

AN ORDINANCE APPROVING THE FINAL DEVELOPMENT PLAN SUBMITTED ON BEHALF OF REGIONS BANK FOR A SITE LOCATED AT THE NORTHEAST CORNER OF MISSOURI HIGHWAY 141 AND BIG BEND ROAD IN THE CITY.

WHEREAS, The Roberts Group of Kentucky, P.C. (the “Applicant”), on behalf of the property owner, Regions Bank, submitted an application for a Preliminary Development Plan on February 10, 2017, for a 1.696-acre site, known and numbered as 1141 Meramec Station Road and legally described in **Exhibit A** attached hereto and incorporated herein (the “Property”), also known as Lot 3 of the Twin Oaks Center Subdivision, to allow Regions Bank to construct a bank branch on said parcel; and

WHEREAS, on February 22, 2016, the Twin Oaks Planning and Zoning Commission (the “Commission”) recommended approval of the request by Applicant for a Preliminary Development Plan (Stamped “Received” by City on February 10, 2017 submitted thereunder), with certain conditions by Resolution No. 17-1; and

WHEREAS, on March 1, 2017, the Board of Aldermen of the City of Twin Oaks (the “Board”), following review and study of the recommendation of the Commission, approved Applicant’s Preliminary Development Plan with conditions by Resolution 2017-03; and

WHEREAS, on June 2, 2017, Applicant submitted to the City an application for Final Development Plan review pursuant to §400.320(A)(5) of the Zoning Ordinance of the City of Twin Oaks (the “Zoning Code”) and submitted with the application a Final Development Plan consisting of the items listed in the attached and incorporated **Exhibit B**, all of which items are incorporated herein by reference as the “Final Development Plan”; and

WHEREAS, after staff reviewed the Final Development Plan for compliance and finding the Final Development Plan to be in substantial conformance to the Preliminary Development Plan and the conditions of approval contained therein, the City on June 7, 2017, held a duly noticed and published public hearing, concerning the approval of the Applicant’s Final Development Plan in accordance with §410.320 of the Zoning Code; and

WHEREAS, the Board has concluded that approval of the Applicant’s Final Development Plan would be in the interests of the health, safety and welfare of the citizens of the City and wishes to grant Final Development Plan Approval, subject to certain conditions set forth in this Ordinance;

WHEREAS, the Board now wishes to grant Final Development Plan approval to the Applicant;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN OAKS, MISSOURI, AS FOLLOWS:

Section 1. Based upon the Applicant’s submission of a Final Development Plan in substantial compliance with the conditions and terms of the Preliminary Development Plan, the

Final Development Plan attached as **Exhibit B** and incorporated herein is hereby approved pursuant and subject to §400.320 and the following conditions:

1. The Property shall be used as a bank and maintained in compliance with the approved Final Development Plan, including all notes thereon.
2. The ingress/egress point to the Property from the internal drives of the Twin Oaks Center shall be from the north as shown on the Final Development Plan; no ingress/egress to the Property shall be permitted from the west from/to the internal access drive from Big Bend.
3. Per §400.310(2), all structures shall be of brick masonry construction and the building materials and facades shall be uniform and compatible in type, color and texture with the existing Twin Oaks Center and surrounding environment and shall adhere to the Urban Design Guidelines of Twin Oaks in conformance with the Color Architectural Renderings and Exterior Elevations included in the Final Development Plan.
4. The water quality and storm water control for the Property shall be as approved by the Metropolitan St. Louis Sewer District (“MSD”). Developer shall provide Twin Oaks with as-built information and MSD construction acceptance when available and provide Twin Oaks with a copy of all recorded easements and agreements for sanitary sewers, storm sewers and storm water quality system, including maintenance agreements. Also, as requested by MSD in their October 27, 2016 “Basic Conceptual Review” letter, Applicant shall coordinate with MSD for the vacation of MSD's rights and interests in easements recorded at:
 - a. PB 212 Pg 52
 - b. DB 8936 Pg 1552
 - c. DB 11175 Pg 2352
 - d. DB 11710 Pg 408
5. No outside storage or solid waste disposal containers (dumpster) are requested or permitted.
6. The Property owner and occupant shall be responsible for the maintenance of all elements of the Final Development Plan, including all components of the landscaping and stormwater quality and control system, and all conditions of plan approval. The restrictions on redevelopment and the responsibility for continuing maintenance and compliance with the Final Development Plan shall be binding upon all successors and assigns unless the plan is amended in conformance with the procedures set forth in the City Code. Failure to maintain the landscaping as set forth on the Final Development Plan is a violation of the Zoning Code, the Final Development Plan and this approving ordinance.
7. Applicant agrees to continue the ornamental lamp posts along the south property line matching the Big Bend-141 intersection and meeting Twin Oaks specifications (Holophane, Washington Post with LED bulbs) and using same spacing as the intersection and dedicated to Twin Oaks to power and maintain.
8. The surrounding roads and internal drives of the Twin Oaks Center shall be kept clean and free of mud and debris caused by the development of the Property.
9. Applicant’s submission for the following modifications to the Sign Code, per its letter dated February 10, 2017, are approved:

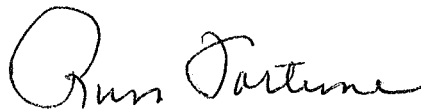
- a. The Sign Code requirements for Monument Sign contained in §410.050(A)(1)(d) permitting a maximum of one (1) Monument Sign per lot that has “Colors: Not more than three (3); white letters on black background or black letters on white background when illuminated[,]” are hereby modified to allow one (1) Monument Sign to have white letters with green background as depicted in the Regions Bank Sign Package of the Preliminary Development Plan application.
- b. The Sign Code requirements for Monument Sign contained in §410.050(A)(1)(d) permitting a maximum of one (1) Monument Sign per lot that is a maximum of five (5) feet in height, are hereby modified to allow one (1) Monument Sign to have a height of up to 6’ 8” as depicted in the Regions Bank Sign Package of the Preliminary Development Plan application.

Section 2. The approved Final Development Plan, signed by the Mayor of the City, shall be recorded, at the Applicant’s expense, with the St. Louis County Recorder of Deeds within sixty (60) days of this approval. All filing fees shall be paid by the Applicant. The authorization for the use approved by the Final Development Plan shall not become effective until a copy of the recorded plan bearings its recordation notations shall be returned and placed on file with the City Administrator/Clerk.

Section 3. The approved Final Development Plan shall be valid for a period of twelve (12) months from the date of this approval unless within such period a building permit is obtained and substantial construction (i.e., completion of at least ten percent (10%) of the construction in terms of the total expected cost of the project for which the permit was issued) is commenced and all additional building permits necessary to complete the project as approved in the Final Development Plan schedule are obtained in a timely fashion as determined by the City Administrator/Clerk. The Board of Aldermen may grant one (1) extension of no more than twelve (12) months upon written request of the original applicant and filed before the Final Development Plan expires. Upon granting an extension, the Board of Aldermen may attach new conditions to the approved Final Development Plan as the Board deems appropriate.

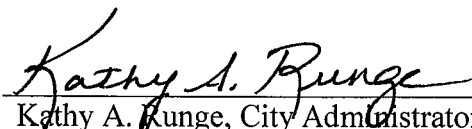
Section 4. This Ordinance shall be in full force and effect on and after its passage and approval by the Mayor.

PASSED AFTER HAVING BEEN READ IN FULL OR BY TITLE TWO TIMES PRIOR TO PASSAGE BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN OAKS, MISSOURI, THIS 7th DAY OF JUNE 2017.



Russ Fortune, Mayor

Attest:



Kathy A. Runge, City Administrator/Clerk

Exhibit A

LEGAL DESCRIPTION (TITLE REPORT)

LOT 3 OF TWIN OAKS CENTER, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 352, PAGE 889 OF THE ST. LOUIS COUNTY, MISSOURI, RECORDS.

ALSO:

RESTRICTION AND EASEMENT AGREEMENT RECORDED IN BOOK 16295, PAGE 2553 AND BOOK 16347, PAGE 1955.

LEGAL DESCRIPTION (MEETS AND BOUNDS)

LOT 3 OF TWIN OAKS CENTER, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 352, PAGE 889 OF THE ST. LOUIS COUNTY, MISSOURI, RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH RIGHT OF WAY LINE OF BIG BEND (WIDTH VARIES) ROAD AND THE WEST RIGHT OF WAY LINE OF OLD MERAMEC STATION (WIDTH VARIES) ROAD; THENCE NORTH 89 DEGREES 26 MINUTES 09 SECONDS WEST, 164.97 FEET; THENCE NORTH 00 DEGREES 52 MINUTES 34 SECONDS EAST, 12.15 FEET; THENCE NORTH 87 DEGREES 44 MINUTES 46 SECONDS WEST, 66.36 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 98.32 FEET AND AN ARC LENGTH OF 98.06'; THENCE NORTH 01 DEGREES 11 MINUTES 50 SECONDS EAST, 5.83 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 145.00 FEET, AND AN ARC LENGTH OF 89.91 FEET; THENCE NORTH 34 DEGREES 19 MINUTES 51 SECONDS WEST, 64.38 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 9.50 FEET AND AN ARC LENGTH OF 14.92 FEET; THENCE NORTH 55 DEGREES 40 MINUTES 09 SECONDS EAST, 147.82 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 54.50 FEET WITH AN ARC LENGTH OF 51.75 FEET; THENCE SOUTH 34 DEGREES 33 MINUTES 55 SECONDS EAST, 122.21 FEET; THENCE SOUTH 55 DEGREES 26 MINUTES 05 SECONDS WEST, 12.00 FEET; THENCE SOUTH 34 DEGREES 33 MINUTES 55 SECONDS EAST, 45.50 FEET; THENCE NORTH 89 DEGREES 29 MINUTES 39 SECONDS WEST, 12.00 FEET; THENCE SOUTH 34 DEGREES 26 MINUTES 39 SECONDS EAST, 196.07 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 25.00 FEET AND AN ARC LENGTH OF 54.55 FEET TO THE POINT OF BEGINNING.

SAID LOT BEING SITUATED IN ST. LOUIS COUNTY, MO. AND CONTAINING 73,876 SQUARE FEET OR 1.696 ACRES MORE OR LESS.

TOGETHER WITH CERTAIN EASEMENTS FOUND IN THAT DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS IN BOOK 16347, PAGE 1955 AND IN THAT RESTRICTION AND EASEMENT AGREEMENT IN BOOK 16295, PAGE 2553.

Exhibit B
Final Development Plan

1. *Application for Final Development Plan Twin Oaks Center Village of Twin Oaks*: Sheets 1-3, dated 06-02-17, prepared by The Roberts Group of Kentucky, P.C.;
2. *Amended Final Development Plan Twin Oaks Center Village of Twin Oaks*: Sheets 1-6, undated, prepared by The Roberts Group of Kentucky, P.C., and the DESCO Group (which shall supersede and replace the “Amended Preliminary” Plan for the Proposed Development Twin Oaks Center stamped “Received Feb. 10, 2017”);
3. *Dimensioned Site Plan*: Sheet No. C1.0, dated 05-09-17, prepared by Kuhlmann Design Group, Inc.;
4. *Site Grading Plan*: Sheet No. C2.0, dated 05-09-17, prepared by Kuhlmann Design Group, Inc.;
5. *Landscape Plan*: Sheet No. L1.0, dated 05-05-2017, prepared by The Roberts Group of Kentucky, P.C.;
6. *Site Photometric & Electrical Plan*: Sheet No. E-900, dated 05-05-17, prepared by The Roberts Group of Kentucky, P.C.;
7. *Exterior Elevations*: Sheet Nos. A-200 and A-201, dated 05-05-17, prepared by The Roberts Group of Kentucky, P.C.;
8. *Regions Bank Sign Package*: consisting of thirteen (13) 8.5 x 11 pages, dated 12-21-16, prepared by Philadelphia Sign; and
9. *Color Architectural Renderings*: Sheets 1-4, named “Front DT View”, “Front View”, “Side View”, and “Rear View”, undated, prepared by The Roberts Group of Kentucky, P.C.