

# ZONING ORDINANCE CHANGE PETITION REVIEW REPORT

**Petition Number:** Z10-09

**Petitioner:** Pam Holmes of  
Fifth Third Bank  
503 Richley Dr.  
Chesterfield, MO, 63017  
314-210-7690

**Agent:** Randy Lindsey  
ArcVision  
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314-415-2400

**Project Name:** Fifth Third Bank

**Location:** 15200 Manchester Rd.

**Petition Date:** 12/27/10

**Review Date:** 1/5/11

**Requested Action:** Zoning Change (Add Manchester Rd.  
Revitalization Overlay Zoning)

**Code Section:** Zoning Ordinance, Article XIIC, XXIII

**Existing Land Use/Zoning:** Vacant / C-1 Commercial

**Surrounding Land Use/Zoning:** West - Commercial / C-1  
South - Church / R-1  
East - Commercial / C-1  
North - Commercial / C-1

**Plan Designation:** Commercial, Manchester Rd.  
Revitalization

## Proposal Description:

Fifth Third Bank is requesting the establishment of a Manchester Road Revitalization Overlay district on top of the existing C-1 commercial zoning for the approximately 1.24 acre site commonly known as 15200 Manchester Rd. The site is composed of a single vacant parcel that is the former location of a Petco retail store. Fifth Third Bank proposes the construction of an approximately 4,400 square foot bank with five drive-through bays.

This 1.24 acre site is abutted by C-1 Commercial zoning on three sides. It abuts R-

1 single family zoning on the fourth side. McDonalds Restaurant abuts the site to the west; Enterprise Leasing is directly across Manchester Rd. from the site and Elco Chevrolet is across Old Ballwin Rd. from the site. The site adjoins the Church of the Nazarene across Fishpot Creek to the south.

The site is located at the southwest corner of Manchester Rd. and Old Ballwin Road. It is approximately 1,200 feet east of the New Ballwin Rd. intersection and approximately 1,800 feet west of the Holloway Rd. intersection. This site is rectangular in shape with approximately 200 feet of Manchester Rd. frontage and approximately 270 feet of Old Ballwin Rd. frontage.

The site drains southwardly into the adjoining Fishpot Creek. The highest point is along the Manchester Rd. right-of-way at the northwestern corner with an elevation of 588 feet. The lowest point of the site with an elevation of 585 feet is at the southwest corner of the property. This yields a total elevation change of 3 feet across the site and an average slope of .01%. This very shallow slope is also very uniform across the site. Stormwater discharge from the site flows into Fishpot Creek which ultimately flows into the Meramec River near Valley Park.

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*Fifth Third Bank was granted a special use exception via ordinance 07-37 to open a banking facility very similar to the one envisioned in this petition on this site in 2007. The bank never initiated the use on the parcel nor did it move forward with the development. Special use exception approvals expire after one year if no action is taken on establishing the use or construction of the approved development. This is what happened to the Fifth Third Bank SUE approved via ordinance 07-37. In 2007 the MRD did not exist and banks were allowed by right in the C-1 district but drive through windows required special use exception (SUE) approval as did parking in the front yard.*

*Today the financial institution use, as well as the drive through window and front yard parking uses, require an SUE, but those petitions are subsumed by the MRD approval process that can simultaneously permit the uses allowed by SUE.*

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#### **PLANNING AND PLAN REVIEW CONSIDERATIONS:**

*This review report covers the C-1 Commercial district, the SUE and the MRD overlay zoning district regulations. This petition had been submitted to utilize the existing C-1 Commercial zoning for this site as the underlying zoning for the MRD. Although the C-1 zoning is in place the existing site will be significantly modified to accommodate the proposed new development, so establishment of the MRD and reviews of the new site development plan per the C-1 district, the SUE regulations and the MRD are necessary. The nature of the MRD is such that it must be considered jointly with the regulations of an underlying zoning district. The MRD can amend the provisions of the underlying zoning district such that only the passage of the MRD Governing Ordinance will be necessary to*

*approve the site development plan. A separate ordinance approving the C-1 or a special use exception site development plan is not needed.*

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## **C-1 DISTRICT REGULATIONS:**

By the standards of commercial parcels in Ballwin, this proposal entails the redevelopment of a moderate sized commercial site. The MRD (Manchester Road Revitalization District) overlay allows more flexibility in site development than does the C-1 district, but it may simultaneously impose stringent or extensive site development regulations that are not required in the C-1 district. The MRD regulations may supersede or amend the requirements of the underlying C-1 district. Any regulation not specifically superseded or amended by the governing ordinance or the accompanying site development plan will still apply. The C-1 district issues with the site are as follows:

1. Article IX, Section 2 identifies a list of uses that are allowed by right in the C-1 district. Article XIV of the zoning ordinance establishes additional uses that are allowed by special use exception in the C-1 district. Under conventional C-1 zoning enforcement, all of the uses allowed in the district are permitted on the site by right. Uses allowed by SUE must be permitted by the adoption of an ordinance granting the SUE for that specific use.

**The MRD Governing Ordinance can allow any use permitted in the C-1 by right or by SUE, but will stipulate and only permit specifically listed uses. If the use is not listed in the governing ordinance it is not allowed in the development. The issue of allowed uses is discussed more thoroughly in the MRD section of this report.**

2. Article IX, Section 3 limits the height of structures to a maximum of 45 feet. The submitted architectural elevation shows the height of the tallest roof ridge to be slightly over 25' 8" and the top of the cupola to be approximately 34' 7". This appears to be well within the 45' maximum height limit of the ordinance. The issue of building height will be discussed more fully in the MRD section of this report.
3. Article IX, Section 4. (1) (i) requires buildings fronting on Manchester Rd. to have a minimum setback of 60'. **The proposed building does not meet this requirement but it appears to meet the setback requirements of the MRD, so a waiver of the C-1 district requirement is being requested via the MRD.** The issue of building setbacks is discussed again in the MRD portion of this report.
4. Article IX, Section 4. (1) (ii) only applies to properties fronting on the south side of Orchard Lane and does not apply to this petition.
5. Article IX, Section 4. (1) (iii) is not a requirement. It is elective at the petitioner's discretion and allows properties fronting on Manchester Rd. to have front yard setbacks as small as 20 feet for as much as 75% of the roadway frontage if the small front yard areas are utilized for pedestrian circulation and landscaping. This petition does not appear to meet the requirements of this section because the front yard is less

than 20' deep. The MRD imposes different front yard greenspace regulations, which is discussed in the MRD section of his report.

6. Article IX, Section 4. (1) (iv) requires the provision of a 10' deep landscaped area along all roadway frontages of the site. The submitted plan appears to provide the required 10' greenspace long the entire frontage of Manchester Rd. and Old Ballwin Rd.
7. Article IX, Section 4. (2) requires landscaped "side" yards of 25' depth where commercial sites abut residential uses or residential or recreational zoning classifications in a side yard configuration. This requirement does not apply to this petition.
8. Article IX, Section 4. (3) (i): The section requires the establishment of a fully landscaped 25' rear yard where a commercial site abuts a residential use. This landscaped area is to be planted with sufficient materials to provide a 100% visual screen to the adjoining property to a height of 6' above grade. This area shall be free of all structures, pavement, above ground utilities and similar improvements. **None of the design requirements of this rear yard area have been met.**
9. Article IX, Section 4. (3) (, ii, iii and iv) and (4) do not apply to this petition.
10. Article IX, Section 5. (1) requires the provision of parking in accordance with the provisions of Article XV. The parking shown exceeds the requirements of the C-1 district by 50%. **The MRD recommends a parking standard based upon the demonstrable need of the use. Parking requirements may be amended by the MRD. This is discussed more thoroughly in the MRD section of the report.**
11. Article IX, Section 5. (2) allows a parking reduction in exchange for more landscaping on sites in excess of 100,000 square feet of floor area. The development is not large enough to qualify for this parking adjustment.
12. Article IX, Section 6. requires the submission of the site development plan to MoDOT for its review. As of this writing, it is unknown if the petitioner has submitted its site development plan to MoDOT for review and comment. **The plan proposes to utilize one of two existing Manchester Rd. curb cuts and one of the two existing Old Ballwin Rd. curb cuts on the site. Since the retained curb cuts are unchanged they are legally non-conforming and Ballwin cannot prohibit their use or configuration. MoDOT may be subject to a similar constraint. It is recommended that the Commission not make a recommendation on the petition until the curb cut plan has been submitted to MoDOT for review and comment and that review has been shared with Ballwin.**
13. Article IX, Section 7. (1) requires that the minimum spacing of curb cuts be 500' between centerlines. This is to promote access management, and the minimization of curb cuts is fundamental to achieving this objective.

The retained curb cuts are approximately 480' apart. This approaches the ordinance minimum, and given the nonconforming status of the curb cuts being utilized, may be as far apart as the curb cuts can be required to be placed.

14. Article IX, Section 7. (2) requires the construction of a 6' wide sidewalk along Manchester Rd. This sidewalk was built by Ballwin in 2005 with 70% funding from a federal transportation grant. **Ordinance 05-39 requires that Ballwin be reimbursed for its 30% of the cost upon the development/redevelopment of the site or transfer of any special use exception associated with any property benefiting from such sidewalk construction. The cost to Ballwin for the sidewalk construction across this property was \$1,081.83.**

15. Article IX, Section 7. (3) requires that a cross access, driveway/parking lot vehicular interconnection easement be established to provide for future parking lot connections to the adjoining properties. The ordinance allows this requirement to be waived for topographic, land use compatibility or site design reasons, and it can be waived as a part of the MRD approval process. **Just like the driveway spacing requirements discussed in Section 7. (2) above, these easements are fundamental to establishing access management along Manchester Rd. They are also part of the draft Great Streets Plan which recommends that Manchester Rd. access be limited to a relatively small number of curb cuts that are then supplemented by the creation of rear service roadway connections and the interconnection of parking lots wherever possible.**

**A representative of the owners of the McDonalds restaurant adjoining this site on the west recently met with Ballwin to discuss the possibility of adding a second ordering station for the drive through window. This would reduce site congestion during busy periods by shortening queue lengths and wait times. This was to be accomplished by eliminating the rear row of 8 parking spaces in the McDonalds parking lot. Doing this would allow the driveway for non-queuing through traffic to be moved to the area of the eliminated parking spaces against the rear curb.**

**There are some questions of parking adequacy with this change to the McDonalds parking lot, but putting that question aside for the moment, if this realigned rear driveway were extended to the east property line it would be very close to aligning with the rear driveway proposed in the 5<sup>th</sup> 3<sup>rd</sup> bank site plan. That would in turn allow the establishment of a vehicular connection across the bank property to allow McDonalds traffic to enter and exit via Old Ballwin Rd. in addition to Manchester Rd. If it is not possible to secure McDonald's agreement with this approach, at this time it is recommended that a driveway interconnection and cross access easement be granted to Ballwin across the rear of the bank site to allow Ballwin to achieve this interconnection in the future. This would be another step toward facilitating better access management along this congested section of Manchester Rd.**

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#### **SUE Regulations (Article XIV):**

1. Sec.1 Generally (5): Banks, Savings and Loan Associations, short term loan establishments and other financial businesses that are regulated by the Missouri Division of Finance and subject to certain regulations are only allowed by special use

exception in the C-1 zoning district or under an MRD Governing Ordinance.

2. Sec 1 (5) (a): Such facilities are required to utilize digital video and audio surveillance equipment that observes all interior portions of the unit that are accessible or visible to the general public, all private offices, the exterior of the building and site including parking lots, alleys, service areas windows and doors. Such equipment shall operate 24 hours a day seven days a week and shall be connected to a recording device that permanently retains the recorded data for at least 30 days before erasure. **No information has been provided about the presence of such equipment or the extent of its surveillance area. It is recommended that the petition not be forwarded to the Board of Aldermen until this information is provided.**

3. Sec 1 (5) (b): Such facilities shall be designed to have their public lobby areas fully visible from the adjoining parking lots. No interior or exterior improvements, window tinting treatment, draperies, blinds, signage, landscaping or other devices shall be utilized to block such visibility. **No floor plan of the bank has been provided to determine if the proposed facility is compliant with these regulations. It is recommended that the petition not be forwarded to the Board of Aldermen until this information is provided.**

4. Sec 1 (5) (c): Such facilities shall provide a vault or safe to protect cash or other liquid assets. Such vault or safe shall have a UL rating of TRTL-15 or better and shall be installed in such a manner that the area near the safe/vault is visible from the parking lot and surveillance system. **Evidence of compliance with the provisions of this section has not been provided. It is recommended that the petition not be forwarded to the Board of Aldermen until this information is provided.**

5. Sec 1 (5) (d): Such facilities shall be equipped with interior illumination systems that fully illuminate the area around the vault or safe during all times of darkness. **Evidence of compliance with the provisions of this section has not been provided. It is recommended that the petition not be forwarded to the Board of Aldermen until this information is provided.**

6. Sec 1 (5) (e): Such facilities shall be equipped with an alarm system that monitors all exterior doors and windows, cash drawers and the vault/safe. The system shall include "hold up" alarm/panic buttons at all teller and manager positions that promptly notify the police department when activated. Such an alarm system must be installed and operated in accordance with the established standards and requirements of the City of Ballwin for such equipment. Such system shall be tested monthly and a record of such tests maintained on the premises for review. **Evidence of compliance with the provisions of this section has not been provided. It is recommended that the petition not be forwarded to the Board of Aldermen until this information is provided.**

7. Sec 1 Generally (14): front yard parking is only allowed by special use exception (SUE) in the C-1 zoning district.

6. Sec 1 Generally (26): Drive through facilities are only allowed by special use exception in the C-1 district.

7. Sec. 2 (1) *Minimum Yard Requirements*: The minimum yard requirements of the C-1 District were discussed earlier in the C-1 section of this report.

8. Sec. 2 (2) *Site Illumination*: The submitted photometric plan shows site illumination provided primarily with 20' tall pole mounted luminaries on the site. The petitioner has submitted references to catalogue notations about the luminaries to be used. The catalog is not provided so I cannot determine the nature of the proposed luminaries. The ordinance requires appropriate lighting that does not disturb adjacent properties. Given that the site is not in close proximity to any residential uses, there is a diminished potential of negatively impacting residential uses. **The photometric plan generally shows less than 1 lumen illumination level at the perimeter of the site.**

**It is recommended that the governing ordinance contain provisions that site illumination via wall-mounted luminaries be prohibited. It is further recommended that site illumination be provided via low energy luminaries, such as, but not limited to, LED technology. All site illumination should be provided via conventional pole mounted fixtures that have only flat lenses and are installed with the lenses parallel to the plane of the ground. Pole heights should be maintained so that luminaries are no more than 25' above grade (this is a typical pole luminary height in intensive commercial applications). It is recommended that light cut-off shields be required for all luminaries to prevent the visibility of any lamp or lens from any nearby properties. Such shields should be affixed at the direction of the City of Ballwin as they are determined to be needed after the luminaries are installed and made operational.**

9. Sec. 2 (3) *Greenery and Planting*: This issue is extensively discussed with recommendations in the MRD review section.

10. Sec. 2 (4) *Fencing*: This issue is discussed with recommendation in the MRD review section.

11. Sec 2 (5) *Parking*: This proposed parking is significantly in excess of the minimum C-1 district guidelines. **This issue is discussed with recommendations in the MRD review section.**

12. Sec. 2 (6) *Pavement*: The pavement sections included with the plans are consistent with Ballwin standards. **It is, however, recommended that the petitioner seriously investigate the use of pervious pavements as a "best management practice" to minimize the proposed surface detention and water quality features.**

13. Sec 2 (7) *Storm water runoff control*: The approach to storm water control presented as a part of this submission states that it meets current MSD and Ballwin requirements. Above ground detention and bio-detention basins are proposed. **It is unclear as of this writing if the plans have been submitted to MSD for review. Ultimately, MSD approval of the storm water plan will be required prior to the issuance of any permits for grading or construction.**

14. Sec. 2 (8) *Loading docks and facilities*: No loading docks are proposed, but

the parking lot design provides sufficient room for such purposes to address the relatively infrequent need for this function.

15. Sec. 2 (9) *Ingress and Egress*: The submitted plans propose two standard multi directional curb cuts to the site, one on Manchester Rd. and one on Old Ballwin Rd. This replaces four curb cuts (two on Manchester Rd. and two on Old Ballwin Rd.) that previously provided access to the site. **This is a positive and commendable step in the direction of access management. There is a question, however, if the reutilization of this former Manchester Rd. curb cut is wise given the proximity of the very busy McDonalds curb cut approximately 50' to the west. No traffic study has been provided that discusses the traffic generation of the bank and the ability of that traffic to enter and leave this location given the proximity of the McDonald's curb cut and its traffic. This is where MoDOT's review of the site plan is useful. If this curb cut plan has been submitted to MoDOT for comment, the results of that review have not been shared with Ballwin. It should be noted however, that this matter is further complicated by the petitioner's grandfathered right to utilize the Manchester Rd. and Old Ballwin curb cuts in their present configuration and location.**

**In 2007 the petitioner provided a traffic study that looked at the implications of this curb cut arrangement. Of particular concern was the ability of McDonald's traffic and bank traffic to safely and successfully enter and leave their respective sites once the bank opens. That study determined that there were adequate gaps in the existing Manchester Rd. traffic to allow the bank to operate without negatively impacting the level of service (LOS) along Manchester Rd. or at the Old Ballwin intersection. I recommend that the petitioner be required to provide an updated study of the traffic generation, gap availability for the new traffic and the on site queuing at the drive up windows pursuant to the regulations of the city.**

16. Sec. 2 (10) *Adequate area for the use*: I see little basis for an argument that there is not sufficient room on the site to accommodate this intended use.

17. Sec. 2 (11) *Dead storage, dismantling and repair of automobiles*: This is regulated by on-going enforcement activities on a case by case basis as needed and is not something that would be expected to be a problem for a bank.

18. Sec. 2 (12) *Rubbish and trash disposal and screening*: A screened dumpster enclosure is shown. The architectural elevations show that it is architecturally compatible with the building.

19. Sec 4 (6) (1) *Increase traffic hazards*: Experience in Ballwin shows that all development increases traffic. This can be accommodated without the generation of hazardous situations if the site planning is well thought through and adequate for the expected traffic volumes and queuing needs. As outlined above, a traffic impact study was submitted in conjunction with the 2007 petition. **No supplement or additional study has been submitted in conjunction with this report.**

The 2007 traffic report is included with this report and following is an excerpt



from the petition review report for the 2007 petition that discussed the traffic issues arising from that report. Also included is a supplement to the traffic study that was submitted with the 2007 petition that addressed the issues raised in the petition review report. On the basis of the supplement to the report, the commission was satisfied that the additional traffic would not have a serious negative impact on Manchester Rd. traffic congestion and recommended approval of the petition. **Given the almost 4 years of elapsed time since the study was completed, I recommend that the petitioner be required to analyze the current traffic situation, and complete another traffic generation and impact report outlining whether the 2007 analysis continues to be accurate.**

*Banks can be significant traffic generators. Their drive through windows can have lengthy lines that can congest traffic circulation on the site and potentially on adjoining roadways. A letter from the petitioner states that the average number of transactions per day for this facility will be about 65 per hour initially and rise to as high as 85 per hour after 3 years of operation. This rate would be a daylong average and the hourly volume would vary by time of day and day of week. Presumably, this transaction rate would correspond to similar vehicle per hour counts with the same kind of hourly and daily variability.*

*The petitioner has provided a traffic study, prepared by the engineering firm of Crawford, Murphy and Tilley, that explores the traffic generation, impact and queuing implications of this proposed development. The report looks at traffic characteristics prior to development (2007), after the development (2008) and twenty years after the development (2028).*

1. **Peak Hour:** *The methodology for determining the peak hours for study is outlined in section 3.5 beginning on page 7. The peak traffic hours were determined to be as follows: weekday morning (7:00 – 8:00 am), the weekday evening (5:00 – 6:00) and Saturday (11:15 am – 12:15 pm).*

2. **Total Traffic Generation:** *As outlined on exhibit B4 and in table 1 on page 5 the total traffic impact of the proposed bank is 55 trips in the morning, 192 trips in the evening and 155 trips on Saturday (remember that the term trips includes vehicles entering and exiting the site). Section 3.2 on page 5 states that the traffic generation estimates are based on the ITE Trip Generation Report. The edition number is not provided, so I was not able to independently confirm the accuracy of the prediction, but data in the 4<sup>th</sup> edition of the ITE report that is in my office generally supports these generation rates. Additionally, the previously submitted study for the Maryland Heights facility prepared by CBB supports these generation rates. Additionally, I have no issue or challenge to the stated traffic generation.*

*This analysis also looked at bypass trips vs. new trip generation. This is important if the capacity of the adjoining roadways is a major concern. The idea being that a use such as a bank will draw a portion of its business from traffic that is already passing by the location. The new traffic impact on the adjoining roadway, therefore, is less than the total traffic generated. I have no concerns about the ability of the adjoining roadways to accommodate the generated traffic. **My concern is relative to the ability of the generated traffic to safely enter and exit the site. That is addressed later in this analysis.***

3. **Trip Distribution:** *The report has assigned the generated trips to the adjoining roadways. The methodology is outlined in section 3.3.2 on page 6. This is based primarily on the distribution of the population within a 2.5 mile radius that is the primary service radius of the bank. I can find no fault with the methodology applied.*

4. **Trip Assignment:** *Once the trip distribution is made by roadway the trips have to be assigned to the two curb cuts. This is outlined in section 3.4 on page 7. All of the trips coming to the site from the south were assumed to enter the site via the Old Ballwin Rd. curb cut. Similarly 90% of the trips coming to the site from the west were assumed to enter the site via the Manchester Rd. curb cut while the remaining 10% were assumed to pass this curb cut, proceed to Old Ballwin Rd., turn and ultimately enter the site via the Old Ballwin Rd. curb cut. **Passing up a curb cut that offers an unrestricted access to the site to drive a significant distance to enter a second curb that requires the internal negotiation of most of the site to access the building strikes me as an irrational act and unlikely to be worth a 10% allocation of the east bound traffic generation. Given the relatively small numbers of***

**vehicles involved, however, I do not have a major issue with this assignment. In my view, it does not significantly impact congestion issues.**

*This section also assigns 40% of the traffic coming from the east to making a left turn at Old Ballwin Rd. to enter the site from the Old Ballwin curb cut. The remaining 60% of the traffic from the east is assumed to enter the site from the Manchester Rd. curb cut. This means that during the 2008 afternoon peak hour, 22 vehicles wanting to access this site will blend with 188 vehicles already making a left turn at Old Ballwin Rd. rather than drive an additional 200' to blend with only 31 cars making a left turn into the site at the Manchester Rd. curb cut. **I cannot accept that 40% of the drivers will behave this irrationally. No evidence has been provided to support this conclusion. I believe that the left turns at Old Ballwin will be substantially fewer than predicted and the Manchester Rd. curb cut's left turns will be greater. This is important because the larger number of vehicles turning at the Manchester Rd. curb cut will impact exiting movements from the site at that location as well as the availability of queuing room and left turn opportunities. Lacking evidence to support the assumed left turn volume at Old Ballwin Rd., I have concerns about this trip assignment and the potential negative impacts on other aspects of the study.***

*This section goes on to make assignments for traffic exiting the site. I have no challenges to these assignments.*

**5. Historical Growth Rate:** *The report looks at traffic characteristics prior to development (2007), after the development (2008) and twenty years after the development (2028). The numbers for 2028 are based on a linear projection of the background traffic growth observed between 2002 and 2006 in MoDOT counts on Manchester Rd. It does not state upon what section(s) of Manchester Rd. this was measured. **Although this is a reasonable approach for a one year projection, I cannot accept that a 20 year traffic growth projection done in this manner without any apparent research to support its ongoing validity offers data of any value. I did not, therefore, consider year 2028 traffic data as a part of this analysis.***

**6. Capacity Analysis:** *This kind of analysis is common in most traffic studies. A level of service (LOS) is computed for the roadway segments and/or intersection movements based upon several characteristics of the situation such as current traffic volumes, future traffic volumes, lane configurations, % truck traffic, etc. Generally, Ballwin has maintained that a new development should not cause a change in the LOS of any roadway or intersection movement. If the LOS is negatively impacted, roadway improvements are generally necessary to mitigate the negative impact. The traffic report does not predict that the LOS of the Old Ballwin/Manchester intersection will be negatively impacted. There is no LOS for the existing curb cuts, but the post-development LOS computations are similar to the LOS at the roadway intersection and within the range generally considered to be acceptable.*

**7. Queue Analysis:** *The proximity of the McDonalds exit and the proposed Manchester Rd. curb cut to 5<sup>th</sup> / 3<sup>d</sup> bank raised some initial concerns. These are relatively high volume intersections in close proximity to each other. Of particular concern was the possibility of a queue from the McDonalds entrance in the center left turn lane blocking the exit movements from the bank. History has not suggested that this is a problem, because the exit movement from McDonalds would be blocked before the bank curb cut would be blocked, and I am not aware that this has been a problem.*

*The second concern was the length of the queue that would form in the left turn lane at the entrance to the bank. The island in Manchester Rd limits the length of such a queue. If it were long, vehicles might conceivably back up into the driving lane thus congesting westbound Manchester Rd. traffic. The HCS+ computer model utilized by the traffic engineer computes the length of the queues. Table 8 on page 12 shows the computed queue lengths for the left turn movements into the entrances to McDonalds and the bank from Manchester Rd. A number of variables are entered into the algorithm to compute this information. For these two locations these variables are essentially identical but for the number of turning movements. It seems curious that the 46 Saturday turns into McDonalds generate a queue length of 1.13 while the 25 Saturday turns into the bank only have a queue length of .33 vehicles. It seems like it should be more like .6. If the assignment of left turns at Old Ballwin is reassigned here (as discussed under #4 Trip Assignment above), the turning queue length could be as high as that at McDonalds. This would, however, still seem to be within the available room for a queue.*

*The HCS+ program has limitations. It has certain settings that the operator has to enter to address the nature of the approaching through traffic. In all reviewed scenarios, the eastbound Manchester Rd. traffic is many hundreds of cars an hour. That volume may be random in the timing of its approach or platooned depending on the proximity of traffic signals and other factors. The program does not utilize actual field measured gap information to determine queue lengths. I am concerned that the predictive ability of this program, at this level of detail, is not sufficient to make reliable queue length computations. The nature of traffic flows and patterns on a high volume roadway like Manchester Rd. makes a gap study necessary to establish that there is sufficient turning opportunity and queuing room for the left turn entrance movements into the Manchester Rd. curb cut.*

*8. **Stacking Analysis:** The issue here is queue lengths for the exiting movement. I have the same concern here that was described in #7 above. The gap study for entering left turn movements is fundamental for the exiting left turn movements as well. Vehicles exiting have to navigate the eastbound traffic, the westbound traffic and the queue that may be in the center turn lane trying to get in. An understanding of the availability of gaps for these movements is fundamental to understanding if this curb cut can accommodate the projected traffic flow. I do not see that there is a corresponding issue with the exiting movements from the Old Ballwin Rd. curb cut, although the congestion at the Manchester Rd. curb cut may result in more exit movements at this location than are presently projected.*

*9. **Conclusions:** The conclusions of the report suggest that all studied intersections will function at an acceptable level after the bank is built. I do not believe that this study has provided sufficient information to draw this conclusion. A gap study is needed to address the left turn movements, and the left turn assignment at Old Ballwin Rd. needs to be reevaluated or supported with additional information. These issues could impact the predicted suitability of the Manchester Rd. curb cut. Additionally, there is concern about the sufficiency of the queuing spaces for the drive through window. How many spaces are needed and is the availability of the escape lane important to the function of the site?*

20. Sec 4 (6) (2) *Neighborhood character impact:* This development proposal should have no impact on the character of the surrounding commercial neighborhood. The adjoining properties have similar land uses and traffic circulation characteristics. Similar land uses are common throughout the C-1 district along Manchester Rd.

It is possible that this development could have some negative impact on the adjoining residential neighborhood to the south, but if proper screening is in place there should be minimal impact on the adjoining religious use. Traffic generation on Old Ballwin Rd. is not expected to be significant.

21. Sec. 4 (6) (3) *Community general welfare impact:* **The issues discussed above as a part of the neighborhood character impact and the traffic hazards question also fall into this category. I believe that this development could be viewed as having a potential negative impact on the general welfare of the community if it is not properly developed in accordance with best management practices for such improvements. The issues of traffic impact and circulation are not, in my view, adequately addressed in this petition. If properly designed, however, I believe that one could reasonably conclude that the development of this site will not have a negative impact on the general welfare of the community.**

22. Sec. 4 (6) (4) *Overtax public utilities*: I see little in this petition to support the position that this development will overtax public utilities.

23. Sec. 4 (6) (5) *Adverse impacts on public health and safety*: Unless it is discovered by a more thorough traffic analysis that there is an exceptional hazard in this regard coming from the proposed development of this site, I also see a limited potential to argue that the development will have a significant negative impact on public health and safety.

24. Sec. 4 (6) (6) *Consistent with good planning practice*: Ballwin has previously allowed the establishment of commercial development of this nature on similarly situated properties in proximity to residential and commercial developments with similar buffering requirements. **If the issues raised in this review report are satisfactorily resolved, I believe that one could conclude that, as practiced in Ballwin, this is good planning practice.**

25. Sec. 4 (6) (7) *Operated in a manner that is compatible with permitted uses in the district*: **Assuming that the site design and operational questions raised in this review can be adequately resolved through the site planning and approval process, I do not see a significant basis to support the position that this operation would be incompatible with permitted uses in the district.**

26. Sec. 4(6) (8) *Operated in a manner that is visually compatible with the permitted uses in the surrounding area*. There appears to be little basis to support the position that this use, as proposed, would not be visually compatible with permitted uses in the surrounding area. **The issue of building height and the look of a two story building, however, needs to be resolved. Nearby commercial areas have virtually identical uses and buildings, but they predate the MRD and do not meet its standards for architecture and site design.** The proximity of commercial buildings to single family residential uses in this development proposal is common throughout Ballwin and the commercial buildings and uses contained therein appear to operate in a visually compatible manner.

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#### **MRD DISTRICT REGULATIONS (Article XIIC):**

The MRD (Manchester Road Revitalization Overlay District) cannot stand on its own. It works only as an overlay district amending and supplementing an underlying zoning district. The MRD may retain, amend or waive the regulations of the underlying district and the subdivision ordinance, if applicable. With the exception of allowing multiple family uses in a mixed use configuration, the MRD cannot permit new uses on the property. The uses allowed by right and by special use exception (SUE) in the underlying zoning district are therefore critical and limit the MRD district. The uses proposed with this petition are commercial, so the petitioner has elected not to change the underlying C-1 zoning of the property. As mentioned above, the MRD may allow the waiver or modification of the regulations of the underlying district, but the governing ordinance that adopts the MRD must specifically outline and describe what those changes and waivers are. Any underlying district regulations not superseded or waived will still apply.

**Section 1, Purpose:** This section describes the purpose of the MRD district, which is "... to promote the local economy and mixed use development within the Manchester Road corridor while simultaneously maintaining the functional capacity of the highway." This section goes on to say that "The preferred land development pattern in the area will offer a pedestrian oriented development with a mix of residential and/or commercial uses that provide high quality services and amenities and that prolong and enhance the shopping, working and living experience. Special effort should be given to tenant mixes and the configuration of tenant spaces to maximize convenience, visibility and aesthetics."

**While evaluating an MRD development proposal, it may be useful to keep in mind that the MRD is envisioned by the comprehensive plan and the zoning regulations as a district that will eventually encompass the entire Manchester Rd. corridor. The Purpose therefore is perhaps best understood on a corridor-wide basis. It may not be useful to the MRD approach to apply the regulations and guidelines to every individual parcel or development proposal. Parcels will typically be submitted for development and rezoning on an individual basis, but will eventually comprise a portion of the whole as envisioned for the MRD by the comprehensive plan. In a perfect world, every parcel will meet every nuance spelled out in the purpose statement, but in reality some parcels may meet some requirements in a stronger manner than others. Different parcels may fulfill some elements of the Purpose but only meet the overarching intent of the Purpose statement as a part of the aggregate of all parcels comprising the entire corridor.**

**Section 2, Permitted Uses:** This section addresses permitted uses.

The stated use for this property is a bank with a drive through facility and front yard parking. On the basis of the information presented, the following uses allowed by special-use-exception in the C-1 district are recommended for inclusion in the governing ordinance:

- Parking on a paved surface within any front yard
- Bank regulated by the Missouri Division of Finance
- Drive-through facility

**Section 3, Intensity of Use:** This section discusses allowing relief from, or the amendment of, the regulations of the underlying zoning ordinance (C-1 district) and associated site development regulations. Such relief or amendment is allowed if the petitioner can demonstrate that it achieves the purposes of this ordinance and it is included in the governing ordinance or on the approved site development plan. Any regulation that is not waived or amended by the ordinance or the approved site development plan is still in effect. Additionally, the approval of the overlay district brings some regulations that supersede the underlying zoning. Any waiver of the provisions of the underlying ordinance are identified and discussed within the salient write up and are not relisted here.

**Section 4, Height Regulations:** This section states that "all development pursuant to MRD zoning that fronts Manchester Rd. shall include buildings with a minimum height of two (2) stories. This requirement may be reduced on a case by case basis for no more

than 50% of the linear building frontage for all roadway fronting buildings in the development if the petitioner can demonstrate that the proposed buildings and site development plan are in accordance with Section 1 of this Article (Purpose) and achieve the purpose of this ordinance or that the existing buildings being incorporated into the plan are structurally incapable of having additional levels added.”

There is a question as to what this section of the code is intended to require. The simplest interpretation is that the building has to be two stories tall and there needs to be a second floor for the building but this can be reduced to 50% of the frontage of the building if the petitioner can justify the reduction on a structural basis or under the purpose statement of the ordinance. **The proposed building does not appear to meet this requirement.** This interpretation presents a cost and function conundrum for petitioners and perhaps additional future petitioners for other sites along the corridor as well. There may simply not be a market for second levels in some buildings along Manchester Rd. This may be especially true for certain types of buildings like auto dealerships, gas stations, fast food, etc. These buildings may simply not lend themselves very well to offices or residences on the second level.

Based upon the previous MRD petitions, it has been determined that it is best to interpret this section from an urban form perspective in accordance with the purpose statement of the MRD ordinance which is to “prolong and enhance the shopping, working and living experience. Special effort should be given to tenant mixes and the configuration of tenant spaces to maximize convenience, visibility and aesthetics.” This interpretation stresses urban form and promotes buildings that have a height and massing that mimic the feel and look of a two story buildings without actually requiring that exact building form. The overriding purpose here is to prevent the perpetuation of the older approach to retail architecture and site design with its low roof lines and minimal embellishment that has come, in some ways, to characterize the look of the older parts of the corridor and be emblematic of its decline. This change to the character of the commercial design and architecture in the corridor is also driven by the other requirements of the MRD for architecture and site improvements that go well beyond what has historically been common for these types of developments in Ballwin.

It may not be realistic to expect every building like this to provide second floors from the perspectives of function or economics. Clearly, the market has not recently demanded many such spaces in the corridor. It is also desirable to have more architecturally interesting buildings along the corridor.

My recommended caveat to this approach to interpreting this ordinance is that if the mass of a two story building is desired, but an actual functioning second level is not economically or structurally feasible and more single story building is the only viable alternative, then it should at least impart the architectural character of two story buildings as discussed in the original ordinance language. At the very least, such buildings should incorporate architectural elements of shadow line, dimension, texture and form that give the sense as well as the massing of a second or multiple floors.

If such an interpretation of the ordinance is appropriate, I recommend that the proposed buildings be as tall as a two story building and that they architecturally mimic the look and character of a two story building along at least 50% of the Manchester Rd. frontage. This would include the addition of architectural features that are consistent with a two story

building. **The submitted architectural plans have a wall height of 10' which is clearly a single story building. The overall height of the roof gable is a bit in excess of 25'. If this were a flat roofed building of this height, the massing and wall height would be sufficient that with appropriate architectural embellishment it could have the appearance of a two story building, but the gable roof is clearly designed as part of a one story building. This building does not look like a two story building and does not therefore conform with this approach to the ordinance. It is not unattractive, but it does not contain architectural elements such as corbels, cornices, dormers and fenestration that could impart the feel of a two story building. This proposed building does not meet the height and character requirements of this ordinance.**

**Section 5, Parking and Loading Regulations:** This section establishes standards for the design, capacity and landscaping of parking facilities. No maximum or minimum parking standards are established. The ordinance clearly anticipates the possibility of a variation from the parking requirements of the underlying zoning district (C-1) via the MRD governing ordinance.

The petitioner has proposed a site development plan with 33 parking spaces to accommodate the approximately 4,460 square foot bank building proposed for this site. This corresponds to a yield of 7.4 spaces per thousand square feet of the floor area, which is substantially in excess of the 4 spaces per thousand square feet of floor area (18 spaces for the site as proposed) that would be required if this use were at the recommended rate of 4 spaces per thousand square feet of floor area. Based on what appears to be a general underutilization of parking spaces observed in every other bank parking lot in the area. I see no obvious reason to provide significantly more parking than is required. In fact, I believe that a ratio of 3.5 spaces per 1000 square feet of floor area (16 spaces) would be much more appropriate. **I recommend therefore that the petitioner be required to provide a parking utilization and demand study to justify the number of spaces shown on this site development plan and that it abide by the recommendations of the study in the design of the site.**

*Section 5 (1):* On-street parking is recommended where site design and traffic patterns permit. Clearly, due to the nature of the adjoining roadways, on-street parking is not feasible.

*Section 5 (2):* No waiver of ADA standards can be granted in the MRD. The parking lot proposes 33 parking spaces for customers and employees. The 2 spaces proposed for the lot meet the standard for accessible parking.

*Section 5 (3):* This subsection specifies that the provided parking facilities shall be concentrated in areas that are landscaped and buffered to minimize view from major rights-of-way, residential units and adjoining properties. The term parking as defined in the Ballwin Code of Ordinances means the standing of a vehicle whether occupied or unoccupied (except when engaged in loading or unloading), so any facility intended for the standing of a vehicle is a parking facility. This means that all of the pavement on this site is a parking facility and subject to this requirement.

*Section 5 (4):* This subsection requires that parking not provided within a dedicated right-of-way shall be located behind the primary use, in a parking structure or on a surface lot. The proposed parking plan appears to meet the third recommendation.

*Section 5 (5):* This subsection requires perimeter landscaped buffers and curbed planting islands in all parking lots of 5 or more spaces. This site development plan requirement appears to have been met.

*Subsection 5 (6):* This subsection establishes two parking lot screening designs that can be utilized to screen adjoining rights-of-way, public lands or adjacent properties from parking lots. **Due to the design of the site the standards of this section will apply along the west property line from Manchester Rd to the south edge of the parking lot, along Manchester Rd. from the building to the west property line and along Old Ballwin Rd from the rear of the building to the south edge of the parking lot.**

The first parking lot screening choice (a.) is a 12' deep (minimum) landscaped strip with 2" caliper deciduous trees and/or 6' evergreen trees on 50' centers with three 5 gallon shrubs per tree. The second choice (b.) is a 5' deep landscaped strip with a metal ornamental fence or masonry wall supplemented with clusters of 3 shrub (2 gallon size) plantings on 30' centers interspersed with 2" caliper trees on 50' centers or a continuous hedge with 2" caliper trees every 50'. **It appears as though screening type (a) has been chosen for all of the parking lot frontage areas.**

**All of the parking lot screening appears to be in compliance with the requirement of type (a) except the portion of the parking lot fronting on Manchester Rd. The proposed trees meet the minimum standards in this area but there does not appear to be sufficient shrubbery planting to meet the standard.**

*Section 5 (7):* This subsection requires a minimum planting effort of one tree per 10 parking spaces. This standard appears to have been met in the submitted plans.

*Section 5 (8):* This subsection requires all planting areas within or adjacent to the parking lot or vehicular use areas to be irrigated. **Page L-1 of the submission contained a notation that all landscaped areas will be irrigated.**

*Section 5 (9):* This subsection requires a vertical concrete curb for all parking lot islands and landscaped areas that are not adjacent to rain gardens. This ordinance requirement appears to have been met.

*Section 5 (10):* This subsection requires tree plantings to be consistent with Ballwin standards for street tree plantings. They appear to meet this requirement.

*Section 5 (11):* This subsection prohibits surface parking lots from abutting rights-of-way for more than 50% of a site's roadway frontage. This submission appears to be in compliance with this ordinance provision.

*Section 5 (12):* This subsection requires parking lots to have no more than 20 consecutive parking spaces without an intervening landscaped area. The submitted plans appear to meet this requirement. This section also requires that parking fields be broken into



subareas of not more than 100 spaces. The submitted plan has no parking fields of this size.

**Section 6, Setbacks:** This section establishes **maximum** building setbacks from the right-of-way for new buildings. The purpose of this approach to site design is to move away from the vehicle orientation and large front yard parking lots across the entire frontage of a site that have been common in the Manchester Rd. corridor since the 1960's and encourage new buildings to be sited with less visibly dominating parking lots in a manner that also promotes pedestrian oriented development and a sense of neighborhood in these commercial developments.

*Section 6 (1):* This subsection recommends placing new structures at a maximum setback of 10' from the right-of-way line. **The building does not meet this requirement for the Manchester Rd. or the Old Ballwin Rd. frontage. This is due to a 15' wide sanitary sewer easement that runs adjacent to the Manchester Rd. right of way and a 10' wide sanitary sewer easement that runs 10' inside of the Old Ballwin Rd. right-of-way line. Together these easements (shown on sheet C4.1) preclude the building from being build closer than 20' from Old Ballwin Rd. and 15' from Manchester Rd. this is approximately where the building is proposed.**

*Section 6 (2):* This subsection addresses building setbacks for infill sites. This ordinance provision is intended to allow the setback of a new building in an infill situation to match the setback of the buildings on the adjoining properties and therefore better fit into the context of the neighborhood. Infill development is not specifically defined in the Ballwin code. The term was researched in the planning literature and is generally defined as the development of small, vacant or underutilized, economically unusable or out of date sites that are surrounded by established and developed properties. **I believe that the question of this site being an infill site is debatable. For a significant portion of the time the site has been vacant, it has been that way as the direct result of actions of the current property owner. The site is not small and is not economically unusable. The previous building may very well have been economically unusable and antiquated. If the site is determined to be an infill site, the setbacks proposed are compliant with this section.**

**Section 7, Pedestrian Access:** This subsection requires that pedestrian access be an integral part of the overall design of the site. Safe and convenient pedestrian access is to be provided throughout, to and from parking areas and shall connect when possible with abutting properties, developments and rights-of-way.

*Section 7 (1):* This subsection requires an identifiable entrance and a path of entry from the street sidewalk. **I believe that a weak attempt has been made to meet this requirement. Unless the petitioner can provide a compelling justification for the proposed sidewalk alignment, I recommend that the sidewalk connecting to the Manchester Rd. sidewalk be a direct extension of the 12' sidewalk fronting on the entrance to the building rather than the proposed irregular extension along the driveway curb. The route chosen is circuitous and irregular and does not provide the "pedestrian oriented" path of entry that is recommended in the purpose statement of the MRD.**

*Section 7 (2):* This subsection requires sidewalks at least 6' wide along all sides of parking lots that abut rights-of-way or major internal driveways. Also, a 6' sidewalk is to be provided from the public sidewalks adjoining the site to the entrance and to the parking lot sidewalks. **The sidewalk system connects to the Manchester Rd. sidewalk as required, but this site plan does not meet the "all sides" requirement of this ordinance section. The parking spaces along the west side of the lot are not served by sidewalks. Additionally, per this subsection, the sidewalk serving the rear of the site should be extended to the Old Ballwin Rd. sidewalk.**

*Section 7 (3):* This subsection requires that 12' wide sidewalks be provided along the full length of any façade featuring customer entrances, abutting a parking area or a public roadway. This subsection goes on to say that these extra wide sidewalks are required to provide room for sidewalk sales, eating, etc. The mandated 12' wide sidewalk has been provided along the entrance (west) façade of the building. A technical interpretation of this section requires 12' wide sidewalks to surround the, but there seems to be little purpose served in such sidewalks. The likelihood of a bank having sidewalk sales, entertainment and food service on the sidewalk is quite low. I believe not requiring the overly wide sidewalks is appropriate given the intended use of the building and the purpose statement of the MRD. In this circumstance, the provision of the additional sidewalks does not appear to be consistent with the purpose statement given the intended Bank use of the site. A similar interpretation of this subsection was applied in the U-Gas and Nissan MRD reviews.

*Section 7 (4):* This subsection requires benches, fountains, artwork, shade structures, pavement enhancements, tables and chairs, illumination and similar amenities and placemaking features to enhance the pedestrian ways. **The petitioner has provided landscaping amenities in the parking lot islands and around the building that are typical of this kind of development. It is an automobile-oriented site design. No effort has been made to provide any of the pedestrian amenities described such as a bench, a bicycle rack, artwork, a shade structure, a fountain, art, or so much as a raised landscape bed that is oriented to the pedestrian circulation system on or near the site. I recommend that such amenities be incorporated into the site design as highlighted in the purpose statement and described in this subsection prior to the Commission making a recommendation to the Board of Aldermen on this development plan.**

**Section 8, Use Limitations:** This section outlines special use limitations related to certain specific possible land uses within an MRD.

*Section 8 (1):* This subsection prohibits the permanent outdoor storage, sale or display of merchandise, but allows temporary display and the permanent storage, display and sale if allowed by the permitted uses. No outdoor display, storage and sales are specifically recommended to be allowed in section 2 nor are such issues typically associated with a bank.

*Section 8 (2):* This subsection allows uses permitted by SUE in the underlying district pursuant to the POD/MRD process. The uses intended to be allowed in this development are discussed in Section 2 of this report. All of the proposed uses are permitted only by SUE in the C-1 district.

*Section 8 (3):* This subsection contains regulations governing drive through facilities.

*Section 8 (3) (a):* This subsection requires that drive through facilities have sufficient queuing room for 15 vehicles to stack from the order pickup location so that they do not block public rights-of-way or driveway areas and an escape lane must be provided. **There are 5 locations on this site plan that would be considered order pickup locations. The ordinance clearly requires 15 queuing spaces for each. There is not sufficient space for 15 cars to queue from any of the order pickup locations proposed on this site, much less from all of them. The petitioner has attempted to argue that the 15 queuing spaces is a single requirement for the entire site that can be allocated among the 5 proposed drive through lanes, but the ordinance language does not support this interpretation. It specifically states that 15 spaces are required from the order pickup location.**

*Section 8 (3) (b):* This subsection requires that pick up windows shall be located 75 feet from any residentially zoned property. The locations that would be considered order pickup windows for the purposes of this subsection are well in excess of this required setback.

*Section 8(3) (c):*This subsection establishes minimum screening requirements between any property used for a drive-through facility and an adjoining residentially zoned or occupied property. The screening requires a 100% visual screen to a height of 6' and a 25' wide landscaped area. The landscaping is required to meet or exceed the parking lot screening requirements of subsection 5 (6). **The submitted landscape plan does not appear to meet the tree or shrub planting requirements of this section. The proposed trees are too far apart and there are insufficient shrubs.**

*Section 8 (3) (d):* This section requires the petitioner to submit a traffic impact assessment study for the drive through unless the assessment is waived by the Director of Planning. The study is to be prepared by a traffic engineer. **No such waiver was requested or granted and no traffic study has been provided. Such a study might be able to give some justification for providing substantially less queuing space than is required by the ordinance. This does not appear to have been addressed in the 2007 traffic analysis.**

*Section 8 (4):* This subsection contains regulations governing vehicle wash facilities. No vehicle wash facilities are proposed.

*Section 8(5):* This subsection requires that the submitted site plan is to clearly show curb cuts and on site vehicle circulation patterns. **I believe that this requirement has been reasonably well addressed with the possible exception of the queuing issue for the drive through lanes.**

**Section 9, Architectural and Site Design Standards:** All new buildings and any building altered more than 50% is required to comply with the requirements of this section.

*Section 9 (1):* This subsection requires that a minimum of 50% of the exterior area of each wall shall consist of certain materials. The brick that is proposed is commonly used for this

kind of construction throughout the region and appears to be acceptable per this subsection.

*Section 9 (2) a:* This subsection requires that rooftops and roof-mounted equipment must be architecturally concealed. The proposed building has no roof-mounted equipment. The roof is visible, but it is a shingled roof. I believe that this is consistent with the underlying intent of this subsection which is to hide unsightly roofs and roof mounted equipment.

*Section 9 (2) b:* This subsection requires that overhanging eaves, recessed entrances or similar architectural treatments shall be included in the building design to protect entrances and walkways from the weather. This requirement appears to have been met.

*Section 9 (3):* This subsection requires that "...walls in excess of 1500 square feet of exposed exterior area shall avoid treatment with a single color or texture, minimal detailing and lacking architectural treatments. Architectural wall treatments shall be utilized on such walls to create visual interest through the use of texture variations, multiple complementary colors, shadow lines, contrasting shapes, applied features and related architectural devices." The walls appear to be consistent with the requirements of this subsection or are not large enough to fall under the regulation.

*Section 9 (4):* this subsection requires that the overall size, shape and proportion of the building elements and the building's placement on the site is to be consistent with similar buildings in surrounding developments. I believe one can conclude that this building meets this general requirement.

*Section 9 (5):* This subsection addresses architectural screening devices. The mechanical equipment screening is proposed to match the building's architecture, but no information is provided about the intent to screen the trash container or what form such screening might take. **I recommend that the trash container be fully enclosed and screened in the same manner as the mechanical equipment compound. The question of the nature of the trash container's screening should be resolved to the Commission's satisfaction prior to any recommendation being made on the overall petition to the Board of Aldermen.**

*Section 9(6):* This subsection establishes additional regulations for large scale developments to further enhance the pedestrian experience and the visual appearance of the building from all sides. Subsection (a) addresses individual users with frontage in excess of 100', so it does not apply to this petition.

Subsection (b) deals with building facades in excess of 30'. It requires the incorporation of design features that especially enhance pedestrian oriented areas with features such as raised planters, variations in wall planes, pergolas, artwork, texture, shadow lines, porticos, etc. **This issue was touched on in the write up on section 7 (4) earlier in this report. I defer to the recommendations of the write up for that subsection.**

*Section 9 (7):* This subsection requires the use of landscaping with irrigation and native or acclimatized species to complement and enhance the building's design. A landscaping plan has been submitted that appears to be in compliance with some of the general landscaping requirements of the ordinance, although the pedestrian areas of the site and

the rear screening buffer do not appear to comply with the recommendations of the MRD. **I recommend that the planting plan be significantly expanded to meet screening landscaping requirements required by Ballwin's regulations and discussed elsewhere in this report.**

*Section 9 (8):* This subsection addresses issues of screening and landscaping on the site, particularly where it abuts residential, recreational or institutional uses. **In particular this section requires the establishment of a screen providing 80% opacity to a height of 6' along the common property lines with these uses. This is similar to the screening required by the drive through window section and the C-1 district regulations. This level of screening has not been provided and must be to meet the requirements of the MRD ordinance.** This section goes on to require visual and sound screening from surrounding properties and upper levels of surrounding structures. Given the relative location of the building and site to surrounding uses and buildings, I believe that the requirements of this section have been met or do not really apply.

*Section 9 (9):* This subsection addresses the issue of the screening of all types of equipment. I believe the issue of screening has been previously discussed in this report.

*Section 9 (10):* This subsection requires the placement of loading docks, trash enclosures etc. to be incorporated into the submitted site development plan. Such facilities are to be located near the service entrance of the building and be 100% screened from view from adjoining rights-of-way and residential uses with landscaping and/or architectural screening. As discussed above, the equipment will be in a screened compound and the trash enclosure issue has to be addresses. A bank does not require a formal loading dock or area.

*Section 9 (11):* This subsection encourages, but does not require, community gateway features on all sites and requires them where they are identified on the comprehensive plan. The comprehensive plan does not identify this site for a gateway feature and it is probably not well suited for such a feature due to its location in the corridor. The large grassy front yard on the corner complemented by the unusually large grassy right-of-way along this portion of Manchester Rd. is an opportunity for the placement some kind of landmark feature. **I recommend that the wayfinding sign recommended in the Great Streets plan for the Old Ballwin/Manchester intersection be provided to compliment this front yard area of the site.**

**Section 10, Urban Design Elements:** These urban design guides are to be considered when reviewing any requested relief from the requirements of the underlying zoning.

*Section 10 (1):* This subsection states that edges (natural such as waterways and ridgelines and man-made such as roadways, fences and property lines) signaling and defining the transitions between adjoining land uses, landmarks and public art shall be used to help define a sense of place for commercial projects, functions and uses within and between developments. **As applied to this site, I believe that this subsection goes primarily to the issue of the landscaping along the adjoining roadways and along the rear of the site, but it also applies to the need to make the development and adjoining properties that will be part of future MRD developments a unified whole and not individual lots that just happened to be developed next to each other. This**

is why the consideration of how this site can be interconnected and functionally combined or adjoined to the McDonalds property is important.

I also recommend that the screening and landscaping of the entire rear yard area be carefully evaluated and brought into compliance with MRD due to its adjacency to institutional use and residential zoning.

*Section 10 (2):* This subsection addresses streetscape amenities such as lighting, landscaping and pedestrian amenities within 10' of the right-of-way. **The site plan has not incorporated any such amenities into the roadway sidewalks. I have previously recommended site landscaping at a pedestrian level for this site pursuant to the MRD requirement for such improvements. If properly located, such amenities could also address the requirement of this code section as well.**

*Section 10 (3):* This subsection requires the development of alternative access to the site from rear and side roadways and adjoining properties. **The need for such access has been thoroughly discussed earlier in this report and specific recommendations for connections to the McDonalds site or the dedication of cross access and parking lot interconnections easements to Ballwin were outlined.**

*Section 10 (4):* This subsection discusses the utilization of access management for interconnection among adjoining commercial properties and/or to set the stage for future interconnections as adjoining properties are developed. **As outlined in 10 (4) above, this subsection addresses the interconnection with McDonalds or the dedication of a parking lot interconnection easement to Ballwin.**

*Section 10 (5):* This subsection discusses multi-way roadways as a means of achieving access management. The Great Streets plan considered such a roadway configuration along Manchester Rd., but does not recommend it. There appears to be little basis to support this roadway design concept to the Manchester Road Revitalization Overlay District.

*Section 10 (6):* This section encourages but does not require multi-story buildings. The petitioner has not proposed a multi-story building, but a building with a general mass and bulk resembling a two story building is recommended as an alternative. Recommendations relative to this architectural concept are addressed earlier in this review report.

*Section 10 (7):* This subsection also addresses the landmark feature issue. This site is not recommended for such a feature, but the Great Streets draft plan recommends wayfinding signage along the corridor at specific locations. This site is one such location. **It is recommended that the suggested wayfinding signage for this location be provided in conjunction with the development of this site.**

*Section 10 (7):* This subsection encourages the stacking of multiple uses in multi-story buildings. The petitioner has not elected to pursue this approach to developing this site.

## COMPREHENSIVE PLAN ISSUES:

The recommendations of the comprehensive plan relative to Manchester Rd. Revitalization Overlay District Development are on pages 8:22 – 8:24. Basically, these sections of the plan spell out the form that the overlay district was to take when it was created. They are therefore essentially redundant with the review that has been done in this report.

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