

AN ORDINANCE APPROVING A SITE PLAN REVIEW, PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR PHASE II OF THE BOULEVARD SOUTH DEVELOPMENT, LOCATED GENERALLY BETWEEN DARST AVENUE ON THE NORTH, HIGHWAY I-170 ON THE EAST, BRENTWOOD BOULEVARD ON THE WEST AND ANTLER DRIVE ON THE SOUTH SIDE OF THE PROJECT IN THE CITY OF RICHMOND HEIGHTS, MISSOURI.

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WHEREAS, CE Boulevard Phase II, LLC, Ramzi Hassan, managing member, seeking approval for a Preliminary and Final Development, Plan and Site Plan Review for Phase II of The Boulevard Development. The property is located generally between Darst Ave. on the north, Highway I- 170 on the east, Brentwood Boulevard on the west and Antler Drive on the south side of the project and the total redevelopment of the middle one-third of the Francis Place Redevelopment area.

WHEREAS, said petition was referred to the Plan and Zoning Commission; and

WHEREAS, at its meeting on June 21, 2018, 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 July 16, 2018 upon said petition; and

WHEREAS, The Council of the City of Richmond Heights believes it desirable that the Site Plan Review, 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 Site Plan Review, Preliminary and Final development plan approval relates are legally described as follows:

LEGAL DESCRIPTION  
LOT A  
PROPERTY DESCRIPTION

A tract of land being Lots 1 and 2 of the "Boundary Adjustment Plat of Lots 24, 25, 26 & 27, Block 2, of Darstmoor", a subdivision according to the plat there of recorded in Plat Book 352 Page 865 of the St. Louis County Records and part of Lots 4 and 5 and Lots 6

thru 23 and part of a North-South Alley in Block 2 and part of Francis Place of "Darstmoor", a subdivision according to the plat thereof recorded in Plat Book 17 Page 18 of the St. Louis County Records, situated in U.S. Survey 2485, Township 45 North, Range 6 East, City of Richmond Height, St. Louis County, Missouri, being more particularly described as follows:

Beginning at the intersection of the Eastern Line of Francis Place, 50 feet wide, with the Northern Line of Antler Avenue, 30 feet wide and platted as Frandar Drive; thence departing said Eastern Line and along said Northern Line, North 87 degrees 10 minutes 43 seconds West, 323.85 feet to the Northeastern Line of a tract of land conveyed to St. Louis County, according to Deed Book 7372 Page 2409 of the St. Louis County Records; thence along said Northeastern Line, 31.09 feet along a curve to the right having a radius of 27.00 feet and a chord bearing North 30 degrees 16 minutes 58 seconds West 29.40 feet to the Eastern Line of Brentwood Boulevard, variable width and platted as North & South Road; thence along said Eastern Line, North 02 degrees 44 minutes 46 seconds East, 512.60 feet to the intersection of said Eastern Line with the Eastern Line of a tract of land conveyed to St. Louis County, according to Deed Book 7372 Page 2415 of the St. Louis County Records; thence along said St. Louis County's Eastern Line the following courses and distances, North 14 degrees 03 minutes 22 seconds East, 61.19 feet; thence North 02 degrees 44 minutes 46 seconds East, 2.76 feet to the Southern Line of "The Boulevard Phase 1A", a subdivision according to the plat thereof recorded in Plat Book 352 Page 866 of the St. Louis County Records; thence departing said Eastern Line and along the common line of said Southern Line and the Northern Line of Lots 4 in said Block 2 and the Northern Line of the "Boundary Adjustment Plat of Lots 24, 25, 26 & 27, Block 2, of Darstmoor", the following courses and distances, South 87 degrees 10 minutes 43 seconds East, 256.89 feet; thence 10.07 feet along a curve to the right having a radius of 1340.00 feet and a chord bearing South 03 degrees 50 minutes 16 seconds East 10.07 feet; thence South 87 degrees 10 minutes 43 seconds East, 111.39 feet to the Western Line of Interstate Route 170; thence along said Western Line the following courses and distances, 41.48 feet along a curve to the left having a radius of 681.67 feet and a chord bearing South 18 degrees 07 minutes 20 seconds West 41.47 feet to a point of reverse curvature; thence 202.98 feet along a curve the right having a radius of 681.67 feet and a chord bearing South 11 degrees 20 minutes 06 seconds West 202.23 feet to a point of tangency; thence South 02 degrees 48 minutes 17 seconds West, 350.00 feet to the point of beginning, containing 206,304 square feet or 4.736 acres more or less, according to the calculations performed by Stock & Associates Consulting Engineers, Inc. on June 14, 2006.

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 CE Boulevard Phase II Development Plan and all submittals with the application dated April 26, 2018, and such preliminary\_development packet hereby approved as such under Section 405.390 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).

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 Petitioner 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. Snow shall not be pushed onto Brentwood Boulevard.
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 new main street shall be marked to prohibit parking except as allowed in those areas shown on the site development drawing. Crosswalks, stop signs and street speed limits shall be marked with the approval of the Traffic and Safety Committee.
11. Except for temporary closing, not to exceed duration of 5 to 10 minutes, the Police and Fire Departments shall be consulted before the main street is closed for any extended period.
12. Fire hydrants shall be installed along Brentwood Boulevard, and Main Street (The Boulevard) as directed by the Fire Department.
13. The developments 12 inch water main shall be connected to the 24 inch water main owned by Missouri American Water Company, or other options satisfactory to the Fire Chief to assure adequate water supply to the Development.
14. Antler Drive in its entirety shall be rebuilt to Richmond Heights' standards.
15. Street lights along Brentwood Boulevard and the new Main Street (The Boulevard) shall closely match the fixtures in Phase I. The fixtures used in the parking garage shall also be similar to Phase I.
16. For safety and security, at least two wireless cameras, as approved by the Richmond Heights Police Department, capable of pan, tilt and zoom shall be installed to monitor the main drive and pedestrian areas.
17. During construction, Galleria Parkway and Brentwood Boulevard will be maintained unobstructed except as required to perform the necessary improvement to the roadways and utilities.
18. 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.
19. 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.
20. 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 the Final Development Plan, Zoning Ordinance and the City's Municipal Code.
21. Permittee 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.

22. There shall be consistency between Phase I and Phase 2 regarding landscaping, lighting, benches, bike racks, sidewalks and pavers.

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 19th day of May, 2014.

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JIM THOMSON  
MAYOR

ATTEST:

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PATRICIA S. VILLMER  
DEPUTY CITY CLERK

APPROVED AS TO FORM:

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KENNETH J. HEINZ  
CITY ATTORNEY

First reading: July 16, 2018  
Second reading: August 6, 2018

Exhibit A

