

SPECIAL USE EXCEPTION REVIEW REPORT

Petition Number: SUE 13-11

Petitioner: Mr. Timothy Hof
Enterprise Rent-A-Car
10144 Page Ave.
St. Louis, MO 63132
314-506-4963

Agent: None

Project Name: Enterprise Rent-A-Car Auto Rental

Filing Date: 12/17/13

Review Report Date: 12/19/13

Submission Compliance Certification Date: 12/20/13

Requested Action: Special Use Exception

Purpose: Motor vehicle rental and outdoor storage of motor vehicles

Code Section Article XIV Sec. 1 (14) (22)

Location: 15475 (15471) Manchester Rd.

Existing Land Use/Zoning: Retail (vacant) / C -1

Surrounding Land Use/Zoning: North - Retail / C -1
South – Retail / Ellisville
West -Retail / C -1
East - Retail / C -1

Plan Designation: Office / Retail Commercial

Project Description:

Enterprise Rent-A-Car is proposing to move its motor vehicle rental business from 15479 Manchester Rd. next door to 15475 Manchester Rd. **Ballwin's records indicate that this is the address of the Aamco building in the rear of this site and that the address of the building they propose to occupy is 15471. The hearing was advertised for 15475 per the petition form but the actual address of the building they will be occupying needs to be resolved at the hearing.** This is at the northeast corner of Manchester Rd. and Mimosa Ln. across Mimosa from the Ballwin Post Office. This is a stand-alone business, on a site shared by three commercial buildings. Parking has been distributed around the three buildings according to the demand in each. Although presently vacant, this building was most recently occupied by Verizon Wireless in the retail portion and an auto detailing business in the vehicle bays at the rear of the building. Enterprise Rent-A-Car will occupy the entire building.

Nonconforming Status

The current site design of this site was approved under the standards of the C-1 district, the SUE regulations and the comprehensive plan that were in place in October of 1990 when Ordinance 2128 was approved granting Lenette Realty a special use exception for front yard parking at this address. The site development regulations of the C-1 District have been amended several times since that approval (most recently in 2008), so the site development plan is legally nonconforming as long as it has not been changed and Ordinance 2128 remains in effect. The Verizon use did not require any other approvals. The rental and outdoor storage of motor vehicles use requires a special use exception in its own right and that is what this petition is for. **The petitioner does not propose to make any changes to the site development plan approved per ordinance 2128 so the Special Use Exception for vehicle rental can be approved without the submission of a significant new site development plan as long as the site is maintained as originally approved. This will include the restoration or replacement of the landscaping, much of which has been lost since the original site improvements were put in place.**

Zoning Ordinance Requirements/C-1 District (Article XIV):

1. Section 3. Height Regulations limits building height to a maximum of 45'. This building appears to be fully compliant with this regulation.
2. Section 4. (1) (i) requires a 60' front yard (building setback) along Manchester Rd. This building appears to meet this requirement.
3. Section 4. (1) (ii) (iii) are not applicable to this petition.
4. Section 4. (1) (iv) requires the provision of a 10' deep landscaping area along all roadway

frontages of the site. This building appears to meet this requirement.

5. Section 4. (2) requires a 25' side yard setback along any adjoining residentially zoned property. This site does not adjoin any residential zoned properties so this subsection does not apply to this petition.
6. Section 4. (3) requires a 25' deep rear yard. This subsection does not apply to this petition.
7. Section 4. (3) (i) This subsection requires that the rear yard setback be planted with landscaping that provides a 100% visual screen to a height of 6' where it abuts non-commercial zoning and uses. This subsection does not apply to this petition.
8. Section 4, (3) (ii) establishes alternate rear yard dimensional and screening requirements for lots less than 125' in depth. This subsection does not apply to this petition.
9. Section 4. (3) (iii) stipulates that if existing building improvements that predate 4/10/2000 within the 25' deep required rear yard are to be reused and retained in conjunction with a new SUE petition, and there is insufficient room to provide the required 25' wide rear yard landscaped area, the alternate screening provisions of Subsection ii can be utilized. This subsection does not apply to this petition.
10. Section 4, (3) (iv) states that if a site abuts commercial or industrial zoning, screening shall be provided via a fence or landscaping per subsection ii. This subsection does not apply to this petition.
11. Section 4. (4) addresses single family uses in the C-1 district and is not applicable to this petition.
12. Section 5. (1) requires the provision of parking in accordance with the provisions of Article XV. Based upon the floor area of 1,960 square feet of retail and 775 square feet of service bays the minimum number of parking spaces required is 13. The 13 spaces shown on the submitted plan meet this requirement.
13. Section 6 requires site plan involving the MoDOT right-of-way be submitted to MoDOT for review. Since there is no change to the curb cuts, or work within the MoDOT right-of-way, no MoDOT review is required.
14. Section 7. (1) requires that the minimum spacing of curb cuts be 500' between centerlines. There is only one curb cut on this site. The nonconforming curb cuts are on the adjacent site.
15. Section 7. (2) requires the construction of a 6' wide sidewalk along Manchester Rd. This property is in compliance with this requirement of the code.
16. Section 7. (3) requires that commercial parking lots be interconnected or that a "cross access, driveway/parking lot vehicular interconnection easement" be established to the

benefit of Ballwin to allow a future parking lot interconnection with adjoining properties. This site has been interconnected with the adjoining commercial properties. This is an excellent example of access management for small commercial sites and appears to be working as originally intended even though the uses on each parcel have changed since the original site plan was implemented. A future redevelopment of 15479 Manchester Rd., next door, may require a parking lot interconnection with Car X Muffler to the west. This would require the dedication of a cross-access parking lot interconnection easement.

Ordinance Requirements/SUE Regulations (Article XIV):

1. Sec. 2 (1) *Minimum Yard Requirements*: the minimum yard requirements of the C-1 District appear to have been met by this proposal.

2. Sec. 2 (2) *Site Illumination*: The submitted site development plan shows no exterior luminaries. The ordinance requires appropriate site illumination that will not disturb adjacent properties or rights-of-way. This implies different standards based upon the nature of the use. **Insofar as rental vehicles will be parked on this site overnight, I recommend that site illumination sufficient to provide security be provided. Such illumination should not be arranged or directed to point outward from the site. Generally pole mounted luminaries located near the perimeter of the site are most appropriate for this kind of illumination. Such lighting should make use of LED or other similar low energy consuming technology.**

3. Sec. 2 (3) *Greenery and Planting*: The existing site was approved with an elaborate landscaping plan that was tied to the special use exception granted to Lenette Realty for front yard parking. **The landscaping has not been well maintained since 1990. Since Enterprise is proposing to occupy the site under the current approved site development plan the landscaping needs to be replaced or supplemented back to the original approved plan. This issue needs to be clearly resolved because the condition of the current landscaping is not in accordance with the original plan. I recommend that the Commission withhold approval of this petition until a proper landscaping plan has been submitted and made a part of this petition.**

4. Sec. 2 (4) *Fencing*: There is no fencing on or proposed for the site.

5. Sec 2 (5) *Parking*: Based upon the floor area of the building 13 parking spaces are required. The submitted plan shows 13 spaces, so the plan is compliant with the minimum parking requirements for this use.

6. Sec. 2 (6) *Pavement*: All pavements must be built to Ballwin's standards for the construction of commercial parking lots of 4" of asphalt on a 6" crushed rock base or 7" of concrete on a 4" base. No new pavement will be required in conjunction with this petition.

7. Sec 2 (7) *Storm water runoff control*: No storm water detention or water quality

improvements exist on this site or are proposed, because no changes to the site development plans are anticipated. This is consistent with Ballwin's ordinance 11-21 passed by the Board of Aldermen on June 13, 2011.

8. Sec. 2 (8) *Loading docks and facilities*: No dedicated loading spaces are necessary for this use.

9. Sec. 2 (9) *Ingress and Egress*: No changes to the site's existing curb cuts are proposed by this petition.

10. Sec. 2 (10) *Adequate area for the use*: I believe that the overall best interest of the City and the petitioner will be achieved with the reuse of the site development plan as approved in 1990. Therefore, there appears to be adequate area for the intended use.

11. Sec. 2 (11) *Dead storage, dismantling and repair of automobiles*: This is not an issue with this kind of use. Ballwin has non-zoning regulations to deal with this use, should it occur.

12. Sec. 2 (12) *Rubbish and trash disposal and screening*: No change to this aspect of the site is proposed.

13. Sec 4 (7) (a) *Increase traffic hazards or congestion*: No changes to the basic traffic generation patterns or volumes along this section of Manchester Rd. are expected as a result of this proposal. This exact use has been operating next door to the petitioned site since 1997. There is no history of accidents or traffic problems associated with this type of business use at any location in Ballwin.

14. Sec. 4 (7) (b) *Neighborhood character impact*: This proposal should have no impact on the character of the surrounding commercial neighborhood. There is no adjoining residential neighborhood. The closest residential use is over 100' to the northwest. Furthermore, this use has existed next door for 16 years without adverse impacts to the nearby neighborhoods.

15. Sec. 4 (7) (c) *Community general welfare impact*: I do not see any substantial negative impacts to the general welfare of the community arising from this proposal.

16. Sec. 4 (7) (d) *Overtax public utilities*: I do not see any substantial impacts to public utilities arising from this proposal.

17. Sec. 4 (7) (e) *Adverse impacts on public health and safety*: I foresee no impacts on public health or safety coming from this proposal.

18. Sec. 4 (7) (f) *Consistent with good planning practice*: It has been Ballwin's practice to allow the full development of commercially zoned properties if done in accordance with district regulations. As proposed, and with the minor amendments that I have recommended, this petition will be in compliance with the district regulations. Lacking any evidence of substantial or disproportionate impact on the public welfare, there is little evidence that this will not be

consistent with good planning as it is practiced in Ballwin.

19. Sec. 4 (7) (g) *Operated in a manner that is compatible with permitted uses in the district:* All uses allowed in the C-1 Zoning District are commercial or commercially compatible. The site is surrounded by C-1 zoning. I can see little evidence to support a negative finding relative to this point.

20. Sec. 4(7) (h) *Operated in a manner that is visually compatible with the permitted uses in the surrounding area.* Clearly there is no problem with visual compatibility with surrounding commercial uses, and there are no close residential uses, so there is little basis to support a negative finding in this regard.

Comprehensive Community Plan Concerns:

Future Land use Categories:

1. The future land use provisions of the 2007 Comprehensive Community Plan recommend (page 8:8) that this land be utilized as commercial. This recommendation has been met.

2. The first paragraph of this section recommends that uses in commercial areas be limited to retail, office, service, etc., that commercial developments share points of access, be located along major arterial roadways, utilize professional landscaping, and share signage. These recommendations have been referenced in this report.

Commercial Design Guidelines (page 8:8):

The architecture and the footprint of the building will not be changed nor will the fundamental interior layout.

1. The first bullet point of this section recommends that the architectural design be visually interesting through the use of texture, complimentary colors, shadow lines and contrasting shapes. I believe that the recommendations of this bullet point are substantially met by the existing building that is proposed for reuse.

2. The second, third, fourth, fifth, sixth and seventh bullet points address issues of design, materials, proportion, scale, building mass, etc. and compatibility with the surrounding structures. This commercial structure is very similar in structure and scale to many surrounding commercial building and appears to address the design recommendations of these subsections.

3. The eighth bullet point addresses landscaping. No substantive changes to the 1999 landscaping plan are required by the provisions of the C-1 district. **I recommend that the planting areas be refurbished to match the planting plan originally approved for this site. The plantings have deteriorated or been removed over the years and need to be**

rehabilitated or recreated. I recommend that the Commission take no action on this petition until a landscape plan has been provided and made a part of this petition.

4. The ninth bullet point addresses the use of screening and the placement of equipment. I do not see this to be an issue for this site.

Manchester Corridor Revitalization Strategies (page 8:23):

1. The first bullet point recommends that new development and major renovations follow the design guidelines. I am not sure that this qualifies as a major renovation, but much of the exterior of the building appears to be in substantial compliance with these regulations.

2. The second bullet point recommends mixed use developments. The development proposed with this petition is not a mixed use proposal. This small building does not lend itself well to mixed use occupancy. The site is, however, part of a larger campus consisting of 3 major commercial buildings that has historically had mixed use tenancy.

3. The third bullet point addresses the architectural issues associated with large tenant buildings dominating the site. This is not applicable in this situation.

4. The fourth and fifth bullet points recommend the clustering or stacking of structures and uses as an alternative to the linear one story approach commonly utilized in traditional commercial development. This type of development is not applicable to this kind of business activity or this petition given the nature of the existing building on the site.

5. The sixth bullet point discourages outdoor storage, display and sale of merchandise. This special use exception permits the outdoor storage and display of rental vehicles. The recommendations of this subsection of the plan are not applicable to a use that includes the outdoor storage of motor vehicles.

6. The seventh bullet point recommends that sites be developed to the maximum density allowed by the district regulations. This site is developed very close to its maximum potential given the parking demands of the use. Higher levels of development would probably require a different use or the co-development of the property with other nearby parcels in a more intense manner to allow the flexibility necessary to accomplish this end.

7. The eighth and eleventh bullet points raise the issue of landscaping and vegetation buffering to mitigate negative impacts on adjoining residential uses. This issue is not applicable to this site because there are no adjoining residential uses.

8. The ninth bullet point recommends the use of landmarks and public art to define the sense of place. This recommendation could be addressed through architecture, site design, etc, but this site is not a good candidate for a landmark or a public art installation.

9. The tenth bullet point addresses district gateway features. This site does not coincide

with any of the recommended gateway feature sites.

10. The twelfth and thirteenth bullet points address traffic circulation and access management. This site is reasonably well developed from this perspective in that it is one of three sites that are interconnected and allow access to both Manchester Rd. and Mimosa Ln. Should a development proposal for the 15479 Manchester Rd. site to the west be forthcoming, it would probably be recommended that one of the two Manchester Rd. curb cuts serving that site be eliminated and a cross access easement be established to allow a future parking lot interconnection with Car X Muffler to the west.

11. The fourteenth bullet point addresses parking. The nature of this proposal does not lend itself to the concept of a centralized parking location. Parking has been distributed throughout this 3-building site to facilitate the tenant's needs.

12. The fifteenth bullet point deals with the issue of land use transitions between high and low intensity uses. The use of intermediate intensity buffering uses is not something that is applicable to this site given that it is surrounded with commercial uses.

Engineering Concerns:

1. When I visited the site prior to the preparation of this report, I noticed a pickup truck parked nose-in against the east wall of the Aamco building. The truck was long enough that there was very little room for vehicles to pass between the truck and the trash enclosure adjacent to the proposed Enterprise Rent-A-Car building. The customers of all of the uses occupying the three buildings of this site as well as emergency vehicles need to have unrestricted access through this area. **I recommend that the area adjacent to the Aamco entrance and around the corner on the east side of the building for a distance of 20' be marked with pavement stripes and signage as a no parking zone and that the commission recommend to the Board of Aldermen that this area be added to the schedule of fire zones to allow enforcement of the parking prohibition in this area.**

Thomas H. Aiken, AICP
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