

SPECIAL USE EXCEPTION REVIEW REPORT

Petition Number: SUE 16 - 07

Petitioner: Circus Trix Missouri, LLC
Mr. Case Lawrence
2491 Alluvial Ave. PB16
Clovis, CA 93611
559-905-1760

Agent/Engineer: None

Project Name: Circus Trix

Filing Date: 8/15/16

Review Report Date: 8/22/16

Submission Compliance Certification Date: 8/22/16

Requested Action: Special Use Exception

Purpose: Recreational and entertainment facilities in the C-1 district

Code Section (s): Article XIV Sec. 1 (17)

Location: 14820 Manchester Rd.

Existing Land Use/Zoning Commercial/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:

Circus Trix is proposing to open an indoor facility featuring trampolines and associated recreational equipment that can be rented for recreational and entertainment purposes. The property in Olde Towne Plaza is currently occupied by Stein Mart, but that business is relocating to a new location near the intersection of Clayton Rd. and Old Woods Mill Rd. this fall.

Olde Towne Plaza fronts on the south side of Manchester Rd. between Ries Rd. and Ballpark Dr. Salem Methodist Church, the Metro West Fire District house #1 and Regents Bank adjoin to the north of the site across Manchester Rd. Ballwin Elementary School adjoins to the south across Jefferson Ave. Stormwater runoff is collected by an on-site collection system which directs the water into a detention basin adjacent to Ballwin Elementary School on this side of Jefferson Ave. From there the water flows in a pipe under Ries Rd. and discharges into Fishpot Creek near the Ries Rd. bridge. Fishpot Creek ultimately flows into the Meramec River in Valley Park.

The unit to be occupied by Circus Trix is approximately 31,000 square feet in area and is adjacent to Lowes near the east central part of the plaza. This site development plan for Olde Towne Plaza was approved via ordinance 00-13 on March 13, 2000. There have been no substantive changes to the site development plan since it was approved. No changes to the site development plan are proposed as a part of this petition.

Zoning Ordinance Requirements/C-1 District:

1. Section 1 is a general introductory statement 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 use contemplated in this petition is only allowed by special use exception, hence this petition.
3. Section 3 established a 45' height limitation in the district. No changes to the building footprint or 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) and (iii) are not applicable to this petition.
6. Section 4. (1) (iv) requires the provision of a 10' deep landscaping area along all roadway frontages of the site. The site is in conformance with this code requirement.
7. Section 4. (2) requires a 25' side yard setback along any adjoining residentially zoned property. This subsection does not apply to this site because there is no side yard.
8. Section 4. (3) (i) requires a 25' deep fully landscaped rear yard. This subsection does not apply because there is no rear yard.
9. Section 4. (3) (ii) (iii) and (iv) are not applicable to this petition.
10. Section 4. (4) is subsection applies to single family residences in the C-1 district so it is not applicable to this petition.

11. Section 5. (1) requires the provision of parking in accordance with the provisions of Article XV. **The site development plan for Olde Towne Center was in full compliance with the minimum parking requirements of the zoning regulations when it was built. There has been no change to the parking requirements since that time.**

There is no specific parking requirement for this use in Ballwin's zoning ordinance, but the plaza was originally parked at 1 space / 200 sq. ft. of gross floor area. This is the highest parking standard required for any use in Ballwin's zoning ordinance. By this rate, approximately 155 spaces in this parking lot are allocated to this 31,000 square foot store. A review of similar parking requirements from the American Planning Association's 2002 Parking Standards report showed a range of parking requirement from a high of 1 space /100 square feet of recreation area (not the same as gross floor area) to a low of one space per 1000 square feet of gross floor area. Requirements in the 1 space / 200 sq. ft. of gross floor area to 1 space / 500 sq. ft. of gross floor area were commonly required. This suggests that the 155 spaces allocated to this store are reasonable for this intended use.

12. Section 6 is not applicable to this petition because no change to the Manchester Rd. curb cut is proposed by the petitioner.
13. Section 7. (1) requires that the minimum spacing of curb cuts is to be 500' between centerlines. This plaza is compliant with this requirement.
14. Section 7. (2) requires the construction of a 6' wide sidewalk along Manchester Rd. This sidewalk was built when the plaza was built in 2000.
15. 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 original site development plan was approved. Since the plaza occupies an entire city block from side street to side street, there is no property to interconnect. This requirement does not apply.

Zoning 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 changes to the existing site illumination plan which was approved as part of the original site development plan in 2000.

3. Sec. 2 (3) *Greenery and Planting*: No change to the existing approved landscaping plan is proposed.

4. Sec. 2 (4) *Fencing*: No change to the fencing on the site is proposed.

5. Sec 2 (5) *Parking*: Parking was discussed earlier in this report. The proposed use appears to have a reasonable amount of parking based upon standards for recreational uses outlined in the APA Parking standards manual from 2002.

6. Sec. 2 (6) *Pavement*: No changes to any pavements are proposed as a part of this petition.

7. Sec 2 (7) *Storm water runoff control*: No changes to the impervious nature of the site or the existing storm water collection and detention system is proposed as a part of this petition.

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 the petitioner.

10. Sec. 2 (10) *Adequate area for the use*: As discussed earlier in this report, the site probably has sufficient parking to meet the needs of the use. Every other aspect of the use is fully contained within the occupied unit so there is no obvious basis for concern about there being insufficient room 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 and Ballwin has regulations in place to address this problem if it occurs.

12. Sec. 2 (12) *Rubbish and trash disposal and screening*: The use does not appear to be one that will generate substantial trash. There is an existing dumpster location in the rear of the building.

13. Sec 4 (6) (1) *Increase traffic hazards*: No information has been provided from the petitioner about the traffic generated by this use. I have not been able to locate any measuring studies or guidelines for determining the volume of traffic for a use of this nature. I believe that the parking regulations, however, can be viewed as a reasonably accurate surrogate measure of traffic generation. Parking is certainly related to traffic. These guidelines suggest that the parking (traffic) demand for this use will be similar to that of a comparably sized retail store. The plaza was designed to accommodate that volume of parking for this space. By extension, therefore, the plaza should be capable of accommodating the associated traffic.

This analysis is based on an inference from other data and an assumption of their surrogacy. It is not based on known facts or studies of similar uses in the area. This, however, is a large plaza with many parking spaces, curb cuts and driveways to accommodate the anticipated volume of retail business. It seems reasonable to infer that it could accommodate the associated traffic as well.

14. Sec. 4 (6) (2) *Neighborhood character impact*: This proposal should have no impact

on the character of the surrounding commercial neighborhood. The exterior of the building will be essentially unchanged in appearance and the overall activity level should not be substantively different from what can be experienced in a successful retail environment.

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 negatively impacting the general welfare of the community.

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

17. Sec. 4 (6) (5) *Adverse impacts on public health and safety*: No adverse impacts on public health or safety are expected.

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. This use is within the scope of the uses allowed by special use exception in the C-1 district.

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 argument 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*. Clearly there is no problem with visual compatibility with commercial uses, and there are no nearby 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. **Where applicable, these requirements have been met or recommended.**

Commercial Design Guidelines (page 8:8):

Since no change to the building is proposed, none of the commercial guidelines are applicable to this petition.

Manchester Corridor Revitalization Strategies (page 8:23):

Since no change to the site is proposed, none of the corridor guidelines are applicable to this petition.

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