

AMENDED SPECIAL USE EXCEPTION PETITION REVIEW REPORT

Petition Number:	SUE 22-01
Petitioner:	Alton M. Klein 620 Arrow Hwy La Verne, CA 91750
Project Name:	Kids Empire
Requested Action:	Allowance to Operate an Entertainment Use Focused Business
Public Hearing Date:	May 2, 2022
Code Section:	Art. XIV, Sec. 1 (30)
Location:	14856 Manchester Rd, Ste. 6B
Existing Land Use/Zoning:	Commercial/C-1
Surrounding Land Use/Zoning:	North – Commercial/ C-1 South – Residential/ R-2 West – Commercial/ C-1 East – Commercial/ C-1
Plan Designation:	Indoor Children’s Entertainment

Project Description:

Mr. Klein is requesting that Ballwin approve a request to set up his indoor entertainment establishment located at 14856 Manchester Rd, Ste. 6B, to permit the operation of a business not inherently permitted in C-1 Commercial.

Zoning Ordinance Requirements Appendix A, Article IX (Commercial/ C-1 District):

- Article IX, Section 1 is a general introductory statement and imposes no design or plan requirements so it is not germane to this review.
- Art. IX, Sec. 2 establishes uses allowed by right in the C-1 district. The use contemplated in this petition is not included in the base C-1 use regulations. **The provision for an indoor entertainment facility in the City of Ballwin is required to undergo the SUE permitting process, detailing the necessity of my assessment.**
- Art. IX, Sec. 3 establishes a height limitation of 45'. **No changes are proposed to the current structure.**
- Art. IX, Sec. 4 (1) establishes a front yard depth of not less than 40', except for: Art. XI, Sec. 4 (1) (i), which states that land lying along Manchester Rd shall have a front yard not less than 60 feet. **No changes are proposed to the current structure.**
- Art. IX, Sec. 4 (2) establishes no requirement for a side yard, so long as the location does not adjoin with a dwelling, dwelling district, or any public activity district. **No changes are proposed to the current structure.**
- Art. IX, Sec. 4 (3) establishes a rear yard depth of not less than 25'. **No changes are proposed to the current structure.**
- Art. IX, Sec. 4 (4) refers to improvement of a C-1-zoned parcel with single-family dwellings, and is not pertinent to this evaluation.
- Art. IX, Sec. 5 (1) refers to off street parking and loading spaces, neither is this petitioner making changes to the currently existing building nor to its parking lot. **No changes are proposed. The business would fall into the amusement establishment portion of our codified parking requirements: 1 parking space for 200 square feet of floor area. The suite is 15,000 square feet, thereby requiring 75 parking spaces for the establishment. This requirement is met as there are approximately 264 spaces available in the quadrant of Olde Towne Plaza closest to Ballpark Dr. Individually, parking loads are as follows:**

- **Planet Fitness: 30,000 sq. ft./ 1 space per 300 sq. ft. = 100 spaces;**
- **Foss Swim School: 10,000 sq ft/ 1 space per 300 sq. ft. = 30 spaces;**
- **Texas Roadhouse: 8,000 sq. ft./ 1 space per 200 sq. ft., = 40 spaces and;**
- **Starbucks: 1,500 sq. ft. / 1 space per 200 sq. ft. = 7.5 spaces**

This portion of the shopping center takes up 177.5 spaces. When combined with Kids Empire's expected load requirement of 75 spaces, the total parking need rises to 252.5 spaces, below the total space provision of 264.

- Art. IX, Sec. 5 (2) refers to parking for shopping centers, plazas and office complexes with two or more tenants having more than 100,000 square feet of gross floor area. No changes are proposed for the provision of 20% parking reduction.
- Art. IX, Sec. 6 refers to review by MoDOT for any intensive redevelopment along Manchester Rd. This is irrelevant to this proposal.
- Art. IX, Sec. 7 (1) requires that the minimum spacing of curb cuts is to be 500' between centerlines. No change is proposed.
- Art. IX, Sec. 7 (2) requires the construction of a 6' wide sidewalk along Manchester Road. No changes are proposed to the current sidewalk.
- Art. IX, Sec. 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. Cross access does currently exist between this site and its adjoining neighbors.

Zoning Ordinance Requirements/SUE Regulations Appendix A, Article XIV

- Article XIV, Section 1 (30) refers to any indoor entertainment facilities offering amusement in the C-1 commercial district.
- Article XIV, Sec. 2 (1) refers to minimum yard requirements. All yard requirements are abided by.
- Art. XIV, Sec. 2 (2) refers to site illumination. No change is proposed.
- Art. XIV, Sec. 2 (3) refers to greenery and planting. No change to the current landscape is proposed.
- Art. XIV, Sec. 2 (4) refers to fencing. No change is proposed.

- Art. XIV, Sec. 2 (5) refers to parking. The petitioner is neither making changes to the currently existing building nor to its parking lot.
- Art. XIV, Sec. 2 (6) refers to pavement and parking compliance. No change is proposed.
- Art. XIV, Sec. 2 (7) refers to storm water runoff control. No change is proposed.
- Art. XIV, Sec. 2 (8) refers to loading docks and facilities. No dedicated loading spaces are proposed for this use.
- Art. XIV, Sec. 2 (9) refers to ingress and egress at the site. No change is proposed.
- Art. XIV, Sec. 2 (10) refers to adequate area for the use. No changes are being proposed for the building, and the area is considered adequate for the use proposed.
- Art. XIV, Sec. 2 (11) states that in off-street parking for public use or for employees, no sales, dead storage, repair work nor dismantling of automobiles shall be permitted.
- Art. XIV, Sec. 2 (12) refers to rubbish and trash disposal and screening. No change is proposed outside of the current trash disposal situation.

Staff Recommendation:

Staff has no concerns with this proposal.

Shawn Edghill
Planning Technician