

SPONSORED BY: _____
INTRODUCED BY: _____

BILL NO. 3829
ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A CHANGE IN ZONING OF THE PROPERTIES AT THE LOCATIONS KNOWN AND NUMBERED AS 510 AND 510A OLD STATE ROAD FROM THE “R-1” SINGLE FAMILY RESIDENTIAL ZONING DISTRICT TO THE “R-2” PLANNED RESIDENTIAL ZONING DISTRICT; AND APPROVING THE ASSOCIATED SITE DEVELOPMENT PLAN FOR THE PROPERTY.

WHEREAS, 510 Old State, LLC (the “Applicant”), has petitioned the City of Ellisville, Missouri (the “City”) for: (1) a change in zoning of the properties known and numbered as 510 (parcel locator no. 24U620503) and 510A (parcel locator no. 24U620512) Old State Road (the “Properties”) from the “R-1” Single Family Residential Zoning District to the “R-2” Planned Residential Zoning District; and (2) the approval of the associated site development plan for the Property; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission at an open meeting on December 11, 2024, pursuant to legal notices and Title IV: Land Use, of the Code of the City of Ellisville, Missouri, and the Planning and Zoning Commission forwarded a negative recommendation of said petition to the City Council; and

WHEREAS, a public hearing was held by the City Council on December 18, 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 change in zoning: (1) would not adversely affect the character of the neighborhood; (2) would not have any negative effect upon traffic conditions; (3) would not substantially increase fire hazards; (4) would not overtax the sewage or public utilities; and (5) would not adversely affect the public health, safety and general welfare of the community; 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 zoning classification for the properties known and numbered as 510 and 510A Old State Road, are hereby changed from the “R-1” Single Family Residential Zoning District to the “R-2” Planned Residential Zoning District, within the City of Ellisville, Missouri. The City Planner is hereby directed to update the City’s Zoning District Map and file a copy of same with the City Clerk.

SECTION 2: The Council hereby approves the site development plan in substantially the form of Exhibit A, attached hereto and incorporated herein by reference, submitted by 510 Old State, LLC, for the locations known and numbered as 510 and 510A Old State Road, within the City of Ellisville, Missouri, subject to the following conditions in addition to all other applicable regulations and requirements:

1. That all sidewalks in the proposed development measure 5' in width;
2. That the Applicant secures approval from the Metropolitan St. Louis Sewer District including sewer easements, water quality features, and associated maintenance agreements;
3. That the Applicant installs a sound barrier along the entire property line abutting the commercial use, instead of a privacy fence;
4. That the Applicant aligns Marion's Way with the full access driveway across Old State Road;
5. That the Applicant obtains a land disturbance permit, including SWMPP, from the Missouri Department of Natural Resources;
6. That the Applicant prepares and submits a landscape plan, including woodland preservation, for staff review and approval as part of the permit review process; and
7. That the Applicant prepares and submits a photometric plan for staff review and approval as part of the permit review process;
8. All street lighting for the proposed development comply with Section 400.493 of the Code of the City of Ellisville, Missouri;
9. That the Applicant prepares and submits a final plat for staff review and approval as part of the permit review process;
10. That the Applicant prepare and submit residential subdivision indentures and by-laws to the City Attorney for review and approval prior to residential building permit issuance per Section 405.140 of the Code of the City of Ellisville;
11. That all storm water outfall structures feature an aesthetically appealing surface/skin;
12. That the Applicant files a surety bond or escrow cash or an equivalent in the amount equal to one hundred percent (100%) of the estimated cost of construction of the development and improvements;
13. That the Applicant secures approval from Metro West Fire Protection District;
14. That the Applicant secures approval from St. Louis County; and
15. That the Applicant complies with all applicable Codes as part of building permit issuance; and
16. That the Applicant agrees to include an addendum to the sale contract for each lot notifying each buyer of the noise potential.

SECTION 3: This Ordinance shall be in full force and effect after its passage and approval of 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.

First Reading votes:

DATE: _____

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

Second Reading votes:

DATE: _____

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

ATTEST:

CITY OF ELLISVILLE

CITY CLERK

MAYOR MIKE ROEMERMAN

Approved as to form:

City Attorney

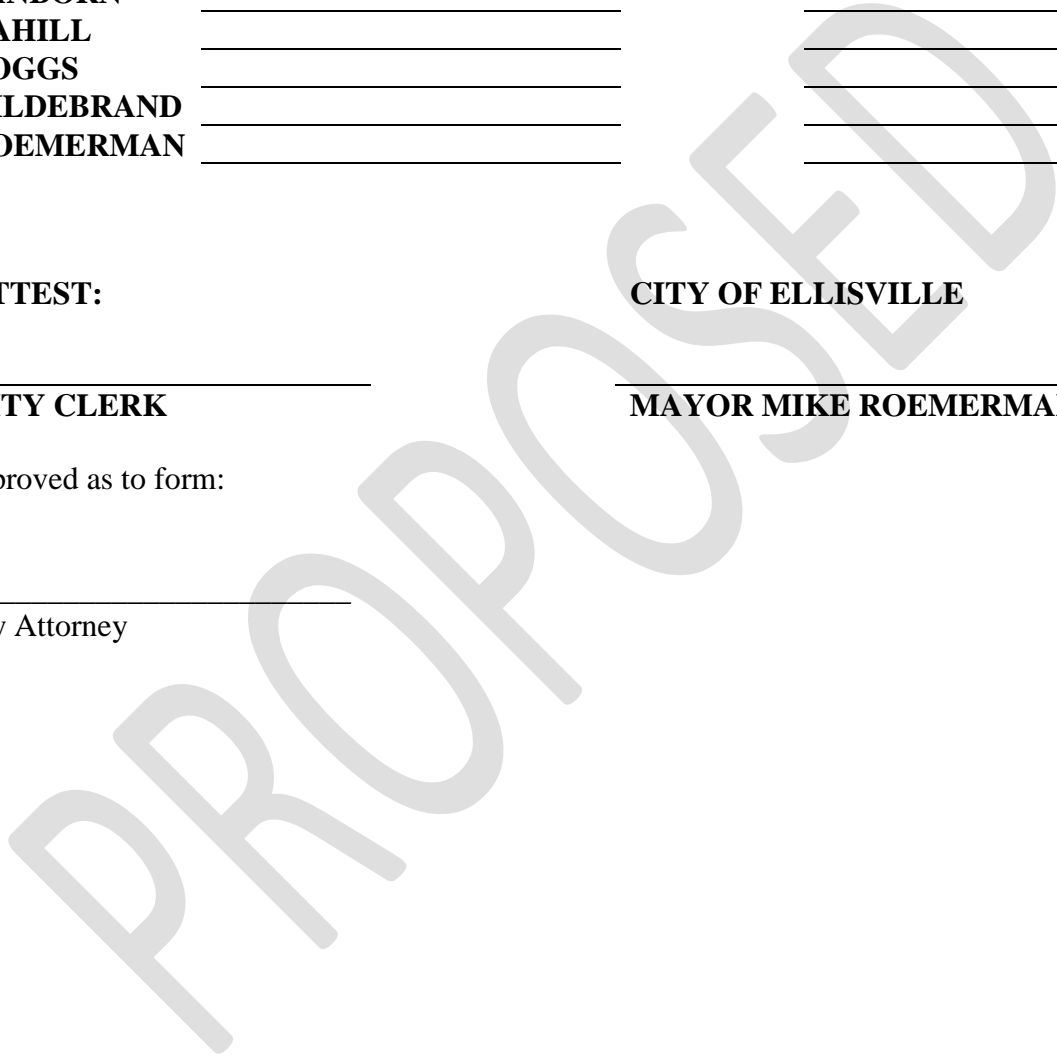


Exhibit A

[*insert Site Development Plan*]

PROPOSED