

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A SPECIAL USE PERMIT TO GLENDALE CHRYSLER-JEEP, INC. FOR THE RE-CONSTRUCTION OF THE EXISTING STRUCTURE LOCATED AT 10058 MANCHESTER ROAD AS A REPAIR GARAGE AND BODY SHOP HEREINAFTER DESCRIBED WITHIN THE CITY OF GLENDALE, MISSOURI:

WHEREAS, the City of Glendale has, by Chapter 400 of the Municipal Code, divided the city into districts and established regulations governing the use of land and the location of buildings therein, and

WHEREAS, Section 400.420 of Chapter 400 of the Municipal Code of the City of Glendale, Missouri, provides that the Board of Aldermen by Special Use Permit, may authorize the location and operation of a repair garage ~~and body shop within~~ the C-2 Commercial District of the City; and

WHEREAS, Chrysler Corporation (formerly referred to as Chrysler Motors Corporation) has heretofore filed an application for a Special Use Permit by ordinance No. 1359, and as amended by Ordinance Nos. 1442, 1473, 6-79 and 5-88, for the location of a Repair Shop and Body Shop in the C-2 Commercial District on the property located at 10058 Manchester Road; and

WHEREAS, ~~Glendale Chrysler/Plymouth, Inc.~~ Merlo Automotive Group, Inc., a wholly owned subsidiary of the Chrysler Corporation, was previously sold to H. Carlo Merlo and Shirley A. Merlo and the special use permit was transferred to the new ownership; and

WHEREAS, ~~Glendale Chrysler Jeep, Inc.~~ Merlo Automotive Group, Inc., has an existing current special use permit for a new car dealership in conjunction with a repair garage, ~~body shop, and paint shop~~, and new and used car sales and display lot, at 10070 Manchester Road; and

WHEREAS, Glendale Chrysler-Jeep, Inc. (“permittee”) as successor to Glendale/Plymouth, Inc., has filed an application for an additional special use permit at 10058 Manchester Road to house a auto repair garage ~~and body shop~~; and

WHEREAS, the Board of Aldermen called a Public Hearing on such proposed special use permit for the 17th day of March, 2014, and a notice of such Public Hearing was published on February 28, 2014, in the St. Louis Countian, a newspaper of general circulation in the City of Glendale, and copies of such notice were mailed via First Class Mail to all property owners shown by the City’s tax records within three hundred (300) feet of the boundaries of the subject property;

WHEREAS, A Public Hearing was held before the Board of Aldermen of the City of Glendale on March 17, 2014, at 7:30 P.M. with respect to this application for a special use permit; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF GLENDALE, MISSOURI, AS FOLLOWS:

SECTION ONE:

The Board of Aldermen of the City, after due and careful deliberation, does hereby conclude that the issuance of a special use permit for Glendale Chrysler-Jeep, Inc. for the use of the premises at 10058 Manchester Road for purposes of operation of a repair garage and body shop in concert with its new car dealership, subject to compliance with the condition set forth in Section Two below, meets the requirements of the Zoning Code of the City of Glendale, Missouri and would not: (a) substantially increase traffic hazards or congestions; (b) substantially increase fire hazards; (c) adversely affect the character of the neighborhood; (d) adversely affect the general welfare of the community; or (e) overtax public utilities.

SECTION TWO:

A Special Use Permit is hereby issued to Glendale Chrysler-Jeep, Inc., to operate a repair garage, body shop and paint shop in the lower level of the existing building located at 10058 Manchester Road on the following terms and conditions:

- (A) No signs of any nature shall be erected or installed on the subject property except in compliance with Chapter 530 of the Glendale City Code, unless specifically authorized by variance under 530.120 of the Glendale City Code.
- (B) Except for those vehicles awaiting immediate repair on the premises, no wrecked, damaged or inoperable vehicles shall be stored on the subject property.
- (C) The operation of the repair ~~and body shop located~~ at 10058 Manchester Road shall be conducted only between the hours of 7:00 a.m. and 6:00 p.m., official local time, Monday through Saturday.
- (D) All lights not necessary for reasonable security lighting of the area shall be extinguished no later than the hour of 10:00 p.m. official local time and shall not be relighted until the following daylight hours. Any addition, removal or replacement of exterior light fixtures on the subject property shall require approval by the City of Glendale Building Commissioner to ensure that such change will not adversely impact adjoining properties.

- (E) The Special Use Permit granted herein shall not be transferred or assigned to any subsequent owner or tenant of said premises without the express approval of the Board of Aldermen of the City of Glendale, which approval shall not be unreasonably withheld.
- (F) The repair garage ~~and body shop~~, authorized herein, shall, at all times be owned, operated and managed by the Glendale Chrysler-Jeep, Inc.
- ~~(G) All car repair and body work must be performed within the existing building located at 10058 Manchester Road.~~
- (H) All refuse, trash, and any other items being disposed of, or thrown away, will be stored in covered containers suitably screened.
- (I) Any public address system on the exterior portion of any of the buildings on the dealership premises shall not be directed toward any of the abutting residential property to the south, and shall not be used to transmit or broadcast music, but shall only be used for the purpose of calling employees and/or other people on the dealership premises. ~~The new car wash annunciation system shall not be utilized.~~
- (J) The existing structure may be remodeled in accordance with the drawings submitted to the City of Glendale. This remodeled space will be for increased repair and service areas, additional and reconfigured office space, and a modified front façade.
- (K) Any future change in the building or its use requires approval of an amended Special Use Permit.

SECTION THREE:

The Special Use Permit, issued hereby, shall remain in full force and effect so long as the permittee shall comply with all the terms and conditions thereof. In the event that the permittee shall breach any of these conditions, permittee shall be given a written notice of such breach by the City of Glendale, delivered to any person in charge of the office of permittee. If such condition is not corrected within a reasonable time and in any event within thirty (30) days of the delivery of such notice, it is agreed that the City of Glendale shall have the right to close down the operations, under the Special Permit or the Special Supplemental Permit, or both, as the case may be, until such time as permittee shall comply with all terms and conditions of said permit or permits.

SECTION FOUR:

The permit issued hereby shall become and be in full force and effect at such time as the City of Glendale has received a written acknowledgement from Glendale Chrysler-Jeep, Inc. accepting the terms of this ordinance.

SECTION FIVE:

This Ordinance shall be effective immediately on its passage and approval.

This Ordinance passed and approved this 21st day of April, 2014.

Richard J. Magee
Mayor

ATTEST:

Jaysen Christensen
City Administrator/City Clerk