

AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, ENDORSING AND RATIFYING A CHANGE TO THE TOWN CENTER REGULATING PLAN AND APPROVING THE REZONING OF NINE PROPERTIES, WITH THE APPLICATION OF A PLANNED RESIDENTIAL DEVELOPMENT OVERLAY DISTRICT (PRD) ONTO THE PROPERTIES TOTALING 17.3 ACRES, LOCATED ON THE NORTH SIDE OF CRESTVIEW DRIVE (FUTURE MAIN STREET), BETWEEN MARKET DRIVE AND EATHERTON ROAD, AND AUTHORIZING UP TO 134 ATTACHED AND DETACHED SINGLE-FAMILY DWELLINGS ON INDIVIDUAL LOTS, WITH COMMON GROUND, STORMWATER FACILITIES, AND REQUIRED PUBLIC SPACE AREAS, ALL BEING CONSISTENT WITH THE PLANNING AND ZONING COMMISSION’S LETTER OF RECOMMENDATION DATED JULY 5, 2023.

WHEREAS, these tract of lands have been a part of the City’s Town Center Area since 1996 and were designated at first for all “Commercial” District activities, then “Downtown” District types, and now will be “Neighborhood General” District land uses, which reflects the changing priorities of the City in terms of future development patterns in this particular area; and

WHEREAS, these tracts of land include a total of nine (9) lots, with seven (7) of them fronting onto Crestview Drive (future Main Street) and the remaining two (2) sites onto Eatherton Road; and

WHEREAS, these sites that form the subject tract of land have not been part of any rezoning requests in the Town Center Plan’s first twenty-five (25) years of application until a recent rezoning of a three-quarters ($\frac{3}{4}$) of an acre site that fronted onto Eatherton Road, which was to the R-3 10,000 square foot Residence District; and

WHEREAS, the current petitioner has been able to negotiate with this group of property owners to allow for he submittal of a residential proposal for a Regulating Plan change, the rezoning of the tract of land, and the application of an overlay district to change the land use pattern from commercial activities to residential types, specifically attached and detached single family dwellings on individual lots of record; and

WHEREAS, these requests by the current petitioner involve the properties that form the entirety of the north side of Crestview Drive, minus the easternmost lot, which is to be part of the future Main Street extension and reflects its plan to provide rights and land area for this arterial roadway project; and

WHEREAS, the petitioner needed to amend the Regulating Plan of the Town Center Plan, while seeking a change in zoning from the NU Non-Urban Residence 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 May 1, 2023, where the petitioner presented the initial request for a residential subdivision that would consist of up to one hundred thirty-four (134) individual lots to accommodate an equal

number of detached and attached single family dwellings, each being two (2) stories in height, with all to being 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 the number of lots, the placement of units relative to the existing land use pattern in their vicinity, infrastructure levels, and parking configurations and the total number of them to be provided with each dwelling unit; 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 these considerations, which were then reflected on a revised plan; 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 modification to the Town Center Plan, the rezoning of the properties, and application of the special procedures permit (Planned Residential Development Overlay District); and

WHEREAS, this action of the Planning and Zoning Commission was by vote of 6 to 0; and

WHEREAS, the Letter of Recommendation from the Planning and Zoning Commission was then forwarded to City Council on July 10, 2023, 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 tract of land; 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 amendment to the City's Town Center Plan, specifically its Regulating Plan component, previously adopted by the Planning and Zoning Commission on June 5, 2023, 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 NU Non-Urban Residence District and R-3 10,000 square foot Residence 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:

A tract of land in the Southwest Quarter of Section 1, 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:

Commencing at the Southwest corner of property now or formerly to Carlotta H. Sansone, trustee of the Carlotta H. Sansone Revocable Trust Dated October 11, 1999, as recorded in deed book 17782, page 2904 of the St. Louis County Recorder's Office, said corner being on the North right-of-way line of Crestview (25 foot wide, Private) Drive; thence along said North line, North 86°50'00" West, 189.85 feet to the True Point of Beginning of the herein described parcel; thence continuing along said North line, North 86°50'00" West, 323.00 feet to a point; thence North 03°10'00" East, 142.04 feet to a point; thence South 86°50'00" East, 303.00 feet to a point of curvature; thence along a curve to the right having a radius of 20.00 feet, a chord which bears South 41°50'00" East, 28.28 feet and an arc length of 31.42 feet to a point of tangency; thence South 03°10'00" West, 122.04 feet to the Point of Beginning and contains 45,793 square feet or 1.05 acres, more or less according to calculations performed by The Sterling Company during the month of February, 2023 and subject to the results of a future property boundary survey.

and

A tract of land in the Southwest Quarter of Section 1, 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:

Beginning at the Southwest corner of property now or formerly to Dale E. and Judith L. Friedhoff, as recorded in deed book 20523, page 1033 of the St. Louis County Recorder's Office, said corner being on the East right-of-way line of Eatherton (Variable Width) Road; thence leaving said East right-of-way line along the Southeast line of said Friedhoff property, North 70°53'06" East, 262.13 feet to a point on the West line of property now or formerly to Norma R. Redeker, as recorded in deed book 7299, page 1342 of said records; thence along said West line, North 01°53'06" East, 67.96 feet to a point at the Northwest corner of said

Redeker property, said corner being on the South right-of-way line of Missouri State Highway 100; thence leaving said corner along said South right-of-way line the following courses, distances and curve, South 80°32'23" East, 533.04 feet to a point of non-tangency; thence North 89°09'19" East, 111.80 feet to a point; thence South 80°32'23" East, 255.00 feet to a point of curvature; thence along a curve to the left having a radius of 17,318.74 feet and a chord which bears South 80°57'54" East, 257.15 feet and an arc distance of 257.15 feet to a point at the Northwest corner of property now or formerly to Carlotta H. Sansone, trustee of the Carlotta H. Sansone Revocable Trust Dated October 11, 1999, as recorded in deed book 17782, page 2904 of said records; thence leaving said South right-of-way line along the West line of Sansone, South 01°54'00" West, 550.89 feet to a point on the North right-of-way line of Crestview (25 foot wide, Private) Drive, as recorded in deed 4699, page 119 of said records; thence along said North line, North 86°50'00" West, 189.85 feet to a point; thence leaving said North line, North 03°10'00" East, 122.04 feet to a point of curvature; thence along a curve to the left having a radius of 20.00 feet, a chord which bears North 41°50'00" West, 28.28 feet and an arc length of 31.42 feet to a point of tangency; thence North 86°50'00" West, 303.00 feet to a point; thence South 03°10'00" West, 142.04 feet to a point on the aforementioned North right-of-way line of Crestview (25 foot wide, Private) Drive; thence along said North line, North 86°50'00" West, 648.33 feet to a point on the East right-of-way line of the aforementioned Eatherton (variable width) Road; thence along said East right-of-way line, North 01°54'00" East, 86.58 feet to a point; thence continuing along said East line, North 27°46'00" West, 468.33 feet to the Point of Beginning and contains 710,717 square feet or 16.31 acres, more or less according to calculations performed by The Sterling Company during the month of February, 2023 and 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 June 5, 2023, 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 a maximum of one hundred thirty-four (134) attached and detached single family dwellings, all to be located on individual lots, with them being in conjunction with common ground areas, public space locations, and any permitted accessory structures normally found in conjunction with these types of principal uses.
 - i. For Lots 93 through 98, and their associated dwellings, which abut one (1) of the two (2) bio-retention basins, are authorized under the following conditions: (1.) a minimum

- five (5) foot distance shall exist between the back edge of the proposed meandering sidewalk and the start of slope in association with the bio-retention basin; and (2.) a two (2) tiered wall system shall be installed on the western side of the bio-retention basin to better manage the planned grade of that side slope area and create a lesser height wall, if as a single component.
- ii. Lots 115 and 116 shall be part of the overall permitted lot count for the project, given the following steps will be in place, as part of their review on the Stie Development Plan (SDP): (1.) multiple walls at varying heights, but strategically placed to provide function and aesthetics, at the nearby public street intersection, all to be minimally consistent with the efforts of the developer and neighbors regarding this same area; and (2.) a maximum ten (10) foot setback for the rear property lines that abuts the service lane.

2. LOT SIZES, DEPTHS, AND BUILDING REQUIREMENTS

- a. The area of this Planned Residential Development Overlay District (PRD) shall be no less than seventeen (17) acres in size, or as indicated on the Preliminary Development Plan dated June 19, 2023.
- b. Each attached and detached dwelling unit shall be located on an individual lot of record that is a minimum of 2,300 square feet or greater in size. The minimum width of any lot within this P.R.D. Overlay District shall be thirty-two (32) feet in distance. This width shall be measured at the lot's front building line.
- c. All attached and detached single family dwellings shall have a minimum finish floor elevation at their front porches of eight (8) inches in height above the adjoining sidewalk grade or as acted upon by the Planning and Zoning Commission on the Site Development Plan (SDP). All dwelling units shall have a portion of each front porch area, at a minimum depth of no less than six (6) feet or as approved by the Planning and Zoning Commission on the approved Site Development Plan (SDP).
- d. 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.
- e. 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 lanes, given design components, shall remain private forever. These service drives shall provide access to rear loaded garages that must be provided, as part of any single-family attached or detached dwelling. Type and character of individual garage doors shall be as acted upon by the Architectural Review Board in its review of all architectural components of all buildings and structures.
- f. The first story, interior clear height for all single family dwellings shall be not less than eight (8) feet.

- g. The attached single family dwellings shall share a common wall at each of the unit's garages.
- h. Each attached or detached single family dwelling shall be constructed with the following additional requirements relative to the application of the current adopted Building Code:
 - i. First and Second Floor Framing – 2x10 @ 12” On Center, w/mid-span blocking.
 - ii. Foundation Walls (7'-10” Pour, 8.11” Thick – (2) #5 reinforcing bars placed horizontally in the top, middle and bottom of foundation walls.
 - iii. Foundation Footing (7'-10” Pour, 8.11” Thick – (2) #5 reinforcing bars (one on each end of the footing).
 - iv. Exterior Sheathing – ½” CDX plywood.
 - v. Floor Sheathing – ¾” plywood.
- i. Attached single family dwelling units, which face the frontage line of Crestview Drive (future Main Street), 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 (Lots 118, 119, 126, 127, and 134). 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.
- j. The proposed architectural design, character, and style of all 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 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 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/Setback 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/setback lines, as specified in the Town Center Plan's Neighborhood Design Standards:
 - I. A minimum of ten (10) feet front yard setback distance.
 - II. Zero (0) feet for side yard areas, but a minimum of ten (10) feet between any two (2) unit building cluster. Any unit that abuts the perimeter of the Planned Residential Development Overlay District shall have a side yard setback distance of five (5) feet.
 - III. Twenty (20) feet from any rear yard property line, except Lots 115 and 116, as shown the Preliminary Development Plan dated June 19, 2023. The rear yard setback distance for these two (2) lots is ten (10) feet.

- b. All parking stalls or loading spaces must be accessed by service lanes (alleys). Driveway lengths serving these required parking spaces, specifically between the edge of the service lane and the rear setback line shall be twenty (20) feet and be as approved by the Planning and Zoning Commission on the Site Development Plan, except Lots 115 and 116, as shown the Preliminary Development Plan dated June 19, 2023. The parking setback distance for these two (2) lots is ten (10) feet.

Access and Roadway Improvements

>>> Main Street

- c. Dedicate to the City of Wildwood, via the appropriate legal instrument(s), and in a form satisfactory to the City Attorney, any and all rights, claims, or other obligations developer has pertaining to Crestview Drive, as it is identified as a parcel of ground, to the City of Wildwood forever relative to any and all past, current, or future privileges. Said transfer shall be accomplished at the time the Record Plat is submitted and considered by the City Council or sooner, at the developer's discretion.
- d. Establish one-half ($\frac{1}{2}$) of a minimum seventy (70) foot wide public right-of-way for the construction of Main Street, as part of the site, for a total of thirty-four (34) feet of pavement area (inclusive of the concrete vertical curb and gutter, tree lawn area, and grass median) and six (6) foot sidewalks on one (1) side of this roadway, which adhere to the Town Center Plan's Street Specifications and the Streetscape Design Requirements, as directed by the Department of Public Works and approved by the Planning and Zoning Commission on the Site Development Plan. Specifically, the extent of dedication of land area shall be no less than ten (10) feet for public right-of-way purposes, while the developer shall also provide a five (5) foot wide roadway, maintenance, landscaping, sewer, sidewalk, and utility easement along the north side of this public dedication area.
- e. All streetscape requirements (street trees, lights (spacing of lights on one (1) side of any street/roadway shall be no greater than one hundred fifty (150) feet in distance), signs, waste receptacles, benches, and other items consisting of approved materials) shall be installed by the developer, as specified by the City of Wildwood's Town Center Plan within the right-of-way of Main Street, and as directed by the Department of Public Works. These street improvements and requirements can be escrowed with the City of Wildwood, in lieu of construction, if approved, or otherwise waived, as which of such may be determined appropriate by the City Council.

>>> Eatherton Road

- f. Dedicate the required amount of land area for public rights-of-way purposes and/or easements along this property's Eatherton Road frontage to the City of Wildwood, Missouri for the construction of required roadway improvements by the developer, which shall include a widening of a minimum of five (5) feet in width, a ten (10) foot

wide multiple use trail, and street trees and lights, to be installed in a minimum three (3) foot wide tree lawn area for these improvements.

- g. The developer shall provide an escrow for the calculated and total costs to the City of Wildwood for one-quarter ($\frac{1}{4}$) of the portion of a four (4) way stop, and other improvements requisite therein, along with the dedication of right-of-way for the same, which shall be made no later than at the time of the Record Plat. Improvements to Eatherton Road shall conform to all of the requirements of the City of Wildwood's Street Specifications of the Town Center Plan, as directed and approved by the City of Wildwood's Department of Public Works. All streetscape requirements (street trees, lights, signs, waste receptacles, benches, and other items consisting of approved materials) shall be installed by the developer, as specified by the City of Wildwood's Town Center Plan within the right-of-way of Eatherton Road and directed by the Department of Public Works.

Other Roadway and Street Requirements >>>

- h. Complete the necessary dedication of land area within this subject site for public right-of-way purposes associated with the internal network of streets. These dedications for public rights-of-way shall be used for the construction by the developer of a network of internal residential streets for service to the authorized lots. These dedications shall be a maximum of forty-five (45) feet in width to accommodate the construction of two (2) lanes of asphalt roadway, with concrete curb and gutter, and five (5) foot wide sidewalks, including a three (3) foot tree lawn area, which all adhere to the Town Center Plan's Street Specifications and the Streetscape Design Requirements, as directed by the Department of Public Works and approved by the Planning and Zoning Commission on the Site Development Plan. Along with this dedication of these rights-of-way areas, the developer shall provide a five (5) foot wide roadway, maintenance, landscaping, sewer, sidewalk, and utility easement along both sides of this public dedication area. All streetscape requirements (street trees, lights, signs, waste receptacles, benches, and other items consisting of approved materials) shall be installed by the developer, as specified by the City of Wildwood's Town Center Plan within the rights-of-way of these unnamed streets and directed by the Department of Public Works.
- i. Complete the necessary dedication of land area within this subject site for private access purposes. These dedications for private purposes shall be used for the construction by the developer of a system of lanes/alleys for service to the authorized lots. These dedications shall be a minimum of twenty-two (22) feet in width to accommodate the construction of a lane/alley, which all adhere to the Town Center Plan's Street Specifications and the Streetscape Design Requirements, as directed by the Department of Public Works and approved by the Planning and Zoning Commission on the Site Development Plan. The design of all service lanes shall be as approved by the Metro West Fire Protection District and the City of Wildwood for use.

- j. Any planned traffic island/cul-de-sac 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. The Planning and Zoning Commission, on the Site Development Plan, shall approve the final designs of any traffic calming improvements.

Miscellaneous Roadway Requirements

- k. 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.
- l. 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.
- m. 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.
- n. Sidewalks shall be required on all public and private 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.
- o. 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.
- p. All internal streets, access drives, or lanes, whether public or private, shall comply with the Streetscape Requirements of the Town Center Plan in terms of improvements, such as drive lane widths, sidewalks, stormwater drainage facilities, garden walls, street trees and lights, and pedestrian furniture. If certain streets, drives, or lanes are to be private, an easement shall be provided to the City granting public use of them for pedestrian and vehicular purposes. These easements shall be granted at the time of the Record Plat approval by the City Council.
- q. No direct, or other type of, access from this residential development shall be authorized to Eatherton Road, except at Main Street.

Parking Requirements - Residential

- r. 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 certain common ground areas of the project, as part of the public street identified as a Street "A," and abutting the service lanes on each individual lot.

Landscape Requirements - Specific

- s. 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.
- t. 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.
- u. 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.
- v. 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. Amenities, such as benches, lights, fences, and walking paths shall be installed in the open space area of the residential development by the developer.
- w. A Landscape Architect shall sign and submit all plans for review and approval for this development.

Signs - Residential

- x. 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.
- y. 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

- z. 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

- aa. The developer of this project shall be required to provide a garden or screen wall the edge of right-of-way of the future Main Street to screen the planned stormwater management facility to be located there. This garden or screen wall 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 the stormwater facility and Main Street. The design, color, material, and location of all garden and screen walls or fences 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 and the Architectural Review Board.
- bb. 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.
- cc. 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.
- dd. 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.
- ee. 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.

- ff. No construction related traffic access shall be authorized from this project to Eatherton Road. Construction access shall be via Main Street. Violations to this restriction shall be addressed via Stop Work Orders or summonses to the City of Wildwood Municipal Court.

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 two (2) parking spaces per dwelling by the following rate:

<i>Type of Development</i>	<i>Required Contribution</i>
Single Family Dwelling	\$1,351.57/Parking Space

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

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, 2024, 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.
 - I. The developer is required to provide adequate stormwater systems in accordance with the City of Wildwood and the Metropolitan St. Louis Sewer District standards.
 - II. All stormwater shall be discharged at an adequate natural discharge point.

- III. 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.
- IV. 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 faced 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.
- V. 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.
- VI. 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.
- VII. 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 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.
- VIII. Garden walls, designed and constructed in accordance with the Town Center Plan's Architectural Guidelines, shall be required along any portions of Eatherton Road and Main Street, where any bio-retention basins are visible from these rights-of-way areas.

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.

Traffic Impact Study (TIS)

- e. The developer shall provide to the Departments of Planning and Public Works a Traffic Impact Study indicating the anticipated trip generation from this use and corresponding improvements to address changes in circulation patterns, turning movements, volumes, and other related circumstances for Main Street, Eatherton Road, and Cambury Lane. The Traffic Impact Study must be completed by a qualified engineer having recent (within the last two (2) years) experience in this area of expertise. Review and approval of the Traffic Study shall be by the City of Wildwood Departments of Planning and Public Works. Additional roadway improvements may be required only along the frontages of the petitioner's site, based upon the findings of this study, if warranted.

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 Eatherton Road must be completed prior to the issuance of building permits in excess of fifty (50) 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, 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 sewer service and adequate pressure and volume of potable water is to 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 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.

- i. The public space plan shall generally match the components of the same that were presented at the April 3, 2023 public hearing and as depicted on the last submitted Preliminary Development Plan for the same (dated June 19, 2023).

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 _____, 2023, by the Council of the City of Wildwood after having been read by title or in full two times prior to passage.

Presiding Officer

James R. Bowlin, Mayor

ATTEST:

ATTEST:

City Clerk

City Clerk