester Rd, Ballwin MO 63011

Petitioner: Mr. Case Lawrence, Circus Trix Missouri LLC, 2491 Alluvial Ave PB16, Clovis CA 93611

Mr. Scott McClain, Chief Development Officer for Circus Trix, addressed the Commission, requesting approval for the special use exception.

Mr. McClain said the petitioner is proposing to remodel the space currently occupied by Stein Mart into Circus Trix, an extreme aerial sports facility. Hours of operation are typically 9:00 a.m. – 9:00 p.m. Monday through Thursday, and 9:00 a.m. – midnight on Friday and Saturday. While the target customers are teenagers, all ages use the facility. Approximately 40% of the space is dedicated to traditional trampolines. The remaining 60% contains ninja courses, rock climbing walls, swings, and other features.

Chairman Weaver clarified that nothing would be changed on the outside of the site. Mr. McClain said the only thing that will be changed on the outside is the sign.

Chairman Weaver asked if customers pay by the hour or obtain memberships. Mr. McClain said there are no memberships; customers pay by the hour. Customers can pay ahead of time online or in person.

Commissioner Young asked how many people can be in the facility at one time. Mr. McClain said based on the square footage of the unit (31,000), up to 150 patrons can be on the floor at one time. Once the parameters have been determined and are entered into the computer system, the system will not allow any further reservations to be made in excess of the maximum allowed.

Commissioner Silker asked if there would be food and beverage sales. Mr. McClain said that drinks and snacks will only be sold through vending machines. Commissioner Karr asked if the equipment is rentable. Mr. McClain said that it is not portable, so no. Commissioner Karr said that Mr. McClain referenced sales, and asked him to clarify what he meant. Mr. McClain said he was referring to the vending machines, but the facility will sell t-shirts, socks, and similar items to support the operation.

Commissioner Goetz asked how often the equipment is checked for safety and by whom. Mr. McClain said preventive maintenance is performed weekly, monthly, semi-annually, and annually.

Alderman Kerlagon asked if parents are required to be with young children. Mr. McClain said that there are areas for parents to sit and watch their children. In addition there are designated areas in the facility for children 6 and under where the parents are required to be with their children. Mr. Kerlagon asked about injuries and whether parents need to provide proof of insurance. Mr. McClain said that as with any active sport, there are bumps and scrapes, but participants or their guardians sign a waiver.

Commissioner Young asked about the target demographic. Mr. McClain said that studies show that 18-year-old males typically set the standard for “cool,” so they are the target customer. That person sets the standard for ages 10-30. Most of the marketing is through social media, and that draws the target customer in.

Commissioner Young noted the hours of operation on the weekend will make Circus Trix the only store-front open that late (midnight) other than the restaurants, and asked if the petitioner foresees any security concerns. Mr. McClain said that if it is warranted, the manager will request security officers, but Olde Towne Plaza is well lit and has security cameras.

Chairman Weaver asked if the parking is adequate for this type of facility. Mr. McClain said that the petitioner looks for about 4 parking spaces for every 1000 sq.ft. of floor space, which in this instance would come to 120 parking spaces. Olde Towne Plaza complies with the City's code requirements of one space/200 sq.ft., so there should be ample parking.

Commissioner Young asked if the petitioner has spoken with the neighboring stores. Mr. McClain said he has not spoken to them directly. His experience is that neighboring stores and restaurants welcome Circus Trix, because parents will drop off their children and shop or go out to eat while they are waiting.

Chairman Weaver opened the public hearing for Petition SUE 16-07, and asked if anyone wished to speak in favor of the petitions. No one came forward. Chairman Weaver asked if anyone wished to speak in opposition to the petitions. No one came forward, and Chairman Weaver closed the public hearing.

Commissioner Utt made a motion to send a positive recommendation for Petition SUE 16-07 to the Board of Aldermen. Mayor Pogue seconded the motion. The motion received unanimous approval from the Commission members present.

### **Other Business**

Chairman Weaver asked if there is anything on the agenda for October. City Administrator Eric Hanson said that Texas Roadhouse has submitted a petition for the site of Senor Pique. Mr. Hanson said that he has not heard from Mr. Candice regarding last month's petition for the BBQ trailer.

### **Adjournment**

Commissioner Goetz moved to adjourn the meeting. Commissioner Karr seconded the motion, which received unanimous approval from the commission members present. The meeting was adjourned at 8:09 p.m.

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Mark Weaver, Chairman  
Planning & Zoning Commission