

SPECIAL USE EXCEPTION REVIEW REPORT

Petition Number: SUE 14 –02

Petitioner: Mr. Glenn Travers
Premier Auto Service
225 N. Highway 67
Florissant, MO 63031
314-960-4175

Agent/Engineer: Joe Dale
Dale Architectural Services LLC
743 St. Mary's Rd.
Villa Ridge, MO 63089
314-517-5101

Project Name: Premier Auto Service

Filing Date: 10/16/14

Review Report Date: 11/10/14

Submission Compliance Certification Date: 11/10/14

Requested Action: Special Use Exception

Purpose: Front Yard Parking, Automobile and Motor Vehicle Service and/or Repair Facility.

Code Section (s): Article XIV Sec. 1 (3), (14)

Location: 15925 Manchester Rd.

Existing Land Use/Zoning Commercial (auto service) / C-1

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

Plan Designation: Commercial

Project Description:

Mr. Travers is proposing to open an automobile and motor vehicle service business with front yard parking at this address. The property has been occupied by a series of oil change businesses from 1987 when the present site was developed until the summer of 2013. The most recent valid business license expired in April of 2013. The most recent tenant never had a valid occupancy permit or business license and ceased operations sometime in the summer to fall of 2013. The building has been sitting unoccupied since that time. The original SUE was for the operation of a motor vehicle oil filling station. More accurately it should be described as an oil change business. This description is no longer in the SUE regulations. Auto service related businesses are now either covered under the auto service use or the motor fuel filling use; both of which require a SUE.

This site fronts on the north side of Manchester Rd. approximately 250' west of the Ballpark Dr. intersection. Lion's Choice is to the east and Blue Chip Pest Control is to the west. Directly across Manchester Rd. to the south in the CAP Carpet plaza is Floor Trader, which, as of this writing, is in the process of a name change. The site slopes significantly toward the south and surface drains into the Manchester Rd. stormwater system which flows into Fishpot Creek. Fishpot Creek ultimately flows into the Meramec River in Valley Park.

The site is rectangular in shape. It has approximately 110' of frontage along Manchester Rd. to the south and Orchard Ln. to the north and runs approximately 179' deep. It has an area of approximately .45 acres.

Nonconforming Status

This site development plan was approved under the standards of the C-1 district that were in place in 1987 when the special use exception was issued. That SUE was abandoned one year following the failure to either renew the business license in April of 2013 or to transfer it to another user. It is no longer in effect so any nonconformancies with the site that may exist are no longer legally nonconforming and would have to be brought into compliance with the regulations in place today. These matters are discussed throughout this document, but this petition calls for virtually no changes to the site.

Zoning Ordinance Requirements/C-1 District:

1. Section 1 is descriptive and imposes no design or plan requirements, so it is not germane to this review.
2. Section 2 establishes uses allowed by right in the C-1 district. The uses contemplated in this petition are only allowed by special use exception, so this section is not applicable to this report.
3. Section 3 established a 45' height limitation in the district. The building is presently in compliance with this section and no changes to the building height are proposed as a part of this petition.

4. Section 4. (1) (i) requires a 60' front yard (building setback) along Manchester Rd. This building appears to meet that requirement.
5. Section 4. (1) (ii) requires a 10' front yard (building setback) along the south side of Orchard Ln. This building appears to meet that requirement.
6. Section 4. (1) (iii) allows properties fronting on Manchester Rd to have front yards as small as 20' along as much as 75% of its Manchester Rd. frontage if the front yard is not utilized for parking. The site does not take advantage of this provision of the ordinance, but this is an optional improvement and is not required.
7. Section 4. (1) (iv) requires the provision of a 10' deep landscaping area along all roadway frontages of the site. This site appears to meet or exceed this requirement.
8. Section 4. (2) requires a 25' side yard setback along any adjoining residentially zoned property. There is no adjoining residential property so this site appears to meet or exceed this requirement.
9. Section 4. (3) (i) requires a 25' deep fully landscaped rear yard. This site does not have a rear yard. It is a double roadway frontage lot adjoining Orchard Ln. on one side and Manchester Rd. on the other. Typically a 40' front yard setback would be required along the Orchard Ln. front yard, but subsection 1(ii) (above) separately addresses this situation.
10. Section 4. (3) (ii) and (iii) and (iv) are not applicable to this petition.
11. Section 4. (4) this subsection applies to single family residences in the C-1 district so it does not apply to this petition.
12. Section 5. (1) requires the provision of parking in accordance with the provisions of Article XV. The submitted site plan, with its 12 parking spaces, is in excess of the 9 parking spaces required by this code section if the entire area of the building is considered retail. If the vehicle bay area is considered service, for purposes of determining parking, the number of required parking spaces would only be 7.
13. Section 6 is not applicable to this petition because no change to the Manchester Rd. curb cut is proposed by the petitioner.
14. Section 7. (1) requires that the minimum spacing of curb cuts is to be 500' between centerlines. Since this site only has one curb cut on Manchester Rd. This subsection does not apply to this petition.
15. Section 7. (2) requires the construction of a 6' wide sidewalk along Manchester Rd. The existing sidewalk was built with a federal grant in 2005. Ballwin contributed 30% of the cost. Ordinance 05-39 passed in 2005 requires owners of Manchester Rd. fronting properties to reimburse the city for the 30% contribution whenever any new SUE is

approved or an existing SUE is transferred. The reimbursement for this property was paid when the former SUE for the oil change facility was transferred to its last user in 2007.

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 is another example of a regulation that came into being since the 1987 site development plan was approved. **This regulation can easily be met. I recommend that the petitioner either negotiate and construct parking lot interconnections with Blue Chip to the west and Lion’s Choice to the east as anticipated by this regulation or dedicate a parking lot interconnection easement on its property to Ballwin to allow a future interconnection with these properties when they are included in a redevelopment petition that is submitted to Ballwin. The easement should extend across the entire width of the property from the west property line to the east property line and run from the Manchester Rd. right-of-way line to the 60’ building setback line. These easements will fulfill this ordinance requirement as well as recommendations regarding access management in the Comprehensive Community Plan and the Great Streets Plan.**

Zoning Ordinance Requirements/SUE Regulations (Article XIV):

1. Sec. 1 Generally. This section describes the types of uses that are permitted by special use exception in the various zoning districts. The automobile and motor vehicles service and repair use is addressed in subsection (3) and the front yard parking use is addressed in subsection (14).

2. Sec. 2 (2) *Site Illumination*: The submitted site development plan shows no changes to the existing site illumination plan. The ordinance requires appropriate site illumination. I am not aware of any complaints or other basis to believe that the existing illumination is inappropriate.

3. Sec. 2 (3) *Greenery and Planting*: The submitted site development plan shows well developed green space on the site. There is significant green space on both sides of both curb cuts and along both side property lines. The green space areas in front and behind the building to the west of the bay entrance/exit driveways are primarily grassy zones with scattered trees. Given the nature of the improvements and the small size of the site, the landscaping is extensive and well within the recommendations of the comprehensive plan and the zoning ordinance.

4. Sec. 2 (4) *Fencing*: There is no fencing on the site so this subsection does not apply to this petition.

5. Sec 2 (5) *Parking*: Parking was discussed earlier in this report. The proposed use appears to meet all parking requirements of the C-1 zoning ordinance. Based upon the floor area of the building and the number of parking spaces being proposed, the submitted plan appears to meet or exceed the minimum parking requirements of the C-1 zoning district for the

current use.

Subsection 1(3) of the special use exception regulations establishes certain additional parking criteria for auto and motor vehicle service businesses:

1. Section 1 (3) (a): All motor vehicles shall be parked on a paved lot that has been striped to show designated parking areas. **The submitted drawing clearly shows delineated parking spaces but the markings are faded. I recommend that the parking lot be restriped as a condition of approval for the SUE.**

2. Section 1 (3) (b): No motor vehicles may be parked outdoors unless it has a current license issued by a state government. This is not a site development plan related regulation. It is related to operations and subject to ongoing enforcement if necessary.

3. Section 1(3) (c): No motor vehicles may be parked outdoors for more than 45 consecutive days or more than 50 days during any 12-month period. This is an operational constraint on the business. Enforcement is subject to ongoing review if needed.

4. Section 1 (3) (d):the aggregate number of motor vehicles parked outdoors for more than 24 hours shall not exceed the greater of six motor vehicles per enclosed service bay or 12 motor vehicles per acre of the premises of the shop. **On-site parking is limited to 12 vehicles due to the arrangement of the parking lot. There are two indoor service bays so the formula based on bays neatly corresponds to the 12 parking spaces on the site. The site is approximately ½ acre in area so the land area formula either limits 24 hour outdoor parking to 6 cars or to 12 cars if one assumes that the allotment of 12 cars / acre is a lower limit threshold and would not diminish to a smaller number on a smaller parcel. Since there is sufficient room on the site to accommodate 12 parked vehicles, and the lot is striped for 12 parking spaces, I believe that the more lenient interpretation is appropriate in this instance.**

5. Section 1(3) (e): Such other restrictions and regulations as the Board of Aldermen may require due to unique physical or cultural characteristics, proximity to use and facilities that may be negatively impacted by this use, access limitations, traffic impact or other special issues which make the site atypical of the city or neighborhood (may be a basis for the imposition of additional design requirements). None of the issues outlined in the subsection appear to apply to the site in a manner that necessitates additional or special operational or site design requirements.

6. Sec. 2 (6) *Pavement*: All pavements must be built to Ballwin's standards for the construction of commercial parking lots. No new pavement is proposed for this site. The existing pavement, with the exception of the curbing in front of the building, appears to be in generally good condition and will be utilized in place. **I recommend that the curbing be repaired.**

7. Sec 2 (7) *Storm water runoff control*: **No changes to the impervious nature of the site are proposed. The site falls below the MSD threshold for stormwater and water quality improvements. Since no changes to the impervious nature of the site are proposed, this petition is not subject to Section 11-36 of Ballwin's stormwater**

regulations.

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

9. Sec. 2 (9) *Ingress and Egress*: No change to the site's existing curb cuts is proposed by the petitioner.

10. Sec. 2 (10) *Adequate area for the use*: As discussed earlier in this report, the site meets the minimum parking and area standards of the zoning ordinance. There is no obvious issue associated with the design of this site or the proposed use that would suggest that there is insufficient area for the intended use.

11. Sec. 2 (11) *Dead storage, dismantling and repair of automobiles*: This is potentially an issue with motor vehicle service businesses and the storage of such automobiles is not permitted by several ordinances. This problem, should it occur, will be addressed through ongoing enforcement.

12. Sec. 2 (12) *Rubbish and trash disposal and screening*: The submitted site plan calls for the existing screened dumpster enclosure to be used in place.

13. Sec 4 (6) (1) *Increase traffic hazards*: The oil change business that predates this petition at this address did not generate significant traffic congestion. The proposed use will generate a similar volume of traffic. There is no remarkable history of accidents or traffic related problems associated with this location. Perhaps this is partly related to the availability of a secondary access from Orchard Ln.

14. Sec. 4 (6) (2) *Neighborhood character impact*: This proposal should have no impact on the character of the surrounding commercial neighborhood. The proposed use is very similar to what has been ongoing at this location for many years. There is no residential neighborhood in close proximity to this site to be significantly impacted by the proposed use.

15. Sec. 4 (6) (3) *Community general welfare impact*: I do not anticipate any negative aspects to this development proposal that would be characterized as impacting the general welfare of the community.

16. Sec. 4 (6) (4) *Overtax public utilities*: No substantial negative impacts to public activities are anticipated.

17. Sec. 4 (6) (5) *Adverse impacts on public health and safety*: I see no evidence that this proposed use will have any negative impacts on public health or safety.

18. Sec. 4 (6) (6) *Consistent with good planning practice*: It has been Ballwin's practice to allow the full development of commercially zoned properties. **It has also become a tenet of Ballwin's planning to improve access to commercial properties by securing interconnections among parking lots. If this is accomplished, this use will be consistent with good planning practice as that concept is practiced in Ballwin.**

19. Sec. 4 (6) (7) *Operated in a manner that is compatible with permitted uses in the district:* The other uses allowed in the C-1 Zoning District are predominantly commercial or commercially compatible. Many are very similar. I can see little basis to support a negative finding relative to this point.

20. Sec. 4(6) (8) *Operated in a manner that is visually compatible with the permitted uses in the surrounding area.* There will be no substantive change to the building or the site with this use. I am aware of no previous issue of this kind at this site, 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. Where applicable, these requirements have been met or recommended.

Commercial Design Guidelines (page 8:8):

The architecture of the existing building is not being changed.

1. The first, through seventh bullet points in this section address issues of design, materials, proportion, scale, building mass, etc., and compatibility with the surrounding structures. Since the building is not being substantively changed, these sections do not apply to this petition.

3. The eighth bullet point addresses landscaping. No changes to the landscaping plan are proposed. The existing landscaping is actually in pretty good condition.

4. The ninth bullet point addresses the use of screening and the placement of equipment. The dumpster is screened. There are no other equipment or activity areas that need to be screened.

Manchester Corridor Revitalization Strategies (page 8:23):

1. The first bullet point recommends that new development and major renovations follow the design guidelines. This is neither a new development nor a major renovation, so this section

does not apply.

2. The second bullet point recommends mixed use developments. The development proposed as a part of this petition is not a mixed use proposal and the site does not lend itself to this kind of development scenario.

3. The third bullet point addresses the architectural issues associated with large tenant buildings dominating the plaza. 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 structure and its single occupant is not applicable to this kind of business activity.

5. The sixth bullet point discourages outdoor storage, display and sale of merchandise. This issue is not really applicable or salient to an auto service business which has no alternative but to have some outdoor storage of 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 combination of the property with other nearby parcels 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. As stated earlier in the report, the landscaping on this small site is extensive and in pretty good condition and 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, landscaping site design, etc., but nothing in this regard is being proposed for this reoccupancy of and existing vacant site.**

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 issue was discussed earlier in this report. The access and circulation of this site are appropriate for the proposed use.

11. The fourteenth bullet point addresses parking. This issue was also discussed earlier in this report.

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 can reasonably be done on a site with this size, configuration or the current use.

Engineering Concerns:

1. Private and public roadways must be maintained in a clean, safe and passable condition at all times during construction and development. Since little construction is proposed as a part of this petition this is a minimal issue.

Thomas H. Aiken, AICP
Assistant City Administrator / City Planner