

SPONSORED BY: _____
INTRODUCED BY: _____

BILL NO. 3821
ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING ISSUANCE OF A CONDITIONAL USE PERMIT TO AZACK CONSTRUCTION COMPANY, LLC, ON BEHALF OF BALAJI SEETHAPATHI, TO ALLOW THE DEVELOPMENT OF TWO MULTI-FAMILY BUILDINGS AT THE LOCATIONS KNOWN AND NUMBERED AS 180 CARMEL WOODS DRIVE AND 401 CARMEL WOODS DRIVE, WITHIN THE “C-3” COMMERCIAL ZONING DISTRICT OF THE CITY OF ELLISVILLE, MISSOURI.

WHEREAS, Azack Construction Company, LLC, on behalf of Balaji Seethapathi (the “Applicant”), has petitioned for issuance of a conditional use permit to allow the development of two multi-family buildings, three-stories and measuring over 30’ in height, at the locations known and numbered as 180 Carmel Woods Drive and 401 Carmel Woods Drive, within the “C-3” Commercial Zoning District of the City of Ellisville, Missouri; and

WHEREAS, said petition was considered by the Planning and Zoning Commission at an open meeting on October 9, 2024, pursuant to Title IV: Land Use, of the Code of the City of Ellisville, Missouri, and the Planning and Zoning Commission forwarded a positive recommendation of said petition to the City Council; and

WHEREAS, a public hearing was held by the City Council on October 16, 2024, pursuant to Title IV: Land Use, of the Code of the City of Ellisville, Missouri, regarding said petition; and

WHEREAS, all persons present at such hearing were given an opportunity to be heard and were heard; and

WHEREAS, the Council finds that the project: (1) would not adversely affect traffic conditions; (2) would not substantially increase fire hazards; (3) would not adversely affect the character of the neighborhood; (4) would not adversely affect the general welfare of the community; (5) would not overtax the sewage or public utilities; (6) would not adversely affect or overtax Police or other City services; (7) would be the highest and best use of the location applied for; (8) would not adversely affect the financial condition of the City including an adverse impact upon utility, property and sales taxes; (9) would not have a substantial negative impact on the environment; (10) is compatible with surrounding uses and the surrounding neighborhood; (11) the comparative size, floor area and mass of the proposed use and/or proposed structure are appropriate and reasonable in relation to adjacent structures and buildings on surrounding properties and in the surrounding neighborhood; (12) would not adversely affect the neighborhood in terms of water runoff, noise transfer or heat generation due to a significant amount of hard surfaced areas for buildings, sidewalk, drives, parking and service areas; (13) the frequency and duration of various indoor and outdoor activities and special events associated with the proposed use will not have a deleterious impact on the surrounding area; (14) is likely to remain in existence for a reasonable length of time and not become vacant or unused and does not involve the presence of unusual, single-purpose structures or components of a temporary nature; (15) complies with the standards of good planning practices; (16) sufficient measures have been or will be taken to negate,

to an acceptable level, any potentially adverse impacts; (17) furthers the goals and objectives set forth in the Comprehensive Plan; and (18) would comply with all applicable provisions of Title IV: Land Use; and

WHEREAS, a copy of the proposed ordinance was available for public inspection prior to consideration by the Council; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ELLISVILLE, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

SECTION 1: The Council hereby authorizes issuance of a conditional use permit Azack Construction Company, LLC, on behalf of Balaji Seethapathi, to allow the development of two multi-family buildings, three-stories and measuring over 30’ feet, at the locations known and numbered as 180 Carmel Woods Drive and 401 Carmel Woods Drive, within the “C-3” Commercial Zoning District of the City of Ellisville, Missouri, subject to the following conditions in addition to all other applicable regulations and requirements:

1. The Applicant obtains the necessary signatures for the zoning applications as required by Section 400.150(B)(1) of the Code of the City of Ellisville, Missouri;
2. All outdoor lighting complies with Sections 400.492 and 400.493 of the Code of the City of Ellisville, Missouri;
3. The Applicant complies with the recommendations of the City’s third-party traffic consultant;
4. The Applicant installs the required bicycle racks, or secures a waiver from the City Council;
5. The Applicant secures approval from the City Council for a boundary adjustment plat for 401 Carmel Woods Drive; and
6. The Applicant secures approval from the Architectural Review Board.

SECTION 2: At the request of the Applicant, and as authorized by Chapter 400 of the Code of the City of Ellisville, Missouri, the Council hereby waives the following conditions that would otherwise be required for the proposed use:

[insert or none]

SECTION 3: If the Applicant fails to obtain the approval of the Council for a boundary adjustment plat for 401 Carmel Woods Drive within 180 days of the effective date of this Ordinance, as required by Section 1 of this Ordinance, this Ordinance shall be null and void, unless an extension is granted by the Council.

SECTION 4: This Ordinance shall be in full force and effect after its passage and approval by the Council.

This Bill No. _____ having been read by title or in full two times prior to passage, and having been duly considered and voted upon was finally passed and approved this _____ day of _____, 2024.

BILL NO. 3821

ORDINANCE NO. _____

First Reading votes:

Second Reading votes:

DATE: _____

DATE: _____

	AYE	NAY	ABSTAIN
COMPTON	_____	_____	_____
NIEBLING	_____	_____	_____
SANBORN	_____	_____	_____
CAHILL	_____	_____	_____
BOGGS	_____	_____	_____
HILDEBRAND	_____	_____	_____
ROEMERMAN	_____	_____	_____

	AYE	NAY	ABSTAIN
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

ATTEST:

CITY OF ELLISVILLE

CITY CLERK

MAYOR MIKE ROEMERMAN

Approved as to form:

City Attorney

