

AN ORDINANCE APPROVING A SITE PLAN REVIEW AND A PRELIMINARY AND FINAL DEVELOPMENT PLAN PETITIONED BY SUMMIT DEVELOPMENT GROUP LLC, TO ALLOW THE CONSTRUCTION OF A HOTEL, RESTAURANTS, AND A RETAIL SITE LOCATED AT THE CORNER OF DALE AVENUE AND HANLEY ROAD (8131 DALE AVENUE) IN THE CITY OF RICHMOND HEIGHTS, MISSOURI.

WHEREAS, SUMMIT DEVELOPMENT GROUP LLC petitioned for approval of a Site Plan Review, and a Preliminary and Final Development Plan for the site development of a hotel, restaurants and retail site as described below in Section 1; and

WHEREAS, said Petition #2016-16 was referred to the Plan and Zoning Commission, and

WHEREAS, at its meeting on October 20, 2016, 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 the law and ordinance; and

WHEREAS, a public hearing was held before the Council of the City of Richmond Heights on November 7, 2016 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:

PROPERTY DESCRIPTION

TOTAL TRACT

A tract of land being part of Lot 85 of Rannells Subdivision of the Home Farm according to plat thereof recorded in Plat Book 9, Pages 30 and 31, part of the Re-Subdivision of Northwest part of Lot 85 of Rannell's Home Farm, according to plat thereof recorded in Plat Book 30 page 33, part of Block 2, Zimmerman's Subdivision according to plat thereof recorded in Plat Book 15, Page 127 and Adjusted Lot 1 of the West Heights Boundary Adjustment Plat as recorded in Plat Book 349, Page 608 both of the St. Louis County Records, Parts of Dumas Street and Banneker Avenue, located in U.S. Surveys 2484 and 2939, Township 45 North, Range 6 East of the Fifth Principal Meridian, City of Richmond Heights, St. Louis County, Missouri, being more particularly described as follows:

Beginning at the intersection of the east right-of-way line of South Hanley Road, variable width, as established by instrument recorded in Book 4628, Page 974 of above said records, with the north right-of-way line of Dale Avenue, 100 feet wide; thence along said north right-of-way line, North 89 degrees 03 minutes 16 seconds East, 697.13 feet to the west line of a tract of land as conveyed to the City of Richmond Heights by instrument recorded in Book 10836, Page 285 of above said records; thence along said west line the following courses and distances: North 01 degrees 05 minutes 44 seconds West, 72.05 feet to a point of curvature to the left having a radius of 200.00 feet; along said curve with an arc length of 126.48 feet and a chord which bears North 19 degrees 12 minutes 45 seconds West, 124.38 feet; North 37 degrees 09 minutes 31 seconds West, 136.50 feet and South 89 degrees 03 minutes 16 seconds West, 26.20 feet to the east line of above said Re-Subdivision of Northwest part of Lot 85 of Rannell's Home Farm; thence along said east line, North 01 degrees 05 minutes 54 seconds West, 19.79 feet; thence departing last said east line the following courses and distances: North 35 degrees 08 minutes 33 seconds West, 63.98 feet; North 08 degrees 52 minutes 17 seconds West, 179.23 feet; South 89 degrees 02 minutes 08 seconds West, 293.63 feet; South 00 degrees 45 minutes 55 seconds East, 122.32 feet to a point of curvature to the right having a radius of 122.75 feet; along said curve with an arc length of 147.00 feet and a chord which bears South 33 degrees 32 minutes 29 seconds West, 138.37 feet to a point of tangency; South 67 degrees 50 minutes 53 seconds West, 35.87 feet and South 22 degrees 09 minutes 07 seconds East, 20.25 feet to the north right-of-way line of Dumas Street, 50 feet wide; thence crossing Dumas Street, South 57 degrees 21 minutes 46 seconds West, 95.18 feet to the south right-of-way line of said street; thence along said right-of-way line, South 89 degrees 03 minutes 16 seconds West, 27.57 feet to its intersection with the east right-of-way line of above said South Hanley Road, said point also being located on a curve to the left having a radius of 102.50 feet; thence along said right-of-way line the following courses and distances: along said curve with an arc length of 48.89 feet and a chord which bears South 11 degrees 24 minutes 36 seconds West, 48.43 feet; South 02 degrees 03 minutes 38 seconds East, 134.27 feet to the beginning of a curve to the left having a radius of 67.50 feet and along said curve with an arc length of 57.99 feet and a chord which bears South 26 degrees 40 minutes 19 seconds East, 56.22 feet to the Point of Beginning and containing 283,315 square feet or 6.504 acres more or less according to calculations performed by Stock & Associates Consulting Engineers, Inc. on August 7, 2015.

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 part hereof for the construction of a hotel, restaurants, and retail build project to be known as The Crossings at Richmond Heights at the corner property of Dale Avenue and Hanley Road (8131 Dale Avenue) 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. All signage shall conform to Chapter 3 of the Richmond Heights Municipal Code (including, where applicable, necessary sight triangles) except as approved herein.
2. All landscaped areas shall be continually maintained, nourished and trimmed as needed. All plants shall be replaced as necessary.
3. An underground water sprinkler system shall be provided for all lawn and landscaped areas.
4. Dumpster enclosures shall be kept properly maintained and in a sanitary condition.
5. All parking spaces, aisle widths, striping, parking lot and driveway construction, including driveway aprons, will meet all the ordinance requirements and standards found in the Richmond Heights Municipal Code.
6. The property owner shall keep all roads, drives and parking areas sealed and repaired, and maintained free of debris. The property owner 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.
8. All service utilities shall be underground.
 9. All street curbs shall be of concrete, stone or other approved materials.
 10. The overhead utility lines such as electric, phone and cable, along Dale Ave. shall be placed underground.
 11. For safety and security at least three wireless cameras, as approved by Richmond Heights Police Department, capable of pan, tilt and zoom shall be installed to allow there signals to be received by the Richmond Heights Police Department.
 12. A performance guarantee of at least one hundred thousand dollars shall be made by the developer in a form approved by the City Attorney, to ensure necessary improvements are made to the streets, sidewalks, landscaping, etc. The funds may also be used by the City should it be necessary to restore the site if the project is abandoned.
 13. 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.
 14. The property owner, 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 the Final Development Plan, Zoning Ordinance and the City's Municipal Code.
 15. Petitioner shall cause a copy of the Final 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 and provide proof of such recording to the Zoning Administrator and provide a Mylar copy of such plan to the Zoning Administrator as well.
 16. The Dale Ave. streetscape, pedestrian light fixtures shall be continued along Dale; using light fixtures approved by the City with fixtures spaced to match the existing lights.
 17. Permits from Richmond Heights Public Works Department shall be required for all work in the Dale Ave. right-of-way.
 18. A street deposit of \$10,000 will be required. The deposit will cover any damage to the public right-of-way of to address any nuisance conditions to the right-of-way or adjacent to it.
 19. A landscaping plan must be submitted to the Zoning Administrator for approval.

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.

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 21st day of November, 2016.

JIM THOMSON
MAYOR

ATTEST:

PATRICIA S. VILLMER
DEPUTY CITY CLERK

APPROVED AS TO FORM:

KENNETH J. HEINZ
CITY ATTORNEY

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