

BILL NO. 35
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SUNSET HILLS, MISSOURI, PROVIDING FOR THE APPROVAL OF AN AMENDED DEVELOPMENT PLAN FOR A PARCEL OF PROPERTY CONTAINING 0.68 ACRES, MORE OR LESS, LOCATED AT 10893 SUNSET HILLS PLAZA, SUNSET HILLS, MISSOURI, OWNED BY WAGENSEIL PROPERTIES, LLC AND MATTERS RELATED THERETO, AS PER APPLICATION P-25-21

WHEREAS, an application for an amended development plan was received from Sandin Engineering as agent of the property owner Wagenseil Properties, LLC, for approval of an amended development plan for certain real property containing 0.68 acres, more or less, legally described in Exhibit “A” of this Ordinance, and having an address of 10893 Sunset Hills Plaza, Sunset Hills, Missouri (the "Property"); and

WHEREAS, in conjunction with Application P-25-21, the Applicant has submitted an Amended Development Plan entitled “Mexican Restaurant” showing the proposed area of development which is attached hereto as Exhibit B and incorporated herein by reference (hereinafter the “Amended Development Plan”); and

WHEREAS, said application was duly referred to the Planning and Zoning Commission for its investigation and report; and

WHEREAS, public notice of a meeting of the Planning and Zoning Commission upon said application was posted according to law and ordinance; and

WHEREAS, a meeting was held before the Planning and Zoning Commission on December 1, 2021, upon said petition; and

WHEREAS, the Planning and Zoning Commission has submitted its report recommending approval to the Board of Aldermen; and

WHEREAS, the Board of Aldermen of the City of Sunset Hills, Missouri (the “Board”), after careful and due deliberation, has concluded that the proposed Amended Development Plan for the Property is appropriate, that the request is consistent with existing and planned future land use in the area, and that approval of such Amended Development Plan would be in the interests of the health, safety and welfare of the citizens of the City.

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

Section 1. The Amended Development Plan designated P-25-21 submitted by Sandin Engineering for the property at 10893 Sunset Hills Plaza, Sunset Hills, Missouri, is hereby approved, subject to the following conditions:

- A. All requirements of Appendix B of the Code of Ordinances (the Zoning Code), including, without limitation, the below listed requirements, shall either be met, anticipated to be met or the Board of Adjustment approves variances for any

substantive requirement that shall not be met.

- a. Appendix B Zoning Regulations, Section 5.13-5A1: One (1) canopy tree and four (4) shrubs shall be planted for every thirty (30) feet of frontage, to be located within a strip of land paralleling the adjacent street and having a width of not less than ten (10) feet.
- b. Appendix B Zoning Regulations, Section 5.13-5B1: One (1) canopy or ornamental tree shall be planted and maintained within the interior parking area for every four thousand (4,000) square feet of parking provided.
- c. Appendix B Zoning Regulations, Section 6.3-4A2: Setback of circulation aisles: Parking circulation aisles and parking/loading maneuvering areas may be located in a required front yard, side yard, or rear yard; provided that a minimum of five-foot setback is maintained between the paved area and the property line or right-of-way line.
- d. Appendix B Zoning Regulations, Section 6.3-5A: The required drive aisle width for parking areas with 90° spaces is twenty-four feet (24’).
- e. Per Ordinance 2217 specified illumination levels must be met.

Section 2. This ordinance shall take effect and be in full force from and after its passage and approval.

PASSED this _____ day of February, 2022

MAYOR

APPROVED this _____ day of February, 2022

MAYOR

ATTEST: _____
CITY CLERK/CITY ADMINISTRATOR