

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, GENERALLY LOCATED AT 7310, 7316, AND 7318 ETHEL AVENUE AND 1051, 1061 BELLEVUE AVENUE AND 7307 HOOVER AVENUE IN THE CITY OF RICHMOND HEIGHTS, MISSOURI FROM R-5 MULTI-FAMILY TO PLANNED DEVELOPMENT RESIDENTIAL DISTRICT TO ALLOW FOR CONSTRUCTION OF A SENIOR LIVING CENTER KNOWN AS THE BELLEVUE AT ST. MARY'S.

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WHEREAS, Petition 2015-01; TLG BELLEVUE PARTNERS, LLC, Steve Smith, authorized representative, is seeking approval for rezoning for certain parcels of land to permit construction of a senior living center in the City of Richmond Heights, Missouri; and

WHEREAS, said Petition # 2015-01 was referred to the Plan and Zoning Commission; and

WHEREAS, at its meeting on March 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, Missouri on April 20, 2015 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**

LOT A

ALL OF LOTS 9, 10, 11, 12, 13 AND PART OF LOT 14 IN BLOCK 4 OF F.M. STERRETT'S ADDITION TO FOREST PARK HEIGHTS, ACCORDING TO THE PLAT THEREOF RECORDED

IN PLAT BOOK 4 PAGE 47 OF THE ST. LOUIS COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 3/4" IRON PIPE AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF ETHEL AVENUE (60' W.) AND THE WEST RIGHT OF WAY LINE OF BELLEVUE AVENUE (60' W.); THENCE ALONG SAID WEST RIGHT OF WAY LINE, SOUTH 06 DEGREES 40 MINUTES 40 SECONDS WEST, 316.00 FEET TO THE INTERSECTION OF SAID WEST RIGHT OF WAY LINE AND THE NORTH RIGHT OF WAY LINE OF HOOVER AVENUE (60' W.), FROM WHICH A FOUND 1/2" IRON PIPE BEARS NORTH 0.1'; THENCE ALONG SAID NORTH RIGHT OF WAY, NORTH 82 DEGREES 59 MINUTES 20 SECONDS WEST, 51.14 FEET TO A FOUND CROSS AT THE SOUTHWEST CORNER OF THE AFOREMENTIONED LOT 13; THENCE ALONG THE WEST LINE OF SAID LOT 13, NORTH 06 DEGREES 40 MINUTES 40 SECONDS EAST, 123.00 FEET TO A SET CROSS; THENCE LEAVING SAID WEST LINE, THROUGH THE AFOREMENTIONED LOT 14, NORTH 82 DEGREES 59 MINUTES 20 SECONDS WEST, 50.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 14, THENCE ALONG WEST LINE OF SAID LOT 14, NORTH 06 DEGREES 40 MINUTES 40 SECONDS EAST, 35.00 FEET TO A FOUND IRON PIPE WITH CAP STAMPED "L.S. 2002006373", SAID POINT BEING THE NORTHWEST CORNER OF SAID LOT 14; THENCE ALONG THE SOUTH LINE OF THE AFOREMENTIONED LOTS 9 AND 10, NORTH 82 DEGREES 59 MINUTES 20 SECONDS WEST, 100.00 FEET TO A SET 1/2" x 18" REBAR WITH CAP STAMPED "MARLER L.S.-347-D", SAID POINT BEING THE SOUTHWEST CORNER OF SAID LOT 9; THENCE ALONG THE WEST LINE OF SAID LOT 9, NORTH 06 DEGREES 40 MINUTES 40 SECONDS EAST, 158.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 9, BEING ON THE SOUTH RIGHT OF WAY LINE OF THE AFOREMENTIONED ETHEL AVENUE, FROM WHICH A FOUND 1/2" IRON PIPE BEARS SOUTH 52 DEGREES 29 MINUTES EAST, 0.25' ; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE, SOUTH 82 DEGREES 59 MINUTES 20 SECONDS EAST, 201.14 FEET TO THE POINT OF BEGINNING AND CONTAINING 41,609 SQUARE FEET OR 0.95 ACRES MORE OR LESS AS SURVEYED BY MARLER SURVEYING COMPANY, INC. DURING THE MONTH OF MAY, 2014.

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 "Planned Development Residential Zoning District".

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 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 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 4th day of May, 2015.

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JAMES J. BECK  
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: April 20, 2015

Second reading: May 4, 2015