

INTRODUCED BY: Councilmember Bwayne Smotherson

DATE: July 8, 2024

**BILL NO. 9548**

**ORDINANCE NO. 7364**

**AN ORDINANCE AMENDING SECTION 400.070 OF THE MUNICIPAL CODE OF THE CITY OF UNIVERSITY CITY, MISSOURI, RELATING TO THE OFFICIAL ZONING MAP, BY AMENDING SAID MAP SO AS TO CHANGE THE CLASSIFICATION OF PROPERTY KNOWN AS LOT 4 OF MARKET AT OLIVE PLAT 6, FROM PLANNED DEVELOPMENT COMMERCIAL DISTRICT (“PD-C”) TO PLANNED DEVELOPMENT COMMERCIAL DISTRICT (“PD-C”), AND REPEALING ORDINANCE NO. 7222.**

**WHEREAS**, Chapter 400 (Zoning Code) of the University City Municipal Code divides the City into several zoning districts, and establishes standards therein to which land, buildings, structures and their uses must conform; and

**WHEREAS**, on March 6, 2023, the City Council adopted Ordinance No. 7222, thereby amending the Official Zoning Map established pursuant to Zoning Code Section 400.070 so as to change the classification of property now known as Lot 4 of Market at Olive Plat 6, from Industrial Commercial District (“IC”) to Planned Development Commercial District (“PD-C”); and

**WHEREAS**, on March 27, 2023, the City Council adopted Ordinance No. 7225, thereby approving a Final Development Plan for property now known as Lot 4 of Market at Olive Plat 6; and

**WHEREAS**, in a meeting held on June 26, 2024, the City Plan Commission examined an amendment of the Official Zoning Map of the City which changes the classification of property known as Lot 4 of Market at Olive Plat 6, from Planned Development Commercial District (“PD-C”) to Planned Development Commercial District (“PD-C”), and recommended to the City Council that the amendment be approved; and

**WHEREAS**, due notice of a public hearing to be held by the City Council in the City Council Chambers at City Hall at 6:30 p.m. on August 12, 2024, was duly published on July 28, 2024 in the St. Louis Countian, a newspaper of general circulation within the City; and

**WHEREAS**, said public hearing was held at the time and place specified in said notice, and all suggestions or objections concerning said amendment of the Official Zoning Map of the City were duly heard and considered by the City Council.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY CITY, MISSOURI, AS FOLLOWS:**

Section 1. Section 400.070 of the University City Municipal Code, relating to the Official Zoning Map, is hereby amended by amending the Official Zoning Map illustrating the zoning districts established pursuant to Section 400.070, for property known as Lot 4 of Market at Olive Plat 6, so as to change the classification of said property from Planned Development Commercial District (“PD-C”) to Planned Development Commercial District (“PD-C”).

The following land uses and developments may be permitted in said "PD-C" District, subject to approval of a final development plan: a restaurant building with drive thru facilities.

Section 2. Said property described as Lot 4 of Market at Olive Plat 6 is more fully described with a legal description, attached hereto, marked Exhibit "A" and made a part hereof.

Section 3. By Resolution No. 2024-11, the City Council approved a preliminary development plan known as "Lot 4 of Market at Olive Plat 6," and authorized the preparation of a final development plan. A final development plan and plat must be approved by the City Council prior to the issuance of any building permits in connection with the development. A landscape plan shall be submitted for review and approval with the Final Development Plan.

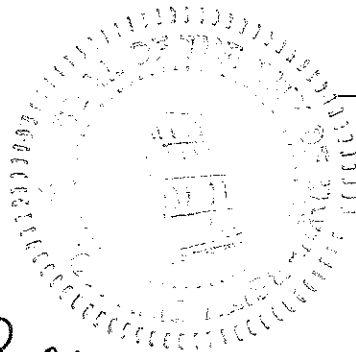
Section 4. This ordinance shall not be construed so as to relieve any person, firm or corporation from any penalty incurred by the violation of Section 400.070, nor bar the prosecution of any such violation.

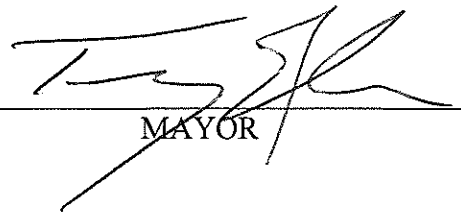
Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be subject to the penalties provided in Section 400.2570 of the University City Municipal Code.

Section 6. Ordinance No. 7222 is hereby repealed.

Section 7. This ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED and ADOPTED this 12th day of August, 2024.

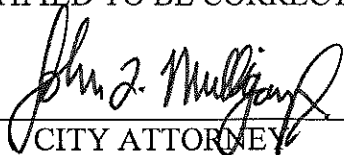


  
MAYOR

ATTEST:

  
CITY CLERK

CERTIFIED TO BE CORRECT AS TO FORM:

  
CITY ATTORNEY

**EXHIBIT A – LEGAL DESCRIPTION FOR REZONING – LOT 4 OF MARKET AT OLIVE PLAT 4**

Lot 4 of Market at Olive Plat 6 according to the Plat thereof recorded at Book 372, Pages 315-317 of the St. Louis County Recorder of Deeds.