

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WILDWOOD, MISSOURI AUTHORIZING A CHANGE IN ZONING FROM THE NU NON-URBAN RESIDENCE DISTRICT TO THE R-1A 22,000 SQUARE FOOT RESIDENCE DISTRICT, WITH A PLANNED RESIDENTIAL DEVELOPMENT OVERLAY DISTRICT (PRD), TO ACCOMMODATE THE DEVELOPMENT OF AN 8.01 ACRE TRACT OF LAND THAT IS LOCATED ON THE WEST SIDE OF CENTER AVENUE, SOUTH OF MANCHESTER ROAD, WITH TWELVE (12) SINGLE FAMILY DETACHED DWELLINGS ON INDIVIDUAL LOTS, WITH COMMON GROUND AND PUBLIC SPACE AREAS, PER THE ACTION OF THE PLANNING AND ZONING COMMISSION, WHICH IS DETAILED IN ITS LETTER OF RECOMMENDATION DATED FEBRUARY 2, 2015 – P.Z. 21, 22, and 23-14 Stone Mill. (Ward Eight)

WHEREAS, the Master Plan of the City of Wildwood, Missouri contains four (4), major conceptual land use categories that are applied for properties located within its boundaries and these classifications determine how they may be developed in terms of use and density/intensity; and

WHEREAS, one (1) of these categories is the “Suburban Residential Area” that is applied to properties that had been zoned by St. Louis County, prior to the City’s incorporation, for single family residential uses, at densities that varied from two (2) units per acre to five (5) units per acre, which included much of the Wildwood community east of State Route 109; and

WHEREAS, this pattern was recognized and the first City Council and Planning and Zoning Commission agreed to allow numerous surrounding properties that were vacant or undeveloped to be used for similar purposes, but at a density no greater than two (2) units per acre, which was substantially less than the past actions of St. Louis County; and

WHEREAS, in 2006, the density in the “Suburban Residential Area” was changed, as part of the Master Plan update process, to one (1) unit per acre from the earlier two (2) units per acre, which was due to the impact this density of units was causing on some of the remaining sites available for future development, particularly in the Strecker Road/Clayton Road Area; and

WHEREAS, long after this change in the text of the Master Plan, the petitioner purchased a site formerly owned by the State of Missouri and was advised of the limitations on its future density of residential units, but sought a change to the Master Plan definition of “Suburban Residential Area,” so as to be able to develop it with a comparable density to that of the surrounding subdivisions; and

WHEREAS, this Master Plan modification to the definition of “Suburban Residential Area” would allow for the development of twelve (12) lots on the 8.01 acre site, which also requires its rezoning and the application of a Planned Residential Development Overlay District (PRD), all of which were applied for by Lombardo Homes; and

WHEREAS, with the applications for these three (3) items, the Planning and Zoning Commission held a public hearing on December 1, 2014 upon them, where comments were provided in this regard; and

WHEREAS, the Planning and Zoning Commission reviewed these comments and discussed considerations, with finally granting a change to the Master Plan’s “Suburban Residential Area” definition to allow for this single property to have a density of up to 1.75 units per acre, given the

circumstances of its location, i.e. abutting Town Center, other surrounding development densities, and available utilities; and

WHEREAS, with this action, the associated rezoning and application of special procedures permit were also recommended for approval by the Planning and Zoning Commission, which was reflected in its Letter of Recommendation on this matter, being dated February 2, 2015; and

WHEREAS, in this Letter of Recommendation, the Planning and Zoning Commission noted the rezoning and associated special procedures permit were reasonable at this location, given the Master Plan amendment had been supported, and would address a difficult property with a comparable development proposal in terms of type and density of use; and

WHEREAS, this action was undertaken in accordance with the requirements of the City's Charter and the State Statute for the consideration of modifications to Master Plans, General Plans, and Comprehensive Plans of a similar nature.

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

Section One. The City of Wildwood Zoning Ordinances and Official Zoning District Maps, which are made a part hereof, are hereby, amended to reflect the change in zoning from the NU Non-Urban Residence District to the R-1A 22,000 square foot Residence District, with a Planned Residential Development Overlay District (PRD), as set forth in this ordinance, for the following described land:

A TRACT OF LAND IN THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 44 NORTH, RANGE 3 EAST, CITY OF WILDWOOD, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN A DEED TO LEOLA MARY SCHLEMPER REVOCABLE TRUST RECORDED IN DEED BOOK 18787 PAGE 1614 OF THE ST. LOUIS COUNTY RECORDS, SAID POINT BEING ON THE WEST LINE OF CENTER (30' WIDE) AVENUE; THENCE WITH THE WEST LINE OF CENTER AVENUE, BEING 15' WEST OF AND PARALLEL TO THE CENTERLINE THEREOF, SOUTH 00°33'53" WEST 591.57 FEET TO THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 12, SAID POINT ALSO BEING THE NORTH LINE OF WESTRIDGE OAKS PLAT ONE AS PER THE PLAT THEREOF RECORDED IN PLAT BOOK 338 PAGE 53 OF THE ST. LOUIS COUNTY RECORDS; THENCE DEPARTING THE WEST LINE OF CENTER AVENUE WITH THE NORTH LINE OF WESTRIDGE OAKS PLAT ONE, NORTH 88°24'12" WEST 599.97 FEET TO A POINT ON THE EAST LINE OF WEST (30' WIDE) AVENUE; THENCE WITH THE EAST LINE OF WEST AVENUE, BEING 15' EAST OF AND PARALLEL TO THE CENTERLINE THEREOF AND 30 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SECTION 12, NORTH 00°30'34" EAST 573.71 FEET TO THE SOUTHWEST CORNER OF THE AFORESAID LEOLA MARY SCHLEMPER REVOCABLE TRUST TRACT; THENCE WITH THE SOUTH LINE OF SAID LEOLA MARY SCHLEMPER REVOCABLE TRUST TRACT, NORTH 89°53'28" EAST 600.46 FEET TO THE POINT OF BEGINNING AND CONTAINING 349,670 (8.0273 ACRES), MORE OR LESS, ACCORDING TO A SURVEY BY THE STERLING COMPANY DURING THE MONTH OF JANUARY 2013 UNDER ORDER NUMBER 12-11-311.

Section Two. The zoning authority and approval embodied in this ordinance is granted subject to compliance with the Subdivision and Development Regulations, Zoning Code, and all other City of Wildwood ordinances, rules, and regulations and the conditions of this ordinance, except as, may be modified herein, upon the requirement the development and approved Site Development Plan are carried out in accordance with the recommendation forwarded to the City Council by the Planning and Zoning Commission within the communication dated February 2, 2015, which is incorporated herein by reference as if fully set forth in this ordinance. The zoning authority granted herein is further subject to the following conditions:

1. **PERMITTED USES**

- a. This Planned Residential Development (P.R.D.) Overlay District shall authorize the maximum development of ~~twelve (12)~~ detached single family dwellings on individual lots, with common ground, and all permitted accessory structures normally found in conjunction with the primary uses.

2. **LOT SIZES, DEPTHS, AND BUILDING REQUIREMENTS**

- a. Each detached dwelling unit shall be located on an individual lot of record that is a minimum of ~~15,000 square feet~~ in size. The minimum width of any lot within this P.R.D. Overlay District shall be ~~one hundred (100) feet~~ in distance, **excepting within the cul-de-sac area, which shall be as determined by the Planning and Zoning Commission, as part of its review and action on the Site Development Plan.** This width shall be measured at the front building line.
- b. No building and/or structure shall be more than two (2) stories above final grade, as measured from the front building line on any individual lot.
- c. Direct residential drive access shall be allowed for up to ~~two (2)~~ of the single family detached units within this development from Center Avenue, while the other ten (10) lots shall only be served by the proposed public internal street. All garages on each of the units shall be ~~side-entry designs~~ only, and must use ~~carriage type designs~~, including windows, as determined by the City's Architectural Review Board to be appropriate. **Architectural type shingle selections shall be required on all residential units of a minimum thirty (30) year standard.**
- d. The first story, interior clear height for all single family dwellings shall be not less than ~~eight (8) feet~~.
- e. The proposed architectural design, character, and style of all buildings and dwelling units shall adhere to the City of Wildwood's Zoning Ordinance regulations for architectural review in all districts, ~~excepting no vinyl siding shall be allowed on any dwelling unit within the boundaries of this Planned Residential Development Overlay District (PRD). All materials used on any facade of a residential unit shall be fiber cement siding and backer, board, wood, brick, and/or stone.~~ Approval of the required design shall be by the Architectural Review Board. Minimally, all buildings shall maintain a consistent theme throughout the boundaries of this Planned Residential Development Overlay District in terms of material, color, and style.
- f. The maximum area of this site that can be disturbed for development purposes shall not exceed 5.3 acres in size and does not include the Director of Planning's variance, **but does preclude its allowable use.**

- g. The minimum area of this site that must be protected and cannot be used for development purposes is 2.7 acres in size and does not include the Director of Planning's variance, **but does not preclude its allowable use.**

3. PLAN SUBMITTAL REQUIREMENTS

Within twelve (12) months of the P.R.D. Overlay District approval by the City Council, and prior to any site disturbance, the developer shall submit to the Planning and Zoning Commission for their review and approval a Site Development Plan. Where due cause is shown by the developer, time intervals may be extended once by the Planning and Zoning Commission in accord with requirements of Section 420.060 of the City of Wildwood Zoning Ordinance. Said Site Development Plan shall include, but not be limited to, the following information:

- a. Outboundary plat and legal description of the property.
- b. A general numbered lot plan with setback lines from all streets and roadways on and adjacent to the property. A typical lot diagram, indicating all site design information such as, but not limited to, right-of-way width, improvement dimensions and locations, setbacks, and building placement.
- c. The location and size of all parking areas, pavement widths, and right-of-way dedications of all internal roadway improvements and drives.
- d. A general plan indicating setback lines along the perimeter of the subject tract of land and surrounding property lines and related improvements within four hundred (400) feet of this site's boundaries.
- e. Location of all roadways adjacent to the property, including required roadway right-of-way dedication and pavement widening with existing and proposed improvements, and general location, size, right-of-way, and pavement width of all interior drives.
- f. The location and size of all freestanding signs, lighting, fences, sidewalks, and other above ground structures, except retaining walls less than two (2) feet in height per section.
- g. Existing and proposed contours at vertical intervals of not more than two (2) feet.
- h. General location of sanitary sewer facilities.
- i. Parking and density calculations.
- j. Conceptual location and size of common ground areas.
- k. A typical section of the proposed road indicating the placement and design of required streetscape improvements.
- l. A Landscape Plan including, but not limited to, the location, size, and general type of plant materials to be used in accord with the City of Wildwood's Ordinance 410 and accompanying Tree Manual.
- m. An inventory of the percent of tree canopy or individual trees to be retained on the site.
- n. Location of all existing and proposed easements.
- o. All other information not mentioned above, but required on a preliminary plat in accord with Section 420.060 of the City of Wildwood Subdivision and Development Regulations.

4. SITE DEVELOPMENT PLAN DESIGN CRITERIA

The above Site Development Plan shall adhere to the following specific design criteria:

Build-To Lines/Setbacks/Other - Residential

- a. Any building or structure, other than boundary and/or retaining walls, fences, detention facilities, and/or light standards, shall adhere to the following setback lines:
 1. ~~Twenty-five (25)~~ feet from any right-of-way line.
 2. ~~Eight (8) feet~~ for any side yard property line and ten (10) feet for side yard areas that abut the perimeter of the Planned Residential Development Overlay District.
 3. ~~Thirty (30) feet from any rear yard property line.~~
 4. No foundation associated with any authorized dwelling, or any structural element attached therein to it, shall encroach within ~~fifteen (15) feet~~ of the Final Resource Protection Line, as shown on the Record Plat.

Parking Setbacks – Residential

- b. All parking stalls or loading spaces, excluding points of ingress or egress for the detached dwelling units, shall be located behind **the edge of the public right-of-way** a minimum of ~~twenty-five (25) feet~~.

Access and Roadway Improvements

- c. Dedicate the necessary amount of right-of-way (**a minimum of ten (10) feet**), along with all easements and licenses for construction purposes, for Center Avenue to allow for the creation of a minimum forty (40) foot wide public right-of-way area and the construction of a ~~twenty-two (22) foot wide pavement section, with a six (6) foot wide sidewalk~~, on the west side of the street, which adheres to the City of Wildwood's Design Criteria Handbook and associated requirements, as directed by the Department of Public Works. All elements including, but not limited to, tree lawn area, street trees and lights, and other amenities, as set forth herein, shall be indicated on the Site Development Plan and reviewed and acted upon by the Planning and Zoning Commission.
- d. Provide a ~~twenty (20) foot wide trail dedication~~ along the entire length of the northern property line to the City of Wildwood for public use forever. This dedication shall be indicated on the Record Plat for this subdivision and contained within in it a ~~ten (10) foot wide multiple-use trail~~ that will connect to Center and West Avenue. This design shall be reviewed and acted upon by the Planning and Zoning Commission, as part of the Site Development Plan process. All standards, specifications, and requirements for the dedication, platting, and design shall be per the direction of the Department's of Public Works and Planning.

- e. Dedicate a ~~thirty-five (35) foot right-of-way area~~ for public use and within this area construct a minimum ~~twenty-two (22) foot wide street~~, with cul-de-sac, ~~and sidewalks on both sides of it~~, all designed in accordance with the City of Wildwood's Design Criteria Handbook, and as directed by the Department of Public Works.

Miscellaneous Roadway Requirements

- f. Installation of landscaping and ornamental entrance monument or identification signage, if proposed, shall be reviewed by the Department of Public Works for sight distance considerations and approved prior to its installation or construction.
- g. If required sight distance cannot be provided at the access location, acquisition of right-of-way, reconstruction of pavement, including correction to vertical alignment and other off-site improvements, may be required to provide the required sight distance as directed by the Department of Public Works.
- h. **Construction access shall be from Manchester Road to Center Avenue during the development of this site, not East Avenue or Bordeaux Walk Way.**
- i. Sidewalks shall be required on all public streets and provide for a continuous and logical layout of this pedestrian network. Design and construction requirements for all sidewalks within the entire development shall be as established in the City of Wildwood's Design Criteria Handbook. Approval of their location, design, and material shall be by the Planning and Zoning Commission, as part of the Site Development Plan review process.
- j. The developer is advised that utility companies will require compensation for relocation of their utility facilities within public road right-of-way. Utility relocation cost shall not be considered as an allowable credit against the petitioner's Traffic Generation Assessment contributions. The developer should also be aware of extensive delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of roadway improvements.
- k. All internal streets, access drives, or lanes, whether public or private, shall comply with the City of Wildwood's Design Criteria Handbook, in terms of improvements, such as drive lane widths, sidewalks, stormwater drainage facilities, and street trees and lights.

Parking Requirements - Residential

- l. Parking spaces shall be provided, as required by the Section 415.340 Off-Street Parking and Loading Requirements of the City of Wildwood Zoning Ordinance, for the R-1-A 22,000 square foot Residence District.

Landscape Requirements - Specific

- m. Landscaping shall adhere to all requirements of Ordinance 410 and its accompanying Tree Manual, including the submittal of a Tree Preservation Plan in conjunction with the Site Development Plan.
- n. All streets, roads, and lanes shall be appropriately landscaped as required by City's Tree Manual and Sustainable Plantings Guide and approved by the Planning and Zoning Commission on the Site Development Plan.
- o. The areas of existing vegetation within the P.R.D. Overlay District boundaries identified as to be retained shall be marked on the site prior to the commencement of any disturbance in accord with the City of Wildwood's Ordinance 410. These areas shall be indicated on the Site Development Plan submitted to the City of Wildwood for Planning and Zoning Commission review and approval. Existing mature tree canopy shall be preserved in accordance with the requirements of City of Wildwood's Ordinance 410 Tree Preservation and Restoration Code.
- p. A minimum **fifty (50) foot, non-disturbed buffer area of the existing woodlands** shall be maintained along the property's entire southern boundary line with the Westridge Oaks Subdivision. Non-disturbed shall be interpreted to include no utility extensions through this buffer area. A similar non-disturbed buffer area of no less than **thirty (30) feet** shall also be required along the entire western boundary line of the subject lot.
- q. A Landscape Architect shall sign and submit all plans for review and approval for this mixed-use development.

Signs - Residential

- r. Signs for this P.R.D. Overlay District shall be erected in accordance with Section 415.410 Sign Regulations of the City of Wildwood Zoning Ordinance for the R-1-A 22,000 square foot Residence District.
- s. The location of all signage shall be as approved on the Site Development Plan by the Planning and Zoning Commission. Signage not located on common ground must be erected within an easement.

Lighting Requirements

- t. The location of all lighting standards shall be as approved on the Site Development Plan. No on-site illumination source shall exceed sixteen (16) feet in height or be so situated that light is cast directly on adjoining properties. Illumination levels for all lighting shall comply with the provisions of the City of Wildwood's Zoning Code, Section 415.450 "Outdoor Lighting Requirements." A Lighting Study shall be submitted in conjunction with the Site

Development Plan indicating compliance to these requirements. The Planning and Zoning Commission shall approve the location, design, and appearance of all light standards and fixtures as part of the Site Development Plan review process.

Miscellaneous Conditions

- u. The design, color, material, and location of all garden and screen walls or fences, if planned or required, shall be indicated on the Site Development Plan, as part of its review and action by the Planning and Zoning Commission and the Architectural Review Board.
- v. Improvements associated with public infrastructure, such as roadways, sidewalks, and access points, shall comply with general design principles that will provide for safe and efficient movement of traffic in and around these sites and improve overall circulation in the area. These improvements shall be reviewed and approved by the Department of Public Works.
- w. ~~Hours of construction and grading activity shall be limited to 7:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday. No development (grading and construction) activity shall be authorized on Sundays.~~
- x. All retaining walls exceeding three (3) feet in height per section or crossing individual property lines shall be constructed of an appropriate inter-locking concrete block system. Walls crossing property lines shall be located in a maintenance easement. The design, color, material, and location of all walls shall shown on the Site Development Plan for review and action by the Planning and Zoning Commission.
- y. The location of all utility easements for proposed service to this development shall be as approved by the Planning and Zoning Commission on the Site Development Plan. All utilities installed to serve this site shall be placed underground, including any existing overhead lines located on the subject property.

5. TRAFFIC GENERATION ASSESSMENT FEE

The developer shall contribute to the East Area Traffic Generation Assessment Trust Fund established by Section 140.210 of the City of Wildwood’s Revised Codes. This assessment must be paid in full at the time of the first Zoning Authorization for any building or structure or when the individual issuances of building permits for the authorized lots are approved. This contribution shall not exceed the amount established by multiplying the number of parking spaces provided by the following rate:

Type of Development	Required Contribution
Single Family Dwelling (detached)	\$1,085.70 /Parking Space

(Parking space is defined by Section 415.280 of the City of Wildwood Zoning Code.)

Credits to this required Traffic Generation Assessment Fee (TGA), which shall be at the discretion of the City Council, for off-site work, as defined in the enabling ordinance for this assessment, within the Center Avenue right-of-way, may be allowed. Design and engineering of these improvements to Center Avenue shall be reviewed and acted upon by the Planning and Zoning Commission on the Site Development Plan, all being in accordance with the direction of the Department of Public Works.

If type of development proposed differ than those listed, rates shall be provided by the Department of Public Works.

As this development is located within a Trust Fund area established by the City of Wildwood, any portion of the traffic generation assessment contribution, which remains, following completion of roadway improvements required by the development shall be retained in the appropriate trust fund.

The amount of this required contribution, if not submitted by January 1, 2016, shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accord with the construction cost index as determined by the City of Wildwood Department of Public Works.

6. VERIFICATIONS PRIOR TO APPROVAL OF THE SITE DEVELOPMENT PLAN

Prior to approval of the Site Development Plan, the developer shall provide the following:

Stormwater Improvements

- a. Submit to the Planning and Zoning Commission an engineering plan approved by the City of Wildwood Department of Public Works and the Metropolitan St. Louis Sewer District showing that adequate handling of the stormwater drainage of the site is provided.
 1. The developer is required to provide adequate stormwater systems in accordance with the City of Wildwood and the Metropolitan St. Louis Sewer District standards.
 2. All stormwater shall be discharged at an adequate natural discharge point.
 3. Retention/detention of differential runoff of stormwater shall be required. Stormwater management shall be provided in permanent retention/detention facilities, such as ponds or other acceptable alternatives. These retention/detention facilities shall be completed and in operation prior to the issuance of building permits for an approved dwelling unit, except display lots.
 4. All proposed retention/detention facilities and related stormwater improvements shall be located in a common ground area and insure perpetual maintenance to the Homeowners Association to be created at the time of platting of this development.
 5. The developer of this site shall be solely responsible to provide the necessary mechanisms, as part of the Site Development Plan/Improvement Plan process, to

implement “best management practices” for stormwater management and the construction of related facilities. Minimally, these practices/facilities should include rain gardens, vegetative swales, and other options to substantially reduce the amount of stormwater leaving the subject site.

Geotechnical Report

- b. Provide a Geotechnical Report covering development and grading required by improvements involved with this site, as directed by the Department of Public Works. Said report shall verify the adaptability of grading and improvements with soil and geologic conditions which are susceptible to rapid erosion, landslide, and/or creep. A statement of compliance with this study, signed by the Geotechnical Engineer preparing the report, shall be included on all Site Development Plans. The development and construction plans shall be designed to conform to the requirements and conditions of the Geotechnical Report. The Geotechnical Engineer shall be required to sign and seal all plans with a certification the proposed construction will be completed in accordance with the grading and soils requirements and conditions contained in the report.

Stormwater Pollution Prevention Plan

- c. Submit a Stormwater Pollution Prevention Plan, as part of the Site Development Plan review process, indicating compliance to all Federal, State, and local requirements regarding the management of stormwater runoff to prevent siltation and erosion, while preserving water quality, both upon the site and on downstream properties.

Natural Resource Protection Plan

- d. Provide a revised and final copy of the Natural Resource Protection Plan indicating all areas of the site, which are to be designated as protected and not developable. This revised and final copy of this map shall be reviewed and signed by a qualified soil scientist, who completed the analysis, and a statement indicating compliance with all the requirements of Section 1005.200 of the City of Wildwood’s Subdivision and Development Regulations.

Environmental Assessments – Phase One and Two

- e. **The developer shall provide to the Planning and Zoning Commission, as part of the Site Development Plan submittal package, a Phase I and Phase II Environmental Assessment Reports of the property, which indicate its current condition relative to its past utilization by other owners. Determination regarding any required mediation shall be identified and completed, prior to the approval of the Record Plat and before the occupancy of any residential unit, all being in accordance with State and federal standards and guidelines, as set forth by the United States Environmental Protection Agency (EPA) and the Missouri Department of Natural Resources (MDNR), for any determined contaminant**

exceeding a residential cleanup standard/guideline, with the cost borne for such by the developer and not the City of Wildwood.

7. RECORDING

Within ninety (90) days of approval of the Site Development Plan by the Planning and Zoning Commission, the approved plan shall be recorded with the St. Louis County Recorder of Deeds.

8. VERIFICATION PRIOR TO PERMITS

Notification to Department of Planning

- a. Subsequent to approval of the Site Development Plan and prior to issuance of any grading, foundation, or building permit, all approvals from the Department of Public Works, the Missouri Department of Natural Resources, and the Metropolitan St. Louis Sewer District must be received by the Department of Planning.
- b. Prior to the issuance of a foundation or building permit for any lot, which adjoins the common ground area and/or detention, basin, written certification from a Professional Engineer which verifies these areas are graded in accordance with the approved plans, must be received by the Department of Planning.

Roadway Improvements

- c. Improvements to Center Avenue must be completed prior to the issuance of more than one (1) building permit. Any delays in utility company relocation and adjustments will not constitute a cause to allow occupancy prior to completion of roadway improvements.

Land Subdivision

- d. Record a proper subdivision of the property and comply with all other applicable Subdivision and Development Regulations sections affecting the development of land, except as otherwise specified by this ordinance.

Indentures

- e. With the filing of the record plat establishing separate lots, the developer shall record an approved indenture, which defines the necessary assessments and specific trustee obligations in accord with provisions of Section 415.470 and 415.510 of the City of Wildwood Zoning Code.

Escrow Requirements

- f. All improvement and landscaping costs shall be submitted to the City of Wildwood through the standard subdivision escrow procedures.

Improvement Plans

- g. The developer of this residential subdivision shall provide to the City Improvement Plans indicating construction details relative to public and private infrastructure associated with its development. Said plans will be used to calculate escrow requirements for these identified improvements.

Sanitary Sewage System

- h. The developer shall provide verification from the Metropolitan St. Louis Sewer District that public sewer service has been provided to this site. Verification shall be in a form acceptable to the City of Wildwood. **This lot is part of the Town Center Neighborhood Improvement District (NID) for the required wastewater improvements that have been installed thereafter and each of the proposed properties will have an assessment associated with them that is the responsibility of that owner to pay each year.**

Potable Water Service

- i. The developer shall be required to provide public potable water from the Missouri American Water Company to the property and related homesites. This area has experienced “low pressure” issues and such may affect these twelve (12) lots. Verification of acceptable service to these twelve (12) lots shall be in the form acceptable to the City of Wildwood. Additionally, the design and location of this water service system shall be reviewed and acted upon by the Planning and Zoning Commission, as part of the Site Development Plan submittal process.

9. GENERAL DEVELOPMENT CONDITIONS

- a. Provide adequate temporary off-street parking for construction employees. Parking on non-surfaced areas shall be prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.
- b. A grading permit is required prior to any grading on the site. Interim stormwater drainage control in the form of salutation control measures is required.
- c. A copy of the most recently approved Site Development Plan for this P.R.D. Overlay District development shall be prominently displayed at all times in all sales offices for this development.

- d. The petitioner shall be responsible for obtaining all necessary permits from the Department of Natural Resources Clean Water Commission as they relate to the development of this tract of land.
- e. If cut and fill operations occur during a season not favorable for immediate establishment of a permanent ground cover, a fast germinating annual, such as Rye or Sudan Grasses, shall be utilized to retard erosion.
- f. Failure to comply with any or all of the conditions of this ordinance shall be adequate cause for revocation of permits by issuing City of Wildwood Departments or Commissions.
- g. The Zoning Enforcement Officer of the City of Wildwood, Missouri, shall enforce the conditions of this ordinance in accord with Site Development Plans approved by the Planning and Zoning Commission and the Department of Planning.
- h. Any other applicable zoning, subdivision, or other regulations or requirements of the City, whether in effect at the adoption of this ordinance or as may be hereinafter adopted, shall further apply to the development of this property as authorized by this Planned Residential Development Overlay District Ordinance, except as may be provided by law. Nothing herein shall be deemed a waiver of any subdivision, zoning or other development regulation of the City whether by implication or reference.
- i. This zoning approval is conditioned on compliance with the Zoning Code, Subdivision Code, and all applicable laws of the City. Such additional regulations are supplemental to the requirements herein and no modification of any applicable regulations shall result from this Planned Residential Development Overlay District ordinance, except where this ordinance has expressly modified such regulations by reference to the applicable provision authorizing such modification.

10. PUBLIC SPACE REQUIREMENTS

- a. Developer shall construct improved public space in conformance with or otherwise satisfying the requirements of the City's Public Space Ordinance, Chapter 415.260 and 415.270 of the City of Wildwood's Zoning Ordinance. The City Council accepts the findings of the Public Space Study adopted therein and determines the compliance with the Public Space Ordinance provisions will address the impact of this specific development on public space needs in a manner and amount that is equal to less than an amount that is roughly proportional to the actual or anticipated impact. The installation of required public space improvements shall be as required by the applicable ordinances, but shall be completed prior to issuance of any occupancy (temporary or final) permit for the authorized by this ordinance. Unless otherwise approved pursuant to the procedures set forth in the Public Space Ordinance, **the public space attributable to this development, based upon the number of authorized dwelling units at a rate of 1,742.4 square feet per new single family dwelling, is 20,908.80 square feet in total area.**

Editor's Note: Changes to the conditions, as directed by the Planning and Zoning Commission, are shown in bolded, blue type, while a single, strike-through line indicates deletions to them.

Section Three. This ordinance shall be in full force and effect on and after its passage and approval.

This Bill was passed and approved this ____ day of _____, 2015, by the Council of the City of Wildwood, Missouri after having been read by title, or in full, two (2) times prior to its passage.

Presiding Officer

The Honorable Timothy Woerther, Mayor

ATTEST:

City Clerk

Lynne Greene Beldner
Deputy City Administrator/City Clerk