



AGENDA

for the

CITY OF WILDWOOD'S

PLANNING AND ZONING COMMISSION

City Hall Council Chambers · [16860 Main Street](#)

June 20, 2016 - Monday

7:00 P.M.

Action Items on Tonight's Agenda ----->

**Three (3) Letters of Recommendation and
Three (3) Correspondence Items.**

- I. Welcome To Attendees And Roll Call Of Commission Members
- II. Public Comments On Recommendation
- III. Review Tonight's Agenda/Questions Or Comments
- IV. Approval Of Minutes Of The Meeting Of Monday, June 6, 2016

Documents: [III. JUNE 6, 2016 DRAFT MINUTES.PDF](#)

- V. Department Of Planning's Opening Remarks/Updates
- VI. Public Hearings - No Items For Consideration
- VII. Old Business – Three (3) Items For Consideration

1. Letters Of Recommendation - Three (3) Items For Consideration

- a. P.Z. 5 And 5(A)-16 Stonecrest At Wildwood, NorthPoint Development, 5015 Northwest Canal Street, Suite 200, Riverside, Missouri 64150
A request for the modification of the Town Center Plan's Regulating Plan for two (2) lots that are a 1.6 acre area of the Phase II portion of the Wildwood Town Center Project, thereby altering their current designation from "Downtown District" to

“Neighborhood General District” to accommodate a change in zoning from the C-8 Planned Commercial District to the Amended C-8 Planned Commercial District for this site, all being located on the south side of State Route 100, north of Plaza Drive, and west of Fountain Place (Locator Numbers 23V220242 and 23V220233/Street Addresses 251 and 261 Plaza Drive). **Proposed Use: A three (3), story senior housing facility, which would allow a maximum of eighty-one (81) units. (Ward Eight)**

Documents: [VI.A. STONECREST.PDF](#)

a.1. Public Comments On Recommendation

b. P.Z. 7-16 City Of Wildwood Planning And Zoning Commission, C/O Department Of Planning, 16860 Main Street, Wildwood, Missouri 63040

A request to evaluate possible amendments to Chapter 415.590. “Sexually-Explicit Business Regulations,” of the City of Wildwood Municipal Code, which would thereby consider the addition of new language to expand the types of businesses that would be regulated as sexually-oriented businesses and expand regulations in regard to particular activities conducted within sexually-oriented businesses. **(Wards – All)**

Documents: [VI.B. SEXUALLY-EXPLICIT BUSINESSES.PDF](#)

b.1. Public Comments On Recommendation

c. P.Z. 19-15 1971 Pond Road, Payne Family Homes L.L.C., 10407 Baur Boulevard, Suite B, St. Louis, Missouri 63132

A request for the application of a Planned Residential Development Overlay District (PRD), within the NU Non-Urban Residence District for a 78.0 acre tract of land that is located on the north side of State Route 100, west of Pond Road (Locator Number: 23W520053/Street Address: 1971 Pond Road). **Proposed Use: A total of twenty-six (26) individual lots, with common ground, and required public space areas. Lots would range in size from one (1) acre to four and one-half (4.5) acres. (Ward One)**

Documents: [VI.C. 1971 POND ROAD PRD.PDF](#)

VIII. New Business - Three (3) Items For Consideration

1. Correspondence Items - Three (3) Items For Consideration

a. P.Z. 4-16 Scott Fieser, 10 Whitsetts Fork Ridge Road, Wildwood, Missouri 63038 is seeking the review and action of the Planning and Zoning Commission regarding an outdoor game court (full court basketball court, with lighting), which is located at 10 Whitsetts Fork Ridge Road, Wildwood, Missouri (Locator Number 26V430121); NU Non-Urban Residence District. This request is to be reviewed in accordance with Chapter 415.090 NU Non-Urban Residence District Regulations of the City of Wildwood Zoning Code, which establishes standards and requirements for outdoor game courts relating to their consideration by the Planning and Zoning Commission. The game court and lighting is currently installed, without Planning and Zoning Commission approval, and situated to the west of the single family residence located on the subject property. The Department will have a recommendation report prepared for consideration at this meeting for this request. **(Ward Six)**

Documents: [VII.A. FIESER GAME COURT.PDF](#)

b. St. Louis County P.C. 6-89 Amoco Oil Company

A response to a communication from Hassan Abdianna, Icell Enterprises, L.L.C., that is dated May 11, 2016, regarding **St. Louis County P.C. 6-89 Amoco Oil Company**, which seeks the City’s review and action on a requested change to the current, governing site-specific ordinance for the existing BP Amoco Station and, if granted, would thereby allow for the sale of wine and beer at this location; southeast corner of State Route 109 and Wild Horse Creek Road (Locator Number 19W420224/300 State Route 109); Amended C-8 Planned Commercial District. The City of Wildwood’s **Amended Master Plan – 2016** was modified to accommodate this consideration, which

previously treated this location as a legal, non-conforming use, precluding any changes to the current, governing ordinance. **(Ward One)**

Documents: [VII.B. AMOCO ALCOHOL SALES.PDF](#)

c. **P.Z. 12 And 13-15 The Villages At Bright Leaf**

A response to a communication from Mike Falkner, Sterling Engineers and Surveyors, dated March 25, 2016, regarding **P.Z. 12 and 13-15 The Villages at Bright Leaf**; R-3 10,000 square foot Residence District (Town Center “Neighborhood General District” and “Neighborhood Edge District”), with a Planned Residential Development Overlay District (PRD); north side of State Route 100, east of State Route 109 (Locator Numbers 23V230041, 23V230050, 23V240327, 23V330022, 23V310064, 23V330233, 23V330031, 23V330206, 23V330215, and 23V610917/Street Addresses: 2350 and 2344 Eatherton Road, 2531, 2555, and 2567 Taylor Road, 16721 Manchester Road, and 16602, 16615, 16618, and 16618A Overlook Hills Drive); which seeks modifications to the existing site-specific ordinance (Planned Residential Overlay District Ordinance #2145) that governs this development to address inconsistencies between this legislation and the proposed Site Development Plan (SDP) relative to certain allowed lot widths, depths, and sizes. **(Ward Five)**

Documents: [VII.C. VILLAGES AT BRIGHTLEAF.PDF](#)

- IX. Site Development Plans - Public Space Plans-Record Plats - No Items For Consideration
- X. Other - No Items For Consideration
- XI. Closing Remarks And Adjournment By Chair Of Commission

The Planning and Zoning Commission will consider and act upon these matters listed above and any such others as may be presented at the meeting and determined appropriate for discussion at that time.

If you would like to submit a comment regarding an item on this meeting agenda, please visit the [Form Center](#).

CITY OF WILDWOOD, MISSOURI
RECORD OF PROCEEDINGS

MEETING OF THE PLANNING AND ZONING COMMISSION
CITY HALL, 16860 MAIN STREET, WILDWOOD, MISSOURI
June 6, 2016

The Planning and Zoning Commission meeting was called to order by Chair Bopp, at 7:00 p.m., on Monday, June 6, 2016, at Wildwood City Hall, 16860 Main Street, Wildwood, Missouri.

I. Welcome to Attendees and Roll Call of Commission Members

Chair Bopp requested a roll call be taken. The roll call was taken, with the following results:

PRESENT – (10)

Chair Bopp
Commissioner Lee
Commissioner Archeski
Commissioner Bauer
Commissioner Renner
Commissioner Gagnani
Commissioner Bartoni
Commissioner Kohn
Council Member Manton
Mayor Bowlin

ABSENT – (0)

Other City officials present: Director of Planning Vujnich, Planner Newberry, and City Attorney Young.

Chair Bopp welcomed Commissioner Bartoni as the new Commission Member representing Ward Two. Chair Bopp also welcomed newly appointed City Attorney Young.

II. Review Tonight's Agenda / Questions or Comments

There were no questions or comments on the agenda.

III. Approval of Minutes from the May 16, 2016 Meeting

A motion was made by Council Member Manton, seconded by Mayor Bowlin, to approve the minutes from the May 16, 2016 meeting. A voice vote was taken regarding the motion for approval of the minutes. Hearing no objections, Chair Bopp declared the motion approved.

IV. Department of Planning Opening Remarks

There were no opening remarks from the Department of Planning.

V. Public Hearings – Two (2) Items for Consideration

Chair Bopp read the public hearing guidelines into the record and requested the item be read by the Department.

- a) **P.Z. 1-16 Old Towne Parc, Mike Whalen, Whalen Custom Homes, Inc., 338 South Kirkwood Road, Suite 103, Kirkwood, Missouri 63122** – A request for a change in zoning from the NU Non-Urban Residence District to the R-3 10,000 square foot Residence District on a 1.4 acre tract of land consisting of four (4) lots of record, all being located on the east side of Center Avenue, south of Manchester Road (Locator Numbers: 24V510232, 24V510221, 24V510166, and 24V510089/Street Addresses: 17020, 17026, and 17030 Manchester Road and 2612 Center Avenue). **Proposed Use: A total of four (4) single family dwellings on individual lots. (Ward Eight)**

Planner Newberry read the request into the record.

Director Vujnich submitted into the record the Master Plan, the City Charter, the City's Zoning Regulations (Chapter 415), and the Department of Planning's file on the request.

A motion was made by Commissioner Gragnani, seconded by Commissioner Archeski, to accept the documents as submitted. A voice vote was taken regarding the motion. Hearing no objections, Chair Bopp declared the motion approved.

Director Vujnich shared a slideshow of photographs and described the characteristics of the site, made up of four (4) existing lots of record. He explained four (4), detached single family dwellings are being proposed. He discussed planned improvements to Center Avenue and the future dedication of the roadway as a public street. Chair Bopp invited the petitioner to address the Commission.

Mike Whalen, Whalen Custom Homes, 338 South Kirkwood Road, Suite 103, Kirkwood, Missouri 63112, explained the proposed development and made himself available for questions from Commission Members.

Chair Bopp invited members of the public to comment on the item.

Keith Gegg, 2473 Hickory Manor Drive, stated he is the current owner of the property and expressed his support for the proposed development. He noted he approached Mr. Whalen regarding the property because he will be constructing homes in the approved Stone Mill Subdivision immediately to the south, and could make this proposed development consistent with it.

Doug Klein, 2611 Center Avenue, expressed his concerns regarding increased vehicular trips on Center Avenue, which is currently a private road, and the additional maintenance that he believed would be required because of it.

Discussion was held among Commission Members regarding the existing and proposed curbcut on Manchester Road; planned improvements to Center Avenue in regards to this proposal and the approved Stone Mill Subdivision; the future dedication of Center Avenue as a public street; and the possibility of accommodating rear-entry garages.

A motion was made by Mayor Bowlin, seconded by Commissioner Archeski, to close the public hearing on this item. A voice vote was taken regarding the motion. Hearing no objections, Chair Bopp declared the motion approved.

- b) **P.Z. 11-16 City of Wildwood Planning and Zoning Commission, c/o Department of Planning, 16860 Main Street, Wildwood, Missouri 63040** – A request to review and consider amendments to the City of Wildwood’s Zoning Ordinance – Chapter 415 of the City of Wildwood Municipal Code – for all of its “R” Residence Districts designations (Chapter 415 – Sections 110 through 160), including Chapter 415.090 NU Non-Urban Residence District, along with Chapter 415.030 Definitions, which would thereby consider the addition of new language for group homes for the developmentally disabled that is consistent with current Missouri Revised Statutes. **(Wards – All)**

Planner Newberry read the request into the record.

Director Vujnich submitted into the record the Master Plan, the City Charter, the City’s Zoning Regulations (Chapter 415), and the Department of Planning’s file on the request. Director Vujnich explained these proposed amendments to the City’s Zoning Regulations are being requested in order to make them consistent with Missouri Revised Statutes. City Attorney Young provided an analysis of the legal issues involved herein with these proposed changes.

Chair Bopp invited members of the public to comment on the item. No members of the public wished to speak on this matter.

No discussion was held among Commission Members.

A motion was made by Commissioner Archeski, seconded by Commissioner Renner, to close the public hearing on this item. A voice vote was taken regarding the motion. Hearing no objections, Chair Bopp declared the motion approved.

VI. **Old Business – Three (3) Items for Consideration**

Letters of Recommendation – One (1) Item for Consideration

- a) **P.Z. 2-16 City of Wildwood Planning and Zoning Commission c/o Department of Planning, 16860 Main Street, Wildwood, Missouri** – A request to review and consider the addition of residential land uses as permitted activities within the ‘Downtown and Workplace Districts’ designation under the ‘Regulating Plan’ of the City’s Town Center Plan. Currently, these two (2) land use designations do not allow residential uses, whether single family or multiple family types. Recently, a number of inquiries have been made about this change. **(Wards One, Four, Five, Seven, and Eight)**

Planner Newberry read the request into the record.

Director Vujnich explained that, over the past several months, the Department of Planning has received a number of proposals to develop multiple family residences in the ‘Downtown and Workplace Districts’ of the Town Center Area. This prompted the Department to request the Planning and Zoning Commission provide its comments on potentially amending the ‘Regulating Plan’ of the City’s Town Center Plan to allow residential activities in these aforementioned districts. Director Vujnich outlined the Planning and Zoning Commission’s draft Letter of Recommendation to the City Council to deny the requested change to the list of permitted activities in the Town Center’s “Downtown and Workplace” Districts.

Chair Bopp invited members of the public to comment on the item. No members of the public wished to speak on this matter.

No discussion was held among Commission Members.

A motion by Commissioner Archeski, seconded by Commissioner Renner, to accept the draft Letter of Recommendation.

Chair Bopp called the question.

A roll call vote was taken, with the following results:

Ayes: Commissioner Renner, Commissioner Lee, Commissioner Archeski, Commissioner Bauer, Commissioner Gragnani, Commissioner Bartoni, Council Member Manton, Mayor Bowlin, and Chair Bopp

Nays: None

Absent: None

Abstain: Commissioner Kohn

Whereupon, Chair Bopp declared the motion passed by a vote of 9-0, with one (1) abstention.

Information Reports – Two (2) Items for Consideration

- b) **P.Z. 5 and 5(a)-16 Stonecrest at Wildwood, NorthPoint Development, 5015 Northwest Canal Street, Suite 200, Riverside, Missouri, 64150** – A request for the modification of the Town Center Plan's Regulating Plan for two (2) lots that are a 1.6 acre area of the Phase II portion of the Wildwood Town Center Project, thereby altering their current designation from "Downtown District" to "Neighborhood General District" to accommodate a change in zoning from the C-8 Planned Commercial District to the Amended C-8 Planned Commercial District for this site, all being located on the south side of State Route 100, north of Plaza Drive, and west of Fountain Place (Locator Numbers 23V220242 and 23V220233/Street Addresses 251 and 261 Plaza Drive). **Proposed Use: A three (3), story senior housing facility, which would allow a maximum of eighty-one (81) units. (Ward Eight)**

Planner Newberry read the request into the record.

A motion was made by Commissioner Archeski, seconded by Mayor Bowlin, to open discussion on this item. A voice vote was taken regarding the motion. Hearing no objections, Chair Bopp declared the motion approved.

Director Vujnich explained the request to modify the Town Center's Regulating Plan and described the proposed senior living facility. He noted that following the public hearing on this item, which was held on May 2, 2016, the petitioner added a commercial component on a portion of the first floor. Director Vujnich compared this proposal to a previous submittal from Gardner Capital Development on the same site, with a similar proposed use. By this comparison, he noted this proposal provides an increase in density of living units, enhanced architectural features, and provides a commercial component on the first floor. He noted, with these enhanced features, the Department is recommending approval for a modification of the Town Center's Regulating Plan.

Chair Bopp invited representatives of the petitioner to address the Commission. George Stock, petitioner's engineer noted he is in attendance to answer any questions.

Discussion was held among Commission Members and representatives of the petitioner regarding the height of the proposed building; the percentage of the first floor that would be dedicated to the commercial component and the possibility of increasing that amount; the anticipated success of the

commercial component; the typical occupant residing at a facility of this type; the average number of emergency calls made to a facility such as this per year (85); the level of care provided at such a facility and the potential for the level of care to change in the future; and the possibility of incorporating “Wildwood” into the name of the facility.

A motion by Commissioner Lee, seconded by Commissioner Archeski, to close the discussion on this item. A voice vote was taken regarding the motion. Hearing no objections, Chair Bopp declared the motion approved.

A motion was made by Commissioner Lee, seconded by Commissioner Renner, to accept the Department’s Information Report and recommendation.

Chair Bopp called the question.

A roll call vote was taken, with the following results:

Ayes: Commissioner Renner, Commissioner Lee, Commissioner Archeski, Commissioner Bauer, Commissioner Gragnani, Council Member Manton, Mayor Bowlin, and Chair Bopp

Nays: Commissioner Bartoni and Commissioner Kohn

Absent: None

Abstain: None

Whereupon, Chair Bopp declared the motion passed by a vote of 8-2.

- c) **P.Z. 7-16 City of Wildwood Planning and Zoning Commission, c/o Department of Planning, 16860 Main Street, Wildwood, Missouri 63040** – A request to evaluate possible amendments to Chapter 415.590. “Sexually-Explicit Business Regulations,” of the City of Wildwood Municipal Code, which would thereby consider the addition of new language to expand the types of businesses that would be regulated as sexually-oriented businesses and expand regulations in regard to particular activities conducted within sexually-oriented businesses. **(Wards – All)**

Planner Newberry read the request into the record.

Director Vujnich explained the history of the existing regulations on sexually-explicit businesses and asked City Attorney Young to discuss the proposed amendments. City Attorney Young discussed the legal issues and relevant case law relating to the proposed amendments.

Chair Bopp invited members of the public to comment on the item. No members of the public wished to speak on this matter.

Discussion was held among Commission Members regarding legal issues relating to the proposed amendments.

A motion by Mayor Bowlin, seconded by Commissioner Archeski, to accept the Department’s Information Report and recommendation.

Chair Bopp called the question.

A roll call vote was taken, with the following results:

Ayes: Commissioner Renner, Commissioner Lee, Commissioner Archeski, Commissioner Bauer, Commissioner Gragnani, Commissioner Kohn, Commissioner Bartoni, Council Member Manton, Mayor Bowlin, and Chair Bopp

Nays: None

Absent: None

Abstain: None

Whereupon, Chair Bopp declared the motion passed by a vote of 10-0.

VII. New Business – No Items for Consideration

VIII. Site Development Plans-Public Space Plans-Record Plats – One (1) for Consideration

- a) A recommendation report of the Site Plan Subcommittee regarding **P.Z. 14-98 Capital-Dierbergs Wildwood LLC**; Amended C-8 Planned Commercial District; southeast corner of State Route 100 and Taylor Road; that addresses the submittal of the Amended Site Development Section Plan for the conversion of an existing parking lot area to accommodate drive-through lanes in support of a new tenant in the liner building (Outbuilding G) located at the intersection of State Route 100 and Taylor Road (St. Louis Bread Company). **(Ward Eight)**

Planner Newberry read the request into the record.

Director Vujnich described the proposed Site Development Section Plan, highlighting the drive-through and escape lanes; trash enclosures; the landscape plan; and the lighting plan. He noted the Site Plan Subcommittee of the Planning and Zoning Commission is recommending approval of the proposed Site Development Section Plan, with conditions, per its review and action at its May 16, 2016 meeting.

Chair Bopp invited members of the public to comment on the item. No members of the public wished to speak on this matter.

Discussion was held among Commission Members regarding the lighting plan; the landscape plan; the construction specifications of the concrete pad for the trash enclosure; and the need to add language to the report regarding window decal signage.

A motion by Commissioner Archeski, seconded by Commissioner Bauer, to accept the Site Plan Subcommittee's report and recommendation, with conditions.

Commissioner Lee stated he would be abstaining from this vote because Panera Bread is a client of his employer.

Chair Bopp called the question.

A roll call vote was taken, with the following results:

Ayes: Commissioner Renner, Commissioner Archeski, Commissioner Bauer, Commissioner Gragnani, Commissioner Kohn, Commissioner Bartoni, Council Member Manton, and Chair Bopp

Nays: Mayor Bowlin

Absent: None

Abstain: Commissioner Lee

Whereupon, Chair Bopp declared the motion passed by a vote of 8-1, with one (1) abstention.

IX. Other – No Items for Consideration

X. Closing Remarks and Adjournment

Motion by Commissioner Archeski, seconded by Council Member Manton, to adjourn the meeting. A voice vote was taken. Hearing no objections, Chair Bopp adjourned the meeting at 8:45 p.m.

Approved by:

Chair – City of Wildwood Planning and Zoning Commission

Note: Recordation of the opinions, statements, and/or other meeting participation in these minutes shall not be deemed to be an acknowledgement or endorsement by the Commission of the factual accuracy, relevance, or propriety thereof.

* If comment cards were submitted indicating they did not wish to speak at tonight's meeting, they have been attached and made part of the official record.

DRAFT



WILDWOOD

June 20, 2016

The Honorable City Council
City of Wildwood, Missouri
16860 Main Street
Wildwood, Missouri 63040

The Planning and Zoning Commission has completed its review of the requested rezoning petition, which is accompanied along with the Planned Residential Development Overlay District (PRD) application, that were submitted to it for this senior care facility, with up to a proposed ninety-five (95) permitted beds, and prepared the following recommendation report in this regard. This recommendation report reflects the Planning and Zoning Commission's vote to recommend its support of the rezoning and associated special procedure permit, which is now being forwarded for consideration by the City Council. This recommendation and action were completed in accordance with the requirements of Chapter 89 of Missouri Revised Statutes, the City's Charter, and those regulations of the City relating to public notice and publications (Chapter 415.560 of the City of Wildwood Zoning Ordinance). This recommendation and action are as follows:

Petition Nos.: P.Z. 5 and 5(a)-16
Petitioner: Stonecrest at Wildwood, NorthPoint Development, 5015 Northwest Canal Street, Suite 200, Riverside, Missouri, 64150
Request: A request for the modification of the Town Center Plan's Regulating Plan for two (2) lots that are part of the Phase II portion of the Wildwood Town Center Project, thereby altering their current designation from "Downtown District" to "Neighborhood General District" to accommodate a change in zoning from the C-8 Planned Commercial District to the Amended C-8 Planned Commercial District for this site. Proposed Use: A three (3) story senior housing facility, which would allow a maximum of ninety-five (95) beds.
Tract Size: 1.65 acres
Location: South side of State Route 100, north of Plaza Drive, and west of Fountain Place (Locator Numbers 23V220242 and 23V220233/Street Addresses 251 and 261 Plaza Drive)
Hearing Date: May 2, 2016
Date and Vote on Information Report: June 6, 2016 – Granting the Regulating Plan change and approval of the amendment of the C-8 Planned Commercial District zoning by a vote of 8 to 2 (Voting Aye: Renner, Lee, Archeski, Gragnani, Bauer, Manton, Bowlin, and Bopp; Voting Nay – Bartoni and Kohn)

**Date and Vote on
Letter of**

Recommendation: June 20, 2016 - TBD

Report: Attachment A

Conditions: Attachment B

Plan Sheets: Attachment C

Background

Information: Attachment D

Fire District: Metro West

School District: Rockwood

Police: St. Louis County Police Department – Wildwood Precinct

Ward: Eight

Recommendation: The Planning and Zoning Commission supports the Regulating Plan change requested by the petitioner and, therefore, favorably recommends the requested rezoning petition for the amendment of the current site-specific ordinance governing this tract of land.

Copies of the City of Wildwood Master Plan, Parks and Recreation Plan, Action Plan for Parks and Recreation 2007, Zoning Ordinance, and Charter are all on file with the City Clerk's Office.

Respectfully submitted,

CITY OF WILDWOOD PLANNING AND ZONING COMMISSION

R. Jon Bopp, Chair

ATTEST:

Joe Vujnich, Director
Department of Planning

Cc: The Honorable James R. Bowlin, Mayor
Ryan S. Thomas, P.E. City Administrator
John A. Young, City Attorney
Rick Brown, P.E. and P.T.O.E., Director of Public Works
Kathy Arnett, Senior Planner

ATTACHMENT A - REPORT

Area Synopsis (includes land use and zoning history) -

The first portion of the Planning and Zoning Commission's Letter of Recommendation is intended to provide elected officials, nearby residents, and petitioners, along with any other interested parties, pertinent information relating to land use and development application(s) under the City's

consideration. This information is designed to provide these users the perspective of the City's plans and codes and how these items determine the appropriateness or inappropriateness of this request for rezoning and a special procedure permit that is being considered at this subject location in the City's Town Center Area. To facilitate the use of the report, the Commission has highlighted the key components of the property, the area, the infrastructure and utility levels associated with it, and the site and area's history of zoning and land use decisions, in the following table format.

Characteristic(s)	Explanation
Size of the tract of land	1.6 acres
Location	South side of State Route 100, north of Plaza Drive, and west of Fountain Place (Locator Numbers 23V220242 and 23V220233/Street Addresses 251 and 261 Plaza Drive)
Number of parcels of ground constituting this tract of land	Two (2) lots
Amount of Frontage (approximate)	Plaza Drive – 315 feet State Route 100 – 370 feet
Plaza Drive	<p>Plaza Drive is a City-maintained Town Center Street that was constructed with the overall Wildwood Town Center Project. This street is 34.5 feet in width, including the parallel parking lane, with the associated right-of-way having the same overall size. Two (2) sidewalk, utility, and maintenance easements exist on either side of the right-of-way, which are as follows: north side of Plaza Drive, at the subject site, 8.5 feet; south side of Plaza Drive, across from the subject site, ten (10) feet. Total public use area is fifty-three (53) feet.</p> <p>Within this right-of-way area are two (2) lanes of driving surface (asphalt material, with concrete curb and gutter), sidewalks on both sides of the driving lanes (eight (8) feet in width), and street trees, in grates, streetlights, and traffic signage. All of these improvements are constructed to the Town Center Plan's Streetscape Standards and Street Specifications. This roadway has an east-west orientation, with limited traffic volumes at this time.</p>
State Route 100	State Route 100 a limited-access, arterial roadway maintained by the Missouri Department of Transportation (MoDOT). The width of this roadway is four (4) lanes, with additional turn bays at the intersections

Characteristic(s)	Explanation
	<p>with Westglen Farms/Manchester Road and Taylor Road. The design of this roadway provides for limited access to it, with traffic volumes being high, and speeds substantial. The alignment of the roadway is east/west, bisecting the City in two (2) unequal halves, and it serves a diverse land use pattern of commercial activities located in the City's Town Center Area and low-density residential uses further to the west. This roadway has an interstate design along petitioners' frontage.</p> <p>This roadway provides for inter-county traffic movements and does have certain characteristics, which need to be understood as part of this development's consideration, including turning movements of vehicles at Taylor Road and pedestrian crossings at Taylor Road and State Route 100. Along with these items, sound levels associated with the roadway are a consideration as well.</p>
Current use of properties	Vacant, with a small area of improved parking – asphalt surface
Watershed	Caulks Creek
Soil and Slope Characteristics	The physical characteristics of these sites are typical of this physiographic region, where they are located. Soils generally have a high clay and chert content and can be shallow in nature. The site itself exhibits a level topography, given the development activity that has occurred upon it over the last ten (10) years. Overall relief is less than ten (10) feet, with drainage runoff toward the southwest corner of the overall site. The site is lawn area and no trees exist on it, except a narrow band along its westernmost boundary.
Current zoning district designation	C-8 Planned Commercial District

History of zoning district designation

These properties have been the subject of four (4) major zoning events over the last fifty (50) years, which are summarized below:

- a. In 1965, St. Louis County zoned all of these properties NU Non-Urban District, a holding category for future development patterns that would emerge over time, although establishing a three (3) acre residential land use category that would become the predominant type in Wildwood.
- b. In 1995, the City of Wildwood modified the NU Non-Urban District to the NU Non-Urban Residence District, which finally identified this designation as a true residential type and its pattern would no longer be considered as a holding category for future development.
- c. In 2004, the City of Wildwood approved a C-8 Planned Commercial District zoning designation upon these properties and several others, all part of the Wildwood Town Center Project being proposed by Koman Properties. These two (2) lots are authorized for two (2) mixed-use buildings that would be one (1) story and two (2) stories in overall heights respectively, with a total area of 30,610 square feet (per the approved Site Development Plan).
- d. In 2015, Gardner Capital Development requested a change in the Town Center Plan's Regulating Plan, as well as to the site-specific zoning ordinance, for these same two (2) properties to allow a three-story, senior apartment facility, which would consist of forty-eight (48) total units. These units would be housed in a single building that would be facing Plaza Drive, with parking oriented toward State Route 100. The Department of Planning recommended the change to the Town Center Plan's Regulating Plan not be supported, while also not endorsing any changes to the existing C-8 Planned Commercial District for a number of reasons relating to the impacts of such an action on "Downtown" District designated properties and the proposed design and architecture of the site and associated building. Action was never taken by the Planning and Zoning Commission on this recommendation and, later, the petitioner withdrew the request. It is important to note that, when the Department met with the petitioner, it stated support for a residential project at this specific location could be obtained, if the following components were added to its application: (1.) increasing its density; (2.) adding more structured parking that would also be available to the public; (3.) incorporating additional public space; (4.) adding a commercial component on the street level; and (5.) improving the architecture to the level of existing buildings in the vicinity. The petitioner, again, chose to withdraw the requests versus redesign its components.

Master Plan and Town Center Plan

This site was part of the Master Plan process in 1995-1996. As part of this planning process, the site was designated 'Town Center Area,' given its proximity to State Route 100 and the zoning actions by St. Louis County. This designation has not changed, since its initial adoption in February 1996.

As part of the development of the Town Center Plan, which began in 1996 and concluded in 1998, the property was designated a range of potential use categories, including Neighborhood Center and General Districts. These designations reflected the size of the tract of land and its location relative to the existing roadway network and frontages thereon.

With the update of the Town Center Plan in 2010, Phase II, along with Phase I, of the Wildwood Town Center Project were both designated the newly created Downtown District, which allows for all types of commercial activities, while also allowing building footprints up to forty thousand (40,000) square feet in size. In the past, the current owner of the property had sought the right for drive-through facilities on one (1) of the two (2) lots that form the current subject site, which are now allowed with this Regulating Plan change to Downtown District.

Surrounding land use

To the North: Crossing State Route 100 is a series of properties that now form the Villages at Bright Leaf Project, which consists of 194 single family dwellings on individual lots. This property was zoned a mix of zoning district designations, indicative of at least two (2) proposals that were acted upon by St. Louis County or Wildwood. The current proposal changed the existing zoning district designations to the R-3 10,000 square foot Residence District, with a Planned Residential Development Overlay District (PRD). The request is consistent with the current Regulating Plan designations of the overall tract of land.

To the East: Abutting in this direction is a portion of the Wildwood Town Center Project, which also includes the City's public plaza area, parking lots, a vacant site, and a medical/dental office. All of these areas are currently zoned C-8 Planned Commercial District. To the east of the medical/dental office is Fountain Place.

To the South: Crossing Plaza Drive in this direction is another portion of the Wildwood Town Center Project, which also includes several vacant lots, the parking garage, and the Wildwood Hotel. All of these areas are currently zoned C-8 Planned Commercial District. To the south of these land uses is Main Street.

	<p>To the West: Adjoining in this direction is an area of three (3) acre residential lots, with dwellings located upon them. These lots are served by Crestview Drive and the entire area is zoned NU Non-Urban Residence District. Eatherton Road defines the westernmost end of this specific residential area.</p>
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Current Request -

The petitioner is seeking to develop this approximately 1.65 acre site with a single, three (3) story building that is intended to house up to ninety-five (95), licensed beds for assisted and memory care patients. The building forms an L-shape, with the intersection of its two (2) wings facing toward the southwest corner of the property, and Plaza Drive. Parking is provided on the north side of the building, in the area of those existing limited improvements. A total of fifty-five (55) parking spaces are planned to serve the requested ninety-five (95) units. Of those spaces, three (3) of them are designated for ADA purposes.

All of the units appear to be single occupancy types, and have a total size of approximately six hundred (600) square feet. On the submitted Preliminary Development Plan, the petitioner also notes the following regarding this proposed project:

1. The petitioner indicates a fifteen (15) foot setback is to be provided between the proposed building and the site's western property line, which abuts a NU Non-Urban Residence District area, which does not meet the required regulation in this regard.
2. The petitioner plans to complete the columns and decorative fencing along the site's State Route 100 frontage.
3. The petitioner has indicated a trash enclosure off the property's Plaza Road frontage, with it integrated into the building's southwest corner, so as to screen it from view. Access to this area will be via a gate, again facing to the southwest, with the planned materials for this screen gate to be consistent with that of the main building.
4. The petitioner notes on the plan that all landscaping and lighting will be in accordance with City regulations and has provided Landscape and Lighting Plans as well, as part of the overall submittal package associated with these requests.
5. The petitioner is providing all utilities to the site.
6. The petitioner is not providing any new public space dedications or roadway improvements, since all were completed with the original Wildwood Town Center Project, but the plan indicates the provision of public art in the main entry area of the parking lot area into the front of the building. Along with this public art, the petitioner is also providing an outdoor gathering area, which is next to Plaza Drive, and offers residents a location to be outdoors and enjoy the street life of Town Center.
7. The building placement relative to the two (2) primary frontages meets the requirements of the Neighborhood Design Standards for the "Neighborhood General" District of the Town Center Plan - zero (0) feet for Plaza Drive and eight (8) feet for State Route 100.

8. The subject site is part of an approved stormwater management plan authorized over ten (10) years ago, but must, and does, provide new improvements to address the Phase II stormwater regulations of the Metropolitan St. Louis Sewer District (MSD). The major feature is a bioretention area by the main entry into the project. Another area of bioretention is provided inside the turning island that offers access to the front of the building.
9. The petitioner provided an architectural rendering of the building, at the public hearing, which is attached to this report (a revised rendering has now been provided indicating the changes to the building along its eastern end).

Analysis -

The Planning and Zoning Commission has considered the request for the Regulating Plan change and the related amendment of the existing planned district zoning designation to allow for the development of this 1.65 acre site for a senior services residential facility by reviewing and analyzing its relevant components. These components that were considered included the following items:

1. The appropriateness of the inclusion of residential uses in the Downtown District Area of Town Center, which requires a change to the Regulating Plan, if determined appropriate.
2. The impact of the allowance of residential uses at this location, without the inclusion of commercial uses as a component of its design.
3. The desirability of the proposed design of the site and its related improvements.
4. The compliance of the design with the general standards and guidelines of the Town Center Plan, including the conditions of the site-specific ordinance that is in place at this time.

In considering these four (4) items, each of them must be favorably addressed, before a positive recommendation can be made in this regard. If all are determined to be consistent with the plan for Town Center, development of this site can be supported.

(1.) The appropriateness of the inclusion of residential uses in this specific location of Town Center, which would require a change to the Regulating Plan, if determined appropriate - The Commission would note the Downtown District does not authorize residential activities within its boundaries due to the desire of the City to build on the development pattern that had emerged in this area with the completion of the two (2) major land use projects, Dierbergs Town Center and Koman's Wildwood Town Center. With these projects, the pattern of all commercial uses was established on these lots and, over the years, retained, despite the latter being authorized for live work and other residential units during the initial rezoning process that began in 2004. However, with the update of the Town Center Plan, the City wanted to protect this pattern and foster its growth over the next ten (10) years of the plan's application.

With the recent action of the Planning and Zoning Commission to not allow residential uses to be considered as permitted types in both the "Downtown and Workplace" Districts, this request for senior housing requires a Regulating Plan change to the "Neighborhood General" District, which allows for the type of activity that is being requested at this location in Town Center. The requested

designation of "Neighborhood General" District allows for a mix of different uses, such as housing, services, and commercial activities. This designation accommodates a full range of uses within the same block, lot, and, in fact, building. In fact, New Urbanism promotes a full range of land uses in the standard neighborhood, which is a one-half mile diameter circle. Within that circle, all uses are encouraged to provide a resident the walkability sought in neo-traditional developments. Therefore, residential and commercial activities were intended to occur on the same block, lot, and, in some instances, the building, i.e. live-work types, as anticipated in the "Neighborhood General" District designation.

Accordingly, early ordinances of the City for projects in the Town Center Area almost always contained some type of residential components, whether live-work types or some others. These residential uses again would form part of the traditional neighborhood and offer a resident of that area all the services such would need for a typical day. Conversely, typical segregation of uses was discouraged, which many post-war zoning ordinances stipulated. Examples of this type of land use plan are the subject site and the surrounding lots that form Koman's Wildwood Town Center Project.

In this case, the western phase, or phase two, of this overall fifteen (15) acre project was intended to include up to one hundred (100) residential units. In fact, the governing ordinance for this part of the project still stipulates that certain allowable buildings within this phase have dedicated residential activities. These buildings included those structures planned on Lots L and M; both in Phase Two again. The subject site is not one (1) of these two (2) mandated locations, but is across Plaza Drive from Lot L. Acknowledging such situation, the Commission believes adding residential uses here would not be inconsistent with the original intent of the Town Center Plan's structure of the typical neighborhood to have residential activities in the vicinity of commercial uses, along with the live-work types as well.

This support, however, would set into place other Regulating Plan changes on the nearby properties to maintain matching land use patterns on both sides of the common streets. The requirement for land use patterns to change behind the street dictates this requirement of accompanying changes to other land use designations in the vicinity of the site to occur as well. These changes would include the property to the south of the subject site, on Plaza Drive. With these changes, other potential impacts would be anticipated on the lot located on the opposite side of the public plaza from the subject tract of land. Therefore, the area between Fountain Place, State Route 100, and Plaza Drive would become a residential area, in principle, if commercial uses are not introduced as part of them. This change in this area would have impacts and those considerations need to be fully understood as well.

These considerations include the reduction in available commercial land area in Wildwood, the integration of these uses, so as all function well with each other, and the adherence to the Master Plan's intent to provide a range of housing types in the community. These factors, and others not specifically identified herein, point out whether the impacts are too great to proceed. In considering them, the Commission does believe the reduction in available commercial space would be problematic and cannot be allowed by the City, without accommodations made elsewhere.

These accommodations would include the inclusion of commercial uses, as part of any residential development, including these current requests. With commercial activities as part of a residential project, the intended neighborhood mix is maintained and business locations are provided where planned.

In terms of the integration of land uses of differing types, the Commission has the opinion that only certain residential uses are most suited for this mixing. The residential uses most suitable for the mixing of activities found in other locations, where New Urbanism has been successful, are generally multiple-family types and not necessarily always owner-occupied. These residential uses can best accommodate the activity levels and characteristics of commercial uses in very close proximity. Therefore, this congregate setting would appear to be appropriate for this location, given the integration of commercial uses within it and the ownership model associated with it.

Since the adoption of the first Master Plan, the document has always contained the policy of providing a range of housing types for existing and future residents of the City. Certainly, over the last twenty (20) years, the City has provided many single family detached dwellings on individual lots, but a limited number of other types. These other types include senior housing. In fact, only one (1) recent development has focused on a group above fifty-five (55) years of age, which is the Meadows of Wildwood. This development was intended to offer a range of housing options to seniors, but, due to unforeseen circumstances, only self-care villas have been constructed, with assistance with daily activities the sole responsibility of each owner of an individual unit. Therefore, for the City of Wildwood, this project would represent the first to address a care setting of a bed-based nature and density.

(2.) The impact of the allowance of residential uses at this location without the inclusion of commercial uses as a component of its design - The conversion of commercially designated property in Town Center to any other use category will have an impact. That impact can be significant, if appropriate accommodations are not made in the design of the primary use that is seeking a change to the Regulating Plan, such as residential activities. To minimize this impact and recognize the limited interest in multiple-story commercial buildings in Wildwood at this time, the Commission believes it is imperative that any residential project that may be considered in an area formerly designated "Downtown" or "Workplace" Districts be first re-designated to "Neighborhood General" District and always include a ground floor commercial component. The extent of this component of commercial activity must be at a scale sufficient to provide a measurable community benefit and add to the street life of the area. The Commission would not recommend the favorable support for a change in the Regulating Plan to "Neighborhood General" District, without first ensuring the accommodation for commercial uses on the ground floor of the building or buildings.

In this case, the original plans for these two (2) properties did not contain any commercial components in association with them. The plans, the original concept submittal by Gardner Capital Development, and now the other by Stonecrest, indicated all stories of the respective buildings as residential in nature. This approach raised questions at both of the public hearings and led to concerns by the Commission regarding impacts, both now and well into the future. As described in

the zoning history section of this report, the Department noted to Gardner Capital Development’s application that an approach to having the project more compatible and consistent with the Town Center Plan’s standards and guidelines would be the addition of commercial uses on the ground floor of the building. This matter was also discussed with the representatives of Stonecrest at the Department’s first meeting with them as well.

After the public hearing on the Stonecrest request, the petitioner has now changed the design of the ground floor of the building to include a commercial component at the most prominent corner of it, the area of the structure that faces the public plaza and Plaza Drive. This change now adds a commercial component in a very visible location on this street and engages the public space immediately to the east of the subject site. With this modification to the building and its relative use, the Commission believes the change to the Regulating Plan designation of this property to “Neighborhood General” District is appropriate and achieves the best outcome for the Town Center, which is commercial activity on the ground floor part of the building, with all other stories providing a residential type of use not available elsewhere in the City. Therefore, this design and function change offsets the major impact of the Regulating Plan modification associated with this request, while setting the pattern for the development of the remaining lots located on Plaza Drive.

(3.) The desirability of the proposed design of the site and its related improvements - The Commission has reviewed the submitted Preliminary Development Plan and determined that it meets the minimum standards and guidelines of the Town Center Plan, while also providing updated features and improvements that are not currently required in the governing ordinance for the overall Koman Properties’ Wildwood Town Center site. This compliance, plus addressing the new requirements of the Metropolitan St. Louis Sewer District (MSD) and integrating new public space and other improvements, adds a new character to this property that would otherwise not be provided under the old, approved Site Development Section Plan for this tract of land (a Site Development Section Plan for the subject tract of land was approved by the City in the mid-2000’s).

This compliance to the standards and guidelines is described below in the provided comparison:

Standard - Guideline	Requirement of Town Center Plan	Submitted Plan	Commentary
Build-To Line	0’ to 15’	<ul style="list-style-type: none"> 0’ to Plaza Drive 0’ feet to State Route 100 	Compliance is met
Setback Areas	<ul style="list-style-type: none"> 5’ to 15’ for side yard areas 30’ feet for rear yard areas 	<ul style="list-style-type: none"> 15’ feet for side yard - west end of the building 26’ feet for rear yard - east end of the building 	<p>Compliance in most regards, with rear yard area slightly less than required, but abuts a drive aisle, which provides access to the adjoining public plaza.</p> <p>It is important to note the underlying C-8</p>

Standard - Guideline	Requirement of Town Center Plan	Submitted Plan	Commentary
			Planned Commercial District regulations require a minimum forty (40) foot structure/building setback between any property so designated and a site zoned NU Non-Urban Residence District, which exists at this location on the subject site's westernmost boundary. Petitioner's plan indicates a minimum of fifteen (15) feet of distance, which will have to be considered by the City's Board of Adjustment, since the underlying regulation cannot be adjusted via the planned district zoning process.
Building Height	5 stories	3 stories	Compliant
Parking Ratio	1.5 spaces per unit/bed and 2.5 spaces for non-residential	<ul style="list-style-type: none"> • 1 space for every 5 units • 1 space for every 2 employees • 2 visitor spaces 	<p>The type of use assisted/memory care typically does not generate the same type of parking demand as a multiple-family project, which is why the proposed ratio is lower than required by the Town Center Plan. However, the Commission would note that such ratio is consistent with the City's Off-Street Parking and Loading Regulations of the Zoning Ordinance for a skilled care facility of this nature - one (1) space for every five (5) beds.</p> <p>Additionally, this tract of land, like others in the project's boundaries, has rights of use of the on-street parking stalls, the parking garage, and cross-parking agreements with the parking lot to the east. When calculated in total, the Commission does believe the parking requirements for a facility of this size are met.</p>
Parking Location	Behind buildings or along with least visible side of the structure from the principal street	The parking is behind, and to the side, of the building from the perspective of Plaza Drive, which is the primary street, but visible only from State Route 100, the secondary street.	<p>Compliant</p> <p>It is important to note the City made this decision on these streets, when it approved the drive-through facilities for Starbuck's and PNC Bank, in Phase One of the Koman Properties' Wildwood Town Center Project thereby noting the working components of these types of uses would be visible from State Route 100, rather than Plaza Drive.</p>
Access	Off-street parking	Access to the off-street	Compliant

Standard - Guideline	Requirement of Town Center Plan	Submitted Plan	Commentary
	accessed from either secondary streets or service lane	parking area in association with this use is via an existing drive aisle located on Plaza Drive, and to the west of the public plaza, and the existing drive aisles serving the abutting parking lot area to the east.	
Lot Width	20' minimum, with no maximum, but must fit with required block dimension	320'	Compliant
Lot Depth	80' minimum, with no maximum, but must fit with the required block dimension	210'	Compliant
Block Dimension	2000' (maximum)	1000'	Compliant The block dimension was already in place and the lots forming this tract of land established in accordance with the Town Center Plan.
Elevation	<ul style="list-style-type: none"> • 1.5' feet from street elevation • 0' for commercial uses from street elevation, with ADA compliance 	<p>1.15' feet for main entry area to residential use</p> <p>0' feet to commercial area from sidewalk grade</p>	Compliant for commercial spaces, while residential component is slightly lower, but for this type of use, the Commission believes acceptable to accommodate the age, type, and condition of the planned population to be housed inside the facility.
Interior Floor Height	<ul style="list-style-type: none"> • 12' for commercial spaces • 9' for residential spaces 	Not Provided	Unknown at this time.
Pedestrian	Sidewalks to all	Sidewalks to be added to	Compliant

Standard - Guideline	Requirement of Town Center Plan	Submitted Plan	Commentary
Friendly Design	building entries, along with connections to existing network in the vicinity	accommodate access from all exterior entries/exits from the building, which connect to the surrounding network of existing facilities, including the State Route 100 trail system.	The design provides for a minimum width of 5' for all new sidewalk improvements, while building the intended pedestrian facilities on the east side of the proposed building.
Public Space	Compliance to Public Space Requirements of Zoning Ordinance	The existing site-specific ordinance has a condition that does not require future building development to participate in providing more public space, given the amount originally set aside with the approval of the overall fifteen (15) acre project. However, petitioner is indicating public art at the main entry area into the building, while providing "Best Management Practices" for water quality purposes, which is a creditable improvement for public space in the City of Wildwood.	Compliant
Environmental Preservation	Minimize adverse effects on the natural environment	Utilizing existing lots, which were previously graded to accommodate future building pads.	Compliant
Walls and Fences	Walls and fences to continue building line, where void exists	No voids along Plaza Drive	<p>Compliant</p> <p>Walls and fences not necessary, given current placement of the building does not create a void/space along its Plaza Drive frontage.</p> <p>A retaining wall is indicated along the majority of the site's western boundary to accommodate the building's placement, while offering an area for improved plantings. The wall's design, materials, and colors will have to complement the building's architecture and</p>

Standard - Guideline	Requirement of Town Center Plan	Submitted Plan	Commentary
			colors as well.
Stormwater Management	Current Metropolitan St. Louis Sewer District and City standards - Phase II	Phase II water quality component to be addressed	Compliant

As indicated in the comparison table provided above, the submitted design of the building relative to the 1.65 acre site meets the major standards and guidelines of the Town Center Plan and provides a high level of aesthetics to the abutting street and overall area, as defined by the larger project's boundaries.

(4.) The compliance of the design with the general standards and guidelines of the Town Center Plan, including the conditions of the site-specific ordinance that is in place at this time -

This subject tract of land, which is the location of these requests, is already governed by a site-specific ordinance that was last amended by the City in 2009. This ordinance addresses not only the subject tract of land, but also the remaining thirteen plus (13+) acres of the development that includes the Wildwood Hotel, the Walgreen's building, the Starbuck's location, and many other retail and service users in a total of six (6) existing buildings. This ordinance has also been amended over the last ten (10) years to accommodate changes in design and other considerations, many times in attempting to address the marketability of the overall project and individual items associated with it.

The owners of the project, not the City, primarily initiated these amendments. Often these amendment requests were in response to potential users of the vacant lots and how they might need to be accommodated upon them in terms of their building sizes and designs, along with parking and infrastructure improvements. Over the timeframe, this project has been authorized for development activity, the standard for design and architecture has remained very high due to the protections and requirements provided in the site-specific ordinance, which attests to the need to appropriately amend it for the purposes of this current proposal.

The Commission would note that many of the design and infrastructure conditions contained in the current ordinance were addressed/constructed many years ago and are no longer applicable to the development of the remaining lots. However, this ordinance anticipated up to one hundred (100) residential units and many of its conditions address how they should be developed and the architecture associated with them as well. Therefore the Commission has reviewed this existing ordinance and updated it to reflect the proposed design and other parameters associated with the subject requests. Through this review, the following items have been addressed in this existing ordinance to accommodate the ninety-five (95) units at this senior care facility being proposed in Town Center:

1. The references throughout the current site-specific ordinance to “Neighborhood Center” District are changed to “Downtown” District, except for the two (2) subject lots, which are recommended to be the “Neighborhood General” District.
2. The references to open space, a former land use designation of the Town Center Plan, are now defined as public space, consistent with the City’s Zoning Ordinance.
3. The building requirements are changed to reflect the modifications in the subject tract of land’s recommended use for a senior housing facility.
4. The accommodations for future, additional residential activities on properties located on the opposite side (south side) of Plaza Drive from the subject tract of land are referenced.

The Commission would also state that many of these changes to the governing ordinance would not be necessary, if for, during the update of the Town Center Plan during the period of 2008 to 2012, the land use designations for these two (2) lots, and others in its vicinity, had not been changed from “Neighborhood Center” District to “Downtown” District. This change precluded residential uses in an area previously approved for them, which again necessitates the need to amend the Regulating Plan to better allow the current conditions of the site-specific ordinance to once again be applied with the development of this subject site. The change to the Regulating Plan, as part of the update of the Town Center Plan, was intended to address past requests by the owners and others to have more commercial options on these properties and move away from any live-work type of units or other similar residential activities. However, now with the current proposal being considered by the City Council, and the addition of commercial uses on the proposed building’s ground floor by the petitioner, much is as it was, when the City last acted upon the ordinance in 2009.

Summary of Report’s Findings and Recommendation -

The Planning and Zoning Commission has determined the requests, first to change the Regulating Plan’s designation of this property, is appropriate, given modifications to the planned mix of uses on this subject site, while the amended rezoning is also suitable and consistent at this location. In the report, evidence is provided indicating the requests support the original intent of this area, as defined in the Town Center, prior to its update, while also meeting the key criteria of a current “Neighborhood General” District use. The Commission has also determined the placement and design of the building on this subject tract of land meets many of the Town Center Plan’s standards and guidelines, while appropriate measures have been created within the conditions of this recommendation to improve their application. Based upon this information, the Planning and Zoning Commission is recommending the requests be supported by the City Council and an affirmative action be taken in this regard. This support is premised on the petitioner accepting and adhering to all the development conditions contained in Attachment B of this Information Report.

ATTACHMENT B – CONDITIONS

1. PERMITTED USES

- a. If the developer anticipates the phasing of the permitted uses authorized for this development, and their related improvements, the following requirements and limits shall apply to the number of residential units and commercial square footage (as defined in Conditions 1(b.) and 1(c.) of this ordinance), which can be authorized within a specific phase:

PHASES	USES
One (Amended C-8 District area)	A minimum of five (5) commercial buildings not to exceed 88,300 square feet of gross floor area. Any building housing residential units shall also be required to utilize its first floor for commercial users.
Two (Amended C-8 and C-8 District area)	A maximum of seven (7) Downtown District buildings and one (1) Neighborhood General District building (Lots 1 and 2) nine (9) Neighborhood General Center , with all not to be less than 167,000 square feet of gross floor area including the required live/work units, but not any other residential units added to these existing buildings to accommodate an authorized third or fourth floor option. Any building housing residential units shall also be required to utilize a portion of its first floor for commercial users, as approved by the Planning and Zoning Commission on the Site Development Plan.

No Phase II building permits, nor Phase I occupancy permits, shall be issued, until Main Street construction has substantially commenced, the reimbursement of the City for all of its costs associated with the purchase price of this right-of-way area is complete, and the plat for the roadway has been submitted and approved by the City of Wildwood or an acceptable agreement between the developer and the City has been signed regarding these same items.

- b. The uses allowed in this Amended C-8 Planned Commercial District (Phase I) shall be limited to all permitted **'Downtown' Commercial and Neighborhood Center'** District uses, as defined in the Town Center Plan (as amended March **1, 2010** ~~2, 1998~~ and may be modified here and after by applicable ordinance). The C-8 Planned Commercial District (Phase II) portion of this site shall be limited to all permitted **'Downtown and Neighborhood General' Neighborhood Center and Open Space'** District uses and may also include a hotel, restaurants (fast-food, but no drive-through facilities), and medical and dental offices, with associated parking, but excluding sewage treatment plants, research laboratories and facilities, and office/warehouse units. **The 'Neighborhood General' District designation in the Phase II area is limited to two (2) existing lots (Lots 1 and 2, as indicated on the approved Site Development Plan dated March 15, 2010 in the Department of Planning's files) and the proposed location of the allowable senior care facility, which shall be limited to no more than ninety-five (95) beds, as may be set forth within the Certificate of Need (CON) approved/issued by the Missouri Health Facilities Review Board, and shall be provided to**

the City of Wildwood's City Attorney for verification and acceptance to form and compliance.

- i. A minimum of ten (10) percent of the residential units in this development shall be live/work types and **shall be located within** the **'Downtown District Center'** area of the Phase II portion of this project. Additional independent dwelling units shall also ~~be authorized~~ **be required** in conjunction with **Buildings G and J/K (Lots 3A and 6) F through N**, but the combined, and total, number of residential units, whether live/work or independent types, **shall be as determined at the time of each Regulating Plan change (Downtown District to Neighborhood General District) and the accompanying amendment of the planned district ordinance for that specific lot or lots being considered for the buildings identified above** ~~not exceed one hundred (100) on the site~~. These additional dwelling units shall be located within a **'Neighborhood General Center'** District designated portion of Phase II, as defined by this ordinance. Residential units shall occupy at least one (1) floor of **each of the buildings identified above**, unless otherwise authorized on the Site Development Plan.
 - ii. A multiple-level parking structure shall also be constructed in the **'Downtown' District 'Neighborhood Center'** District area of the subject site (western half of property) and provide a minimum of two hundred ninety-four (294) spaces, which shall also be available for public parking purposes, as defined in a separate agreement in terms of the overall number of these stalls and other related items. No more than fifty (50) percent of the building square footage can be constructed in Phase II (as defined in Condition 1(a.)) without the parking garage commencing construction, with its completion no greater than two hundred seventy (270) days from its start. Completion shall be construed as the issuance of a final occupancy permit.
 - iii. Buildings J/K shall contain separate underground parking containing not less than sixty (60) total spaces.
- c. An area of this site, within the Phase II portion of this development, and of a size not less than as shown on the Preliminary Development Plan, and north of the east-west arterial street within the C-8 Planned Commercial District (Phase II), shall be utilized for **'Public 'Open Space'** District permitted uses only. This area of **'Public Open Space'** District shall incorporate hard and soft improvements in an area of sufficient size to accommodate public events. This area shall be platted and transferred by fee simple title (general warranty deed) to the City of Wildwood, unless otherwise directed by the City Council. The design, improvements, and parking access for this facility shall be acted upon by the Planning and Zoning Commission and Architectural Review Board, as part of the Site Development Plan submittal and review process. The parking lot area located immediately to the north of this public plaza shall be dedicated for public use and access purposes, including by easement to the City of Wildwood in a form acceptable to the City Attorney, thereby granting the City of Wildwood authority to control access and use of such area; provided the fee owner of this area shall maintain any improvements thereon, while retaining the right to use the area for

additional site parking to the extent not inconsistent with the public use as may be authorized by the City.

- ii. The senior care facility shall provide public art pieces, as part of the development of Lots 1 and 2, for the allowable residential uses, which shall be reviewed and acted upon by the Planning and Zoning Commission, as part of the Amended Site Development Section Plan required for this area.
- iii. The development of this senior care facility shall also provide a public/private exterior patio/courtyard area along its Plaza Drive frontage. This patio/courtyard area shall be not less than one thousand (1,000) square feet in size and allow for seating of residents within its defined boundaries. Design details shall be reviewed and acted upon by the Planning and Zoning Commission, as part of its review and consideration of the Amended Site Development Section Plan.
- iv. The developer shall construct along the property's State Route 100 frontage the remainder of the system of fencing and columns that currently defines this area to the east of the subject site. The columns and fencing shall match those structures already in place along this roadway frontage. Design and construction details shall be reviewed and acted upon by the Planning and Zoning Commission, as part of its review and consideration of the Amended Site Development Section Plan.

2. FLOOR AREA, HEIGHT, AND BUILDING REQUIREMENTS

- a. All phases of this development shall be authorized a total of 393,300 square feet of residential and non-residential users in maximum allowable building sizes as follows:

BUILDING IDENTIFIER	SIZE - Commercial (Total square footage)	SIZE - Residential (Total square footage)
Financial Institution with Drive-through facility (Building A)	17,800	
Retail (Building B)	9,900	
Retail (Building C)	5,400	
Mixed-Use/Office/Retail (Building D)	40,000	
Retail with Drive-through facility (Building E)	15,200	
Mixed-Use (Building F)	20,000	
Mixed-Use (Building G)	30,000	
Mixed-Use (Building H)	30,000	
Mixed-Use (Building I)	10,000	
Senior Care Facility (no more than 95 beds)	No less than 2,700	No more than 75,000
Mixed-Use (Building J/K)	20,000	60,000
Mixed-Use and/or Hotel (Building L)	85,000	
Mixed-Use (Building M)	20,000	
Child Care Center/Private School (Building N)	10,000	

Total square footage of permitted buildings utilized for commercial uses only shall not to exceed 313,300 square feet in overall gross floor area. If a third and fourth story option is exercised upon Buildings F through N, they shall be residential in use and be approved as part of a Site Development Plan submittal to the Planning and Zoning Commission in terms of size and number of units, provided that required additional parking is provided for such addition stories. Residential square footage in Phase II of this development shall not be more than **seventy-five thousand (75,000)** ~~eighty thousand (80,000)~~ square feet in gross floor area and as approved by the Planning and Zoning Commission on the Site Development Plan **(amended and/or section)**.

- b. A minimum of two (2) buildings, with the option of a third, must be located abutting the Taylor Road right-of-way, with no more than twenty (20) percent of the frontage not occupied by an arcade, porch, or building façade within the Amended C-8 Planned Commercial District portion of this development (Phase I). The orientation of these buildings shall be as shown on the Preliminary Development Plan submitted by the petitioner as part of the rezoning request. These buildings shall be constructed with glazing to provide a minimum of seventy (70) percent transparency along Taylor Road or as approved by the Architectural Review Board.
- c. All buildings and structures located along Main Street and the internal east/west drive shall be placed at the edge of right-of-way. In any instance where a building façade is absent, a garden or screen wall shall be installed. This wall(s) must complement the appearance of the buildings located within the same block in terms of its design, architecture, color, material, and character. All garden or screen walls located within the Amended C-8 Planned Commercial District (Phase I) and C-8 Planned Commercial District (Phase II) portions of this site shall be reviewed and approved by the Architectural Review Board as part of the Site Development Plan submittal process.
- d. Only two (2) docking areas are authorized within the boundaries of this Amended C-8 Planned Commercial District (Phase I) and C-8 Planned Commercial District (Phase II), which shall serve Buildings E and L. Appropriate screen walls or other comparable measures shall be employed as part of these areas to minimize visual intrusions onto adjoining properties and any roadway right-of-way, including the installation of gates at its opening. All screen walls located within the Amended C-8 Planned Commercial (Phase I) portion of this site shall be reviewed and approved by the Architectural Review Board as part of the Site Development Plan submittal process.
- e. Only three (3) drive-through facilities shall be authorized in the Amended C-8 Planned Commercial District (Phase I) portion of this development. These facilities shall be in conjunction with the retail stores (Buildings B and E) and the financial institution (Building A). These facilities shall be oriented toward minor streets or the interior locations of adjoining parking lots. Architectural requirements shall be as established in the Town Center Plan and be reviewed and acted upon by the City's Architectural Review Board.

- f. The integration of a clock tower at the northwest corner of the intersection of Main Street and Taylor Road as a focal point of this development shall be required as part of the construction of Building E and allow for public access and use as part of the public open space/street atmosphere. This architectural feature shall substantially comply with the rendering provided to the Planning and Zoning Commission at its December 18, 2000 Executive Session. The Architectural Review Board shall base approval of the required design upon the character of the proposed built environment within the boundaries of the Amended C-8 Planned Commercial District (Phase I) approved on this site.
- g. No structure or building in Phase I shall exceed two (2) stories in overall height, as measured from final finish grade at the adjoining street, excluding the clock tower, unless residential uses are requested as part of a third and/or fourth floor design, then a maximum of two (2) additional floors may be added. The clock tower shall not exceed a height of sixty (60) feet. This height requirement shall not apply to rooftop architectural treatments, but will be subject to Architectural Review Board approval in terms of this requirement.
- h. All buildings located in Phase II shall be a minimum of two (2) stories in overall height (plus architectural rooftop treatments), as measured from final finish grade at the adjoining street, unless residential uses are requested as part of a third and/or fourth floor design, then a maximum of two (2) additional floors may be added, except as noted below:
 - i. Building F may be reduced to a single story height, if Building A is authorized and constructed at the same reduced height. If Building F is reduced below a two (2) story height, its ultimate design must be considered and acted upon by the Planning and Zoning Commission on the Site Development Plan, along with the Architectural Review Board. The developer/owner of Building F shall be required to meet the following requirements in its design:
 - 1. A continuous pitched or barreled flat roof that meets the Architectural Guidelines of the Town Center Development Manual shall only be authorized on this building, unless otherwise approved by the Architectural Review Board. Minimally, architectural style shingles, standing seam metal, or tiles a white material color shall be required for use on this roof.
 - 2. Brick shall constitute one hundred (100) percent of the material to be used on all four (4) elevations of the building (grade to parapet) and of a complementary color to other buildings within a three hundred (300) foot radius of this property, except grade to the watertable (stone may be considered), glazed areas, guttering, and downspouts.
 - 3. Gables, dormers, and towers shall not be authorized as components of this building, unless otherwise approved by the Architectural Review Board.
 - 4. Roof penetrations shall not be authorized, unless otherwise authorized by the Architectural Review Board.

5. Openings (windows) shall have equally proportioned lights and awnings shall be used over windows abutting Fountain Place and Plaza Drive, unless otherwise acted upon the City's Architectural Review Board.
 6. A porch shall be provided as a component of this building, and it must be a minimum of eight (8) feet in depth and have a metal type of canopy covering it of which its design, extent, and type shall be as reviewed and acted upon by the City's Architectural Review Board (southeast corner facing Plaza Drive and Fountain Place intersection).
- ii. Building I and N may be reduced to a single story height, but incorporate additional roof design elements to complement the surrounding built environment in terms of massing, scale, and character. This height requirement shall be measured from final finish grade at the adjoining street, if applicable.
 - iii. Building L shall be allowed a total of five (5) stories along its Main Street frontage, as measured from the final finish grade of this adjoining street. All other elevation heights shall be no greater than four (4) stories in height. This height requirement shall be measured from final finish grade at the adjoining street, if applicable.
 - iv. Building M shall be a minimum of three (3) stories in height along its Main Street frontage. This height requirement shall be measured from final finish grade at the adjoining street, if applicable.
- i. The area of this Amended C-8 Planned Commercial and C-8 Planned Commercial District (Phases I and II) shall be a minimum of fifteen (15) acres in overall size.
 - j. All residential units within the boundaries of this Amended C-8 Planned Commercial District and C-8 Planned Commercial District (Phases I and II) portions of this site must incorporate a deck, porch, or balcony on their front elevations, except for the proposed live/work units and **senior care facility**, which can be at sidewalk grade.
 - k. The proposed architectural design, character, and style of all buildings 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. Particular attention must be paid to the facades of all building and structures located along the Taylor Road and Main Street frontages and all buildings that front or have visibility from a roadway relative to its building materials, openings, elements, and color to ensure their appearance is consistent with the other elevations. All buildings utilized for 'Commercial or Neighborhood Center' District uses, except those structures abutting Taylor Road (see Condition 2(b.)), must have a minimum of fifty (50) percent glazing at street level or an amount approved by the Architectural Review Board on the required renderings and models. Approval of the required design shall be by the Architectural Review Board. Minimally, all buildings shall maintain a consistent theme throughout the boundaries of these Amended C-8 Planned

Commercial District and C-8 Planned Commercial District (Phases I and II) in terms of material, color, and style.

3. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

Within twelve (12) months of the date of approval of the Preliminary Development Plan 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 petitioner, this time interval may be extended through appeal to and approval by the Planning and Zoning Commission for a period not to exceed two (2) years. The Site Development Plan shall include, but not be limited to, the following:

- a. Outboundary and legal description of the property.
- b. A location map of generalized nature, north arrow, and plan scale.
- c. Location and size of all proposed structures, including canopies, arcades, business signage, and any garden and screen or retaining walls.
- d. Location and size of all parking areas and corresponding parking calculations.
- e. Existing and proposed contours at two (2) foot intervals.
- f. Roadways and driveways on and adjacent to the property in question including required right-of-way dedication, pavement widening, cross access easement areas, and public green spaces within these areas.
- g. The design, location, and size of all proposed lighting, fences, and dock and trash areas.
- h. A landscape plan including, but not limited to, the location, size, and general type of all plant and other materials to be used. (See Landscape Requirements Section of this Ordinance).
- i. The approximate location of all stormwater and sanitary sewer facilities.
- j. Parking and structure setbacks from adjacent property lines.
- k. Location of all existing and proposed easements.
- l. A description of the area's (all surrounding properties within one hundred (100) feet of the subject site) infrastructure and site improvements of a general nature. Principally, building locations on individual properties, curb cuts, and driveway locations along the right-of-way, as well as other natural and man-made features, must be shown. This representation shall be supplemented by a recent aerial photograph of the area, which shall include all properties within one thousand (1,000) feet of the subject site and at a scale of 1:100.
- m. Cross-sections through all portions of the site, particularly a minimum of two (2) such representations along Taylor Road and Main Street. These cross-sections must include all buildings and structures, including screen and plant walls and any other similar treatments.
- n. All other information not mentioned above, but required on a Preliminary Plat in accord with Chapter 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 Requirements

- a. All buildings or structures, excluding boundary, garden, screen, and/or retaining walls, or fences, shall adhere to the build-to lines therein established by the City of Wildwood's Town Center Neighborhood Design Standards for the '**Downtown and Neighborhood General**' Commercial and Neighborhood Center Districts.

Parking Setbacks

- b. All parking stalls, loading spaces, internal drives, excluding points of ingress and egress and public or private roadways, shall adhere to the City of Wildwood's Town Center Neighborhood Design Standards for the '**Downtown and Neighborhood General**' Commercial and Neighborhood Center Districts, unless as otherwise approved on the Site Development Plan by the Planning and Zoning Commission or as noted below:
 - i. Fifteen (15) feet from the Taylor Road right-of-way line.

Minimum Parking Requirements

- c. Minimum parking requirements as set forth in the City of Wildwood's Town Center Neighborhood Design Standards for the '**Downtown and Neighborhood General**' Commercial and Neighborhood Center Districts and Chapter 415.280 Parking Regulations of the City of Wildwood's Zoning Code, except that three point three (3.3) spaces per one thousand (1,000) square feet of gross floor area shall be allowed for all retail/office uses. The parking reduction associated with this overall site shall not exceed ten (10) percent of the required parking spaces to be constructed and provided for the purposes of compliance to this site-specific ordinance.

Access and Roadway Improvements, including sidewalks

Main Street

- d. The developer's development plan seeks to use, and depends on the use of, the City's property to the south of these districts ("City's Main Street Property") for purpose of access, sidewalks, on-street parking, and other Main Street improvements to which this development is dependent and conditioned. Before the issuance of any building or construction permit, the developer shall have reached a mutually binding development agreement with the City authorizing and providing for the use of the City's property for such purposes and providing the terms, including reimbursement or compensation to the City, for such use. The developer and development authorized by this ordinance shall be responsible for the acquisition of land and installation thereon of the northern one-half (1/2) of the total Main Street improvements (of a one hundred four (104) foot right-of-way or improvement width) adjacent to this development necessary for primary access to the development. These improvements shall be the responsibility of the developer to complete and must conform to the requirements of the City of Wildwood's Street Specifications of the Town Center Plan as directed and approved by the Department of Public Works, when the

necessary land area for its construction is available for use as required herein. All streetscape requirements (street trees, lights, and signs, waste receptacles, benches, and other items shall consist of approved materials) shall be installed as required by the City of Wildwood's Town Center Plan within the right-of-way of Main Street and be approved by the Department of Public Works. Certain requirements may be escrowed with the City of Wildwood for future installation at the discretion of the Department of Planning and the Department of Public Works. Traffic Generation Assessment Fee credits shall be granted for installation of improvements on the south one-half of Main Street, as such installation may be approved by the City, unless the City and Developer mutually agree to other reimbursement terms for that portion of the improvements. No building permit shall be issued in these districts, until the developer has obtained authority for use of the City's Main Street property by an approved development agreement. In the event the developer is unable or unwilling to enter into a development agreement acceptable to the City authorizing this use of the public property and terms thereof, this zoning approval shall authorize no building construction or other use approved herein until this ordinance has been revised to reflect and authorize a modified development and uses that are not dependent or conditioned on the use or access from the City's Main Street property.

- e. Access to this development from Main Street shall be limited to four (4) curb cuts and two (2) garage entry/exit access points and designed in accordance with the City of Wildwood's Street Specifications of the Town Center and as directed by the Department of Public Works. These access points shall be coordinated with the dedication of roadway right-of-way along the southern property line of this development.

State Route 100

- f. Dedicate all the right-of-way, easements, and licenses within the subject site as necessary for the improvement of State Route 100 and its intersection with the proposed Taylor Road as directed by the Missouri Department of Transportation and the City of Wildwood. Verification of the ownership of any excess right-of-way, which exists along State Route 100 that is to be used as part of this development, must be provided in the form of a Purchase Agreement signed by the Missouri Department of Transportation prior to approval of the Site Development Plan by the Planning and Zoning Commission.
- g. Conform to all of the requirements of the Missouri Department of Transportation and the City of Wildwood regarding the required State Route 100 roadway improvements. Improvements shall be as directed by the Missouri Department of Transportation.
- h. Provide a variable width easement no less than ten (10) foot wide along or within State Route 100 right-of-way, and complete finish grading thereof, for the installation of a multiple use trail which conforms with the City of Wildwood's ADA requirements as directed by the Department of Public Works. The installation of this trail will also be the responsibility of the developer and be reviewed and acted upon as part of the Site Development Plan process. This improvement is considered as one (1) of the green space and public space requirements

of the Town Center Plan's Commercial District and Neighborhood Center District designations and the construction cost will be a creditable charge against the developer's required Traffic Generation Assessment Fee contribution to the East Area Fund of the City of Wildwood for any portion of it located outside the subject site and within the State of Missouri's right-of-way area. Determinations regarding credits shall be made by the Departments of Planning and Public Works and completed prior to the issuance of any building permit for the Phase II portion of this overall project.

- i. No vehicular access shall be allowed from this development to State Route 100, except as directed or previously authorized by the Missouri Department of Transportation and approved by the City of Wildwood.

Taylor Road

- j. Dedicate the remaining portion of an eighty (80) foot right-of-way for Taylor Road and construct said roadway, sidewalks, and improvements in conformance with the requirements of the City of Wildwood's Street Specifications of the Town Center Plan and as directed by the Department of Public Works. All streetscape requirements (street trees, lights, signs, waste receptacles, benches, and other items shall consist of approved materials) shall be installed as required by the City of Wildwood's Town Center Plan within the right-of-way of Taylor Road and be approved by the Department of Public Works.
- k. Access to this development from Taylor Road shall be limited to one (1) commercial entrance designed in accordance with the City of Wildwood's Street Specifications of the Town Center and be as directed by the Department of Public Works. This entrance along Taylor Road shall maintain a minimum distance of two hundred twenty (220) feet from State Route 100 (as measured from edge of proposed pavement of State Route 100 to the centerline of the access point) and be restricted to a right-in/right-out configuration.
- l. Dedicate all the right-of-way, easements, and licenses within the subject site as necessary for the improvement of the proposed Taylor Road as directed by the Department of Public Works.
- m. Provide the necessary infrastructure and conduits for the coordination of the traffic signals at the Taylor Road/Main Street intersection as directed by the Department of Public Works. The installation of this equipment and infrastructure will be a creditable charge against the developer's required Traffic Generation Assessment contribution to the East Area Fund of the City of Wildwood and based upon a fair share determination of the overall improvement cost at this intersection.

Miscellaneous Roadway Requirements

- 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 and the Architectural Review Board as part of the Site Development Plan review process.

- o. Provide cross access easement and temporary slope construction license, or other appropriate legal instrument or agreement guaranteeing permanent access between this site and adjacent properties, as directed by the Departments of Planning and Public Works. Any contractor utilizing these easements or license areas shall be required to replace all improvements, plantings, or other items damaged or disturbed to their original condition and restore the entire area to its pre-development condition. This replacement and restoration shall be accomplished in sixty (60) days or less from the completion of construction as determined by the City of Wildwood.
- p. Parking lot aisles, where possible, should intersect the main and minor driveways at right angles and be logically located opposite minor driveways and other parking lot aisles. Minor driveways shall not intersect the main east/west drive aisle closer than two hundred (200) feet of the centerline of the proposed Taylor Road right-of-way.
- q. Installation of identification signage and landscaping shall be reviewed by the Department of Public Works for sight distance considerations and approved prior to installation.
- r. 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 road improvements. All utilities within these districts and on rights-of-way otherwise constructed pursuant to this authorization shall be installed and placed underground in locations as approved by the Director of Public Works.
- s. 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.
- t. A traffic circle shall be incorporated into the design of the internal roadway system serving this mixed-use development. The location, design, and appearance of this circle shall be as directed by the Department of Public Works. Final approval of the circle's location, design, and appearance shall be by the Planning and Zoning Commission as part of the Site Development Plan review process. Building placement and design around the circle shall

reflect its character and complement its inclusion. Building placement within the proximity of the traffic circle shall be indicated on the Site Development Plan.

- u. Dedicate a land area, forty (40) feet in width, for public right-of-way purposes along the western boundary of the site, as determined by the Departments of Public Works and Planning on the Site Development Plan for a future "street" at this location. The petitioner/developer shall be responsible to construct the roadway, sidewalk, and other improvements, including on-street parking spaces, within this "street" in conformance with the requirements of the City of Wildwood's Street Specifications of the Town Center Plan for one-half (1/2) of this public right-of-way area, with all design components reviewed and approved by the Department of Public Works. All streetscape requirements (street trees, lights, signs, waste receptacles, benches), and other items shall consist of approved materials and shall be installed, as required by the City of Wildwood's Town Center Plan within the right-of-way of "unnamed street," and also be reviewed and approved by the Department of Public Works. Developer shall also construct the remaining pavement width, including curb and gutter, and on-street parking spaces, within the remaining west one-half (1/2) of the right-of-way of this "unnamed street," in accord with the requirements of the Town Center Street Specifications and as directed by the Department of Public Works. In regards to the construction of this west one-half (1/2) on the "unnamed street," streetscape requirements, such as trees, etc., shall not be required.

Landscape Requirements - Specific

- v. Building and parking setbacks shall be landscaped in accordance with Chapter 410 of the City of Wildwood's Codified Ordinances and its accompanying Tree Manual.
- w. All stormwater facilities shall be appropriately landscaped and comply with the Chapter 410 of the City of Wildwood's Codified Ordinances and its accompanying Tree Manual. Wetlands plantings must be used at appropriate locations within the basins themselves as directed by the Department of Public Works, if applicable.
- x. All new landscaping materials shall meet the following criteria: Deciduous Trees - two and one-half (2 1/2) inch minimum caliper; Evergreen Trees - Six (6) feet minimum height; and Shrubs - twenty-four (24) inch minimum height.
- y. Replanting of trees shall conform to the requirements of Chapter 410 of the City of Wildwood's Codified Ordinances and its accompanying Tree Manual to achieve a minimum amount of thirty (30) percent canopy area on this site. Tree selection and location shall be reviewed and acted upon by the Planning and Zoning Commission and the Architectural Review Board as part of the Site Development Plan process. Street tree planting patterns must be based on and comply with the Town Center Streetscape Design.
- z. A Registered Landscape Architect shall prepare and sign all Landscape Plans for this development.

Lighting Requirements

- aa. Light standards shall not exceed sixteen (16) feet in height. No on-site illumination source shall be so situated that light is cast directly on adjoining properties or public roadways. Illumination levels shall comply with the provisions of the City of Wildwood's Zoning Ordinance – Chapter 415.450 "Outdoor Lighting Requirements." A Lighting Plan shall be submitted in conjunction with the Site Development Plan indicating compliance to these requirements. The Planning and Zoning Commission shall approve the location of all light standards and their design and appearance as part of the Site Development Plan review process.

Sign Regulations

- bb. All signage shall be in accordance with the requirements of the City of Wildwood's Town Center Architectural Guidelines, subject to the following:
 - 1. A total of three (3) freestanding monument style signs shall be allowed within the boundaries of the Amended C-8 Planned Commercial District and C-8 Planned Commercial District (Phase I and Phase II combined). One (1) of these signs shall be located at the access point into this development from Taylor Road and cannot exceed fifty (50) square feet in overall size. This Taylor Road sign shall be integrated, and be a part of the gateway structure to be constructed at this authorized access point along the Taylor Road frontage. Two (2) signs shall be authorized along the property's State Route 100 frontage and cannot exceed seventy-five (75) square feet in overall size, nor ten (10) feet in height, as measured from adjoining roadway grade. The location of all signage shall be as approved by the Planning and Zoning Commission on the Site Development Plan.
 - 2. The three (3) authorized monument signs shall additionally comply with the City of Wildwood Zoning Code, Section 1003.168 Sign Regulations for the C-2 Shopping District, where consistent and applicable to this type of signage.
 - 3. Notwithstanding any other approval to the contrary, all wall signs shall additionally comply with the City of Wildwood Zoning Ordinance – Chapter 415.420 Sign Regulations for the C-2 Shopping District, and all signage shall be externally illuminated according to the Town Center Plan's Architectural Guidelines, or may be backlit, if otherwise in compliance with the Town Center Architectural Guidelines. A third wall sign shall be authorized for the commercial building located on the northwest corner of Taylor Road and Main Street. Signs may only be located on the north, south, and east elevations of this building (Building E, as identified by this ordinance).
 - 4. No advertising, temporary, or portable signs shall be authorized in this Amended C-8 District and C-8 District development (Phases I and II). No other signs shall be authorized,

except as may comply with the C-2 Shopping District Regulations of the City of Wildwood Zoning Ordinance and the Town Center Plan's Architectural Guidelines.

Miscellaneous Conditions

- cc. All trash areas shall be enclosed with a six (6) foot high sight-proof wall (with gate) and be appropriately landscaped around its perimeter, if applicable. The location and design of these enclosures shall be shown on the Site Development Plan and approved by the Planning and Zoning Commission and the Architectural Review Board. The design of this enclosure shall reflect the appearance, character, and style, in terms of its color, material, and composition, of the approved architecture of the individual building it serves and adjoins in terms of location.
- dd. Handicap parking and access requirements shall comply with Section 512.4 of the City of Wildwood Building Code.
- ee. All rooftop mechanical equipment shall be screened from view on all sides of the building's facade in an architecturally consistent manner in terms of color and style of the individual buildings where they are to be constructed. Screening shall be reviewed and considered by the Architectural Review Board at the time of the renderings submittal.
- ff. 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.
- gg. All deliveries and trash pick-up vehicles must access the site from State Route 100, not Manchester Road. No deliveries or trash pick-up shall occur between the hours of 11:00 p.m. and 6:00 a.m., seven (7) days per week.
- hh. 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.
- ii. The developer shall grant the right to the City of Wildwood to utilize areas, buildings, and structures for the installation of wireless antenna and related equipment through the granting of appropriate easements for service to this site.

5. **TRAFFIC GENERATION ASSESSMENT FEE CONTRIBUTION**

The developer shall contribute to the East Area Corridor Traffic Generation Assessment Road Trust Fund established by Chapter 140 of the City's Codified Ordinances. This contribution shall not

exceed an amount established by multiplying the proposed parking spaces by the following rate schedule.

Type of Development	Required Contribution
Apartments/Condominiums	\$485.09/Parking Space
Senior Housing	\$485.09/Parking Space
General Office	\$741.06/Parking Space
Quality Restaurant	741.06/Parking Space
General Retail	\$2,223.29/Parking Space
Shopping Centers	\$2,223.29/Parking Space
High-Turnover, Sit-Down Restaurants	\$2,223.29/Parking Space
Bank	\$4,446.75/Parking Space
Medical Offices	\$2,223.29/Parking Space
Hotel	\$1,482.25/Parking Space
Loading Space	\$3,3638.14/Loading Space

(Parking space as required by Chapter 415.280 of the City of Wildwood Zoning Ordinance.)

If types of development proposed differ from those listed, rates shall be provided by the Department of Planning.

A minimum of two hundred twenty-six (226) parking spaces within Phase I of this overall project shall be assessed the required Traffic Generation Assessment Fee under the schedule described above for the East Area Corridor Traffic Generation Assessment Trust Fund. A minimum of six hundred six (606) parking spaces within Phase II of this overall project shall be assessed the required Traffic Generation Assessment Fee under the schedule described above for the East Area Corridor Road Traffic Generation Assessment Road Trust Fund. Allocations of these spaces shall be based upon the required parking ratios for building square footage and types of uses. Changes in uses may require reallocation or different parking requirements. Any final parking allocation shall be further reflected on the final site plan and subdivision plats, including any cross-access easements or other recording of parking rights and responsibilities as may be required due to location of required off-site parking as to a subdivided lot within this development.

Building Id.	Required Parking Spaces (per City Code)	Location(s) of Parking Spaces	TGA Parking Spaces	TGA Credit
F	24	Off-Street (24)	24	To be Determined at Zoning Authorization
G	67	On-Street (4)/Off-Street (63)	63	To be Determined at Zoning Authorization

H	78	On-Street (5)/Off-Street (73)	73	To be Determined at Zoning Authorization
I	18	Off-Street (18)	18	To be Determined at Zoning Authorization
J/K	166	Underground (68)/Parking Garage (86)/Off-Street (12)	166	To be Determined at Zoning Authorization
L	228	Parking Garage (189)/On-Street (39)	189	To be Determined at Zoning Authorization
M	61	Parking Garage (32)/On-Street (29)	32	To be Determined at Zoning Authorization
N	28	On-Street (15)/Off-Street (13)	13	To be Determined at Zoning Authorization
Total	670	Underground Parking (68)/Parking Garage (307)/On-Street Parking (92)/Off-Street Parking (231)	578	

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 road improvements required by the development shall be retained in the appropriate trust fund.

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

6. VERIFICATION PRIOR TO APPROVAL OF THE SITE DEVELOPMENT PLAN

Prior to the approval of the Site Development Plan, the petitioner shall:

Stormwater

- a. Submit to the Planning and Zoning Commission an engineering plan approved by the Department of Public Works and the Metropolitan St. Louis Sewer District (MSD) 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 Metropolitan St. Louis Sewer District (MSD) Standards.
 2. All stormwater shall be discharged at an adequate natural discharge point.

3. Detention or differential runoff of stormwater is at the discretion of Metropolitan St. Louis Sewer District and the City of Wildwood. If required by Metropolitan St. Louis Sewer District (MSD) and the Department of Public Works, it shall be provided in permanent detention/retention facilities, such as: dry reservoirs, ponds, or another acceptable alternative. These detention/retention facilities shall be completed and in operation prior to paving of any driveways or parking areas, within any phase of the development where construction activity is authorized.
- b. The approved stormwater management plan for this development may include the use of off-site, regional facilities in terms of the retention/detention of runoff from this site, unless otherwise authorized by the Department of Public Works on the Site Development Plan. The developer(s) shall be responsible for all costs associated with the construction and modifications to existing facilities to accomplish this regional stormwater management requirement, if applicable.

Geotechnical Report

- c. 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.

7. RECORDING

Within sixty (60) 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 BUILDING PERMITS

Subsequent to approval of a Site Development Plan, and prior to issuance of any building permit, the following requirements shall be met:

Notification of Department of Planning

- a. Prior to issuance of foundation or building permits, all approvals from the Department of Public Works, the Missouri Department of Transportation, the Missouri Department of Natural Resources, the U.S. Army Corp. of Engineers (if applicable), the Metro West Fire Protection District and the Metropolitan St. Louis Sewer District (MSD) must be received by the Department of Planning.

Certification of Plans

- b. Provide verification that construction plans are designed to conform to the requirements and conditions of the Geotechnical Report. The Geotechnical Engineer shall be required to sign and seal all plans.

Traffic Generation Assessment Contribution

- c. Traffic generation assessment contribution shall be deposited with City of Wildwood in the form of cash prior to the issuance of building permits.

9. VERIFICATION PRIOR TO OCCUPANCY PERMITS

Subsequent to approval of a Site Development Plan, and prior to issuance of any occupancy permit, the following requirement shall be met:

Roadway Improvements

- a. Road improvements and right-of-way dedication shall be completed, or the appropriate escrow established, prior to the issuance of an occupancy permit. If development phasing is anticipated, said work, right-of-way dedications, and/or escrow agreements shall be based upon those areas of the defined phases where construction is authorized. As previously noted, the delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.

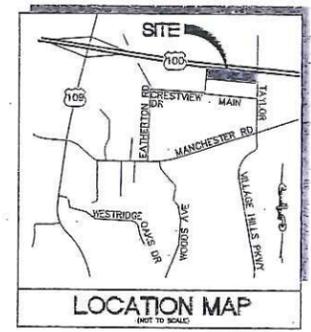
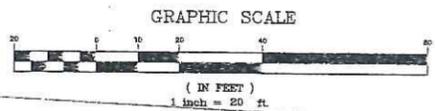
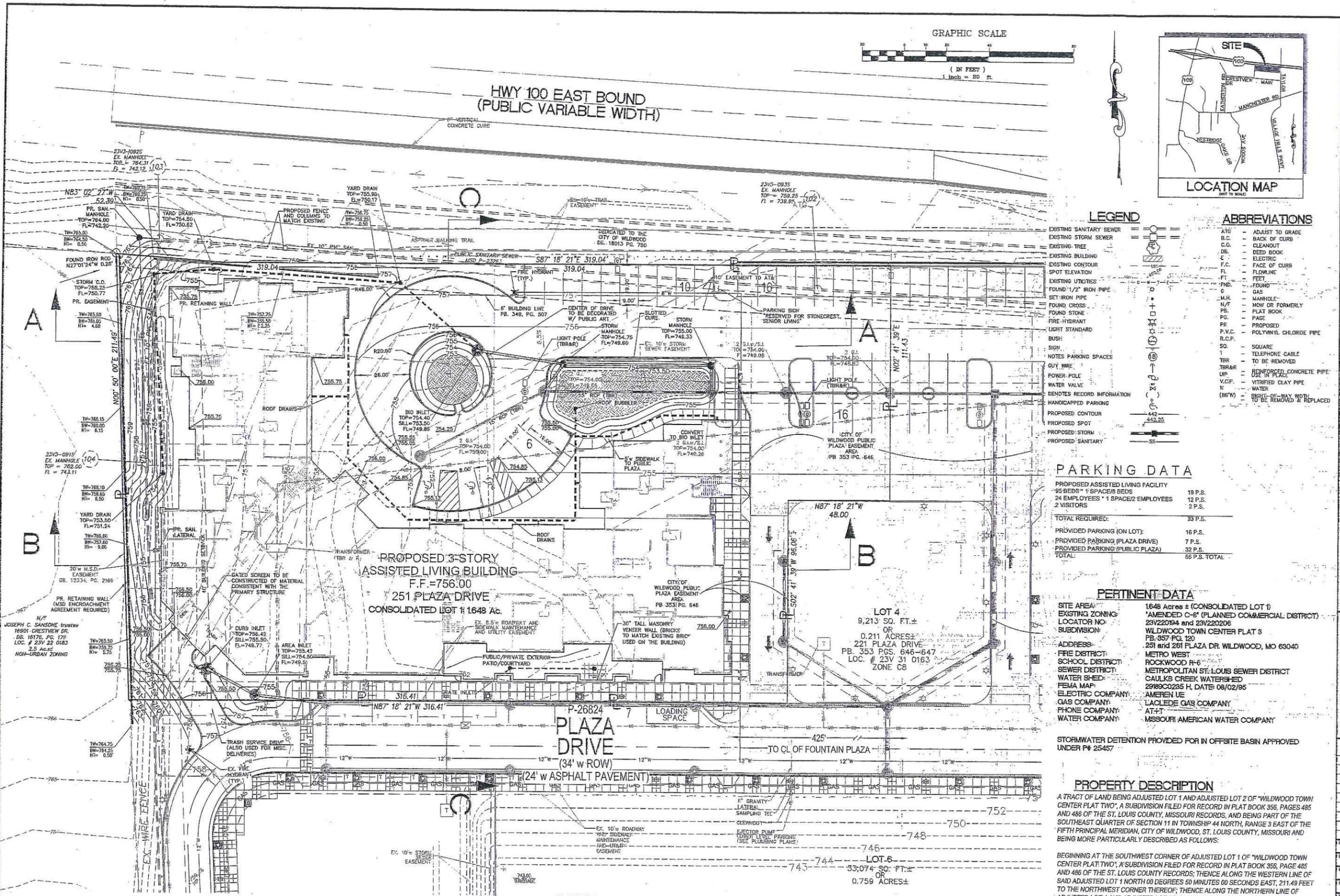
10. GENERAL DEVELOPMENT CONDITIONS

- a. A grading permit is required prior to any grading on the site. No change in watersheds shall be permitted. Interim stormwater drainage control in the form of siltation control measures is required.
- b. 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.
- c. 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.
- d. Failure to comply with any or all the conditions of this ordinance shall be adequate cause for revocation of permits by issuing City Departments or Commissions.

- e. The Zoning Enforcement Officer of the City of Wildwood, Missouri, shall enforce the conditions of this ordinance in accordance with the Site Development Plan approved by the City of Wildwood Planning and Zoning Commission.
- f. 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 Amended C-8 Planned Commercial and C-8 Planned Commercial 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.
- g. Substantial construction shall begin within twenty-four (24) months of the approval of the Site Development Plan for the parcel of ground governed by this Amended C-8 Planned Commercial District and C-8 Planned Commercial District ordinance. Construction shall be deemed to have commenced with the final grading for and installation of roadways necessary for the first approved plat or phase of construction and commencement of installation of the sanitary and storm sewers.
- h. As portions of the Main Street roadway improvements may require the acquisition of additional right-of-way and easement from private property, the normal sequence of design, right-of-way acquisition, and construction shall commence immediately on approval of the requested rezoning. If the developer is unable to acquire the necessary right-of-way and easements through negotiation with the particular property owners involved, the City of Wildwood may, at its sole discretion, authorize the acquisition of the same through eminent domain proceedings. The costs of appraisals, negotiations, administrations, court proceedings, and associated costs incurred by the City of Wildwood shall be paid by the developer.
- i. This zoning approval is conditioned on compliance with the Zoning Code, Subdivision and Development Regulations, 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 the Amended C-8 Planned Commercial and C-8 Planned Commercial District ordinance, except where this ordinance has expressly modified such regulations by reference to the applicable provision authorizing such modification.
- j. The passage and approval of this ordinance shall constitute the necessary development approval authorizing the Director of Public Works to issue a grading permit in accordance with the procedure and requirements of Chapter 425 of the City's Municipal Code, but not before Condition 1 (c.) has been met by the developer.
- ~~k. The developer shall provide justification to the City, acceptable to the City Attorney and the City Council, indicating the reasons why a payment in lieu of taxes (PILOT) shall not be required of this project. If these reasons are determined not to be satisfactory, an agreement shall be established between the developer of the site and the City of~~

~~Wildwood, Missouri for the payment in lieu of taxes (PILOT), which is satisfactory to the City Attorney in terms of form and content, so as the City will received appropriate compensation in this regard. This agreement must be in place, before any permits can be issued by the City of Wildwood, Missouri for this project. In lieu of this agreement, if determined necessary for this project, the developer can increase the amount of commercial square footage associated with this building's ground floor level from its current area.~~

ATTACHMENT C
Plan Sheets



LEGEND

- EXISTING SANITARY SEWER
- EXISTING STORM SEWER
- EXISTING TREE
- EXISTING BUILDING
- EXISTING CONTOUR
- SPOT ELEVATION
- EXISTING UTILITIES
- FOUND 1/2" IRON PIPE
- SET IRON PIPE
- FOUND CROSS
- FOUND STONE
- FIRE HYDRANT
- LIGHT STANDARD
- BUSH
- SIGN
- NOTES PARKING SPACES
- GUY WIRE
- POWER POLE
- WATER VALVE
- DENOTES RECORD INFORMATION
- HANDICAPPED PARKING
- PROPOSED CONTOUR
- PROPOSED SPOT
- PROPOSED STORM
- PROPOSED SANITARY

ABBREVIATIONS

- ADJ - ADJUST TO GRADE
- B.C. - BACK OF CURB
- C.O. - CLEANOUT
- D.B. - DEED BOOK
- E. - ELECTRIC
- F.C. - FACE OF CURB
- FL. - FLOWLINE
- FT. - FEET
- FND. - FOUND
- G. - GAS
- M.H. - MANHOLE
- N/F. - NOW OR FORMERLY
- P.B. - PLAT BOOK
- P.G. - PAGE
- PR. - PROPOSED
- P.V.C. - POLYVINYL CHLORIDE PIPE
- R.C.P. - REINFORCED CONCRETE PIPE
- SQ. - SQUARE
- T. - TELEPHONE CABLE
- TBR. - TO BE REMOVED
- TBR&R - TO BE REMOVED & REPLACED
- UP. - USE IN PLACE
- V.C.P. - VITRIFIED CLAY PIPE
- W. - WATER
- (66'W) - RIGHT-OF-WAY WIDTH TO BE REMOVED & REPLACED

PARKING DATA

PROPOSED ASSISTED LIVING FACILITY	
95 BEDS * 1 SPACE/6 BEDS	19 P.S.
24 EMPLOYEES * 1 SPACE/2 EMPLOYEES	12 P.S.
2 VISITORS	2 P.S.
TOTAL REQUIRED:	33 P.S.
PROVIDED PARKING (ON LOT)	16 P.S.
PROVIDED PARKING (PLAZA DRIVE)	7 P.S.
PROVIDED PARKING (PUBLIC PLAZA)	32 P.S.
TOTAL:	55 P.S. TOTAL

PERTINENT DATA

SITE AREA:	1648 Acres ± (CONSOLIDATED LOT 1)
EXISTING ZONING:	'AMENDED C-8' (PLANNED COMMERCIAL DISTRICT)
LOCATOR NO.:	23V220194 and 23V220206
SUBDIVISION:	WILDWOOD TOWN CENTER PLAT 8
ADDRESS:	PB. 357 PG. 120 251 and 261 PLAZA DR. WILDWOOD, MO 63040
FIRE DISTRICT:	METRO WEST
SCHOOL DISTRICT:	ROCKWOOD R-6
SEWER DISTRICT:	METROPOLITAN ST. LOUIS SEWER DISTRICT
WATER SHED:	CAULKS CREEK WATERSHED
FEMA MAP:	29183C0235 H. DATE: 08/02/95
ELECTRIC COMPANY:	AMERICAN ELECTRIC
GAS COMPANY:	LA CLEDE GAS COMPANY
PHONE COMPANY:	AT&T
WATER COMPANY:	MISSOURI AMERICAN WATER COMPANY

STORMWATER DETENTION PROVIDED FOR IN OFF-SITE BASIN APPROVED UNDER P# 25457

PROPERTY DESCRIPTION

A TRACT OF LAND BEING ADJUSTED LOT 1 AND ADJUSTED LOT 2 OF "WILDWOOD TOWN CENTER PLAT TWO", A SUBDIVISION FILED FOR RECORD IN PLAT BOOK 356, PAGES 485 AND 486 OF THE ST. LOUIS COUNTY RECORDS, AND BEING PART OF THE SOUTHWEST QUARTER OF SECTION 11 IN 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:

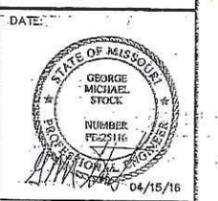
BEGINNING AT THE SOUTHWEST CORNER OF ADJUSTED LOT 1 OF "WILDWOOD TOWN CENTER PLAT TWO"; A SUBDIVISION FILED FOR RECORD IN PLAT BOOK 356, PAGE 485 AND 486 OF THE ST. LOUIS COUNTY RECORDS; THENCE ALONG THE WESTERN LINE OF SAID ADJUSTED LOT 1 NORTH 00 DEGREES 50 MINUTES 00 SECONDS EAST, 211.49 FEET TO THE NORTHWEST CORNER THEREOF; THENCE ALONG THE NORTHERN LINE OF ADJUSTED LOT 1 AND ADJUSTED LOT 2 THE FOLLOWING: SOUTH 83 DEGREES 02 MINUTES 27 SECONDS EAST, 52.39 FEET TO A POINT; THENCE SOUTH 87 DEGREES 18 MINUTES 21 SECONDS EAST, 319.04 FEET TO THE NORTHEAST CORNER OF ADJUSTED LOT 2; THENCE ALONG THE EASTERN LINE OF ADJUSTED LOT 2 SOUTH 02 DEGREES 41 MINUTES 39 SECONDS WEST, 111.43 FEET TO A POINT; THENCE NORTH 87 DEGREES 18 MINUTES 21 SECONDS WEST, 48.00 FEET TO A POINT; THENCE SOUTH 02 DEGREES 41 MINUTES 39 SECONDS WEST, 96.06 FEET TO A POINT ON THE NORTHERN RIGHT-OF-WAY LINE OF PLAZA DRIVE; THENCE ALONG SAID NORTHERN RIGHT-OF-WAY LINE NORTH 87 DEGREES 18 MINUTES 21 SECONDS WEST, 316.41 FEET TO THE POINT OF BEGINNING AND CONTAINING 71,801 SQUARE FEET OR 1.648 ACRES MORE OR LESS AS PER CALCULATIONS BY STOCK & ASSOCIATES CONSULTING ENGINEERS, INC. DURING FEBRUARY, 2016.

257 Chesterfield Business Parkway
St. Louis, MO 63005 P.O. Box 6536
630-3000 FAX (636) 530-9300
E-mail: general@stockandassociates.com
Web: www.stockandassociates.com

STOCK & ASSOCIATES
Consulting Engineers, Inc.

PREPARED BY:
STOCK & ASSOCIATES
CONSULTING ENGINEERS, INC.

PRELIMINARY DEVELOPMENT PLAN FOR:
STONECREST AT WILDWOOD
251 PLAZA DR.
WILDWOOD, MO



DATE: 04/15/16
GEORGE M. STOCK E-29116
CIVIL ENGINEER
CERTIFICATE OF AUTHORITY
NUMBER: 000996

REVISIONS:

1	CITY COMMENTS	04/15/16
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DRAWN BY: R.E.S. CHECKED BY: G.M.S.
DATE: 03.04.16 JOB NO: 216-5763
SCALE: AS SHOWN DATE: 03.04.16
SHEET NO. P.1 OF 2

MO-00
SHEET TITLE:
PRELIMINARY DEVELOPMENT PLAN

SHEET NO.: **C1**

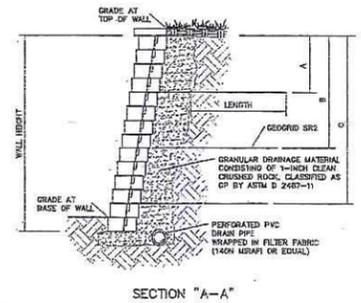
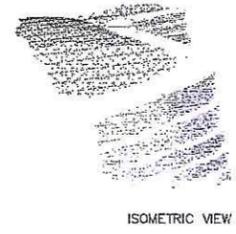
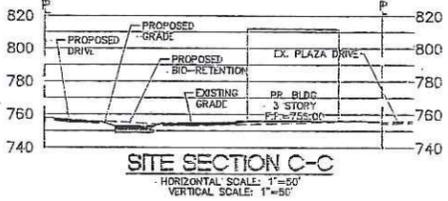
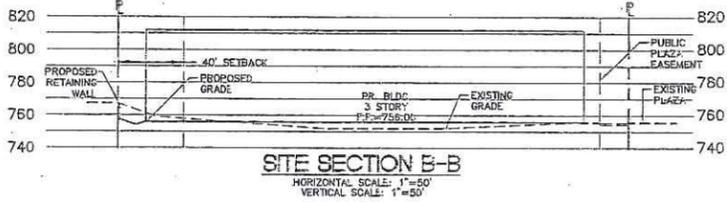
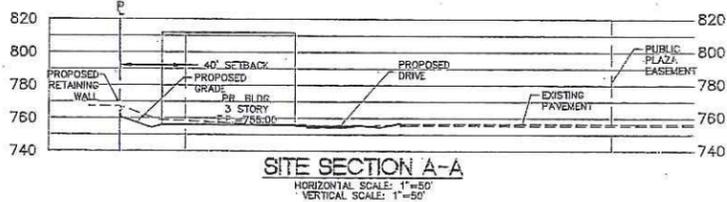
STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC. AND THE UNDERSIGNED ENGINEER HAVE NO RESPONSIBILITY FOR SERVICES PROVIDED BY OTHERS TO IMPLEMENT THE IMPROVEMENTS SHOWN ON THIS PLAN AND ALL OTHER DRAWINGS WHERE THE UNDERSIGNED ENGINEER'S SEAL APPEARS. THE CONSTRUCTION MEANS AND METHODS ARE THE SOLE RESPONSIBILITY OF THE OWNER AND CONTRACTOR. STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC. HAS NO RESPONSIBILITY TO VERIFY FINAL IMPROVEMENTS AS SHOWN ON THIS PLAN UNLESS SPECIFICALLY ENGAGED AND AUTHORIZED TO DO SO BY THE OWNER OR CONTRACTOR.

SITE BENCHMARK
SITE BENCH MARK: ELEV. = 756.55
"O" IN THE WORD "OPEN" ON FIRE HYDRANT, APPROXIMATELY 25 FEET WEST OF A GRAVEL DRIVEWAY AT #1604 CRESTVIEW.

BENCHMARK
THE CONTOUR LINES SHOWN HEREON IS 1929 NATIONAL GEODETIC VERTICAL DATUM BASED ON METROPOLITAN ST. LOUIS SEWER DISTRICT BENCH MARK.
MSD BENCH MARK NO. 16-109; ELEV. = 794.70
"L" ON THE WEST SIDE OF A CONCRETE PORCH OF BUILDING AT #16057 MANCHESTER ROAD; 21' EAST OF THE CENTERLINE OF EATHERTON ROAD AND 36' NORTH OF THE CENTERLINE OF MANCHESTER ROAD.

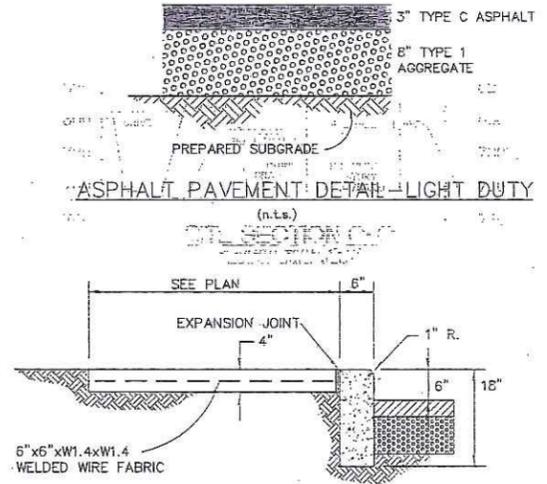
ORIGINAL LOT 1: 0.424 AC.
N/F WILDWOOD CROSSING, INC.
LOC # 23V 22 0194
261 PLAZA DRIVE, WILDWOOD, MO
ZONE: C8

ORIGINAL LOT 2: 1.146 AC.
N/F WILDWOOD CROSSING, INC.
LOC # 23V 22 0206
251 PLAZA DRIVE, WILDWOOD, MO
ZONE: C8



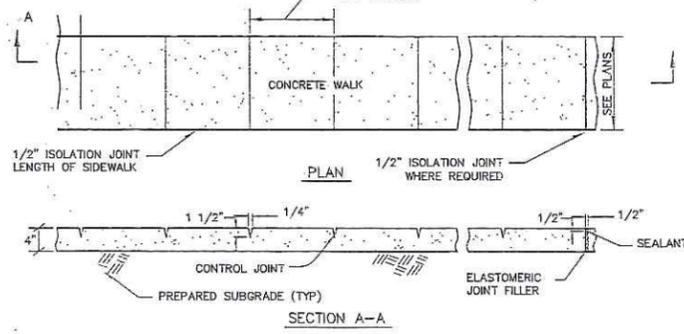
- NOTES:**
- 1.) ALL CONSTRUCTION SHALL BE PER THE MANUFACTURERS RECOMMENDATION.
 - 2.) THE ABOVE INFORMATION IS A CONCEPT ONLY. ACTUAL DESIGN OF RETAINING WALL SHALL BE BY A LICENSED PROFESSIONAL ENGINEER & SUBMITTED TO STOCK AND ASSOCIATES FOR GENERAL COMPLIANCE WITH GRADING PLAN.
 - 3.) ACCEPTED ALTERNATE WALL SYSTEM: VERSA-LOK OR UNILOCK PISA.
 - 4.) TW= TOP OF RETAINING WALL BW= GRADE AT BASE OF WALL.
 - 5.) VERTICAL WALL SYSTEM ASSUMED FOR THIS PROJECT. ZERO BATTER.
 - 6.) WALL DESIGNER SHALL CONSULT GEOTECHNICAL ENGINEER FOR GLOBAL STABILITY.
 - 7.) RETAINING WALL WILL REQUIRE A SEPARATE PERMIT (BUILDING PERMIT) PRIOR TO CONSTRUCTION.

VERSA-LOK RETAINING WALL TYPICAL SECTION



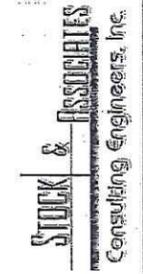
NOTE: EXPANSION JOINT MATERIAL SHALL BE INSTALLED IN THE WALK FOR ITS FULL WIDTH AND DEPTH AT INTERVALS OF APPROX. 15'. CONTROL JOINTS AT INTERVALS OF 1.5' TIMES ITS WIDTH.

INTEGRAL CONCRETE SIDEWALK AND CURB DETAIL

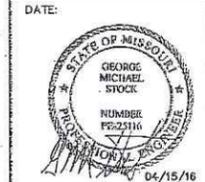


CONCRETE WALK (n.t.s.)

PREPARED BY:



PRELIMINARY DEVELOPMENT PLAN FOR:
STONECREST AT WILDWOOD
 251 PLAZA DR.
 WILDWOOD MO



GEORGE M. STOCK E-25116
 CIVIL ENGINEER
 CERTIFICATE OF AUTHORITY
 NUMBER: 000896

REVISIONS:
 1 CITY COMMENTS 04/15/16

DATE:	03.04.16	DESIGNED BY:	R.E.S.	CHECKED BY:	G.M.S.
SCALE:		SHEET NO.:	216-5763	DATE:	
SCALE:		DATE:		SCALE:	
SCALE:		DATE:		SCALE:	

SHEET TITLE:
PRELIMINARY DEVELOPMENT PLAN

SHEET NO.:
C2

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WILDWOOD, MISSOURI AUTHORIZING CHANGES TO AMENDED C-8 PLANNED COMMERCIAL DISTRICT C-8 PLANNED COMMERCIAL DISTRICT ORDINANCE #1618, WHICH GOVERNS A TWO (2) PHASE, MIXED-USE DEVELOPMENT AREA THAT IS LOCATED ON THE SOUTHWEST CORNER OF STATE ROUTE 100 AND TAYLOR ROAD, FOR THE PURPOSES OF ALLOWING BUILDING F IN PHASE II OF THIS PROJECT TO BE A SINGLE STORY BUILDING HEIGHT, CONDITIONED ON CERTAIN ARCHITECTURAL REQUIREMENTS BEING MET, ALL IN ACCORDANCE WITH THE PLANNING AND ZONING COMMISSION'S REPORT ON THIS MATTER DATED AUGUST 3, 2009, (P.2, 2 and 3-8H (Kuma Properties) (Wm Eigh)

WHEREAS, the development of the City's Town Center Area has been an incremental process, which has come over ten (10) years of planning and design; and WHEREAS, two (2) major projects began near the end of 1999 and the beginning of 2000 in the vicinity of the planned Taylor Road reconstruction and its future intersection with State Route 100; and WHEREAS, these two (2) projects included the Dierbergs Markets Center and a mixed-use development project submitted by Kuma Properties, which was to be located west of Taylor Road, and north of State Route 100, upon a fifteen (15) acre tract of land; and WHEREAS, this project was to be unique in that it was planned from its inception to integrate many of the major tenants of the City's Town Center Plan in terms of a system of grid streets, ample pedestrian and bicycle facilities, engaging architecture and streetscapes, and buildings fronting the street, with parking areas in the rear; and

WHEREAS, as this project was being planned, designed, constructed-in-place, and refined, modifications to many of its features occurred, public financing was provided to elevate the street and public realm, and architecture of the buildings became more pronounced and appealing, which has led to this location being one (1) of the most popular in this community as a place to meet, eat, drink, and play; and

WHEREAS, in creating two (2) phases in this project, the developer has completed the buildings in the east half, along with two (2) stories in the west half of the site (lot and parking garage), all of which in Phase II (the west half) must be two (2) stories in height to help compensate for the scale of the hotel (five (5) stories); and

WHEREAS, the original developer sold a portion of the west phase of the project to another user, who sought the authorization to construct a one (1) story building in lieu of the required two (2) story type (Building F - southwest corner of State Route 100 and Fountain Plaza); and

WHEREAS, the Planning and Zoning Commission was asked to review the ordinance governing this project that specified the two (2) story height and provide a recommendation in this regard for the City Council's ultimate consideration and action; and

WHEREAS, a hearing on this matter was scheduled before the Planning and Zoning Commission on this proposed ordinance change for Building F on August 3, 2009, and the Department of Planning provided a recommendation relating to this request for its consideration and action; and

WHEREAS, the Planning and Zoning Commission considered the Department's recommendation and voted to allow the change to the height of Building F to address several factors that were determined to be in the best interest of the City, which included the following: the width of the Fountain Plaza right-of-way and the impact of this building height on the Westview and surrounding streets; the

location of another one (1) story building on the opposite corner; the ability to address the building's lesser height through architectural improvements to its current design; and the organic nature of the Town Center as it allows good design to occur, when justified; and

WHEREAS, the City Council received the Planning and Zoning Commission's report on this request and related recommendation and held a public hearing upon the matter as well as its August 16, 2009 meeting to hear input upon the same and prepare an action on it; and

WHEREAS, after the public hearing comment and input was completed, the City Council discussed the request and approved the Planning and Zoning Commission's action upon it, as reflected in its report, and authorized the Department of Planning to prepare the appropriate legislation to allow for Building F in Phase II of the Kuma Properties' Wildwood Town Center Project to be constructed as a single story building; and

WHEREAS, the City of Wildwood hereby exercises its land use authority under the authority of Chapter 48-01, Missouri Revised Statutes, in accordance with the Master Plan and Town Center Development Manual, so as to promote the public's health, safety, and general welfare;

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

Section One: The City of Wildwood Zoning Ordinance and Official Zoning District Maps, made a part thereof, are hereby amended by creating changes to existing Amended C-8 Planned Commercial District C-8 Planned Commercial District Ordinance #1618 regulations, which are set forth in therein for the following described uses of land:

(Legal Description on File with City Clerk)

Section Two: 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, upon the requirement the development and approved Site Development Plan are carried out in accordance with the recommendations forwarded to the City Council by the Planning and Zoning Commission within the communication dated August 3, 2009, 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. If the developer initiates the phasing of the permitted uses authorized for this development and their related improvements, the following requirements and limits shall apply to the number of residential units and commercial square footage as defined in Condition 1(b) and 1(c) of this ordinance, which can be authorized within a specific phase:

Table with 2 columns: PHASES and USES. Row 1: One (Amended C-8 District area) - A minimum of five (5) commercial buildings not to exceed 28,300 square feet of gross floor area. Row 2: Two (Amended C-8 and C-8 District area) - A maximum of nine (9) Neighborhood Center buildings, not to be less than 167,000 square feet of gross floor area, including the required live/work units, but not any other residential units added to these existing buildings to accommodate an authorized third or fourth floor option.

No Phase II building, permit, nor Phase I occupancy permits, shall be issued, until Main Street construction has substantially commenced, the reclamation of the City for all of its lots associated with the purchase price of this right-of-way area is complete, and the plot for the roadway has been submitted and approved by the City of Wildwood or an acceptable agreement between the developer and the City has been signed regarding these same items.

b. The uses allowed in this Amended C-8 Planned Commercial District (Phase I) shall be limited to all permitted 'Commercial and Neighborhood Center' District uses, as defined in the Town Center Plan as amended March 2, 1998 and may be modified here and later by applicable ordinance. The C-8 Planned Commercial District (Phase II) portion of this site shall be limited to all permitted 'Neighborhood Center and Open Space' District uses and may also include a hotel, restaurant (fast-food, but no drive-through facilities), and medical and dental offices, with associated parking, but excluding sewage treatment plants, research laboratories and facilities, and office-warehouse units.

i. A minimum of ten (10) percent of the residential units in this development shall be live/work types not located in the 'Neighborhood Center' area of the Phase II portion of this project. Additional independent dwelling units shall not be authorized in conjunction with buildings F through N, but the combined total number of residential units, whether live/work or independent types, shall not exceed one hundred (100) on the site. These additional dwelling units shall be located within the 'Neighborhood Center' portion of Phase II, as defined by this ordinance. Residential units shall occupy at least one (1) floor of each building, unless otherwise authorized as per the Site Development Plan.

ii. A multiple-level parking structure shall also be constructed in the 'Neighborhood Center' District area of the subject site (west half of property) and provide a minimum of two hundred thirty-two (232) spaces, which shall also be available for

Zoning Commission for a period not to exceed two (2) years. The Site Development Plan shall include, but not be limited to, the following:

- a. Outboundary and legal description of the property.
b. Location and size of all proposed structures, including canopies, awnings, business signage, and any garden and screen or retaining walls.
c. Location and size of all parking areas and corresponding parking calculations.
d. Existing and proposed contours of two (2) foot intervals.
e. Roadways and driveways on and adjacent to the property in situation including required right-of-way dedication, pavement widening, access to easement areas, and building green spaces within these areas.
f. The design, location, and size of all proposed lighting, fountains, and deck-and-tail areas.
g. A landscape plan including, but not limited to, the location, size, and general type of all plant and water materials to be used. (See Landscape Requirements Section of this Ordinance).
h. The approximate location of all stormwater and sanitary sewer facilities.
i. Parking and structure setbacks from adjacent property lines.
j. Location of all existing and proposed easements.
k. A description of the area's full remaining properties within one hundred (100) feet of the subject site and site improvements of a general nature. Primarily, building locations on individual properties, curb cuts, and driveway locations along the right-of-way, as well as other normal and non-normal features, must be shown. This representation shall be supplemented by a recent aerial photograph of the area, which shall include all properties within one thousand (1,000) feet of the subject site and at a scale of 1:100.
l. Cross-sections through all portions of the site, particularly a minimum of two (2) such cross-sections along Taylor Road and Main Street. These cross-sections must include all buildings and structures, including screen and plant walls and any other similar treatments.
m. All other information not mentioned above, but required on a Preliminary Plan in accord with Chapter 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:

- a. All buildings or structures, excluding boundary, garden, screen, and/or retaining walls, or fences, shall adhere to the built-to lines therein established by the City of Wildwood's Town Center Neighborhood Design Standards for the Commercial and Neighborhood Center Districts.
b. All buildings or structures, excluding boundary, garden, screen, and/or retaining walls, or fences, shall adhere to the built-to lines therein established by the City of Wildwood's Town Center Neighborhood Design Standards for the Commercial and Neighborhood Center Districts.

5. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

Within twelve (12) months of the date of approval of the Preliminary Development Plan 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 petitioner, this time interval may be extended through appeal and approved by the Planning and

public parking purposes, as defined in a separate agreement in terms of the overall number of these stalls and other related items. No more than fifty (50) percent of the building square footage can be constructed in Phase II (as defined in Condition 1(a)) without the parking garage commencing construction, with its completion no greater than two hundred seventy (270) days from its start. Completion shall be construed as the issuance of a final occupancy permit.

iii. Buildings J and K shall contain separate underground parking containing not less than sixty (60) spaces.

c. An area of this site, within the Phase II portion of this development, and of a size not less than as shown on the Preliminary Development Plan, and north of the east-west arterial area within the C-8 Planned Commercial District (Phase II), shall be utilized for 'Open Space' District permitted uses only. This area of 'Open Space' District shall incorporate area and soil improvements to the area of sufficient size to accommodate public events. This area shall be planted and transferred by the simple title (general warranty) deed to the City of Wildwood, unless otherwise directed by the City Council. The design, improvements, and parking access for this facility shall be acted upon by the Planning and Zoning Commission and Architectural Review Board, as part of the Site Development Plan submittal and review process. The parking lot area located immediately to the north of this public space shall be dedicated for public use and access purposes, including by agreement to the City of Wildwood in a form acceptable to the City Attorney, thereby granting the City of Wildwood authority to control access and use of such area; provided that the owner of this area shall maintain any improvements thereon, while retaining the right to use the area for additional site parking in the extent not inconsistent with the public use as may be authorized by the City.

2. FLOOR AREA, HEIGHT, AND BUILDING REQUIREMENTS

a. All phases of this development shall be authorized a total of 293,300 square feet of residential and non-residential uses in maximum allowable building sizes as follows:

Table with 3 columns: BUILDING TYPE, SIZE - Commercial (Total square footage), and SIZE - Residential (Total square footage). Rows include Financial Institution with Drive-through facility (17,000), Retail (Building B) (9,900), Retail (Building C) (5,400), Mixed-Use/Office/Hotel (Building D) (40,000), Retail with Drive-through facility (Building E) (15,200), Mixed-Use (Building F) (20,000), Mixed-Use (Building G) (30,000), Mixed-Use (Building H) (30,000), and Mixed-Use (Building I) (10,000).

b. All buildings shall be set back from the Taylor Road right-of-way line:

- Fifteen (15) feet from the Taylor Road right-of-way line.

Minimum Parking Requirements:

c. Minimum parking requirements as set forth in the City of Wildwood's Town Center Neighborhood Design Standards for the Commercial and Neighborhood Center Districts and Chapter 415.260 Parking Regulations of the City of Wildwood's Zoning Code, except that three (3) spaces per one thousand (1,000) square feet of gross floor area shall be allowed for all retail/office uses. The parking reduction associated with this overall site shall not exceed ten (10) percent of the required parking spaces to be constructed and provided for the purposes of compliance to this site-specific ordinance.

Access and Readway Improvements, including sidewalks:

Main Street

d. The developer's development plan seeks to use, and depends on the use of, the City's property to the south of these districts ("City's Main Street Property") for purposes of access, sidewalks, on-street parking, and other Main Street improvements to which this development is dependent and conditional. Before the issuance of any building or construction permit, the developer shall have reached a mutually binding development agreement with the City authorizing and providing for the use of the City's property for such purposes and providing the terms, including reimbursement or compensation to the City, for such use. The developer and development authorized by this ordinance shall be responsible for the acquisition of land and installation thereon of the northern one-half (1/2) of the total Main Street improvements (of a one hundred four (104) foot right-of-way or improvement width) adjacent to this development necessary for primary access to the development. These improvements shall be the responsibility of the developer to complete and must conform to the requirements of the City of Wildwood's Street Specifications of the Town Center Plan as directed and approved by the Department of Public Works. When the necessary land used for its construction is available for use as required herein, all street improvements, street trees, lights, and signs, water receptacles, benches, and other items shall consist of approved materials shall be installed as required by the City of Wildwood's Town Center Plan within the right-of-way of Main Street and be approved by the Department of Public Works. Certain requirements may be excused with this City of Wildwood for future installation at the discretion of the Department of Planning and the Department of Public Works. Traffic Generation Assessment Fee credits shall be granted for installation of improvements on the south one-half of Main Street, as such installation may be approved by the City, unless the City and Developer mutually agree to other reimbursement terms for that portion of the improvements. No building permit shall be issued in case districts, until the developer has obtained authority for use of the City's Main Street property by an approved development agreement. In the event the developer is unable or unwilling to enter into a development agreement acceptable to the City outlining the use of the public property and terms thereof, this zoning approval shall authorize no building construction or other use approved herein until this ordinance has been revised to reflect and authorize a modified development and uses that are not dependent or conditional on the use or access from the City's Main Street property.

Taylor Road

e. Dedicate the remaining portion of an eighty (80) foot right-of-way for Taylor Road and construct said roadway, sidewalks, and improvements in conformance with the requirements of the City of Wildwood's Street Specifications of the Town Center Plan and as directed by the Department of Public Works. All necessary requirements (street trees, lights, signs, water receptacles, benches, and other items shall consist of approved materials) shall be installed as required by the City of Wildwood.

Table with 3 columns: Mixed-Use (Building J), Mixed-Use (Building K), and Mixed-Use (Building L). Rows include Mixed-Use (Building J) (20,000), Mixed-Use (Building K) (65,000), and Mixed-Use (Building L) (20,000).

Total square footage of permitted buildings utilized for commercial uses only shall not exceed 212,300 square feet in overall gross floor area. If a third (3) fourth story option is exercised upon Buildings F through N, they shall be residential in use and be approved as part of a Site Development Plan submittal to the Planning and Zoning Commission in terms of size and number of units, provided that required additional parking is provided for such addition stories, pursuant to the requirements of Phase II of this development which shall not be less than eighty-two (82,000) square feet in gross floor area or as approved by the Planning and Zoning Commission on the Site Development Plan.

b. A minimum of two (2) buildings, with the option of a third, must be located abutting the Taylor Road right-of-way, with no more than twenty (20) percent of the footage not occupied by an arcade, porch, or building facade within the Amended C-8 Planned Commercial District portion of the development (Phase II). The orientation of these buildings shall be as shown on the Preliminary Development Plan submitted by the petitioner as part of the zoning request. These buildings shall be constructed with glazing to provide a minimum of seventy (70) percent transparency along Taylor Road or as approved by the Architectural Review Board.

c. All buildings and structures located along Main Street and the internal east-west drive shall be placed at the edge of right-of-way. In any instance where a building facade is absent, a garden or screen wall shall be installed. This wall(s) must complement the appearance of the buildings located within the same block in terms of its design, architecture, color, material, and character. All garden or screen walls located within the Amended C-8 Planned Commercial District (Phase I) and C-8 Planned Commercial District (Phase II) portions of this site shall be reviewed and approved by the Architectural Review Board as part of the Site Development Plan submittal process.

d. Only two (2) stacking areas are authorized within the boundaries of this Amended C-8 Planned Commercial District (Phase I) and C-8 Planned Commercial District (Phase II), which shall serve Buildings E and L. Appropriate access ways or other comparable measures shall be employed as part of these areas to minimize visual intrusion into adjoining properties and any roadway right-of-way, including the installation of gates at its opening. All screen walls located within the Amended C-8 Planned Commercial District (Phase I) portion of this site shall be reviewed and approved by the Architectural Review Board as part of the Site Development Plan submittal process.

e. Only three (3) drive-through facilities shall be authorized in the Amended C-8 Planned Commercial District (Phase I) portion of this development. These facilities shall be in conjunction with the retail stores (Buildings B and E) and the financial institution (Building A). These facilities shall be oriented toward minor streets or the interior locations of adjoining parking lots. Architectural requirements shall be as established in the Town Center Plan and be reviewed and approved by the City's Architectural Review Board.

f. Access to this development from Main Street shall be limited to four (4) curb cuts and two (2) garage entries/exits access points and designed in accordance with the City of Wildwood's Street Specifications of the Town Center Plan as directed by the Department of Public Works. These access points shall be established with the dedication of roadway right-of-way along the southern property line of this development.

State Route 100

g. Dedicate all the right-of-way, easements, and licenses within the subject site as necessary for the improvement of State Route 100 and its intersection with the proposed Taylor Road as directed by the Missouri Department of Transportation and the City of Wildwood. Verification of the ownership of any access right-of-way which exists along State Route 100 shall be in the name of part of this development, must be provided in the form of a Purchase Agreement signed by the Missouri Department of Transportation prior to approval of the Site Development Plan by the Planning and Zoning Commission.

h. Provide a variable width easement no less than ten (10) foot wide along or within State Route 100 right-of-way, and complete final grading thereof, for the installation of a multiple use trail which conforms with the City of Wildwood's ADA requirements as directed by the Department of Public Works. The installation of this trail shall also be the responsibility of the developer and be reviewed and acted upon as part of the Site Development Plan process. This improvement is considered as one (1) of the green space and public space requirements of the Town Center Plan's Commercial District and Neighborhood Center District designations and the construction cost will be a creditable charge against the developer's required Traffic Generation Assessment fee contribution to the East Area Fund of the City of Wildwood for any portion of it located outside the subject site and within the State of Missouri's right-of-way area. Demonstration of required credits shall be made by the Department of Planning and Public Works and completed prior to the issuance of any building permit for the Phase II portion of the overall project.

No vehicular access shall be allowed from this development to State Route 100, except as directed or previously authorized by the Missouri Department of Transportation and approved by the City of Wildwood.

i. Dedicate the remaining portion of an eighty (80) foot right-of-way for Taylor Road and construct said roadway, sidewalks, and improvements in conformance with the requirements of the City of Wildwood's Street Specifications of the Town Center Plan and as directed by the Department of Public Works. All necessary requirements (street trees, lights, signs, water receptacles, benches, and other items shall consist of approved materials) shall be installed as required by the City of Wildwood.

f. The integration of a clock tower at the northwest corner of the intersection of Main Street and Taylor Road as a focal point of this development shall be required as part of the construction of Building E and allow for public access and use as part of the public open space/street atmosphere. This architectural feature shall substantially comply with the rendering provided to the Planning and Zoning Commission at its December 11, 2009 Executive Session. The Architectural Review Board shall have approval of the required design upon the submittal of the proposed built environment within the boundaries of the Amended C-8 Planned Commercial District (Phase I) approved on this site.

g. No structure or building in Phase I shall exceed two (2) stories in overall height, as measured from final finish grade at the adjoining street, excluding the clock tower, unless residential uses are requested as part of a third and/or fourth floor design, then a maximum of two (2) additional floors may be added to the clock tower plus one (1) additional floor. This height requirement shall not apply to rooftop architectural treatments, but will be subject to Architectural Review Board approval in terms of this requirement.

h. All buildings located in Phase II shall be a minimum of two (2) stories in overall height (plus architectural rooftop treatments), as measured from final finish grade at the adjoining street, unless residential uses are requested as part of a third and/or fourth floor design, then a maximum of two (2) additional floors may be added, except as noted below.

i. Building F may be reduced to a single story height, if Building A is authorized and approved to be two (2) stories in height. If Building F is reduced below a two (2) story height, its ultimate design must be considered and acted upon by the Planning and Zoning Commission on the Site Development Plan, along with the Architectural Review Board. The developer/petitioner of Building F shall be required to meet the following requirements in its design:

1. A continuous-pitched-roof-travel that meets the Architectural Guidelines of the Town Center Development Manual shall only be authorized on this building, unless otherwise approved by the Architectural Review Board. Materials, construction, and color shall be consistent with the white material color shall be required for use on the roof.

2. Brick shall constitute one hundred (100) percent of the material to be used on all four (4) elevations of the building (except in material and of a complementary color to other buildings within a three hundred (300) foot radius of this structure, except areas in the waterfalls (area may be considered), glazed areas, patios, and driveways).

3. Gates, fences, and screens shall be subject to all requirements of this building, unless otherwise approved by the Architectural Review Board. Real landscaping shall not be authorized, unless otherwise authorized by the Architectural Review Board.

4. Gates, fences, and screens shall be subject to all requirements of this building, unless otherwise approved by the Architectural Review Board.

5. Existing windows shall have equally proportioned light and awnings shall be used over windows abutting Fountain Plaza and Plaza Drive, unless otherwise acted upon the City's Architectural Review Board.

6. A porch shall be provided as a component of this building, unless otherwise approved by the Architectural Review Board.

1677 Chesterfield Industrial Parkway
St. Louis, MO 63033 PHL (636)
314-910-1000 FAX (636) 530-5100
e-mail: general@stockandassurmes.com
Web: www.stockandassurmes.com

STOCK & ASSURMES
consulting engineers, inc.

PREPARED BY:

PRELIMINARY DEVELOPMENT PLAN FOR:

STONECREST AT WILDWOOD

251 PLAZA DR.
WILDWOOD, MO

DATE:

04/15/16

GEORGE M. STOCK E-25116
CIVIL ENGINEER
CERTIFICATE OF AUTHORITY
NUMBER: 000996

REVISIONS:

1 CITY COMMENTS 04/15/16

DRAWN BY: R.E.S. CHECKED BY: G.M.S.

DATE: 03/04/16 JOB NO.: 216-5763

SHEET NO. 1 OF 1

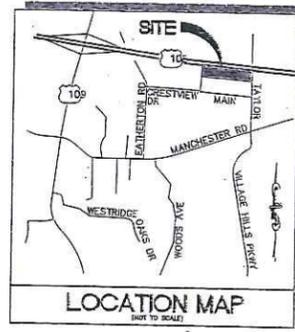
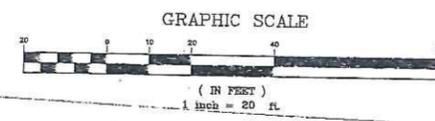
SCALE: AS SHOWN

PROJECT: HO-00

SHEET TITLE: PRELIMINARY DEVELOPMENT PLAN

SHEET NO.: C3

HWY 100 EAST BOUND
(PUBLIC VARIABLE WIDTH)



FITURES MOUNTED ON 20' POLE & 2.5' BASE -
CUTTY LEVEL CALCULATED ON THE GROUND

Label	Quantity	Unit	Angle	Height	Height	Height
STRT	1	PC	2.37	7.4	18.3	14.30

Symbol	Qty	Label	Arrangement	Total Lamp Lumens	LLF	Footcandle
1	12	F1	3000K	36000	0.850	11.55
2	12	F2	3000K	36000	0.850	11.55

DESIGN IS BASED ON CURRENT INFORMATION PROVIDED AT THE TIME OF REQUEST.
ANY CHANGES IN MOUNTING HEIGHT OR LOCATION, LAMP WATTAGE, LAMP TYPE, AND
EXISTING FIELD CONDITIONS, THAT AFFECT ANY OF THE PREVIOUSLY MENTIONED, WILL
VOID CURRENT LAYOUT AND REQUIRE A CHANGE REQUEST AND RECALCULATION.

N83° 02' 27"W
52.39'

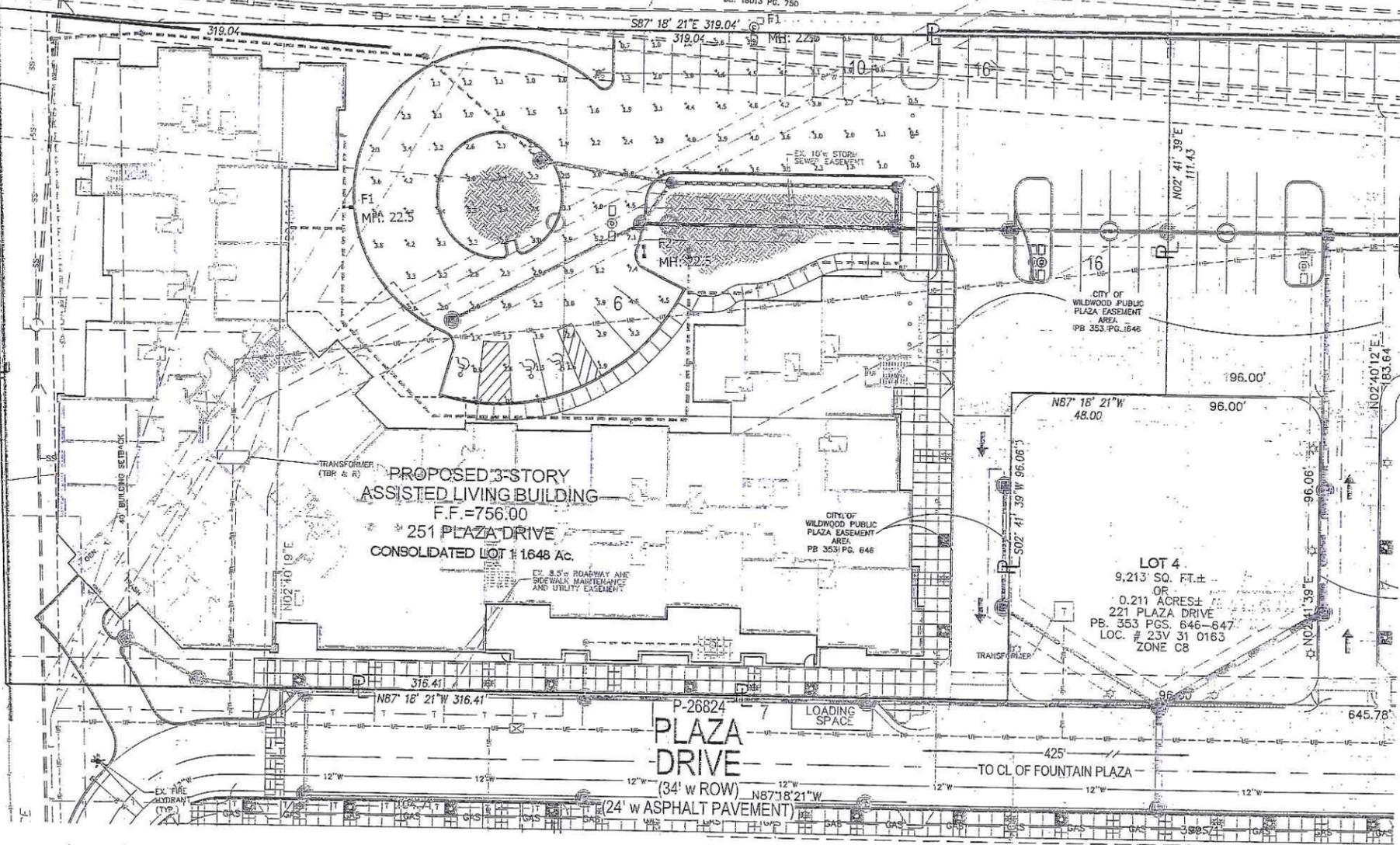
FOUND IRON ROD
N27°01'24"W 0.26'

PR. EASEMENT

N00° 50' 00"E 211.49'

20' W.M.S.E.
EASEMENT
DB. 12334, PG. 2185

N/V
JOSEPH C. SANSONE trustee
16901 CRESTVIEW DR.
DB. 16176, PG. 179
LOC. # 23V 22 0183
2.5 ACES
NON-URBAN ZONING



PREPARED BY:

STOCK & ASSOCIATES
Consulting Engineers, Inc.

PRELIMINARY DEVELOPMENT PLAN FOR:

STONECREST AT WILDWOOD

251 PLAZA DR.
WILDWOOD MO

DATE:



GEORGE M. STOCK E-25116
CIVIL ENGINEER
CERTIFICATE OF AUTHORITY
NUMBER: 000996

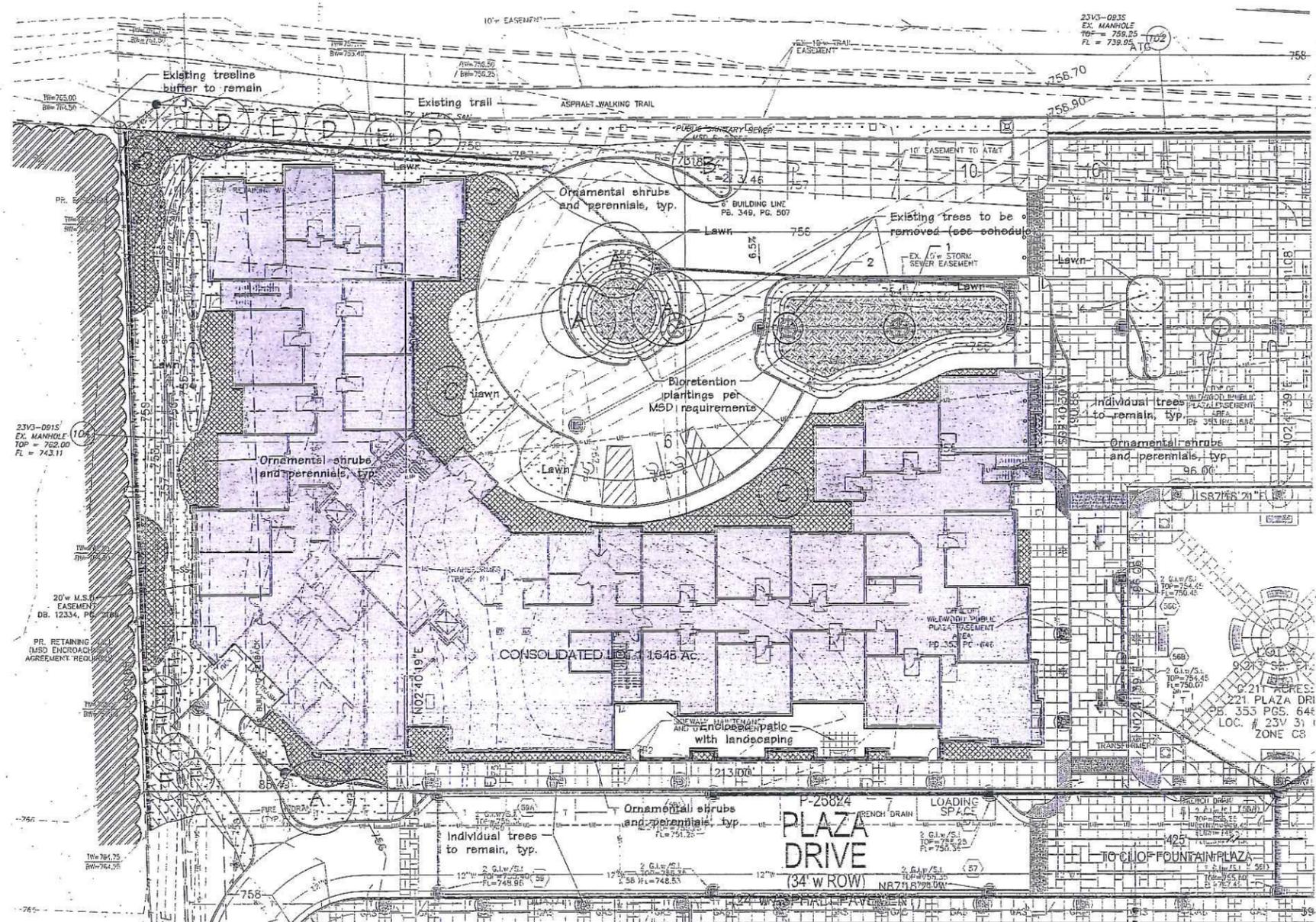
REVISIONS:

1	CITY COMMENTS	04/15/16
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DESIGN BY	R.E.S.	CHECKED BY	G.M.S.
DATE	03.04.16	SP. NO.	216-5763
BASE MAP #		BASE MAP #	
BASE MAP #		BASE MAP #	
MO-00			

SHEET TITLE:
LIGHTING PLAN

SHEET NO.:
05

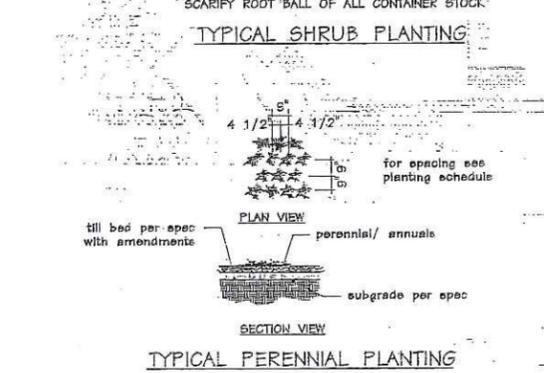
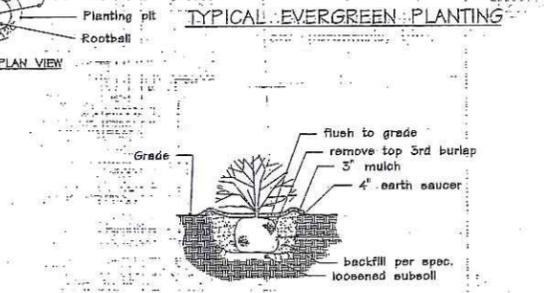
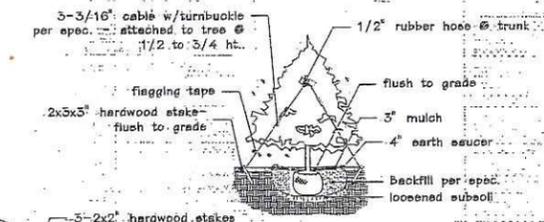
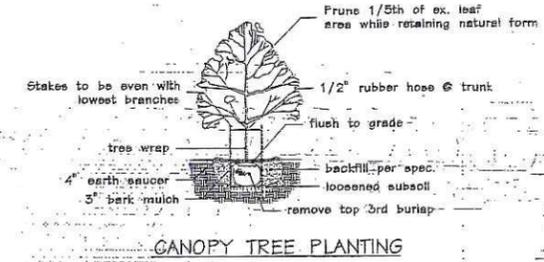


LANDSCAPE PLAN
SCALE 1" = 20'

PLANTING SCHEDULE					
TREES	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
A	4	Acer rubrum 'Frank Jr.'	Redpointe Maple	2.5' cal	B&B
B	1	Ginkgo biloba 'Autumn Gold'	Autumn Gold Ginkgo	2.5' cal	B&B
C	4	Cercis canadensis	Eastern Redbud	2' cal	B&B
D	3	Cornus kousa (clump)	Kousa Dogwood	7'-8'	B&B
E	2	Pinus strobus	Eastern White Pine	8'	B&B
F	6	Picea abies	Norway Spruce	8'	B&B
SHRUBS, ORNAMENTAL GRASSES, AND PERENNIALS					
*4800sf. Mix of deciduous and evergreen shrubs, ornamental grasses, and flowering perennials varies					
BIORETENTION PLANTINGS					
*1620sf. Water quality plantings per MSD requirements					1gal

EXISTING TREES TO BE REMOVED		
#	TYPE	COMMENTS
1	Green Ash	
2	Green Ash	
3	Green Ash	Dead
4	Green Ash	

- EXISTING TREE KEY**
- Existing tree to remain
 - Existing tree to be removed
 - Existing dead tree to be removed



Jerald Saunders - Landscape Architect
MO License # LA-007
Consultants:

Stonecrest at Wildwood
251 Plaza Drive, Wildwood MO

Revisions:

Date	Description	No.

Drawn: LWH
Checked: JAS

loomisAssociates

landscape architects/planners
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Wildwood, MO 64094
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Fax: 816-339-0777
www.loomisassociates.com

Loomis Associates Inc.
Missouri State Certificate of Authority #: LAC 0000019

Sheet Title: Landscape Plan
Sheet No: L-1
Date: 04/15/16
Job #: 813.046

City of Wildwood's Town Center Plan within the right-of-way of Taylor Road and be approved by the Department of Public Works.

Access to this development from Taylor Road shall be limited to one (1) commercial entrance designed in accordance with the City of Wildwood's Street Specifications of the Town Center and be as directed by the Department of Public Works. This entrance along Taylor Road shall maintain a minimum distance of two hundred twenty (220) feet from State Route 100 (as measured from edge of proposed pavement of State Route 100 to the centerline of the access point) and be restricted to a right-in/right-out configuration.

Dedicate all the right-of-way, easements, and licenses within the subject site as necessary for the improvement of the proposed Taylor Road as directed by the Department of Public Works.

Provide the necessary infrastructure and conditions for the coordination of the traffic signals at the Taylor Road/Main Street intersection as directed by the Department of Public Works. The installation of this equipment and infrastructure will be a creditable charge against the developer's required Traffic Generation Assessment contribution to the East Area Fund of the City of Wildwood and based upon a fair share determination of the overall improvement cost at this intersection.

Miscellaneous Roadway Requirements

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 and the Architectural Review Board as part of the Site Development Plan review process.

Provide cross access easement and temporary slope construction license, or other appropriate legal instrument or agreement guaranteeing permanent access between this site and adjacent properties, as directed by the Department of Planning and Public Works. Any contractor utilizing these easements or license areas shall be required to replace all improvements, plantings, or other items damaged or disturbed to their original condition and restore the entire area to its pre-development condition. This replacement and restoration shall be accomplished in sixty (60) days or less from the completion of construction as determined by the City of Wildwood.

Parking lot sites, where possible, should intersect the main and minor driveways at right angles and be logically located opposite minor driveways and other parking lot sites. Minor driveways shall not intersect the main east-west drive unless closer than two hundred (200) feet of the centerline of the proposed Taylor Road right-of-way.

Installation of identification signage and landscaping shall be reviewed by the Department of Public Works for sight distance considerations and approval prior to installation.

City of Wildwood's Town Center Plan within the right-of-way of Taylor Road and be approved by the Department of Public Works.

Access to this development from Taylor Road shall be limited to one (1) commercial entrance designed in accordance with the City of Wildwood's Street Specifications of the Town Center and be as directed by the Department of Public Works. This entrance along Taylor Road shall maintain a minimum distance of two hundred twenty (220) feet from State Route 100 (as measured from edge of proposed pavement of State Route 100 to the centerline of the access point) and be restricted to a right-in/right-out configuration.

Dedicate all the right-of-way, easements, and licenses within the subject site as necessary for the improvement of the proposed Taylor Road as directed by the Department of Public Works.

Provide the necessary infrastructure and conditions for the coordination of the traffic signals at the Taylor Road/Main Street intersection as directed by the Department of Public Works. The installation of this equipment and infrastructure will be a creditable charge against the developer's required Traffic Generation Assessment contribution to the East Area Fund of the City of Wildwood and based upon a fair share determination of the overall improvement cost at this intersection.

Miscellaneous Roadway Requirements

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Provide cross access easement and temporary slope construction license, or other appropriate legal instrument or agreement guaranteeing permanent access between this site and adjacent properties, as directed by the Department of Planning and Public Works. Any contractor utilizing these easements or license areas shall be required to replace all improvements, plantings, or other items damaged or disturbed to their original condition and restore the entire area to its pre-development condition. This replacement and restoration shall be accomplished in sixty (60) days or less from the completion of construction as determined by the City of Wildwood.

Parking lot sites, where possible, should intersect the main and minor driveways at right angles and be logically located opposite minor driveways and other parking lot sites. Minor driveways shall not intersect the main east-west drive unless closer than two hundred (200) feet of the centerline of the proposed Taylor Road right-of-way.

Installation of identification signage and landscaping shall be reviewed by the Department of Public Works for sight distance considerations and approval prior to installation.

All nonwater facilities shall be appropriately landscaped and comply with the Chapter 410 of the City of Wildwood's Codified Ordinances and its accompanying Tree Manual. Wetland plantings must be located at appropriate locations within the tracts themselves as directed by the Department of Public Works, if applicable.

All new landscaping materials shall meet the following criteria: Deciduous Trees - two and one-half (2 1/2) inch minimum caliper; Evergreen Trees - Six (6) feet minimum height; and Shrubs - twenty-four (24) inch minimum height.

Planting of trees shall conform to the requirements of Chapter 410 of the City of Wildwood's Codified Ordinances and its accompanying Tree Manual to achieve a minimum amount of thirty (30) percent canopy on this site. Tree selection and location shall be reviewed and noted upon the Planning and Zoning Commission and the Architectural Review Board as part of the Site Development Plan process. Street tree planting patterns must be based on and comply with the Town Center Streetscape Design.

A Registered Landscape Architect shall prepare and sign all Landscape Plans for this development.

Lighting Requirements

Light standards shall not exceed sixteen (16) feet in height. No on-site illumination source shall be so situated that light is cast directly on adjoining properties or public roadways. Illumination levels shall comply with the provisions of the City of Wildwood's Zoning Ordinance - Chapter 415.60 "Outdoor Lighting Requirements." A Lighting Plan shall be submitted in conjunction with the Site Development Plan indicating compliance to these requirements. The Planning and Zoning Commission shall approve the location of all light standards and their design and appearance as part of the Site Development Plan review process.

Sign Regulations

All signage shall be in accordance with the requirements of the City of Wildwood's Town Center Architectural Guidelines, subject to the following:

A total of three (3) freestanding monument style signs shall be allowed within the boundaries of the Amended C-8 Planned Commercial District and C-8 Planned Commercial District (Phase I and Phase II combined). One (1) of these signs shall be located at the access point into this development from Taylor Road and cannot exceed fifty (50) square feet in overall size. This Taylor Road sign shall be integrated and be a part of the gateway structure to be constructed at this authorized access point along the Taylor Road frontage. Two (2) signs shall be integrated along the property's State Route 100 frontage and cannot exceed seventy-five (75) square feet in overall size, nor ten (10) feet in height, as measured from adjoining roadway grade. The location of all signs shall be as approved by the Planning and Zoning Commission on the Site Development Plan.

The three (3) authorized monument signs shall additionally comply with the City of Wildwood Zoning Code, Section 1003.168 Sign Regulations for the C-2 Shopping District, where consistent and applicable to this type of signage.

Notwithstanding any other approval to the contrary, all wall signs shall additionally comply with the City of Wildwood Zoning Ordinance - Chapter 415.420 Sign Regulations for the C-2 Shopping District, and all signage shall be externally illuminated according to the Town Center Architectural Guidelines, or may be backlit, if otherwise in compliance with the Town Center Architectural Guidelines. A third wall sign shall be authorized for the commercial building located on the northwest corner of Taylor Road and Main Street. Signs may only be located on the north, south, and east elevations of this building (Building E, as identified by this ordinance).

No advertising, temporary, or portable signs shall be authorized in this Amended C-8 District and C-8 District development (Phase I and II). No other signs shall be authorized, except as may comply with the C-2 Shopping District Regulations of the City of Wildwood Zoning Ordinance and the Town Center Plan's Architectural Guidelines.

Miscellaneous Conditions

All trash areas shall be enclosed with a six (6) foot high high-proof wall (with gates) and be appropriately landscaped around its perimeter, if applicable. The location and design of these enclosures shall be shown on the Site Development Plan and approved by the Planning and Zoning Commission and the Architectural Review Board. The design of this enclosure shall reflect the appearance, character, and style, in terms of its color, material, and composition of the approved architecture of the individual building it serves and adjacent in terms of location.

Handicap parking and access requirements shall comply with Section 512.4 of the City of Wildwood Building Code.

All rooftop mechanical equipment shall be screened from view on all sides of the building's facade in an architecturally consistent manner in terms of color and style of the individual buildings where they are to be constructed. Screening shall be reviewed and considered by the Architectural Review Board at the time of the readings/submit.

The design, color, material, and location of all gutters 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.

All motorcycles and truck pickup vehicles must access the site from State Route 100, not Main Street Road. No delivery or trash pick-up shall occur between the hours of 11:00 p.m. and 6:00 a.m., seven (7) days per week.

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.

The developer shall grant the right in the City of Wildwood to utilize areas, buildings, and structures for the installation of wireless antenna and related equipment through the granting of appropriate easements for service to this site.

TRAFFIC GENERATION ASSESSMENT FEE CONTRIBUTION

The developer shall contribute to the East Area Corridor Traffic Generation Assessment Road Trust Fund established by Chapter 140 of the City's Codified Ordinances. This contribution shall not exceed an amount established by multiplying the proposed parking spaces by the following rate schedule:

Type of Development	Required Contribution
Apartment/Condominiums	\$376.42/Parking Space
General Office	\$275.04/Parking Space
Quality Restaurant	\$1,725.20/Parking Space
General Retail	\$1,725.20/Parking Space
Shopping Centers	\$1,725.20/Parking Space
High-Turnover, Sit-Down Restaurants	\$3,450.53/Parking Space
Bank	\$1,725.20/Parking Space
Medical Office	\$1,150.18/Parking Space
Hotel	\$2,823.88/Landing Space
Landing Space	

(Parking space as required by Chapter 415.280 of the City of Wildwood Zoning Ordinance.)

If types of development proposed differ from those listed, rates shall be provided by the Department of Planning.

A minimum of two hundred twenty-six (226) parking spaces within Phase II of this overall project shall be assessed the required Traffic Generation Assessment Fee under the schedule described above for the East Area Corridor Traffic Generation Assessment Road Trust Fund. A minimum of six hundred six (606) parking spaces within Phase II of this overall project shall be assessed the required Traffic Generation Assessment Road Trust Fund. Assessments of these spaces shall be based upon the required parking rates for building square footage and types of uses. Changes in rates may require reallocation or different parking requirements. Any final parking allocation shall be further reflected on the final site plan and subdivision plans, including any access-easement easements or other recording of parking rights and responsibilities as may be required due to location of required off-site parking as to a subdivided lot within this development.

Note: Changes to the current ordinance language are shown in bold and underlined type. Deletions are shown by a double-strike through line.

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

This Bill was passed and approved this 4th day of September, 2009 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.

George M. Stock
President
Timothy W. Beldner
Mayor

ATTEST:
Shawanna Epter
City Clerk

Building ID	Required Parking Spaces (per City Code)	Location(s) of Parking Spaces	TGA Parking Spaces	TGA Credit
E	24-42	Off-Street (24)	24-42	To be Determined at Zoning Authorization
G	67	On-Street (49) Off-Street (18)	67	To be Determined at Zoning Authorization
H	76	On-Street (50) Off-Street (26)	76	To be Determined at Zoning Authorization
J	11	Off-Street (11)	11	To be Determined at Zoning Authorization
JK	166	Underground (88) Parking Garage (78) Off-Street (22)	166	To be Determined at Zoning Authorization
L	228	Parking Garage (189) On-Street (39)	189	To be Determined at Zoning Authorization
M	61	Parking Garage (23) On-Street (38)	32	To be Determined at Zoning Authorization
N	21	On-Street (15) Off-Street (6)	15	To be Determined at Zoning Authorization
Total	670-686	Underground Parking (88) Parking Garage (367) On-Street Parking (92) Off-Street Parking (231)	579-666	

As this development is located within a transit time area established by the City of Wildwood, any portion of the traffic generation assessment contribution, which remains, following completion of road 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, 2010, shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accordance with the construction cost index as determined by the City of Wildwood Department of Public Works.

6. VERIFICATION PRIOR TO APPROVAL OF THE SITE DEVELOPMENT PLAN

Prior to the approval of the Site Development Plan, the petitioner shall:

Stormwater

Submit to the Planning and Zoning Commission an engineering plan approved by the Department of Public Works and the Metropolitan St. Louis Sewer District showing the adequate handling of the stormwater drainage of the site is provided.

1. The developer is required to provide adequate stormwater system in accordance with the City of Wildwood and Metropolitan St. Louis Sewer District Standards.

2. All stormwater shall be discharged to an adequate natural discharge point.

3. Detention or differential runoff of stormwater is at the discretion of Metropolitan St. Louis Sewer District and the City of Wildwood. If retained by Metropolitan St. Louis Sewer District and the Department of Public Works, it shall be provided in permanent detention/retention facilities, such as dry reservoirs, ponds, or another acceptable alternative. These detention/retention facilities shall be completed and in operation prior to paving of any driveways or parking areas, within any phase of the development where construction activity is authorized.

4. The approved stormwater management plan for this development may include the use of off-site regional facilities in terms of the retention/detention of runoff from this site, unless otherwise approved by the Department of Public Works on the Site Development Plan. The developer(s) shall be responsible for all costs associated with the construction and modifications to existing facilities to accommodate this regional stormwater management requirement, if applicable.

Geotechnical Report

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 suitability of grading and improvements with soil and geologic conditions, which are susceptible to mass erosion, landslides, 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.

7. RECORDING

Within sixty (60) 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 BUILDING PERMITS

Subsequent to approval of a Site Development Plan, and prior to issuance of any building permit, the following requirements shall be met:

Notification of Department of Planning

Prior to issuance of foundation or building permits, all approvals from the Department of Public Works, the Missouri Department of Transportation, the Missouri Department of Natural Resources, the U.S. Army Corp. of Engineers (if applicable), and the Metropolitan St. Louis Sewer District must be received by the Department of Planning.

Certification of Plans

Provide verification that construction plans are designed to conform to the requirements and conditions of the Geotechnical Report. The Geotechnical Engineer shall be required to sign and seal all plans.

Traffic Generation Assessment Contribution

The traffic generation assessment contribution shall be deposited with City of Wildwood in the form of cash prior to the issuance of building permits.

9. VERIFICATION PRIOR TO OCCUPANCY PERMITS

Subsequent to approval of a Site Development Plan, and prior to issuance of any occupancy permit, the following requirements shall be met:

Roadway Improvements

Road improvements and right-of-way dedication shall be completed, or the appropriate escrow established, prior to the issuance of an occupancy permit. If development planning is anticipated, said work, right-of-way dedications, and/or escrow agreements shall be based upon those areas of the related phases where construction is authorized. As previously noted, the delays due to utility relocation and adjustments will not constitute a cause to deny occupancy prior to completion of road improvement.

10. GENERAL DEVELOPMENT CONDITIONS

A grading permit is required prior to any grading on the site. No change in waterfalls shall be permitted. Interim stormwater drainage control as the form of siltation control measures is required.

Provide adequate temporary off-street parking for construction employees. Parking on non-residential areas shall be prohibited in order to minimize the condition whereby road from construction and employees vehicles is stacked onto the pavement causing hazardous roadway and driving conditions.

If on and fill operations occur during a season not favorable for immediate erosion control, a permanent ground cover, a fast germinating annual, such as Ryegrass or Sudan Grasses, shall be utilized to reduce erosion.

Failure to comply with any or all of the conditions of this ordinance shall be adequate cause for revocation of permits by issuing City Department or Commissions.

The Zoning Enforcement Officer of the City of Wildwood, Missouri, shall enforce the conditions of this ordinance in accordance with the Site Development Plan approved by the City of Wildwood Planning and Zoning Commission.

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 Amended C-8 Planned Commercial and C-8 Planned Commercial 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.

Substantial construction shall begin within twenty-four (24) months of the approval of the Site Development Plan for the parcel of ground governed by this Amended C-8 Planned Commercial and C-8 Planned Commercial District ordinance. Construction shall be deemed to have commenced with the first grading for and installation of rebar necessary for the first approved slab or phase of construction and commencement of installation of the analysis and storm sewers.

As portions of the Main Street roadway improvements may require the acquisition of additional right-of-way and easement from private property, the normal sequence of design, right-of-way acquisition, and construction shall commence immediately as approval of the requested rezoning. If the developer is unable to acquire the necessary right-of-way and easements through negotiation with the particular property owners involved, the City of Wildwood may, at its sole discretion, authorize the acquisition of the same through eminent domain proceedings. The cost of appraisals, negotiations, administrative, court proceedings, and associated costs incurred by the City of Wildwood shall be paid by the developer.

This zoning approval is conditioned on compliance with the Zoning Code, Subdivision and Development Regulations, 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 the Amended C-8 Planned Commercial and C-8 Planned Commercial District ordinance, except where this ordinance has expressly modified such regulations by reference to the applicable provision authorizing such modification.

The passage and approval of this ordinance shall constitute the necessary development approval authorizing the Director of Public Works to issue a grading permit in accordance with the procedure and requirements of Chapter 425 of the City's Municipal Code, but not before Condition 1 (C) has been met by the developer.

PRELIMINARY DEVELOPMENT PLAN FOR:

STONECREST AT WILDWOOD

251 PLAZA DR.
WILDWOOD
MO

DATE: 04/15/16

GEORGE M. STOCK E-25116
CIVIL ENGINEER
CERTIFICATE OF AUTHORITY
NUMBER: 000996

REVISIONS:

NO.	DESCRIPTION	DATE
1	CITY COMMENTS	04/15/16

SHAWN BE: R.E.S. CHECKED BY: G.M.S.
DATE: 03/04/16 JOB NO: 216-5763
K.S.A. P. BASE MAP P.
S.L.C. 100 P. HAS CUP. P.
M.D.N.R. MO-00

SHEET TITLE: PRELIMINARY DEVELOPMENT PLAN
SHEET NO.: C4

This plan was approved by the City of Wildwood's Planning and Zoning Commission in accordance with the provisions of Section _____ of the Zoning Code. This plan shall be developed under the conditions herein prescribed by Ordinance _____, which was approved by the City Council of the City of Wildwood, Missouri on _____.

Joe Vujnich, Director of Planning

Date: _____

Lynne Greene-Beldner, City Clerk of the City of Wildwood, St. Louis County, Missouri do hereby certify the Partially Amended Site Development Plan submitted for this commercial development is required under Ordinance _____, which was approved by the City Council on _____. Said ordinance of the same appears on record in my office as testimony whereof, I hereunto now set my hand and affix the official seal of the City of Wildwood, Missouri, St. Louis County on this _____ day of _____, 20____.

Lynne Greene-Beldner, City Clerk

Owner's Script: _____
(Owners Name)

In connection with a change in zoning for the following described property from _____ to _____ (Prior zoning) (Present Zoning)

for and in consideration of being granted a permit to develop said property under the provisions of Section _____ (applicable subsection) of the City's Zoning Code and the _____ (present zoning), do hereby agree, declare, and covenant that from the date of recording of this plan, the property shall be developed only as shown herein. This covenant shall run with the land, and shall be enforceable pursuant to Sections 67.870 through 67.900 R.S. Mo. by the City of Wildwood or its successor as a plan of development adopted by the City of Wildwood's Planning and Zoning Commission to promote orderly development. This plan may be amended or superseded by the Planning and Zoning Commission or modified by the Department of Planning or voided by order of the City of Wildwood's City Council, each as more particularly authorized by the City of Wildwood's Zoning Code now and hereafter in effect.

Signature: _____
(Owners Name)

In connection with a change in zoning for the following described property from _____ to _____

STATE OF MISSOURI }
COUNTY OF ST. LOUIS } SS.

On this _____ day of _____, 20____, before me personally appeared ED GRUNLOH, who being by me duly sworn, did say he is the OWNER of _____ L.L.C., a Missouri limited liability company, and that said instrument was signed on behalf of said limited liability company, and that said _____ acknowledged said instrument to be the free act and deed of said limited liability company.

IN WITNESS WHEREOF, I have signed and sealed the foregoing the day and year first above written.

Notary Public

Print Name: _____

My commission expires: _____

GEOTECHNICAL ENGINEER'S STATEMENT

Neither SCI Engineering, Inc. (SCI) nor the undersigned has prepared any part of these plans. My signature and seal are intended to confirm only my personal review and professional opinion that these plans, comply with the Geotechnical Report for the project, dated July 2004; and are compatible with the soil and geologic conditions at the site, as anticipated from the exploration data.

Conditions may vary from those encountered during the exploration or can change due to construction activities, whether, or other conditions. Therefore, SCI must be involved during the construction of this project to observe the actual subsurface conditions and implementation of our recommendations relative to construction. Construction means and methods shall be left to the Contractor.

SCI ENGINEERING, INC.

SHAWNNA EPTER, P.E.
Date: _____

PROPERTY DESCRIPTION

A tract of land being Adjusted Lot 1 and Adjusted Lot 2 of "Wildwood Town Center Plan Two", a subdivision filed for record in Plat Book 356, Pages 485 and 486 of the St. Louis County, Missouri records, and being part of the Southeast Quarter of Section 11 in 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 Adjusted Lot 1 of "Wildwood Town Center Plan Two", a subdivision filed for record in Plat Book 356, Pages 485 and 486 of the St. Louis County records; thence along the Western line of said Adjusted Lot 1 North 00 degrees 50 minutes 00 seconds East, 211.49 feet to the Northwest corner thereof; thence along the Northern line of Adjusted Lot 1 and Adjusted Lot 2 the following: South 83 degrees 02 minutes 27 seconds East, 52.39 feet to a point; thence South 87 degrees 18 minutes 21 seconds East, 319.04 feet to the Northeast corner of Adjusted Lot 2; thence along the Eastern line of Adjusted Lot 2 South 02 degrees 41 minutes 39 seconds West, 111.43 feet to a point; thence North 87 degrees 18 minutes 21 seconds West, 48.00 feet to a point; thence South 02 degrees 41 minutes 39 seconds West, 96.06 feet to a point on the Northern right-of-way line of Plaza Drive; thence along said Northern right-of-way line North 87 degrees 18 minutes 21 seconds west, 316.41 feet to the Point of Beginning and containing 71,801 square feet or 1.646 acres more or less as per calculations by Stock & Associates Consulting Engineers, Inc. during February, 2016.

251 Quarterfield Business Parkway
St. Louis, MO 63005 PH: (636) 590-9000 FAX: (636) 590-9100
e-mail: george@stockandassociates.com
Web: www.stockandassociates.com

PREPARED BY: STOCK & ASSOCIATES Consulting Engineers, Inc.

251 PLAZA DR.
WILDWOOD
MO

DATE: 04/15/16

GEORGE M. STOCK E-25116
CIVIL ENGINEER
CERTIFICATE OF AUTHORITY
NUMBER: 000996

REVISIONS:

NO.	DESCRIPTION	DATE
1	CITY COMMENTS	04/15/16

SHAWN BE: R.E.S. CHECKED BY: G.M.S.
DATE: 03/04/16 JOB NO: 216-5763
K.S.A. P. BASE MAP P.
S.L.C. 100 P. HAS CUP. P.
M.D.N.R. MO-00

SHEET TITLE: PRELIMINARY DEVELOPMENT PLAN
SHEET NO.: C4



SOUTHEAST CORNER PERSPECTIVE

STONECREST AT WILDWOOD

351 CLAZA DRIVE WILDWOOD, NC



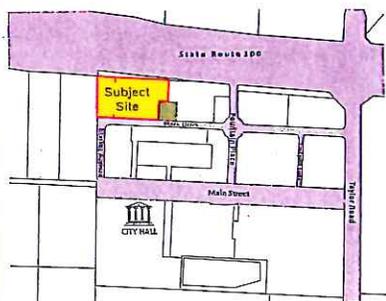
ATTACHMENT D
Background Information

CITY OF WILDWOOD
NOTICE OF
PUBLIC MEETING
before the Planning and Zoning Commission
Monday, June 6, 2016, at 7:00 p.m.

THE CITY WELCOMES AND ENCOURAGES
YOUR COMMENTS AND PARTICIPATION IN
ITS PUBLIC PROCESSES.

AS A RESIDENT OR PROPERTY OWNER NEAR THE SITE THAT IS IDENTIFIED ON THIS MAILER, THE CITY OF WILDWOOD WOULD LIKE TO ENSURE YOU ARE AWARE OF THIS REQUEST/PROPOSAL BECAUSE IT IS LOCATED WITHIN 1,500 FEET OF YOUR PROPERTY. YOUR COMMENTS ARE ENCOURAGED, ALONG WITH YOUR PARTICIPATION AT THE SCHEDULED HEARING OR MEETING. THIS ITEM IS SCHEDULED FOR DISCUSSION AND ITS OUTCOME MAY IMPACT YOUR HOME, NEIGHBORHOOD, OR AREA, SO PLEASE CAREFULLY READ THE DESCRIPTION AND PARTICIPATE AT YOUR DISCRETION. THE CITY OF WILDWOOD ENCOURAGES CITIZEN INPUT AT ALL OF ITS HEARINGS OR MEETINGS AND YOUR INVOLVEMENT WILL ASSIST IT IN REACHING THE BEST DECISION POSSIBLE FOR ALL PARTIES.

* PLEASE SEE YELLOW BOX ON OPPOSITE SIDE OF THIS MAILER FOR A LIST OF WAYS TO EITHER COMMENT ON AND/OR TRACK THIS ITEM.



Street Addresses of Subject Site:
251 and 261 Plaza Drive

Listed below is a request that was presented to the Planning and Zoning Commission at a public hearing held on May 2, 2016. You and many of your neighbors may have expressed interest in its outcome and the Commission is scheduled to take action upon this item at its upcoming meeting. If inclined, the Commission encourages you to attend this meeting and hear the Department of Planning's recommendation on this matter and participate in its discussion. The meeting will be held on **Monday, June 6, 2016, at 7:00 p.m.**, in the City Hall Council Chambers, 16860 Main Street, Wildwood, Missouri 63040. The specific request under consideration is as follows:

P.Z. 5 and 5(a)-16, Stonecrest at Wildwood, NorthPoint Development, 5015 Northwest Canal Street, Suite 200, Riverside, Missouri, Missouri 64150 – A request for the modification of the Town Center Plan's Regulating Plan for two (2) lots that are a 1.6 acre area of the Phase II portion of the Wildwood Town Center Project, thereby altering their current designation from "Downtown District" to "Neighborhood General District" to accommodate a change in zoning from the C-8 Planned Commercial District to the Amended C-8 Planned Commercial District for this site, all being located on the south side of State Route 100, north of Plaza Drive, and west of Fountain Place (Locator Numbers 23V220242 and 23V220233/Street Addresses 251 and 261 Plaza Drive). **Proposed Use: A three (3), story senior housing facility, which would allow a maximum of eighty one (81) units. (Ward Eight)**

Please note, as of June 6, 2016, all Planning and Zoning Commission meetings will begin at 7:00 p.m.

***RESIDENT OR PROPERTY OWNER - PLEASE COMMENT ON AND/OR TRACK THIS REQUEST BY:**

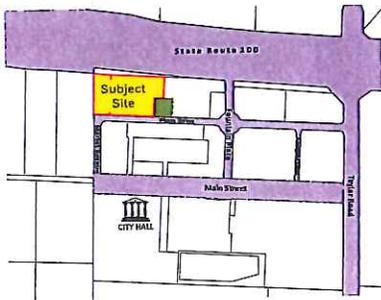
- 1) Submitting a comment online by visiting: <http://www.cityofwildwood.com/comment>.
- 2) Submitting a written comment prior to the hearing and addressed to the Planning and Zoning Commission, City of Wildwood, 16860 Main Street, Wildwood, Missouri 63040.
- 3) Viewing the Planning and Zoning Commission's agenda, which is available on the City's website at: www.cityofwildwood.com, the Friday before the aforementioned meeting date.

If you should have any questions regarding this information, please feel free to contact the Department of Planning at (636) 458-0440. Thank you in advance for your interest in this matter.

**CITY OF WILDWOOD
NOTICE OF
PUBLIC HEARING**
before the Planning and Zoning Commission
Monday, May 2, 2016, at 7:30 p.m.

AS A RESIDENT OR PROPERTY OWNER NEAR THE SITE THAT IS IDENTIFIED ON THIS MAILER, THE CITY OF WILDWOOD WOULD LIKE TO ENSURE YOU ARE AWARE OF THIS REQUEST/PROPOSAL BECAUSE IT IS LOCATED WITHIN 1,500 FEET OF YOUR PROPERTY. YOUR COMMENTS ARE ENCOURAGED, ALONG WITH YOUR PARTICIPATION AT THE SCHEDULED HEARING OR MEETING. THIS ITEM IS SCHEDULED FOR DISCUSSION AND ITS OUTCOME MAY IMPACT YOUR HOME, NEIGHBORHOOD, OR AREA, SO PLEASE CAREFULLY READ THE DESCRIPTION AND PARTICIPATE AT YOUR DISCRETION. THE CITY OF WILDWOOD ENCOURAGES CITIZEN INPUT AT ALL OF ITS HEARINGS OR MEETINGS AND YOUR INVOLVEMENT WILL ASSIST IT IN REACHING THE BEST DECISION POSSIBLE FOR ALL PARTIES.

* PLEASE SEE YELLOW BOX ON OPPOSITE SIDE OF THIS MAILER FOR A LIST OF WAYS TO EITHER COMMENT ON AND/OR TRACK THIS ITEM.



Street Addresses of Subject Site:
251 and 261 Plaza Drive

THE CITY WELCOMES AND ENCOURAGES
YOUR COMMENTS AND PARTICIPATION IN
ITS PUBLIC PROCESSES.

The Planning and Zoning Commission of the City of Wildwood will conduct a public hearing on **Monday, May 2, 2016, at 7:30 p.m.**, in the **City Hall Council Chambers, 16860 Main Street, Wildwood, Missouri 63040** for the purposes of obtaining testimony regarding request(s) for either the modification of zoning district designations, application of special procedures, change in the underlying regulations of the Zoning Ordinance, action on Record Plats, update on zoning matters, or amendment of the Master Plan, which will then be considered for action. This hearing is open to all interested parties to comment upon this request, whether in favor or opposition, or provide additional input for consideration. If you do not have comments regarding this request, no action is required on your part. Written comments are requested to be submitted prior to this hearing and should be addressed to the Planning and Zoning Commission, City of Wildwood, 16860 Main Street, Wildwood, Missouri 63040 or via the City's website at www.cityofwildwood.com/comment. The following request will be considered at this time:

P.Z. 5 and 5(a)-16, Stonecrest at Wildwood, NorthPoint Development, 5015 Northwest Canal Street, Suite 200, Riverside, Missouri, Missouri 64150 – A request for the modification of the Town Center Plan's Regulating Plan for two (2) lots that are a 1.6 acre area of the Phase II portion of the Wildwood Town Center Project, thereby altering their current designation from "Downtown District" to "Neighborhood General District" to accommodate a change in zoning from the C-8 Planned Commercial District to the Amended C-8 Planned Commercial District for this site, all being located on the south side of State Route 100, north of Plaza Drive, and west of Fountain Place (Locator Numbers 23V220242 and 23V220233/Street Addresses 251 and 261 Plaza Drive). **Proposed Use: A three (3), story senior housing facility, which would allow a maximum of eighty one (81) units. (Ward Eight)**

***RESIDENT OR PROPERTY OWNER - PLEASE COMMENT ON AND/OR TRACK THIS REQUEST BY:**

- 1) Submitting a comment online by visiting: <http://www.cityofwildwood.com/comment>.
- 2) Submitting a written comment prior to the hearing and addressed to the Planning and Zoning Commission, City of Wildwood, 16860 Main Street, Wildwood, Missouri 63040.
- 3) Viewing the Planning and Zoning Commission's agenda, which is available on the City's website at: www.cityofwildwood.com, the Friday before the aforementioned meeting date.

If you should have any questions regarding this information, please feel free to contact the Department of Planning at (636) 458-0440. Thank you in advance for your interest in this matter.

CITY OF WILDWOOD, MISSOURI
RECORD OF PROCEEDINGS

MEETING OF THE PLANNING AND ZONING COMMISSION
CITY HALL, 16860 MAIN STREET, WILDWOOD, MISSOURI
May 2, 2016

The Planning and Zoning Commission meeting was called to order by Chair Bopp, at 7:30 p.m., on Monday, May 2, 2016, at Wildwood City Hall, 16860 Main Street, Wildwood, Missouri.

I. Welcome to Attendees and Roll Call of Commission Members

Chair Bopp requested a roll call be taken. The roll call was taken, with the following results:

PRESENT – (10)

Chair Bopp
Commissioner Lee
Commissioner Archeski
Commissioner Bauer
Commissioner Gragnani
Commissioner Liddy
Commissioner Kohn
Council Member Manton
Mayor Bowlin

ABSENT – (0)

Other City officials present: Director of Planning Vujnich, Director of Public Works Brown, Planner Newberry, and City Attorney Golterman.

II. Review Tonight's Agenda / Questions or Comments

There were no questions or comments on the agenda.

III. Approval of Minutes from the March 21, 2016 Meeting

A motion was made by Council Member Manton, seconded by Commissioner Archeski, to approve the minutes from the April 18, 2016 meeting. A voice vote was taken regarding the motion for approval of the minutes. Hearing no objections, and with one (1) abstention by Mayor Bowlin, Chair Bopp declared the motion approved.

IV. Department of Planning Opening Remarks

Commission Members and Director Vujnich welcomed Mayor Bowlin as a member of the Planning and Zoning Commission.

V. Public Hearings – Two (2) Items for Consideration

Chair Bopp read the public hearing guidelines into the record and requested the item be read by the Department.

- a) **P.Z. 27, 28, and 29-15 Valley Road Subdivision, Pulte Homes of St. Louis, L.L.C., 16305 Swingley Road, Suite 350, Chesterfield, Missouri 63017** – A request for a change to the Master Plan's Conceptual Land Use Categories Map from the Non-Urban Residential Area to the Sub-Urban Residential Area. Accompanying this Master Plan change would also be an amendment to the City's Comprehensive Zoning Plan of the Charter, which is the Master Plan's Conceptual Land Use Categories Map. Additionally, requests for a change in zoning from the NU Non-Urban Residence District to the R-1 one (1) Acre Residence District, with an application of a Planned Residential Development Overlay District (PRD), have been submitted for a 124 acre tract of land that is located west side of Valley Road, north of Peppermill Drive (Locator Numbers: 21U520284, 21U610242, and 20U210014/Street Addresses: 2443 and 2485 Valley Road and 2121 Quaethem Drive). **Proposed Use: A total of one hundred sixteen (116) individual lots, with common ground, and required public space areas. (Ward Two)**

Planner Newberry read the request into the record.

Director Vujnich submitted into the record the Master Plan, City Charter, the City's Zoning Regulations (Chapter 415), and the Department of Planning's file on the request.

Motion by Commissioner Gragnani, seconded by Commissioner Archeski, to accept the documents the Department of Planning submitted into the record. A voice vote was taken regarding the motion. Hearing no objections, Chair Bopp declared the motion approved.

Director Vujnich shared a slideshow of photographs showing the characteristics of the subject site including: the existing driveway, stub streets in the Brentmoor Place Subdivision, and the overhead utility lines. He outlined the process undertaken by the Master Plan Advisory Committee as it considered, and ultimately denied, a change to the Master Plan's Conceptual Land Use Categories Map regarding the subject site. He provided a summary of the current request.

Chair Bopp invited Mr. George Stock, Stock and Associates Consulting Engineers, Inc., representative of Pulte Homes of St. Louis, L.L.C., to address the Commission.

Mr. Stock gave a presentation outlining the proposal and provided information about the developer, Pulte Homes. Mr. Stock discussed the surrounding zoning district designations, the application of the Planned Residential Development Overlay District (PRD), and provided a comparison of this proposal to a previous submittal on the subject site in 2005/2006 timeframe.

Chair Bopp invited members of the public to comment on the item.

Robert Kipp, 2479 Peppermill Ridge Drive, stated his opposition to connecting the stub streets in the Brentmoor Place Subdivision to the proposed Valley Road Subdivision. He stated his concern with the proposed density of the development and his belief that it is not an accurate representation to compare this proposed subdivision to surrounding developments, particularly in regards to density.

Neil Burns, 2500 Pepperfield Court, stated his concern with the extent of the buffer yards along the southeast boundary of the proposed development. He also expressed his concerns regarding tree removal; the character of the proposed homes; the density of the proposed development; and increased traffic.

Mike Rusert, 2562 Valley Oaks Estates Drive, expressed his concerns with the proposed entrance off Valley Road, specifically regarding sight distance, increased traffic, and school busses. He also expressed his concerns regarding stormwater management.

Ed Hugil, 16354 Peppermill Drive, expressed his concern with increased traffic and the potential impact on the safety of people riding bicycles on Valley Road. He also expressed his concern with the performance of the bio-retention areas over time. He stated it was his belief future homeowners in the proposed Valley Road Subdivision will be confused about which fire protection district services them.

H.W. Schmid, 16228 Bear Valley Road, stated his concern regarding the proposed stormwater management techniques, and their potential impact on the Valley Farms Subdivision. He also discussed existing stormwater management issues in the Valley Farms Subdivision, including his private street.

David Coulter, 20 Peppermill Court, expressed his belief the Valley Road Subdivision is inconsistent with the Master Plan and it should not be changed.

Mike Bolin, 2333 Valley Road, stated his concern with increased traffic on Valley Road and the existing conditions along it.

Frank Gervasio, 16225 Peppermill Drive, stated his concern the traffic study completed, as part of this proposal, may be inaccurate. He also stated his concern with traffic safety along Valley Road.

Erica Sprunger, 1548 Pond View Drive, stated her belief the City should not consider proposals such as this type.

Neal Brunkhorst, 1135 Eagle Creek Road, noted his concern about the proposed Valley Road Subdivision and its impact on his home, particularly in regard to the viewshed, stormwater issues, a negative impact on wildlife, existing private septic tanks, and drinking water wells.

Don Barker, 16338 Peppermill Drive, asked for clarification on the process undertaken by the Master Plan Advisory Committee regarding the subject site.

Colleen Lawler, 2404 Powders Mill Drive, did not wish to speak at tonight's meeting, but would like the following comment to be included in the official record: "Commissioners, just look at the density of this proposed development compared to all surrounding subdivisions – it does not fit with even the surrounding suburban! Much less, why did we just update the Master Plan? What does it stand for if not the people of Wildwood?"

Dale Rees, 2172 Wildwood Meadows Court, did not wish to speak at tonight's meeting, but would like the following comment to be included in the official record: "Has an environmental assessment been performed for this? If so, what is the expected impact on the already significant erosion in, and around, Caulk's Creek near Wildwood Meadows and Quaethem Subdivisions off Strecker? If not, this should be required and mitigated."

Discussion was held among Commission Members regarding the traffic study that was completed; the developer's rationale behind this proposal; the connection of the stub streets in Brentmoor Place Subdivision into the proposed Valley Road Subdivision; the existing stormwater issues in the Valley Farms Subdivision; the process undertaken by the Master Plan Advisory Committee; the extent of the proposed buffer areas; the belief this proposal is not transitional in nature; and if there are any plans to improve Valley Road in the future.

Motion by Commissioner Archeski, seconded by Commissioner Liddy, to close the public hearing. A voice vote was taken regarding the motion. Hearing no objections, Chair Bopp declared the motion approved.

- b) **P.Z. 5 and 5(a)-16 Stonecrest at Wildwood, NorthPoint Development, 5015 Northwest Canal Street, Suite 200, Riverside, Missouri, 64150** – A request for the modification of the Town Center Plan's Regulating Plan for two (2) lots that are a 1.6 acre area of the Phase II portion of the Wildwood Town Center Project, thereby altering their current designation from "Downtown District" to "Neighborhood General District" to accommodate a change in zoning from the C-8 Planned Commercial District to the Amended C-8 Planned Commercial District for this site, all being located on the south side of State Route 100, north of Plaza Drive, and west of Fountain Place (Locator Numbers 23V220242 and 23V220233/Street Addresses 251 and 261 Plaza Drive). **Proposed Use: A three (3), story senior housing facility, which would allow a maximum of eighty-one (81) units. (Ward Eight)**

Planner Newberry read the request into the record.

Director Vujnich submitted into the record the Master Plan, City Charter, the City's Zoning Regulations (Chapter 415), and the Department of Planning's file on the request. Director Vujnich shared a slideshow of photographs showing the characteristics of the subject site. He summarized the proposal, the zoning history of the site, and the current Town Center District designation of the site.

Chair Bopp invited representatives of the petitioners to address the Commission, including: George Stock, Stock and Associates Consulting Engineers, Inc., 257 Chesterfield Business Parkway St. Louis, Missouri; Don Roseman, Roseman and Associates, PC, 160 North Meramec Clayton, Unit #200, Clayton, Missouri; Bill Bierman and Dan Thies, petitioners, 1795 Clarkson Road, Suite 190, Chesterfield, Missouri.

The group provided a presentation that outlined the proposal for this senior living facility; the elevations of the proposed building; the anticipated economic impact the proposed facility will have on the area; the anticipated staffing levels at the proposed facility; and the average number of emergency calls for facilities of this nature, which is eight (8) per month.

Chair Bopp invited members of the public to comment on the item.

Mike Rusert, 2562 Valley Oaks Estate Drive, expressed his concerns with the ambulance and fire service access; the impact on the walkability of the Town Center; the staffing levels at the facility; and the tax revenue a facility such as this generates.

Greg Alexander, Council Member Ward Six (6), 3904 Tamara Trail, stated he does not support this proposal and his concerns about the loss of an important commercial lot.

Erica Sprunger, 1548 Pondview Drive, expressed her concern this proposed facility would have an impact on future City-sponsored events, which are often held near and on the subject site. She also expressed her concerns with parking and the economic impact this proposed facility would have on the City's Town Center.

Discussion was held among Commission Members about what the facility would be converted into, in the instance the proposed use failed; whether or not there would be the inclusion of ground-floor retail; the location of the proposed facility in the City's Town Center; the need for a facility in Wildwood providing services such as this for the elderly; a comparison of this proposal to the recently withdrawn Gardner Capital submittal; and the concern with losing a commercial lot in the City's Town Center.

Motion by Commissioner Gragnani, seconded by Commissioner Lee, to close the public hearing. A voice vote was taken regarding the motion. Hearing no objections, Chair Bopp declared the motion approved.

VI. Old Business – Three (3) Items for Consideration

Letters of Recommendation – One (1) Item for Consideration

- a) **P.Z. 25-15 Laurie Taylor, 17715 Manchester Road, Wildwood, Missouri, 63038, c/o Volz, Inc., Mark Kilgore, 10849 Indian Head Industrial Boulevard, St. Louis, Missouri 63132** – A request for a Conditional Use Permit (CUP) in the NU Non-Urban Residence District for a thirty-two point one (32.1) acre tract of land that is located on the west side of Mueller Road, south of State Route 100, and north of Manchester Road (Locator Number 23X340061/Street Address: 17715 Manchester Road). **Proposed Use: A large water feature – lake – (as defined by §415.030 of the City of Wildwood's Zoning Regulations), which exceeds one (1) acre in overall size – one point seven four (1.74) acres. (Ward One)**

Planner Newberry read the request into the record.

Director Vujnich outlined the proposal and the characteristics of the subject site and the proposed large water feature. He explained the Commission had voted favorably on the Department of Planning's Information Report on April 18, 2016. He presented the draft Letter of Recommendation to the City Council, with associated conditions.

Chair Bopp invited the petitioner and her legal counsel, Hal Burroughs, Brian Cave, to address the Commission.

Mr. Burroughs expressed his opposition to the inclusion of a seven (7) year renewal period on the Conditional Use Permit (CUP), along with stating his belief this condition would impact the salability of the property. Ms. Taylor described an option available to her through the Missouri Department of Natural Resources to have the dam periodically inspected, free of charge. She explained she planned to take advantage of this service.

Discussion was held among Commission Members about potentially removing the condition requiring the seven (7) year renewal period and alternative options; the potential precedent such an action would set; possibly requiring inspection reports be provided to the Department of Planning, instead of the seven (7) year renewal period; and the reluctance to rely on an organization outside of the City to provide inspection reports.

A motion by Commissioner Lee, seconded by Commissioner Archeski, to amend the Letter of Recommendation to remove Condition 8. J – the condition requiring a seven (7) year renewal period – and to require inspection reports be provided to the City on a monthly basis.

Chair Bopp called the question.

A roll call vote was taken, with the following results:

Ayes: Commissioner Renner, Commissioner Lee, and Commissioner Archeski

Nays: Commissioner Bauer, Commissioner Gragnani, Commissioner Kohn, Commissioner Liddy, Council Member Manton, Mayor Bowlin, and Chair Bopp

Absent: None

Abstain: None

Whereupon, Chair Bopp declared the motion failed by a vote of 3-7.

Further discussion was held among Commission Members about other requirements in the draft Letter of Recommendation that may be redundant; whether there are any conditions regarding the quality of the water in the lake; possibly postponing the item to allow for further research; the reluctance to eliminate the use of renewal periods in this Conditional Use Permit (CUP), and the impact of such an action on future proposals.

A motion by Commissioner Bauer, seconded by Mayor Bowlin, to accept the Letter of Recommendation with an amendment to require inspection reports be provided to the City by the property owner on an annual basis.

Chair Bopp called the question.

A roll call vote was taken, with the following results:

Ayes: Commissioner Renner, Commissioner Lee, and Commissioner Archeski Commissioner Bauer, Commissioner Gragnani, Commissioner Kohn, Commissioner Liddy, Council Member Manton, Mayor Bowlin, and Chair Bopp

Nays: None

Absent: None

Abstain: None

Whereupon, Chair Bopp declared the motion approved by a vote of 10-0.

A motion by Commissioner Gragnani, seconded by Commissioner Bauer, to take a short break before moving forward with the next agenda item. A voice vote was taken regarding the motion to take a short break. Hearing no objections, Chair Bopp declared the motion approved.

At the request of the petitioner, Director Vujnich respectfully requested the Planning and Zoning Commission postpone **P.Z. 8-16 James Thurman**, until the May 16, 2016 meeting of the Planning and Zoning Commission.

A motion by Commissioner Gragnani, seconded by Commissioner Archeski. A voice vote was taken regarding the motion to postpone the item. Hearing no objections, Chair Bopp declared the motion approved.

Additionally, given the lateness of the evening, Director Vujnich respectfully requested the Planning and Zoning Commission postpone **P.Z. 5-16 City of Wildwood Planning and Zoning Commission**, until the May 16, 2016 meeting of the Planning and Zoning Commission.

A motion by Commissioner Renner, seconded by Commissioner Archeski. A voice vote was taken regarding the motion to postpone the item. Hearing no objections, Chair Bopp declared the motion approved.

A motion by Council Member Manton, seconded by Commissioner Liddy, to extend the meeting after 10:00 p.m. A voice vote was taken regarding the motion to extend the meeting. Hearing no objections, Chair Bopp declared the motion approved.

Information Reports – Two (2) Items for Consideration

- b) **P.Z. 19-15 1971 Pond Road, Payne Family Homes L.L.C., 10407 Baur Boulevard, Suite B, St. Louis, Missouri, 63132** – A request for the application of a Planned Residential Development Overlay District (PRD), within the NU Non-Urban Residence District for a 78.0 acre tract of land that is located on the north side of State Route 100, west of Pond Road (Locator Number: 23W520053/Street Address: 1971 Pond Road). **Proposed Use: A total of twenty-six (26) individual lots, with common ground, and required public space areas. Lots would range in size from one (1) acre to four and one-half (4.5) acres. (Ward One)**

Planner Newberry read the request into the record.

Director Vujnich presented Addendum Two to the Department of Planning's Information Report and outlined the information acquired from the Missouri Department of Natural Resources regarding all wastewater treatment facilities in the City of Wildwood. He described the current condition of wastewater facilities such as proposed here, and outlined the Department's next steps to addressing the issues raised by this inquiry. Director Vujnich explained the timeline of this proposal before the Planning and Zoning Commission and highlighted the several changes that have been made to the original plan, each to address the concerns of the Commission, the Departments of Planning and Public Works, and citizens. Director Vujnich stated the Department of Planning is recommending approval of the application of a Planned Residential Development Overlay District (PRD) for this site in the NU – Non-Urban Residence District.

Chair Bopp invited Tom Cummings, representative of Payne Family Homes, to address the Commission.

Mr. Cummings outlined the changes that have been made to the original proposal, based on feedback from the Planning and Zoning Commission and neighbors. He stated it was his belief this proposal is an appropriate application of the Planned Residential Development Overlay District (PRD). Mr. Cummings requested the Commission consider the following changes to the Department's Information Report:

1. Allow for excess Traffic Generation Assessment fees to be credited to the construction of the multiple use trail.
2. Consider reducing the thirty (30) foot wide easement for the multiple use trail.
3. Consider allowing the inclusion of a twenty-sixth (26th) lot.

Chair Bopp invited members of the public to comment on the item.

Tom Smith, 17221 Portland Crest Court, expressed his concern with the size of the proposed lots and his opposition to the application of the Planned Residential Development Overlay District (PRD). He also asked where the school busses would pick up children that would live in the proposed development.

Stephany Finochio, 1633 Pond Road, expressed her concerns with the size of the proposed lots; increased traffic; and the number of dwellings that will be visible from State Route 100.

Erica Sprunger, 1548 Pond View Drive, expressed her appreciation regarding the change in location of the wastewater treatment facility and the construction of the landscaped berm on Lot 2. She expressed her belief this proposal is not consistent with the Master Plan. Ms. Sprunger expressed her concerns regarding the application of the Planned Residential Development Overlay District (PRD); the size of the proposed lots; the newly proposed wastewater treatment facility; increased traffic; proposed street lights; visibility of proposed dwellings from Pond Road; and the extent to which common ground is taxed.

Greg Alexander, Council Member Ward Six (6), 3904 Tamara Trail, stated it was his belief that a portion of the subject site is in a floodplain and his concern with the architectural diversity of the proposed dwellings.

Arnie Sprunger, 1548 Pond View Drive, was not able to attend tonight's meeting, but a letter he composed was read on his behalf. Mr. Sprunger expressed his concern with the landscaped berm provided on Lot 2; the newly proposed wastewater treatment facility; proposed lighting; and the extent to which common ground is taxed.

Josh Sprunger, 1548 Pond View Drive, expressed his appreciation to Payne Family Homes for making changes to the plan, based on feedback from neighbors. Mr. Sprunger expressed his concerns with the visibility of dwellings from Pond Road; the entrance to the proposed development off Pond Road; the proposed density of the lots; and the extent to which common ground is taxed.

Discussion was held among Commission Members about the newly proposed wastewater treatment facility; the number of proposed lots; the visibility of the dwellings from State Route 100 and Pond Road; and the extent to which common ground is taxed; the likelihood of Metropolitan St. Louis Sewer District (MSD) extending its jurisdictional boundaries; and the school bus pick-up point.

A motion by Mayor Bowlin, seconded by Commissioner Liddy, to end the discussion. A voice vote was taken regarding the motion to end the discussion. Hearing no objections, Chair Bopp declared the motion approved.

A motion by Mayor Bowlin, seconded by Council Member Manton, to deny the Department of Planning's Information Report, thereby not recommending the application of the Planned Residential Development Overlay District (PRD).

Chair Bopp called the question.

A roll call vote was taken, with the following results:

Ayes: Commissioner Gragnani, Commissioner Lee, Commissioner Archeski, Commissioner Liddy, Commissioner Bauer, Commissioner Renner, Commissioner Kohn, Council Member Manton, Mayor Woerther, and Chair Bopp.

Nays: None

Absent: None

Abstain: None

Whereupon, Chair Bopp declared the motion approved by a vote of 10-0.

- c) **P.Z. 5-16 City of Wildwood Planning and Zoning Commission c/o Department of Planning, 16860 Main Street, Wildwood, Missouri** – A request to review and consider the addition of residential land uses as permitted activities within the ‘Downtown and Workplace Districts’ designation under the ‘Regulating Plan’ of the City’s Town Center Plan. Currently, these two (2) land use designations do not allow residential uses, whether single family or multiple family types. Recently, a number of inquiries have been made about this change. **(Wards One, Four, Five, Seven, and Eight) – POSTPONED**

VII. New Business – One (1) Item for Consideration

Correspondence Items – One (1) Item for Consideration

- a) **P.Z. 8-16 James Thurman, 930 Kingsridge Court, Wildwood, Missouri, 63021, c/o Sport Court St. Louis, 343 Great Oaks Drive, Labadie, Missouri 63055**, is seeking the review and action of the Planning and Zoning Commission on the requested installation of an outdoor game court that is twenty-six (26) feet by thirty-four (34) feet in size, which is to be located at 930 Kingsridge Court, Wildwood, Missouri (Locator Number 24T110296); R-1A 22,000 square foot Residence District, with a Planned Environment Unit (PEU). This request is to be reviewed in accordance with Chapter 415.120 R-1A 22,000 square foot Residence District Regulations of the City of Wildwood Zoning Code, which establishes standards and requirements for outdoor game courts relating to their consideration by the Planning and Zoning Commission. The proposed game court is to be situated to the east of the single family residence located on the subject property. The Department will have a recommendation report prepared for consideration at this meeting for this request. **(Ward Eight) – POSTPONED**

VIII. Site Development Plans-Public Space Plans-Record Plats – No Items for Consideration

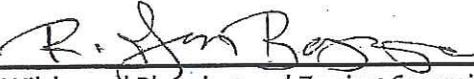
IX. Other – No Items for Consideration

X. Closing Remarks and Adjournment

Director Vujnich asked the Commission if it would like to schedule a Work Session, before a future meeting, to discuss the application of a Planned Residential Development Overlay District (PRD) in the NU – Non-Urban Residence District. Discussion was held and Commission members reached a consensus to schedule such a Work Session for a future date.

Motion by Council Member Manton, seconded by Commissioner Gragnani, to adjourn the meeting. A voice vote was taken. Hearing no objections, Chair Bopp adjourned the meeting on Tuesday, May 3, 2016, at 12:15 a.m.

Approved by:



Chair – City of Wildwood Planning and Zoning Commission

Note: Recordation of the opinions, statements, and/or other meeting participation in these minutes shall not be deemed to be an acknowledgement or endorsement by the Commission of the factual accuracy, relevance, or propriety thereof.

* If comment cards were submitted indicating they did not wish to speak at tonight's meeting, they have been attached and made part of the official record.

P.Z. Number(s): _____
(as assigned by department)

PETITION

before the
CITY OF WILDWOOD'S
PLANNING AND ZONING COMMISSION
FOR THE PURPOSE OF HEARING REQUESTS
FOR ONE OR A COMBINATION OF THE FOLLOWING:
(PLEASE CHECK THOSE ITEMS WHICH ARE APPLICABLE)

CITY OF WILDWOOD

MAR 07 2016

DEPT OF PLANNING & PARKS

- Change in Zoning
 Conditional Use Permit
 Approval of a Planned District or other special procedure (C-8/M-3/PRD)

APPLICANT/OWNER INFORMATION

Applicant's Name: NorthPoint Development
Mailing Address: 5015 NW Canal Street, Suite 200
Riverside, MO 64150
Telephone Number, with Area Code: (816) 888-7391
Fax Number, with Area Code: _____
E-Mail Address: mark@northpointkc.com
Interest in Property (Owner or Owner Under Contract):
Owner under Contract

If owner under contract, please attach a copy of the contract.

Owner's Name (if different than applicant):
Wildwood Crossing, Inc.
Address: 8027 Forsyth Blvd.
Saint Louis, MO 63105
Telephone Number, with Area Code: 314-727-8881

SITE INFORMATION

Postal Address of the Petitioned Property(ies):

251 and 261 Plaza Dr.

Wildwood, MO 63040

Locator Number(s) of the petitioned Property(ies):

23V220194 and

Total Acreage of the Site to the Nearest Tenth of an Acre:

Consolidated Lot 1: 1.6 Ac.

Current Zoning District Designation: C-8 Planned Commercial District

Proposed Zoning District Designation: Amended C-8 Planned Commercial

Proposed Planned District or Special Procedure: _____

USE INFORMATION

Current Use of Petitioned Site:

Vacant

Proposed Use of Site:

Residence

Proposed Title of Project: Stonecrest at Wildwood Town Center

Proposed Development Schedule (include approximate date of start and completion of the project):

Construction Schedule: 07/01/16 to 07/01/17

CONSULTANT INFORMATION

Engineer's/Architect's Name: Stock & Associates Consulting Engineers, Inc.

Address: 257 Chesterfield Business Parkway

Chesterfield, MO 63005

Telephone Number, with area code: (636) 530-9100

Fax Number, with area code: (636) 530-9130

E-Mail Address: ryan.schriber@stockasoc.com

Soil Scientist/Forester's Name: SCI Engineering, Inc.

Address: 130 Point West Blvd.

St. Charles, MO 63301

Telephone Number, with area code: (636) 949-8200

Fax Number, with area code: (636) 949-8269

E-Mail Address: serter@sciengineer.com

ACKNOWLEDGEMENT INFORMATION

The petitioner(s) state(s) they (he) (she) will comply with all the requirements of the city of wildwood with regard to the procedures relating to its administration of land use and development controls within its boundaries, including the payment of all applicable fees.

The petitioner(s) further represent(s) and agree(s) that they (he) (she) has (have) not made any arrangement to pay any commission, gratuity, or consideration, directly or indirectly, to any official, employee, or appointee of the City of Wildwood with respect to this application.

The petitioner(s) hereby certify(ies) that (indicate one):

- () I (we) have a legal interest in the hereinabove described property.
- (X) I am (we are) the duly appointed agent of the petitioner(s) and that all information given and represented on this application is an accurate and true statement of fact. Any misrepresentation of information on this application or accompanying information shall constitute grounds for the City of Wildwood, Missouri to terminate review of this petition and return all materials, minus any fees, associated with its review up to and through that point.

SIGNATURE: [Handwritten Signature]

NAME (PRINTED): GEORGE H STOCK

ADDRESS: 257 Chesterfield Business Parkway
Chesterfield, MO 63005

TELEPHONE NUMBER: (636) 530-9100

[PLEASE NOTE: THE ABOVE NAMED PERSON SHALL RECEIVE ALL OFFICIAL NOTICES REGARDING THIS REQUEST, INCLUDING THE PUBLIC HEARING NOTICE.]

SUBSCRIBED AND SWORN BEFORE ME THIS
34 DAY OF March, 2016.

SEAL:

SIGNED: [Handwritten Signature]
(NOTARY PUBLIC)

NOTARY PUBLIC Daniel STM
STATE OF MISSOURI.

MY COMMISSION EXPIRES 3/17/17

FOR OFFICE USE ONLY

1ST SUBMITTAL DATE: _____

FEE: _____; RECEIVED BY: _____

PRELIMINARY DEVELOPMENT PLAN: YES NO

PACKET COMPLETE: YES NO

2ND SUBMITTAL DATE: _____

PACKET COMPLETE: YES NO

3RD SUBMITTAL DATE: _____

PACKET COMPLETE: YES NO

4TH SUBMITTAL DATE: _____

PACKET COMPLETE: YES NO



DANIEL JOSEPH H. STOCK
My Commission Expires
March 17, 2017
St. Louis County
Commission # 3486125

STOCK & ASSOCIATES

Consulting Engineers, Inc.

257 Chesterfield Business Parkway
 Chesterfield, MO 63005
 (636) 530-9100 FAX (636) 530-9130
 E-mail: ryan.schriber@stockassoc.com

MAR 07 2016

DEPT OF PLANNING & PARKS

LETTER OF TRANSMITTAL

DATE: 03/04/16	JOB NO. 215-5763
ATTENTION: Mr. Joe Vujnich – Director of Planning	
RE: Stonecrest at Lot 1 & 2 of Wildwood Town Center	
Wildwood, MO	

TO: City of Wildwood
 183 Plaza Dr.
 Wildwood, MO 63040

WE ARE SENDING YOU: Attached Under Separate cover via _____ Delivery _____ the following items:

- Shop Drawings Prints Plans Samples Specifications
 Copy of Letter Change Order _____

Copies	Date	No.	Description
3	03/04/16	C1-C4	Preliminary Development Plan
1	03/04/16	3 pgs.	Rezoning Application
1	03/04/16		Rezoning Fee - Forthcoming
3	03/04/16	Sheet 1	Consolidation Plat
1	03/04/16	4pgs	Plat Application
1	03/04/16	Ck # 20711	\$300.00 Processing Fee - B.A.P.
1		7 pgs.	Title Commitment #1600678

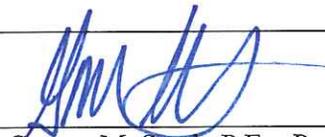
THESE ARE TRANSMITTED as checked below:

- For Approval Approved as Submitted Resubmit _____ copies for approval
 For your use Approved as noted Submit _____ copies for distribution
 As requested Returned for corrections Return _____ corrected prints
 For review and comment _____
 FOR BIDS DUE _____ 20 _____ PRINTS RETURNED AFTER LOAN TO US

REMARKS:

Joe, per our meeting last week enclose is the submission package to commence the process. Should you have any questions or comments, please advise. Sincerely

SIGNED: _____


 George M. Stock, P.E. - President

COPY TO:

- Mr. Mark Pomerence– Northpoint Development (mpomerence@northpointkc.com) via email w/submittal
- Mr. Bill Biermann – Wm. Biermann Co. (bill@wmbiermannco.com) via email w/submittal
- Mr. Scott Haley – KP Development (shaley@kpstl.com) via email w/submittal
- Mr. Don Rosemann – Rosemann & Associates (drosemann@rosemann.com) via email w/submittal
- Mr. Ryan Schriber, P.E. - Associate

STOCK & ASSOCIATES
Consulting Engineers, Inc.

April 13, 2016

Via E-Mail: (joe@cityofwildwood.com)

City of Wildwood
16860 Main Street
Wildwood, MO 63040

Attention: Mr. Joe Vujnich, Director-Department of Planning & Parks

Re: City Review Letter for 251 and 261 Plaza Drive – (Lots 1 and 2 of Wildwood Town Center-Plat Two) (Stonecrest at Wildwood) – Ordinance #1175 (Stock Project No. 216-5763)

Dear Joe:

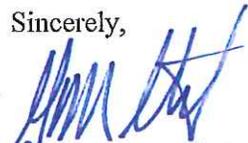
Pursuant to your Departmental Letter dated April 5, 2016 and our subsequent meeting on Monday, April 11, 2016, we offer the following:

Comment 1 requests a letter:

On behalf of the Petitioner, we respectfully request that the City of Wildwood Planning and Zoning Commission consider a change to the “Regulating Plan” for Town Center from “Downtown District” to “Neighborhood General District” for 251 and 261 Plaza Drive / Lots 1 and 2 of the Wildwood Town Center Plat Two, recorded in Plat Book 356, Pages 485 and 486. The “Neighborhood General District” allows residential living, and was at one time the District covering the subject property.

Should you have any questions or comments, please feel free to contact me at (636) 530-9100.

Sincerely,



George M. Stock, P.E., President

CC: Mr. Travis Newberry – City Planner – City of Wildwood (travis@cityofwildwood.com)
Mr. Mark Pomerence – VP-Operations (mpomerence@northpointkc.com)
Mr. Bill Biermann – Stonecrest Senior Living, LLC (bill@wmbiermannco.com)
Mr. Scott Haley – KP Development Scott Haley (shaley@kpstl.com)
Mr. Donald Rosemann, President/CEO – Rosemann (drosemann@rosemann.com)
Mr. Ryan Schriber, P.E., Associate (ryan.schriber@stockassoc.com)

257 CHESTERFIELD BUSINESS PARKWAY • ST. LOUIS, MO 63005 • (636) 530-9100
Fax (636) 530-9130 • E-MAIL ADDRESS: general@stockassoc.com





WILDWOOD

April 5, 2016

NorthPoint Development
Attn: Mark Pomerence
5015 Northwest Canal Street
Suite 200
Riverside, Missouri 64150

Re: Initial Review Application Packet for 251 and 261 Plaza Drive, in Wildwood Town Center

Dear Mr. Pomerence:

The Department of Planning has completed its initial review of the Preliminary Development Plan for the planned development of these two (2) lots in the Town Center Area of Wildwood. These two (2) lots are located on the north side of Plaza Drive, at Market Avenue. The plan was compared to the Zoning Ordinance requirements for a residential project seeking a Planned Residential Development Overlay District (PRD), the Town Center Plan, and the existing site-specific ordinance that governs these two (2) lots, along with the remainder of the development site. The results of this review indicated a number of items that need to be addressed and include the following:

1. Please be advised a letter must be submitted to the Planning and Zoning Commission requesting a Regulating Plan change to the Town Center Plan, since the properties' current designation is "Downtown District", which does not allow residential uses, to the "Neighborhood General District". The "Neighborhood General District" does authorize this type of building and associated units.
2. Please address the following items, highlighted on the attached sheet:
 - A. Please consider providing access control here during City events.
 - B. Please clarify what occurs in this space between the building and the parking island. In this clarification, consider how a pedestrian might interact with this space.
 - C. Please extend the pedestrian improvements to the edge of the building here.
 - D. Please describe and identify the use of the space behind the garden wall here.
3. Please be advised these two (2) lots are part of the Crossings Community Improvement District and have different taxing and assessment requirements than other properties located elsewhere in the City's Town Center Area. If you should have any questions in this regard, the Wildwood City Attorney, Rob Golterman, can assist. Mr. Golterman can be reached at 314-444-7600.
4. Please relocate the building, dumpster, and drive aisle, so they are not located in the forty foot (40') side yard setback.
5. Please clarify if any public use areas are planned for the site.
6. Please add corresponding outboundary survey measurements, referenced in the property description, to the plan.
7. Please provide dimensions for all parking spaces, including the accessible parking provided as a component of the circular drive.
8. Please provide dimensions for the radius of the circular drive and landscaped island.
9. Please indicate the extension of the fence and columns, along the norther boundary of the site, are to match the existing fence and columns to the east.
10. Please indicate the height and materials for all proposed retaining walls and garden walls, including the color of the block.

11. Please provide dimensions and typical cross-section, including radius and taper details, for the proposed curb cut and drive aisle accessing the dumpster area.
12. Please clarify if any services, other than the trash service, will be utilizing the drive aisle accessing the dumpster area.
13. Please provide a "Lighting Plan" for the new parking areas and circular drive, and note the plan will meet the City of Wildwood's Outdoor Lighting Requirements.
14. Please provide a "Landscape Plan", prepared by a certified landscape architect.
15. Please provide a gated screen for the dumpster, constructed of materials consistent with the primary structure.
16. Please correct the Parking Data Table to identify on-street on Plaza Drive, and not Main Street.
17. Please provide comments on this Preliminary Development Plan from the Missouri Department of Transportation (MODOT).
18. Please provide comments on this Preliminary Development Plan from the Metro West Fire Protection District.
19. Please provide comments on this Preliminary Development Plan from the Metropolitan St. Louis Sewer District (MSD), including verification of Permit #25457, referenced of Sheet C1, regarding offsite stormwater detention.

Once the comments relating to the Preliminary Development Plan have been addressed with the requested revisions, please resubmit three (3) copies of it, and email a PDF version, to the Department of Planning for further review. Please note additional comments may follow in this regard, once the City again reviews the revised plan sheets. If you should have any questions in this regard, please feel free to contact the Department of Planning at (636) 458-0440. Thank you for your interest in the City of Wildwood.

Sincerely,
CITY OF WILDWOOD

Joe Vujnich, Director
Department of Planning and Parks

Cc: The Honorable Timothy Woerther, Mayor
The Honorable City Council of the City of Wildwood
Ryan S. Thomas, P.E., City Administrator
Rob Golterman, City Attorney
Rick Brown, P.E. and P.T.O.E., Director of Public Works
Kathy Arnett, Assistant Director of Planning and Parks
Travis Newberry, Planner
George Stock, Stock and Associates

STOCK & ASSOCIATES

Consulting Engineers, Inc.

257 Chesterfield Business Parkway
 Chesterfield, MO 63005
 (636) 530-9100 FAX (636) 530-9130
 E-mail: ryan.schriber@stockassoc.com

LETTER OF TRANSMITTAL

DATE: 04/15/16	JOB NO. 215-5763
ATTENTION: Mr. Joe Vujnich – Director of Planning	
RE: Stonecrest at Lot 1 & 2 of Wildwood Town Center	
Wildwood, MO	

TO: City of Wildwood
 183 Plaza Dr.
 Wildwood, MO 63040

WE ARE SENDING YOU: Attached Under Separate cover via Delivery the following items:

- Shop Drawings Prints Plans Samples Specifications
 Copy of Letter Change Order _____

Copies	Date	No.	Description
3	04/15/16	C1-C5	Preliminary Development Plan
3	04/15/16	L-1	Landscape Plan
3	04/15/16	4 pgs.	Comment Response Letter
1	03/15/16	1 pg.	MoDOT Response Letter
1	03/31/16	3 pgs.	MSD Response Letter
1	04/07/16	1 pg.	Metro West Fire Protection District Response Letter
1	03/10/16	1 pg.	Spirit of St. Louis Airport Response Letter

THESE ARE TRANSMITTED as checked below:

- For Approval Approved as Submitted Resubmit _____ copies for approval
 For your use Approved as noted Submit _____ copies for distribution
 As requested Returned for corrections Return _____ corrected prints
 For review and comment _____
 FOR BIDS DUE _____ 20 _____ PRINTS RETURNED AFTER LOAN TO US

REMARKS:

SIGNED: _____
 Ryan Schriber, P.E. - Associate

COPY TO:

- Mr. Mark Pomerence – Northpoint Development (mpomerence@northpointkc.com) via email w/submittal
 Mr. Bill Biermann – Wm. Biermann Co. (bill@wmbiermannco.com) via email w/submittal
 Mr. Scott Haley – KP Development (shaley@kpstl.com) via email w/submittal
 Mr. Don Rosemann – Rosemann & Associates (drosemann@rosemann.com) via email w/submittal
 Mr. George M. Stock, P.E. - President

STOCK & ASSOCIATES
Consulting Engineers, Inc.

April 15, 2016

Via E-Mail: (joe@cityofwildwood.com)

City of Wildwood
16860 Main Street
Wildwood, MO 63040

Attention: Mr. Joe Vujnich, Director-Department of Planning

Re: Initial Review Application Package for 251 & 261 Plaza Drive, Wildwood Town Center
(Stock Project No. 216-5763)

Dear Mr. Vujnich:

The following are written responses to your comments regarding your initial review of Preliminary Development Plan for the above-referenced project dated April 5, 2016.

Comment 1. Please be advised a letter must be submitted to the Planning and Zoning Commission requesting a Regulating Plan change to the Town Center Plan, since the properties' current designation is "Downtown District", which does not allow residential uses, to the "Neighborhood General District". The "Neighborhood General District" does authorize this type of building and associated units.

Response: Letter provided via email on 4/13/16.

Comment 2. Please address the following items, highlighted on the attached sheet:

A. Please consider providing access control here during City events.

Response: Sign provided "Reserved for Stonecrest Senior Living". Please consider a request for signage in the parking garage denoting 20 stalls for Stonecrest Senior Living.

B. Please clarify what occurs in this space between the building and the parking island. In this clarification, consider how a pedestrian might interact with this space.

Response: The intent is to provide an exterior landscape area to connect and interact with the City Plaza Area for the general public. This area will be planned to include areas which encourage public/private use of sidewalks with benches/seating and landscape the area to provide relief to the hardscape. This

portion of the plan will become an architectural design feature at the corner of the building to both anchor and invite the public onto the development.

C. Please extend the pedestrian improvements to the edge of the building here.

Response: The intent is to extend the pedestrian improvements along the eastern edge of the entire building edge.

D. Please describe and identify the use of the space behind the garden wall here.

Response: This area will be a public/private exterior patio/courtyard. The area will be designed to allow for casual seating, lounging, use of exterior fireplace with arbor. It will serve as an amenity area and in general extend the interior space for exterior enjoyment.

Comment 3. Please be advised these two (2) lots are part of the Crossings Community Improvement District and have different taxing and assessment requirements than other properties located elsewhere in the City's Town Center Area. If you should have any questions in this regard, the Wildwood City Attorney, Rob Golterman, can assist. Mr. Golterman can be reached at (314) 444-7600.

Response: Noted.

Comment 4. Please relocate the building, dumpster, and drive aisle, so they are not located in the forty foot (40') side yard setback.

Response: City to initiate setback modification.

Comment 5. Please clarify if any public use areas are planned for the site.

Response: A public/private exterior patio/courtyard is proposed.

Comment 6. Please add corresponding out boundary survey measurements, referenced in the property description, to the plan.

Response: Comment addressed and shown on C1.

Comment 7. Please provide dimensions for all parking spaces, including the accessible parking provided as a component of the circular drive.

Response: Comment addressed.

Comment 8. Please provide dimensions for the radius of the circular drive and landscaped island.

Response: Comment addressed.

Comment 9. Please indicate the extension of the fence and columns, along the northern boundary of the site, are to match the existing fence and columns to the east.

Response: Comment addressed.

Comment 10. Please indicate the height and materials for all proposed retaining walls and garden walls, including the color of the block.

Response: Comment addressed and details of the retaining wall have been added to C2. Two (2) modular block retaining walls and one (1) garden wall are proposed. The low wall along the southern edge of the project will be constructed of masonry veneer in color to match the brick utilized on the building. The wall height is proposed to be approximately thirty (30") inches above the sidewalk edge.

Comment 11. Please provide dimensions and typical cross-section, including radius and taper details, for the proposed curb cut and drive aisle accessing the dumpster area.

Response: Details added to C2

Comment 12. Please clarify if any services, other than the trash service, will be utilizing the drive aisle accessing the dumpster area.

Response: Comment addressed. The proposed use for the drive aisle along the southwesterly portion of the site will be exclusively for both trash/recycle pick up and for temporary parking of delivery vehicles providing goods and services to the project. The utilization of this drive will eliminate and reduce both congestion and ensure clearance for all vehicles and emergency personnel as required to serve the entire Wildwood community at the corner of Plaza Drive.

Comment 13. Please provide a "Lighting Plan" for the new parking areas and circular drive, and note the plan will meet the City of Wildwood's Outdoor Lighting Requirements.

Response: Provided.

Comment 14. Please provide a "Landscape Plan", prepared by a certified landscape architect.

Response: Provided.

Comment 15. Please provide a gated screen for the dumpster, constructed of materials consistent with the primary structure.

Response: Provided and shown on C1. The project will have a pair of four (4') foot gate doors constructed of steel support with wood stained panels mounted on the front. The pair of gate doors will have latches both in the bottom of the doors into the concrete pad and at the center styles. The gate doors will be a minimum of six (6') feet in height to screen the dumpsters. Details will be provided by Architect at time of building permit application.

Comment 16. Please correct the Parking Data Table to identify on-street on Plaza Drive, and not Main Street.

Response: Comment addressed.

Comment 17. Please provide comments on this Preliminary Development Plan from the Missouri Department of Transportation (MODOT).

Response: Provided.

Comment 18. Please provide comments on this Preliminary Development Plan from the Metro West Fire Protection District.

Response: Provided

Comment 19. Please provide comments on this Preliminary Development Plan from the Metropolitan St. Louis Sewer District (MSD), including verification of Permit #25457, referenced Sheet C1, regarding offsite stormwater detention.

Response: Provided.

Should you have any further comments and/or questions, please feel free to contact me.

Sincerely,

Ryan Schriber

Ryan E. Schriber, P.E.,
Associate

CC:

Mr. Mark Pomerence– Northpoint Development(mpomerence@northpointkc.com) via email w/submittal

Mr. Bill Biermann – Wm. Biermann Co. (bill@wmbiermannco.com) via email w/submittal

Mr. Scott Haley – KP Development (shaley@kpstl.com) via email w/submittal

Mr. Don Rosemann – Rosemann & Associates (drosemann@rosemann.com) via email w/submittal

Mr. George M. Stock, P.E. - President

Zach Stutz

Subject: RE: 03-15-16 - Stonecrest at Wildwood - MoDOT comments

From: JOHN "JAY JAY" BRADEN [<mailto:John.Braden@modot.mo.gov>]

Sent: Tuesday, March 15, 2016 10:56 AM

To: Ryan Schriber

Cc: Federico Lagos

Subject: 03-15-16 - Stonecrest at Wildwood - MoDOT comments

Importance: High

Ryan,

After review of your proposed preliminary plans for Stonecrest at Wildwood on route 100, located in St. Louis County, we find the proposal to be feasible. Final approval will be in the form of a permit issued from this office subject to the following items:

- Show the property line along MO 100.
- Fill out the attached *request for permit v3.pdf* and return it to me.
- A separate permit will be required for the water & sewer taps and they need to be applied for through the plumber.
- MoDOT will not allow pavement cuts for utility connections.
- If there is going to be a tower crane on site for the completion of this building we will need to enter into an airspace agreement which we will need:
 - a. Proof of Insurance for the required coverage amount, naming MHTC as an additional insured
 - b. Copy of the request from leasee/licensee – to be over our right of way. Loads are not permitted to be swung over MoDOT right of way but due to the nature of tower cranes needing to be placed in weather vane mode (no brake) during times of nonuse it is possible the crane will end up over MoDOT right of way.

Please revise your plans and send us two hard copies and a pdf copy of your detailed plans for further review. Should you have any questions or comments, you may contact me at via email at john.braden@modot.mo.gov .

Jay-Jay Braden

Missouri Department of Transportation

Sr. Traffic Specialist - SW St. Louis County

601 Salt Mill Road, Chesterfield, MO 63017

Fax: 573.522.6491 **Mobile:** 314.380.0074

www.modot.mo.gov/stlouis/news_and_information/Permits.htm



**Metropolitan St. Louis
Sewer District**

2350 Market Street
St. Louis, MO 63103

March 31, 2016

Stock and Associates
Attn: Mr. Ryan Schriber, P.E.
257 Chesterfield Business Parkway
St. Louis, MO 63005

RE: Stonecrest at Wildwood
261 Plaza Dr. (Loc# 23V220233)
251 Plaza Dr. (Loc# 23V220242)
Preliminary Development Plan

Dear Mr. Schriber,

MSD has reviewed the Preliminary Development Plan dated 3/4/16 for the above referenced site and offers the following preliminary comments:

- Formal MSD review, approval, and permits are required prior to construction.
- Detention for the 2yr 24 hour and 100yr 24 hour storms has been provided for the site in an existing offsite basin approved and permitted by MSD under Ref# P-25457-00 in 2004. However, Channel Protection (extended detention of the 1yr-24 hour storm) adopted into MSD's Rules and Regulations in 2006 was not factored into the design of the existing offsite basin at the time of its design, and will need to be addressed for this project's improvement area, likely in an onsite facility.
- If the project's disturbed area equals or exceeds one acre, post construction Best Management Practices (BMPs) for water quality are required to treat the extents of the disturbed area. BMPs that provide a volume reduction component (such as bioretention, pervious pavements, soil amendments, etc.) should be the emphasis of the post construction water quality strategy, and applied to the maximum extent practicable. Water Quality and Channel Protection volumes may be nested within the same volume reducing BMPs. Non-volume reducing BMPs may be implemented on the site if it would reduce the extents of the project's disturbed area or if unfavorable topography or insurmountable utility conflicts factor in.
- Existing sewers and easements may need to be relocated and/or vacated under this currently proposed site configuration. Current mapping records indicate that

the western wing of the proposed building would encroach upon an existing 8" public sanitary sewer and other easements. Please field-verify the location of the existing sanitary sewer. Encroachments shall be avoided.

- Based on the property line configuration depicted on the plan, the existing storm sewer system upstream from EX56G may revert to a private storm sewer system since it will only serve the assisted living center's property. MSD would vacate its rights and interests in the existing easement upstream of the structure after construction approval of this project.
- Peak and average daily sanitary flow estimates should be provided with formal plan review. MSD will evaluate planning models for capacity during formal plan review. Downstream improvements may be required of the developer if current capacity levels within the existing sanitary sewer system cannot accommodate the additional sanitary loading generated by the development.

This review is subject to the requirements of detailed formal review of final design plans and is subordinate to the review and approval of final design plans. Please call me at (314) 768-2773 if you have any questions.

Sincerely,



Jason Peterein, P.E.
Principal Engineer
Engineering/Planning-Development Review

Zach Stutz

From: Dave Phipps [<mailto:daveph@metrowest-fire.org>]

Sent: Thursday, April 07, 2016 9:24 AM

To: Zach Stutz

Subject: RE: Stonecrest @ Wildwood Review

The Bureau of Fire Prevention has reviewed Stonecrest and there are no additional fire district requirements.

David E. Phipps

Fire Marshal

Metro West Fire Protection District

(636) 821-5806

216-5763



SINCE 1964

**Business Aviation
Center of the U.S.**

Steven V. Stenger
County Executive

John D. Bales, C.M.
Director of Aviation

March 10, 2016

RECEIVED

MAR 14 2016

**Stock and Associates
Consulting Engineers, Inc**

Stock and Associates, Inc
Attn.: Ryan Schriber, P.E.
257 Chesterfield Business Parkway
Chesterfield, MO 63005

RE: Preliminary Development Plan – Stone crest at Wildwood, 251 Plaza Drive

Dear Mr. Schriber,

We have reviewed the above referenced documents dated 03/08/16 and have no objections. No further review is required by the Airport.

Feel free to call should you need further information.

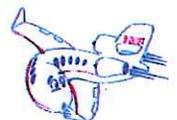
Sincerely,

SPIRIT OF ST. LOUIS AIRPORT

A handwritten signature in blue ink, appearing to read "R. S. Heine".

Robert S. Heine, P.E.
Airport Engineer

CC John D. Bales, CM, Director of Aviation
David Schubert, Deputy Director of Aviation
File





WILDWOOD

June 20, 2016

The Honorable City Council
The City of Wildwood, Missouri
16860 Main Street
Wildwood, Missouri 63040

Council Members:

The Planning and Zoning Commission has completed its review of the requested changes to the City's Sexually-Explicit Regulations of the Zoning Ordinance, along with the applicable zoning district regulations and other related sections of the Wildwood Municipal Code, and prepared the following recommendation report in that regard. This recommendation report reflects the Planning and Zoning Commission's vote on this matter, which is now being forwarded to the City Council for its consideration. This recommendation and action were completed in accordance with the requirements of Chapter 89 of Missouri Revised Statutes, the City's Charter, and those regulations of the City relating to public notice and publications (Chapter 415.560 of the City of Wildwood Zoning Ordinance). This recommendation and action are as follows:

Petition Number:	P.Z. 7-16
Petitioner:	City of Wildwood Planning and Zoning Commission, c/o Department of Planning, 16860 Main Street, Wildwood, Missouri 63040
Request:	A request to evaluate possible amendments to Chapter 415.590, "Sexually-Explicit Business Regulations," of the City of Wildwood Municipal Code, which would thereby consider the addition of new language to expand the types of businesses that would be regulated as sexually-explicit businesses and expand regulations in regard to particular activities conducted within sexually-explicit businesses.
Location:	Citywide
Zoning:	All "C" and "M" Districts of the City's Zoning Ordinance
Public Hearing Date:	
Date and Vote on Information Report:	June 6, 2016 - Approval of Recommended Changes by a Vote of 10 to 0 (Voting Aye - Renner, Lee, Archeski, Gragnani, Bauer, Kohn, Bartino, Manton, Bowlin, and Bopp)
Date and Vote on Letter of Recommendation:	June 20, 2016 - TBD

Ward(s): All
Report: Attachment A
Background Information: Attachment B
Police: St. Louis County Police Department - Wildwood Precinct
School: Rockwood
Fire Districts: Eureka, Metro West, and Monarch
Recommendation: Approval of changes to the current regulations governing sexually explicit businesses, so as to address current concerns about their respective shortcomings. In this report, the Planning and Zoning Commission has determined the changes to the current regulations governing sexually explicit business are necessary and needed to address the past nine (9) years of changes in this regard and avoid a Social House II setting in Wildwood.

Copies of the City of Wildwood Master Plan, Parks and Recreation Plan, Action Plan for Parks and Recreation 2007, Model Telecommunications Ordinance, Zoning Ordinance, and Charter are all on file with the City Clerk's Office.

Respectfully submitted,
CITY OF WILDWOOD PLANNING AND ZONING COMMISSION

R. Jon Bopp, Chair

ATTEST:

Joe Vujnich, Director
Department of Planning

Cc: The Honorable James R. Bowlin, Mayor
Ryan S. Thomas, P.E. City Administrator
Rob Golterman, City Attorney
Rick Brown, P.E. and P.T.O.E., Director of Public Works
Travis Newberry, Planner

ATTACHMENT A >>>

Background: The City of Wildwood created an extensive set of regulations in 2007 to address sexually explicit businesses that might be interested in opening within this community. Although at that time, no businesses of that type had expressed an interest in opening in Wildwood, City officials believed the time to address this potential issue was before a request was submitted, not during or after the fact. The City Attorney was integral in the development of these regulations that were intended to control sexually-explicit businesses, given another community that was represented by his firm had just undertaken the same. Therefore, that research was utilized in the development of the City's regulations that are in place now.

Chronology: In 2007, the City Council added Section 415.590 to the Wildwood Zoning Code. Section 415.590 regulates sexually-explicit businesses in the City of Wildwood and provides an extensive licensing process (for both the business and individual managers and entertainers), certain operational restrictions, design requirements, requires a conditional use permit, and limits the location to the City's Industrial-Zoned Districts.

In 2010, the Missouri General Assembly passed its own legislation regulating sexually explicit businesses, codified in Missouri Revised Statute Sections 573.525 to 573.537. Among the new state restrictions were a ban on full nudity (though "semi-nudity" is allowed), a ban on the sale or consumption of alcohol, a ban on touching between semi-nude employees and customers, and a requirement that sexually explicit businesses close by midnight. The Missouri law immediately faced a legal challenge but was upheld by the Missouri Supreme Court in *Ocello v. Koster*, 354 S.W.3d 187 (Mo. banc 2011).

In 2016, Social House sought to open a location in University City, Missouri. According to the *Riverfront Times*, female servers at Social House are clad in "pasties" and body paint. In Wildwood, a Social House-type business could likely be interpreted as an "adult cabaret," and, therefore, be subject to the sexually-explicit business regulations, but those existing regulations may not prohibit servers from working, while wearing pasties and body paint.

Suggested Approaches: One way to address this situation is to amend the City's sexually explicit business regulations to more closely conform to the Missouri Statute upheld by the Missouri Supreme Court. University City took this approach, amending the "adult business" regulations found within its Zoning Code and adding specific language to address body paint. An alternative approach was adopted by the cities of Clayton and Des Peres, both of which amended their liquor codes such that establishments selling liquor must require female employees to "cover the entire areola and front of the breast with opaque clothing." [1] See Clayton Bill no. 6548; Des Peres Bill 16-2766.

The City Attorney and the Planning and Zoning Commission recommend the City of Wildwood amend its sexually explicit business regulations to conform with the Missouri Revised Statute Sections 573.525 to 573.537, which have been upheld as constitutional by the Missouri Supreme

Court. In particular, the recommended approach would be for several of the definitions within the current Code to be amended in accordance with the State law, including the terms “adult cabaret,” “nudity or state of nudity” and “semi-nudity or state of semi-nudity.” Additionally, the definitions of “nudity or state of nudity” and “semi-nudity or state of semi-nudity” would also be slightly modified to clarify the City’s stance with respect to body paint and similar substances. Other and additional changes to the Code are recommended to conform to the State law.

While the proposed amendments do not outright ban a person from appearing in a sexually-explicit business wearing only “pasties” and body paint, they would effectively prevent a business, such as Social House, from operating in Wildwood because businesses where individuals appear in a state of semi-nudity are not permitted to sell alcohol and persons who are in a semi-nude state must remain on a fixed stage at least six (6) feet from all patrons.

Proposed Changes to Current Regulations:

Chapter 415. Zoning Regulations

Section 415.200. "M-1" Industrial District Regulations.

[Ord. No. 1324 App. A §1003.151, 8-14-2006; Ord. No. 1457 §1, 12-10-2007; Ord. No. 1553 §1, 9-8-2008]

A. Scope Of Provisions. This Section contains the district regulations of the "M-1" Industrial District. These regulations are supplemented and qualified by additional general regulations appearing elsewhere in this Chapter, which are incorporated as part of this Section by reference. The "M-1" Industrial District encompasses areas wherein may be achieved a satisfactory correlation of factors such as adequate transportation facilities, accessibility to dwelling areas, efficient land assembly, adequate topographic conditions and adequate provision of public utility facilities required by industry.

B. Permitted Land Uses And Developments. The following land uses and developments are permitted in this district:

1. Agriculturally-based businesses, including the retail sales of vegetables, fruits and closely related goods, as part of a produce stand, along with corn mazes and other recreational facilities complementing the growing and raising of crops.
2. Athletic fields, not including lighting.
3. Business, professional and technical training schools.
4. Gymnasiums, indoor swimming pools, indoor handball and racquetball courts (public or private) and indoor and unlighted outdoor tennis courts (public or private).
5. Laundries and dry cleaning plants, not including personal and individual drop-off and pickup service.

6. Manufacturing, fabrication, assembly, processing or packaging of any commodity from semi-finished materials, except explosives or flammable gases or liquids.
7. Offices or office buildings.
8. Parking areas, including garages.
9. Police, fire and postal stations.
10. Printing and duplicating services.
11. Public utility facilities.
12. Radio, television and communication studios, transmitting or relay towers, antennae and other such facilities no greater in height than two hundred (200) feet above the average finished ground elevation at the perimeter of such structure.
13. Railroad switching yards.
14. Research laboratories and facilities.
15. Sales and renting of equipment and vehicles used by business, industry and agriculture, excluding retail automobile sales.
16. (Reserved)
17. Terminals for trucks, buses, railroads and watercraft.
18. Union halls and hiring halls.
19. Wholesaling or warehousing of manufactured commodities except live animals, explosives or flammable gases.
20. Yards for storage of contractors' equipment, materials and supplies, excluding junk yards and salvage yards.

C. Conditional Land Use And Development Permits Issued By The Commission. The following land uses and developments may be permitted under conditions and requirements specified in Section 415.500 "Conditional Use Permits":

1. Airports, landing strips and heliports.
2. Athletic fields, including lighting.

3. Business service establishments.
4. Filling stations, including emergency towing and repair services.
5. (Reserved)
6. Manufacturing of explosives and flammable gases and liquids.
7. Radio, television and communication studios, transmitting or relay towers, antennae and other such facilities greater in height than two hundred (200) feet above the average finished ground elevation at the perimeter of such structure.
8. Restaurants.
9. Sales yards operated for a charitable purpose by a church, school or other not-for-profit organization.
10. Satellite dishes (see provisions of Section 415.380(R)).
11. Towed vehicle storage yards, wherein no individual vehicle may be stored for a period exceeding ninety (90) days and involving no auto repair and no salvage or sale of automobile parts. A ten (10) foot high sight-proof fence shall be provided along all limits of the property.
12. Sewage treatment facilities.
13. Vehicle repair facilities.
14. Vehicle service centers.
15. Warehousing, storage or wholesaling of live animals, explosives or flammable gases and liquids.
16. Churches shall be allowed on tracts of land of at least one (1) acre in area.
17. Sexually oriented businesses.

D. Accessory Land Uses And Developments. Subject to compliance with the procedures of this Section, accessory buildings, structures and uses are permitted in conjunction with a permitted land use or development or (unless restricted by applicable condition) a conditional land use or development when such accessory building, structure or use is customarily found in conjunction with the primary use, is a reasonably necessary incident to the primary use, is clearly subordinate to the primary use and serves only to further the successful utilization of the primary use. Accessory uses include the following:

1. Devices for the generation of energy, such as solar panels, wind generators and similar devices.
2. Dwelling or lodging units, only for watchmen, caretakers or other personnel whose residence is essential to the operation of a permitted or conditional use or uses.
3. Individual sewage treatment facilities serving an individual building or use as approved by the appropriate regulatory agency. The sewage treatment facility shall not exceed five thousand (5,000) gallons per day flow.
4. Signs (business, directional and information).

E. Performance Standards. All uses in the "M-1" Industrial District shall operate in conformity with the appropriate performance standards contained in Section 415.250 "Zoning Performance Standard Regulations".

F. Height Limitations For Structures. Radio, television, public utility and communication towers authorized by conditional use permit may be erected to any height not in conflict with the application of the limits in Section 415.240 "Air Navigation Space Regulations". Unless otherwise restricted by application of regulations in Section 415.240 "Air Navigation Space Regulations" of this Chapter, the total height of any other structure, not including roof top mechanical equipment attached to such structures, shall not exceed two hundred (200) feet above the average finished ground elevation at the perimeter of such structure.

G. Lot Area And Yard Requirements. The lot area and yard requirements in the "M-1" Industrial District shall be as follows:

1. Minimum lot area requirements. Towed vehicle storage yards shall be situated on tracts of land at least one (1) acre in area. No minimum lot area is established for other uses in this district, but lot dimensions shall be sufficient to meet other requirements set forth in this Section.
2. Front yard—general. No structure is allowed within thirty (30) feet of any roadway right-of-way line.
3. Front yard—specific regulations and exceptions.
 - a. Notwithstanding any other provision of this Chapter, on corner lots, no structure or plant material exceeding three (3) feet in height above the elevation of the street pavement is allowed within the sight distance triangle.
 - b. Boundary walls or fences, six (6) feet in height or less, are allowed within the minimum front yard setback.

c. Permitted information signs, six (6) feet in height or less, are allowed within the minimum front yard setback.

d. Permitted directional signs, three (3) feet in height or less, are allowed within the minimum front yard setback.

e. Light standards for parking lot lighting and freestanding business signs are allowed no closer than twenty-five (25) feet from any roadway right-of-way line.

f. Light standards for street lighting or at points of ingress and egress are allowed within the minimum front yard setback when approved by the Department of Planning.

g. Required fencing for towed vehicle storage yards is allowed no closer than twenty-five (25) feet from any roadway right-of-way line. The setback shall be adequately landscaped as approved on a plan by the Department of Planning.

h. Any area used for the outdoor storage or display of merchandise, equipment or vehicles which is located opposite and visible from property in the "NU" Non-Urban Residence, "PS" Park and Scenic or any "R" Residence District shall be effectively screened by a six (6) foot high sight-proof fence if determined necessary and required by the Department of Planning on review of a site plan for such use. The Department of Planning may approve the use of topographic features, landscaping or walls in lieu of fencing where such alternates are determined to be appropriate.

4. Side yards and rear yards—general. No structure or any storage or display of materials, equipment or vehicles is allowed within ten (10) feet of any side or rear property line.

5. Side yards and rear yards—specific regulations and exceptions.

a. No structure or any storage or display of merchandise, equipment or vehicles is allowed within twenty-five (25) feet of a property line adjoining property in the "NU" Non-Urban Residence, "PS" Park and Scenic or any "R" Residence District.

b. Any structure exceeding thirty (30) feet in height which adjoins property in the "NU" Non-Urban Residence, "PS" Park and Scenic or any "R" Residence District, other than a radio, television, public utility and communication tower authorized by a conditional use permit, must be set back from such property line an additional one (1) foot for every two (2) feet in height above thirty (30) feet.

c. Any area used for the outdoor storage or display of merchandise, equipment or vehicles which adjoins property in the "NU" Non-Urban Residence, "PS" Park and Scenic or any "R" Residence District shall be effectively screened by a six (6) foot high sight-proof fence located no closer than ten (10) feet from said adjoining property line. The setback shall be adequately landscaped as approved on a plan by the Department of Planning. When

requested by the property owner, the Department of Planning may approve the use of topographic features, landscaping or walls in lieu of fencing where such alternates will achieve comparable effect.

d. Required fencing for towed vehicle storage yards shall be located no closer than twenty-five (25) feet from any adjoining property line. This setback shall be adequately landscaped as approved on a plan by the Department of Planning.

e. All other boundary walls or fences six (6) feet in height or less are permitted within the minimum side and rear yard setbacks required from property in the "NU" Non-Urban Residence, "PS" Park and Scenic or any "R" Residence District.

f. Light standards for parking lot lighting are allowed no closer than twenty-five (25) feet of any side or rear yard line which adjoins property in the "NU" Non-Urban Residence, "PS" Park and Scenic or any "R" Residence District.

H. Off-Street Parking And Loading Requirements. Off-street parking and loading requirements and setbacks for parking areas, loading spaces and internal drives are set forth in Section 415.280 "Off-Street Parking and Loading Requirements".

I. Sign Regulations. Sign regulations are set forth in Section 415.400 "Sign Regulations".

Section 415.210 "M-3" Planned Industrial District.

[Ord. No. 1324 App. A §1003.155, 8-14-2006]

A. Scope Of Provisions. This Section contains the district regulations of the "M-3" Planned Industrial District. The regulations are supplemented and qualified by additional general regulations appearing elsewhere in this Chapter, in the Subdivision Code of the City and other applicable City ordinances, which are incorporated as part of this Section by this reference. The Planned Industrial District may be described in the manner outlined below.

B. Purpose. The "M-3" Planned Industrial District of the City of Wildwood encompasses areas wherein may be located developments and uses permitted in any of the other "M" Industrial Districts and such development and use designated in the "C" Commercial Districts as may be specifically related to a particular industrial activity or complex. It is the purpose of these regulations to facilitate the establishment of combinations of developments and uses not provided for in other "M" Industrial Districts or the establishment of developments and uses in locations appropriate under approved site plans and conditions. Such approved plans and conditions shall be consistent with good planning practice and compatible with permitted developments and uses in adjoining districts, so as to protect the general welfare, while promoting an environmentally sensitive design or improvements reflecting the natural characteristics of the site.

C. Establishment.

1. A Planned Industrial District may be established on a tract of land in single ownership or management control provided that:
 - a. The preliminary development plan and the application for change of zoning are approved by the City Council;
 - b. A site development plan is approved by the Planning Commission and recorded in compliance with requirements of this Section; and
 - c. The schedule of construction is complied with in accordance with the requirements of this Section.

2. A Planned Industrial District may be established by ordinance of the City Council in the same manner that other mapped districts are established where the City Council determines that any particular tracts or areas should be developed for industrial use, but because of possible conflicts with adjoining uses, more development control is necessary to protect the general welfare than is possible under the regulations of the other "M" Industrial Districts.

D. Permitted Land Uses And Developments. The following land uses and developments are permitted in this district:

1. Subject only to approval of a site development plan by the Planning Commission:
 - a. Police, fire and postal stations.
 - b. Local public utility facilities.
 - c. Correctional institutions.
 - d. Accessory uses incident to the above uses.

2. Permitted land uses and developments shall be established in the conditions of the ordinance governing the particular Planned Industrial District; specific uses may include uses designated as permitted, accessory or conditional uses in any of the "M" Industrial Districts and those uses in the "C" Commercial Districts which are specifically related to a particular industrial activity or complex.

E. Conditional Land Use And Development Permits Issued By The Commission. The following land uses and developments may be permitted under conditions and requirements specified in Section 415.500 "Conditional Use Permits":

1. Satellite dishes (provisions of Section 415.380(R)).

2. Sexually oriented businesses.

F. Performance Standards. All uses established in a Planned Industrial District shall operate in accord with performance standards contained in Section 415.250 "Zoning Performance Standard Regulations". These performance standards are minimum requirements and may be made more restrictive in the conditions of the ordinance governing the particular Planned Industrial District.

G. Height Limitations For Structures. Unless otherwise restricted by application of regulations in Section 415.240 "Air Navigation Space Regulations" of this Chapter, the total height of any structure shall be limited by the conditions in the ordinance governing the particular Planned Industrial District or in the case of a telecommunications tower as authorized by Chapter 430 of the City Code.

H. Lot Area And Yard Requirements. The lot area and minimum yard requirements for land uses in this district shall be as follows:

1. Minimum lot area. The minimum lot area requirements for any use or building in a Planned Industrial District shall be as established in the conditions contained in the ordinance authorizing the establishment of the particular Planned Industrial District.

2. Minimum yard requirements—general. Setbacks for parking areas, internal drives, loading spaces and structures shall be established in the conditions of the ordinance governing the particular Planned Industrial District.

3. Minimum yard area—specific regulations.

a. No parking area, internal drive, loading space or structure shall be permitted within twenty (20) feet of a property line adjoining property in the "NU" Non-Urban Residence, "PS" Park and Scenic or any "R" Residence District. In addition to the minimum twenty (20) feet, any structure exceeding thirty (30) feet in height which adjoins property in the "NU" Non-Urban Residence, "PS" Park and Scenic or any "R" Residence District shall be set back an additional one (1) foot for every two (2) feet in height above thirty (30) feet. Greater setbacks may be required by condition if necessary to ensure compatibility with adjoining developments or uses.

b. Boundary walls or fences, six (6) feet in height or less, are permitted within the minimum yard requirements, unless otherwise restricted in the conditions of the ordinance governing the particular Planned Industrial District.

I. Off-Street Parking And Loading Requirements. The minimum off-street parking and loading requirements for any use or building in a Planned Industrial District shall not be reduced below that required for the same use in any other "M" Industrial or "C" Commercial District as set forth in Section 415.280 "Off-Street Parking and Loading Requirements". These requirements may exceed minimum standards as required by condition where determined necessary. However, where the

Planned Industrial District includes two (2) or more uses, the Planning Commission may recommend, and the City Council may approve, a total reduction of not more than twenty percent (20%) or thirty percent (30%) for developments greater than two hundred thousand (200,000) square feet of gross floor area under single ownership or management control of the required off-street parking and loading spaces where it has been demonstrated by study of the combined uses and customary operation of the uses that adequate parking would be provided. The Planning Commission may recommend a further parking reduction beyond thirty percent (30%) for developments greater than three hundred thousand (300,000) square feet of gross floor area under single ownership or management control based on a similar approved study as above.

J. Sign Regulations. Specific sign regulations shall be established in the conditions of the ordinance governing the Planned Industrial District in accord with the provisions of Section 415.400 "Sign Regulations". However, in no instance shall they be less restrictive than sign regulations for any of the other "M" Industrial Districts.

K. Procedure For Establishment Of District Or Approval Of Site Plan In Existing "M-3". In order to establish a Planned Industrial District through a change of zoning or to obtain approval of a site development plan for a Planned Industrial District in order to utilize land in an established Planned Industrial District, the procedure shall be as follows:

1. Application. The owner or owners under contract of a lot or tract of land or his authorized representative shall petition the City of Wildwood on forms prescribed for this purpose by the Planning Commission. These forms shall be submitted to the Department of Planning accompanied by the following:

a. Filing fee per requirements of Section 415.550 "Fees".

b. Legal description of the property.

c. Outboundary plat of the property.

d. Preliminary development plan depicting, but not limited to, the following:

(1) Proposed uses. In single-lot developments approximate location of buildings and other structures, as well as parking areas, shall be indicated. In multiple-lot developments, conceptual location and configuration of buildings, approximate location of common ground areas, major utility easements and stormwater retention areas shall be indicated.

(2) Existing and proposed contours at intervals of not more than five (5) feet referred to sea level datum. Floodplain areas shall be delineated.

(3) Approximate location of all isolated trees having a trunk diameter of six (6) inches or more one (1) foot above grade, all tree masses and proposed landscaping.

(4) Two (2) section profiles through the site showing preliminary building form, existing natural grade and proposed final grade.

(5) Proposed ingress and egress to the site, including adjacent streets and approximate alignments of internal roadway systems.

(6) Preliminary plan for sanitation and drainage facilities.

2. Public hearing. A public hearing on the petition shall be held in accordance with the provisions of Section 415.560 "Procedures for Amending the Zoning Ordinance", provided however, that a public hearing shall be set within forty-five (45) days of acceptance of the petition, fee and related plans and documents by the Department of Planning.

3. Planning Commission recommendation. No action shall be taken by the City Council with respect to the petition until it has received the recommendation of the Planning Commission. Said recommendation shall address general planning considerations, including consistency with good planning practice and compatibility with adjoining permitted developments and uses. A recommendation of approval shall include recommended conditions to be included in the ordinance authorizing the establishment of the Planned Industrial District or approval of the site development plan in a Planned Industrial District. Such conditions shall include, but not be limited to, the following:

a. Permitted uses, including maximum floor area.

b. Performance standards.

c. Height limitations.

d. Minimum yard requirements.

e. Off-street parking and loading requirements.

f. Sign regulations.

g. Minimum requirements for site development plans.

h. Time limitations for commencement of construction.

i. Impact fees or dedications reasonably attributable and proportional to the impact or costs resulting from the proposed development.

4. Site development plans.

a. After passage by the City Council of an ordinance authorizing the establishment of a Planned Industrial District and requiring submission of a site development plan or site development concept plan, said plans shall be submitted in accord with the following provisions. No building permits or authorization for improvement or development for any use requested under provisions of this Chapter shall be issued prior to approval of such plans.

b. Plans shall be submitted to the Planning Commission for review and approval. Said plans shall contain the minimum requirements established in the conditions of the specific ordinance governing the Planned Industrial District and, further, shall comply with provisions of the subdivision ordinance, Chapter 420, and other applicable City ordinances.

c. Within sixty (60) days of approval, the site development plan or site development concept plan shall be recorded with the St. Louis County Recorder of Deeds and thereby authorize development as depicted thereon with a copy to be filed with the City of Wildwood.

d. In the case of single-lot/multiple building development or multiple-lot developments where a site development concept plan is required, site development section plans shall be submitted to the Department of Planning for review and approval per individual building, lot, phase or plat representing a portion of the site development concept plan. The approved section plans shall be retained on file by the Department of Planning.

L. Procedure For Amendment Of Conditions Or Plans.

1. To amend the "M-3" District ordinance.

a. The property owner or authorized representative shall submit a written request to amend ordinance conditions to the Department of Planning for review. The Department shall then evaluate the request for consistency in purpose and content with the nature of the proposal as originally advertised for public hearing.

b. If the Department of Planning determines that the requested amendment is consistent in purpose and content with the nature of the original proposal as advertised, the Department shall so report to the Planning Commission. The Planning Commission shall review the request and the report of the Department, then forward a recommendation to the City Council. A recommendation of approval shall include conditions to be included in the amended ordinance.

c. If the Department of Planning determines that the requested amendment is not consistent in purpose and content with the nature of the proposal as originally advertised for public hearing, the Department shall so report to the applicant and the Planning Commission. The Planning Commission shall then review the proposed ordinance amendment and forward a recommendation to the City Council. The Planning Commission may, if deemed necessary, forward a resolution of intent to the City Council for the purpose of a new public hearing on the matter in accord with the proceedings specified in Section 415.560 "Procedure for Amending the Zoning Ordinance".

2. To amend the recorded site development plan or site development concept plan approved for the Planned Industrial District.

a. The property owner or authorized representative shall submit an amended site development (concept) plan to the Department of Planning for review. The Department shall evaluate the request for consistency in purpose and content with the nature of the proposal as originally advertised for public hearing and the preliminary development plan approved by the City Council.

b. If the Department of Planning determines that the proposed amendment to the site development plan is major in nature and is not in conflict with the original proposal as advertised and the approved preliminary development plan and meets all conditions of the Planned Industrial District ordinance, said plan shall be reviewed and approved by the Planning Commission. Said amended plan shall be recorded with the St. Louis County Recorder of Deeds within sixty (60) days of Commission approval with a copy to be filed with the City of Wildwood.

c. If the Department of Planning determines that the proposed amendment to the site development plan is minor in nature and is not in conflict with the original proposal as advertised and the preliminary development plan and meets all conditions of the Planned Industrial District ordinance, the Department may approve said amended plan. Said plan shall be retained on file by the Department of Planning.

However, when conditions of a particular Planned Industrial District ordinance are amended which necessitate an amended site development plan, the Commission shall review and approve said amended plans and they shall be recorded with the St. Louis County Recorder of Deeds within sixty (60) days of Commission approval with a copy to be filed with the City of Wildwood.

d. If the Department of Planning determines that the amendment to the site development plan is not consistent in purpose and content with the nature of the proposal as originally advertised for public hearing or with the preliminary development plan approved by the City Council, the Department shall so report to the applicant and the Planning Commission. The Planning Commission shall review

the proposed site plan amendment and make a final determination. The Planning Commission may, if deemed necessary, forward a resolution of intent to the City Council for the purpose of a new public hearing on the matter in accord with proceedings specified in Section 415.560 "Procedure for Amending the Zoning Ordinance".

e. All amendments to site development concept plans shall be reviewed and approved by the Planning Commission and shall be recorded with the St. Louis County Recorder of Deeds within sixty (60) days of Commission approval with a copy to be filed with the City of Wildwood.

f. The Planning Commission may approve partial amended site development plans, site development concept plans and site development section plans for developments approved prior to enactment of this Chapter when the conditions of the ordinance governing such particular "M-3" Planned Industrial Districts do not permit review of development plans in accord with the provisions of this Section. Such partial amended plans shall be recorded with the St. Louis County Recorder of Deeds within sixty (60) days of Commission approval with a copy to be filed with the City of Wildwood.

3. To amend a site development section plan approved for a Planned Industrial District. If the Department of Planning determines that the proposed amendment to the site development section plan is not in conflict with the approved site development concept plan and meets all conditions of the Planned Industrial District ordinance, the Department may approve said amended plan. Said plan shall be retained on file by the Department of Planning.

4. Appeal to Commission of a decision by the Department in reviewing development plans. The petitioner/developer may appeal a decision of the Department of Planning, in cases where the Department of Planning is authorized to review development plans, to the Planning Commission. The petitioner shall have a fifteen (15) day period in which to file a written appeal and plan with the Commission. The written appeal, stating the reasons for the appeal, shall be submitted to the Department. The Commission will make the final determination of the matter. No exceptions will be granted that are in violation of the particular ordinance governing the development plan.

M. Guarantee Of Improvements. Unless otherwise provided for in the conditions of a particular Planned Industrial District, no building permits or permits authorizing the occupancy or use of a building, facility, industrial or commercial establishment or service concern may be issued until required related off-site improvements are constructed or cash or a surety bond is posted covering their estimated cost as determined by the Department of Planning. This requirement shall not apply to foundation permits or permits necessary for the installation of required related off-site improvements. Required related off-site improvements shall include, but not be limited to, streets, sidewalks, sanitary and storm sewers, street lights and street trees. If a Planned Industrial District is developed in sections, the requirement shall also apply to all major improvements necessary to the

proper operation and function of the section in question, even though such improvements may be located outside of the section in question.

N. Failure To Commence Construction. Substantial construction shall commence within the time period specified in the conditions of the ordinance governing the Planned Industrial District, unless such time period is extended by the Planning Commission. If substantial construction or development does not begin within the time period specified in the conditions of the ordinance governing the district or extensions authorized therein, the Planning Commission shall within forty-five (45) days initiate a resolution of intent for the purpose of a new public hearing to revert the property to its prior zoning classification in accord with the proceedings specified in Section 415.560 "Procedure for Amending the Zoning Ordinance". No building or occupancy permit shall be issued for the development or use of the property until completion of action by the City Council on the proceedings to rezone the property in accord with the provisions of the above noted Section.

SECTION 415.590: SEXUALLY-ORIENTED BUSINESSES.

[Ord. No. 1411 §§1—2, 6-11-2007]

A. Purpose And Findings. It is the purpose of this Section to regulate sexually oriented businesses in order to promote the health, safety and general welfare of the residents of the City and to establish reasonable and uniform regulations to prevent the deleterious secondary effects of sexually oriented businesses within the City. The provisions of this Section have neither the purpose nor effect of imposing a limitation or restriction on the content or reasonable access to any communicative materials, including sexually oriented materials. Similarly, it is neither the intent nor effect of this Section to restrict or deny access by adults to sexually oriented materials protected by the First Amendment of the United States Constitution or Article I, Section 8 of the Missouri Constitution, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this Section to condone or legitimize the distribution of obscene material.

B. Definitions. As used in this Section, the following terms shall have these prescribed meanings:

ADULT ARCADE: Means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are regularly maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are characterized by their emphasis upon matter exhibiting specified sexual activities or specified anatomical areas.

ADULT BOOKSTORE OR ADULT VIDEO STORE: Means a commercial establishment, which, as one of its principal business activities, offers sexually oriented materials for sale or rental for any form of consideration. A principal business activity exists where the commercial establishment:

- (1) Has a substantial portion of its displayed merchandise which consists of such items; or
 - (2) Has a substantial portion of the wholesale value of its displayed merchandise which consists of such items;
- or

- (3) Has a substantial portion of the retail value of its displayed merchandise which consists of such items; or
- (4) Derives a substantial portion of its revenues from the sale or rental, for any form of consideration, of such items; or
- (5) Maintains a substantial section of its interior business space for the sale or rental of such items; or
- (6) Maintains an adult arcade.

ADULT CABARET: A nightclub, bar, juice bar, restaurant, bottle club, or other commercial establishment, regardless of whether alcoholic beverages are served, which regularly features persons who appear semi-nude.

ADULT ENTERTAINMENT: Any live exhibition, performance or dance characterized by the exposure of any specified anatomical areas even if covered by translucent clothing or by specified sexual activities or by appearance of persons in attire, costume or clothing so as to emphasize or expose, even through opaque covering, the view to specified anatomical areas.

ADULT MOTION PICTURE THEATER: A commercial establishment where films, motion pictures, video cassettes, slides, or similar photographic reproductions, which are characterized by their emphasis upon the display of specified sexual activities or specified anatomical areas are regularly shown to more than five persons for any form of consideration

CHARACTERIZED BY: Describing the essential character or dominant theme of an item.

CHILD: see "Minor."

EMPLOY, EMPLOYEE OR EMPLOYMENT: Any person who performs any service on the premises of a sexually oriented business, on a full-time, part-time, or contract basis, whether or not the person is denominated an employee, independent contractor, agent, manager, entertainer or otherwise. Employee does not include a person exclusively on the premises for repair or maintenance of the premises or for the delivery of goods to the premises.

ENTERTAINER: Any person who provides adult entertainment at a sexually oriented business described herein, whether or not a fee is accepted for the entertainment.

ESTABLISH OR ESTABLISHMENT: Includes any of the following:

- (1) The opening or commencement of any sexually oriented business as a new business;
- (2) The conversion of an existing business, whether or not a sexually oriented business, to any sexually oriented business; or
- (3) The addition of any sexually oriented business to any other existing sexually oriented business.

MAINSTREAM MEDIA OUTLETS: Any video store, bookstore or a newsstand that carries more than ten percent (10%) sexually oriented material but less than thirty percent (30%).

MANAGER: Any person who manages, directs, administers or is in charge of the affairs and for conduct of any portion of any activity involving adult entertainment occurring at any sexually oriented business.

MATERIAL: Anything printed or written, or any picture, drawing, photograph, motion picture film, videotape or videotape production, or pictorial representation, or any recording or transcription, or any mechanical, chemical, or electrical reproduction, or stored computer data, or anything which is or may be used as a means of communication. Material includes undeveloped photographs, molds, printing plates, stored computer data and other latent representational objects.

MEDIA OUTLETS: Any video store, bookstore or a newsstand that carries ten percent (10%) sexually oriented material or less.

MINOR: Any person less than eighteen (18) years of age.

NUDITY OR STATE OF NUDITY: The showing of the human genitals, pubic area, vulva, anus, anal cleft, or the female breast with less than a fully opaque covering of any part of the nipple or areola.

OBSCENITY OR OBSCENE: Any material or performance is obscene if, taken as a whole:

1. Applying contemporary community standards, its predominant appeal is to prurient interest in sex; and
2. The average person, applying contemporary community standards, would find the material depicts or describes sexual conduct in a patently offensive way; and
3. A reasonable person would find the material lacks serious literary, artistic, political or scientific value.

OPAQUE COVERING: Non-transparent clothing or other similar object or substance. This term does not include body paint, body dyes, tattoos, liquid latex, whether wet or dried, and other similar substances.

OPERATOR: Any person on the premises of a sexually oriented business who causes the business to function, puts or keeps the business in operation, or is authorized to manage the business or exercise overall operational control of the business premises. A person may be found to be operating or causing to be operated a sexually oriented business whether or not such person is an owner, part owner, or licensee of the business.

PERFORMANCE: Any play, motion picture film, videotape, dance or exhibition performed before an audience of one or more.

PREMISES: The real property upon which a sexually oriented business is located, and all appurtenances thereto and buildings thereon, including but not limited to the sexually oriented business, the grounds, private walkways, and parking lots or parking garages or both.

REGULARLY: The consistent and repeated doing of the act so described.

SADOMASOCHISTIC ABUSE: Flagellation or torture by or upon a person as an act of sexual stimulation or gratification.

SEMI-NUDE OR STATE OF SEMI-NUDITY: The showing of the female breast below a horizontal line across the top of the areola and extending across the width of the breast at such point, or the showing of the male or female buttocks. Such definition includes the lower portion of the human female breast, but shall not include any portion of the cleavage of the female breasts exhibited by a bikini, dress, blouse, shirt, leotard, or similar wearing apparel provided the areola is not exposed in whole or in part.

SEMI-NUDE MODEL STUDIO: Means a place where persons regularly appear in a state of semi-nudity for money or any form of consideration in order to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons. Such definition shall not apply to any place where persons appearing in a state of semi-nudity do so in a modeling class operated:

- (1) By a college, junior college, or university supported entirely or partly by taxation;
- (2) By a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or
- (3) In a structure:

- a. Which has no sign visible from the exterior of the structure and no other advertising that indicates a semi-nude person is available for viewing; and
- b. Where, in order to participate in a class, a student must enroll at least three days in advance of the class.

SEXUAL CONDUCT: Actual or simulated, normal or perverted acts of human masturbation; sexual intercourse; or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or the breast of a female in an act of apparent sexual stimulation or gratification or any sadomasochistic abuse or acts including animals or any latent objects in an act of apparent sexual stimulation or gratification.

SEXUAL ENCOUNTER CENTER: Means a business or commercial enterprise that, as one of its principal purposes, purports to offer for any form of consideration physical contact in the form of wrestling or tumbling between two or more persons when one or more of the persons is semi-nude.

SEXUAL INTERCOURSE: Any penetration, however slight, of the female genitalia by the penis. Sexual intercourse also includes any act involving the genitals of one person and the hand, mouth, tongue, or anus of another person or a sexual act involving the penetration, however slight, of the penis, female genitalia, or the anus by a finger, instrument or object done for the purpose of arousing or gratifying the sexual desire of any person or for the purpose of terrorizing the victim.

SEXUALLY ORIENTED BUSINESS:

- (1) An adult bookstore or adult video store.
- (2) An adult cabaret.
- (3) An adult motion picture theater.
- (4) A semi-nude model studio.
- (5) A sexual encounter center.

SEXUALLY ORIENTED MATERIALS: Magazines, books, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, digital video discs, slides, other visual representations, or other devices used to record computer images or other media which are characterized by their emphasis upon the display of specified sexual activities or specified anatomical areas.

SPECIFIED ANATOMICAL AREA:

1. Less than completely and opaquely covered: human genitals, pubic region, buttock and female breast below a point immediately above the top of the areola; and
2. Human male genitals in a discernible turgid state, even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITY: Includes any of the following:

- (1) Intercourse, oral copulation, masturbation, or sodomy; or
- (2) Excretory functions as a part of or in connection with any of the activities described in subparagraph (1) above.

SUBSTANTIAL: At least thirty percent (30%) of the item or items so modified.

VIEWING ROOM: The room, booth, or area where a patron of a sexually oriented business would ordinarily be positioned while watching sexually oriented materials.

C. Massage Businesses. Only massage businesses that are defined in and regulated by Chapter 324, RSMo., will be allowed in the City.

D. Location Of Sexually Oriented Businesses. No sexually oriented business shall be located or situated at a distance of less than one thousand (1,000) feet of any preexisting primary or secondary school, state-licensed day care facility , church or house of worship, public library, hospital, public park, any property used for residential purposes, or other sexually oriented business. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the closest portion of the parcel containing the sexually oriented business to the closest portion of the parcel containing the preexisting primary or secondary school, state-licensed day care facility , church or house of worship, public library, hospital, public park, any property used for residential purposes, or other sexually oriented business .

E. Standards For Physical Design Of The Premises.

1. The premises of all sexually oriented businesses will be so constructed as to include a foyer, partition or other physical barrier on all customer entrances that will ensure the interior of the premises is not observable from the exterior of the building. In addition, all windows will be covered to prevent viewing of the interior of the building from the outside and all doorways not constructed with an anteroom or foyer will be covered so as to prevent observation of the interior of the premises from the exterior of the building.
2. There must be continuous physical, video or window surveillance of the premises.
3. Lighting required. The premises of all sexually oriented business shall be equipped with overhead lighting of sufficient intensity to illuminate every place to which customers are permitted access at an illumination of not less than one (1) foot-candle as measured at the floor level and such illumination must be maintained at all times that any customer or patron is present in or upon the premises. All exterior lighting shall comply with Section 415.450 of the Municipal Code.
4. The business must provide restrooms for customer use.

F. Signage And Parking Requirements. Sign regulations are set forth in Section 415.420 Sign Regulation of the zoning ordinance and off-street parking and loading requirements and setbacks for parking areas, loading spaces and internal drives are set forth in Section 415.280 of the Municipal Code.

CHAPTER 645: SEXUALLY ORIENTED BUSINESSES

SECTION 645.010: LICENSE REQUIRED

A. The terms used in this Chapter shall have the meaning set forth in Section 415.590 of the Municipal Code, except as otherwise defined in this Section:

INFLUENTIAL INTEREST: Includes any of the following:

- (1) The actual power to operate a sexually oriented business or control the operation, management, or policies of a sexually oriented business or legal entity, which operates a sexually oriented business;
- (2) Ownership of a financial interest of thirty percent (30%) or more of a business or of any class of voting securities of a business; or
- (3) Holding an office, such as president, vice president, secretary, treasurer, managing member, or managing director, in a legal entity, which operates a sexually oriented business.

B. License Required And Posting Of Licenses.

1. It shall be unlawful for any person to operate or maintain a sexually oriented business within the City without a license or to operate such establishment after such license has been revoked, suspended or expired.
2. It shall be unlawful for any employee to knowingly perform any work, service or entertainment directly related to the operation of a sexually oriented business that does not have a sexually oriented business license or which had such license revoked or suspended.
3. Every sexually oriented business, manager, or entertainer required to be licensed by this Chapter shall post such license in a conspicuous place on the licensed premises so it is readily available for inspection by City authorities responsible for enforcement of this Chapter.

C. License, Classification And Fees.

1. The license year for all fees required under this Chapter shall be from July first (1st) through June thirtieth (30th). The application for a license shall be accompanied by payment in full of the fee stated in this Section by certified check, cashier's check or money order; and no application shall be considered until such fee is paid.
2. The classification of licenses and fees for each shall be as follows:
 - a. Sexually oriented business license fee, one thousand dollars (\$1,000.00) for initial application; five hundred dollars (\$500.00) for renewal;

b. Sexually oriented business manager's license fee, two hundred fifty dollars (\$250.00) for initial application; one hundred twenty-five dollars (\$125.00) for renewal;

c. Sexually oriented business entertainer's license fee, two hundred fifty dollars (\$250.00) for initial application, one hundred twenty-five dollars (\$125.00) for renewal.

SECTION 645.020: APPLICATION FOR LICENSE

A. Sexually oriented business license. An application for a sexually oriented business license shall be submitted on a form obtained from the City Clerk. A notarized application shall be submitted in the name of the person proposing to operate the sexually oriented business. All applications shall contain the following information:

1. The business name, address and telephone number of the establishment, a description of the sexually oriented business and the name or names of the owner(s) of the premises where the sexually oriented business will be located.
2. The name, address, home telephone number, occupation, social security number, date and place of birth and social security number of all persons with an influential interest in the sexually oriented business.
3. The addresses of all persons with an influential interest in the sexually oriented business for the five (5) years immediately prior to the date of the application.
4. A description of the sexually oriented business and similar business history of all persons with an influential interest in the sexually oriented business in in the City, or any other City, County or State, and whether any such person has had a business license revoked or suspended, the reason therefore and the activity or occupation subjected to such suspension or revocation.
5. A statement of each and every business, occupation or employment of all persons with an influential interest in the sexually oriented business for the three (3) years immediately preceding the date of the application.
6. A statement from all persons with an influential interest in the sexually oriented business that each such person has not been convicted of, released from confinement for conviction of, or diverted from prosecution on:
 - a. Any of the following specified offenses for which less than eight (8) years has elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is later:

- (i) Rape and sexual assault offenses;
- (ii) Sexual offenses involving minors;
- (iii) Offenses involving prostitution;
- (iv) Obscenity offenses;
- (v) Offenses involving money laundering;
- (vi) Offenses involving tax evasion;
- (vii) Any attempt, solicitation, or conspiracy to commit one of the offenses listed in subdivisions (i) to (vi) of this Subsection; or
- (viii) Any offense committed in another jurisdiction, which if committed in this state would have constituted an offense listed in Subdivisions (i) to (vii) of this Subsection.

b. The statement shall also indicate that the persons with an influential interest in the sexually oriented business have not been convicted of a municipal ordinance violation or diverted from prosecution on a municipal ordinance violation within two (2) years immediately preceding the application where such municipal ordinance violation involved sexual offenses, indecent exposure, prostitution or the sale of controlled substances or illegal drugs or narcotics.

7. A full set of fingerprints and a photograph, to be taken by the Police Department, of all persons with an influential interest in the sexually oriented business.

8. If applicable, proof that the applicant is in good standing with the Missouri Secretary of State.

9. A statement signed under oath that the applicant has personal knowledge of the information contained within the application and that the information contained therein is true and correct and that the applicant has read the provision of this Chapter.

Failure to provide the information and documentation required by this Subsection shall constitute an incomplete application, which shall not be processed.

B. Sexually oriented business manager or entertainer's license. An application for a sexually oriented business manager or entertainer license for work at a sexually oriented business in the City shall be submitted on a form obtained from the City Clerk. A notarized application shall be submitted in the name of the person proposing to be a sexually oriented business manager or entertainer. All applications shall contain the following information:

1. The home telephone number, occupation, date and place of birth and social security number of the applicant.

2. The business name, address and telephone number of the business where the applicant intends to work and intent to hire statement from the sexually oriented business that is licensed or that has applied for a license under the provisions of this Chapter.

3. A statement from the applicant that the applicant has not been convicted of, released from confinement of, or diverted from prosecution on:

a. Any of the following specified offenses for which less than eight (8) years has elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is later:

(i) Rape and sexual assault offenses;

(ii) Sexual offenses involving minors;

(iii) Offenses involving prostitution;

(iv) Obscenity offenses;

(v) Offenses involving money laundering;

(vi) Offenses involving tax evasion;

(vii) Any attempt, solicitation, or conspiracy to commit one of the offenses listed in subdivisions (i) to (vi) of this Subsection; or

(viii) Any offense committed in another jurisdiction, which if committed in this state would have constituted an offense, listed in Subdivisions (i) to (vii) of this Subsection.

4. Documentation that the applicant has attained the age of eighteen (18) years at the time the application is submitted.

5. A full set of fingerprints and a photograph of the applicant to be taken by the Police Department.

6. A statement signed under oath that the applicant has personal knowledge of the information contained within the application and that the information contained therein is true and correct and that the applicant has read the provisions of this Chapter.

Failure to provide the information and documentation required by this Subsection shall constitute an incomplete application, which shall not be processed.

SECTION 645.030: APPLICATION PROCESSING.

Upon submission of a complete application for a sexually oriented business license or a sexually oriented business manager or entertainer license, the City Clerk will transmit one (1) copy of the application to the Police Chief and one (1) copy to the Director of Planning. The Police Department

shall review the information contained therein, perform a background check and verify the qualification of the applicant. Additionally, the Director of Planning will determine whether the structure of the sexually oriented business complies with the requirements and meets the standards of the applicable health, zoning, building, fire and property maintenance ordinances of the City. The Police Department and the Director of Planning shall report results to the City Clerk no later than fifteen (15) working days from the date the completed application is received by the City Clerk.

SECTION 645.040: ISSUANCE OF DENIAL OF LICENSE

A. Examination Of Application—Issuance Of License.

1. If the application for a license of a sexually oriented business or for a manager or entertainer of a sexually oriented business is in proper form, accompanied by the appropriate license fee, the City Clerk shall examine the application. If after such examination the City Clerk determines that the applicant has met the requirements of the Police Department and the Director of Planning and has met all requirements set forth in this Chapter, the City Clerk will approve the license. The City Clerk must provide the applicant with a response within sixty (60) days of the submission of the completed application for the sexually oriented business or a license for a manager or entertainer of a sexually oriented business. No incomplete application will be processed.
2. If an application for a license is not approved, the applicant shall be immediately notified by registered or certified mail to the applicant's last known address and the notification shall state the bases for such disapproval. Any applicant aggrieved by the disapproval of a license application may seek judicial review in a manner provided by law.
3. The license, if granted, shall state on its face the name of the person or persons to whom it is granted, the expiration date and the address of the sexually oriented business.
4. A single license will authorize the operation of only one (1) sexually oriented business; more than one (1) business use within a licensed sexually oriented business premises is prohibited.
5. No person is eligible nor shall licenses be issued to a sexually oriented business or manager or entertainer if the applicant does not meet the requirements set forth in this Chapter or if one (1) of the following requirements is not met:
 - a. The applicant failed to supply all of the information requested on the application;
 - b. The applicant gave false, fraudulent or untruthful information on the application;
 - c. The applicant's proposed sexually oriented business does not comply with or meet the ordinances of the City, provided, that upon a showing that the premises meet

said requirements and that the applicant is otherwise qualified, the application shall be eligible for reconsideration by the City.

d. The applicant has been convicted, released from incarceration for conviction or diverted on any of the crimes set forth in this Chapter during the time period set forth in this Section.

e. The applicant or applicant's spouse has had any license relating to a sexually oriented business revoked or suspended in this or any other City during the past five (5) years.

B. Renewal Of A Sexually Oriented Business License Or A License For A Manager Or Entertainer Of A Sexually Oriented Business.

1. A sexually oriented business license or a license for a manager or entertainer of a sexually oriented business may be renewed by making application to the City Clerk on the application forms provided. Such licenses shall expire on June thirtieth (30th) of each year and renewal application for such licenses shall be submitted by June first (1st) of each year.

2. Upon payment of the license fee and review of the application by the City Clerk, the City Clerk shall renew the license for an additional license year if conditions under which the original license was issued have not changed. If the application for renewal of a license is not made during the time provided in Subdivision (1) of this Subsection, a new application shall be required.

3. A license will not be renewed if the applicant is overdue in the payment to the City of taxes, fees, fines or penalties assessed against the business or imposed upon the business in relation to the sexually oriented business.

SECTION 645.050: REVOCATION/SUSPENSION OF LICENSE

A. Transferability—Revocation And/Or Suspension Of License.

1. Licenses issued under this Chapter shall not be transferable, either to any person, persons or other entities.

2. The City Clerk may suspend a license for a period not to exceed thirty (30) days upon a determination that a licensee or employee has violated any part of this Chapter or Section 415.590. Said suspension shall be issued in writing mailed by certified mail, return receipt requested, to the licensee at the address of the establishment or at the home of the licensee or served by process server at the usual place of abode of the licensee or at the address of the establishment. If a suspension is issued for a correctable violation, said suspension shall be terminated upon verification by inspection that the correction has been made which shall

be determined no later than forty-eight (48) hours after receipt of written notice of correction by the City Clerk.

3. The City Clerk shall revoke any license where any of the following occur:

a. The sexually oriented business license or the sexually oriented business manager or entertainer license was obtained through false statements in the application for such license or renewal thereof; or

b. The sexually oriented business license or sexually oriented business manager or entertainer licensee failed to make a complete disclosure of all information required in the application for such license or renewal thereof; or

c. All persons with an influential interest in the licensed sexually oriented business or any licensed manager or entertainer has become disqualified from having a license under this Chapter; or

d. All persons with an influential interest in the licensed sexually oriented business or any licensed manager or entertainer has been convicted of two (2) or more violations of this Chapter within a license year.

B. Appeal From Denial, Suspension Or Revocation Of License. An applicant who has been denied either an initial license or a renewal license or whose license has been suspended or revoked may appeal the City Clerk's decision by filing a written notice of appeal to the City Council within ten (10) days of the City Clerk's decision. The City Council shall schedule a public hearing of such appeal within twenty-one (21) days of filing of the written notice of appeal. The City Council shall affirm the decision of the City Clerk if it finds that the conditions pertinent to issuance or maintenance of a license have not been met. An applicant aggrieved by any decision shall have the right to seek judicial review as is permitted by applicable State law.

SECTION 645.060: REGULATIONS ON LICENSEE

A. Manager Responsibility.

1. At least one (1) licensed sexually oriented business manager shall be on duty during all hours of operation of a sexually oriented business. The name and license number of the manager on duty shall be prominently posted on the premises at all times.

2. It shall be the responsibility of the manager on duty to verify that any employee who provides adult entertainment within the premises possesses a current and valid entertainer's license issued by the City.

3. It shall be the responsibility of the manager to ensure all standards and obligations of the license are maintained.

4. The licensed sexually oriented business must notify the City within seventy-two (72) hours of the termination or resignation of any licensed manager.

B. Unlawful Activities.

1. No person shall knowingly or intentionally, in a sexually oriented business, appear in a state of nudity.

2. No employee shall knowingly or intentionally, in a sexually oriented business, appear in a semi-nude condition unless the employee, while semi-nude, shall be and remain on a fixed stage at least six (6) feet from all patrons and at least eighteen (18) inches from the floor in a room of at least six hundred (600) square feet.

3. No employee, who appears in a semi-nude condition in a sexually oriented business, shall knowingly or intentionally touch a patron or the clothing of a patron in a sexually oriented business.

4. No employee shall perform any specified sexual activities, engage in sexual conduct, wear or use any device or covering exposed to view which simulates any specified anatomical area, or participate in any act of prostitution.

5. No employee shall solicit, demand or receive any payment or gratuity from any patron or customer for any act prohibited by this Section.

6. It is unlawful for an employee to be visible from the exterior of the sexually oriented business while such person is in a state of nudity or semi-nudity.

7. It is unlawful to operate a sexually oriented business in a manner that permits the observation of employees in a state of nudity or semi-nudity from the exterior of the sexually oriented business by display, decoration, sign, show window or other opening.

C. Regulation Of Mainstream Media Outlets.

1. In all mainstream media outlets, all sexually oriented materials shall be kept in a separate room or section of the outlet that:

a. Is not open to any child;

b. Is physically and visually separated from the rest of the outlet by an opaque wall of durable material, reaching at least eight (8) feet high or to the ceiling, whichever is less;

c. Is located so that the entrance to it is as far as reasonably practical from media or other inventory in the store advertised for sale to children;

- d. Has access controlled by electronic or other means to provide assurance that children will not gain admission;
 - e. Has continuous video or window surveillance by store personnel; and
 - f. Has signage at the entrance stipulating that children are not permitted inside the room or section.
2. Media outlets that contain less than ten percent (10%) of the stock-in-trade, which involves sexually oriented materials are not regulated by this Subsection. However, no obscene material may be publicly displayed in such media outlets.

D. Operational Criteria.

1. No sexually oriented business may be open or in use between the hours of 12:00 midnight and 10:00 A.M. on any day.
2. No operator, manager or employee shall knowingly allow a person under of eighteen (18) years on the premises of a sexually oriented business.
3. A sexually oriented business, which exhibits sexually oriented materials on the premises through any mechanical or electronic image-producing device, shall comply with the following requirements:
 - a. The interior of the premises shall be configured in such a manner that there is an unobstructed view from an operator's station of every area of the premises, including the interior of each viewing room but excluding restrooms, to which any patron is permitted access for any purpose;
 - b. An operator's station shall not exceed thirty-two (32) square feet of floor area;
 - c. If the premises has two (2) or more operator's stations designated, the interior of the premises shall be configured in such a manner that there is an unobstructed view of each area of the premises to which any patron is permitted access for any purpose from at least one of the operator's stations;
 - d. The view required under this Subsection shall be by direct line of sight from the operator's station;
 - e. It is the duty of the operator to ensure that at least one (1) employee is on duty and situated in an operator's station at all times that any patron is on the portion of the premises monitored by such operator station; and

f. It shall be the duty of the operator and of any employees present on the premises to ensure that the view area specified in this Subsection remains unobstructed by any doors, curtains, walls, merchandise, display racks, or other materials or enclosures at all times that any patron is present on the premises.

4. Ventilation and sanitation requirements. The premises of all sexually oriented businesses shall be kept in a sanitary condition. Separate dressing rooms and restrooms for men and women shall at all times be maintained and kept in a sanitary condition.

5. No operator, manager or employee of a sexually oriented business shall:

a. Knowingly permit alcoholic beverages to be brought upon, sold, used or consumed on the premises;

b. Knowingly allow or permit the sale, distribution, delivery or consumption of any controlled substance or illegal drug or narcotic on the premises;

c. Knowingly allow or permit any act of prostitution or patronizing prostitution on the premises; or

d. Knowingly allow or permit a violation of this Section or any other City ordinance or provision of State law.

6. No person shall knowingly or intentionally sell, use, or consume alcoholic beverages on the premises of a sexually oriented business.

7. There must be continuous physical, video or window surveillance of the premises upon which a sexually oriented business is located.

8. The sexually oriented business must provide restrooms for customer use.

E. Compliance With Code Requirements. Any sexually oriented business licensed under this Chapter shall comply with all other requirements of the codes of the City as now or in the future may be adopted.

F. Inspections. An applicant or licensee shall permit representatives of the Police Department, Fire Department or Planning Department to inspect the premises of a sexually oriented business for the purpose of ensuring compliance with the law at any time it is occupied or open for business. It shall be unlawful for any licensee to fail to allow such inspection officer access to the premises or hinder such officer in any manner.

SECTION 645.070: PENALTIES.

Any violation of any part of this Chapter is subject to the penalty provided in Section 100.140 of the Municipal Code. This Chapter does not impose strict liability. Unless a culpable mental state is otherwise specified herein, a showing of a knowing or reckless mental state is necessary to establish a violation of this Chapter. Notwithstanding any other provision of law to the contrary, for purposes of this Section, an act by an employee shall be imputed to the sexually oriented business for purposes of finding a violation of this Chapter only if an officer, director, or general partner, or a person who managed, supervised, or controlled the operation of the business premises knowingly or recklessly allowed such act to occur on the premises. It shall be a defense to liability that the person to whom liability is imputed was powerless to prevent the act.

Summary and Recommendation:

The Planning and Zoning Commission, with substantial assistance of the City Attorney, has determined the current regulations relating to sexually explicit businesses (now sexually oriented businesses) require changes to update their content, based upon nine (9) years of application and new case law generated by both State and federal court systems, along with changing trends in that industry, which appear to negate some of the protections of the existing regulations as well. The proposed changes will strengthen the City's Zoning Ordinance in this regard and provide a protection to the Social House II type of activity, which led University City, Missouri to change its code to limit such activities in its community. Other cities in St. Louis County have followed suit, all with the intent to protect the public's health, safety, and general welfare. Accordingly, the Planning and Zoning Commission is recommending the above-referenced changes to the sexually explicit regulations of the City of Wildwood be approved, as shown and noted herein.

ATTACHMENT B
Background Information

Chapter 415. Zoning Regulations

Section 415.200. "M-1" Industrial District Regulations.

[Ord. No. 1324 App. A §1003.151, 8-14-2006; Ord. No. 1457 §1, 12-10-2007; Ord. No. 1553 §1, 9-8-2008]

A. Scope Of Provisions. This Section contains the district regulations of the "M-1" Industrial District. These regulations are supplemented and qualified by additional general regulations appearing elsewhere in this Chapter which are incorporated as part of this Section by reference. The "M-1" Industrial District encompasses areas wherein may be achieved a satisfactory correlation of factors such as adequate transportation facilities, accessibility to dwelling areas, efficient land assembly, adequate topographic conditions and adequate provision of public utility facilities required by industry.

B. Permitted Land Uses And Developments. The following land uses and developments are permitted in this district:

1. Agriculturally-based businesses, including the retail sales of vegetables, fruits and closely related goods, as part of a produce stand, along with corn mazes and other recreational facilities complementing the growing and raising of crops.
2. Athletic fields, not including lighting.
3. Business, professional and technical training schools.
4. Gymnasiums, indoor swimming pools, indoor handball and racquetball courts (public or private) and indoor and unlighted outdoor tennis courts (public or private).
5. Laundries and dry cleaning plants, not including personal and individual drop-off and pickup service.
6. Manufacturing, fabrication, assembly, processing or packaging of any commodity from semi-finished materials, except explosives or flammable gases or liquids.
7. Offices or office buildings.
8. Parking areas, including garages.
9. Police, fire and postal stations.
10. Printing and duplicating services.
11. Public utility facilities.

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12. Radio, television and communication studios, transmitting or relay towers, antennae and other such facilities no greater in height than two hundred (200) feet above the average finished ground elevation at the perimeter of such structure.

13. Railroad switching yards.

14. Research laboratories and facilities.

15. Sales and renting of equipment and vehicles used by business, industry and agriculture, excluding retail automobile sales.

16. (Reserved)

17. Terminals for trucks, buses, railroads and watercraft.

18. Union halls and hiring halls.

19. Wholesaling or warehousing of manufactured commodities except live animals, explosives or flammable gases.

20. Yards for storage of contractors' equipment, materials and supplies, excluding junk yards and salvage yards.

C. Conditional Land Use And Development Permits Issued By The Commission. The following land uses and developments may be permitted under conditions and requirements specified in Section 415.500 "Conditional Use Permits":

1. Airports, landing strips and heliports.

2. Athletic fields, including lighting.

3. Business service establishments.

4. Filling stations, including emergency towing and repair services.

5. (Reserved)

6. Manufacturing of explosives and flammable gases and liquids.

7. Radio, television and communication studios, transmitting or relay towers, antennae and other such facilities greater in height than two hundred (200) feet above the average finished ground elevation at the perimeter of such structure.

8. Restaurants.

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9. Sales yards operated for a charitable purpose by a church, school or other not-for-profit organization.

10. Satellite dishes (see provisions of Section 415.380(R)).

11. Towed vehicle storage yards, wherein no individual vehicle may be stored for a period exceeding ninety (90) days and involving no auto repair and no salvage or sale of automobile parts. A ten (10) foot high sightproof fence shall be provided along all limits of the property.

12. Sewage treatment facilities.

13. Vehicle repair facilities.

14. Vehicle service centers.

15. Warehousing, storage or wholesaling of live animals, explosives or flammable gases and liquids.

16. Churches shall be allowed on tracts of land of at least one (1) acre in area.

17. Sexually oriented businesses.

D. Accessory Land Uses And Developments. Subject to compliance with the procedures of this Section, accessory buildings, structures and uses are permitted in conjunction with a permitted land use or development or (unless restricted by applicable condition) a conditional land use or development when such accessory building, structure or use is customarily found in conjunction with the primary use, is a reasonably necessary incident to the primary use, is clearly subordinate to the primary use and serves only to further the successful utilization of the primary use. Accessory uses include the following:

1. Devices for the generation of energy, such as solar panels, wind generators and similar devices.

2. Dwelling or lodging units, only for watchmen, caretakers or other personnel whose residence is essential to the operation of a permitted or conditional use or uses.

3. Individual sewage treatment facilities serving an individual building or use as approved by the appropriate regulatory agency. The sewage treatment facility shall not exceed five thousand (5,000) gallons per day flow.

4. Signs (business, directional and information).

E. Performance Standards. All uses in the "M-1" Industrial District shall operate in conformity with the appropriate performance standards contained in Section 415.250 "Zoning Performance Standard Regulations".

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F. Height Limitations For Structures. Radio, television, public utility and communication towers authorized by conditional use permit may be erected to any height not in conflict with the application of the limits in Section 415.240 "Air Navigation Space Regulations". Unless otherwise restricted by application of regulations in Section 415.240 "Air Navigation Space Regulations" of this Chapter, the total height of any other structure, not including roof top mechanical equipment attached to such structures, shall not exceed two hundred (200) feet above the average finished ground elevation at the perimeter of such structure.

G. Lot Area And Yard Requirements. The lot area and yard requirements in the "M-1" Industrial District shall be as follows:

1. Minimum lot area requirements. Towed vehicle storage yards shall be situated on tracts of land at least one (1) acre in area. No minimum lot area is established for other uses in this district, but lot dimensions shall be sufficient to meet other requirements set forth in this Section.
2. Front yard—general. No structure is allowed within thirty (30) feet of any roadway right-of-way line.
3. Front yard—specific regulations and exceptions.
 - a. Notwithstanding any other provision of this Chapter, on corner lots, no structure or plant material exceeding three (3) feet in height above the elevation of the street pavement is allowed within the sight distance triangle.
 - b. Boundary walls or fences, six (6) feet in height or less, are allowed within the minimum front yard setback.
 - c. Permitted information signs, six (6) feet in height or less, are allowed within the minimum front yard setback.
 - d. Permitted directional signs, three (3) feet in height or less, are allowed within the minimum front yard setback.
 - e. Light standards for parking lot lighting and freestanding business signs are allowed no closer than twenty-five (25) feet from any roadway right-of-way line.
 - f. Light standards for street lighting or at points of ingress and egress are allowed within the minimum front yard setback when approved by the Department of Planning.
 - g. Required fencing for towed vehicle storage yards is allowed no closer than twenty-five (25) feet from any roadway right-of-way line. The setback shall be adequately landscaped as approved on a plan by the Department of Planning.

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h. Any area used for the outdoor storage or display of merchandise, equipment or vehicles which is located opposite and visible from property in the "NU" Non-Urban Residence, "PS" Park and Scenic or any "R" Residence District shall be effectively screened by a six (6) foot high sightproof fence if determined necessary and required by the Department of Planning on review of a site plan for such use. The Department of Planning may approve the use of topographic features, landscaping or walls in lieu of fencing where such alternates are determined to be appropriate.

4. Side yards and rear yards—general. No structure or any storage or display of materials, equipment or vehicles is allowed within ten (10) feet of any side or rear property line.

5. Side yards and rear yards—specific regulations and exceptions.

a. No structure or any storage or display of merchandise, equipment or vehicles is allowed within twenty-five (25) feet of a property line adjoining property in the "NU" Non-Urban Residence, "PS" Park and Scenic or any "R" Residence District.

b. Any structure exceeding thirty (30) feet in height which adjoins property in the "NU" Non-Urban Residence, "PS" Park and Scenic or any "R" Residence District, other than a radio, television, public utility and communication tower authorized by a conditional use permit, must be set back from such property line an additional one (1) foot for every two (2) feet in height above thirty (30) feet.

c. Any area used for the outdoor storage or display of merchandise, equipment or vehicles which adjoins property in the "NU" Non-Urban Residence, "PS" Park and Scenic or any "R" Residence District shall be effectively screened by a six (6) foot high sightproof fence located no closer than ten (10) feet from said adjoining property line. The setback shall be adequately landscaped as approved on a plan by the Department of Planning. When requested by the property owner, the Department of Planning may approve the use of topographic features, landscaping or walls in lieu of fencing where such alternates will achieve comparable effect.

d. Required fencing for towed vehicle storage yards shall be located no closer than twenty-five (25) feet from any adjoining property line. This setback shall be adequately landscaped as approved on a plan by the Department of Planning.

e. All other boundary walls or fences six (6) feet in height or less are permitted within the minimum side and rear yard setbacks required from property in the "NU" Non-Urban Residence, "PS" Park and Scenic or any "R" Residence District.

f. Light standards for parking lot lighting are allowed no closer than twenty-five (25) feet of any side or rear yard line which adjoins property in the "NU" Non-Urban Residence, "PS" Park and Scenic or any "R" Residence District.

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H. Off-Street Parking And Loading Requirements. Off-street parking and loading requirements and setbacks for parking areas, loading spaces and internal drives are set forth in Section 415.280 "Off-Street Parking and Loading Requirements".

I. Sign Regulations. Sign regulations are set forth in Section 415.400 "Sign Regulations".

Section 415.210 "M-3" Planned Industrial District.

[Ord. No. 1324 App. A §1003.155, 8-14-2006]

A. Scope Of Provisions. This Section contains the district regulations of the "M-3" Planned Industrial District. The regulations are supplemented and qualified by additional general regulations appearing elsewhere in this Chapter, in the Subdivision Code of the City and other applicable City ordinances which are incorporated as part of this Section by this reference. The Planned Industrial District may be described in the manner outlined below.

B. Purpose. The "M-3" Planned Industrial District of the City of Wildwood encompasses areas wherein may be located developments and uses permitted in any of the other "M" Industrial Districts and such development and use designated in the "C" Commercial Districts as may be specifically related to a particular industrial activity or complex. It is the purpose of these regulations to facilitate the establishment of combinations of developments and uses not provided for in other "M" Industrial Districts or the establishment of developments and uses in locations appropriate under approved site plans and conditions. Such approved plans and conditions shall be consistent with good planning practice and compatible with permitted developments and uses in adjoining districts, so as to protect the general welfare, while promoting an environmentally sensitive design or improvements reflecting the natural characteristics of the site.

C. Establishment.

1. A Planned Industrial District may be established on a tract of land in single ownership or management control provided that:

- a. The preliminary development plan and the application for change of zoning are approved by the City Council;
- b. A site development plan is approved by the Planning Commission and recorded in compliance with requirements of this Section; and
- c. The schedule of construction is complied with in accordance with the requirements of this Section.

2. A Planned Industrial District may be established by ordinance of the City Council in the same manner that other mapped districts are established where the City Council determines that any particular tracts or areas should be developed for industrial use, but because of possible conflicts with adjoining uses, more development control is necessary

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to protect the general welfare than is possible under the regulations of the other "M" Industrial Districts.

D. Permitted Land Uses And Developments. The following land uses and developments are permitted in this district:

1. Subject only to approval of a site development plan by the Planning Commission:

- a. Police, fire and postal stations.
- b. Local public utility facilities.
- c. Correctional institutions.
- d. Accessory uses incident to the above uses.

2. Permitted land uses and developments shall be established in the conditions of the ordinance governing the particular Planned Industrial District; specific uses may include uses designated as permitted, accessory or conditional uses in any of the "M" Industrial Districts and those uses in the "C" Commercial Districts which are specifically related to a particular industrial activity or complex.

E. Conditional Land Use And Development Permits Issued By The Commission. The following land uses and developments may be permitted under conditions and requirements specified in Section 415.500 "Conditional Use Permits":

1. Satellite dishes (provisions of Section 415.380(R)).

2. Sexually oriented businesses.

F. Performance Standards. All uses established in a Planned Industrial District shall operate in accord with performance standards contained in Section 415.250 "Zoning Performance Standard Regulations". These performance standards are minimum requirements and may be made more restrictive in the conditions of the ordinance governing the particular Planned Industrial District.

G. Height Limitations For Structures. Unless otherwise restricted by application of regulations in Section 415.240 "Air Navigation Space Regulations" of this Chapter, the total height of any structure shall be limited by the conditions in the ordinance governing the particular Planned Industrial District or in the case of a telecommunications tower as authorized by Chapter 430 of the City Code.

H. Lot Area And Yard Requirements. The lot area and minimum yard requirements for land uses in this district shall be as follows:

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1. Minimum lot area. The minimum lot area requirements for any use or building in a Planned Industrial District shall be as established in the conditions contained in the ordinance authorizing the establishment of the particular Planned Industrial District.

2. Minimum yard requirements—general. Setbacks for parking areas, internal drives, loading spaces and structures shall be established in the conditions of the ordinance governing the particular Planned Industrial District.

3. Minimum yard area—specific regulations.

a. No parking area, internal drive, loading space or structure shall be permitted within twenty (20) feet of a property line adjoining property in the "NU" Non-Urban Residence, "PS" Park and Scenic or any "R" Residence District. In addition to the minimum twenty (20) feet, any structure exceeding thirty (30) feet in height which adjoins property in the "NU" Non-Urban Residence, "PS" Park and Scenic or any "R" Residence District shall be set back an additional one (1) foot for every two (2) feet in height above thirty (30) feet. Greater setbacks may be required by condition if necessary to ensure compatibility with adjoining developments or uses.

b. Boundary walls or fences, six (6) feet in height or less, are permitted within the minimum yard requirements, unless otherwise restricted in the conditions of the ordinance governing the particular Planned Industrial District.

I. Off-Street Parking And Loading Requirements. The minimum off-street parking and loading requirements for any use or building in a Planned Industrial District shall not be reduced below that required for the same use in any other "M" Industrial or "C" Commercial District as set forth in Section 415.280 "Off-Street Parking and Loading Requirements". These requirements may exceed minimum standards as required by condition where determined necessary. However, where the Planned Industrial District includes two (2) or more uses, the Planning Commission may recommend, and the City Council may approve, a total reduction of not more than twenty percent (20%) or thirty percent (30%) for developments greater than two hundred thousand (200,000) square feet of gross floor area under single ownership or management control of the required off-street parking and loading spaces where it has been demonstrated by study of the combined uses and customary operation of the uses that adequate parking would be provided. The Planning Commission may recommend a further parking reduction beyond thirty percent (30%) for developments greater than three hundred thousand (300,000) square feet of gross floor area under single ownership or management control based on a similar approved study as above.

J. Sign Regulations. Specific sign regulations shall be established in the conditions of the ordinance governing the Planned Industrial District in accord with the provisions of Section 415.400 "Sign Regulations". However, in no instance shall they be less restrictive than sign regulations for any of the other "M" Industrial Districts.

K. Procedure For Establishment Of District Or Approval Of Site Plan In Existing "M-3". In order to establish a Planned Industrial District through a change of zoning or to obtain approval

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of a site development plan for a Planned Industrial District in order to utilize land in an established Planned Industrial District, the procedure shall be as follows:

1. Application. The owner or owners under contract of a lot or tract of land or his authorized representative shall petition the City of Wildwood on forms prescribed for this purpose by the Planning Commission. These forms shall be submitted to the Department of Planning accompanied by the following:

- a. Filing fee per requirements of Section 415.550 "Fees".
- b. Legal description of the property.
- c. Outboundary plat of the property.
- d. Preliminary development plan depicting, but not limited to, the following:

(1) Proposed uses. In single-lot developments approximate location of buildings and other structures, as well as parking areas, shall be indicated. In multiple-lot developments, conceptual location and configuration of buildings, approximate location of common ground areas, major utility easements and stormwater retention areas shall be indicated.

(2) Existing and proposed contours at intervals of not more than five (5) feet referred to sea level datum. Floodplain areas shall be delineated.

(3) Approximate location of all isolated trees having a trunk diameter of six (6) inches or more one (1) foot above grade, all tree masses and proposed landscaping.

(4) Two (2) section profiles through the site showing preliminary building form, existing natural grade and proposed final grade.

(5) Proposed ingress and egress to the site, including adjacent streets and approximate alignments of internal roadway systems.

(6) Preliminary plan for sanitation and drainage facilities.

2. Public hearing. A public hearing on the petition shall be held in accordance with the provisions of Section 415.560 "Procedures for Amending the Zoning Ordinance", provided however, that a public hearing shall be set within forty-five (45) days of acceptance of the petition, fee and related plans and documents by the Department of Planning.

3. Planning Commission recommendation. No action shall be taken by the City Council with respect to the petition until it has received the recommendation of the Planning Commission. Said recommendation shall address general planning considerations,

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including consistency with good planning practice and compatibility with adjoining permitted developments and uses. A recommendation of approval shall include recommended conditions to be included in the ordinance authorizing the establishment of the Planned Industrial District or approval of the site development plan in a Planned Industrial District. Such conditions shall include, but not be limited to, the following:

- a. Permitted uses, including maximum floor area.
- b. Performance standards.
- c. Height limitations.
- d. Minimum yard requirements.
- e. Off-street parking and loading requirements.
- f. Sign regulations.
- g. Minimum requirements for site development plans.
- h. Time limitations for commencement of construction.
- i. Impact fees or dedications reasonably attributable and proportional to the impact or costs resulting from the proposed development.

4. Site development plans.

- a. After passage by the City Council of an ordinance authorizing the establishment of a Planned Industrial District and requiring submission of a site development plan or site development concept plan, said plans shall be submitted in accord with the following provisions. No building permits or authorization for improvement or development for any use requested under provisions of this Chapter shall be issued prior to approval of such plans.
- b. Plans shall be submitted to the Planning Commission for review and approval. Said plans shall contain the minimum requirements established in the conditions of the specific ordinance governing the Planned Industrial District and, further, shall comply with provisions of the subdivision ordinance, Chapter 420, and other applicable City ordinances.
- c. Within sixty (60) days of approval, the site development plan or site development concept plan shall be recorded with the St. Louis County Recorder of Deeds and thereby authorize development as depicted thereon with a copy to be filed with the City of Wildwood.

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d. In the case of single-lot/multiple building development or multiple-lot developments where a site development concept plan is required, site development section plans shall be submitted to the Department of Planning for review and approval per individual building, lot, phase or plat representing a portion of the site development concept plan. The approved section plans shall be retained on file by the Department of Planning.

L. Procedure For Amendment Of Conditions Or Plans.

1. To amend the "M-3" District ordinance.

a. The property owner or authorized representative shall submit a written request to amend ordinance conditions to the Department of Planning for review. The Department shall then evaluate the request for consistency in purpose and content with the nature of the proposal as originally advertised for public hearing.

b. If the Department of Planning determines that the requested amendment is consistent in purpose and content with the nature of the original proposal as advertised, the Department shall so report to the Planning Commission. The Planning Commission shall review the request and the report of the Department, then forward a recommendation to the City Council. A recommendation of approval shall include conditions to be included in the amended ordinance.

c. If the Department of Planning determines that the requested amendment is not consistent in purpose and content with the nature of the proposal as originally advertised for public hearing, the Department shall so report to the applicant and the Planning Commission. The Planning Commission shall then review the proposed ordinance amendment and forward a recommendation to the City Council. The Planning Commission may, if deemed necessary, forward a resolution of intent to the City Council for the purpose of a new public hearing on the matter in accord with the proceedings specified in Section 415.560 "Procedure for Amending the Zoning Ordinance".

2. To amend the recorded site development plan or site development concept plan approved for the Planned Industrial District.

a. The property owner or authorized representative shall submit an amended site development (concept) plan to the Department of Planning for review. The Department shall evaluate the request for consistency in purpose and content with the nature of the proposal as originally advertised for public hearing and the preliminary development plan approved by the City Council.

b. If the Department of Planning determines that the proposed amendment to the site development plan is major in nature and is not in conflict with the original proposal as advertised and the approved preliminary development plan and meets all conditions of the Planned Industrial District ordinance, said plan shall be

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reviewed and approved by the Planning Commission. Said amended plan shall be recorded with the St. Louis County Recorder of Deeds within sixty (60) days of Commission approval with a copy to be filed with the City of Wildwood.

c. If the Department of Planning determines that the proposed amendment to the site development plan is minor in nature and is not in conflict with the original proposal as advertised and the preliminary development plan and meets all conditions of the Planned Industrial District ordinance, the Department may approve said amended plan. Said plan shall be retained on file by the Department of Planning.

However, when conditions of a particular Planned Industrial District ordinance are amended which necessitate an amended site development plan, the Commission shall review and approve said amended plans and they shall be recorded with the St. Louis County Recorder of Deeds within sixty (60) days of Commission approval with a copy to be filed with the City of Wildwood.

d. If the Department of Planning determines that the amendment to the site development plan is not consistent in purpose and content with the nature of the proposal as originally advertised for public hearing or with the preliminary development plan approved by the City Council, the Department shall so report to the applicant and the Planning Commission. The Planning Commission shall review the proposed site plan amendment and make a final determination. The Planning Commission may, if deemed necessary, forward a resolution of intent to the City Council for the purpose of a new public hearing on the matter in accord with proceedings specified in Section 415.560 "Procedure for Amending the Zoning Ordinance".

e. All amendments to site development concept plans shall be reviewed and approved by the Planning Commission and shall be recorded with the St. Louis County Recorder of Deeds within sixty (60) days of Commission approval with a copy to be filed with the City of Wildwood.

f. The Planning Commission may approve partial amended site development plans, site development concept plans and site development section plans for developments approved prior to enactment of this Chapter when the conditions of the ordinance governing such particular "M-3" Planned Industrial Districts do not permit review of development plans in accord with the provisions of this Section. Such partial amended plans shall be recorded with the St. Louis County Recorder of Deeds within sixty (60) days of Commission approval with a copy to be filed with the City of Wildwood.

3. To amend a site development section plan approved for a Planned Industrial District. If the Department of Planning determines that the proposed amendment to the site development section plan is not in conflict with the approved site development concept plan and meets all conditions of the Planned Industrial District ordinance, the Department

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may approve said amended plan. Said plan shall be retained on file by the Department of Planning.

4. Appeal to Commission of a decision by the Department in reviewing development plans. The petitioner/developer may appeal a decision of the Department of Planning, in cases where the Department of Planning is authorized to review development plans, to the Planning Commission. The petitioner shall have a fifteen (15) day period in which to file a written appeal and plan with the Commission. The written appeal, stating the reasons for the appeal, shall be submitted to the Department. The Commission will make the final determination of the matter. No exceptions will be granted that are in violation of the particular ordinance governing the development plan.

M. Guarantee Of Improvements. Unless otherwise provided for in the conditions of a particular Planned Industrial District, no building permits or permits authorizing the occupancy or use of a building, facility, industrial or commercial establishment or service concern may be issued until required related off-site improvements are constructed or cash or a surety bond is posted covering their estimated cost as determined by the Department of Planning. This requirement shall not apply to foundation permits or permits necessary for the installation of required related off-site improvements. Required related off-site improvements shall include, but not be limited to, streets, sidewalks, sanitary and storm sewers, street lights and street trees. If a Planned Industrial District is developed in sections, the requirement shall also apply to all major improvements necessary to the proper operation and function of the section in question, even though such improvements may be located outside of the section in question.

N. Failure To Commence Construction. Substantial construction shall commence within the time period specified in the conditions of the ordinance governing the Planned Industrial District, unless such time period is extended by the Planning Commission. If substantial construction or development does not begin within the time period specified in the conditions of the ordinance governing the district or extensions authorized therein, the Planning Commission shall within forty-five (45) days initiate a resolution of intent for the purpose of a new public hearing to revert the property to its prior zoning classification in accord with the proceedings specified in Section 415.560 "Procedure for Amending the Zoning Ordinance". No building or occupancy permit shall be issued for the development or use of the property until completion of action by the City Council on the proceedings to rezone the property in accord with the provisions of the above noted Section.

SECTION 415.590: SEXUALLY-ORIENTED BUSINESSES.

[Ord. No. 1411, §§1—2, 6-11-2007]

A. Purpose And Findings. It is the purpose of this Section to regulate sexually oriented businesses in order to promote the health, safety and general welfare of the residents of the City and to establish reasonable and uniform regulations to prevent the deleterious secondary effects of sexually oriented businesses within the City. The provisions of this Section have neither the purpose nor effect of imposing a limitation or restriction on the content or reasonable access to any communicative materials, including sexually oriented materials. Similarly, it is neither the intent nor effect of this Section to restrict or deny access by adults to sexually oriented materials

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protected by the First Amendment of the United States Constitution or Article I, Section 8 of the Missouri Constitution, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this Section to condone or legitimize the distribution of obscene material.

B. Definitions. As used in this Section, the following terms shall have these prescribed meanings:

ADULT ARCADE: Means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are regularly maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are characterized by their emphasis upon matter exhibiting specified sexual activities or specified anatomical areas.

ADULT BOOKSTORE OR ADULT VIDEO STORE: Means a commercial establishment which, as one of its principal business activities, offers sexually oriented materials for sale or rental for any form of consideration. A principal business activity exists where the commercial establishment:

- (1) Has a substantial portion of its displayed merchandise which consists of such items; or
- (2) Has a substantial portion of the wholesale value of its displayed merchandise which consists of such items; or
- (3) Has a substantial portion of the retail value of its displayed merchandise which consists of such items; or
- (4) Derives a substantial portion of its revenues from the sale or rental, for any form of consideration, of such items; or
- (5) Maintains a substantial section of its interior business space for the sale or rental of such items; or
- (6) Maintains an adult arcade.

ADULT CABARET: A nightclub, bar, juice bar, restaurant, bottle club, or other commercial establishment, regardless of whether alcoholic beverages are served, which regularly features persons who appear semi-nude.

ADULT ENTERTAINMENT: Any live exhibition, performance or dance characterized by the exposure of any specified anatomical areas even if covered by translucent clothing or by specified sexual activities or by appearance of persons in attire, costume or clothing so as to emphasize or expose, even through opaque covering, the view to specified anatomical areas.

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ADULT MOTION PICTURE THEATER: A commercial establishment where films, motion pictures, video cassettes, slides, or similar photographic reproductions, which are characterized by their emphasis upon the display of specified sexual activities or specified anatomical areas are regularly shown to more than five persons for any form of consideration

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CHARACTERIZED BY: Describing the essential character or dominant theme of an item.

CHILD: see "Minor."

EMPLOY, EMPLOYEE OR EMPLOYMENT: Any person who performs any service on the premises of a sexually oriented business, on a full-time, part-time, or contract basis, whether or not the person is denominated an employee, independent contractor, agent, manager, entertainer or otherwise. Employee does not include a person exclusively on the premises for repair or maintenance of the premises or for the delivery of goods to the premises.

ENTERTAINER: Any person who provides adult entertainment at a sexually oriented business described herein, whether or not a fee is accepted for the entertainment.

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ESTABLISH OR ESTABLISHMENT: Includes any of the following:

- (1) The opening or commencement of any sexually oriented business as a new business;
- (2) The conversion of an existing business, whether or not a sexually oriented business, to any sexually oriented business; or
- (3) The addition of any sexually oriented business to any other existing sexually oriented business.

MAINSTREAM MEDIA OUTLETS: Any video store, bookstore or a newsstand that carries more than ten percent (10%) sexually oriented material but less than thirty percent (30%).

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MANAGER: Any person who manages, directs, administers or is in charge of the affairs and for conduct of any portion of any activity involving adult entertainment occurring at any sexually oriented business.

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MATERIAL: Anything printed or written, or any picture, drawing, photograph, motion picture film, videotape or videotape production, or pictorial representation, or any recording or transcription, or any mechanical, chemical, or electrical reproduction, or stored computer data, or anything which is or may be used as a means of communication. Material includes undeveloped photographs, molds, printing plates, stored computer data and other latent representational objects.

MEDIA OUTLETS: Any video store, bookstore or a newsstand that carries ten percent (10%) sexually oriented material or less.

MINOR: Any person less than eighteen (18) years of age.

NUDITY OR STATE OF NUDITY: The showing of the human genitals, pubic area, vulva, anus, anal cleft, or the female breast with less than a fully opaque covering of any part of the nipple or areola.

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OBSCENITY OR OBSCENE: Any material or performance is obscene if, taken as a whole:

1. Applying contemporary community standards, its predominant appeal is to prurient interest in sex; and
2. The average person, applying contemporary community standards, would find the material depicts or describes sexual conduct in a patently offensive way; and
3. A reasonable person would find the material lacks serious literary, artistic, political or scientific value.

OPAQUE COVERING: Non-transparent clothing or other similar object or substance. This term does not include body paint, body dyes, tattoos, liquid latex, whether wet or dried, and other similar substances.

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OPERATOR: Any person on the premises of a sexually oriented business who causes the business to function, puts or keeps the business in operation, or is authorized to manage the business or exercise overall operational control of the business premises. A person may be found to be operating or causing to be operated a sexually oriented business whether or not such person is an owner, part owner, or licensee of the business.

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PERFORMANCE: Any play, motion picture film, videotape, dance or exhibition performed before an audience of one or more.

PREMISES: The real property upon which a sexually oriented business is located, and all appurtenances thereto and buildings thereon, including but not limited to the sexually oriented business, the grounds, private walkways, and parking lots or parking garages or both.

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REGULARLY: The consistent and repeated doing of the act so described.

SADOMASOCHISTIC ABUSE: Flagellation or torture by or upon a person as an act of sexual stimulation or gratification.

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SEMI-NUDE OR STATE OF SEMI-NUDITY: The showing of the female breast below a horizontal line across the top of the areola and extending across the width of the breast at such point, or the showing of the male or female buttocks. Such definition includes the lower portion of the human female breast, but shall not include any portion of the cleavage of the female breasts exhibited by a bikini, dress, blouse, shirt, leotard, or similar wearing apparel provided the areola is not exposed in whole or in part.

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SEMI-NUDE MODEL STUDIO: Means a place where persons regularly appear in a state of semi-nudity for money or any form of consideration in order to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons. Such definition shall not apply to any place where persons appearing in a state of semi-nudity do so in a modeling class operated:

(1) By a college, junior college, or university supported entirely or partly by taxation;

(2) By a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or

(3) In a structure:

a. Which has no sign visible from the exterior of the structure and no other advertising that indicates a semi-nude person is available for viewing; and

b. Where, in order to participate in a class, a student must enroll at least three days in advance of the class.

SEXUAL CONDUCT: Actual or simulated, normal or perverted acts of human masturbation; sexual intercourse; or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or the breast of a female in an act of apparent sexual stimulation or gratification or any sadomasochistic abuse or acts including animals or any latent objects in an act of apparent sexual stimulation or gratification.

SEXUAL ENCOUNTER CENTER: Means a business or commercial enterprise that, as one of its principal purposes, purports to offer for any form of consideration physical contact in the form of wrestling or tumbling between two or more persons when one or more of the persons is semi-nude.

SEXUAL INTERCOURSE: Any penetration, however slight, of the female genitalia by the penis. Sexual intercourse also includes any act involving the genitals of one person and the hand, mouth, tongue, or anus of another person or a sexual act involving the penetration, however slight, of the penis, female genitalia, or the anus by a finger, instrument or object done for the purpose of arousing or gratifying the sexual desire of any person or for the purpose of terrorizing the victim.

SEXUALLY ORIENTED BUSINESS:

(1) An adult bookstore or adult video store.

(2) An adult cabaret.

(3) An adult motion picture theater.

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(4) A semi-nude model studio.

(5) A sexual encounter center.

SEXUALLY ORIENTED MATERIALS: Magazines, books, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, digital video discs, slides, other visual representations, or other devices used to record computer images or other media which are characterized by their emphasis upon the display of specified sexual activities or specified anatomical areas.

SPECIFIED ANATOMICAL AREA:

1. Less than completely and opaquely covered: human genitals, pubic region, buttock and female breast below a point immediately above the top of the areola; and

2. Human male genitals in a discernible turgid state, even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITY: Includes any of the following:

(1) Intercourse, oral copulation, masturbation, or sodomy; or

(2) Excretory functions as a part of or in connection with any of the activities described in subparagraph (1) above.

SUBSTANTIAL: At least thirty percent (30%) of the item or items so modified.

VIEWING ROOM: The room, booth, or area where a patron of a sexually oriented business would ordinarily be positioned while watching sexually oriented materials.

C. Massage Businesses. Only massage businesses that are defined in and regulated by Chapter 324, RSMo., will be allowed in the City.

D. Location Of Sexually Oriented Businesses. No sexually oriented business shall be located or situated at a distance of less than one thousand (1,000) feet of any preexisting primary or secondary school, state-licensed day care facility, church or house of worship, public library, hospital, public park, any property used for residential purposes, or other sexually oriented business. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the closest portion of the parcel containing the sexually oriented business to the closest portion of the parcel containing the preexisting primary or secondary school, state-licensed day care facility, church or house of worship, public library, hospital, public park, any property used for residential purposes, or other sexually oriented business.

E. Standards For Physical Design Of The Premises.

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1. The premises of all sexually oriented businesses will be so constructed as to include a foyer, partition or other physical barrier on all customer entrances that will ensure the interior of the premises is not observable from the exterior of the building. In addition, all windows will be covered to prevent viewing of the interior of the building from the outside and all doorways not constructed with an anteroom or foyer will be covered so as to prevent observation of the interior of the premises from the exterior of the building.

2. There must be continuous physical, video or window surveillance of the premises.

3. Lighting required. The premises of all sexually oriented business shall be equipped with overhead lighting of sufficient intensity to illuminate every place to which customers are permitted access at an illumination of not less than one (1) foot-candle as measured at the floor level and such illumination must be maintained at all times that any customer or patron is present in or upon the premises. All exterior lighting shall comply with Section 415.450 of the Municipal Code.

4. The business must provide restrooms for customer use.

F. Signage And Parking Requirements. Sign regulations are set forth in Section 415.420 Sign Regulation of the zoning ordinance and off-street parking and loading requirements and setbacks for parking areas, loading spaces and internal drives are set forth in Section 415.280 of the Municipal Code.

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CHAPTER 645: SEXUALLY ORIENTED BUSINESSES

SECTION 645.010: LICENSE REQUIRED

A. The terms used in this Chapter shall have the meaning set forth in Section 415.590 of the Municipal Code, except as otherwise defined in this Section:

INFLUENTIAL INTEREST: Includes any of the following:

(1) The actual power to operate a sexually oriented business or control the operation, management, or policies of a sexually oriented business or legal entity which operates a sexually oriented business;

(2) Ownership of a financial interest of thirty percent (30%) or more of a business or of any class of voting securities of a business; or

(3) Holding an office, such as president, vice president, secretary, treasurer, managing member, or managing director, in a legal entity which operates a sexually oriented business.

B. License Required And Posting Of Licenses.

1. It shall be unlawful for any person to operate or maintain a sexually oriented business within the City without a license or to operate such establishment after such license has been revoked, suspended or expired.

2. It shall be unlawful for any employee to knowingly perform any work, service or entertainment directly related to the operation of a sexually oriented business that does not have a sexually oriented business license or which had such license revoked or suspended.

3. Every sexually oriented business, manager, or entertainer, required to be licensed by this Chapter shall post such license in a conspicuous place on the licensed premises so it is readily available for inspection by City authorities responsible for enforcement of this Chapter.

C. License, Classification And Fees.

1. The license year for all fees required under this Chapter shall be from July first (1st) through June thirtieth (30th). The application for a license shall be accompanied by payment in full of the fee stated in this Section by certified check, cashier's check or money order; and no application shall be considered until such fee is paid.

2. The classification of licenses and fees for each shall be as follows:

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a. Sexually oriented business license fee, one thousand dollars (\$1,000.00) for initial application; five hundred dollars (\$500.00) for renewal;

b. Sexually oriented business manager's license fee, two hundred fifty dollars (\$250.00) for initial application; one hundred twenty-five dollars (\$125.00) for renewal;

c. Sexually oriented business entertainer's license fee, two hundred fifty dollars (\$250.00) for initial application, one hundred twenty-five dollars (\$125.00) for renewal.

SECTION 645.020: APPLICATION FOR LICENSE

A. Sexually oriented business license. An application for a sexually oriented business license shall be submitted on a form obtained from the City Clerk. A notarized application shall be submitted in the name of the person proposing to operate the sexually oriented business. All applications shall contain the following information:

1. The business name, address and telephone number of the establishment, a description of the sexually oriented business and the name or names of the owner(s) of the premises where the sexually oriented business will be located.

2. The name, address, home telephone number, occupation, social security number, date and place of birth and social security number of all persons with an influential interest in the sexually oriented business.

3. The addresses of all persons with an influential interest in the sexually oriented business for the five (5) years immediately prior to the date of the application.

4. A description of the sexually oriented business and similar business history of all persons with an influential interest in the sexually oriented business in in the City, or any other City, County or State, and whether any such person has had a business license revoked or suspended, the reason therefore and the activity or occupation subjected to such suspension or revocation.

5. A statement of each and every business, occupation or employment of all persons with an influential interest in the sexually oriented business for the three (3) years immediately preceding the date of the application.

6. A statement from all persons with an influential interest in the sexually oriented business that each such person has not been convicted of, released from confinement for conviction of, or diverted from prosecution on:

a. Any of the following specified offenses for which less than eight (8) years has elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is later:

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- (i) Rape and sexual assault offenses;
- (ii) Sexual offenses involving minors;
- (iii) Offenses involving prostitution;
- (iv) Obscenity offenses;
- (v) Offenses involving money laundering;
- (vi) Offenses involving tax evasion;
- (vii) Any attempt, solicitation, or conspiracy to commit one of the offenses listed in subdivisions (i) to (vi) of this Subsection; or
- (viii) Any offense committed in another jurisdiction which if committed in this state would have constituted an offense listed in Subdivisions (i) to (vi) of this Subsection.

b. The statement shall also indicate that the persons with an influential interest in the sexually oriented business have not been convicted of a municipal ordinance violation or diverted from prosecution on a municipal ordinance violation within two (2) years immediately preceding the application where such municipal ordinance violation involved sexual offenses, indecent exposure, prostitution or the sale of controlled substances or illegal drugs or narcotics.

7. A full set of fingerprints and a photograph, to be taken by the Police Department, of all persons with an influential interest in the sexually oriented business.

8. If applicable, proof that the applicant is in good standing with the Missouri Secretary of State.

9. A statement signed under oath that the applicant has personal knowledge of the information contained within the application and that the information contained therein is true and correct and that the applicant has read the provision of this Chapter.

Failure to provide the information and documentation required by this Subsection shall constitute an incomplete application which shall not be processed.

B. Sexually oriented business manager or entertainer's license. An application for a sexually oriented business manager or entertainer license for work at a sexually oriented business in the City shall be submitted on a form obtained from the City Clerk. A notarized application shall be submitted in the name of the person proposing to be a sexually oriented business manager or entertainer. All applications shall contain the following information:

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1. The home telephone number, occupation, date and place of birth and social security number of the applicant.

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2. The business name, address and telephone number of the business where the applicant intends to work and intent to hire statement from the sexually oriented business that is licensed or that has applied for a license under the provisions of this Chapter.

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3. A statement from the applicant that the applicant has not been convicted of, released from confinement of, or diverted from prosecution on:

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a. Any of the following specified offenses for which less than eight (8) years has elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is later:

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(i) Rape and sexual assault offenses;

(ii) Sexual offenses involving minors;

(iii) Offenses involving prostitution;

(iv) Obscenity offenses;

(v) Offenses involving money laundering;

(vi) Offenses involving tax evasion;

(vii) Any attempt, solicitation, or conspiracy to commit one of the offenses listed in subdivisions (i) to (vi) of this Subsection; or

(viii) Any offense committed in another jurisdiction which if committed in this state would have constituted an offense listed in Subdivisions (i) to (vii) of this Subsection.

4. Documentation that the applicant has attained the age of eighteen (18) years at the time the application is submitted.

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5. A full set of fingerprints and a photograph of the applicant to be taken by the Police Department.

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6. A statement signed under oath that the applicant has personal knowledge of the information contained within the application and that the information contained therein is true and correct and that the applicant has read the provisions of this Chapter.

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Failure to provide the information and documentation required by this Subsection shall constitute an incomplete application which shall not be processed.

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SECTION 645.030: APPLICATION PROCESSING.

Upon submission of a complete application for a sexually oriented business license or a sexually oriented business manager or entertainer license, the City Clerk will transmit one (1) copy of the application to the Police Chief and one (1) copy to the Director of Planning. The Police Department shall review the information contained therein, perform a background check and verify the qualification of the applicant. Additionally, the Director of Planning will determine whether the structure of the sexually oriented business complies with the requirements and meets the standards of the applicable health, zoning, building, fire and property maintenance ordinances of the City. The Police Department and the Director of Planning shall report results to the City Clerk no later than fifteen (15) working days from the date the completed application is received by the City Clerk.

SECTION 645.040: ISSUANCE OF DENIAL OF LICENSE

A. Examination Of Application—Issuance Of License.

1. If the application for a license of a sexually oriented business or for a manager or entertainer of a sexually oriented business is in proper form, accompanied by the appropriate license fee, the City Clerk shall examine the application. If after such examination the City Clerk determines that the applicant has met the requirements of the Police Department and the Director of Planning and has met all requirements set forth in this Chapter, the City Clerk will approve the license. The City Clerk must provide the applicant with a response within sixty (60) days of the submission of the completed application for the sexually oriented business, or a license for a manager or entertainer of a sexually oriented business. No incomplete application will be processed.

2. If an application for a license is not approved, the applicant shall be immediately notified by registered or certified mail to the applicant's last known address and the notification shall state the bases for such disapproval. Any applicant aggrieved by the disapproval of a license application may seek judicial review in a manner provided by law.

3. The license, if granted, shall state on its face the name of the person or persons to whom it is granted, the expiration date and the address of the sexually oriented business.

4. A single license will authorize the operation of only one (1) sexually oriented business; more than one (1) business use within a licensed sexually oriented business premises is prohibited.

5. No person is eligible nor shall licenses be issued to a sexually oriented business or manager, or entertainer if the applicant does not meet the requirements set forth in this Chapter or if one (1) of the following requirements is not met:

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a. The applicant failed to supply all of the information requested on the application;

b. The applicant gave false, fraudulent or untruthful information on the application;

c. The applicant's proposed sexually oriented business does not comply with or meet the ordinances of the City, provided, that upon a showing that the premises meet said requirements and that the applicant is otherwise qualified, the application shall be eligible for reconsideration by the City.

d. The applicant has been convicted, released from incarceration for conviction or diverted on any of the crimes set forth in this Chapter during the time period set forth in this Section.

e. The applicant or applicant's spouse has had any license relating to a sexually oriented business revoked or suspended in this or any other City during the past five (5) years.

B. Renewal Of A Sexually Oriented Business License Or A License For A Manager Or Entertainer Of A Sexually Oriented Business.

1. A sexually oriented business license or a license for a manager or entertainer of a sexually oriented business may be renewed by making application to the City Clerk on the application forms provided. Such licenses shall expire on June thirtieth (30th) of each year and renewal application for such licenses shall be submitted by June first (1st) of each year.

2. Upon payment of the license fee and review of the application by the City Clerk, the City Clerk shall renew the license for an additional license year if conditions under which the original license was issued have not changed. If the application for renewal of a license is not made during the time provided in Subdivision (1) of this Subsection, a new application shall be required.

3. A license will not be renewed if the applicant is overdue in the payment to the City of taxes, fees, fines or penalties assessed against the business or imposed upon the business in relation to the sexually oriented business.

SECTION 645.050: REVOCATION/SUSPENSION OF LICENSE

A. Transferability—Revocation And/Or Suspension Of License.

1. Licenses issued under this Chapter shall not be transferable, either to any person, persons or other entities.

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1. At least one (1) licensed sexually oriented business manager shall be on duty during all hours of operation of a sexually oriented business. The name and license number of the manager on duty shall be prominently posted on the premises at all times.

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2. It shall be the responsibility of the manager on duty to verify that any employee who provides adult entertainment within the premises possesses a current and valid entertainer's license issued by the City.

3. It shall be the responsibility of the manager to ensure all standards and obligations of the license are maintained.

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4. The licensed sexually oriented business must notify the City within seventy-two (72) hours of the termination or resignation of any licensed manager.

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B. Unlawful Activities.

1. No person shall knowingly or intentionally, in a sexually oriented business, appear in a state of nudity.

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2. No employee shall knowingly or intentionally, in a sexually oriented business, appear in a semi-nude condition unless the employee, while semi-nude, shall be and remain on a fixed stage at least six (6) feet from all patrons and at least eighteen (18) inches from the floor in a room of at least six hundred (600) square feet.

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3. No employee, who appears in a semi-nude condition in a sexually oriented business, shall knowingly or intentionally touch a patron or the clothing of a patron in a sexually oriented business.

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4. No employee shall perform any specified sexual activities, engage in sexual conduct, wear or use any device or covering exposed to view which simulates any specified anatomical area, or participate in any act of prostitution.

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5. No employee shall solicit, demand or receive any payment or gratuity from any patron or customer for any act prohibited by this Section.

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6. It is unlawful for an employee to be visible from the exterior of the sexually oriented business while such person is in a state of nudity or semi-nudity.

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7. It is unlawful to operate a sexually oriented business in a manner that permits the observation of employees in a state of nudity or semi-nudity from the exterior of the sexually oriented business by display, decoration, sign, show window or other opening.

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C. Regulation Of Mainstream Media Outlets.

1. In all mainstream media outlets, all sexually oriented materials shall be kept in a separate room or section of the outlet that:

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a. Is not open to any child;

b. Is physically and visually separated from the rest of the outlet by an opaque wall of durable material, reaching at least eight (8) feet high or to the ceiling, whichever is less;

c. Is located so that the entrance to it is as far as reasonably practical from media or other inventory in the store advertised for sale to children;

d. Has access controlled by electronic or other means to provide assurance that children will not gain admission;

e. Has continuous video or window surveillance by store personnel; and

f. Has signage at the entrance stipulating that children are not permitted inside the room or section.

2. Media outlets that contain less than ten percent (10%) of the stock-in-trade which involves sexually oriented materials are not regulated by this Subsection. However, no obscene material may be publicly displayed in such media outlets.

D. Operational Criteria.

1. No sexually oriented business may be open or in use between the hours of 12:00 midnight and 10:00 A.M. on any day.

2. No operator, manager or employee shall knowingly allow a person under of eighteen (18) years on the premises of a sexually oriented business.

3. A sexually oriented business, which exhibits sexually oriented materials on the premises through any mechanical or electronic image-producing device, shall comply with the following requirements;

a. The interior of the premises shall be configured in such a manner that there is an unobstructed view from an operator's station of every area of the premises, including the interior of each viewing room but excluding restrooms, to which any patron is permitted access for any purpose;

b. An operator's station shall not exceed thirty-two (32) square feet of floor area;

c. If the premises has two (2) or more operator's stations designated, the interior of the premises shall be configured in such a manner that there is an unobstructed view of each area of the premises to which any patron is permitted access for any purpose from at least one of the operator's stations;

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d. The view required under this subsection shall be by direct line of sight from the operator's station;

e. It is the duty of the operator to ensure that at least one (1) employee is on duty and situated in an operator's station at all times that any patron is on the portion of the premises monitored by such operator station; and

f. It shall be the duty of the operator and of any employees present on the premises to ensure that the view area specified in this subsection remains unobstructed by any doors, curtains, walls, merchandise, display racks, or other materials or enclosures at all times that any patron is present on the premises.

4.

Ventilation and sanitation requirements. The premises of all sexually oriented businesses shall be kept in a sanitary condition. Separate dressing rooms and restrooms for men and women shall at all times be maintained and kept in a sanitary condition.

5. No operator, manager or employee of a sexually oriented business shall:

a. Knowingly permit alcoholic beverages to be brought upon, sold, used or consumed on the premises;

b. Knowingly allow or permit the sale, distribution, delivery or consumption of any controlled substance or illegal drug or narcotic on the premises;

c. Knowingly allow or permit any act of prostitution or patronizing prostitution on the premises; or

d. Knowingly allow or permit a violation of this Section or any other City ordinance or provision of State law.

6. No person shall knowingly or intentionally sell, use, or consume alcoholic beverages on the premises of a sexually oriented business.

7. There must be continuous physical, video or window surveillance of the premises upon which a sexually oriented business is located.

8. The sexually oriented business must provide restrooms for customer use.

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E. Compliance With Code Requirements. Any sexually oriented business licensed under this Chapter shall comply with all other requirements of the codes of the City as now or in the future may be adopted.

F. Inspections. An applicant or licensee shall permit representatives of the Police Department, Fire Department or Planning Department to inspect the premises of a sexually oriented business for the purpose of ensuring compliance with the law at any time it is occupied or open for business. It shall be unlawful for any licensee to fail to allow such inspection officer access to the premises or hinder such officer in any manner.

SECTION 645.070: PENALTIES.

Any violation of any part of this Chapter is subject to the penalty provided in Section 100.140 of the Municipal Code. This Chapter does not impose strict liability. Unless a culpable mental state is otherwise specified herein, a showing of a knowing or reckless mental state is necessary to establish a violation of this Chapter. Notwithstanding any other provision of law to the contrary, for purposes of this Section, an act by an employee shall be imputed to the sexually oriented business for purposes of finding a violation of this Chapter only if an officer, director, or general partner, or a person who managed, supervised, or controlled the operation of the business premises knowingly or recklessly allowed such act to occur on the premises. It shall be a defense to liability that the person to whom liability is imputed was powerless to prevent the act.

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MEDIA

Magazines, books, videotapes, movies, slides, cd-roms or other devices used to record computer images or other media that are distinguished or

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specified anatomical areas.

ADULT MEDIA STORE

An establishment that rents and/or sells adult media and that meets any of the following three (3) tests:

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the gross public floor area is devoted to adult media;

Twenty-five percent (25%) or more of the stock-in-trade consists of adult media;

It advertises or holds itself out in any forum as "XXX", "adult", "sex" or otherwise as a sexually oriented business which sells adult media.

ADULT MOTION PICTURE THEATER

An establishment containing a room with seats facing a screen or projection areas, where the business is the exhibition to customers of films, videotapes, slides or motion pictures which are intended to provide sexual stimulation or sexual gratification to the customers and which are distinguished by or characterized by an emphasis on matter depicting, describing or relating

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EMPLOYEE

Any and all persons, including managers, entertainers and independent contractors, who work in or at or render any services directly related to the operation of a sexually oriented business.

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GROSS PUBLIC FLOOR AREA

The total area of the building accessible or visible to the public, including showrooms, motion picture theaters, motion picture arcades, service areas, behind-counter areas, storage areas visible from such other areas, restrooms (whether or not labeled "public"), areas used for cabaret or similar shows (including stage areas), plus aisles, hallways and entry ways serving such areas.

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MASSAGE

Any method of pressure on or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating of the external soft parts of the body with the hands or with the aid of any mechanical or electrical apparatus or applied with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments or other similar preparation commonly used in this practice.

MASSAGE ESTABLISHMENT

Any establishment having a fixed place of business where any person, firm, association or corporation engages in or carries on or permits to be engaged in or carried on any of the activities mentioned in the preceding paragraph defining "Massage".

MASSEUR OR MASSEUSE

Any person who, for any consideration whatsoever, engages in the practice of massage.

SEX SHOP

Any business which meets any one (1) of the following criteria:

1. More than ten percent (10%) of the stock-in-trade of the business consists of sexually oriented toys, novelties, leather goods marketed or presented in a context to suggest their use for sadomasochistic practices; or
2. More than ten percent (10%) of the gross public floor area of the business is devoted to the display of sexually oriented toys or novelties; leather goods marketed or presented in a context to suggest their use for sadomasochistic practices; or
3. It advertises or holds itself out in any forum as "XXX", "adult", "sex" or otherwise as a sex business other than an adult media outlet, adult motion picture theater or adult cabaret.

ACTIVITIES

Human genitals in a state of sexual stimulation

Any retail business whose major business is the offering of wearing apparel for sale to customers.

Any play, drama, ballet or motion picture in any theater, concert hall, museum of fine arts, school, institution of higher education or other similar establishment as a form of expression or opinion or communication of ideas or information, as differentiated from the promotion or exploitation of nudity for the purpose of advancing the economic welfare of the commercial or business enterprise.

Conditions Of Mainstream Media Outlets.

Mainstream media outlets shall have the same zoning and licensing requirements as any other media outlets, as long as the following conditions are implemented: Adult media shall

kept in a separate room or section of the shop, which room or section shall:

Not be open to any person under the age of eighteen (18);

Be physically and visually separated from the rest of the store by an opaque wall of durable material, reaching at least eight (8) feet high or to the ceiling, whichever is less;

Be located so that the entrance to it is as far as reasonably practical from media or other inventory in the store likely to be of particular interest to children;

Have access controlled by electronic or other means to provide assurance that persons under age eighteen (18) will not gain admission and that the general public will not accidentally enter such room or section. Continuous

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manager,

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or other employee

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the applicant, all partners, all corporate officers and directors, and all limited liability company managers and members including whether any such person or entity, in previously operating	
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the applicant, all partners, all corporate officers and directors, and all limited liability company managers and members including whether any such person or entity, in previously operating	
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the applicant, all partners, all corporate officers and directors, and all limited liability company managers and members including whether any such person or entity, in previously operating

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the applicant or of

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the applicant or of

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applicant or from each partner or from each corporate officer and director or from each limited liability company manager and member

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A felony criminal act within five (5) years immediately preceding the application; or

A misdemeanor criminal act within five (5) years immediately preceding the application, where such misdemeanor criminal act involved sexual offenses, prostitution, promotion of prostitution, sexual abuse of a child, pornography or related offenses as defined in the Missouri Criminal Code or the criminal code of the jurisdiction in which the offense was charged or involved controlled substances or illegal drugs or narcotic offenses as defined in the Missouri Controlled Substances Act or the jurisdiction in which the offense occurred or other Statutes or ordinances.

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a partnership or of all corporate officers and directors if the applicant is a corporation or, in the case of a limited liability company, the managing member.

If the applicant is a corporation, a current certificate of registration issued by

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A felony criminal act within five (5) years immediately preceding the application; or

A misdemeanor criminal act within five (5) years immediately preceding the application, where such misdemeanor criminal act involved sexual offenses,

prostitution, promotion of prostitution, sexual abuse of a child, pornography or related offenses as defined in the Missouri Criminal Code or the criminal code of the jurisdiction in which the offense was charged or involved controlled substances or illegal drugs or narcotic offenses as defined in the Missouri Controlled Substances Act or the jurisdiction in which the offense occurred or other Statutes or ordinances. The statement shall also indicate that the applicant has not been convicted of a municipal ordinance violation within two (2) years immediately preceding the application where such municipal ordinance violation involved sexual offenses, indecent exposure, prostitution or sale of controlled substances or illegal drugs or narcotics.

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Failure to provide the information and documentation required by this Subsection shall constitute an incomplete application which shall not be processed.

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If the application for a license of a sexually oriented business or for a manager or entertainer of a sexually oriented business is in proper form, accompanied by the appropriate license fee, the City Clerk shall examine the application.

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If the application for a license of a sexually oriented business or for a manager or entertainer of a sexually oriented business is in proper form, accompanied by the appropriate license fee, the City Clerk shall examine the application.

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Any applicant aggrieved by the disapproval of a license application may seek judicial review in a manner provided by law.

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The license, if granted, shall state on its face the name of the person or persons to whom it is granted, the expiration date and the address of the sexually oriented business.

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Any applicant aggrieved by the disapproval of a license application may seek judicial review in a manner provided by law.

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The license, if granted, shall state on its face the name of the person or persons to whom it is granted, the expiration date and the address of the sexually oriented business.

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Upon payment of the license fee and review of the application by the City Clerk, the City Clerk shall renew the license for an additional license year if conditions under which the original license was issued have not changed.

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Upon payment of the license fee and review of the application by the City Clerk, the City Clerk shall renew the license for an additional license year if conditions under which the original license was issued have not changed.

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the expiration of such license shall not be affected and

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Licenses issued under this Chapter shall not be transferable, either to any person, persons or other entities.

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Licenses issued under this Chapter shall not be transferable, either to any person, persons or other entities.

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Said suspension shall be issued in writing mailed by certified mail, return receipt requested, to the licensee at the address of the establishment or at the home of the licensee or served by process server at the usual place of abode of the licensee or at the address of the establishment.

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Said suspension shall be issued in writing mailed by certified mail, return receipt requested, to the licensee at the address of the establishment or at the home of the licensee or served by process server at the usual place of abode of the licensee or at the address of the establishment.

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Said suspension shall be issued in writing mailed by certified mail, return receipt requested, to the licensee at the address of the establishment or at the home of the licensee or served by process server at the usual place of abode of the licensee or at the address of the establishment.

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If a suspension is issued for a correctable violation, said suspension shall be terminated upon verification by inspection that the correction has been made which shall be determined no later than forty-eight (48) hours after receipt of written notice of correction by the City Clerk.

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The sexually oriented business license or the sexually oriented business manager or entertainer license was obtained through false statements in the application for such license or renewal thereof; or

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The sexually oriented business license or sexually oriented business manager or entertainer licensee failed to make a complete disclosure of all information required in the application for such license or renewal thereof; or

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The sexually oriented business license or the sexually oriented business manager or entertainer license was obtained through false statements in the application for such license or renewal thereof; or

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The sexually oriented business license or sexually oriented business manager or entertainer licensee failed to make a complete disclosure of all information required in the application for such license or renewal thereof; or

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The owner/operator, any partner,

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The owner/operator,

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The City Council shall schedule a public hearing of such appeal within twenty-one (21) days of filing of the written notice of appeal.

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The City Council shall schedule a public hearing of such appeal within twenty-one (21) days of filing of the written notice of appeal.

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The City Council shall schedule a public hearing of such appeal within twenty-one (21) days of filing of the written notice of appeal.

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The City Council shall schedule a public hearing of such appeal within twenty-one (21) days of filing of the written notice of appeal.

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The City Council shall affirm the decision of the City Clerk if it finds that the conditions pertinent to issuance or maintenance of a license have not been met.

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An applicant aggrieved by any decision shall have the right to seek judicial review as is permitted by applicable State law.

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Manager Responsibility.

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M. *Location Of Sexually Oriented Business.*

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Sexually oriented businesses shall only be authorized to operate as conditional uses within the City's industrial zoning district designations, i.e., "M-

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Sexually oriented businesses shall only be authorized to operate as conditional uses within the City's industrial zoning district designations, i.e., "M-

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5. No employee or entertainer in a sexually oriented business shall perform any specified sexual activities as defined herein, wear or use any device or covering exposed to view which simulates any specified anatomical area, use artificial devices or inanimate objects to perform or depict any of the specified sexual activities as defined herein or participate in any act of prostitution.
6. No entertainer or employee in a sexually oriented business shall solicit, demand or receive any payment or gratuity from any patron or customer for any act prohibited by this Chapter and no entertainer or employee in a sexually oriented business shall receive any payment or gratuity from any customer for any entertainment regulated hereunder.
7. A sexually oriented business shall not be operated in any manner that permits an entertainer or employee to be visible from the exterior of the sexually oriented business while such person is in a state of semi-nudity.
8. A sexually oriented business shall not be operated in any manner that permits the observation of any material or persons depicting, describing or relating to specified sexual activities or specified anatomical areas as defined herein from any exterior source by display, decoration, sign, show window or other opening.

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1. At least one (1) licensed sexually oriented business manager shall be on duty during all hours of operation. The name and license number of the manager on duty shall be prominently posted during business hours.
2. It shall be the responsibility of the manager on duty to verify that any person who appears in a state of semi-nudity within the premises possesses a current and valid entertainer's license issued by the City.
3. It shall be the responsibility of the manager to post and enforce a "no loitering" policy.

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It shall be the responsibility of the manager to ensure all standards and obligations of the license are maintained.

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The licensed sexually oriented business must notify the City within seventy-two (72) hours of the termination or resignation of any licensed manager.

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1. No sexually oriented business may be open or in use between the hours of 12:00 midnight and 10:00 A.M.
2. Only persons eighteen (18) years of age or older shall be permitted on the premises of any sexually oriented business.
3. The premises of all sexually oriented businesses shall be physically arranged in such a manner that there is an unobstructed view of the entire premises, excluding restrooms, dressing rooms and storage space. Visibility of common areas shall not be blocked or obscured by doors, curtains, drapes or any other obstruction whatsoever.

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Standards For Physical Design Of The Premises.

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1. *General Standards.*
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The premises of all sexually oriented businesses will be so constructed as to include a foyer, partition or other physical barrier on all customer entrances that will ensure the interior of the premises is not observable from the exterior of the building.

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In addition, all windows will be covered to prevent viewing of the interior of the building from the outside and all doorways not constructed with an anteroom or foyer will be covered so as to prevent observation of the interior of the premises from the exterior of the building.

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ensure that the manager has visual control

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ensure that the manager has visual control

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The premises of all sexually oriented business shall be equipped with overhead lighting of sufficient intensity to illuminate every place to which customers are permitted access at an illumination of not less than one (1) foot-candle as measured at the floor level and such illumination must be maintained at all times that any customer or patron is present in or upon the premises.

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All exterior lighting shall comply with Section 415.450 Outdoor Lighting Requirements of the City of Wildwood zoning ordinance.

- d. Design must ensure access control in order to prevent any attempted or accidental entry by

All exterior lighting shall comply with Section 415.450 Outdoor Lighting Requirements of the City of Wildwood zoning ordinance.

- d. Design must ensure access control in order to prevent any attempted or accidental entry by

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- 2. *Design standards for businesses with live or film entertainment.*
 - a. Stage must be elevated eighteen (18) inches above floor level and the stage must have a railing in place on the floor that keeps customers at least thirty-six (36) inches away from the stage.
 - b. Performers must remain on stage during the performance.
 - c. Live entertainment must occur in a space of at least six hundred (600) square feet.

R.

- U. *Severability.* If any Section, Subsection or clause of this Chapter shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining Sections, Subsections and clauses shall not be affected thereby.
- V. *Penalties.* Any violation of any part of this Chapter shall be deemed a misdemeanor and shall be subject to all penalties as provided in the City of Wildwood.

Section 600.070 Miscellaneous Offenses.

[Ord. No. 52 §7, 9-1-1995]

A. Unlawful For Licensed Retailer To Purchase From Other Than Licensed Wholesaler. It shall be unlawful for any licensee to purchase any intoxicating liquor except from, by or through a duly licensed wholesale liquor dealer in this State. It shall be unlawful for such retail liquor dealer to sell or offer for sale any intoxicating liquor purchased in violation of the provisions of this Section.

B. Mixing Liquor With Drugs Prohibited. No licensee, or any other person, shall for any purpose whatsoever mix or permit or cause to be mixed with any intoxicating liquor kept for sale, sold or supplied by him/her as a beverage, any drug or form of methyl alcohol or impure form of alcohol.

C. Window Display Of Liquor Unlawful. It shall be unlawful to display in any street window or show window any intoxicating liquor, or any package, bottle or container bearing the label or brand of any intoxicating liquor.

D. Unlawful To Sell Unlabeled Liquor—Penalty. It shall be unlawful for any person to sell any intoxicating liquor which has not been inspected and labeled according to the laws of the State of Missouri, and any such person upon conviction shall have his/her license revoked and shall be ineligible to receive any subsequent liquor license for a period of two (2) years thereafter.

E. Place Of Sales To Be Within View Of Street, Etc. It shall be unlawful for any licensee to sell intoxicating liquors in a place, building or room where there are blinds, screens, swinging doors, curtains or any other thing in such building or room that will obstruct or obscure the interior of such room from public view from the street, or in any room not located on the ground floor or level immediately abutting on a public street.

F. Only Those Liquors Authorized By License To Be Kept On Premises. It shall be unlawful for any licensee to keep in or upon the premises described in such license any intoxicating liquor other than the kind of liquor expressly authorized to be sold by such licensee.

G. Off-Premises Consumption.

1. No licensee shall sell intoxicating liquor at retail in the original package, not to be consumed on the premises where sold, in any original package containing less than eight (8) ounces.

2. No licensee shall permit any person to remove from the licensed premises any intoxicating liquor or non-intoxicating beer in any unsealed glass, bottle, can or other open container of any type.

3. All licensees shall post a notice at each exit of the premises which is used by customers or patrons that "NO ALCOHOLIC BEVERAGES MAY BE CARRIED IN AN OPEN CONTAINER OUT OF THIS BUILDING".

H. Persons Apparently Intoxicated Not To Be Provided With Intoxicating Liquor Or Non-Intoxicating Beer. It shall be unlawful for any licensee, or his/her employee or agent, to sell or supply intoxicating liquor or non-intoxicating beer, or permit such to be sold or supplied, to a habitual drunkard or to any person who is under or apparently under the influence of intoxicating liquor.

I. Drinking In Public Places Prohibited.

1. For purposes of this Section, the term "public place" shall mean any public street, highway, alley, sidewalk, thoroughfare or other public way of the City, or any parking lot.
2. No person shall drink or ingest any intoxicating liquor or non-intoxicating beer in or on any public place.
3. No person shall possess or have under his/her control any unsealed glass, bottle, can or other open container of any type containing any intoxicating liquor or non-intoxicating beer while in or upon any public place.
4. No person shall possess or have under his/her control any unsealed glass, bottle, can or other open container of any type containing any intoxicating liquor or non-intoxicating beer while within or on any motor vehicle while the same is being operated upon or parked or standing in or upon any public place.

J. No retail licensee or his/her employee shall permit in or upon his/her licensed premises:

1. The performance of acts, or simulated acts of sexual conduct as defined in Section 415.590;
2. The displaying of any portion of the areola of the female breast even if covered by body paint, body dyes, tattoos, liquid latex, whether wet or dried, and other similar substances;
3. The actual or simulated touching, caressing or fondling of the breast, buttocks, anus or genitals;
4. The actual or simulated displaying of nudity, as defined in Section 415.590;
5. Any nude person as defined in Section 415.590, to remain in or upon the licensed premises who is to public view; or
6. The displaying of films, video programs or pictures depicting acts, the live performances of which are prohibited by State law or City ordinance.

Section 600.070 Miscellaneous Offenses.

[Ord. No. 52 §7, 9-1-1995]

A. Unlawful For Licensed Retailer To Purchase From Other Than Licensed Wholesaler. It shall be unlawful for any licensee to purchase any intoxicating liquor except from, by or through a duly licensed wholesale liquor dealer in this State. It shall be unlawful for such retail liquor dealer to sell or offer for sale any intoxicating liquor purchased in violation of the provisions of this Section.

B. Mixing Liquor With Drugs Prohibited. No licensee, or any other person, shall for any purpose whatsoever mix or permit or cause to be mixed with any intoxicating liquor kept for sale, sold or supplied by him/her as a beverage, any drug or form of methyl alcohol or impure form of alcohol.

C. Window Display Of Liquor Unlawful. It shall be unlawful to display in any street window or show window any intoxicating liquor, or any package, bottle or container bearing the label or brand of any intoxicating liquor.

D. Unlawful To Sell Unlabeled Liquor—Penalty. It shall be unlawful for any person to sell any intoxicating liquor which has not been inspected and labeled according to the laws of the State of Missouri, and any such person upon conviction shall have his/her license revoked and shall be ineligible to receive any subsequent liquor license for a period of two (2) years thereafter.

E. Place Of Sales To Be Within View Of Street, Etc. It shall be unlawful for any licensee to sell intoxicating liquors in a place, building or room where there are blinds, screens, swinging doors, curtains or any other thing in such building or room that will obstruct or obscure the interior of such room from public view from the street, or in any room not located on the ground floor or level immediately abutting on a public street.

F. Only Those Liquors Authorized By License To Be Kept On Premises. It shall be unlawful for any licensee to keep in or upon the premises described in such license any intoxicating liquor other than the kind of liquor expressly authorized to be sold by such licensee.

G. Off-Premises Consumption.

1. No licensee shall sell intoxicating liquor at retail in the original package, not to be consumed on the premises where sold, in any original package containing less than eight (8) ounces.

2. No licensee shall permit any person to remove from the licensed premises any intoxicating liquor or non-intoxicating beer in any unsealed glass, bottle, can or other open container of any type.

3. All licensees shall post a notice at each exit of the premises which is used by customers or patrons that "NO ALCOHOLIC BEVERAGES MAY BE CARRIED IN AN OPEN CONTAINER OUT OF THIS BUILDING".

H. Persons Apparently Intoxicated Not To Be Provided With Intoxicating Liquor Or Non-Intoxicating Beer. It shall be unlawful for any licensee, or his/her employee or agent, to sell or supply intoxicating liquor or non-intoxicating beer, or permit such to be sold or supplied, to a habitual drunkard or to any person who is under or apparently under the influence of intoxicating liquor.

I. Drinking In Public Places Prohibited.

1. For purposes of this Section, the term "public place" shall mean any public street, highway, alley, sidewalk, thoroughfare or other public way of the City, or any parking lot.

2. No person shall drink or ingest any intoxicating liquor or non-intoxicating beer in or on any public place.

3. No person shall possess or have under his/her control any unsealed glass, bottle, can or other open container of any type containing any intoxicating liquor or non-intoxicating beer while in or upon any public place.

4. No person shall possess or have under his/her control any unsealed glass, bottle, can or other open container of any type containing any intoxicating liquor or non-intoxicating beer while within or on any motor vehicle while the same is being operated upon or parked or standing in or upon any public place.

J. No retail licensee or his/her employee shall permit in or upon his/her licensed premises:

1. The performance of acts, or simulated acts of sexual conduct as defined in Section 415.590;

2. The displaying of any portion of the areola of the female breast even if covered by body paint, body dyes, tattoos, liquid latex, whether wet or dried, and other similar substances;

3. The actual or simulated touching, caressing or fondling of the breast, buttocks, anus or genitals;

4. The actual or simulated displaying of nudity, as defined in Section 415.590;

5. Any nude person as defined in Section 415.590, to remain in or upon the licensed premises who is to public view; or

6. The displaying of films, video programs or pictures depicting acts, the live performances of which are prohibited by State law or City ordinance.

Public Notice posted in accordance with
610 RSMO 1994, as amended,
by Laura Rehtin
Deputy City Clerk

NOTICE OF PUBLIC HEARING
before the
CITY OF WILDWOOD
PLANNING AND ZONING COMMISSION
May 16, 2016 - 7:30 p.m. (Monday)

The Planning and Zoning Commission of the City of Wildwood will conduct a public hearing on **Monday, May 16, 2016, at 7:30 p.m., in the City Hall Council Chambers, 16860 Main Street, Wildwood, Missouri 63040** for the purposes of obtaining testimony regarding request(s) for either the modification of zoning district designations, application of special procedures, change in the underlying regulations of the Zoning Ordinance, action on Record Plats, update on zoning matters, or amendment of the Master Plan, which will then be considered for action. This hearing is open to all interested parties to comment upon the request, whether in favor or opposition, or provide additional input for consideration. If you do not have comments regarding this request, no action is required on your part. Written comments are requested to be submitted prior to the hearing and addressed to the Planning and Zoning Commission, City of Wildwood, 16860 Main Street, Wildwood, Missouri 63040 or via the City's website at www.cityofwildwood.com/comment. The following request will be considered at this time:

P.Z. 7-16 City of Wildwood Planning and Zoning Commission, c/o Department of Planning, 16860 Main Street, Wildwood, Missouri 63040 – A request to evaluate possible amendments to Chapter 415.590. "Sexually-Explicit Business Regulations," of the City of Wildwood Municipal Code, which would thereby consider the addition of new language to expand the types of businesses that would be regulated as sexually-oriented businesses and expand regulations in regard to particular activities conducted within sexually-oriented businesses.

By Order of the Planning and Zoning Commission
On April 28, 2016
by Laura Rehtin
Deputy City Clerk

The City of Wildwood is working to comply with the American with Disabilities Act mandates. Individuals who require accommodation to attend a meeting should contact City Hall, (636) 458-0440, at least 48 hours in advance.

Travis Newberry

From: noreply@cityofwildwood.com
Sent: Saturday, May 14, 2016 5:13 PM
To: Lynne Greene-Beldner; Ryan Thomas; Elizabeth Weiss; Kathy Arnett; Travis Newberry; Steve Vogel; Travis Newberry
Subject: Online Form Submittal: Public Hearing Comment Form

Public Hearing Comment Form

By utilizing this form, your comments will be considered by the Department of Planning in its development of a recommendation of this request. Additionally, the Planning and Zoning Commission, the City Council, and/or the applicable board or committee will also receive copies of your comments, as they consider the merits of these land use proposals being reviewed by the city. You must submit a separate form for each public hearing for which you have comments.

Request Being Considered	P.Z. 7-16 City of Wildwood Planning and Zoning Commission, c/o Department of Planning (Sexually Explicit Businesses)
Item Description	<i>Field not completed.</i>
Position on Request	Support
General Comments	I support the amendment to protect Wildwood from the problems University City has to stop sexually oriented businesses. Thank you for planning to prevent any possibilities of this happening here.
Suggestions	<i>Field not completed.</i>
(Section Break)	
Name	Judy Sahn
Address	18423 Wild Horse Creek Road
City	Wildwood
State	MO
Zip	63005
Phone Number	636-532-1888
Email	jsahm63005@yahoo.com

Email not displaying correctly? [View it in your browser.](#)



WILDWOOD

June 20, 2016

The Honorable City Council
City of Wildwood, Missouri
16860 Main Street
Wildwood, Missouri 63040

The Planning and Zoning Commission has completed its review of the requested application of a Planned Residential Development Overlay District (PRD) on an undeveloped seventy-eight (78) acre property located in the City's Non-Urban Residential Area, and prepared the following recommendation report in this regard. This recommendation report reflects the Planning and Zoning Commission's vote to recommend the associated special procedure permit not be supported, which is now being forwarded for consideration by the City Council. This recommendation and action were completed in accordance with the requirements of Chapter 89 of Missouri Revised Statutes, the City's Charter, and those regulations of the City relating to public notice and publications (Chapter 415.560 of the City of Wildwood Zoning Ordinance). This recommendation and action are as follows:

Petition No.: P.Z. 19-15
Petitioner: 1971 Pond Road, Payne Family Homes L.L.C., 10407 Baur Boulevard, Suite B, St. Louis, Missouri, 63132
Request: A request for the application of a Planned Residential Development Overlay District (PRD) within the NU Non-Urban Residence District. **Proposed Use: A total of twenty-six (26) individual lots, with common ground, and required public space areas. Lots would range in size from one (1) acre to four and one-half (4.5) acres.**
Location: Northwest corner of the intersection of Pond Road and State Route 100
Tract Size: 78.0 acres
Locator No.: 22Y240055 (Locator Number: 23W520053/Street Address: 1971 Pond Road)
Public Hearing Date: December 21, 2015
Date and Vote on Information Report: June 6, 2016 – Denial of the Planned Residential Development Overlay District (PRD) application of the by a vote of 10 to 0 (Voting Aye: Renner, Lee, Archeski, Gagnani, Bauer, Liddy, Kohn, Manton, Bowlin, and Bopp)
Date and Vote on Letter of Recommendation: June 20, 2016 - TBD
Report: Attachment A
Preliminary Development Plan: Attachment B

Background

Information: Attachment C

School District: Rockwood

Fire District: Metro West

Ward: One

Recommendation: The Planning and Zoning Commission is not supporting the requested application of a Planned Residential Development Overlay District (PRD) upon this existing NU Non-Urban Residence District zoned site, which would have authorized up to twenty-five (25) single family dwellings on individual lots, with common ground and public space, as was recommended by the Department of Planning.

Copies of the City of Wildwood Master Plan, Parks and Recreation Plan, Action Plan for Parks and Recreation 2007, Zoning Ordinance, and Charter are all on file with the City Clerk's Office.

Respectfully submitted,

CITY OF WILDWOOD PLANNING AND ZONING COMMISSION

R. Jon Bopp, Chair

ATTEST:

Joe Vujnich, Director
Department of Planning

Cc: The Honorable James R. Bowlin, Mayor
Ryan S. Thomas, P.E. City Administrator
John A. Young, City Attorney
Rick Brown, P.E. and P.T.O.E., Director of Public Works
Kathy Arnett, Senior Planner

ATTACHMENT A - REPORT

Area Synopsis (includes land use and zoning information)

The site of petitioner's request is a seventy-eight (78) acre tract of land located at the northwest corner of the intersection of State Route 100 and Pond Road (in Ward One). The property is a single lot of record, one (1) of the largest tracts of land remaining in the City of Wildwood. The parcel of ground is L-shaped, being defined by adjoining property lines and the rights-of-way of State Route 100 and Pond Road. The subject site's frontage along State Route 100 exceeds two thousand five hundred (2,500) feet, while the amount along Pond Road is over two thousand six hundred (2,600) feet.

Pond Road is a City-maintained roadway, which is rural in nature. This roadway is considered rural due to its width and the lack of stormwater improvements, shoulders, and sidewalks. A number of bridges exist within the Pond Road right-of-way, many new, being installed by the City of Wildwood to replace single lane types. The width of this roadway is approximately twenty-two (22) feet in size and has a limited system of earthen swales for stormwater drainage. Traffic volumes are generally medium and seasonal in this regard, since this roadway serves the Pond Athletic Association, along with a low-density residential land use pattern. Pond Road, from its southern terminus at Old Manchester Road, to its northern terminus at State Route BA, has a north-south and east-west orientation.

State Route 100 is an inter-county arterial roadway maintained by the State of Missouri. The roadway has an east-west orientation through the City of Wildwood and was one (1) of the first streets commissioned by the State Legislature in 1830 to provide access between St. Louis and Jefferson City, the capital. This arterial roadway is a limited access highway and four (4) lanes in width, with a large, grass median. Also associated with the roadway are stabilized shoulders on both sides of the driving surfaces. The right-of-way is also used for stormwater facilities, which includes concrete swales and other improvements. The traffic levels on this roadway are high and it serves a rural land use pattern, but also Town Center Area as well.

The site is one (1) of the last parcels of ground of this size that has had limited use over the last twenty (20) years. Parts of the site were used for agricultural purposes, which ended about a decade ago. The area of former crop production is now full of second growth trees. The site has a major drainageway, which trends through it, from State Route 100 on the south end of the property to its northern boundary. A number of small tributaries intersect this larger feature, giving the site a varied topography. This site also exhibits large expanses of grass areas that are overgrown, but not heavily wooded. Linking all of these natural areas are cleared paths for access. Slopes range between two (2) percent to greater than thirty (30) percent, with an overall relief of the tract of land being almost two hundred fifty (250) feet. Soils are typical of this area of the City and very rocky at some locations. This site has a natural beauty associated with its vegetative cover, topography, and views, making it a natural landmark in this area of Wildwood.

The site also has several structures located upon it and these reflect past activities associated with it. These structures include a dilapidated storage building, a large barn, and a family cemetery. These structures and cemetery are located in the western side of the property, almost at its property line. The

barn is significant in height and size, but in disrepair. The cemetery area is also overgrown. A review of St. Louis County records does not indicate the barn construction date, but it would appear to be in the early 1900's.

The site is zoned NU Non-Urban Residence District and has been since 1995. Prior to 1995, the site was zoned NU Non-Urban District by St. Louis County. This designation was applied in 1965 and this date is important due to the St. Louis County Council's adoption of a comprehensive Zoning Ordinance and Map for all properties located in the unincorporated areas. The NU District designation was chosen to act as a holding category for future development, since no clear land use pattern had been established in these urban fringe areas at that time. Subsequently, as development proceeded, the land use pattern would be set. The City of Wildwood changed this holding pattern designation with the incorporation of this community and gave it true standing as a residential district. Surrounding properties have generally retained this 1965 zoning district designation. This pattern can be witnessed by a review of zoning and land use in the vicinity of the site.

To the North: Bounding the northern portion of the site is the Gigatt and Trebor Estates Subdivisions, which are zoned NU Non-Urban Residence District. These subdivisions consist of minimum three (3) acre sized lots, with single family dwellings constructed upon them. This residential pattern extends to the north, until a grouping of properties, which are used by the Pond Athletic Association for recreational purposes under an Amended Conditional Use Permit (CUP) that was first granted by St. Louis County in 1964 and amended by the City of Wildwood in 2006. This property is zoned a combination of the NU Non-Urban Residence District and the FPNU Floodplain Non-Urban Residence District, with the aforementioned Amended Conditional Use Permit (CUP).

To the East: Abutting to the east is Pond Road. Crossing Pond Road is a series of large lots zoned NU Non-Urban Residence District, which are utilized for single family dwellings.

To the West: Adjoining to the west are several large parcels of ground that exceed twenty-five (25) acres in size and are zoned NU Non-Urban Residence District. These lots are either used for single family residential purposes or vacant at this time. Access to these lots is via Lynda Jayne Lane, Wakefield Farms Road, and Hohmann Court. This large lot pattern extends to the west, reaching Mueller Road, where the West County Community Church is located, which is zoned NU Non-Urban Residence District, with a Planned Residential Development Overlay District (PRD).

To the South: Crossing State Route 100 is a parcel of ground owned by the Living Word Church. The property has a large sanctuary building located upon it, along with an individualized treatment plant for wastewater and several large parking lot areas. Abutting the church property is the Wildwood Middle School site, which is also zoned NU Non-Urban Residence District. Given the sizes of these lots, they extend from State Route 100 all the way south to Manchester Road.

Petitioner's Request

The petitioner, Payne Family Homes, is requesting the authorization of a Planned Residential Development Overlay District (PRD) in the NU Non-Urban Residence District for the development of twenty-six (26) single family residences on individual lots. The lots would range in size from approximately one (1) acre to over three (3) acres in area. The development does include an area of land dedicated as common ground that is over thirty-five (35) acres in size, while under petitioner's proposal, over forty (40) acres of the site will be protected due to the analysis required by the Natural Resource Protection Standards of the City's Subdivision and Development Regulations. The site is not served by the Metropolitan St. Louis Sewer District (MSD) for either sanitary or storm sewers, but all other utilities are in proximity to the site or the general area.

At a public hearing, petitioner's representative noted the dwellings would be a mix of one (1), one and one-half (1½), and two (2) story type units and would be consistent, if not greater, than the size of dwellings in the immediate area. Price information and sizes was not provided at that time, but will be very similar to the residences just completed in the Vintage Grove Subdivision located in the City of Wildwood (Old State Road, at its intersection with Ridge Road).

Other design elements of this proposal, as reflected either in the petitioner's presentation or indicated on the Preliminary Development Plan, are as follows:

1. This residential subdivision will dedicate a forty (40) foot private roadway easement for access purposes, and be constructed according to the City of Wildwood's 'Rural Roadway Standards,' to serve the proposed lots. No sidewalks are proposed. No stub streets are planned to the properties located immediately to the north or west.
2. The development will be served from Pond Road. Access is provided by a single curb cut onto Pond Road, which is located to the south of the current entry/exit into the site. A left-turn lane is planned from Pond Road into the subject site, along with an allocation of twenty (20) feet of the property's Pond Road frontage to the City of Wildwood for public roadway dedication purposes.
3. The design of the site incorporates the dedication of a variable width trail easement along the property's State Route 100 frontage for public use. The dedication of the easement does not indicate the construction of the multiple-use trail within it.
4. The clustering of lots is intended to address the soil and slope characteristics of the site.
5. The development's design concept indicates the use of thirty (30) foot frontyard setback areas, fifteen (15) foot for all sideyard areas, and thirty (30) foot for all rearyard areas on the individual lots. Along with these requirements, the petitioner's plan indicates the required twenty-five (25) foot foundation setback from the proposed 'Final Resource Protection Line.'
6. This development utilizes lot widths and depths that vary, but comply with City standards in this regard. The proposed minimum lot width is one hundred seventeen (117) feet at the front building line, which is just a single instance, while some of the frontages exceed five hundred (500) feet.
7. The development will preserve over forty-two (42) acres of the forty-eight (48) acres of existing tree cover on the subject site.
8. The development's design concept includes the provision of a minimum of two (2) parking spaces for each single family dwelling.

9. A centralized sewage treatment plant will serve the proposed lots, with a capacity of twelve thousand (12,000) gallons per day. The plant type will be a closed system, with filters, while the solids from each dwelling will be treated on the individual lots within holding tanks. The facility is shown on the plan being served by a ten (10) foot wide roadway, from an access point from the proposed internal roadway.
10. The proposed design of this subdivision indicates compliance to the City's Lighting Code and no standard is to exceed sixteen (16) feet in height.
11. The site will be served by underground utilities, according to the City's Subdivision and Development Regulations.
12. The design of the site includes the removal of all existing structures, while the cemetery will be preserved in a common ground area that is proposed for dedication. Access to the cemetery will be from the proposed private street that is to be constructed as part of this development.
13. The need for a secondary emergency access to these proposed lots is indicated on the plan by a twenty (20) foot wide asphalt strip that extends from the westernmost cul-de-sac to existing Lynda Jayne Lane.

Major concerns and considerations identified by comments that were provided at the Planning and Zoning Commission's public hearing included the following:

1. The location of the development's access point at a double curve, with limited sight distance.
2. The use of the Planned Residential Development Overlay District (PRD) procedure and the need for only three (3) acre or greater lots being developed upon this site.
3. The use of Lynda Jayne Lane and the ownership of it.
4. The impact of stormwater runoff onto surrounding properties caused by the development of the subject site.
5. The lack of pedestrian improvements on Pond Road, per the submitted plan.
6. The location of the wastewater treatment plant and its access to Pond Road.

Analysis

Incumbent to the Planning and Zoning Commission's consideration of this request is the definition of its respective characteristics. These characteristics are analyzed to determine the appropriateness of the request relative to several key predictors. These predictors are as follows: (1) the compliance of the request to the City's Master Plan; (2) the compatibility of the use with the surrounding development pattern; and (3) the adherence of the request to the Planned Residential Development (P.R.D.) Overlay District standards. Each of these predictors must be favorable before the Commission can consider a recommendation, which supports the request.

< Master Plan >

The Commission would first note the importance of the City's Master Plan in guiding its decisions on development requests. The City's Master Plan was intended to provide fundamental principles to be followed by future development decisions with a substantial amount of the detail provided for implementing such principles to ensure the tenets of this document were not circumvented. Accordingly,

the City has been able to apply its plan with greater certainty and consistency than was the case with development decisions utilizing St. Louis County plans.

Formulation of Plan

Within the framework of the Master Plan, the community set forth to create specific land use classifications for the entire City. These classifications were to reflect the input from the community, the environmental assessment completed by a consultant to the City, and the existing level of development and zoning patterns within Wildwood. To this end, the City created and retains four (4) general land use classifications for the entire sixty-eight (68) square miles comprising this community. These classifications included the **Industrial Category, the Town Center Category, the Sub-Urban Category, and the Non-Urban Category**. Each of these categories includes a list of requirements for the future development of properties. The categories are clearly designated on a map of the City, as dictated by the planning principles noted above and in the Master Plan. It is important to note, that in 2002, the City Council approved the creation of the **5th Land Use Category** for historic assets. This category is intended to provide the needed incentives to encourage property owners of historic assets to consider their protection, preservation, and adaptive reuse. With this category, the density of residential uses, or the type of activities, can be modified relative to the other land use categories in the Master Plan, to provide the needed incentives or capital to accomplish the City's goal of historic preservation.

Master Plan Update 2016

Over the course of 2015, the City and a group of citizen volunteers worked on updating the Master Plan, as this document approached its ten (10) year anniversary. The Master Plan must be updated every ten (10) years to address the City's Charter requirement relative to the Comprehensive Zoning Plan, which is the Master Plan's Conceptual Land Use Categories Map. This update process was intended to study, review, and, if appropriate, modify, the content of the document to address changing conditions, new technologies, and the desires of the community. This process came to a successful conclusion on April 4, 2016, when the City's Planning and Zoning Commission approved the Master Plan Update 2016 by a unanimous vote (10 to 0). The City Council then ratified this action of the Planning and Zoning Commission in May 2016.

The **Master Plan Update 2016** edition reflected a refinement of the original and updated documents and retained a number of its major, and one-of-a-kind, requirements and characteristics. In surveying the public, the overwhelming majority wanted this document to continue forward in preserving the unique character of this area, preserving the environment, and retaining the Non-Urban Residential Area Category as the principal land use classification in the City of Wildwood (See Master Plan/Planning Element – Objective #1). Additionally, the Master Plan continued to promote environmental protection as the overarching goal of the City in all aspects, including the implementation of planning practices, provision of services, development of transportation and utility infrastructure, and the protection of open spaces and existing major park holdings.

In summarizing the 2015-2016 update process, the members of the Committee noted the following benefits that were derived from this year-plus process that reviewed all aspects of the Master Plan, since

its last update in 2016:

1. Memorializes the history and successes of the last twenty (20) years as a community and recognizes the support of residents and property owners in this effort.
2. Reinforces the concept of the Town Center Area and the planning process associated with it.
3. Places greater responsibilities on developers of properties to protect groundwater resources for potable water purposes.
4. Requires the City to improve communication efforts with residents, property owners, and businesses about its regulations and laws, while improving current enforcement procedures associated with them.
5. Recognizes the need to provide a mix of housing types in the City for all age groups and income levels.
6. Encourages the more harmonic development of property with the surrounding natural and built environments.
7. Summarizes major challenges facing the City in the upcoming ten (10) year period.
8. Imports priority to providing Internet service to the whole community at a serviceable standard.
9. Supports the continued use of private contractors to provide public services.
10. Reinforces the current policies of the City in terms of addressing unsafe streets, roadways, and bridges by repair and replacement.
11. Demands more effort and resources be provided to improve open space and recreational opportunities in the City.
12. Reflects the desire of Wildwood residents to promote the area as a great place to have, expand, or open a business.
13. Maintains land use categories for the overwhelming majority of the City, thereby meeting the expectations of the community participating in this process.

Along with all these benefits, maintaining a strong Master Plan will further improve the quality of life in the City, while promoting property values as well. Accompanying these items are a better environment, managed and planned growth, safer streets, roadways, and bridges, and greater public space in the future. This update, as led by the Master Plan Advisory Committee, positioned the City well for the upcoming ten (10) year period of time.

Previous Applications

The City has been applying the City's Master Plan for over twenty (20) years, since its adoption in February 1996. In this twenty (20) year period, the Commission has always advised potential developers of properties within this community of the requirements of the Master Plan in terms of its land use classifications. In these pre-development conferences, the requirements of the Master Plan are explained in terms of the allowable uses and related densities. Ultimately, developers submitting proposals not complying are encouraged to modify them, since inconsistencies with the plan would not justify the Commission's support in many cases and would not comply with the ordinances of the City, which have further implemented the Master Plan.

With the application of the Master Plan, the City has been able to obtain development concepts that comply with it. In these instances, development densities and designs were in compliance with the Master Plan, or comparable enough to be addressed, as part of the overall zoning process through discussion. The City has yet to approve a rezoning which is not compliant to the Master Plan in terms of the Land Use Classifications of the Master Plan. Residential development has occurred throughout the City, with many in the Non-Urban Residential Areas of it. Major examples of all of these three (3) acre projects that utilized the Planned Residential Development Overlay District (PRD) process, in conjunction with its NU Non-Urban Residence District zoning, include the following:

Subdivision Name (PRD ¹ is referenced)	Master Plan Designation	Characteristics
Meridien (PRD)	Non-Urban Area	Thirty (30) lots on ninety-nine (99) acres
Bartizan Point Estates (PRD)	Non-Urban Area	Twelve (12) lots on forty (40) acres
Shepard Oaks Estates (PRD)	Non-Urban Area	Thirteen (13) lots on forty-two (42) acres
Radcliffe Place (PRD)	Non-Urban Area	Sixteen (16) lots on forty-nine (49) acres
Wills Trace (PRD)	Non-Urban Area	Twenty-one (21) lots on sixty-six (66) acres
Woodland Hills (PRD)	Non-Urban Area	Five (5) lots on sixteen (16) acres
Estates at Quail Ridge (PRD)	Non-Urban Area	Thirteen (13) lots on thirty-nine (39) acres
Homestead (PRD)	Non-Urban Area	Sixty (60) lots on two hundred (200) acres
Breton Woods (PRD)	Non-Urban Area	Twelve (12) lots on forty (40) acres
Arbor Trace (PRD)	Non-Urban Area	Seven (7) lots on twenty-five (25) acres
Saddlebrook (PRD)	Non-Urban Area	Eight (8) lots on twenty-seven (27) acres

< Compliance of the Request to the Master Plan – P.R.D. in the NU District >

With this submittal of the request for the development of this site, it is apparent to the Planning and Zoning Commission that petitioner’s proposal may comply with certain areas of the Master Plan and could be supported in some form, but not its current. The Commission cannot support the approval of the Planned Residential Development Overlay District (PRD) for the subject site to allow up to twenty-five (25) lots (as was recommended by the Department of Planning). The reduction in the proposed lots may need to be greater, given the site’s characteristics and better reflect a desire to have a lot width standard (at the

¹ PRD – Planned Residential Development Overlay District

front building line) that is no less than two hundred (200) feet in length. This two hundred (200) foot standard is required on any three (3) acre lot created in the City of Wildwood and would provide the same appearance for these proposed lots, as if all of them that would be developed in this planned subdivision have a greater size.

A comparison of the requirements of the Master Plan to the components of the petitioner’s proposal clearly indicates a number of consistencies with it, but not necessarily meeting the intended purpose of this designation, i.e. maintain rural land use pattern. This comparison is provided below.

Master Plan Component – Non-Urban Residential Area	Petitioner’s Proposal	Compliance/Non-Compliance Issues
Low density residential development – one (1) dwelling per every three (3) acres. No range in districts provided, only NU Non-Urban Residence District with the use of a Planned Residential Development Overlay District (PRD) on a majority of the site.	NU Non-Urban Residence District with a Planned Residential Development Overlay District (PRD) – twenty-six (26) units in total	<p>The allowable density of future residential units on this 78 acre site is based upon the gross acreage of the property. In this case, the net acreage of the site is the same as its gross acreage, since no public rights-of-way dedications are planned, nor is their any designated floodplain located on the site.</p> <p>This net acreage would allow a yield of twenty-six (26) lots under the NU Non-Urban Residence District zoning regulation requirements. Since the petitioner is requesting twenty-six (26) lots, the density is consistent with the Master Plan requirements in this regard, as well as with the regulations of the NU Non-Urban Residence District. However, the Commission is not supporting the maximum density upon this property, given the resultant lot configurations and the need to create a minimum two hundred (200) feet of frontage on each of them.</p>
Type of use limited to single family dwellings on individual lots.	Single family detached dwellings.	The permissible zoning districts identified in the Master Plan only allow single family detached uses, which are planned on this site.
Lot size cannot be less than one (1) acre in area.	Minimum lot sizes are one (1) acre in area.	All lots meet or exceed the minimum size requirement of the ‘Non-Urban Area’ of the Master Plan and the requirements of the City’s Zoning Code in this regard.

Of the three (3) major requirements of the ‘Non-Urban Residential Area’ of the Master Plan, the Commission believes the petitioner’s proposal does not unequivocally comply with all of them.

A comparison of the requirements of the Master Plan to the components of the petitioner’s proposal again indicates a number of consistencies with it and, in some instances, meeting the intended purpose of this designation, i.e. maintain rural land use pattern. This comparison is provided below.

In the case of petitioner's proposal, a number of the policies within the different elements of the Master Plan are adhered to by its design and the use of the City's Planned Residential Development Overlay District (PRD). This adherence is critical in the analysis of this request by the Planning and Zoning Commission. In summary, the consistencies/inconsistencies between the request and the key elements of the Master Plan are as follows:

Environmental Element -

- Policy 1. Implement the conservation principles put forward in the St. Louis County General Plan Update (see Attachment D).
Petitioner's Proposal: request adheres to eight (8) of the applicable list of eight (8) items noted as policies to limit the amount of stormwater runoff generated by a development and control its erosional tendencies downstream.

- Policy 2. Recognize that terrain in the City varies and the more environmentally sensitive areas are located in the west and southern portions of the community.
Petitioner's Proposal: request is for Planned Residential Development Overlay District (PRD) in the NU District, which minimizes developed area of the site and maintains three (3) acre density in this area as well.

- Policy 4. Require that natural drainageways remain undisturbed.
Petitioner's Request: very limited disturbance in the area of this site's watercourses.

- Policy 5. Require that areas of steep slopes and highly erodible soils remain in their natural state.
Petitioner's Request: slopes greater than 30% are completely preserved, while others between 7% to 29% are partially protected from development. Overall, almost fifty-two (52%) percent of the entire 78 acre tract of land is preserved and will remain undeveloped forever. This preservation amount is based upon the soil and slope characteristics of the site.

- Policy 7. Continue to employ the current procedure, as part of the City's development regulations, for the mapping of landforms and soil conditions and evaluate their suitability for development.
Petitioner's Request: Natural Resource Protection Maps A and B have been completed.

Policy 8.

Maintain the current flexible procedure within the development regulations that allows an owner of land to better utilize the site's natural characteristics through the application of innovative design and construction practices and the clustering of units, while offering community amenities and open spaces. The application of this procedure should be consistent with the environmental parameters of the site.

Petitioner's Request: the use of the Planned Residential Development Overlay District (PRD) is proposed and the clustering of homesites is requested, but, in this case, not supported due to other considerations relating to consistency with the surrounding area.

Additionally, it is important to note the appointed City Council at the time of this community's incorporation, upon the recommendation of the Planning and Zoning Commission, included NU District zoned properties as potential candidates for the use of the Planned Residential Development Overlay District (PRD). Under St. Louis County's jurisdiction, the Planned Environment Unit Procedure could not be applied to NU District zoned tracts of land. However, a Density Development Procedure could be used.

The intent in allowing NU District zoned properties to use the Planned Residential Development Overlay District (PRD) was primarily to limit the amount of site disturbance on any property. Additionally, this inclusion acknowledged the following rationales: (1) the clustering of units does not increase the overall number of homesites on any given site; (2) the clustering of units would ultimately limit the amount of disturbance and create greater contiguous areas of open space on any given property; (3) the clustering of units promotes economic efficiencies in the installation of utilities and other site infrastructure; (4) the clustering of units better utilizes the developable areas of the site, which is consistent with the Natural Resource Protection Standards; and (5) the clustering of units allows for a variety of housing styles and choices in the City of Wildwood.

Policy 9. Require all developments to submit a plan that includes the delineation of the site's natural drainageways.
Petitioner's Request: both the Preliminary Development Plan and the Natural Resource Protection Attribute Maps define the property's natural drainageways.

Policy 16. Require tertiary treatment of sewage effluent.
Petitioner's Request: A centralized treatment plant will be required providing a tertiary level of discharge.

Policy 17. Encourage the extension of public potable water to all areas of the City to prevent future safety and health problem relating to fire protection and sewage effluent from non-public systems contaminating area waterways and aquifers.
Petitioner's Request: The Commission is recommending this developer extend public potable water to the site. Water service is available to the subdivision from a line located along State Route 100.

Planning Element -

Policy 3. Continue the Non-Urban Residence District zoning as the major land use designation in the City of Wildwood. In addition, maintaining an existing NU District designation is especially appropriate in areas of steep topography and highly erodible soil profiles.
Petitioner's Request: underlying zoning designation of NU District remains unchanged in this proposal.

Community Services -

Policy 2. Follow a policy of fiscal prudence in considering major new development initiatives.
Petitioner's Request: The petitioner is attempting to introduce a major residential development into this area, where infrastructure is limited in some regards. The Department is seeking the extension of public potable water to the site to meet the demands of this development upon the utility network in this area. This request for public potable water is prudent in this regard. Additionally, the City has completed a roadway project on Pond Road, which includes its resurfacing and limited widening and replaced several one-lane bridges. Along with these improvements, the Commission is recommending the petitioner's

Transportation Element -

participation in required roadway improvements along the subject site's frontage of Pond Road.

- Policy 1. Promote a policy that supports the creation of a street network, which includes safe and ecologically responsible two (2) lane arterial roadways. Make only improvements required for traffic safety.
Petitioner's Proposal: request will provide for improvements to a portion of Pond Road, which will include the dedication of right-of-way and the installation of a left-turn lane.
- Policy 5. Require local access streets within individual subdivisions to be built to City standards, but consider having them remain private.
Petitioner's Request: streets are to be built to the City's minimum requirements and will be private.
- Policy 8. Preserve and enhance the scenic environmental qualities that exist along many of the City's roadways through the application of appropriate design standards reflecting sensitivity toward the area's unique environmental characteristics.
Petitioner's Proposal: the use of the Planned Residential Development Overlay District (PRD) allows for the more difficult portions of the site, where topography is prohibitive or floodplain exists, to be protected, while utilizing the ridgetops for development purposes.

It is the opinion of the Planning and Zoning the requested Planned Residential Development Overlay District (PRD) is not entirely consistent with, nor adhering in its total, the City's Master Plan. In fact, the comparison completed above indicates the proposal is not in complete compliance with the applicable policies of this plan.

< Compatibility of the Use >

The Commission, in reviewing this request, would note its limited compatibility with the area land use and zoning pattern, which also supports the recommendation for its denial. Principally, the issues of compatibility are reflected as follows:

- 1) The development is at a three (3) acre density, which is inconsistent with the area pattern. This pattern is no more than one (1) dwelling unit for every three (3) acres of property involved in the proposed development.
- 2) The development is for single family uses on individual lots, which is the predominant pattern of

land use in this area, as defined by those neighboring subdivisions, such as Portland Cove, Trebor, and Gigatt Subdivisions, and other properties along Pond Road.

- 3) The design the petitioner has employed will preserve much of the picturesque hillside area along Pond Road.
- 4) The development's other design qualities and components can be addressed through the application of conditions as part of the site-specific ordinance to protect the quality of life in this area.

These other issues further support the recommendation for consideration of a residential subdivision on this property, but not with the current application of the overlay district's allowances.

< Planned Residential Development Overlay District >

When the City Council approved a new Zoning Code for the City, it deleted the St. Louis County's former Planned Environment Unit (PEU) and replaced it with a new procedure called the Planned Residential Development Overlay District (PRD). This new procedure was intended to address the shortcomings of the previous special procedure and set clear and precise requirements for its use in the future. A list of standards was compiled to create these requirements. These standards include the following:

- Conformity with the land use objectives and policies of the City of Wildwood's Master Plan (Standard One);
- Open Space, including without limitation, parks, recreation areas, playgrounds, and natural areas (Standard Two);
- Adequate landscaping, screening, and buffering (Standard Three);
- Adequate internal traffic circulation and the provision of an appropriate transportation system that serves the property (Standard Four);
- Adequate parking (Standard Five);
- Livability (Standard Six);
- Building design and relationship to surrounding neighborhoods (Standard Seven); and
- The Planned Residential Development Overlay District (PRD) is in the best interest of the community (Standard Eight).

These standards are analyzed on an individual basis and provide the following information relative to the petitioner's request, but with one (1) important caveat. If the proposal is not completely consistent with the Master Plan, the other standards should not be considered:

Standard One: The first of these standards is compliance with the objectives and policies of the City's Master Plan. This standard is detailed earlier in this report (Master Plan subtitle).

One (1) of the more discussed aspects of this plan is its use of clustering of the units upon smaller lots to create larger, more contiguous, areas of open space. The Commission is acutely aware the majority of lots in this area of Wildwood were platted at a three (3) acre or greater size and this proposal for one (1) acre parcels of

ground is of concern to the community. The City and the Commission have been supportive of the clustering concept for other reasons noted before. It is clear from scientific research that wildlife populations are impacted even by the most limited disturbance caused by development, such as the installation of driveways and other improvements. Whereas, this same research indicates that greater contiguous areas are more likely to support these wildlife populations, and related habitats, from alteration. The use of the Planned Residential Development Overlay District (PRD) allows for the creation of these larger, more contiguous areas of open space.

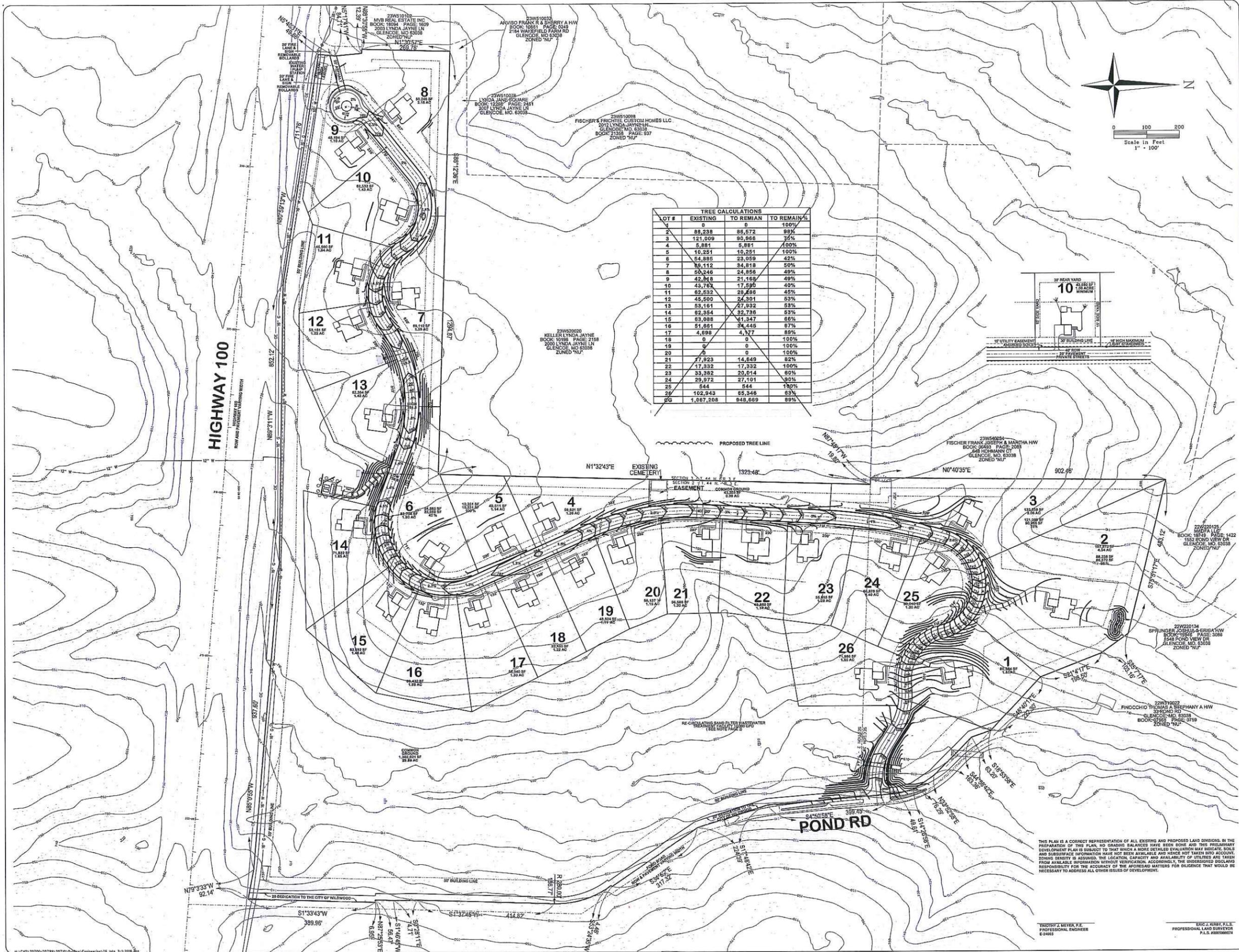
Despite this reason and although the Commission has noted in other discussions on this topic, a form of clustering already occurs in large-lot subdivisions, given the terrain associated with these developments. Given the nature of topography and the narrowness of ridge lines in the City, property owners construct their dwellings as close to the road as possible, and often in plain view of their neighbors' parcel of ground. The majority of the open space is located to the rear of dwelling, much the same as the intended outcome of the City's Planned Residential Development Overlay District (PRD). However, the Commission believes the appearance of this development will drastically differ than others in the immediate area (three (3) acre lots).

Given the Commission's concerns about lot sizes and appearances relative to the Master Plan's goals, objectives, and policies, the other remaining standards have not considered. These standards, even if compliant, cannot superseded the Master Plan and its direction in this regard. Therefore, the application of the Planned Residential Development Overlay District (PRD) is not supported at this location.

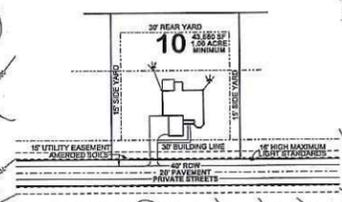
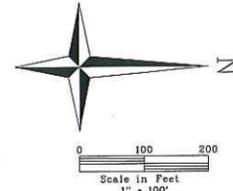
Summary and Recommendation

The Commission has found, based upon the review and analysis of the petitioner's proposal, the requested Planned Residential Development Overlay District (PRD) is not entirely consistent with the City's Master Plan; compatible with the surrounding land use pattern; and compliant with the Planned Residential Development Overlay District (PRD) requirements of the Zoning Code. Therefore, it is the recommendation of the Planning and Zoning Commission the requested Planned Residential Development Overlay District (PRD) in the NU Non-Urban Residence District (the current zoning district designation of this property and not changing under this proposal) not be supported by the City Council.

ATTACHMENT B
Preliminary Development Plan



LOT #	EXISTING	TO REMAIN	TO REMAIN %
1	0	0	100%
2	88,238	86,672	98%
3	121,009	90,866	75%
4	5,881	5,881	100%
5	10,251	10,251	100%
6	54,885	23,059	42%
7	89,112	34,818	39%
8	50,246	24,856	49%
9	42,848	21,168	49%
10	49,782	17,590	35%
11	62,532	29,468	47%
12	45,500	24,301	53%
13	59,161	27,932	47%
14	82,354	32,736	39%
15	83,088	41,347	49%
16	51,881	34,445	66%
17	4,598	4,377	95%
18	0	0	100%
19	0	0	100%
20	0	0	100%
21	77,923	14,849	19%
22	17,332	17,332	100%
23	33,382	20,514	61%
24	29,972	27,101	90%
25	544	544	100%
26	102,943	65,348	63%
26	1,067,208	848,669	79%



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LAND SURVEYING
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PLANNING
CONSULTING

10040 Indian Head Trail, Blvd.
St. Louis, Missouri 63132
314.860.7260 Fax
www.volzinc.com

REVISED:
11-13-2015
12-15-2015

1971 POND ROAD

**PRELIMINARY DEVELOPMENT
& TREE PRESERVATION PLAN**

Site Map No. 23W
23W02033
2070

03-22-2016

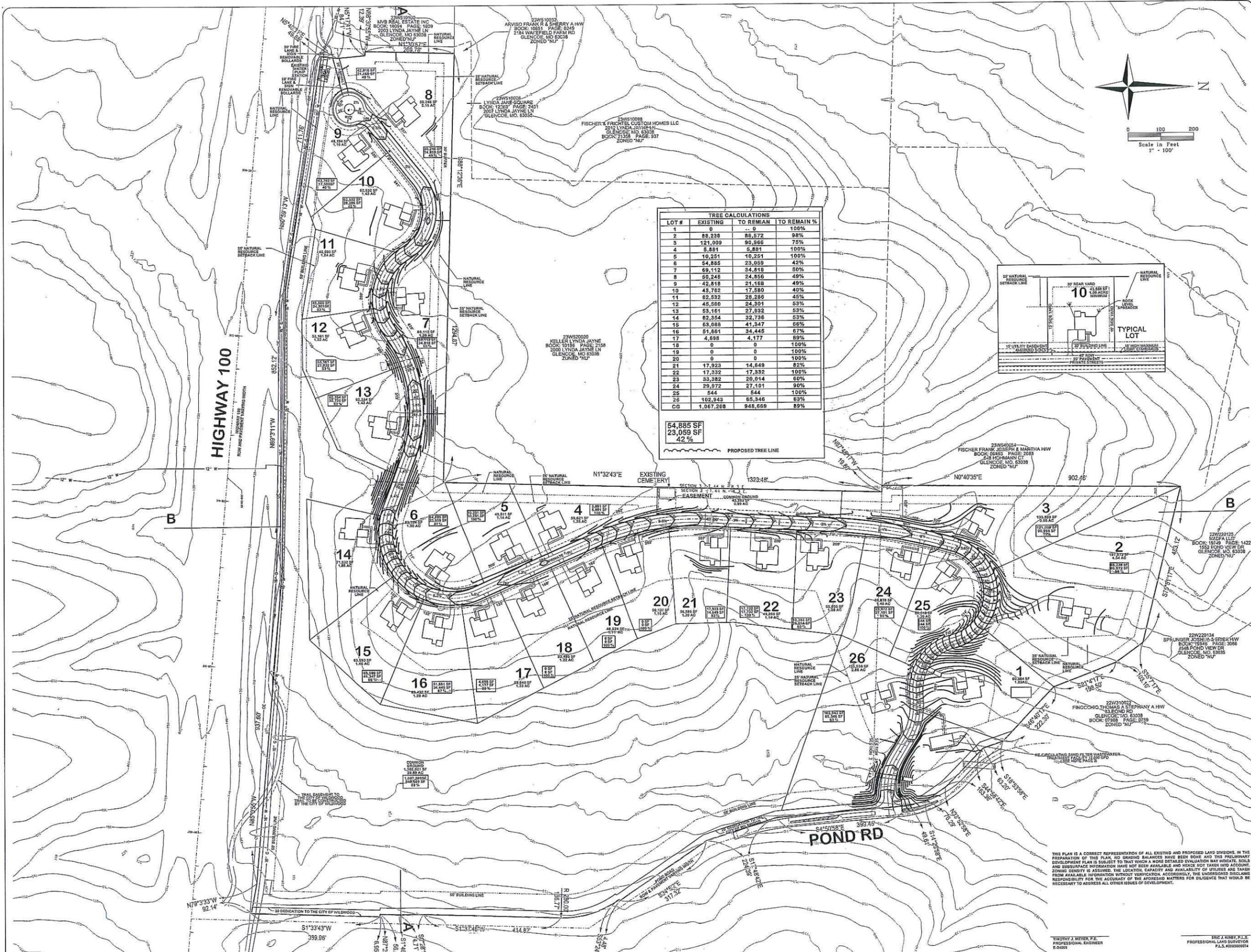
1

03-22-2016 PLAN Version

THIS PLAN IS A CORRECT REPRESENTATION OF ALL EXISTING AND PROPOSED LOTS DIVISIONS. IN THE PREPARATION OF THIS PLAN, NO GRADING BALANCES HAVE BEEN DONE AND THIS PRELIMINARY DEVELOPMENT PLAN IS SUBJECT TO THAT WHICH A MORE DETAILED EVALUATION MAY INDICATE. SOILS AND SUBSURFACE INFORMATION HAVE NOT BEEN AVAILABLE AND WENCE NOT TAKEN INTO ACCOUNT. ZONING DENSITY IS ASSUMED, THE LOCATION, CAPACITY AND AVAILABILITY OF UTILITIES ARE TAKEN FROM AVAILABLE INFORMATION WITHOUT VERIFICATION, ACCORDINGLY THE UNDERSIGNED DISCLAIMS RESPONSIBILITY FOR THE ACCURACY OF THE AFORESAID MATTERS FOR DILIGENCE THAT WOULD BE NECESSARY TO ADDRESS ALL OTHER ISSUES OF DEVELOPMENT.

THOMAS J. MEYER, P.E.
PROFESSIONAL LAND SURVEYOR
63465

ERIC J. KRBY, P.L.S.
PROFESSIONAL LAND SURVEYOR
P.L.S. #28000001

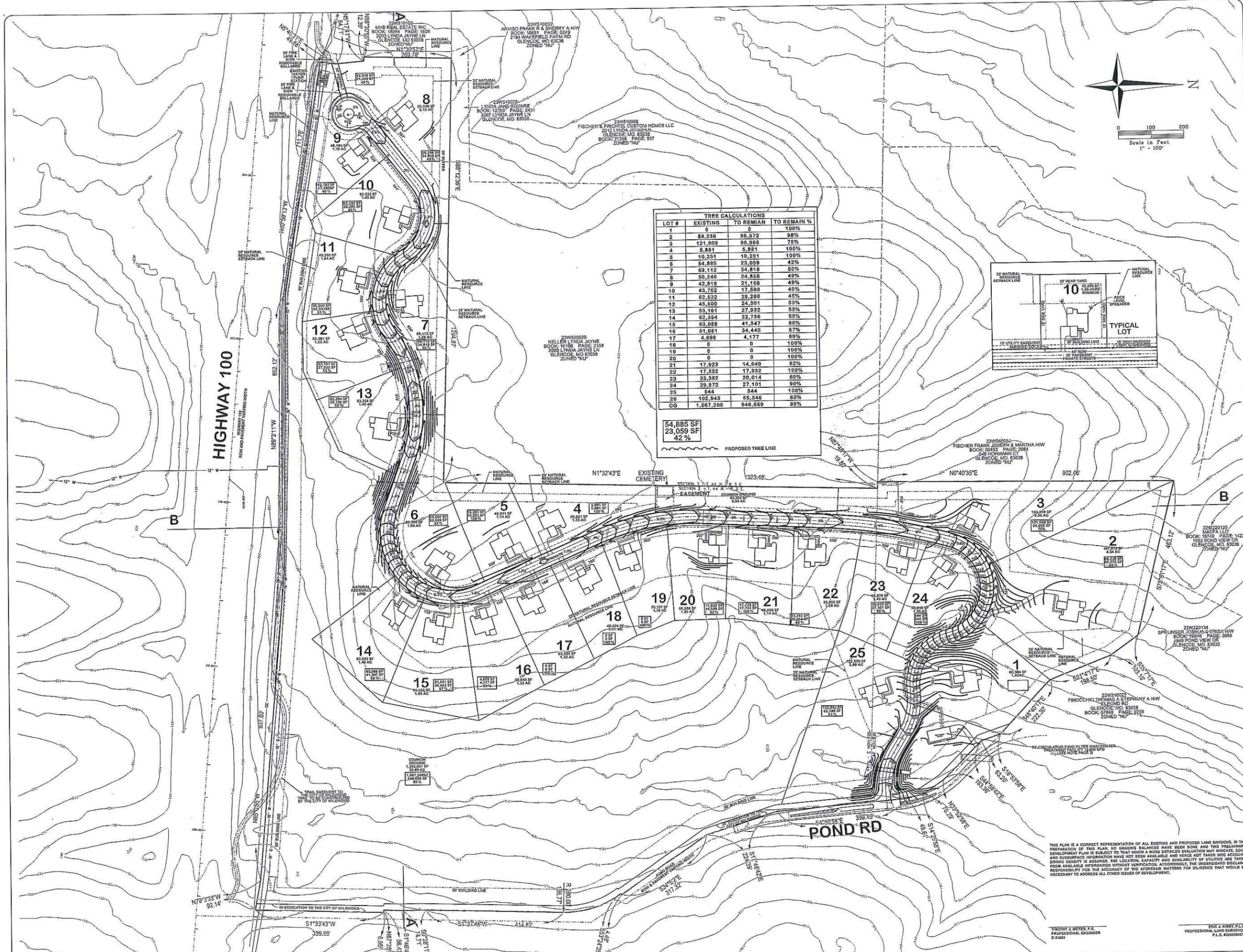


REVISED:
11-13-2015
12-15-2015

1971 POND ROAD
A TRACT OF LAND BEING PART OF SECTIONS 2 AND 3, TOWNSHIP 44 NORTH
RANGE 3 EAST AND PART OF SECTION 35, TOWNSHIP 45 NORTH - RANGE 3
EAST, ST. LOUIS COUNTY MISSOURI

PRELIMINARY DEVELOPMENT
& TREE PRESERVATION PLAN
Eric J. Kirby, P.E.
PROFESSIONAL LAND SURVEYOR
P.L.S. #205500074
Eric J. Kirby, P.E.
PROFESSIONAL ENGINEER
E-2446

3/17/16

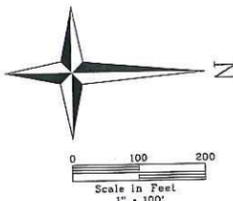
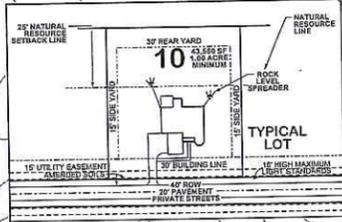


TREE CALCULATIONS

LOT #	EXISTING	TO REMAIN	TO REMAIN %
1	0	0	100%
2	88,288	86,572	98%
3	121,009	90,968	75%
4	5,851	5,851	100%
5	10,251	10,251	100%
6	54,885	23,059	42%
7	69,112	34,818	60%
8	50,246	24,856	49%
9	42,818	21,158	49%
10	43,782	17,580	40%
11	62,532	28,288	45%
12	45,500	24,301	53%
13	53,161	27,932	53%
14	62,354	32,736	53%
15	63,088	41,347	66%
16	51,681	34,445	67%
17	4,698	4,177	89%
18	0	0	100%
19	0	0	100%
20	0	0	100%
21	17,923	14,649	82%
22	17,332	17,332	100%
23	33,382	20,014	60%
24	29,972	27,101	90%
25	544	544	100%
26	102,843	65,346	63%
CG	1,067,208	648,669	61%

54,885 SF
23,059 SF
42%

PROPOSED TREE LINE



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TRANSPORTATION
PLANNING
CONSULTANTS
11511 L. LOUISIANA, MISSOURI CITY, MO. 63042
314.890.1250 FAX
www.volzinc.com

REVISED:
11-13-2015
12-15-2015

1971 POND ROAD
A TRACT OF LAND BEING PART OF SECTIONS 2 AND 3, TOWNSHIP 44 NORTH
- RANGE 3 EAST AND PART OF SECTION 35, TOWNSHIP 45 NORTH - RANGE 3
EAST, ST. LOUIS COUNTY, MISSOURI

PRELIMINARY DEVELOPMENT
& TREE PRESERVATION PLAN
Date: May 16, 2016
23W310025
20790

THIS PLAN IS A CORRECT REPRESENTATION OF ALL EXISTING AND PROPOSED LAND DIVISIONS. IN THE PREPARATION OF THIS PLAN, NO GRADES BALANCES HAVE BEEN RUN AND THIS PRELIMINARY DEVELOPMENT PLAN IS SUBJECT TO THAT WHICH A MORE DETAILED EVALUATION MAY INDICATE. SOILS AND SUBSURFACE INFORMATION HAVE NOT BEEN AVAILABLE AND HENCE NOT TAKEN INTO ACCOUNT. ZONING DENSITY IS ASSUMED. THE LOCATION, CAPACITY AND AVAILABILITY OF UTILITIES ARE TAKEN FROM AVAILABLE INFORMATION WITHOUT VERIFICATION. ACCORDINGLY, THE UNDERSIGNED DISCLAIMS RESPONSIBILITY FOR THE ACCURACY OF THE FOREGOING MATTERS FOR NEGLIGENCE THAT WOULD BE NECESSARY TO ADDRESS ALL OTHER ISSUES OF DEVELOPMENT.

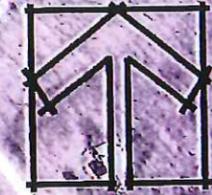
TIMOTHY J. MEYER, P.E.
PROFESSIONAL LAND SURVEYOR
E-34669
ERIC J. HENRY, P.L.S.
PROFESSIONAL LAND SURVEYOR
P.L.S. #200000024

3/7/16

1971 POND ROAD

VOLZ
Incorporated

PAYNE
family
HOMES



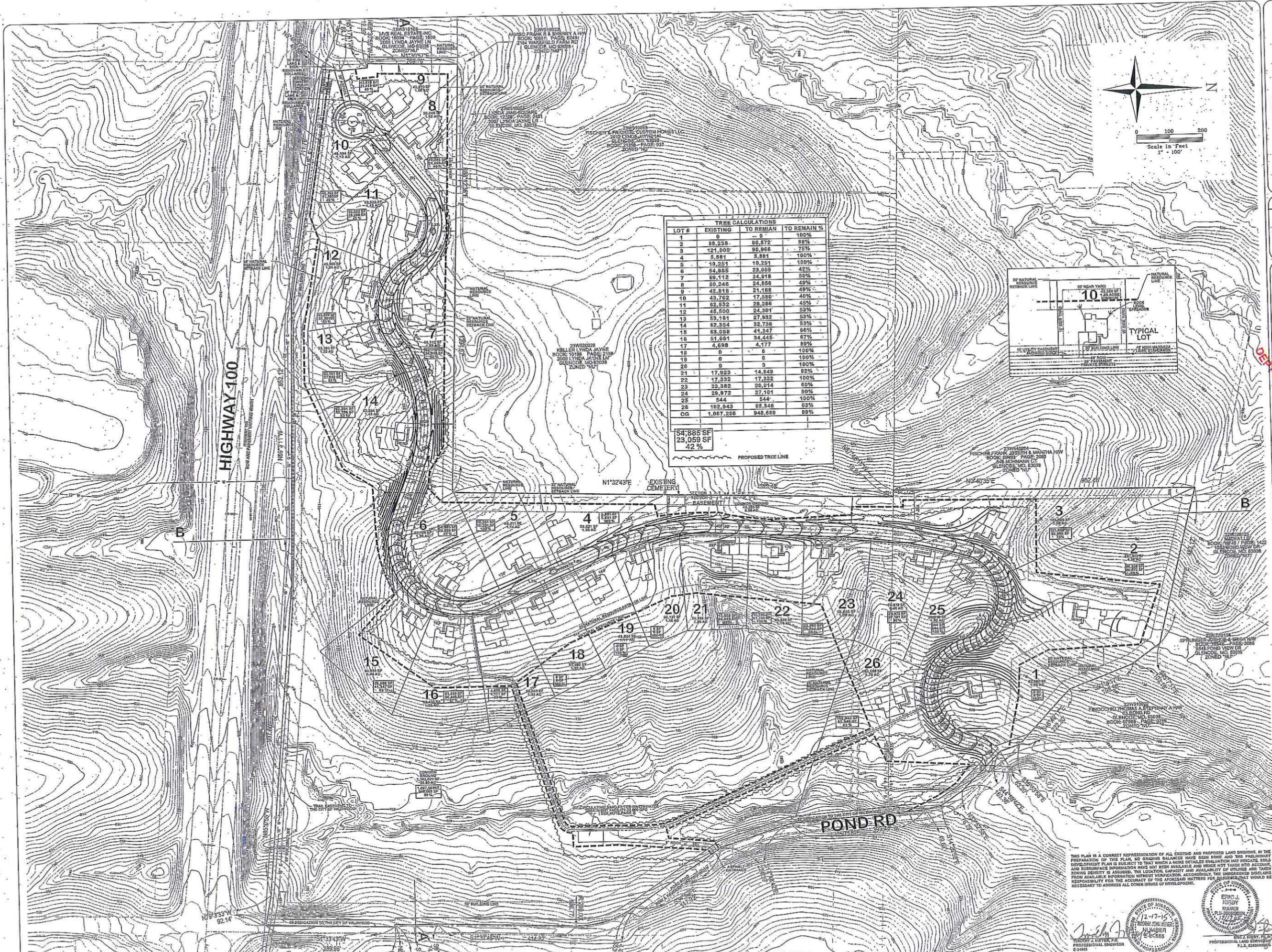
CITY OF WILDWOOD
DEC 18 2015
DEPT. OF PLANNING & PERMITS

Original Submittal 12/18/15

LYDIA JANE

HIGHWAY 100

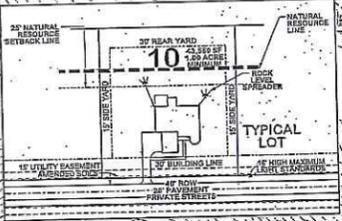
POND RD



TREE CALCULATIONS

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OG	1,067,208	949,669	89%

54,885 SF
23,059 SF
42%



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ENGINEERS
LAND PLANNING
LAND SURVEYING
CONSULTANTS
CONSTRUCTION MANAGEMENT

REVISED:
11-13-2015
12-15-2015

CITY OF WILDWOOD

DEC 18 2015

1971 POND ROAD
A TRACT OF LAND BEING PART OF SECTIONS 2 AND 3, TOWNSHIP 44 NORTH,
RANGE 5 EAST AND PART OF SECTION 35, TOWNSHIP 45 NORTH - RANGE
EAST, ST. LOUIS COUNTY, MISSOURI

PRELIMINARY DEVELOPMENT
& TREE PRESERVATION PLAN

12/18/15

THIS PLAN IS A CORRECT REPRESENTATION OF ALL EXISTING AND PROPOSED LAND CONDITIONS. IN THE PREPARATION OF THIS PLAN, NO GRADING BALANCES HAVE BEEN RUN AND THE PRELIMINARY DEVELOPMENT PLAN IS SUBJECT TO THAT WHICH A MORE DETAILED EVALUATION MAY INDICATE. SOILS AND SURFACE INFORMATION HAVE NOT BEEN AVAILABLE AND HAVE NOT BEEN TAKEN INTO ACCOUNT. ZONING DENSITY IS ASSUMED. THE LOCATION, CAPACITY AND AVAILABILITY OF UTILITIES ARE TAKEN FROM AVAILABLE INFORMATION WITHOUT VERIFICATION. ACCORDINGLY, THE UNDERSIGNED DISCLAIMS RESPONSIBILITY FOR THE ACCURACY OF THE FOREGOING MATTERS FOR WHICH THE USER WOULD BE NECESSARY TO ADDRESS ALL OTHER ISSUES OF DEVELOPMENT.

ERIK J. KIRBY
REGISTERED PROFESSIONAL ENGINEER
NO. 20090003
STATE OF MISSOURI
12-17-15
NUMBER 2-665

GENERAL NOTES:

THIS SITE IS IN THE FOLLOWING DISTRICTS:

METRO WEST FIRE PROTECTION DISTRICT
 ROCKWOOD SCHOOL DISTRICT
 BONHOMME CREEK WATERSHED

THIS SITE IS IN THE FOLLOWING UTILITY SERVICE AREAS:

AMEREN
 LACLEDE GAS COMPANY
 MISSOURI AMERICAN WATER COMPANY
 SOUTHWESTERN BELL TELEPHONE COMPANY
 CHARTER COMMUNICATION (CABLE TV)

SANITARY SEWER CONNECTIONS SHALL BE AS APPROVED BY THE CITY OF WILDWOOD. THE WASTEWATER TREATMENT PLANT IS A RE-CIRCULATING WASTEWATER TREATMENT PLANT 12,000 GALLONS PER DAY.

THE LOCATION OF STORM AND SANITARY SEWER IMPROVEMENTS ARE APPROXIMATE ONLY. ACTUAL CONDITIONS AND SHALL BE INDICATED ON THE LOCATION SHALL BE DETERMINED BY FIELD IMPROVEMENT PLANS.

GRADINGS AND DRAINAGE SHALL BE PER CITY OF WILDWOOD STANDARDS.

BE ADVISED, A GRADING PERMIT OR IMPROVEMENT PLAN APPROVAL WILL NEED TO BE OBTAINED PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES ON THE SITE.

THE UNDERGROUND UTILITIES SHOWN HEREIN WERE PLOTTED FROM AVAILABLE INFORMATION AND DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, NONEXISTENCE, SIZE, TYPE, NUMBER, OR LOCATION OF THESE OR OTHER UTILITIES. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UNDERGROUND UTILITIES, SHOWN OR NOT SHOWN AND SHALL BE LOCATED IN ACTUAL LOCATION OF IMPROVEMENTS IN THE FIELD PRIOR TO ANY GRADINGS. THESE PROVISIONS SHALL IN NO WAY ABSOLVE ANY PARTY FROM COMPLYING WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 216, RSMO.

LANDSCAPING AND LIGHTING PLANS WILL BE PROVIDED AT FUTURE DATE AND COMPLY WITH CITY OF WILDWOOD REGULATIONS. STREET LIGHTS 15' HIGH MAX.

EXISTING PAVEMENT & F.L.O.W. WIDTHS VARY ALONG HIGHWAY 100 & POND ROAD.

ENTRANCE, STREET INTERSECTION, CUL-DE-SAC SHALL BE CONSTRUCTED TO CITY OF WILDWOOD STANDARDS.

SLOPES SHALL NOT EXCEED 3:1, UNLESS SUPPORTED BY GEOTECHNICAL REPORT.

FIRE FLOW IS 1500 GPM AT 20 PSI HYDRANT SPACING IS 600' APART, ANY STREET LESS THAN 20 FEET WIDE WILL NEED TO RESTRICT PARKING ON ONE SIDE, EMERGENCY ACCESS OFF OF LYNDA JANE LANE MUST BE BUILT TO HOLD A 70,000 POUND VEHICLE. (NO PARKING SIGNS ON ONE SIDE OF STREET)

ACCESS WILL BE GRANTED TO THE FAMILY MEMBERS OF THOSE BURIED IN THE CEMETERY VIA THE PRIVATE ROADWAY AND EASEMENT TO THE CEMETERY AREA.

STORM WATER NOTE:

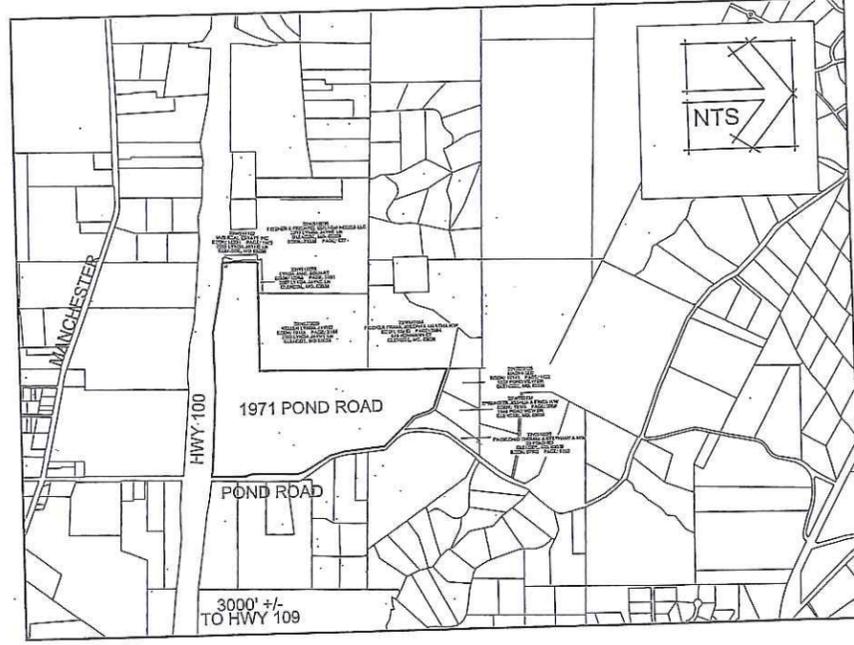
THE PROPOSED POND ROAD SUBDIVISION WILL HAVE 26 LOTS ON 78 ACRES. ALL THE LOTS WILL BE A MINIMUM OF 1 ACRES WITH THE OVERALL AVERAGE BEING 1.7 ACRES. IN AN EFFORT TO SAVE AS MUCH OF THE EXISTING WOODLANDS ON SITE AND BY AVOIDING TRADITIONAL LARGE STORM WATER DETENTION BASINS, STORM WATER MANAGEMENT IS PROPOSED TO BE HANDLED IN AN LID (LOW IMPACT DEVELOPMENT) MANNER. THIS METHOD WILL INVOLVE TREATING DIFFERENTIAL RUNOFF AT ITS SOURCE WITH THE USE OF A VARIETY OF BMP'S WHICH MAY INCLUDE ANIMATED SOILS, RAIN GARDENS, LEVEL WITH ROCK SPREADERS, AND DRY WELLS. THE TYPICAL ROAD WAY SECTION WILL NOT HAVE CURBING BUT

PROJECT NOTES:	
AREA OF SITE:	78.00 ACRES
EXISTING ZONING:	"NU" NON-URBAN
PROPOSED ZONING:	"NU" PRO - PLANNED RESIDENTIAL DEVELOPMENT
PROPOSED COMMON GROUND:	23.69 ACRES
LOCATOR NUMBERS:	23W22053
OWNER OF RECORD:	SCHNEIDER MILDRED E TRUSTEE
SITE ADDRESS:	1971 POND RD GLENDOLE, MO, 63038
PREPARED FOR:	10407 BAUR BLVD, SUITE B SAINT LOUIS, MISSOURI 63122 MAIN OFFICE: 314-995-0300
PREPARED BY:	1609 INDIAN HEAD INDOL BLVD, ST. LOUIS, MO 63132 314.226.8212 MAIN 314.880.1250 FAX
NUMBER OF LOTS ALLOWED:	78.0 AC / 3 AC = 26 LOTS
PARKING REQUIREMENT & PROPOSED:	2 SPACES PER LOT (26 LOTS) = 52 SPACES
FEMA:	2818C028K - THERE IS NO FLOODPLAIN ON THIS SITE

Standards for Public Space Calculations:	
Four (4) acres for every one hundred (100) Single Family Dwelling Units (1,742.4 square feet per new single family dwelling)	
Amount of Required Public Space	49,302.4 Square feet - 1.04 Acres
Amount of Provided Public Space	728,046 Square feet - 16.7 Acres
Multiple Use Trail	31,080 Square feet
Underground Detention Area	0
Public Land Dedication	1,444,876 Square feet - 50% = 16.0 Ac
Privately Held Common Ground	0
List installed improvements	Total Number (list below on lines)
Plastic Tables	0
Benches	0
Trash Receptacles	0
Bicycle Racks	0
Trail	2,890 LIN FT OF TRAIL
Other Public Space Items (if provided)	
Fee In Lieu	

TREE PROTECTION NOTES

- 1) PRECONSTRUCTION MEETING HELD ON-SITE TO INCLUDE A PRESENTATION OF TREE PROTECTION MEASURES TO OPERATORS, CONSTRUCTION SUPERVISORS, DEVELOPER'S REPRESENTATIVE, AND CITY ZONING INSPECTORS.
- 2) CLEARING LIMITS SHALL BE ROUGH STAKED BY DEVELOPER IN ORDER TO FACILITATE LOCATION FOR TRENCING AND FENCING INSTALLATION.
- 3) NO CLEARING OR GRADING SHALL BEGIN IN AREAS WHERE TREE TREATMENT AND PRESERVATION MEASURES HAVE NOT BEEN COMPLETED.
- 4) THE SEQUENCE OF TREE TREATMENT AND PRESERVATION MEASURES SHALL BE:
 - A. ROOT PRUNING TRENCING
 - B. TREE PROTECTION FENCING
 - C. TREE PRUNING AND CHEMICAL TREATMENT
 - D. AERATION SYSTEMS INSTALLED.
 - E. SIGN INSTALLATION.
- 5) THE PLANTINGS ON THE ENTRANCE LANDSCAPE PLAN MAY BE MODIFIED WITH THE SUBMITTAL OF THE IMPROVEMENT PLANS

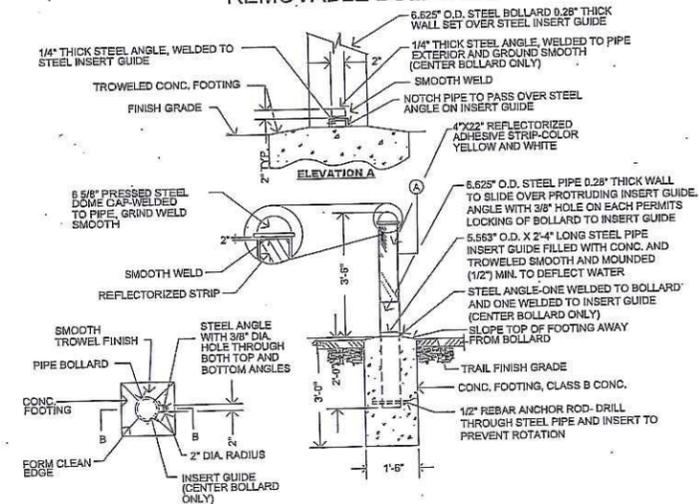


LOCATION MAP

A TRACT OF LAND BEING PART OF SECTIONS 2 AND 3, TOWNSHIP 44 NORTH - RANGE 3 EAST AND PART OF SECTION 35, TOWNSHIP 45 NORTH - RANGE 3 EAST, ST. LOUIS COUNTY MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 35; THENCE ALONG THE WEST LINE OF SAID SECTION 35 NORTH 40 DEGREES 40 MINUTES 35 SECONDS EAST 902.45 FEET TO THE SOUTH LINE 168 PAGE 54 OF THE ST. LOUIS COUNTY RECORDS; THENCE EASTWARDLY ALONG SAID SOUTH LINE THE FOLLOWING COURSES AND DISTANCES: SOUTH 75 DEGREES 51 MINUTES 17 SECONDS EAST 483.12 FEET, SOUTH 55 DEGREES 07 MINUTES 17 SECONDS EAST 103.16 FEET, SOUTH 21 DEGREES 04 MINUTES 17 SECONDS EAST 131.50 FEET, SOUTH 46 DEGREES 17 SECONDS EAST 103.16 FEET, SOUTH 14 DEGREES 53 MINUTES 08 SECONDS EAST 224.39 FEET, SOUTH 34 DEGREES 05 MINUTES 02 SECONDS 17 DEGREES EAST 49.61 FEET, SOUTH 04 DEGREES 28 MINUTES 14 SECONDS EAST 163.35 FEET, SOUTH 33 DEGREES 02 MINUTES 51 SECONDS EAST 78.29 FEET, SOUTH 14 DEGREES 28 MINUTES 17 DEGREES EAST 49.61 FEET, SOUTH 04 DEGREES 28 MINUTES 14 SECONDS EAST 299.45 FEET, SOUTH 45 DEGREES 48 MINUTES 45 SECONDS WEST 56.47 FEET, NORTH 07 DEGREES 05 MINUTES 55 SECONDS 01 DEGREES WEST 414.82 FEET, SOUTH 00 DEGREES 28 MINUTES 14 SECONDS WEST 389.95 FEET TO THE NORTH EAST 6.95 FEET, SOUTH 01 DEGREES 05 MINUTES 43 SECONDS WEST 82.12 FEET, NORTH 79 ALONG SAID NORTH RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES: NORTH 79 DEGREES 03 MINUTES 33 SECONDS WEST 82.12 FEET, NORTH 85 DEGREES 08 MINUTES 55 SECONDS WEST 97.80 FEET, NORTH 88 DEGREES 03 MINUTES 11 SECONDS WEST 84.71 FEET, NORTH 88 DEGREES 30 MINUTES 59 SECONDS WEST 111.76 FEET, NORTH 05 DEGREES 40 MINUTES 31 SECONDS EAST 49.89 FEET, NORTH 05 DEGREES 17 MINUTES 41 SECONDS WEST 84.71 FEET, NORTH 88 DEGREES EAST 28.76 FEET TO THE NORTH LINE OF LYNDA JANE LANE, 20 FEET WIDE; 30 MINUTES 55 SECONDS WEST 12.39 FEET TO THE EAST LINE OF LYNDA JANE LANE, 20 FEET WIDE; THENCE NORTHWARDLY ALONG THE SAID EAST LINE NORTH 81 DEGREES 30 MINUTES 57 SECONDS THENCE EASTWARDLY ALONG SAID NORTH LINE SOUTH 88 DEGREES 12 MINUTES 36 SECONDS EAST 1294.87 FEET TO THE WEST LINE OF SAID SECTION 2; THENCE NORTHWARDLY ALONG SAID WEST LINE OF SECTION 2 NORTH 01 DEGREES 43 MINUTES 43 SECONDS EAST 1322.48 FEET TO THE NORTH LINE OF SECTION 4 NORTH - RANGE 3 EAST; THENCE WESTWARDLY ALONG SAID NORTHLINE NORTH 87 DEGREES 40 MINUTES 17 SECONDS WEST 19.89 FEET TO THE POINT OF BEGINNING AND CONTAINING 78.8 ACRES ACCORDING TO CALCULATIONS BY VOLZ INC. DURING SEPTEMBER 2015.

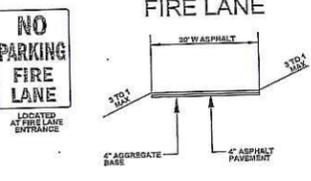
REMOVABLE BOLLARDS



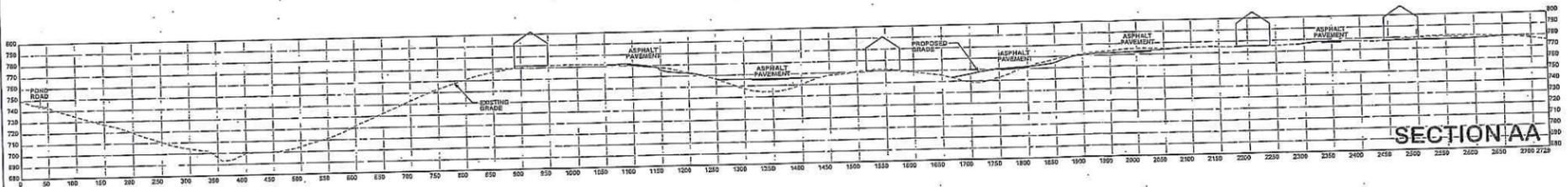
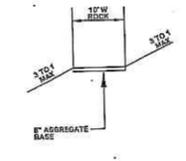
TYPICAL PRIVATE ROAD SECTION



20' WIDE ASPHALT FIRE LANE



10' WIDE ROCK ACCESS DRIVE TREATMENT FACILITY



THIS PLAN IS A CORRECT REPRESENTATION OF ALL EXISTING AND PROPOSED LAND DIVISIONS. IN THE PREPARATION OF THIS PLAN, NO GRADING BALANCES HAVE BEEN DONE AND THE PRELIMINARY DEVELOPMENT PLAN IS A MORE DETAILED EVALUATION MAY INDICATE, SOLE AND SURFACE INFORMATION HAVE NOT BEEN AVAILABLE AND HENCE NOT TAKEN INTO ACCOUNT. ZONING DENSITY IS ASSUMED. THE NUMBER AND AVAILABILITY OF UTILITIES ARE TAKEN FROM AVAILABLE INFORMATION WITHOUT VERIFICATION. ACCORDINGLY, THE UNDERSIGNED WILL BE RESPONSIBILITY FOR THE ACCURACY OF THE AFORESAID MATTERS FOR DELIVERABLE THAT WOULD BE NECESSARY TO ADDRESS ALL OTHER ISSUES OF DEVELOPMENT.

Timothy J. Dwyer, P.E.
 PROFESSIONAL ENGINEER
 STATE OF MISSOURI
 No. 17775
 MECHANICAL ENGINEERING
 EXPIRES 12-31-15

VOLZ Incorporated
 ENGINEERING, ARCHITECTURE, LAND SURVEYING, TRANSPORTATION CONSULTING
 1609 INDIAN HEAD INDOL BLVD.
 ST. LOUIS, MISSOURI 63132
 314.226.8212 FAX
 314.880.1250 FAX
 www.volzinc.com

CITY OF WILDWOOD

DEC 18 2015

DEPT. OF PLANNING & PARKS

1971 POND ROAD
 A TRACT OF LAND BEING PART OF SECTIONS 2 AND 3, TOWNSHIP 44 NORTH - RANGE 3 EAST AND PART OF SECTION 35, TOWNSHIP 45 NORTH - RANGE 3 EAST, ST. LOUIS COUNTY MISSOURI

PRELIMINARY DEVELOPMENT PLAN
 Date: Nov. 23rd 2015
 23W22053
 2015

12/18/15



Map Unit	Area	Required to be Preserved (%)	Area Required to be Preserved	Usable Area	Area to be Preserved	Proposed Disturbance
A6ve	10.80	0	0.00	10.80	2.66	8.14
B6ve	34.00	30	10.20	23.80	15.92	18.08
B6ca	0.88	60	0.53	0.35	0.41	0.47
B4ver	2.59	50	1.29	1.30	0.89	1.70
C6ve	24.58	50	12.29	12.29	10.51	13.97
C4ver	1.37	70	0.96	0.41	0.15	0.45
D	0.71	100	0.71	0.00	0.00	0.03
Tributary	1.08	100	1.08	0.00	1.08	0.04
Total	78.91	-	26.87	48.25	41.89	36.92

Legend for Descriptive and Mapping	Soil	Map Symbol
SOIL SURFACE SHAPE	CONVEX CONCAVE PLANK	SYMBOL
SOIL STRATIGRAPHY	ABSENT A HORIZON DEEPER THAN 4PS CLAY MORE THAN SIX ROCK FRAGMENTS	SYMBOL
HYDROLOGICAL DISCONTINUITIES WITH GREATER THAN 10% IMPEDANCE TO SAND OR CLAY FROM THE OVERLYING HORIZON	BURIED STRIKE SLIPS DEEPENING PERCHED WATER TABLES AS INDICATED BY MORPHOLOGICAL FEATURES OTHER	SYMBOL
SOIL TOPOGRAPHY	SYMBOL	
SOIL SURFACE SHAPE	CONVEX CONCAVE PLANK	SYMBOL
SOIL STRATIGRAPHY	ABSENT A HORIZON DEEPER THAN 4PS CLAY MORE THAN SIX ROCK FRAGMENTS	SYMBOL

THIS PLAN IS A CORRECT REPRESENTATION OF ALL EXISTING AND PROPOSED LAND DIVISIONS. IN THE PREPARATION OF THIS PLAN, NO GRADING BALANCES HAVE BEEN DONE AND THE NECESSARY DEVELOPMENT PLAN IS SUBJECT TO THAT WHICH A MORE DETAILED EVALUATION MAY REVEAL. SOILS AND SURFACE INFORMATION HAVE NOT BEEN AVAILABLE AND HAS NOT BEEN TAKEN INTO ACCOUNT. SOME LIABILITY IS ASSUMED. THE LOCATION, CAPACITY AND AVAILABILITY OF UTILITIES ARE TAKEN FROM AVAILABLE INFORMATION WITHOUT VERIFICATION. ACCORDINGLY, THE UNDERSIGNED DISCLAIMS RESPONSIBILITY FOR THE ACCURACY OF THE FOREGOING MATTERS FOR PURPOSES THAT WOULD BE NECESSARY TO ADDRESS ANOTHER USE OF DEVELOPMENT.

11-15-15
 ERIC J. KREY
 NUMBER
 E-24655

THOMAS J. REVER, P.E.
 PROFESSIONAL ENGINEER
 E-24655

VOLZ
 Incorporated
 ENGINEERS ARCHITECTS
 LAND SURVEYING
 TRANSPORTATION
 TRANSPORTATION
 CONSULTING MANAGEMENT

CITY OF WILDWOOD

DEC 18 2015

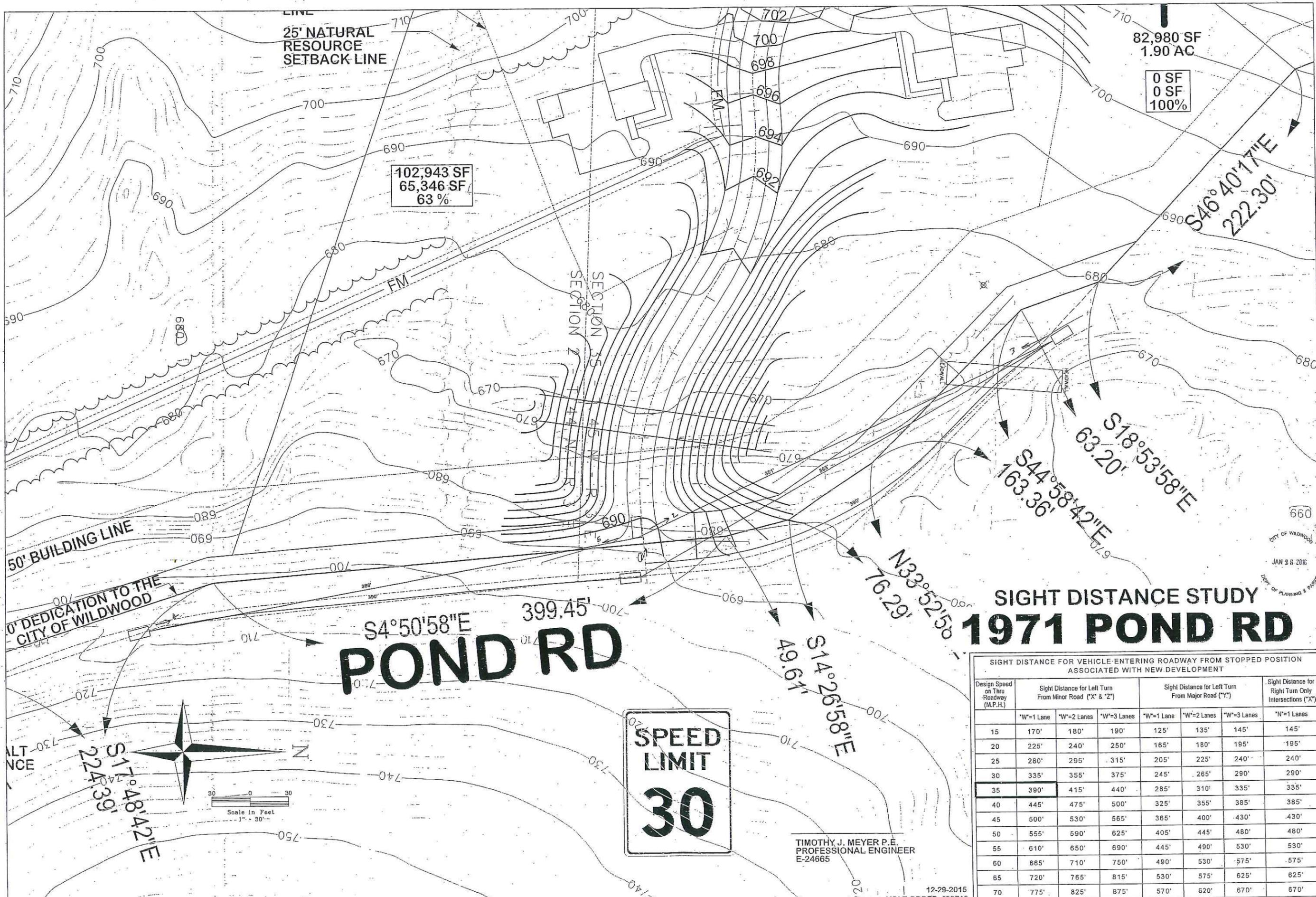
DEPT. OF PLANNING & PERMITS

1971 POND ROAD
 A TRACT OF LAND BEING PART OF SECTION 35, TOWNSHIP 44 NORTH
 - RANGE 3 EAST AND EAST 1/2 SECTION 35, TOWNSHIP 45 NORTH - RANGE 3
 EAST 1/2 SECTION 35, TOWNSHIP 45 NORTH - RANGE 3
 EAST 1/2 SECTION 35, TOWNSHIP 45 NORTH - RANGE 3

NATURAL RESOURCE PROTECTION PLAN

Sheet No. 237
 23N520053
 307D

12/19/15



102,943 SF
65,346 SF
63 %

82,980 SF
1.90 AC

0 SF
0 SF
100%

POND RD

**SIGHT DISTANCE STUDY
1971 POND RD**

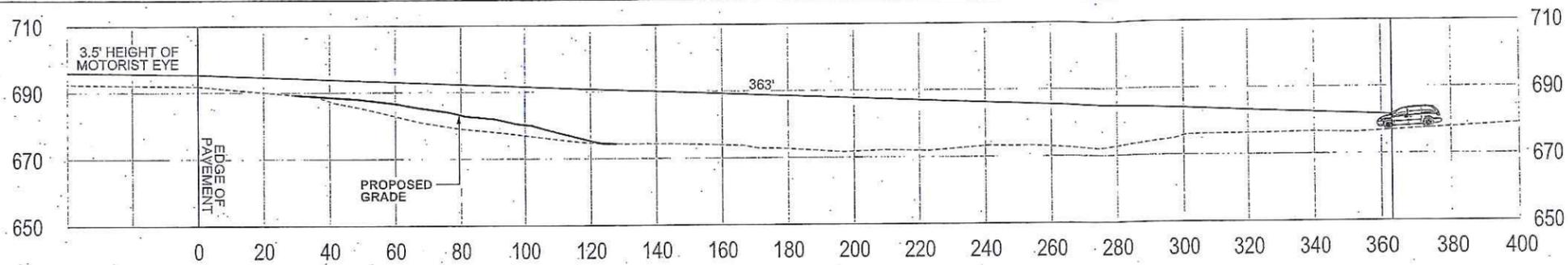
**SPEED
LIMIT
30**

TIMOTHY J. MEYER P.E.
PROFESSIONAL ENGINEER
E-24665

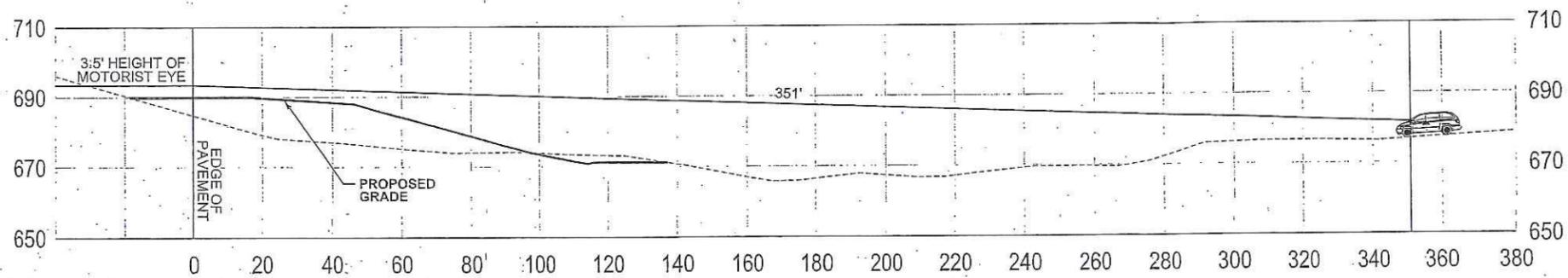
SIGHT DISTANCE FOR VEHICLE ENTERING ROADWAY FROM STOPPED POSITION ASSOCIATED WITH NEW DEVELOPMENT

Design Speed on Thru Roadway (M.P.H.)	Sight Distance for Left Turn From Minor Road ('X' & 'Z')			Sight Distance for Left Turn From Major Road ('Y')			Sight Distance for Right Turn Only Intersections ('X')
	*W=1 Lane	*W=2 Lanes	*W=3 Lanes	*W=1 Lane	*W=2 Lanes	*W=3 Lanes	*N=1 Lanes
15	170'	180'	190'	125'	135'	145'	145'
20	225'	240'	250'	165'	180'	195'	195'
25	280'	295'	315'	205'	225'	240'	240'
30	335'	355'	375'	245'	265'	290'	290'
35	390'	415'	440'	285'	310'	335'	335'
40	445'	475'	500'	325'	355'	385'	385'
45	500'	530'	565'	365'	400'	430'	430'
50	555'	590'	625'	405'	445'	480'	480'
55	610'	650'	690'	445'	490'	530'	530'
60	665'	710'	750'	490'	530'	575'	575'
65	720'	765'	815'	530'	575'	625'	625'
70	775'	825'	875'	570'	620'	670'	670'

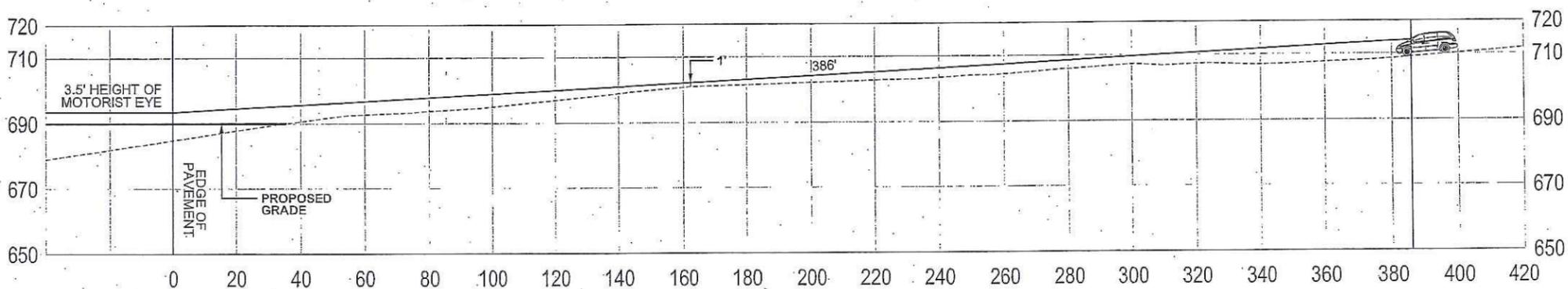
5/18/21



MAIN ENTRANCE LEFT TURN



MAIN ENTRANCE LOOKING NORTH



MAIN ENTRANCE LOOKING SOUTH

TIMOTHY J. MEYER P.E.
PROFESSIONAL ENGINEER
E-24665



JAN 28 2016

SIGHT DISTANCE STUDY 1971 POND RD

Design Speed on Thru Roadway (M.P.H.)	SIGHT DISTANCE FOR VEHICLE ENTERING ROADWAY FROM STOPPED POSITION ASSOCIATED WITH NEW DEVELOPMENT						
	Sight Distance for Left Turn From Minor Road ("X" & "Z")			Sight Distance for Left Turn From Major Road ("Y")			Sight Distance for Right Turn Only Intersections ("X")
	*W=1 Lane	*W=2 Lanes	*W=3 Lanes	*W=1 Lane	*W=2 Lanes	*W=3 Lanes	*N=1 Lanes
15	170'	180'	190'	125'	135'	145'	145'
20	225'	240'	250'	165'	180'	195'	195'
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70	775'	825'	875'	570'	620'	670'	670'

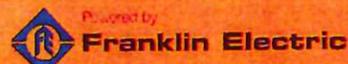
5/18/21

AdvanTex® AX100 Treatment System

Carefully Engineered by Orenco

Orenco Systems has been researching, designing, manufacturing, and selling leading-edge products for decentralized wastewater treatment systems since 1981. The company has grown to become an industry leader, with about 250 employees and 300 points of distribution in North America, Australasia, Europe, Africa, and Southwest Asia. Our systems have been installed in more than 65 countries around the world.

Orenco maintains an environmental lab and employs dozens of civil, electrical, mechanical, and manufacturing engineers, as well as wastewater treatment system operators. Orenco's technologies are based on sound scientific principles of chemistry, biology, mechanical structure, and hydraulics. As a result, our research appears in numerous publications and our engineers are regularly asked to give workshops and trainings.



FLO-SYSTEMS, INC
905 CHERRY LANE
TROY, IL 62294
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F 618-667-7976

Orenco®
Orenco Systems®, Incorporated

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Sutherlin, OR 97479 USA
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www.orenco.com/systems/

ABR-ATX-AX100-1
Rev. 2.1, © 01/14
Orenco Systems®, Inc.



Malibu Restaurant and Residential Development

Ten AX100s at the top of a Malibu bluff are treating high-strength waste from a large (200-seat) beachfront restaurant, 100 feet (30 m) below. This high-visibility tourist destination requires reliable, odor-free operation. Effluent sampling indicates excellent treatment, including nitrogen reduction. At an adjacent residential community, another system has been installed, consisting of 20 AX100s capable of treating up to 60,000 gpd (227,000 L/d) peak flows.

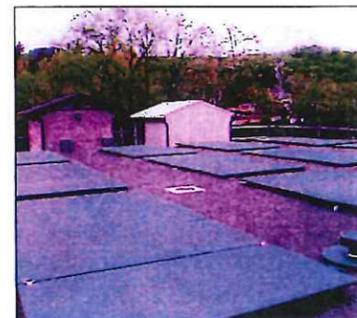
Mobile, Alabama Utility-Managed Subdivisions

Since 2003, South Alabama Utilities (SAU) in Mobile County, Alabama, has become the subject of nationwide classes, presentations, and tours because of its ambitious and innovative solution for serving nearly 4,000 new customers in 47 new subdivisions in western Mobile County (as well as a number of new schools and commercial properties). How? By installing more than 60 miles (96.5 km) of interconnected Orenco Effluent Sewers that are followed by 141 AdvanTex AX100s located at 13 different treatment sites. All told, SAU has the capacity to treat nearly half a million gpd (1.9 million L/d) of effluent, at better than 10 mg/L BOD/TSS.



Champion Hills is one of the many subdivisions in rural Mobile County served by Orenco's effluent sewers and treatment systems.

Under SAU's program, developers, builders, homeowners, and the utility all share the cost of extending wastewater infrastructure. Costs vary by development, but SAU currently charges homeowners about \$35-40/month for service. Overall costs are about half the cost of conventional sewers.



Oregon Riverside Community

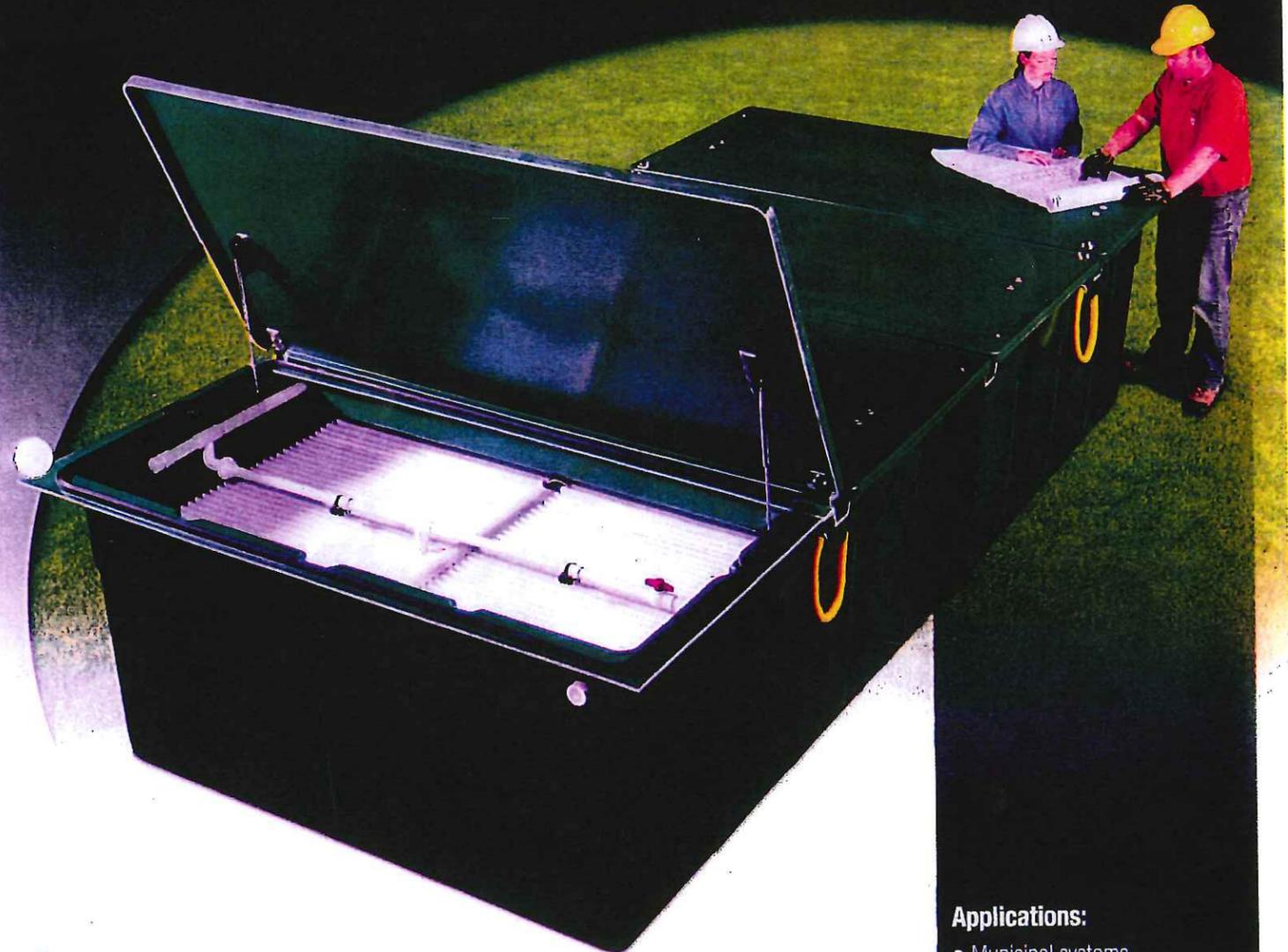
Since 2003, twelve AX100s have been providing advanced secondary wastewater treatment in Hebo, Oregon, for a small community collection system that discharges directly into Three Rivers, after UV disinfection. The average annual design flow is 17,000 gpd (64,400 L/d) with a peak daily design flow of 80,000 gpd (303,000 L/d) to account for I&I contributions from the collection system. Effluent BOD₅ and TSS are averaging 4.4 and 4.5 mg/L, respectively.

To order a complete design/engineering package for Orenco's Commercial AdvanTex Treatment Systems, contact your local Commercial AdvanTex Dealer. To find a Commercial Dealer, go to www.orenco.com/systems and click on "Locate a Dealer." Or call 800-348-9843 and ask for a systems engineer.

AdvanTex® Treatment Systems

AX100

Manufactured by Orenco Systems®, Inc.



Decentralized Wastewater Treatment for Commercial Properties and Communities

Applications:

- Municipal systems
- Subdivisions, apartments
- Golf course developments, resorts
- Manufactured home parks
- Parks, RV parks, campgrounds
- Schools, churches, businesses
- Rest areas, truck stops

Orenco Systems®, Inc.

814 Airway Avenue, Sutherlin, Oregon, USA 97479
Toll-Free: 800-348-9843 • +1-541-459-4449 • www.orenco.com

AdvanTex® AX100 Treatment System

AdvanTex® AX100 Treatment System



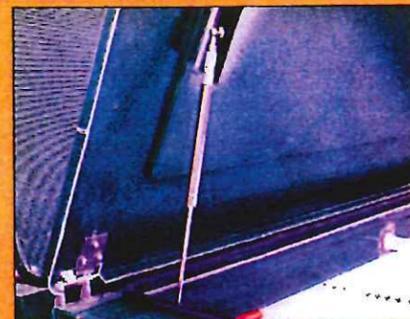
Textile Media

The treatment medium is a uniform, engineered textile, which is easily serviceable and allows loading rates as high as 50 gpd/ft² (2000 L/d/m²).



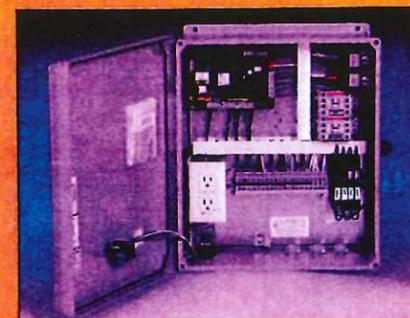
Effluent Distribution

The treatment media is microdosed at regular intervals by high-quality, low horse-power pumps; proprietary spin nozzles distribute the effluent efficiently, optimizing treatment.



Laterals and Lids

Isolation valves, flushing valves, and hinged lids with gas springs allow easy access and servicing by a single operator.



Telemetry Controls

Orenco's telemetry-enabled control panels use a dedicated phone line, ensuring round-the-clock system supervision and real-time, remote control.

The Product

Orenco's patented* AdvanTex® Treatment Systems can make raw wastewater up to 98% cleaner, meeting stringent regulatory requirements. They can also reduce nitrogen significantly, depending on influent and configuration. Orenco's commercial-sized (AX100) AdvanTex Systems offer all the benefits of Orenco's residential line:

- Consistent, reliable treatment, even under peak flows
- Compact package, small footprint, for small sites
- Premanufactured package, including textile medium, for quality control
- Low maintenance requirements, low power use (<2 kWh per 1000 treated gallons)
- Low life-cycle costs
- Production of clear, odorless effluent that's ideal for reuse

AdvanTex Treatment Systems for supplemental BOD and ammonia reduction are also available. (www.orenco.com/systems/nitrogen_reduction.cfm)

Decades of Research, Thousands of Installations

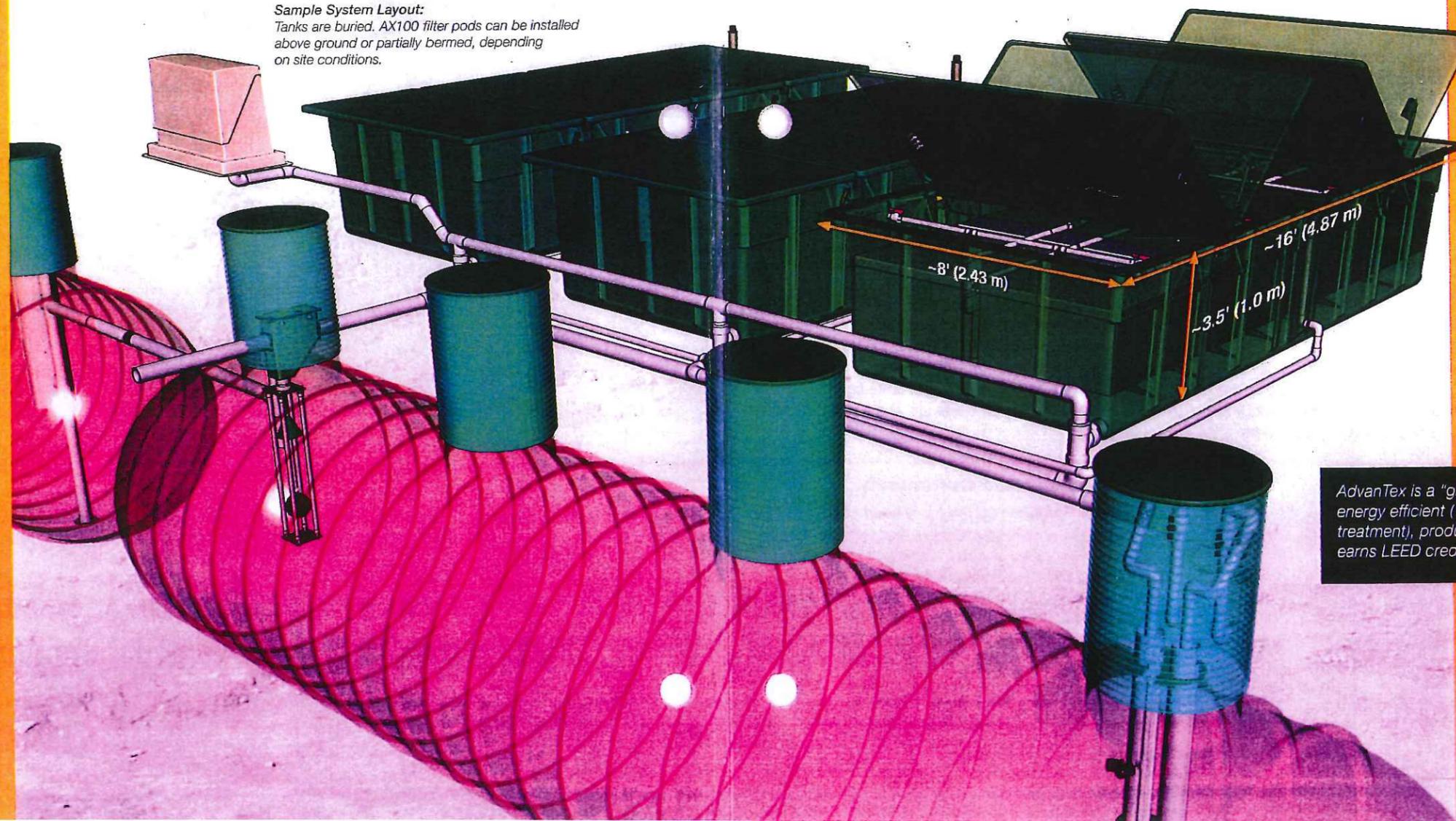
Orenco's AdvanTex recirculating filter unit is configured like a recirculating sand filter — a packed bed filter technology that Orenco engineers have helped to perfect since the 1970s. Like recirculating sand filters, AdvanTex is reliable and low-maintenance. It is superior to other packed bed filters, however, in its serviceability and longevity.

It is also superior in its treatment media. AdvanTex uses a highly efficient, lightweight textile that has a large surface area, lots of void space, and a high degree of water-holding capacity.

Consequently, AdvanTex Treatment Systems can provide treatment equivalent to that of sand filters at loading rates as high as 25-50 gpd/ft² (1000-2000 L/d/m²). That means AdvanTex can treat high-volume commercial and multi-family flows in a very compact space.

Our textile-based, multi-pass treatment technology has undergone third-party testing and evaluation to ANSI Standards. About 30,000 residential-sized AdvanTex filters have been installed since 2000. And about 3,000 commercial-sized AX100 units are now in operation, including the installations described on the back page.

Sample System Layout:
Tanks are buried. AX100 filter pods can be installed above ground or partially bermed, depending on site conditions.



AdvanTex is a "green" wastewater solution that is energy efficient (<2 kWh/1000 gal. for secondary treatment), produces re-use quality effluent, and earns LEED credits for your projects.

The Program

It takes more than a good product to solve on-site wastewater problems. It takes a comprehensive program ... one that ensures a successful project every time and provides support for the life of the system. That's what Orenco Systems® has done. We've engineered a program, not just a product.

Orenco's commercial AdvanTex program includes ...

- Authorized Dealers; trained Installers and Service Providers
- Training and plan reviews for Designers
- A comprehensive project checklist for successful system design, installation, start-up, and follow-up
- Round-the-clock system supervision via Orenco's remote telemetry controls
- A commitment to ongoing O&M, signed by system owners
- Web-based tracking of site and performance data on Dealer extranet
- Ongoing manufacturer support through Orenco's Sales Department
- Asset Management advice by dedicated post-sales Account Managers

* NOTE: Covered by U.S. patent numbers 6,540,920; 6,372,137; 5,531,894; 5,480,561; 5,360,556

ATTACHMENT C
Background Information



WILDWOOD

2nd ADDENDUM

to

Department of Planning's Information Report (first issued on February 16, 2016)
for the

City of Wildwood Planning and Zoning Commission

May 2, 2016 Executive Meeting

“Planning Tomorrow Today”

- Petition No.:** P.Z. 19-15 1971 Pond Road
- Petitioner:** Payne Family Homes L.L.C., 10407 Baur Boulevard, Suite B, St. Louis, Missouri, 63132
- Request:** A request for the application of a Planned Residential Development Overlay District (PRD), within the NU Non-Urban Residence District for a 78.0 acre tract of land.
Proposed Use: A total of twenty-six (26) individual lots, with common ground, and required public space areas. Lots would range in size from one (1) acre to four and one-half (4.5) acres.
- Location:** North side of State Route 100, west of Pond Road (Locator Number: 23W520053/Street Address: 1971 Pond Road).
- Hearing Date:** December 21, 2015
- 1st Presentation of Information Report:** February 16, 2016 – Postponed for Further Research
- 2nd Presentation of Information Report:** March 7, 2016 - Postponed for Further Research and Investigation
- 3rd Presentation of Information Report:** May 2, 2016 - TBD

The Department of Planning has prepared this attached 2nd Addendum to its Information Report to provide background relating to the conditions that currently exist in the City's rural areas in terms of wastewater treatment and also to describe the additional changes that have been made to the design of this subject development. Both of these discussion points were identified, as part of the last meeting that was held on this petition and the outcome from it was the direction to the Department to address identified concerns and additional considerations that were discussed therein.

These two (2) matters required different approaches to address their explanations. The first matter was to analyze the wastewater treatment situation in the rural areas of Wildwood. In preparation of this analysis, the Department requested information from the Missouri Department of Natural Resources, which issues Operating Permits for these types of systems that serve more than one (1) lot. This request was processed through the Department's Jefferson City Office and it provided a large number of documents that are provided as part of this Addendum. A summary of the findings relative to the State's permitting and inspection processes is provided below in the table.

#	Name and Location	Approval Authority	Type of System	State Information	Reporting Status via City Requirement
1	Babler State Park	State of Missouri	Lagoons	Operating Permit – March 12, 2010/Expiration Date – March 11, 2015; Renewal in Process; Inspection Report – December 14, 2015 – slope, fencing, and signage on lagoon berms	Not Applicable
2	Bartizan Pointe	City of Wildwood	Recirculating Sand	Renewal of Operating Permit – September 30, 2011/Expiration Date – September 29, 2016; Warning Letter Issued – August 31, 2011.	Not Current
3	Big Chief Restaurant	St. Louis County	Mechanical - Aeration	Warning Notice – November 19, 2014; Issuance of Operating Permit – October 1, 2012/Expiration Date – September 30, 2017.	Not Applicable
4	Estates at August Tavern Creek	City of Wildwood	Recirculating Sand	Warning Notice – August 2, 2010; Renewal of Operating Permit – June 24, 2011/Expiration Date – June 23, 2016.	Not Current
5	Estates at Autumn Farms	City of Wildwood	Recirculating Sand	Operating Permit – June 30, 2014/Expiration Date – June 30, 2018.	Not Current
6	Estates at Deer Hollow	City of Wildwood	Recirculating Sand	Public Notice – Operating Permit Application – June 7, 2006; Development Stopped Due to Recession/Foreclosure.	Not Current
7	Estates at Homestead	City of Wildwood	Recirculating Sand	Operating Permit – October 29, 2014/Expiration Date – October 31, 2019.	Not Current
8	Hidden Valley Ski Resort	St. Louis County	Mechanical - Aeration	Not Provided.	Not Applicable
9	Lafayette Baptist Church	City of Wildwood	Recirculating Sand	Operating Permit – September 9, 2014/Expiration Date – June 30, 2018.	Not Current
10	LaSalle Institute	St. Louis County	Mechanical - Aeration	Renewal of Operating Permit – March 16, 2012/Expiration Date – March 15, 2017.	Not Applicable
11	LaSalle Springs Middle School	St. Louis County	Mechanical – Aeration	Renewal of Operating Permit – March 16, 2012/Expiration Date – March 15, 2017.	Not Applicable
12	Living Word Church	City of Wildwood	Recirculating Sand	Operating Permit – March 10, 2016/Expiration Date – December 31, 2020.	Not Current
13	Marianist Retreat Center	St. Louis County	Mechanical - Aeration	Operating Permit Issued – August 19, 2013/Expiration – September 30, 2017.	Not Applicable
14	Metro West Fire Protection District – Starck Lane	City of Wildwood	Recirculating Sand	Issuance of Operating Permit – October 1, 2012/Expiration Date – September 30, 2017; Inspection Report – July 16, 2010 – Failure to mark outfall in field.	Not Current
15	Oaks at Wildwood	City of Wildwood	Recirculating Sand	Inspection Report – October 16, 2015 – Form S not submitted/Expiration Date – December 31, 2015; Operating Permit Application – January 8, 2016.	Not Current
16	Radcliffe Place	St. Louis County	Mechanical - Aeration	Renewal of Operating Permit – August 13, 2015/Expiration Date – September 30, 2017; Inspection Report – October 1, 2012 – In Compliance.	Not Applicable

#	Name and Location	Approval Authority	Type of System	State Information	Reporting Status via City Requirement
17	Ridgetree Trails	St. Louis County	Mechanical	Not Provided.	Not Applicable
18	Rockwood Valley Middle School	St. Louis County	Mechanical - Aeration	Inspection Report – August 7, 2008 – In compliance (no violations); Issuance of Operating Permit – March 16, 2012/Expiration Date – March 15, 2017.	Not Applicable
19	St. Albans East	St. Louis County	Mechanical - Aeration	Not Provided.	Not Applicable
20	St. Albans Forest	St. Louis County	Mechanical - Aeration	Inspection Report – November 10, 2015 - All-weather access roadway; Renewal of Operating Permit – August 7, 2013/Expiration Date – June 30, 2016.	Not Applicable
21	St. Albans Valley	St. Louis County	Mechanical - Aeration	Renewal of Operating Permit – June 23, 2014/Expiration – June 30, 2016; Inspection Report – November 10, 2015 (no deficiencies).	Not Applicable
22	Three Sisters Farm	City of Wildwood	Recirculating Sand	Inspection Report – October 13, 2010 – Outfall point not marked; Application for Operating Permit Renewal – December 4, 2015.	Not Current
23	West County Community Church	City of Wildwood	Recirculating Sand	Operating Permit – March 2, 2012/Expiration Date – March 1, 2017/Notice of Violation – February 6, 2015 – 5 violations.	Not Current
24	Whispering Oaks Health Care Facility (currently closed)	St. Louis County	Mechanical; now on MSD Public System	Not Applicable.	Not Applicable
25	Wild Horse Farms	St. Louis County	Mechanical - Aeration	Inspection Report – February 5, 2016 (backflow not in place); Reissuance of Operating Permit – March 5, 2014/Expiration Date – September 30, 2015.	Not Applicable
26	Wild Horse Spring Farms	St. Louis County	Mechanical - Aeration	Operating Permit – June 8, 2012/Expiration Date – June 6, 2017; Inspection Report – August 18, 2008 – Disinfection system needs to be installed.	Not Applicable
27	Wildwood Middle School	City of Wildwood	Recirculating Sand	Operating Permit Issued – March 16, 2012/Expiration Date – March 15, 2017; Inspection Report – May 1, 2015 – In Full Compliance.	Not Current

From this analysis, the Department would identify the following conclusions regarding this matter:

1. The total number of facilities for wastewater treatment issued by the City since 1995 is twelve (12). Of these twelve (12) facilities, seven (7) have been authorized for use in conjunction with residential subdivisions in the NU Non-Urban Residence District. St. Louis County approved the remaining facilities of this nature that are now located in the City of Wildwood, prior to its incorporation.
2. The facilities, notwithstanding two (2) exceptions, all have Operating Permits from the State of Missouri and have maintained them according to the defined timelines contained therein.

3. The violations associated with these facilities operating under a State permit have generally been limited, but inspections appear to be infrequent, while reporting requirements are now on a quarterly basis, not monthly, as had been explained to the City in 1995.
4. The compliance of these facilities and the organizations managing them relative to City's requirements is poor, since none have provided current inspection reports. This situation relative to the twelve (12) facilities is disappointing. Steps are underway to address this situation (see previous update provided the Department on this matter).

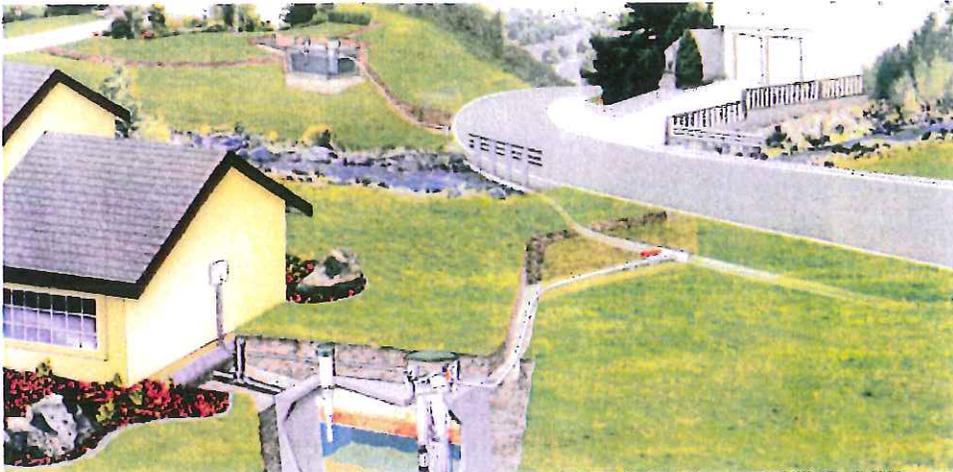
Conversations with the State of Missouri indicate that, although some of these facilities may not have an appearance that is necessarily appealing, their intended function and the associated level of treatment can still be achieved. Additionally, in discussions with officials with the St. Louis Regional Office of the Missouri Department of Natural Resources, they noted the recirculating sand filter is still a viable option for wastewater treatment, but other options do exist that may provide a different approach to this need, but all depend on regular and consistent maintenance of them. Without such, no system, no matter how well it is designed, engineered, and installed, will function to the level that is sought to protect the environment. Therefore, the Department still believes that a single facility for the treatment of wastewater is the best environmental approach for the City of Wildwood, but steps need to be followed by the owners of these facilities to maintain them or environmental degradation will occur.

The second matter relates to the questions or comments regarding the design of the development and the items that have been changed since the initial public hearing was completed on it. Many of these questions and comments originated from nearby residents. To address these questions or comments, the following changes have been made to the plan for the development of this approximately eighty (80) acre site:

1. The number of total lots was reduced by one (1) to twenty-five (25).
2. The entry/exit to the development has been shifted to the south, and closer to State Route 100.
3. The number of streetlights has been reduced to preserve the rural setting of the general area and protect the night sky.
4. The sewage treatment facility has been moved to the southernmost end of the site, near State Route 100. The plant is located on common ground and between two (2) of the proposed lots. The plant is now a closed system, with filters, and individual tanks for solids on each of the planned lots.
5. The perimeter of the property at specific locations is better protected through greater separation between the planned individual lot grading profiles and the common boundary with adjoining properties and the use of retaining walls to lessen disturbance. These changes include a landscape berm on proposed Lot 2.
6. The public space requirement will be the form of a fee in-lieu-of for the multiple-use trail and is planned next to State Route 100.

With these changes, the development of the site now exceeds, in many regards, the minimum requirements of the City's environmental regulations and meets the major design components for a residential development in a NU Non-Urban Residence District, with a Planned Residential Development Overlay District (PRD).

The Department of Planning has revised the previous Information Report to reflect the latest set of changes that have been made to the design of this residential Subdivision. These changes are highlighted in Attachment B of the report.



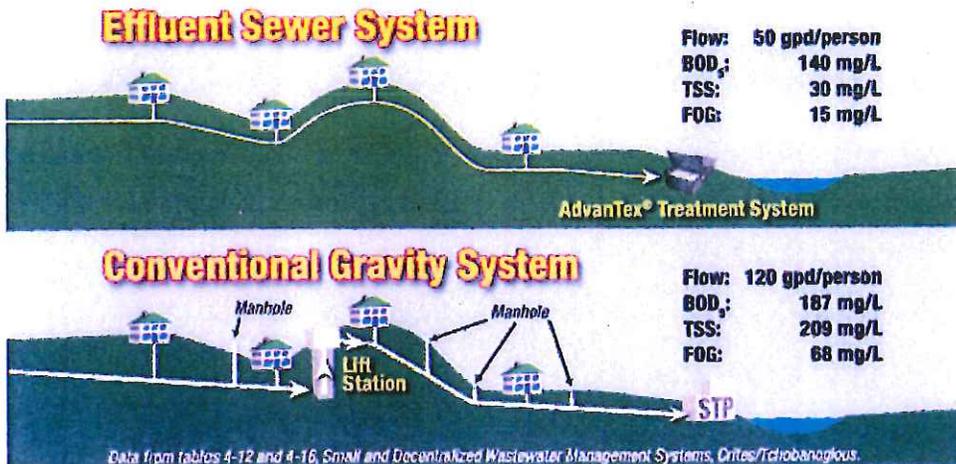
How Effluent Sewers Work

With an Orenco Effluent Sewer, raw sewage flows from the house or business to a watertight underground tank. Only the filtered liquid portion is discharged (by either pump or gravity) to shallow, small-diameter collection lines that follow the contour of the land. Solids remain in the underground tank for passive, natural treatment, and only need to be pumped every 10 to 12 years (depending on the number of residents and the tank volume).

Effluent sewers are also known as STEP systems (Septic Tank Effluent Pumping) or STEG systems (Septic Tank Effluent Gravity). With STEP systems, an Orenco [ProSTEP™ Pump Package](#) is required.

Far Fewer Construction Headaches

Installation time is reduced by one-half or more, compared to conventional sewers. Inexpensive, small diameter collection lines are shallowly buried, just below the frost line, reducing material and excavation costs. Because only liquid is being pumped, system designers do not need to worry about minimum velocity and associated grade.



This ease of installation causes less disruption to communities, allowing businesses to operate normally during construction. Installation ease also makes Effluent sewer systems well-suited for community "self-help" programs, as in [Starbuck, Washinaton](#).

Cost Advantages

Conventional gravity sewer is an up-front capital expense, requiring total installation just to get the project started. However, this is not the case with decentralized sewer. The on-lot equipment — the largest portion of the total cost — is only installed after each home is built, allowing the expense to be included in the price of each home.

In the case of existing homes, the on-lot cost is only incurred when a home is added to the system. Therefore, the majority of the cost of decentralized sewer is a deferred capital expense that is spread out over the lifetime build-out of the project, as opposed to the large, up-front expense required by gravity sewer.

Downstream treatment costs are significantly reduced because only low-strength effluent is collected as solids stay behind to decompose in watertight tanks. A pressurized, closed system means expensive manholes and lift stations are eliminated. And because effluent sewers are designed as watertight, there's virtually no inflow and infiltration, making oversizing of the system unnecessary, and lowering the capacity

Resources



[Video Introduction to Effluent Sewer \(5 min\)](#)

[ProSTEP Components](#)

[Life-cycle Cost Comparison](#)

[Considering Grinders?](#)

[Environmental Science & Engineering article](#)

[A Comparison of Collection Systems](#)

[Installation Manual](#)

[Environmental Impact](#)

[Effluent Sewer Brochure](#)

[Request Design Assistance](#)

"We ran almost all our collection lines down alleys and across fields. When the state's Rural Development Director came to town for our dedication, he pulled me aside and asked, 'When are you going to get this project finished?' I said, 'It is finished.' He said, 'But when are you going to tear up the streets?' He couldn't believe we didn't have to!"

— Engineer Bill Walker on Effluent Sewer in New Minden, Illinois

requirements of the treatment plant.

It's also critically important to look beyond upfront costs to evaluate [long-term, life-cycle costs](#) when choosing a wastewater collection method. Costs for repair and replacement, operation and maintenance, and debt financing vary greatly among effluent sewer, gravity, vacuum, and grinder collection. We can help you sort through the considerations.

Environmental Responsibility

From an [environmental perspective](#), effluent sewers are hard to beat. Passive primary treatment, energy-efficient fractional-horsepower effluent pumps, and watertight construction are features that help minimize environmental impact. Designers can appreciate not compromising between technical design and environmental stewardship.

Even the Sierra Club and the Surfrider Foundation endorsed an Orenco Effluent Sewer over the gravity sewer option proposed for a coastal California project, stating that a STEP effluent sewer would provide "significantly greater protections to the groundwater, sensitive ecosystems, and culturally significant sites in the area."

Orenco engineers stand ready to help with reference materials for [Environmental Impact Report \(EIR\)](#) investigations.

[Covered by one or more Orenco patents.](#)

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WILDWOOD

April 4, 2016

The Planning and Zoning Commission
City of Wildwood, Missouri
16860 Main Street
Wildwood, Missouri 63040

Re: An update by the Department of Planning on the sewage treatment issue identified as part of the consideration of **P.Z. 19-15 1971 Pond Road, Payne Family Homes L.L.C.**

Commission Members:

The Department of Planning has been collecting additional information on the matter relating to wastewater treatment in the rural areas of the City, given the questions and concerns raised about the proposed re-circulating sand filter plant that was planned for the project at Pond Road and State Route 100. As was described at the meeting on this particular project, the City has encouraged the use of these types of plants, instead of individualized, lot-by-lot facilities, for the benefits of improved function and environmental quality. The selection of this particular type of facility was premised on direction and recommendations from the State of Missouri and St. Louis County, shortly after the incorporation of the City of Wildwood.

To date, the Department of Planning has completed the following items in this regard:

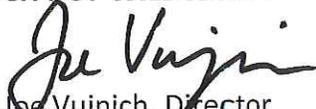
1. Submitted the attached letter to the State of Missouri – Department of Natural Resources - requesting information on all packaged wastewater treatment plants located in the City.
2. Received a response from the State of Missouri regarding the Department's request and was advised the requested information will not be available until April 8, 2016, at the earliest (see attached e-mail).
3. Met with representatives of Payne Family Homes, who are proposing a different type of wastewater system, which is described in the information attached to this letter.
4. Continued research on other options for wastewater treatment for Wildwood's rural areas.
5. Prepared a letter to all applicable users of these facilities, i.e. Homeowners Associations, school district, places of worship, etc., who manage these systems in Wildwood seeking their current testing results and maintenance schedules, etc.

Given information will not be available from the State of Missouri until, at the earliest, the Commission's April 18, 2016 meeting, no action is planned on the Planned Residential Development Overlay District (PRD) request at tonight's meeting, but the Department wanted to provide this update for the benefit of the members and public.

If any of the Commission Members have questions or comments regarding this information, please feel free to contact the Department of Planning and Parks at (636) 458-0440. A presentation on this matter is planned at tonight's meeting. Thank you for your consideration of this information.

Respectfully submitted,

CITY OF WILDWOOD



Joe Vujnich, Director

Department of Planning and Parks

Cc: The Honorable Timothy Woerther, Mayor
Ryan S. Thomas, P.E., City Administrator
Rob Golterman, City Attorney
Rick Brown, P.E. and P.T.O.E., Director of Public Works
Kathy Arnett, Assistant Director of Planning and Parks
Travis Newberry, Planner – Zonings
Tom Cummings, Payne Family Homes



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

CITY OF WILDWOOD

MAR 31 2016

DEPT OF PLANNING & PARKS

March 29, 2016

Joe Vujnich, Director of Planning and Parks
City of Wildwood
16860 Main Street
Wildwood, MO 63040

Dear Mr. Vujnich,

We are responding to your recent correspondence and inquiry regarding wastewater treatment concerns in rural Wildwood, Missouri. Some of the information you requested requires submittal of an Open Records request. Based on your March 17, 2016 letter, we have submitted this for you and that information will come in a separate response.

The facilities you listed by name appear to be a combination of both recirculating sand filters and mechanical type plants. Most of the facilities appear to have been issued Missouri State Operating Permits. However, LaSalle Institute connects to the Rockwood's LaSalle Springs' wastewater treatment plant and Whispering Oaks Healthcare is connected to Metropolitan Sewer District sewers. We do not have information of the Estates at Deer Hollow or Ridgetree Trails centralized sewers or a wastewater treatment facility. If you have the addresses for these two unpermitted plants, please send them to us. The permits specify information about the facility including the type of treatment, basic design specifications, reporting requirements including parameters that must be sampled for, and the frequency of sampling. This data must be submitted to the Department on Discharge Monitoring Reports (DMRs). There may be other requirements listed in the permits and they are required to comply with Standard Conditions included with the permit. This data must be submitted to the Department at the frequency and in the manner stated by the permit and using the permit number, all the data and violations are available to you online at the following address:

http://dnr.mo.gov/mocwis_public/dmrDisclaimer.do. Permits for these facilities are also available to you online at www.dnr.mo.gov. As this information is already online, it does not require an Open Records request for you to obtain.

The Department has the authority to conduct an investigation of facilities with operating permits at any time there is a specific concern submitted. Routine inspection frequency is related to several factors including overall workload, the numbers and facility type inspection commitments the Department establishes with the EPA, and compliance history including information the facility is required to submit on its discharge monitoring reports. A Watershed

From: Custodian of Record custodianofrecord@dnr.mo.gov
Subject: OR33395 - Vujnich
Date: March 25, 2016 at 10:07 AM
To: joe@cityofwildwood.com



Dear Mr. Vujnich:

I am in receipt of your March 24, 2016, request for records under the Sunshine Law, Chapter 610, Revised Statutes of Missouri. Under the Missouri Sunshine Law, all open and responsive records maintained by the Missouri Department of Natural Resources will be made available to you.

The Department is reviewing its records for those that are responsive to your request. Due to the volume of Sunshine Law requests the Department receives; please expect to hear back from the Department on or before April 8, 2016.

Thank you in advance for your patience and if you have any questions, please contact me.

Sincerely,

MISSOURI DEPARTMENT OF NATURAL RESOURCES

Dawn Brooks
Custodian of Records/Assistant General Counsel





WILDWOOD

March 17, 2016

Paul Morris
Environmental Supervisor – WPC Unit
Missouri Department of Natural Resources
St. Louis Regional Office
7545 South Lindbergh Boulevard, Suite 210
St. Louis, Missouri 63125

Re: Wastewater Treatment Concerns in Rural Wildwood, Missouri

Dear Mr. Morris:

The City of Wildwood has always appreciated the advice and counsel of the Missouri Department of Natural Resources (MDNR) when developing its regulations to protect its natural environment. No more than any other time has this partnership been used, as when the City developed its regulations relating to the management of wastewater effluent from new developments that were located outside the jurisdictional boundaries of the Metropolitan St. Louis Sewer District (MSD). These regulations led to the development of requirements that provided for the use of recirculating sand filter types of plants, as the preferred method of this treatment.

Along with consulting on the system for treatment, the City sought other protection and assurances in this regard. To this end, the City was advised by the State of Missouri that it would issue operating permits for these facilities that would guarantee the following:

1. The appropriate design of these plants, based on the environments of their locations.
2. The on-going process for inspections and reporting upon the operation of these facilities.
3. The suggestions to ensure that issues at these facilities, if found, could be addressed in appropriate timeframes, with the right personnel.

These commitments led the City to integrate these key points into any Conditional Use Permit (CUP) or Planned Residential Development Overlay District (PRD) issued by the City for a facility of this nature.

Recently, these facilities have been called into question, given the condition of several of the plants located here in the City of Wildwood. Questions were raised about their appearance, odor, and maintenance. Given these questions were identified at a Planning and Zoning Commission meeting, the members of it requested the Department contact the State and determine the conditions of these plants and the regularity of reporting by their owners and the inspection program they are obliged to

follow each year, under their respective operating permits from the State of Missouri. Therefore, the Department is requesting this information on the following plants, which are located in the City of Wildwood.

- a. Babler State Park
- b. Baritzan Pointe
- c. Big Chief Restaurant
- d. Estates at August Tavern Creek
- e. Estates at Autumn Farms
- f. Estates at Deer Hollow
- g. Estates at Homestead
- h. Hidden Valley Ski Resort
- i. Lafayette Baptist Church
- j. LaSalle Institute
- k. LaSalle Spring Middle School
- l. Living Word Church
- m. Marianist Retreat Center
- n. Metro West Fire Protection District – Starck Lane
- o. Oaks at Wildwood
- p. Radcliffe Place
- q. Ridgetree Trails
- r. Rockwood Valley Middle School
- s. St. Albans East
- t. St. Albans Forest
- u. St. Albans Valley
- v. Three Sister Farms
- w. West County Community Church
- x. Whispering Oak Health Care Facility (currently closed)
- y. Wild Horse Farms
- z. Wild Horse Spring Farms
- aa. Wildwood Middle School

The Department of Planning would appreciate this information as quickly as possible. The information will assist the Department in its investigation of these claims. It is imperative the City knows the Missouri Department of Natural Resources (MDNR) will have an on-going role in monitoring these plants in Wildwood in regards to assisting in ensuring these plants are operated and maintained at required levels of safety and health.

If you should have any questions or comments in this regard, please feel free to contact the Department of Planning at (636) 458-0440. Thank you for your help and response to the City's request for this critical input on this matter.

Respectfully submitted,
CITY OF WILDWOOD

Joe Vujnich, Director
Department of Planning and Parks

Cc: The Honorable Timothy Woerther, Mayor
The Honorable City Council of the City of Wildwood, Missouri
Dorothy Franklin, Director, St. Louis Regional Office - Missouri Department of Natural Resources
Ryan S. Thomas, P.E., City Administrator
Rob Golterman, City Attorney
Kathy Arnett, Assistant Director of Planning and Parks
Brian Gramlich, Code Enforcement Officer



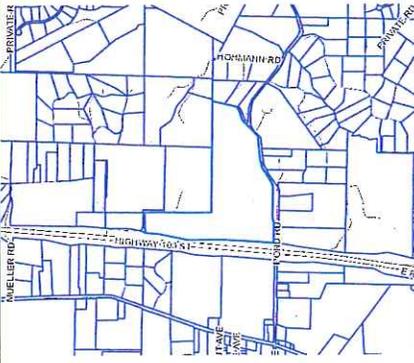
WILDWOOD

16860 Main Street
Wildwood, MO 63040

**CITY OF WILDWOOD
NOTICE OF
PUBLIC MEETING**
before the Planning and Zoning Commission
Monday, May 2, 2016, at 7:30 p.m.

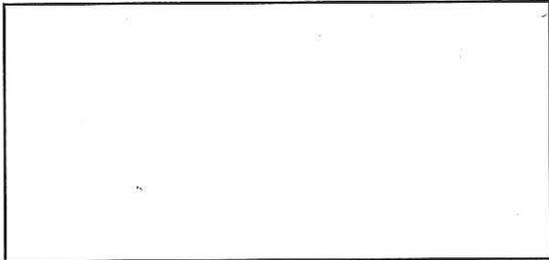
THE CITY WELCOMES AND ENCOURAGES
YOUR COMMENTS AND PARTICIPATION IN
ITS PUBLIC PROCESSES.

AS A RESIDENT OR PROPERTY OWNER NEAR THE SITE THAT IS IDENTIFIED ON THIS MAILER, THE CITY OF WILDWOOD WOULD LIKE TO ENSURE YOU ARE AWARE OF THIS REQUEST/PROPOSAL BECAUSE IT IS LOCATED WITHIN 3,000 FEET OF YOUR PROPERTY. YOUR COMMENTS ARE ENCOURAGED, ALONG WITH YOUR PARTICIPATION AT THE SCHEDULED HEARING OR MEETING. THIS ITEM IS SCHEDULED FOR DISCUSSION AND ITS OUTCOME MAY IMPACT YOUR HOME, NEIGHBORHOOD, OR AREA, SO PLEASE CAREFULLY READ THE DESCRIPTION AND PARTICIPATE AT YOUR DISCRETION. THE CITY OF WILDWOOD ENCOURAGES CITIZEN INPUT AT ALL OF ITS HEARINGS OR MEETINGS AND YOUR INVOLVEMENT WILL ASSIST IT IN REACHING THE BEST DECISION POSSIBLE FOR ALL PARTIES.



Street Address of Subject Site:
1971 Pond Road

* PLEASE SEE YELLOW BOX ON OPPOSITE SIDE OF THIS MAILER FOR A LIST OF WAYS TO EITHER COMMENT ON AND/OR TRACK THIS ITEM.



Listed below is a request that was presented to the Planning and Zoning Commission at a public hearing held on December 21, 2015 and another discussion on February 16, 2016. You and many of your neighbors may have expressed interest in its outcome and the Commission is scheduled to begin its deliberation upon this item again at their upcoming meeting. If inclined, the Commission encourages you to attend this meeting and hear the Department of Planning's recommendation on this matter and participate in its discussion. The meeting will be held on **Monday, May 2, 2016, at 7:30 p.m.** in the City Hall Council Chambers, 16860 Main Street, Wildwood, Missouri 63040. The specific request under consideration is as follows:

P.Z. 19-15 1971 Pond Road, Payne Family Homes L.L.C., 10407 Baur Boulevard, Suite B, St. Louis, Missouri, 63132 – A request for the application of a Planned Residential Development Overlay District (PRD), within the NU Non-Urban Residence District for a 78.0 acre tract of land that is located on the north side of State Route 100, west of Pond Road (Locator Number: 23W520053/Street Address: 1971 Pond Road). **Proposed Use: A total of twenty-six (26) individual lots, with common ground, and required public space areas. Lots would range in size from one (1) acre to four and one-half (4.5) acres. (Ward One)**

- * RESIDENT OR PROPERTY OWNER - PLEASE COMMENT ON AND/OR TRACK THIS REQUEST BY:**
- 1) Submitting a comment online by visiting: <http://www.cityofwildwood.com/comment>.
 - 2) Submitting a written comment prior to the hearing and addressed to the Planning and Zoning Commission, City of Wildwood, 16860 Main Street, Wildwood, Missouri 63040.
 - 3) Viewing the Planning and Zoning Commission's agenda, which is available on the City's website at: www.cityofwildwood.com, the Friday before the aforementioned meeting date.

If you should have any questions regarding this information, please feel free to contact the Department of Planning at (636) 458-0440. Thank you in advance for your interest in this matter.



WILDWOOD

ADDENDUM

to
Department of Planning's Information Report (first issued on February 16, 2016)
for the

City of Wildwood Planning and Zoning Commission
March 7, 2016 Executive Meeting
"Planning Tomorrow Today"

Petition No.: P.Z. 19-15 1971 Pond Road
Petitioner: Payne Family Homes L.L.C., 10407 Baur Boulevard, Suite B, St. Louis, Missouri, 63132
Request: A request for the application of a Planned Residential Development Overlay District (PRD), within the NU Non-Urban Residence District for a 78.0 acre tract of land. **Proposed Use: A total of twenty-six (26) individual lots, with common ground, and required public space areas. Lots would range in size from one (1) acre to four and one-half (4.5) acres.**
Location: North side of State Route 100, west of Pond Road (Locator Number: 23W520053/Street Address: 1971 Pond Road).
Hearing Date: December 21, 2015
1st Presentation of Information Report: February 16, 2016 – Postponed for Further Research
2nd Presentation of Information Report: March 7, 2016

The Department of Planning has met on this particular request several times over the last three (3) weeks with the developer and residents of the area. The two (2) Ward One Council Members, Glen De Hart and Larry McGowen, arranged the meeting with the residents. In these meetings, the Department has been asked to review certain components of its recommendation, while explaining the benefits of a Planned Residential Development Overlay District (PRD) on this site. The outcome of these meetings was the better identification of the requirements for the site's future use for twenty-five (25) residential lots, while also ensuring the residents' questions could at least be addressed to the greatest extent possible.

In terms of the conditions, the Department has modified several of them to address inaccuracies in its measured distances and offer certain options in terms of public improvements, while better defining the land disturbance limits on this site. These changes are indicated in Attachment B of the Department's re-issued Information Report and shown by red and bolded type. These changes will be described at tonight's meeting on this petition.

Eight (8) property owners of the area and the aforementioned City Council members attended the residents' meeting. The intent of this meeting was to identify the neighbors' concerns and determine if the developer and/or City could address them. The main topics of this meeting and the discussion points are summarized below:

Resident Concern	Discussion Points	Outcome
<p>Access of the Subdivision to Pond Road</p>	<p>The residents asked the access point be relocated to State Route 100 or, for some, but not all of the attendees, Lynda Jayne Lane. If these options were not acceptable, move the access point on Pond Road further to the south, nearer to State Route 100.</p>	<p>The Department noted that access to State Route 100 would not be allowed at this time, given this roadway is designated as a limited-access type and prohibited. However, the Department offered to contact the Missouri Department of Transportation (MoDOT) about such, which it did. The Area Engineer for this part of St. Louis County confirmed that State Route 100 is a limited-access type and the likelihood of allowing a curb cut onto it would be slim to none.</p> <p>The Department noted that Lynda Jayne Lane was not a preferred option to it, given it adds turning movements onto State Route 100, at a less than desirable location.</p> <p>The Department did note the current wording of the condition regarding access into and out of the site does not require a specific location on Pond Road, which would allow for it to be shifted, if a better placement exists along the site's frontage.</p> <p>The Department also agreed to investigate the following items:</p> <ul style="list-style-type: none"> a. traffic counts on Pond Road; and b. accidents and summonses on Pond Road. <p>These items are underway, but not completed at this time.</p>

Resident Concern	Discussion Points	Outcome
<p>The use of the Planned Residential Development Overlay District (PRD)</p>	<p>The residents would prefer that all of the proposed lots be three (3) acres or greater in size and better match the neighborhood's pattern. The residents supported less lots on the site as well, as a way to increase their respective sizes.</p>	<p>The Department explained the benefits of the overlay district, as set forth in the Zoning Ordinance, and applied to this site. As part of this discussion, the Department noted it would provide copies of the Connecticut River Valley Study, which was used by the City in developing its goals, objectives, and policies of the Master Plan for its support of the overlay district concept. That study was made available to the residents on March 3rd.</p>
<p>Privacy Concerns Along the Perimeter of the Site</p>	<p>The residents asked if the proposed lots, and associated clearing, could be better managed to ensure increased privacy along the common boundaries of their properties and this site. Several options were discussed, including buffer strips, with plantings.</p>	<p>The Department concurred with this matter and the developer and City staff noted that many of the abutting properties to this site have substantial buffers. The developer did agree to landscape any areas of the site, where development activity is planned, including land disturbance, which border existing lots that currently may be devoid of trees.</p>
<p>Wastewater Treatment Facility</p>	<p>The residents asked about this plant, its operation and function, along with its location.</p>	<p>The Department noted why the City requires these plants and described the operation of a re-circulating sand filter type. Additionally, the Department described several locations where these plants are currently operational and provided directions to visit them.</p>
<p>Lighting Plan</p>	<p>The residents want the least amount of lighting as possible and preserve the dark sky.</p>	<p>The Department noted that only one (1) street light is required in this development, at the intersection of the private street and Pond Road. Other lighting, if planned, is reviewed under the City's Outdoor Lighting Requirements of its Zoning Ordinance. Accordingly, the Department offered no objection to less lighting of public areas, such as the internal street.</p>

Resident Concern	Discussion Points	Outcome
Electrical Lines	The residents noted that service lines to several of their properties are located through this site and how would the development manage them.	The developer noted that Ameren Missouri will design the electrical network for this site and its integration into the surrounding properties. This design has not been started. The Department also noted that all new utility lines must be placed underground, including any overhead lines on the subject site at this time. The installation and conversion of these lines should not lead to an interruption of service to surrounding properties, given Ameren Missouri's participation in the system's design and inspection of this process.
School Buses	The residents noted the school buses stop in the vicinity of this site and safety needs to be addressed in this regard.	The Department noted it would contact Rockwood School District on this matter. That contact has not yet been made.

The Department continues to work on a few of these matters, but believes the discussion of this petition can proceed at tonight's meeting, given the need for input and direction of the Planning and Zoning Commission on the reasonableness of this overlay district request at this location, and its associated design, which the Department is supporting at this time.

If any of the Commission Members should have questions or comments in this regard, please feel free to contact the Department of Planning at (636) 458-0440. Thank you for direction on this matter and consideration of this information.

**CITY OF WILDWOOD
NOTICE OF
PUBLIC MEETING**
before the Planning and Zoning Commission
Monday, March 7, 2016, at 7:30 p.m.

AS A RESIDENT OR PROPERTY OWNER NEAR THE SITE THAT IS IDENTIFIED ON THIS MAILER, THE CITY OF WILDWOOD WOULD LIKE TO ENSURE YOU ARE AWARE OF THIS REQUEST/PROPOSAL BECAUSE IT IS LOCATED WITHIN 3,000 FEET OF YOUR PROPERTY. YOUR COMMENTS ARE ENCOURAGED, ALONG WITH YOUR PARTICIPATION AT THE SCHEDULED HEARING OR MEETING. THIS ITEM IS SCHEDULED FOR DISCUSSION AND ITS OUTCOME MAY IMPACT YOUR HOME, NEIGHBORHOOD, OR AREA, SO PLEASE CAREFULLY READ THE DESCRIPTION AND PARTICIPATE AT YOUR DISCRETION. THE CITY OF WILDWOOD ENCOURAGES CITIZEN INPUT AT ALL OF ITS HEARINGS OR MEETINGS AND YOUR INVOLVEMENT WILL ASSIST IT IN REACHING THE BEST DECISION POSSIBLE FOR ALL PARTIES.

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Street Address of Subject Site:
1971 Pond Road

THE CITY WELCOMES AND ENCOURAGES YOUR COMMENTS AND PARTICIPATION IN ITS PUBLIC PROCESSES.

Listed below is a request that was presented to the Planning and Zoning Commission at a public hearing held on December 21, 2015. You and many of your neighbors may have expressed interest in its outcome and the Commission is scheduled to take action upon this item at their upcoming meeting. If inclined, the Commission encourages you to attend this meeting and hear the Department of Planning's recommendation on this matter and participate in its discussion. The meeting will be held on **Monday, March 7, 2016, at 7:30 p.m.** in the City Hall Council Chambers, 16860 Main Street, Wildwood, Missouri 63040. The specific request under consideration is as follows:

P.Z. 19-15 1971 Pond Road, Payne Family Homes L.L.C., 10407 Baur Boulevard, Suite B, St. Louis, Missouri, 63132 – A request for the application of a Planned Residential Development Overlay District (PRD), within the NU Non-Urban Residence District for a 78.0 acre tract of land that is located on the north side of State Route 100, west of Pond Road (Locator Number: 23W520053/Street Address: 1971 Pond Road). **Proposed Use: A total of twenty-six (26) individual lots, with common ground, and required public space areas. Lots would range in size from one (1) acre to four and one-half (4.5) acres. (Ward One)**

***RESIDENT OR PROPERTY OWNER - PLEASE COMMENT ON AND/OR TRACK THIS REQUEST BY:**

- 1) Submitting a comment online by visiting: <http://www.cityofwildwood.com/comment>.
- 2) Submitting a written comment prior to the hearing and addressed to the Planning and Zoning Commission, City of Wildwood, 16860 Main Street, Wildwood, Missouri 63040.
- 3) Viewing the Planning and Zoning Commission's agenda, which is available on the City's website at: www.cityofwildwood.com, the Friday before the aforementioned meeting date.

Travis Newberry

From: Joe Vujnich
Sent: Tuesday, February 16, 2016 5:15 PM
To: Travis Newberry
Subject: Fwd: 1971 Pond Rd

Begin forwarded message:

From: "Cummings, Thomas" <tec@paynefamilyhomes.com>
Date: February 16, 2016 at 2:54:32 PM CST
To: Joe Vujnich <JVujnich@cityofwildwood.com>
Cc: David Schneider <melmjn@gmail.com>, "Duepner, Jerry" <jgd@paynefamilyhomes.com>, Cathy Armfield <carmfield@tricounty.com>, "rbrown@cityofwildwood.com" <rbrown@cityofwildwood.com>, "ryan@cityofwildwood.com" <ryan@cityofwildwood.com>, Tim Woerther <twoerther@cityofwildwood.com>, "rgolterman@lewisrice.com" <rgolterman@lewisrice.com>
Subject: 1971 Pond Rd

Joe:

Please accept this email as the request of petitioner to postpone the consideration of the Planning & Zoning case related to the above property that is scheduled for report and consideration this evening.

There are several new items that appeared in the Department's report issued late Friday that are impactful to the proposed development, and which petitioner would like to meet with Staff to discuss, so that we might better understand the operation of the development conditions being proposed.

I have left you a voicemail earlier today, but not heard back yet, so I thought it best to follow up in writing.

Please respond to this email to confirm your receipt of the same, and confirm that the item will be removed from tonight's agenda.

Thank you in advance for your prompt response to this very time sensitive message.

Sincerely,

Tom
314-287-3110 (m)

Travis Newberry

From: noreply@cityofwildwood.com
Sent: Tuesday, February 16, 2016 4:39 PM
To: Lynne Greene-Beldner; Ryan Thomas; Elizabeth Weiss; Kathy Arnett; Travis Newberry; Travis Newberry
Subject: Online Form Submittal: Public Hearing Comment Form

Public Hearing Comment Form

By utilizing this form, your comments will be considered by the Department of Planning in its development of a recommendation of this request. Additionally, the Planning and Zoning Commission, the City Council, and/or the applicable board or committee will also receive copies of your comments, as they consider the merits of these land use proposals being reviewed by the city. You must submit a separate form for each public hearing for which you have comments.

Request Being Considered	P.Z 19-15 1971 Pond Road
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Item Description	Field not completed.
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Position on Request	Do Not Support
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General Comments	<p>In the master plan this area is considered the NUDistrict. It was suggested back in 1965 that this area should be preserved for its natural landscape and proposed that single family homes be built on 20 acres or more; however, they realized this was not an adequate request. So, it was agreed upon that each lot should be AT LEAST 3 acres. This development is trying to be pushed through using the residential overlay district so that it doesn't have to comply with the master plan. There is a reason the master plan is in effect and now the city planning is trying to push development at the expense of the natural landscape/beauty of the land west of 109. The 3 acre minimum was not so that people had privacy, it was so that clusters of homes are not built on this land. this land was meant to be undisturbed not have subdivisions on. I realize development is good for the city and I welcome it as long as it benefits the entire wildwood community forever and not just the pockets of the developers for a couple generations. The development of this proposal will have profound negative impact for the rest of history. Take caulks creek for example. Development in that area ruined the land forever. I do not understand why the planning department of wildwood pushes development like that in this rural setting. The proposal from the department states that this is land is a natural landmark in this area due to its</p>
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Suggestions

less dwellings, thick buffer of woods between current established properties, sidewalk from pond ballpark to the wildwood community park.

(Section Break)

Name	Erica Sprunger
Address	1548 Pond View Drive
City	Wildwood
State	MO
Zip	63038
Phone Number	636-751-3581
Email	esprunger@gmail.com

Email not displaying correctly? [View it in your browser.](#)

Travis Newberry

From: noreply@cityofwildwood.com
Sent: Wednesday, March 02, 2016 5:49 PM
To: Lynne Greene-Beldner; Ryan Thomas; Elizabeth Weiss; Kathy Arnett; Travis Newberry; Steve Vogel; Travis Newberry
Subject: Online Form Submittal: Public Hearing Comment Form

Public Hearing Comment Form

By utilizing this form, your comments will be considered by the Department of Planning in its development of a recommendation of this request. Additionally, the Planning and Zoning Commission, the City Council, and/or the applicable board or committee will also receive copies of your comments, as they consider the merits of these land use proposals being reviewed by the city. You must submit a separate form for each public hearing for which you have comments.

Request Being Considered	P.Z 19-15 1971 Pond Road
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Item Description	Field not completed.
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Position on Request	Other
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General Comments	Unsure if I support this proposed development. My questions are: What water supply is being used, (public or private). If private will drilling wells in this location affect the wells already in the area. If so, what options do existing homeowners have. Will the developer/city correct this situation if it occurs. How will the sewer/septic /system be handled, especially on the less than 3 acre plots? Ground water run off. How will developer control the water run off so that existing properties will not be affected? Will developer/city correct and pay for any damages caused by water run off that is caused by the new development? Also, traffic. As everyone in the area is aware of spring/summer is major ballpark traffic, plus the biker traffic. Putting a entrance on the S curve on pond may not be the best idea. Ballparkers are known for speeding in this area. Plus I think it would put bikers at risk for being hit on this curve.
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Suggestions	Would like to see published all answers to the above questions, but any other questions raised by people living in the area. Would like to see the entrance to subdivision be on manchester road only. Would like guarantees that well and water run off issues be resolved before starting subdivision.
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(Section Break)

Travis Newberry

From: noreply@cityofwildwood.com
Sent: Monday, February 29, 2016 11:03 AM
To: Lynne Greene-Beldner; Ryan Thomas; Elizabeth Weiss; Kathy Arnett; Travis Newberry; Travis Newberry
Subject: Online Form Submittal: Public Hearing Comment Form

Public Hearing Comment Form

By utilizing this form, your comments will be considered by the Department of Planning in its development of a recommendation of this request. Additionally, the Planning and Zoning Commission, the City Council, and/or the applicable board or committee will also receive copies of your comments, as they consider the merits of these land use proposals being reviewed by the city. You must submit a separate form for each public hearing for which you have comments.

Request Being Considered	P.Z 19-15 1971 Pond Road
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Item Description	<i>Field not completed.</i>
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Position on Request	Do Not Support
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General Comments	Application does not adhere to minimum 3 acre lot
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Suggestions	<i>Field not completed.</i>
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(Section Break)

Name	John Bondurant
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Address	2055 Wakefield Lake Drive
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City	Wildwood
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State	MO
-------	----

Zip	63038
-----	-------

Phone Number	6364588365
--------------	------------

Email	mohogfan@junoc.om
-------	--

Email not displaying correctly? [View it in your browser.](#)

Name	Maria Tate
Address	17274 Portland Cove Ln
City	Glencoe
State	Missouri
Zip	63038-1352
Phone Number	6364051205
Email	tatemaria@hotmail.com

Email not displaying correctly? [View it in your browser.](#)

From: Glen De Hart <gbwrecycling@att.net>
Subject: Fwd: Payne Development on Pond Road and 100
Date: February 24, 2016 at 4:53:12 PM CST
To: Joe Vujnich <JVujnich@cityofwildwood.com>

Sent from my iPhone

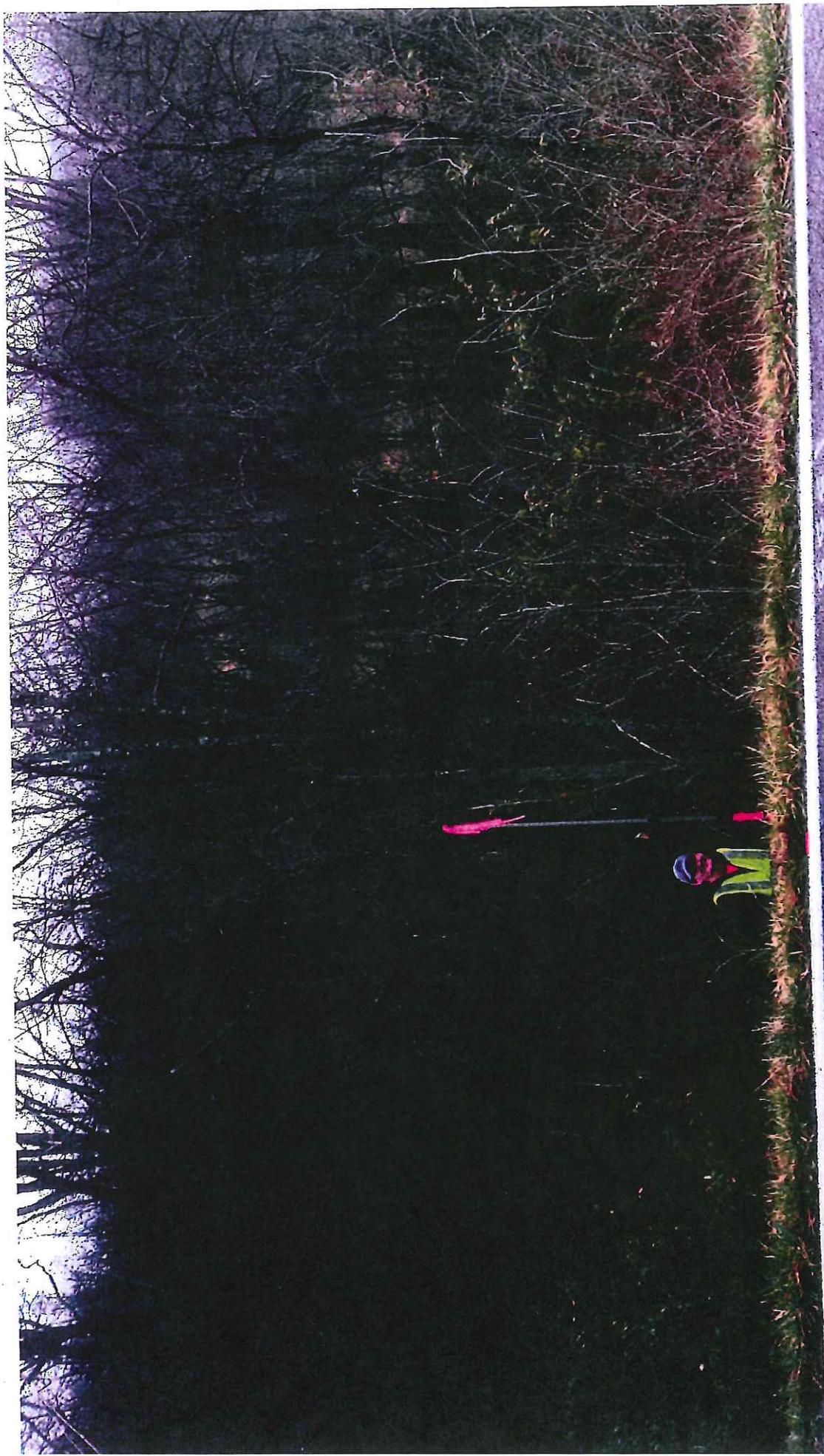
Begin forwarded message:

Resent-From: <gdehart@cityofwildwood.com>
From: Barbara Schaich-Rogers <bschaich18@gmail.com>
Date: February 24, 2016 at 4:48:35 PM CST
To: <lmcgowan@cityofwildwood.com>, <gdehart@cityofwildwood.com>
Subject: Payne Development on Pond Road and 100

I am a resident in your ward and live at 1200 Pond Road. I purchased the land my home is on in 1979 to live in a rural area. I expected growth and I was part of the "Greenbelt" group that willed Wildwood into creation so that it would be responsible growth. The Master Plan, I thought, did not allow clustered housing west of 109. The Payne group has proposed clustered housing which is less than 3 acre lots. This planned development is definitely west of 109. I understand that there will be an added lane on Pond Road. Pond Road does not need any more traffic. We have enough between the ball park traffic and, more importantly, all the people who use it to cut through to BA.

I hope this development is voted down. Other developers have complied with the 3 acre minimum and Payne should be no exception.

Thank you for taking my comments into consideration.
Barbara Schaich-Rogers



2.



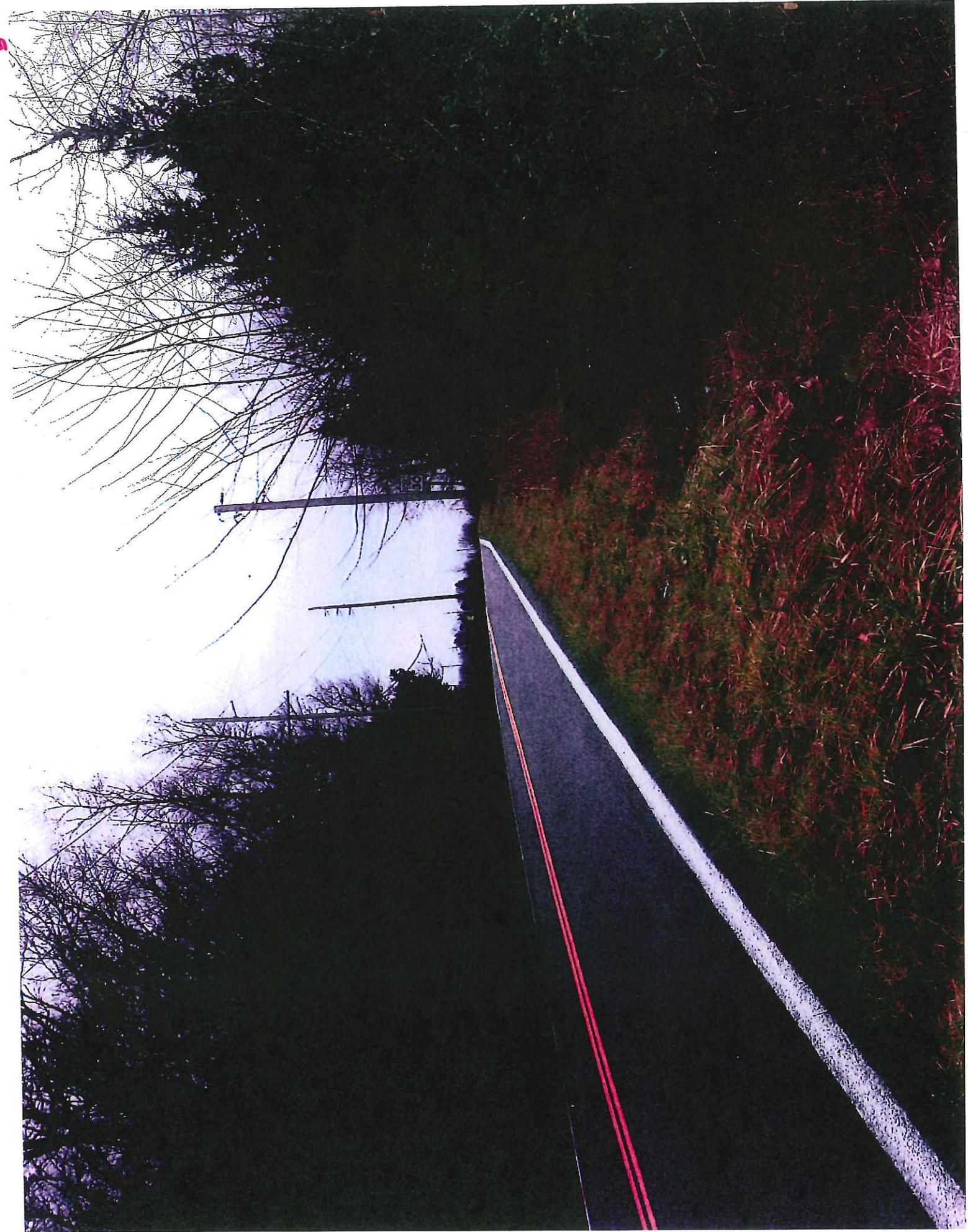


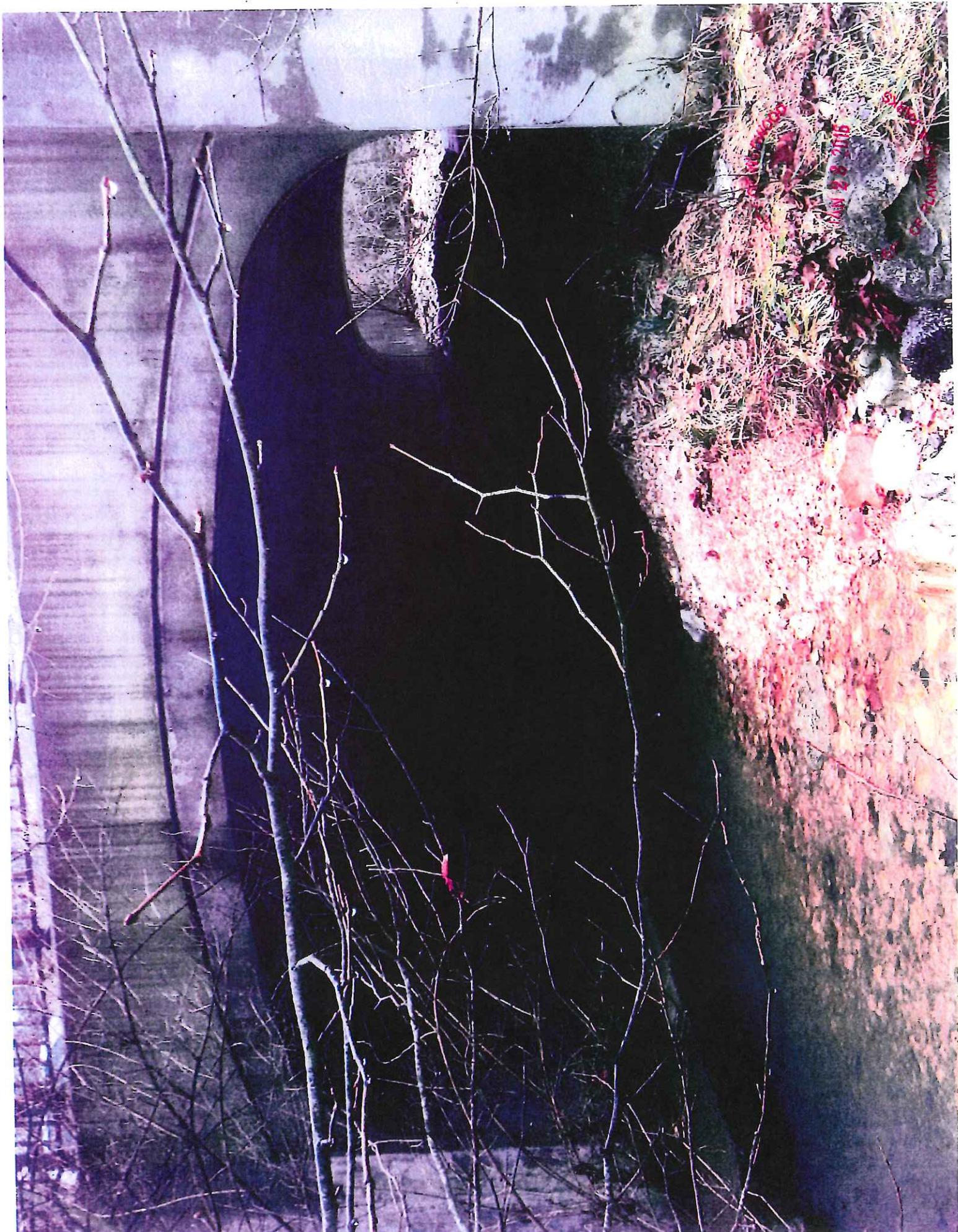
Engineers
Land Planners
Land Surveyors

314-426-6212
8849 Indianhead Ind. Bldg.
St. Louis MO, 63132

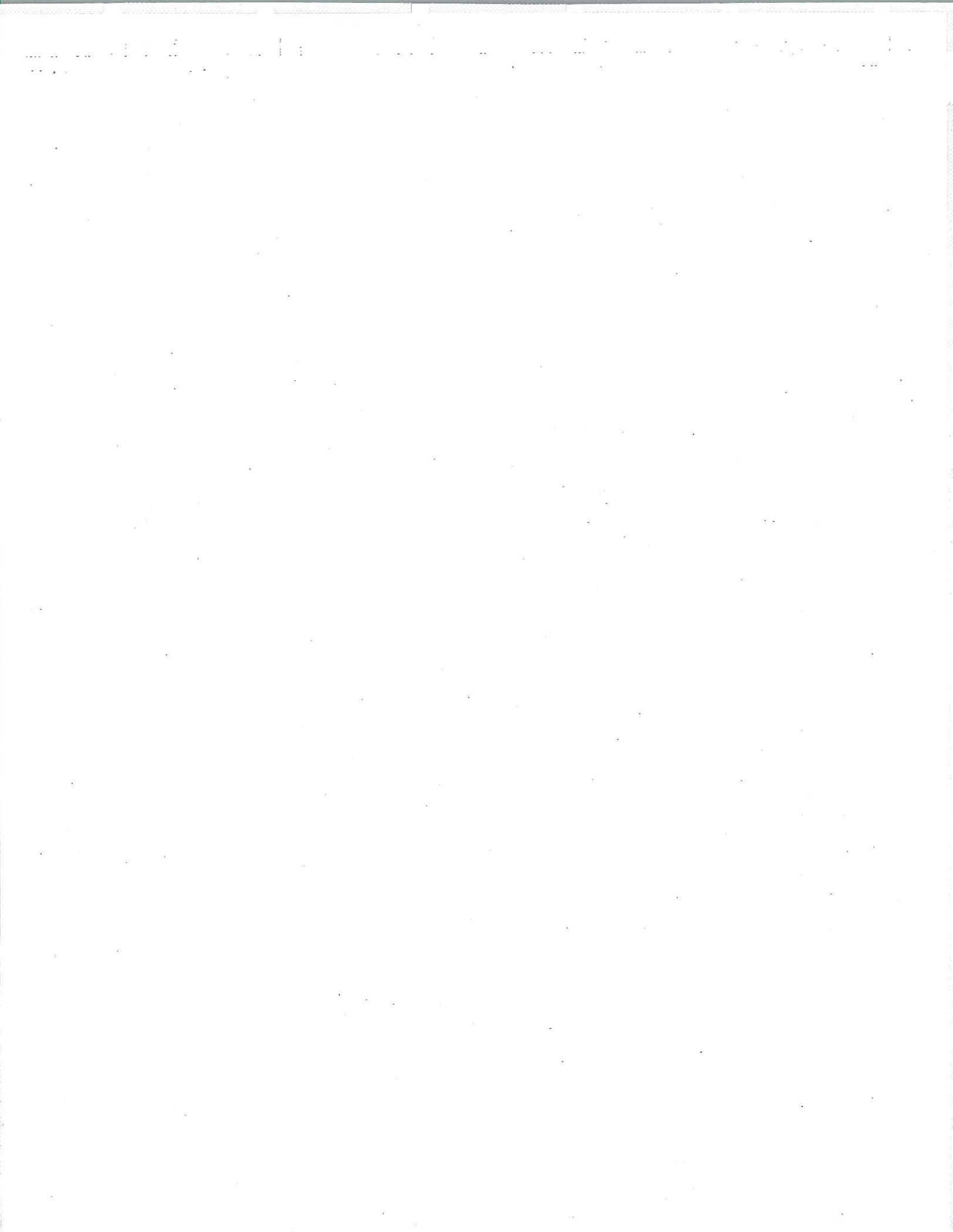
VOLZ











ATTACHMENT D
Background Information



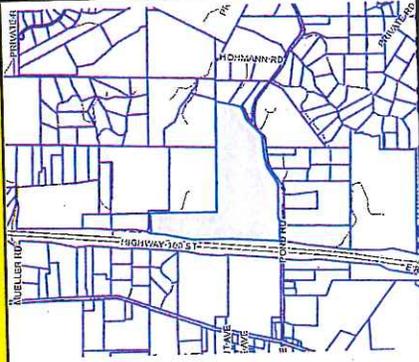
WILDWOOD

16860 Main Street
Wildwood, MO 63040

CITY OF WILDWOOD
NOTICE OF
PUBLIC MEETING
before the Planning and Zoning Commission
Tuesday, February 16, 2016, at 7:30 p.m.

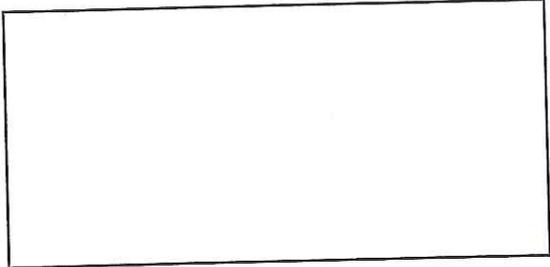
THE CITY WELCOMES AND ENCOURAGES
YOUR COMMENTS AND PARTICIPATION IN
ITS PUBLIC PROCESSES.

AS A RESIDENT OR PROPERTY OWNER NEAR THE SITE THAT IS IDENTIFIED ON THIS MAILER, THE CITY OF WILDWOOD WOULD LIKE TO ENSURE YOU ARE AWARE OF THIS REQUEST/PROPOSAL BECAUSE IT IS LOCATED WITHIN 3,000 FEET OF YOUR PROPERTY. YOUR COMMENTS ARE ENCOURAGED, ALONG WITH YOUR PARTICIPATION AT THE SCHEDULED HEARING OR MEETING. THIS ITEM IS SCHEDULED FOR DISCUSSION AND ITS OUTCOME MAY IMPACT YOUR HOME, NEIGHBORHOOD, OR AREA, SO PLEASE CAREFULLY READ THE DESCRIPTION AND PARTICIPATE AT YOUR DISCRETION. THE CITY OF WILDWOOD ENCOURAGES CITIZEN INPUT AT ALL OF ITS HEARINGS OR MEETINGS AND YOUR INVOLVEMENT WILL ASSIST IT IN REACHING THE BEST DECISION POSSIBLE FOR ALL PARTIES.



* PLEASE SEE YELLOW BOX ON OPPOSITE SIDE OF THIS MAILER FOR A LIST OF WAYS TO EITHER COMMENT ON AND/OR TRACK THIS ITEM.

Street Address of Subject Site:
1971 Pond Road



Listed below is a request that was presented to the Planning and Zoning Commission at a public hearing held on December 21, 2015. You and many of your neighbors may have expressed interest in its outcome and the Commission is scheduled to take action upon this item at their upcoming meeting. If inclined, the Commission encourages you to attend this meeting and hear the Department of Planning's recommendation on this matter and participate in its discussion. The meeting will be held on **Tuesday, February 16, 2016, at 7:30 p.m.** in the City Hall Council Chambers, 16860 Main Street, Wildwood, Missouri 63040. The specific request under consideration is as follows:

P.Z. 19-15 1971 Pond Road, Payne Family Homes L.L.C., 10407 Baur Boulevard, Suite B, St. Louis, Missouri, 63132 – A request for the application of a Planned Residential Development Overlay District (PRD), within the NU Non-Urban Residence District for a 78.0 acre tract of land that is located on the north side of State Route 100, west of Pond Road (Locator Number: 23W520053/Street Address: 1971 Pond Road). **Proposed Use: A total of twenty-six (26) individual lots, with common ground, and required public space areas. Lots would range in size from one (1) acre to four and one-half (4.5) acres. (Ward One)**

- *RESIDENT OR PROPERTY OWNER - PLEASE COMMENT ON AND/OR TRACK THIS REQUEST BY:**
- 1) Submitting a comment online by visiting: <http://www.cityofwildwood.com/comment>.
 - 2) Submitting a written comment prior to the hearing and addressed to the Planning and Zoning Commission, City of Wildwood, 16860 Main Street, Wildwood, Missouri 63040.
 - 3) Viewing the Planning and Zoning Commission's agenda, which is available on the City's website at: www.cityofwildwood.com, the Friday before the aforementioned meeting date.

If you should have any questions regarding this information, please feel free to contact the Department of Planning at 16860 Main Street, Wildwood, Missouri 63040. Thank you in advance for your interest in this matter.



WILDWOOD

16860 Main Street
Wildwood, MO 63040

**CITY OF WILDWOOD
NOTICE OF
PUBLIC HEARING**
before the Planning and Zoning Commission
Monday, December 21, 2015, at 7:30 p.m.

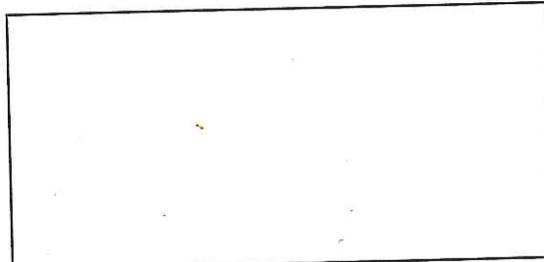
THE CITY WELCOMES AND ENCOURAGES
YOUR COMMENTS AND PARTICIPATION IN
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Street Address of Subject Site:
1971 Pond Road



The Planning and Zoning Commission of the City of Wildwood will conduct a public hearing on **Monday, December 21, 2015, at 7:30 p.m.**, in the City Hall Council Chambers, 16860 Main Street, Wildwood, Missouri 63040 for the purposes of obtaining testimony regarding request(s) for either the modification of zoning district designations, application of special procedures, change in the underlying regulations of the Zoning Ordinance, action on Record Plats, update on zoning matters, or amendment of the Master Plan, which will then be considered for action. This hearing is open to all interested parties to comment upon this request, whether in favor or opposition, or provide additional input for consideration. If you do not have comments regarding this request, no action is required on your part. Written comments are requested to be submitted prior to this hearing and should be addressed to the Planning and Zoning Commission, City of Wildwood, 16860 Main Street, Wildwood, Missouri 63040 or via the City's website at www.cityofwildwood.com/comment. The following request will be considered at this time:

P.Z. 19-15 1971 Pond Road, Payne Family Homes L.L.C., 10407 Baur Boulevard, Suite B, St. Louis, Missouri, 63132 – A request for the application of a Planned Residential Development Overlay District (PRD), within the NU Non-Urban Residence District for a 78.0 acre tract of land that is located on the north side of State Route 100, west of Pond Road (Locator Number: 23W520053/Street Address: 1971 Pond Road). **Proposed Use: A total of twenty-six (26) individual lots, with common ground, and required public space areas. Lots would range in size from one (1) acre to four and one-half (4.5) acres. (Ward One)**

- *RESIDENT OR PROPERTY OWNER - PLEASE COMMENT ON AND/OR TRACK THIS REQUEST BY:**
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 - 2) Submitting a written comment prior to the hearing and addressed to the Planning and Zoning Commission, City of Wildwood, 16860 Main Street, Wildwood, Missouri 63040.
 - 3) Viewing the Planning and Zoning Commission's agenda, which is available on the City's website at: www.cityofwildwood.com, the Friday before the aforementioned meeting date.

If you should have any questions regarding this information, please feel free to contact the Department of Planning at (636) 458-0440. Thank you in advance for your interest in this matter.

P.Z. Number(s): _____
(as assigned by department)

PETITION

before the
CITY OF WILDWOOD'S
PLANNING AND ZONING COMMISSION
FOR THE PURPOSE OF HEARING REQUESTS
FOR ONE OR A COMBINATION OF THE FOLLOWING:
(PLEASE CHECK THOSE ITEMS WHICH ARE APPLICABLE)

CITY OF WILDWOOD

SEP 18 2015

DEPT OF PLANNING & PARKS

- Change in Zoning
- Conditional Use Permit
- Approval of a Planned District or other special procedure (C-8/M-3/PRD)

APPLICANT/OWNER INFORMATION

Applicant's Name: PAYNE FAMILY HOMES LLC
Mailing Address: 10407 BAUR BLVD. SUITE B
ST. LOUIS, MO. 63132
Telephone Number, with Area Code: 314.996.0300
Fax Number, with Area Code: _____
E-Mail Address: tec@paynefamilyhomes.com TOM CUMMINGS
Interest in Property (Owner or Owner Under Contract):
OWNER UNDER CONTRACT

If owner under contract, please attach a copy of the contract.

Owner's Name (if different than applicant):
SCHNEIDER MILDRED E TRUSTEE
Address: 1971 POND RD
GLENDE, MO 63038
Telephone Number, with Area Code: _____

SITE INFORMATION

Postal Address of the Petitioned Property(ies):

1971 Pond Rd.

Locator Number(s) of the petitioned Property(ies):

23W520053

Total Acreage of the Site to the Nearest Tenth of an Acre:

78.0 AC

Current Zoning District Designation: "NU"

Proposed Zoning District Designation: "NU" PRD PLANNED RESIDENTIAL DEVELOPMENT

Proposed Planned District or Special Procedure: PRD PLANNED RESIDENTIAL DEVELOPMENT

USE INFORMATION

Current Use of Petitioned Site:

Undeveloped Land & Cemetery

Proposed Use of Site:

Residential Community

Proposed Title of Project:

TBD

Proposed Development Schedule (include approximate date of start and completion of the project):

Site Development: SUMMER/FALL 2016

Home Construction: SPRING 2017

CONSULTANT INFORMATION

Engineer's/Architect's Name:

TIM MEYER / JEFF ATKINS

Address:

VOLZ INC
10849 INDIAN HEAD HOLE BLVD.

Telephone Number, with area code:

314.890.1226 / 314.890.1218

Fax Number, with area code:

314.890.1250

E-Mail Address:

tmeyer@volzinc.com / jatkins@volzinc.com

Soil Scientist/Forester's Name:

SCI - JENNIFER MULLIKIN

Address:

130 POINT NEST BLVD.
ST. CHARLES, MO 63301

Telephone Number, with area code:

636.949.8200

Fax Number, with area code:

636.949.8269

E-Mail Address:

sharding@sciengineering.com / jmullikin@sciengineering.com

ACKNOWLEDGEMENT INFORMATION

The petitioner(s) state(s) they (he) (she) will comply with all the requirements of the city of wildwood with regard to the procedures relating to its administration of land use and development controls within its boundaries, including the payment of all applicable fees.

The petitioner(s) further represent(s) and agree(s) that they (he) (she) has (have) not made any arrangement to pay any commission, gratuity, or consideration, directly or indirectly, to any official, employee, or appointee of the City of Wildwood with respect to this application.

The petitioner(s) hereby certify(ies) that (indicate one):

- () I (we) have a legal interest in the hereinabove described property.
- (✓) I am (we are) the duly appointed agent of the petitioner(s) and that all information given and represented on this application is an accurate and true statement of fact. Any misrepresentation of information on this application or accompanying information shall constitute grounds for the City of Wildwood, Missouri to terminate review of this petition and return all materials, minus any fees, associated with its review up to and through that point.

SIGNATURE: Thomas E. Cummings

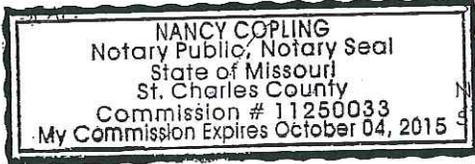
NAME (PRINTED): Thomas E. Cummings

ADDRESS: 10407 BAUR BLVD
St. Louis, Mo 63132

TELEPHONE NUMBER: 314-287-3110

[PLEASE NOTE: THE ABOVE NAMED PERSON SHALL RECEIVE ALL OFFICIAL NOTICES REGARDING THIS REQUEST, INCLUDING THE PUBLIC HEARING NOTICE.]

SUBSCRIBED AND SWORN BEFORE ME THIS
14th DAY OF September 20 15



SIGNED: Nancy Copling
(NOTARY PUBLIC)

NOTARY PUBLIC NANCY COPLING
STATE OF MISSOURI.

MY COMMISSION EXPIRES 10/4/15

FOR OFFICE USE ONLY

1ST SUBMITTAL DATE: _____
 FEE: _____; RECEIVED BY: _____
 PRELIMINARY DEVELOPMENT PLAN: YES NO
 PACKET COMPLETE: YES NO

2ND SUBMITTAL DATE: _____
 PACKET COMPLETE: YES NO

3RD SUBMITTAL DATE: _____
 PACKET COMPLETE: YES NO

4TH SUBMITTAL DATE: _____
 PACKET COMPLETE: YES NO



ENGINEERING
 LAND PLANNING
 LAND SURVEYING
 TRANSPORTATION
 CONSTRUCTION MANAGEMENT

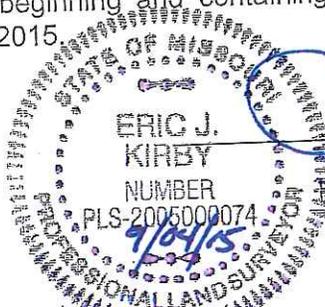
September 4, 2015

EJK

RE: 1971 Pond Rd
 Zoning Legal
 20710-0

A tract of land being part of Sections 2 and 3, Township 44 North – Range 3 East and part of Section 35, Township 45 North – Range 3 East, St. Louis County Missouri and being more particularly described as follows:

Beginning at the Southwest corner of said Section 35; thence along the West line of said Section 35 North 00 degrees 40 minutes 35 seconds East 902.46 feet to the South line "Eatherton Tracts" a subdivision according to the plat thereof recorded in Plat Book 168 page 54 of the St. Louis County Records; thence Eastwardly along said South line the following courses and distances: South 75 degrees 51 minutes 17 seconds East 483.12 feet, South 35 degrees 07 minutes 17 seconds East 103.16 feet, South 21 degrees 04 minutes 17 seconds East 198.50 feet, South 46 degrees 40 minutes 17 seconds East 222.30 feet to the West line of Pond Road, varying width; thence Southwardly along the West line of Pond Road, varying width the following courses and distances: South 18 degrees 53 minutes 58 seconds East 63.20 feet, South 44 degrees 58 minutes 42 seconds East 163.36 feet, South 33 degrees 52 minutes 58 seconds East 76.29 feet, South 14 degrees 26 minutes 58 seconds East 49.61 feet, South 04 degrees 50 minutes 58 seconds East 399.45 feet, South 17 degrees 48 minutes 42 seconds East 224.39 feet, South 34 degrees 05 minutes 02 seconds East 317.32 feet, South 53 degrees 24 minutes 35 seconds West 4.48 feet, along a curve to the right whose radius point bears South 53 degrees 24 minutes 36 seconds West 280.00 feet from the last mentioned point a distance of 186.77 feet, South 01 degrees 37 minutes 45 seconds West 414.82 feet, South 00 degrees 28 minutes 11 seconds East 74.71 feet, South 01 degrees 46 minutes 45 seconds West 56.47 feet, North 87 degrees 25 minutes 53 seconds East 6.95 feet, South 01 degrees 33 minutes 43 seconds West 389.96 feet to the North right-of-way line of Missouri Route 100, varying width, as established by instrument recorded in Book 6641 page 1064 of the St. Louis County Records; thence Westwardly along said North right-of-way line the following courses and distances: North 79 degrees 03 minutes 33 seconds West 92.14 feet, North 85 degrees 00 minutes 55 seconds West 937.60 feet, North 89 degrees 03 minutes 11 seconds West 852.12 feet, North 80 degrees 59 minutes 13 seconds West 711.76 feet, North 05 degrees 40 minutes 31 seconds East 49.88 feet, North 05 degrees 17 minutes 41 seconds West 84.71 feet, North 88 degrees 30 minutes 55 seconds West 12.39 feet to the East line of Lynda Jayne Lane, 20 feet wide; thence Northwardly along the said East line North 01 degrees 30 minutes 57 seconds East 269.78 feet to the North line of the Southeast ¼ of the Northeast ¼ of Section 3; thence Eastwardly along said North line South 88 degrees 12 minutes 36 seconds East 1294.87 feet to the West line of said Section 2; thence Northwardly along said West line of Section 2 North 01 degrees 32 minutes 43 seconds East 1323.48 feet to the North line of Township 44 North – Range 3 East; thence Westwardly along said Northline North 87 degrees 48 minutes 17 seconds West 19.80 feet to the point of beginning and containing 78.0 Acres according to calculations by Volz Inc. during September 2015.



Eric J. Kirby, P.L.S.
 Professional Land Surveyor
 Mo. P.L.S. 2005000074



September 18, 2014

City of Wildwood Planning and Zoning Commission
c/o City of Wildwood Planning Department
16860 Main Street
Wildwood, Missouri 63040

Re: 1971 Pond Rd. (St Louis County Parcel ID Number: 23W520053)

Dear Commissioners:

Payne Family Homes, LLC requests that the City grant a Planned Residential Overlay District (PRD) for the above referenced property. The tract in question is generally located west of Pond Rd., north of Highway 100. The PRD requested, seeks to permit flexible design to preserve the site characteristics by allowing a 3 acre density residential use of the property.

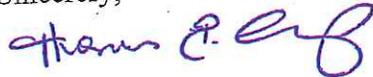
We believe the requested change is appropriate and consistent with existing and approved developments to the West, North, and East of the tract. The proposed community would consist of twenty five (25) single family residences on approximately 78 acres of land. The community would be served by a single street with access onto Pond Rd to the Northeast, and a cul de sac providing emergency access only from Lynda Jane Lane to the Southwest. In conjunction with the proposed community, no new through streets are proposed.

Within the proposed community, stormwater would be handled in accordance with a Stormwater Management Plan utilizing a low impact design. No detention basins are proposed. Best management practices would be employed to prevent or reduce pollutants in storm water runoff from the proposed community.

We believe the residential character of the proposed community would be compatible with the surrounding area and beneficial to the City, and thus the requested PRD would be appropriate and beneficial to the City.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Thomas E. Cummings". The signature is fluid and cursive, with the first name being the most prominent.

Thomas E. Cummings
Vice President of Land Acquisition



WILDWOOD

December 9, 2015

Payne Family Homes
ATTN: Tom Cummings
10407 Baur Boulevard
Suite B
St. Louis, MO 63132

Re: P.Z. 19-15 Pond Road Project; a request for the application of a Planned Residential Development Overlay District (PRD), in the NU Non-Urban Residence District, for a requested twenty-five (25) lot subdivision on a seventy-eight (78) acre site that is located at the northwest corner of State Route 100 and Pond Road.

Dear Mr. Cummings:

The Department of Planning has completed its second review of your application package for a Planned Residential Development Overlay District (PRD) in the NU Non-Urban Residence District, at the above-referenced location. This review centered on the plan's compliance with the applicable sections of the City's Zoning Ordinance and the related requirements and design criteria of the City of Wildwood. In this comparison, a number of items were discovered that must be addressed. These items are as follows:

1. Please correct the Tree Preservation Plan, so the information on each lot matches the items identified in the tree calculation table. The amount of tree preservation is inconsistent on a number of lots between them and the table.
2. Please increase the right-of-way width for the internal private street to forty (40) feet in width, so it is in compliance with the City's Rural Roadway Standards.
3. Please increase the pavement on the internal private street to meet the City's Rural Roadway Standards, which require: four (4) inches of Type 1 Aggregate Subbase, six (6) inches of Type "X" Asphaltic Concrete Base and two (2) inches of Type "C" Asphaltic Concrete Wearing Surface.
4. Please correct either the Preliminary Development Plan, or the Typical Private Road Section, to list the intended pavement width. The plan shows a twenty (20) foot pavement width, while the road section shows twenty-two (22) feet.
5. Please indicate some type of bollard system to keep traffic from utilizing the emergency fire access drive between the internal private street and Lynda Jayne Lane, but still allow it to be accessible by the fire district. Consultation with the Fire Marshal is recommended on this item.
6. Please provide verification from the Metro West Fire Protection District of its review, and conceptual approval, of the design of the fire access drive, including the bollard system requested in Item #5.
7. Please provide preliminary comments from the Missouri Department of Transportation (MoDOT), the Metro West Fire Protection District, and Missouri Department of Natural Resources (wastewater facility) on this matter.
8. Please provide the full diameter of the cul-de-sac bulb, so lane widths can be determined.
9. Please indicate the twenty (20) foot wide dedication of land area along Pond Road to the City of Wildwood.
10. Please add a note indicating access will be granted to the family members of those buried in the cemetery via the private roadway and an easement, through the common ground, to the cemetery area.
11. Please correct either the outboundary survey or legal description of the property, whichever is incorrect, as there appears to be two (2) instances where they do not correspond to each other.
12. Please provide the width, at the front building line, on each proposed lot.

Once the revisions are completed, please resubmit fifteen (15) full sets of the revised Preliminary Development Plan to the Department of Planning for distribution to the Planning and Zoning Commission members, as part of the public hearing packet. These sets of plans should be provided to the Department by Thursday, December 17th. Please be advised that additional comments may be identified between this letter's date and the December 21, 2015 hearing at the Planning and Zoning Commission. If you should have any questions or comments in this regard, please feel free to contact the Departments of Public Works and/or Planning at (636) 458-0440.

Sincerely,
CITY OF WILDWOOD



Joe Vujnich, Director
Department of Planning and Parks

CC: The Honorable Timothy Woerther, Mayor
Council Members Glen DeHart and Larry McGowen, Ward One
Ryan Thomas, P.E., City Administrator
Rick Brown, P.E., P.T.O.E., Director of Public Works
Rob Golterman, City Attorney
Travis Newberry, Planner
Terri Gaston, Senior Planner
Kathy Arnett, Assistant Director of Planning and Parks



ENGINEERING
LAND PLANNING
LAND SURVEYING
TRANSPORTATION
CONSTRUCTION MANAGEMENT



November 25, 2015

Joe Vujnich, Director
Department of Planning and Parks
City of Wildwood
16860 Main Street
Wildwood, Mo. 63040

Re: P.Z. 19-15 Pond Road Project; a request for the application of a Planned Residential Development Overlay District (PRD) in the NU Non-Urban Residence District.

Dear Mr. Vujnich,

Please see comments addressed below per the October 19, 2015 review letter for P.Z. 19-15 Pond Road Project

1. Please see the attached sheet with comments that need to be added to the plan sheets that were submitted in conjunction with the application for the Planned Residential Development Overlay District (PRD).
Comments are address further down in the letter.
2. Please note in the General Notes Section of Sheet 2 the following: Metro West Fire Protection District is the service provider, not Monarch Fire Protection District; and the property is located in the Bonhomme Creek Watershed, not the Caulks Creek Watershed.
Notes were revised per this comment on page 2.
3. Please fully complete the Public Space Table indicating the amount of provided public space that is planned, which can include the common ground at a fifty (50) percent rate (privately-held public space) and the proposed multiple-use trail that is shown paralleling State Route 100, since it would not be the intent of the City to build this trail, but require it as function of this residential project. Easements may need to be created to accommodate portions of this trail that will be constructed outside of the State Route 100 right-of-way area.
The Public Space Table has been revised per this comment on page 2. Easements will be provided as required on the subdivision plat.
4. Please note the layout of four (4) lots, per the information provided by the Natural Resource Protection Analysis, are in highly protected areas of the site and need to be modified to limit their impact there. These lots include Lots 3, 13, 23, and 24.
Page 1 of the PDP shows the revised location of houses per this comment.
5. Please provide a cross-section diagram of the proposed private roadway, including its construction specifications.
Cross section has been provided on page 2.
6. Please provide grade information, in one hundred (100) foot sections, along the entire length of the private street that is proposed to serve these planned lots.
Percent of grade have been added along the street at major grade changes see page 1 along the street.
7. Please provide details regarding the proposed wastewater treatment plant, including the type and capacity, along with information on the access roadway, including a cross-section detail of its width and construction specifications. The City has only approved re-circulating sand filter plants in the City over the last twenty (20) years
A note has been revised on page 2 and provides additional information regarding the wastewater treatment plant.
8. Please indicate if sight distance requirements can be met at the proposed intersection of the planned private street and Pond Road.
Please see the sight distance study provided.
9. Please provide a more detailed section of the emergency access roadway (fire lane) that is planned to Lynda Jayne Lane.
A section has been added to page 2.

10. Please provide preliminary comments from the Missouri Department of Transportation (MoDOT), the Metro West Fire Protection District, and Missouri Department of Natural Resources (wastewater facility) on this matter.
Emails from agencies have been provided.
11. Please verify if this site is located in the Metropolitan St. Louis Sewer District boundaries. The Department does not believe the property is located within the district's current service boundaries. If not served by the district, please revise the General Notes to eliminate any references to "MSD."
Please see revised notes that address this typo from the last submittal on page 2.
12. Please provide the floodplain panel for this site's location and notice of its extent on the site, if any.
Panel # 29189C0260K has been added to the notes on page 2. As requested
13. Please dimension the cul-de-sac bulb that is planned on this site.
Cul-de-sac has been dimensioned on page 1.
14. Please indicate a twenty (20) foot wide dedication of land area from this site to the City of Wildwood for Pond Road right-of-way purposes.
Dedication has been added to the plan on page 1.
15. Please note that, in a Planned Residential Development Overlay District (PRD) in the NU Non-Urban Residence District, the area of right-of-way, if private, does not need to be subtracted from the gross acreage of the site, which may allow a twenty-sixth lot.
Noted and revised on Page 2.

City of Wildwood Checklist addressed below:

Identify pavement and right-of-way width along State Route 100 & Pond Road.
Both roads have pavement and ROW of varying widths and labeled on the plan.

Show and dimension all improvements, i.e., existing and new right-of-way and pavement, sidewalks, TSCL, etc.
Dimensions have been added to the plan there are no sidewalks proposed.

Please add as a note: Entrance, street intersection, cul-de-sac shall be constructed to City of Wildwood standards.

Note has been added to plan on page 2 as requested.

Please add the note: Grading and Drainage shall be per City of Wildwood standards.
This note has been added to the plan.

Please add the note: Slope shall not exceed 3 (horizontal) : 1 (vertical), unless supported by geotechnical report.

This note has been added to the plan.

Designate Public or Private streets.

The streets will be private and shown on the typical section and typical lot.

Provide the Zoning of Adjacent Parcels, if different than the site.

The Zoning are the same but have been added to the plan.

Identify the Storm water Drainage Facilities, including Retention Ponds and Detention Facilities, if applicable.
A note has been added to page 2 that addresses Storm Water.

Identify all Light Standards - Location and Height.

Lighting has been added to the plan on page 1 and with a note on page 2.

Identify any Other Structures (Fences, Canopies, etc.) - with Dimensions.

Existing structures have been added to the plan on page 1. We have not completed a survey of the property and one will be provided at a later time.

Sincerely,

Volz Inc.



Jeff Atkins
Director of Planning



WILDWOOD

October 19, 2015

Payne Family Homes
ATTN: Tom Cummings
10407 Baur Boulevard
Suite B
St. Louis, MO 63132

Re: P.Z. 19-15 Pond Road Project; a request for the application of a Planned Residential Development Overlay District (PRD) in the NU Non-Urban Residence District, for a requested twenty-five (25) lot subdivision on a seventy-eight (78) acre site that is located at the northwest corner of State Route 100 and Pond Road.

Dear Mr. Cummings:

The Department of Planning has completed its initial review of your application for the application of a Planned Residential Development Overlay District (PRD) in the NU Non-Urban Residence District, at the above-referenced location. This review centered on the plan's compliance with the applicable sections of the City's Zoning Ordinance and its related requirements and design criteria of the City of Wildwood. In this comparison, a number of preliminary items were discovered that must be addressed before the item can be scheduled for public hearing before the City's Planning and Zoning Commission. These items are as follows:

1. Please see the attached sheet with comments that need to be added to the plan sheets that were submitted in conjunction with the application for the Planned Residential Development Overlay District (PRD).
2. Please note in the General Notes Section of Sheet 2 the following: Metro West Fire Protection District is the service provider, not Monarch Fire Protection District; and the property is located in the Bonhomme Creek Watershed, not the Caulks Creek Watershed.
3. Please fully complete the Public Space Table indicating the amount of provided public space that is planned, which can include the common ground at a fifty (50) percent rate (privately-held public space) and the proposed multiple-use trail that is shown paralleling State Route 100, since it would not be the intent of the City to build this trail, but require it as function of this residential project. Easements may need to be created to accommodate portions of this trail that will be constructed outside of the State Route 100 right-of-way area.
4. Please note the layout of four (4) lots, per the information provided by the Natural Resource Protection Analysis, are in highly protected areas of the site and need to be modified to limit their impact there. These lots include Lots 3, 13, 23, and 24.
5. Please provide a cross-section diagram of the proposed private roadway, including its construction specifications.
6. Please provide grade information, in one hundred (100) foot sections, along the entire length of the private street that is proposed to serve these planned lots.
7. Please provide details regarding the proposed wastewater treatment plant, including the type and capacity, along with information on the access roadway, including a cross-section detail of its width and construction specifications. The City has only approved re-circulating sand filter plants in the City over the last twenty (20) years.
8. Please indicate if sight distance requirements can be met at the proposed intersection of the planned private street and Pond Road.
9. Please provide a more detailed section of the emergency access roadway (fire lane) that is planned to Lynda Jayne Lane.

10. Please provide preliminary comments from the Missouri Department of Transportation (MoDOT), the Metro West Fire Protection District, and Missouri Department of Natural Resources (wastewater facility) on this matter.
11. Please verify if this site is located in the Metropolitan St. Louis Sewer District boundaries. The Department does not believe the property is located within the district's current service boundaries. If not served by the district, please revise the General Notes to eliminate any references to "MSD."
12. Please provide the floodplain panel for this site's location and notice of its extent on the site, if any.
13. Please dimension the cul-de-sac bulb that is planned on this site.
14. Please indicate a twenty (20) foot wide dedication of land area from this site to the City of Wildwood for Pond Road right-of-way purposes.
15. Please note that, in a Planned Residential Development Overlay District (PRD) in the NU Non-Urban Residence District, the area of right-of-way, if private, does not need to be subtracted from the gross acreage of the site, which may allow a twenty-sixth lot.

Once the revisions are completed, please resubmit three (3) full sets of the revised Preliminary Development Plan and other requested items to the Department of Planning for further review. Please be advised that additional comments may follow after this resubmittal, given the extent of information that will be necessary as part of the rezoning. If you should have any questions or comments in this regard, please feel free to contact the Departments of Public Works and/or Planning at (636) 458-0440.

Sincerely,
CITY OF WILDWOOD


Joe Vujnich, Director
Department of Planning and Parks

CC: The Honorable Timothy Woerther, Mayor
Council Members Glen DeHart and Larry McGowen, Ward One
Ryan Thomas, P.E., City Administrator
Rick Brown, P.E., P.T.O.E., Director of Public Works
Rob Golterman, City Attorney
Kathy Arnett, Senior Planner I
Terri Gaston, Planner

**CITY OF WILDWOOD
PLAN/PLAT REVIEW CHECKLIST**

****Please note: All checked items must be responded to on plan's resubmittal****

P. Z. # 19-15 DEVELOPMENT NAME 1971 Pond Road

- Provide Missouri Department of Transportation Conceptual Approval.
- Provide Metropolitan St. Louis Sewer District Conceptual Approval.
- Submit a Flood Plain Study to the Department of Public Works.
- Submit a Geotechnical Study to the Department of Public Works.
- A Professional Engineer and Engineer preparing geotechnical report must sign and seal the mylar.
- Submit a street stub study to the Department of Public Works.
NOTE: Developer shall install a street extension sign at roadway terminus which reads "THIS STREET TO BE EXTENDED AS PART OF FUTURE DEVELOPMENT"
- Submit steep grade verification to Department of Public Works.
- Add all ordinance conditions to the Site Development Plan, including TGA language.
- Identify pavement and right-of-way width along State Route 100 and Pond Road.
- Show and dimension all improvements, i.e., existing and new right-of-way and pavement, sidewalks, TSCL, etc.
- Provide Temporary Slope Construction License (TSCL) as directed by the Department of Public Works.
- Provide photos per Section 30 of the Department of Public Works "Design Criteria Handbook."
- Provide verification of required sight distance at all access points.
- Please add as a note: Entrance, street intersection, cul-de-sac shall be constructed to City of Wildwood standards.
- Indicate Driveways with on-site turnaround capabilities as directed by the Department of Public Works.
- Show sight triangle at intersection/median. No plants, trees, signs, etc. shall be placed in this area as to restrict sight distance.
- Show and note all sidewalks will be constructed to City of Wildwood ADA standards.
- Provide easement for sidewalk conforming to City of Wildwood ADA standards adjacent to right-of-way.
- Clarify if grading is proposed. If so, show and note grading per City of Wildwood standards.

CITY OF WILDWOOD
PLAN/PLAT REVIEW CHECKLIST
PAGE 2

- Show existing and proposed contours based on U.S.G.S. datum.
- Please add the note: ~~Grading and Drainage~~ shall be per City of Wildwood ~~and MSD standards.~~
- Please add the note: Slope shall not exceed 3 (horizontal) : 1 (vertical), unless supported by geotechnical report.
- Please add the note: Stormwater shall be discharged at an adequate natural discharge point. Sinkholes are not adequate natural discharge points.
- Provide and show cross access (through the site) (between the proposed lots).
- Designate Public or Private streets.
- Provide Book and Page in which right-of-way, roadway, easement, TSCL, etc. has been recorded.
- Please provide a Location Map.
- Please provide a North Arrow.
- Please identify the Plan Scale.
- Please identify the Subject Site's Zoning District.
- Please provide the Subdivision Name, if applicable.
- Provide the Lot Number, if applicable.
- Identify the Dimensions of the Site.
- Identify the Area of the Site.
- Provide the Zoning of Adjacent Parcels, if different than the site.
- Identify the Plan Submitter - Name, Address, Phone.
- Provide the Proposed Building Use and Construction Type.
- Identify the Building and Structure Distance from Adjacent Property Lines.
- Provide the Building Dimensions and Gross Floor Area.
- Provide the Parking and Loading Space Calculations, as well as, the Location and Sizes of all Proposed Spaces.
- Identify the Parking Setbacks.
- Identify the Drive Aisle Widths.
- Identify the Type and Location of the Proposed Sanitary Sewer Treatment.

CITY OF WILDWOOD
PLAN/PLAT REVIEW CHECKLIST

PAGE 3

- Identify the Stormwater Drainage Facilities, including Retention Ponds and Detention Facilities, if applicable.
- Provide a Landscaping Plan and Legend.
- Provide a rendering of all Proposed Signs, which identifies their Size, Height and Location on the Plan.
- Locate all Easements - Existing and Proposed.
- Identify all Light Standards - Location and Height.
- Identify any Other Structures (Fences, Canopies, etc.) - with Dimensions.

If you should have any questions regarding the information provided on these sheets, please feel free to contact the Department of Planning at 636-458-0440



WILDWOOD

Kathy Arnett

From: Dave Phipps <daveph@metrowest-fire.org>
Sent: Tuesday, November 17, 2015 1:43 PM
To: Kathy Arnett
Cc: Jeff Atkins
Subject: Pond Rd. Development

Kathy,
The Bureau of Fire Prevention has reviewed the development at Pond Rd. and Hwy 100, Fire flow is 1500 GPM at 20 PSI hydrant spacing is 6 hundred feet apart, any street less than 26 feet wide will need to restrict parking on one side, emergency access off of Lynda Jane Lane must be built to hold a 70,000 pound vehicle. They have our conceptual approval.

David E. Phipps
Fire Marshal
Metro West Fire Protection District
(636) 821-5806

Jeff Atkins

From: Tim Meyer <tmeyer@volzinc.com>
Sent: Wednesday, November 25, 2015 8:58 AM
To: 'Jeff Atkins'
Subject: FW: Wildwood Subdivision

From: LePage, Cindy [mailto:cindy.lepage@dnr.mo.gov]

Sent: Monday, November 16, 2015 9:05 AM

To: 'Tim Meyer' <tmeyer@volzinc.com>

Subject: RE: Wildwood Subdivision

Tim

I understand you are proposing a centralized treatment system for a new 26 lot subdivision. An antidegradation report and engineering report are required before we can determine the applicability of a recirculating sand filter at this location. There will also need to be an appropriate continuing authority established, approvable plans and specifications, and public notice of an operating permit completed prior to a construction permit being issued.

Let me know if you need anything else.

Cindy LePage, P.E.
Water Protection Program, Engineering Section
Construction Permits Unit Chief
cindy.lepage@dnr.mo.gov
Phone: (573) 751-6618
Fax: (573) 522-9920

<http://dnr.mo.gov/env/wpp/permits/ww-construction-permitting.htm>

The Year of Water: Promoting, Protecting and Enjoying our Natural Resources. Learn more at dnr.mo.gov.

From: Tim Meyer [mailto:tmeyer@volzinc.com]

Sent: Friday, November 13, 2015 1:29 PM

To: LePage, Cindy

Subject: RE: Wildwood Subdivision

Cindy, thanks for sending this information. I have attached a site plan and location map of the property. We are working through a preliminary comment letter with the city of Wildwood. They are asking us for "preliminary comments" from DNR which I realize you can not provide at this time since we have never submitted anything. We will be starting soon the Antidegradation Implementation Procedure with the intent to most likely be proposing a recirculating sand filter system to treat 12,000 gpd for the 26 lots. Would it be possible for you to just email back that you acknowledge the proposed treatment plant and that the AIP and final plans will be needed as part of your normal review and approval process.

Thanks, Call if you have any questions.

Timothy J Meyer PE
Senior Corp. Vice President

VOLZ Incorporated

Direct] 314.890.1226

Main] 314.426.6212

web] <www.volzinc.com[volzinc.com]>

From: LePage, Cindy [<mailto:cindy.lepage@dnr.mo.gov>]

Sent: Friday, October 23, 2015 2:04 PM

To: 'tmeyer@volzinc.com' <tmeyer@volzinc.com>

Subject: Wildwood Subdivision

Tim

Our Wastewater Construction Permitting webpage contains links to all of our guidance documents and applications.
<http://dnr.mo.gov/env/wpp/permits/ww-construction-permitting.htm>

Since this will be a new facility and potentially a new discharge the plan must be approved through the Antidegradation Process. This is a step before the engineering report that I neglected to tell you about. There is a link to that information on the Wastewater Construction Permitting webpage. Antidegradation is only required if the facility will be discharging so if you are proposing a land application system you can skip this step. There are application forms and a fee is required. <http://dnr.mo.gov/env/wpp/permits/antideg-implementation.htm>

After you are through with the Antidegradation process you can submit your facility plan. Include the relevant information mapped out in the Facility Plan Guidance for Wastewater Treatment Facilities with a Design Flow of 22,500 gpd or Greater, Fact Sheet--PUB2416
<http://dnr.mo.gov/pubs/pub2416.htm>

Feel free to contact me if you have further questions.

Cindy LePage, P.E.
Water Protection Program, Engineering Section
Construction Permits Unit Chief
cindy.lepage@dnr.mo.gov
Phone: (573) 751-6618
Fax: (573) 522-9920

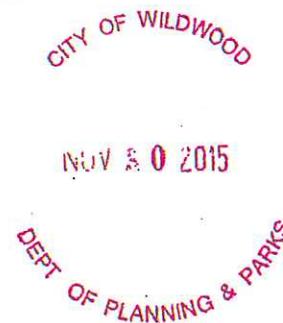
<http://dnr.mo.gov/env/wpp/permits/ww-construction-permitting.htm>

The Year of Water: Promoting, Protecting and Enjoying our Natural Resources. Learn more at dnr.mo.gov.

Jeff Atkins

From: JOHN "JAY JAY" BRADEN <John.Braden@modot.mo.gov>
Sent: Thursday, November 19, 2015 10:53 AM
To: Jeff Atkins
Cc: Federico Lagos
Subject: 11-19-15 - Pond Road

Importance: High



Jeff,

We have completed our review of your preliminary plans to construct a 26 home subdivision, located on Pond Road at MO 100 in St. Louis County and we find the plan to be feasible. We would like to encourage improvements to the WB right turn lane from Pond Road to MO 100. Any work within MODOT right of way will require a permit issued from this office after review of detailed plans.

When you are ready to move forward with this work please submit a permit request to the department. Should you have any questions or comments, you may contact me via email at john.braden@modot.mo.gov.

Jay-Jay Braden

Missouri Department of Transportation
Sr. Traffic Specialist - SW St. Louis County
601 Salt Mill Road, Chesterfield, MO 63017
Fax: 573.522.6491 Mobile: 314.380.0074
www.modot.mo.gov/stlouis/news_and_information/Permits.htm

From: Jeff Atkins [mailto:jatkins@volzinc.com]
Sent: Thursday, November 12, 2015 10:14 AM
To: JOHN "JAY JAY" BRADEN
Subject: Pond Road

Jay Jay,

I am not sure if I sent you this plan as of yet, but we are proposing a 26 Lot subdivision at Hwy 100 & Pond Road. Our access will be off Pond Road and we will have a Fire Lane that will tie in to Lynda Jane Lane for emergency access. If you have any conceptual comments we will need to address them during the Preliminary. Please let us know by letter or email if this project is conceptual ok or if you have any comments.

Thank you,

Jeff Atkins

Director of Planning

VOLZ Incorporated

Direct] 314.890.1218

Main] 314.426.6212

Fax] 314.890.1250

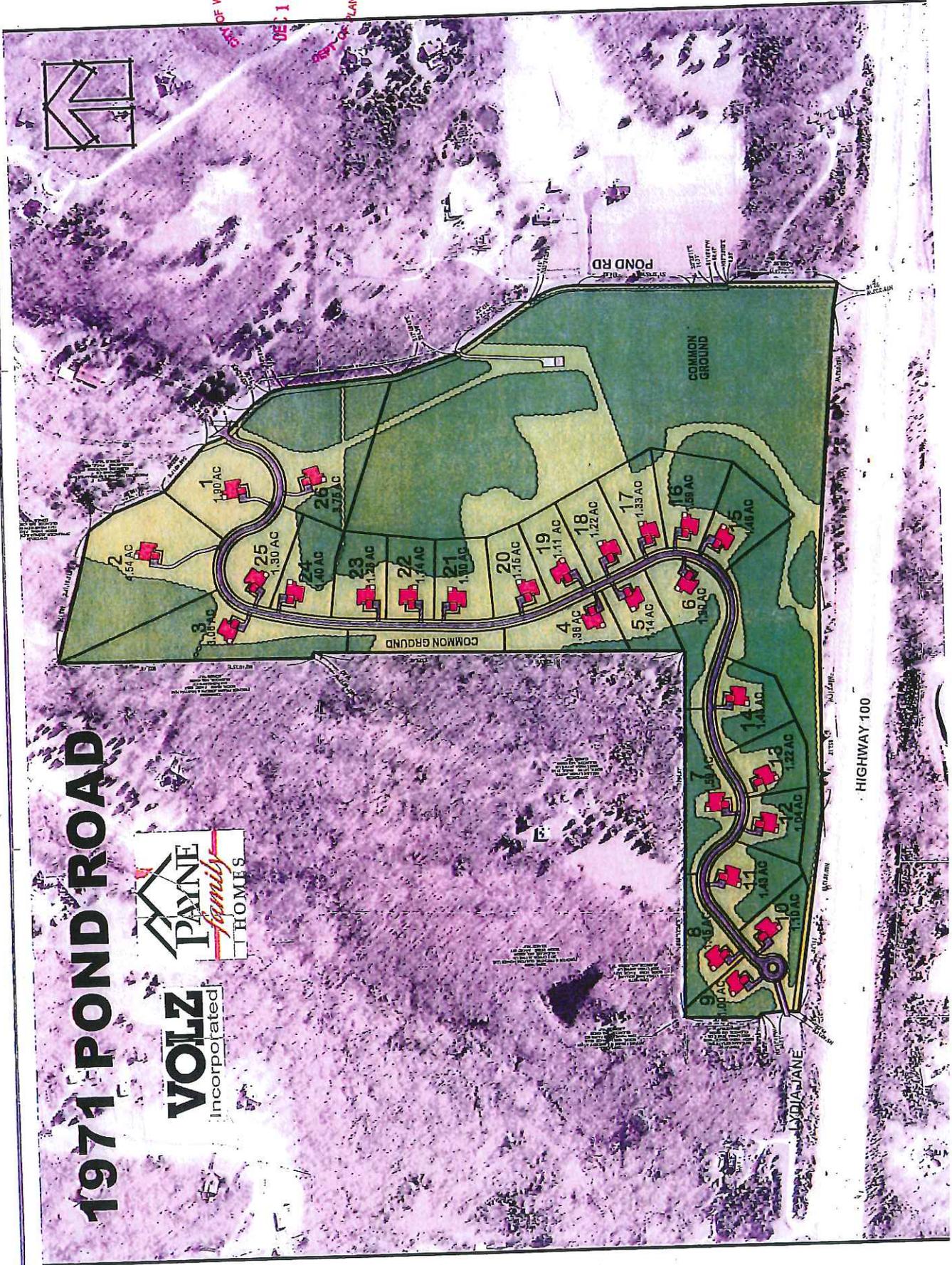
web] <www.volzinc.com>

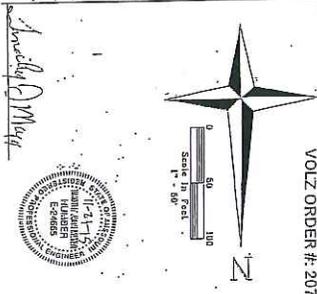
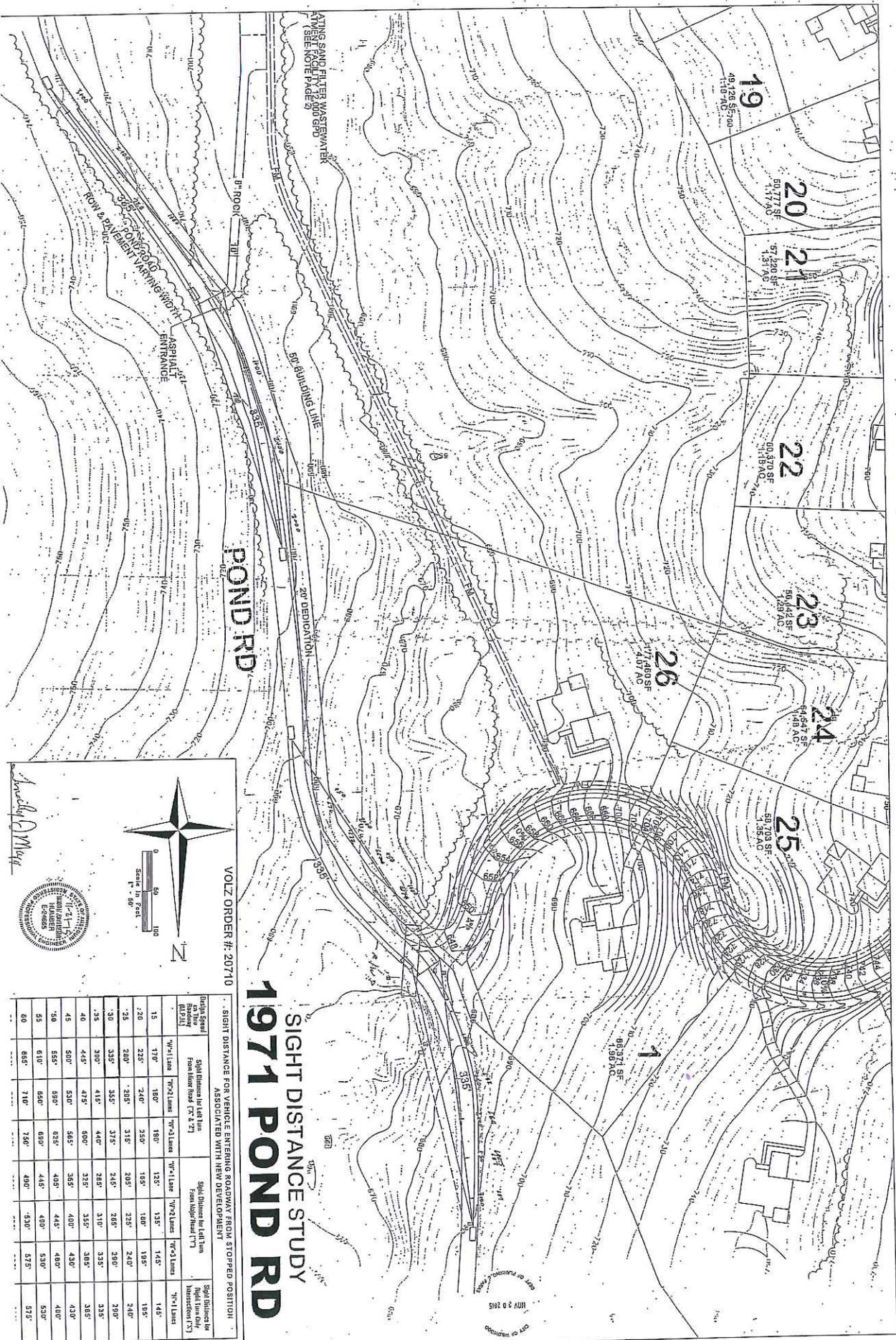
1971 POND ROAD



VOLZ
Incorporated

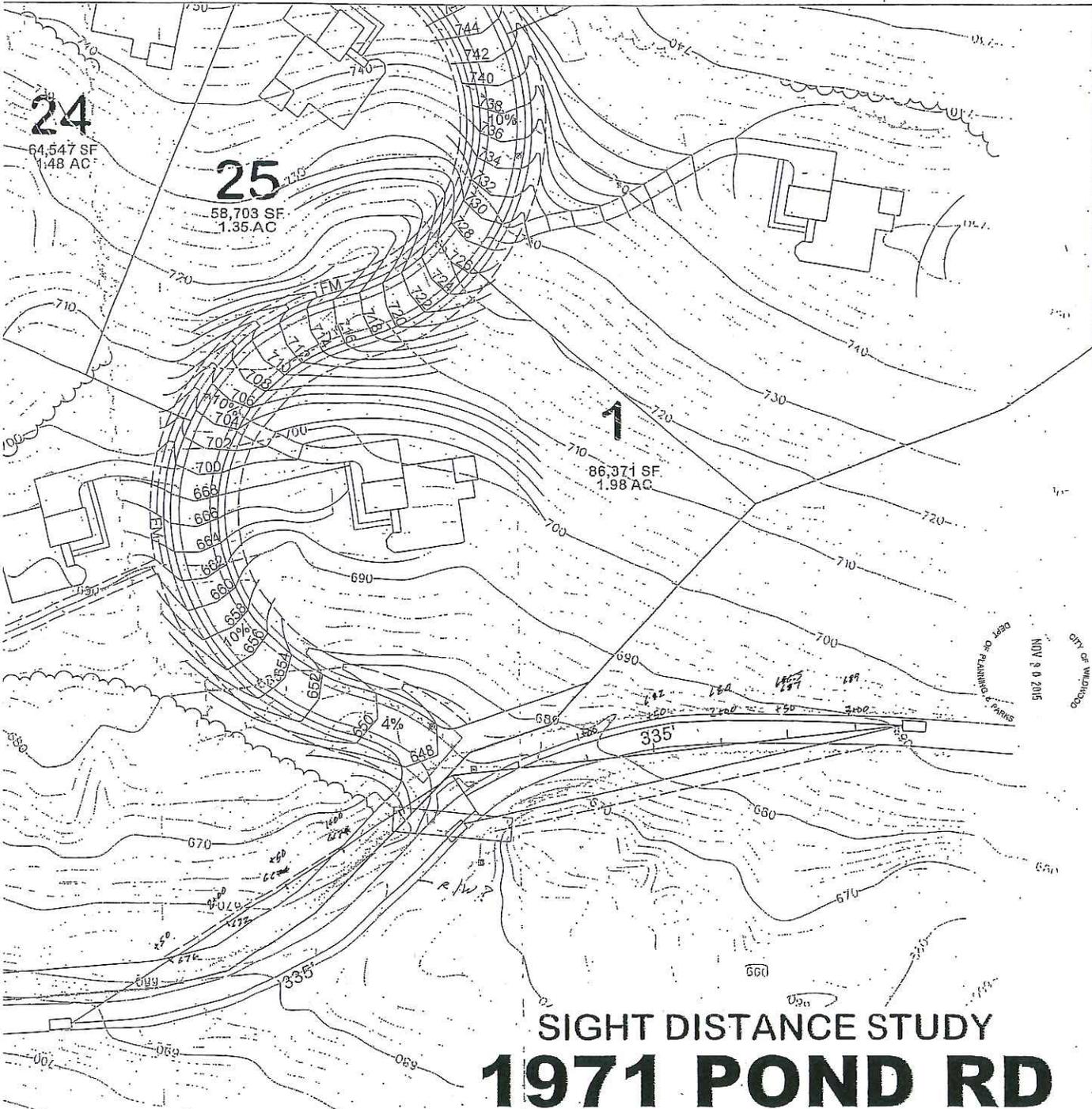
CITY OF WILLOWOOD
DEC 18 2015
PLANNING & PARKS





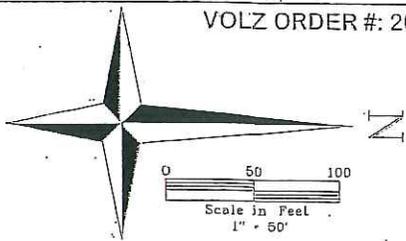
SIGHT DISTANCE FOR VEHICLE ENTERING ROADWAY FROM STOPPED POSITION
 ASSOCIATED WITH NEW DEVELOPMENT

Design Speed to the From Road (ft/s)	Sight Distance for Left Lane From Road (ft)	Sight Distance for Right Lane From Road (ft)	Sight Distance for Intersection (ft)
15	170	180	135
20	225	240	185
25	280	315	240
30	335	375	295
35	390	445	355
40	445	515	415
45	500	585	475
50	555	655	535
55	610	725	595
60	665	795	655



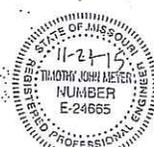
SIGHT DISTANCE STUDY 1971 POND RD

VOLZ ORDER #: 20710



SIGHT DISTANCE FOR VEHICLE ENTERING ROADWAY FROM STOPPED POSITION ASSOCIATED WITH NEW DEVELOPMENT

Design Speed on Thru Roadway (H.P.H.)	Sight Distance for Left Turn From Minor Road ("X" & "Z")			Sight Distance for Left Turn From Major Road ("Y")			Sight Distance for Right Turn Only Intersections ("X")
	"W"=1 Lane	"W"=2 Lanes	"W"=3 Lanes	"W"=1 Lane	"W"=2 Lanes	"W"=3 Lanes	
15	170'	180'	190'	125'	135'	145'	145'
20	225'	240'	250'	165'	180'	195'	195'
25	280'	295'	315'	205'	225'	240'	240'
30	335'	355'	375'	245'	265'	290'	290'
35	390'	415'	440'	285'	310'	335'	335'
40	445'	475'	500'	325'	355'	385'	385'
45	500'	530'	565'	365'	400'	430'	430'
50	555'	590'	625'	405'	445'	480'	480'
55	610'	650'	690'	445'	490'	530'	530'
60	665'	710'	750'	490'	530'	575'	575'



Timothy J Meyer

VOLZ
INCORPORATED
LAND SURVEYING
ENGINEERING
PLANNING
CONSULTANTS

PAVNE
PLANNING
CONSULTANTS

HOME'S

CITY OF
DOOMSDAY

DEC 18 2015

DEPT. OF PLANNING & PARKS

1971 POND ROAD

A TRACT OF LAND BEING PART OF SECTIONS 2 AND 3, TOWNSHIP 44 NORTH, RANGE 3 EAST AND PART OF SECTION 35, TOWNSHIP 48 NORTH, RANGE 3 EAST, ST. LOUIS COUNTY, MISSOURI.

NATURAL RESOURCE PROTECTION PLAN

DATE: 12/18/15

SCALE: AS SHOWN

PROJECT NO: 15-001



TABLE OF LAND ACQUISITION COSTS

Parcel No.	Acres	Cost
1	0.15	1,500
2	0.15	1,500
3	0.15	1,500
4	0.15	1,500
5	0.15	1,500
6	0.15	1,500
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TABLE OF LAND ACQUISITION COSTS

Parcel No.	Acres	Cost
1	0.15	1,500
2	0.15	1,500
3	0.15	1,500
4	0.15	1,500
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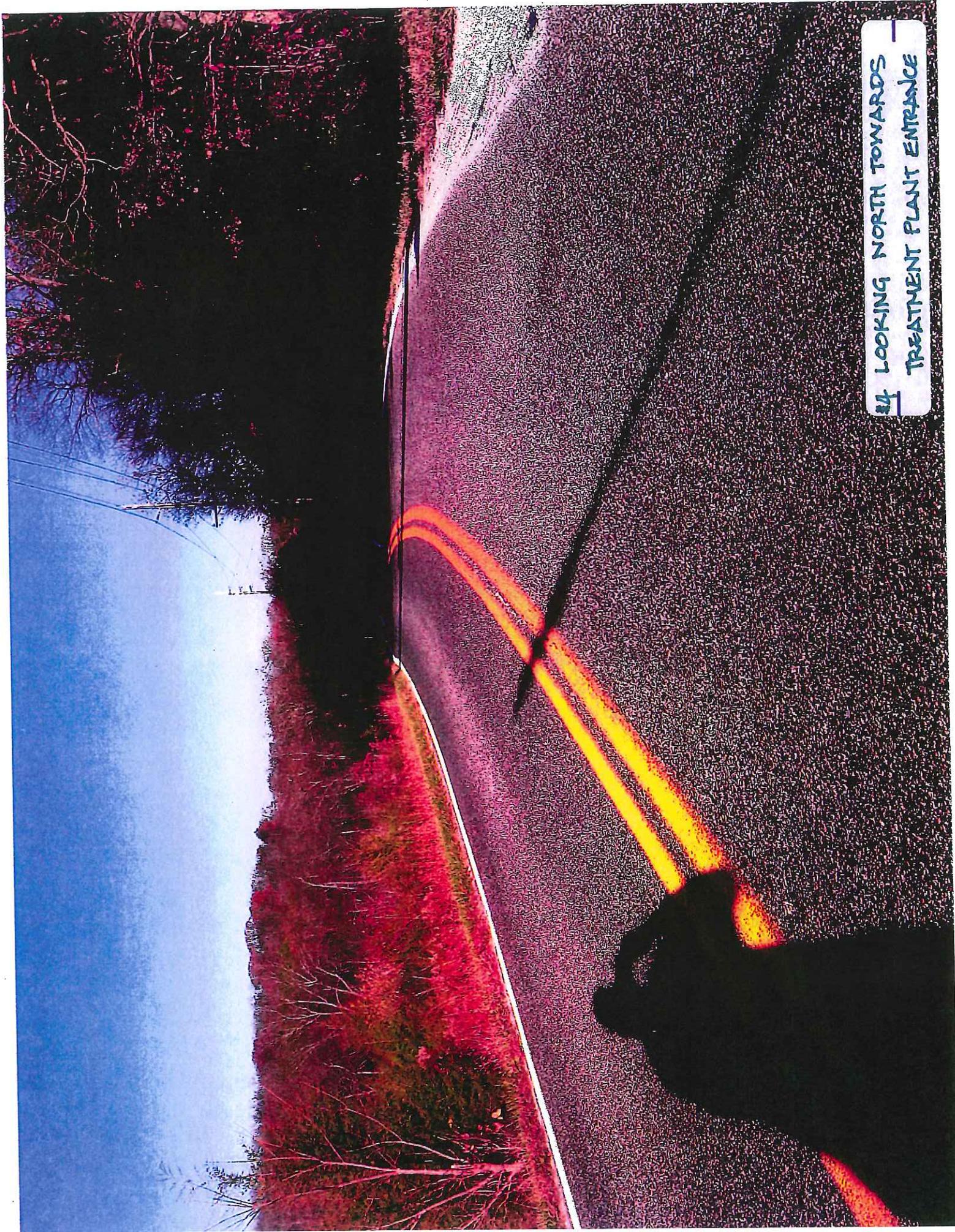




— LOOKING NORTH TOWARDS
MAIN ENTRANCE #2 —



13 LOOKING SOUTH TOWARDS
TREATMENT PLANT ENTRANCE



14 LOOKING NORTH TOWARDS
TREATMENT PLANT ENTRANCE

CITY OF WILDWOOD, MISSOURI
RECORD OF PROCEEDINGS

MEETING OF THE PLANNING AND ZONING COMMISSION
CITY HALL, 16860 MAIN STREET, WILDWOOD, MISSOURI
DECEMBER 21, 2015

The Planning and Zoning Commission meeting was called to order by Chair Bopp, at 7:30 p.m., on Monday, December 21, 2015, at Wildwood City Hall, 16860 Main Street, Wildwood, Missouri.

I. Welcome to Attendees and Roll Call of Commission Members

Chair Bopp requested a roll call be taken. The roll call was taken, with the following results:

PRESENT – (8)

Chair Bopp
Commissioner Archeski
Commissioner Peasley
Commissioner Lee
Commissioner Gragnani
Commissioner Liddy
Mayor Woerther

ABSENT - (2)

Commissioner Renner
Commissioner Bauer
Council Member Manton

Other City Officials present: Director of Planning Vujnich, City Attorney Golterman, Planner Newberry, and Assistant Director of Planning and Parks Arnett.

II. Review Tonight's Agenda / Questions or Comments

There were no questions or comments on the agenda.

III. Approval of Minutes from the December 7, 2015 Meeting

A motion was made by Commissioner Gragnani, seconded by Commissioner Lee, to approve the minutes from the December 7, 2015 meeting. A voice vote was taken regarding the motion for approval of the minutes. Hearing no objections, Chair Bopp declared the motion approved.

IV. Department of Planning Opening Remarks

The Department did not have any opening remarks.

V. Public Hearings – Two (2) Items for Consideration

(a.) **P.Z. 23-15 Pond Athletic Association, c/o Keith Ellis, 17131 Lafayette Trails Drive, Wildwood, Missouri 63038** - A request for a Conditional Use Permit (CUP) in the NU Non-Urban Residence District and FPNU Floodplain Non-Urban Residence District for the installation of sponsorship type banners on existing fencing associated with the athletic fields that are part of the Pond Athletic Association. This facility is located on the west side of Pond Road, north of Hohmann Road (Locator Numbers: 22W330042 and 22W330051/Street

Address: 1725 and 1613 Pond Road). **Proposed Use: Sponsorship type banners for a not-for-profit use, with a minimum of two (2) operational athletic fields on the same lot. (Ward One)**

Chair Bopp gave an overview of the public hearing process for all in attendance and requested the advertisement be read into the record.

Assistant Director Arnett read the request into the record.

Director Vujnich entered a number of items into the record, including the following: the City's Zoning Code, the Master Plan, and the Charter. He then narrated a slide show of photographs describing the subject site and the surrounding roadways and adjacent properties.

Keith Ellis, 17131 Lafayette Trails Drive, speaking in representation of Pond Athletic Association, noted 2016 will be PAA's 53rd year and today there are six (6) ballfields on the site. The Association is requesting a CUP be granted to allow for banners to be hung inside the park and not visible from the road.

Discussion was held among the Commission Members regarding the following: the length of time the Conditional Use Permit would be authorized; and the past use of sponsorship banners, prior to the City's incorporation, and as part of the 50th Anniversary Celebration in 2013.

Gregg Maryniak, 1518 Scofield Valley Lane, noted he has been a resident of Portland Cove for sixteen (16) years and had two (2) children that played at PAA. He stated he is opposed to the use of banners, which would change the appearance of the ballpark and the fencing into an opaque visual barrier.

Discussion was then held among the Commission Members regarding the following: the number of signs that were installed, as part of the 50th Anniversary Celebration in 2013, which was sixty (60); the extent of evergreen trees planted along Pond Road and the potential for additional trees near the main entrance into the ballpark to block the view of the signs, when traveling north along it; the number of ballfields, four (4), which back to Pond Road or the neighboring property; the Athletic Association's agreement to adhere to suggestions to preserve the character of the ballpark; the location of the banners installed in 2013; the Board of Adjustment variance that was granted in 2013; the ability to limit the number and location of banners, as part of the CUP process; the use of windscreening currently on fencing, which prevents seeing through it; and the potential for making the backs of signs green, so the visual impact of the banners is minimized.

A motion was made by Commissioner Peasley, seconded by Commissioner Archeski, to close the public hearing. A voice vote was taken regarding the motion. Hearing no objections, Chair Bopp declared the motion approved and the public hearing closed.

(b.) P.Z. 19-15 1971 Pond Road, Payne Family Homes L.L.C., 10407 Baur Boulevard, Suite B, St. Louis, Missouri, 63132 – A request for the application of a Planned Residential Development Overlay District (PRD), within the NU Non-Urban Residence District for a 78.0 acre tract of land that is located on the north side of State Route 100, west of Pond Road (Locator Number: 23W520053/Street Address: 1971 Pond Road). **Proposed Use: A total of twenty-six (26) individual lots, with common ground, and required public space areas. Lots would range in size from one (1) acre to four and one-half (4.5) acres. (Ward One)**

Assistant Director Arnett read the request into the record.

Director Vujnich referenced items that were provided to the Commission, including the Preliminary Development Plan and Sight Distance Study. He then narrated a slide show of photographs describing the subject site and the surrounding roadways and adjacent properties.

Tom Cummings, 10407 Baur Boulevard, 63132, noted he is representing Payne Family Homes. He provided an overview of the proposed subdivision for twenty-six (26) homes on seventy-eight (78) acres. He then provided the petitioner's rationales for requesting the PRD, including the preservation of thirty-five (35) acres of contiguous open space, the proposed amount of tree removal, which is less than a traditional subdivision, and the use of low impact development practices. He also noted the petitioner is in agreement to conduct a traffic study, if required.

Discussion was then held among the Commission Members regarding the following: the location of the cemetery on the site; the rationales used in selecting the location of the access point to the property; and the ability for the City to direct the location of the curb cut, since Pond Road is a City-maintained roadway.

Gregg Maryniak, 1518 Scofield Valley Lane, noted his main concern with this development is the location of the access point, where historically there have been a significant number of accidents and traffic issues in this location.

Maureen Maryniak, 1518 Scofield Valley Lane, noted her concern with the location of the entrance. She supported the extent of open space preserved along Pond Road, but would like the entrance moved to a safer location. She also noted her concern with the smaller lot sizes, which she believes is in opposition to the Master Plan, and questioned the location for a construction entrance.

John Gragnani, 1510 Scofield Valley Lane, noted he has lived off Pond Road for over 25 years and he believes the PRD is the best way to deal with the topography of this land. He stated his concerns with Bonhomme Creek flooding along the front of the Portland Cove Subdivision and noted that, if this subdivision causes an increase in flow within the creek, it could damage the ballpark. He also noted his concern with the placement of the sewage treatment facility and with the access drive's proposed location.

Lynda Jayne Keller, 2000 Lynda Jayne Lane, noted two (2) sides of her property border this subdivision and she would like to see an alternative plan that shows lot sizes of a three (3) acre minimum, especially since the vast majority (twenty-two (22)) lots are only one (1) acre in size). She also noted her concerns the developer may request at a later date to add more homes in the common ground area, the proposed emergency access to Lynda Jayne Lane, which she opposes, and the lack of confirmation on who owns and maintains that road. She requested it be in writing the common ground area can't be developed.

Tom Smith, 17221 Portland Crest Court, noted he is concerned with the location of the access drive to this subdivision, given he believes it is at a dangerous location. He is also concerned with the size of the lots proposed on this subdivision and believes it is in contradiction to the Master Plan and will set a precedent.

Jan Sprunger, 1547 Pond View Drive, noted her property adjoins this project and her access from her home is to Pond Road. She is concerned that she has no way to walk to the Community Park, given there is no trail along Pond Road, and none proposed as part of this development. She added that Pond Road has a high amount of traffic and it is too dangerous to walk on the shoulder. She also noted that she values the three (3) acre minimum lot size, and is concerned with the loss of trees on this property, which will increase the level of noise from State Route 100. She questioned if the subdivision would be served by public water or wells. Finally, she noted her concern with the location of the access drive and she asked that a trail be installed along Pond Road.

Josh Sprunger, 1548 Pond View Drive, noted his opposition to this plan because of safety concerns with the access drive location and the increased traffic on Pond Road, environmental concerns with the percentage of tree removal and the additional water runoff from increased impervious surfaces, and the decrease in quality of life, with the reduction in lot sizes below three (3) acres, and the increased noise from construction.

Tom Finocchio, 1633 Pond Road, noted he is concerned with the safety along Pond Road and, specifically, the location of the access drive.

Tom Cummings noted the petitioner is listening attentively and they will evaluate the location of the access drive.

Discussion was then held among the Commission Members regarding the following: the access to the locking mechanism on the bollards at the fire access area; the purpose of the PRD and its history and creation, as part of the Master Plan; the other applications of the PRD in other NU Non-Urban Residence District zoned areas, such as Shepard Oaks, which will be included in the Department's report on this request at a future meeting; the lack of service by Metropolitan St. Louis Sewer District in this area, but the City's application of the Phase II stormwater requirements, which will treat the majority of runoff onsite; the possibility of improving Lynda Jayne Lane and using it for access to this development; the type and location of the sanitary sewage treatment facility; the limited access rights on State Route 100, but the City will contact MoDOT to inquire if they will consider an access point; the potential for trails, especially along State Route 100 and, at least, an easement for public trail use through the common ground area; the need for any traffic study to take into consideration the traffic from the ballfields; and the potential for existing traffic data completed on previous City road projects along Pond Road.

A motion was made by Commissioner Archeski, seconded by Commissioner Liddy, to close the public hearing. A voice vote was taken regarding the motion. Hearing no objections, Chair Bopp declared the motion approved and the public hearing closed.

VI. Old Business – One (1) Item for Consideration

Letter of Recommendations – One (1) Item for Consideration

(a.) **P.Z. 10-15 St. Charles Tower, c/o Kathryn Roderique, 4 West Drive, Suite 100, Chesterfield, Missouri, 63017** - A request for a Conditional Use Permit (CUP) within the NU Non-Urban Residence District for a 10.6 acre tract of land, of which two thousand (2,000) square feet of this total lot's area is to be utilized for a telecommunications tower facility and encumbered by a lease area established for this purpose. This tract of land is generally located northwest of the intersection of Babler Park Drive and Old Eatherton Road (Locator Number 21W310270/Street Addresses: 1400 Babler Park Drive – Lifepointe Church). **Proposed Use - A one hundred twenty (120) foot telecommunications tower and related equipment shelter area.** The tower is proposed to be a monopole type, with exterior antenna arrays. **(Ward Three)**

Assistant Director Arnett read the request into the record.

Director Vujnich provided an overview of the draft of the Commission's Letter of Recommendation, which reflected the vote approving a one hundred ten (110) foot monopole tower. He then reviewed an Addendum to the Letter of Recommendation provided to the Commission tonight, which addresses the type of platform for the mounting of the antennas to provide a greater level of service, which is in demand from smart phones and tablets.

A motion was made by Commissioner Archeski, seconded by Commissioner Peasley, to accept the Letter of Recommendation.

Discussion was then held among the Commission Members regarding the following: the telecommunication tower approvals on other properties in the City, which have not been installed; the timing for construction of the tower; the fact that two (2) carriers are interested in this tower; the sight line studies that were requested from the Garden Valley Farms Subdivision; and the coverage this tower will provide to the area.

Kathryn Roderique, representing the petitioner, noted their agreement with the conditions, as proposed.

Greg Yocum, RF Engineer for the petitioner, provided the following: an RF coverage map showing the expected coverage from this tower; the reasons for the decline in use of flush-mounted antennas on monopole towers due to the need of the triangular arrays to meet the needs of today's smartphones and tablet demands; and a sight analysis from the Garden Valley Farms Subdivision.

Chair Bopp called the question.

A roll call vote was taken, with the following results:

Ayes: Commissioner Archeski, Commissioner Peasley, Commissioner Lee, Commissioner Gragnani, Commissioner Liddy, and Chair Bopp.

Nays: None

Absent: Commissioner Renner, Commissioner Bauer; and Council Member Manton.

Abstain: Mayor Woerther

Whereupon, Chair Bopp declared the motion approved by a vote of 6-0, with one (1) abstention.

VII. New Business – One (1) Item for Consideration

(a.) A response to a communication from Jenny Mitchell, Director of Property Management for the Desco Group, which is dated October 20, 2015, that seeks a change to the Amended MXD Mixed-Use Development District Ordinance that governs the Schnucks Wildwood Crossing Center to allow for a third freestanding monument sign along the property's Manchester Road frontage - **St. Louis County's P.C. 219-85 Alfred L. Hicks and J.L. Mason of Missouri, Inc. (Ward – Seven)**

Assistant Director Arnett read the request into the record.

Director Vujnich reviewed the request for an additional sign at the Wildwood Crossing development. He provided the history of sign compliance on this property, since shortly after the City's incorporation, including the addition of two (2) monument signs in lieu of an advertising sign along State Route 100 and the addition of a sign, as part of the Mobil on the Run redevelopment project. He noted there are a total of four (4) freestanding signs along this frontage, including those displays for Jack in the Box and Electro Savings Credit Union. He stated the Department understands that signage is important and the City has modified regulations to assist in this regard over the years. He noted, however, the Department opposed this additional sign due to the existence of other options, in lieu of the addition of another freestanding sign.

Discussion was then held among the Commission Members regarding the following: the option of changing the existing signs to multi-tenant signs to achieve this same end; and the potential of adding signage to the existing retaining wall.

Jim Treis, Superior Building Group, noted that he is the general contractor who would be installing the sign and that the Desco Group, the property owner, has selected a sign that is similar in appearance to the other signs in this development. He also noted his wife owns Puppington Palace and needs the additional signage for business visibility.

Director Vujnich requested a postponement, so the Department can discuss this situation with its sign consultant and continue with some research on other options.

A motion was made by Mayor Woerther, seconded by Commissioner Gragnani, to postpone the request. A voice vote was taken regarding the motion. Hearing no objections, Chair Bopp declared the motion approved and the item postponed.

VIII. Site Development Plans-Public Space Plans-Record Plats – One (1) Item for Consideration

(a.) A recommendation report on a Site Development Plan (SDP) package for **P.Z. 7-13 ButlerDurrel Security, c/o Dennis Tacchi and Associates - Architects**; C-8 Planned Commercial District; north side of Manchester Road, east of Woods Road; which supports the reuse of the historic bungalow located on this site for an office in association with the petitioner's business. **(Ward Eight)**

Assistant Director Arnett read the request into the record.

Director Vujnich reviewed the key elements of this property's reuse as a commercial business and noted the Site Plan Subcommittee found the submitted plan to be in compliance with the site-specific ordinance and other requirements and recommended approval of it. He then reviewed details regarding the reuse of the building, the location of parking, landscaping, lighting, the large amount of open space on the back portion of the property, and other site improvements associated with it. He also noted, as part of the listing on the historic registry, the petitioner is requesting zoning incentives, which include the waiver of public space dedication and Manchester Road escrow contribution.

A motion was made by Mayor Woerther, seconded by Commissioner Archeski, to approve the Site Development Plan.

Chair Bopp called the question.

A roll call vote was taken, with the following results:

Ayes: Commissioner Peasley, Commissioner Lee, Commissioner Archeski, Commissioner Gragnani, Commissioner Liddy, Mayor Woerther, and Chair Bopp.

Nays: None

Absent: Commissioner Renner, Commissioner Bauer, and Council Member Manton.

Abstain: None

Whereupon, Chair Bopp declared the motion approved by a vote of 7-0.

IX. Other – No Items for Consideration

Department staff and Mayor Woerther thanked all of the Commission Members for their service and wished everyone happy holidays.

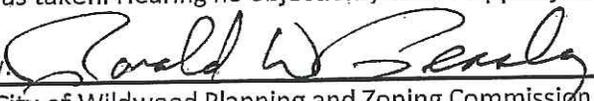
Per Chair Bopp's request, Mayor Woerther outlined the City Council action on the Villages at Bright Leaf proposal from its meeting the previous week.

Commissioner Archeski questioned if signs within a business, which can be seen from the outside, are regulated. Director Vujnich noted the City can apply the Outdoor Lighting requirements, if these signs are illuminated, and also do count as part of the calculable sign square footage.

Director Vujnich then outlined the Master Plan Advisory Committee meeting schedule for January and the cancellation of the January 4th Planning and Zoning Commission meeting.

X. Closing Remarks and Adjournment

A motion was made by Commissioner Archeski, seconded by Commissioner Peasley, to adjourn the meeting. A voice vote was taken. Hearing no objections, Chair Bopp adjourned the meeting at 9:32 p.m.

Approved by: 
Secretary – City of Wildwood Planning and Zoning Commission

Note: Recordation of the opinions, statements, and/or other meeting participation in these minutes shall not be deemed to be an acknowledgement or endorsement by the Commission of the factual accuracy, relevance, or propriety thereof.

* If comment cards were submitted indicating they did not wish to speak at tonight's meeting, they have been attached and made part of the official record.

Kathy Arnett

From: noreply@cityofwildwood.com
Sent: Thursday, December 10, 2015 8:07 AM
To: Lynne Greene-Beldner; Ryan Thomas; Elizabeth Weiss; Kathy Arnett; Travis Newberry; Travis Newberry
Subject: Online Form Submittal: Public Hearing Comment Form

Public Hearing Comment Form

By utilizing this form, your comments will be considered by the Department of Planning in its development of a recommendation of this request. Additionally, the Planning and Zoning Commission, the City Council, and/or the applicable board or committee will also receive copies of your comments, as they consider the merits of these land use proposals being reviewed by the city. You must submit a separate form for each public hearing for which you have comments.

Request Being Considered	P.Z 19-15 1971 Pond Road
Item Description	payne family homes llc
Position on Request	Other
General Comments	I own the 28 acres adjoining this project. It was my understand that this property (and mine) required EACH homesite to be on a minimum of 3 acres. I realize this project contains 78 acres and will have 26 homesites which follows that rule, but it says homesites range from "1 acre to 4 1/2 acres." How is this allowed?
Suggestions	I will be attending this meeting on December 21. I'd like to see a blueprint of this proposed subdivision.
(Section Break)	
Name	Lynda Jayne Keller
Address	2000 Lynda Jayne Lane
City	Wildwood
State	MO
Zip	63038
Phone Number	636-458-5303

Email

lynda.keller@earthlink.net

Email not displaying correctly? [View it in your browser.](#)

Kathy Arnett

From: noreply@cityofwildwood.com
Sent: Friday, December 11, 2015 11:20 AM
To: Lynne Greene-Beldner; Ryan Thomas; Elizabeth Weiss; Kathy Arnett; Travis Newberry; Travis Newberry
Subject: Online Form Submittal: Public Hearing Comment Form

Public Hearing Comment Form

By utilizing this form, your comments will be considered by the Department of Planning in its development of a recommendation of this request. Additionally, the Planning and Zoning Commission, the City Council, and/or the applicable board or committee will also receive copies of your comments, as they consider the merits of these land use proposals being reviewed by the city. You must submit a separate form for each public hearing for which you have comments.

Request Being Considered	P.Z 19-15 1971 Pond Road
Item Description	Field not completed.
Position on Request	Do Not Support
General Comments	I am worried about a few things with this plan. First I think all lots should be at least 3 acres. I thought that was the requirement in this area of Wildwood. Plus I am a bit worried about the traffic from the subdivision if it spills into Pond right before the highway. It's already a bit dangerous coming up the hill before you get to that plot of land.
Suggestions	As long as the lots are at least 3 acres or more and the entrance doesn't make it more tricky for traffic on the road I would support the idea.

(Section Break)

Name	Mike and Linda HOFFEY
Address	2402 Rockwood Trail Ct
City	Wildwood
State	MO
Zip	63038
Phone Number	3147243665

Email

Lhoffey@att.net

Email not displaying correctly? [View it in your browser.](#)

Kathy Arnett

From: noreply@cityofwildwood.com
Sent: Sunday, December 13, 2015 8:43 AM
To: Lynne Greene-Beldner; Ryan Thomas; Elizabeth Weiss; Kathy Arnett; Travis Newberry; Travis Newberry
Subject: Online Form Submittal: Public Hearing Comment Form

Public Hearing Comment Form

By utilizing this form, your comments will be considered by the Department of Planning in its development of a recommendation of this request. Additionally, the Planning and Zoning Commission, the City Council, and/or the applicable board or committee will also receive copies of your comments, as they consider the merits of these land use proposals being reviewed by the city. You must submit a separate form for each public hearing for which you have comments.

Request Being Considered	P.Z 19-15 1971 Pond Road
Item Description	Changes in Master Plan to accommodate higher density residential construction (subdivision)
Position on Request	Do Not Support
General Comments	Reducing the approved lot size to less than three acres for residential construction west of Highway 109 is in direct conflict with the wishes of the population of Wildwood. An "overlay" district is merely an accommodation to the builder/developer to allow them more dense construction which provides higher profitability for them at the cost of lifestyle for the current residents. Once the "overlay" issue is opened it will set a precedent for significantly increased residential density in an area which the population has repeatedly voted against higher density. A minimum lot size of three acres, at 78 acres total, would allow the builder to build one less home than requested and still allow three acres for required infrastructure. This would retain the Master Plan intact with no changes and should satisfy the city's constituency.
Suggestions	A traffic light at the intersection of Highway 100 and Pond Road would be a necessity, as well as widening Pond Road from at least Pond Hill Court to Highway 100.

(Section Break)

Name	Tom Smith
------	-----------

Address	17221 Portland Crest Court
City	Glencoe
State	MO
Zip	63038
Phone Number	314 283-4365
Email	stomsmith@hotmail.com

Email not displaying correctly? [View it in your browser.](#)

Kathy Arnett

From: noreply@cityofwildwood.com
Sent: Saturday, December 19, 2015 10:37 AM
To: Lynne Greene-Beldner; Ryan Thomas; Elizabeth Weiss; Kathy Arnett; Travis Newberry; Travis Newberry
Subject: Online Form Submittal: Public Hearing Comment Form

Public Hearing Comment Form

By utilizing this form, your comments will be considered by the Department of Planning in its development of a recommendation of this request. Additionally, the Planning and Zoning Commission, the City Council, and/or the applicable board or committee will also receive copies of your comments, as they consider the merits of these land use proposals being reviewed by the city. You must submit a separate form for each public hearing for which you have comments.

Request Being Considered	P.Z 19-15 1971 Pond Road
Item Description	Density & Sight Distance
Position on Request	Do Not Support
General Comments	In reviewing the plans/topography maps, it is apparent that the density of the proposed subdivision significantly exceeds the guidelines laid out in the Master Plan, and that much of the issue is with the topography of the property at issue. This is a Builder/Developer problem and should not be a City of Wildwood issue to accomodate the builder/developer or their profitability. Also, the 20' easement granted to the City does not fall at the entry to the proposed subdivision which means that the roadway at the entry location on to Pond Road is inadequate. The sight distance to the north on Pond Road is unsatisfactory (I drive this every day and one cannot see around the curve, nor up the hill at that location.) Also, stop lights at the intersection of Pond Road and Highway 100 should be built into the requirements for the developer.
Suggestions	While a subdivision should not be out of the question for this location, the layout and acreage requirements per homesite should be revisited and revised to meet the criteria acceptable to the residents in the area, which means minimum three acre lots and acceptable roadway conditions.

(Section Break)

Name	Tom Smith
Address	17221 Portland Crest Court
City	Wildwood
State	MO
Zip	63038
Phone Number	314 283-4365
Email	stomsmith@hotmail.com

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Kathy Arnett

From: noreply@cityofwildwood.com
Sent: Sunday, December 20, 2015 8:29 PM
To: Lynne Greene-Beldner; Ryan Thomas; Elizabeth Weiss; Kathy Arnett; Travis Newberry; Travis Newberry
Subject: Online Form Submittal: Public Hearing Comment Form

Public Hearing Comment Form

By utilizing this form, your comments will be considered by the Department of Planning in its development of a recommendation of this request. Additionally, the Planning and Zoning Commission, the City Council, and/or the applicable board or committee will also receive copies of your comments, as they consider the merits of these land use proposals being reviewed by the city. You must submit a separate form for each public hearing for which you have comments.

Request Being Considered	P.Z 19-15 1971 Pond Road
Item Description	Payne Family Homes
Position on Request	Do Not Support
General Comments	We recently moved to this area (we live on Portland Crest) and were told that all homes in this area were a minimum of 3 acres. That was an important factor in choosing our home. Only 3 of the homes in this development are even over 2 acres. Because the overall development is 78 acres does not even come close to meeting the criteria of the minimum 3 acre home site. Approving this development will be a very bad precedent to future development of this area.
Suggestions	All home sites in this development should be a minimum of 3 acres.
(Section Break)	
Name	John and Cindy Rogers
Address	17151 Portland Crest Court
City	Wildwood
State	MO
Zip	63038

Phone Number

314-732-5157

Email

rogersjc@charter.net

Email not displaying correctly? [View it in your browser.](#)

Kathy Arnett

From: Russell Pemberton <russellpemberton@gmail.com>
Sent: Monday, December 21, 2015 3:15 PM
To: Kathy Arnett
Cc: Donald & Leslie Granger; Frank & Sherry Arviso; Lynda; cameron792@msn.com; Roger & Sandy Schwartz
Subject: New Development - Lynda Jayne Lane Access

Hi Kathy,

Thanks again for your time today - I appreciate your help.

In lieu of myself attending tonight's zoning and planning meeting at 7:30pm, I'm writing to you now regarding the proposed development referred to as 1971 Pond Road:

<http://www.cityofwildwood.com/AgendaCenter/9/646?MOBILE=ON&year=2015>

It appears the proposed development may access Lynda Jayne Lane and although the access will be blocked at both ends with bollards, we don't wish to create or give the appearance of a walking path or any access for that matter which may increase any type of traffic or inadvertently lead someone to trespass into our private subdivision or onto any surrounding private properties. We also do not want to create an area where individuals may congregate, etc.

Why does Lynda Jayne Lane need to provide any access to the proposed development when the entrance is on Pond Road? I assume the proposed development could be built even without access to Lynda Jayne Lane?

I assume this access will NOT be used for any construction access?

I assume NO TRESPASSING signage will be displayed at both ends of the access which would help to mitigate any potential future issues?

I assume NO PARKING signage will be installed on Lynda Jayne Lane to prevent any parking, especially from "1971 Pond Road" homeowners who may take advantage of this access?

I have copied additional property owners on this email seeking further comments/concerns.

Russell Pemberton, Trustee
Wakefield Farm Subdivision
Neighborhood Watch Coordinator
2007 Wakefield Farm Road
Wildwood MO 63038

Travis Newberry

From: noreply@cityofwildwood.com
Sent: Monday, December 21, 2015 4:06 PM
To: Lynne Greene-Beldner; Ryan Thomas; Elizabeth Weiss; Kathy Arnett; Travis Newberry; Travis Newberry
Subject: Online Form Submittal: Public Hearing Comment Form

Public Hearing Comment Form

By utilizing this form, your comments will be considered by the Department of Planning in its development of a recommendation of this request. Additionally, the Planning and Zoning Commission, the City Council, and/or the applicable board or committee will also receive copies of your comments, as they consider the merits of these land use proposals being reviewed by the city. You must submit a separate form for each public hearing for which you have comments.

Request Being Considered	P.Z 19-15 1971 Pond Road
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Item Description	PRD application
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Position on Request	Do Not Support
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General Comments	<p>I do not support Payne Family Homes' application for the following reasons: 1. The entrance to the subdivision would be at one of the most dangerous stretches of Pond Road, between Route 100 and the Pond Athletic Association facilities. People frequently speed along this curvy, hilly stretch of road and adding an entrance at the proposed spot would create a dangerous intersection. 2. It is already difficult to exit onto eastbound Route 100 from Pond Road north of the highway during rush hour, given the many people who turn left from westbound 100 onto Pond toward the church and Middle School, and many others who turn left onto northbound Pond Road from eastbound 100. In my opinion, adding another 25-50 cars to this mix would necessitate the addition of a traffic light at this intersection; however, the Payne proposal does not include such a light. 3. There is no proposed method of handling stormwater runoff from the entrance road. Water from this steep entrance road would run across Pond Road into the creek on the horse farm. This water would further erode the creek that runs through the horse farm and would then run under Portland Crest Court, potentially washing out the sole entrance to homes along this private road. 4. The proposed plans show rooflines sticking up above the ridge line. This is unusual in this area and it would degrade the sight lines along</p>
------------------	--

Route 100. I am in favor of the development of this site in general; however, the Payne Family Homes plan is not the right one for this site.

Suggestions

1. Develop the 1971 Pond Road site according to the existing zoning in the Master Plan, i.e. with houses that are each on an individual lot of 3 or more acres. 2. Provide a traffic light at Pond Rd and Route 100 as part of the proposal. 3. Move the subdivision entrance to the straight part of Pond Road, along the edge of the property south of the proposed entrance. 4. Include a plan to handle stormwater runoff from the entrance road.

(Section Break)

Name	Sandra Curtiss
Address	17229 Portland Crest Ct
City	Wildwood
State	MO
Zip	63038
Phone Number	314-600-2691
Email	sandra.w.curtiss@gmail.com

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Travis Newberry

From: noreply@cityofwildwood.com
Sent: Tuesday, December 22, 2015 3:11 PM
To: Lynne Greene-Beldner; Ryan Thomas; Elizabeth Weiss; Kathy Arnett; Travis Newberry; Travis Newberry
Subject: Online Form Submittal: Public Hearing Comment Form

Public Hearing Comment Form

By utilizing this form, your comments will be considered by the Department of Planning in its development of a recommendation of this request. Additionally, the Planning and Zoning Commission, the City Council, and/or the applicable board or committee will also receive copies of your comments, as they consider the merits of these land use proposals being reviewed by the city. You must submit a separate form for each public hearing for which you have comments.

Request Being Considered	P.Z 19-15 1971 Pond Road
--------------------------	--------------------------

Item Description	Field not completed.
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Position on Request	Do Not Support
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General Comments	<p>Several huge concerns: My husband has lived on the same property which is adjacent to this property for over 30 years and this proposed subdivision will negatively impact the land we live on and have invested a lot of our hard earned money on to live and enjoy. 1. Safety due to increased cars/traffic a) There is too much traffic on pond as it is prior to adding my conservative estimate of an additional 700-1200+ more trips a day back and forth on pond road. traffic studies should be done on pond as it is and the studies would need to be done in the spring months to get a true estimate. b) The suggested single entrance is very unreasonable to dump out all that traffic on to pond Pond is a very narrow winding road that cannot support the traffic as it is and that entrance location has 2 major blind spots- on a sharp curve with hills on both sides. Very common to come across an accidents there. People in the ditch, fences broken, mailboxes gone, etc. In the meeting 100 was suggested for an entrance but it was said that modot would not readily agree to that. If 100 can't handle the traffic, how can you expect pond. c) It is impossible as it is to take my children on a bike or stroller ride. I find ridiculous that I can't exercise on the road I live on and pay astronomical taxes for. There isn't a bike bath either that I would use. We have to risk our lives and our children's to get to the bike path or I walk in a private</p>
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subdivision (portland cove) across the street but still have to walk on pond to get there. d) During the extremely busy ballpark months traffic has been backed up at least ½ mile on pond and 100 2. Land concerns a) There will be so much concrete and asphalt that water will not be able to absorb when there are significant rains. The creek at the bottom of the hill (next to the road) currently floods easily with rains with tons of land to try to absorb water. Has the city spoken with any county engineers regarding water runoff? b) With so many houses and the construction to build, there will be contamination to the land, air, water supply and creek from construction dust, debris and litter, runoff of chemicals on the grass, air pollution, etc. The risk to the environment is very high in particular when reconstruction of the land is near streams and creeks. Most of us are on wells and eventually they will be contaminated and considered unsafe. Most people do not understand the significance of good well water. c) Land erosion will be inevitable d) Wildwood boasts how many acres of trees and vegetation it has an is so strict when a homeowner wants to cut down a tree, how can we allow construction to tear down 1000s of trees and shrubs e) There is a master plan that states all lots must be 3 acres. Subdivisions try and get around that by having 3 acres of land per lot. This is not acceptable and what was not meant and understood by citizens when the city developed that plan many years ago. The “common ground” is not even usable in this instance. The 3 acre minimum was to prevent this exact type of development (house on top of house). This is a rural area that a developer is trying to urbanize and make millions off of at the expense of those of us who chose to live in the “country” yet be close to urban conveniences. Purchasing the property we live on came at a great cost but we made the commitment to enjoy our land, space/privacy, woods, wildlife and most importantly quiet and safe living. Developing this land as proposed will have negative effects on the land, air and water supply and road safety for generations to come.

Suggestions

Build a beautiful, 1 home estate mansion on the property. The property would have amazing views and the land would be enjoyed by the family much more than those on a smaller property with no land. This land is truly amazing and would not be used appropriately for 26 homes. The 26 homes would be better built on less beautiful, natural landscape as those who choose to build and buy a home in a subdivision with house next to house do not care about the natural land. They do not care to have wide open space with lots of woods, wild blackberries, and wildlife. People who choose to live with neighbors in arm's reach could find better suited spaces where

the land is not as respected or desired.

(Section Break)

Name	Erica Sprunger
Address	1548 Pond View Drive
City	Wildwood
State	MO
Zip	63038
Phone Number	636-751-3581
Email	esprunger@gmail.com

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WILDWOOD®

Recommendation Report on an Outdoor Game Court

Prepared by Department of Planning

for the

City of Wildwood Planning and Zoning Commission

June 20, 2016 Executive Session

“Planning Tomorrow Today”

Nature of Request –

P.Z. 4-16 Scott Fieser, 10 Whitsetts Fork Ridge Road, Wildwood, Missouri, 63038, is seeking the review and action of the Planning and Zoning Commission regarding an outdoor game court (full court basketball court, with lighting), which is located at 10 Whitsetts Fork Ridge Road, Wildwood, Missouri (Locator Number 24V430121)); NU—Non-Urban Residence District. This request is to be reviewed in accordance with Chapter 415.090 NU—Non-Urban Residence District Regulations of the City of Wildwood Zoning Code, which establishes standards and requirements for outdoor game courts relating to their consideration by the Planning and Zoning Commission. The game court and lighting is currently installed, without Planning and Zoning Commission approval, and situated to the west of the single family residence located on the subject property. The Department will have a recommendation report prepared for consideration at this meeting for this request. **(Ward Six)**

Introduction –

The City of Wildwood is in receipt of an application from Scott Fieser, which requests the authorization of an outdoor game court, with lighting, which has been installed without Planning and Zoning Commission approval. All outdoor game courts must be acted upon by the Planning and Zoning Commission. The requirements for review were adopted by the City Council in April 2013 and intended to provide a framework for addressing lighting, landscaping, and aesthetics, along with managing the flight of projectiles i.e. balls, pucks, etc., while implementing standards for their placement to protect in-place stormwater management facilities and verifying their compliance with zoning performance standards for noise and peace disturbance in their use.

Principle to this request is the review of the existing site conditions and the installed outdoor game court’s location, design, associated landscaping, and other components of it. This review is intended to determine whether this outdoor game court and associated lighting are appropriate and in compliance with the criteria established for such on properties zoned NU Non-Urban Residence District.

General Site and Area Conditions –

1. This 3.18 acre site is located on the south side of Whitsetts Fork Ridge Road, west of State Route 109, and within the Whitsetts Fork Subdivision. The site is zoned in the NU – Non-Urban Residence District.

2. The single family dwelling is located slightly below the grade of Whitsetts Fork Ridge Road. The elevation gently slopes to the south, until the tree line, where it begins to slope more steeply toward the rear property line.
3. An in-ground swimming pool, patio area, and associated retaining walls are located at the rear of the single family dwelling.
4. A detached garage is located at the rear of the home, on the western portion of the site, and accessed from Whitsetts Fork Ridge Road by a gravel drive that parallels the east side of the single family dwelling to the rear of the pool and patio area, then turns west to reach the garage.
5. The installed asphalt surface outdoor game court is approximately twenty (20) to twenty-five (25) feet below the grade of Whitsetts Fork Ridge Road, and located to the west of the detached garage, with a portion of it being located south of it.
6. A sixteen (16) feet by thirteen (13) feet frame shed is located to the rear of the single family dwelling and entirely in the side yard setback area, with a portion of it being situated on the neighboring property to the east.
7. The adjacent properties have the following characteristics:
 - North:** Single family dwelling on a 5.0 acre lot, being located north of Whitsetts Fork Ridge Road, with the elevation sloping downward to the north
 - South:** Single family dwelling on a 5.0 acre lot, located significantly below the elevation of the subject site at the bottom of the ridge, with a large pasture area
 - East:** Single family dwelling on a 3.18 acre lot, with the elevation being very similar to the subject site
 - West:** Single family dwelling on a 3.93 acre lot, with the elevation being very similar to the subject site
8. Stormwater on the site is managed by natural sheet flow, with no stormwater improvements installed on the property.
9. The structure setbacks for this site are thirty (30) feet for the side yard areas, thirty (30) feet for the rear yard area, and fifty (50) feet for the front yard area.

Characteristics of Installed Outdoor Game Court and Associated Improvements –

1. The outdoor game court is forty-eight (48) feet by eighty-eight (88) feet and totals 4,224 square feet in area.
2. The current location of this structure places greater than fifty-five percent (55%) of the asphalt flatwork within the thirty (30) foot side yard setback area, with a portion of its southwest corner encroaching on the neighboring property to the west.
3. Three (3), twenty-five (25) foot high light standards, with four hundred (400) watt metal halide floodlight fixtures placed atop them.
4. The property owner has installed three (3) light standards are installed in the side yard setback area.
5. The property owner has also installed two (2) standard height, pole-mounted basketball hoops at the north and south ends of the outdoor game court, both of which being located in the side yard setback area.
6. The property owner has installed an eight (8) foot black chain link fence along the southern length of the outdoor game court, a portion of which being located in the side yard setback area and partially encroaching on the neighboring property to the west.
7. The property owner has not installed any fencing or netting– nor is such proposed at this time – along the western length of the outdoor game court, in order to control the flight of projectiles onto

neighboring properties. If such a fence were to be installed, as required by Section 415.090(L) of the City of Wildwood's Zoning Regulations, a portion of it would be located in the side yard setback area and would partially encroach on the neighboring property to the west.

8. A retaining wall that is greater than two (2) feet in height, and supporting the surcharge load of the asphalt surface outdoor game court, is installed along the southern length of the court. A portion of the wall is located in the side yard setback area and partially encroaches onto the neighboring property to the west.
9. A retaining wall that is greater than six (6) feet (approximately ten (10) feet) is installed along the northern length, and a portion of the western length, of the outdoor game court. A portion of this wall is located in the side yard setback area.
10. The landscaping plan for the site indicates the following:

North: Five (5) Norway Spruce Trees, above the grade of the installed outdoor game court and below the grade of Whitsetts Fork Ridge Road
South: None (existing tree line)
East: None (interior of the lot)
West: None (existing tree line)

Analysis -

The Department of Planning has reviewed this request with regards to its compliance with the City's Zoning Ordinance, Tree Manual, and Sustainable Plantings Guide and believes it does not meet the minimum requirements set forth therein. The Department is not recommending this request for this outdoor game court, with lighting, be approved. The Department is recommending the Planning and Zoning Commission act to deny this request, based on the following considerations:

Lighting

1. The City's consultant met on-site with the petitioner in order to review the installed outdoor lighting for this structure and submitted a report to the Department indicating the installed lights do not meet a number of requirements of the City's Outdoor Lighting Requirements (Sections 415.450(D)4; 415.450(D)5; and 415.450(E)3), principally due to their installation, prior to review, and light trespass restriction requirements.
2. The City's consultant also noted the installed outdoor lighting is not in compliance with Section 415.090(L)4, in regards to the height of the light standards.
3. The City's consultant's recommendation is to lower the light standards to twenty (20) feet, which is greater than the allowed sixteen (16) feet height, and would therefore require review by the City's Board of Adjustment.
4. The City's consultant also recommended replacing the existing fixtures with new units that have better optical and cutoff capabilities, in order to be in compliance with the City's Outdoor Lighting Requirements.
5. All three (3) light standards are considered structures located in the side yard setback area, which is not permitted by right. In order to bring these standards into compliance with the City's Zoning Regulations, the light standards would need to be removed from the side yard setback area and meet all other requirements of the City's Outdoor Lighting Requirements; **OR** a boundary adjustment between the subject property and the adjoining lot would have to be considered, which results in the light standards being located outside of the side yard setback area and meet all other requirements of the City's Outdoor Lighting Requirements; **OR** submit a variance request

to the City's Board of Adjustment to locate these structures in the side yard setback area and waive all other requirements of the City's Outdoor Lighting Requirements; **OR** remove the light standards entirely.

6. No zoning authorization or electrical permits were issued prior to the installation of the light standards, as required by City of Wildwood and St. Louis County Codes.

Netting and Fencing

1. The eight (8) foot high chain link fence located along the southern length of the outdoor game court is considered a structure and located in the side yard setback area, which is not permitted by right. Additionally, a portion of this fence encroaches onto the neighboring property. In order to bring such into compliance with the City's Zoning Regulations, the fence would be required to be moved from the side yard setback area and the neighboring property; **OR** a boundary adjustment between the subject property and the adjoining lot that would result in the fence being located off of the neighboring parcel of ground and not in the side yard setback area; **OR** a boundary adjustment that would result in the fence being located off of the neighboring property, but in the side yard setback area, with required action by the City's Board of Adjustment.
2. Additional fencing would be required to be installed along the western length of the outdoor game court, in order to control the flight of projectiles onto neighboring properties (Section 415.090(L)). In order to be in compliance with the City's Zoning Regulations, the petitioner would need a boundary adjustment between the subject site and the adjoining lot that would result in the fence being located off of the neighboring property and not in the side yard setback area; **OR** a boundary adjustment resulting in the fence being located off of the neighboring property, but in the side yard setback area, with required action by the City's Board of Adjustment.

Landscaping

1. The proposed landscaping would be required to be in compliance with the City's Tree Manual and Sustainable Plantings Guide. Such a review has not been conducted.

Other Installed Improvements

1. The installed retaining walls would require zoning authorization from the City of Wildwood and would be subject to St. Louis County Building Code requirements.
2. A portion of the retaining wall along the southern length of the outdoor game court encroaches on the neighboring property. A boundary adjustment between these properties would be needed, thereby resulting in this wall being located off of the neighboring property.
3. The two (2) basketball hoops are considered structures located in the side yard setback area, which is not permitted by right. In order to be in compliance with the City's Zoning Regulations, the basketball hoops would be required to be removed from the side yard setback area; **OR** required action by the City's Board of Adjustment.
4. The current location of the structure places greater than fifty-five percent (55%) of the asphalt flatwork into the side yard setback area, with a portion of its southwest corner encroaching on the neighboring property. In order to be in compliance with the City's Zoning Regulations, a boundary adjustment between these properties would be needed, thereby resulting in the entire asphalt surface of the installed outdoor game court being located out of the side yard setback area.

Other Considerations

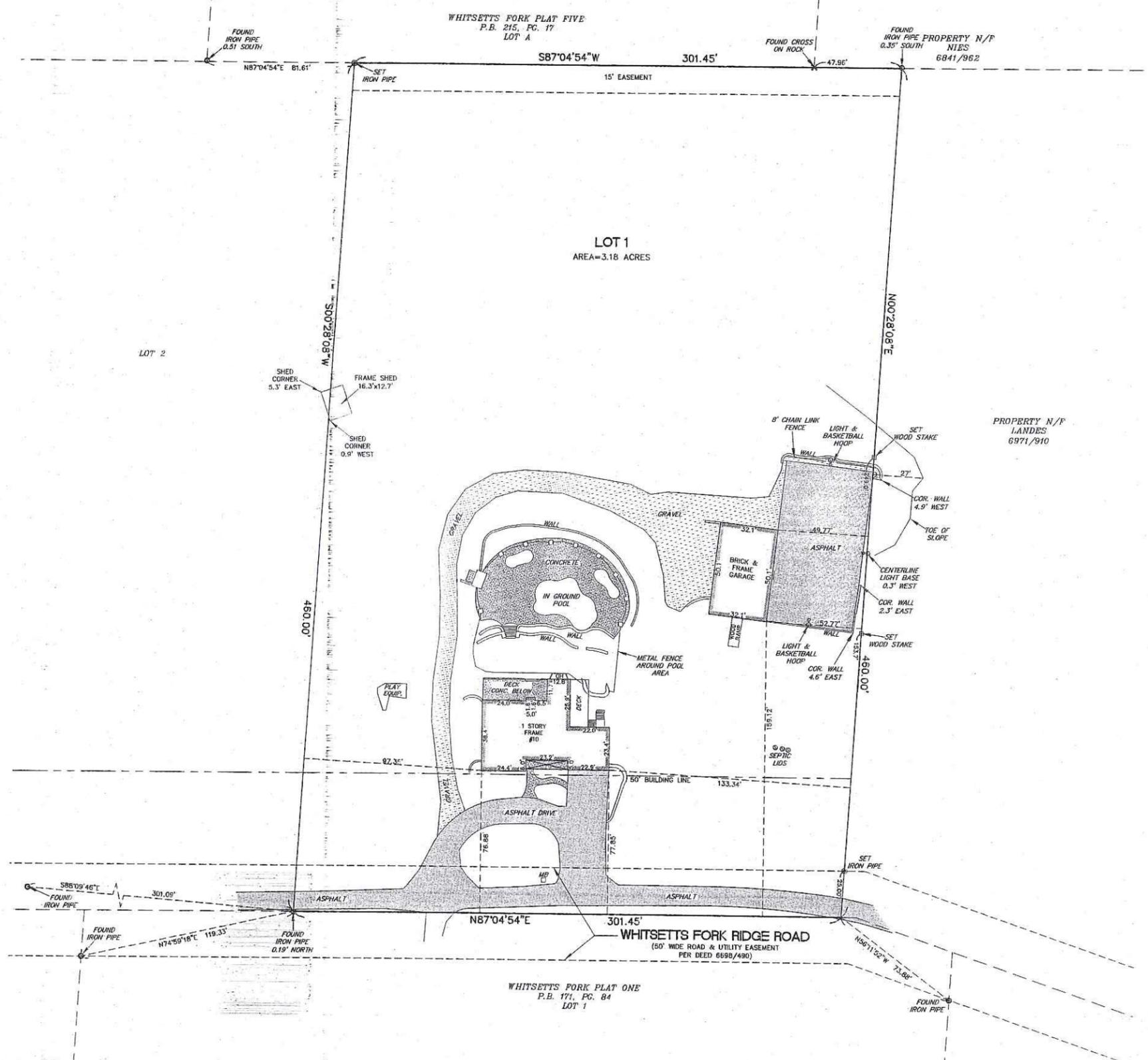
1. A number of minimum standards and processes have been established in the City of Wildwood's Zoning Regulations and were not adhered to with the installation of this outdoor game court and lighting.
2. No zoning authorizations or permits were issued by the Departments of Planning and Public Works and, subsequently, St. Louis County for any of the installed improvements associated with this outdoor game court.
3. The Department of Planning has received a number of comments from neighboring property owners, particularly in regard to light trespass and increased stormwater runoff.
4. The petitioner has placed a sixteen (16) feet by thirteen (13) feet frame shed is located entirely into the side yard setback area, with a portion of it encroaching on the neighboring property to the east (not associated with this request).
5. During a site visit on June 16, 2016, the City's Code Enforcement Officer observed work being done without a permit on a retaining wall (not associated with this request).

Recommendation -

In summary, based upon the considerations stated above, the Department is recommending the Planning and Zoning Commission not approve this request. It is the opinion of the Department that, given the number of items associated with the installed outdoor game court and lighting, along with the demonstrated disregard for the minimum standards and processes set out in City of Wildwood's Zoning Regulations, a recommendation to approve this request would be inappropriate.

With an action by the Planning and Zoning Commission to deny this request, this denial would be forwarded to the City Council for its receipt and file. An action to deny this request for an outdoor game court and lighting does not preclude the petitioner from submitting a request for the same in the future, but with these violations addressed first, then reviewed by the Planning and Zoning Commission, as required by the City's Zoning Regulation.

A TRACT OF LAND BEING ALL OF LOT 1 OF
 "WHITSETTS FORK PLAT FOUR", PLAT BOOK 177, PAGE 55,
 TOWNSHIP 44 NORTH, RANGE 3 EAST OF
 THE FIFTH PRINCIPAL MERIDIAN,
 ST. LOUIS COUNTY, MISSOURI



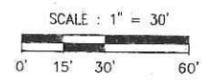
- GENERAL NOTES:
1. BASIS OF BEARINGS ADOPTED FROM PLAT BOOK 177, PAGE 55.
 2. A CURRENT TITLE COMMITMENT WAS NOT FURNISHED FOR THE EXECUTION OF THE SURVEY, THEREFORE THIS PLAT IS SUBJECT TO ALL THE CONDITIONS AND EXCEPTIONS THAT A CURRENT TITLE COMMITMENT MAY REVEAL, INCLUDING, BUT NOT LIMITED TO THE FOLLOWING:
 - A. EASEMENTS OF RECORD.
 - B. EASEMENTS OR CLAIMS OF EASEMENTS NOT REVEALED IN THE PUBLIC RECORDS.
 - C. RIGHTS OR CLAIMS OF RIGHTS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORD, IF ANY.
 - D. DEFECTS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, THIS SURVEY IS ALSO SUBJECT TO ANY CONVEYANCES OR TAKINGS, NOT REVEALED BY THE COUNTY ASSESSOR'S OFFICE, RIGHTS OF WAY, SETBACK LINES, COVENANTS, RESTRICTIONS AND ZONING ORDINANCES, IF ANY.

SURVEYOR'S CERTIFICATE

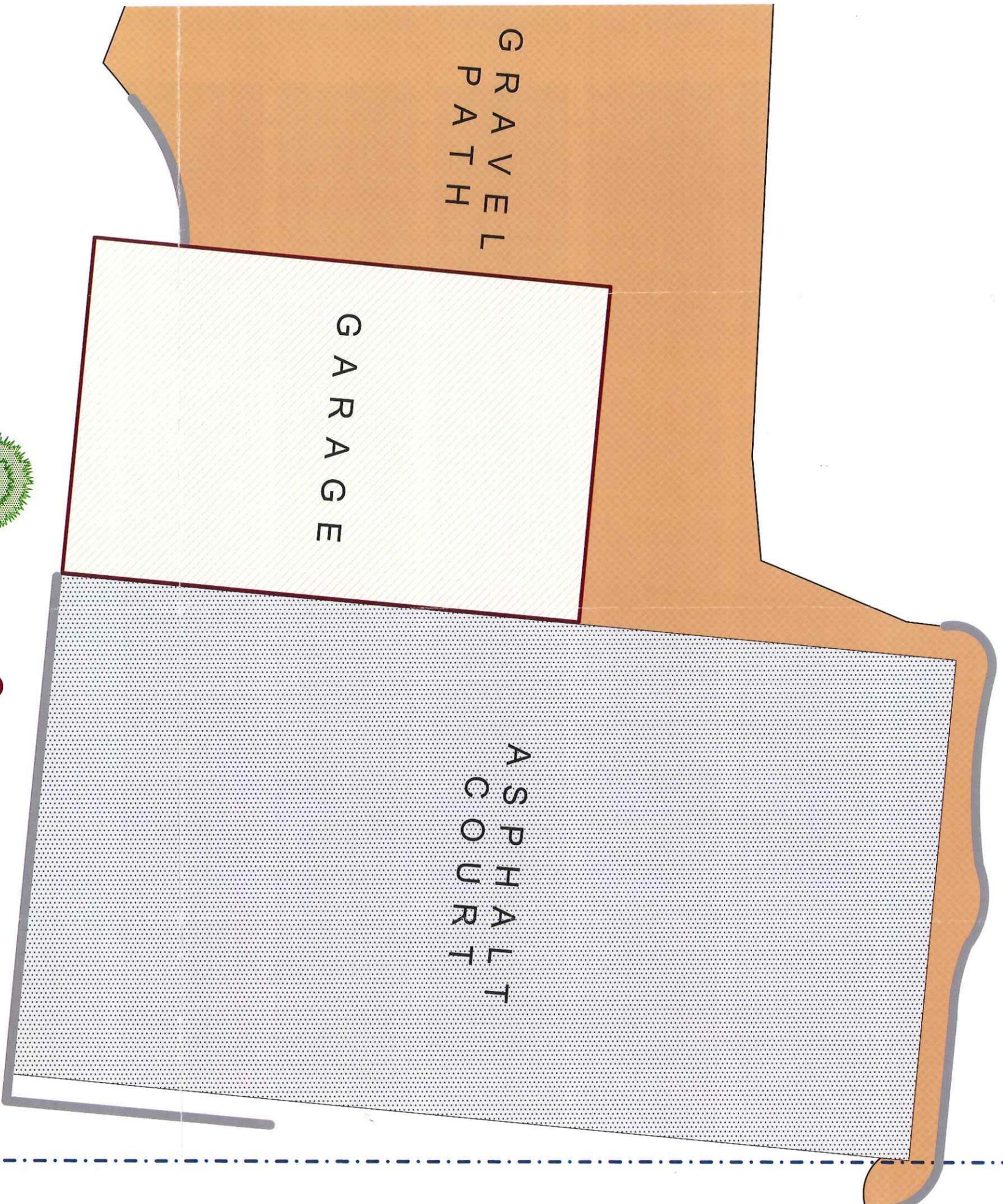
THIS IS TO CERTIFY THAT WE HAVE, DURING THE MONTH OF DECEMBER 2015, BY THE ORDER OF SCOTT FIESER, EXECUTED A PROPERTY BOUNDARY SURVEY WITH LOCATION OF IMPROVEMENTS ON A TRACT OF LAND BEING ALL OF LOT 1, OF "WHITSETTS FORK PLAT FOUR", A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 177, PAGE 55 OF THE ST. LOUIS COUNTY RECORDS, TOWNSHIP 44 NORTH, RANGE 3 EAST OF THE FIFTH PRINCIPAL MERIDIAN, ST. LOUIS COUNTY, MISSOURI. THIS SURVEY WAS EXECUTED IN ACCORDANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS FOR URBAN PROPERTY.

Dennis C. Frazier 12/16/15

DENNIS C. FRAZIER
 FRAZIER LAND SURVEYING SERVICES, INC.
 MISSOURI PROFESSIONAL LAND SURVEYOR #2002000247
 CORP. # 2008003911



PREPARED FOR: SCOTT FIESER 10 WHITSETTS FORK RIDGE RD. WILDWOOD, MO. 63038	DATE: 12/16/15 SCALE: 1"=30' PROJECT NO.: 15-3377 FILE NAME: 15-3377.DWG	PROPERTY BOUNDARY SURVEY WITH LOCATION OF IMPROVEMENTS	1 OF 1 SHEET
REV-1	FRAZIER LAND SURVEYING SERVICES, INC.	116 E. PEARCE BLVD., P.O. BOX 65 WENTZVILLE, MO. 63385 PHONE: 636-332-0610 FAX: 636-332-0710	
REV-2			
REV-3			
REV-4			



10 Norway Spruce
Fishes

5 NORWAY SPRUCE 7 - 8'

EXISTING TREES

This plan is the sole property of Baxter Gardens Of Chesterfield
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L1

LANDSCAPE DEVELOPMENT PLAN FOR
FIESER RESIDENCE
10 Whissets Fork Ridge Road
Wildwood, MO 63038
636-262-7855 scottfieser@hotmail.com

17259 Wildhorse Creek Road
Chesterfield, MO 63005

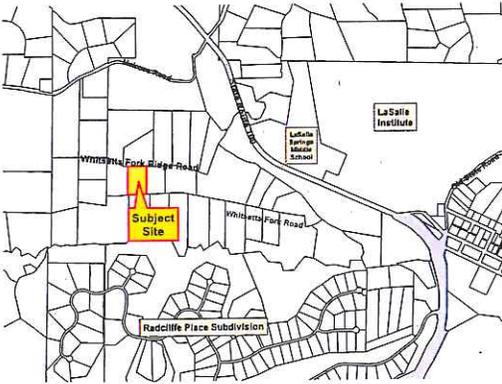
THE PROFESSIONALS
Where Quality is Foremost

**BAXTER
GARDENS**
Chesterfield

(636) 532-1033 FAX (636) 532-1258
www.baxtergardens.com

DESIGNED BY: **Chris Weishaar**
SCALE: 1" = 10' 0"
ORIGINAL DATE: February 2, 2016
REVISION DATE:
GRAPHIC ART: HNH

CITY OF WILDWOOD NOTICE OF
PUBLIC MEETING
before the Planning and Zoning Commission
Monday, June 20, 2016, at 7:00P.M.



Street Address of Subject Site:
10 Whitsetts Fork Ridge Road
Wildwood, MO 63038

THE CITY WELCOMES AND ENCOURAGES
YOUR COMMENTS AND PARTICIPATION
IN ITS PUBLIC PROCESSES.
THANK YOU!

The Planning and Zoning Commission of the City of Wildwood will hold a meeting on **Monday, June 20, 2016, at 7:00 p.m., in the City Hall Council Chambers, 16860 Main Street, Wildwood, Missouri 63040.** At this public meeting, an item is planned for discussion and described below, which will then be taken under advisement for action either that evening or at a future date. The meeting will be open to all interested parties to comment upon this item, whether in favor or opposition, or provide additional input for discussion purposes. *If you wish to attend this public meeting and require accommodation due to disability, please contact the Department of Planning forty-eight (48) hours in advance at (636) 458-0440.* If you do not have comments regarding this item, no action is required on your part. The following item will be considered at this time:

P.Z. 4-16 Scott Fieser, 10 Whitsetts Fork Ridge Road, Wildwood, Missouri, 63038, is seeking the review and action of the Planning and Zoning Commission regarding an outdoor game court (full-court basketball court, with lighting), which is located at 10 Whitsetts Fork Ridge Road, Wildwood, Missouri (Locator Number 24V430121); NU—Non-Urban Residence District. This request is to be reviewed in accordance with Chapter 415.090 NU—Non-Urban Residence District Regulations of the City of Wildwood Zoning Code, which establishes standards and requirements for outdoor game courts relating to their consideration by the Planning and Zoning Commission. The game court and lighting is currently installed, without Planning and Zoning Commission approval, and situated to the west of the single family residence located on the subject property. The Department will have a recommendation report prepared for consideration at this meeting for this request. **(Ward Six)**

Please note, as of June 6, 2016, all Planning and Zoning Commission meetings will begin at 7:00 p.m.

***RESIDENT OR PROPERTY OWNER - PLEASE COMMENT ON AND/OR TRACK THIS REQUEST BY:**

- 1) Submitting a comment online by visiting: <http://www.cityofwildwood.com/comment>.
- 2) Submitting a written comment prior to the meeting and addressed to the Planning and Zoning Commission, City of Wildwood, 16860 Main Street, Wildwood, Missouri 63040.
- 3) Viewing the meeting agenda and report, which is available on the City's website at: www.cityofwildwood.com.

If you should have any questions regarding this information, please feel free to contact the Department of Planning at (636) 458-0440. Thank you in advance for your consideration in this matter.

RANDY
BURKETT
LIGHTING
DESIGN

To: Kathy Arnett
From: Ronald Kurtz
Subject: City of Wildwood Lighting Ordinance Review – Fieser Residence
Date: June 6, 2016
Copies: Joe Vujnich
File/

As requested, we performed an on-site review of a lighting installation at 10 Whitsetts Fork Road, a private residence, on March 22, 2016.

General Survey Findings

The lighting in question is associated with a level blacktop playing surface equipped with two (2) standard height pole mounted backboards and nets, one mounted at each end of the playing surface. There are two (2) 400W metal halide floodlights atop (nominal) 25'-0" poles at the (approximate) center line of the north, south, and west sides of the playing surface. Properties to the south are, generally, at a lower elevation than the court, while properties to the north are higher. A sketch is attached for reference.

The pole mounted floodlights are focused onto the court surface at an angle that introduces the lamp (bulb) to the eye at normal viewing angles creating significant glare. Photos included.

Review with Respect to City Code Section 415.450

Review of this installation is based primarily upon Section 415.450.I.1 Special Uses: Recreational Facilities. This section require sporting facility lighting to meet the code, but offers some flexibility to account for safe play. There are other special provisions within the section that apply and are notated herein.

The equipment types, locations, and requisite calculations were not, to our understanding, submitted to the City prior to installation. Therefore, the following sections of the code do not show compliance.

Section 415.450.D.4 "All outdoor lighting shall be subject to review by the Architectural Review Board of the City of Wildwood prior to installation and shall comply with the following: "(sections 415.450.D.4.a thru 415.450.D.4.i).

Note: Of particular note is 415.450.D.4.i "Recreational and sports facility lighting shall comply with IES (ed. note: Illumination Engineering Society) recommendations and shall be fully shielded. Lighting applications shall adhere to the requirements and restrictions in Subsection I.

June 6, 2016

City of Wildwood Lighting Ordinance Review – Fieser Residence

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Review with Respect to City Code Section 415.450 (Continued)

Section 415.450.5 “All light fixtures, including lighting associated with single-family dwellings, but excluding street lighting, shall be designed, installed and maintained to prevent light trespass as specified below:

- a. At the property line of subject property, illumination from light fixtures shall not exceed one-tenth (0.1) foot-candles on residentially zoned property or five-tenths (0.5) foot-candles on commercially zoned property, as measured in a vertical plane five (5) feet above the ground. Every reasonable effort shall be made through placement and lighting control devices to minimize the visibility of any luminaire that is required to be fully shielded.
- b. Light fixtures near adjacent property may require special shielding devices to prevent light trespass as defined in Subsection (D)(5)(a).
- c. New lighting installations subject to the provisions of this Code shall comply, without exception, with these Code requirements. Established lighting fixtures must be maximally adjusted within their present limits and abilities in an effort to prevent unlawful light trespass or they may be subject to fines and/or penalties as stated in Subsection (N) of this Section.

Section 415.450.E.3 “Specifically, lighting plans submitted for review and approval as part of a site development plan or preliminary plat shall include a layout of proposed luminaire locations, including aiming angles, minimum and average illuminances for each area, uniformity ratios, a description of this equipment (catalog cuts), glare control devices, lamps, mounting heights and means, hours of operation, maintenance methods proposed, location and use of adjacent properties and an illumination (foot-candle) grid demonstrating adequate intensities and uniformity. The illumination grid scale must be maximized to the extent of a thirty (30) inches by forty-two (42) inches drawing. Also, a calculation of vertical luminance along the property line at five (5) feet above the ground is required to show compliance with Subsection (D)(5)(a). Additional submissions may be required showing greater detail of areas that may require further clarification.

June 6, 2016

City of Wildwood Lighting Ordinance Review – Fieser Residence

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Review with Respect to City Code Section 415.450 (Continued)

Section 415.090.L.4 (Non-Urban Residence District Regulations) – “Lighting of these facilities may be authorized upon “NU” Non-Urban Residence District zoned properties, but must comply with the City’s outdoor lighting requirements. Light standards in association with these facilities shall not exceed sixteen (16) feet in height, but shall always be at the least height necessary to accommodate the safe and functional use of the facility.”

While the requirements of these have not been met, and with consideration that the submittals were not provided, Section 415.450.I.1 does permit some leeway with respect to sports lighting. Most notable would be 415.450.I.1.b “All fixtures for event lighting shall be fully shielded. To the extent that it is not feasible to use fully shielded fixtures as required in Subsection (D) of this Section, lighting must be designed or provided with sharp cut-off capability, so as to minimize up-light, spill light and glare.

IES recommendations for Class IV (recreational) outdoor basketball courts suggests 20 horizontal foot-candles (average) at the plan of play and 5 vertical footcandles.

Given that a plane of play exists at the basketball goal (net), which is 10 feet above the playing surface, and that the ball may routinely eclipse 16’-0” above the playing surface, it is impractical to use a maximum 16’-0” pole to provide light, if the court is accepted as a sporting location.

The existing fixtures, however, do not exhibit good glare or light control, nor are they focused (aimed) in an acceptable manner to minimize light trespass or light pollution.

Recommendations

Recommendations made pertain to the existing conditions and do not consider any other action the City may take with respect to this review or any other code section.

1. The existing 25’-0” poles should be reduced to 20’-0” in height. (Note: 16’-0” poles are insufficient height for safe nighttime play).

June 6, 2016

City of Wildwood Lighting Ordinance Review – Fieser Residence

Page 4

Recommendations (Continued)

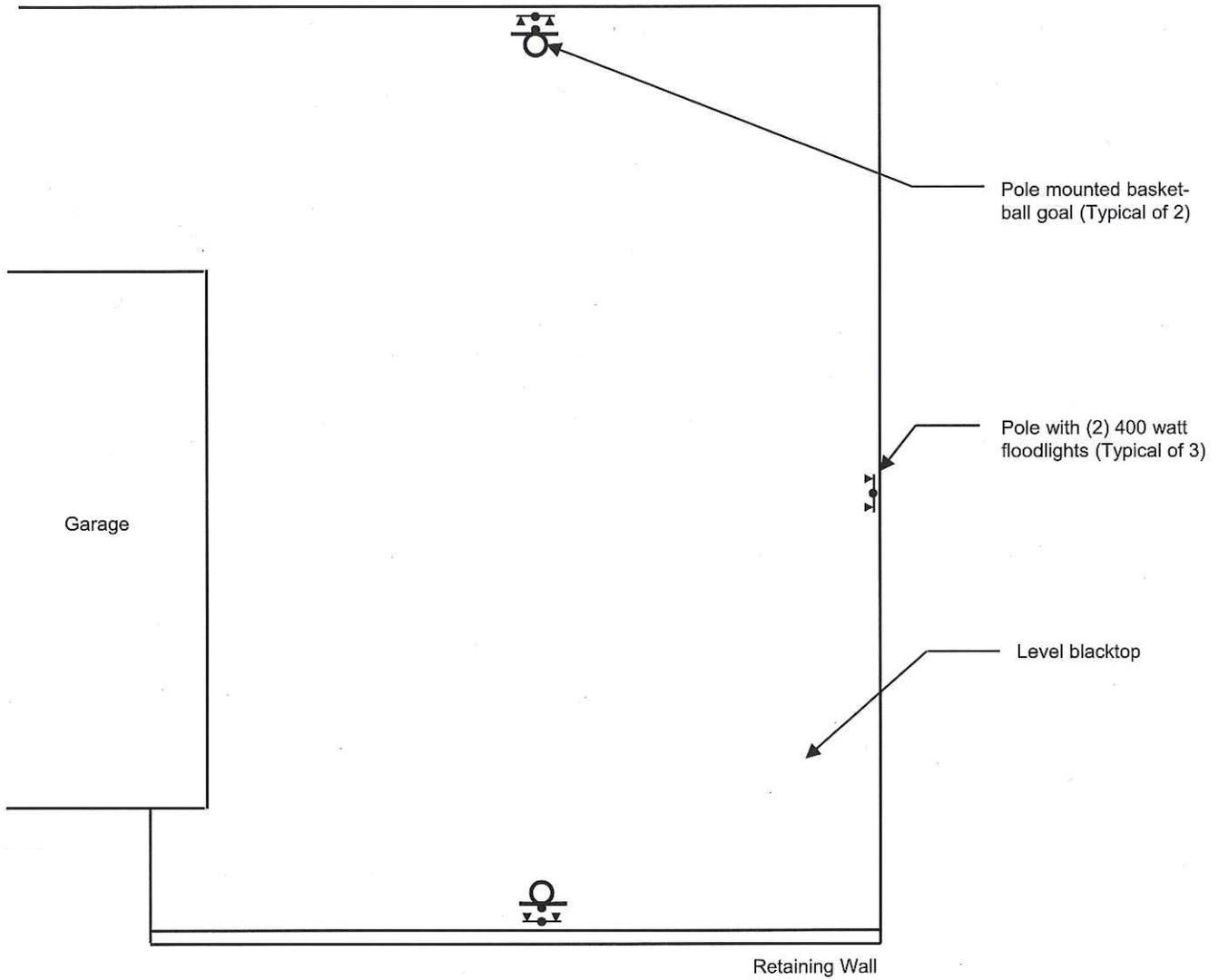
2. The existing fixtures would not, in our opinion, be acceptable for use as currently outfitted. The fixtures do not include any significant optical control and, therefore, light travels indiscriminately across property lines and skyward. Additionally, aiming angles create undesirable glare from adjacent property.

The following are potential solutions:

- a) Replace existing fixtures with new units that have better optical and cutoff capabilities. Tailor optics for the court. **RECOMMENDED**
 - b) Focus existing fixtures downward so that lamp is parallel with playing surface plane. Add external glare control devices to minimize/eliminate upward directed light, light crossing property lines, back directed light. This may be achievable but not easily so.
3. As per code, if this installation is to be treated as an athletic field, then provision must be made to automatically shut-off lighting at 10:00 PM.

Upon your review, please contact us with any questions or comments.

RK:vh



**RANDY
BURKETT
LIGHTING
DESIGN**

609 East Lockwood Ave.
Suite 201
St. Louis, MO 63119
Tel: (314) 961-6650
Fax: (314) 9617640
www.rbldi.com

Fieser Residence

Date: 6/7/2016

Proj. #16050D

Scale: N/A

Rev:

Drawing No.

LS-1

February 7, 2016

City of Wildwood
Attn: Planning and Zoning Commission
Re: Conditional Use Permit at 10 Whitsetts Fork Ridge Rd.

Dear Commission:

Please accept this letter as confirmation that the Whitsetts Fork Subdivision indentures do not prohibit residences from installing a Sport Court.

Sincerely – Whitsetts Fork Board of Trustees



Greg Streeter



Bob Baisch


Julie Fouts
NACK

Travis Newberry

From: noreply@cityofwildwood.com
Sent: Sunday, June 12, 2016 2:18 PM
To: Lynne Greene-Beldner; Ryan Thomas; Elizabeth Weiss; Kathy Arnett; Travis Newberry; Steve Vogel; Travis Newberry
Subject: Online Form Submittal: Public Hearing Comment Form

Public Hearing Comment Form

By utilizing this form, your comments will be considered by the Department of Planning in its development of a recommendation of this request. Additionally, the Planning and Zoning Commission, the City Council, and/or the applicable board or committee will also receive copies of your comments, as they consider the merits of these land use proposals being reviewed by the city. You must submit a separate form for each public hearing for which you have comments.

Request Being Considered	P.Z. 4-16 Fieser Outdoor Game Court
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Item Description	<i>Field not completed.</i>
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Position on Request	Do Not Support
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General Comments	We are opposed to the above basketball court. We live on property below the basketball court. In the past several months since the building of the outdoor game court there has been considerable more runoff onto our property. We have had to build additional landscaping buffers to prevent runoff and erosion from the above mentioned property. In addition to the outdoor court, he has rerouted a large gravel driveway which has also increased runoff and erosion into our property.
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Suggestions	install buffer landscaping and erosion control measures to prevent damage to neighboring properties.
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(Section Break)

Name	Debra Hurt
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Address	3402 Whitsetts Fork Rd
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City	Wildwood
------	----------

State	Mo
-------	----

Zip	63038
-----	-------

Phone Number 314 608 1494

Email dhurt24@aol.com

Email not displaying correctly? [View it in your browser.](#)

Travis Newberry

From: noreply@cityofwildwood.com
Sent: Thursday, June 09, 2016 3:12 PM
To: Lynne Greene-Beldner; Ryan Thomas; Elizabeth Weiss; Kathy Arnett; Travis Newberry; Steve Vogel; Travis Newberry
Subject: Online Form Submittal: Public Hearing Comment Form

Public Hearing Comment Form

By utilizing this form, your comments will be considered by the Department of Planning in its development of a recommendation of this request. Additionally, the Planning and Zoning Commission, the City Council, and/or the applicable board or committee will also receive copies of your comments, as they consider the merits of these land use proposals being reviewed by the city. You must submit a separate form for each public hearing for which you have comments.

Request Being Considered P.Z. 4-16 Fieser Outdoor Game Court

Item Description *Field not completed.*

Position on Request Do Not Support

General Comments Mr. Fieser reportedly built the subject lighted game court without Planning & Zoning Commission approval. Light pollution is a problem in rural areas including Wildwood. In consideration of present and future neighbors I recommend the Planning & Zoning Commission allow the basketball court to remain but require removal of all light standards, fixtures, etc. including any attached to the dwelling that light the game court.

Suggestions *Field not completed.*

(Section Break)

Name Ray Naughton

Address Rocky Ridge

City Wildwood

State MO

Zip 63038

Phone Number 636-458-3153

Email

rglencoe@swbell.net

Email not displaying correctly? [View it in your browser.](#)



WILDWOOD™

June 20, 2016

The Honorable City Council
City of Wildwood, Missouri
16860 Main Street
Wildwood, Missouri 63040

Re: St. Louis County P.C. 6-89 Amoco Oil Company
Petitioner: Hassan Abdiannia, Icell Enterprises, L.L.C.
Zoning: Amended C-8 Planned Commercial District
Location: Southeast corner of State Route 109 and Wild Horse Creek Road
Tract Size: 1.46 acres
Locator Number: 19W420224
Ward: One

Council Members:

INTRODUCTION - The Planning and Zoning Commission is in receipt of a correspondence from Hassan Abdiannia, Icell Enterprises, L.L.C., being dated May 11, 2016, and requests an amendment to an existing site-specific ordinance that governs this property and improvements. This property and improvements are the BP Amoco Station that is located at the intersection of Wild Horse Creek Road and State Route 109. The property was zoned Amended C-8 Planned Commercial District by St. Louis County in 1982 and has a set of conditions to govern its design and operation. It is one of these operational characteristics the facility owner is seeking the change - the sale of alcoholic beverages at this location.

With the receipt of this correspondence and associated request, the Planning and Zoning Commission has reviewed the files and related materials regarding this long-standing use and have prepared this report in response. Accordingly, acting at its June 20, 2016 Executive Session, and by a vote of --- to ---, submits the following report, with recommended action, for consideration to the City Council. This review was conducted in accordance with the requirements of the C-8 Planned Commercial District regulations and the posting and notification of the same.

BACKGROUND AND HISTORY - This particular request has been petitioned to the City on multiple occasions and has a long history of discussion within the nearby community. A summary of these proposals is provided below for the review of the City Council:

1. St. Louis County originally zoned the subject site in 1982. This rezoning, P.C. 26-82, was a request for a change in zoning from the NU Non-Urban District to the C-8 Planned Commercial District for the purpose of constructing a self-service gasoline station with three (3) pump islands under a canopy. At the time of this initial request, the site was occupied by a Phillips 66 station, which existed as a legal non-conforming use. The service station had one (1) pump island and sold convenience grocery type items. This rezoning request was approved; however, the new station was not constructed.
2. In 1987, a request was made by Amoco Oil Company to amend certain conditions of the existing C-8 District ordinance to allow for the addition of two (2) pump islands (bringing the total to four (4)), a convenience store, a single-bay car wash, and a larger canopy. The St. Louis County Planning Commission approved all of these amendments, except the addition of the convenience store. The Commission believed this addition warranted a new public hearing, yet the other proposed amendments were still in keeping with the character of this small-scale neighborhood station. Additionally, the Commission noted the redevelopment of the property would enhance its overall appearance, while preserving over half of the site in lawn area.
3. Two (2) years later, in 1989, Amoco Oil Company again petitioned St. Louis County for a change in zoning from the C-8 Planned Commercial District to the Amended C-8 Planned Commercial District to authorize a self-service, four (4) pump gas station, with a food shop measuring 1,030 square feet in size, and a single-bay car wash. The Commission recommended approval of this requested change in zoning and noted the reorientation of the canopy and the food shop area, toward State Route 109 instead of Wild Horse Creek Road, as shown upon the original Preliminary Development Plan, could easily accommodate the kiosk's expansion. Additionally, the Commission noted the site was large enough to afford proper internal circulation and the proposed location of each access point would not disrupt traffic on the two (2) major roadways along the subject site's frontages. The final rationale the County's Commission used in recommending approval of this request was the site had sufficient area to provide the required number of parking spaces, as well as enough room for vehicular stacking at the car wash location. The Commission forwarded their recommendation to the County Council on February 6, 1989, where the request received approval on May 19, 1989. The station was developed as approved and no additional requests were made until 1998.
4. Subsequently, in 1998, the owner of the facility at that time initiated a request to authorize the sale of alcoholic beverages on the site, i.e. packaged beer and wine. The Planning and Zoning Commission considered the request, and testimony from surrounding property owners, and recommended the prohibition put in place by St. Louis County not be changed regarding the sale of wine and beer. The residents in the immediate vicinity protested against this change and the Department of Planning expressed concerns about the impact this expansion in use would have on the City's Master Plan. Additionally, several other factors were cited in recommending denial. The City Council concurred with the Planning and Zoning Commission's review and voted not to act upon the request.

5. After this denial, the ownership of the business changed to the current petitioner. The current petitioner has submitted the same request in 1999, 2000, 2001 (withdrawn by the petitioner prior to Planning and Zoning Commission action), 2002, 2007, and 2012. In the three (3) requests acted upon by the Planning and Zoning Commission, the City maintained the same recommendation and supported the prohibition against the sale of wine and beer at this location. The reasons for this recommendation remained unchanged, as well; specifically the impact on the Master Plan, the residential character of the area, the rural roadway system, and the concerns about safety in this community.
6. The request that was submitted in 2002 was reviewed by the Planning and Zoning Commission and did receive favorable recommendations on all of the components of it. In considering the change to the Non-Urban Residential Area Conceptual Land Use Classification, along with the Comprehensive Zoning Map, and the amendment of the current zoning district designation, the Commission remarked that other similar facilities in this general area were authorized for the sale of liquor and, for this business to remain competitive, such an allowance was reasonable. Additionally, the Commission believed that, if the business does not remain viable, the site might be vacated by the current activity and the building abandoned, which would be a concern for the surrounding area. Also, the Commission noted the allowance for the sale of alcohol would allow the City to treat this facility like other businesses in the Town Center Area of Wildwood. With these rationales, the Commission forwarded a favorable recommendation to the City Council for consideration.

As part of this 2002 consideration of this request, the Planning and Zoning Commission also wanted the petitioner to address some long-standing issues relating to the property's maintenance and improvements. Since the kiosk was first built in the late 1980's, very few improvements had been made to the property and building. Lighting, landscaping, and overall site conditions were reviewed and a number of improvements were requested. The petitioner did try to comply with each of these requested improvements to address the concerns raised by the Planning and Zoning Commission at such time relative to the condition of the property.

The City Council did not agree with the Planning and Zoning Commission's recommendation for approval and refused to introduce legislation to accommodate changes to the Comprehensive Zoning Map and the zoning district designation of the property. With the action of the City Council, the sale of alcohol could not be authorized at the facility. The City Council noted their action was based on the desire to protect the Master Plan from unwarranted changes for what was determined by them as a proposal not meeting the high standards necessary to justify this significant of an action by the Planning and Zoning Commission. Along with this reason, the members of City Council noted that, despite lacking alcohol sales, the business had been operating at this location for over fifteen (15) years, with some level of success. Additionally, the City Council also noted the impact of this change could not be viewed as positive for the immediate area around the facility.

7. After this action by the City Council, the Planning and Zoning Commission modified its previous change to the Master Plan in 2004 by altering the description of the Non-Urban Residential Area of the Conceptual Land Use Categories back to its original language and eliminating the allowance that had been made for this existing business. The Planning and Zoning Commission approved this reversion on September 7, 2004. The City Council received this action from the Planning and Zoning Commission and concurred with the reversion and adopted a Resolution indicating their support of this Master Plan change.
8. The petitioner's 2007 request was to again modify the Amended C-8 Planned Commercial District to allow for the sale of alcoholic beverages on the subject parcel of ground. Petitioner's intent was only to sell packaged beer and wine in quantities not intended for individual consumption on the site (i.e. bottles of wine and beer in six pack containers or larger). No other changes to the site are planned at this time. Once again, the Planning and Zoning Commission did not support this request and recommended no change to the Master Plan and the site-specific ordinance. The Planning and Zoning Commission stated this action was again premised on the impact of a change to the Master Plan and the precedence such would create in the City and related public safety considerations associated with the sale of liquor at this site.
9. In 2012, the owners of this facility again sought a change to the governing ordinance to allow for the sale of beer and wine at this location. The Commission's position remained unchanged in this matter from its previous reports (excepting 2002). Specifically, the desire of the operator of this business to add the sale of alcoholic beverages does not justify changing the City's Master Plan and Comprehensive Zoning Map. Without those changes, the property's zoning district designation cannot be amended either. No evidence was provided by the petitioner indicating factors that had been identified in that report, and earlier recommendations regarding this property, had changed to warrant a favorable recommendation. Therefore, the Planning and Zoning Commission denied the request to change the Master Plan, thereby precluding any allowances for a modification to the Comprehensive Zoning Map and the existing Amended C-8 Planned Commercial District Ordinance that governs this site.
10. As part of the 2012 discussion on this matter, the Planning and Zoning Commission did recommend the owners of the facility submit a request to the City, as part of the 2015 update of the Master Plan and participate in the land use discussion relating to it. The owners did participate in this discussion, which led the Master Plan Advisory Committee and the Planning and Zoning Commission to agree that a change to the Master Plan was justified at this location. This supported change was an amendment to the description of the Non-Urban Residential Area, thereby allowing the use at this location to no longer be considered a non-conforming type.

CURRENT REQUEST - The petitioner, Hassan Abdiannia, of Icell Enterprises, L.L.C., is requesting the Planning and Zoning Commission's favorable consideration of this long-standing request to allow beer and wine sales to be authorized at this location, in conjunction with its current zoning district

designation, which was approved as **P.C. 6-89 Amoco Oil Company** by St. Louis County in 1982. Given the governing ordinance's language, the removal of the prohibition against said sales requires the site-specific ordinance be amended to address this particular condition of it. This request is being submitted again to the City, given the 2016 Master Plan Update adding amended language in the description of the Non-Urban Residential Area of the *Conceptual Land Use Categories* to allow it, if the Planning and Zoning Commission recommended such and the City Council concurred. Therefore, the City of Wildwood's **Amended Master Plan – 2016** - was modified to accommodate this consideration, whereas previously it was treated as a legal, but non-conforming use, precluding any changes to the current governing ordinance.

ANALYSIS - Since St. Louis County approved the planned district zoning designation on this site; it has always been precluded from the sale of alcoholic beverages, regardless of nature. The City has upheld this prohibition on numerous occasions due to the designation of the property by the Master Plan's Conceptual Land Use Categories Map, which made it a legal, but non-conforming use. As a legal non-conforming use, it could exist in its current form, but not be changed or expanded. Adding alcohol sales to this facility's operation would require an ordinance amendment, which would be a change to the use and allow the operation to expand.

In considering such a request, the Planning and Zoning Commission would first note that it must consider two (2) factors in this regard. These factors are the Master Plan's amendment for this consideration, after twenty (20) years of not allowing such, and the impacts on the area, if authorized in the future. If these two (2) factors are favorable, then the facility should be allowed to sell beer and wine, as requested. If such are not favorable, the current prohibition should remain as-is.

In considering the first factor, the Commission would note the City has just completed a fourteen (14) month process to update its Master Plan, which was led by a group of twenty-three (23) volunteers. Among these volunteers were all eight (8) citizen members of the Planning and Zoning Commission. This update process reviewed all components of the plan, including its land use element, which was integral to the subject property. The review concluded with two (2) recommendations for changes in land use, one (1) of which was this subject site.

The change in land use was not to move the property to another land use designation, but rather to amend the definition of its current *Conceptual Land Use Classification* to allow for this expanded and changed use in the Non-Urban Residential Area. This action was not unanimous by the volunteer committee, but a majority of the members did support it and, thereafter, all of the Planning and Zoning Commission members, when the overall amended plan was presented to them for final action in April 2016, adopted it.

The rationale for the support of this amendment to the description of the Non-Urban Residential Area at both the Committee and Planning and Zoning Commission levels appeared to focus on the limited impact of such an amendment, since no other property throughout Wildwood had a similar set of circumstances, i.e. a commercial zoning district designation in the Non-Urban Residential Area and its proximity at a major intersection, of which one (1) corner of it is located in the City of

Chesterfield. Additionally, the discussion also focused on equity between similar uses and promoting a small business in Wildwood. Helping this small business was viewed as consistent with the new Economic Development Element of the updated Master Plan. These reasons remain germane and appropriate today. Therefore, given the most recent action of the Commission on the updated Master Plan, and the rationales herein noted, the Commission does believe the first factor in this consideration is favorable. In fact, allowing the sale of beer and wine is now consistent with the Master Plan of the City of Wildwood.

The second factor is the impact on the area, if alcohol sales are allowed at this location. Impacts associated with this allowance have previously been identified as relating to precedence, unruly behavior, and not changing a past commitment of St. Louis County to the community at large in this regard. The Commission believes the issue of precedence was addressed during the update of the Master Plan, when the Committee was advised by the Department of Planning that no other commercially-zoned property in Wildwood exhibits these same characteristics. The Committee reviewed this statement and agreed that other, isolated commercial zoning designations in Wildwood, of which there are two (2) other locations, would not be able to claim the same allowances as this location, particularly in areas designated Non-Urban Residential Area.

The other two (2) impacts that had been identified in past discussions of this location were unruly behavior and rescinding the commitment of St. Louis County in this regard. The Commission would note the sale of alcohol always contains an amount of risk regarding the behavior of patrons and this situation is no different. However, given the location of this facility, the past record of these owners in meeting all requirements of the City, and neighborhood service it currently provides to the immediate community, the likelihood of problems in this regard would seem remote and, certainly, manageable. Accordingly, the Planning and Zoning Commission believes the considerations relating to problems at this facility due to beer and wine sales would be limited, if any.

Relative to the commitment made by St. Louis County, the Commission would state that maintaining an agreement of this nature is important, but certainly, after more than thirty (30) years, not viewed under the same circumstances as then. Over the last thirty (30) years, the petroleum industry has changed significantly and, now, the sale of gasoline appears to be almost secondary to the items that are sold in the convenience store or kiosk. In fact, given the importance of food, snack, and beverages, kiosks have been abandoned and stores have continued to grow in size. Therefore, the issue to the Commission relates to changing times and trends and the determination if a true community benefit from this prohibition on a single business in Wildwood still exists today. In the opinion of the Commission, the community would be better served by a vibrant and occupied commercial space at this location than any other alternative. To create this vibrant and occupied space for the long-term, in this highly competitive marketplace, the limited sale of beer and wine, within the existing kiosk footprint, would have minimal impact on the surrounding neighborhoods. Accordingly, the Planning and Zoning Commission is supportive of this change to the governing ordinance to allow this business to have the right to sell beer and wine at this location. This sale would be under the conditions set forth in the amended ordinance, as referenced below.

SUMMARY AND RECOMMENDATION – The Planning and Zoning Commission has determined the addition of beer and wine sales at this location is now consistent with the City’s Master Plan, given the update of this document that concluded in 2016. Additionally, those previously identified factors or impacts associated with the sale of beer and wine at this facility now appear to be minimal, if any, to the surrounding community, which, of late, have supported the removal of this prohibition that exists on this single business within the City. Accordingly, the Commission is recommending the Amended C-8 Planned Commercial District Ordinance be modified at this time for the allowance of beer and wine sales at this location. If any of the City Council Members should have questions or comments, or need additional information on this request, please feel free to contact the Department of Planning at (636) 458-0440. Thank you for your consideration of this information.

1. Permitted Uses

The uses permitted in this Amended C-8 Planned Commercial District shall be limited to a gasoline station, food shop, and car wash. No repair or overnight storage of vehicles shall be permitted within this development. **The sale of alcoholic beverages, limited to packaged beer and wine only, may be authorized within the interior of the building, subject to the issuance of a liquor license by all applicable authorities, including the City of Wildwood.**

2. Floor Area, Height, and Building Requirements

- a. The food shop/service kiosk shall be contained in one (1) building not to exceed 1,100 square feet. The car wash shall be located in one (1) building not to exceed 820 square feet.
- b. **The sale of alcoholic beverages on the site shall be prohibited after 1:30 a.m. and may not commence before 6:00 a.m.**

3. Site Development Plan Submittal Requirements

Within eighteen (18) months from the date of approval of the preliminary development plan by the City Council and prior to issuance of any building or occupancy permit, 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, this time interval may be extended through appeal to and approval by the Planning and Zoning Commission. Said Site Development Plan shall include, but not be limited to, the following:

- a. The location and size of all proposed structures, including freestanding business signs.
- b. Existing and proposed contours at two (2) foot intervals.
- c. Location and size of all parking areas and parking calculations.
- d. Roadways and driveways on and adjacent to the property in question including required roadway right-of-way dedication and pavement widening.
- e. The design, location, and size of all proposed lighting, fences, and trash areas.

- f. A landscape plan, including, but not limited to, the location, size and general type of all plant and other material to be used.

4. Site Development Plan Design Criteria

Structure Setbacks

- a. No new structure, except signs, lights, fences, retaining walls and flagpoles, shall be within the following setbacks:
 - 1. Twenty-five (25) feet from the right-of-way of Eatherton Road and Wild Horse Creek Road.
 - 2. Forty (40) feet from the south property line.
 - 3. One hundred (100) feet from the east property line.

Parking, Loading and Internal Drives Setbacks

- b. No parking space or internal drive, except points of ingress and egress, shall be within the following setbacks:
 - 1. Ten (10) feet from the right-of-way of Wild Horse Creek Road.
 - 2. Fifteen (15) feet from the right-of-way of Eatherton Road.
 - 3. Fifteen (15) feet from the south property line.
 - 4. One hundred (100) feet from the east property line.

Minimum Requirements

- c. Minimum parking requirements shall be as set forth in **Chapter 415.290 Off-Street Parking and Loading Requirements of the City of Wildwood's Zoning Ordinance** ~~Section 1003.165 of the St. Louis County Zoning Ordinance.~~

Access

- d. Access to this development shall be limited to two (2) bidirectional driveways, one (1) located on Wild Horse Creek Road and one (1) located on Eatherton Road. The location of these access drives shall be located as approved by the Missouri Department of Transportation.
- e. Provide cross access easements or other appropriate legal instruments or agreements guaranteeing permanent access from this site to adjacent properties as approved by the Department of Planning and Department of Public Works.

Road Improvements and Sidewalks

- f. Conform to the requirements of the Missouri Department of Transportation regarding Wild Horse Creek Road (Route CC) and Eatherton Road (Route C) in this area.
- g. Provide a stabilized shoulder adjacent to Wild Horse Creek Road and Eatherton Road as directed by the Missouri Department of Transportation and the Department of Public Works.
- h. Conform to the City of Wildwood Department of Public Works requirements regarding car wash drainage within road rights-of-way.

Miscellaneous

- i. All trash areas shall be enclosed with a six (6) foot high sight-proof fence.
- j. No pennants, fringe, lights, sound equipment or similar devices for attracting attention may be used in conjunction with this development.
- k. A sight proof fence shall be provided along the south property line of this development as approved by the Planning and Zoning Commission.
- l. Landscaping and buffering along the perimeter of the site shall be as approved by the Planning and Zoning Commission on the Site Development Plan.

5. Trust Fund Contribution

The developer shall contribute to the East Area Corridor Traffic Generation Assessment Road Trust Fund established by Chapter 140 of the City's Codified Ordinances. This contribution shall not exceed an amount established by multiplying the proposed parking spaces by the following rate schedule.

<u>Type of Development</u>	<u>Required Contribution</u>
Convenience Store	\$8,965.94/Parking Space
Loading Space	\$2,200.73/Loading Space

(Parking space as required by Chapter 415.280 of the City of Wildwood Zoning Ordinance.)

If types of development proposed differ from those listed, rates shall be provided by the Department of Planning.

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 road improvements required by the development, shall be retained in the appropriate trust fund.

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

6. Verification Prior to Site Development Plan Approval

Prior to the approval of the Site Development Plan the petitioner shall:

Stormwater

- a. Submit to the Planning Commission a preliminary engineering plan approved by the Department of Public Works and the Metropolitan St. Louis Sewer District indicating 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 City of Wildwood and Metropolitan St. Louis Sewer District standards.
 2. All stormwater shall be discharged at an adequate natural discharge point.

Road Improvements and Curb Cuts

- b. Provide verification of approval of the City of Wildwood Department of Public Works of the location of proposed curb cuts, areas of new dedication, and roadway improvements.

Geotechnical Report

- c. Submit a geotechnical report prepared by a professional engineer licensed in the State of Missouri for review and approval by the Department of Public Works. Said report shall verify the adaptability of grading and improvements with soil and geologic conditions. A statement of compliance with this study, signed by the Geotechnical Engineer preparing the report, shall be including in all Site Development Plans.

7. Recording

Within sixty (60) days of approval of any 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 Building Permits

Subsequent to approval of the Site Development Plan, and prior to the issuance of any building permit, the developer shall provide the following:

Trust Fund Contribution

- a. Trust Fund Contributions shall be deposited with the City of Wildwood through standard escrow procedure prior to the issuance of building permits. If development phasing is anticipated, the developer shall provide the Trust Fund Contribution for roadway improvements through standard escrow procedure prior to issuance of building permits for each phase of development. The Trust Fund Contribution shall be deposited with the City of Wildwood in the form of a cash escrow.

Landscape Bonds or Escrows

- b. If the estimated cost of new landscaping indicated on the Site Development Plan as required by the Planning and Zoning Commission exceeds an estimated cost of one thousand (\$1,000) dollars, as determined by a plant nursery, the petitioner shall furnish a two (2) year bond or escrow sufficient in amount to guarantee the installation of said landscaping.

Notification to the Department of Public Works

- c. Prior to the issuance of foundation or building permits, all approvals from the Department of Planning, the Department of Public Works, Missouri Department of Transportation, and the Metropolitan St. Louis Sewer District must be received by the Department of Planning.

Certification of Plans

- d. Provide verification that construction plans are 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 that the proposed construction will be completed in accordance with the grading and soils requirements and conditions contained in the report.

9. Verification Prior to Occupancy Permit

- a. Road improvements and right-of-way dedication shall be completed prior to the issuance of an occupancy permit.

10. 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. Additional lands and/or widening, pavement thickness, drainage facilities, granular base, traffic control devices and other improvements may be required to accommodate heavy traffic volumes, unsuitable soil conditions, steep grades, or other conditions not apparent at this time.
- c. Road improvements and right-of-way dedication should be completed prior to the issuance of occupancy permit.
- d. A grading permit is required prior to any grading on the site. No change in watersheds shall be permitted.
- e. Interim stormwater drainage control in the form of siltation control measures is required.
- f. Failure to comply with any or all the conditions of this ordinance shall be adequate cause for revocation of permits by issuing City Departments or Commissions.
- g. The Zoning Enforcement Officer of City of Wildwood, Missouri, shall enforce the conditions of this ordinance in accord with the Site Development plans approved by the City of Wildwood Planning and Zoning Commission and Department of Planning.

Respectfully submitted,

CITY OF WILDWOOD PLANNING AND ZONING COMMISSION

R. Jon Bopp, Chair

ATTEST:

Joe Vujnich, Director
Department of Planning

Cc: The Honorable James R. Bowlin, Mayor
Council Members Garritano and Goodson, Ward Eight
Ryan S. Thomas, P.E., City Administrator
John A. Young, City Attorney

**BP AMOCO D/B/A
ICELL ENTERPRISE, L.L.C.
300 STATE ROUTE 109
WILDWOOD, MO. 63005
636-519-0608**



May 11, 2016

Mayor James Bowlin
City Administrator Ryan Thomas
Mr. Joe Vujnich Director of Planning
Planning & Zoning Commission Members
City of Wildwood, Missouri
16860 Main Street
Wildwood, Missouri 63040

Re: Request to change site specific ordinance for
BP gas station & convenience store
300 State Route 109
Wildwood, Mo. 63005

Ladies and Gentlemen:

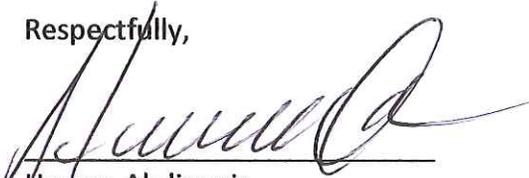
On May 9, 2016 the Wildwood City Council approved Bill #2176 which became Ordinance #2176. That ordinance adopts amendments to the Comprehensive Zoning Plan of the City of Wildwood including Planning and Zoning Commission action of April 4, 2016 which addressed two text changes to that element of the 2016 Master Plan Update. The text change specifically related to the property at 300 State Route 109 states that its designation should be retained as part of an Amended C-8 Planned Commercial District, but for the sale of beer and wine only. Thus the change to the master plan now allows the sale of beer and wine at the subject location since such has previously been disallowed.

Director of Planning Vujnich explained to Council Member McGowen that the next step in allowing beer and wine sales is that the site specific Ordinance No. 14,466 approved May 19, 1989 by the St. Louis County Council (see copy attached) must be amended to remove the prohibition on the sale of alcoholic beverages by the BP Amoco convenience store located at 300 State Route 109. Mr. Vujnich further explained that upon the incorporation of the City of

Wildwood, Missouri in 1995, the first appointed City Council approved an ordinance which adopted en masse all site specific ordinances approved by St. Louis County which existed on the date of incorporation of the City of Wildwood. Thus St. Louis County Ordinance No. 14,466 serves as Wildwood's site specific ordinance for the subject property.

Based upon the background information provided above, the undersigned hereby requests amendment of Ordinance No. 14,466 as approved on May 19, 1989 by the St. Louis County Council to remove the prohibition on the sale of alcoholic beverages in paragraph 1 entitled Permitted Uses. Further, in accordance with the text change approved by the City Council of the City of Wildwood to the 2016 Master Plan Update which now permits the sale of beer and wine by the convenience store located at 300 State Route 109, the undersigned requests that the site specific ordinance be amended to reflect that the sale of beer and wine is a permitted use at the subject property.

Respectfully,



Hassan Abdiannia
Icell Enterprise, L.L.C., Member

CC: Mr. Larry W. McGowen, Council Member Ward One
Mr. Glen Dehart, Council Member Ward One

Substitute Bill No. 1 for

BILL NO. 111, 1989

ORDINANCE NO. 14,466, 1989

Introduced by Councilman Whitehall

AN ORDINANCE

APPROVING THE APPLICATION AND PRELIMINARY PLANS FOR THE AMENDED DEVELOPMENT IN THE "C-8" PLANNED COMMERCIAL DISTRICT OF A TRACT OF LAND, SUBJECT TO CONDITIONS. (P.C. 6-89 Amoco Oil Company).

*ed
gr*

BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

SECTION 1. Approval of the application and preliminary plans for an amended Planned Commercial Development is granted for a certain tract of land located in the "C-8" Planned Commercial District in St. Louis County, Missouri, described as follows:

Survey of a tract of land in U.S. Survey 163 in Township 45 North, Range 3 East in St. Louis County, Missouri and being described as follows:

Beginning at a point in the South line of Wild Horse Creek Road, 60 feet wide, (Highway CC) South 80 degrees 31 minutes 00 seconds West 20.06 feet from the Northwest corner of a tract of land described to Mary W. Dierberg; Trustee, by deed recorded in Deed Book 7458, Page 1800 of the St. Louis County Records; thence along the South line of Wild Horse Creek Road (Highway CC) South 80 degrees 31 minutes 00 seconds West 282.87 feet; thence leaving said road South 09 degrees 29 minutes 00 seconds East 10.00 feet; thence South 80 degrees 31 minutes 00 seconds West 54.80 feet; thence South 32 degrees 34 minutes 00 seconds West 45.68 feet; thence South 15 degrees 23 minutes 00 seconds East 54.80 feet; thence South 74 degrees 37 minutes 00 seconds West 10.00 feet to a point on the East line of Eatherton Road, 60 feet wide (Highway C); thence along the East line of Eatherton Road South 15 degrees 23 minutes 00 seconds West 65.20 feet to a point of curve; thence Southwardly along a curve to the left having a radius of 2894.93 feet an arc distance of 47.70 feet to the Northwest corner of a tract of land described to Lloyd H. & Elnora H. Sontag by deed recorded in Deed Book 5506, Page 637 of said records; thence North 76 degrees 00 minutes 00 seconds East along the North line of said Sontag tract 376.93 feet to the West line of a 20 feet wide road easement as described in Deed Book 1593, Page 4 of said records; thence North 14 degrees 00 minutes West along the West line of said road easement 182.70 feet to the point of beginning and containing 1.66 acres or 72.310 sq. ft. more or less.

SECTION 2. The authority and approval embodied in this Ordinance is granted subject to all ordinances, rules and regulations and on condition that said development and plan be carried out in accordance with the preliminary plans filed with the St. Louis County Planning Commission and forwarded by said Planning

Commission to the County Council, with a communication dated February 28, 1989, which preliminary plans are hereby approved, adopted and incorporated herein by reference as if fully set out in this ordinance and made a part of this ordinance and subject to the following conditions:

1. PERMITTED USES

The uses permitted in this "C-8" Planned Commercial District shall be limited to a gasoline station, food shop, and car wash. No repair or overnight storage of vehicles shall be permitted within this development. No alcoholic beverages may be sold on the site.

2. FLOOR AREA, HEIGHT, AND BUILDING REQUIREMENTS

The food shop/service kiosk shall be contained in one (1) building not to exceed 1,100 square feet. The car wash shall be located in one (1) building not to exceed 820 square feet.

3. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

Within eighteen (18) months from the date of approval of the preliminary development plan by the County Council and prior to issuance of any building or occupancy permit, the developer shall submit to the Planning Commission for its review and approval a Site Development Plan. Where due cause is shown by the developer, this time interval may be extended through appeal to and approval by the Planning Commission. Said Site Development Plan shall include, but not be limited to, the following:

- a. The location and size of all proposed structures, including freestanding business signs.
- b. Existing and proposed contours at two (2) foot intervals.
- c. Location and size of all parking areas and parking calculations.
- d. Roadways and driveways on and adjacent to the property in question including required roadway right-of-way dedication and pavement widening.
- e. The design, location, and size of all proposed lighting, fences, and trash areas.
- f. A landscape plan, including, but not limited to, the location, size and general type of all plant and other material to be used.

4. SITE DEVELOPMENT PLAN DESIGN CRITERIA

Structure Setbacks

- a. No new structure, except signs, lights, fences, retaining walls and flagpoles, shall be within the following setbacks:
 - (1) Twenty-five (25) feet from the right-of-way of Eatherton Road and Wild Horse Creek Road.
 - (2) Forty (40) feet from the south property line.
 - (3) One hundred (100) feet from the east property line.

Parking, Loading and Internal Drives

Setbacks

- b. No parking space or internal drive, except points of ingress and egress, shall be within the following setbacks:
 - (1) Ten (10) feet from the right-of-way of Wild Horse Creek Road.

- (2) Fifteen (15) feet from the right-of-way of Eatherton Road.
- (3) Fifteen (15) feet from the south property line.
- (4) One hundred (100) feet from the east property line.

Minimum Requirements

- c. Minimum parking requirements shall be as set forth in Section 1003.165 of the St. Louis County Zoning Ordinance.

Access

- d. Access to this development shall be limited to two (2) bidirectional driveways, one (1) located on Wild Horse Creek Road and one (1) located on Eatherton Road. The location of these access drives shall be located as approved by the Missouri Highway and Transportation Department.
- e. Provide cross access easements or other appropriate legal instruments or agreements guaranteeing permanent access from this site to adjacent properties as approved by the Departments of Planning and Highways and Traffic.

Road Improvements and Sidewalks

- f. Conform to the requirements of the Missouri Highway and Transportation Department regarding Wild Horse Creek Road (Route CC) and Eatherton Road (Route C) in this area.
- g. Provide a stabilized shoulder adjacent to Wild Horse Creek road and Eatherton Road as directed by the Missouri Highway and Transportation Department and the Department of Highways and Traffic.
- h. Conform to the St. Louis County Department of Highways and Traffic requirements regarding car wash drainage within road rights-of-way.
- i. Either as part of the development plan or on a separate drawing to be reviewed as part of said plan, the developer shall submit a landscape plan to comply with the following:
 - (1) All new deciduous trees shall be a minimum of one and one-half (1 1/2) inches in caliper. All new evergreen trees shall be a minimum of four (4) feet in height. All new shrubs shall be a minimum of eighteen (18) inches in diameter.
 - (2) Building and parking setbacks shall be landscaped as approved by the Planning Commission on the Site Development Plan.

Lighting Requirements

- j. The location of all lighting standards and flagpoles shall be as approved by the Planning Commission 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 or public roadways.

Signs

- k. Signage shall be as allowed in the "C-2" Shopping District.

Miscellaneous

- l. All trash areas shall be enclosed with a six (6) foot high sight-proof fence.

- m. No pennants, fringe, lights, sound equipment or similar devices for attracting attention may be used in conjunction with this development.
- n. A sightproof fence shall be provided along the south property line of this development as approved by the Planning Commission.
- o. Landscaping and buffering along the perimeter of the site shall be as approved by the Planning Commission on the Site Development Plan.

5. TRUST FUND CONTRIBUTION

The petitioner shall contribute to the Eatherton-Kehrs Mill Road Traffic Generation Assessment Trust Fund based upon the following rate schedule:

<u>Type of Development</u>	<u>Required Contribution</u>
Filling Station	\$6,432.85/Parking Space
Convenience Store	\$6,432.85/Parking Space

(Parking space as required by Section 1003.165 of the St. Louis County Zoning Ordinance.)

The amount of this required contribution, if not submitted by January 1, 1990, shall be increased 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 St. Louis County Department of Highways and Traffic.

6. VERIFICATION PRIOR TO SITE DEVELOPMENT PLAN APPROVAL

Prior to the approval of the Site Development Plan the petitioner shall:

Stormwater

- a. Submit to the Planning Commission a preliminary engineering plan approved by the Department of Highways 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 St. Louis County standards.
 - (2) All stormwater shall be discharged at an adequate natural discharge point.

Road Improvements and Curb Cuts

- b. Provide verification of approval of the St. Louis County Department of Highways and Traffic of the location of proposed curb cuts, areas of new dedication, and roadway improvements.

Geotechnical Report

- c. Submit a geotechnical report prepared by a professional engineer licensed in the State of Missouri for review and approval by the Department of Highways and Traffic. Said report shall verify the adaptability of grading and improvements with soil and geologic conditions. A statement of compliance with this study, signed by the Geotechnical Engineer preparing the report, shall be included in all Site Development Plans.

7. RECORDING

Within sixty (60) days of approval of any Site Development Plan by the Planning Commission, the approved plan shall be recorded with the St. Louis County Recorder of Deeds.

8. VERIFICATION PRIOR TO BUILDING PERMITS

Subsequent to approval of the Site Development Plan, and prior to the issuance of any building permit, the developer shall provide the following:

Trust Fund Contribution

- a. Trust Fund Contributions shall be deposited with St. Louis County through standard escrow procedure prior to the issuance of building permits. If development phasing is anticipated, the developer shall provide the Trust Fund Contribution for roadway improvements through standard escrow procedure prior to issuance of building permits for each phase of development. The Trust Fund Contribution shall be deposited with St. Louis County in the form of a cash escrow.

Landscape Bonds or Escrows

- b. If the estimated cost of new landscaping indicated on the Site Development Plan as required by the Planning Commission exceeds an estimated cost of one thousand (\$1,000) dollars, as determined by a plant nursery, the petitioner shall furnish a two (2) year bond or escrow sufficient in amount to guarantee the installation of said landscaping.

Notification to the Department of Public Works

- c. Prior to the issuance of foundation or building permits, all approvals from the Department of Planning, the Department of Highways and Traffic, and the Metropolitan St. Louis Sewer District must be received by the Department of Public Works.

Certification of Plans

- d. Provide verification that construction plans are 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 that the proposed construction will be completed in accordance with the grading and soils requirements and conditions contained in the report.

9. VERIFICATION PRIOR TO OCCUPANCY PERMIT

Road improvements and right-of-way dedication shall be completed prior to the issuance of an occupancy permit.

10 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. Additional lanes and/or widening, pavement thickness, drainage facilities, granular base, traffic control devices and other improvements may be required to accommodate heavy traffic volumes, unsuitable soil conditions, steep grades, or other conditions not apparent at this time.

- c. Road improvements and right-of-way dedication should be completed prior to the issuance of occupancy permit.
- d. A grading permit is required prior to any grading on the site. No change in watersheds shall be permitted.
- e. Interim stormwater drainage control in the form of siltation control measures is required.
- f. Failure to comply with any or all the conditions of this ordinance shall be adequate cause for revocation of permits by issuing County Departments or Commissions.
- g. The Zoning Enforcement Officer of St. Louis County, Missouri, shall enforce the conditions of this ordinance in accord with the Site Development Plans approved by the St. Louis County Planning Commission and Department of Planning.

SECTION 3. The application and preliminary plans are returned to the St. Louis County Planning Commission for consideration of a final development plan, pursuant to Section 1003.145 SLCRO 1974, as amended.

SECTION 4. The St. Louis County Council, pursuant to the petition of Amoco Oil Company, requesting the approval embodied in this ordinance, and pursuant to the recommendation of the St. Louis County Planning Commission that said petition be granted and the preliminary plans be approved, after a public hearing held by the said Commission on January 9, 1989, does adopt this ordinance pursuant to the St. Louis County Charter authorizing the Council to exercise legislative power pertaining to planning and zoning.

ADOPTED: May 18, 1989

WILLIAM E. WHITEHALL
CHAIRMAN, COUNTY COUNCIL

APPROVED: May 19, 1989

GENE McNARY
COUNTY EXECUTIVE

ATTEST: LELA APPERSON
DEPUTY ADMINISTRATIVE DIRECTOR

Kathy Arnett, Assistant Director of Planning and Parks
Travis Newberry, Planner
Hassan Abdiannia, Icell Enterprises, L.L.C.

ment, and fostering the establishment of active park and trail facilities in Wildwood for the overall health of the community and region.

ECONOMIC DEVELOPMENT – The goals and objectives in this element emphasize an environment that is conducive to retaining businesses already located in the City, through regular communication with them, strategic updates of regulations applicable to them, and better promotion of City programs for assistance in this regard. Along with business retention, this element’s goals and objectives promote a targeted approach to economic development, which includes engaging an individual, who is responsible for this initiative, on a full to part-time basis, depending on need.

The policy statements in the Master Plan emphasize the creation of new approaches to promote Wildwood and its Town Center to area residents, and the overall region. Additionally, several of these policy statements seek for the City to provide certain benchmark activities to improve the business environment of Wildwood, including completing Phase Three of the Manchester Road Streetscape Project.

Conceptual Land Use Categories

This Master Plan is unique and one which is used on a daily basis in making the City of Wildwood a better place to live, work and play indicative of the level of concern its residents hold regarding preservation of the City’s natural attributes and rural character for future generations to enjoy. In attempting to accomplish this goal, the implementation of land use policies is paramount. As discussed in the preceding summary, the community has reached a consensus on this policy and it is as follows: there should be five (5) major land use designations in

Master Plan

the City --- Non-Urban Residential, Sub-Urban Residential, Industrial, Town Center, and Historic [Fifth Land Use Category - Historic was added to Master Plan with Ordinance #883 on October 14, 2002]. Each of these designations are described in greater detail below:

NON-URBAN RESIDENTIAL - This category contains the areas of the City currently zoned NU Non-Urban Residence District, **including one (1) commercially zoned property (Amended C-8 Planned Commercial District)**. Principally located west of the State Route 109 corridor, but additional properties of similar zoning and nature are found in all quadrants of the City. The Non-Urban Residential Area is generally not served by public sewer or water and is dependent upon individual systems for these services. Characteristically, the land area is steeply sloping, heavily vegetated, and relatively undeveloped in terms of traditional urban densities. The adjoining land use pattern is principally low density residential or parkland and access is limited to a network of rural roadways characterized by narrow widths, one-lane bridges, no shoulders, steep hills, and poor alignments. These characteristics are aesthetically desirable, but also at the same time dictate a low-density residential pattern (generally three (3) acre lots or greater in size) for the future. Additionally, existing developments on lots of three (3) acres or more in these areas strongly weigh against any new development of higher densities in this land use designation. **Regarding the one (1) commercially zoned property located at the southeast corner of State Route 109/Wild Horse Creek Road, its designation should be retained, as part of an Amended C-8 Planned Commercial District classification within**

this land use area, but for the sale of beer and wine only. However, no further commercial designations of properties located beyond this site should be considered, thereby acknowledging this previous zoning was part of St. Louis County's rejected land use policy and not the City of Wildwood.

SUB-URBAN RESIDENTIAL - This category contains the areas of the City currently zoned for more intensive urban designations, such as the R-1 One Acre Residence District to the R-6A 4,000 square foot Residence District, including eight (8) commercially zoned properties (Amended C-8 Planned Commercial District). These two (2) areas are located east of the State Route 109 corridor and within the northeast and southeast quadrants of the City. Public sewer and water systems, along with a number of other services from additional utilities, generally serve these areas. The land's characteristics in these designations are more varied than the Non-Urban Residential areas of the City. Primarily, the land varies between steeply-sloping to rolling topography, forested to pasture, and to some extent has been disturbed by previous development, particularly in the Caulks Creek Watershed. Surrounding land use patterns are low to medium density residential, with limited commercial and institutional development as well. Access into these areas is principally from the State Route 100 or 109 corridors onto a system of formerly rural roads somewhat improved as development progressed into these areas. Given their proximity to existing development, a low-medium density residential development pattern would be

Master Plan

compatible in this area, subject to the environmental limitations of any given site that may require lower densities or alternative designs. With the variability of site characteristics in these areas, the appropriate zoning designations in the range of the NU Non-Urban District to the R-1 One Acre Residence District, with a minimum lot size of 15,000 square feet as part of a Planned Residential Development (PRD), are appropriate, **excepting three (3) properties located at the terminuses of Center and West Avenues. These three (3) properties can be considered suitable for a greater residential land use density of one point seven five (1.75) units per acre, where appropriate, given their relative placements between high density land uses associated with St. Louis County's past actions and proximity to the Town Center Area's Boundary.** Regarding the eight (8) commercially-zoned properties located in and around the Clayton Road/Strecker Road intersection, their designation should be retained as part of an Amended C-8 Planned Commercial District classification within this land use area limiting the intensity of the commercial uses to C-1 authorized uses and requiring the neighborhood compatibility of the development. However, no future commercial designations of properties located in either of these areas should be considered, thereby acknowledging all such previous zonings were part of St. Louis County's rejected land use policy and not the City of Wildwood's. The relative level of appropriateness for individual lot sizes within these zoning designations is premised on a number of variables, not withstanding surrounding development patterns and the extent of natural re-

source attribute restrictions exhibited by the individual sites. Therefore, the smallest minimum lot size of 15,000 square feet may not be appropriate on all sites and shall be viewed on a case-by-case basis to ensure its sensitivity to the objectives and policies of this Master Plan.

INDUSTRIAL - This category contains the areas of the City currently zoned M-3 Planned Industrial District and are primarily located in the Chesterfield Valley in the northwest quadrant of the City, which borders the Missouri River. This designation also includes one (1) isolated site along Ruck Road in the southeast quadrant of the City. This property is utilized for the St. Louis County Department of Highways and Traffic District garage/storage yard. Access to this property is by a County-maintained local road, not designated for heavy truck traffic. Given the isolated nature of this site and the predominant land use pattern around it, the expansion of the industrial activities would be inappropriate. Whereas, in the Chesterfield Valley, the development of these properties for the uses permitted under the site specific ordinance created at the time of the M-3 Planned Industrial District's adoption would be reasonable and supportable by the City.

TOWN CENTER - This category contains the areas of the City currently zoned either NU Non-Urban District or C-8 Planned Commercial District and include the historic communities of Grover and Pond. This area is primarily centered in the wedge

Master Plan

of properties bordered by State Route 100, State Route 109, and Manchester Road, with a small extension to the west along Manchester Road to Pond. A majority of this area is located inside public sewer and water service areas, but also relies upon individual systems for the provision of these services. The characteristics of the land are less restrictive than the remainder of the City and can be described as rolling to gently-sloping, forested to pasture, or developed. Many of these properties have been disturbed by previous development, given the long history of settlement associated with the two (2) communities. There are a mix of uses ranging from single family residences on very small lots and three acre developments, commercial businesses, and institutional uses to agricultural lands. Access to this area is good due to its proximity to the two (2) State roadways and Manchester Road. With their traditional heritage as the commercial centers of the area, Pond, Grover, and the surrounding properties offer an excellent location for the Town Center, which would include a mix of high density residential developments and commercial uses of a neighborhood orientation. The density of residential development should not exceed the R-6A 4,000 square foot Residence District (unless authorized by City Council as part of a site-specific ordinance) and would only be considered in this Town Center Area as part of a Planned Residential Development (PRD).

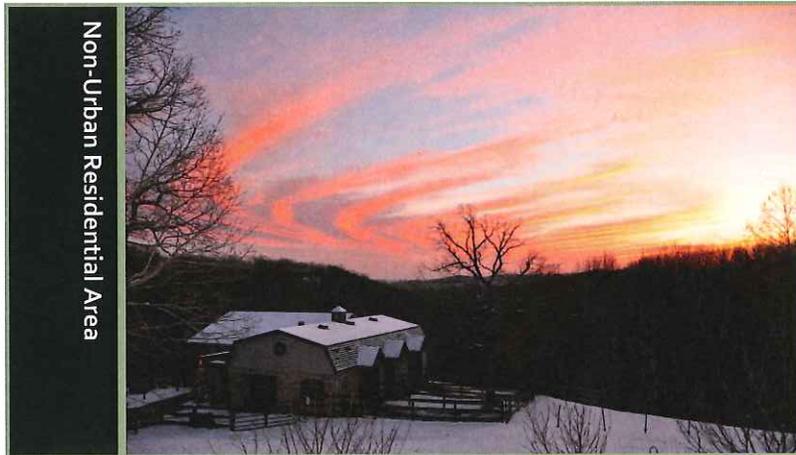
The intent of the Town Center is to create a center where a sense of community is established through the use of creative and innovative development features. These features will include: active and passive green space; interconnecting pedestrian pathways; family-owned and operated businesses; architecturally harmonious designs; integration and preservation of historical sites and local history; blending of local commercial development with appropriately buffered and situated residential development; an integrated system for sanitary and storm sewers; and protection of environmentally sensitive tracts. The Town Center should have a centralized area of park space that can be used as a gathering place for area residents to interact and truly develop a sense of place in their community, with plazas and mini-parks intermingled amongst future residential and commercial developments.

HISTORIC - This category contains properties or areas, which are listed on the City of Wildwood's Historic Register and can be located throughout the community, but only upon land zoned NU Non-Urban Residence District or the FPNU Floodplain Non-Urban Residence District, and not within the boundaries of the Town Center. The Historic Category is intended to provide property owners the opportunity to utilize their buildings, structures, or areas to a greater extent possible than normally allowed under their current Master Plan land use category or zoning district designation as an incentive for their preservation, protection, or adaptive

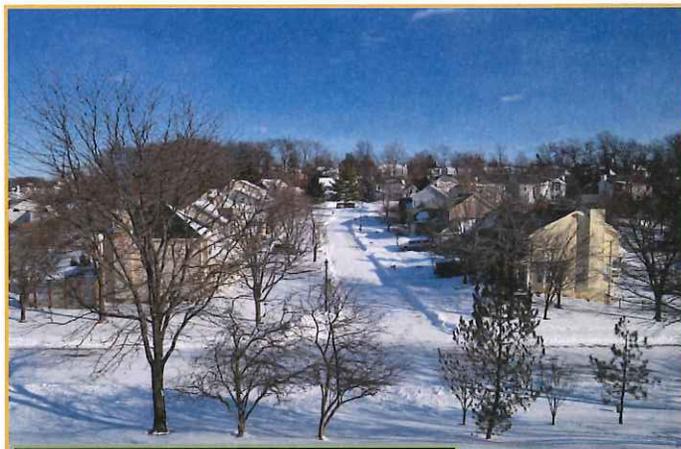
Master Plan

reuse. Designation of properties or areas must meet the criteria listed in the Historic Preservation Ordinance for their nomination and consideration. The designation of properties or areas to this land use category must be approved by the Historic Preservation Commission, the Planning and Zoning Commission, and the City Council and only becomes effective when the owner agrees to have the property or area placed on the City's Historic Register and this designation is finalized. Future use of a historic property or an area will be premised on the surrounding land use pattern, access, utility service, and the sites' natural features and must provide a true community benefit for its consideration.

Non-Urban Residential Area

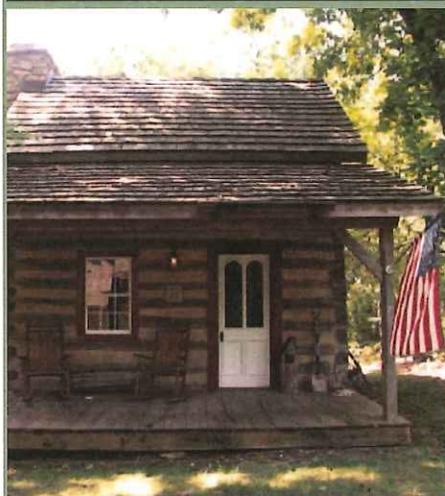


City of Wildwood

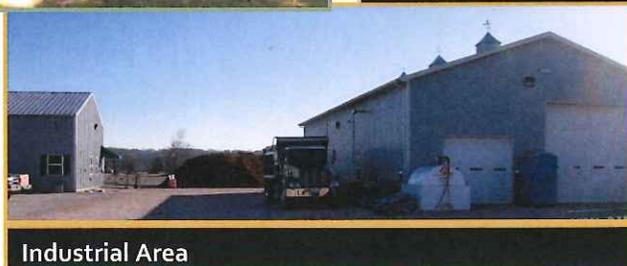


Sub-Urban Residential Area

Historic—Fifth Land Use Category



Town Center Area



Industrial Area

Land Use Descriptions

Master Plan

Conceptual Land Use Categories Map

The City's Charter is unique in that, when the voters of Wildwood approved it, it included a provision, which linked it to the Master Plan. This link was accomplished by adopting the Master Plan's Conceptual Land Use Category Plan as the Charter's Comprehensive Zoning Plan. Both of these plans, show as maps within each such document, create a legal requirement for land use decisions to correspond between these two (2) components. Therefore, the City Council cannot approve any zoning change that is inconsistent with the Conceptual Land Use Category Plan of the Master Plan, which is set forth in the Charter. Zoning amendments contrary to these maps are prohibited and may only be made by first amending the Comprehensive Zoning Plan itself, so that these types of decisions are always supported by an established document. The City has, therefore, created a system of checks and balances that elevates land use decisions to a status of significance that few other cities have chosen to incorporate into these development processes.

As the Master Plan Advisory Committee considered changes to the Conceptual Land Use Categories Map of this document, it recognized the significance of potential changes to property designations and chose to consider them carefully and based upon clear and rational criteria. This Master Plan represents the single most important representation of future land use over the next ten (10) year period. The protection offered by this Master Plan is expressed by the very limited number of changes that occurred to it in its first twenty (20) years of application (1996 – 2016). Providing property owners expectation on how parcels of ground may be utilized is one of the principal benefits of the City's planning processes. As a result of this process, and the importance of this Master Plan, the Master Plan Advisory Committee ultimately made very few changes to the existing Conceptual Land Use Categories Map. These changes are described in detail in Appendix I of the Master Plan.

Although some changes were made, based upon the data and comments compiled through the update process, future modifications to

City of Wildwood

properties were also discussed in the context of a specific set of criteria premised on unique circumstances or specific conditions not anticipated at this time. In no instance did the Master Plan Advisory Committee agree the previous policies of St. Louis County should be used to justify a future change to the Master Plan's Conceptual Land Use Categories Map. The Master Plan Advisory Committee noted that certain higher density residential developments and isolated commercial projects do exist in locations designated Non-Urban Residential Area in the original Master Plan, as legal non-conforming uses, and creating these non-conformities at that time was an appropriate policy that should be continued. This policy protects the character of Wildwood from previous land use decisions that were made with little regard to the overall impact upon the larger landscape and enforces the City's direction to not continue this application.

In all, this group of volunteers responded to the input it received from the public input sessions and respected the system of checks and balances in place, as part of the Master Plan and Charter of the City to protect the character of Wildwood and limit the number of overall changes relating to land use. This action is reflected in the revised Conceptual Land Use Categories Map that is part of this Master Plan.

Conceptual Land Use Categories Map on next page.

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Master Plan

APPENDIX I

Explanation of Conceptual Land Use Changes

As part of the update of the Master Plan, the volunteer group assisting City officials and staff in considering changes to it studied the land use designations of all parcels of ground located within the boundaries of Wildwood. To accomplish this process, the Master Plan Advisory Committee considered a number of options to accurately understand the extent of changes and how the community might feel about any proposed modifications based on this input. The Master Plan Advisory Committee decided to send to each household in the City a letter requesting input on whether they would like to have their property reviewed in terms of its current land use designation or to offer opinions on whether or not land use changes should be considered and, if so, to what extent. This mailing involved over 13,000 households and was intended to bring the decision-making about the City's future to each property owner in Wildwood.

After providing approximately two (2) weeks for residents to respond to this letter and related request, the City received approximately fifty-three (53) responses. Of those fifty-three (53) responses, sixteen (16) letters specifically sought changes to their current land use designations under the existing Master Plan. These sixteen (16) properties are summarized on the next pages. During October, and November, the Master Plan Advisory Committee considered the input it had received from these sixteen (16) property owners and representatives and held meetings where these individuals presented rationales and supporting evidence on their individual requests. Ultimately, two (2) of these requests were determined to meet the high standard necessary for a modification of their respective "Conceptual Land Use Categories." With the desire of participating parties to maintain a high standard of expectation in terms of future land use in this City, changes to these designations were not taken lightly.

City of Wildwood

Sixteen (16) Properties Considered for Land Use Changes

Property Id. and Number	Location	Requested Master Plan Category Change	Action (N=no)
McCann- #1	Wild Horse Creek Road	Non-Urban to Sub-Urban	N
Abdiannia - #2	State Route 109	Text Change in Non-Urban	See Page 99
McCarthy/ Dierberg - #3	Wild Horse Creek Road and State Route 109	Non-Urban to Town Center	N
Callahan - #4	Strecker Road	Text Change in Sub-Urban	N
Burtelow - #5	Clayton Road and State Route 109	Sub-Urban to Town Center	N
Passiglia - #6	Clayton Road and State Route 109	Non-Urban to Town Center	N
Virant - #7	Christmas Valley	Non-Urban to Sub-Urban	N
Payne Family Homes/Von Gruben- #8	State Route 109	Non-Urban to Sub-Urban	N
Blechle - #9	State Route 109	Non-Urban to Sub-Urban	N
Eckman - #10	State Route 109	Non-Urban to Sub-Urban	N
Payne Family Homes - #11	Manchester Road	Non-Urban to Sub-Urban	N

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Sixteen (16) Properties Considered for Land Use Changes			
Property Id. and Number	Location	Requested Master Plan Category Change	Action (N=no)
St. Albans Properties - #12	State Route 100 and State Route T	Non-Urban to Town Center	N
Brown - #13	West Avenue	Text Change in Sub-Urban	See Page 100
Manlin Development - #14	East Avenue	Town Center to Sub-Urban	Withdrawn by Petitioner
Bethesda Health Group - #15	State Route 109	Non-Urban to Sub-Urban	N
PWM Properties - #16	Valley Road	Non-Urban to Sub-Urban	N

The Master Plan Advisory Committee used the rationales highlighted within the tables on the subsequent pages for supporting changes to two (2) total properties (requests):

Property Receiving Favorable Land Use Recommendation	
Property Id.	Abdiannia - #2
Location	Southeast intersection of State Route 109 and Wild Horse Creek Road
Current Designation	Non-Urban
Proposed Designation	Non-Urban, with a Text Modification
Comments	<ol style="list-style-type: none"> 1. The potential precedence associated with this change is limited to one (1) additional property in the City of Wildwood, the Glencoe Post Office. 2. The alteration would allow for the future growth of the facility, ensuring its viability and avoiding a vacant, limited-use building type from creating other issues in the future. 3. The previous land use jurisdiction, St. Louis County, established the prohibition on alcohol sales at this location in 1987, while the types and numbers of businesses providing alcohol for sale have changed radically since then. Therefore, accommodating this change at this location for the sale of alcohol has a limited geographic impact.

Master Plan

Property Receiving Favorable Land Use Recommendation	
Property Id.	Brown - #13
Location	West Avenue, south of Manchester Road
Current Designation	Sub-Urban
Proposed Designation	Sub-Urban, with a Text Modification
Comments	<ol style="list-style-type: none"> 1. The Department has supported this requested change in the past. 2. The property abuts the Town Center Area on two (2) of its four (4) sides, a recently approved residential subdivision at the requested density of 1.75 units per acre, and an existing subdivision that has a mix of R-3 10,000 square foot Residence District and R-1 One Acre Residence District zoning designations. This allowance on the subject property would be consistent with such. 3. The site has access to an improved street and all utility services are available.



WILDWOOD

June 20, 2016

The Honorable City Council
City of Wildwood, Missouri
16860 Main Street
Wildwood, Missouri 63040

Re: P.Z. 12 and 13-15
Petitioner: A response to a communication from Mike Falkner, Sterling Engineers and Surveyors, dated March 25, 2016, regarding **The Villages at Bright Leaf**
Zoning: R-3 10,000 square foot Residence District, with Planned Residential Development Overlay District (PRD)
Town Center: Neighborhood Edge and General District Designations
Location: Northwest corner of State Route 100 and Taylor Road
Tract Size: 78 acres
Locator Numbers: Multiple
Ward: Five

Council Members:

INTRODUCTION - The Planning and Zoning Commission in receipt of a correspondence from the Project Engineer for the Villages of Bright Leaf development that is dated March 25, 2016. In this correspondence, the Project Engineer is seeking the Planning and Zoning Commission's review of the site-specific ordinance recently approved by the City Council to address some inconsistencies between the revised plan and the ordinance's requirements for lot sizes and widths. These inconsistencies, according to the petitioner, occurred when the design of the plan changed to eliminate the ten (10) lot cul-de-sac and relocate those lots to the western part of the project site.

With the submittal of this correspondence, the Planning and Zoning Commission has reviewed the files and related information regarding this request and prepared this report for City Council's consideration. Accordingly, acting at the June 20, 2016 Executive Session, and by a vote of --- to ---, the Planning and Zoning Commission has hereby has completed its review of this requested matter and taken action in this regard. This review was conducted via the requirements of the Zoning Ordinance for matters and amendments of this nature. Postings and mailings were also completed, all being in accordance with the City's requirements or past practices for the same.

BACKGROUND AND HISTORY - The set of petitions was recently heard and acted upon by the City, with the site-specific ordinance being approved by the City Council in early 2016. The petitions, P.Z. 12 and 13-15, sought a change in the existing zoning district designations of the overall tract of land, which was over seventy-eight (78) acres in size, and the application of a Planned Residential Development Overlay District (PRD) upon the same area, to allow for the development of one hundred ninety-four (194) homesites, some of which were to be neo-traditional in terms of their access and other design components. These one hundred four (104) homesites would also be served by a system of Town Center designed streets, new stormwater facilities and over nine (9) acres of public space. Two (2) major roadway considerations were included in these requests, which included the development of the Pond-Grover Loop Road through the subject site and the construction of a parallel roadway along the north side of State Route 100 that would connect Taylor Road and Eatherton Road (east and west respectively).

The design of this project, from its presentation at the public hearing in July 2015 to its passage in 2016, underwent several changes to better address the transitioning of lots along the Evergreen Subdivision (in place since the late 1970's), better traffic calming, less land disturbance, and consideration of the loop road concept altogether. The disposition of the loop road and the extension of Birch Forest Drive from its current terminus on the Evergreen Subdivision into the new development area required a number of meetings to reach a consensus on how to proceed, which include the following two (2) major points:

1. Birch Forest Drive would not be extended into the new development, but only provide emergency vehicle access, along with pedestrian and bicycle types as well.
2. Pond-Grover Loop Road would be included in the site-specific ordinance, but a citizen committee be formed to review the matter in detail and make a recommendation on the same to City Council.

These discussions leading to the aforementioned consensus enabled the passage of the Planned Residential Development Overlay District (PRD) ordinance by City Council in 2016, with the submittal of the Site Development Plan following approximately two (2) months later. The latest copy of this Site Development Plan is attached to this report for the consideration of all parties. This revised plan has not been submitted to the Planning and Zoning Commission for its consideration at this stage, since the Departments of Public Works and Planning have yet to complete their required reviews.

CURRENT REQUEST - The current request that is being submitted to the City for consideration relates to the Villages of Bright Leaf Subdivision and the specifics associated with certain villages located therein and the characteristics of their lots in terms of size and width. These characteristics were not corrected, when the site-specific ordinance was finally acted upon by the City Council for the one hundred ninety-four (194) lots, due to the deletion of the ten (10) lot cul-de-sac in the north portion of the site and the allocation of those properties to the western portion of the site. The Department utilized the provided information for lot sizes and widths for these certain lots within the defined villages, but failed to reflect the changes due to the shift in lots.

Specifically, the villages that are subject to this current issue regarding the lot specifications includes five of the six (6) villages A, B, C, D, and E. The current language of the ordinance defines these villages as such:

2. LOT SIZES, DEPTHS, AND BUILDING REQUIREMENTS

- A. Each detached dwelling unit shall be located on an individual lot of record that meets the following requirements, per its location within the six (6) defined villages:
- i. **Village A** – Eighty (80) foot minimum lot width and lot size of 12,000 square feet.
 - ii. **Village B** – Sixty-three (63) foot minimum lot width and lot size of 9,000 square feet.
 - iii. **Village C** – Sixty-two (62) foot minimum lot width and lot size of 9,000 square feet, excepting four (4) lots, which shall have direct frontage onto the Pond-Grover Loop Road, with on-site turnaround capabilities provided on each of them. These four (4) lots shall have a minimum width of seventy (70) feet, a front yard setback distance of thirty-five (35) feet, and a depth no less than one hundred sixty (160) feet.
 - iv. **Village D** – Sixty (60) foot minimum lot width and lot size of 6,500 square feet.
 - v. **Village E** – Thirty-eight (38) foot minimum lot width and lot size of 4,000 square feet.
 - vi. **Village F - Rear-Entry Garage Lots** – Forty-five (45) foot minimum lot width and lots size of 5,400 square feet.
 - vii. Properties located within a cul-de-sac shall be as approved by the Planning and Zoning Commission on the Site Development Plan. These widths shall be measured at the front building line.

The requested amendments to this condition would be as follows:

- i. **Village A** – Eighty (80) foot minimum lot width and lot size of **9,600** ~~12,000~~ square feet.
- ii. **Village B** – **Sixty-two (62)** ~~Sixty-three (63)~~ foot minimum lot width and lot size of **7,400** ~~9,000~~ square feet.
- iii. **Village C** – Sixty-two (62) foot minimum lot width and lot size of **7,400** ~~9,000~~ square feet, excepting four (4) lots, which shall have direct frontage onto the Pond-Grover Loop Road, with on-site turnaround capabilities provided on each of them. These four (4) lots shall have a minimum width of seventy (70) feet, a front yard setback distance of thirty-five (35) feet, and a depth no less than one hundred sixty (160) feet.
- iv. **Village D** – **Sixty-two (62)** ~~Sixty (60)~~ foot minimum lot width and lot size of **7,400** ~~6,500~~ square feet.
- v. **Village E** – **Forty (40)** ~~Thirty-eight (38)~~ foot minimum lot width and lot size of 4,000 square feet.
- vi. **Village F - Rear-Entry Garage Lots** – Forty-five (45) foot minimum lot width and lots size of 5,400 square feet.
- vii. Properties located within a cul-de-sac shall be as approved by the Planning and Zoning Commission on the Site Development Plan. These widths shall be measured at the front building line.

Additionally, the petitioner has noted the need for a reduction in the rear yard setback areas of some lots to accommodate decks, given the depths of the proposed housing units in the Neo-Traditional Area of the project's boundaries have much greater than their respective widths. The current language in this regard is as follows:

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) **Twenty (20) feet** from any right-of-way line, except any unit served by a rear entry garage, which shall have a **build-to distance of ten (10) feet** (see Condition 2(a.)).
- (2) **Five (5) feet** for any side yard property line and ten (10) feet for side yard areas that abut the perimeter of the Planned Residential Development Overlay District.
- (3) **Fifteen (15) feet from any rear yard property line** and thirty (30) feet for rear yard areas that abut the perimeter of the Planned Residential Development Overlay District.
- (4) **Five (5) feet from any rear yard property line** for any unit served by a rear entry garage.

The proposed change would reduce the distance associated with the rear yard setback from fifteen (15) feet to ten (10) feet, in some instances.

ANALYSIS - The consideration of this request, from the perspective on the Planning and Zoning Commission, focuses on the differences between the last plan presented to the City Council and the overall community, before the final passage of the current site-specific ordinance was completed, and now. This approach is necessary, given the extent of discussion on this matter and the amount of public participation. With this amount of discussion and participation, it is incumbent on the Planning and Zoning Commission to ensure the conditions of the ordinance asking to be modified are consistent with that last plan.

From this perspective, the Planning and Zoning Commission would note the last plan represented in conjunction with these proposals, prior to passage by the City Council, remains unchanged with these modifications. As has been explained to the Planning and Zoning Commission by the Department of Planning that, when the petitioner altered the design of the project to address certain recommended changes, the proposed ordinance was amended, but the lot sizes and widths of these certain villages were not updated on the 'Typical Lot Diagrams,' which the Department utilized to create the requirements. Therefore, the plan was correct in its representation of the desired action of the City, but the requirements of the ordinance were not simultaneously updated.

This action would coordinate the two (2) components, as was planned, when the City agreed to the revised design, which placed more lots on the west side of the proposed Pond-Grover Loop Road than in earlier versions of it. Accordingly, the Planning and Zoning Commission is supportive of the changes to the proposed lot sizes and widths (it is important to note that, while some decrease in both regards, other villages increase).

Additionally, the Planning and Zoning Commission would note the layout of proposed streets, stormwater improvements, public space, and other site components are not altered by this recommended change to the lot sizes and widths in certain villages of the subdivision. Therefore, the project retains its character from almost all other perspectives. To the Planning and Zoning Commission, this slight change indicates a minimal impact on the development, and the surrounding area to it.

With regards to the rear yard setback areas of the proposed lots, the Commission is not supporting this request at this time, given the limited information it has in this regard and concerns about impacts, given the rear yard areas of many lots are used to create swales and other improvements for the management of stormwater runoff. From the Planning and Zoning Commission's perspective, the Town Center Plan allows the encroachment of porch areas into the established front yard setback area at this time and addressing the depth of the units by utilizing these locations at the frontage of the lots would appear more appropriate. Importantly, the Planning and Zoning Commission wants to ensure the perimeter rear yard areas are retained at current distances, given the importance of providing adequate light, space, and air in these portions of each of the future lots.

SUMMARY AND RECOMMENDATION – The Planning and Zoning Commission believes, based upon its review of the provided information, the requested modifications to lot sizes and widths are reasonable, when viewed against the criteria of the Town Center Neighborhood Design Standards and consistent with the last plan submitted by the petitioner in support of the City Council's action in this regard. The reduction in the rear yard setback, however, is not being supported and would prefer for the petitioner to use the allowable provision for the placements of the front porch structures into an area of the front yard setback locations, as already allowed in the Town Center Neighborhood Design Standards. Accordingly, the Planning and Zoning Commission is recommending Planned Residential Development Overlay District Ordinance #2145 be amended to read as follows:

2. LOT SIZES, DEPTHS, AND BUILDING REQUIREMENTS

- A. Each detached dwelling unit shall be located on an individual lot of record that meets the following requirements, per its location within the six (6) defined villages:
 - i. **Village A** – Eighty (80) foot minimum lot width and lot size of **9,600** ~~12,000~~ square feet.
 - ii. **Village B** – **Sixty-two (62)** ~~Sixty-three (63)~~ foot minimum lot width and lot size of **7,400** ~~9,000~~ square feet.

- iii. **Village C** – Sixty-two (62) foot minimum lot width and lot size of **7,400** ~~9,000~~ square feet, excepting four (4) lots, which shall have direct frontage onto the Pond-Grover Loop Road, with on-site turnaround capabilities provided on each of them. These four (4) lots shall have a minimum width of seventy (70) feet, a front yard setback distance of thirty-five (35) feet, and a depth no less than one hundred sixty (160) feet.
- iv. **Village D** – **Sixty-two (62)** ~~Sixty (60)~~ foot minimum lot width and lot size of **7,400** ~~6,500~~ square feet.
- v. **Village E** – **Forty (40)** ~~Thirty-eight (38)~~ foot minimum lot width and lot size of 4,000 square feet.
- vi. **Village F - Rear-Entry Garage Lots** – Forty-five (45) foot minimum lot width and lots size of 5,400 square feet.
- vii. Properties located within a cul-de-sac shall be as approved by the Planning and Zoning Commission on the Site Development Plan. These widths shall be measured at the front building line.

All other conditions remain in full force and effect.

If any of the City Council Members should have questions or comments, or need additional information on this request, please feel free to contact the Department of Planning at (636) 458-0440. Thank you for your consideration of this recommendation.

Respectfully submitted,
CITY OF WILDWOOD PLANNING AND ZONING COMMISSION

R. Jon Bopp, Chair

ATTEST:

Joe Vujnich, Director
Department of Planning

Cc: The Honorable James R. Bowlin, Mayor
Council Members Garritano and Goodson, Ward Eight
Ryan S. Thomas, P.E., City Administrator
John A. Young, City Attorney
Kathy Arnett, Assistant Director of Planning and Parks
Travis Newberry, Planner
Mike Falkner, Sterling Engineering



From: Mike Falkner mfalkner@sterling-eng-sur.com
 Subject: The Villages at Bright Leaf
 Date: March 25, 2016 at 9:54 AM
 To: Joe Vujnich joe@cityofwildwood.com
 Cc: John Fischer (JFischer@fandfhomes.com) JFischer@fandfhomes.com, Chris DeGuentz CDeGuentz@fandfhomes.com, Ken Stricker kstricker@consort-homes.com, Cox, Roger rcox@consort-homes.com, Al Hicks ahicks@jhberra.com, Josh Foster jfoster@jhberra.com, George Gower GGower@sterling-eng-sur.com, Mike Boerding MBoerding@sterling-eng-sur.com, John Luetkenhaus JLuetkenhaus@sterling-eng-sur.com

Good Morning Joe,

Per our meeting and phone conversations, I have attached a copy of section 2.a of Ordinance no.#2145 that I have shown the proposed amendments we spoke about.

There are no changes in the total number of lots and we are not asking for any other changes to Ordinance # 2145.

It is our understanding that the requested amendments will run concurrently with the Site Development Plan review and approval process.

If you need additional information, please do not hesitate to call or email me.

Again, Thanks for all your help regarding the development of the Villages at Bright Leaf.

Mike

2. LOT SIZES, DEPTHS, AND BUILDING REQUIREMENTS

- a. Each detached dwelling unit shall be located on an individual lot of record that meets the following requirements, per its location within the six (6) defined villages:
 - i. Village A – Eighty (80) foot minimum lot width and lot size of ~~12,000~~ ^{9,600} square feet.
 - ii. ^{62'} Village B – Sixty-three (63) foot minimum lot width and lot size of ~~9,000~~ ^{7,400} square feet.
 - iii. Village C – Sixty-two (62) foot minimum lot width and lot size of ~~9,000~~ ^{7,400} square feet, excepting four (4) lots, which shall have direct frontage onto the Pané Grover Loop Road, with on-site turnaround capabilities provided on each of them. These four (4) lots shall have a minimum width of seventy (70) feet, a front yard setback distance of thirty-five (35) feet, and a depth no less than one hundred sixty (160) feet.
 - iv. ^{62'} Village D – Sixty (60) foot minimum lot width and lot size of ~~6,300~~ ^{7,400} square feet.
 - v. ^{40'} Village E – Thirty-eight (38) foot minimum lot width and lot size of 4,000 square feet.
 - vi. Village F – Rear-Entry Garage Lots – Forty-five (45) foot minimum lot width and lots size of 5,400 square feet.
 - vii. Properties located within a cul-de-sac shall be as approved by the Planning and Zoning Commission on the Site Development Plan. These widths shall be measured at the front building line.
- b. All detached single family dwellings shall have a minimum finish floor elevation of their front porches of ~~eighteen (18) inches~~ in height above the adjoining sidewalk grade. All dwelling units shall have a front porch, which must extend across at least thirty percent (30%) of the façade's elevation facing the frontage line, at a minimum depth of no less than six (6) 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. Direct residential drive access shall be allowed for up to ~~one hundred fifty-seven (157) fifty-three (53)~~ of the single family detached units within this development from the system of internal streets, but the garage door(s) on each unit must be a minimum of ~~seven point five (7.5)~~ feet behind an imaginary line formed by an extension of the front elevation of the dwelling (including the front porch) parallel to the lot's frontage, excepting those units in Villages A, C, and E. ~~Units in two (2) of these villages shall be as reviewed and acted upon by the Planning and Zoning Commission on the Site Development Plan (Villages A and C). Garage door(s) associated with any unit located within~~

Village E shall be a minimum of six (6) feet behind an imaginary line formed by an extension of the front elevation of the dwelling (including the front porch) parallel to the lot's frontage. Individual garage doors shall not be greater than twenty (20) feet in width and must be carriage types, including windows, and incorporate other architectural treatments, as determined by the City's Architectural Review Board to be appropriate, to lessen their prominence within the visual corridor formed by these interior streets within the development, unless a suitable alternative design is provided for these openings. The developer shall provide a minimum of two (2) options that incorporate these requirements to the Planning and Zoning Commission for its consideration, as part of the Site Development Plan review and action process, regarding the front of the garages that further reduces their prominence from the abutting street view. Architectural type shingle selections shall be required on all residential units of a minimum thirty (30) year standard.

From: Mike Boerding MBoerding@sterling-eng-sur.com
Subject: Bright Leaf -Questions regarding site
Date: June 9, 2016 at 4:12 PM
To: Joe Vujnich JVujnich@cityofwildwood.com
Cc: Josh Foster jfoster@jhberra.com, Mike Falkner mfalkner@sterling-eng-sur.com, John Luetkenhaus JLuetkenhaus@sterling-eng-sur.com, George Gower GGower@sterling-eng-sur.com



Joe,

I am sorry that I missed your call yesterday evening. I thought that an email may be a better way to communicate on these questions. As you know, Sterling prepared a revised SDP based upon comments from you and your staff. A few questions are outlined below and I appreciate your guidance as we move forward through the SDP and improvement plans.

Questions;

1. Has there been any resolution with the Fire Protection District? The splitter islands and speed platform have been shown on the latest version of the SDP as requested, however we understood there would be further discussion between the City and the FPD.
2. Correspondence with the school district was requested, however we are not aware of any concerns by the school district. Are we corresponding with the school district for informational purposes?
3. Mike Falkner said you were drafting the revised ordinance to run concurrently with the SDP approval. We have the old ordinance attached to the SDP. Should we remove those sheets or, should we add a water mark stating the ordinance is being amended?
4. Sterling understood that a clearing and grubbing permit request would be reviewed during the SDP. The comments asked for a SWPPP plan to be submitted with the SDP. Will the City review the SWPPP in anticipation of issuing a grading permit as soon as the SDP is approved?

Thank you,
Mike

Mike Boerding, PE
Vice President

The STERLING Company

5055 New Baumgartner Rd
St. Louis, MO 63129
314-446-5781 direct
314-487-0440 office
314-393-3813 cell
www.sterling-eng-sur.com

From: **Mike Boerding** MBoerding@sterling-eng-sur.com
Subject: RE: Bright Leaf -Questions regarding site
Date: June 10, 2016 at 8:13 AM
To: **Joe Vujnich** JVujnich@cityofwildwood.com
Cc: **Josh Foster** jfoster@jhberra.com, **Mike Falkner** mfalkner@sterling-eng-sur.com, **John Luetkenhaus** JLuetkenhaus@sterling-eng-sur.com, **George Gower** GGower@sterling-eng-sur.com

Joe,

I also meant to inquire about getting an additional variance allowing the decks to encroach the rear yard setback by an additional 5 feet. Please let us know if this could be incorporated into the ordinance or if this may be something that you could grant as Director.

Thank you,
Mike

From: Mike Boerding
Sent: Thursday, June 09, 2016 4:12 PM
To: 'Joe Vujnich' <JVujnich@cityofwildwood.com>
Cc: 'Josh Foster' <jfoster@jhberra.com>; 'Mike Falkner (mfalkner@sterling-eng-sur.com)' <mfalkner@sterling-eng-sur.com>; 'John Luetkenhaus (jluetkenhaus@sterling-eng-sur.com)' <jluetkenhaus@sterling-eng-sur.com>; George Gower <GGower@sterling-eng-sur.com>
Subject: Bright Leaf -Questions regarding site

Joe,

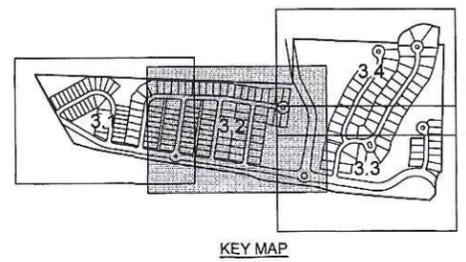
I am sorry that I missed your call yesterday evening. I thought that an email may be a better way to communicate on these questions. As you know, Sterling prepared a revised SDP based upon comments from you and your staff. A few questions are outlined below and I appreciate your guidance as we move forward through the SDP and improvement plans.

Questions;

1. Has there been any resolution with the Fire Protection District? The splitter islands and speed platform have been shown on the latest version of the SDP as requested, however we understood there would be further discussion between the City and the FPD.
2. Correspondence with the school district was requested, however we are not aware of any concerns by the school district. Are we corresponding with the school district for informational purposes?
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Thank you,
Mike

Mike Boerding, PE
Vice President
The STERLING Company
5055 New Baumgartner Rd



ISSUE	REMARKS/DATE
1	3-22-2016 INITIAL SUBMITTAL
4	6-2-2016 REVISED PER CITY COMMENTS

Fischer & Frichtel Custom Homes, LLC
 and Consort Homes, LLC
 16640 CHESTERFIELD GROVE ROAD, SUITE 130
 CHESTERFIELD, MISSOURI 63005
 Ph: 636-770-7300

THE **STERLING** CO.
 ENGINEERS & SURVEYORS
 5055 New Baumgartner Road
 St. Louis, Missouri 63129
 Ph: 314-487-0440 Fax: 314-487-6944
 www.sterling-eng-srv.com
 Corporate Certificate of Authority #001948

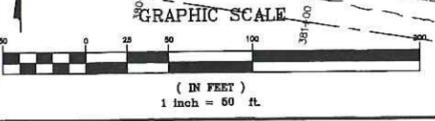
The Villages at Brightleaf
 Wildwood, Missouri
 SITE DEVELOPMENT PLAN
 GRADING PLAN

Professional Engineer Seal for Michael G. Boerding, License No. E-28843, State of Missouri.

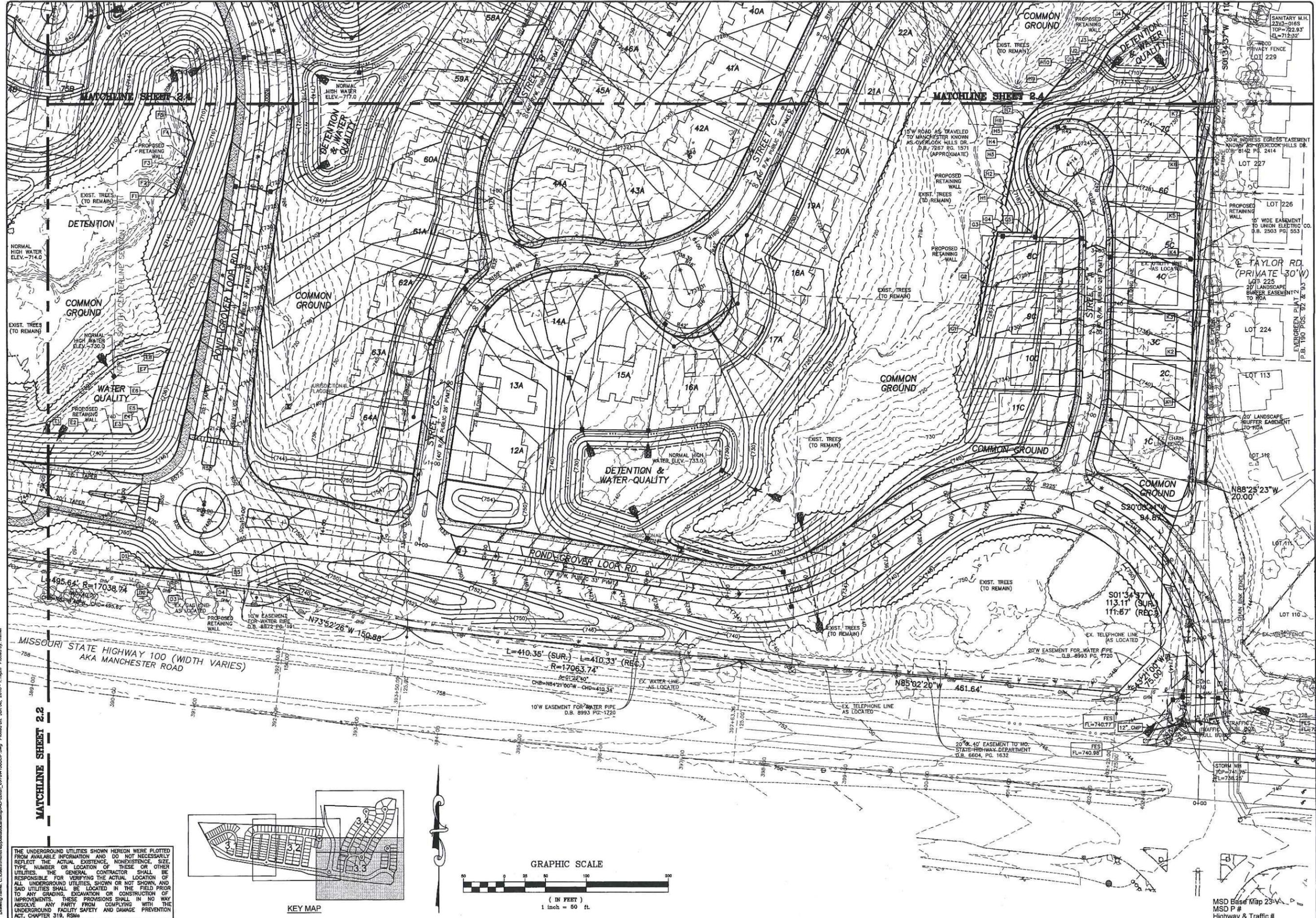
Date: 06-06-2016
 MICHAEL G. BOERDING
 License No. E-28843
 Civil Engineer

Job Number: 14-04-138
 Date: June 6, 2016
 Designed: MF Sheet
 Drawn: SL 2.2
 Checked: SL SDP

THE UNDERGROUND UTILITIES SHOWN HEREON WERE PLOTTED FROM AVAILABLE INFORMATION AND DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, NONEXISTENCE, SIZE, TYPE, NUMBER OR LOCATION OF THESE OR OTHER UTILITIES. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UNDERGROUND UTILITIES SHOWN OR NOT SHOWN, AND SAID UTILITIES SHALL BE LOCATED IN THE FIELD PRIOR TO ANY GRADING, EXCAVATION OR CONSTRUCTION OF IMPROVEMENTS. THESE PROVISIONS SHALL IN NO WAY ABSOLVE ANY PARTY FROM COMPLYING WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 319, RSMo.



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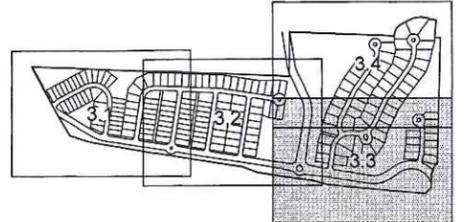


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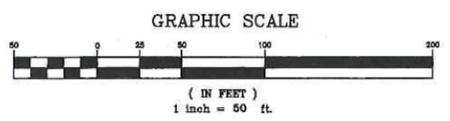
MATCHLINE SHEET 2.2

MATCHLINE SHEET 2.4

THE UNDERGROUND UTILITIES SHOWN HEREON WERE PLOTTED FROM AVAILABLE INFORMATION AND DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, NONEXISTENCE, SIZE, TYPE, NUMBER OR LOCATION OF THESE OR OTHER UTILITIES. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UNDERGROUND UTILITIES SHOWN OR NOT SHOWN, AND SAID UTILITIES SHALL BE LOCATED IN THE FIELD PRIOR TO ANY GRADING, EXCAVATION OR CONSTRUCTION OF IMPROVEMENTS. THESE PROVISIONS SHALL IN NO WAY ABSOLVE ANY PARTY FROM COMPLYING WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 319, RSMo



KEY MAP

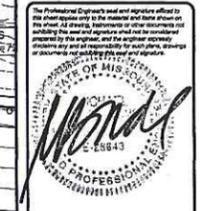


ISSUE	REMARKS/DATE
1	3-22-2016, INITIAL SUBMITTAL
4	6-6-2016 REVISED PER CITY COMMENTS

Fischer & Fritchel Custom Homes, LLC
 and **Consort Homes, LLC**
 16640 CHESTERFIELD GROVE ROAD, SUITE 130
 CHESTERFIELD, MISSOURI 63005
 Ph. 636-770-7300

THE STERLING CO.
ENGINEERS & SURVEYORS
 5055 New Baumgartner Road
 St. Louis, Missouri 63129
 Ph. 314-487-0440 Fax 314-487-8944
 www.sterling-eng-sur.com
 Corporate Certificate of Authority #001548

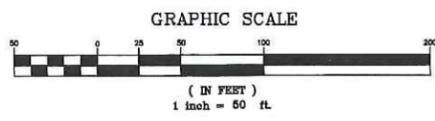
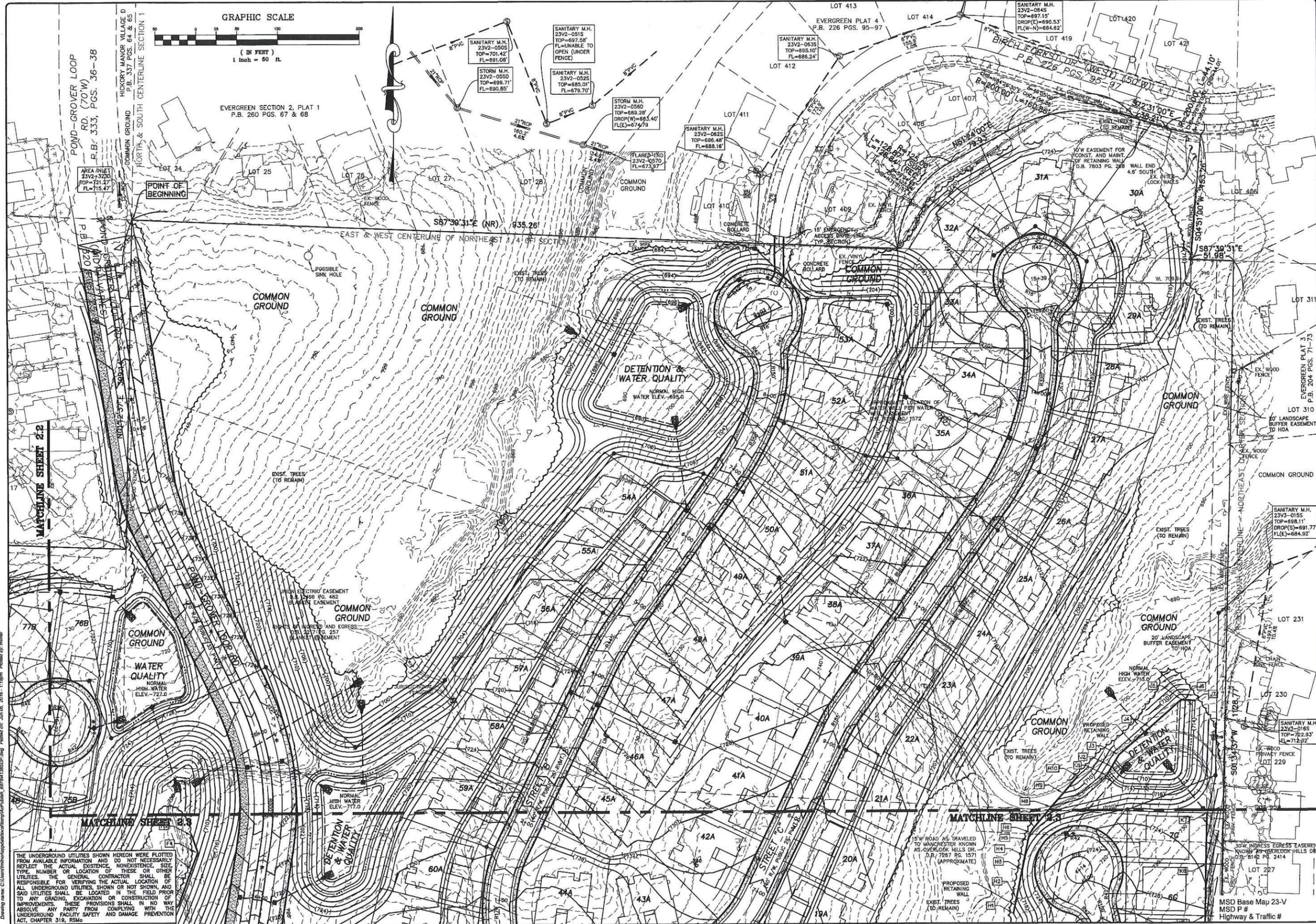
The Villages at Brightleaf
 Wilwood, Missouri
 SITE DEVELOPMENT PLAN
 GRADING PLAN



Date: 06-06-2016
 MICHAEL G. BOERING
 License No. E-28643
 Civil Engineer

Job Number	14-04-138
Date	June 6, 2016
Designed: MF	Sheet
Drawn: SL	2.3
Checked: SL	SDP

MSD Base Map 23-V
 MSD P #
 Highway & Traffic #



THE UNDERGROUND UTILITIES SHOWN HEREON WERE PLOTTED FROM AVAILABLE INFORMATION AND DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, NONEXISTENCE, SIZE, TYPE, NUMBER OR LOCATION OF THESE OR OTHER UTILITIES. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UNDERGROUND UTILITIES SHOWN OR NOT SHOWN, AND SAID UTILITIES SHALL BE LOCATED IN THE FIELD PRIOR TO ANY GRADING, EXCAVATION OR CONSTRUCTION OF IMPROVEMENTS. THESE PROVISIONS SHALL IN NO WAY ABSOLVE ANY PARTY FROM COMPLYING WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 319, RSMo

ISSUE	REVISION DATE	INITIAL	SUBMITTAL
1	02-22-2016		INITIAL SUBMITTAL
4	06-20-2016		REVISED PER CITY COMMENTS

Fischer & Fichtel Custom Homes, LLC
and Consort Homes, LLC
 10640 CHESTERFIELD GROVE ROAD, SUITE 130
 CHESTERFIELD, MISSOURI 63005
 Ph. 636-770-7300

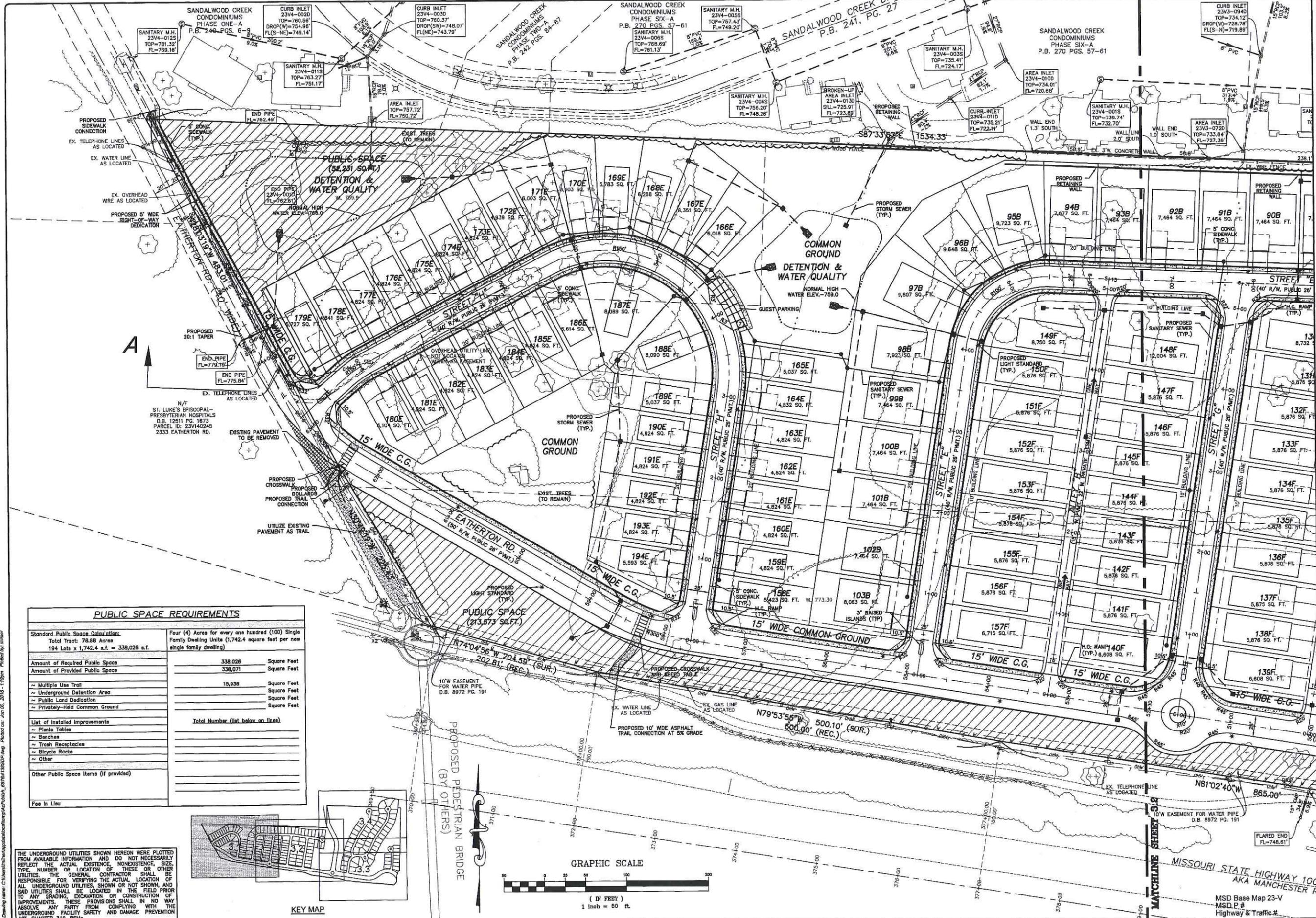
THE STERLING CO.
ENGINEERS & SURVEYORS
 5055 New Baumgartner Road
 St. Louis, Missouri 63129
 Ph. 314-487-0440 Fax 314-487-6844
 www.sterling-eng-survey.com
 Corporate Certificate of Authority #001348

The Villages at Brightleaf
 Wilwood, Missouri
 SITE DEVELOPMENT PLAN
 GRADING PLAN

The Professional Engineer's seal and signature shall be on the sheet. All drawings, instruments or other documents not including the seal and signature shall be considered unenforceable by the engineer, and the engineer assumes no responsibility for any errors or omissions on drawings or instruments not including the seal and signature.

Date: 06-06-2016
 MICHAEL G. BOERDING
 License No. E-28643
 Civil Engineer

Job Number: 14-04-138
 Date: June 6, 2016
 Drawn: SL
 Checked: SL
 MS D Base Map 23-V
 MS D P #
 Highway & Traffic #



ISSUE/REVISIONS

1	3-22-2016	INITIAL SUBMITTAL
2	5-6-2016	REVISED PER CITY COMMENTS

Fischer & Fritchel Custom Homes, LLC
 and Consort Homes, LLC
 16640 CHESTERFIELD GROVE ROAD, SUITE 130
 CHESTERFIELD, MISSOURI 63005
 Ph. 636-770-7300

THE STERLING CO.
 ENGINEERS & SURVEYORS
 5065 New Baumgartner Road
 St. Louis, Missouri 63129
 Ph. 314-487-0440 Fax 314-487-9844
 www.sterling-eng-sur.com
 Corporate Certificate of Authority #001348

The Villages at Brightleaf
 Winwood, Missouri
 SITE DEVELOPMENT PLAN
 SITE PLAN

The Professional Engineer's seal and signature are placed on this plan. All drawings, instruments or other documents or exhibits are not to be used for any project not specifically approved by this engineer, and the engineer accepts no responsibility for any drawings, instruments or exhibits prepared by any other person or organization.

Professional Engineer
 MICHAEL G. BOERDING
 License No. E-28643
 Civil Engineer

Date: 06-06-2016
 MICHAEL G. BOERDING
 License No. E-28643
 Civil Engineer

Job Number
 14-04-138

Date
 June 6, 2016

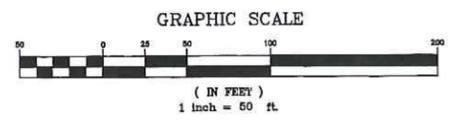
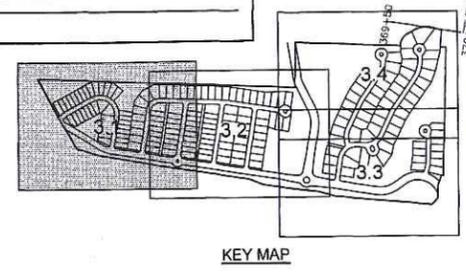
Designed: MF
 Drawn: SL
 Checked: SL

MSD Base Map 23-V
 MSD.P.#
 Highway & Traffic #.

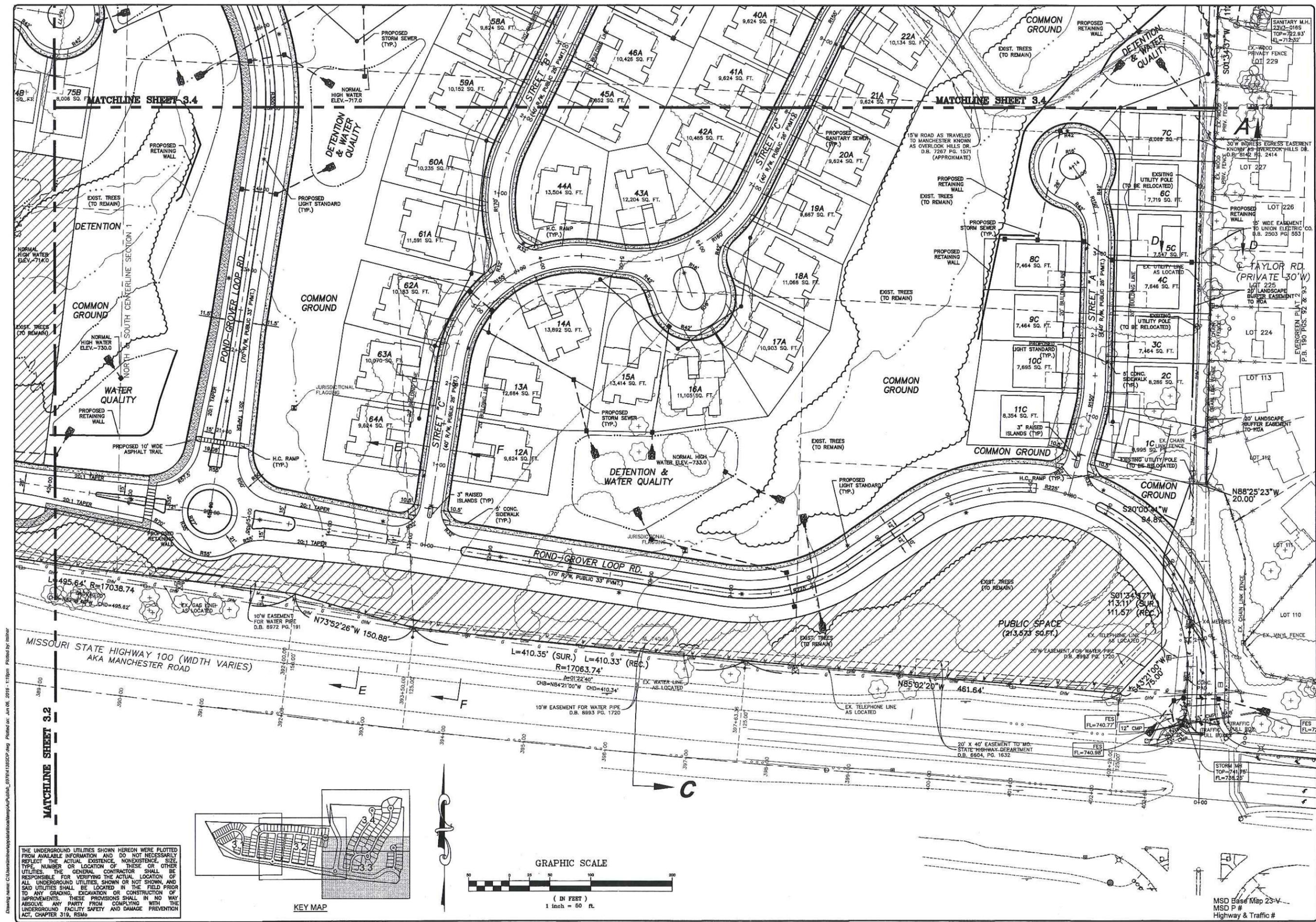
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 3.1
 SDP

PUBLIC SPACE REQUIREMENTS

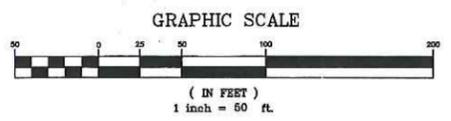
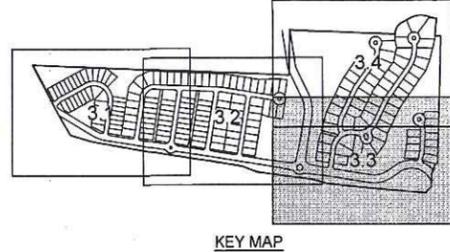
Standard Public Space Calculation:		Four (4) Acres for every one hundred (100) Single Family Dwelling Units (1,742.4 square feet per new single family dwelling)
Total Tract: 78.88 Acres		
194 Lots x 1,742.4 sq. ft. = 338,028 sq. ft.		
Amount of Required Public Space	338,028	Square Feet
Amount of Provided Public Space	338,071	Square Feet
~ Multiple Use Trail	15,038	Square Feet
~ Underground Detention Area		Square Feet
~ Public Land Dedication		Square Feet
~ Privately-Held Common Ground		Square Feet
List of Installed Improvements	Total Number (list below on lines)	
~ Plaque Tables		
~ Benches		
~ Trash Receptacles		
~ Bicycle Racks		
~ Other		
Other Public Space Items (if provided)		
Fee In Lieu		



Drawing name: C:\Users\michaelgboerding\Documents\Projects\Brightleaf\Brightleaf_SDP.dwg Plotter con: Jun 06, 2016 - 11:09am. Plotted by: jmlr



THE UNDERGROUND UTILITIES SHOWN HEREON WERE PLOTTED FROM AVAILABLE INFORMATION AND DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, NONEXISTENCE, SIZE, TYPE, NUMBER OR LOCATION OF THESE OR OTHER UTILITIES. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UNDERGROUND UTILITIES, SHOWN OR NOT SHOWN, AND SAID UTILITIES SHALL BE LOCATED IN THE FIELD PRIOR TO ANY GRADING, EXCAVATION OR CONSTRUCTION OF IMPROVEMENTS. THESE PROVISIONS SHALL IN NO WAY ABSOLVE ANY PARTY FROM COMPLYING WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 319, RSMo.



ISSUE	REMARKS/DATE
1	3-22-2016, INITIAL SUBMITTAL
2	6-6-2016 REVISED PER CITY COMMENTS
3	
4	

Fischer & Fritchel Custom Homes, LLC
and Consort Homes, LLC
 16640 CHESTERFIELD GROVE ROAD, SUITE 130
 CHESTERFIELD, MISSOURI 63005
 Ph. 636-770-7300

THE STERLING CO.
ENGINEERS & SURVEYORS
 5055 New Baumgartner Road
 St. Louis, Missouri 63129
 Ph 314-487-0440 Fax 314-487-8844
 www.sterling-eng-sur.com
 Corporate Certificate of Authority #001348

The Villages at Brightleaf
 Wildwood, Missouri
 SITE DEVELOPMENT PLAN
 SITE PLAN

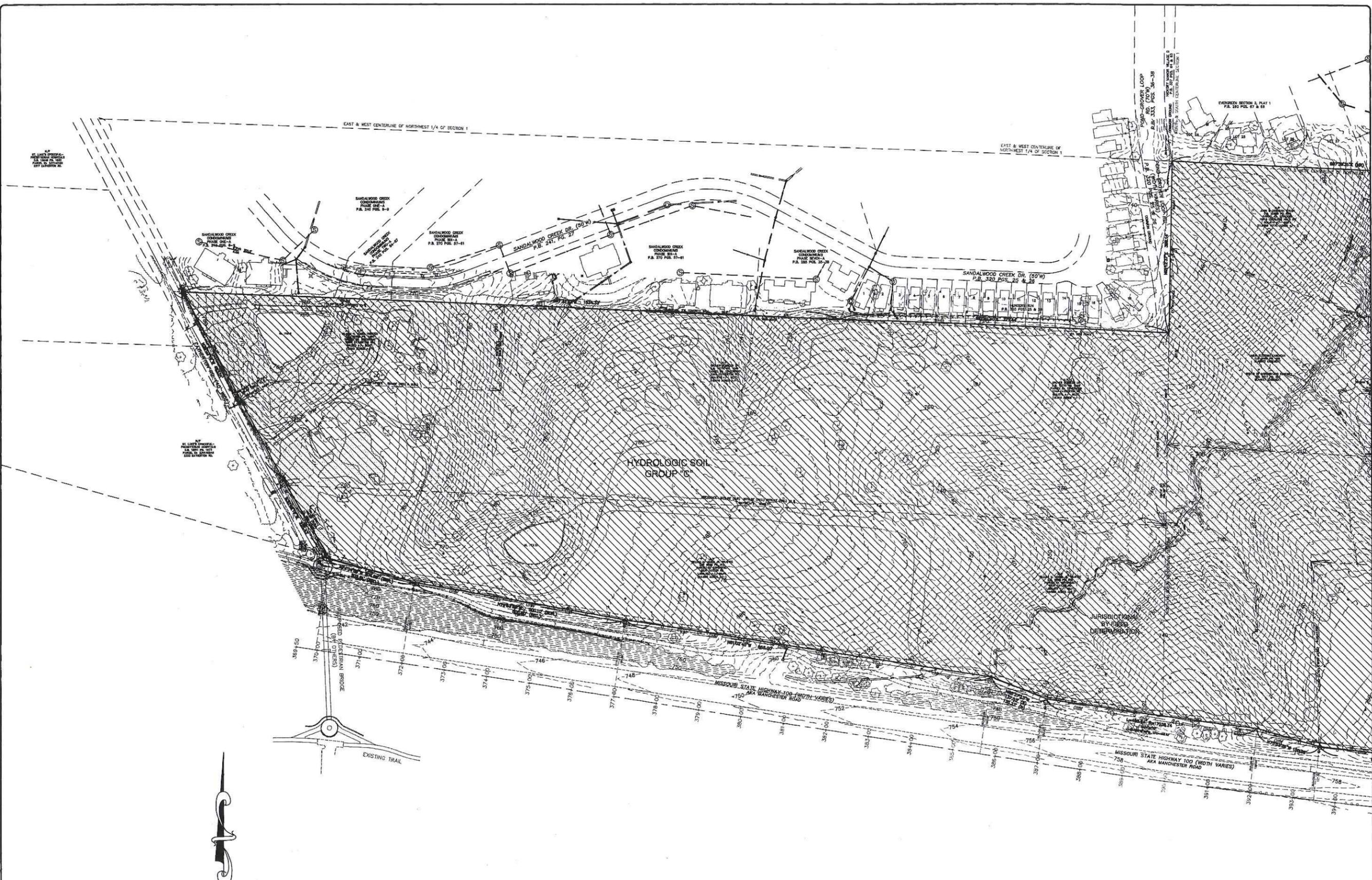
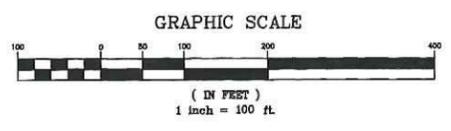
The Professional Engineer's seal and signature are affixed to this drawing. All drawings, instruments or other documents prepared by this engineer, and the engineer's signature and seal are the property of the engineer and shall remain his or her property and shall not be reproduced or used in any manner without the written consent of the engineer.

MICHAEL G. BOERDING
 License No. E-28643
 Civil Engineer

Date: 06-06-2016
 Job Number: 14-04-138
 Date: June 6, 2016
 Designed: MF
 Drawn: SL
 Checked: SL
 Sheet: 3.3
 MSD Base Map 23-V
 MSD P #
 Highway & Traffic #

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ISSUE	REMARKS/DATE
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4	6-6-2016 REVISED PER CITY COMMENTS

Fischer & Frichtel Custom Homes, LLC
and Consort Homes, LLC
 16640 CHESTERFIELD GROVE ROAD, SUITE 130
 CHESTERFIELD, MISSOURI 63005
 Ph. 636-770-7300

THE STERLING CO.
ENGINEERS & SURVEYORS
 5065 New Beaman Road
 St. Louis, Missouri 63129
 Ph 314-487-0440 Fax 314-487-8944
 www.sterling-eng-sur.com
 Corporate Certificate of Authority #001348

The Villages at Brightleaf
 WILKESBORO, MISSOURI
 SITE DEVELOPMENT PLAN
 NATURAL RESOURCES MAP

Date: 06-06-2016
 MICHAEL G. BOERDING
 License No. E-28643
 Civil Engineer

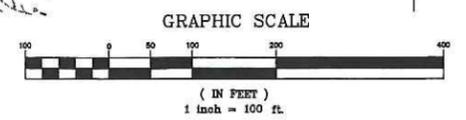
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Date	June 6, 2016
Designed: MF	Sheet
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Checked: SL	SDP

MSD Base Map 23-V
 MSD P #
 Highway & Traffic #





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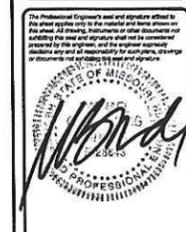
MSD Base Map 23-V
Highway & Traffic #

ISSUE	REMARKS/DATE
1	3-22-2016 INITIAL SUBMITTAL
4	6-25-2016 REVISED PER CITY COMMENTS

Fischer & Frichtel Custom Homes, LLC
and Consort Homes, LLC
16640 CHESTERFIELD GROVE ROAD, SUITE 130
CHESTERFIELD, MISSOURI 63005
Ph. 636-770-7300

THE **STERLING** CO.
ENGINEERS & SURVEYORS
5055 New Baumgartner Road
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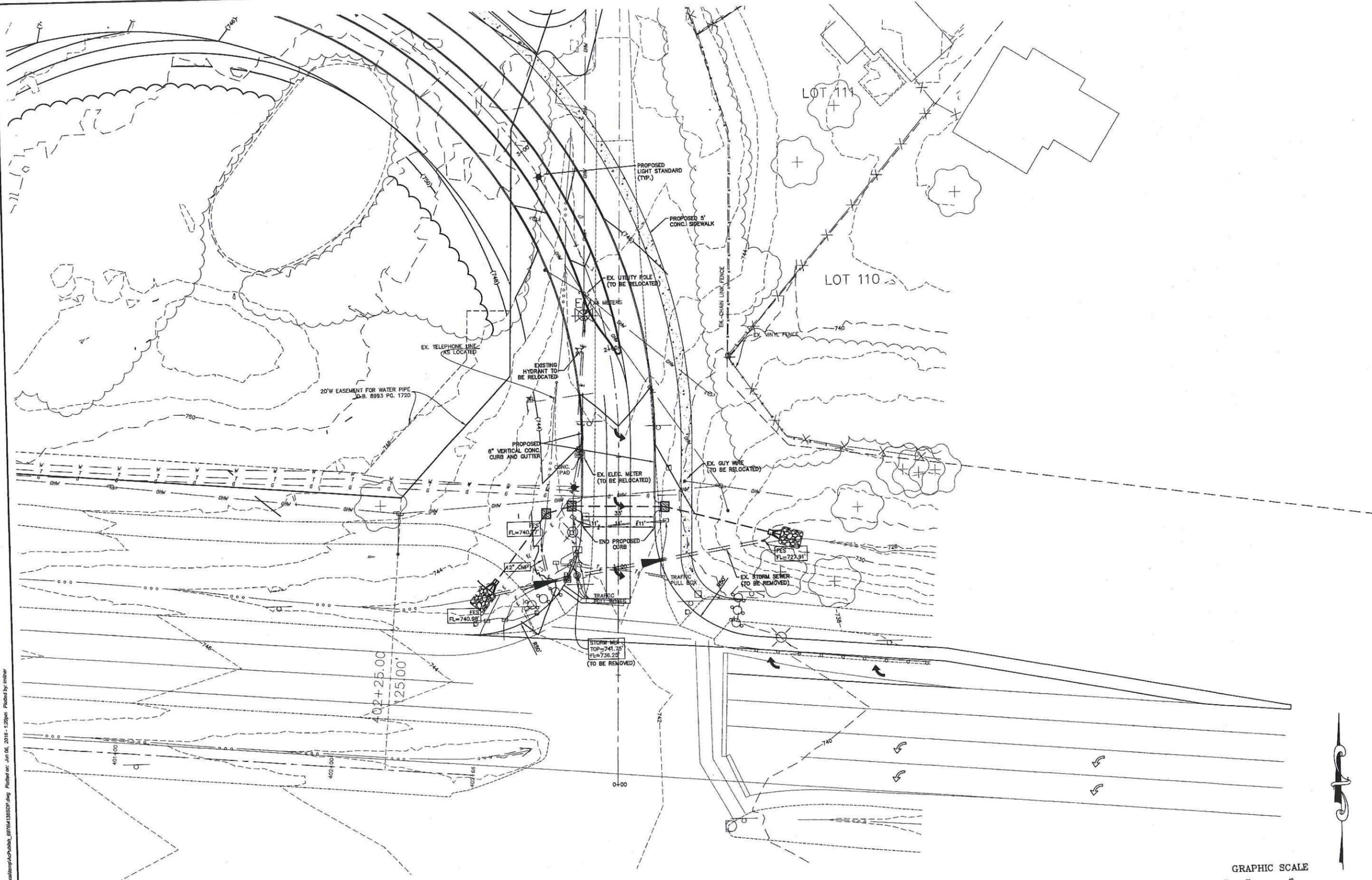
The Villages at Brightleaf
Wildwood, Missouri
SITE DEVELOPMENT PLAN
NATURAL RESOURCES MAP



Date: 06-06-2016
MICHAEL G. BOERDING
License No. E-28843
Civil Engineer

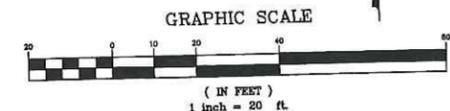
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Date	June 6, 2016
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Checked: SL	SDP

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THE UNDERGROUND UTILITIES SHOWN HEREON WERE PLOTTED FROM AVAILABLE INFORMATION AND DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, NONEXISTENCE, SIZE, TYPE, NUMBER OR LOCATION OF THESE OR OTHER UTILITIES. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UNDERGROUND UTILITIES SHOWN OR NOT SHOWN, AND SAID UTILITIES SHALL BE LOCATED IN THE FIELD PRIOR TO ANY GRADING, EXCAVATION OR CONSTRUCTION OF IMPROVEMENTS. THESE PROVISIONS SHALL IN NO WAY ABSOLVE ANY PARTY FROM COMPLYING WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 319, RSMo.



MSD Base Map 23-V
 MSD P #
 Highway & Traffic #

ISSUE	REMARKS/DATE
1	3-22-2016, INITIAL SUBMITTAL
4	6-6-2016 REVISED PER CITY COMMENTS

Fischer & Frichtel Custom Homes, LLC
and Consort Homes, LLC
 16640 CHESTERFIELD GROVE ROAD, SUITE 130
 CHESTERFIELD, MISSOURI 63005
 Ph. 636-770-7300

THE STERLING CO.
ENGINEERS & SURVEYORS
 5055 New Baumgartner Road
 St. Louis, Missouri 63129
 Ph. 314-487-0440 Fax. 314-487-8944
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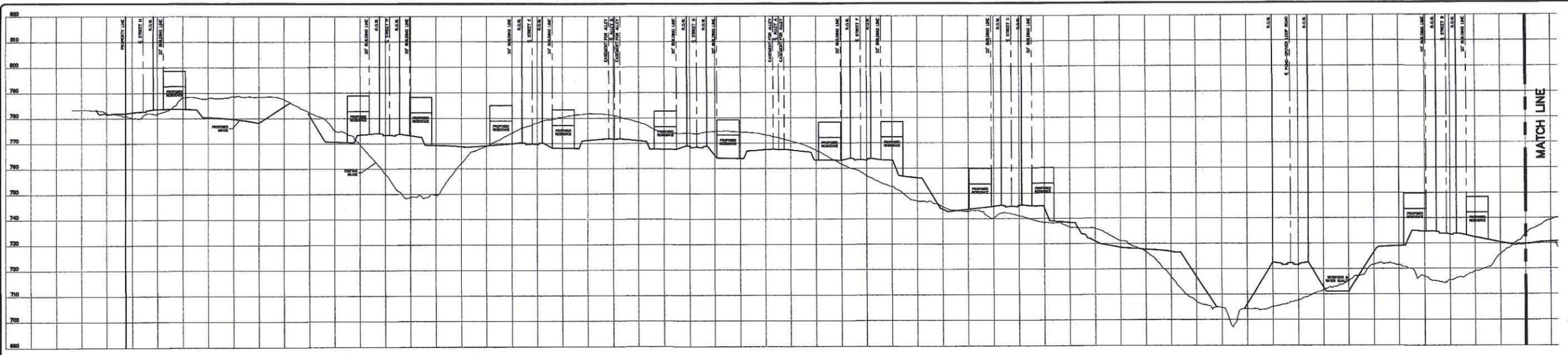
The Villages at Brightleaf
 Willowood, Missouri
 SITE DEVELOPMENT PLAN
 ENTRANCE DETAIL



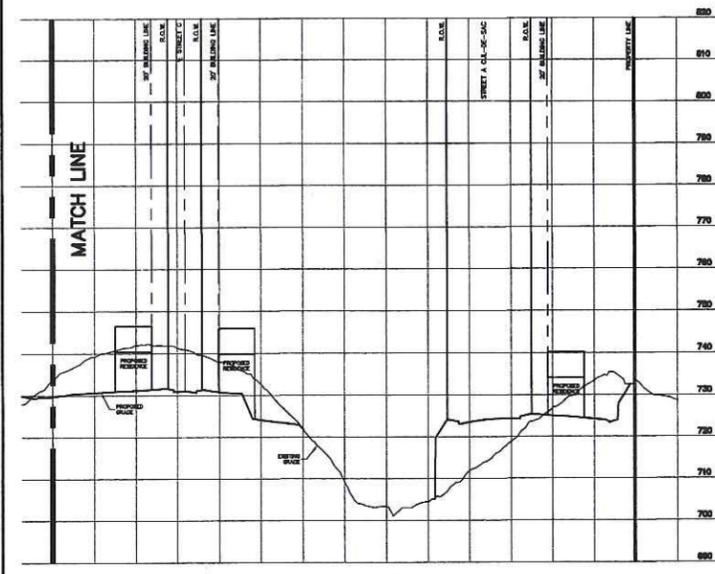
Date: 06-06-2016
 MICHAEL G. BOERDING
 License No. E-28643
 Civil Engineer

Job Number
14-04-138
 Date
June 6, 2016
 Designed: MF Sheet
 Drawn: SL **5.1**
 Checked: SL **SDP**

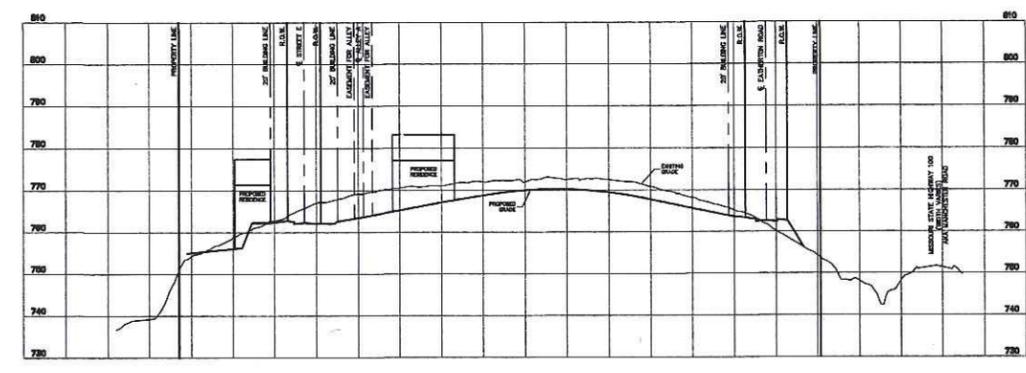
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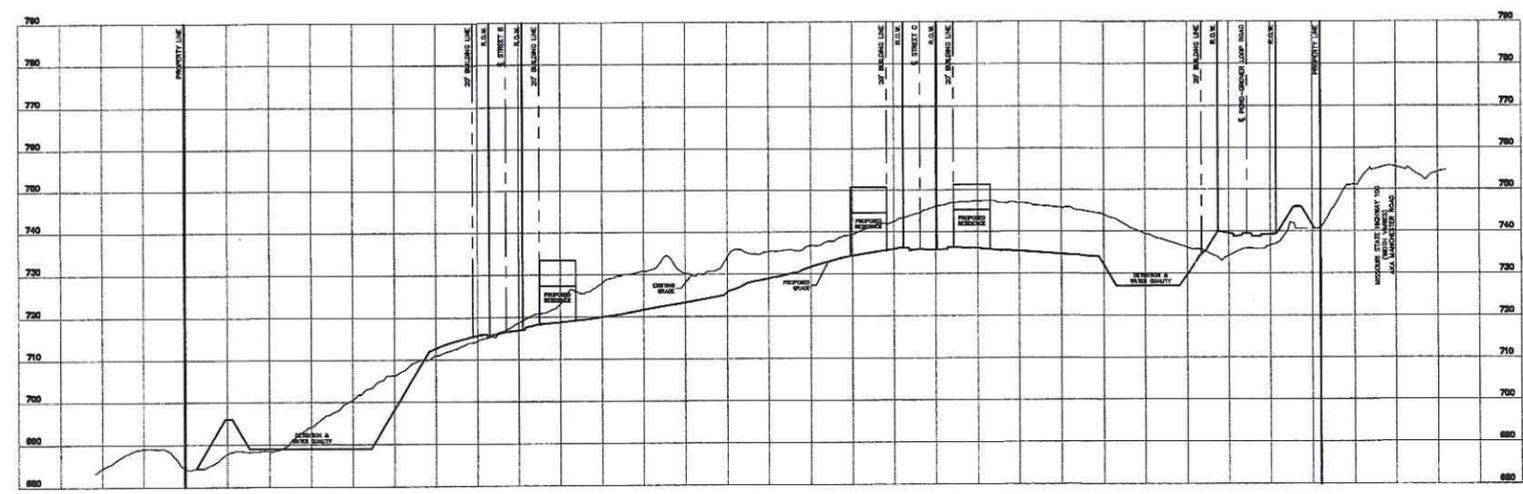
SECTION A-A



SECTION A-A



SECTION B-B



Drawing name: C:\Users\mstapp\appdata\local\temp\AutoCAD_697641\SSSDP.dwg Plot date: Jun 06, 2016 - 1:27 pm Plotted by: mstapp

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A1	734.0	734.0	0.0			
				2.0	43.6	87
A2	734.0	730.0	4.0			
				2.0	42.6	85
A3	734.0	734.0	0.0			
TOTALS					86	172

ID Point	Top Wall Elevation	Bottom Wall Elevation	Wall Height (ft)	Average Wall Height (ft)	Length (ft)	Area (sff)
B1	749.6	749.0	0.6			
				1.1	48	53
B2	755.1	753.5	1.6			
				4.2	66.7	280
B3	761.8	755.0	6.8			
				6.6	62.2	414
B4	760.6	754.1	6.5			
				9.6	62.2	597
B5	759.3	746.6	12.7			
				17.9	62.2	1110
B6	758.1	735.1	23.0			
				17.9	62.2	1110
B7	756.8	744.1	12.7			
				8.1	62.2	507
B8	755.6	752.0	3.6			
				2.4	20.7	50
B9	755.2	754.0	1.2			
TOTALS					446	4121

ID Point	Top Wall Elevation	Bottom Wall Elevation	Wall Height (ft)	Average Wall Height (ft)	Length (ft)	Area (sff)
C1	736.1	736.0	0.1			
				0.5	30.5	15
C2	734.0	733.1	0.9			
				3.1	90.3	284
C3	730.0	724.6	5.4			
				6.7	50.8	340
C4	729.2	721.2	8.0			
				7.2	15.4	111
C5	728.0	721.6	6.4			
				4.6	31	144
C6	726.0	723.1	2.9			
				1.4	18.8	27
C7	725.0	725.0	0.0			
TOTALS					237	922

ID Point	Top Wall Elevation	Bottom Wall Elevation	Wall Height (ft)	Average Wall Height (ft)	Length (ft)	Area (sff)
D1	756.7	756.7	0.0			
				1.2	16.6	20
D2	756.4	754.0	2.4			
				3.0	18.3	55
D3	755.6	752.0	3.6			
				2.8	33.6	94
D4	754.0	752.0	2.0			
				1.1	12	13
D5	753.1	753.0	0.1			
TOTALS					81	182

ID Point	Top Wall Elevation	Bottom Wall Elevation	Wall Height (ft)	Average Wall Height (ft)	Length (ft)	Area (sff)
E1	732.0	732.0	0.0			
				1.8	55	96
E2	732.0	728.5	3.5			
				3.5	54.9	192
E3	732.0	728.5	3.5			
				3.5	11.5	40
E4	732.0	728.5	3.5			
				3.5	11.2	39
E5	732.0	728.5	3.5			
				3.5	31.3	110
E6	732.0	728.5	3.5			
				3.5	41	144
E7	732.0	728.5	3.5			
				1.8	23.7	41
E8	732.0	732.0	0.0			
TOTALS					229	662

ID Point	Top Wall Elevation	Bottom Wall Elevation	Wall Height (ft)	Average Wall Height (ft)	Length (ft)	Area (sff)
F1	708.3	707.4	0.9			
				1.6	7.9	13
F2	709.7	707.4	2.3			
				3.7	33.2	121
F3	709.7	704.7	5.0			
				4.8	33.6	160
F4	709.7	705.2	4.5			
				2.3	22.7	51
F5	704.8	704.8	0.0			
TOTALS					97	344

ID Point	Top Wall Elevation	Bottom Wall Elevation	Wall Height (ft)	Average Wall Height (ft)	Length (ft)	Area (sff)
G1	722.3	722.0	0.3			
				2.8	7.9	22
G2	722.3	717.0	5.3			
				8.6	33.2	286
G3	723.0	711.1	11.9			
				10.4	33.6	348
G4	722.8	714.0	8.8			
				4.9	22.7	111
G5	723.0	722.0	1.0			
TOTALS					97	767

ID Point	Top Wall Elevation	Bottom Wall Elevation	Wall Height (ft)	Average Wall Height (ft)	Length (ft)	Area (sff)
H1	712.0	711.3	0.7			
				3.5	19.3	68
H2	716.0	709.7	6.3			
				9.8	34.9	342
H3	720.0	706.7	13.3			
				13.9	17.1	238
H4	720.0	705.5	14.5			
				14.3	10.1	144
H5	718.7	704.6	14.1			
				14.0	9.7	136
H6	717.6	703.7	13.9			
				13.8	9	124
H7	717.0	703.3	13.7			
				12.5	30.8	383
H8	714.0	702.8	11.2			
				9.0	22.9	205
H9	710.0	703.3	6.7			
				4.0	27.3	108
H10	706.0	704.8	1.2			
TOTALS					181	1748

ID Point	Top Wall Elevation	Bottom Wall Elevation	Wall Height (ft)	Average Wall Height (ft)	Length (ft)	Area (sff)
J1	714.0	713.9	0.1			
				2.1	12.2	25
J2	714.0	710.0	4.0			
				5.5	17.4	96
J3	714.0	707.0	7.0			
				7.0	50.5	354
J4	714.0	707.0	7.0			
				6.3	51	319
J5	714.0	708.5	5.5			
				4.8	5.6	27
J6	714.0	710.0	4.0			
				2.0	11.9	24
J7	714.0	714.0	0.0			
TOTALS					149	843

ID Point	Top Wall Elevation	Bottom Wall Elevation	Wall Height (ft)	Average Wall Height (ft)	Length (ft)	Area (sff)
K1	740.0	739.5	0.5			
				1.1	41.7	46
K2	738.8	737.1	1.7			
				2.7	62.2	171
K3	736.8	733.0	3.8			
				4.5	62.2	283
K4	734.5	729.2	5.3			
				5.3	62.2	333
K5	731.8	726.4	5.4			
				4.8	62.2	302
K6	728.3	724.0	4.3			
				2.2	62.2	137
K7	724.0	723.9	0.1			
TOTALS					353	1271

ISSUE	REMARKS/DATE
1	3-22-2016, INITIAL SUBMITTAL
4	6-4-2016 REVISED PER CITY COMMENTS

Fischer & Frichtel Custom Homes, LLC
and Consort Homes, LLC
 16640 CHESTERFIELD GROVE ROAD, SUITE 130
 CHESTERFIELD, MISSOURI 63005
 Ph. 636-770-7300

THE STERLING CO.
ENGINEERS & SURVEYORS
 5056 New Baumgartner Road
 St. Louis, Missouri 63129
 www.sterling-eng-survey.com
 Ph. 314-487-0440 Fax 314-487-0944
 Corporate Certificate of Authority #001948

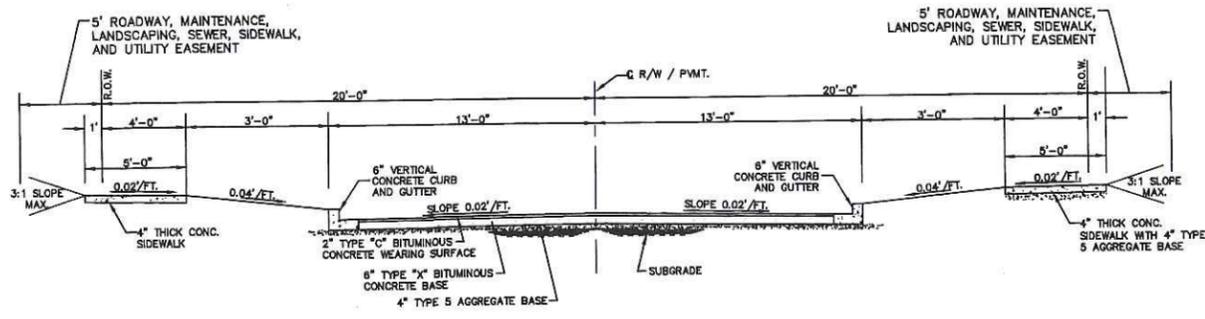
The Villages at Brightleaf
 Wildwood, Missouri
SITE DEVELOPMENT PLAN
WALL SCHEDULE



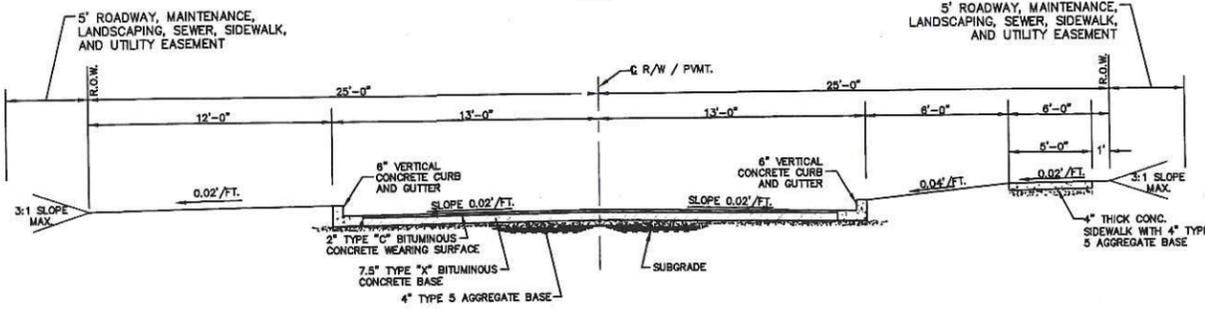
Date: 06-06-2016
 MICHAEL G. BOERDING
 License No. E-28643
 Civil Engineer

Job Number
14-04-138
 Date
June 6, 2016
 Designed: MF Sheet
 Drawn: SL **7.1**
 Checked: SL **SDP**

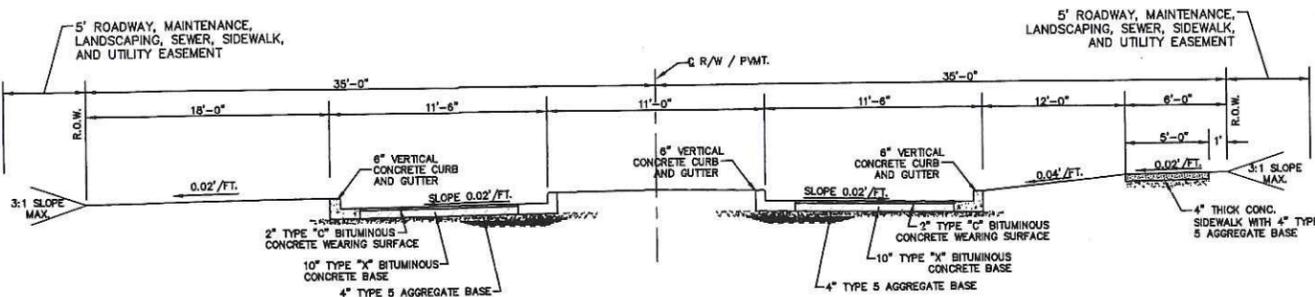
MSD Base Map 23-V
 MSD P #
 Highway & Traffic #



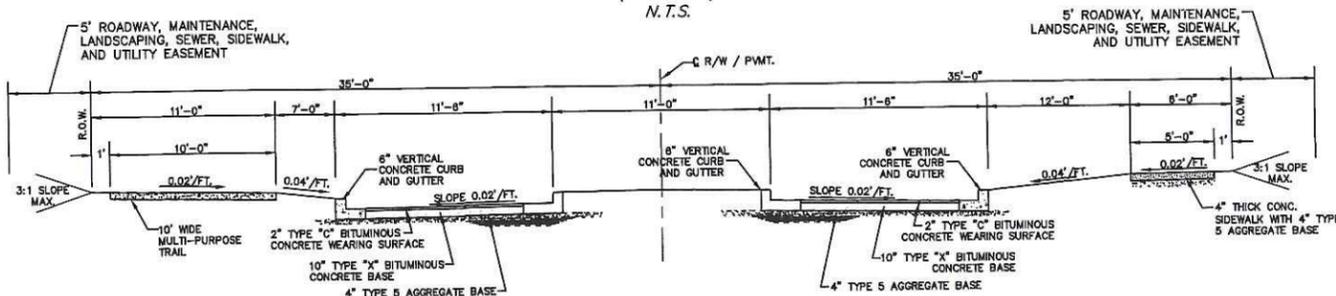
TYPICAL PVMT. SECTION
(26' PAVEMENT / 40' R.O.W.)
N.T.S.



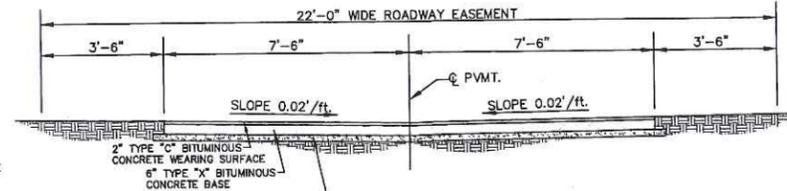
"EATHERTON ROAD"
TYPICAL PVMT. SECTION
(26' PAVEMENT / 50' R.O.W.)
N.T.S.



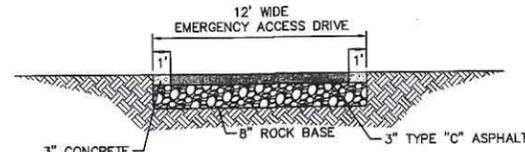
"POND GROVER LOOP ROAD"
HIGHWAY 100 TO ROUNDABOUT
TYPICAL PVMT. SECTION
(70' R.O.W.)
N.T.S.



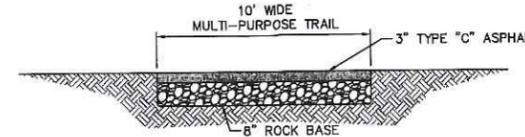
"POND GROVER LOOP ROAD"
ROUNDABOUT TO POND GROVER LOOP ROAD EXTENSION
TYPICAL PVMT. SECTION
(70' R.O.W.)
N.T.S.



TYPICAL ALLEY PAVEMENT SECTION
(15' PAVEMENT/22' ROADWAY EASEMENT)



12 ft. EMERGENCY ACCESS DRIVE
N.T.S.



MULTI-PURPOSE TRAIL
N.T.S.

Approval Drawing
Light Sht: F144-L-P440-2-MOD-4PA-12

Wildwood Standard Residential Aluminum Pole

Diffuser Type: Clear
Diffuser Material: Acrylic U.V. stabilized.
Optical System: Segmented reflector type III.
Luminaire Housing: The whole luminaire is made of cast aluminum. Top is fully hinged for easy access to lamp and ballast.
Ballast: MH high power factor mounted on removable plate. A quick disconnect wiring system allows for fast easy ballast maintenance.
Wattage - 180W (84H)
Voltage - 120V
Socket - Medium (M10)
Option: Decorative Canopy
Pole: Extruded 4\"/>

HCI
1281 Fawcett Drive, Mississauga, Ontario, Canada L4V 1A4
www.hci-lighting.com

LIGHT DETAIL TO BE USED ON LIGHTS SHOWN ON POND-GROVER LOOP ROAD ONLY. ALL OTHER LIGHTS SHOWN WILL BE DECORATIVE STREET LIGHTS FROM LIST PROVIDED BY AMEREN UE.

Approval Drawing
Pole Sht: P430-2-4PA-11

Wildwood Standard Decorative Street Sign & Pole
(with decorative Stop Sign)

NOTE: Name plate, backing and artwork not shown.

Street Sign: The street sign frame shall be a one-piece aluminum casting with a solid backing and a 1\"/>

Traffic Sign: The traffic sign frame shall be a one-piece aluminum casting with a solid backing and a 1\"/>

Pole: Extruded aluminum, thickness 0.125\"/>

Base Cover: Two-piece cast aluminum attached to shaft by 4 U.S. set screws.
Anchor bolts: 4 galvanized 19mm (3/4\") x 610 mm (24\") long. A bolt circle template is supplied by HCI.
Anchor Circle: 10\"/>

Finish: Electrostatically applied thermoset polyester powder coat finish.
Color: RAL 9011 (Black)

HCI
1281 Fawcett Drive, Mississauga, Ontario, Canada L4V 1A4
www.hci-lighting.com

ISSUE	REMARKS/DATE
1	3-22-2016 INITIAL SUBMITTAL
4	6-6-2016 REVISED PER CITY COMMENTS

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and **Consort Homes, LLC**
16640 CHESTERFIELD GROVE ROAD, SUITE 130
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THE STERLING CO.
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5955 New Baumgartner Road
St. Louis, MO 63120
Ph: 314-877-6440 Fax: 314-487-8944
www.sterling-eng-survey.com
Corporate Certificate of Authority #001348

The Villages at Brightleaf
Wildwood, Missouri
SITE DEVELOPMENT PLAN
DETAILS

The Professional Engineer's seal and signature are to be placed on the right side of the drawing. All drawings are the property of the firm and no part thereof shall be reproduced or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the firm.

Date: 06-06-2016
MICHAEL G. BOERDING
License No. E-28643
Civil Engineer

Job Number: 14-04-138
Date: June 6, 2016
Designed: MF Sheet
Drawn: SL 8.1
Checked: SL SDP

MSD Base Map 23-V
MSD P #
Highway & Traffic #

Drawing name: C:\Users\miller\AppData\Local\Temp\p440-2-MOD-4PA-12.dwg Plotted on: Jun 06, 2016 - 1:27 pm Plotted by: miller

- 5. 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 accordance 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.
 - 6. Landscaping with the defined common ground area shall comply with Ordinance 410 Tree Preservation and Restoration Code requirements and accompanying Tree Manual. The Planning and Zoning Commission, on the Site Development Plan, shall approve the planting pattern. Amenities, such as benches, lights, and walking paths shall be installed in the open space area of the residential development by the developer of these one hundred ninety-four (194) eighty-seven (87) dwelling units.
 - 7. The developer shall provide a minimum twenty (20) foot wide, landscaped buffer strip, within a perpetual easement dedicated to the Homeowners Association for its maintenance and care, along the entire eastern boundary of the site, where existing woodlands are not preserved, for plantings, as reviewed and acted upon by the Planning and Zoning Commission.
 - 8. A Landscape Architect shall sign and submit all plans for review and approval for this mixed-use development.
- Signs - Residential**
- 9. Signs for this P.R.D. Overlay District shall be erected in accordance with the Town Center Plan Architectural Guidelines and Section 435.41D Sign Regulations of the City of Wildwood Zoning Ordinance for the R-3 30,000 square foot Residential District.
 - 10. 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**
- 11. 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**
- 12. The design, color, material, and location of all garden and screen walls or fences, if planned or required, 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.

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

The Planning and Zoning Commission is recommending these fees be credited to the developer for the purposes of assisting with completion of required improvements within the right-of-way of the Pond-Cover Loop Road, if constructed. Additionally, credits may also be considered toward the construction of the Eatherton Road extension through the subject site, but would be solely based upon the difference in cost of a residential type street, of the same dimensions, versus this arterial type roadway. Credits would only be considered for the Eatherton Road Extension, if Pond-Cover Loop Road were not to be constructed. The granting of these credits is at the sole discretion of the City Council.

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. Siphonholes are not adequate points of natural discharge and may not be disturbed.
- 3. Retention/detention of differential runoff of stormwater shall be required. Stormwater management shall be provided in permanent retention/detention facilities, such as ponds or other acceptable alternatives. These retention/detention facilities shall be completed and in operation prior to the issuance of building permits for an approved dwelling unit, except display lots.
- 4. All proposed retention/detention facilities and related stormwater improvements shall be located in a common ground area and insure perpetual maintenance to the Homeowners Association to be created at the time of platting of this development, unless otherwise accepted by the Metropolitan St. Louis Sewer District.
- 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/Missouri Department of Transportation (MoDOT) 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 developer's use of this subject site (and/or future site/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 protected waterways and floodplain areas. This study shall minimally provide information relating to disturbance of any protected areas and be reviewed and acted upon by the Department of Public Works, as part of the Site Development Plan submittal process.

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 (Wildwood), the Missouri Department of Transportation, the Metro West Fire Protection District, the Missouri Department of Natural Resources, and the Metropolitan St. Louis Sewer District must be received by the Department of Planning.
- b. Prior to the issuance of a foundation or building permit for any lot, which adjoins the common ground area and/or detention, basin, written certification from a Professional Engineer which verifies these areas are graded in accordance with the approved plans, must be received by the Department of Planning.

Roadway Improvements

- c. Improvements to State Route 100 and Eatherton Road must be completed prior to the issuance of building permits in excess of ten (10) 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 Zoning 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 415.430 and 415.510 of the City of Wildwood Zoning Code.

Escrow Requirements

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

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.

1. 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 415.250 and 415.270 of the City of Wildwood's Zoning Ordinance. The City Council accepted 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 or greater 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 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 0.248-4 square feet per new single family dwelling. The provision of public space shall substantially comply with the Preliminary Development Plan submitted in conjunction at the public meeting on November 3, 2015.

Editor's Note: Changes to the report from its October 5, 2015 version to the November 3, 2015 are with a single strike-through line. Previous changes considered by the members at their October 5, 2015 Planning and Zoning Commission meeting are indicated by double lines. No modifications have been made to the latter of recommendations, since the Planning and Zoning Commission took action upon it on November 16, 2015, amending Ordinance 415.270. This condition was recommended for a change, as part of the motion and vote on the overall Letter of Recommendation, which, again, failed for a lack of majority. Changes to the latter of recommendations, which were supported by the City Council and included for inclusion in the proposed Ordinance, are indicated in brown, bolded type. Blue, bolded type reflects changes from the January 11, 2016 City Council meeting.

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

This Bill was passed and approved this 25 day of January, 2016, 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.

[Signatures]
 Planning Officer: *[Signature]*
 Timothy W. Wagner, Mayor

ATTEST:
[Signature]
 Liz Weiss, City Clerk

aa. 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.

bb. 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.

cc. All retaining walls exceeding three (3) feet in height per section or crossing individual property lines shall be constructed of an appropriate interlocking 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.

dd. 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.

ee. No portion of any lot that is to be located within the proposed right-of-way shall be used as a driveway or access point to the subject site. The Pond-Cover Loop Road shall extend closer than thirty (30) feet to the abutting Planned Residential Development Overlay District (PRD) boundary to their north. This buffer area shall be protected from all land disturbance activities. Additionally, the common boundary between this site and the Sandalwood Creek and Hummers Run Subdivisions shall be separated by a minimum ten (10) foot buffer area that is common ground. This area shall also be protected from all land disturbance activities.

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 licenses of building permits for the authorized lots are approved. This contribution shall not exceed the amount established by multiplying the number of permitted parking spaces by the following rate:

Type of Development	Required Contribution
Single Family Dwelling (detached)	\$155.10/Parking Space

(Section 415.280 of the City of Wildwood Zoning Code defines a parking space.)

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 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 suitability of grading and improvements with soil and geologic conditions which are susceptible to rapid erosion, landslides, and/or creep. A statement of compliance with this study, signed by the Geotechnical Engineer preparing the report, shall be included on all Site Development Plans. The development and construction plans shall be designed to conform to the requirements and conditions of the Geotechnical Report. The Geotechnical Engineer shall be required to sign and seal all plans with a certification the proposed construction will be completed in accordance with the grading and soils requirements and conditions contained in the report.

Stormwater Pollution Prevention Plan

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

Natural Resource Protection Plan

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

Environmental Assessment - Phase One

- e. 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 property, which indicates its current condition relative to its past utilization by other owners. Determination regarding any required modification shall be identified and completed, prior to the approval of the Record Plat and before the occupancy of any residential unit, all in accordance with State and federal standards and guidelines, as set forth by the United States Environmental Protection Agency (EPA) and the Missouri Department of Natural Resources (MDNR), for any determined contaminant exceeding a residential cleanup standard/guideline, with the cost borne for such by the developer and not the City of Wildwood.

Floodplain Study and Plans/Wetlands Study

- f. The developer shall provide a floodplain/wetlands study to the Department of Public Works indicating compliance to the requirements of the City of Wildwood, the U.S. Army Corp of Engineers, and the Federal Emergency Management Agency (FEMA) regarding disturbance or development in

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 this development. Said plans will be used to calculate escrow requirements for these identified improvements.

Sanitary Sewage System

- h. The developer shall provide verification from the Metropolitan St. Louis Sewer District that public sewer service has been provided to this site. Verification shall be in a form acceptable to the City of Wildwood.

Potable Water Service

- 1. The developer shall provide verification from the Missouri American Water Company that service to this subdivision can be provided at acceptable levels relative to the density of the project and not cause service issues to other households served by the same.

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 District

ISSUE	REMARKS/DATE
1	3-22-2016 INITIAL SUBMITTAL
4	6-6-2016 REVISED PER CITY COMMENTS

Fischer & Frichtel Custom Homes, LLC
 and Consort Homes, LLC
 16840 CHESTERFIELD GROVE ROAD, SUITE 130
 CHESTERFIELD, MISSOURI 63005
 Ph. 636-770-7300

THE STERLING CO.
 ENGINEERS & SURVEYORS
 6065 New Baumgartner Road
 St. Louis, Missouri 63129
 Ph. 314-487-0440 Fax. 314-487-0844
 www.sterling-eng-survey.com
 Corporate Certificate of Authority #001348

The Villages at Brightleaf
 Wildwood, Missouri
 SITE DEVELOPMENT PLAN
 ORDINANCE #2145

The Professional Engineer's seal and signature shall be affixed to the front cover of the plans and shall be affixed to the front cover of the report. All plans shall be prepared on 11x17 inch paper. The report shall be prepared on 8.5x11 inch paper. The report shall be prepared on 8.5x11 inch paper. The report shall be prepared on 8.5x11 inch paper.

[Signature]
 PROFESSIONAL ENGINEER
 MISSOURI
 2016

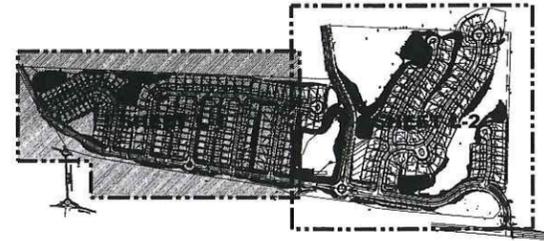
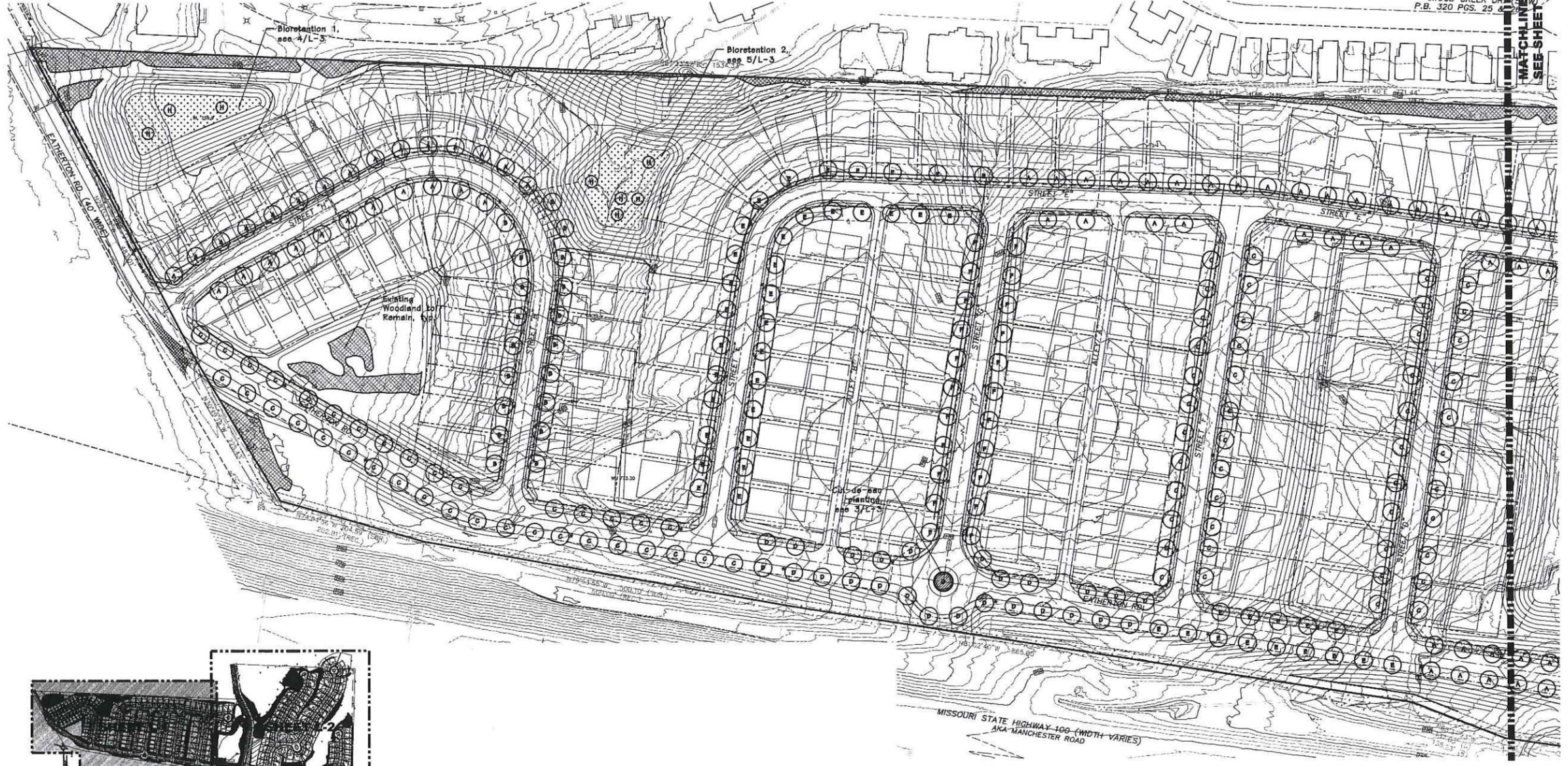
Date: 06-06-2016
 MICHAEL G. BOERDING
 License No. E-28043
 Civil Engineer

Job Number
 14-04-138

Date
 June 6, 2016

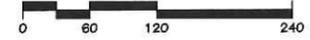
Designed: MF Sheet
 Drawn: SL 9.2
 Checked: SL SDP

MSD Base Map 23-V
 MSD P #
 Highway & Traffic #



KEY PLAN
 N.T.S.

LANDSCAPE PLAN
 SCALE 1"=60'



MATCHLINE:
SEE SHEET L-2

The Villages at Bright Leaf

Wildwood, Missouri

Revisions:

Date	Description	No.

Drawn: LWH
 Checked: JAS

loomis-associates
 Landscape Architects/Planners
 2728 Parkview Drive, Suite 205
 Chesterfield, Missouri 63005
 Phone: 636.863.8800
 Fax: 636.863.8801
 www.loomis-associates.com

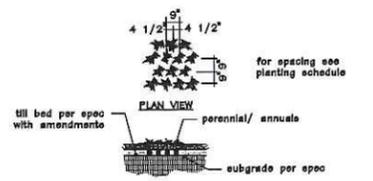
License: LAC 0000168
 Missouri State Certificate of Authority # LAC 0000168

Sheet Title: Landscape Plan
 Sheet No: L-1
 Date: 07/07/15
 Job #: 043.006

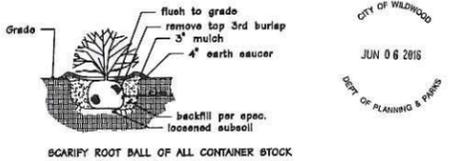
PLANTING SCHEDULE						
SPACING	QUANTITY	SYMBOL NUMBER	COMMON NAME	SIZE	TYPE	PERCENTAGE
STREET TREES						
A	121	Quercus rubra	Red Oak	2.5"	Deciduous	20.0%
B	93	Gleditsia tricanthos f. Inermis 'Skycole'	Skyline Honeylocust	2.5"	Deciduous	15.3%
C	128	Ginkgo biloba 'Autumn Gold'	Autumn Gold Ginkgo	2.5"	Deciduous	20.6%
D	65	Acer rubrum 'Frankford'	Red Sunset Maple	2.5"	Deciduous	10.7%
E	128	Quercus bicolor	Swamp White Oak	2.5"	Deciduous	20.6%
F	75	Taxodium distichum 'Mickleton'	Shawnee Brave Baldypress	2.5"	Deciduous	12.4%
606	TOTAL STREET TREES					=100%

- WILDWOOD GENERAL NOTES:**
- Individual homeowners must be notified at least one week prior to the installation of plants on lots that have an occupied dwelling.
 - Unless otherwise stipulated by specific requirements of the City of Wildwood Tree Manual, the landscaping shown on this plan must be planted in accordance with the latest edition of the Tree and Shrub Transplanting Manual published by the International Society of Arboriculture (P.O. Box GG, Savoy, IL 61874-9902)
 - All trees are to be located a minimum distance of 5' from all utility boxes, 5' from a storm drain inlet or manhole, 10' from a fire hydrant, 15' from public street lights, 5' from driveway aprons, 20' from any traffic control sign and at least 30' from any intersection.
 - Locations of street trees may be subject to change in order to avoid conflict with street lighting.
 - Any planting within a tree preservation area, as designated on the Tree Preservation Plan and shown on this plan, must be done to avoid any adverse impact to the roots of existing trees.
 - Plant substitutions are permitted with verbal or written approval from the City of Wildwood Planning Department.
 - All plant material will be reinspected for survival by the City of Wildwood Planning Department one year following installation and again two full growing seasons after planting.
 - All plants must meet standards of the latest edition of the American Standards for Nursery Stock sponsored by the Association of American Nurserymen.
 - No plant shall be located in areas of obvious poor drainage. If such conditions exist, contact the Landscape Architect immediately to relocate affected plant material.
 - Soil conditions must be tested, verified and adjusted by the landscape contractor to insure that appropriate soil composition and pH levels are suitable for plant material specified for that specific location.

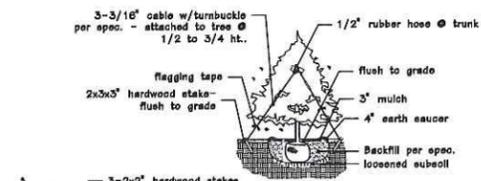
- LANDSCAPE CALCULATIONS:**
- Street Trees shall be installed a minimum of every 40 LF of proposed lot frontage. 17,241 LF ÷ 40 = 431 minimum street trees required
 - A maximum of forty percent (40%) of one (1) species may be utilized to meet planting requirements.
 - Street trees shall not be planted closer than three (3) feet to any curb.



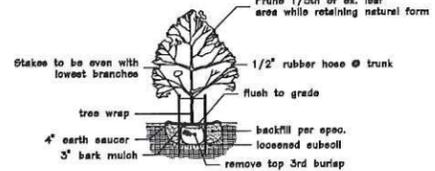
TYPICAL PERENNIAL PLANTING



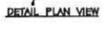
TYPICAL SHRUB PLANTING



TYPICAL EVERGREEN PLANTING



CANOPY TREE PLANTING



DETAIL PLAN VIEW



Jerald Saunders - Landscape Architect
MO License # LA-007

Consultants:

The Villages at Bright Leaf

Wildwood, Missouri

ID	Tree Species	DBH	Canopy Diam.	Condition Rating	Comment
1	Elm	35	50	2	some trunk decay at 4'
2	Sycamore	26	50	2	UTIL trimmed
3	Cottonwood	34	50	2	
4	White Ash	27	50	3	
5	Red Oak	27	40	2	
6	White Pine	20	25	3	
7	White Pine	24	30	2	broken lower limbs
8	Red Oak	24	60	2	some deadwood
9	Shingle Oak	25	50	2	iv
10	Red Oak	25	60	3	
11	Red Oak	24	60	3	
12	Hickory	24	60	4	
13	Elm	24	50	3	
14	Elm	24	50	3	vines
15	White Oak	30	60	2	fork at 5'
16	Red Oak	25	50	2	
17	White Oak	25	60	2	some deadwood
18	Hickory	30	60	2	fork at 5'
19	White Oak	26	70	2	some deadwood
20	White Oak	37	70	2	fork at 5'
21	Hickory	24	50	3	
22	Sassafras	28	40	3	
23	Silver Maple	46	60	2	some deadwood
24	Hickory	25	40	2	fence
25	Red Oak	28	50	3	
26	Red Oak	26	70	3	fork at 4'
27	Red Oak	24	60	2	fork at 4', fence
28	White Oak	28	60	3	vines
29	Shingle Oak	26	60	3	
30	Cedar	20	25	3	vines
31	Elm	43	80	3	vines
32	Elm	26	50	2	
33	Shingle Oak	24	50	2	fork at 4'
34	White Oak	35	70	3	
35	Elm	25	60	3	lower deadwood
36	Shingle Oak	39	70	2	
37	Elm	30	70	3	
38	Elm	24	60	3	some deadwood
39	Shingle Oak	30	60	3	deadwood
40	Shingle Oak	25	60	2	
41	Shingle Oak	28	50	3	
42	White Oak	25	50	3	
43	Red Oak	25	50	2	
44	White Oak	24	50	3	
45	White Oak	25	50	3	
46	White Oak	34	60	2	lower deadwood
47	White Oak	29	70	2	some deadwood
48	White Oak	28	60	3	
49	Shingle Oak	24	60	3	lower deadwood
50	White Pine	20	35	3	
51	Shingle Oak	24	60	2	
52	Shingle Oak	27	20	2	some deadwood
53	White Pine	26	50	3	
54	Shingle Oak	27	40	3	
55	White pine	20	50	2	vines
56	Shingle Oak	27	30	2	
57	Catalpa	27	50	2	
58	Pin Oak	29	60	3	
59	Cedar	20	30	3	
60	Red Oak	34	60	2	
61	Red Oak	24	50	3	
62	Red Oak	24	50	2	
63	Red Oak	28	50	2	

RATING: 1 = Poor
2 = Fair
3 = Good
4 = Excellent

Report

A. Age range of stand:	48+
B. Forest Type:	Oak-Hickory Hardwoods
C1. Dominant species:	Red and White Oaks, Shingle Oak, Hickory
C2. Co-dominant species:	Sassafras, Elm, Cedar, Persimmon
D. Density per acre:	272± of 2.5" DBH or greater
E. Ave. Canopy diameter:	19.4'
F. Ave. canopy DBH:	17.8"
G. % of dominant species:	24% Red and White Oaks, 24% Hickory, 14% Shingle Oak
H. Understory vegetation:	Bush Honeysuckle, Gooseberry, Multiflora Rose, Trumpet Honeysuckle, Virginia Creeper, Wintercreeper, May Apple
I. Apparent health problems:	Deadwood

BAF-10 Data:

Average Tree Basal Area (Sq.Ft.) / Basal Area per Acre (Sq.Ft.)

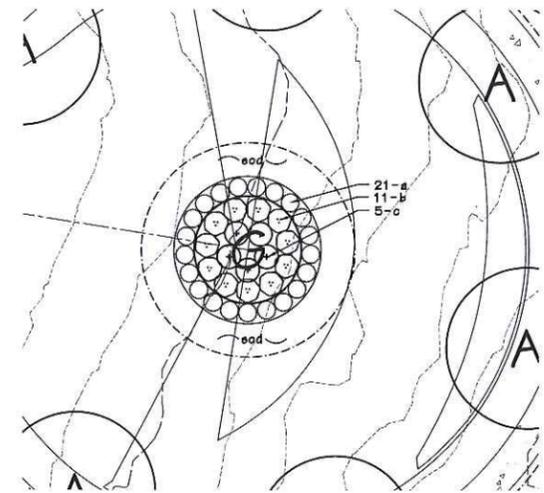
- SP1: 0.593 / 1718.69
 - SP2: 0.633 / 1835.00
 - SP3: 0.307 / 1260.89
 - SP4: 0.386 / 1180.11
 - SP5: 0.443 / 753.47
 - SP6: 0.514 / 1079.89
 - SP7: 0.542 / 1355.32
 - SP8: 0.466 / 1070.89
 - SP9: 0.320 / 959.90
- Total: 0.467 / 1327.34

Plot #	ID	Tree Species	DBH	Canopy Diam.	Condition Rating	Comment
SP1	100	Hickory	14	35	3	
SP1	101	White Oak	14	35	2	
SP1	102	Red Oak	24	45	2	
SP1	103	White Oak	5	15	2	
SP1	104	Hickory	12	30	3	
SP1	105	Red Oak	14	30	2	
SP1	106	Sassafras	5	20	3	
SP1	107	Hickory	10	35	3	
SP1	108	Red Oak	7	15	2	
SP1	109	Sassafras	7	15	2	
SP1	110	Sassafras	10	20	2	
SP1	111	Dogwood	3	15	3	
SP1	112	Hickory	4	20	3	
SP1	113	White Oak	5	12	3	
SP1	114	Hickory	14	40	3	fork at 2'
SP1	115	White Oak	10	20	2	
SP1	116	White Oak	10	30	3	
SP1	117	Sugar Maple	2.5	12	4	
SP1	118	Hackberry	2.5	10	3	
SP1	119	Hackberry	6	20	2	
SP1	120	Hickory	2.5	15	3	
SP1	121	Cedar	2.5	8	4	
SP1	122	Dogwood	5	15	2	
SP1	123	Dogwood	4	12	2	
SP1	124	Elm	3	12	2	
SP1	125	Hickory	30	60	2	
SP1	126	Cedar	4	8	2	
SP1	127	Hickory	2.5	8	2	
SP1	128	Sassafras	4	15	3	
SP2	129	White Oak	8	25	2	
SP2	130	White Oak	7	15	2	
SP2	131	White Oak	12	25	2	
SP2	132	Hickory	6	20	4	
SP2	133	Hickory	6	15	4	
SP2	134	Hickory	3	8	3	
SP2	135	White Oak	10	25	3	
SP2	136	White Oak	14	35	2	
SP2	137	Shingle Oak	22	40	2	
SP2	138	Shingle Oak	7	20	2	
SP2	139	White Oak	6	20	2	
SP2	140	Hickory	7	20	3	
SP2	141	Hickory	8	25	3	
SP2	142	Red Oak	12	40	2	
SP2	143	Hickory	4	15	3	
SP2	144	Hickory	16	35	3	
SP2	145	Hickory	2.5	8	3	
SP2	146	White Oak	6	20	3	
SP2	147	White Oak	10	40	3	
SP2	148	Hickory	6	20	4	
SP2	149	White Oak	20	35	3	
SP2	150	Red Oak	18	35	1	
SP2	151	Hickory	2.5	8	3	
SP2	152	Shingle Oak	12	30	2	
SP2	153	White Oak	6	20	3	
SP2	154	Shingle Oak	14	20	2	
SP2	155	White Oak	12	40	2	
SP2	156	White Oak	14	35	3	
SP2	157	Cedar	6	12	3	
SP2	158	Shingle Oak	12	20	3	
SP3	159	Shingle Oak	20	35	2	
SP3	160	Dogwood	2.5	12	3	
SP3	161	Shingle Oak	14	30	3	
SP3	162	Shingle Oak	12	30	2	
SP3	163	Shingle Oak	8	15	3	
SP3	164	Sassafras	8	20	2	
SP3	165	Sassafras	3	6	2	
SP3	166	Persimmon	8	15	3	
SP3	167	Persimmon	8	15	3	iv
SP3	168	Sassafras	3	6	2	
SP3	169	Hickory	5	12	3	
SP3	170	Hickory	4	12	3	
SP3	171	Sassafras	3	6	2	
SP3	172	Sassafras	4	8	2	
SP3	173	Persimmon	5	8	3	
SP3	174	Cedar	5	8	2	
SP3	175	Shingle Oak	5	8	2	
SP3	176	Shingle Oak	14	40	2	
SP3	177	Cedar	6	20	2	
SP3	178	Shingle Oak	12	40	2	
SP3	179	Persimmon	3	6	3	
SP3	180	Shingle Oak	6	15	2	
SP3	181	Sassafras	8	0	0	
SP3	182	Sassafras	8	0	0	
SP3	183	Sassafras	8	0	0	
SP3	184	Sassafras	3	0	0	
SP3	185	Sassafras	6	0	0	
SP3	186	Sassafras	4	0	0	
SP3	187	Sassafras	5	6	1	
SP3	188	Elm	4	10	3	
SP3	189	Sassafras	4	10	3	
SP3	190	Elm	6	10	3	
SP3	191	Sassafras	8	0	0	
SP3	192	Sassafras	8	0	0	
SP3	193	Shingle Oak	6	20	2	
SP3	194	Sassafras	3	6	1	
SP3	195	Sassafras	4	8	2	
SP3	196	Sassafras	4	8	2	
SP3	197	Elm	3	10	2	
SP3	198	Elm	6	20	3	
SP4	199	Shingle Oak	24	60	3	
SP4	200	Hickory	8	25	3	
SP4	201	Hickory	6	20	3	
SP4	202	Hickory	6	20	3	
SP4	203	Hickory	4	8	3	
SP4	204	Hickory	4	8	3	
SP4	205	White Oak	12	35	2	
SP4	206	Sassafras	8	15	2	
SP4	207	Hickory	10	30	4	
SP4	208	Hickory	8	25	4	
SP4	209	Hickory	5	15	3	
SP4	210	Hickory	7	25	4	
SP4	211	Hickory	6	15	4	
SP4	212	Hickory	4	10	4	
SP4	213	Elm	5	15	2	
SP4	214	Shingle Oak	12	35	2	
SP4	215	Hickory	5	12	4	
SP4	216	Hickory	8	25	4	
SP4	217	Hickory	10	25	4	
SP4	218	Hickory	7	20	4	
SP4	219	Hickory	6	20	3	
SP4	220	Hickory	6	20	4	
SP4	221	Hickory	7	20	4	
SP4	222	White Oak	10	35	3	
SP4	223	White Oak	12	35	2	
SP4	224	Elm	8	25	2	
SP4	225	Shingle Oak	4	20	3	
SP4	226	Hickory	3	15	4	
SP4	227	Hickory	3	15	4	
SP4	228	Sassafras	4	10	2	

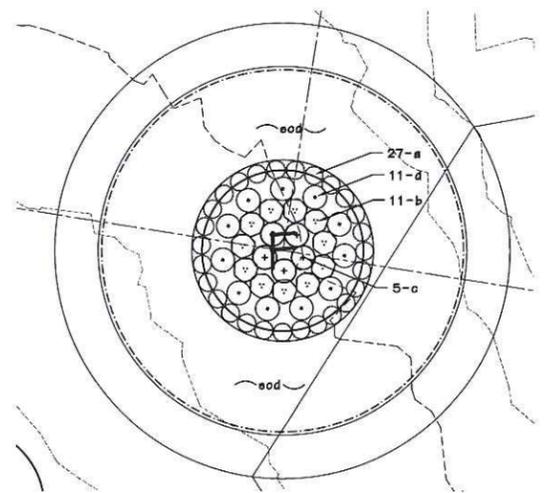
Plot #	ID	Tree Species	DBH	Canopy Diam.	Condition Rating	Comment
SP5	229	Hickory	6	20	3	
SP5	230	Hickory	6	20	3	
SP5	231	Hickory	4	8	3	
SP5	232	Shingle Oak	4	20	3	
SP5	233	Hickory	3	15	4	
SP5	234	Sassafras	4	10	2	
SP5	235	Elm	6	10	3	
SP5	236	Sassafras	6	12	2	
SP5	237	White Oak	12	35	2	
SP5	238	Sassafras	8	15	2	
SP5	239	Red Oak	18	35	1	
SP5	240	Hickory	2.5	8	3	
SP5	241	White Oak	14	35	2	
SP5	242	White Oak	10	30	3	
SP5	243	Sugar Maple	2.5	12	4	
SP5	244	Shingle Oak	14	20	2	
SP5	245	White Oak	12	40	2	
SP5	246	White Oak	10	25	3	
SP5	247	White Oak	14	35	2	
SP5	248	Shingle Oak	22	40	2	
SP5	249	Shingle Oak	7	20	2	
SP5	250	White Oak	6	20	2	
SP5	251	Cedar	5	8	3	
SP5	252	Cedar	7	8	4	
SP5	253	Cedar	8	8	3	
SP5	254	Cedar	4	8	4	
SP5	255	Hickory	4	8	3	
SP5	256	White Oak	12	35	2	
SP5	257	Cedar	8	20	2	
SP5	258	Sassafras	8	15	2	
SP5	259	Hickory	10	30	4	
SP5	260	White Oak	12	40	2	
SP5	261	White Oak	14	35	3	
SP5	262	Cedar	6	12	3	
SP						



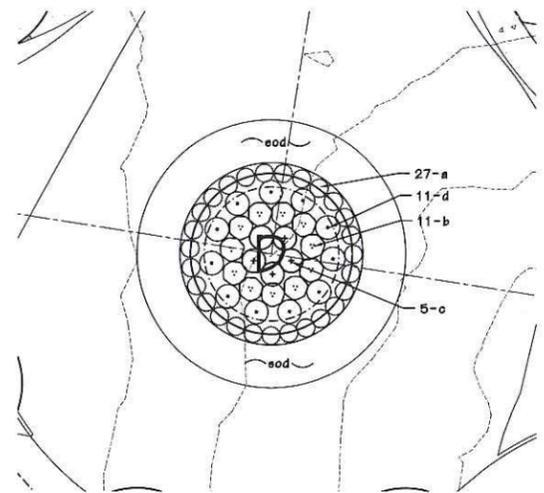
Jerald Saunders - Landscape Architect
MO License # LA-007
Consultants:



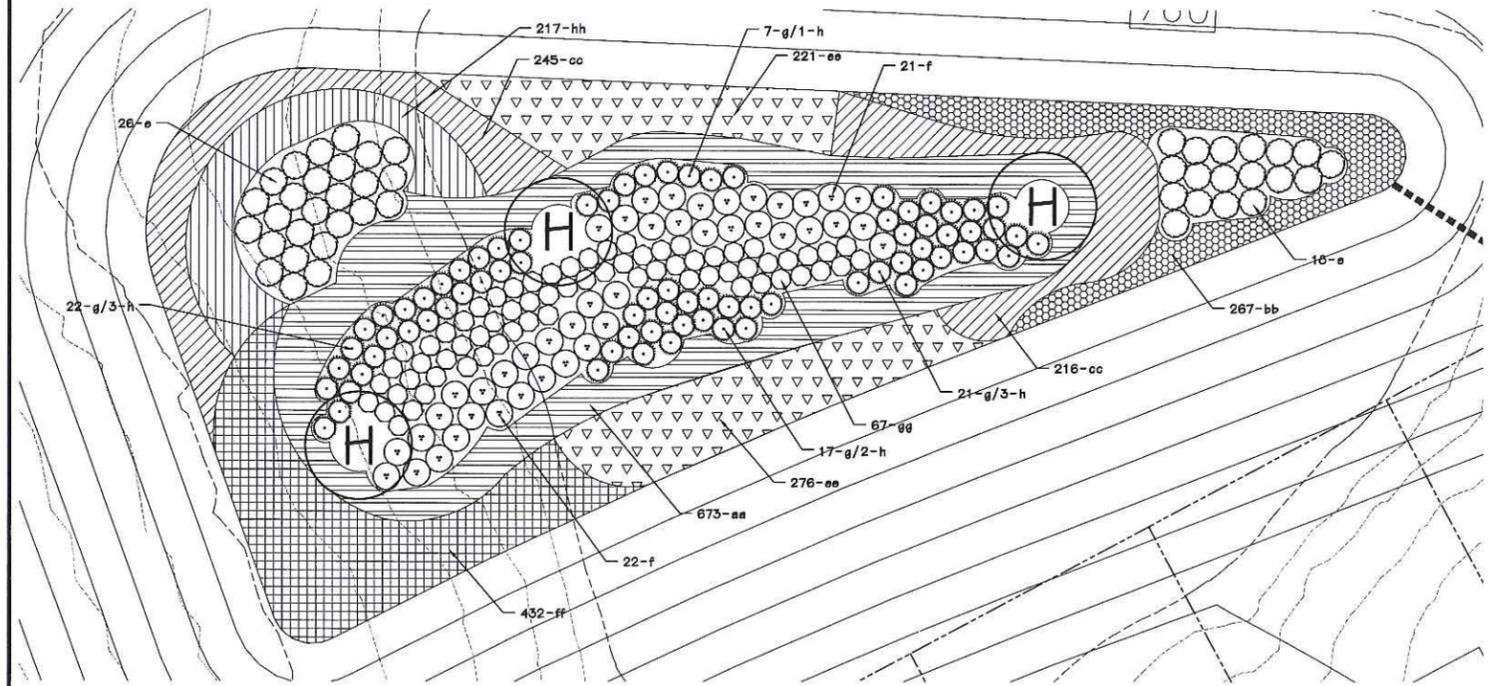
1 CUL-DE-SAC LANDSCAPE PLAN
L-3 SCALE 1"=10'



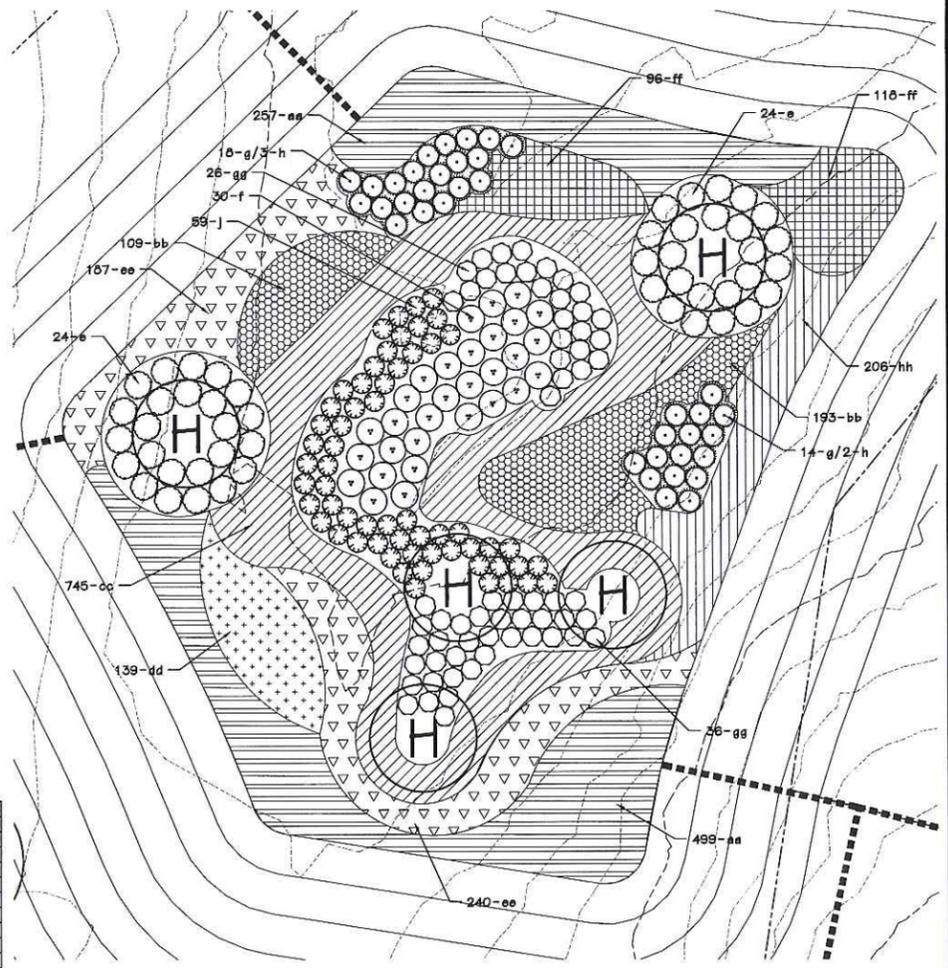
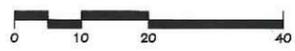
2 ROUNADABOUT LANDSCAPE PLAN
L-3 SCALE 1"=10'



3 ROUNABOUT LANDSCAPE PLAN
L-3 SCALE 1"=60'



4 BIORETENTION 1 LANDSCAPE PLAN
L-3 SCALE 1"=10'



5 BIORETENTION 2 LANDSCAPE PLAN
L-3 SCALE 1"=10'

MARK	QUANTITY	COMMON NAME	COMMON NAME	SIZE	COMMENTS
PLANTING SCHEDULE					
CUL-DE-SAC PLANTINGS					
TREES					
G	5	Melue x 'Spring Snow'	Spring Snow Crabapple	2"	Deciduous, Understory
SHRUBS					
a	159	Buxus microphylla 'Winter Gem'	Winter Gem Boxwood	24-36"	Evergreen shrub
b	77	Hydrangea paniculata 'Little Lime'	Little Lime Hydrangea	24-36"	Deciduous shrub
c	35	Physocarpus opulifolius 'Monro'	Diablo Ninebark	24-36"	Deciduous, shrub
d	22	Rosa 'Radrazz'	Red Knockout Rose	24-36"	Deciduous, shrub

MARK	QUANTITY	COMMON NAME	COMMON NAME	SIZE	COMMENTS
PLANTING SCHEDULE					
BIORETENTION PLANTINGS					
TREES					
H	14	Carpinus caroliniana 'JP6-KW6'	Native Flame Hornbeam	2"	Deciduous, Understory
J	5	Chionanthus virginicus	Fringe Tree	2"	Deciduous, Understory
SHRUBS					
e	223	Clethra alnifolia 'Ruby Spice'	Ruby Spice Summertime	3 gal	Deciduous, shrub
f	244	Cornus sericea 'Leant'	Leant Red Twig Dogwood	3 gal	Deciduous, shrub
g	240	Ilex verticillata 'Red Sprite'	Red Sprite Winterberry	3 gal	Deciduous, shrub
h	28	Ilex verticillata 'Jim Dandy'	Jim Dandy Winterberry	3 gal	Deciduous, shrub
j	331	Itea virginiana 'Henry's Garnet'	Henry's Garnet Sweetpire	3 gal	Deciduous, shrub
PERENNIALS AND GRASSES					
aa	3442	Carex vulpinoidea	Fox Sedge	plug	space 10" o.o.
bb	1068	Echinacea purpurea	Purple Coneflower	plug	space 10" o.o.
cc	2365	Iris fulva	Copper Iris	plug	space 10" o.o.
dd	1076	Liatris spicata 'Kobold'	Kobold Blazing Star	plug	space 10" o.o.
ee	1778	Lobelia cardinalis	Cardinal Flower	plug	space 10" o.o.
ff	1537	Monarda fistulosa	Bee Balm	plug	space 10" o.o.
gg	425	Panicum virgatum 'Heavy Metal'	Heavy Metal Switchgrass	1 gal	space as shown
hh	2410	Rudbeckia fulgida	Black-eyed Susan	plug	space 10" o.o.

The Villages at Bright Leaf

Wildwood, Missouri

Revisions:		
Date	Description	No.

Drawn: LWH
Checked: JAS

loomis Associates
Landscape Architects
10000 South Central Expressway, Suite 100
Dallas, Texas 75243
Phone: 972.412.1111
Email: info@loomisassociates.com

Sheet Title: Landscape Plan
Sheet No: L-3
Date: 07/07/15
Job #: 643.006



Jerald Saunders - Landscape Architect
MO License # LA-007

Consultants:

The Villages at Bright Leaf

Wildwood, Missouri

Revisions:

Date	Description	No.

Drawn: LWH
Checked: JAS

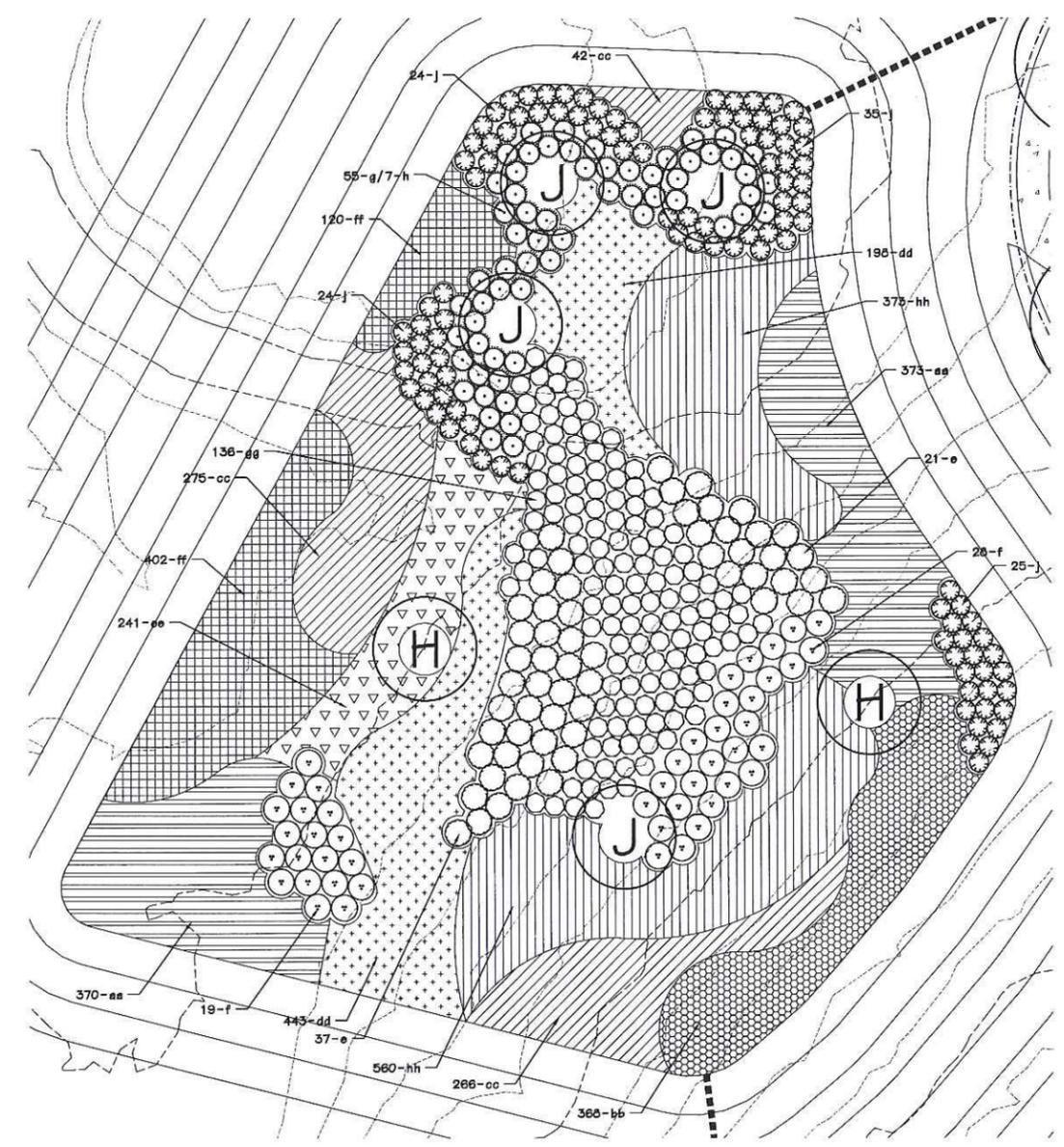
loomis Associates
Landscape Architects/Planners
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St. Louis, MO 63102
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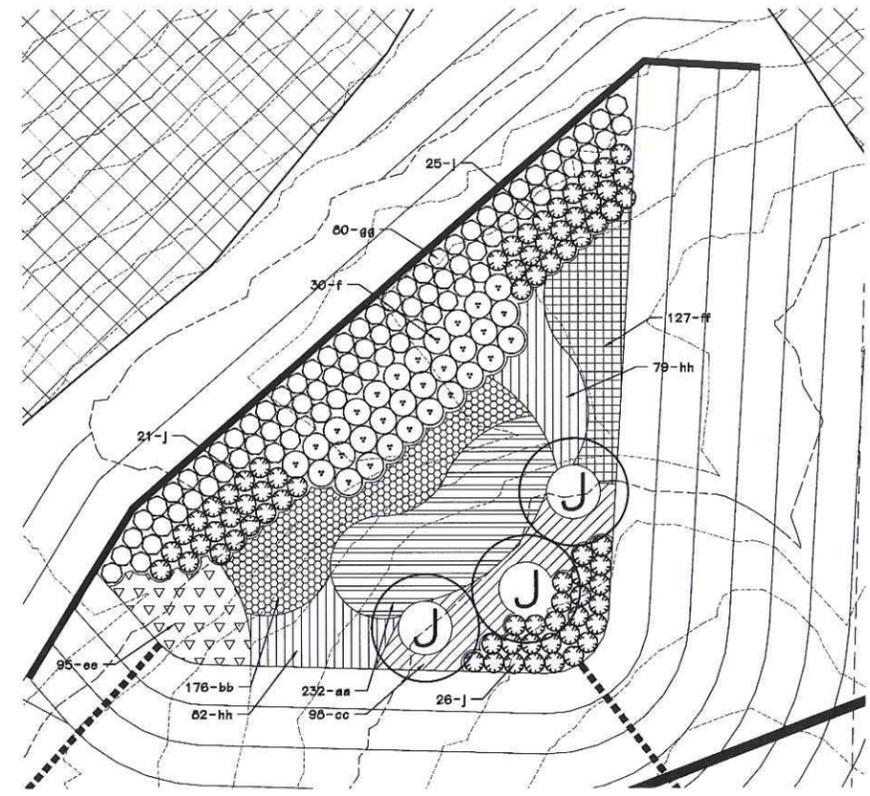
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Sheet No: L-4

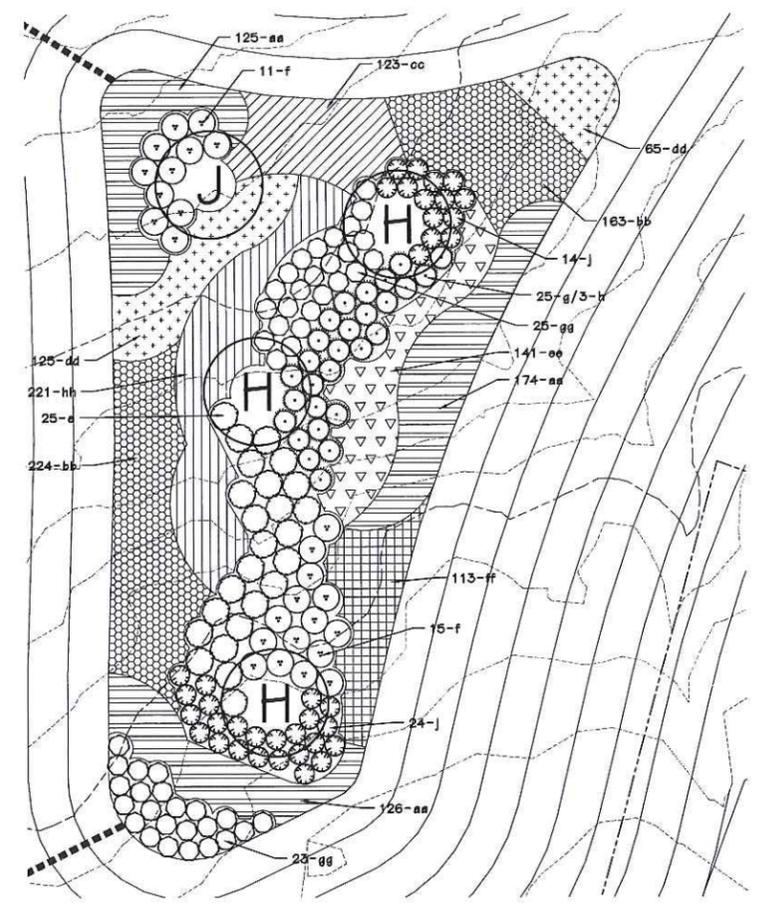
Date: 07/07/15
Job #: 643.006



1 L-4 BIORETENTION 4 LANDSCAPE PLAN
SCALE 1"=10'



3 L-4 BIORETENTION 6 LANDSCAPE PLAN
SCALE 1"=10'



2 L-4 BIORETENTION 3 LANDSCAPE PLAN
SCALE 1"=10'

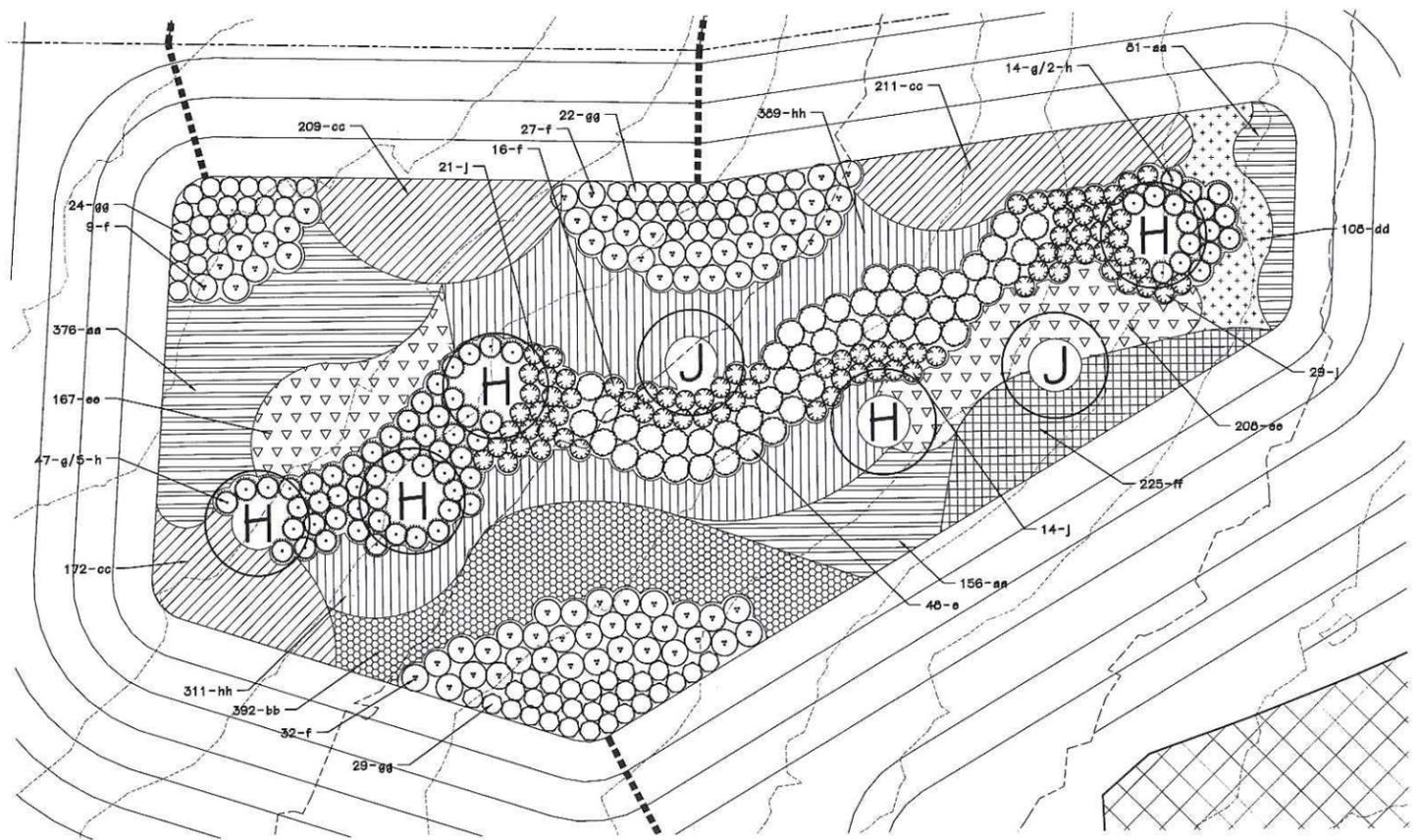


Jerald Saunders - Landscape Architect
MO License # LA-007

Consultants:

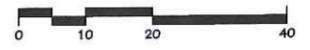
The Villages at Bright Leaf

Wildwood, Missouri



BIORETENTION 5 LANDSCAPE PLAN

SCALE 1"=10'



Revisions:

Date	Description	No.

Drawn: LWH
Checked: JAS

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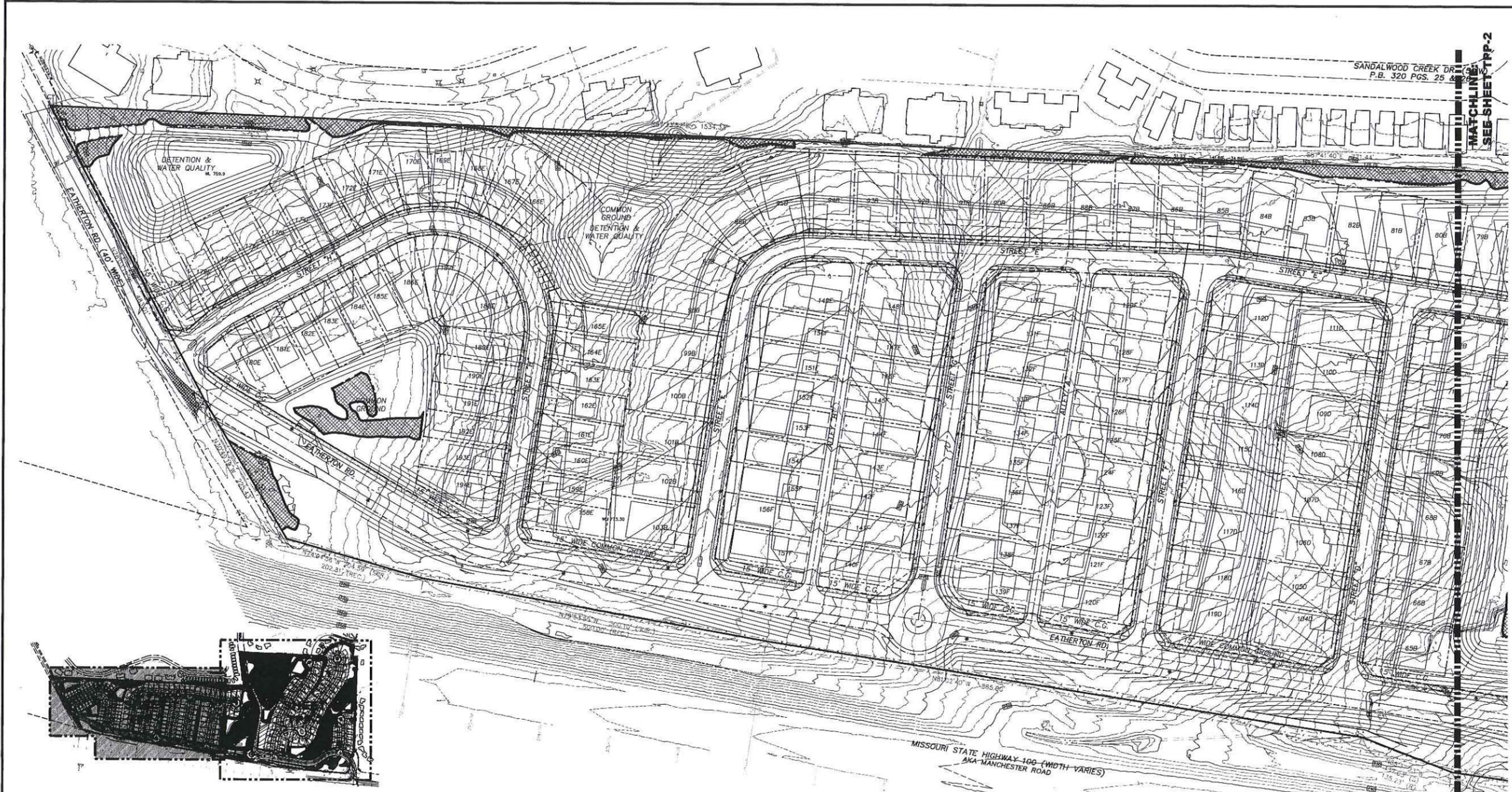
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Sheet No: **L-5**

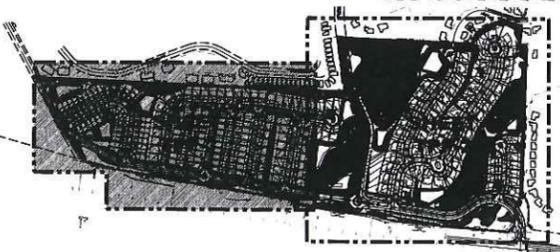
Date: 07/07/15
Job #: 643.006

The Villages at Bright Leaf

Wildwood, Missouri



MATCHLINE SEE SHEET TYP-2



KEY PLAN
 N.T.S.

TREE PRESERVATION PLAN
 SCALE 1"=60'



- KEY**
- Existing Grand Tree to remain
 - Existing Woodland Canopy to remain
 - Tree protection fence
 - Root pruning

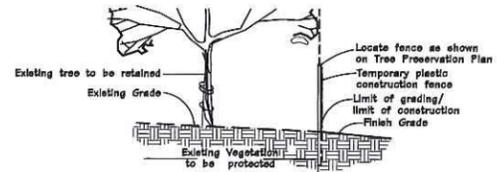
Zone:	Single-family residential
Site Area:	3,436,441 sq. ft. or 78.88 Ac.
Existing Woodland Canopy:	2,090,744 sq. ft. or 47.99 Ac.
Canopy Preservation Required:	30% or 14.39 Ac.
Total Existing Canopy Preserved:	483,990 sq. ft. or 11.11 Ac. (23.15%)
Tree Canopy Planted:	606
Total Tree Canopy Provided:	1,089,990 sq. ft. or 25.02 Ac.
Proposed Units:	194

TREE PROTECTION NOTES:

- 1) Preserved woodland canopy is delineated with shading. Grand Trees designated to be preserved shall be located by surveyor.
- 2) Pre-construction meeting to be held on-site to include a presentation of tree protection measures to operators; construction supervisors; developer's representative; and city zoning inspector.
- 3) Clearing Limits to be rough staked in order to facilitate location for installation of protection fencing. No early maintenance schedule is required. Where noted on plan, contractor to trench and root prune prior to any grading activity. Required siltation devices to be installed along limit of disturbance line.
- 4) No clearing or grading shall begin in areas where the treatment and preservation measures have not been completed including the installation of tree protection fencing along all "Limit of Disturbance" lines shown on the plan.
- 5) Tree Protection Fencing shall be 4-foot high temporary plastic construction fence. No equipment traffic/parking, concrete washout, material storage or other such construction activity shall be permitted to penetrate the protection fencing or disrupt the Protected Woodland Area. Any proposed plantings shall be subject to the review and approval of the City Arborist. All ground plans shall be mulched with hardwood bark mulch. Tree Protection Signage will be placed along the Protection Fencing as shown as the dashed line on the plan.
- 6) Tree protection measures to be maintained throughout construction sequence.

TREE PROTECTION ACTION KEY SEQUENCE:

- 1) Survey limit of disturbance.
- 2) Perform root pruning as shown on plan.
- 3) Install tree protection fencing.
- 4) Post tree protection signage on fence (No signs will be posted on trees).
- 5) Maintain tree protection area as an off-limits zone.



Revisions:

Date	Description	No.

Drawn: BB
 Checked: JAS

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Sheet Title: **Tree Preservation Plan**
 Sheet No.: **TPP-1**

Date: 05/11/16
 Job #: 643.006



Jerald Saunders - Landscape Architect
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Consultants:

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Wildwood, Missouri

Revisions:

Date	Description	No.

Drawn: BB
Checked: JAS

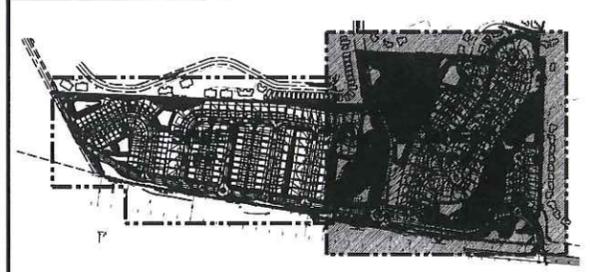
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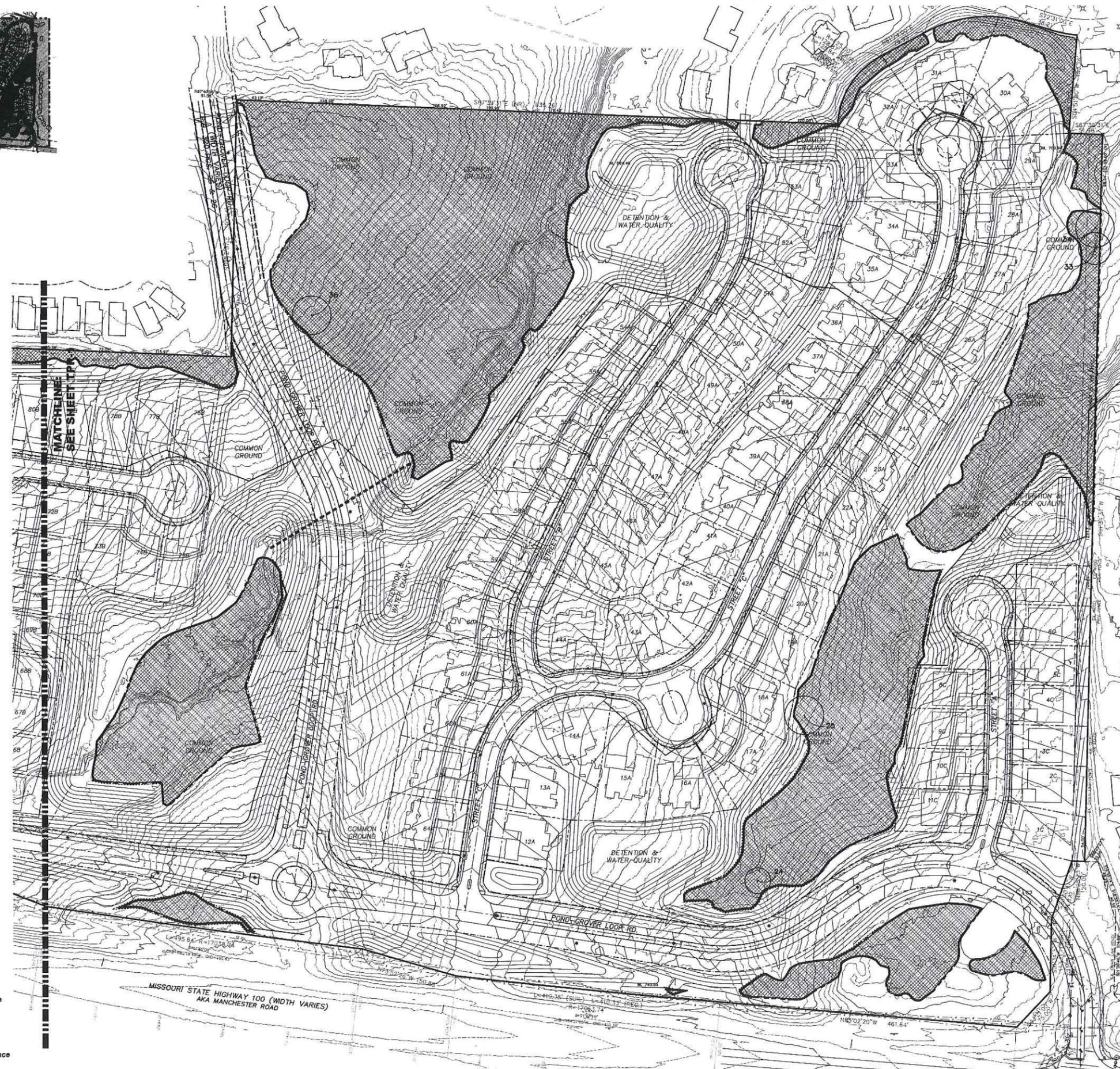
Loomis Associates Inc.
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Sheet Title: **Tree Preservation Plan**
Sheet No: **TPP-2**

Date: 05/11/16
Job #: 643.006

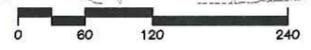


KEY PLAN
N.T.S.



- KEY
- Existing Grand Tree to remain
 - Existing Woodland Canopy to remain
 - Tree protection fence
 - Root pruning

TREE PRESERVATION PLAN
SCALE 1"=60'





Jerald Saunders - Landscape Architect
MO License # LA-007
Consultants:

The Villages at Bright Leaf

Wildwood, Missouri

Revisions:

Date	Description	No.

Drawn: BB
Checked: JAG

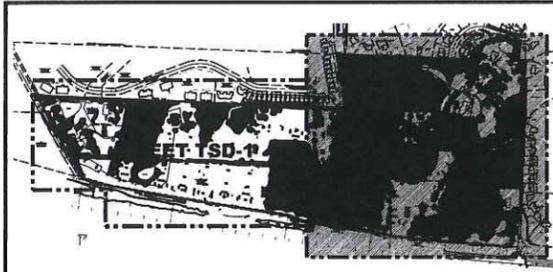
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Sheet Title: **Tree Stand Delineation Plan**

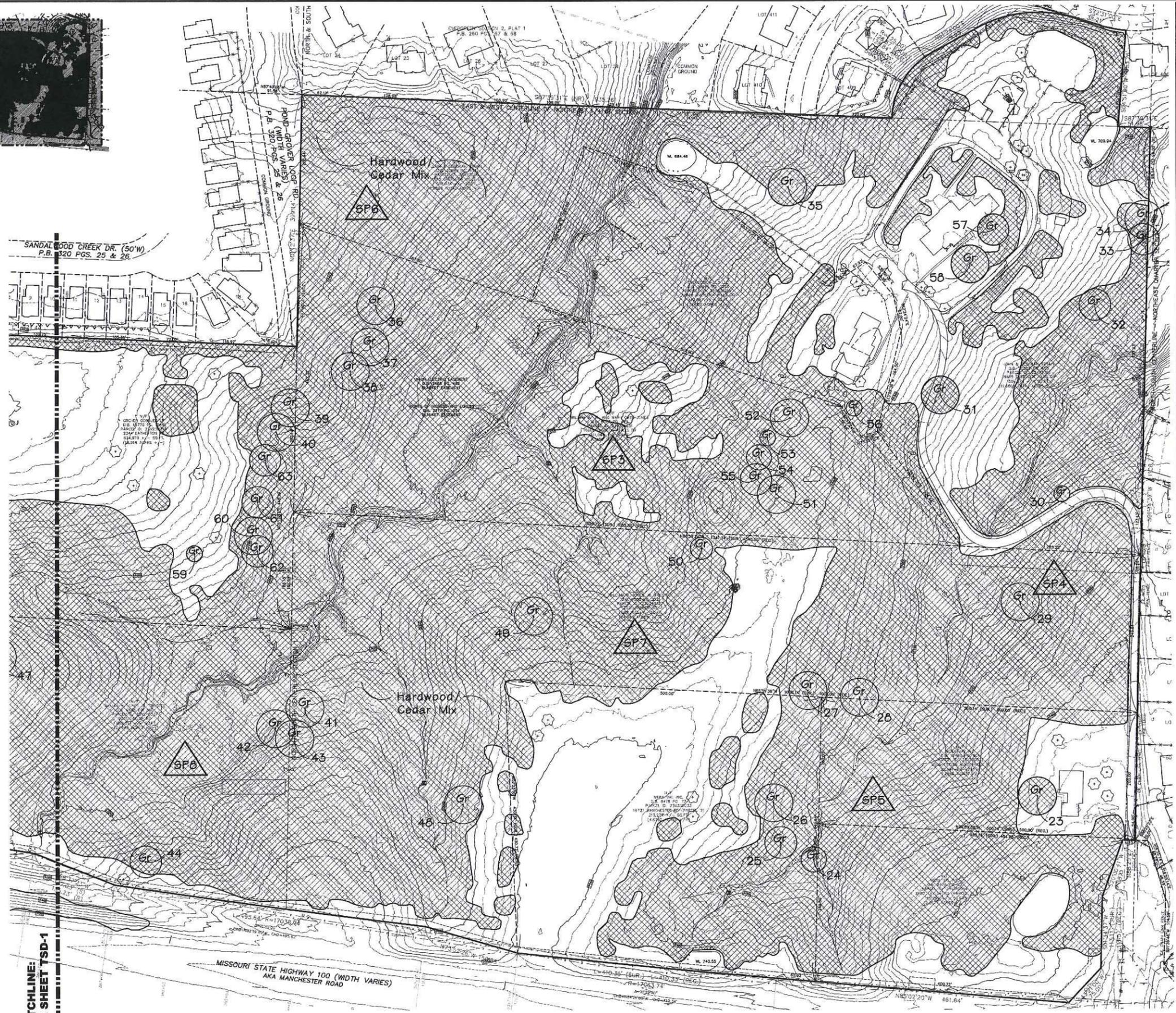
Sheet No.: **TSD-2**

Date: 05/11/16
Job #: 643.006



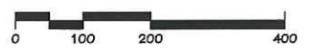
KEY PLAN
N.T.S.

- KEY
- Existing Grand Tree
 - Existing Individual Tree
 - Existing Woodland Canopy
 - BAF-10 Study Sample Plot



MATCHLINE:
SEE SHEET TSD-1

TREE STAND DELINEATION PLAN
SCALE 1"=100'



Tree Inventory
Prepared under direction of:
Brian Bage
Certified Arborist MW-5033A