

AN ORDINANCE APPROVING THE FINAL PLAT FOR A SUBDIVISION DIVIDING A CERTAIN TRACT OF LAND DESCRIBED AS LOT 12 AND PART OF LOT 13 OF LAVINA TERRACE, AT 1107 E. LINDEN AVENUE; KNOWN AS CENTRAL PARK TOWNES TOWNHOMES, INTO 42 SEPARATE LOTS; TO BE KNOWN AS LOT NO. 1 THROUGH LOT NO. 42 IN THE CITY OF RICHMOND HEIGHTS, MISSOURI.

WHEREAS, by Petition #2016-5 Pulte Homes of St. Louis LLC petitioned for a subdivision of their property at 1107 E. Linden Avenue in the City of Richmond Heights, Missouri, and which allows the existing lots to become forty-two (42) separate lots for each of the individual townhomes to be constructed on this tract of land; and

WHEREAS, said Petition with revised subdivision plot was referred to the Plan and Zoning Commission which considered the matter at its meeting held January 21, 2016, and recommended approval of said plan with the following conditions:

1. All public streets shall be kept continuously clean during all construction activities. Permits shall be necessary for public sidewalks; curb cuts and aprons from the Public Works Department.
2. All signage shall conform to the Sign Ordinance of the Richmond Heights Municipal Code (including, where applicable, necessary sight triangles).
3. All landscaped areas shall be continually maintained, nourished and trimmed as needed. All damaged, dead or diseased plants shall be replaced as necessary.
4. An underground water irrigation system shall be provided for all lawn and landscaped areas.
5. All parking spaces, aisle widths, striping, parking lot and driveway construction, including driveway aprons, will meet ordinance requirements and standards found in the Richmond Heights Municipal Code.
6. The Petitioner shall keep all roads, drives and parking areas sealed and repaired, and maintained free of debris. They shall remove snow, ice, sleet, dirt and trash from all parking drive areas and sidewalks, including the adjacent public sidewalk.
7. Parking lot lighting will be at least 1½ foot candles average on the pavement. No light spillage will emit nor may any glare be cast, onto any neighboring properties. The light bulb filaments shall not be visible from any adjacent right of way or private property.
8. Petitioner shall within thirty (30) days of this meeting, notify the Zoning Administrator, in writing, that all the conditions as provided herein, are acceptable and that such conditions are understood and shall be observed.
9. Petitioner, their assignees and lessees, if any, as well as their agents, servants and employees shall faithfully observe the provisions, regulations and conditions set forth in this permit, the Zoning Ordinance, and the City's Municipal Code.
10. Permittee shall cause a copy of the Preliminary Development Plan to be filed for the record in the office of the Recorder of Deeds for St. Louis County at the expense of the Petitioner. A copy of such recorded permit, including book and page number of such

document shall be filed with the Zoning Administrator of the City of Richmond Heights prior to commencement of the use, which is the subject thereof.

11. All HVAC equipment must be screened from view of any public right of way.
12. A Site Plan bond of \$100,000 shall be posted in a form acceptable to the Richmond Heights City Attorney to ensure performance obligations of the applicant and to make improvements shown on the Site Plan; and may be used to restore the site if the project is abandoned. Portions of the bond may be rebated back to the Petitioner as the work progresses.
13. Construction traffic in connection with the Galleria Station apartment development shall use E. Linden Ave. to McMorrow Ave. to service the site.
14. The requested rezoning shall not take effect until an approved Site, Preliminary and Final Development Plan have been approved by the Plan and Zoning Commission and City Council.
15. All trash and recycling containers will be stored in the garages other than on the day of collection.
16. The brick shown on the front building elevation shall be wrapped around the sides of the buildings for a distance of at least 10 feet; for the building fronting on E. Linden. (Note: this condition was revised to eliminate the wrapped brick, instead allowing a block wainscoting along the length of the building).
17. All utilities serving the development shall be placed below ground.

WHEREAS, the City Council hereby deems Petitioner's application, the material furnished, and the Final Plat, as presented in Exhibit A to be sufficient to applicable sections of the Zoning Ordinance; and

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

SECTION 1. The Boundary Adjustment Plat submitted by Stock & Associates Consulting Engineers, being a subdivision of property in the City of Richmond Heights, Missouri, as particularly described and shown on the plat attached hereto as Exhibit "A", is hereby approved subject to the following conditions:

1. Approval of the Final Plat by the City Council shall be by ordinance and shall be certified on the document to be filed for record over the signature of the mayor, the city clerk, and the seal of the City of Richmond Heights. The Final Plat, endorsed with the approval of the City Council, together with a certified copy of the ordinance granting such approval shall be filed for record in the office of the St. Louis County Recorder of Deeds at the expense of the subdivider, the exact terminology to be determined by the County Recorder. Within ten (10) days after the recording of the Final Plat, the subdivider shall file with the zoning administrator a copy of such recorded Final Plat and ordinance, or the book and page number thereof, for the City's file.

SECTION 2. The Mayor and the City Clerk are authorized to endorse on the Final Plat described above in Section 1 the approval of the City Council and to affix thereto the seal of the City of Richmond Heights, Missouri.

SECTION 3. All ordinances or parts of ordinances inconsistent or in conflict herewith are hereby repealed.

SECTION 4. 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 SIGNED this 21st day of March, 2016.

JAMES J. BECK
MAYOR

ATTEST:

PATRICIA S. VILLMER
DEPUTY CITY CLERK

APPROVED AS TO FORM:

KENNETH J. HEINZ,
CITY ATTORNEY

First reading: March 7, 2016
Second reading: March 21, 2016

Exhibit A

