

SPECIAL USE EXCEPTION REVIEW REPORT

Petition Number: SUE16-01

Petitioner: Mr. Adam Bone
Bone Auto Glass Specialists LLC
5821 Hampton Ave.
St. Louis, MO 63109
314-398-8270

Agent: Jamie Aldridge-Bone
4044 Butler Hill Rd.
St. Louis, MO 63129
314-583-6288

Project Name: Bone Auto Glass Specialists

Filing Date: 1/22/16

Review Report Date: 2/8/16

Submission Compliance Certification Date: 2/8/16

Requested Action: Special Use Exception

Purpose: Motor vehicle service and repair

Code Section Article XIV Sec. 1 (3) (14)

Location: 15479 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:

Bone Auto Glass has submitted a petition proposing to open an auto glass repair business in the former Enterprise Car Leasing location at 15475 Manchester Rd. **Ballwin's records indicate that the address of the building they are proposing to occupy is 15479. The 15475 address is actually the address of the Aamco business in the larger building to the rear of this site. The hearing was advertised for the 15479 address.** This is a stand-alone business in one of three buildings on a commercial site. Parking has been distributed around the three buildings according to the demand in each pursuant to previously approved site development plans.

Nonconforming Status

The current design of this site was approved under the standards of the C-1 district, the special use exception regulations and the comprehensive plan that were in place in April of 1997 when Ordinance 2592 was approved granting Enterprise Leasing Co. special use exceptions for motor vehicle leasing and front yard parking at this address. The site development plans approved via that ordinance addressed only the 15479 Manchester Rd. portion of this site. The site development regulations of the C-1 District have been amended since that approval (most recently in 2008), so the site development plan is legally nonconforming as long as it is not changed and Ordinance 2592 remains in effect. The motor vehicles service business was not part of ordinance 2592 so that use requires a special use exception in its own right. **The petitioner does not propose to make any changes to the site development plan approved per ordinance 2592 (copy enclosed) so the Special Use Exception for motor vehicle service can be approved without the submission of a new site development plan as long as the site is maintained as originally approved. This will include the restoration and maintenance of all site improvements that are part of that plan.**

It should be noted that the Bone Auto Glass Specialists will be adding a vehicle access door to the rear of the building. This is indicated on the attached plan. The vehicle access door will not impact the site development plan because it will be installed on a side of the building that has adjacent pavement and no site improvements will be impacted.

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 the 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 site development plan appears to meet the 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 to the rear, 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 approximately 1,250 square feet of retail floor area the minimum number of parking spaces required is 7. The 16 spaces shown on the submitted plan in close proximity to this building exceed 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 are multiple curb cuts on this site. They are legally nonconforming per ordinance 2592 and can stay in their present location and configuration as long as no site plans changes are proposed.

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 interconnects with the three commercial uses into a single site plan. This is an 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.

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. An inspection of the site shows that there are wall mounted exterior luminaries on the east and north sides of the building. There are also pole-mounted luminaries in the southwest portion of the parking lot. The ordinance requires “appropriate site illumination that will not disturb adjacent properties or rights-of-way.” Since there are no nearby residential properties and the adjoining commercial properties are similar in their operational characteristics and nature to this proposed use, I see no reason to require any additional or different site illumination.

3. Sec. 2 (3) *Greenery and Planting*: The existing site was approved with a landscaping plan per ordinance 2592. **The landscaping does not appear to have been particularly well maintained since 1997, but it is difficult to tell, at this time of year, the exact condition of many of the plantings. I recommend that this special use exception only be approved with the provision that any of the plantings that are missing or in poor condition be replaced pursuant to the original landscaping plan. Additionally, Enterprise Leasing Co. was granted an amendment to ordinance 2592 by ordinance 2618 (copy enclosed) which provided for the watering and care of the landscaping via the installation of an irrigation system or a contractual maintenance agreement that includes watering.**

There is no record or site evidence that an irrigation system was ever installed, so presumably enterprise leasing utilized a service to maintain its landscaping. I

recommend that a similar provision requiring the bone Auto Glass Specialists to install an irrigation system or hire a landscape contractor to maintain and water the landscaping be included in this special use exception

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, 7 parking spaces are required. The submitted plan shows 16 spaces, so the plan is compliant with the minimum parking requirements for this use.

6. Sec. 2 (6) *Pavement*: No new pavement will be required in conjunction with this petition.

7. Sec 2 (7) *Storm water runoff control*: Storm water detention and water quality improvements were installed on the 3 building site in 2006 when the Aamco building changed occupancy from its long-term tenant SOS Rental to its present configuration. This current site development plan for the three building site is consistent with Ballwin's ordinance 11-21 establishing standards for storm water control and water quality which was passed by the Board of Aldermen on June 13, 2011. No changes to the stormwater and water quality plan are 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 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 already approved for this site. Therefore, there appears to be adequate area for the intended use.

11. Sec. 2 (11) *Dead storage, dismantling and repair of automobiles*: The majority of the glass replacement done by the petitioner is done at remote locations that are convenient to the customer. A service door is being installed in the rear of the building to allow glass installation inside the building. **It is my understanding that no glass replacement work will be done on the exterior portions of the site. I recommend that a provision be added to the special use exception that prohibits any glass replacement or other auto service activities from being done outside of a fully enclosed building.**

12. Sec. 2 (12) *Rubbish and trash disposal and screening*: No dumpster location is shown on the submitted plans. I assume that any trash generation will be retained in an indoor container. **It is recommended that any approval of this petition include a contingency that the petitioner submit a revised site plan if a dumpster or other trash container is to be located on site outside of the building. Such a facility must be fully screened in a manner and with materials that is are architecturally consistent with the design of the building.**

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. The replacement of auto glass is primarily done at remote locations convenient to the customer. No substantive increase in vehicular accidents or traffic congestion is anticipated in conjunction with this use.

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, other auto service uses have existed in nearby locations for years without adverse impacts to the nearby neighborhoods.

15. Sec. 4 (7) (c) *Community general welfare impact*: I foresee no 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 anticipate any 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. **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 footprint of the building will not be changed. The exterior architecture will be modified to permit the installation of a vehicles service door in the rear wall of the building facing the Aamco business. There are presently no architectural features on this elevation of the building. The interior layout will be modified to accommodate a service bay and the new vehicular door. These changes will not be visible from the adjoining roadways or nearby residential properties.

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. No real changes to the architecture of the building are proposed. I believe that the recommendations of this bullet point are substantially met by the existing building.

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

3. The eighth bullet point addresses landscaping. No substantive changes to the approved landscaping plan of this site are proposed. **I recommend that the planting areas be refurbished to match the planting plan originally approved for this site. The plantings appear to have deteriorated or been removed over the years and need to be rehabilitated or replaced. I recommend that the Commission require the rehabilitation of the landscape plan as a condition of approval 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. This is not a major renovation, but 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 and the present C-1 zoning does not permit a true mixed use environment.

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. Should the larger site be proposed for a major redevelopment, this recommendation of the plan would be appropriate, but it is not applicable to the reoccupancy of an existing commercial space.

5. The sixth bullet point discourages outdoor storage, display and sale of merchandise. The recommendations of this subsection of the plan are generally not applicable to an auto service use that can include the outdoor storage of motor vehicles. No outdoor sales or display are permitted by the requested special use exception.

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. It is not a site of particular prominence for such a feature.

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.

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 tenants' 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.

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