

AN ORDINANCE AMENDING ORDINANCE NO. 4788, THE MUNICIPAL CODE OF THE CITY OF RICHMOND HEIGHTS, MISSOURI; CHAPTER 405 ZONING REGULATIONS; AMENDING THE DISTRICT MAP BY CHANGING THE ZONING CLASSIFICATION OF A CERTAIN PARCEL OF PROPERTY, LOCATED AT 6314 CLAYTON ROAD IN THE CITY OF RICHMOND HEIGHTS, MISSOURI FROM C2 GENERAL BUSINESS DISTRICT TO R6 MULTI-FAMILY RESIDENTIAL DISTRICT TO ALLOW FOR CONSTRUCTION OF TWO (2) ATTACHED HOMES.

WHEREAS, Petition 2022-11; owner Craig Pagano, Pagano Land Development, is seeking approval for rezoning for a certain parcel of land to permit construction of two (2) attached homes; and

WHEREAS, said Petition # 2022-11 was referred to the Plan and Zoning Commission; and

WHEREAS, at its meeting on December 15, 2022, said Petition was heard, the Plan and Zoning Commission approved the rezoning request to rezone from C2 to R6 Multi-Family Residential and reviewed and approved Site Plan of said petition; and

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

WHEREAS, a public hearing will be held before the Council of the City of Richmond Heights, Missouri on January 3, 2023 upon said petition; and

WHEREAS, The Council of the City of Richmond Heights, Missouri believes it desirable that the rezoning 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 rezoning relates to are legally described as follows:

LEGAL DESCRIPTION

PARCEL 1:

The West 25 feet of Lot 9 and the East 22 feet 6 inches of Lot 10 in Block "E" of Hi-Pointe, according to the plat recorded in Plat Book 11 pages 30 and 31 of the St. Louis County Recorder's office, having an aggregate front of 47 feet 6 inches on the South

line of Clayton Road, by a depth Southwardly of 149.5 feet, more or less, to an alley.

PARCEL 2:

That part of a 12 foot wide former public alley adjoining Parcel 2 above on the South and as now vacated by Ordinance No. 2152 of the City of Richmond Heights, a copy of said Ordinance is recorded in Book 3920 page 592 of the St. Louis County Records, and also all that portion of the Northern 10 feet of the 30 foot former public service right of way adjoining that portion of the aforesaid 12 foot alley on the South and which right of way was abandoned by instrument recorded in Book 2506 page 335 of the St. Louis County Records.

SECTION 2. 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 "Multi-Family Residential Zoning District". Rezoning of this area from General Business District C2 to R6 Multi-Family Residential shall not take place unless the Site Plan for this project has been approved.

SECTION 3. 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 4. The application for the properties described above is set forth in the appended hereto as **Exhibit A** and is hereby approved as such under Section 405.390 of the Richmond Heights Zoning Ordinance subject to 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 landscaped areas shall be continually maintained, nourished and trimmed as needed. All damaged, dead or diseased plants shall be replaced as necessary.
3. An underground water irrigation system shall be provided for all lawn and landscaped areas.
4. 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.
5. 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.
6. All HVAC equipment must be screened from view of any public right of way.
7. Prior to construction of the storm drainage system, drawings, specifications and calculations shall be filed with Metropolitan Sewer District for permit approval and also with the city of Richmond Heights for review. As-built drawings shall be furnished.

8. Copies of the Homeowners Association bylaws and rules shall be furnished to the City.
9. The requested re-zoning shall not take effect until the approved Site Plan has been approved by the City Council.
10. A refundable street deposit of \$10,000 will be required. This deposit will cover any damage to the public right-of-way and address any nuisance conditions to the right-of-way or adjacent to it.
11. 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.
12. 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.
13. 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.

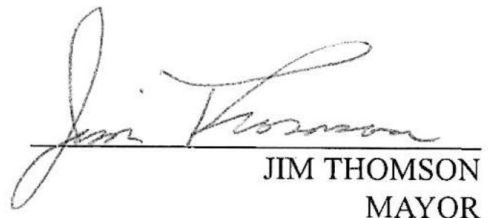
SECTION 5. The City Council of the City of Richmond Heights declares the rezoning of the property in question to be in accordance with the Comprehensive Plan and is hereby approved.

SECTION 6. 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 7. 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 8. 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 1st day of May, 2023.

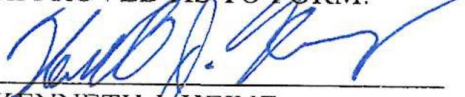

JIM THOMSON
MAYOR

ATTEST:



AMY HAMILTON
CITY CLERK

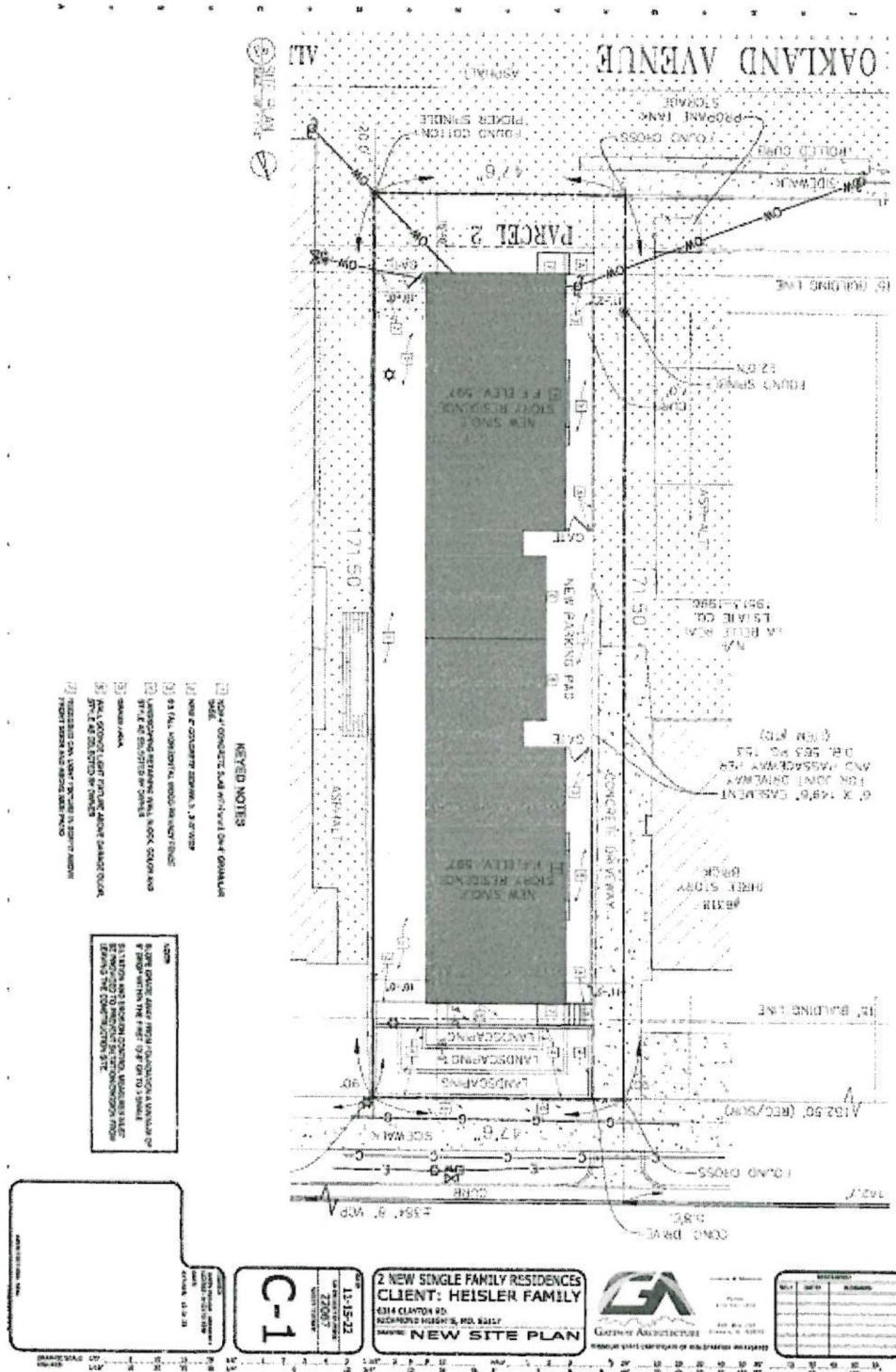
APPROVED AS TO FORM:



KENNETH J. HEINZ
CITY ATTORNEY

First reading: January 17, 2023
Second reading: April 17, 2023

Exhibit A



REVISION NOTES

- 1) NEW CONCRETE SIDE WALK ON 4' SIDEWALK
- 2) NEW 2' CONCRETE SIDEWALK, 3' STRIPS
- 3) 6" DIA. VERTICAL SINKS AS NOTED
- 4) LANDSCAPING INCLUDING TREES, ROCK, GRASS AND GRV. E. OF BUILDING FOOTPRINT
- 5) SEE PLAN
- 6) NEW 1.5 STORY TYP. FRONT PORCH GARAGE DOOR
- 7) REVISIONS TO LANDSCAPING AND SIDEWALK

ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
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C-1
 11-15-21
 20207

2 NEW SINGLE FAMILY RESIDENCES
CLIENT: HEISLER FAMILY
 6314 CLAYTON RD.
 HUNTSVILLE, AL 35894
NEW SITE PLAN



NO.	DATE	REVISION

DATE: 11-15-21
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 SCALE: 1/8" = 1'-0"