

AN ORDINANCE AMENDING ORDINANCE NO. 4788, THE MUNICIPAL CODE OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, BY AMENDING CHAPTER 405, ZONING REGULATIONS; SECTION 405.100, THE ZONING DISTRICT MAP, BY CHANGING A CERTAIN PARCEL OF PROPERTY, GENERALLY DESCRIBED AS PART OF LOTS 5 & 6 OF THE SUBDIVISION OF SCHOOL LANDS IN THE CITY OF RICHMOND HEIGHTS, MISSOURI, FROM A ZONING CLASSIFICATION OF PLANNED DEVELOPMENT RESIDENTIAL ZONING TO C-2 GENERAL BUSINESS DISTRICT.

WHEREAS, by Petition #2011-15, Eager Road Development, LLC, Hany Abounader, member, has requested rezoning of their property along the north side of the 8800 Block of Eager Road, the site of the former Town and Country Apartments, generally known and described as part of Lots 5 & 6 of the Subdivision of School Lands in the City of Richmond Heights, Missouri, from a zoning classification of Planned Development Residential (PDR) to C-2 General Business District zoning designation to allow for construction of a proposed two story office building; and

WHEREAS, said Petition was referred to the Plan and Zoning Commission which, at its meeting of December 15, 2011, heard and recommended granting the petition for the rezoning of that property described below in Section 2; and

WHEREAS, a Public Hearing was held before the Council of the City of Richmond Heights on January 17, 2012, upon said Petition for rezoning; and

WHEREAS, the I-64/170 Reconstruction has changed the nature and size of the site, and significantly increasing traffic sounds, thereby reducing its viability as a residential site; and

WHEREAS, Section 405.540.A1 of the Municipal Code of the City of Richmond Heights, Missouri, Article XIII. Amendments and Changes, states the City Council shall have the authority to amend, supplement, change, modify or repeal by ordinance, text and/or map of this Chapter in accordance with the provisions of this section.

WHEREAS, the City Council believes it desirable that all property described as presented in "Exhibit A", be rezoned C-2 General Business District with certain conditions as outlined in Section 3, and finds that such rezoning will not adversely affect the surrounding property and will be in the best interest of the property owners and citizens of Richmond Heights.

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

SECTION 1. Chapter 405, Zoning Regulations, Section 405.100, The Zoning District Map and the District Map adopted as part of Ordinance No. 4788, the Municipal Code of the City of Richmond Heights, is hereby amended in accordance with Section 2 of this Ordinance.

SECTION 2. The District Map adopted as part of said Ordinance #4788, is hereby amended by changing the classification of property described in Exhibit "A" hereto, generally known and described as a certain parcel of property consisting of part of Lots 5 & 6 of the Subdivision of Public School Lands, from a zoning classification Planned Development Residential to a zoning classification of C-2 General Business District.

SECTION 3. This Ordinance amends this zoning reclassification for the purpose of the construction of the proposed office building and if construction of this office building does not commence within 360 days from the effective date of the ordinance approving this rezoning; the rezoning approval shall expire.

SECTION 4. All ordinances or parts of ordinances inconsistent or in conflict herewith are hereby repealed.

SECTION 5. 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 6th day of February, 2012.

JAMES J. BECK
MAYOR

ATTEST:

PATRICIA S. VILLMER
DEPUTY CITY CLERK

APPROVED AS TO FORM:

KENNETH J. HEINZ
CITY ATTORNEY

First reading: January 17, 2012
Second reading: February 6, 2012