

AN ORDINANCE APPROVING A SITE PLAN REVIEW, AND A PRELIMINARY AND FINAL DEVELOPMENT PLAN TO ALLOW THE CONSTRUCTION OF TWO RESIDENTIAL DWELLINGS FOR BOYS HOPE GIRLS HOPE YOUTH RESIDENCES AND A SMALL OFFICE BUILDING AT 8019 THROUGH 8031 ELINOR AVENUE.

WHEREAS, BOYS HOPE GIRLS HOPE St. Louis, Deacon Farrelly, petitioned for approval of a Site Plan Review, and a Preliminary and Final Development Plan for the site development of two residential dwellings and a small office building for Boys Hope Girls Hope Youth residences as described below in Section 1; and

WHEREAS, said Petition # 2015-03 was referred to the Plan and Zoning Commission; and

WHEREAS, at its meeting on February 19, 2015, at which said petition was heard, the Plan and Zoning Commission approved said petition; and

WHEREAS, due notice of a public hearing before the City Council upon said petition was published according to law and ordinance; and

WHEREAS, a public hearing was held before the Council of the City of Richmond Heights on March 16, 2015 upon said petition; and

WHEREAS, The Council of the City of Richmond Heights believes it desirable that the Preliminary and Final Development Plan for the site development of the properties described below in Section 1 be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, as follows:

SECTION 1. The properties to which this preliminary and final development plan approval relates are legally described as follows:

--- PROPERTY BOUNDARY DESCRIPTION ---
--- Out Boundary ---

A tract of land situated in the City of Richmond Heights, the County of St. Louis, and the State of Missouri, lying in part of Lot 57 of Rannell's Subdivision of the Home Farm, a subdivision filed for record in Plat Book 9 page 30 of the land records of said St. Louis County, Missouri, being all of a tract of land conveyed to Walter Wilson, et al, as described Deed Book 18051 page 1906 of said land records of St. Louis County, Missouri, all of a tract of land conveyed to STL 1, LLC as described in Deed Book

19183 page 1899 of said land records of St. Louis County, Missouri, all of a tract of land conveyed to Charlean Pearson as described Deed Book 16019 page 2853 of said land records of St. Louis County, Missouri, all of a tract of land conveyed to Joseph Whitlock, as described Deed Book 16252 page 1736 of said land records of St. Louis County, Missouri, and all of a tract of land conveyed to Timothy Barry as described in Parcel 3 of Deed Book 9080 page 1944 of said land records of St. Louis County, Missouri, and being more particularly described as follows:

COMMENCING at a found 1/2 inch iron pipe marking the Northwest corner of said Lot 57 of Rannell's Subdivision of the Home Farm; thence along the North line of said Lot 57, North 89 degrees 58 minutes 51 seconds East a distance of 400.00 feet to a set 1/2 inch iron rod marking the Northeast corner of Baneker Avenue being 50 feet wide, Right-Of-Way Dedication Plat, filed for record in Deed Book 20979 page 672 of said land records of St. Louis County, Missouri, said Northeast corner also being the TRUE POINT OF BEGINNING of the tract herein described; thence continuing along said North line of Lot 57, South 89 degrees 56 minutes 39 seconds East a distance of 252.18 feet to a found 1/2 inch iron pipe labeled LS-199-D marking the Northwest corner of a tract of land conveyed to the City of Richmond Heights, Missouri as described Deed Book 20783 page 2097 of said land records of St. Louis County, Missouri; thence leaving said North line of Lot 57 along the West line of said City of Richmond Heights tract, South 00 degrees 01 minutes 28 seconds West a distance of 140.00 feet to a found 1/2 inch iron pipe labeled LS-199-D Southwest corner of said City of Richmond Heights tract, said Southwest corner being on the North right-of-way line of Elinor Avenue, 50 feet wide; thence leaving said West line of the City of Richmond Heights tract along said North right-of-way line of Elinor Avenue, North 89 degrees 56 minutes 39 seconds West a distance of 252.40 feet to a set 1/2 inch iron rod marking the Southeast corner of said Baneker Avenue right-of-way; thence leaving said North right-of-way line along the East right-of-way line of said Baneker Avenue right-of-way, North 00 degrees 07 minutes 00 seconds East a distance of 140.00 feet to the point of beginning.

Containing 0.811 Acres (35,320 Square Feet), according to Survey by Grimes Consulting dated February 2014.

SECTION 2. The preliminary development packet for the properties described above is set forth in the plats and plans appended hereto as Exhibit A and made a part hereof for the Boys Hope/Girls Hope St. Louis (BHGH) and such preliminary development packet is hereby approved as such under Section 405.260 of the Richmond Heights Zoning Ordinance subject to the following conditions:

1. The landscaped areas shall be maintained with plants and trees replanted as necessary.
2. The trees, plants and shrubs shall be irrigated, with the irrigation system properly maintained.
3. The parking lot shall be maintained, kept properly sealed and striped.
4. The dumpster enclosure shall be maintained free of any debris and the trash container shall be kept with tight fitting lids.
5. All lighting to be shaded to prevent any glares or light spillage onto the adjacent property.
6. Petitioner shall cause a copy of this permit to be filed for recording in the office of the Recorder of Deeds for St. Louis County, at the owner's expense and a copy of such recorded document shall be filed with the City of Richmond Heights Zoning Administrator.
7. All other provisions, regulations and conditions set forth herein the City Zoning Ordinance and the City Municipal Code shall be faithfully observed by Permittee, its assignees and lessees, and their agents, servants and employees. Any violation of the provisions, regulations and conditions shall be cause for revocation of the Conditional Use Permit.
8. All service utilities shall be underground.

9. A concrete sidewalk for the public use shall be installed along Elinor Ave. under a permit from the Public Works Department. (Note: Any work within the public right of way must be performed under a permit from the Public Works Department.)
10. Should any change of use occur to the property it may be necessary to provide more parking as required under the code.
11. A door shall be installed in the east wall of the activity room adjacent to the parking lot to allow accessible (ADA) access to the buildings. An awning shall be installed above the new door to provide weather protection. In addition a notification system for access shall be provided.

SECTION 3. The uses permitted on the properties described above in Section 1 shall be those uses as are set forth in Appendix "A" to the Richmond Heights Zoning Ordinances for a "Planned Development Mixed-Use Zoning District".

SECTION 4. The area regulations and performance standards applicable to the properties described above in Section 1 shall be those described in Section 405.260 of the Richmond Heights Zoning Ordinances except as modified by the preliminary approval by the Plan and Zoning Commission at their hearing on February 19, 2015.

SECTION 5. The Mayor and other appropriate officers of the City of Richmond Heights, Missouri are hereby authorized to execute such documents and agreements as are necessary to complete the intents and purposes of this Ordinance.

SECTION 6. The sections of this Ordinance shall be severable. In the event that any of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections of this Ordinance are valid, unless the court finds that the valid sections of this Ordinance are so essential to and inseparably connected with and dependent upon the void section that it cannot be presumed that the City Council has enacted the valid sections without the void ones, or unless the court finds that the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

SECTION 7. This Ordinance shall take effect and be in full force on the thirty-first day following its passage and being signed as provided by law.

PASSED AND APPROVED this 6th day of April, 2015.

JAMES J. BECK
MAYOR

ATTEST:

PATRICIA S. VILLMER
DEPUTY CITY CLERK

APPROVED AS TO FORM:

KENNETH J. HEINZ
CITY ATTORNEY

First reading: March 16, 2015
Second reading: April 6, 2015

Exhibit A:

