

AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, THAT HEREBY ENDORSES, RATIFIES, AND AUTHORIZES A CHANGE TO THE TOWN CENTER REGULATING PLAN, THE REZONING OF PROPERTY, AND THE APPLICATION OF A PLANNED RESIDENTIAL DEVELOPMENT OVERLAY DISTRICT (PRD) ONTO A SET OF PROPERTIES TOTALING 2.5 ACRES THAT ARE LOCATED ON THE NORTH AND SOUTH SIDES OF NEW COLLEGE AVENUE, WEST OF WEST AVENUE, AND EAST OF STATE ROUTE 109, THEREBY ALLOWING UP TO EIGHTEEN (18) ATTACHED ROWHOUSES ON INDIVIDUAL LOTS, WITH COMMON GROUND AND REQUIRED PUBLIC SPACES AREAS, ALL BEING CONSISTENT WITH THE PLANNING AND ZONING COMMISSION'S ACTION UPON ITS LETTER OF RECOMMENDATION, BEING DATED JANUARY 18, 2022.

WHEREAS, this property has been a part of the City's Town Center Area since 1996 and designated at first for all "Workplace" District activities and now all "Neighborhood Edge" District land uses, which reflects the changing priorities of the City in terms of future development patterns in this particular area; and

WHEREAS, initial rezoning of this tract of land in 2001 was from the NU Non-Urban Residence District to the C-8 Planned Commercial District to accommodate its use as an office/warehouse center (total of seven (7) buildings), building on the success of Westridge Office Center that is located immediately to the west, which was undertaken by the same petitioner (McLain Properties); and

WHEREAS, two (2) of the seven (7) building were completed within this commercial area, while the remaining lots did not develop and then went through several changes in ownership, which has led to the area not being maintained and often creating challenges to code enforcement; and

WHEREAS, this situation with these properties (and development) led to other options being considered over the years, which were culminated when the current petitioner submitted a proposal for a Regulating Plan change, a rezoning of the tract of land, and the application of an overlay district to change the land use pattern from office/warehouse to residential, specifically attached, single family dwellings; and

WHEREAS, these requests by the current petitioner reflected the longstanding issues with the property from a commercial use standpoint and the City's need to address these vacant lots that impact this area of Town Center; and

WHEREAS, to accomplish this request, the petitioner needed to amend the Regulating Plan of the Town Center Plan, while seeking a change in zoning from the C-8 Planned Commercial District to the R-6A 4,000 square foot Residence District, with a Planned Residential Development Overlay District (PRD); and

WHEREAS, a public hearing was held by the Planning and Zoning Commission on these items on October 4, 2021, where the petitioner presented the initial request for a residential subdivision that would consist of eighteen (18) individual lots to accommodate eighteen (18), attached single family dwellings, each being two (2) stories in height, all to be served by alleys and rear-entry garages; and

WHEREAS, at this public hearing, the Planning and Zoning Commission identified a number of considerations regarding this tract of land, specifically highlighting its proximity to existing commercial uses and the more established residential land use pattern to the east and south of it, in its discussion of these matters; and

WHEREAS, with direction from the Planning and Zoning Commission, the petitioner met with City staff, which led to certain modifications to the overall design of the project's improvements to address the already graded project site, buffers, and certain architectural needs relative to this type of unit; and

WHEREAS, this revised concept was reviewed by the Planning and Zoning Commission and determined to be acceptable with the changes that had been made and provided a favorable recommendation regarding the modifications to the Town Center Plan, the rezoning of the property, and application of the special procedures permit (Planned Residential Development Overlay District); and

WHEREAS, this actions of the Planning and Zoning Commission were by votes of 7 to 0 and 8 to 0 on these matters; and

WHEREAS, the Letter of Recommendation from the Planning and Zoning Commission was then forwarded to City Council on February 14, 2022, where it conducted another public hearing on this matter, and heard from those in attendance regarding these proposals; and

WHEREAS, at the conclusion of the public hearing, the City Council noted the recommendation of the Planning and Zoning Commission was reasonable and appropriate and the 'Analysis' contained in the report addressed the design components of the project to its satisfaction, thereby authorizing the preparation of legislation to accommodate the Town Center Plan change, the modification of the property's zoning district designation, and the application of the Planned Residential Development Overlay District (PRD) upon the site; and

WHEREAS, the City Council, through its established authority under Chapter 89 of Missouri Revised Statutes and the Wildwood Charter, believe this action is consistent with good planning practice and will protect the public's health, safety, and general welfare by improving the conditions at this site with its redevelopment under a new owner.

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

Section One. The amendments to the City's Town Center Plan, specifically its Regulating Plan component, previously adopted by the Planning and Zoning Commission on January 18,

2022, by its action on the Letter of Recommendation on this request, is hereby incorporated herein by reference and on file for view with the City Clerk of the City of Wildwood, Missouri, and endorsed, ratified, and confirmed, as part of the City's Master Plan.

Section Two. Pursuant to Section 3.9(b.) of the City Charter, the Comprehensive Zoning Map is hereby amended to reflect the modification made to the Regulating Plan of the Town Center Plan by the Planning and Zoning Commission, which establishes how the development of these properties will be reviewed and considered by the City in terms of authorized uses, neighborhood design standards, architectural guidelines, street specifications, and streetscape requirements, all in accordance with the stated objectives of the amendment and the contemporaneous amendment of the Master Plan.

Section Three. The City of Wildwood Zoning Ordinances and Official Zoning District Maps, which are made a part hereof, are hereby, are hereby amended to reflect the change in zoning from the C-8 Planned Commercial District to the R-6A 4,000 square foot Residence District, with a Planned Residential Development Overlay District (PRD), as set forth in this ordinance, for the following described land:

Two Parcels of land being Lots 2, 4, 5, and 6 of Westridge Office Center II (P.B. 358, Pg. 380), located in the Northeast Quarter of Section 11, Township 44 North, Range 3 East of the Fifth Principal Meridian, City of Wildwood, St. Louis County, Missouri and being more particularly described as follows:

Parcel 1: Lot 2 of Westridge Center II

Beginning at a point on the North right-of-way line of New College (42'w.) Avenue, as shown on the plat of Westridge Office Center II, as recorded in Plat Book 358, Page 380 of the St. Louis County Recorder's Office, said point being the Southeast corner of Lot 1 of said Westridge Center II; Thence, leaving said corner along the East line of said Lot 1, North 1°55'39" East, 51.73 feet to a point of non-tangency; Thence North 15°29'12" East, 103.97 feet to a point of non-tangency at the Northeast corner of said Lot 1, said corner being on the South line of Lot 1 of Turkey Track Corner, as recorded in Plat Book 202, Pages 50-51 of the above mentioned County records; Thence along said South line, South 74°30'48" East, 384.22 feet to a point of non-tangency to the West right-of-way line of West Avenue (Variable Width); Thence along said right-of-way line, South 0°30'50" West, 8.85 feet to a point of non-tangency to the Northeast corner of Common Ground of said Westridge Center II; Thence along the North, West and South line of said Common Ground the following courses and distances: North 74°30'48" West, 148.41 feet to a point of non-tangency; Thence South 1°55'39" West, 78.87 feet to a point of non-tangency; Thence South 88°04'21" East, 67.50 feet to a point of non-tangency; Thence South 1°55'39" West, 10.00 feet to a point of non-tangency on the North right-of-way line of the above mentioned New College Avenue; Thence along said North line, North 88°04'21" West, 301.32 feet to a point of curvature; Thence along a curve to the right having a radius of 979.00 feet a chord which bears North 87°29'09" West, 20.02 feet and an arc distance of 20.02 feet to the Point of Beginning and contains 33,199 square feet or 0.76 acres more or less according to calculations performed by The Sterling Company during the month of July, 2021 and is subject to the results of a future property boundary survey.

Parcel 2: Lots 4, 5, and 6 of Westridge Center II

Beginning at a point on the South line of Westridge Office Center II, as recorded in Plat Book 358, Page 380 of the St. Louis County Recorder's Office, said point being the Southeast corner of Lot 3 of said Westridge Center II; Thence along the East line of said Lot 3, North 7°40'11" West, 44.50 feet to a point of non-tangency; Thence North 1°55'39" East, 186.48 feet to a point of curvature on the South right-of-way line of New College (42'w.) Avenue, as shown on the above mentioned plat of Westridge Office Center II; thence along a curve to the left having a radius of 1,021.00 feet a chord which bears South 88°44'30" East, 0.18 feet and an arc distance of 0.18 feet to a point of non-tangency; Thence along the South right-of-way line of New College Avenue, South 88°04'21" East, 357.54 feet to a point of curvature; Thence along a curve to the right having a radius of 23.50 feet a chord which bears South 43°46'49" East, 32.82 feet and an arc distance of 36.33 feet to a point of tangency on the West right-of-way line of West Avenue (Variable Width); Thence along said West right-of-way line, South 0°30'46" West, 143.68 feet to a point of non-tangency at the Southeast corner of said Westridge Office Center II; Thence along said South line, South 82°19'49" West, 382.70 feet to the Point of Beginning and contains 75,978 square feet or 1.74 acres more or less according to calculations performed by The Sterling Company during the month of July, 2021 and is subject to the results of a future property boundary survey.

Section Four. 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 January 18, 2022, 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 eighteen (18), attached single family dwellings, with common ground, public space, and all permitted accessory structures normally found in conjunction with the principal uses.

2. LOT SIZES, DEPTHS, AND BUILDING REQUIREMENTS

- a. Each attached dwelling unit shall be located on an individual lot of record that is a minimum of 1,690 square feet or greater in size. The minimum width of any lot within this P.R.D. Overlay District shall be twenty (20) feet in distance. This width shall be measured at the lot's front building line.
- b. All attached single family dwellings shall have a minimum finish floor elevation of their front porches of eight (8) inches in height above the adjoining sidewalk grade. All dwelling units shall have a front porch, which must extend access at least thirty-three percent (33%) of the façade's elevation facing the frontage line, at a minimum depth of no less than four

- (4) feet. No building facade shall show more than four (4) corners to the frontage line or as approved by the Architectural Review Board on the required elevations.
- c. 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.
 - d. All lots that are part of this Planned Residential Development Overlay District (PRD) boundary shall be accessed by private service lanes (alleys) that comply in their construction with the Street Specifications of the Town Center Plan. These service drives shall provide access to rear loaded garages that must be provided, as part of any single-family attached dwelling. Individual garage doors shall not exceed twelve (12) feet in overall width, if applicable, and be reviewed and acted upon by the Architectural Review Board, as part of its consideration of these dwellings.
 - e. The first story, interior clear height for all single family dwellings shall be not less than eight (8) feet.
 - f. Attached single family dwelling units, which face the frontage line, but also placed the side of the building along another right-of-way, shall be designed to incorporate the elements of the front facade along that portion of the structure. Brick shall be required on all end units of building clusters when such are visible from an adjoining street(s) or architecturally appropriate. In these instances, as set forth herein, brick shall not be required on the garage component of the dwelling. The placement and design of these units shall be approved by the Planning and Zoning Commission on the Site Development Plan and the elevations of these units by the Architectural Review Board.
 - g. The proposed architectural design, character, and style of all buildings and dwelling units shall adhere to the City of Wildwood's Town Center Architectural Guidelines, Neighborhood Design Standards, and any other applicable requirements of the Town Center Plan, 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 backerboard, wood, stone, and/or brick. Architectural type shingle selections shall be required on all residential units of a minimum thirty (30) year standard, with all penetrations, i.e., vents, stacks, etc., to be painted to match the shingle's color. 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 (PRD), and the surrounding built environment, in terms of material, color, and style.

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 its 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 – 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 build-to lines, as specified in the Town Center Plan's Neighborhood Design Standards:
 - (1) Ten (10) feet from any right-of-way line.

- (2) Zero (0) feet for side yard areas, but a minimum of ten (10) feet between each building cluster. Any unit that abuts the perimeter of the Planned Residential Development Overlay District shall have a side yard setback distance of ten (10) feet.
 - (3) Five (5) feet from any rear yard property line.
- b. All parking stalls or loading spaces, excluding points of ingress or egress for the attached dwelling units, must be accessed by service lanes (alleys).

Access and Roadway Improvements

- c. Dedicate/establish land area, at a minimum of twenty (20) feet in total width, and then construct within said dedication or easement for service and access to the eighteen (18) lots, private asphalt service lanes (alleys), which comply with the Town Center Plan's Street Specifications and Streetscape Requirements. All streetscape requirements shall be required, as specified by the City of Wildwood's Town Center Plan for this type of dedication/easement area (within the boundaries of this development site) and be approved by the Department of Public Works. These specifications and requirements include all minimum construction specifications for the hard surface, stormwater management standards, signage, lighting, and landscaping therein noted.
- d. Any planned infrastructure improvement shall be designed and constructed by the developer of this residential subdivision in accordance with City of Wildwood standards, and as directed by the Department of Public Works.

Miscellaneous Roadway Requirements

- e. 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.
- f. 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.
- g. 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 Street Specifications and Streetscape Elements of the Town Center Plan. Approval of their location, design, and material shall be by the Planning and Zoning Commission, as part of the Site Development Plan review process.
- h. 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.

Parking Requirements - Residential

- i. Parking spaces shall be provided as required by the Town Center Plan's Neighborhood Design Standards and Section 415.340 Off-Street Parking and Loading Requirements of the City of Wildwood Zoning Ordinance for the R-6A 4,000 square foot Residence District. The developer shall be responsible to provide additional parking spaces in the common ground areas of the project. The total number of additional spaces shall be as determined on the Site Development Plan by the Planning and Zoning Commission, but be no less than twelve (12) in total.

Landscape Requirements - Specific

- j. 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.
- k. All streets, roads, and lanes shall be appropriately landscaped as required by the Streetscape Design Requirements of the Town Center Plan and approved by the Planning and Zoning Commission on the Site Development Plan.
- l. 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.
- m. Landscaping within the defined common ground areas shall comply with Ordinance 410 Tree Preservation and Restoration Code requirements and accompanying Tree Manual. The planting pattern shall be approved by the Planning and Zoning Commission on the Site Development Plan.
- n. A Landscape Architect shall sign and submit all plans for review and approval for this development.

Signs - Residential

- o. Signs for this P.R.D. Overlay District shall be erected in accordance with the Town Center Plan Architectural Guidelines and Section 415.410 Sign Regulations of the City of Wildwood Zoning Ordinance for the R-6A 4,000 square foot Residence District.

- p. 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

- q. 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. Bollard type lighting standards shall be utilized within all visitor parking lot areas, or a comparable substitution.

Miscellaneous Conditions

- r. The developer of this project shall be required to provide an appropriately-designed and constructed screen feature along west side of West Avenue, south of New College Avenue, to assist with the transition to the more traditional residential areas. This screen feature shall be of an adequate height, as determined from sight line analysis by the Departments of Planning and Public Works, to provide a visual barrier between West Avenue and driveway areas in this same vicinity. The design, colors, materials, and locations of this screen feature shall be consistent with the requirements of the Town Center Plan's Architectural Guidelines, where applicable, and be shown on the Site Development Plan for review and action by the Planning and Zoning Commission and the Architectural Review Board.
- s. 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.
- t. 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 be consistent with the requirements of the Town Center Plan's Architectural Guidelines and be shown on the Site Development Plan for review and action by the Planning and Zoning Commission.
- u. 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:

<i>Type of Development</i>	<i>Contribution</i>	<i>Required</i>
Single Family Dwelling (Eighteen (18) Units)	\$1,351.57/Parking Space	

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

If the type of development proposed differ from 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, 2023, 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 ensure perpetual maintenance to the

Homeowners Association to be created at the time of platting of this development. These stormwater improvements shall provide appropriate plantings to meet Metropolitan St. Louis Sewer District standards, while also addressing the City of Wildwood's requirements relating to its Sustainable Plantings Guide and Tree Manual. These areas, where lots face onto them, must provide an appropriate environment, and said determination will be indicated on the required Landscape Plan and acted upon by the Planning and Zoning Commission.

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.
6. The developer shall provide adequate detention and/or hydrologic calculations for review and approval of all stormwater that will encroach on City of Wildwood rights-of-way.
7. A bond or letter of credit will be required by the City of Wildwood to cover any downstream damage to abutting or adjacent properties, common ground areas, or drainageways caused by the developers' use of this subject site (land/disturbance/grading/construction activities, etc.), which shall be used for the restoration of damaged areas to their pre-development condition, if the developers fail to meet their responsibilities in this regard. The amount of this bond or letter of credit and the establishment of the process for creating an accurate baseline condition for the existing downstream facilities shall be at the discretion of the City of Wildwood Department of Public Works, in conjunction with input from the petitioner's engineer.

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 Federal, State, and local requirements regarding the management of stormwater runoff to prevent siltation and erosion, both on-site and upon downstream properties.

Phase I Environmental Assessment

- d. The developer shall provide to the Planning and Zoning Commission, as part of the Site Development Plan submittal package, a Phase I Environmental Assessment Report of the properties indicating their current condition relative to past utilization of this tract of land.

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, the Metro West Fire Protection District, 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 the private service lanes must be completed prior to the issuance of building permits in excess of twenty (20) percent of the units. 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. This indenture, if common maintenance of the exterior of all residential units, private lots, and common ground areas is planned, shall address such, and be reviewed by the City Attorney for compliance to all applicable law.

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 and Public Potable Water

- h. The developer shall provide verification from the Metropolitan St. Louis Sewer District (MSD) and Missouri American Water Company respectively that public sanitary sewer service and adequate pressure and volume of potable water can be provided to this site and associated dwellings. Verification shall be in a form acceptable to the City of Wildwood.

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 siltation 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 (PRD) 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 828 square feet per new single family dwelling.

Section Five. 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 _____, 2022, 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

James R. Bowlin, Mayor

ATTEST:

City Clerk

City Clerk