

RESOLUTION No. 17-03

**A RESOLUTION OF THE BOARD OF ALDERMEN OF  
TWIN OAKS AMENDING RESOLUTION NO. 26 AND  
APPROVING AN AMENDED PRELIMINARY  
DEVELOPMENT PLAN FOR THE TWIN OAKS  
CENTER SUBMITTED BY REGIONS BANK.**

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**WHEREAS**, the Zoning Ordinance of the City of Twin Oaks (the “Zoning Ordinance”) provides for approval of applications for Preliminary Development Plan Approval by the Board of Aldermen of the City of Twin Oaks (the “Board”), following review, study, report and recommendation by the Planning and Zoning Commission (the “Commission”); and

**WHEREAS**, on May 5, 2004, after recommendation by the Commission, the Board approved a Preliminary Development Plan for a site containing approximately 12.3 acres situated on the northeast corner of Missouri Highway 141 and Big Bend Road, known as the Twin Oaks Center Subdivision (the “Twin Oaks Center”), which included a four-phase plan to develop as follows: Phase I (Walgreens), Phase II (Bank of America), Phase III (Retail/Restaurant), and Phase IV (Schnucks) by Resolution No. 26 (the “2004 Plan”); and

**WHEREAS**, of the four phases of the 2004 Plan, only Phases I and IV have been completed, the parcel on which Phase II was to be completed has now been conveyed to the City of Twin Oaks (“Twin Oaks”), and the parcel on which Phase III was to be completed has now been conveyed to Regions Bank; and

**WHEREAS**, Regions Bank desires to build a bank branch on the 1.696-acre parcel on which Phase III was to be completed, known and numbered as 1141 Meramec Station Road (the northwest corner of Meramec Station Road and Big Bend Road in Twin Oaks), also known as Lot 3 of the Twin Oaks Center, recorded at Book 352, Page 889 in the St. Louis County Recorder of Deeds Office, and as legally described in the ALTA Survey, Sheet S1 (the “Property”); and

**WHEREAS**, Twin Oaks intends to use the parcel on which Phase II was to be completed, a site located at the northeast corner of Missouri Highway 141 and Big Bend Road (Lot 1 of the Twin Oaks Center), to construct a new municipal center; and

**WHEREAS**, both the Regions Bank and Twin Oaks proposals require an amendment to the 2004 Plan previously approved by the Board via Resolution 26; and

**WHEREAS**, in accordance with the Zoning Ordinance, The Roberts Group of Kentucky, P.C., on behalf of property owner Regions Bank (the “Developer”), has submitted an application for a Preliminary Development Plan for the Property, Phase III of the Twin Oaks Center, and accompanying plans including a proposed amendment to the 2004 Plan; and

**WHEREAS**, the Commission, by Resolution No. 17-1 adopted and approved on February 22, 2017 (the “Recommending Resolution”), has recommended to the Board that the application for Preliminary Development Plan as most recently revised by the Developer and as detailed in the Recommending Resolution, be approved, subject to certain conditions set forth therein; and

**WHEREAS**, the Board, upon due consideration of the recommendations of the Commission, has concluded that amending the 2004 Plan and associated approval of the application as detailed in the Recommending Resolution would be in the interests of the health, safety and welfare of the citizens of the City and wishes to grant Preliminary Development Plan Approval, subject to certain conditions set forth in this Resolution;

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

**Section 1.** Resolution No. 26 is hereby amended and the application of the Developer for Preliminary Development Plan for the Twin Oaks Center, dated November 8, 2016, which will amend the prior Preliminary Development Plan for the Center approved by the Board on May 5, 2004, together with a signage plan, as more specifically detailed in and attached as Exhibit A hereto and incorporated herein, and all of which make up the Preliminary Development Plan that is hereby approved by the Board of Aldermen subject to the following conditions related to Phase III:

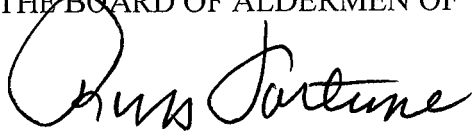
1. The Property shall be used as a bank and maintained in compliance with the approved Development Plan, including all notes thereon.
2. The ingress/egress point to the Property from the internal drives of the Twin Oaks Center shall be from the north as shown on the preliminary development plan; no ingress/egress to the site shall be permitted from the west from/to the internal access drive from Big Bend.
3. Per §400.310(2), all buildings on the Property 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.
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 on the Property.
6. The Property owner and occupant shall be responsible for the maintenance of all elements of any approved Final Development Plan, including all landscaping, and all conditions of plan approval. The restrictions on redevelopment and the responsibility for continuing maintenance and compliance with the Final Development Plan, including all landscaping, 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 City Zoning Code, the Final Development Plan and the 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. A land disturbance permit through St. Louis County and SWPPP will be required for this project prior to construction permits being issued.
9. The surrounding roads and drives shall be kept clean and free of mud and debris caused by the development of the Property.
10. 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.
11. Applicant agrees to reduce the size of the custom Regions Bank green aluminum composite metal panels ("ACM Panels") on the West Elevation surrounding the drive-up teller window to mirror the ratio of the ACM Panels bordering the night deposit box, as shown in the Developer's revised Elevations Sheet No. A-201.

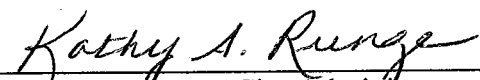
**Section 2.** This Resolution is adopted and shall be in full force and effect on and after its passage and approval.

THIS RESOLUTION WAS PASSED AND APPROVED THE 1<sup>st</sup> DAY OF MARCH, 2017, BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN OAKS, MISSOURI.



Russ Fortune, Mayor

Attest:



Kathy A. Runge, City Administrator/Clerk

**EXHIBIT A**  
**PRELIMINARY DEVELOPMENT PLAN**

1. *Amended Preliminary Development Twin Oaks Center Village of Twin Oaks*: Sheets 1-6, stamped "Received Feb 10, 2017" and prepared by The Roberts Group of Kentucky, P.C., and the DESCO Group (which shall supersede and replace the "Preliminary" Plan for the Proposed Development Twin Oaks Center stamped March 11, 2004);
2. *ALTA Survey*: Sheet S1, dated and sealed on 9-9-16, prepared by Kuhlmann Design Group, Inc.;
3. *Site Photometric Plan*: Sheet No. C4.0, dated 11-09-16, prepared by John Bujake, Accuserv Lighting & Equipment;
4. *Landscape Plan*: Sheet No. L1.0, dated 11-09-16, prepared by The Roberts Group of Kentucky, P.C.;
5. *Grading Site Plan*: Sheet No. C2.0, dated 2-10-2017, prepared by Kuhlmann Design Group, Inc.;
6. *Dimensioned Site Plan*: Sheet No. C1.0, dated 2-10-2017, prepared by Kuhlmann Design Group, Inc.;
7. *Exterior Elevations*: Sheet Nos. A-200 and A-201, dated 11-09-16, prepared by The Roberts Group of Kentucky, P.C.; and
8. *Regions Bank Sign Package*: consisting of fifteen (15) 8.5 x 11 pages, undated.