

Use

My name is Kurt Kohler. I live at 10436 Litzsinger Road in Litzsinger Place subdivision.

[if more than a decade, mention number of years in city, and if applicable, speak directly to any personal connections with the P&Z members to establish of fact you are a concerned and involved with the city's mission to promote reasonable and responsible land use adjacent to high end residential, commercial and education institution property]

I am here to address the issue of the reasonableness of the proposed use of DESCO selling more than half of this site to Life Time Fitness for a large gym complex and water park, which is contrary to the City's Comprehensive Plan and incompatible with surrounding uses.

Before I start my presentation, I want the Commission to know that we have many citizens and neighbors in the crowd who share our concerns about the current proposal and would like more time to evaluate it and see if there are solutions to critical problems. In respect of the Commission's time this evening, we have selected several individuals to speak on different aspects of this proposal about which we are very concerned. All of these people are not going to speak, but I would like a show of hands from those who share our concerns and want to more time to evaluate the current proposal.

As members of the City's Planning and Zoning Commission, you all are well aware the City reaffirmed the City's desire to have this site developed for Planned High Fashion Retail as recently as 2013.

Furthermore, a couple of years ago, City officials represented to one of the Trustees that a development on this site would be similar to the development where Sugos is located. The Sugos development contains high-end retail shops, restaurants, a bank and medical offices -- all in high-class buildings with low density, quiet users, and reasonable hours. City officials also assured one of the Trustees following last year's Subdivision Trustee meeting that any development of the Shriner's Hospital property must make both St. Joseph's Academy and Litzsinger Place residents "happy." The Litzsinger Place residents are not "happy" with the DESCO proposal in its current form.

The Comprehensive Plan for Frontenac has very specific requirements, the first of which is to "Promote a more desirable community environment." I don't see how this proposal accomplishes this goal. A large gym and waterpark complex with hours of operation from 5 am to Midnight seven days a week is not a desirable use for the community. Reduced hours of operation must be mandated consistent with other Life Time Fitness operations in similarly situated locations. The proposed hours make this use essentially a 24/7 operation, which is not consistent with adjacent businesses along Lindbergh._

The City's Ordinance governing the proposed Planned Commercial Development zoning Desco seeks for this site mandates: "These planned development regulations are not intended to allow excessive densities or the development of incompatible land uses, either within the development or as the development relates to the general neighborhood. The standards contained in the following provisions and the related planned development ordinance must be strictly adhered to by the applicant."

Life Time contemplates thousands of members. The size of the pool area has been increased by twelve feet (12 feet) from the initial submission and the building has moved west closer to the residential uses.

The pool includes a very tall, elaborate slide and water-park features not consistent with high-end retail or adjacent residential uses.

The City must impose conditions that protect the residential property from this intense use not

contemplated by the Comprehensive Plan. The City Planning and Zoning members must take note of the safe guards the City contemplated in its Ordinances to protect the residential properties – such as security, height and lighting restrictions, limited parking areas, aesthetic criteria, sufficient landscaping buffers, traffic flow, access restrictions – all necessary to protect the residential investment in this area. Some of these requirements are addressed in the City's requirements for a Planned High Fashion Center development, and no development should be approved without specific enumerated conditions to address this non-retail use and all the issues that must be addressed in the operation of a gym and water park at this site.

The Planning and Zoning Commission members must adhere to the City's Comprehensive Plan and impose conditions to keep the proposed use in compliance with reasonable and responsible growth for this location. A 5 am to 12 midnight gym and water park is not the solution for the City.

This development is one of the most important pieces of land in the City of Frontenac and maybe one of the most important in the central corridor. Whatever is built here will define this section of Frontenac for the next 40-50 years, and the proposed operation is not a reasonable land use for this site without modifications to the current plan. We remain willing to meet to work out solutions, but today there are still too many open issues to allow the Planning and Zoning Commission to make a recommendation in light of the mandates in the City's Comprehensive Plan.

Planning and Zoning Commission must obtain critical changes to the proposed use before issuing a report to the Board of Aldermen. The City and the surrounding land owners need time to reply to the presentation tonight in order for the Planning and Zoning Commission to be fully informed. Do not push this process forward without having all the necessary information. Assuming we obtain all relevant information from DESCO, we commit to respond to the developer's presentation tonight at the next Planning and Zoning Commission meeting on June 27. Do not act tonight given that we just saw the revised plan last Thursday and tonight will be the first time we are hearing from some of DESCO's consultants about critical components of the revised plan.

Density, Security, and Privacy

My name is Margaret Sherwood. I am a Trustee of Litzsinger Place, and I live at 10401 Litzsinger Road. It is my house that you see on some of DESCO's plans. I lived and had my business in Frontenac from 1987 through 1993. During that time I attending City meetings and met with City officials on budgeting. In 2003, I moved my family and business back to Frontenac and opened a second business in the City. I have been a Litzsinger Place Trustee since May 2014 and have attended City-wide Trustee meetings. I also do my personal best to keep Frontenac's sales tax revenue high.

I am here tonight to speak to the issues of Density, Security and Privacy.

As background on the input process, this Commission should be aware that I originally learned of this development from a fellow Litzsinger Place Trustee when he learned of it about 10 days prior to the April Planning and Zoning Commission meeting and shortly before I was headed out of the country on business. I contacted the City, who had a DESCO employee call me. DESCO had a meeting with the Litzsinger Place residents on April 19 prior to the April 25 Planning and Zoning Commission meeting to discuss the first proposed plan. Since my return, I have met with DESCO, as have all three Trustees. One Trustee (Brad Pittenger) cannot be here tonight because he is out of town. DESCO also had one meeting with the residents this last Thursday evening (May 25) right before the holiday weekend, which was the best accommodation they could make. At that meeting DESCO presented its revised plan for the development. After multiple expressions of our concern, the proposed use is still very dense. At no time in this meeting did DESCO point out that Life Time expanded the pool area from its original submission, moving the building much closer to my home! We only learned of this substantial modification when we noticed it and inquired with the City about the change this past Friday morning.

1. Density. A gym and water park type development (along with the proposed office, retail and restaurant uses) is a much more dense development than a Sugo's type development for a number of reasons: the Life Time building is less than 85 feet from my property, the visitors to the site will exceed several thousand, the hours of operation are effectively 24/7 with a start time of 5 am and end time of 12 midnight, and security, noise, and lighting issues for this nonretail use are not consistent with residential or other businesses in the immediate area. Life Time Fitness is projecting 4,000 members. Simply put, this use would adversely affect traffic, security, privacy, lighting, and noise.

The proximity of this development to my home is of particular concern. The High-Fashion Center Planning regulations, contemplated for this site in the Comprehensive Plan, prohibit any building within 150 feet of the boundary of the project. The current proposal puts the buildings just 82' feet from my house. If a high-end store should be 150' away, this is much too close for a gym complex.

In addition, the Planned Development District zoning DESC0 seeks states that, "These planned development regulations are not intended to allow excessive densities or the development of incompatible land uses either within the development or as the development relates to the general neighborhood. The standards contained in the following provisions and the related planned development ordinance must be strictly adhered to by the applicant."

The requirements for the Planned Development – Retail/Commercial Zoning call for retail uses and "complementary" commercial uses, such as "small service facilities," which include a fitness or exercise studio. And this non-retail use is limited to no more than 25% of the gross leasable area of the development.

- The proposed 120,000 square foot facility is not a "small" fitness studio.
- DESC0's plan proposes 83% non-retail space.
- Even if the P&Z Commission can vary these requirements, these code provisions and the need for such a dramatic variance – particularly for the non-retail density - demonstrate that there are serious issues with respect to the density in comparison to the uses contemplated in the zoning ordinance and Comprehensive Plan.

2. Security – Proposed hours of operation are a concern. Keeping the facility open until midnight, for example, could be an invitation for crime – both to the patrons of the facility and those in the area. We don't need people out and about in parking lots at those late hours. More reasonable hours will limit those opportunities.

In addition, we need to make sure there is an adequate security presence during all hours of operation. The high-fashion district zoning requires a minimum of two security guards (approved by the City) on duty in the parking area at all times the stores are open to the public. Plaza Frontenac has security guards. Adjacent residents need some assurances that there will be adequate security at this new

development. Given the influx of new individuals the development will bring, the City needs to ensure that the development does not bring security problems as well.

Moreover, Desco has agreed to move the neighborhood gate toward Litzsinger and tie it into the fences on the other sides of the site and our neighborhood to provide additional security. The plan is then to keep the gate locked 24-hours with appropriate access for emergency vehicles. This will require approval of the City, and it has indicated it will agree, but we have not seen any plans for this accommodation at this time.

3. Privacy – We need to make sure that there is appropriate signage to indicate that Litzsinger west of Lindberg is a private road, not a through street. There also should be signage installed at both the Clayton Rd. & Lindbergh entrances to Plaza Frontenac, as well as on Litzsinger Road, indicating those are entrance points for Life Time Fitness. We have not yet seen DESCO's plans for any such signage.

I attended the City's budget meetings last night. I am a property/casualty actuary who routinely works with both public and private entities on key components of their budgets and financial statements. The DESCO/ Life Time Fitness development does not solve the City's long-term budget problem. The current budget projections show this development would postpone by only two years the time at which the City must make difficult decisions regarding its revenue and expenses. The City has other options that might solve the long-term problem.

This proposed gym and water park development is the first of its kind for the City of Frontenac. At a minimum, the Planning and Zoning Commission deserves to hear the presentation tonight and allow the residents who all have invested millions with this City to study and respond to this unique development. We assure the City our response will be prompt and reasonable, and we will prepare a report by June 27 if we are provided with the requested information from DESCO and Life Time in a timely fashion. Until this process has been completed, any action by the City Planning and Zoning Commission is premature and negligent.

This site is too critical to the City and the surrounding uses to rush this process. Do not act tonight so that all parties can be heard regarding this development **after** the outstanding issues have been addressed. The City cannot afford to get this development wrong.

Traffic and Access

My name is Jake Amir. I am a Trustee of Litzsinger Place. I live at 10417 Litzsinger Road.

We have been living in Frontenac for over 18 years and have raised 4 kids and are raising a young child at this time.

We appreciate the time you are allocating to hear our comments regarding this development.

The issue I will be addressing is traffic and access issues.

The current state of Lindbergh during peak hours is very poor. Delays, back-ups, and specifically the Litzsinger interchange with high school drivers, residents leaving Litzsinger Place, commuter traffic and the sloping topography all present traffic and access related problems.

The proposed gym use further exacerbates traffic and access issues during peak times.

At this point, the City has hired CBB to review the Lochmueller traffic study, and they likely will point out the incorrect assumptions and projections in the report. In addition, there has been no mention of the Missouri Department of Transportation's view of the proposed changes to Lindbergh, which is a limited access highway. Frankly, the Lochmueller Group report has raised more questions than provided answers.

Bear in mind the City has not yet seen any comparable studies of other Life Time Fitness operations on sites similar to the Frontenac site. As Planning and Zoning Commissioners, you should require this type of data.

The traffic study generated by DESCO uses a comparison with the facility in Ellisville. According to Life Time Fitness, the Ellisville facility is a "C" facility, and one proposed for Frontenac will be an "A" facility. They are projecting 4,000 members at this facility.

The study also made an assumption that only 20% of members will use the facility each day. This is a flawed assumption. Life Time does not lock members into long contracts, so if they are not using the facility, they will likely drop their membership. If Life Time's assumption is correct and they do get only 20%, there will still be 800 cars per day.

The assumption in the study indicates the office building will generate 35 traffic visits in the morning and 35 in the evening. Does this mean they only have 35 people in the office? Typical offices use between 200-300 sq ft per person. With 24,000 sq ft of office space and 250 sq ft per person, that will be 96 cars not 35. Most employees will come and go at peak times.

The study is predicting 350 cars in the morning and 750 in the evening. That's a very large number of cars to dump onto an already congested Lindbergh Blvd. The study author reduces these to 210 in the morning and 430 in the afternoon by making many assumptions such as common trip reduction and

pass-by trips, with no supporting data. Regardless, these are still very large numbers of cars. Without this development, northbound traffic on Lindbergh in the morning and afternoon backs up from the Clayton/Lindbergh intersection all the way back past Litzsinger Road. The proposed usage of this property would greatly exacerbate this problem.

The traffic study indicates Litzsinger Road is a major east-west collector. This may be true east of Lindbergh; however, west of Lindbergh, Litzsinger Road is a private road put in and maintained by our neighborhood to serve our neighborhood.

We will listen to the presentation tonight; however, the traffic and access issues related to this proposed development need to be addressed. No development should be recommended for approval without having all the data related to traffic and access addressed.

We ask the Planning and Zoning Commission to **not** act tonight to allow the stakeholders of this City to consider and respond

to the presentation at your next meeting. The existing traffic and access situation is a critical issue that the City must get correct. Please avoid rushing through this process to allow the Planning and Zoning Commission to make an informed recommendation on behalf of the City and residents of Frontenac.

LIGHTING.....

My name is Mary Lou Keech. I live at 10404 Litzinger Road. My property is directly adjacent to the proposed development.

My husband, Roger Keech and I have been residents for the last 20 years.

As residents of Frontenac we look to the Planning and Zoning Board to protect our town and residents from investors whose sole interest, is to turn a profit.

~~In your own Mission statement, under Goals.....you list 5 areas of responsibilities, that if applied to this project.....IT would be eliminated, as currently proposed.~~

I will be addressing one of the issues.....LIGHTING. *Some of those issues have been discussed tonight*

As one of the homeowners closest to the proposed development, I have tremendous concern regarding the light pollution that may be produced, by this proposed development.

A 120,000+ square foot facility with long hours will generate a tremendous amount of light.....including that emanating from the security lighting for the building, the cars coming to and from early in the morning and late at night, lights in the pool area, and a parking lot for hundreds of cars that must be lighted for security.

DESCO'S lighting expert has not been available to the affected residents until....tonight. ~~As we understand, they are present at this meeting.~~

We did ask DESCO for earlier access, and were told, they would not be available until tonight's meeting. We have not had time to see and verify, the information being presented with our own experts, NOR have we had the opportunity to discuss, DESCO'S lighting plan with them one-on-one.

For instance, DESCO has indicated it may be willing to turn off the lights on the western side of the parking lot after 7 pm. We have not seen any written commitment on that point, and we want time to evaluate anything that is offered. As a neighbor within a couple hundred feet of the development who

has invested significant money in this city as a resident, this is not an unreasonable request.

We built our home in Litzsinger Place because this is a quiet street where we can enjoy our home and our yard.

We are very concerned that the lights from this development will light up the entire area and negatively impact, how we use our home and the outside areas we have created. We don't want to lose the ability to see the stars at night. We have asked DESCO to provide us with examples we can visit, where they have eliminated light pollution, so we can see how much light escapes. They Have Not yet been able to provide these examples, and therefore, it would be very difficult for the P & Z Commission to determine, if Zero light pollution is possible. Without this information, the City CANNOT determine if this development will fit within the standards of the City of Frontenac, and if this Planned Commercial Development will even enhance our city.

We ask the Planning and Zoning Commission to DELAY its decision on rezoning the former Shriner's Hospital site, until the developer has provided sufficient information on the open items, to allow it to make an informed recommendation on behalf of the residents of Frontenac.

Impact on Surrounding Property Value

My name is Carin Hicks. My husband, Tadd, and I own the home at 10409 Litzsinger Road.

We purchased this home in 2005 because it was the perfect location for our young family. Litzsinger Place is quiet, safe, centrally located yet very private. As we began to integrate ourselves in the community we had to explain to long time Frontenac residents where we lived and that it is in Frontenac. When I vote the volunteers frequently tell me that I am in the wrong polling place and I need to vote in Ladue. This is cleared up when I convince them to check the book for my name. The response is always the same – they had no idea there is a neighborhood back there. The homeowners of Litzsinger Place are asking your help to keep it private.

The negative impact of a 24/7 gym and water park immediately adjacent to our access road and to our homes eliminates the quiet, safe and private neighborhood that we know today. The residents are very concerned that this development will negatively impact our property values. People make a significant investment in a home and consider what is around a home they are interested in purchasing. They look at access, traffic, noise, lights, aesthetics, and security. The residents are very concerned that the DESCO development will negatively impact the lifestyle for people whose homes are within a very private subdivision.

Plaza Frontenac is the nicest mall in the region and one of the nicest in the country. This development as proposed is not being built or operated at the same standards as the Plaza.

- Without addressing current traffic and access issues, this type of use will add more cars at peak hours.
- Noise from the waterpark in the development, late-night and early morning patrons, and traffic noise in general will impact our quiet neighborhood.
- Light from the development could light up the nighttime sky.
- The aesthetics and odor from trash receptacles could be a problem, particularly from food waste at the restaurants and Life Time Fitness café. At the meeting last Thursday Life Time agreed to put the trash bins in a separate outbuilding, but this is a lower standard than is required by a High Fashion Center.
- And then there is security given the number of cars and traffic related issues already existing.
- The proposed waterpark raises significant aesthetic issues, with huge, bright slides and other water-park amenities. We do not want the drive down Litzsinger Road to look like Life Time Fitness's back alley or the entrance to a water park.

There are still open questions on Life Time's operations and the overall site plan that need to be addressed. No development should be approved without specific conditions that protect the private and secure access to Litzsinger Place. Whatever is developed on this site should increase revenue to the City and enhance the value of the surrounding developments, not decrease their value.

We ask the Planning and Zoning Commission to delay its decision on rezoning the former Shriner's Hospital site until the developer has provided sufficient information to the Litzsinger Trustees and residents on the open items to allow the Planning and Zoning Commissioners to make an informed recommendation on behalf of the residents of Frontenac.

Comprehensive Plan and Zoning Restrictions

My name is Flavius Pernoud. I live at 10448 Litzsinger Road.

My wife, Joan, and I purchased our property in 1999. We looked forward to enjoying the advantages to living in Frontenac. We looked forward to raising our children in a top quality community and to enjoy our property and neighborhood without annoyance.

The issue I will be addressing tonight is the City's Comprehensive Plan and Zoning Restrictions.

The proposed gym and water park use does not comply with the Comprehensive Plan adopted by the City of Frontenac in 2006 and reaffirmed in 2013. The Comprehensive Plan calls for the Shriner's Hospital site to potentially become a Planned High Fashion Center that contains retail establishments. A gym is not High Fashion Retail; nor is it office space.

City ordinances outline Minimum Standards for heights, setbacks, landscaping, open space, roads and fencing that must be observed in a Planned High Fashion Center District. The requirements of a Planned High Fashion Center District, such as distance from residences, security, and height restrictions, should be maintained if the City decides to override its Comprehensive Plan and designate this site as Planned Development Commercial.

There are still open questions on setbacks, lighting, traffic, proposed density, noise, and security, to name a few. The Comprehensive Plan calls for uses of this property that enhance our city and neighborhoods.

We ask the Planning and Zoning Commission to delay its decision on rezoning the former Shriner's Hospital site until the developer has provided sufficient information on the open items to allow it to make an informed recommendation on behalf of the residents of Frontenac.

I leave you with some photos of the Life Time Fitness in Ellisville.