



CITY OF BALLWIN

14811 Manchester Road, Ballwin, MO 63011

ORDINANCE NO. _____

INTRODUCED BY

ALDERMEN TERBROCK, FINLEY, STALLMANN, ROACH, FLEMING, LEAHY, KERLAGON, BULLINGTON

AN ORDINANCE ADOPTING A MANCHESTER ROAD REVITALIZATION OVERLAY DISTRICT FOR CERTAIN LAND COMMONLY KNOWN AS 15505 MANCHESTER ROAD IN THE CITY OF BALLWIN AND CURRENTLY ZONED C-1 COMMERCIAL.

WHEREAS, a petition was received from Greenberg Development Company to adopt a Manchester Road Revitalization Overlay District for certain land commonly known as 15505 Manchester Road in the City of Ballwin and currently zoned C-1 Commercial; and

WHEREAS, said petition was duly referred to the Planning and Zoning Commission for its consideration and recommendation; and

WHEREAS, a public hearing before the Planning and Zoning Commission was held on March 2, 2015, upon the petition due notice of which was published and posted according to law and ordinance; and

WHEREAS, the Planning and Zoning Commission has submitted its report to the Board of Aldermen and has recommended that a Manchester Road Revitalization Overlay District for said property be adopted in accordance with the petition received; and

WHEREAS, upon review and due consideration of the Planning and Zoning Commission's report, minutes and recommendation, review of the City's Comprehensive Plan, written and oral comments from the public and submissions of the Petitioner, the Board of Aldermen finds and determines that said rezoning would not adversely affect the character of the immediate vicinity and is not inconsistent with good planning practices, would result in improved traffic and pedestrian improvements positively affecting the public safety, would not otherwise negatively affect the community's health and safety, can be developed in a manner that is not detrimental, either operational or visually, with existing land uses in the vicinity and would be beneficial to the City's general welfare by providing significant employment and tax revenues necessary to support essential municipal services.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BALLWIN, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. A Manchester Road Revitalization Overlay District is hereby adopted for certain land commonly known as 15505 Manchester Road, Ballwin, MO, in the City of Ballwin as shown on the Amended Development Plan attached hereto and made a part hereof, according to the amended development plan, building elevations and landscape plan presented to the Ballwin Planning and Zoning Commission on March 2, 2015 subject to the following requirements:

1. Vehicular site access shall be limited to one curb cut on Manchester Road (to be approved by MODOT) and one curb cut on Highview Drive as shown on the attached amended development plan.

2. On-site parking shall include 12 spaces adjacent to the detention area.
3. All storm water detention facilities shall meet all Ballwin and MSD standards for the quantity of water detained, rates of discharge and overall system capacity and design.
4. All MSD standards for water quality in effect on the date of this ordinance shall be met.
5. No building or grading permit will be issued for any work on this site for the development permitted via this ordinance until MSD issues a permit for a storm water detention and water quality plan and MoDOT issues a permit(s) for the roadway improvements proposed in the Manchester Rd. right-of-way.
6. The approved use for this development under the MRD shall be limited exclusively to an Andy's Frozen Custard restaurant to be constructed on the east end of the development and such other existing and future uses as are allowed under the C-1 and MRD regulations.
7. Unless designed as bio-retention, all parking lot islands and landscaped areas adjacent to vehicular pavement areas shall be protected by vertical concrete curbs.
8. The site landscaping shall be installed and maintained as shown on the landscaping plan attached hereto and made a part of this ordinance.
9. All HVAC mechanical equipment shall be ground-mounted and located in an enclosed compound. All such equipment, trash containers, and non roof-mounted equipment facilities, wherever located, shall be 100% screened from view from all adjoining rights-of-way, properties and all public areas of the development in a style architecturally compatible with the proposed buildings.
10. All relocated or new service lateral utility lines shall be installed underground.
11. Noise from any source within this MRD development shall comply with all noise regulations of the City of Ballwin at all times.
12. No blasting will be allowed in conjunction with the construction authorized per this MRD ordinance.

Section 2. The City Planner is authorized and directed to change "The District Map" of the City of Ballwin to reflect the changes made by this ordinance.

Section 3. This Ordinance shall take effect and be in full force from and after its passage and approval.

PASSED this ____ day of May, 2015. _____
TIM POGUE, MAYOR

APPROVED this ____ day of May, 2015. _____
TIM POGUE, MAYOR

ATTEST: _____
ROBERT KUNTZ, CITY ADMINISTRATOR