

**BRIDGETON PLANNING AND ZONING COMMISSION
MINUTES OF THE MEETING OF JULY 26, 2021**

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The regular meeting of the Planning and Zoning Commission of the City of Bridgeton, Missouri, was called to order on July 26, 2021 at 7:00 p.m. in the Council Chambers at the Bridgeton Government Center, 12355 Natural Bridge Road, by Chair Claude Buchheit.

Members present: Tim Barry, Joy Bush, Carolyn Creswell, Joe Holtsnider, Bob Teahan, Lyle Woodruff, Chair Claude Buchheit

Members absent: Kerstin Adelt, Jim Gaston, Keith Gillming

Also present: Jerry Grimmer, Ex-officio
Zach Greatens, Planning & Zoning Officer
Sue Glazer, Recording Secretary

1. APPROVAL OF MINUTES

Mr. Woodruff moved, and it was seconded by Mr. Teahan, to approve the minutes of July 12, 2021. **On a voice vote the motion carried and the minutes were approved.**

2. APPROVAL OF AGENDA

Ms. Bush moved, and it was seconded by Mr. Woodruff to approve the agenda. **On a voice vote the motion carried and the agenda was approved.**

3. PUBLIC HEARINGS

#21-PZ-09 Request for Special Use Permit for “Automobile repair, major and minor, provided that the activity is conducted wholly within an enclosed building” to allow an auto repair business located at 3409 N. Lindbergh Blvd., as provided in the Bridgeton Zoning Ordinance under Section 410.130.D.2.d of the “B-2” Community Business District. Submitted by Seven Autobody, c/o Curtis Jones.

Chair Buchheit opened the public hearing. Mr. Greatens reviewed the steps for Special Use Permit (SUP) approval. He said that according to the City Charter, seven (7) votes of approval are required in order to have a favorable recommendation to Council. There were seven (7) members present at this meeting. The applicant can wait until the next meeting when more members are present. Mr. Greatens said this is a request for a SUP at 3409 North Lindbergh Blvd. for an auto body repair business in the “B-2” District. The subject property is a one-story, multi-tenant commercial building. The applicant’s request pertains only to the vacant 4,000 s.f. tenant space addressed as 3409. Mr. Greatens referred to the screen showing the surrounding property and the surrounding zoning and photographs of the site. There is an eight (8) foot tall chain link fence that encloses the area adjacent to the unit which provides screening from North Lindbergh and surrounding properties. There are two (2) overhead garage doors in the rear of the building. Mr. Greatens said it is staff’s opinion that the proposed business is consistent with the Comprehensive Plan. Traffic would not cause any detrimental impact to surrounding traffic. Access to the property is provided via three curb-cuts onto N. Lindbergh Blvd. It is staff’s opinion that access and on-site circulation is sufficient. There is sufficient off-street parking in the rear. The proposal will be consistent and compatible with the surrounding neighborhood. When considering an auto body repair business, a significant concern is the parking of wrecked vehicles. It is staff’s opinion that if the special use permit is approved, it should be approved with the conditions listed below:

1) Special Use Permit approval shall be limited to the space currently addressed as 3409 N. Lindbergh Blvd. Any proposed expansion of the use shall require approval of an amendment to the special use permit.

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- 2) Special Use Permit approval shall be limited to auto body repair. Any proposed expansion of the business to include service and repair work such as oil changes, brake service and repair activities shall require approval of an amendment to the special use permit.
 - 3) All auto body repair work shall be conducted within the enclosed building.
 - 4) Outdoor storage of tires, auto parts, or other material and equipment shall not be permitted.
 - 5) Any vehicles waiting to be repaired may be parked within the building or outside of the building provided that vehicles parked outside are parked behind the existing fence in the area immediately adjacent to the tenant space addressed as 3409. The number of such vehicles parked outside shall be limited to a maximum of five (5).
 - 6) In the event that a wrecked vehicle or other vehicle in need of body repair is dropped off outside of normal business hours, such vehicle shall be moved to within the fenced area as described above within 24 hours of arrival.
 - 7) Off-street parking and loading areas shall be kept free of trash and litter at all times. All paved surfaces shall be maintained in good condition.
 - 8) Prior to occupancy, the tenant space shall be brought into compliance with all applicable building codes and/or fire codes. Any and all renovation work shall adhere to the requirements of the Pattonville Fire District and Bridgeton Public Works Department.
- Mr. Greatens said the last condition would be required anyway, but the Pattonville Fire District submitted a letter with concerns about the subject property. The letter was attached to the staff report. Any business that would be operating in this building would be required to comply with all requirements of the fire district and building codes.

Mr. Woodruff said when this is sent to Council, it means there are a lot of hurdles before they can get an occupancy permit. Mr. Greatens said some of these items apply directly to the occupancy permit. There was a question about the status of the parking lot. Mr. Greatens said the last time he was at the site, some of the improvements that were discussed were not taken care of yet. Mr. Woodruff said it seems like a lot of these issues should be fixed before they come to the Planning Commission. Mr. Greatens said with a SUP, the Planning Commission and Council come to the determination if this proposed use is appropriate at this location and have they addressed the potential impact of the use. Later in the process when they apply for a building permit or occupancy permit, those specific codes are addressed in a more detailed review process. It is not the Planning Commission or Council's role to make sure they are in compliance with the building code or fire code. Mr. Holtsnider asked if the building is vacant. Mr. Greatens said this space is vacant. There is one space that is occupied for a children's day care facility. Mr. Teahan asked if the inflatable paint booth is covered under the fire district. Mr. Greatens said it raises the standards of the requirements for the building and fire codes.

The property owner, Derek Onstott, 11994 Sackston Ridge Dr., St. Louis, MO 63141, came forward. Mr. Onstott passed out a larger printout of the facility. Mr. Onstott said he is the owner of the property. He said he has hired someone to do 40 yards of repair. He is going to do a full reseal of the parking lot. It is scheduled to be done right away. They are working on the permitting for the adult day care facility. He said there is an area that is about 4,000 s.f. that they have rented to a logistics company. He said this tenant is moving his business to this space at 3409. They are getting close to being fully occupied. The only issue they have with permitting is the wall between 3409 and 3407. It is not a two-hour rated wall. He is willing to update the wall. The doors need to open outside, not inside. He said when he tried to get occupancy previously for 3409, the Fire Marshal said the drop ceiling was put there without a permit. This was done before he purchased the property. He wants to be in compliance. They will apply for permits to correct this. This space has two garage doors and a 15 foot tall ceiling. He said it makes sense to be an auto repair business. He spoke with Curtis (the tenant) about a portable versus the more permanent paint booth. Mr. Onstott said he thought a more permanent paint booth would be better. He asked the Commission if they had any questions or concerns. He said if someone is not in acceptance of this business going in, please ask questions. Chair Buchheit asked about the trucks that have been parked behind the building. Mr. Onstott said there were some trucks back there, but they have been moved except for two trucks and they will be moved. Chair Buchheit asked if the fence in the

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back is going to be completed. Mr. Onstott said all the material is there. It is just finding the manpower to get it done. Chair Buchheit asked if he is going to address the parking lot in the back. Mr. Onstott said no, it is too large of an area. He said it is OK to drive on. Chair Buchheit said he is concerned that wrecked cars that are parked there and leaky fluids may contaminate the ground. Mr. Onstott said he is going to reseal the area in the back. There was a question about whether the Fire District is requiring a sprinkler system. Mr. Onstott said no. Mr. Woodruff said this is the second application for this property. He said these applicants are applying for a SUP for a property that needs a lot of attention. Mr. Onstott said he has put a lot of money into this property. He has to see a return on his investment of this property. He is getting renters, he is getting the building permits and getting them approved. He is aware of the situation. He said he adds value to the properties he owns. This property has improved. He is bringing good renters to the property. Mr. Onstott explained their plans for the signage on the property and other improvements they plan for the exterior. He is planning to start the parking lot in the next couple of weeks. He has a contractor for the job. There was a question about a sprinkler system. He said a sprinkler system is not required. He said whatever paint booth he gets, they will meet the requirements to be in compliance.

Mr. Curtis Jones, 538 Holiday Avenue, Hazelwood, MO, came forward. Mr. Jones is the owner of the auto body shop. He owns an auto body shop in Hazelwood and wants to move to this location. He has been at the Hazelwood location for about five years. He said he is the only person working at the business. He does the body work, paint work and the paperwork. He wants to have more employees. He plans to work five days a week and half a day on Saturday. Chair Buchheit said he thought the hours of operation should be in the conditions. Mr. Greatens said Mr. Jones did include information about the hours in his narrative that was included in the staff report. Councilmember Grimmer asked Mr. Jones if he does collision repair. He said yes. He asked about Mr. Jones' training and experience. Mr. Jones said he graduated from Lincoln Tech in Indiana, but he has been doing auto body repair for 15 years. Chair Buchheit and Mr. Woodruff thought the hours of operation should be included in the conditions. Mr. Greatens said the Commission can do that if they want. Mr. Woodruff said the hours of operation should be condition #9. Mr. Jones gave an explanation of how the paint booth works. Mr. Onstott said they do not want to wait two more weeks for a vote, but they would like seven positive votes. Mr. Greatens said in the past City Council in some situations has done an informal vote. The Commission can decide that after the public hearing is finished.

The following came forward to speak:

Linda VanderPluym, 3303 N. Lindbergh Blvd. came forward. She is the daughter of Mary Blackburn, who owns the property at 3303 N. Lindbergh. Ms. VanderPluym passed out pictures of her property. This is her mother's property and she lives next to the subject property. She said this all started in February 2020 when he destroyed the front of her property. He wiped out the front and the side of her property and brought in multiple loads of dirt. He tore their trees down. She called him and they did not get any response from him. She said she he filled in the creek. She said there are a lot of issues with this property. There are children playing in the creek and animals that use the creek. She is concerned about it being contaminated by the paint and other hazardous contaminates. She said to allow him to put a repair shop or anything else, it is not in the best interest of the residents. She said it is probably not what he intends to do. She said he told them that he wants to have a used car lot on the property. Chair Buchheit said if he destroyed her property, she needs to get a lawyer and take care of it. Mr. Onstott came forward again. He said they cut down trees on his property. It made the site more desirable to have the trees down. He said the trees were on his property. Mary Blackburn came forward and said it was her property where he cut the trees down. Chair Buchheit said they need to see an attorney and have a survey of their property to determine the property lines. He said this has nothing to do with the auto body business that is requesting a SUP at this location.

Chair Buchheit closed the public hearing.

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Mr. Barry asked if we are going to take the property owner's word that he is going to fix everything. Chair Buchheit said if he does not do everything that he needs to do to make it compliant, then they will not get an occupancy permit and they will not open up.

Chair Buchheit took an informal vote on the SUP request. There was more discussion regarding this. The property owner said he would like the Commission to vote on it.

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Mr. Woodruff moved, seconded by Mr. Barry, to approve Application #21-PZ-09, with the eight (8) conditions listed above and an additional condition. The additional condition is: "The hours of operation proposed are limited to Monday – Friday 9 am to 5 pm; Saturday 9 am – 1 pm. Any changes require written approval from staff."

Roll Call Vote:

Ayes: Tim Barry, Joy Bush, Carolyn Creswell, Joe Holtsnider, Bob Teahan, Lyle Woodruff, Chair Claude Buchheit

Nays: None

Members absent: Kerstin Adelt, Jim Gaston, Keith Gillming

The motion to approve **carried** on a vote of (7 for – 0 against), and Application #21-PZ-09 will be forwarded to the City Council for public hearing and further action.

4. PENDING MATTERS

There were no "Pending Matters."

5. OTHER BUSINESS

There was no "Other Business."

6. STAFF UPDATE

Staff updated the Commission on upcoming projects. The next meeting is August 9, 2021.

7. EX-OFFICIO REPORT

Mr. Grimmer gave an update on current business.

8. ADJOURNMENT

It was moved by Mr. Holtsnider and seconded by Ms. Bush, to adjourn. **On a voice vote the motion carried** and the meeting was adjourned at 8:30 p.m.

Claude Buchheit, Chair