

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WILDWOOD, MISSOURI AUTHORIZING A CHANGE IN THE ZONING DISTRICT DESIGNATION OF A PROPERTY THAT IS OWNED BY THE CITY OF WILDWOOD, MISSOURI FROM THE NU NON-URBAN RESIDENCE DISTRICT TO THE PS PARK AND SCENIC DISTRICT TO ACCOMMODATE ITS CURRENT USE AS PUBLIC SPACE, IN ASSOCIATION WITH COMMUNITY PARK AND THE WILDWOOD GREENWAY CORRIDOR, SUCH BEING CONSISTENT WITH THE ACTION OF THE PLANNING AND ZONING COMMISSION DESCRIBED IN ITS LETTER OF RECOMMENDATION DATED SEPTEMBER 18, 2017. (Ward One)

**WHEREAS**, the City of Wildwood purchased a two (2) acre site at the future intersection of State Route 109 and the western extension of Pond Grover Loop Road in 2012, given its strategic location relative to these roadways and proximity to community park; and

**WHEREAS**, the two (2) acre site has been developed to accommodate a number of improvements in association with State Route 109 and the surrounding multiple-use trail system, which includes a retention basin, a new tunnel under the roadway, and the trail; and

**WHEREAS**, the installation of these items still allowed for the majority of the property to retain its woodland areas and provide a buffer to the adjoining dwellings located within the Lafayette Trails Subdivision; and

**WHEREAS**, the project associated with State Route 109 was completed in 2016, which allowed the City to address the zoning district designation to match the activities and improvements now located there, which are primarily public amenities in association with the land area; and

**WHEREAS**, this rezoning request would match the use of the property to the appropriate zoning district designation and be consistent in regards to the City's land use requirements; and

**WHEREAS**, the Planning and Zoning Commission held a public hearing on this request on August 7, 2017, where it accepted comments on the matter and ultimately decided on a recommendation in support of this change in zoning district designation request; and

**WHEREAS**, the Planning and Zoning Commission completed its action on this request (September 18, 2017) and forwarded it to the City Council for its required public hearing, which was held by its members on September 25, 2017, and they reviewed this action and agreed with the rationales stated in the accompanying report; and

**WHEREAS**, at the conclusion of the public hearing and discussion, the City Council agreed to authorize the preparation of the legislation for this rezoning of this two (2) acre parcel of ground owned by the City of Wildwood, Missouri; and

**WHEREAS**, this action by the City Council is consistent with good planning practice and promotes the health, safety, and general welfare of the community.

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

**Section One. AUTHORIZED ACTION.** The City of Wildwood's Zoning Ordinance and Official Zoning District Maps of the City of Wildwood, Missouri, all made a part hereof and incorporated by reference herein, are hereby amended by designating the Property from the NU Non-Urban Residence District to the PS Park and Scenic District for the described tract of land provided below: *A tract of land being part of the Boundary Adjustment Plat recorded in Plat Book 321, Page 3, of St. Louis County Records, and being in Sections 1 and 2, Township 44 North, Range 3 East, City of Wildwood, St. Louis County Missouri, and more specifically identified by St. Louis County Locator Number 23V420103 and a street address of 2145 Highway 109.*

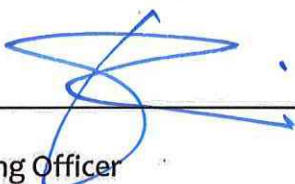
**Section Two. AUTHORITY.** The zoning authority and approval embodied in this Ordinance is granted subject to compliance with the Subdivision and Development Regulations, Zoning Ordinance, and all other City of Wildwood ordinances, rules, and regulations and the conditions of this ordinance, except as may be modified herein, as set forth in accordance with the recommendation of the City Council from its public hearing discussion held on September 25, 2017, which is incorporated herein by reference as if fully set forth in this ordinance.

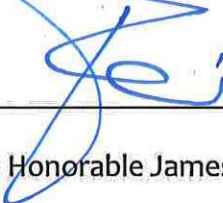
**Section Three. SAVINGS.** Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

**Section Four. SEVERABILITY.** If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the City Council that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision, which had been held invalid, is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.


**Section Five. EFFECTIVE DATE.** This Ordinance shall be in full force and effect on and after its passage and approval.

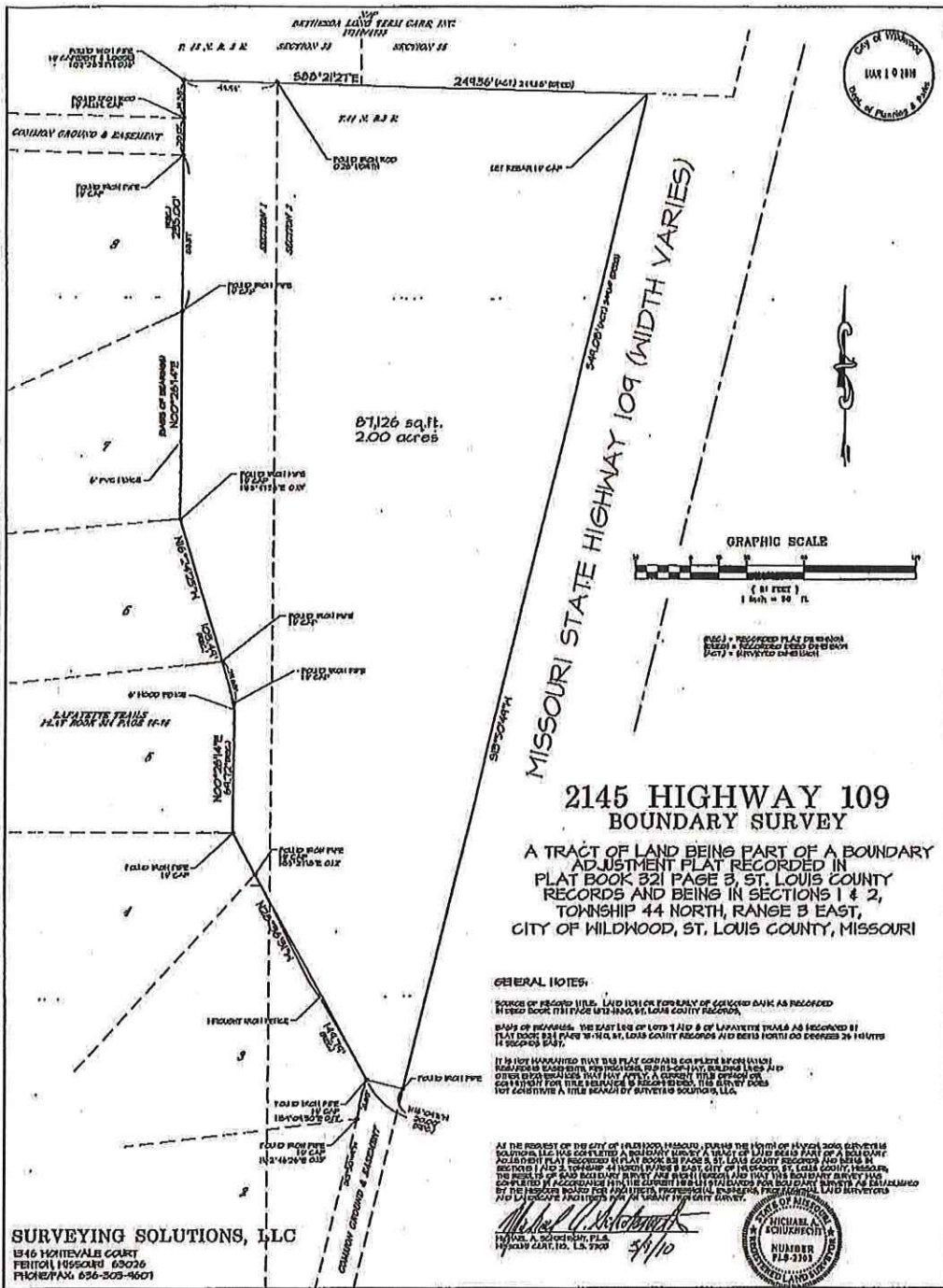
This Bill was passed and approved this 23<sup>rd</sup> day of October, 2017, by the City Council of the City of Wildwood, Missouri, after having been read by ~~title~~, or in full, two (2) times prior to its passage.

  
\_\_\_\_\_  
Presiding Officer

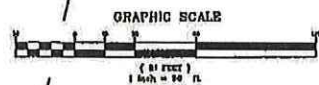
  
\_\_\_\_\_  
The Honorable James R. Bowlin, Mayor

**ATTEST:**  
  
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Amanda Foster, City Clerk

**ATTEST:**  
  
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Amanda Foster, City Clerk



CITY OF WILDWOOD  
 MAY 10 2010  
 Dept. of Planning & Zoning



**2145 HIGHWAY 109  
 BOUNDARY SURVEY**  
 A TRACT OF LAND BEING PART OF A BOUNDARY  
 ADJUSTMENT PLAT RECORDED IN  
 PLAT BOOK 321 PAGE 3, ST. LOUIS COUNTY  
 RECORDS AND BEING IN SECTIONS 1 & 2,  
 TOWNSHIP 44 NORTH, RANGE 3 EAST,  
 CITY OF WILDWOOD, ST. LOUIS COUNTY, MISSOURI

**GENERAL NOTES:**  
 SOURCE OF RECORDS: LOTS 1 AND 8 OF LAPAYETTE TRAILS AS RECORDED IN PLAT BOOK 321 PAGE 3, ST. LOUIS COUNTY RECORDS.  
 DATE OF RECORDS: THE EAST LINES OF LOTS 1 AND 8 OF LAPAYETTE TRAILS AS RECORDED IN PLAT BOOK 321 PAGE 3, ST. LOUIS COUNTY RECORDS AND BEING PART OF DECEASED TO HEIRTS IN RECORDS 5497.  
 IT IS NOT WARRANTED THAT THIS PLAT CORRECTS ALL PREVIOUS RECORDS OR RECORDS MADE HEREIN, NOR DOES IT GUARANTEE THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE SURVEY DOES NOT CONSTITUTE A TITLE WARRANTY BY SURVEYS SOLUTIONS, LLC.

AT THE REQUEST OF THE CITY OF WILDWOOD, MISSOURI, DURING THE MONTH OF MARCH 2010, SURVEYS SOLUTIONS, LLC HAS COMPLETED A BOUNDARY SURVEY OF THE TRACT OF LAND BEING PART OF A BOUNDARY ADJUSTMENT PLAT RECORDED IN PLAT BOOK 321 PAGE 3, ST. LOUIS COUNTY RECORDS AND BEING IN SECTIONS 1 AND 2, TOWNSHIP 44 NORTH, RANGE 3 EAST, CITY OF WILDWOOD, ST. LOUIS COUNTY, MISSOURI. THE RESULT OF THIS BOUNDARY SURVEY IS SHOWN ON THIS PLAT. THIS BOUNDARY SURVEY HAS BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT MISSOURI STATUTES FOR BOUNDARY SURVEYS AS ESTABLISHED BY THE MISSOURI BOARD OF LAND SURVEYING PROFESSIONALS. SURVEYS SOLUTIONS, LLC HAS REVIEWED THE RECORDS AND FOUND NO OTHER RECORDS AFFECTING THIS SURVEY.

**SURVEYING SOLUTIONS, LLC**  
 1346 HOMERALS COURT  
 FENTON, MISSOURI 63026  
 PHONE/FAX: 636-303-4601

*Michael J. Schuchert*  
 5/1/10

