



ZONING ORDINANCE CHANGE PETITION

CITY OF BALLWIN	}	FEE:	with site plan review	\$ 1,250.00
	}		without site plan review	\$ 500.00
COUNTY OF ST. LOUIS	}	PAID:		
STATE OF MISSOURI	}	NUMBER:	<u>7-05-25</u>	

TO THE BOARD OF ALDERMEN CITY OF BALLWIN

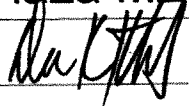
Type of Zoning Ordinance Change: Text Amendment to Appendix A, Article XIV, Section 1
Any store for the sale of used merchandise that is not in conjunction with the sale of new merchandise.

Now comes (*print name of Petitioner*) CENTRAL PLAZA MZL LLC
and states to the Board of Aldermen:

- I. That he, she, it, they, has (have) the following legal interest in the tract of land and/or premises located within the corporate limits of Ballwin, Missouri, described in Section II of this petition.
 - A. State Legal Interest: Owner
 - B. Documentation of Legal Interest must accompany this petition.
- II. That the legal description of the property/premises, for which a change in the Zoning Ordinance is requested, is enclosed.
- III. That a plat or drawing of the property/premises for which a change in the Zoning Ordinance is requested is enclosed, and said drawing is to a scale of 100 feet or less to the inch.
- IV. That the street address of said property/premises is: 15287 Manchester Rd
- V. That the area (acres or square feet) of said proposed zoning change is: 28,789 square feet
- VI. That the existing zoning classification of said property is: C-1 Commercial
- VII. That the existing use of said property/premises is: Commercial/retail
- VIII. That the proposed zoning classification is: C-1 Commercial/retail
- IX. That the proposed use of the property/premises is: A store offering used merchandise for sale.

X. That the deed restrictions, if any, on the petitioned property/premises are not violated by the provisions of the requested change to the Zoning Ordinance.

I, the Petitioner, do hereby request an Ordinance of the Board of Aldermen approving and granting the herein described Zoning Ordinance change.

PETITIONER: **Central Plaza MZL LLC**
AUTHORIZED SIGNATURE: 
AUTHORIZED SIGNATURE (PRINTED): **Daniel Kaufthal**
ADDRESS: **535 Fifth Avenue, 12th Floor**
CITY/STATE/ZIP: **New York, NY 10017**
TELEPHONE NO. **603-472-1154**

I, (*print name of Petitioner*) _____, do hereby designate _____ as my agent for purposes of presenting this petition, negotiating with the City of Ballwin on all issues relative to this petition, and corresponding and communicating with representatives of the City of Ballwin relative to this petition.

AGENT'S SIGNATURE: _____
AGENT'S NAME (PRINTED): _____
ADDRESS: _____
CITY/STATE/ZIP: _____
TELEPHONE NO. _____

Subscribed and sworn before me this 31 day of October, 2025.


My Commission Expires

STELLA TSIMENIS
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01TS6301715
Qualified in Kings County
Commission Expires April 21, 2026

April 21, 2026

I, the Petitioner, do hereby request an Ordinance of the Board of Aldermen approving and granting the herein described Special Use Exception.

PETITIONER: Central Plaza MZL LLC

AUTHORIZED SIGNATURE: _____

AUTHORIZED SIGNATURE (*PRINTED*): Andrew Frank

ADDRESS: 535 Fifth Avenue, 12th Floor

CITY/STATE/ZIP: New York, NY 10017

TELEPHONE NO. 603-472-1154

I, (*print name of Petitioner*) _____, do hereby designate _____ as my agent for purposes of presenting this petition, negotiating with the City of Ballwin on all issues relative to this petition, and corresponding and communicating with representatives of the City of Ballwin relative to this petition.

AGENT'S SIGNATURE: _____

AGENT'S NAME (*PRINTED*): _____

ADDRESS: _____

CITY/STATE/ZIP: _____

TELEPHONE NO. _____

Subscribed and sworn before me this 17th day of November, 2025.


Notary Public

My Commission Expires

March 27, 2029

VANESSA PARKER
Notary Public, State of New York
No. 01PA0035416
Qualified in Queens County
Commission Expires March 27, 2029



Petition Number: Z-25-05

Public Hearing Date: December 1, 2025

Petitioner: Central Plaza MZL LLC
535 Fifth Avenue, 12th Floor
New York, NY 10017

Project Name: Text Amendment to Appendix A, Article XIV, Section 1, adding Subsection 39

Requested Action: Text Amendment to add a new subsection to the Zoning Ordinance, pertaining to stores for the sale of used merchandise.

Location: This change would apply to all properties in the City.

Staff analysis:

Currently, the City Code lists the following as a permitted use in the C-1 Commercial Zoning District:

- (24) Store for the sale of used merchandise in conjunction with the sale of new merchandise, provided that the sale of used merchandise:
 - (1) is accessory and subordinate to the sale of new merchandise;
 - (2) is limited to a maximum of 25 percent of the gross floor area of the store; and
 - (3) is limited to 25 percent of the annual gross receipts of such store.

The business shall provide proof of compliance with this requirement at the time of the annual business license renewal.

The Petitioner is requesting a text amendment to Appendix A, Article XIV, Section 1, to add the following as a special use exception:

“Any store for the sale of used merchandise that is not in conjunction with the sale of new merchandise.”

This text amendment would modify the existing code by creating an additional special use exception. If approved, the change would apply Citywide to all properties.



Although it is unclear why the limits of 25% of gross floor area and 25% of annual gross receipts were originally established for stores selling used merchandise, staff has no concerns regarding the nature of the proposed text amendment.

Furthermore, the proposed language would require any store exceeding these thresholds to apply for a Special Use Exception. This process would allow the City to review each business individually through a public hearing before the Planning & Zoning Commission, followed by consideration and a vote by the Board of Aldermen. Conditions may also be attached to any Special Use Exception approval. When a special use exception is under consideration, the Board must determine whether such exception:

- a. Will substantially increase traffic hazards or congestion.
- b. Will adversely affect the character of the neighborhood.
- c. Will adversely affect the general welfare of the community.
- d. Will overtax public utilities.
- e. Will adversely affect public safety and health.
- f. Is consistent with good planning practice.
- g. Can be operated in a manner that is not detrimental to the permitted developments and uses in the district.
- h. Can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area.

Staff recommendation:

While this Petition seeks to allow stores selling used merchandise independently of new merchandise through a special use exception, staff recommends revising the proposed language to read:

“Any store in the C-1 District in which the sale of used merchandise exceeds 25% of the store’s gross floor area and/or 25% of its gross receipts, regardless of whether new merchandise is also sold.”

This revision more clearly encompasses any store that sells a greater amount of used merchandise than is currently permitted under the existing C-1 regulations. Consideration of a special use exception requires a public hearing before the Planning & Zoning Commission and final action by the Board of Aldermen.

Staff recommends approval of this Petition, with the revision proposed above.

Zoning Ordinance Change Petition – Text Amendment

Petitioner: Central Plaza MZL LLC

Property Address: 15287 Manchester Rd, Ballwin, MO 63011

Petitioner is the owner of Central Plaza, located at 15287 Manchester Rd, Ballwin, MO 63011, which is currently zoned C-1 Commercial. Petitioner respectfully requests the Board of Alderman to vote in favor of a Text Amendment to the City of Ballwin's Zoning Ordinance in order to permit the Special Use of store for the sale of used merchandise that is not in conjunction with the sale of new merchandise to be located at Central Plaza.

The Zoning Ordinance does not currently permit a store for the sale of used merchandise without constraints including the sale of new merchandise as the primary use, a square footage limitation, and a gross annual receipts limitation.

Petitioner aims to work with the Salvation Army on the proposed store for the sale of used merchandise.



PUBLIC HEARING

Notice is hereby given that on Monday, December 1, 2025 at 7:00 pm, a Public Hearing will be held by the Planning & Zoning Commission in the City Government Center Board Room at 1 Government Center, Ballwin, Missouri 63011. The Commission will consider the following Petition:

**Z-25-05 Amendment to Appendix A, Article XIV, Section 1, adding Subsection (39)
Stores for the sale of used merchandise not associated with the sale of new
merchandise.**

Additional information on the Petition is available at the City Government Center or by calling 636-227-2243