

AN ORDINANCE APPROVING A THIRD AMENDED FINAL DEVELOPMENT PLAN FOR THE VILLAGES OF TWIN OAKS AND BIG BEND SQUARE TO ALLOW FOR CERTAIN EXTERIOR CHANGES ASSOCIATED WITH BARTOLINO'S RESTAURANT

WHEREAS, on March 1, 2017, the Board of Aldermen adopted Ordinance No. 17-07 approving a Final Development Plan submitted by Haley Holdings Seven LLC for an $11.271\pm$ acre site, known and numbered as 1310 – 1366 Big Bend Square Shopping Center (the “Property”) to allow for the reconstruction and rehabilitation of the existing shopping center as a retail and multi-family residential mixed use development consisting of restaurant the existing retail center known as Big Bend Square and newly constructed high-end apartments known as *the Villages of Twin Oaks*; and

WHEREAS, on February 13, 2019, by Ordinance No. 19-02 the Board of Aldermen approved an Amended Final Development Plan including a revised Landscaping Plan (the “Amended Final Development Plan”), for approval to ensure consistency between the site as-constructed and the approved Development Plan; and

WHEREAS, on August 5, 2020, by Ordinance No. 20-10 the Board of Aldermen approved an application by Rosman Partners, LLC, as purchasers of the Outlot, for an Amended Final Development Plan to allow development of the Outlot (the “Second Amendment to the Final Development Plan”); and

WHEREAS, on September 8, 2023, Bartolino’s (“Applicant”) on behalf of property owner Haley Holdings Seven LLC, has applied for a third amendment to the Final Development Plan to allow the existing restaurant space on the ground level of the apartment building to be expanded into the outdoor seating space to allow for more interior restaurant seating thereby eliminating the outdoor seating space as shown on the eight plan sheets attached as Exhibit A hereto (the “Third Amendment to the Final Development Plan”); and

WHEREAS, on September 26, 2023, the Twin Oaks Planning & Zoning Commission recommended approval of the Third Amendment to the Final Development Plan; and

WHEREAS, on October 18, 2023, the Board of Aldermen held a public hearing related to the Third Amendment to the Final Development Plan; and,

WHEREAS, the Board now wishes to grant approval of the Third Amendment to the Final Development Plan with certain conditions;

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

Section 1. The Third Amendment to the Final Development Plan being in substantial compliance with the conditions and terms of the Board’s Ordinance No. 17-07, as amended by Ordinance No. 19-02 and Ordinance No. 20-10, and the proposed changes from the original Final

Development Plan being desirable and in conformity with the nature and character of the overall development plan, the Board does hereby approve the Third Amendment to the Final Development Plan (attached as Exhibit A hereto and incorporated herein by reference) for the Property.

Section 2. The signage shown over the front door as depicted on Sheet A1-00 of the Third Amendment to the Final Development Plan attached hereto is approved. No signage for the pylon sign has been submitted nor is approved hereby.

Section 3. Ordinance No. 17-07, as amended by Ordinance No. 19-02, shall continue to govern the Property except as it pertains the changes to the restaurant portion of the apartment building as approved by this Ordinance and plan attached hereto.

Section 4. The zoning classification of the Property remain as a mixed-use development (PD-MxD) as set forth in Section One of Ordinance No. 17-07, as amended by Ordinance No. 19-02.

Section 5. The approved Third Amendment to the Final Development Plan shall be recorded, at the Applicant's expense, with the St. Louis County Recorder of Deeds and a reproducible mylar (or other such format as the City may require) of such recorded plan furnished to the City.

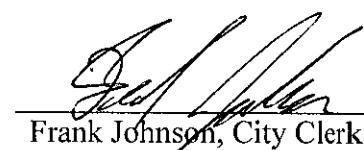
Section 6. This Ordinance shall be in full force and effect on and after its passage and approval by the Mayor.

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 18th DAY OF OCTOBER 2023.



Russ Fortune, Mayor

Attest:



Frank Johnson, City Clerk

EXHIBIT A

THIRD AMENDMENT TO THE FINAL DEVELOPMENT PLAN

Sheet Number	Sheet Name	Date
C2	Existing Conditions/Demolition Plan	08/18/23
C3	Site Plan Details	08/18/23
A1-00	Roof Plan, Elevation, Section and Details	
A2-01	Furniture Plan	08/18/23
A9-02	Patio Details	08/18/23
3 unnumbered sheets	Color Elevations	