

BILL NO. 1687
INTRODUCED BY: Alderman Dell'Orco

ORDINANCE NO. ____

AN ORDINANCE AMENDING THE SITE DEVELOPMENT PLAN, FOR
THE WARSON WOODS SHOPPING CENTER TO ALLOW AN
AUTOMOTIVE RENTAL AGENCY.

WHEREAS, a site plan for the Warson Woods Shopping Center (the "Site Plan") was submitted in accordance with the Municipal Code of Warson Woods (the "Code") and approved on or about July 24, 1994 ("Site Plan"); and

WHEREAS, the Site Plan has been amended from time to time;

WHEREAS, Caplaco Twenty-Five, Inc., owner of the Warson Woods Shopping Center submitted an application for an amendment to the Site Plan on July 17, 2019, to allow for a new motor vehicle leasing and rental use at the premises at 9993A Manchester Road (the "Premises"), but seeking no significant changes to the exterior of the structure or to the parking areas in the Shopping Center ("Site Plan Amendment"); and

WHEREAS, the City reviewed this Site Plan Amendment for compliance and compatibility with the Site Plan and the Manchester Road Commercial District Plan, specifically Section 416.040.B(1)-(8) and find it to be compatible; and

WHEREAS, on September 11, 2019, the Planning and Zoning Commission examined the proposed amendments to the Site Plan Amendment and recommended that the amendments be adopted by the Board of Aldermen; and

WHEREAS, on October 15, 2019, the Board of Aldermen held a duly noticed and published public hearing to allow further citizen comment on the proposed Site Plan Amendment; and

WHEREAS, also on October 15, 2019, the Board of Aldermen approved Ordinance 1629 approving the Site Plan Amendment but anticipating that it would be amended to increase the number of allowed cargo vans;

WHEREAS, the Board of Aldermen now wishes to Amend Ordinance 1629 and the Site Plan Amendment approved thereby to allow three (3) cargo van in place of one (1) cargo van to be on the Premises at any one time; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WARSON WOODS, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

SECTION 1. Ordinance 1629, Section 1, is hereby replaced with the amended to Site Plan Amendment attached hereto as Exhibit 1 is hereby approved with the following conditions:

1. The approved use of the Premises shall be as an *automotive rental agency*.
2. The automotive rental agency shall be prohibited from:
 - a. washing vehicles on the parking lot (does not prohibit vacuuming or cleaning the interior);

- b. using the vehicles or the parking lot for any advertising including that related the business or rental of vehicles; but which prohibition shall not include the automotive rental car agency's logo appearing on a cargo van;
 - c. selling or advertising for sale motor vehicles at the Premises; and
 - d. leasing, renting, selling, parking or storing box trucks.
3. The parking or storing of motor vehicles in conjunction with the automotive rental agency shall be limited to no more than three (3) cargo van (maximum of 353 cu. ft. capacity) on the Premises at any time and which are parked in dedicated parking spaces shown hachured in blue on an approved parking plan.
 4. The parking or storing of motor vehicles in conjunction with the automotive rental agency shall be limited to (a) no more than fifteen (15) vehicles in dedicated parking spaces as shown on an approved parking plan, and (b) no more than three (3) vehicles parked for a maximum of one (1) hour in spaces shown on an approved parking plan.
 5. The Premises shall be used and maintained in compliance with the Municipal Code.

SECTION 2. Except as set forth in Section 1 above, all other parts of Ordinance 1629 remain in force including Section 2 of Ordinance 1629, to wit: The approval of an automotive rental agency for the Premises is also available to be substituted or relocated to one of the other retail spaces labeled as numbers 4-10 or 12-18 on the Site Plan Amendment (Exhibit 1); however, no more than one (1) automotive rental agency use shall be permitted by this Ordinance. Additional automotive rental agency uses must be approved by the Board of Aldermen after recommendation by the Planning and Zoning Commission.

SECTION 3. All prior site plan approvals and amendments for the Premises shall remain in full force and effect unless inconsistent with this Ordinance.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.

THIS BILL PASSED AFTER HAVING BEEN READ IN FULL TWO TIMES PRIOR TO PASSAGE BY THE BOARD OF ALDERMEN OF THE CITY OF WARSON WOODS, MISSOURI THIS 19th DAY OF NOVEMBER, 2019.

Laurance M. Howe, Mayor

ATTEST:

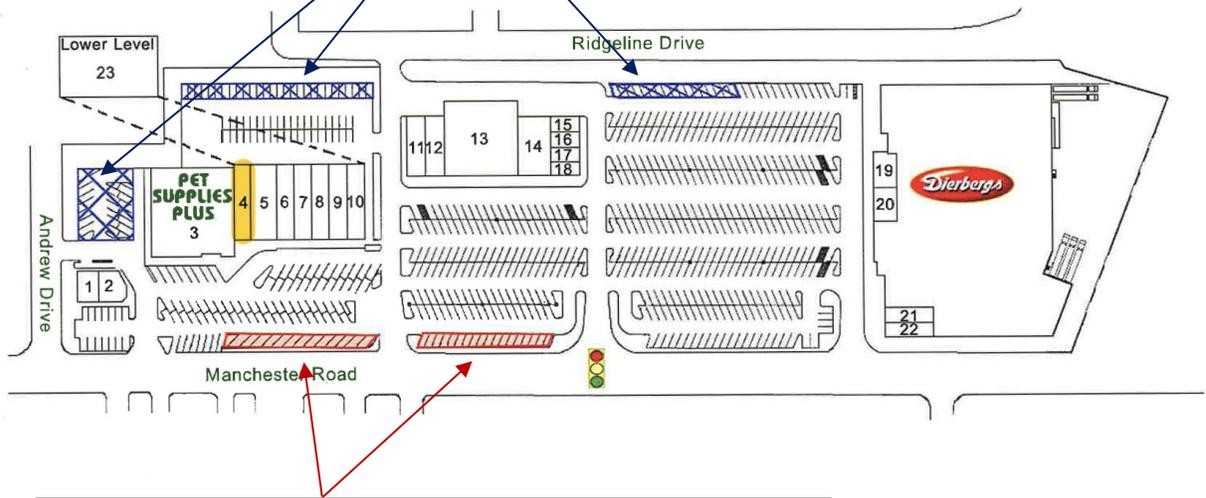
Kathy Mahany, City Clerk

APPROVED AS TO FORM:

Paul Rost, City Attorney

Exhibit 1
Site Plan Amendment
Automotive Rental Agency

No more than fifteen (15) vehicles permitted in the parking lot in the dedicated parking spaces shown in blue; no more than three (3) cargo vans at any time and must be parked in these spaces only.



No more than three (3) vehicles parked for a maximum of one (1) hour in spaces shown in red.