

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WILDWOOD, MISSOURI AUTHORIZING CERTAIN MODIFICATIONS TO EXISTING C-8 PLANNED COMMERCIAL DISTRICT ORDINANCE #2414, WHICH GOVERNS A MIXED-USE DEVELOPMENT LOCATED IN THE CITY'S TOWN CENTER DOWNTOWN AND NEIGHBORHOOD GENERAL DISTRICTS, BY ALLOWING FOR A FIFTH STORY TO BE ADDED TO THE ALLOWABLE FOUR (4) STORY BUILDING TO ACCOMMODATE LARGER RESIDENTIAL UNITS, WITH SUCH BEING CONSISTENT WITH THE FAVORABLE ACTION OF THE PLANNING AND ZONING COMMISSION THAT IS SET FORTH IN ITS MARCH 18, 2019 LETTER OF RECOMMENDATION ON THE SAME. (Ward Eight)

WHEREAS, the City Council, after review by the Planning and Zoning Commission, authorized a mixed-use development in the City's Town Center Area's Downtown and Neighborhood General Districts on Main Street, which would accommodate, on this 2.2 acre tract of land, commercial uses of the structure's ground floor and three (3) floors of residential units above it, totaling forty-eight (48) overall; and

WHEREAS, this change in zoning was undertaken to allow for this mixed-use development, which also necessitated a Regulating Plan addition to allow the air space above the ground floor Downtown District area to be used for the aforementioned forty-eight (48) residential units, of which would be marketed to a particular demographic; and

WHEREAS, after the completion of the zoning process, the developer begin preliminary marketing of the units and determined from feedback offered by potential buyers/renters that the sizes of the planned units, which were based upon the three (3) floors of available space, were too small and the market preferred larger types; and

WHEREAS, with this information, the developer began a review of the building concept to increase the sizes of the individual units, but not the overall number, which led to the proposal to the City to allow a fifth floor on the authorized building; and

WHEREAS, the Planning and Zoning Commission was asked to consider this change in the building's height at its March 18, 2019 meeting, where it heard testimony from the developer about the marketing effort and the feedback gained from it and the need to address this input, which would allow for a more successful project to be offered; and

WHEREAS, at this meeting of the Planning and Zoning Commission, the Department noted the Town Center Plan's Neighborhood Design Standards and Regulating Plan descriptions allow for up to five (5) stories and the current request was consistent with such, as well as complementary to the built environment in its vicinity; and

WHEREAS, the Planning and Zoning Commission, hearing and discussing all input, agreed and recommended the fifth story be authorized on this building for the reasons stated in its report on this matter; and

WHEREAS, the City Council received this report, with recommendation, at its April 8, 2019 meeting and held a public hearing on the matter, which, when concluded, the members authorized the preparation of the necessary legislation to approve this fifth floor to be added to this mixed-use building.

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

Section One. Subject and Action. The City Council of the City of Wildwood, Missouri hereby authorizes certain modifications to C-8 Planned Commercial District Ordinance # 2414 to allow for the addition of a fifth story to the already allowable four (4) story configuration, which will accommodate larger residential units to be offered to potential residents that will be part of this planned mixed-use building, such being consistent with the recommendation of the Planning and Zoning Commission contained in its Letter of Recommendation, which is dated March 18, 2019, and now being indicated below by the changes indicated herein:

1. PERMITTED USES

The uses allowed in this Amended C-8 Planned Commercial District (Town Center Downtown and Neighborhood General District designations) shall be limited to professional offices, general offices, restaurants, including fast-food types, but without drive-through facilities, microbreweries, and all retail and service activities, as defined in the Town Center Plan, with associated parking, but not financial institutions, vehicle repair/service facilities, and/or taverns. Additionally, this Amended C-8 Planned Commercial District (Town Center Downtown and Neighborhood General District designations) shall authorize the development of no more than forty-eight (48) apartment type units to be housed in no less than **four (4)** ~~three (3)~~ additional floors located above the commercial area (as shown on the submitted Preliminary Development Plan).

2. FLOOR AREA, HEIGHT, AND BUILDING REQUIREMENTS

- a. The uses permitted in this Amended C-8 Planned Commercial District shall be contained in a total of two (2) buildings. These buildings shall have footprints that shall not exceed a total of 20,000 square feet in gross floor area. The total building size, including all **five (5)** ~~four (4)~~ floors, shall not exceed **100,000** ~~80,000~~ square feet.
- b. The area of this Amended C-8 Planned Commercial District shall be a minimum of two point two (2.2) acres in overall size, unless otherwise reduced in area by public roadway dedications, as required herein. No division of this lot, once split from the parent tract of land, shall be authorized.
- c. The two (2) allowable areas of the buildings that will house the 'Downtown' District permitted uses that are noted above must be located along Main Street right-of-way, so as to provide no less than ninety (90) percent of that frontage occupied by an arcade, porch, or building façade, along with the required commercial plaza, with outdoor seating. The orientation of the commercial buildings shall be as shown on the Preliminary Development Plan submitted by the petitioner, as part of the rezoning request. The first floor commercial area of the building shall be constructed with glazing to provide a minimum fifty (50) percent transparency along Main Street and exhibit no individual bay distance of greater than thirty (30) feet, without providing some type of recess, projection, or pilaster.
- d. In those instances where a building façade is absent along a street, a garden or screen wall shall be installed, unless designated public space. This wall(s) must complement the appearance of the building located within the same block in terms of its design, architecture, color, material, and character. All garden or screen walls located upon this site shall be reviewed and approved by the Architectural Review Board, as part of the Site Development Plan review and approval process.