

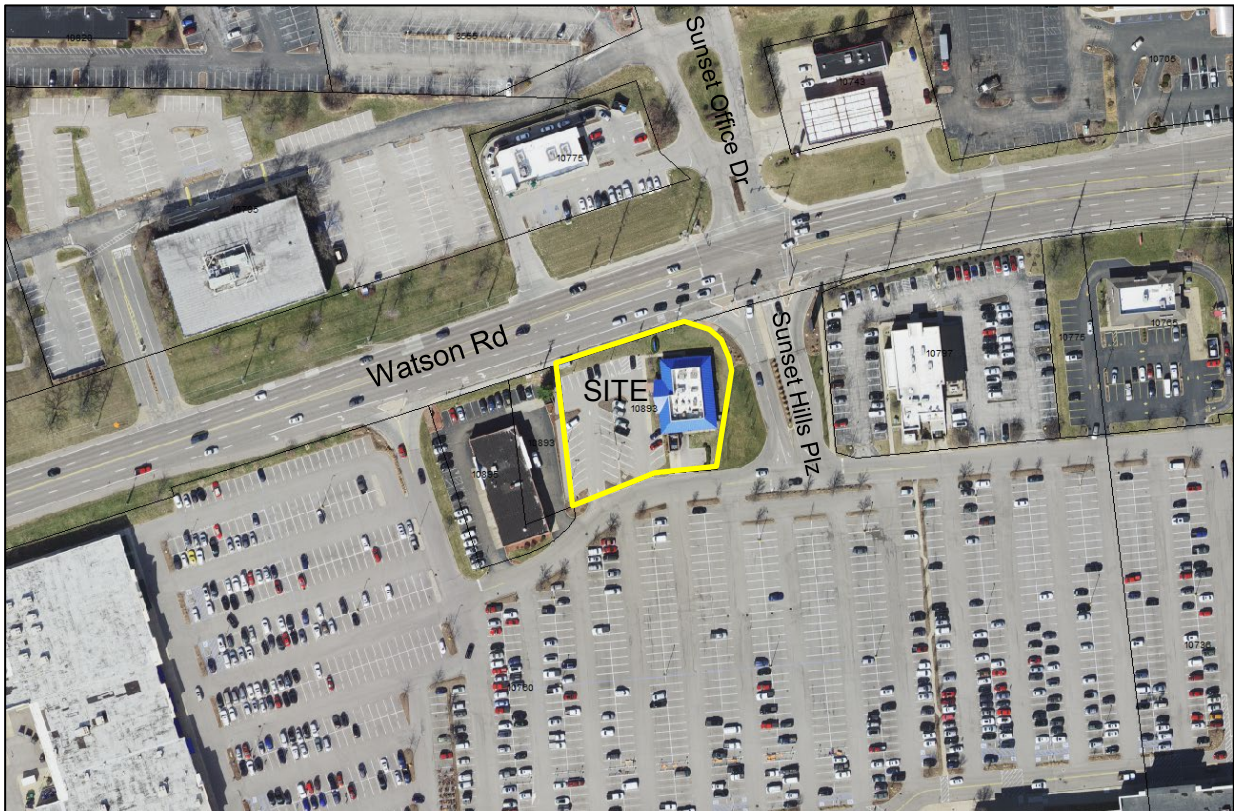
P-25-21

Title: Petition for an Amended Development Plan, submitted by Sandin Engineering, for a restaurant at 10893 Sunset Hills Plaza.

Owner: Wagenseil Properties LLC
6337 San Bonita Avenue
St Louis, Missouri 63105

Petitioner: Sandin Engineering
2989 State Hwy 25
Jackson, Missouri 63755

Date: January 2021



*Maps are for informational use only; not a representation of the project.

Summary:

This petition is for an Amended Development Plan for a restaurant at 10893 Sunset Hills Plaza. The property is located on the southwest corner of South Lindbergh Boulevard and Sunset Hills Plaza. The property is currently zoned PD-BC Planned Development – Business Commercial. The property to the north is zoned C-1 Commercial District. The properties to the east, south and west are zoned PD-BC.

History & Staff analysis:

A Conditional Use Permit (P-08-92) for an IHOP was approved April 14, 1992 and the existing 4,554 square foot restaurant was constructed the same year.

The Petitioner wishes to occupy the structure, adding a patio with ten (10) additional tables. The additional customer load would increase the required parking spaces to 49. While the site includes 39 parking spaces, there is an existing cross access and parking easement for the entire Plaza Development. Therefore, the parking requirement would be met.

Section 4.10-25A Minor changes states: Minor changes in the location, siting and height of buildings and structures may be authorized by the zoning enforcement officer if required by engineering or other circumstances not foreseen at the time the final plan was approved. No change authorized by this section shall cause any of the following:

1. A change in the use or architectural character of the development, including changes in any exterior finish material approved by the board;
2. An increase in building or site coverage;
3. An increase in the intensity of use (e.g., number of dwelling units);
4. An increase in vehicular traffic generation or significant changes in traffic access and circulation;
5. A reduction in approved open space or required buffer areas; or
6. A change in the record plat.

Section 4.10-25B states: Plan amendments: All proposed changes in use, or rearrangement of lots, blocks and building tracts, changes in the provision of common

open spaces, and changes which would cause any of the situations listed under paragraph (A) above shall be subject to approval by the board. In such event, the applicant shall file a revised development plan and be subject to the requirements of this section as if it were an entirely new application.

This project would result in an increase in building coverage, which requires an amended development plan. The plans were reviewed as if it were an entirely new development and application.

Per the plan that is being published with this agenda, the following existing conditions do not meet requirements of Appendix B. The below will be further discussed at the Planning & Zoning Commission Meeting, scheduled for Wednesday, December 1:

1. Per Appendix B Zoning Regulations, Section 5.13-5A1: One (1) canopy tree and four (4) shrubs shall be planted for every thirty (30) feet of frontage, to be located within a strip of land paralleling the adjacent street and having a width of not less than ten (10) feet. Trees do not have to be placed thirty (30) feet on center. Strategic placement and grouping of trees and shrubs is encouraged. Incorporation of ground cover in the planting scheme is also encouraged.

It appears as though the right of way to the north and east total 350 square feet and there are six (6) existing trees that can be applied to this requirement. A total of eleven (11) trees and forty-four (44) shrubs are required. The Petitioner is aware of this and has agreed to meet the requirement.

2. Per Appendix B Zoning Regulations, Section 5.13-5B1: One (1) canopy or ornamental tree shall be planted and maintained within the interior parking area for every four thousand (4,000) square feet of parking provided. In order to qualify as interior landscaped area, said area shall be located wholly within or projecting inward from the boundaries of the parking area. The landscaped strip, as required under paragraph (A) above, shall not qualify as an interior landscaped area, regardless of its width or depth. The Petitioner is aware of this. The Petitioner is aware of this and has agreed to meet the requirement.

It appears as though there is approximately 13,000 square feet of parking area and there is one (1) existing tree that can be applied to this requirement. A total of three (3) trees are required within the parking area.

3. Per Appendix B Zoning Regulations, Section 6.3-4A2: Setback of circulation aisles: Parking circulation aisles and parking/loading maneuvering areas may be located in a required front yard, side yard, or rear yard; provided that a minimum of five-foot setback is maintained between the paved area and the property line or right-of-way line. A variance to this may be granted for a lot of record, if the lot depth is one hundred and thirty (130) feet or less or, in the case of a corner lot, the lot width is one hundred and thirty (130) feet or less, but in no case shall the variance allow for the encroachment of vehicles into the street right-of-way except for access drives.

The five-foot setback is not met from the property line to the west. The Petitioner is aware of this and intends to submit an application to the Board of Adjustment for a variance from this requirement.

4. Per Appendix B Zoning Regulations, Section 6.3-5A: The required drive aisle width for parking areas with 90° spaces is twenty-four feet (24').

The existing drive aisle is twenty feet (20') wide. The Petitioner is aware of this and intends to submit an application to the Board of Adjustment for a variance from this requirement.

5. Per Ordinance 2217 the following illumination levels must be met:
Minimum initial level at any point within the parking area: 0.5
Maximum initial level: 8.0
Maximum initial level at the exterior property line: 0.2
Maximum initial level five feet from the exterior property line: 0.0
Average FC levels within parking area: 1.0

A photometric plan has been submitted, but the above illumination levels have not been determined. The Petitioner has stated that the existing lighting will be modified to meet current requirements. If this cannot be accomplished, a variance will be required.

Staff recommendation:

This Petition is for the occupancy of an existing restaurant building with a new restaurant. A patio addition is proposed, which would contain 40 additional seats.

Based on information provided by the Petitioner, staff is recommending approval of this petition with the condition that all requirements of Appendix B are either met, anticipated to be met or the Board of Adjustment approves variances.

Update:

At the December 1, 2021 meeting, the Planning & Zoning Commission voted to recommend approval of this Petition. At the December 30 Board of Adjustment Meeting, the Board approved an Appeal to vary the side setback for the existing parking lot from the required five feet (5') to zero feet (0'). All other current zoning requirements would be met by this development.