WILDWOOD

CITY COUNCIL

COUNCIL CHAMBERS

MONDAY, JULY 11, 2016

7:30 P.M.

CITY COUNCIL AGENDA

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF MINUTES – June 27, 2016 Work Session & Regular Agenda Minutes

Documents:

DRAFT MINUTES JUNE 27 CITY COUNCIL MEETING.PDF

V. MAYOR APPOINTMENTS AND ANNOUNCEMENTS

A. Presentation – FY-2015 Comprehensive Annual Financial Report, RubinBrown LLP (Wards – All)

Documents:

2015 CAFR DOC 3 - RB VIEWPOINTS 2015 FINAL.PDF
2015 CAFR DOC 2 - FINAL REPORT.PDF
2015 CAFR DOC 1 - COVER MEMO.PDF

VI. PUBLIC PARTICIPATION

VII. PUBLIC HEARING(S)

A. (Postponed At The January 11, 2016 City Council Meeting – To Remain Postponed)

A response to a communication from Jenny Mitchell, Director of Property Management for the Desco Group, which is dated October 20, 2015, regarding **St. Louis County's P.C. 219-85 Alfred L. Hicks and J.L. Mason of Missouri, Inc.;** Amended MXD Mixed-Use Development District; south side of Manchester Road, east of Old Fairway Drive (Street Address: 16506 Manchester Road/Locator

Number: 23U120480); seeking modifications to an existing site-specific ordinance that governs the Schnucks Wildwood Crossing Center to allow for a third freestanding monument sign along the property's Manchester Road frontage. (Ward – Seven)

B. (Postponed At The June 27, 2016 City Council Meeting – To Remain Postponed)

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, 23V310064, 23V330022, 23V330031, 23V330206, 23V330215, 23V330233, and 23V610917/Street Addresses: 2350 and 2344 Eatherton Road, 2531, 2555, and 2567 Taylor Road, 16721 Manchester Road, and 16615, 16602, and 16618 Overlook Hills Drive); which seeks modifications to the existing site-specific ordinance (Planned Residential Overlay District Ordinance # 2145) that governs this site to address inconsistencies between this legislation and the proposed Site Development Plan (SDP) relative to certain allowed lot widths, depths, and sites. (Ward – Five)

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

A response to a communication from Hassan Abdiannia, 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:

PUBLIC HEARING P.C. 6-89.PDF

D. 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:

PUBLIC HEARING P.Z. 7-16.PDF

VIII. LEGISLATION

A. UNFINISHED BUSINESS

1. BILL #2196

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF WILDWOOD TO ISSUE A PURCHASE ORDER TO TYLER TECHNOLOGIES FOR ACCOUNTING SOFTWARE AND HARDWARE UPGRADES. *Recommended by the Administration/Public Works Committee* (Second Reading) (Wards – All)

Documents:

BILL 2196.PDF

2. BILL #2197

AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, AUTHORIZING THE MAYOR OF THE CITY TO NEGOTIATE AND EXECUTE A COOPERATION AGREEMENT FOR INTERNET ACCESS SITES WITH ST. LOUIS COUNTY, MISSOURI, FOR THE USE OF EMERGENCY COMMUNICATIONS TOWERS FOR THE PURPOSES OF PROVIDING HIGH-SPEED INTERNET ACCESS SERVICES TO THE RESIDENTS OF THE CITY. *Recommended by the Rural Internet Access Committee* (Second Reading) (Wards – All)

Documents:

BILL 2197.PDF

3. BILL #2198

AN ORDINANCE AMENDING THE AMENDED PLANNED COMMERCIAL DEVELOPMENT IN THE C-8 PLANNED COMMERCIAL DISTRICT ORIGINALLY APPROVED PURSUANT TO ORDINANCE #14,466 (ST. LOUIS COUNTY, MISSOURI, AND ADOPTED BY THE CITY OF WILDWOOD, MISSOURI) TO ALLOW FOR THE SALE OF BEER AND WINE AT THE BP-AMOCO STATION LOCATED ON THE SOUTHEAST CORNER OF STATE ROUTE 109 AND WILD HORSE CREEK ROAD. (St. Louis County P.C. 6-89 Amoco Oil Company) *Recommended by the Planning and Zoning Commission* (Second Reading) (Ward – One)

Documents:

BILL 2198.PDF

B. NEW BUSINESS

1. BILL #2200

AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, APPROVING A CHANGE TO THE TOWN CENTER PLAN'S REGULATING PLAN; AMENDING ORDINANCE #1650 BY DELETING SECTION TWO THEREOF AND ENACTING, IN LIEU THEREOF, A NEW SECTION TWO; AND PROVIDING FOR THE APPROVAL OF AN AMENDED C-8 PLANNED COMMERCIAL DISTRICT FOR A CERTAIN ONE POINT SIX (1.6) ACRE TRACT OF LAND FOR USE AS A RESIDENTIAL SENIOR SERVICE FACILITY. (Ward Eight) *Recommended by the Planning and Zoning Commission* (First Reading) (Ward – Eight)

Documents:

BILL 2200.PDF

IX. RESOLUTIONS

A. RESOLUTION #2016-18

A RESOLUTION AUTHORIZING AN INCREASE TO AN AGREEMENT WITH MUNDELL & ASSOCIATES, INC. FOR ENVIRONMENTAL CONSULTING SERVICES RELATIVE TO THE ELLISVILLE SUPERFUND SITE WITHIN THE CITY OF WILDWOOD. *Recommended by the Department of Administration* (Wards – All)

Documents:

2016-18 MUNDELL AGREEMENT.PDF

X. OTHER

A. Receive & File

A Site Development Plan (SDP) report, with recommendation, regarding the City of Wildwood's salt storage facility and its construction on dedicated public right-of-way of St. Albans Road; northwest corner

of Manchester Road and St. Albans Road (formally part of the Kelpe Contracting Company Site); NU Non-Urban Residence District; which recommends approval of this structure that would be approximately five thousand (5,000) square feet in size and provide all-weather storage of salt and other deicing materials for the City of Wildwood. (Ward – One)

Documents:

RECEIVE AND FILE - SALT STORAGE FACILITY.PDF

B. Appeal By Petitioner Of Recommendation Of Denial By The Planning And Zoning Commission

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:

SUBMITTAL OF FORMAL APPEAL P.Z. 19-15 PAYNE FAMILY HOMES1.PDF

XI. ADJOURNMENT

City Council Will Consider and Act Upon the Matters Listed Above, and Such Others as May Be Presented at the Meeting and Determined to Be Appropriate for Discussion at That Time.

Notice is hereby given that the City Council may also hold a closed meeting for the purpose of dealing with matters relating to one or more of the following: Legal Actions, Causes of Action, Litigation or Privileged Communications Between the City's Representatives and its Attorneys [RSMO 610.021(1) 1994]; Lease, Purchase or Sale of Real Estate [RSMO 610.021 (2) 1994]; hiring, firing, disciplining or promoting employees by a public governmental body [RSMO 610.021 (3) 1994]; bidding specification [RSMO 610.021 (11) 1994]; sealed bids and related documents, until the bids are opened' and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected [RSMO 610.021 (12) 1994]; and/or individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment [RSMO 610.021 (13) 1994]

City Council Policy Established August 9, 2004:

A ten (10) minute break is to be taken at 9:00 p.m., during the regularly scheduled City Council meeting.

The City of Wildwood Is Working to Comply with the Americans with Disabilities Act Mandates. Individuals Who Require an Accommodation to Attend a Meeting Should Contact City Hall, 636/48-0440 at Least 48 Hours in Advance.

WILDWOOD

CITY OF WILDWOOD

JUNE 27, 2016 RECORD OF PROCEEDINGS

CITY OF WILDWOOD
MEETING OF CITY COUNCIL
WILDWOOD CITY HALL
16860 MAIN STREET
WILDWOOD, MO 63040

The meeting was called to order at 7:30 P.M.

A roll call was taken with the following results:

Present at Roll Call:

Mayor Jim Bowlin
Council Member Larry McGowen
Council Member Glen DeHart
Council Member Ed Marshall
Council Member Ray Manton
Council Member Jim Baugus
Council Member Sue Cullinane
Council Member Katie Dodwell
Council Member Marc Cox
Council Member Debra McCutchen
Council Member Jerry Porter
Council Member Greg Alexander
Council Member Greg Stine
Council Member Jeff Levitt
Council Member Larry Goodson
Council Member Joe Garritano

Absent:

Council Member Dave Bertolino

A quorum was present

Also present:

Mr. Ryan Thomas, City Administrator
Mr. John Young, City Attorney
Mr. Joe Vujnich, Director of Planning and Parks
Mr. Rick Brown, Director of Public Works
Ms. Laura Rechtin, Deputy City Clerk

DRAFT

PLEDGE OF ALLEGIANCE

Mayor Bowlin led the Pledge of Allegiance.

APPROVAL OF MINUTES

The minutes of the June 13, 2016, City Council meeting were submitted for approval. A motion was made by Council Member Marshall, seconded by Council Member Manton, to approve the minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

MAYOR APPOINTMENTS/ANNOUNCEMENTS - None

PUBLIC PARTICIPATION

Ms. Barbara Sprenger, 84 Strecker Road, requested that residents be allowed attendance at the EPA meeting in July.

Ms. Tammy Shea, Ward Three, stated she was disappointed that the EPA meeting was happening in private and wondered if Dr. deFur would be available by conference call for the meeting. Ms. Shea spoke regarding the ongoing lawsuit as well as the proposed Senate Resolution.

Ms. Kairong Tian, 2342 Johnnycake, spoke regarding organ harvesting in China and stated previous Mayors and Council have passed Resolutions on anti-humanity crimes. Ms. Tian read and presented a letter to the City Council.

Ms. Jean Vedvig, 16709 Clayton Road, asked to be invited to the July meeting with the EPA and voiced her concerns about Dr. deFur not being there.

Mr. Jim Cunningham, 16660 Green Pines, spoke against the Pond Grover Loop Road extension.

Ms. Jane Simpson, 16000 Sandalwood Creek, spoke regarding a petition that was given to Planning and Zoning Commission.

Ms. Betsy Vanderheyden, 16560 Birch Forest, spoke regarding her concerns and inconsistencies on previously submitted petitions. Ms. Vanderheyden voiced her concerns regarding the individuals who were chosen to be on the Pond Grover Loop Road Committee.

Ms. Linda Roth, 16928 Kingstowne Pl Dr., spoke against the Pond Grover Loop Road extension. Ms. Roth stated she had concerns that her neighborhood did not have a representative on the Pond Grover Loop Road Committee.

Mr. Russ Roth, 16928 Kingstowne Pl Dr., spoke against the Pond Grover Loop Road extension. Mr. Roth spoke regarding his concerns about the traffic and there being no representation from Kingstowne Estates on the Committee. Mr. Roth requested Kingstowne residents be notified and given a chance to speak.

Ms. Betsy Ragelis, 15960 Sandalwood Creek Drive, spoke against the Pond Grover Loop Road extension.

Ms. Shirley Roberts, 16016 Sandalwood Creek, spoke against the Pond Grover Loop Road extension.

Mr. Valentin Militchin, 15931 Sandalwood Creek, spoke against the Pond Grover Loop Road extension.

Ms. Susan Treiber, 15912 Sandalwood Creek Drive, spoke against the Pond Grover Loop Road extension. Ms. Treiber voiced her concerns regarding the individuals who were chosen to be on the Pond Grover Loop Road Committee.

Ms. Jane Lacasse Finnegan, 2517 Rainforest, spoke regarding a recent issue she had with a commercial truck on her property.

DRAFT

PUBLIC HEARING(S)

(Postponed at the January 11, 2016 City Council Meeting – to remain postponed)

A response to a communication from Jenny Mitchell, Director of Property Management for the Desco Group, which is dated October 20, 2015, regarding St. Louis County's P.C. 219-85 Alfred L. Hicks and J.L. Mason of Missouri, Inc.; Amended MXD Mixed-Use Development District; south side of Manchester Road, east of Old Fairway Drive (Street Address: 16506 Manchester Road/Locator Number: 23U120480); seeking modifications to an existing site-specific ordinance that governs the Schnucks Wildwood Crossing Center to allow for a third freestanding monument sign along the property's Manchester Road frontage. (Ward – Seven)

2017 Community Development Block Grant Allocation(s) (Wards – All)

Mayor Bowlin opened the public hearing. Deputy City Clerk Rechtin read the public hearing into the record.

City Administrator Thomas stated that for 2016, the City started allocating this funding for senior programs and services, and this initial funding will become available in August 2016, and be utilized in cooperation with the Wildwood Family YMCA and St. Louis Community College to support current programs and new programs for seniors. City Administrator Thomas stated the Administration/Public Works Committee recommends proposing to the public that the 2017 allocation of $25,500 be used to continue the City's initiative to provide expanded senior programs and services in Wildwood.

There being nothing further, Mayor Bowlin closed the public hearing.

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 ninety-five units]. (Ward – Eight)

Mayor Bowlin opened the public hearing. Deputy City Clerk Rechtin read the public hearing into the record.

Director of Planning and Parks Vujnich gave a brief overview of the request and reviewed the Planning and Zoning Commission's recommendation.

Discussion was held regarding the following: why this location; site selection was based on visibility, demographics; wonderful idea, very much needed; if I were a business person in Town Center, I would wonder what kind of additional traffic I would get; this was supposed to be retail space; when original Town Center Plan was proposed, there was supposed to be residential; the existing Ordinance still mentions residential for this location; just questioning this type of residential; think some of us expected condominiums or something; 94 beds, so assume 94 family members to visit plus staff; there is a lack of this type of housing option in Wildwood; what is the difference between this proposal and the Gardner-Capital proposal, why is this one better; with Gardner- Capital, there were 4-5 characteristics that needed to be addressed; of those 5, Stonecrest has met 4; what kind of traffic is expected for this type of facility; the artist rendering is very attractive; only 31 of the units are memory care so the assisted living residents could be utilizing Town Center; people will come and take them to dinner, or movies and maybe some families of residents will stay at the hotel; this is the stimulus we need in Town Center; what is the ballpark range to stay in a facility like this; about $4,500-$10,000 a month; 100% private pay; like the architecture; like the commercial component on the first floor; this will provide jobs in Town Center.

A motion was made by Council Member Garritano, seconded by Council Member Goodson, to authorize the Department of Planning to prepare legislation endorsing the Planning and Zoning Commission's recommendation. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

There being nothing further, Mayor Bowlin closed the public hearing.

(Postponement requested – remains at Planning and Zoning Commission)

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, 23V310064, 23V330022, 23V330031, 23V330206, 23V330215, 23V330233, and 23V610917/Street Addresses: 2350 and 2344 Eatherton Road, 2531, 2555, and 2567 Taylor Road, 16721 Manchester Road, and 16615, 16602, and 16618 Overlook Hills Drive); which seeks modifications to the existing site-specific ordinance (Planned Residential Overlay District Ordinance # 2145) that governs this site to address inconsistencies between this legislation and the proposed Site Development Plan (SDP) relative to certain allowed lot widths, depths, and sites. (Ward – Five)

UNFINISHED BUSINESS

BILL #2188 **AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, AMENDING PLANNED RESIDENTIAL DEVELOPMENT OVERLAY DISTRICT ORDINANCE #2080 TO ALLOW FRONT-ENTRY GARAGE DESIGNS.** ***Recommended by the Planning and Zoning Commission*** **(Second Reading) (Ward – Eight)**

A motion was made by Council Member Manton, seconded by Council Member Garritano, for the second reading of Bill #2188. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #2188 was read for the second time by title only.

A roll call vote was taken for passage and approval of Bill #2188 with the following results:
Ayes – McGowen, DeHart, Marshall, Manton, Baugus, Cullinane, Dodwell, Cox, Porter, Alexander, Stine, Levitt, Goodson and Garritano
Nays – McCutchen
Absent – Bertolino
Abstain – None
Whereupon Mayor Bowlin declared Bill #2188 approved, passed and it became **ORDINANCE #2188**.

BILL #2189 **AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, AUTHORIZING THE MAYOR OF THE CITY TO NEGOTIATE AND EXECUTE AN AGREEMENT BY AND AMONG THE CITY OF ELLISVILLE, MISSOURI, THE CITY OF WILDWOOD, MISSOURI, AND ST. LOUIS COUNTY, MISSOURI, RELATING TO DESIGN SERVICES FOR IMPROVEMENTS TO OLD STATE ROAD.** ***Recommended by the Administration/Public Works Committee*** **(Second Reading) (Wards – Seven and Eight)**

A motion was made by Council Member Stine, seconded by Council Member Levitt, for the second reading of Bill #2189. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #2189 was read for the second time by title only.

A roll call vote was taken for passage and approval of Bill #2189 with the following results:
Ayes – McGowen, DeHart, Marshall, Manton, Baugus, Cullinane, Dodwell, Cox, McCutchen, Porter, Alexander, Stine, Levitt, Goodson and Garritano
Nays – None
Absent – Bertolino
Abstain – None
Whereupon Mayor Bowlin declared Bill #2189 approved, passed and it became **ORDINANCE #2189**.

BILL #2190 **AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, AUTHORIZING THE MAYOR OF THE CITY TO NEGOTIATE AND EXECUTE A CONTRACT WITH HR GREEN, INC., FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE PLANNING, DESIGN AND CONSTRUCTION OF THE ROUTE 109 PEDESTRIAN TUNNEL PROJECT.** ***Recommended by the Administration/Public Works Committee*** **(Second Reading) (Wards – One and Eight)**

DRAFT

A motion was made by Council Member McGowen, seconded by Council Member DeHart, for the second reading of Bill #2190. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #2190 was read for the second time by title only.

A roll call vote was taken for passage and approval of Bill #2190 with the following results:
Ayes – McGowen, DeHart, Marshall, Baugus, Cullinane, Dodwell, Cox, McCutchen, Stine, Goodson and Garritano
Nays – Porter and Alexander
Absent – Manton, Bertolino and Levitt
Abstain – None
Whereupon Mayor Bowlin declared Bill #2190 approved, passed and it became **ORDINANCE #2190**.

BILL #2191 AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, AMENDING CHAPTER 390 TRAFFIC SCHEDULES BY ADDING AN ALL-WAY STOP REGULATION AT THE INTERSECTION OF DARTMOUTH CROSSING DRIVE WITH DARTMOUTH CROSSING COURT AND DARTMOUTH BEND DRIVE. ***Recommended by the Board of Public Safety*** **(Second Reading) (Ward – Five)**

A motion was made by Council Member McCutchen, seconded by Council Member Marshall, for the second reading of Bill #2191. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #2191 was read for the second time by title only.

A roll call vote was taken for passage and approval of Bill #2191 with the following results:
Ayes – McGowen, DeHart, Marshall, Manton, Baugus, Cullinane, Dodwell, Cox, McCutchen, Porter, Alexander, Stine, Goodson and Garritano
Nays – None
Absent – Bertolino and Levitt
Abstain – None
Whereupon Mayor Bowlin declared Bill #2191 approved, passed and it became **ORDINANCE #2191**.

BILL #2192 AN ORDINANCE AUTHORIZING THE ADJUSTMENT OF A CERTAIN COMMON BOUNDARY LINE BETWEEN TWO (2) TRACTS OF LAND, TOTALING 3.772 ACRES OF AREA, BEING ALL OF LOT 5C OF "RESUBDIVISION OF ADJUSTED LOT 5 OF WEST PALISADES" [PLAT BOOK 310, PAGE 11] AND ALL OF ADJUSTED LOT D OF "WEST PALISADES LOT 5 AND WEST PALISADES ON THE MERAMEC BOUNDARY ADJUSTMENT" [PLAT BOOK 307, PAGE 80], AND LOCATED IN SECTION 20, TOWNSHIP 44 NORTH, RANGE 3 EAST, OF THE FIFTH PRINCIPLE MERIDIAN, CITY OF WILDWOOD, ST. LOUIS COUNTY, MISSOURI, AND BEING MORE SPECIFICALLY SITUATED ON THE WEST SIDE OF PALISADES DRIVE, SOUTH OF RIDGE ROAD, FOR THE PURPOSES OF CONSOLIDATING SAID PARCELS OF GROUND INTO A SINGLE LEGAL LOT OF RECORD. ***Recommended by the Department of Planning & Parks*** **(Second Reading) (Ward – Six)**

A motion was made by Council Member Alexander, seconded by Council Member Porter, for the second reading of Bill #2192. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #2192 was read for the second time by title only.

A roll call vote was taken for passage and approval of Bill #2192 with the following results:
Ayes – McGowen, DeHart, Marshall, Manton, Baugus, Cullinane, Dodwell, Cox, McCutchen, Porter, Alexander, Stine, Goodson and Garritano
Nays – None
Absent – Bertolino and Levitt
Abstain – None
Whereupon Mayor Bowlin declared Bill #2192 approved, passed and it became **ORDINANCE #2192**.

BILL #2194 AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, AUTHORIZING THE MAYOR OF THE CITY TO NEGOTIATE AND EXECUTE AN AMENDED CONTRACT WITH THE MISSOURI AMERICAN WATER COMPANY FOR

THE RELOCATION OF A WATER MAIN TO ACCOMMODATE PHASE TWO CONSTRUCTION WITHIN WILDWOOD COMMUNITY PARK. ***Recommended by the Planning/Economic Development/Parks Committee*** **(Second Reading) (Ward – One)**

A motion was made by Council Member McGowen, seconded by Council Member DeHart, for the second reading of Bill #2194. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #2194 was read for the second time by title only.

A roll call vote was taken for passage and approval of Bill #2194 with the following results:
Ayes – McGowen, DeHart, Marshall, Manton, Baugus, Cullinane, Dodwell, Cox, McCutchen, Porter, Alexander, Stine, Goodson and Garritano
Nays – None
Absent – Bertolino and Levitt
Abstain – None
Whereupon Mayor Bowlin declared Bill #2194 approved, passed and it became **ORDINANCE #2194**.

BILL #2195 **AN ORDINANCE AUTHORIZING THE APPROVAL OF A RECORD PLAT, TRUST INDENTURE, GENERAL WARRANTY DEED, AND A DEPOSIT AGREEMENT, WITH ASSOCIATED LETTERS OF CREDIT GUARANTEEING CERTAIN REQUIRED IMPROVEMENTS, FOR A THIRTY-EIGHT (38) LOT RESIDENTIAL SUBDIVISION THAT IS LOCATED ON A TRACT OF LAND BEING ALL OF ADJUSTED PARCELS 'A' AND 'C' OF "BOUNDARY ADJUSTMENT PLAT OF THREE PARCELS OF LAND IN SECTIONS 1 AND 12, TOWNSHIP 44 NORTH, RANGE 4 EAST" [PLAT BOOK 322, PAGES 42-43], ALL BEING LOCATED IN THE CITY OF WILDWOOD, ST. LOUIS COUNTY, MISSOURI AND, MORE SPECIFICALLY, SITUATED ON THE SOUTH SIDE OF MANCHESTER ROAD, ON THE EAST AND WEST SIDES OF CHERRY HILLS MEADOWS DRIVE, TO BE KNOWN AS "*THE MANORS AT THE MEADOWS AT CHERRY HILLS SUBDIVISION.*"** ***Recommended by the Department of Planning & Parks*** **(Second Reading) (Ward – Eight)**

A motion was made by Council Member Garritano, seconded by Council Member Goodson, for the second reading of Bill #2195. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #2195 was read for the second time by title only.

A roll call vote was taken for passage and approval of Bill #2195 with the following results:
Ayes – McGowen, DeHart, Marshall, Manton, Baugus, Cullinane, Dodwell, Cox, McCutchen, Porter, Alexander, Stine, Levitt, Goodson and Garritano
Nays – None
Absent – Bertolino
Abstain – None
Whereupon Mayor Bowlin declared Bill #2195 approved, passed and it became **ORDINANCE #2195**.

NEW BUSINESS

BILL #2196 **AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF WILDWOOD TO ISSUE A PURCHASE ORDER TO TYLER TECHNOLOGIES FOR ACCOUNTING SOFTWARE AND HARDWARE UPGRADES.** ***Recommended by the Administration/Public Works Committee*** **(First Reading) (Wards – All)**

A motion was made by Council Member Dodwell, seconded by Council Member Manton, for the first reading of Bill #2196. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #2196 was read for the first time by title only.

BILL #2197 **AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, AUTHORIZING THE MAYOR OF THE CITY TO NEGOTIATE AND EXECUTE A COOPERATION AGREEMENT FOR INTERNET ACCESS SITES WITH ST. LOUIS COUNTY, MISSOURI, FOR THE USE OF EMERGENCY COMMUNICATIONS TOWERS FOR THE PURPOSES OF PROVIDING HIGH-SPEED INTERNET ACCESS SERVICES TO THE RESIDENTS OF THE CITY.** ***Recommended by the Rural Internet Access Committee*** **(First Reading) (Wards – All)**

DRAFT

A motion was made by Council Member Alexander, seconded by Council Member McGowen, for the first reading of Bill #2197. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #2197 was read for the first time by title only.

BILL #2198 **AN ORDINANCE AMENDING THE AMENDED PLANNED COMMERCIAL DEVELOPMENT IN THE C-8 PLANNED COMMERCIAL DISTRICT ORIGINALLY APPROVED PURSUANT TO ORDINANCE #14,466 (ST. LOUIS COUNTY, MISSOURI, AND ADOPTED BY THE CITY OF WILDWOOD, MISSOURI) TO ALLOW FOR THE SALE OF BEER AND WINE AT THE BP-AMOCO STATION LOCATED ON THE SOUTHEAST CORNER OF STATE ROUTE 109 AND WILD HORSE CREEK ROAD. (St. Louis County P.C. 6-89 Amoco Oil Company)** ***Recommended by the Planning and Zoning Commission*** **(First Reading) (Ward One)**

A motion was made by Council Member Goodson, seconded by Council Member McGowen, for the first reading of Bill #2198. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #2198 was read for the first time by title only.

BILL #2199 **AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, AUTHORIZING THE MAYOR TO SUBMIT ON BEHALF OF THE CITY OF WILDWOOD AN APPLICATION WITH THE ST. LOUIS COUNTY DEPARTMENT OF PLANNING FOR 2017 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS; AND AUTHORIZING THE MAYOR TO EXECUTE THE MUNICIPAL HOUSING AND COMMUNITY DEVELOPMENT SUPPLEMENTAL COOPERATION AGREEMENT.** ***Recommended by the Administration/Public Works Committee*** **(First Reading, Second Reading Requested) (Wards – All)**

A motion was made by Council Member Marshall, seconded by Council Member Cullinane, for the first reading of Bill #2199. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #2199 was read for the first time by title only.

A motion was made by Council Member McCutchen, seconded by Council Member Alexander, for the second reading of Bill #2199. A roll call vote was taken with the following results:
Ayes – McGowen, DeHart, Marshall, Manton, Baugus, Cullinane, Dodwell, Cox, McCutchen, Porter, Alexander, Stine, Levitt, Goodson and Garritano
Nays – None
Absent – Bertolino
Abstain – None
Whereupon Mayor Bowlin declared the motion passed. Bill #2199 was read for the second time by title only.

A roll call vote was taken for passage and approval of Bill #2199 with the following results:
Ayes – McGowen, DeHart, Marshall, Manton, Baugus, Cullinane, Dodwell, Cox, McCutchen, Porter, Alexander, Stine, Levitt, Goodson and Garritano
Nays – None
Absent – Bertolino
Abstain – None
Whereupon Mayor Bowlin declared Bill #2199 approved, passed and it became **ORDINANCE #2199**.

RESOLUTION(S)

RESOLUTION #2016-16 **A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WILDWOOD THAT HEREBY ENDORSES AND RATIFIES THE RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION ON ITS CONSIDERATION OF CHANGES TO THE 'DOWNTOWN AND WORKPLACE DISTRICTS' OF THE TOWN CENTER PLAN AND THOSE PERMITTED LAND USE ACTIVITIES ALLOWED THEREIN.** ***Recommended by the Planning and Zoning Commission*** **(Wards – One, Four, Five, Seven, and Eight)**

A motion was made by Council Member Dodwell, for the adoption of Resolution #2016-16, which motion was seconded by Council Member McGowen. Resolution #2016-16 was read into the record. A voice vote was taken for the approval of Resolution #2016-16 with an affirmative result (McCutchen voted Nay).

RESOLUTION #2016-17 A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WILDWOOD, MISSOURI, CREATING A SPECIAL COMMITTEE OF THE CITY COUNCIL TO IDENTIFY THE DESIRED CRITERIA FOR SELECTION OF A LOBBYIST TO REPRESENT THE CITY BEFORE THE MISSOURI GENERAL ASSEMBLY AND OTHER OFFICIALS AND AGENCIES OF THE STATE; IDENTIFY ELIGIBLE LOBBYISTS THAT MAY SATISFY SUCH CRITERIA; MAKE A RECOMMENDATION OF A LOBBYIST TO THE MAYOR AND CITY COUNCIL PRIOR TO OCTOBER 1, 2016; AND DETERMINE WHETHER THE LOBBYIST SHOULD REPRESENT THE CITY UNDER AN ARRANGEMENT THAT INVOLVES ITS CONCURRENT REPRESENTATION OF OTHER MUNICIPALITIES; AND APPOINTING THE MEMBERS THEREOF. ***Recommended by Mayor Bowlin*** **(Wards - All)**

A motion was made by Council Member Alexander, for the adoption of Resolution #2016-17, which motion was seconded by Council Member Cox. Resolution #2016-17 was read into the record. A voice vote was taken for the approval of Resolution #2016-17 with a unanimous affirmative result.

OTHER

Approval of Expenditures

A motion was made by Council Member Cullinane, seconded by Council Member McGowen, to approve the expenditures. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Receive & File - P.Z. 4-16 Scott Fieser, 10 Whitsetts Fork Ridge Road, Wildwood, Missouri 63038, a 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 was 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. (Ward Six)

Director of Planning and Parks Vujnich stated the Planning and Zoning Commission denied the request. Director of Planning and Parks Vujnich stated they did provide the property owners the road map to address the issue related to the denial. Director of Planning and Parks Vujnich stated he believed the petitioner had worked something out with the neighbor and they would probably apply for a variance.

ADJOURNMENT

A motion was made by Council Member Manton, seconded by Council Member Alexander, to adjourn the meeting. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. There being no further business to come before the City Council; the meeting was adjourned at 9:15 p.m.

Approved this _____ day of _____, 2016.

_____
James R. Bowlin, Mayor

ATTEST:

_____
Deputy City Clerk

DRAFT

COUNCIL WORK SESSION MINUTES
COUNCIL CHAMBERS

WILDWOOD CITY HALL
16860 Main Street
City of Wildwood, Missouri 63040

MONDAY, JUNE 27, 2016
6:00 P.M.

The meeting was called to order at 6:00 P.M.

A roll call was taken with the following results:

Present	Absent
Bowlin	Bertolino
McGowen	
DeHart	
Marshall	
Manton	
Baugus	
Cullinane	
Dodwell	
Cox	
McCutchen	
Porter	
Alexander	
Stine	
Levitt	
Goodson	
Garritano	

MAYOR'S COMMENTS AND ANNOUNCEMENTS

Ellisville Superfund Site (Wards Two and Four)

Mayor Bowlin stated a meeting had been scheduled with EPA Representatives.

Contract with Mundell & Associates

Discussion was held regarding the following: Dr. deFur is not available for the meeting with EPA; Mundell and Associates is available for the meeting; let's look at using them and run things by Dr. deFur as well; think that is a good approach; with Dr. deFur reaching the $10,000 amount will we be looking to extending that contract; Dr. deFur is unavailable but he is giving us a report for the meeting and we can follow-up with questions.

DRAFT

EPA's Correction of its June 6, 2016 Letter

Mayor Bowlin stated the EPA sent a letter to residents in Wildwood and Ellisville that referred to a report but they mentioned the wrong report. Mayor Bowlin stated the city had advised the EPA that they should send a corrected letter to anyone who received the first one. Mayor Bowlin stated we do not know if they have plans to do that yet.

Discussion was held regarding the following: how many residents received the letter; approximately 350.

Proposed Missouri Senate Concurrent Resolution

Mayor Bowlin stated a concurrent Resolution had been drafted through the Missouri Senate and Council Members had been provided a copy. Mayor Bowlin stated that if Council Members have any changes, they should submit them by the end of the week so they can be forwarded to Senator Schatz.

Discussion was held regarding the following: a fair amount of research was used to draft it, so I think that is a good sign; in the letter it states 2017, is that correct; yes it would be a Resolution for the 2017 Session; is Ellisville represented by Senator Schatz as well; I don't believe so; maybe we could try and bring in their representative as well; a letter from Eric Schmidt would be powerful as well.

Proposed Ad-Hoc Committee for the Selection of a State Lobbyist (Wards – All)

Mayor Bowlin stated the lobbyist represents Wildwood but since we are between sessions, he thought it would be a good time to look at Request for Proposals (RFP). Mayor Bowlin stated he wanted to appoint a Committee to review the RFP's and there was a Resolution on the agenda to move this forward.

Discussion was held regarding the following: for consistency the focus should be an RFQ instead of RFP; you mentioned Greendale in your memorandum, where is that; near the airport.

FOR INFORMATION

Planning/Economic Development/Parks Committee
Ongoing and Long-Term Maintenance Costs for Parks and Trail Facilities (Wards – All)

Discussion was held regarding the following: could we expand the analysis, if we could get a full 12 months of data; it helps smooth out the ups and downs; the Planning/Economic Development/Parks Committee has been reviewing the maintenance costs back through last year; at least on an annual basis; it was not broken down by parks; the Planning/Economic Development/Parks Committee have had the annual breakdown back to 2006, but just started getting spreadsheet details at the beginning of the year; spreadsheets started at the beginning of the year because of new software that collects that information; going back farther would be manual.

Parks and Recreation Facilities/Event Reservation and Registration Update (Wards – All)

Discussion was held regarding the following: it might be helpful to have a column for the fee on the rentals.

FOR ACTION

Administration/Public Works Committee
Purchase of Accounting Software (Wards – All)

DRAFT

City Administrator Thomas reviewed the recommendation from the Administration/Public Works Committee.

Discussion was held regarding the following: any real deficiencies with this software; no; city already uses an earlier version of the software.

Planning/Economic Development/Parks Committee
Community Park – Phase 3 (Ward One)

Director of Planning and Parks Vujnich reviewed the recommendation letter from the Planning/Economic Development/Parks Committee. Director of Planning and Parks Vujnich reviewed the four components identified by the Committee.

Discussion was held regarding the following: if get down the road and we find and hire someone besides Oates, how will Community Park updates be handled; certainly the monetary updates can continue; recommend that going forward there is always a construction manager; it certainly worked at Community Park.

A motion was made by Council Member Dodwell, seconded by Council Member Manton, to endorse the components of Phase 3 of Community Park and to endorse the process as identified by the Planning/Economic Development/Parks Committee. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Rural Internet Access Committee
St. Louis County Agreement and Expanded Service Opportunities (Wards – All)

Director of Planning and Parks Vujnich gave a brief update on the Rural Internet Access Project. Director of Planning and Parks Vujnich stated the Committee met recently for the first time in a year.

Discussion was held regarding the following: can you quantify the increase in leads; need clarification on some of the wording; we found that as we installed our poles, Charter followed after so the households being reached is not just from WisperISP and BaysET; as we continue to increase this are they looking to increase their prices because of Charter or AT&T; both of our providers have no data caps; $40-$100 depending on download and upload speed; they are getting to those last tough areas; what does LTE stand for; is BaysET installing the same equipment as WisperISP; I believe purchases of poles are a long term asset; purchase of electronic equipment has a shorter lifespan so I have concerns about the funding for that; equipment should be a cost of their business, even if they are going to reimburse us; I am wondering if we provide any warranty on the data passing through this; make sure we are not held accountable for it; it seems like in the last 6 months, security has come to the front of people's minds; make sure city looks at this and there are terms everyone has agreed to so we are not accountable for that security link; ask Mr. Young to review that for all of us; Bill #2197, that is just the agreement between the County and the City; do you think if the equipment is placed on these towers that some that already have service could get better service; they are talking about higher megabit downloads that are comparable to other companies; is everything in place and ready to go as soon as the agreement is ready; any additional equipment that goes on the tower in the State park needs to go through MDNR.

OTHER

A motion was made by Council Member DeHart, seconded by Council Member Levitt, to refer the Ordinance regarding water features to the Planning and Zoning Commission for review. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

DRAFT

Discussion was held regarding the following items: are there any updates on the additional swings for the parks; we gave them the okay to proceed; I recently spoke to Dustin LeCave whose father was killed by a motorist years ago and he mentioned the city was going to place a memorial of some sort up for his father; can we follow up on this; as far as the review of other funds, this is the only one of its kind, we have been trying to identify an appropriate memorial; we could potentially name a trailhead after him; think we should discuss the situation with the family members; let's get working with the family in the next 30 days; I recall that the family wanted a memorial bench along one of the trails, they may have changed their mind; many years ago we created a memorial tree and a memorial bench program, we have quite a few out in the community; let's consult with the family then figure this out in 60 days.

ADJOURNMENT

A motion was made by Council Member Marshall, seconded by Council Member Baugus, to adjourn work session. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Work Session was adjourned at 7:20 p.m.

DRAFT

ViewPoints

Report To Governance On The Results Of The Annual Audit

City Of Wildwood, Missouri

For The Year Ended December 31, 2015

RubinBrown®

Raise Your Expectations

ViewPoints

City of Wildwood, Missouri

Honorable Mayor, Council Members,
and Members of Management
City of Wildwood, Missouri

We are pleased to have the opportunity to present to you the results of our audit engagement of the City of Wildwood, Missouri for the year ended December 31, 2015. The accompanying report summarizes the results of our engagement and presents information regarding the scope of our audit and other matters.

We thank you for the opportunity to be of continued service to the City. We have received excellent cooperation and assistance from both management and staff with respect to access to records, supporting documentation and responses to inquiries. No limitations were placed upon our ability to perform the audit.

RubinBrown LLP

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City of Wildwood, Missouri

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Auditor Communications

City of Wildwood, Missouri

Honorable Mayor, Council Members,
and Members of Management
City of Wildwood, Missouri

We have audited the financial statements of City of Wildwood, Missouri, (the City) for the year ended December 31, 2015. Our audit was performed in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement and presented in accordance with accounting principles generally accepted in the United States of America. Our audit involved performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. We also evaluated the appropriateness of accounting policies used by the City and the reasonableness of significant accounting estimates made by the City's management, as well as evaluated the overall presentation of the financial statements.

Auditing standards require the auditor to ensure that those charged with corporate governance receive additional information regarding the scope and results of the audit that may assist the governing body in overseeing the financial reporting and disclosure process for which management is responsible. The following section describes matters which are required to be reported to you.

This information is intended solely for the use of the Honorable Mayor, Council Members and members of management and is not intended to be and should not be used by anyone other than these specified parties.

RubinBrown LLP

June 27, 2016

Auditor Communications *(Continued)*

City of Wildwood, Missouri

AREA	COMMENTS
Auditors' Responsibility Under U.S. Generally Accepted Auditing Standards and *Government Auditing Standards* Our responsibility, as described by professional standards, is to express an opinion about whether the financial statements prepared by management with our assistance are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles. Our audit of the financial statements does not relieve you or management of responsibility for the accuracy of the financial statements. Professional standards also require that we obtain an understanding of the City's internal control. However, such understanding is required for the purpose of assessing the risks of material misstatement of the financial statements and to design the nature, timing and extent of our audit procedures and not to provide any assurance concerning such internal control. Accordingly, we express no such assurance.	We have issued: • An unmodified opinion on the City's financial statements for the year ended December 31, 2015. • An unmodified opinion on other supplemental information in relation to the financial statements as a whole. • A report on compliance and on internal control over financial reporting based on an audit of the financial statements in accordance with *Government Auditing Standards*.

Auditor Communications *(Continued)*

City of Wildwood, Missouri

AREA	COMMENTS
Other Information In Documents Containing Audited Financial Statements	To our knowledge the 2015 financial statements are not included with any other document.
Planned Scope And Timing Of The Audit	We performed the audit as stated in our engagement letter dated February 18, 2016 regarding the nature, timing and extent of our audit procedures.
Qualitative Aspects Of Accounting Practices Management is responsible for the selection and use of appropriate accounting policies. In accordance with the terms of our engagement letter, we will advise management about appropriateness of accounting policies and their application.	Significant accounting policies are described in Note 1. No new accounting policies were adopted and the application of existing policies was not changed. We noted no transactions entered into during the year for which there was a lack of authoritative guidance or consensus. No significant transactions have been recognized in a different period than when the transactions occurred.

Auditor Communications *(Continued)*

City of Wildwood, Missouri

AREA	COMMENTS
Management Judgments And Accounting Estimates The preparation of the financial statements requires the use of accounting estimates. Certain estimates are particularly sensitive due to their significance to the financial statements and the possibility that future events may differ significantly from management's expectations. We evaluated the key factors and assumptions used to develop the estimates noted at right in determining that these amounts are reasonable in relation to the financial statements taken as a whole.	• Estimated useful lives of capital assets

Auditor Communications *(Continued)*

City of Wildwood, Missouri

AREA	COMMENTS
Financial Statement Disclosures The disclosures are neutral, consistent and clear. Certain disclosures are particularly sensitive because of their significance to the financial statements users.	The most sensitive disclosures affecting the financial statements are: Note 2 - Deposits and investments Note 4 - Long-term liabilities Note 8 - Commitments and contingencies
Difficulties Encountered In Performing The Audit	There were no difficulties encountered in dealing with management related to the performance of the audit.
Corrected And Uncorrected Misstatements Professional standards require us to accumulate all factual, judgmental and projected misstatements identified during the audit, other than those that are trivial, communicate them to the appropriate level of management, and request their correction.	We did not detect any material misstatements and did not propose any audit adjustments that, in our judgment could have a significant effect, either individually or in the aggregate on the City's financial statements. There were no uncorrected misstatements noted during the audit.
Disagreements With Management	None

Auditor Communications *(Continued)*

City of Wildwood, Missouri

AREA	COMMENTS
Management Representations	Management representation letter dated June 27, 2016 is included as an exhibit.
Management Consultations With Other Independent Accountants	In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a “second opinion” on certain situations. If a consultation involves application of an accounting principle to an entity’s financial statements or a determination of the type of auditors’ opinion that my be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.
Other Audit Findings Or Issues	We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the City’s auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Auditor Communications *(Continued)*

City of Wildwood, Missouri

AREA	COMMENTS
Other Matters	The Management's Discussion and Analysis and Budgetary Comparison Information are not required parts of the basic financial statements but are supplementary information required by accounting principles generally accepted in the United States of America. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the required supplementary information. However, we did not audit the information and express no opinion on it. The introductory section, individual nonmajor fund financial statements and statistical section are presented for purposes of additional analysis and are not a required part of the basic financial statements. This supplementary information is management's responsibility. The individual nonmajor fund financial statements have been subjected to certain audit procedures and, in our opinion, are fairly stated in relation to the financial statements taken as a whole. The introductory and statistical sections have not been subjected to auditing procedures, and accordingly, we do not express an opinion or provide any assurance on them.

Statistical Comparison For Wildwood

City of Wildwood, Missouri

FINANCIAL RATIO STUDY FOR MUNICIPALITIES
FISCAL YEARS ENDING IN 2014
ST. LOUIS METROPOLITAN AREA

MORE FAVORABLE ← → LESS FAVORABLE

	First Quartile	Quartile Breakpoint	Second Quartile	Median	Third Quartile	Quartile Breakpoint	Fourth Quartile	Average	Wildwood 2015	Wildwood 2014
Government-Wide Ratios										
General Ratios										
Change in net position as a percent of net position (%)		9.3%	✓	3.3%		0.5%		0.4%	4.5%	3.6%
Revenue coverage ratio (times)	✓	1.21		1.10		1.02		1.08	1.30	1.24
Unrestricted net position as a percent of total current year revenue (%)	✓	60.2%		31.8%		-26.2%		-3.1%	84.5%	95.1%
Accumulated depreciation as a percent of depreciable capital assets (%)	✓	39.7%		45.5%		51.6%		45.5%	25.3%	22.4%
Liquidity Ratio										
Liquidity ratio (times)	✓	5.33		3.52		2.22		4.48	6.13	7.38
Debt Ratios										
Debt to assets leverage ratio (times)	✓	0.06		0.19		0.39		0.32	0.04	0.05
Total debt per capita ($ per citizen)	✓	$ 157.84		$ 539.22		$ 1,366.52		$ 1,146.55	$ 110.59	$ 118.98
Revenue Ratios										
Tax revenues per capita ($ per citizen)	✓	$ 640.89		$ 759.62		$ 1,034.67		$ 928.01	$ 311.06	$ 308.59
Total grants, contributions and intergovernmental revenues as a percent of total revenues (%)		5.1%		9.0%		14.3%	✓	10.5%	23.0%	21.0%

✓ Represents the City's quartile ranking
Obtained from 2015 Public Sector Stats issued by RubinBrown for municipalities with fiscal years ending in 2014

Statistical Comparison For Wildwood *(Continued)*

City of Wildwood, Missouri

FINANCIAL RATIO STUDY FOR MUNICIPALITIES
FISCAL YEARS ENDING IN 2014

ST. LOUIS METROPOLITAN AREA

MOST FAVORABLE ← → **LEAST FAVORABLE**

	First Quartile	Quartile Breakpoint	Second Quartile	Median	Third Quartile	Quartile Breakpoint	Fourth Quartile	Average	Wildwood 2015	Wildwood 2014
Government-Wide Ratios *(Continued)*										
Expense Ratios										
Total expenses per capita ($ per citizen)	✓	$ 809.34		$ 1,007.59		$ 1,294.10		$ 1,197.29	$ 331.84	$ 338.10
Total general government (administration) expenses per capita ($ per citizen)	✓	$ 94.21		$ 162.10		$ 205.92		$ 179.10	$ 41.50	$ 43.88
Total public safety expenses per capita ($ per citizen)	✓	$ 260.22		$ 404.65		$ 591.51		$ 460.04	$ 92.54	$ 90.92
Total interest expenses per capita ($ per citizen)	✓	$ 4.56		$ 27.38		$ 63.84		$ 63.85	$ 3.44	$ 3.56
Governmental Fund Ratios										
Expenditure Ratios										
Debt service expenditures as a percent of total revenues (%)	✓	4.3%		9.1%		15.3%		12.1%	2.5%	2.6%
Capital outlay expenditures as a percent of total expenditures (%)	✓	23.7%		17.0%		11.7%		16.9%	39.1%	42.1%
General Fund Ratios										
Financial Position Ratio										
Unrestricted fund balance as a percent of total revenues (%)	✓	73.9%		53.6%		26.8%		59.0%	134.6%	144.3%
Revenue Ratios										
Intergovernmental revenue as a percent of total revenue (%)	✓	0.0%		2.2%		7.8%		5.8%	0.0%	0.0%
Transfers in as a percent of total revenues and transfers in (%)	✓	0.0%		0.3%		2.4%		2.1%	0.0%	2.3%

✓ Represents the City's quartile ranking

Description Of Ratios

City of Wildwood, Missouri

RATIO	FORMULA	INTERPRETATION
Government-Wide General Ratios		
Change in net position as a percent of net position	Increase (decrease) in governmental activities' net position / Governmental activities' net position beginning of year	The ratio measures the change in the municipality's financial condition for the year. A positive ratio indicates that the financial condition has improved; a negative ratio indicates a deteriorating financial condition.
Revenue coverage ratio	Governmental activities' current year revenue* / Governmental activities' current year expense *Current revenue includes both program and general revenue but excludes gains, losses, contributions, special and extraordinary gains or losses and transfers.	The ratio measures interperiod equity - whether current year revenue covers the cost, including depreciation, of providing current year services. A ratio greater than 1.0 indicates positive interperiod equity; current year taxpayers are providing adequately for current year services. When the ratio falls below 1.0, either prior year revenues were used to fund a portion of current year services or future citizens are being burdened with some of the cost for providing services consumed currently. A higher value for the ratio usually is considered favorable. However, an extremely high ratio may indicate that the municipality is not providing services commensurate with the current revenues being generated from its tax base.
Unrestricted net position as a percent of current year revenue	Governmental activities' unrestricted net position / Governmental activities' current year revenue*	The ratio measures the ability of the municipality to operate if its normal revenue stream is temporarily interrupted or significantly impaired. The ratio is the measure of the cushion that the municipality has for bad years. Municipalities may set a target minimum value for this ratio. A high ratio usually is considered favorable. However, an extremely high ratio may indicate that the municipality is not providing appropriate current services for its constituents based on its recurring revenue stream.
Accumulated depreciation as a percent of depreciable capital assets	Governmental activities' accumulated depreciation, end of year / Governmental activities' depreciable capital assets, end of year	The ratio is a measure of the relative age of depreciable capital assets compared to the assets' economic lives. Lower ratios are considered to be more favorable; the municipality will not face significant replacement cost in the near future.

Description Of Ratios *(Continued)*

City of Wildwood, Missouri

RATIO	FORMULA	INTERPRETATION
Government-Wide Liquidity Ratio		
Liquidity ratio	Governmental activities' liquid assets* / Governmental activities' current liabilities *Cash and short-term investments, excluding any restricted assets	The ratio measures the municipality's ability to meet current obligations from existing cash and short-term investment balances. A higher ratio is considered favorable, indicating that the municipality will be able to pay current liabilities as they become due.
Government-Wide Debt Ratios		
Debt to assets leverage ratio	Government activities' total debt* / Governmental activities' total assets *Total long-term liabilities, excluding operating liabilities such as accrued compensated absences, claims and judgments payable, and pension obligations. Short-term operating debt is also not included	The ratio is a measure of the degree to which the municipality's total assets have been funded with debt. A lower ratio is considered favorable, indicating that the government does not have significant creditor claims against its assets and has less risk of default on debt.
Total debt per capita	Governmental activities' total debt* / Population *Total long-term liabilities, excluding operating liabilities such as accrued compensated absences, claims and judgments payable, and pension obligations.	The ratio is a measure of the debt burden to citizens. A lower ratio is considered favorable, indicating that the citizens are less heavily burdened. The municipality has the ability to issue future debt at a lower cost.
Government-Wide Revenue Ratios		
Tax revenue per capita	Governmental activities' tax revenue / Population	The ratio is a measure of the tax burden to citizens. A lower ratio is considered favorable, indicating that current citizens are paying less tax. Therefore the municipality has a greater ability to increase taxes to meet future needs.

Description Of Ratios *(Continued)*

City of Wildwood, Missouri

RATIO	FORMULA	INTERPRETATION
Total grants, contributions and other intergovernmental revenue as a percent of total revenue	(Governmental activities' total operating grants and contributions + total capital gains and contributions + other intergovernmental revenue) / Governmental activities' total revenue* *Current revenue includes both program and general revenue but excludes gains, losses, contributions, special and extraordinary gains or losses and transfers.	The ratio measures the municipality's reliance on grants, contributions and other intergovernmental revenue. A lower ratio is considered favorable, indicating that the municipality is less reliant on external sources that are beyond its control.
Government-Wide Expense Ratios		
Total expense per capita	Government-wide total expense / Population	Expense ratios measure the current-period cost of providing services to citizens, or current-period financing cost. Functional expense categories, including depreciation, measure the cost of using capital assets to provide current-year services. Low ratios are depicted as favorable. However, the amount of expense incurred is not necessarily commensurate with the quality, efficiency or effectiveness of the service provided.
Total general government (administration) expense per capita	Government-wide general government (administration) expense / Population	See previous comments.
Total public safety expense per capita	Government-wide public safety expense / Population	See previous comments.
Total interest expense per capita	Government-wide interest expense / Population	See comments above. Lower interest expense is considered favorable. The municipality has incurred lower debt and therefore less financial risk.

Description Of Ratios *(Continued)*

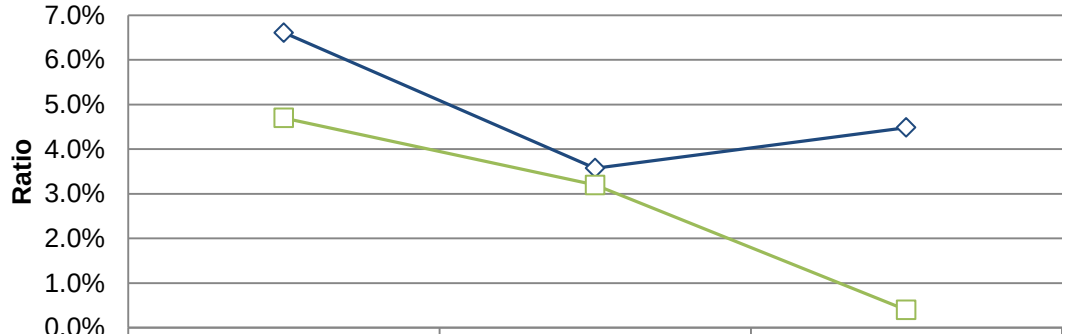
City of Wildwood, Missouri

RATIO	FORMULA	INTERPRETATION
Governmental Fund Ratios		
Total debt service expenditures as a percent of total revenues	Governmental fund debt service expenditures / Governmental fund total revenue	This ratio measures the amount of current revenue that is devoted to meeting the year's debt service requirements. Significant debt service requirements potentially lower the amount that can be used for providing current services. A low ratio is considered favorable.
Capital outlay expenditures as a percent of total expenditures	Governmental fund capital outlay expenditures / Governmental fund total expenditures	The ratio measures whether the municipality is adequately providing for capital asset additions and improvements. A high ratio is considered favorable, indicating that the municipality is providing adequately for its capital asset needs.
General Fund Ratios		
Unrestricted fund balance as a percent of total revenue	General Fund unrestricted fund balance* / General Fund revenues *Includes both assigned and unassigned fund balance.	The ratio measures the ability of the General Fund to continue operations if its revenue is temporarily interrupted or declines. This ratio is a measure of the General Fund operating cushion. Municipalities may set a target for this ratio. A higher ratio is usually considered favorable. However, an extremely high ratio may indicate that the municipality is not providing the level of services commensurate with its revenue stream.
Intergovernmental revenue as a percent of total revenue	General Fund intergovernmental revenue / General Fund total revenue	The ratio measures the General Fund's reliance on revenues from external sources to finance current operations. A low ratio is considered favorable, indicating that the General Fund is not overly reliant on revenue sources that are beyond its control.
Transfers in as a percent of total revenues and transfers in	General Fund transfers in / General Fund total revenues and transfers in	The ratio measures the reliance of the General Fund on transfers from other funds. To the extent the transfers are from enterprise funds, the users enterprise services may be subsidizing General Fund operations. A low ratio is considered favorable, indicating that the General Fund is not dependent on transfers.

Financial Health Information

City of Wildwood, Missouri

Change In Net Position As A % Of Net Position



	2013	2014	2015
Change in Net Position as a % of Net Position Ratio	6.6%	3.6%	4.5%
Benchmark	4.7%	3.2%	0.4%

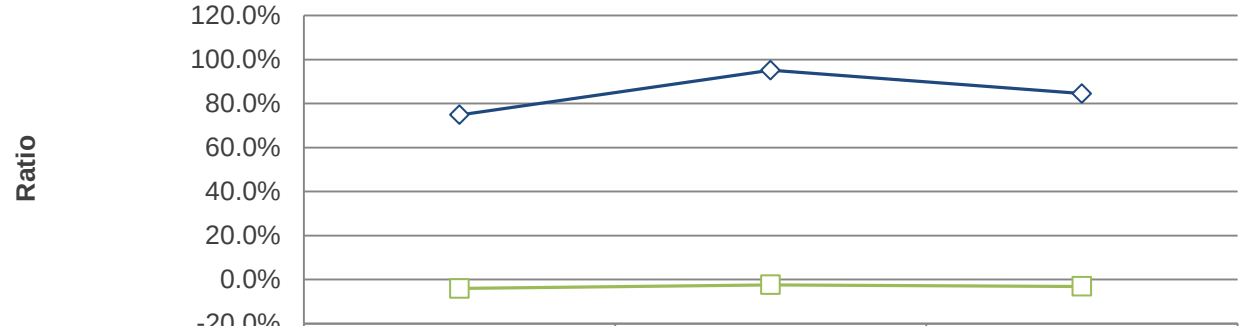
Ratio Analysis:

- The ratio measures the change in the municipality's financial condition for the year. A positive ratio indicates that the financial condition has improved; a negative ratio indicates a deteriorating financial condition.
- The benchmark represents the yearly average percentage for St. Louis Metropolitan Area Municipalities. Benchmark Data Source: 2015 RubinBrown Public Sector Stats

Financial Health Information *(Continued)*

City of Wildwood, Missouri

Unrestricted Net Position As % Of Total Revenue



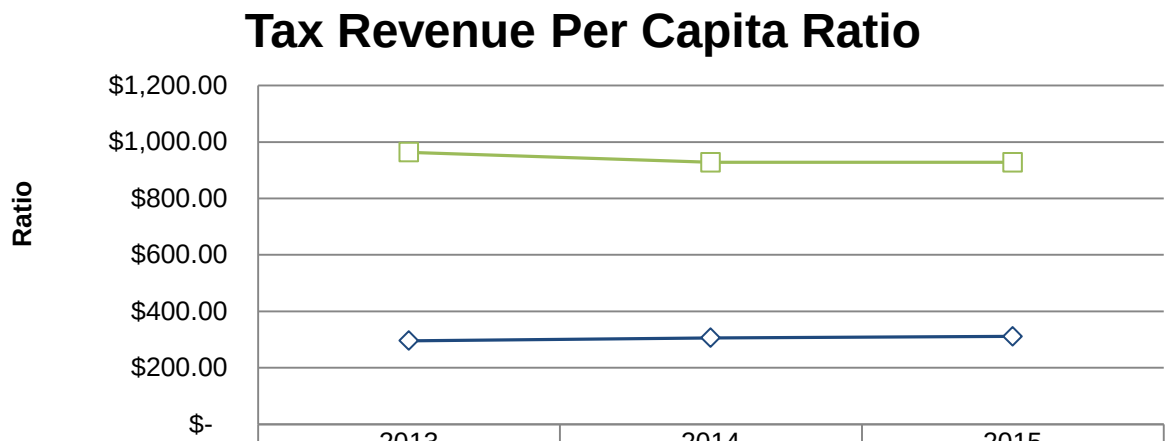
	2013	2014	2015
Unrestricted Net Position as a % of Total Revenue Ratio	74.9%	95.1%	84.5%
Benchmark	-4.1%	-2.4%	-3.1%

Ratio Analysis:

- The ratio measures the ability of the municipality to operate if its normal revenue stream is temporarily interrupted or significantly impaired. The ratio is the measure of the cushion that the municipality has for bad years. Municipalities may set a target minimum value for this ratio. A higher ratio is usually considered favorable. However, an extremely high ratio may indicate that the municipality is not providing appropriate current services for its constituents based on its recurring revenue stream.
- The benchmark represents the yearly average percentage for St. Louis Metropolitan Area Municipalities. Benchmark Data Source: 2015 RubinBrown Public Sector Stats

Financial Health Information *(Continued)*

City of Wildwood, Missouri



	2013	2014	2015
Tax Revenue Per Capita Ratio	$295.84	$305.98	$311.06
Benchmark	$963.43	$927.74	$928.01

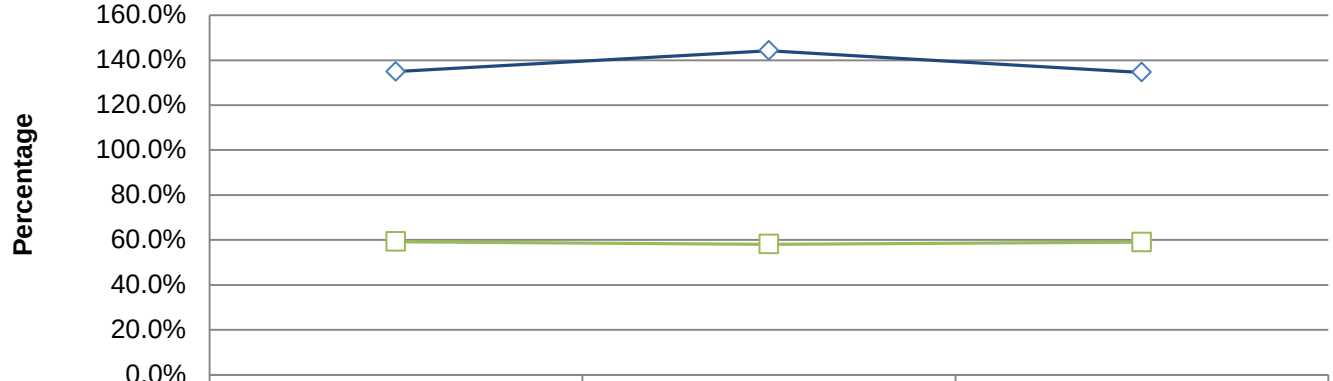
Ratio Analysis:

- The ratio is a measure of the tax burden to citizens. A lower ratio is considered favorable indicating that current citizens are paying lower taxes. Therefore the municipality has greater ability to increase taxes to meet future needs.
- The benchmark represents the yearly dollar average for St. Louis Metropolitan Area Municipalities. Benchmark Data Source: 2015 RubinBrown Public Sector Stats

Financial Health Information *(Continued)*

City of Wildwood, Missouri

Unrestricted Fund Balance Ratio – General Fund



	2013	2014	2015
Restricted Fund Balance Ratio	134.9%	144.3%	134.6%
Benchmark	59.2%	58.1%	59.0%

Ratio Analysis:

- The ratio measures the ability of the General Fund to continue operations if its revenue is temporarily interrupted or declines. This is a measure of the General Fund operating cushion. Municipalities may set a target for this ratio. A higher ratio is usually considered favorable. However, an extremely high ratio may indicate that the municipality is not providing the level of services commensurate with its revenue stream.
- The benchmark represents the yearly average percentage for St. Louis Metropolitan Area Municipalities. Benchmark Data Source: 2015 RubinBrown Public Sector Stats

Independent Auditors' Report On Additional Information

City of Wildwood, Missouri

Honorable Mayor, Council Members,
and Members of Management
City of Wildwood, Missouri

Our report, dated June 27, 2016 on our audit of the basic financial statements of the City of Wildwood, Missouri (the City) for December 31, 2015 appears in the financial statements of the City. That audit was conducted for the purpose of forming opinions on the basic financial statements taken as a whole. The additional information presented on pages 8 through 17 is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information has not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we express no opinion on it.

RubinBrown LLP

June 27, 2016

WILDWOOD

June 27, 2016

RubinBrown LLP
One North Brentwood Boulevard
Saint Louis, Missouri 63105

We are providing this letter in connection with your audit of the financial statements of the City of Wildwood, Missouri as of December 31, 2015 and for the year then ended for the purpose of expressing opinions as to whether the financial statements present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the City of Wildwood, Missouri and the respective changes in financial position in conformity with U.S. generally accepted accounting principles. We confirm that we are responsible for the fair presentation of the previously mentioned financial statements in conformity with U.S. generally accepted accounting principles.

We understand we are responsible for management decisions and functions, for designating a qualified employee to oversee any nonattest services you provide, for evaluating the adequacy and results of the services performed and accepting responsibility for such services.

We confirm, to the best of our knowledge and belief the following representations made to you during your audit.

Financial Statements

1. We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter.
2. The financial statements referred to above are fairly presented in conformity with U.S. generally accepted accounting principles and include all properly classified funds and other financial information of the primary government and all component units required by generally accepted accounting principles to be included in the financial reporting entity.
3. We acknowledge our responsibility for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.
4. We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.
5. Significant assumptions we used in making accounting estimates are reasonable.

6. Related party relationships and transactions, including revenues, expenditures/expenses, loans, transfers, leasing arrangements, and guarantees, and amounts receivable from or payable to related parties have been appropriately accounted for and disclosed in accordance with the requirements of U.S. GAAP.
7. All events subsequent to the date of the financial statements and for which U.S. GAAP requires adjustment or disclosure have been adjusted or disclosed. No events, including instances of noncompliance, have occurred subsequent to the balance sheet date and through the date of this letter that would require adjustment to or disclosure in the aforementioned financial statements.
8. The effects of all known actual or possible litigation, claims, and assessments have been accounted for and disclosed in accordance with U.S. GAAP.
9. Guarantees, whether written or oral, under which the City is contingently liable, if any, have been properly recorded or disclosed.

Information Provided

10. We have provided you with:
    a. Access to all information, of which we are aware, that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, and other matters.
    b. Additional information that you have requested from us for the purpose of the audit.
    c. Unrestricted access to persons within the entity from whom you determined it necessary to obtain audit evidence.
    d. Minutes of the meetings of City Council or summaries of actions of recent meetings for which minutes have not yet been prepared.
11. All material transactions have been recorded in the accounting records and are reflected in the financial statements.
12. We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.
13. We have no knowledge of any fraud or suspected fraud that affects the entity and involves:
    a. Management,
    b. Employees who have significant roles in internal control, or
    c. Others where the fraud could have a material effect on the financial statements.
14. We have no knowledge of any allegations of fraud or suspected fraud affecting the entity's financial statements communicated by employees, former employees, regulators, or others.
15. We have disclosed to you all known instances of noncompliance or suspected noncompliance with provisions of laws, regulations, contracts, or grant agreements, or abuse, whose effects should be considered when preparing financial statements.
16. We have disclosed to you all known actual or possible litigation, claims, and assessments whose effects should be considered when preparing the financial statements.
17. We have disclosed to you the identity of the entity's related parties and all the related party relationships and transactions of which we are aware.
18. We have made available to you all financial records and related data.

Government Specific

19. There have been no communications from regulatory agencies concerning noncompliance with, or deficiencies in, financial reporting practices.
20. We have identified to you any previous audits, attestation engagements, and other studies related to the audit objectives and whether related recommendations have been implemented.
21. The City has no plans or intentions that may materially affect the carrying value or classification of assets, liabilities, or net position/fund balance.
22. We are responsible for compliance with the laws, regulations, and provisions of contracts and grant agreements applicable to us, including tax or debt limits and debt contracts; and we have identified and disclosed to you all laws, regulations and provisions of contracts and grant agreements that we believe have a direct and material effect on the determination of financial statement amounts or other financial data significant to the audit objectives, including legal and contractual provisions for reporting specific activities in separate funds.
23. There are no violations or possible violations of budget ordinances, laws and regulations (including those pertaining to adopting, approving, and amending budgets), provisions of contracts and grant agreements, tax or debt limits, and any related debt covenants whose effects should be considered for disclosure in the financial statements, or as a basis for recording a loss contingency, or for reporting on noncompliance.
24. As part of your audit, you assisted with preparation of the financial statements and related notes. We have designated an individual with suitable skill, knowledge, or experience to oversee your services and have made all management decisions and performed all management functions. We have reviewed, approved, and accepted responsibility for those financial statements and related notes.
25. The City has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset been pledged as collateral.
26. The City has complied with all aspects of contractual agreements that would have a material effect on the financial statements in the event of noncompliance.
27. We have followed all applicable laws and regulations in adopting, approving, and amending budgets.
28. The financial statements include all component units as well as joint ventures with an equity interest, and properly disclose all other joint ventures and other related organizations.
29. The financial statements properly classify all funds and activities.
30. All funds that meet the quantitative criteria in GASB Statement Nos. 34 and 37 for presentation as major are identified and presented as such and all other funds that are presented as major are particularly important to financial statement users.
31. Components of net position (net investment in capital assets; restricted; and unrestricted) and equity amounts are properly classified and, if applicable, approved.
32. Investments, derivative instruments, and land and other real estate held by endowments are properly valued.
33. Provisions for uncollectible receivables have been properly identified and recorded.

34. Expenses have been appropriately classified in or allocated to functions and programs in the statement of activities, and allocations have been made on a reasonable basis.
35. Revenues are appropriately classified in the statement of activities within program revenues, general revenues, contributions to term or permanent endowments, or contributions to permanent fund principal.
36. Interfund, internal, and intra-entity activity and balances have been appropriately classified and reported.
37. Deposits and investment securities and derivative instruments are properly classified as to risk and are properly disclosed.
38. Capital assets, including infrastructure and intangible assets, are properly capitalized, reported, and, if applicable, depreciated.
39. We have appropriately disclosed the City's policy regarding whether to first apply restricted or unrestricted resources when an expense is incurred for purposes for which both restricted and unrestricted net assets are available and have determined that net assets were properly recognized under the policy.
40. We acknowledge our responsibility for the required supplementary information (RSI). The RSI is measured and presented within prescribed guidelines and the methods of measurement and presentation have not changed from those used in the prior period. We have disclosed to you any significant assumptions and interpretations underlying the measurement and presentation of the RSI.
41. With respect to the supplementary information:
    a. We acknowledge our responsibility for presenting the supplementary information in accordance with accounting principles generally accepted in the United States of America, and we believe the supplementary information, including its form and content, is fairly presented in accordance with accounting principles generally accepted in the United States of America. The methods of measurement and presentation of the supplementary information have not changed from those used in the prior period, and we have disclosed to you any significant assumptions or interpretations underlying the measurement and presentation of the supplementary information.
    b. If the supplementary information is not presented with the audited financial statements, we will make the audited financial statements readily available to the intended users of the supplementary information no later than the date we issue the supplementary information and the auditor's report thereon.

Ryan Thomas, City Administrator

Dawn Kaiser, Finance Officer

CITY OF WILDWOOD, MISSOURI
COMPREHENSIVE ANNUAL
FINANCIAL REPORT

For The Year Ended December 31, 2015

WILDWOOD

Report prepared and submitted by the
Administration Department

Dawn Kaiser, Finance Officer

Ryan Thomas, City Administrator

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WILDWOOD

Introductory Section

WILDWOOD

June 27, 2016

To the Honorable Mayor, Members of the City Council, and Citizens of the City of Wildwood:

I am pleased to transmit the Comprehensive Annual Financial Report of the City of Wildwood for the fiscal year beginning January 1, 2015 and ending December 31, 2015. The City Charter mandates that the City annually issue a report on its financial position and transactions, and that the report be audited by an independent firm of licensed certified public accountants. The financial statements and schedules herein are presented in conformity with U.S. Generally Accepted Accounting Principles (GAAP).

Responsibility for both the accuracy of the data and the completeness and fairness of the presentation of the financial statement reports, supporting schedules, and statistical tables rests with the City. To the best of our knowledge and belief, the enclosed data is accurate in all material respects and is reported in a manner designed to present fairly the financial position and results of operations of the funds and government wide activities of our City government. The City has adopted and practices sound accounting policies to establish and maintain adequate internal controls designed to protect the City's assets from loss, theft, or misuse. All disclosures necessary to enable the reader to gain an understanding of the City's activities have been included.

The City of Wildwood financial statements for this fiscal year period have been audited by the independent accounting firm RubinBrown LLP, Certified Public Accountants. The goal of the independent audit is to provide reasonable assurance that the financial statements of the City of Wildwood for the fiscal year ended December 31, 2015 are free of material misstatement. The independent audit involved examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; assessing the accounting principles used and significant estimates made by management; and evaluating the overall financial statement presentation. The independent auditor concluded, based upon their audit, that there is a reasonable basis for rendering an unmodified opinion on the City of Wildwood financial statements and other supplemental information in relation to the financial statements for the fiscal year ended December 31, 2015, and that the audit is a fair presentation in conformity with GAAP, in all material respects. The independent auditor's report is presented as the first component of the financial section of this report.

GAAP requires that management provide a narrative introduction, overview, and analysis to accompany the basic financial statement in the form of Management's Discussion and Analysis (MD&A). This letter of transmittal is designed to complement the MD&A and should be read in conjunction with it. The City of Wildwood's MD&A can be found immediately following the report of the independent auditors.

City Profile

The City of Wildwood is located in far western St. Louis County and was incorporated on September 1, 1995. The City encompasses an area of over sixty-eight (68) square miles. It is bisected by Missouri Highway 100, which runs east/west, and by Missouri Highway 109, which runs north/south. These roads provide access to major arterial and interstate highway systems in the St. Louis region, including Interstates 64 and 44. Within the City's boundaries are 11 square miles of state and county parkland, including Babler State Park, Rockwoods Reservation and Range, and Greensfelder County Park.

The City of Wildwood is governed under a Home Rule City Charter by a Mayor, elected at-large for a four (4) year term, and sixteen (16) City Council Members, two (2) from each of eight (8) wards, who are elected on a staggered basis for two (2) year terms. A City Administrator is appointed by the City Council with the approval of the Mayor for an indefinite period and serves as the chief administrative officer of the City. The City Clerk, City Attorney, Marshal, Treasurer, Prosecuting Attorney, and Municipal Judge are appointed by the Mayor with the approval of the City Council.

In accordance with its Charter mandate, principal public services are provided through a combination of contracted services with other public agencies, private contractors, and directly by independent public special purpose districts. As a result of this nontraditional manner of providing services, the City Staff totaled only 21.4 full-time equivalent employees during 2015 resulting in personnel costs, including salaries and all benefits, representing only 26.9% of the City's total operating budget. Municipal functions provided by full-time staff include general administration, financial management and accounting, municipal court administration, planning and land use regulation, code enforcement, park and recreation administration, recreation and special event programming, public works administration and overall management of contracted maintenance services.

Police services are provided under contract by the St. Louis County Police Department which operates from a precinct facility located in the Wildwood Municipal Building. The City also contracts with St. Louis County for building permitting and inspection services, public health services, and other functions. Public works maintenance functions, including roadway maintenance, street lighting, sidewalks, storm drainage, snow and ice control, traffic control and capital improvement construction, are performed through contractual agreements with private construction firms selected annually through a competitive bidding process. Recreation programming, park site and recreational trail maintenance is likewise provided by contracted parties. Fire protection, emergency ambulance and fire prevention services are provided by three (3) independent fire protection districts covering portions of the City that are established as separate taxing authorities under Missouri statutes. Sanitary sewer services are provided generally in the eastern portion of the City by the Metropolitan St. Louis Sewer District, a regional public agency. Household solid waste, yard waste, and recycling services are provided under an exclusive license agreement with a private waste hauler. Electrical service is provided by Ameren Missouri, and natural gas is provided by Laclede Gas Company. Water service is provided by Missouri American Water Company. Local telephone service is provided by AT&T Communications and other telecommunications service providers. Local cable television service is provided by Charter Communications.

Local Economy. The City continued to experience a stable local economy throughout 2015 reflecting national and St. Louis regional economic trends. Wildwood is regarded as one of the most desirable communities in the St. Louis area in which to live. New home construction totaled 52 new home permits for the year, which is comparable to the past several years. However, during the latter part of 2015, a number of new residential development proposals have come forward, which is expected to produce a sizable increase in new home construction for the next several years. New commercial construction was limited throughout all of 2015.

As part of the Metropolitan St. Louis area, the City of Wildwood is impacted financially more directly by the regional economy than the local community economy particularly in the area of retail sales since the City benefits from the St. Louis County Sales Tax "pooled" distribution of sales tax revenues generated by a 1% County-wide sales tax. Proceeds from this sales tax are distributed on a per capita based formula. The regional retail economy saw modest growth in 2015, with the City's allocation of sales tax revenue growing by 2.6% over 2014. Also, since the City levies no local real estate taxes and derives only modest revenue from permits and development fees, the impact of the local housing market and changes in assessed value is minimal on the overall City finances.

Community Planning. Sound, locally controlled community planning was the stimulus for incorporation of the City of Wildwood in 1995 and has been at the core of the City's governance during its nineteen (19) year history. The City's motto of "Planning Tomorrow Today" reflects this focus. In March 1996, the City Council adopted its original Master Plan to direct the City's future development. Wildwood's Master Plan is unique in that it is directly associated with the City Charter authority for its compliance. The City subsequently last conducted a comprehensive review and updating of the Master Plan during 2005 and 2006, a process which engaged the residents, business owners, property owners and members of the public. In 2009 and 2010, a similar review of the more detailed Town Center Plan governing land use in the 800 acre core of the City was undertaken by the City under the oversight of a citizen's committee composed of residents and property owners resulting in a recommended update of that plan. Another review and update to the Master Plan commenced at the end of 2014, and should conclude by early 2016.

Strategic Goals. The City of Wildwood has operated under a series of multi-year Strategic Goals since its incorporation. In May 2015, the City Council and Staff participated in a facilitated community goal-setting process resulting in the adoption of a new set of 5-Year Strategic Goals and Objectives intended to guide City policy and programs. These goals provided direction and fiscal discipline in the City's pursuits over the five year term concluding in 2019. Noteworthy progress has occurred toward accomplishment of these strategic goals. The Strategic Goals are summarized as follows:

GOAL 1. Promote and Facilitate the Development of the Town Center

GOAL 2. Develop a Long-term Financial Plan

GOAL 3. Implement the Parks and Recreation Action Plan

GOAL 4. Develop Marketing Strategies for the City as Regional Destination

GOAL 5. Enhance Citizen Communications and Input

Major Initiatives

The City acquired a 63 acre parcel of property in early 2010 to serve as the site of a future Community Park. A comprehensive, citizen engaged planning process for the future multi-phased development of the park was completed by Summer 2011. The next major step in the park site planning process took place during 2012 with the engagement of a park planning consultant to prepare development plans for the new Community Park to guide future budgeting of Community Park improvements in the years to come. The projected multi-million dollar overall cost of this facility is expected to represent a multi-year financial commitment. The first phase of construction of the park site began in 2014, with completion in August 2015. Planning, design and construction of additional phases will continue over the next several years.

The City also engaged an economic development consultant during 2015 to develop an Economic Development Guide for the City to implement for the purpose of supporting business growth in the City, particularly in the Town Center. Final Adoption of the Guide is expected early in 2016, which will result in several initiatives to support business expansion and recruitment in the City.

Financial Controls

The objective of the City's financial controls is to guard against misuse, misappropriation and fraud concerning City funds, to ensure compliance with the requirements of its financial procedures, and to ensure conformance with the annual budget as approved by the City Council. The City's annual budget serves as the foundation of its financial planning and control. The budget serves as the legal appropriation of funds, and is prepared by fund, department, and object classification. The proposed annual budget is reviewed and discussed in detail with the City Council on numerous occasions throughout the budget preparation process prior to final adoption. Transfers within departmental budgets over $500 may be made only with prior approval by the Finance Officer and City Administrator provided that the approval of the City Council is required to increase the total expenditures budgeted for any department. Expenditures within established budget guidelines up to $5,000 require authorization by the City Administrator. Expenditures in excess of $5,000 require approval of the City Council.

The City Administrator serves as the Finance Director, although most of the finance administration and accounting is carried-out by a full-time Finance Officer and an Accounting Clerk/Human Resources Assistant. A division of duties for accounting, payroll, investments, receivables, payables and other such financial functions has been established to the extent practical, however, the small size of the City organization including personnel devoted to financial administration results in an inherent limitation in this regard. An appointed, part-time City Treasurer, who is an experienced Chief Financial Officer by profession, conducts a thorough, independent review of financial transactions monthly and serves to advise City Officials on financial practices and procedures. The City participates in a Positive Pay authorization process with its bank. Bank-secured wire transfer, ACH authorization and invoice payment authorization processes provide additional levels of protection against the possibility of electronic fraud and misappropriation of City funds, although here again, the City recognizes these systems have their inherent limitations.

Factors Affecting Financial Condition

In spite of economic conditions that have challenged many local governments throughout the nation, Wildwood has weathered the situation quite well during 2015, maintaining a balanced budget, substantial fund balances and no reductions in public services. Strategic long-standing financial policies and practices contributed to this favorable condition.

- As previously noted, the City government is established to operate primarily as a contract services community engaging both private enterprises and other governments to provide key municipal services. That has allowed the City to operate with a minimum number of full-time staff with low fixed overhead expenses, particularly in the costly area of payroll and benefits. It also provides the flexibility to easily adjust services based on need, desire and available financial resources.

- For many years, the City has lived well within its financial means, conservatively budgeting and managing its finances to ensure there was a balanced budget annually designed to actually generate net income of revenues over expenditures that has contributed to substantial unobligated fund balances. Consequently, when difficult economic times have occurred, the City had the revenue and operating expenditure margins to absorb revenue fluctuations without having to resort to major service cuts or draw upon its fund balance reserves to pay for operating expenses.

- The City benefits from additional financial flexibility built into its budget that could, if necessary, allow for certain revenues, currently allocated for capital improvements, to be re-allocated for selected operating purposes if financial circumstances dictated.

- The City's long-standing policy of operating without a local property tax as a source of revenue has resulted in little or no direct financial impact to the City during times of depressed housing construction and declines in assessed value impacting these sectors of the economy.

- As of December 31, 2015, the unassigned General Fund balance totaled $12,816,475, equivalent to almost 158% of General Fund expenditures, well in excess of City financial policy of maintaining a minimum General Fund Balance equivalent to 25% of General Fund expenditures. This added level of financial security provides considerable protection in the event of emergency or unanticipated expenditures.

Awards

The Government Finance Officers Association of the United States and Canada (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the City for its comprehensive annual financial report for the fiscal year ended December 31, 2014. In order to be awarded a Certificate of Achievement, a government must publish an easily readable and efficiently organized comprehensive annual financial report. This report must satisfy both U.S. generally accepted accounting principles (GAAP) and applicable legal requirements. A Certificate of Achievement is valid for a period of one (1) year only. We believe that our current comprehensive annual financial report continues to meet the Certificate of Achievement Program's requirements and we are submitting it to the GFOA to determine its eligibility for another certificate.

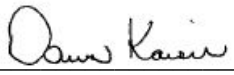
The Government Finance Officers Association (GFOA) has also recognized the City with the Distinguished Budget Award for the past ten (10) fiscal year Municipal Budgets.

Acknowledgments

On behalf of the staff, we would like to express our gratitude to the Mayor and the City Council for their leadership and on-going concern for the financial well-being of the City. We would also like to acknowledge the assistance of our independent auditors, RubinBrown LLP. Their assistance and recommendations, both in the preparation of this report, as well as their consultations and interim reviews, are valued and very appreciated.

Sincerely,

Ryan S. Thomas
City Administrator



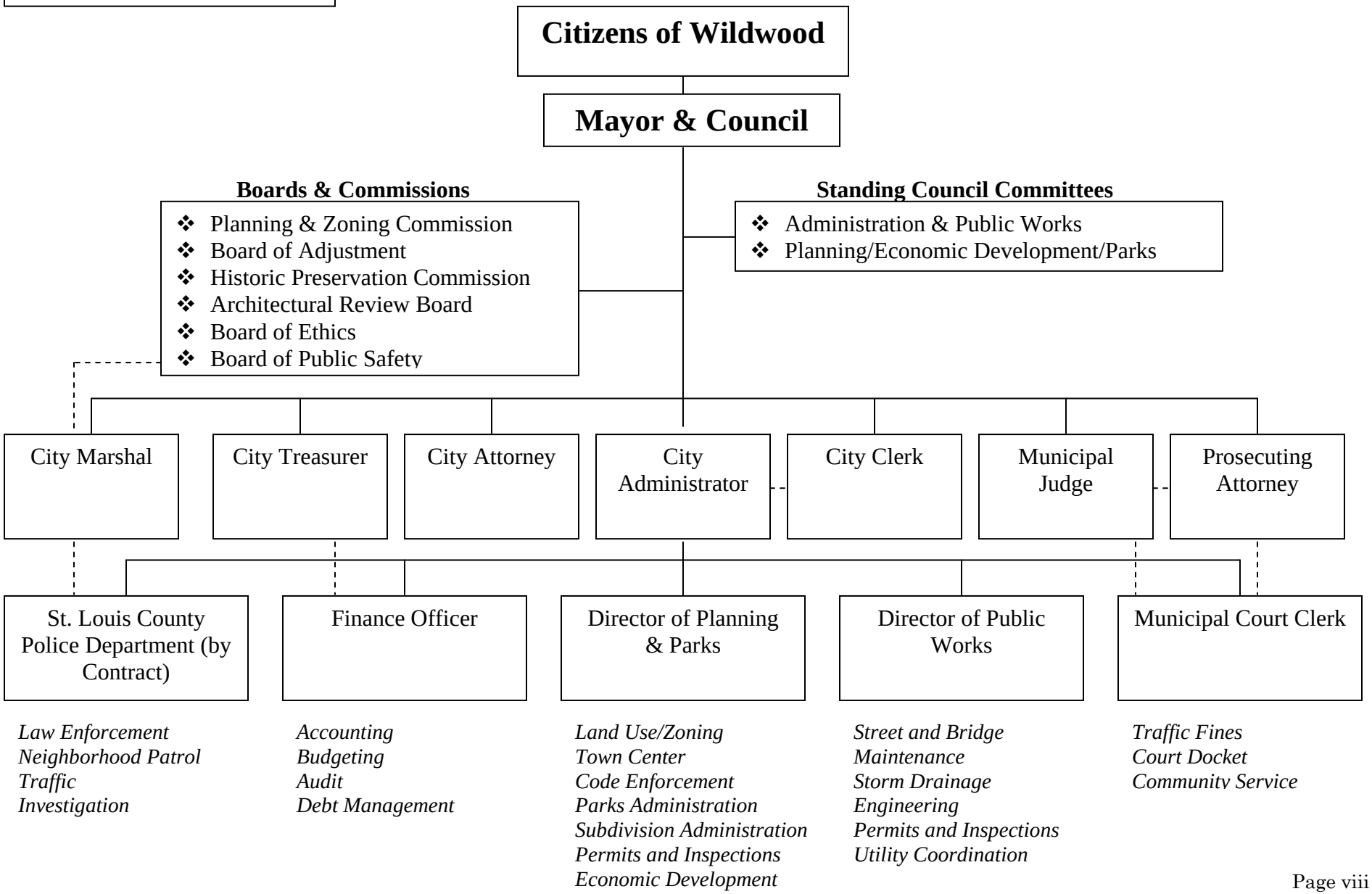
Dawn Kaiser
Finance Officer

CITY OF WILDWOOD, MISSOURI

PRINCIPAL CITY OFFICIALS
December 31, 2015

Mayor	Timothy Woerther
City Council:	
Ward 1	Glen DeHart Larry McGowen
Ward 2	Ray Manton Ed Marshall
Ward 3	Sue Cullinane Jim Baugus
Ward 4	Marc Cox Katie Dodwell
Ward 5	Dave Bertolino Debra Smith McCutchen
Ward 6	David Sewell Jim Bowlin
Ward 7	Jeff Levitt Greg Stine
Ward 8	Joe Garritano Larry Goodson
City Administrator	Ryan Thomas
City Clerk	Liz Weiss
Director of Planning and Parks	Joseph Vujnich
Director of Public Works	Rick Brown
Finance Officer	Dawn Kaiser
Court Administrator	Patti Reust
Marshal	Bill Garrett
Treasurer	Stephen V. Cross
City Attorney	Robert Golterman
Prosecuting Attorney	S. Bart Calhoun
Municipal Judge	Rick Brunk

City of Wildwood
ORGANIZATION CHART



Government Finance Officers Association

Certificate of Achievement for Excellence in Financial Reporting

Presented to

City of Wildwood Missouri

For its Comprehensive Annual Financial Report for the Fiscal Year Ended

December 31, 2014

Executive Director/CEO

WILDWOOD

Financial Section

RubinBrown

RubinBrown LLP
Certified Public Accountants & Business Consultants

One North Brentwood
Saint Louis, MO 63105

T 314.290.3300
F 314.290.3400

W rubinbrown.com
E info@rubinbrown.com

Independent Auditors' Report

Honorable Mayor and City Council
City of Wildwood, Missouri

Report On The Financial Statements

We have audited the accompanying financial statements of the governmental activities and each major fund of City of Wildwood, Missouri, (the City) as of and for the year ended December 31, 2015, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

Management's Responsibility For The Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the City of Wildwood, Missouri, as of December 31, 2015, and the respective changes in financial position thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis and Budgetary Comparison Information on pages 4 through 15 and 37 through 40, respectively, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The introductory section, individual nonmajor fund financial statements and statistical section are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The individual fund financial schedules are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the individual fund financial schedules are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

The introductory and statistical sections have not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on them.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated June 27, 2016 on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards,* in considering the City's internal control over financial reporting and compliance.

RubinBrown LLP

June 27, 2016

This narrative overview and analysis of the financial activities of the City of Wildwood (the City) for the year ended December 31, 2015 is presented herein by City management. We encourage readers to consider the information presented here in conjunction with additional information furnished in the Letter of Transmittal which can be found in the Introductory Section of this report.

Financial Highlights

- The assets of the City exceeded liabilities at the close of fiscal year 2015 by $83,950,528. Of this amount, $13,107,569 (unrestricted net position) is available to meet the City's ongoing obligations to citizens and creditors.

- The City's total net position increased by $3,603,283 (4%). This is largely attributed to the increase in the amount invested in capital assets and grant proceeds.

- As of December 31, 2015, the City's governmental funds reported combined ending fund balances of $28,681,130, an increase of $1,200,122 in comparison with the prior year.

- At the end of 2015, unassigned fund balance for the General Fund was $12,816,475, or 158% of total General Fund expenditures.

Overview Of The Financial Statements

This discussion and analysis is intended to serve as an introduction to the City's basic financial statements. The City's basic financial statements include three components, 1) government-wide financial statements, 2) fund financial statements, and 3) notes to financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

Government-Wide Financial Statements

The *government-wide financial statements* are designed to provide readers with a broad overview of City finances, in a manner similar to a private-sector business.

The *statement of net position* presents information on all City assets and liabilities, with the difference between the two reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the City is improving or deteriorating.

The *statement of activities* presents information showing how the City's net position changed during the most recent year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will result in cash flows in future fiscal periods (e.g., uncollected taxes and earned but unused vacation leave).

The government-wide financial statements reflect functions of the City that are principally supported by taxes and intergovernmental revenues (governmental activities). The City's activities include general government, parks and recreation, judicial, planning, public works, and public safety. The government-wide financial statements can be found on pages 16 and 17 of this report.

Fund Financial Statements

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the year. Such information may be useful in evaluating a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the City's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between governmental funds and governmental activities.

The City maintains eight (8) individual governmental funds. The City's three (3) Escrow and Traffic Generation Assessment Funds (TGAs) have been blended for financial reporting purposes. Information is presented separately in the governmental fund balance sheet and in the governmental fund statement of revenues, expenditures, and changes in fund balances for the General Fund, the Escrow and TGA Funds, the Town Center Sewer Improvement Fund, the Capital Improvement Sales Tax Fund, the Road and Bridge Fund, and the City Hall Project Fund, all of which are considered to be major funds.

The City adopts an annual appropriated budget for all of its Funds. A budgetary comparison statement has been provided for each fund to demonstrate compliance with this budget.

The basic fund financial statements can be found on pages 18 through 21 of this report.

Notes To The Financial Statements

Notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. Notes provide additional details about the balances and transactions in the City's financial statements and may be found on pages 22 through 36 of this report.

Required Supplementary Information

In addition to the basic financial statements and accompanying notes, certain required supplementary information can be found on pages 37 through 40 of this report.

Government-wide Financial Analysis

This is the twelfth year that the City has presented its financial statements under the reporting model required by the Governmental Accounting Standards Board (GASB) Statement No. 34 (GASB 34), *Basic Financial Statements and Management's Discussion and Analysis for State and Local Governments.* Therefore, a comparative analysis of government-wide data is included in this report.

As noted earlier, net position may serve, over time, as a useful indicator of a government's financial position. In the case of the City, assets exceeded liabilities by $83,950,528 at the close of 2015, an increase of 3,603,283 from the prior year.

The City's largest portion of net position (66%) reflects its investment in capital assets (e.g. land, buildings, machinery and equipment, and infrastructure). The City uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although the City's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources since the capital assets themselves cannot be used to liquidate these liabilities.

City of Wildwood Net Position

	Governmental Activities	
	2015	**2014**
Assets		
Current and other assets	$ 33,426,641	$ 31,733,516
Capital assets	58,042,742	55,822,552
Total Assets	91,469,383	87,556,068
Deferred Outflows Of Resources		
Deferred amount on refunding	39,842	44,180
Liabilities		
Long-term liabilities	4,123,135	4,386,097
Other liabilities	3,435,562	2,866,906
Total Liabilities	7,558,697	7,253,003
Net Position		
Net investment in capital assets	55,512,742	53,172,552
Restricted	15,330,217	13,014,911
Unrestricted	13,107,569	14,159,782
Total Net Position	$ 83,950,528	$ 80,347,245

An additional portion of the City's net position (18%) represents resources that are subject to external restrictions on how they may be used. The remaining balance of $13,107,569 (16%) may be used to meet the City's ongoing obligations to citizens and creditors.

At the end of 2015, the City is able to report a positive balance in net position. The same situation was true for the prior fiscal year.

The City's net position increased by $3,603,283 during 2015. The following table illustrates net position activity for 2014 and 2015.

	Governmental Activities	
	2015	**2014**
Revenues:		
Program revenues:		
Charges for services	$ 692,640	$ 722,092
Operating grants and contributions	2,379,916	2,342,952
Capital grants and contributions	1,195,649	787,211
General revenues:		
Taxes	11,166,860	10,960,203
Investment income	58,487	42,110
Traffic generation permits	20,845	26,073
Other	2,579	7,498
Total Revenues	15,516,976	14,888,139
Expenses:		
Administration	1,489,702	1,558,658
Police	3,093,726	3,011,524
Courts	228,352	217,528
Clerk and council	266,317	272,340
Public works	4,290,796	4,664,656
Planning and zoning	997,158	795,143
Parks and recreation	1,424,251	1,467,383
Interest on long-term debt	123,391	126,326
Total Expenses	11,913,693	12,113,558
Change in Net Position	3,603,283	2,774,581
Beginning Net Position	80,347,245	77,572,664
Ending Net Position	$ 83,950,528	$ 80,347,245

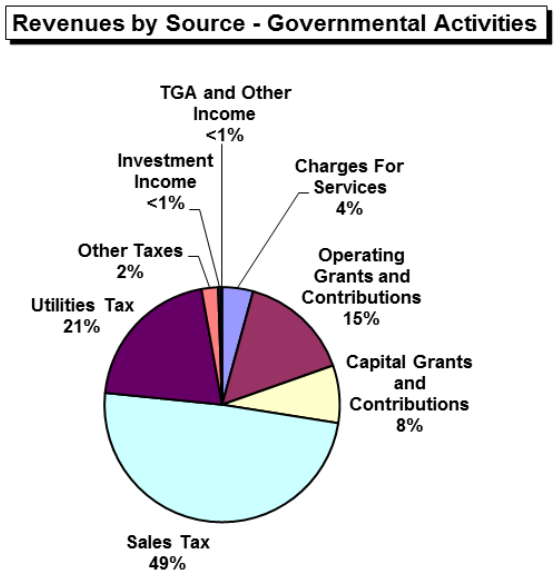
The primary revenue source included in Charges for Services is Court Fines. Court Fines revenue varies depending on the number of citations issued and the fines associated with each. There was a 12% decrease in Court Fines revenue in 2015; however, revenue from this source makes up only 3% of total government-wide revenue. As discussed in the Notes to the Financial Statements, State statutes regulate the amount of general revenue permitted to be collected and retained from traffic violations which makes up a large part of this revenue category. The City is well under the 30% currently in force and the 12.5% which is effective January 1, 2016.

Operating Grants and Contribution revenue includes Motor Fuel/Gas Tax, Road and Bridge Tax, Operating Grants and Wildwood Celebration Contributions. There was a 1.6% increase in Operating Grants and Contributions in comparison to 2014 which is largely a result of increased revenue from Motor Fuel/Gas Tax.

Capital grants and contribution revenue is composed of federal and state grants, contributions from other sources, special assessments, capital asset donations, recognition of deferred inflows, and parks program fees. Federal and state grants received during 2015 provided resources in the amount of $672,159. Last year the City received $642,924. The difference is a result of grant projects underway and their progress each year. In 2015, the City received dedicated property valued at $420,688. Last year the City received donated/dedicated property valued at $142,400. Special Assessments offset by the recognition of deferred revenue contributed $72,559 in 2015. Parks program fees collected were $30,189 and other income was $54.

There was a 2% increase in tax revenue largely due to increased revenue from sales taxes.

Investment income was 39% higher in 2015 due to improved interest rates.

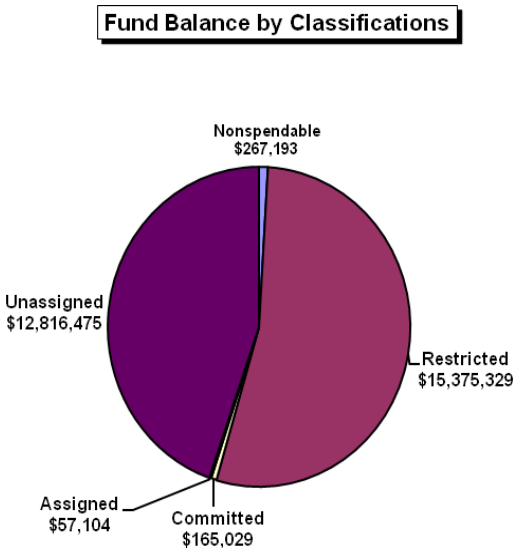


Financial Analysis Of The City's Funds

As noted earlier, the City uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental Funds The focus of the City's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the City's financial requirements.

As of the end of 2015, the governmental funds reported a combined ending fund balance of $28,681,130, an increase of $1,200,122 compared to the prior year. Approximately 44.7% of this total amount, equaling $12,816,475, constitutes unassigned fund balance which is available for spending at the City's discretion within the parameters of the fund it relates to. The remainder of the fund balance is: 1) Non-spendable (<1%) in the form of prepaid items and inventory of which a large portion ($213,899) was paid to Missouri Department of Transportation for a capital project they are administering on behalf of the City, 2) Restricted (53.6%) by external enforceable legal restrictions, 3) Committed (<1%) to specific purposes by formal action of City Council and 4) Assigned (<1%) for a specific purpose by action of City Council or another City official or body to which City Council has delegated authority.



General Fund. The General Fund is the chief operating fund of the City. At the end of 2015, the Unassigned Fund Balance of the General Fund was $12,816,475, while total fund balance reached $12,912,366. As a measure of the General Fund's liquidity, it may be useful to compare both unassigned fund balance and total fund balance to total fund expenditures. Unassigned fund balance represents approximately 158% of total General Fund expenditures, while total fund balance represents 159% of General Fund expenditures.

The fund balance of the City's General Fund decreased by $914,607 during 2015. Key factors regarding this change are as follows:

- There was a budgeted transfer in the amount of $2,307,050 to the City Hall Project Fund to finance the early payoff of the Certificates of Participation debt. The funds were required to be transferred to the fiscal agent to be held in the City's account 45 days in advance of the payoff date February 1, 2016.

- The final budget was formulated to sustain savings of $495,808.

- Actual revenues were $398,446 greater than anticipated in 2015. This is largely attributed to an increase in Sales Tax revenue as a result of the recovering economy and an increase in electric utility gross receipts tax revenue.

- Actual expenditures were $588,208 less than anticipated in 2015 largely due to savings in legal and litigation expense and substantial snow and ice control savings experienced during 2015. There were also personnel cost savings resulting from changes in staff in the Planning Department.

Capital Projects Funds. The City currently maintains three Capital Projects Funds.

- The Capital Improvement Sales Tax Fund is used to account for the financial resources from the City's ½ cent Capital Improvement Sales tax to be used for funding general capital improvements. The Fund balance of the Capital Improvement Sales Tax Fund decreased by $197,413 in 2015. During 2015, $270,075 was transferred from the Capital Improvement Sales Tax Fund to the new City Hall Project Fund to finance the Certificates of Participation Debt Service.

- The Road and Bridge Fund is used to account for the financial resources from the Motor Fuel/Gas Tax received from the State of Missouri, and the Road & Bridge Tax received from St. Louis County. These funds are used for funding roadway and bridge acquisition, maintenance, and construction purposes. The Fund balance of the Road and Bridge Fund increased by $163,312 due to the delayed progress in many of the planned projects.

- The new City Hall Project Fund was established in 2010 to account for all revenues and expenditures associated with the project to construct a new City Hall and Police Facility. Certificates of Participation in the amount of $3 million were issued in late 2010 to partially finance the construction of a new City Hall. In addition, $5 million was transferred into the new City Hall Project Fund from the General Fund in 2012. Project costs were $45,348 in 2015 and transfers from the General Fund and Capital Improvement Sales Tax Fund to repay debt service in early 2016 increased fund balance by $2,261,865.

Special Revenue Funds. The City currently maintains three Special Revenue Funds. These funds are combined for financial statement reporting purposes. They include one Escrow Fund and two Traffic Generation Assessment Funds (TGA) that are combined for financial reporting purposes.

The Special Revenue Fund balance decreased by $128,917 due to transfers out for capital projects.

General Fund Budgetary Highlights

Differences between the original budget and the final amended budget expenditures (a cumulative $88,842 increase) are briefly summarized as follows:

- Although there was no net change in the total budgeted for the Administration department, additional funds needed for a Sales Tax lobbyist and new Business License, Inventory Control and Fixed Asset Software were offset by savings in Legal and Litigation expense.

- $8,324 net decrease in the City Clerk/Council department due to an increase in election expense and expenses related to the Document Shredding and Electronic Recycling Event.

- $28,200 net increase allocated to the Parks and Recreation Department which was a result of the increased expense associated with the City's expanded Founders Day/Art Festival event, parks maintenance and recreation supplies.

- $42,318 net increase allocated to the Planning Department which includes decreases in several accounts to help offset increases needed in abatements, the Master Plan update and historical property survey.

- $1,500 increase allocated to the Police Department for the additional staff required to work City events throughout the year.

- $8,500 net increase allocated to the Public Works Department which was a result of reductions in personnel costs associated with a change in staff which helped offset additional costs associated with traffic signal and street light expense and various additional public area maintenance costs.

The total budgetary increase was 100% funded from available 2015 revenues. During the year, however, actual expenditures were less than many of these budgetary estimates resulting in a reduction in the final net amount of expenditures for 2015.

General Fund Final Budget to Actual Expense Significant Variances

Differences between the final budget and actual expenditures ($588,208) are briefly summarized as follows:

- $54,085 under budget in the Administration Department largely due to a refund the City received for one of the City's newsletters, savings in litigation expense (which fluctuates annually depending on need), and multiple other accounts which were closely monitored and ended the year under budget.

- $25,560 under budget in the Clerk and Council Department due to savings in personnel costs associated with the staffing change, resulting from the retirement of the longstanding City Clerk in addition to various savings experienced in multiple other line item accounts.

- $23,356 under budget in the Court Department largely due to savings in benefit costs as a result of employee benefit election changes and the savings experienced in prisoner holdover fees, which vary annually depending on need.

- $50,102 under budget in the Parks and Recreation Department due to savings in overtime expense, consultant costs, and contractual services.

- $115,042 under budget in the Planning Department due to savings in personnel costs associated with the delay in hiring of budgeted staff, the delay in the budgeted Town Center Planning Charrette, the amount needed for Strecker Forest Environmental costs, and various other line item accounts.

- $781 under budget in the Police Department, resulting from savings in multiple line item accounts.

- $319,282 under budget in the Public Works Department, largely resulting from conservative budgeting for Snow and Ice Removal expenses, which were less than anticipated. Additional savings were also experienced in multiple maintenance accounts.

Town Center Sewer Improvement Fund. All revenues, expenditures, and debt related to the improvements of the Town Center Sewerage Expansion Neighborhood Improvement District are budgeted in this fund.

At the end of 2015, fund balance of the Town Center Sewer Improvement Fund was $377,683. This was a $15,882 increase from the prior year due the timing of assessment payment collections and debt payment.

Capital Assets

The City's investment in capital assets as of December 31, 2015, amounted to $58,042,742 (net of accumulated depreciation). This investment in capital assets includes land, buildings, improvements, machinery and equipment, park facilities, roads, sidewalks/trails, and bridges. The total increase in investment in capital assets for the current year was approximately 4%.

Major capital asset events during the current year include the following:

The City received the following dedicated property in 2015:

Grover Crossing Street	$247,370
Grover Crossing Sidewalk	59,078
Grover Crossing Right-of-Way	114,240
	$420,688

In addition, the following assets were added in 2015:

- City Hall acoustical improvements and emergency generator
- Three Internet Poles purchased and placed as part of the City's Rural Internet Project
- The Community Park Playground
- Packwood Park Nature Trek
- Wildwood Greenway 10' Trail
- Manchester Streetscape and Schnucks sidewalk enhancements
- Ossenfort/T Warning Beacons
- Construction in progress on multiple projects

City of Wildwood Capital Assets
(Net of Depreciation)
Governmental Activities

	2015	2014
Land	$ 14,860,986	$ 14,746,746
Construction in progress	7,094,400	5,320,221
Land improvements	878,088	968,984
Buildings	6,397,919	6,588,289
Vehicles	35,761	48,321
Equipment	690,811	727,355
Infrastructure	28,084,777	27,422,636
	$ 58,042,742	$ 55,822,552

Additional information on the City's capital assets can be found in Note 3 on page 32 of this report.

Long-Term Debt

At the end of 2015, the City had bonded debt outstanding of $1,480,000 which is 100% comprised of Neighborhood Improvement District Limited General Obligation Refunding Bonds, Series 2012. These bonds were sold to replace the limited general obligation bonds originally sold in 2005 to fund the City's Town Center Sewer Project. As a result of this advanced refunding, the City was able to secure lower interest rates and decrease its total debt service requirements. The debt is repaid by special assessments charged to the property owners that directly benefit from the sewer improvements. The City is liable for the debt only to the extent there is a default by the property owners subject to the assessment.

In 2010, the City issued $3,000,000 in Certificates of Participation to partially finance the construction of the new City Hall. Full principal and interest payments on this debt began in 2012 and is scheduled to conclude in 2031. However, plans are in place to pay the Bonds off early in 2016. As a result the City will save $935,738 in interest expense. Payments are paid from current revenue sources. At the end of 2015, the principal balance of the Certificates of Participation, Series 2010 was $2,530,000.

Additional information regarding the City's long-term debt can be found in Note 4 on page 33 of this report.

Bond Rating

Moody's Investors Services re-affirmed the City of Wildwood's Aa1 Moody's bond rating in 2012 for the 2012 Town Center Sewerage Improvement Neighborhood Improvement District Limited General Obligation Refunding Bonds.

Economic Factors And Next Year's Budgets And Rates

- The City of Wildwood experienced a comfortable overall financial performance for 2015 and expects similar results for 2016, although revenues and expenditures will have to be monitored closely for negative economic circumstances that would necessitate expenditure controls in order to preserve a balanced budget.

- The City shares on a per capita "pooled" formula basis in the St. Louis County-wide 1% sales tax proceeds. Throughout 2015, the City continued to enjoy very solid sales tax revenues. General Fund sales tax revenues overall increased by 2.6% over 2014. It appears that consumer spending has somewhat peaked therefore, no increase from this source is budgeted in 2016.

- At the end of the spring 2016 Missouri Legislative Session, new legislation passed both the Senate and House, altering the distribution of the 1% St. Louis County Sales Tax. The Bill now awaits the Governor's approval. If approved, the legislation would go into effect on January 1, 2017, and is estimated to result in a loss of revenue to the City of Wildwood in excess of $125,000 annually.

- With no local property tax and limited reliance on building permit fees, the City experiences little impact from commercial and housing construction. The City did experience good occupancy and re-occupancy of commercial space which contributed to a favorable overall economy.

- Investment interest improved slightly in 2015. Trends indicate that 2016 will continue to experience similar rates.

- Plans are in place to retire the City's Certificates of Participation, Series 2010 (which were sold to fund the construction of the City's City Hall facility). The payoff is slated to take place in early 2016; however, funding was required in advance. This will save the City $935,738 in interest expense over the remaining term of repayment schedule.

- The City is moving forward prudently with investment in new and renovated public infrastructure in 2016 including continued development of a new Community Park. Capital improvement funds are budgeted in 2016 to preserve healthy fund balances for future needs through careful following of a 5 year Capital Improvement Plan.

All of these factors were considered in preparing the City budget for the 2016 fiscal year.

Requests For Information

This financial report is designed to provide a general overview of the City's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to the City of Wildwood, Office of the Finance Officer, 16860 Main Street, Wildwood, Missouri 63040.

WILDWOOD

Basic Financial Statements

CITY OF WILDWOOD, MISSOURI

STATEMENT OF NET POSITION
December 31, 2015

	Governmental Activities
Assets	
Cash and investments	$ 23,363,626
Restricted cash and investments	5,807,772
Receivables, net:	
Taxes	1,907,593
Intergovernmental	575,820
Special assessment receivable	1,325,584
Interest	5,757
Other	173,296
Prepaid items	267,193
Capital assets:	
Land and construction in progress	21,955,386
Other capital assets, net of accumulated depreciation	36,087,356
Total Assets	91,469,383
Deferred Outflows Of Resources	
Deferred amount on refunding	39,842
Liabilities	
Accounts payable	563,932
Accrued payroll	64,301
Accrued interest	47,017
Escrows payable from restricted assets	2,760,312
Noncurrent liabilities:	
Due within one year	373,135
Due in more than one year	3,750,000
Total Liabilities	7,558,697
Net Position	
Net investment in capital assets	55,512,742
Restricted for:	
Debt service	2,698,157
Road and bridge capital improvements	4,504,246
General capital improvements	7,893,294
City hall facility	234,520
Unrestricted	13,107,569
Total Net Position	$ 83,950,528

See the accompanying notes to basic financial statements.

CITY OF WILDWOOD, MISSOURI

STATEMENT OF ACTIVITIES
For The Year Ended December 31, 2015

Functions	Expenses	Program Revenues: Charges For Services	Program Revenues: Operating Grants And Contributions	Program Revenues: Capital Grants And Contributions	Net (Expenses) Revenues And Changes In Net Position: Total
Governmental Activities					
Administration	$ 1,489,702	$ 81,777	$ —	$ —	$ (1,407,925)
Police	3,093,726	550,250	—	—	(2,543,476)
Court	228,352	—	—	—	(228,352)
Clerk and council	266,317	—	—	—	(266,317)
Public works	4,290,796	—	2,361,902	680,526	(1,248,368)
Planning and zoning	997,158	60,613	—	—	(936,545)
Parks and recreation	1,424,251	—	18,014	515,123	(891,114)
Interest on long-term debt	123,391	—	—	—	(123,391)
Total Governmental Activities	$ 11,913,693	$ 692,640	$ 2,379,916	$ 1,195,649	(7,645,488)

General Revenues:	
Taxes:	
Sales taxes	7,619,029
Utility taxes	3,193,206
Franchise taxes	252,184
Other taxes	102,441
Investment income	58,487
Traffic generation permits	20,845
Other	2,579
Total General Revenues	11,248,771
Change In Net Position	3,603,283
Net Position - Beginning Of Year	80,347,245
Net Position - End Of Year	$ 83,950,528

See the accompanying notes to basic financial statements.

CITY OF WILDWOOD, MISSOURI

BALANCE SHEET - GOVERNMENTAL FUNDS
December 31, 2015

	General Fund	Escrow And TGA Fund	Town Center Sewer Improvement Fund	Capital Improvement Sales Tax Fund	Road And Bridge Fund	City Hall Project Fund	Total Governmental Funds
Assets							
Cash and investments	$ 12,022,165	$ —	$ —	$ 7,251,469	$ 3,854,622	$ 235,370	$ 23,363,626
Restricted cash and investments	—	2,941,524	286,763	—	—	2,579,485	5,807,772
Receivables, net							
Taxes	1,087,936	—	—	376,274	443,383	—	1,907,593
Intergovernmental	—	—	—	475,000	100,820	—	575,820
Special assessments receivable	—	—	1,325,584	—	—	—	1,325,584
Interest	5,757	—	—	—	—	—	5,757
Other	173,296	—	—	—	—	—	173,296
Prepaid items	53,294	—	—	—	213,899	—	267,193
Due from other funds	6,500	—	—	—	—	—	6,500
Total Assets	$ 13,348,948	$ 2,941,524	$ 1,612,347	$ 8,102,743	$ 4,612,724	$ 2,814,855	$ 33,433,141
Liabilities, Deferred Inflows Of Resources And Fund Balances							
Liabilities							
Accounts payable	$ 243,479	$ 1,676	$ —	$ 209,449	$ 108,478	$ 850	$ 563,932
Accrued payroll	64,301	—	—	—	—	—	64,301
Escrow funds							
Subdivision inspections	—	291,268	—	—	—	—	291,268
Planning and zoning	—	622,261	—	—	—	—	622,261
Infrastructure	—	374,752	—	—	—	—	374,752
Subdivision	—	1,442,361	—	—	—	—	1,442,361
Sign replacement	—	29,670	—	—	—	—	29,670
Due to other funds	—	—	6,500	—	—	—	6,500
Total Liabilities	307,780	2,761,988	6,500	209,449	108,478	850	3,395,045
Deferred Inflows Of Resources							
Special assessments	—	—	1,228,164	—	—	—	1,228,164
Fines	128,802	—	—	—	—	—	128,802
Total Deferred Inflows Of Resources	128,802	—	1,228,164	—	—	—	1,356,966
Fund Balances							
Nonspendable:							
Prepaid items	53,294	—	—	—	213,899	—	267,193
Restricted for:							
Debt service	—	—	377,683	—	—	2,579,485	2,957,168
Road and bridge capital improvements	—	—	—	—	4,290,347	—	4,290,347
General capital improvements	—	—	—	7,893,294	—	—	7,893,294
New City Hall facility	—	—	—	—	—	234,520	234,520
Total Restricted	—	—	377,683	7,893,294	4,290,347	2,814,005	15,375,329
Committed for:							
East/West Manchester Road improvements	—	165,029	—	—	—	—	165,029
Assigned for:							
Purchase commitments	42,597	14,507	—	—	—	—	57,104
Unassigned	12,816,475	—	—	—	—	—	12,816,475
Total Fund Balances	12,912,366	179,536	377,683	7,893,294	4,504,246	2,814,005	28,681,130
Total Liabilities, Deferred Inflows Of Resources And Fund Balances	$ 13,348,948	$ 2,941,524	$ 1,612,347	$ 8,102,743	$ 4,612,724	$ 2,814,855	$ 33,433,141

See the accompanying notes to basic financial statements.

CITY OF WILDWOOD, MISSOURI

RECONCILIATION OF THE BALANCE SHEET OF GOVERNMENTAL FUNDS TO THE STATEMENT OF NET POSITION
December 31, 2015

Total Fund Balance - Governmental Funds	$ 28,681,130
Amounts reported for governmental activities in the statement of net position are different because:	
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds. The cost of the assets is $70,280,885 and the accumulated depreciation is $12,238,143.	58,042,742
Some of the City's revenues will be collected after year end, but are not available soon enough to pay for the current period's expenditures and, therefore, are reported as deferred inflows of resources in the fund financial statements.	1,356,966
Certain long-term liabilities are not due and payable in the current period and, therefore, are not reported as liabilities in the governmental funds. Long-term liabilities and deferred outflow of resources at year end consist of:	
Accrued compensated absences	(113,135)
Accrued interest	(47,017)
Debt outstanding	(4,010,000)
Deferred amount on refunding	39,842
Total Net Position - Governmental Activities	$ 83,950,528

CITY OF WILDWOOD, MISSOURI

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES GOVERNMENTAL FUNDS For The Year Ended December 31, 2015

	General Fund	Escrow And TGA Fund	Town Center Sewer Improvement Fund	Capital Improvement Sales Tax Fund	Road And Bridge Fund	City Hall Project Fund	Total Governmental Funds
Revenues							
Taxes	$ 8,765,559	$ —	$ —	$ 2,401,301	$ 2,361,902	$ —	$ 13,528,762
Charges for services	18,480	—	—	—	—	—	18,480
Special assessments	—	—	182,002	—	—	—	182,002
Fines and forfeitures	515,671	—	—	—	—	—	515,671
Licenses and permits	107,960	20,845	—	—	—	—	128,805
Intergovernmental	—	—	—	484,934	187,224	—	672,158
Investment income	46,094	2,258	139	6,413	3,252	331	58,487
Miscellaneous	68,782	—	54	—	—	—	68,836
Total Revenues	9,522,546	23,103	182,195	2,892,648	2,552,378	331	15,173,201
Expenditures							
Current:							
Administration	1,125,643	—	—	—	—	—	1,125,643
Police	3,091,368	—	—	—	—	—	3,091,368
Courts	228,319	—	—	—	—	—	228,319
Clerk and council	275,529	—	—	—	—	—	275,529
Public works	1,749,345	—	—	—	—	—	1,749,345
Planning and zoning	994,505	—	—	—	—	—	994,505
Parks and recreation	667,743	—	—	—	—	—	667,743
Capital outlay	—	—	6,850	2,819,986	2,539,066	94,412	5,460,314
Debt service:							
Principal retirement	—	—	140,000	—	—	120,000	260,000
Interest and fiscal charges	—	—	19,463	—	—	100,850	120,313
Total Expenditures	8,132,452	—	166,313	2,819,986	2,539,066	315,262	13,973,079
Revenues Over (Under) Expenditures	1,390,094	23,103	15,882	72,662	13,312	(314,931)	1,200,122
Other Financing Sources (Uses)							
Transfers in	2,349	—	—	—	150,000	2,577,125	2,729,474
Transfers out	(2,307,050)	(152,020)	—	(270,075)	—	(329)	(2,729,474)
Total Other Financing Sources (Uses)	(2,304,701)	(152,020)	—	(270,075)	150,000	2,576,796	—
Net Changes In Fund Balances	(914,607)	(128,917)	15,882	(197,413)	163,312	2,261,865	1,200,122
Fund Balances - Beginning Of Year	13,826,973	308,453	361,801	8,090,707	4,340,934	552,140	27,481,008
Fund Balances - End Of Year	$ 12,912,366	$ 179,536	$ 377,683	$ 7,893,294	$ 4,504,246	$ 2,814,005	$ 28,681,130

See the accompanying notes to basic financial statements.

CITY OF WILDWOOD, MISSOURI

RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES TO THE STATEMENT OF ACTIVITIES
For The Year Ended December 31, 2015

Net Change In Fund Balances - Governmental Funds	$ 1,200,122
Amounts reported for governmental activities in the statement of activities are different because:	
Capital outlays are reported in the governmental funds as expenditures. However, in the statement of activities, the costs of those assets are allocated over estimated useful lives and reported as depreciation expense. This is the amount by which capital outlays of $3,723,919 over the capitalization threshold exceeded depreciation of $1,923,572 in the current period.	1,800,347
The net effect of various transactions involving capital assets (i.e., sales, trade-ins, disposals, exchanges, donations) is to increase net position. Current year consists of donations of $420,688 and loss on disposal of capital assets of $845.	419,843
Revenues in the statement of activities that do not provide current financial resources are reported as deferred inflows of resources in the fund financial statements.	(76,913)
The issuance of long-term debt (e.g., bonds, leases) provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of governmental funds. Neither transaction, however, has any effect on net position. Also, governmental funds report the effect of premiums, discounts, and similar items when debt is first issued, whereas these amounts are deferred and amortized in the statement of activities. These amounts are the net effect of these differences in the treatment of long-term debt and related items.	
Repayment of bond principal	260,000
Amortization of deferred amount on refunding	(4,338)
Some expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds.	
Accrued interest	1,260
Accrued compensated absences	2,962
Change In Net Position Of Governmental Activities	$ 3,603,283

1. Summary Of Significant Accounting Policies

The City of Wildwood, Missouri (the City) was incorporated in 1995 and covers an area of over 68 square miles in St. Louis County, Missouri. The City is a charter city operating under an elected Mayor-City Council form of government. The City Administrator is the chief administrative officer of the City. The City provides services to more than 34,000 residents in many areas, including public safety (police), public works, parks and recreation and various other social and administrative services.

The financial statements of the City of Wildwood, Missouri (the City) have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as applied to government units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The more significant of the City's accounting policies are described below.

Reporting Entity

The financial statements of the City include the financial activities of the City and its component units. The criteria used in determining the scope of the reporting entity is based on the provisions of GASB Statement No. 14 as amended by GASB Statement Nos. 39 and 61. The requirements for inclusion as a component unit are based primarily upon whether the City is considered financially accountable for the potential component unit. The City is financially accountable if it appoints a voting majority of a potential component unit's governing body and is able to impose its will on that potential component unit, or because the potential component unit will provide a financial benefit or impose a financial burden on the City. The City does not have any component units.

Basis Of Presentation

The City's basic financial statements include both government-wide (reporting the City as a whole) and fund financial statements (reporting the City's major funds).

Government-Wide Financial Statements

The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all of the activities of the primary government. The effect of interfund activity has been removed from these statements, with the exception of interfund services provided and used.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes, unrestricted interest earnings and other items not included among program revenues are reported instead as general revenues.

Fund Financial Statements

Following the government-wide financial statements are separate financial statements for governmental funds. Major individual governmental funds are reported as separate columns in the fund financial statements. The total fund balances for all governmental funds is reconciled to total net position for governmental activities as shown on the statement of net position. The net change in fund balance for all governmental funds is reconciled to the total change in net position as shown on the statement of activities in the government-wide financial statements.

Fund Accounting

The City uses funds to maintain its financial records during the year. A fund is defined as a fiscal and accounting entity with self-balancing accounts. Governmental resources are allocated to and accounted for in individual funds based upon the purposes for which they are to be spent and the means by which spending activities are controlled. Of the three categories of funds (governmental, proprietary and fiduciary), the City has only governmental funds.

Governmental Funds

Governmental funds are those through which governmental functions of the City are financed. The acquisition, use and balances of the City's expendable financial resources and the related liabilities are accounted for through governmental funds. The measurement focus is upon determination of and changes in financial position rather than upon net income. The following are the City's major governmental funds:

General Fund - The General Fund is the general operating fund of the City. It is used to account for all financial resources except those required to be accounted for in another fund.

Special Revenue Funds - Are used to account for the proceeds of specific revenue sources that are restricted or committed to expenditure for specific purposes other than debt service or capital projects. The following is the City's special revenue fund:

Escrow And Traffic Generation Assessment (TGA) Fund - The Escrow and TGA Fund is used to account for the proceeds of specific revenue sources that are legally restricted to expenditures for specified purposes. This fund consists of amounts collected for planning, zoning and subdivision inspection escrow funds and TGA collections.

Debt Service Funds - Are used to account for financial resources that are restricted, committed or assigned to expenditure for principal and interest. The following is the City's debt service fund:

Town Center Sewer Improvement Fund - The Town Center Sewer Improvement Fund is used to account for special assessment revenue to be used for the construction of sewer improvements and related debt service.

Capital Projects Funds - Are used to account for all resources that are restricted, committed or assigned to expenditure for capital outlays, including the acquisition or construction of capital facilities or other capital amounts. The following are the City's Capital Projects funds:

Capital Improvement Sales Tax Fund - The Capital Improvement Sales Tax Fund is used to account for the financial resources from the City's ½ cent capital improvement sales tax to be used for funding general capital improvements.

Road And Bridge Fund - The Road and Bridge Fund is used to account for the financial resources from the motor fuel/gas tax received from the State of Missouri, the road & bridge tax received from St. Louis County and grants, which is to be used for funding roadway and bridge acquisition, maintenance and construction purposes.

City Hall Project Fund - The City Hall Project Fund is used to account for the financial resources and expenditures associated with the construction of the new city hall. This fund shall also be used to record the repayment of the certificates of participation used to fund a portion of the project.

Measurement Focus And Basis Of Accounting

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. With this measurement focus, all assets, deferred outflows of resources, liabilities and deferred inflows of resources associated with the operation of the City are included in the statement of net position. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. With this measurement focus, only current assets, certain deferred outflows of resources, current liabilities and certain deferred inflows of resources generally are included on the balance sheet. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due (i.e., matured).

Revenues - Exchange And Nonexchange Transactions

Revenue resulting from exchange transactions, in which each party gives and receives essentially equal value, is recorded on the accrual basis when the exchange takes place. On a modified accrual basis, revenue is recorded in the year in which the resources are measurable and become available as described in the preceding paragraph.

Nonexchange transactions, in which the City receives value without directly giving equal value in return, include grants, entitlements and donations. The City does not levy a property tax. Revenue from grants, entitlements and donations is recognized in the year in which all eligibility requirements have been satisfied. Eligibility requirements include timing requirements, which specify the year when the resources are required to be used or the year when use is first permitted, matching requirements, in which the City must provide local resources to be used for a specified purpose, and expenditure requirements, in which the resources are provided to the City on a reimbursement basis. On a modified accrual basis, revenue from nonexchange transactions must also be available before it can be recognized.

Sales, utility, franchise taxes, licenses, court fines and interest associated with the current fiscal period are all considered to be susceptible to accrual and have been recognized as revenues of the current fiscal period. Only the portion of special assessments receivable due within the current fiscal period is considered to be susceptible to accrual as revenue of the current period. All other revenue items are considered to be measurable and available only when cash is received by the City.

House Bill 103 amending RSMo section 302.341 became effective August 28, 2013. The amendments to the statute now require the City to annually calculate the percentage of its general revenue that comes from traffic violations and to report an accounting of that calculation. Any such revenues that exceed 30% of total general revenues are required to be transferred to the Director of the Missouri Department of Revenue. In the current year, the City has reported fines of $515,671; of which $472,205 represent traffic violations and other traffic related items. This amount is approximately 5% of total general revenues of $9,522,546 and, accordingly, the City believes that they are in compliance with the requirements of the Statute. Effective January 1, 2016, the limit on revenues derived from minor traffic violations was reduced to 12.5% from 30% for municipalities in St. Louis County, Missouri.

Cash And Investments

Investments that have a maturity date of less than one year at the time of purchase are carried at cost or amortized cost because of their short-term maturities. Investments that have a maturity date of greater than one year at the time of purchase are carried at fair value. Fair value is based on quoted market prices.

Special Assessments Receivable

Special assessments receivable represents the residents' portion of sewer improvements which have been completed and billed. The City's portion of such improvements is expended as incurred. At the time of the levy, special assessments receivable in the amount of the levy and deferred inflows of resources equal to the amount that is not currently available are recognized in the fund that provided the resources.

Capital Assets

Capital assets, which include property, equipment and infrastructure (e.g., roads, bridges, sidewalks and similar items), are reported in the government-wide financial statements. Capital assets are defined by the City as assets with an initial cost of more than $5,000 and an estimated useful life in excess of one year. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation.

The cost of normal maintenance and repairs that do not enhance functionality or materially extend the asset's life is not capitalized.

Depreciation is being computed on the straight-line method, using asset lives as follows:

Asset	Years
Land improvements	15 - 20
Building	20 - 40
Vehicles	7
Equipment	5 - 7
Infrastructure	10 - 50

Deferred Outflows Of Resources

In addition to assets, the statement of net position includes a separate section for deferred outflows of resources. This separate financial statement element represents a consumption of net position that applies to a future period or periods and so will not be recognized as an outflow of resources until then. The City has a deferred loss on refunding reported in the statement of net position. A deferred loss on refunding is the difference in the carrying value of refunded debt and its reacquisition price. This amount is deferred and amortized over the shorter of the life of the refunded or refunding debt. This item has been reported as deferred outflow on the government-wide statement of net position.

Compensated Absences

The City's personnel policy imposes limits on the maximum accrual of accumulated vacation time. Upon termination, qualified accumulated vacation will be paid to the employee. Sick leave is not paid upon termination, but will be paid only upon illness while in the employment of the City.

Accumulated unpaid vacation, compensatory time and personal leave are accrued as earned. These amounts are recorded in the government-wide financial statements. A liability for these amounts is reported in governmental funds only if the amounts due at year end have matured.

The City's liability for accrued compensated absences is liquidated by the General Fund. The City anticipates that 100% of its December 31, 2015 compensated absences balance will be liquidated during 2016 due to enforcement of the maximum accrual policy.

Long-Term Liabilities

In the government-wide financial statements, long-term debt and other long-term obligations are reported as noncurrent liabilities in the governmental activities statement of net position. Bond premiums and discounts are deferred and amortized over the life of the bonds using the straight-line method. Bonds payable are reported net of the applicable bond premium or discount.

In the fund financial statements, governmental fund types recognize bond premiums and discounts during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses.

Issuance cost, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures for fund financial statements and government-wide financial statements.

Deferred Inflows Of Resources

In addition to liabilities, the statement of net position will sometimes include a separate section for deferred inflows of resources. This separate financial statement element represents an acquisition of net position that applies to a future period or periods and so will not be recognized as an inflow of resources until then. Certain grants received before eligibility requirements are met are reported on the statement of position as deferred inflows of resources.

In governmental fund financial statements, receivables that will not be collected within the available period have also been reported on the balance sheet as deferred inflows of resources.

Net Position

In the government-wide financial statements, net position is displayed in three components as follows:

Net Investment In Capital Assets - This consists of capital assets, net of accumulated depreciation and debt that is directly related to the acquisition, construction or improvement of those capital assets.

Restricted - This consists of net position that is legally restricted by outside parties or by law through constitutional provisions or enabling legislation. The government-wide statement of net position reports $15,330,217 of restricted net position, of which $12,397,540 is restricted by enabling legislation.

Unrestricted - This consists of net positions that do not meet the definition of "restricted" or "net investment in capital assets."

When both restricted and unrestricted resources are available for use, it is the City's policy to use restricted resources first, then unrestricted resources as they are needed.

Fund Balance

The governmental fund financial statements present fund balances based on classifications that comprise a hierarchy that is based primarily on the extent to which the City is bound to honor constraints on the specific purposes for which amounts in the respective governmental funds can be spent. The hierarchy of fund balance classifications is as follows:

Nonspendable Fund Balance - That portion of the City's governmental fund's fund balances that are not in a spendable form, such as inventory and prepaids, or are otherwise required to be maintained intact.

Restricted Fund Balance - That portion of the City's governmental fund's fund balances that are subject to external enforceable legal restrictions, such as by grant providers, bondholders, higher levels of government through constitutional provisions, or by enabling legislation (that is, legislation that creates a new revenue source and restricts its use) including grant money and bond proceeds. Restrictions may be changed or lifted only with the consent of the financial resource provider.

Committed Fund Balance - That portion of the City's governmental fund's fund balances constrained to specific purposes by action of the City's highest level of decision-making authority. Committed amounts cannot be used for any other purpose unless that same level of authority takes specific action to remove or change the constraint. For committed fund balance, the City's highest level of decision-making authority is the City Council. The formal action that is required to be taken by City Council to establish, modify, or rescind a fund balance commitments is through the adoption of the ordinance.

Assigned Fund Balance - That portion of the City's governmental fund's fund balances that the City intends to use for a specific purpose, such intent having been specifically expressed by action of the City Council, or by an official or body to which the governing body has delegated the authority. For assigned fund balance, the City Council is authorized to assign amounts to a specific purpose. The authorization to assign fund balance has also been delegated to the City Administrator pursuant to Resolution 2011-37.

Unassigned Fund Balance - Positive amounts reported as "Unassigned Fund Balance" in the General Fund represent all amounts not contained in other classifications and are available for any purpose. In general, Unassigned Fund Balance in the General Fund may be used for capital expenditures and other non-recurring expenses as authorized by the City Council through the budget process. Positive Unassigned Fund Balance amounts will be reported only in the General Fund. If governmental funds other than the General Fund have a fund balance deficit, it shall be reported as a negative amount in the "Unassigned" classification in that fund.

In circumstances where an expenditure is to be made for a purpose for which amounts are available in multiple fund balance classifications, the order in which resources will be expended is as follows: restricted fund balance, followed by committed fund balance, followed by assigned fund balance, and lastly, unassigned fund balance.

The City Council adopted a minimum fund balance policy for the General Fund. The policy requires the City to maintain a rolling minimum fund balance in the General Fund in an amount not less than 25% of annual operating expenditures for the fiscal year.

Interfund Transactions

Transactions between the City's various funds are accounted for as revenues and expenditures or expenses in the funds involved if they are similar to transactions with organizations external to City government.

Activity between funds that is representative of borrowing/lending arrangements outstanding at the end of the fiscal year is referred to as either "due to/due from other funds."

All receivables are shown net of an allowance for doubtful accounts, if applicable.

In the process of aggregating data for the statement of net position and the statement of activities some amounts reported on interfund activity and balances in the funds have been eliminated or reclassified. Interfund receivables and payable were eliminated to minimize the "grossing up" effect on assets and liabilities within the governmental activities column.

Use Of Estimates And Assumptions

The preparation of basic financial statements in conformity with U.S. generally accepted accounting principles requires management to make estimates and assumptions that affect the amounts reported in the basic financial statements and the accompanying notes. Actual results could differ from those estimates.

2. Deposits And Investments

The City's investment policy conforms to the investment policy guidelines set forth by the State of Missouri. The City's investment policy authorizes the City to invest in the following instruments: insured or collateralized certificates of deposit, collateralized repurchase agreements, United States treasury securities, United States agency obligations (as outlined in the policy), bankers' acceptances, commercial paper, and money market mutual funds. As of December 31, 2015, all of the City's investments were in compliance with the City's investment policy.

Any bond ordinance, contract or other document, which imposes more stringent standards for investments than those set forth in the policy, shall govern the investment of such funds. A summary of deposits and investments, maturities and credit risk as of December 31, 2015 is as follows:

	Carrying Value	Fair Value	Less Than One Year	1 - 5 Years	S&P Rating
Certificates of deposit	$ 4,850,956	$ 4,850,232	$ 1,990,524	$ 2,859,708	N/A
Repurchase agreements	18,125,342	18,125,342	18,125,342	—	AA+
Money market mutual funds	2,579,483	2,579,483	2,579,483	—	AAA
Total investments	25,555,781	25,555,057	$ 22,695,349	$ 2,859,708	
Cash deposits	3,615,617	3,615,617			
	$ 29,171,398	$ 29,170,674			

Credit Risk

Credit risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. The City's policy minimizes credit risk by:

1. Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisors with which the City will do business.
2. Diversifying the portfolio to reduce potential losses on individual securities.

Interest Rate Risk

Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. Investments held for longer periods are subject to increased risk of adverse interest rate changes. The City's policy minimizes interest rate risk by:

1. Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity.

2. Investing primarily in shorter-term securities.

Concentration Of Credit Risk

Concentration of credit risk is the risk of loss attributed to the magnitude of the City's investment in a single issuer. The City's policy does not allow for more than 50% of the City's total investment portfolio to be invested in a single class of securities with the exception of U.S. Treasury securities and overnight repurchase agreements. The City's investment in repurchase agreements that are backed by collateral comprised of United States Treasury and agency securities represents 88% of its portfolio of securities.

Custodial Credit Risk

For investments, custodial credit risk is the risk that in the event of the failure of the counterparty to a transaction, the City will not be able to recover the value of the investments or collateral securities that are in the possession of an outside party. In accordance with its policy, the City addresses custodial risk by pre-qualifying institutions with which the City places investments, diversifying the investment portfolio and maintaining a standard of quality for investments.

For deposits, custodial credit risk is the risk that in the event of bank failure, the City's deposits may not be returned to it. Protection of the City's deposits is provided by the Federal Deposit Insurance Corporation, by eligible securities pledged by the financial institution, or by a single collateral pool established by the financial institution.

3. Capital Assets

Capital asset activity was as follows:

	Balance - January 1, 2015	Additions And Transfers In	Retirements And Transfers Out	Balance - December 31, 2015
Government Activities:				
Capital assets, not being depreciated:				
Land	$ 14,746,746	$ 114,240	$ —	$ 14,860,986
Construction in process	5,320,221	2,520,939	(746,760)	7,094,400
Total capital assets not being depreciated	20,066,967	2,635,179	(746,760)	21,955,386
Capital assets, being depreciated:				
Land improvements	1,432,530	—	—	1,432,530
Buildings	7,064,439	42,109	—	7,106,548
Vehicles	157,203	—	—	157,203
Equipment	1,257,257	99,086	—	1,356,343
Infrastructure	36,158,727	2,114,148	—	38,272,875
Total capital assets being depreciated	46,070,156	2,255,343	—	48,325,499
Less accumulated depreciation for:				
Land improvements	463,546	90,896	—	554,442
Buildings	476,150	232,479	—	708,629
Vehicles	108,882	12,560	—	121,442
Equipment	529,902	135,630	—	665,532
Infrastructure	8,736,091	1,452,007	—	10,188,098
Total accumulated depreciation	10,314,571	1,923,572	—	12,238,143
Total capital assets being depreciated, net	35,755,585	331,771	—	36,087,356
Governmental activities capital assets, net	$ 55,822,552	$ 2,966,950	$ (746,760)	$ 58,042,742

Depreciation expense for the year ended December 31, 2015 was charged to functions/ programs of the primary government as follows:

Governmental activities:	
Administration	$ 337,896
Public works	866,311
Planning and zoning	9,140
Parks and recreation	707,866
Police	2,359
	$ 1,923,572

4. Long-Term Liabilities

A summary of changes in long-term liabilities was as follows:

Governmental Activities	Balance - January 1, 2015	Additions	Reductions	Balance - December 31, 2015	Amounts Due Within One Year
Neighborhood improvement district bonds payable	$ 1,620,000	$ —	$ 140,000	$ 1,480,000	$ 140,000
Certificates of participation	2,650,000	—	120,000	2,530,000	120,000
Compensated absences	116,097	161,337	164,299	113,135	113,135
	$ 4,386,097	$ 161,337	$ 424,299	$ 4,123,135	$ 373,135

Neighborhood Improvement District Bonds Payable

During the fiscal year ended December 31, 2012, the City issued Neighborhood Improvement District Limited General Obligation Refunding Bonds, Series 2012 in the amount $1,910,000 with interest rates ranging from 0.3% to 1.8%. The bond proceeds, and a cash contribution of $273,164, were deposited with an escrow agent to pay $51,229 of issuance costs, provide for the payment of principal and interest of $1,940,000 and $31,670, respectively, on the Series 2005 bond issuance on the January 28, 2013 call date and establish a $164,113 reserve.

As a result of the advance refunding, the City decreased its total debt service requirements by $427,418 which resulted in an economic gain of $283,307. The 2005 bonds ($2,565,000 issue) were originally used for the construction of Town Center sewer improvements. The sewer improvements in Town Center are not capital assets of the City because the sewer system is maintained by a separate sewer district. Principal is due March 1 and interest is due March 1 and September 1 of each year. Annual debt payments of principal and interest total approximately $160,000 each year with a final payoff totaling $156,395 on March 1, 2025. Neighborhood improvement district bonds payable are liquidated by the Town Center Sewer Improvement Fund.

Certificates Of Participation - Series 2010

In November 2010, the City issued $3,000,000 in Certificates of Participation (Series 2010) for the purpose of financing a portion of the construction of a new City Hall. The Certificates mature in 2031 and bear interest at varying rates from 1.2% to 4.55%. The Certificates of Participation have a debt service reserve restriction requirement of $222,950 and are liquidated by the City Hall Project Fund. The Certificates of Participation were subsequently paid in full in February 2016 in advance of their scheduled maturity dates.

Maturities

Aggregate maturities required on long-term debt for governmental activities are as follows:

Years Ending	Neighborhood Improvement District Bonds Payable		Certificates Of Participation		Total	
December 31,	Principal	Interest	Principal	Interest	Principal	Interest
2016	$ 140,000	$ 18,675	$ 120,000	$ 98,450	$ 260,000	$ 117,125
2017	140,000	17,713	125,000	95,630	265,000	113,343
2018	140,000	16,575	130,000	92,256	270,000	108,831
2019	145,000	15,237	130,000	88,356	275,000	103,593
2020	150,000	13,575	135,000	84,130	285,000	97,705
2021-2025	765,000	33,287	755,000	342,490	1,520,000	375,777
2026-2030	—	—	925,000	174,096	925,000	174,096
2031	—	—	210,000	9,556	210,000	9,556
	$ 1,480,000	$ 115,062	$ 2,530,000	$ 984,964	$ 4,010,000	$ 1,100,026

5. Interfund Assets/Liabilities

Individual interfund assets and liabilities are as follows:

Receivable Fund	Payable Fund	December 31, 2015
General Fund	Town Center Sewer Improvement Fund	$ 6,500

The amounts due to or from individual funds represent interfund borrowings that arise in the normal course of business and are due to either timing differences or to the elimination of negative cash balances within various funds.

6. Interfund Transactions

Individual interfund transactions are as follows:

	Transfers In		
Transfers Out	**General Fund**	**City Hall Project Fund**	**Road and Bridge Fund**
General Fund	$ —	$ 2,307,050	$ —
Escrow and TGA Fund	2,020	—	150,000
Capital Improvements Sales Tax Fund	—	270,075	—
City Hall Project Fund	329	—	—
	$ 2,349	$ 2,577,125	$ 150,000

Interfund transfers were used to 1) finance the City Hall Project debt service payments, 2) transfer interest earnings.

7. Defined Contribution Plan

The City has a defined contribution retirement plan funded through the International City Management Association Retirement Corporation (ICMA-RC). The plan was established by ordinance of the City Council on June 24, 1996. All full-time employees are eligible to participate in the plan after six months of service. Pursuant to the plan's provisions, the City is obligated to contribute 7% of each eligible employees covered wages. Employees are fully vested after two years of continuous service. Contributions to the plan for the year ended December 31, 2015 amounted to $106,194. Any amendments to the plan would require City Council approval.

8. Commitments And Contingencies

The City maintains a contract with the St. Louis County Police Department to provide police services for the City. The contract amount is subject to annual adjustments upon renewal, and can be adjusted when both parties agree that changed circumstances exist that require additional services be provided. Total expenditures under the terms of the contract were $3,080,213 for the year ended December 31, 2015. The contract renewal term expired on December 31, 2012 and is subject to renewal annually for its renewal terms through December 31, 2021, if the contract is not terminated by either party.

The City is required by contract to provide a police precinct facility for the St. Louis County Police. The St. Louis County police precinct operates within the new city hall placed in service in February 2013.

The City is also obligated under various equipment leases that expire through 2019. The leases are accounted for as operating leases. Total expenditures under the terms of all lease agreements were $63,465 for the year ended December 31, 2015.

The scheduled future minimum lease payments under the leases are as follows:

Year	Various Equipment
2016	$ 33,298
2017	31,680
2018	31,680
2019	21,120
	$ 117,778

The City is a member of the Missouri Public Entity Risk Management Fund (MOPERM), which is a public entity risk pool for general liability, law enforcement liability, public officials' errors and omissions, and automobile liability. The City pays an annual contribution to MOPERM for its insurance coverage. Should the contributions received not produce sufficient funds to meet obligations, MOPERM is empowered to make special assessments. Members of MOPERM are jointly and severally liable for all claims against MOPERM. Settled claims have not exceeded the City's commercial coverage in any of the past three years.

The City is currently a defendant in various lawsuits. Although the outcome of these lawsuits is not presently determinable, it is the opinion of the City's attorneys that the resolution of these matters will not have a material adverse effect on the financial condition of the City.

Encumbrance accounting is employed in governmental funds. Encumbrances (e.g., purchase orders, contracts) outstanding at year end do not constitute expenditures or liabilities because the commitments will be re-appropriated and honored during the subsequent year. Encumbrances are reflected as either a restricted, committed, or assigned portion of the fund balance. The City's encumbrances have been included within the fund balance as follows:

General Fund	
Assigned	$ 42,597
Capital Improvements Sales Tax Fund	
Restricted	106,441
Road and Bridge Fund	
Restricted	758,386
City Hall Project Fund	
Restricted	2,579,475

WILDWOOD

Required Supplementary Information

REQUIRED SUPPLEMENTARY INFORMATION
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL - BUDGET BASIS - GENERAL FUND
For The Year Ended December 31, 2015

	Original Budget	Final Budget	Actual	Over (Under) Budget
Taxes				
Sales tax	$ 4,740,000	$ 4,740,000	$ 5,096,609	$ 356,609
Local option tax	100,000	100,000	121,119	21,119
Utilities tax				
Electric	1,450,000	1,450,000	1,490,652	40,652
Gas	525,000	525,000	546,006	21,006
Telephone	1,015,000	1,015,000	913,109	(101,891)
Water	250,000	250,000	243,439	(6,561)
Cable franchise	240,000	240,000	252,184	12,184
Cigarette tax	92,000	92,000	102,441	10,441
Total Taxes	8,412,000	8,412,000	8,765,559	353,559
Charges For Services				
False alarm fees	2,000	2,000	2,050	50
Subdivision inspections	2,000	2,000	16,430	14,430
Total Charges For Services	4,000	4,000	18,480	14,480
Fines And Forfeitures	543,000	543,000	515,671	(27,329)
Licenses And Permits				
Merchant licenses	50,000	50,000	46,750	(3,250)
Liquor license	15,000	15,000	16,177	1,177
Vending machine licenses	1,200	1,200	850	(350)
Planning and zoning permits/fees	23,900	23,900	44,183	20,283
Total Licenses And Permits	90,100	90,100	107,960	17,860
Investment Income	20,000	20,000	46,094	26,094
Miscellaneous				
Other	26,000	26,000	27,229	1,229
Parks revenue	13,000	13,000	23,539	10,539
Wildwood celebration	16,000	16,000	18,014	2,014
Total Miscellaneous	55,000	55,000	68,782	13,782
Total Revenues	9,124,100	9,124,100	9,522,546	398,446

(Continued)

CITY OF WILDWOOD, MISSOURI

REQUIRED SUPPLEMENTARY INFORMATION
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL - BUDGET BASIS - GENERAL FUND *(Continued)*
For The Year Ended December 31, 2015

	Original Budget	Final Budget	Actual	Over (Under) Budget
Expenditures				
Administration	$ 1,213,537	$ 1,213,537	$ 1,159,452	$ (54,085)
Police	3,090,649	3,092,149	3,091,368	(781)
Courts	251,675	251,675	228,319	(23,356)
Clerk and council	292,765	301,089	275,529	(25,560)
Public works	1,933,950	1,942,450	1,623,168	(319,282)
Planning and zoning	1,067,229	1,109,547	994,505	(115,042)
Parks and recreation	689,645	717,845	667,743	(50,102)
Total General Government	8,539,450	8,628,292	8,040,084	(588,208)
Revenues Over Expenditures	584,650	495,808	1,482,462	986,654
Other Financing Sources (Uses)				
Transfers in	5,000	5,000	2,349	(2,651)
Transfers out	(2,307,050)	(2,307,050)	(2,307,050)	—
Total Other Financing Uses	(2,302,050)	(2,302,050)	(2,304,701)	(2,651)
Net Change In Fund Balances	$ (1,717,400)	$ (1,806,242)	(822,239)	$ 984,003
Adjustment To Reconcile To GAAP Basis				
Current year encumbrances			42,597	
Prior year encumbrances			(134,965)	
			(92,368)	
Net Change In Fund Balances - GAAP Basis			(914,607)	
Fund Balance - Beginning Of Year			13,826,973	
Fund Balance - End Of Year			$ 12,912,366	

CITY OF WILDWOOD, MISSOURI

REQUIRED SUPPLEMENTARY INFORMATION
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL - BUDGET BASIS - ESCROW AND TGA FUND
For The Year Ended December 31, 2015

	Original Budget	Final Budget	Actual	Over (Under) Budget
Revenues				
Licenses and permits	$ 10,000	$ 10,000	$ 20,845	$ 10,845
Investment income	200	200	2,258	2,058
Total Revenues	10,200	10,200	23,103	12,903
Expenditures				
Capital outlay	—	—	—	—
Revenues Over Expenditures	10,200	10,200	23,103	12,903
Other Financing Use				
Transfers out	(150,000)	(150,000)	(152,020)	2,020
Net Change In Fund Balances	$ (139,800)	$ (139,800)	(128,917)	$ 10,883
Fund Balance - Beginning Of Year			308,453	
Fund Balance - End Of Year			$ 179,536	

REQUIRED SUPPLEMENTARY INFORMATION
NOTES TO BUDGETARY COMPARISON INFORMATION
December 31, 2015

Explanation Of Budgetary Process

Budgets are adopted on a basis consistent with U.S. generally accepted accounting principles, except that encumbrances are recorded as expenditures for budget basis. An annual appropriated budget is adopted for all funds of the City including the General Fund, Escrow and TGA Fund, Town Center Sewer Improvement Fund, Capital Improvement Sales Tax Fund, Road and Bridge Fund, and City Hall Project Fund.

The City follows these procedures in establishing the budgetary data reflected in the financial statements:

a. Prior to January 1, the City Administrator submits to the City Council a proposed operating budget for the fiscal year. The operating budget includes proposed expenditures and the means of financing them for the General Fund, Escrow and TGA Fund, Town Center Sewer Improvement Fund, Capital Improvement Sales Tax Fund, Road and Bridge Fund, and City Hall Project Fund.

b. Public hearings and open council meetings are held to obtain taxpayer comments.

c. Prior to January 1, the budget is adopted by the City Council.

d. Expenditures may not exceed budget appropriations at the departmental level.

e. Current year budget includes amendments. The City Council must authorize amendments that increase total expenditures for any department. The City Administrator may authorize transfers within a department.

WILDWOOD

Supplementary Information
Individual Fund Schedules

CITY OF WILDWOOD, MISSOURI

SUPPLEMENTARY INFORMATION
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL - BUDGET BASIS - TOWN CENTER SEWER IMPROVEMENT FUND
For The Year Ended December 31, 2015

	Original Budget	Final Budget	Actual	Over (Under) Budget
Revenues				
Special assessments	$ 198,660	$ 198,660	$ 182,002	$ (16,658)
Investment income	100	100	139	39
Miscellaneous	—	—	54	54
Total Revenues	198,760	198,760	182,195	(16,565)
Expenditures				
Capital outlay	12,250	12,250	6,850	(5,400)
Debt Service:				
Principal retirement	140,000	140,000	140,000	—
Interest and fiscal charges	19,463	19,463	19,463	—
Total Expenditures	171,713	171,713	166,313	(5,400)
Net Change In Fund Balances	$ 27,047	$ 27,047	15,882	$ (11,165)
Fund Balance - Beginning Of Year			361,801	
Fund Balance - End Of Year			$ 377,683	

CITY OF WILDWOOD, MISSOURI

SUPPLEMENTARY INFORMATION
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL - BUDGET BASIS - CAPITAL IMPROVEMENT SALES TAX FUND
For The Year Ended December 31, 2015

	Original Budget	Final Budget	Actual	Over (Under) Budget
Revenues				
Taxes:				
Sales tax	$ 2,200,000	$ 2,200,000	$ 2,401,301	$ 201,301
Intergovernmental	575,000	925,000	484,934	(440,066)
Investment income	5,000	5,000	6,413	1,413
Total Revenues	2,780,000	3,130,000	2,892,648	(237,352)
Expenditures				
Capital outlay	5,814,999	5,609,999	1,301,656	(4,308,343)
Revenues Over (Under) Expenditures	(3,034,999)	(2,479,999)	1,590,992	4,070,991
Other Financing Uses				
Transfers out	(270,075)	(270,075)	(270,075)	—
Net Change In Fund Balances	$ (3,305,074)	$ (2,750,074)	1,320,917	$ 4,070,991
Adjustments To Reconcile To GAAP Basis				
Current year encumbrances			106,441	
Prior year encumbrances			(1,624,771)	
			(1,518,330)	
Net Change In Fund Balances - GAAP Basis			(197,413)	
Fund Balance - Beginning Of Year			8,090,707	
Fund Balance - End Of Year			$ 7,893,294	

CITY OF WILDWOOD, MISSOURI

SUPPLEMENTARY INFORMATION
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL - BUDGET BASIS - ROAD AND BRIDGE FUND
For The Year Ended December 31, 2015

	Original Budget	Final Budget	Actual	Over (Under) Budget
Revenues				
Taxes:				
Motor fuel/gas tax	$ 1,250,000	$ 1,250,000	$ 1,391,337	$ 141,337
Road and bridge tax	980,000	980,000	970,565	(9,435)
Total taxes	2,230,000	2,230,000	2,361,902	131,902
Intergovernmental	2,384,000	1,896,000	187,224	(1,708,776)
Investment income	5,000	5,000	3,252	(1,748)
Total Revenues	4,619,000	4,131,000	2,552,378	(1,578,622)
Expenditures				
Capital outlay	5,425,000	5,425,000	2,364,734	(3,060,266)
Revenues Over (Under) Expenditures	(806,000)	(1,294,000)	187,644	1,481,644
Other Financing Sources				
Transfers in	150,000	150,000	150,000	—
Net Change In Fund Balances	$ (656,000)	$ (1,144,000)	337,644	$ 1,481,644
Adjustments To Reconcile To GAAP Basis				
Current year encumbrances			758,386	
Prior year encumbrances			(932,718)	
			(174,332)	
Net Change In Fund Balances - GAAP Basis			163,312	
Fund Balance - Beginning Of Year			4,340,934	
Fund Balance - End Of Year			$ 4,504,246	

CITY OF WILDWOOD, MISSOURI

SUPPLEMENTARY INFORMATION
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL - BUDGET BASIS - CITY HALL PROJECT FUND
For The Year Ended December 31, 2015

	Original Budget	Final Budget	Actual	Over (Under) Budget
Revenues				
Investment income	$ —	$ —	$ 331	$ 331
Expenditures				
Capital outlay	46,739	48,757	45,348	(3,409)
Debt service:				
Principal retirement	2,650,000	2,650,000	2,650,000	—
Interest and fiscal charges	150,075	150,075	150,075	—
Total Expenditures	2,846,814	2,848,832	2,845,423	(3,409)
Expenditures Over Revenues	(2,846,814)	(2,848,832)	(2,845,092)	3,740
Other Financing Sources (Uses)				
Transfers in	2,577,125	2,577,125	2,577,125	—
Transfers out	—	—	(329)	(329)
Total Other Financing Sources (Uses)	2,577,125	2,577,125	2,576,796	(329)
Net Change In Fund Balances	$ (269,689)	$ (271,707)	(268,296)	$ 3,411
Adjustments To Reconcile To GAAP Basis				
Current year encumbrances			2,579,475	
Prior year encumbrances			(49,314)	
			2,530,161	
Net Change In Fund Balances - GAAP Basis			2,261,865	
Fund Balance - Beginning Of Year			552,140	
Fund Balance - End Of Year			$ 2,814,005	

WILDWOOD

Statistical Section

City of Wildwood, Missouri
Statistical Section

This part of the City of Wildwood's comprehensive annual financial report presents detailed information as a context for understanding what the information in the financial statements, note disclosures, and required supplementary information says about the City's overall financial health.

Contents **Page**

Financial Trends **45**

These five (5) schedules contain trend information to help the reader understand how the City's financial performance and well-being have changed over time.

Revenue Capacity **50**

These three (3) schedules contain information to help the reader assess the factors affecting the City's current largest own source revenue.

Debt Capacity **53**

These four (4) schedules present information to help the reader assess the affordability of the City's current levels of outstanding debt and the City's ability to issue additional debt in the future.

Demographic And Economic Information **57**

These five (5) schedules offer demographic and economic indicators to help the reader understand the environment within which the City's financial activities take place and to help make comparisons over time and with other governments.

Operating Information **62**

These three (3) schedules contain information about the City's operations and resources to help the reader understand how the City's financial information relates to the services the City provides and the activities it performs.

Sources: Unless otherwise noted, the information in these schedules is derived from the comprehensive annual financial reports for the relevant year. The City implemented GASB Statement 34 in 2004.

CITY OF WILDWOOD, MISSOURI

NET POSITION BY COMPONENT
Last Ten Fiscal Years
(Accrual Basis Of Accounting)

Schedule 1

Functions/Programs	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Governmental activities										
Invested in capital assets	$ 19,053,265	$ 22,372,313	$ 30,275,845	$ 37,479,649	$ 40,989,820	$ 42,327,188	$ 48,445,446	$ 50,950,123	$ 53,172,552	$ 55,512,742
Restricted	12,870,457	12,471,152	13,262,537	11,715,284	8,101,601	10,411,284	12,895,157	14,362,801	13,014,911	15,330,217
Unrestricted	5,213,570	7,768,148	9,405,664	10,365,127	14,642,696	14,836,465	11,422,388	12,259,740	14,159,782	13,107,569
Total governmental activities net assets	$ 37,137,292	$ 42,611,613	$ 52,944,046	$ 59,560,060	$ 63,734,117	$ 67,574,937	$ 72,762,991	$ 77,572,664	$ 80,347,245	$ 83,950,528

Source: Basic Financial Statements

CITY OF WILDWOOD, MISSOURI

CHANGES IN NET POSITION
Last Ten Fiscal Years
(Accrual Basis Of Accounting)

Schedule 2

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Expenses										
Governmental activities:										
Administration	$ 1,047,545	$ 1,251,944	$ 1,229,550	$ 1,523,160	$ 1,248,436	$ 1,287,732	$ 1,366,540	$ 1,419,517	$ 1,558,658	$ 1,489,702
Police	2,471,643	2,582,564	2,872,166	3,040,939	3,111,182	3,030,395	3,054,492	2,984,436	3,011,524	3,093,726
Court	166,696	178,418	193,647	238,645	214,935	225,085	214,636	231,639	217,528	228,352
Clerk and council	229,079	243,595	269,123	268,733	273,241	275,430	265,822	290,092	272,340	266,317
Public works	4,886,219	5,963,060	3,884,404	3,505,412	3,613,373	3,407,191	3,249,607	4,481,035	4,664,656	4,290,796
Planning and zoning	694,420	661,332	841,790	1,102,928	913,630	841,850	827,951	874,928	795,143	997,158
Parks and recreation	259,686	465,655	708,585	944,805	967,758	1,183,460	1,243,266	1,158,307	1,467,383	1,424,251
Interest on long-term debt	97,925	99,224	96,117	93,007	94,605	204,307	192,268	129,191	126,326	123,391
Total governmental activities expenses	9,853,213	11,445,792	10,095,382	10,717,629	10,437,160	10,455,450	10,414,582	11,569,145	12,113,558	11,913,693
Program Revenues										
Governmental activities:										
Charges for services:										
Administration	54,001	59,847	59,641	62,552	61,481	84,248	83,148	74,212	84,734	81,777
Police	452,495	529,328	635,460	730,981	720,861	618,439	596,579	548,674	589,629	550,250
Planning and zoning	132,921	93,380	42,192	34,563	56,035	27,635	19,690	38,773	47,729	60,613
Operating grants and contributions	2,310,758	2,606,170	2,318,269	2,199,607	2,257,383	2,215,028	2,277,285	2,236,482	2,342,952	2,379,916
Capital grants and contributions	2,298,495	3,181,039	6,593,582	4,259,892	1,731,795	1,544,452	2,277,106	2,879,007	787,211	1,195,649
Total governmental activities program revenues	5,248,670	6,469,764	9,649,144	7,287,595	4,827,555	4,489,802	5,253,808	5,777,148	3,852,255	4,268,205
Net (Expense) Revenue										
Governmental activities	(4,604,543)	(4,976,028)	(446,238)	(3,430,034)	(5,609,605)	(5,965,648)	(5,160,774)	(5,791,997)	(8,261,303)	(7,645,488)
General Revenues And Other Changes In Net Assets										
Governmental activities:										
Taxes										
Sales taxes	6,059,758	6,312,290	6,223,650	5,834,357	5,780,093	6,054,516	6,773,496	6,948,158	7,405,774	7,619,029
Utilities taxes (1)	2,024,739	2,650,301	3,481,283	3,295,439	3,264,230	3,225,949	3,215,681	3,240,577	3,210,359	3,193,206
Franchise taxes	258,204	266,764	277,422	273,621	254,120	235,051	230,520	240,053	253,670	252,184
Other taxes	116,374	110,850	106,118	98,935	93,894	92,869	99,596	93,703	90,400	102,441
Investment income	749,211	891,380	553,651	355,698	249,250	190,301	98,394	41,739	42,110	58,487
Traffic generation permits	181,270	62,063	64,703	39,952	33,719	22,953	13,803	25,610	26,073	20,845
Gain on land exchange	—	—	—	—	9,133	—	—	—	—	—
Other	120,088	156,701	71,844	148,046	99,223	13,803	55,544	11,830	7,498	2,579
Loss on sale of capital assets	—	—	—	—	—	(28,975)	—	—	—	—
Total governmental activities	9,509,644	10,450,349	10,778,671	10,046,048	9,783,662	9,806,467	10,487,034	10,601,670	11,035,884	11,248,771
Change In Net Assets										
Governmental activities	$ 4,905,101	$ 5,474,321	$ 10,332,433	$ 6,616,014	$ 4,174,057	$ 3,840,819	$ 5,326,260	$ 4,809,673	$ 2,774,581	$ 3,603,283

Source: Basic Financial Statements
Note: (1) Cell phone utility tax settlement for tax in years prior to 2008 of $611,853 included in 2008.

CITY OF WILDWOOD, MISSOURI

GOVERNMENTAL ACTIVITIES TAX REVENUES BY SOURCE
Last Ten Fiscal Years
(Accrual Basis Of Accounting)

Schedule 3

Fiscal Year	Sales Tax	Utility Tax		Franchise Tax	Other	Total
2006	6,059,758	2,024,739		258,204	116,374	8,459,075
2007	6,312,290	2,650,301	(1)	266,764	110,850	9,340,205
2008	6,223,650	3,481,283	(2)	277,422	106,118	10,088,473
2009	5,834,357	3,295,439	(3)	273,621	98,935	9,502,352
2010	5,780,093	3,264,230		254,120	93,894	9,392,337
2011	6,054,516	3,225,949		235,051	92,869	9,608,385
2012	6,773,496	3,215,681		230,520	99,596	10,319,293
2013	6,948,158	3,240,577		240,053	93,703	10,522,491
2014	7,405,774	3,210,359		253,670	90,400	10,960,203
2015	7,619,029	3,193,206		252,184	102,441	11,166,860
Change 2006–2015	25.73%	57.71%		-2.33%	-11.97%	32.01%

Source: Basic Financial Statements

Note: (1) Cellular Phone Companies began remitting Utility Gross Receipts Tax.

(2) Cell phone utility tax settlement for tax in years prior to 2008 of $611,853 included in 2008.

(3) AT&T settlement for tax in years prior to 2009 of $430,336 included in 2009.

CITY OF WILDWOOD, MISSOURI

FUND BALANCES, GOVERNMENTAL FUNDS
Last Ten Fiscal Years

Schedule 4

	2006	2007	2008	2009	2010	2011 (3)	2012	2013	2014	2015
General Fund										
Reserved	$ 40,708	$ 69,085	$ 128,814	$ 128,107	$ 165,320	$ —	$ —	$ —	$ —	$ —
Nonspendable	—	—	—	—	—	95,520	145,383	74,286	71,415	53,294
Restricted	—	—	—	—	—	—	—	—	—	—
Committed	—	—	—	—	—	5,000,000	—	—	—	—
Assigned	—	—	—	—	—	7,600	5,236	15,641	134,965	42,597
Unreserved	7,750,284	9,614,227	11,667,297	12,518,868	13,141,572	—	—	—	—	—
Unassigned	—	—	—	—	—	9,148,484	10,673,448	12,213,051	13,620,593	12,816,475
Total general fund	$ 7,790,992	$ 9,683,312	$ 11,796,111	$ 12,646,975	$ 13,306,892	$ 14,251,604	$ 10,824,067	$ 12,302,978	$ 13,826,973	$ 12,912,366
All Other Governmental Funds										
Reserved	$ 3,788,137	$ 1,239,291	$ 388,091	$ 2,428,565	$ 3,496,088 (2)	$ —	$ —	$ —	$ —	$ —
Nonspendable	—	—	—	—	—	—	7,678	1,607,802	493,096	213,899
Restricted: reported in:										
Debt Service Fund	—	—	—	—	—	—	318,130 (4)	562,940	584,759	2,957,168
Special Revenue Funds	—	—	—	—	—	450,339	—	—	—	—
Capital projects funds	—	—	—	—	—	12,115,002	13,090,222	12,108,030	12,267,727	12,418,161
Committed	—	—	—	—	—	831,795	379,846	267,713	293,946	165,029
Assigned	—	—	—	—	—	17,067	15,008	14,688	14,507	14,507
Unreserved, reported in:										
Special revenue funds	(1) 1,014,921	1,240,412	1,221,842	1,265,726	1,293,381	—	—	—	—	—
Capital projects funds	5,795,138	7,834,288	9,616,716	6,093,040	7,695,226	—	—	—	—	—
Total all other governmental funds	$ 10,598,196	$ 10,313,991	$ 11,226,649	$ 9,787,331	$ 12,484,695	$ 13,414,203	$ 13,810,884	$ 14,561,173	$ 13,654,035	$ 15,768,764

Source: Basic financial statements.

Notes:

(1) In 2005, the City issued limited general obligation neighborhood improvement district bonds and special assessments. The proceeds were deposited into the Town Center Sewer Improvement Special Revenue Fund.

(2) In 2010, a New City Hall Project Fund was established to account for the financial resources and expenditures associated with the construction of the new city hall. $3,000,000 in Certificates of Participation were issued to fund the project.

(3) In 2011, the City implemented a New Fund Balance Policy per GASB Statement #54.

(4) Town Center Sewer Improvement Fund previously reported as Capital Project Fund. Currently functions as a Debt Service Fund.

CITY OF WILDWOOD, MISSOURI

CHANGES IN FUND BALANCES, GOVERNMENTAL FUNDS
Last Ten Fiscal Years
(Modified Accrual Basis Of Accounting)

Schedule 5

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Revenues										
Taxes	$ 10,718,084	$ 11,762,170	$ 12,406,742	$ 11,701,959	$ 11,639,720	$ 11,813,413	$ 12,579,853	$ 12,749,292	$ 13,274,005	$ 13,528,762
Charges for services	68,003	55,446	5,270	7,725	21,663	3,875	3,150	8,480	5,675	18,480
Special assessments	119,722	207,782	179,596	231,096	196,147	187,260	181,802	196,658	189,077	182,002
Fines and forfeitures	449,295	525,053	633,360	728,856	718,938	614,564	593,929	547,349	586,604	515,671
Licenses and permits	303,389	164,118	163,366	131,467	131,495	116,636	98,141	113,440	137,916	128,805
Intergovernmental	150,150	1,209,782	275,068	1,531,377	1,665,849	382,118	330,266	2,139,848	652,924	672,158
Investment income	749,212	891,380	553,651	355,698	249,250	190,301	98,394	41,739	42,110	58,487
Miscellaneous	1,091,635	85,788	225,410	331,867	32,095	43,673	98,872	54,772	61,792	68,836
Total Revenues	13,649,490	14,901,519	14,442,463	15,020,045	14,655,157	13,351,840	13,984,407	15,851,578	14,950,103	15,173,201
Expenditures										
Administration	1,035,250	1,248,177	1,159,354	1,292,230	1,240,837	1,259,154	1,331,277	1,075,539	1,189,678	1,125,643
Police	2,471,643	2,582,564	2,872,166	3,040,939	3,118,256	3,028,823	3,052,920	2,982,864	3,017,030	3,091,368
Court	166,351	178,160	217,173	235,491	208,951	221,124	210,366	226,264	217,195	228,319
Clerk and Council	226,107	242,736	271,752	265,634	269,690	274,831	270,552	289,866	269,354	275,529
Public Works	1,309,180	1,553,506	1,504,441	1,505,883	1,553,168	1,528,921	1,166,821	1,596,563	1,782,111	1,749,345
Planning and Zoning	681,644	658,334	828,352	1,107,157	905,534	829,517	823,743	870,094	855,670	994,505
Parks and recreation	225,758	390,186	339,147	467,300	407,588	496,283	540,009	536,467	588,124	667,743
Capital outlay	4,864,096	6,255,265	4,031,168	7,503,587	6,315,601	3,571,104	9,091,134	5,660,488	6,031,041	5,460,314
Debt service										
Principal	—	95,000	100,000	100,000	105,000	110,000	230,000	265,000	260,000	260,000
Interest	97,925	96,476	93,453	90,278	86,945	157,863	185,542	119,232	123,043	120,313
Cost of issuance	—	—	—	—	97,241	—	51,229	—	—	—
Total Expenditures	11,077,954	13,300,404	11,417,006	15,608,499	14,308,811	11,477,620	16,953,593	13,622,377	14,333,246	13,973,079
Excess Of Revenues Over (Under) Expenditures	2,571,536	1,601,115	3,025,457	(588,454)	346,346	1,874,220	(2,969,186)	2,229,201	616,857	1,200,122
Other Financing Sources (Uses)										
Proceeds from land exchange	—	—	—	—	—	—	—	—	—	—
Proceeds from NID Bonds	—	—	—	—	—	—	—	—	—	—
Discount on NID Bonds	—	—	—	—	—	—	—	—	—	—
Transfers in	138,466	109,012	73,210	57,510	6,368,814	199,652	6,278,104	224,742	224,354	2,729,474
Transfers out	(138,466)	(109,012)	(73,210)	(57,510)	(6,368,814)	(199,652)	(6,278,104)	(224,742)	(224,354)	(2,729,474)
Sale of capital assets	—	7,000	—	—	10,935	—	1,910,000	—	—	—
Issuance of Certificates of Participation	—	—	—	—	3,000,000	—	(1,971,670)	—	—	—
Total Other Financing Sources (Uses)	—	7,000	—	—	3,010,935	—	(61,670)	—	—	—
Net Change In Fund Balances	$ 2,571,536	$ 1,608,115	$ 3,025,457	$ (588,454)	$ 3,357,281	$ 1,874,220	$ (3,030,856)	$ 2,229,201	$ 616,857	$ 1,200,122
Debt service as a percentage of noncapital expenditures	1.00%	1.75%	2.04%	1.92%	2.01%	2.90%	4.45%	3.79%	3.53%	3.62%

Source: Revenues, Expenditures and Changes in Fund Balances - Governmental Funds.

Notes:

The Capital Outlay over capitalization threshold amount used to calculate the ratio of total debt service expenditures to noncapitial expenditures is located in the Financial Statement Section of this report in the Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balances to the Statement of Activities.

CITY OF WILDWOOD, MISSOURI

TAX REVENUES BY SOURCE, GOVERNMENTAL FUNDS
Last Ten Fiscal Years
(Modified Accrual Basis Of Accounting)

Schedule 6

Fiscal Year	Sales Tax (1) (3)	Utility Tax	Franchise Tax	Motor Fuel/ Gas Tax	Road And Bridge Tax	Other Tax	Total
2006	$ 6,059,758	$ 2,024,740	$ 258,204	$ 1,381,725	$ 877,283	$ 116,374	$ 10,718,084
2007	6,312,290	2,650,301 (2)	266,764	1,386,531	1,035,434	110,850	11,762,170
2008	6,223,650	3,481,283 (4)	277,422	1,266,345	1,051,924	106,118	12,406,742
2009	5,834,357	3,295,439 (5)	273,621	1,223,114	976,493	98,935	11,701,959
2010	5,780,093	3,264,230	254,120	1,259,424	987,959	93,894	11,639,720
2011	6,054,516	3,225,949	235,051	1,244,679	960,349	92,869	11,813,413
2012	6,773,496	3,215,681	230,520	1,275,162	985,398	99,596	12,579,853
2013	6,948,158	3,240,577	240,053	1,287,812	938,989	93,703	12,749,292
2014	7,405,774	3,210,359	253,670	1,351,974	961,828	90,400	13,274,005
2015	7,619,029	3,193,206	252,184	1,391,337	970,565	102,441	13,528,762
Change 2006–2015	25.73%	57.71%	-2.33%	0.70%	10.63%	-11.97%	26.22%

Source: Basic Financial Statements

Notes:
(1) The City participates in the County- wide Sales Tax sharing pool distributed on a per capita basis.
(2) Cellular Phone Companies began remitting Utility Gross Receipts Tax.
(3) As set out in Section 32.057 of the Missouri Revised Statutes, it is a violation to make known in any manner the tax returns or departmental records derived from the Missouri Department of Revenue. Due to the confidentiality of earnings information, the above alternative information is provided to assist users in understanding this revenue source.
(4) Cell phone utility tax settlement for tax in years prior to 2008 of $611,853 included in 2008.
(5) AT&T tax settlement for tax in years prior to 2009 of $430,336 included in 2009.

CITY OF WILDWOOD, MISSOURI

UTILITY TAX REVENUE
Last Ten Fiscal Years

Schedule 7

Fiscal Year	Utility Tax Electric	Gas	Telephone	Water	Total
2006	$ 929,416	$ 625,384	$ 306,884	$ 163,056	$ 2,024,740
2007	992,802	621,819	864,850 (4)	170,830	2,650,301
2008	970,712	681,646	1,655,663 (5)	173,262	3,481,283
2009	1,008,828	604,135	1,491,805 (6)	190,672	3,295,439
2010	1,196,848	550,682	1,307,562	209,138	3,264,229
2011	1,304,849	534,999	1,144,853	241,248	3,225,948
2012	1,318,896	453,346	1,162,920	280,519	3,215,681
2013	1,442,013	508,831	1,048,287	241,446	3,240,577
2014	1,455,850	499,604	1,002,807	252,098	3,210,359
2015	1,490,652	546,006	913,109	243,439	3,193,206

Source: Basic Financial Statements

Notes:
(1) The City does not levy a property tax.
(2) The City participates in the County- wide Sales Tax sharing pool, therefore, sales tax is not the City's own source revenue.
(3) The City levies a 5% Gross Receipt Tax for Utilities.
(4) Cellular Phone Companies began remitting Utility Gross Receipts Tax.
(5) Cell phone utility tax settlement for tax in years prior to 2008 of $611,853 included in 2008.
(6) AT&T tax settlement for tax in years prior to 2009 of $430,336 included in 2009.

CITY OF WILDWOOD, MISSOURI

PRINCIPAL UTILITY TAX PAYERS
Current Year And Nine Years Ago

Schedule 8

	2015				2006[2]			
Taxpayer	**Utility Gross Receipts**	**Utility Tax Payment**	**Rank**	**Percentage Of Total Utility Tax Revenue**	**Utility Gross Receipts**	**Utility Tax Payment**	**Rank**	**Percentage Of Total Utility Tax Revenue**
Ameren UE	$ 29,813,040	$ 1,490,652	1	46.68%	$ 18,588,320	$ 929,416	1	45.90%
Laclede Gas	9,315,620	465,781	2	14.59%	12,507,680	625,384	2	30.89%
New Cingular Wireless	5,181,940	259,097	3	8.11%	—	—		—
Missouri American Water	4,868,780	243,439	4	7.62%	3,261,120	163,056	4	8.05%
Southwestern Bell (AT&T)	4,581,820	229,091	5	7.17%	6,137,680	306,884	3	15.16%
AT&T Missouri	2,655,020	132,751	6	4.16%	—	—		—
Verizon	2,492,540	124,627	7	3.90%	—	—		—
Sprint Spectrum	2,293,900	114,695	8	3.59%	—	—		—
T-Mobile	497,740	24,887	9		—	—		—
All Others (1)	2,163,720	108,186	10	3.39%	—	—		—
Total	$ 63,864,120	$ 3,193,206		100.00%	$ 40,494,800	$ 2,024,740		100.00%

Source: City of Wildwood Finance Department records.

(1) Multiple cell phone companies and one gas company (each individual annual amount less than $25,000 per year).

(2) There were only four utility tax payers in 2006.

CITY OF WILDWOOD, MISSOURI

RATIOS OF OUTSTANDING DEBT BY TYPE
Last Ten Fiscal Years

Schedule 9

Fiscal Year	NID Limited General Obligation Bonds	Certificates of Participation	Total Primary Government	Percentage of Personal Income	Per Capita (3)
2006	$ 2,565	—	$ 2,565	0.16%	74
2007	2,470	—	2,470	0.15%	72
2008	2,370	—	2,370	0.14%	69
2009	2,270	—	2,270	0.14%	66
2010 (1)	2,165	3,000	5,165	0.30%	145
2011	2,055	3,000	5,055	0.28%	142
2012 (2)	1,910	2,885	4,795	0.28%	135
2013	1,760	2,770	4,530	0.26%	127
2014	1,620	2,650	4,270	0.23%	120
2015	1,480	2,530	4,010	0.22%	113

Source: Details regarding the City's outstanding debt can be found in the notes to the financial statements.

Notes: (1) In 2010, the City Secured Capital Lease Bonds to partially finance the construction of a New City Hall.

(2) In 2012, the City refinanced the 2005 Neighborhood Improvement District Bonds with Neighborhood Improvement District Limited General Obligation Refunding Bonds, Series 2012.

(3) See Schedule of Demographic and Economic Statistics for personal income and population data.

CITY OF WILDWOOD, MISSOURI

DIRECT AND OVERLAPPING GOVERNMENTAL ACTIVITIES DEBT
As Of December 31, 2015

Schedule 10

Governmental Unit	Debt Outstanding	Total Assessed Value	Assessed Value In Wildwood	Estimated Percentage Applicable	Estimated Share Of Overlapping Debt
St. Louis County	$ 105,615,000	$ 22,220,386,910	$ 934,915,400	5.21%	$ 5,502,542
Rockwood School District	203,405,000	3,371,550,380	934,300,380	27.71%	56,363,526
Meramec Valley School District	28,010,000	10,594,930	615,020	5.80%	1,624,580
Metro-West Fire Protection District	4,935,000	1,765,909,260	635,941,130	36.01%	1,777,094
Monarch Fire Protection District	—	2,240,558,560	247,595,390	11.05%	—
Eureka Fire Protection District	5,955,000	315,609,180	51,378,880	16.28%	969,474
Subtotal, overlapping debt					66,237,216
City's Direct Debt	4,010,000	961,208,864	961,208,864	100.00%	4,010,000
Total Direct And Overlapping Debt	$ 351,930,000				$ 70,247,216

Source: The above-named jurisdictions, St. Louis County Real Estate Assessment rolls, and St. Louis County report of Assessed Valuation.

Note: Assessed Values Exclude State Assessed RR & Utilities
Overlapping Debt is calcaluted based on Government Units Total Direct Debt by the Percentage of Assessed Value of property located in the City of Wildwood.

CITY OF WILDWOOD, MISSOURI

LEGAL DEBT MARGIN INFORMATION
Last Ten Fiscal Years

Schedule 11

(dollars in thousands)

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Net Assessed Value as of January 1	$ 831,005	$ 1,002,044	$ 1,017,972	$ 946,286	$ 940,747	$ 928,755	$ 935,358	$ 908,436	$ 920,155	$ 961,209
Debt limit	83,101	100,204	101,797	94,629	94,075	92,876	93,536	90,844	92,016	96,121
Total net debt applicable to limit	2,515	2,470	2,370	2,270	5,165	5,055	4,795	4,530	4,270	4,010
Legal debt margin	$ 80,586	$ 97,734	$ 99,427	$ 92,359	$ 88,910	$ 87,821	$ 88,741	$ 86,314	$ 87,746	$ 92,111
Total net debt applicable to the limit as a percentage of debt limit	3.03%	2.46%	2.33%	2.40%	5.49%	5.44%	5.13%	4.99%	4.64%	4.17%

Source: St. Louis County Real Estate Assessment rolls at billing and notes to financial statements.

Note: Bonded indebtedness is limited by Sections 95.111 and 95.120 of the Missouri Revised Statues (1986) to 10% of the assessed value of taxable tangible property.

CITY OF WILDWOOD, MISSOURI

PLEDGE REVENUE COVERAGE
Last Ten Fiscal Years

Schedule 12

		Neighborhood Improvement District Bonds (2)			
Fiscal Year		Special Assessment Collections	Debt Service Principal	Debt Service Interest	Coverage
2006	(1)	119,722	—	97,925	1.22
2007		207,782	95,000	96,476	1.09
2008		179,597	100,000	93,453	0.93
2009		231,096	100,000	90,278	1.21
2010		196,147	105,000	86,945	1.02
2011		187,260	110,000	83,370	0.97
2012		181,802	115,000	79,544	0.93
2013		196,658	150,000	14,113	1.20
2014		189,077	140,000	20,093	1.18
2015		182,002	140,000	19,463	1.14

Source: Details regarding the City's outstanding debt can be found in the notes to the financial statements.

Note: (1) First year of City's debt repayment obligation.

(2) Town Center Sewer Improvement District Bonds are backed by special assessments levied on properties benefiting from improvements.

CITY OF WILDWOOD, MISSOURI

DEMOGRAPHIC AND ECONOMIC STATISTICS
Last Ten Fiscal Years

Schedule 13

Year	Wildwood Population	St. Louis County Population	St. Louis County Personal Income (thousands of dollars)	St. Louis County Per Capita Personal Income	Wildwood Personal Income (thousands of dollars)	Wildwood Per Capita Personal Income	School Enrollment: Rockwood School District	School Enrollment: Meramec Valley School District	Wildwood Unemployment Rate
2006	34,549	1,002,050	$ 50,711,609	$ 50,608	$ 1,649,991	$ 47,758	22,047	3,613	2.5%
2007	34,344	999,389	52,338,260	52,370	1,640,201	47,758	22,245	3,517	3.0%
2008	34,195	998,331	55,308,677	55,401	1,680,000	49,130	22,412	3,559	4.3%
2009	34,209	998,618	49,700,219	49,769	1,680,688	49,130	22,566	3,435	6.1%
2010	35,517	998,954	50,413,773	50,476	1,696,221	47,758	22,657	3,405	6.2%
2011	35,603	999,321	52,713,697	52,786	1,810,377	50,849	22,568	3,360	4.8%
2012	35,388	999,147	33,958,009	33,987	1,743,248	49,261	22,268	3,405	4.1%
2013	35,568	999,725	33,977,654	33,987	1,752,115	49,261	21,536	3,231	4.0%
2014	35,820	1,001,876	35,454,388	35,388	1,848,813	51,614	21,351	3,162	3.2%
2015	35,899	1,003,362	35,506,974 (1)	35,388 (1)	1,852,891 (1)	51,614 (1)	21,833	3,283	2.6%

Source: Population: U.S. Census Bureau - U.S. Census Bureau Estimates
School Enrollment Information: Rockwood and Meramec Valley School Districts and Missouri Department of Elementary and Secondary Education.
St. Louis County Personal Income and Per Capita Personal Income: U.S. Bureau of Commerce Bureau of Economic Analysis
Unemployment rate: St. Louis County Annual Report (Statistical Section) and U.S. Bureau of Labor Statistics
2009-2013 American Community Survey 3-Year Estimates

Note: (1) Estimate not available at time of publication. Prior year information used.

N/A - Not available

CITY OF WILDWOOD, MISSOURI

PRINCIPAL EMPLOYERS
Current Year And Nine Years Ago

Schedule 14

	2015			2006[1]		
Employer	**Employees**	**Rank**	**Percentage Of Total City Employment**	**Employees**	**Rank**	**Percentage Of Total City Employment**
Rockwood School District	543	1	21.78%	864	1	27.09%
Hidden Valley Ski	210	2	8.42%	195	2	6.11%
First Student	206	3	8.26%	—		0.00%
Dierbergs Town Center	150	4	6.02%	150	3	4.70%
Schnucks	122	5	4.89%	119	6	—
The Elegant Child	112	6	4.49%	120	5	3.76%
Kelpe Contracting	83	7	3.33%	88	7	2.76%
St. Louis Bread/Panera Bread	51	8	2.05%	—		—
SourceHOV	50	9	2.01%	—		—
Ballwin Ridge Health & Rehab	49	10	1.97%	—		—
Laidlaw Transit	—		—	136	4	4.26%
B&W Foundations	—		—	81	8	2.54%
Total	1,576		63.22%	1,753		54.97%

Source: Business License database from Administration Department

(1) There were only eight employers larger than 2% of the City's total employees in 2006.

CITY OF WILDWOOD, MISSOURI

ESTIMATED ACTUAL VALUE OF TAXABLE PROPERTY
Last Ten Fiscal Years

Schedule 15

(dollars in thousands)

Fiscal Year	Real Property: Residential Property	Real Property: Commercial Property	Real Property: Agricultural Property	Real Property: Railroad And Utilities	Real Property: Total Real Property	Personal Property	Total Estimated Actual Value
2006	$ 3,585,416	$ 64,156	$ 16,358	$ 52,222	$ 3,718,152	$ 331,713	$ 4,049,865
2007	4,469,174	81,941	17,058	53,097	4,621,270	322,923	4,944,193
2008	4,537,600	88,841	16,983	51,506	4,694,930	326,637	5,021,567
2009	4,192,627	90,716	13,086	54,491	4,350,920	304,954	4,655,874
2010	4,205,822	92,998	12,429	56,881	4,368,130	276,565	4,644,695
2011	4,110,249	92,775	12,216	62,608	4,277,848	289,858	4,567,706
2012	4,117,717	92,159	12,140	58,656	4,280,672	309,824	4,590,496
2013	3,962,705	91,847	11,394	63,979	4,129,925	312,872	4,442,797
2014	3,992,601	95,809	11,465	65,592	4,165,467	325,611	4,491,078
2015	4,183,648	101,969	10,946	72,792	4,369,355	327,236	4,696,591

Source: St. Louis County Department of Revenue

Notes: (1) The City does not levy a property tax.

CITY OF WILDWOOD, MISSOURI

ASSESSED VALUE OF TAXABLE PROPERTY
Last Ten Fiscal Years

Schedule 16

(dollars in thousands)

Fiscal Year	Real Property: Residential Property	Real Property: Commercial Property	Real Property: Agricultural Property	Real Property: Railroad And Utilities	Real Property: Total Real Property	Personal Property	Taxable Assessed Total	Total Direct Tax Rate
2006	$ 681,229	$ 20,530	$ 1,963	$ 16,711	$ 720,433	$ 110,571	$ 831,004	—
2007	849,143	26,221	2,047	16,991	894,402	107,641	1,002,043	—
2008	862,144	28,429	2,038	16,482	909,093	108,879	1,017,972	—
2009	796,599	29,029	1,570	17,437	844,635	101,651	946,286	—
2010	799,106	29,759	1,491	18,202	848,558	92,188	940,746	—
2011	780,947	29,688	1,466	20,035	832,136	96,620	928,755	—
2012	782,366	29,491	1,457	18,770	832,084	103,275	935,358	—
2013	752,914	29,391	1,367	20,473	804,145	104,291	908,436	—
2014	758,594	30,659	1,376	20,989	811,618	108,537	920,155	—
2015	794,893	32,630	1,314	23,293	852,130	109,079	961,209	—

Source: St. Louis County Department of Revenue

Notes: The City does not levy a property tax.

Assessments are determined by the Assessor of St. Louis County as of January 1.

Assessments are based on a percentage of estimated actual values. Real property is classified as residential, agricultural, or commercial. Residential property is assessed at 19%, agricultural is assessed at 12%, and commercial is assessed at 32%. All railroad and utility property is assessed at 32%. All personal property (including railroad and utility) is assessed at 33-1/3%. Real property is reassessed biannually in odd-numbered years.

The City participates in the County-wide Sales Tax Sharing pool, therefore, sales tax is not the City's own source revenue.

CITY OF WILDWOOD, MISSOURI

DIRECT AND OVERLAPPING PROPERTY TAX RATES
(Per $100 Of Assessed Value)
Last Ten Fiscal Years

Schedule 17

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Taxes levied on all property in the City of Wildwood:										
City of Wildwood (1)	$ —	$ —	$ —	$ —	$ —	$ —	$ —	$ —	$ —	$ —
State of Missouri	0.030	0.030	0.030	0.030	0.030	0.030	0.030	0.030	0.030	0.030
St. Louis County General	0.190	0.190	0.190	0.190	0.200	0.200	0.200	0.200	0.209	0.206
St. Louis County Park Maintenance	0.035	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.049
St. Louis County Bond Retirement	0.063	0.063	0.063	0.028	0.028	0.028	0.028	0.028	0.019	0.019
St. Louis County Road and Bridges	0.105	0.105	0.105	0.105	0.105	0.105	0.105	0.105	0.105	0.103
St. Louis County Health	0.165	0.150	0.150	0.150	0.140	0.140	0.140	0.140	0.140	0.138
St. Louis Community College	0.223	0.200	0.201	0.214	0.218	0.220	0.220	0.220	0.220	0.218
Special School district	0.824	0.908	0.918	0.938	0.995	1.010	1.012	1.240	1.261	1.235
Metropolitan Zoological Park and Museum District	0.261	0.233	0.233	0.249	0.255	0.267	0.268	0.280	0.280	0.278
Sheltered Workshop	0.085	0.085	0.090	0.074	0.079	0.084	0.084	0.089	0.090	0.088
St. Louis County Library	0.150	0.150	0.150	0.140	0.157	0.163	0.173	0.250	0.250	0.246
Total	$ 2.131	$ 2.164	$ 2.180	$ 2.168	$ 2.257	$ 2.297	$ 2.310	$ 2.632	$ 2.654	$ 2.610
School districts (2):										
Rockwood	4.418	3.999	3.923	4.008	4.275	4.463	4.536	4.683	4.724	4.602
Meramec Valley	4.220	4.310	4.310	4.266	4.301	4.310	4.310	4.310	4.310	4.310
Fire protection districts (3)										
Metro West	1.087	1.074	1.060	0.977	1.012	1.030	1.029	1.064	1.057	1.013
Monarch	1.042	1.039	1.059	0.826	0.865	0.842	0.829	0.829	0.829	0.806
Eureka	1.195	1.078	1.078	1.141	1.154	1.198	1.209	1.230	1.242	1.211
Sewer districts (4)										
Metropolitan St. Louis Sewer District (Extension)	0.019	0.067	—	—	0.018	0.185	0.186	0.020	0.020	0.020
SD-34 Meramec River Basin	0.070	0.070	—	—	—	—	—	—	—	—

Notes:

(1) The City does not levy a property tax.
(2) All property is located in one of the two school districts whose boundaries include part of the City.
(3) All property is located in one of the three fire protection districts whose boundaries include part of the City.
(4) All property is located in one of the two sewer districts whose boundaries include part of the City.
(5) Rates listed above for residential property.

Source: St. Louis County Collector

CITY OF WILDWOOD, MISSOURI

FULL-TIME EQUIVALENT CITY GOVERNMENT EMPLOYEES BY FUNCTION/PROGRAM
Last Ten Fiscal Years

Schedule 18

Function/ Program	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
General government										
Administration	4.67	4.50	4.50	4.50	4.50	4.50	4.50	4.50	4.50	4.90
Clerk/Council	1.50	1.50	1.50	1.50	1.50	1.50	1.50	1.50	1.50	1.50
Municipal Court	1.50	1.50	1.50	1.50	1.50	1.50	1.50	1.50	1.50	1.50
Parks	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	2.00
Planning	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00
Public Works	5.00	5.00	5.00	5.00	4.00	4.00	4.00	4.00	4.00	4.50
Total	20.67	20.50	20.50	20.50	19.50	19.50	19.50	19.50	19.50	21.40

Source: City of Wildwood Payroll Records

CITY OF WILDWOOD, MISSOURI

OPERATING INDICATORS BY FUNCTION/PROGRAM
Last Ten Fiscal Years

Schedule 19

Function/ Program	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Administration										
Business licenses issued	423	411	417	474	463	432	469	386	485	423
Vending licenses issued	47	53	65	49	36	39	37	7	35	34
Solicitor licenses issued	10	27	24	33	48	31	11	36	48	62
City Clerk/Council										
Liquor licenses issued	22	21	21	22	22	23	25	25	24	26
Ordinances passed	120	110	122	141	96	64	67	77	88	65
Resolutions	33	35	32	50	16	37	32	26	34	40
Municipal Court										
Tickets processed	5,587	5,025	6,461	7,638	7,176	6,750	6,492	6,073	6,757	5,877
Letters written	2,340	2,263	2,732	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Continuances allowed	5,462	4,445	6,760	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Warrants issued	732	770	931	800	755	629	652	595	565	538
Cases closed	5,674	5,565	6,551	7,170	7,240	6,404	6,565	6,026	6,439	5,106
Parks										
Parks Dedications	2	—	—	—	2	—	1	—	—	2
Major Recreational Events Organized and Implemented	9	13	16	16	22	25	24	22	21	23
Other Recreational Events Organized and Implemented	>60	>60	>60	>60	>60	760	62	58	52	44
Parks Facilities Maintained	4	5	5	6	6	6	12	12	14	18
Planning										
Code Enforcement Summons Issued	N/A	N/A	80	60	95	55	90	69	33	57
Zoning authorizations	812	900	665	553	570	557	510	647	633	653
Zoning modifications processed	29	38	30	25	20	25	21	12	28	27
Public Works										
Grading permits issued	38	37	37	38	31	40	32	36	62	68
Special use permits issued	158	167	176	149	164	129	110	118	124	130
Special event permits issued	51	50	60	50	63	64	57	52	37	50
Floodplain development permits issued	2	3	3	2	2	2	1	—	1	1
Maintenance work orders issued	393	463	460	424	431	433	418	439	479	425

Source: City of Wildwood Annual Budget and City departments

CAPITAL ASSETS STATISTICS BY FUNCTION/PROGRAM
Last Ten Fiscal Years

Schedule 20

Function/ Program	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Public Works										
Concrete Street Replacement (SY)	27,000	29,000	23,500	24,000	24,000	24,000	24,000	25,000	24,000	22,000
Concrete Sidewalk Replacement (SF)	28,000	18,000	24,000	35,000	30,000	40,000	40,000	35,000	20,000	5,375
Asphalt Resurfacing (MI)	10	11	13	9	7	—	15	11	8	6
Bridges Replaced	2	2	1	1	2	3	4	1	—	—
Trails Constructed (MI)	—	1	1	3	3.5	—	—	—	—	0.5
Parks and Recreation										
Acreage	66.77	73.94	76.23	144.73	144.73	144.73	144.73	150.00	150.00	154.90
Park Facilities	7	7	7	8	9	9	12	12	14	18
Playgrounds	2	2	2	3	3	3	3	3	3	4
Leased Park Property (Acreage)	—	—	235	235	235	235	235	235	255	455

Source: City departments

Notes: (1) No capital asset indicators are available for the Administration, City Clerk/Council, Municipal Court, or Planning departments.
(2) (SY) Square yards, (SF) Square Feet, (MI) Miles

WILDWOOD®

MEMORANDUM

To: Mayor James R. Bowlin and the Wildwood City Council

From: Ryan S. Thomas, City Administrator

Date: July 8, 2016

Re: **2015 Comprehensive Annual Financial Report and Annual Financial Audit**

In accordance with the City Charter and Code of Ordinances, the Comprehensive Annual Financial Report (CAFR) and Independent Auditor's Report for the fiscal year ending December 31, 2015 are hereby presented for your consideration.

The Annual Audit was performed by the certified public accounting firm RubinBrown, LLC, which also oversaw preparation of the CAFR. Representatives from RubinBrown are scheduled to make a presentation and review of their findings at the beginning of the July 11, 2016 City Council Meeting.

In addition to the 2015 Comprehensive Annual Financial Report (CAFR) and Independent Auditor's Report document, a copy of a separate document entitled *ViewPoints* prepared by RubinBrown summarizes the audit preparation process and audit findings. The *ViewPoints* document is valuable reading and will be the subject of discussion by the auditors during their presentation at the Council Meeting. Of particular note, the *ViewPoints* document includes Statistical Comparison and Financial Health Information sections comparing various financial characteristics for the City of Wildwood with those of other municipalities in the St. Louis Metropolitan Area. You will note that Wildwood has very positive financial ratios compared to other area communities.

At the conclusion of the auditor presentation, a Motion to accept the report will be requested of the City Council. Copies of the report documents are available in your City Hall mail compartment. It is recommended that you bring them with you to the meeting for reference purposes.

Cc: Steve Cross, City Treasurer
Dawn Kaiser, Finance Officer

RubinBrown

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Independent Auditors' Report On Internal Control Over Financial Reporting And On Compliance And Other Matters Based On An Audit Of Financial Statements Performed In Accordance With *Government Auditing Standards*

Honorable Mayor and City Council
City of Wildwood, Missouri

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, and each major fund of City of Wildwood, Missouri (the City) as of and for the year ended December 31, 2015, and the related notes to the financial statements, which collectively comprise the City's basic financial statements, and have issued our report thereon dated June 27, 2016.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance And Other Matters

As part of obtaining reasonable assurance about whether the City's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose Of This Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

RubinBrown LLP

June 27, 2016

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 8 to 0, 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 seemed 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.

Type of Development	Required Contribution
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

Kathy Arnett, Assistant Director of Planning and Parks
Travis Newberry, Planner
Hassan Abdiannia, Icell Enterprises, L.L.C.

BP AMOCO D/B/A

ICELL ENTERPRISE, L.L.C.

300 STATE ROUTE 109

WILDWOOD, MO. 63005

636-519-0608

CITY OF WILDWOOD
MAY 11 2016
DEPT OF PLANNING & PARKS

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).

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 proprties 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 evergeen 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:

Type of Development	Required Contribution
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

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

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

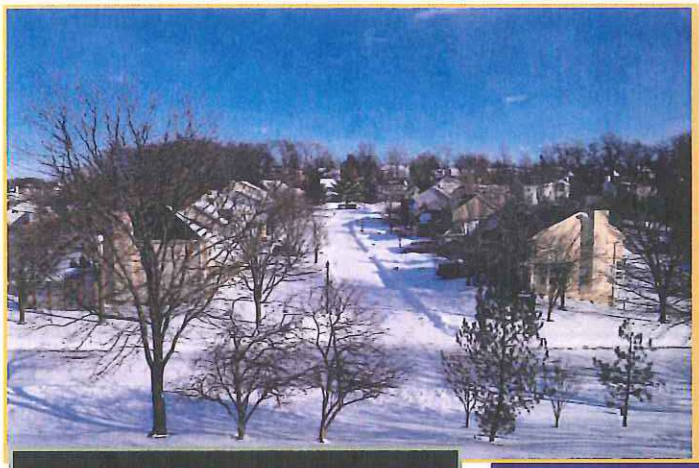
of properties bordered by State Route 100, State Route 109, and Manchester Road, with a small extension to the west along Manchester Road to Pond. A majority of this area is located inside public sewer and water service areas, but also relies upon individual systems for the provision of these services. 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

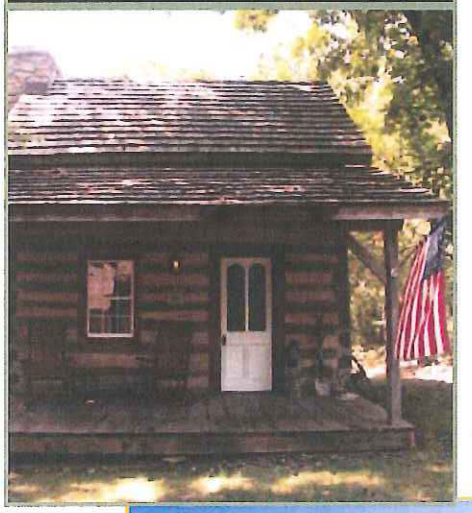
reuse. Designation of properties or areas must meet the criteria listed in the Historic Preservation Ordinance for their nomination and consideration. The designation of properties or areas to this land use category must be approved by the Historic Preservation Commission, the Planning and Zoning Commission, 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.

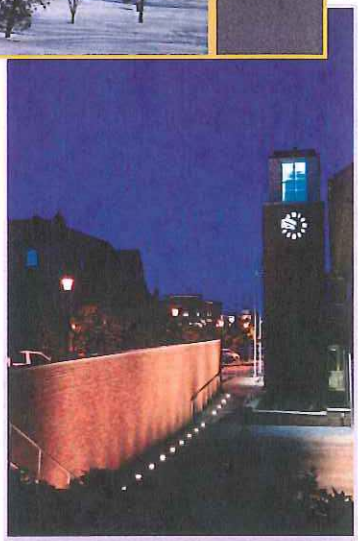
Non-Urban Residential Area



Sub-Urban Residential Area

Historic—Fifth Land Use Category





Town Center Area

Industrial Area

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

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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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.

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

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	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.

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	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
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 - Approval of Recommended Changes by a Vote of 8 to 0 (Voting Aye - Archeski, Gragnani, Bauer, Kohn, Bartino, Manton, Bowlin, and Bopp)
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

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.

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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.

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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 (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:

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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.

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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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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.

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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.

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:

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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:

Twenty-five percent (25%) or more

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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.

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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.

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ACTIVITIES

Human genitals in a state of sexual stimulation

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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.

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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

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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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until the owner of such business has applied to the office of the City Clerk for

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until the owner of such business has applied to the office of the City Clerk for

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manager,

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manager,

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or other employee

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entertainment to be performed on the premises

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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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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 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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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.
4.

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Standards For Physical Design Of The Premises.

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1. *General Standards.*

a.

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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

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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

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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.

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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 Rechtin
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 Rechtin
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	*Field not completed.*
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	*Field not completed.*

(Section Break)

Name	Judy Sahm
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.

BILL #2196 **ORDINANCE #2196**

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF WILDWOOD TO ISSUE A PURCHASE ORDER TO TYLER TECHNOLOGIES FOR ACCOUNTING SOFTWARE AND HARDWARE UPGRADES

WHEREAS, to improve data management, reporting capabilities, and reduce City team member time for data entry and data management, the Administration/Public Works Committee, City Treasurer and Department of Administration and Finance believe it is in the best interest of the City to upgrade its accounting software and hardware at this time.

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

Section 1.

The City Administrator of the City of Wildwood is hereby authorized to issue a Purchase Order to Tyler Technologies for Accounting Software and Hardware Upgrades, as further described on the attached quote.

Section 2.

The total expenses and liability of the City of Wildwood under the Purchase Order shall not exceed $61,371, which includes $30,317 of encumbered funds from Fiscal Year 2015, and an increase to the Fiscal Year 2016 Budget, which is planned as part of the upcoming mid-year budget amendment.

Section 3.

This Ordinance shall be in full force and effect from and after its passage and approval.

This Bill was passed and approved this ____ day of _____, 2016, by the Council of the City of Wildwood, Missouri, after having been read by title or in full two times prior to passage.

_____	_____
PRESIDING OFFICER	JAMES R. BOWLIN, MAYOR
ATTEST:	ATTEST:
_____	_____
City Clerk	City Clerk

BILL #2197 **ORDINANCE # 2197**

AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, AUTHORIZING THE MAYOR OF THE CITY TO NEGOTIATE AND EXECUTE A COOPERATION AGREEMENT FOR INTERNET ACCESS SITES WITH ST. LOUIS COUNTY, MISSOURI, FOR THE USE OF EMERGENCY COMMUNICATIONS TOWERS FOR THE PURPOSES OF PROVIDING HIGH-SPEED INTERNET ACCESS SERVICES TO THE RESIDENTS OF THE CITY. (Ward - All)

WHEREAS, Missouri Revised Statutes Sections 70.220 through 70.325, as amended from time to time, authorize political subdivisions to contract and cooperate with any other political subdivision for the planning, development, construction, acquisition, or operation of any public improvement or facility, or for a common service; and

WHEREAS, St. Louis County, Missouri (the "County") is the lessee of certain real property within the City upon which has been constructed emergency communications towers (the "Towers"); and

WHEREAS, the City, by and through its officers, employees and agents, desires to have access to and use of the Towers for purposes of installing and maintaining antennas, equipment and other facilities for purposes of providing residents of the City access to internet services; and

WHEREAS, the City Council finds and determines that it is to the benefit of the health, safety and general welfare of the residents of the City to provide means by which residents of the City may have access to high-speed internet access services; and

WHEREAS, the City Council desires that the City enter into the Cooperation Agreement for Internet Access Sites with the County for purposes of ensuring the availability of high-speed internet access services to the residents of the City.

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

Section One. That the form, terms, and provisions of the Cooperation Agreement for Internet Access Sites, attached hereto, marked as **Exhibit A**, and incorporated by reference herein (the "Agreement"), be and they hereby are approved and the Mayor is hereby authorized, empowered and directed to further negotiate, execute, acknowledge, deliver and administer on behalf of the City such Agreement in substantially the form attached hereto. The City Clerk is hereby authorized and directed to attest to the Agreement and other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of the Agreement and this Ordinance.

Section Two. This Ordinance shall be in full force and effect from and after its passage and approval.

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

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

This Bill was passed and approved this _____ day of _____, 2016, by the City Council of the City of Wildwood after having been read by title, or in full, two (2) times prior to its passage.

_____	_____
Presiding Officer	The Honorable James R. Bowlin, Mayor
ATTEST:	ATTEST:
_____	_____
City Clerk	City Clerk

EXHIBIT A

COOPERATION AGREEMENT FOR INTERNET ACCESS SITES

This Cooperation Agreement for Internet Access Sites ("**Agreement**") is made and entered into as of the _____ day of _____, 2016, by and between ST. LOUIS COUNTY, MISSOURI ("**County**"), acting for the St. Louis County Emergency Communications Commission ("**ECC**"); and THE CITY OF WILDWOOD, MISSOURI ("**City**").

RECITALS

1. City has entered into contracts with Bays-ET High Speed, LLC and Wisper ISP, Inc. (collectively, the "**Internet Service Providers**"), whereby the Internet Service Providers are permitted to use certain property of the City for purposes of providing continuous internet services for residents in the City of Wildwood.

2. County has entered into a Ground Lease dated March 21, 2014, with Community College of St. Louis, St. Louis County, Missouri, pertaining to a parcel of land located at 2798 Christy Avenue, Wildwood, MO (the "**Community College Prime Lease**") and a Ground Lease dated October 31, 2013, with the Missouri Department of Natural Resources, pertaining to a parcel of land at Dr. Edmund A. Babler Memorial State Park (the "**Babler Prime Lease**") (the Community College Prime Lease and the Babler Prime Lease being hereinafter collectively referred to as, the "**Prime Lease**"), whereby County has been granted the right to use certain real property (collectively "the **Property**"), as more particularly described in such Prime Lease, to construct, operate, modify as necessary and maintain thereon communications antenna towers (collectively, the "**Tower**"), an access road, one or more equipment buildings, and a security fence, and related lines, anchors, connections, devices and equipment (collectively, the "**ECC Improvements**").

3. In order to facilitate the provision of continuous internet services for residents in the City of Wildwood, County is willing to allow City to place certain Facilities (herein defined) upon the Tower and certain portions of the Property, subject to the conditions and covenants hereinafter set forth.

4. County is authorized to enter into this Agreement by St. Louis County Ordinance No. _____ (2016), and City is authorized to enter into this Agreement by City of Wildwood Ordinance No. _____ (2016).

In consideration of the terms and conditions contained herein, the parties agree as follows:

1. **Premises**. County hereby grants City a non-exclusive license and right of access to and use of the Property to install Facilities on the Tower and the portion of the Property identified on Exhibit "A" attached hereto and incorporated herein by reference (the "**Premises**")

for the sole purpose of providing internet services to the residents of the City of Wildwood and other nearby communities, if feasible, subject to and as more particularly set forth in the provisions herein (the "License"). The only equipment and appurtenances which City is permitted to install is described in Exhibit "B" attached hereto and made a part hereof (the "**Facilities**"). City may install antennas on the Tower at an area approximately 150 fee up from the base of the tower, or at such other area on the Tower as may be approved by the County in writing at County's sole discretion. County further grants City and its officers, employees, agents, engineers, surveyors and other representatives, permission to perform surveys, soil testing, and other engineering procedures and environmental investigations on, under and over the Premises to determine that the Premises are suitable for City's intended use, provided City shall restore any property or soil disturbed by such activities. This Agreement grants a non-exclusive license only, revocable or terminable under the terms and conditions herein, and does not grant any lease, easement or other interest in real estate.

2. **Use.** The Premises shall be used by and/or for the benefit of City solely for the installation, maintenance, repair, use, removal and replacement of the Facilities needed to accomplish City's purpose of providing continuous internet services to its residents. The license granted hereunder is limited to internet services and City shall not allow the attachment or installation of antennas or equipment for the provision of commercial mobile service, as that term is understood pursuant to 47 U.S.C. §332(d)(1).

3. **Term.** The initial term of City's License hereunder shall be five (5) years, commencing on the first day of the month after the License is executed by both parties (the "**Commencement Date**"). The Initial Term will terminate on the last day of the month in which the fifth anniversary of the Commencement Date falls. Provided that City has complied with its obligations under this Agreement, City shall have the right to extend the Term for two (2) successive five year periods (each, a **Renewal Term**") on the same terms and conditions as set forth herein. If City desires to exercise a Renewal Term, it shall give written notice to County no less than 180 days prior to expiration of the then-existing Term.

4. **Option to Terminate.** County shall have the unilateral right to terminate this Agreement at any time after June 15, 2021 by giving one hundred twenty (120) days' prior written notice to City.

5. **Prime Lease.** The rights and obligations of City under this Agreement as they pertain to the portion of the Property described in the Babler Prime Lease are contingent upon County and City obtaining consent from Missouri Department of Natural Resources in such form that is acceptable in substance to County and City. All rights and obligations in this Agreement are subject to and subservient to the rights and obligations set forth in the Prime Lease for that site. Any right or obligation set forth in this Agreement is invalid to the extent inconsistent or contradicted by any term, right or obligation in such Prime Lease. Any action, right, or obligation requiring the consent or approval of the parties to the Prime Lease is hereby conditioned on such approval. In the event a Prime Lease is terminated for any reason, at any time, during the term of this Agreement, this Agreement shall also be terminated with respect to that Property referenced in the Community College Prime Please or the Babler Prime Lease, where applicable, and the

termination shall be effective on the date the Prime Lease is terminated. In such event, County, if able, will give City ninety (90) days prior notice of such termination. Notwithstanding the foregoing, County agrees not to terminate the Prime Lease prior to June 15, 2021.

6. **Insurance; Sovereign Immunity; Indemnification; Waiver of Subrogation.** City shall maintain a commercial general liability insurance policy for coverage of the injuries and damages for which it, as a political subdivision, is legally obligated under Missouri law to pay, with limits not less than the sovereign immunity limits as set forth in Section 537.610 of the Revised Statutes of Missouri, as amended, except for those claims governed by the provisions of the Missouri workers' compensation law, which policy shall provide workers' compensation for the statutory limits in accordance with Chapter 287, RSMo 2000, as amended. All contractors and agents of City shall procure and maintain workers' compensation insurance in statutory limits, and commercial general liability insurance in amounts of not less than $3,000,000 per occurrence for bodily injury or death, property damages, contractors' liability, and automobile liability. County may request from time to time Certificate(s) of insurance stating that the policy is in full force and effect and that the same will not be altered, amended or terminated without thirty (30) days prior written notice to County. Notwithstanding anything herein to the contrary, no provision, term, or condition in this Agreement shall constitute, or be construed as a waiver of the defenses of sovereign immunity, official immunity, or governmental immunity, by whatever name, as set forth in Section 537.600, RSMo., et seq., for any monetary amount whatsoever, or of any other defenses, howsoever named, that are, or in the future may become, available to County or City by statute or common law.

To the extent permissible by law, City, for itself, its employees agents, contractors and invitees, hereby expressly releases and discharges County from any and all liability of every kind or nature, including, but not limited to, bodily injury (including death), damage to the Property, and all claims, suits, demands, losses, costs and expenses (including attorneys' fees) arising from or alleged to arise from this Agreement and the use of the Property pursuant to this Agreement, that may be sustained by City, its employees, agents, contractors or invitees while on the Property during the term of this Agreement, provided however that this release shall not apply to any liability arising from County's willful misconduct. This provision of this Section 6 shall survive the termination of this Agreement.

County, City and all parties claiming under them mutually release and discharge each other from all claims and liabilities arising from or caused by any casualty or hazard, covered or required hereunder to be covered in whole or in part by insurance on the Property or in connection with property on the Property, and waive any right of subrogation which might otherwise exist in or accrue to any person on account thereof.

7. **Quarterly License Fee.** Commencing on the first day of the first full calendar quarter during the Term, and on the first day of each calendar quarter thereafter, City shall pay to County a License fee in the amount of $4.50 per subscriber served by each of the Internet Service Providers (the "**Quarterly License Fee"**) in advance, without demand or set off. The License fee for the period from the first day of the Term until the first day of the first full calendar quarter shall be prorated as applicable, based on the number of days in such period, and

shall be paid with the first Quarterly License Fee. The Quarterly License Fee shall be delivered to County at the Karabas Communications Center, 1150 Hanna Road, Ballwin, Mo 63021, Attention: Director of Emergency Communications Network ("**Director**"), or at such other place as County may hereafter from time to time, by notice, designate.

City will deliver to County statements regarding the number of subscribers of each of the Internet Service Providers for the preceding quarter, together with reasonable additional information requested by County evidencing how the Quarterly License Fee was calculated (including subscriber lists).

8. **Facilities; Utilities; Access; Interference.**

(a) All charges for work and materials supplied in connection with construction, removal, relocation, repair and maintenance of the Facilities shall be borne by City and City shall hold County and its property harmless from any claims, liens or encumbrances arising therefrom. City shall maintain the Facilities in good condition and repair at all times. The Premises shall be kept in a clean and sanitary condition.

(b) All plans and specifications shall be submitted to and approved by Director prior to construction, which approval shall not be unreasonably withheld, conditioned or delayed (after such approval, the "Approved Plans and Specifications"). In the event of disapproval, County shall give to City an itemized statement of reasons for disapproval within thirty (30) days after the plans and specifications are submitted to County. Should, City, in its sole discretion, determine that the County's reasons for disapproval are unreasonable, City may elect to terminate this Agreement.

(c) City will be responsible for any damage caused by it or its contractors to any part of the Property or the structures thereon. County shall be responsible for maintenance and registration of the Tower, its lights including regular inspection of such lights and alarm equipment (if required by the F.A.A.), and the maintenance of records, including notification to F.A.A. of any failure thereof.

(d) City is responsible for all utilities required by its use of the Property and shall bear the costs for any utility easement dedication on terms acceptable to City and County, as required for City's desired utility services. Any and all electric power to City's equipment shelter shall be metered through a separate electric meter. City will be responsible for determining the location of all underground utilities prior to the commencement of any work. If there are additional users of the Tower, each user's utility usage shall be separately metered. City shall pay when due all charges for its usage of utility services during the term of this Agreement.

(e) City shall be responsible for securing, at its sole expense, any and all permits, licenses and other necessary government approvals for its Facilities. City agrees that all its installations, modifications, changes of location or removals shall be performed in a workmanlike manner in accordance with the government approvals and with the Approved Plans and Specifications.

(f) City shall perform one or more engineering studies which certify that any modifications or additional equipment to be installed by City will not overload or otherwise adversely affect the structural integrity of the Tower or cause radio interference or inter-modulation problems to County's existing equipment or to equipment previously installed by others. City shall provide the intermodulation study and a tower structural analysis to ECC. Antenna and R.F. equipment installation must meet R-56 standards. Prior to installation of antennas, City's designated installers must provide ECC with proof of insurance, in the amounts set forth in Section 6, and proof of OSHA approved Standard Tower Climber certification.

(g) City agrees that the Facilities will not cause interference to any equipment installed at the Property prior to that of City. In the event that the Facilities cause such interference, City will correct and eliminate the interference. If City fails to halt the interference within 24 hours of written notice to do so transmitted by facsimile, City will cease operations of the Facilities (other than intermittent testing for purposes of repair or replacement) until the Facilities can be operated without interference.

(h) City shall use the Premises for the operation, maintenance, replacement and repair of the Facilities and for no other purpose. County may grant rights to others to use the Property and the Tower provided the installation, use and operation of additional transmitters, antennas or other equipment and the locations, characteristics, operating parameters, frequencies and condition of the same will not present a risk of potential interference with the Facilities. The person seeking to install the additional antennae upon the Tower shall provide at his, her, or its expense sufficient information as may be reasonably required by City to determine that the new proposed use will not interfere with City's use of the Tower. City must obtain approval from the ECC Radio Systems Manager before any maintenance that could impact ECC radio system performance. All Facilities (excluding antennas) will be installed outside the ECC fence area.

(i) The Facilities and all other property attached to or otherwise brought to the site by City shall at all times be City's personal property.

(j) City and its authorized agents shall have access to the Premises 8 am to 4 pm Monday through Friday with 24 hour advance notice, provided that City is not in default under this Agreement. It shall be the sole responsibility of City, while its authorized agents are on the Premises, to prevent access to the Premises by unauthorized persons, and to properly secure the Premises. City agrees to provide advance notification to County of any installation of Facilities, antennae or equipment or other work beyond routine maintenance and repairs of the Facilities. ECC staff will accompany City's authorized agents when access to the Tower is required.

(k) County may at its sole discretion, supply City with keys or security devices or codes for accessing the Premises. City and County agree that records pertaining to such security devices or codes are closed records pursuant to Section 610.021(19), RSMo. If County makes any such keys or security devices available to City, City shall not duplicate or disclose such keys or security devices or codes and shall prevent its employees, agents, or representative from duplicating any keys or security devices or codes. Failure to comply with the terms and conditions of this paragraph shall be cause for immediate termination of this Agreement by

County, at its sole discretion.

(l) City agrees to relocate City's Facilities or portions thereof in the event that County deems it necessary for the County to use the space for County's own governmental purposes. The site of such relocation shall be by mutual agreed to in writing between County and City. In the event County and City cannot agree upon the site for the relocation, County shall have the right to terminate this Agreement upon 120 days written notice to City.

(m) Upon termination of this Agreement, whether by expiration of the Term or other termination, City shall, at its cost, remove all Facilities and shall return the Premises to the reasonably same condition as the Commencement Date, reasonable wear and tear excepted. If City fails to surrender the Premises and remove the Facilities as required herein, County may perform such removal work, and City shall pay to County all reasonable costs incurred for such removal.

(n) City shall not use, generate, store or dispose of any Hazardous Material on, under, about or within the Premises in violation of any law or regulation. As used in this paragraph, "Hazardous Material" shall mean asbestos, any substance known by the State of Missouri to cause cancer and/or reproductive toxicity, and/or any substance, chemical or waste that is identified as hazardous, toxic or dangerous in any applicable federal, state or local law or regulation. This paragraph shall survive the termination of this Agreement.

9. **Assignment and Sublicensing**. City may not assign or delegate, or otherwise transfer all of any part of its interest in this Agreement or in the Premises, nor may City allow the use of the Facilities or the Premises by anyone other than City, without the prior written consent of the County in each instance. Notwithstanding the foregoing, County hereby consents to assignment or delegation or sublicensing to the following Internet Service Provider(s) who have written contracts with City: Bays-ET High Speed and Wisper ISP, Inc. Any such assignment, delegation or sublicense shall not alter City's obligations and responsibilities under this Agreement. This Agreement shall be binding upon and inure to the benefit of the parties, their respective successors, personal representatives, and permitted assigns.

10. **Miscellaneous**.

(a) Any notice, request, complaint, demand or other communication required by this Agreement to be given to or filed with City or County shall be in writing and shall be given or filed in the manner and at the addresses specified below.

COUNTY:

Director of Emergency Communications Network
Karabas Communications Center
1150 Hanna Road
Ballwin, Missouri 63021

ECC Radio Systems Manager
Karabas Communications Center
1150 Hanna Road
Ballwin, Missouri 63021

With a Copy to:

County Counselor
Lawrence K. Roos Government Center
41 S. Central Ave.
Clayton, MO 63105

and:

Director of Public Works
Lawrence K. Roos Government Center
41. S. Central Ave.
Clayton, MO 63105

CITY:

City Hall
16860 Main Street
Wildwood, MO 63040
Attention: City Administrator

With a Copy to:

Hamilton Weber LLC
200 N. 3rd Street
St. Charles, MO 63301
Attn: John A. Young

or at such different address as the parties may give by written notice mailed or delivered personally to the addresses of the other party listed above. Any mailed notices will be effective three days after deposit in the United States Mail, properly addressed with postage prepaid.

(b) This Agreement may be amended, changed, modified, altered or terminated only by written agreement of City and County.

(c) In the event that any actions or proceedings are initiated with respect to this agreement, the parties agree that the venue thereof shall be St. Louis County, Missouri, and that this agreement shall be governed by the laws of the State of Missouri.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date of the last signature below.

SIGNATURE PAGES FOLLOW

Attest:

_____
Administrative Director

ST. LOUIS COUNTY, MISSOURI

BY_____
County Executive

Date: _____

Approved:

_____
Chairman, Emergency
Communications Commission

Approved:

_____
Director of Public Works

Approved as to Legal Form:

_____
County Counselor

Approved:

_____
Accounting Officer

Approved:

_____
Risk and Insurance Manager

Attest: THE CITY OF WILDWOOD, MISSOURI

_____ BY_____
Mayor

Date: _____

Approved as to legal form:

_____
City Attorney

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

On this _____ day of_____, 2016 before me, a Notary Public in and for said state, personally appeared James R. Bowlin, Mayor of the City of Wildwood, Missouri, a municipality organized under the laws of the State of Missouri, known to me to be the person who executed the foregoing agreement in behalf of said city and acknowledged to me that he executed the same for the purposes therein stated.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

_____
Notary Public

My commission expires:

EXHIBIT A

[ATTACH COPY OF PROPERTY DESCRIPTIONS CONTAINED IN PRIME LEASE]

BILL NO. 2198 **ORDINANCE NO. 2198**

AN ORDINANCE AMENDING THE AMENDED PLANNED COMMERCIAL DEVELOPMENT IN THE C-8 PLANNED COMMERCIAL DISTRICT ORIGINALLY APPROVED PURSUANT TO ORDINANCE #14,466 (ST. LOUIS COUNTY, MISSOURI, AND ADOPTED BY THE CITY OF WILDWOOD, MISSOURI) TO ALLOW FOR THE SALE OF BEER AND WINE AT THE BP-AMOCO STATION LOCATED ON THE SOUTHEAST CORNER OF STATE ROUTE 109 AND WILD HORSE CREEK ROAD. (St. Louis County P.C. 6-89 Amoco Oil Company)

WHEREAS, on May 18, 1989, the County Council of St. Louis County, Missouri, pursuant to Ordinance No. 14,466, approved an amended Planned Commercial Development for the tract of land more particularly described herein and located in the C-8 Planned Commercial District (the "Property"); and

WHEREAS, the Property became a part of the City of Wildwood upon the City's incorporation; and

WHEREAS, after its incorporation, the City of Wildwood adopted all current zoning district designations from St. Louis County to carry forth the existing rights of use of property; and

WHEREAS, many of the these zoning district designations adopted by the City Council at the time of the incorporation included site-specific ordinances for the use of properties in different capacities, including a number of commercial locations across the community including the Property; and

WHEREAS, a condition of the approved amended Planned Commercial Development for the Property set forth in Ordinance No. 14,466 stated, "No alcoholic beverages may be sold on the site"; and

WHEREAS, the Planning Department received a request to permit beer and wine sales on the Property; and

WHEREAS, the proposed use of the Property is consistent with the City's Master Plan; and

WHEREAS, the Planning and Zoning Commission heard a request for an amendment to the Amended C-8 Planned Commercial District governing site-specific ordinance at its meeting on June 20, 2016, to permit the use of the Property for the sale of wine and beer; and

WHEREAS, the Planning and Zoning Commission reviewed and analyzed the request and recommended approval of an amendment to the site-specific ordinance, the specifics of such recommendation being set forth in the recommendation of the Planning and Zoning Commission submitted to the City Council, dated June 20, 2016, and regarding St. Louis County P.C. 6-89 Amoco Oil company, a copy of which is on file in the office of the City Clerk and incorporated by reference herein; and

WHEREAS, the City Council held a public hearing to consider the amendment on June 27, 2016, at which interested persons were offered an opportunity to speak.

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

Section One. The City of Wildwood's Zoning Ordinance and Official Zoning District Maps, all made a part thereof and incorporated herein, are hereby amended relative to the property legally described in this Section One, along with the accompanying Amended C-8 Planned Commercial District on the same site:

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 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 recommendation of the City Council from its public hearing discussion held on June 27, 2016, 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

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.

Type of Development	Required Contribution
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.

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

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

Section Five. If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest

extent permitted by law, it being the intent of the City Council that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision, which had been held invalid, is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

This Bill was passed and approved this ____ day of _____, 2016, by the City Council of the City of Wildwood, Missouri, after having been read by title, or in full, two (2) times prior to its passage.

_____	_____
Presiding Officer	The Honorable James R. Bowlin, Mayor
ATTEST:	**ATTEST:**
_____	_____
Laura Rechtin, Deputy City Clerk	Laura Rechtin, Deputy City Clerk

***Editor's Note*:** Changes to Ordinance are indicated by bolded and underlined type, while a single, strike-through line shows deletions.

BILL #2200 **ORDINANCE # 2200**

AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, APPROVING A CHANGE TO THE TOWN CENTER PLAN'S REGULATING PLAN; AMENDING ORDINANCE #1650 BY DELETING SECTION TWO THEREOF AND ENACTING, IN LIEU THEREOF, A NEW SECTION TWO; AND PROVIDING FOR THE APPROVAL OF AN AMENDED C-8 PLANNED COMMERCIAL DISTRICT FOR A CERTAIN ONE POINT SIX (1.6) ACRE TRACT OF LAND FOR USE AS A RESIDENTIAL SENIOR SERVICE FACILITY. (Ward Eight)

WHEREAS, pursuant to § 89.310, RSMo., "Any municipality in this state may make, adopt, amend, and carry out a city plan and appoint a planning commission with the powers and duties herein set forth;" and

WHEREAS, pursuant to §§ 89.300 to 89.480, RSMo., the Planning and Zoning Commission of the City is tasked with adopting and amending the City's Master Plan and all parts thereof; and

WHEREAS, consistent with §§ 89.300 to 89.480, RSMo., the City has adopted a Town Center Plan and corresponding Final Land Use/Regulating Plan Map (the "Regulating Plan"); and

WHEREAS, the Regulating Plan establishes the permissive land use activities for all properties in the Town Center area of the City of Wildwood; and

WHEREAS, Section 3.9(b) of the City Charter provides that "Zoning ordinances may be adopted or amended only to the extent that such ordinances are consistent with the Comprehensive Zoning Plan;" and

WHEREAS, the Planning and Zoning Commission received a request for a change to the Regulating Plan from Downtown District to Neighborhood General District for a certain 1.6 acre tract of land that is located on the north side of Plaza Drive, west of Fountain Place and more particularly described in Section One of this Ordinance (the "Property") for purposes of allowing a residential senior care facility within Wildwood Town Center; and

WHEREAS, pursuant to Ordinance #1650, the Property was zoned C-8 Planned Commercial District; and

WHEREAS, the Planning and Zoning Commission received a Petition requesting an Amended C-8 Planned Commercial District for the Property for purposes of allowing no less than 2,800 square feet of commercial services on the ground floor of the building and a total number of beds not to exceed ninety-five (95) in total; and

WHEREAS, these requests were considered by the Planning and Zoning Commission at a public hearing on May 2, 2016 and discussion was held on the merits of this type of use in Town Center and the impact it would have, if authorized, on the 'Downtown' District Area of this location; and

WHEREAS, after the conclusion of the public hearing and responding to the Department of Planning's Information Report, the Planning and Zoning Commission approved the change to the Regulating Plan designation for the Property from Downtown District to Neighborhood General District, and recommended approval of the Petition requesting the Amended C-8 Planned Commercial District subject to certain terms and conditions, the specifics of such approval and recommendation being set forth in the recommendation of the Planning and Zoning Commission submitted to the City Council dated June 20, 2016, and regarding PZ 5 and 5(a)-16, a copy of which is on file in the office of the City Clerk and incorporated by reference herein; and

WHEREAS, the City Council held a public hearing to consider the amendment on June 27, 2016, at which interested persons were offered an opportunity to speak; and

WHEREAS, at their meeting on June 27, 2016, the City Council directed the Department of Planning to prepare draft legislation for consideration by the City Council consistent with the Planning and Zoning Commission's recommendation.

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

Section One. The City of Wildwood's Zoning Ordinance, Official Zoning District Maps, and Ordinance # 1650 of the City of Wildwood, Missouri, all made a part hereof and incorporated by reference herein, are hereby amended by designating the Property described below from 'Downtown' District to the 'Neighborhood General' District:

> 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, 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 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 1.646 acres more or less as per calculations by Stock & Associates Consulting Engineers, Inc. during February, 2016.

Section Two. That Ordinance # 1650 of the City of Wildwood, Missouri, be and is hereby amended by deleting Sections Two thereof in their entirety and enacting, in lieu thereof, new Section Two, to read as follows:

> **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 recommendation of the City Council from its public hearing discussion held on June 27, 2016, 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 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 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** ~~and shall 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 Space'** '~~Open Space~~' District permitted uses only. This area of '**Public Space**' ~~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.

i. **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.**

ii. **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.**

iii. **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

Building Id.	Required Parking Spaces (per City Code)	Location(s) of Parking Spaces	TGA Parking Spaces	TGA Credit
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.~~

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

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

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

This Bill was passed and approved this ____ day of _____, 2016, by the City Council of the City of Wildwood, Missouri, after having been read by title, or in full, two (2) times prior to its passage.

_____	_____
Presiding Officer	The Honorable James R. Bowlin, Mayor
ATTEST:	**ATTEST:**
_____	_____
Elizabeth Weiss, City Clerk	Elizabeth Weiss, City Clerk

***Editor's Note*:** Changes to Ordinance are indicated by blue and bolded type, while a single, strike-through line shows deletions.

RESOLUTION #2016-18

A RESOLUTION AUTHORIZING AN INCREASE TO AN AGREEMENT WITH MUNDELL & ASSOCIATES, INC. FOR ENVIRONMENTAL CONSULTING SERVICES RELATIVE TO THE ELLISVILLE SUPERFUND SITE WITHIN THE CITY OF WILDWOOD

WHEREAS, on June 29, 2016, the City Administrator authorized an agreement with Mundell & Associates, Inc. to provide environmental consulting services and advice to the City in connection with the Ellisville Superfund Site within the City of Wildwood, paid on an hourly basis not to exceed $5,000.00; and

WHEREAS, said agreement is expected to require additional time and expense above the initial sum of $5,000.00; and

WHEREAS, pursuant to Section 145.050.B of the Code of Ordinances of the City of Wildwood, "All purchases of goods and services costing in excess of five thousand dollars ($5,000.00) shall be approved in advance by the City Council…"

WHEREAS, the City Council finds and determines that it is to the benefit of the general health, safety and welfare of the residents of the City to continue with said environmental consulting services, to assist the City in addressing the public health concerns associated with the Ellisville Superfund Site.

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

Section One

That the form, terms, and provisions of the Amended Agreement with Mundell & Associates, Inc., attached hereto, marked as Exhibit A, and incorporated by reference herein (the "Amended Agreement"), be and they hereby are approved and the City Administrator is hereby authorized, empowered and directed to further negotiate, execute, acknowledge, deliver and administer on behalf of the City such Amended Agreement in substantially the form attached hereto. The execution of the Agreement by the City Administrator and all expenditures made pursuant to the terms thereof are hereby approved, ratified and confirmed. The City Clerk is hereby authorized and directed to attest to the Amended Agreement and other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of the Amended Agreement and this Resolution.

Section Two

The total aggregate expenses and liability of the City under the Agreement shall not exceed the amount of $11,000.00.

Section Two

This Resolution shall be effective upon passage and approval.

PASSED AND RESOLVED BY THE CITY COUNCIL OF THE CITY OF WILDWOOD THIS _____ DAY OF _____, 2016.

_____
JAMES R. BOWLIN, MAYOR

ATTEST:

_____
CITY CLERK

Exhibit A to Resolution 2016-18

City of Wildwood
AMENDED
CONSULTANT / SERVICES AGREEMENT

DEPARTMENT: Administration DATE: Amended July 11, 2016

THIS AGREEMENT, made and effective this 11th day of July, 2016, by and between the City of Wildwood, Missouri, a municipal corporation hereinafter referred to as "City", and Mundell & Associates, Inc. , hereinafter referred to as "Consultant", with a business address of: 110 South Downey Avenue, Indianapolis, IN 46219-6406.

WITNESSETH: That the parties hereto, for the considerations hereinafter set forth, agree as follows:

I. SCOPE OF SERVICES

Except as expressly specified herein, Consultant hereby agrees to provide all of the supervision, labor, technical services, facilities, materials, tools, equipment, and apparatus, and to perform all the services and do all the things necessary for the proper completion of the Consultant services which are particularly described in any attachments incorporated herein and additionally as follows:
File Review and Meeting Preparation regarding Ellisville Superfund Site, per Attachment B.

The above services (hereinafter referred to as the "Work") shall be provided by the Consultant in accordance with all the provisions of this Agreement, including the General Conditions attached hereto as Attachment A, for the project which are incorporated herein by reference, and which terms shall prevail over any conflicting terms that may otherwise be adopted herein as part of any attachment, or any other documents submitted by Consultant.

II. COMPENSATION

A. Basic Compensation. The City hereby agrees to pay the Consultant, as full compensation for the complete and satisfactory performance of the Work, and all expenses and costs related thereto:

a sum not to exceed eleven thousand and xx/100 dollars ($11,000.00), as set forth on an Attachment B attached hereto and incorporated herein.

B. Additional Compensation. Any cost not specifically allowed the Consultant pursuant to Paragraph A, Basic Compensation, shall be considered Additional Compensation and must first be authorized by a written Change Order approved by the City and Consultant. If City directs or authorizes additional services not included in this Agreement to be performed, the City and Consultant shall first agree by written Change Order as to how the Consultant is to be paid. Any services provided in addition to the Work shall not entitle Consultant to additional compensation

unless approved in advance and by written Change Order executed by the City and the Consultant.

III. TIME AND MANNER OF PAYMENTS

All invoices, complete with necessary support documentation, shall be submitted to the City and payment shall be made by City in a lump sum within thirty (30) days of receipt of an invoice received after satisfactory performance of the Work for the fees, prices, rates or schedule of values set forth above. When appropriate due to the nature of the Work of the Agreement, progress payments may be authorized to be made based upon completion of quantifiable/identifiable phases of the Work. If authorized by the City, a schedule of progress payments based on phases of Work completed and in such corresponding amounts as determined to be appropriate shall be set forth in Attachment C attached hereto.

IV. SCHEDULE OF WORK

Time is of the essence. The Work to be performed under the Agreement shall be commenced on or before June 29, 2016, shall be completed on or before July 21, 2016, and shall be performed so as not to delay or hinder City's schedule for the project, if applicable.

IN WITNESS WHEREOF, the parties hereto have signed this Agreement as of the effective date of Contract first above written.

_____	_____
Consultant	City of Wildwood
By _____	By _____
Title _____	Title _____
	ATTEST:
	_____
	DATE: _____

ATTACHMENT A – Consultant/Services Agreement General Conditions
ATTACHMENT B – Consultant Proposal
ATTACHMENT C – Progress Payment Schedule (Optional)
ATTACHMENT D – Consultant Liability Insurance Requirements

Attachment A

City of Wildwood
CONSULTANT/SERVICES AGREEMENT
GENERAL CONDITIONS

1. Independent Consultant. The Consultant shall be and operate as an independent Consultant in the performance of this Agreement. The Consultant shall have complete charge of the personnel engaged in the performance of the Work, and all persons employed by the Consultant shall be employees of said Consultant and not employees of the City in any respect.

2. Assignment; Subcontracts. This Agreement shall not be assigned to any other parties by the Consultant without the express written consent of the City. In addition, the Consultant shall not subcontract or assign any of the Work to be performed by it hereunder without the express written consent of the City except as may be set forth in Attachment B.

3. Proposals for the Work. If the City issued a request for proposals in connection with the Work, such request for proposals and the proposal of the Consultant in response thereto, are incorporated herein by reference and made a part of this Agreement. In case of any conflicts between the request for proposals and the proposal of the Consultant, the requirements of the executed Consultant/Services Agreement shall control unless a change thereto is specifically stated in this Agreement.

.

4. Changes to Work and/or Compensation. No change in the Scope of Work, Compensation or terms contained in this Agreement shall be made except as authorized in advance in writing by Change Order approved by the City and Consultant. The Consultant shall make any and all changes in the Work without invalidating this Agreement when specifically ordered to do so by written Change Order approved by the City and Consultant in advance of the Work being performed. Consultant, prior to the commencement of such changed or revised Work or request for compensation in excess of the Basic Compensation, shall promptly submit to the City a written cost or credit proposal for such changed or revised Work or additional compensation. If the City and Consultant shall not be able to agree as to the amount, either in consideration of time or compensation to be allowed or deducted, it shall nevertheless be the duty of Consultant, upon written notice from the City, to immediately proceed with such alteration or change, and Consultant shall be compensated the reasonable value of such Work. The City reserves the right to suspend Work of the Consultant upon written notification from the City if the City and Consultant are not able to agree as to matters of scope and compensation for changes to the Work.

5. Indemnification. To the fullest extent permitted by law, the Consultant agrees to defend, indemnify and hold harmless the City, its officers, engineers, representatives, agents and employees from and against any and all liabilities, damages, losses, claims or suits, including costs and attorneys' fees, for or on account of any kind of injury to person, bodily or otherwise, or death, or damage to or destruction of property, or any other circumstances, sustained by the City or others, in any way arising from consultant's breach of the Agreement or out of services and/or operations negligently performed hereunder by the Consultant, including the City's reliance on or use of the services or products provided by the Consultant under the terms of this Agreement. The Consultant shall not be liable for any loss or damage attributable solely to the negligence of the City. Consultant's sole remedy against the City for any claimed breach shall be limited to specific performance of the Agreement, including payment not to exceed the lawfully due compensation, but in no event shall the City be liable for or subject to any claim for damages, costs or attorneys' fees arising from this Agreement.

6. Insurance. Consultant shall furnish the City the certificates of insurance for workers' compensation, public liability, and property damage, including automobile coverage in the amounts

specified by the City in the request for proposals, if any, otherwise in the amounts stated on Attachment D. The policies of insurance shall be in such form and shall be issued by such company or companies as may be reasonably satisfactory to the City. The City and such additional persons and entities as may be deemed to have an exposure to liability as a result of the performance of the Consultant's Work, as determined by the City, shall be named as additional insured.

In addition to the foregoing, the Consultant shall maintain Professional Liability "errors and omissions" insurance in the form for the coverages satisfactory to City as indicated in the request for proposals, if any, otherwise as stated on attached Attachment D, but in no event less than the City's sovereign immunity limits as established by RSMo. §537.610, as adjusted from time to time. The City and Consultant waive all rights against each other for damages caused by fire or other perils to the extent covered by Builder's Risk or any other property insurance, except such rights as they may have to the proceeds of such insurance. Nothing in this Agreement, or the provision of insurance, shall be deemed a waiver of sovereign immunity by the City.

7. Multi-year contracts; Non-appropriation. Notwithstanding any provision herein to the contrary, the City is obligated only to make the payments set forth in this Agreement as may lawfully be made from funds budgeted and appropriated for that purpose during the City's then current fiscal year at the discretion of the City. If no funds are appropriated or otherwise made legally available to make the required payments for this Agreement during the next occurring fiscal year (an "Event of Non-appropriation"), this Agreement will terminate at the end of the then current fiscal year as if terminated expressly . The failure or inability of the City to appropriate funds for this Agreement in any subsequent fiscal year shall not be deemed a breach of this Agreement by any party. If applicable, this Agreement may be annually renewed at each fiscal year by inclusion of specific appropriation for this Agreement, from year to year not to exceed the maximum renewal period or term as set forth in the Agreement.

8. Accounting. During the period of this Agreement, the Consultant shall maintain books of accounts of its expenses and charges in connection with this Agreement in accordance with generally accepted accounting principles and practices. The City shall at reasonable times have access to these books and accounts to the extent required to verify all invoices submitted hereunder by the Consultant.

9. Reimbursable Expenses. Expenses of the Consultant that are directly attributable to the performance of the Agreement that are in addition to the Basic Compensation, such as reproduction charges, travel expenses, long distance phone calls, mileage, and sub-contractors, are to be set forth in a schedule of reimbursable fees and rates as part of the Agreement. Consultant personnel labor rate expenses for time while traveling in performance of the Agreement do not qualify as reimbursable expenses.

10. Personnel. The Work shall be performed exclusively by the personnel of the Consultant identified in the Consultant's proposal and no other personnel of the Consultant shall perform any of the Work without the express written approval of the City.

11. Other Consultants. The City reserves the right to employ other consultants in connection with the Work.

12. Project Records and Work Product. The Consultant shall provide the City with copies of all documents pertinent to the Work which shall include, without limitation, reports, correspondence, meeting minutes, and any deliverables. The City shall own all right, title and interest, including without limitations, all copyrights and intellectual property rights, to all documents and work product of the Consultant created in performance of or relating to this Agreement. Consultant agrees to take all steps reasonably requested by the City to evidence, maintain, and defend the City's ownership rights in the work product.

13. Site Operations. Where appropriate, the City will arrange for right of entry to any property at the request of the Consultant for the purpose of performing studies, tests and evaluations in connection with the Work.

14. **Termination**. The City shall have the right to terminate the Agreement at any time for any reason by giving the Consultant written notice to such effect. The City shall pay to the Consultant in full satisfaction and discharge of all amounts owing to the Consultant under the Agreement an amount equal to the cost of all Work performed by the Consultant up to such termination date, less all amounts previously paid to the Consultant on account of the Work performed and accepted. The Consultant shall submit to the City its statement for the aforesaid amount, in such reasonable detail as the City shall request, within thirty (30) days after such date of termination. The City shall not be liable to the Consultant for any damages on account of such termination for loss of anticipated future profits with respect to the remainder of the Work.

15. Compliance with Laws. The Consultant shall comply with all applicable City ordinances and other laws and regulations, Federal, State, and any political subdivision thereof, including but not limited to, unemployment and workers' compensation, occupational safety, worker eligibility, equal employment and affirmative action and wage and price laws insofar as applicable to the performance of the Agreement.

16. Nondisclosure. The Consultant agrees that it will not divulge to third parties without the written consent of the City any information obtained from or through the City in connection with the performance of this Agreement.

17. Representations. Consultant agrees that it has not relied on any representations or warranties of the City, oral or written, other than expressly identified in this Agreement. The parties agree the Agreement represents the entire agreement between the parties.

18. Amendments. This Agreement may be amended only by written agreement signed by the parties.

19. Governing Law. The interpretation of and performance under this Agreement shall be governed by the laws of the state of Missouri, without regard to choice of law principles.

20. Severability. If any provisions of this Agreement shall be found to be illegal, invalid or unenforceable by a court of competent jurisdiction, the remainder of this Agreement shall remain in full force and effect and be construed to effectuate the intent of the parties.

21. Notice. Any notice or written communication required or permitted hereunder shall be sent to the parties via United States mail, certified return receipt requested, or via facsimile, to the respective addresses and numbers on file. Any notice so given shall be deemed effective on the date shown on the receipt thereof.

22. Good Faith. The parties shall act in good faith in the performance of their obligations hereunder.

23. Prevailing Party. If either party to this Agreement defaults in the performance of its obligation(s) hereunder, the prevailing party in any action to enforce its rights and remedies shall be entitled to obtain its costs and reasonable attorney's fees from the non-prevailing party.

24. Non-Waiver. The failure of either party to enforce any of its rights hereunder shall not act as a waiver of that or any other right possessed by such party under this Agreement.

25. Authorization to Enter into Agreement. Each party hereunder represents to the other that it is duly organized, validly existing and in good standing under the laws of its state of incorporation or formation; the execution, delivery and performance of this Agreement by such party has been duly

authorized by all necessary and appropriate action; and, this Agreement constitutes a valid and binding obligation of such party, enforceable against such party in accordance with the terms hereof.

26. Execution. This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original and all of which shall constitute one agreement that is binding upon both parties hereto, notwithstanding that all parties are not signatories to the same counterpart. This Agreement may be delivered by facsimile or electronic mail transmission. This Agreement shall be considered to have been executed by a party, if there exists a photocopy, facsimile copy, electronic copy, or a photocopy of a facsimile or electronic copy of an original hereof or of a counterpart hereof which has been signed by such party. Any photocopy, facsimile copy, electronic copy or photocopy of a facsimile copy of this Agreement or any counterpart hereof shall be admissible into evidence in any proceeding as though the same was an original.

27. Other Special Provisions. The special provisions set forth on Attachments C and D are incorporated herein by reference, and made a part hereof.

110 South Downey Avenue, Indianapolis, Indiana 46219-6406
Telephone 317-630-9060, Facsimile 317-630-9065
www.MundellAssociates.com

June 24, 2016

Mr. Ryan S. Thomas, P.E.
City Administrator
City of Wildwood, Missouri
16860 Main Street
Wildwood, Missouri 63040

RE: **PROPOSAL FOR PROFESSIONAL CONSULTING SERVICES**
File Review and Meeting Preparation
Partial Deletion of the Ellisville Superfund Site
Wildwood, Missouri 63011
MUNDELL Proposal Number P16030

Dear Mr. Thomas:

MUNDELL & ASSOCIATES, INC. (MUNDELL) is pleased to submit this proposal for providing professional consulting services associated for the above-referenced facility ("the Site") as requested by the City of Wildwood, Missouri. The following paragraphs summarize MUNDELL's understanding of the work assignment, a scope of services and activities necessary to complete the assignment and a schedule and cost for completion of those services.

UNDERSTANDING OF THE PROJECT

It is our understanding that the United States Environmental Protection Agency (U.S. EPA) has issued on March 18, 2016 a Notice of Intent to Delete the Callahan property, Operable Unit 3 (OU3) (Parcel ID 22U220242) of the Ellisville Superfund Site located at 210 Strecker Road in Wildwood, Missouri from the National Priorities List (NPL). This partial deletion pertains to all media (soil and groundwater) of the Callahan property, but does not include the Bliss property (Operable Unit 2) or the Rosalie property (Operable Unite 1), which will remain on the NPL and are not being considered for deletion as part of this action.

As a result of the U.S. EPA's notice, the City of Wildwood desires to engage MUNDELL for the purpose of providing an updated review of the associated technical documents related to the Site, and to attend a meet with the City of Wildwood and the U.S. EPA to discuss whether deletion of the Callahan property will be protective of human health and the environment considering the likely future residential use of the

property and the adjacent residential land use. In addition, it is desired for MUNDELL to identify existing data gaps and other technical concerns that may require additional investigation and study prior to considering this action.

WORK SCOPE

MUNDELL personnel will communicate, advise, and coordinate efforts with the City of Wildwood personnel and associated legal counsel regarding any aspects of the document review and meeting preparations. The following tasks are expected to be performed as part of this work effort:

Task 1 – U.S. EPA and City of Wildwood File Review

MUNDELL will complete a review of the recent (2012 to 2016) and re-review of selected past (pre-2012) technical and communication files related to the Ellisville Superfund Site. In particular, this includes but is not limited to the following documents:

1) Letter from City of Wildwood to U.S. EPA, March 14, 2014;
2) Letter from State of Missouri Department of Natural Resources to the U.S. EPA, August 15, 2014;
3) Callahan Property Limited Risk Assessment, U.S. EPA, June 22, 2015;
4) Callahan Property Removal Action Report, April 16, 2013;
5) Ellisville Site Removal Action Report, U.S. EPA, December 2, 2014, 2015;
6) Communication between the U.S. EPA and the City of Wildwood;
7) Letter from City of Wildwood to the Honorable Ann Wagner, February 26, 2015.
8) Letter from Elizabeth Behrouz to City of Wildwood, April 29, 2015;
9) Letter from City of Wildwood to U.S. EPA, August 25, 2015;
10) U.S. EPA response to Wildwood, December 9, 2015;
11) U.S. EPA Regional Screening Levels, 2015;
12) Letter from City of Wildwood to U.S. EPA, February 29, 2016;
13) Letter from U.S. EPA to City of Wildwood, March 10, 2016;
14) U.S. EPA Notice of Intent to Delete the Callahan property, March 18, 2016;
15) Letter from City of Wildwood to U.S. EPA, April 18, 2016;
16) Report to City of Wildwood on Ellisville Site EPA documents from ESC, May 6, 2016; and
17) Letter from City of Wildwood to U.S. EPA, June 14, 2016.

As part of this review, MUNDELL will review the 2015 U.S. EPA Regional Screening Levels (RSLs) referenced in these reports as well as current State of Missouri risk-based corrective action (MRBCA) cleanup levels. The purpose of this review will be to identify whether the referenced RSLs as they have been used by the U.S. EPA will be protective of human health and the environment relative to the future residential use of the Callahan property and surrounding properties.

Task 2 – Development of Technical Conclusions

MUNDELL will review the U.S. EPA report findings and recommendations, and offer our own recommendations as to whether the U.S. EPA recommendations sufficiently take into account the best interests of the City of Wildwood and its residents. MUNDELL will prepare a list of data gaps and deficiencies related to the Site investigations and removal actions that have been completed to date on the property. As part of this, MUNDELL will highlight the most significant technical concerns associated with the Site, and what additional activities should be undertaken to address the City of Wildwood's concerns. This information will be used as preparation for the meeting between the City of Wildwood and the U.S. EPA in July 2016.

Task 3 – Project Communications and Meeting

MUNDELL will prepare for the July 2016 meeting between the City of Wildwood and the U.S. EPA by also having at least one extended telephone conference call with representatives of the City in order to understand the detailed communications and events leading up to the meeting. MUNDELL's preparation will particularly focus on the Callahan property deletion proposal by the U.S. EPA. MUNDELL will then attend the July 2016 meeting in a technical support role for the City of Wildwood.

COST ESTIMATE

MUNDELL will complete the aforementioned scope of work on a time-and-materials basis for a not-to-exceed cost of **$10,720.60**, based on the following breakdown of costs:

Task 1.	U.S. EPA and Wildwood File Review	$3,612.00
Task 2.	Development of Technical Conclusions/Preparation	$2,852.00
Task 3.	Meeting with City of Wildwood and U.S. EPA	$3,282.00
Subtotal		**$9,746.00**
Contingency (10 %)		**$974.60**
TOTAL		**$10,720.60**

The meeting includes travel time and an overnight stay in St. Louis as part of the project requirements. It has also been assumed that the meeting will not last longer than one-half a day.

AUTHORIZATION

All work will be conducted in accordance with the attached Terms and Conditions. If the proposal is acceptable, please sign and return one copy of the Proposal Acceptance Agreement, which is required for project activation and scheduling. MUNDELL will begin work as soon as soon as the Acceptance Agreement is

received.

If the project scope should differ from that specified in this proposal, the proposed changes will be discussed with the City of Wildwood. After obtaining written authorization for the proposed changes from the City of Wildwood, the project costs would be modified to reflect the changes. However, this cost estimate will not be exceeded unless unexpected conditions are encountered or the scope of the project is changed significantly. Any revisions in the work effort will be billed at the rates in the attached fee schedule.

We appreciate the opportunity to provide this proposal for your consideration and look forward to your favorable acceptance of it. If you should have any questions regarding this proposal, please do not hesitate to contact me (317-630-9060).

Sincerely,
MUNDELL & ASSOCIATES, INC.

Brent A. Dayharsh, L.P.G.
Director of Technical Services

John A. Mundell, P.E., L.P.G., P.G.
President / Senior Environmental Consultant

Attachments: Proposal Acceptance Agreement
Fee Schedule
Terms and Conditions
Summary of Estimated Project Costs

MUNDELL & ASSOCIATES, INC.
PROPOSAL ACCEPTANCE AGREEMENT

Description of Services: Technical Review and Meeting Support
Project Name: Partial Deletion of the Ellisville Superfund Site
Project Location: Wildwood, Missouri
MUNDELL Proposal No.: P16030 Date: 6/24/16
Proposed Cost: $10,720.60
MUNDELL Project No.: _____ Date: _____

For Approval and Payment of Charges:
Invoices will be charged and mailed to the account of:

*PROPOSAL ACCEPTED BY:*_____
*TITLE:*_____
*DATE ACCEPTED:*_____

PAYMENT TERMS: Payment *by Client within 30 days of date of submittal of invoice.*

SPECIAL PROVISIONS: None

This AGREEMENT together with MUNDELL's proposal, the following Terms and Conditions, and EXTENSION OF AGREEMENT form constitute the entire agreement between Client and MUNDELL and supersedes all prior written or oral understandings:

- General Terms and Conditions
- Environmental Services Terms and Conditions

***For Approval of Charges*:**
Send Invoice to (if different from above):
*Firm:*_____
*Street Address:*_____
*City:*_____*State:*_____*Zip Code:*_____
*Attention:*_____
*Telephone:*_____*Fax:*_____

Attachment B

MUNDELL & ASSOCIATES INC.
Litigation Fee Schedule 2016

	Unit	Unit Price	Activity Code
I. PROFESSIONAL STAFF			
Senior Consultant - General Consulting	Hr	165.00	1000
Senior Consultant - Litigation Support	Hr	265.00	1001
Senior Consultant - Deposition/Trial	Hr	315.00	1002
Principal Engineer/Scientist	Hr	144.00	1003
Senior Project Engineer/Scientist	Hr	134.00	1004
Project Engineer/Scientist	Hr	118.00	1005
Staff Engineer/Scientist	Hr	109.00	1006
Engineer/Scientist	Hr	99.00	1007
Field Technician/Engineering Aide	Hr	89.00	1008
II. SUPPORT STAFF			
Clerical Services	Hr	64.00	1009
Drafting/CAD Services	Hr	76.00	1010
III. GENERAL EXPENSES			
Site Mobilization/Demobilization	project specific		1020
Automobile Transportation	Mi	0.72	1021
Heavy Truck Transportation	Mi	0.76	1022
Personal Vehicle Project Use	Day	45.00	1023
Outside Analytical Services	Cost + 15%		1024
Outside Drilling Services	Cost + 15%		1025
Outside Geotechnical Soil Testing Services	Cost + 15%		1026
Subcontract Service or Rental Equipment	Cost + 15%		1027
Report Preparation Materials	Cost + 15%		1028
Out-of-Town Living Expense (food, lodging, travel)	Cost + 15%		1029
Transportation by Commercial Carrier or Rental Car	Cost + 15%		1030
Delivery (courier/overnight/postage)	Cost + 15%		1031
In-house photocopies	Ea	0.12	1032
In-house color copies (8 1/2 in. x 11 in.)	Ea	0.68	1033
In-house color copies (11 in x 17 in)	Ea	1.36	1034
In-house color copies (24 in. x 36 in.)	Ea	5.60	1035
Camera and Film	Day	33.00	1036
Miscellaneous Project Supplies	Cost + 10%		1037
IV. EQUIPMENT & SUPPLIES			
Soil/Water/Air Monitoring			
Photoionization Detector	Day	95.00	1220
Flame Ionization Detector	Day	135.00	1221
Gastechtor	Day	75.00	1222
Explosimeter	Day	90.00	1223
Oxygen Detector	Day	65.00	1224
Specific-compound Detector	project specific quote		1225
Groundwater Measurement			
Water Level Meter	Day	39.00	1250
Oil/Water Interface Probe	Day	77.00	1251
Data Logger	Day	180.00	1252
Insitu Troll 9000 Multiparameter (pH, DO, conduct., temp.)	Day	150.00	1253
Flow Cell	Day	45.00	1254
Environmeter	Day	200.00	1255
Environmeter	Week	460.00	1256
Environmeter Tests	Ea	60.00	1257
Ferrous Iron Test Kit	Day	30.00	1258
Nitrate Test Kit	Day	30.00	1259
Sulfate Test Kit	Day	30.00	1260
Geochemical Parameter Strips	Ea	1.75	1261

Attachment B

Soil/Groundwater Sampling

Sampling/Decon.Equip.(bucket, brushes, detergent)	Day	39.00	1300
Disposable Bailers	Ea	25.00	1301
Disposable Health & Safety Protective Wear and Equipment		Cost + 15%	1302
Miscellaneous Field Supplies		Cost + 15%	1303

Geophysical Equipment

Total Field Magnetometer (GSM-19)	Day	105.00	1401
Shallow Terrain Conductivity Meter (EM-38 MK-II)	Day	190.00	1402
Terrain Conductivity Meter (EM-31)	Day	190.00	1403
Mulitfrequency Terrain Conductivity Meter (GEM-2)	Day	190.00	1415
Deep Terrain Conductivity Meter (EM-34)	Day	190.00	1404
Deep Metal Detector (EM-61 MK-II)	Day	190.00	1405
Ground Penetrating Radar (Noggin 250 MHz/1 GHz)	Day	285.00	1406
2-Dimensional Resistivity Meter (AGI Sting/Swift)	Day	400.00	1407
24-Channel Seismograph (Geometrix)	Day	290.00	1408
RadioDetection RD400 Line Tracer	Day	130.00	1409
Schonstedt GA-72Cd	Day	75.00	1410
Downhole Logging System (probes not included)	Day	240.00	1411
Natural Gamma Probe	Day	125.00	1412
Three-Arm Caliper Probe	Day	100.00	1413
Electromagnetic Induction Conductivity Probe	Day	155.00	1414

Miscellaneous Equipment/Materials

Generator, portable, less than 5kW	Day	70.00	1501
Generator, portable, less than 10 kW	Day	130.00	1501b
Generator, portable, greater than 10 kW	Day	160.00	1501c
Compressor	Day	65.00	1502
Survey Equipment (total station)	Day	150.00	1503
Trimball DGPS System	Day	95.00	1504
Two-way Radios	Day	27.00	1505
Field Computer	Day	100.00	1506

Notes:

1. Scientist staff designations includes geologist, hydrogeologist, environmental scientist, biologist and chemist.
2. Engineering staff designations includes environmental, chemical, geological, and agricultural.
3. Charges for Professional and Support Staff will be made for administration of projects, sample collection, supervision of technician services, field investigation and evaluation, review and analysis of field and laboratory data, analysis and design, report preparation and review, travel time, consultation and meetings related to the project, etc.
4. Time spent in portal-to-portal travel in the interest of the project will be charged at the appropriate hourly rate.
5. Normal working hours are 6:00 a.m. to 6:00 p.m. Premium rates may be applicable for expedited services, for services performed outside of these hours, over 8 hours per day within this period, and on Saturdays, Sundays and holidays at 1.5 times the standard hourly rate. Special weekend and night time work requests may require a minimum 4 hr charge.
6. Personnel services requiring a higher safety protection level (other than Level "D") will be charged at a higher unit rate based on the project level of difficulty.
7. Billings for services are payable within 30 days of the invoice date. An interest charge at the rate of 1.5% per month, or the maximum allowed by law, will be added to all invoices not paid within these terms.
8. Standard non-disposable protective wear or equipment damaged or contaminated by site conditions are billed at replacement cost plus 15%.
9. Other equipment not specifically quoted is available upon request.
10. For multi-year projects, the fee schedule rates provided herein will be adjusted at the end of each fiscal year to account for inflation.

MUNDELL & ASSOCIATES, INC.
GENERAL TERMS AND CONDITIONS

1. SCOPE OF WORK
MUNDELL & ASSOCIATES, INC. (MUNDELL) shall only be required to perform the services specified in this contract and Client shall compensate MUNDELL at the rates shown on the attached fee schedules. Any estimate of time and materials shall not be considered as a fixed price, but only an estimate (unless otherwise specifically stated in this contract). MUNDELL will provide additional services at the listed standard rates. Unless otherwise stated in the proposal, MUNDELL must receive acceptance of the proposal within ninety (90) days, or the proposal may no longer be valid.

2. RIGHT OF ENTRY
Client grants to MUNDELL the right of entry to the project site by its employees, agents and subcontractors, to perform the service and represents that it has obtained the needed permits and licenses for the proposed work. If Client does not own the site, Client warrants and represents to MUNDELL that it has the authority and permission of the owner and occupant of the site to grant right of entry to MUNDELL.

3. PAYMENT TERMS
MUNDELL will submit invoices to Client monthly and a final bill upon completion of services. Retainage shall be as stated in the contract. Payment is due at the time of ELTF reimbursement but not to exceed 120 days from invoice date, regardless of whether client has been reimbursed by any other party. Client agrees to pay interest of one and one-half percent (1-1/2 %) per month, or the maximum allowed by law, on past due accounts. Any attorney's fees, collection fees or other costs incurred in collecting any delinquent amount shall be paid by Client.

4. OWNERSHIP OF DOCUMENTS
All materials and documents produced, created or obtained by MUNDELL under this contract, are instruments of MUNDELL's service, but shall be property of Client. MUNDELL shall have the right to retain copies of all such materials. Unless otherwise specified, MUNDELL shall have no obligation to retain any documents for more than one (1) year or as required by applicable law, whichever is longer governing.

5. STANDARD OF CARE
The services shall be performed in accordance with generally accepted industry principles and practices, consistent with a level of care and skill ordinarily practiced by reputable members of the profession currently providing similar services under similar circumstances. EXCEPT AS SET FORTH HEREIN, MUNDELL MAKES NO OTHER REPRESENTATION, GUARANTEE, OR WARRANTY, EXPRESS OR IMPLIED, IN FACT OR BY LAW, WHETHER OF MERCHANTABILITY, FITNESS FOR ANY PARTICULAR PURPOSE OR OTHERWISE, CONCERNING ANY OF THE SERVICES WHICH MAY BE FURNISHED BY MUNDELL TO CLIENT. Client agrees to give MUNDELL written notice of any breach or default under this section and to give MUNDELL a reasonable opportunity to cure such breach or default, without the payment of additional fees to MUNDELL, as a condition precedent to any claim for damages.

6. RISK ALLOCATION
Due to the very limited benefit MUNDELL will derive from this project compared to that of other parties involved, including Client, Client agrees to limit MUNDELL's liability to Client, or any other party using or relying on MUNDELL's work with respect to any acts or omissions including, but not limited to, breach of this contract, breach of warranty, negligence or other legal theory, such that the total aggregate liability of MUNDELL to all those named shall not exceed $50,000 or MUNDELL's total fee for the services rendered on this project, whichever is greater. MUNDELL will waive this limitation up to $1,000,000 upon client's request and agreement in writing to pay an additional consideration of 10% of MUNDELL's total fee or $500, whichever is greater. This sum shall be a Waiver of Limitation of Liability Charge and will not be construed as being a charge for insurance of any type, but will be increased consideration for the greater risk involved. If the result of MUNDELL's services will be used to aid in the development of drawings and specifications for construction, Client agrees to require other design professionals, the contractor and its subcontractors selected for such construction to agree to an identical limitation of MUNDELL's liability for damages suffered by other design professionals, the contractor or subcontractor arising from MUNDELL's professional acts, errors or omissions.

7. INSURANCE & GENERAL LIABILITY
MUNDELL maintains Workers' Compensation and Employers' Liability Insurance in compliance with the laws of the state having jurisdiction over the individual employee. MUNDELL has insurance coverage under public liability and property damage which MUNDELL deems to be adequate. Certificates for such policies of insurance shall be provided to Client upon request.

8. TERMINATION
Either party may suspend performance immediately upon becoming aware of a breach of the terms of this contract by the other party and provide notice of its intention to terminate. In the event MUNDELL determines there may be significant risk that MUNDELL's invoices may not be paid on a timely basis, MUNDELL may suspend performance and/or retain any reports or other information until Client provides MUNDELL with adequate assurances of payment. The filing of a voluntary or involuntary bankruptcy petition, appointment of a receiver, assignment for the benefit of creditors or other similar act of insolvency shall constitute a breach. Termination will become effective fourteen (14) days after receipt of notice by the breaching party unless the event(s) giving rise to the breach are remedied within that time frame, or the party seeking termination revokes its notice. Either party may, without cause, terminate this contract up on providing thirty (30) days written notice to the other party.

9. ASSIGNS
This contract may be amended only by written instrument and signed by both parties. Client shall not assign this proposal or any reports or information generated pursuant to this proposal without the written consent of MUNDELL.

10. CONFLICTS

Should any element of the Terms and Conditions deemed in conflict with any element of the proposal/contract, unless the proposal/contract clearly voids the conflicting element in the Terms and Conditions, wording of the Terms and Conditions shall govern. Any element of this agreement later held to violate a law or regulation shall be deemed void, but all remaining provisions shall continue in force. The Terms and Conditions set forth herein shall survive the termination of

this contract. No action may be brought against MUNDELL arising from its performance of services under this contract, whether for breach of contract, tort or otherwise, unless MUNDELL shall have received within two (2) years after completion of services under this contract written notice specifying the alleged defects in MUNDELL's performance or other breach.

11. SAFETY
MUNDELL's responsibility for the safety on site shall be limited to its own personnel and its subcontractor and any other persons who are directly involved with MUNDELL's work on site. This shall not be construed to relieve Client or any of its contractors from their responsibilities for maintaining a safe job site. Neither the professional activities of MUNDELL, nor the presence of MUNDELL's employees and its subcontractors shall be construed to imply MUNDELL has any responsibility for any activities on site performed by personnel other than MUNDELL's employees or subcontractors. Additionally, MUNDELL shall, if so requested, reasonably comply with the requirements of any applicable health and safety plan provided to it by Client.

12. ARBITRATION
If a claim is made against MUNDELL for inadequate, negligent or improper performance of services by MUNDELL pursuant to this contract, any party to this contract may demand that any such disputes be determined by arbitration. In that event, the party alleging such deficient performance will select an arbitrator and MUNDELL will select an arbitrator. If those two arbitrators cannot agree on the third arbitrator within thirty (30) days, the judge of a court having jurisdiction will appoint the third arbitrator. Each party will pay the arbitrator selected by that party and the expense of the third arbitrator and all other expenses of arbitration will be shared equally. Arbitration will take place in the County of Marion, State of Indiana. Federal court rules governing discovery procedures will apply. The arbitration shall be governed by the Federal Arbitration Act and shall be conducted consistent with the arbitration rules as then promulgated by the American Arbitration Association. The decision in writing of any two arbitrators will be binding subject to the terms of this contract.

13. CONSEQUENTIAL DAMAGES
In no event shall either party be liable to the other party for any consequential, incidental, or indirect damages including, though not limited to, loss of income, loss of profits, loss or restriction of use of property, or any other business losses regardless as to whether such damages are caused by breach of contract or warranty, negligent act or omission or other wrongful act.

14. DELAYS IN WORK
MUNDELL will charge Client at standard rates for stand-by or non-productive time for delays in MUNDELL's work caused by Client or Client's contractors unless otherwise specifically provided for in the contract.

15. FAILURE TO FOLLOW RECOMMENDATIONS
Client will not hold MUNDELL liable for problems that may occur if MUNDELL's recommendations are not followed and waives any claim against MUNDELL, and agrees to defend, indemnify and hold MUNDELL harmless from any claim or liability for injury or loss that results from failure to implement MUNDELL's recommendations.

16. FORCE MAJEURE
Neither Client nor MUNDELL shall hold the other responsible for damages or delays in performance caused by events beyond the control of the other party and which could not reasonably have been anticipated or prevented, including but not limited to, acts of governmental authorities, acts of God, materially different site conditions, wars, riots, rebellions, sabotage, fires, explosions, accidents, floods, strikes or other conceded acts of workers, lockouts, or changes in laws, regulations, or ordinances. The party intending to invoke force majeure shall provide prompt notice to the other party.

17. SAMPLING OR TEST LOCATION
Unless otherwise stated, the fees in this proposal do not include the costs associated with surveying of the site for accurate horizontal and vertical locations of tests or samples which, when referenced in MUNDELL's report, are based on information furnished by others and/or estimates made by MUNDELL's personnel and are only considered approximations, unless otherwise stated. MUNDELL may deviate a reasonable distance from any test or sampling location specified by Client. If, in order to complete a given boring to its designated depth, a re-drilling is necessitated by encountering impenetrable subsurface objects, all work, including the original boring and all re-drilling, will be charged for at the appropriate rates in the fee schedule.

MUNDELL & ASSOCIATES, INC.
ENVIRONMENTAL SERVICES TERMS AND CONDITIONS

The following Terms and Conditions are in addition to the General Terms and Conditions and any other standard Terms and Conditions included with this contract.

The presence of hazardous materials, including asbestos containing materials (ACM), on or beneath the surface of a site creates extraordinary risks which should be fairly and equitably allocated in proportion to the benefit between the Client and MUNDELL. (MUNDELL's benefit is relatively small as it consists only of the profit from its fee.) Also, such work involves unavoidable, non-transferable and often uninsurable risks for MUNDELL created by the nature of the hazardous materials and the tentativeness of present technology.

1. EXISTING SITE INFORMATION
Client shall furnish or cause to be furnished to MUNDELL all information known to Client that relates in any manner to subsurface hazards or human-made obstructions or hazardous conditions or materials on which site MUNDELL will be performing its services, including, but not limited to, hazardous wastes, hazardous substances, underground storage tanks, ACM, pipelines and utility lines. MUNDELL shall be entitled to rely upon the information provided by Client. Failure to notify MUNDELL shall result in Client assuming full liability for any and all cost, expenses and damages incurred by MUNDELL as a result of such failure. MUNDELL shall not be responsible for damage to subterranean structures which are not called to MUNDELL's attention or correctly shown on the documents furnished to MUNDELL. Client shall indemnify, defend and hold harmless MUNDELL from and against any claims, losses or damages incurred or asserted against MUNDELL related to Client's failure to mark, protect or advise MUNDELL of underground structures or utilities.

2. LIMITATION ON SCOPE OF SERVICES
MUNDELL has had no role in generating, treating, storing, or disposing of any hazardous materials which may be present at the project site, and which shall at no time become the property of MUNDELL. Client shall evaluate and select the proper disposal site for treatment or disposal of its hazardous materials and shall select the method of transportation and shall be solely responsible therefor. Any arrangements for treatment, storage, transport, or disposal of any hazardous materials that are made at the direction of Client and to be conducted or completed by MUNDELL shall be construed as being made solely and exclusively on Client's behalf for Client's benefit, and Client shall defend, indemnify, and hold harmless MUNDELL from and against any and all claims, damages, losses, liability, and expenses, including reasonable attorney's fees, which arise out of any release, threatened release, transportation, disposal or arrangement for transportation or disposal of hazardous materials, unless caused by the negligence or willful acts of MUNDELL.

3. AQUIFER CONTAMINATION
Client waives any claim against MUNDELL, and agrees to defend, indemnify and save MUNDELL harmless from any claim or liability for injury or loss as a result of cross-contamination caused by drilling and sampling unless due to MUNDELL's negligence or willful acts.

4. EXTENSION OF INDEMNIFICATIONS
Client agrees that all indemnifications granted to MUNDELL also be extended to those subcontractors, individuals or organizations retained by MUNDELL for this work.

5. FAILURE TO DETECT HAZARDOUS MATERIALS
Client waives any claim against MUNDELL, and agrees to defend, indemnify and save MUNDELL harmless from any claims or liability for injury or loss arising from MUNDELL's failure to detect the presence of hazardous materials, including ACM, through techniques agreed upon in the scope of work, unless the failure to detect hazardous materials was due to MUNDELL's failure to properly execute the scope of work set forth in this Contract.

6. FIELD MONITORING AND TESTING
If MUNDELL's services include monitoring of work performed by other contractors, under no circumstances shall MUNDELL have the right or obligation to stop or direct the contractor's work. MUNDELL will only provide data and recommendations. MUNDELL shall not assume responsibility for contractor's means, methods, techniques, sequences or procedures and MUNDELL's services shall not relieve the contractor of its responsibilities for performing the work in accordance with the plans and specifications and applicable laws and regulations. Continuous monitoring by MUNDELL's employees does not mean that MUNDELL is observing all activities of contractor or any other activities on site.

If MUNDELL is not retained to monitor remedial construction or ACM abatement recommended by MUNDELL, Client waives any claim against MUNDELL, and agrees to indemnify, defend and save MUNDELL harmless from any claim or liability for injury or loss arising from problems during remedial construction or ACM abatement.

7. PUBLIC RESPONSIBILITY
Client shall be responsible for reporting to governmental agencies with respect to any hazardous substances detected on site. If Client disregards MUNDELL's recommendations pertaining to reporting or public health and safety, Client waives any claim against MUNDELL and agrees to defend, indemnify and save MUNDELL harmless from any claim or liability for injury or loss arising from disregarding MUNDELL's recommendations.

8. SITE WORK
MUNDELL will take reasonable precautions to avoid any damage to the site from the activities of its crews or equipment. However, unavoidable damage caused in the execution of the work such as tire rutting, cutting and splicing of fences, removal of ACM core samples in insulation, pipe wrap, etc., drilling through pavements, etc. will not be restored unless otherwise stated in the contract.

9. ENVIRONMENTAL INDEMNITY
Client agrees to the maximum extent permitted by law to defend, hold harmless and indemnify MUNDELL from and against any and all claims and liabilities in connection with toxic or hazardous substances or constituents, unless caused by MUNDELL's sole negligence or willful acts, resulting from Client's violation of any federal, state or local statute, regulation or ordinance relating to the handling, storage or disposal of toxic or hazardous substances or constituents; Client's undertaking of or arranging for the handling, removal, treatment, storage, transportation or disposal of toxic or hazardous substances or constituents found or identified at the site; toxic or hazardous substances or constituents introduced at the site by Client or persons before or after completion of services herein; allegations that MUNDELL is handler, generator, operator, treater or storer, transporter, or disposer under the Resource Conservation and Recovery Act of 1976, Comprehensive Environmental Response, Compensation and Liability Act, or any other similar federal, state or local regulation or law.

If a third party brings suit or claim for damages against MUNDELL alleging personal injury or property damage from exposure to or release of toxic or hazardous substances or constituents at or from the project site before, during or after the services of this Agreement, Client agrees to the maximum extent permitted by law to defend MUNDELL and pay on MUNDELL's behalf any judgement resulting against MUNDELL, including interest thereon, unless such damages are caused by MUNDELL's sole negligence.

10. ANALYTICAL TESTING
MUNDELL will require analytical tests to be performed in accordance with current standard characterization techniques (e.g., standard methods, ACM, EPA methods) established by the MUNDELL contract laboratory's SOP and QA/QC Manual.

11. DISCLOSURE
MUNDELL will maintain all information concerning the identity of samples, the analyses requested, and the results of such analyses, for a period of one (1) year from receipt of samples unless otherwise directed by court order or other legal process. Client shall be solely responsible for complying with all governmental requirements and Client shall indemnify and hold harmless MUNDELL for any costs, expenses or damages incurred by MUNDELL due to Client's failure to follow applicable reporting requirements.

12. ROOF CUTS
If roof cuts are authorized by Client in ACM investigation, it is the responsibility of Client to make the appropriate repairs to these roof cuts using materials consistent with the roofing system and in accordance with any existing material manufacturer's warranties. If a roofing contractor or maintenance personnel selected by Client is not on the roof to make repairs at the time the samples are obtained, MUNDELL may make temporary repairs at the time of sampling and inspection which may result in additional charges. MUNDELL's personnel are not certified in roofing repair and MUNDELL shall therefore under no circumstances be responsible for the adequacy and water tightness of the temporary repairs, nor shall MUNDELL be responsible for any water damage to the roofing system, building, or its contents resulting from MUNDELL's temporary repairs.

13. DISPOSAL OF CONTAMINATED SAMPLES
MUNDELL shall retain samples of soil, rock, waste or other materials contaminated by hazardous substances, including ACM, obtained from the project site for no longer than thirty (30) calendar days after issuing written test results, unless otherwise mutually agreed upon in writing, but such samples shall at all times remain the exclusive property of Client. Unless otherwise indicated, MUNDELL, solely as Client's agent, may make arrangements for proper transportation and disposal of the samples with appropriate licensed parties or may return the samples to Client. Client agrees to waive any claim against MUNDELL and to defend, indemnify and hold MUNDELL harmless from any claim or liability for injury or loss arising from MUNDELL's service as Client's agent in arranging for proper transportation and disposal of contaminated samples. In the event MUNDELL determines the contaminated samples constitute a large quantity or the samples are contaminated with toxic and/or hazardous substances (i.e. PCBs, Dioxins, Cyanide, Pesticides, etc.), CLIENT agrees to pay all transportation and disposal costs and provide a manifest signed by Client as generator for transportation to a site selected by Client, or MUNDELL will return the samples to the project site.

Attachment B

Attachment C

(Optional)

Consultant/Services Agreement

Progress Payment Schedule

Consultant: Mundell & Associates, Inc. Date: June 29, 2016

Project: Ellisville Superfund Site Basic Compensation: hourly

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Monthly Progress Payments

Attachment D

Consultant Liability Insurance Requirements

The Consultant shall purchase and maintain in full force and effect the following insurance coverages with an insurance carrier acceptable to the City:

The policy(ies) shall be endorsed to cover the contractual liability of the Consultant under the General Conditions.

The Consultant and its Sub-consultants shall procure and maintain during the life of this Agreement insurance of the types and minimum amounts as follows:

(a) Workers' Compensation in full compliance with statutory requirements of Federal and State of Missouri law and Employers' Liability coverage in the amount of $1,000,000*.

(b) Comprehensive General Liability and Bodily Injury

Including Death:	$500,000 each person*
	$3,000,000 each occurrence*
Property Damage:	$3,000,000 each occurrence*
	$3,000,000 aggregate*

(c) Comprehensive Automobile Liability, Bodily Injury

Including Death:	$500,000 each person*
	$3,000,000 each occurrence*
Property Damage:	$3,000,000 each accident*

(d) Professional Liability

Including Death:	$500,000 each person*
	$3,000,000 each occurrence*
Property Damage:	$3,000,000 each occurrence*
	$3,000,000 aggregate*

The City's Protective policy shall name the City as the Insured. Certificates evidencing such insurance shall be furnished the City prior to Consultant commencing the Work on this project. The certificates must state “The City of Wildwood is an additional insured.”

* but not less than the sovereign immunity limits established by RSMo. 537.610 et seq.

WILDWOOD®

SITE DEVELOPMENT PLAN RECOMMENDATION REPORT

Planning and Zoning Commission

July 5, 2016 Executive Meeting

"Planning Tomorrow Today"

Project:	City of Wildwood Salt Storage Facility
Petitioner:	City of Wildwood City Council and Department of Planning
Location:	17955 Manchester Road; corner of Manchester Road and St. Albans Road
Zoning:	NU Non-Urban Residence District
Ward:	One
Nature of Request:	A request for the review and approval of the Site Development Plan for the City of Wildwood Salt Storage Facility, which is proposed to be located in newly-dedicated right-of-way, south of the existing Kelpe Contracting site.

INTRODUCTION & BACKGROUND – The Department of Public Works is again working on a project to construct a new salt storage facility. The facility is planned to be located near the southeast side of the current Kelpe Contracting site. The City currently stores its salt stockpiles at this same location; however, the salt is stored on the ground and covered with a tarp. The main purpose of a facility of this nature is to fulfill a long-awaited goal of the City for the storage of salt to maintain the City's roads and streets during inclement weather and meet current federal, State, and local regulations relating to water quality and associated runoff. This purpose is consistent with long-standing goals of the City, which are reflected in its Capital Improvements Five-Year Plan and Master Plan, both of which the Planning and Zoning Commission adopts ever year or ten (10) years respectively.

The Planning and Zoning Commission considered a proposal to construct a salt storage facility in 2012, as the first project to be completed in the City's Community Park, and approved a plan for such as well. This proposed facility was to be located near the current access point into the park, but City Council desired another location. Compounding the City Council's concerns about placing this facility in Community Park, its associated cost led to this option not being pursued.

According to his letter dated December 18, 2015, Tom Kelpe agreed to donate a fifty (50) foot wide strip of property as right-of-way in order to allow the City to construct this salt storage facility. Mr. Kelpe has also agreed to grant a permanent access easement for the City and its contractors to access the salt storage facility. The tentative construction schedule is expected to begin in the fall of 2016, with the goal of having completed the structure for use this upcoming 2016/2017 winter.

AREA SYNOPSIS – The Kelpe Contracting property is an 8.2 acre tract of land located on the northwest corner of Manchester Road and St. Albans Road (State Highway T). The site currently zoned NU Non-Urban Residence District and has been designated such since the incorporation of the City of Wildwood. The current use of the site is a legal, non-conforming activity, as approved by the City of Wildwood's Board of Adjustment. This use is a contractor's storage yard for heavy equipment and materials, related offices, shop, and accessory buildings and activities. The property has a large number of heavy machines and equipment placed upon it in large, rocked storage areas, with some materials. A total of four (4) buildings are located on the site, one (1) of which is a converted residence used for office purposes. The largest structure is a newer building used by the owner of the property for a shop and repair facility. Despite the extent of use of these lots, the property does have some treed areas along its perimeter and some plantings have been added along Manchester Road and the interior of the site for screening. The City of Wildwood has stored its salt stockpiles on this property since 1998. The salt is stored directly on the ground and covered with a standard woven polyethylene tarp. In the past, keeping the salt appropriately covered at all times has proven to be a challenge.

Access to the site is from both Manchester Road and St. Albans Road, with a third frontage onto State Route 100, where the State of Missouri restricted access. The primary access point into and out of this site is from Manchester Road, where a commercially-sized curb cut has been constructed for the larger vehicles that enter and leave the property. The property has three (3) frontages onto State and City roadways. Each of these roadways has distinctive character and a summary of them is as follows:

Characteristics	Manchester Road	St. Albans Road	State Route 100
Lane width	2	2	4
Surface material	Asphalt	Asphalt	Concrete
Shoulders	Limited and rock	Limited and rock	Stabilized and asphalt
Stormwater facilities	Earthen ditches	Earthen ditches	Earthen ditches, with some piping
Street lights	No	No	No
Designation	City arterial	Local connector	Major State arterial
Traffic Volumes	Moderate	Low	High
Surrounding Land Use Pattern	Mixed, primarily residential in this area	Residential and petitioner's site	Mixed, primarily residential in this area

The surrounding properties can be characterized as follows:

To the East: Missouri Department of Conservation's Rockwoods Reservation. This property is approximately 1,800 acres in size and designated as a wildlife refuge for management purposes.

To the North: Several parcels of ground zoned NU Non-Urban Residence District. These properties are bounded by State Route 100 on the west and Manchester Road to the east and used for residential purposes. Lot sizes are three (3) acres or greater in area.

To the South: A large parcel of ground that exists as the last lot in the wedge of properties formed by State Route 100 and Manchester Road, and is zoned NU Non-Urban Residence District.

To the West: Crossing State Route 100 is an extensive residential land use pattern that is consistent with the primary zoning district designation, which is NU Non-Urban Residence District. These lots are generally over three (3) acres in size and primarily used for residential purposes.

SITE DEVELOPMENT PLAN & FACILITY DESCRIPTION – The existing right-of-way along the southern boundary of the Kelpe Contracting site is eighty-five (85) feet in width at the western one-third (1/3) of the boundary line and decreases to thirty-five (35) feet at the eastern two-thirds (2/3) of the boundary line. The property owner has committed to donate a fifty (50) foot strip of right-of-way along the eastern two-thirds (2/3) of the southern boundary line, which will result in a continuous eighty-five (85) foot right-of-way line along the entire southern boundary of the site and allow for the placement of the salt storage facility entirely within the right-of-way. The structure will be accessed from Manchester Road by the existing gravel drive. The proposed Site Development Plan includes an asphalt driveway and approach at the south end of this existing gravel drive, providing access to the salt storage facility. Additionally, the property owner has agreed to a permanent ingress and egress easement for this existing entrance and drive aisle. Minimal grading is proposed, given the site is currently prepared in a way to store stockpiles of salt.

The proposed salt storage facility is a reinforced concrete walled structure that is 96.5 feet in width by 53 feet in size, with an overall footprint of 5,115 square feet. The proposed structure will be constructed on the footprint of the city's current salt stockpiles. The structure includes four (4) separate bays, each twenty-five (25) feet wide, and will each store 680 tons of salt. The bays will by accessed by a series of overhead garage doors on the north side of the structure.

ANALYSIS - Under the City's land use regulations, a facility of this nature must be reviewed and acted upon by the Planning and Zoning Commission, before any authorization can be granted for its future construction. Along with the approval of the Site Development Plan, the Zoning Ordinance also stipulates the design of the building must be reviewed and considered by the City's Architectural Review Board. The Board's review is to ensure the building's architecture is consistent with other structures in the area and meets the sixteen (16) general, site, and building design standards for all structures constructed within the City of Wildwood (Section 415.380 – Zoning Ordinance). The City's Architectural Review Board was presented the structure's rendering and related information at its June 9, 2016, meeting. The Board provided recommendations regarding materials and colors, with revised building elevations will be presented for review and action at its July 14, 2016, meeting.

The Planning and Zoning Commission is recommending approval of the Site Development Plan for the City's salt storage facility, given the following considerations:

1. The proposed location of the salt storage facility places it in the same location where the City has stored its salt stockpiles for nearly twenty (20) years.
2. The use of the property for this salt storage facility is consistent with the current authorized legal, non-conforming use of the Kelpe Contracting site.
3. The proposed location of the structure is within City right-of-way and a permanent ingress and egress access easements from the existing entrance on Manchester Road will be provided to guarantee perpetual use.
4. The placement of the proposed building footprint is below the grade of with Manchester Road and, to some extent, with St. Albans Road (State Highway T), which reduces its visibility from these roadways. Additionally, along State Route 100, there is an earthen berm, which eliminates visibility of the structure from that area.

5. The existing landscaping provided along Manchester Road offers a limited visual screen. An existing treeline along St. Albans Road (State Highway T) will remain, and provides a good visual screen.
6. The extent of grading and tree removal that is proposed to prepare the site for construction is minimal.
7. The salt storage structure will provide a more environmentally responsible and efficient way to store and access the City's salt stockpiles.
8. The multiple bays offer flexibility with regard to the use of the structure. When salt storage is not maximized, the Department of Public Works plans to use the empty bays for extra storage.
9. The final architectural elevations for the structure will be reviewed and acted upon by the City's Architectural Review Board, thereby ensuring an appropriately designed facility for the community.

SUMMARY AND RECOMMENDATION - The Planning and Zoning Commission has considered this project and the efforts of the Department of Public Works and believes the attached Site Development Plan for this salt storage facility is consistent with the City's Master Plan and Capital Improvements Five-Year Plan. Accordingly, the Planning and Zoning Commission, by a vote of 8 to 0, at its July 5, 2016 Executive Meeting, hereby approves the Site Development Plan for the City's salt storage facility.

Agreement to Dedicate Land for the City of Wildwood Salt Dome

Mr. Ryan S. Thomas, P.E.
City Administrator
City of Wildwood
16860 Main Street
Wildwood, MO 63040

Dear Mr. Thomas,

This letter serves as confirmation of our offer for Wildwood Property, LLC (Thomas H. and Lisa S. Kelpe, members) to donate the land necessary for the construction of the salt dome. The said land to be donated is on the south line of our property located at 17955 Manchester Road adjacent to St. Albans Road in Wildwood. The new location is in the same area as the existing "temporary" bin that has been in place since approximately 1998. The agreement also includes permanent ingress and egress from the existing two entrances. The property would be an extension of the current St. Albans Road right of way to the north as necessary for construction.

Included with this is the agreement for Kelpe Contracting, Inc. to excavate as necessary for all structure and roadway work. The structure and all other related materials and work will be paid for by the City of Wildwood. Kelpe Contracting offers and prefers to General Contract/Construction Manage the remaining work for a 3% fee to ensure protection of and interest in our property.

Wildwood Property, LLC

Thomas H. Kelpe

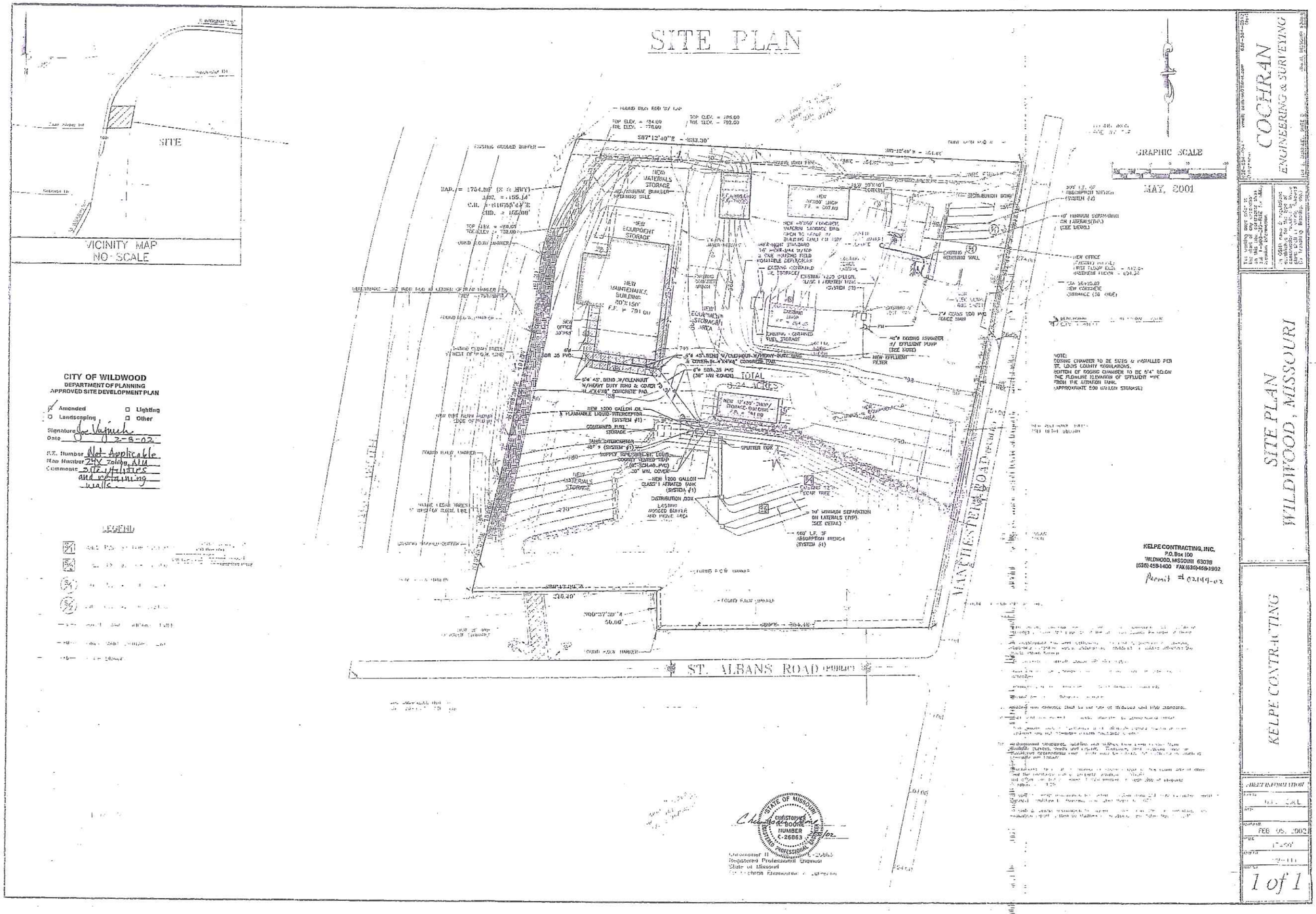
Lisa S. Kelpe

Lisa S. Kelpe

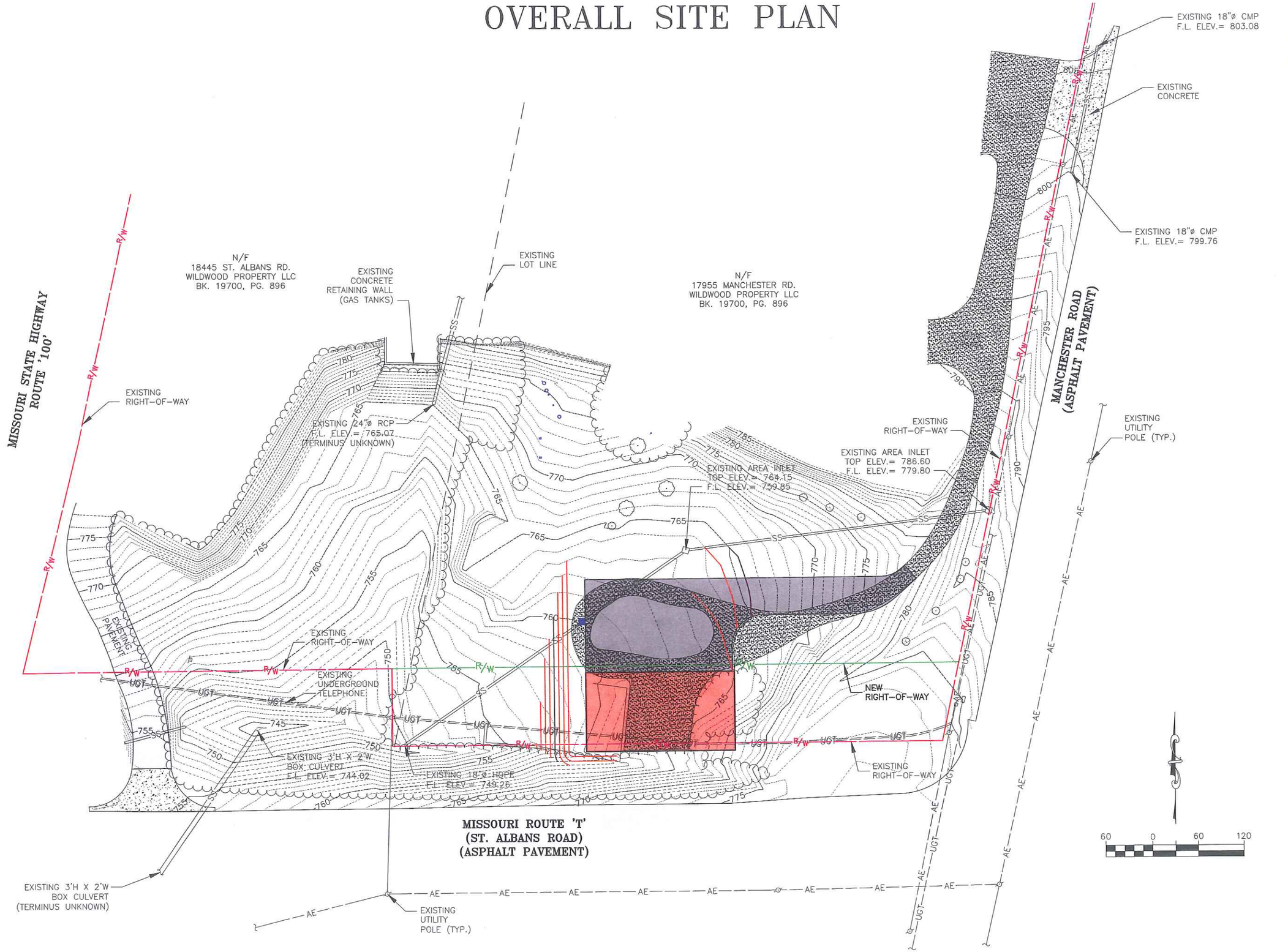
SUBSCRIBED AND SWORN TO BEFORE ME
THIS 18th DAY OF December 2015
Nancy E. Fuszner
NOTARY PUBLIC

NANCY E. FUSZNER
MY COMMISSION EXPIRES
October 6, 2017
NOTARY SEAL
#13533649
FRANKLIN COUNTY
NOTARY PUBLIC, STATE OF MISSOURI

Site Development Plan


SITE PLAN
VICINITY MAP
NO SCALE
SITE
GRAPHIC SCALE
MAY, 2001
CITY OF WILDWOOD
DEPARTMENT OF PLANNING
APPROVED SITE DEVELOPMENT PLAN
Amended
Lighting
Landscaping
Other
Signature Joe Vajnich
Date 2-8-02
P.Z. Number Not Applicable
Map Number 24X Zoning NU
Comments Site utilities and retaining walls
LEGEND
NEW MAINTENANCE BUILDING
NEW MATERIALS STORAGE
NEW EQUIPMENT STORAGE
NEW EQUIPMENT STORAGE AREA
TOTAL 8.24 ACRES
SPLITTER BOX
DISTRIBUTION BOX
ST. ALBANS ROAD (PUBLIC)
MANCHESTER ROAD (PUBLIC)
KELPE CONTRACTING, INC.
P.O. Box 100
WILDWOOD, MISSOURI 63038
(636) 458-1400 FAX (636) 458-3902
Permit # 02149-02
STATE OF MISSOURI
CHRISTOPHER R. BOONE
NUMBER E-26863
REGISTERED PROFESSIONAL ENGINEER
Christopher R. Boone, E-26863
Registered Professional Engineer
State of Missouri
COCHRAN
ENGINEERING & SURVEYING
SITE PLAN
WILDWOOD, MISSOURI
KELPE CONTRACTING
FEB 05, 2002
1 of 1

OVERALL SITE PLAN



737 RUDGER ROAD
FENTON, MISSOURI 63026
314-842-4033 (tel.)
314-842-5957 (fax)
www.cochraneng.com
COCHRAN
Civil Engineering
Land Surveying
Architecture
Site Development
Master Planning
General Consulting
CERTIFICATE OF AUTHORITY NUMBER - 005937

Three working days prior to the start of any excavation in this site, contractor shall call 1-800-DIG-RITE for utility location information.

All OSHA rules & regulations established for the type of construction covered by this plan shall be strictly followed (ie. Trenching, Blasting, etc)

SALT STORAGE FACILITY
KELPE PROPERTY
CITY OF WILDWOOD, MO

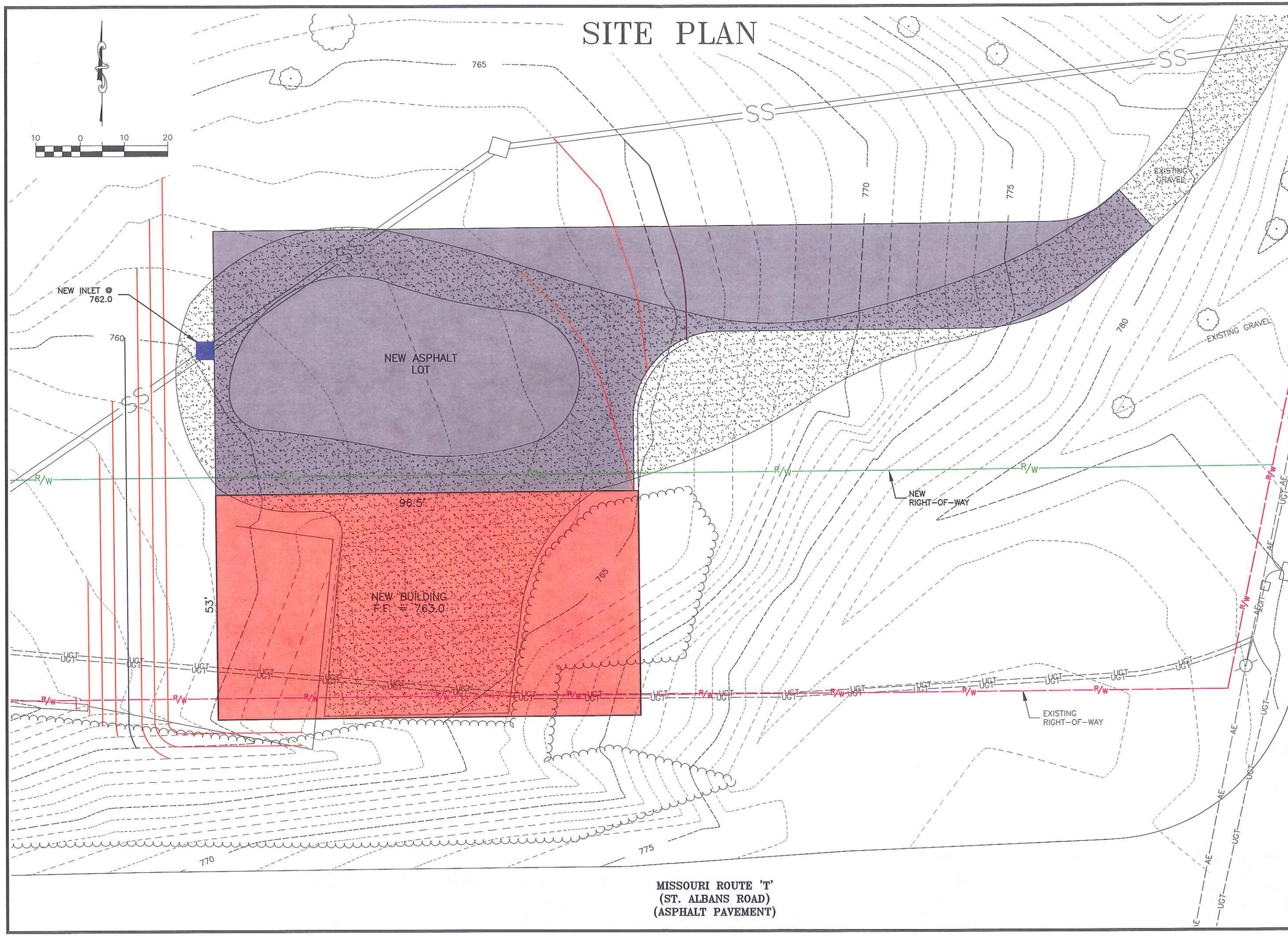
TOPOGRAPHIC SURVEY

DATE:	REVISION:	DWN. BY:	APP'D. BY:

DWN. BY: J.W.B.	APP'D. BY: D.A.C.
DATE: MARCH 2016	
SCALE: 1" = 60'	
PROJ. NO: SC16-539	
DWG. NO: TS-1	

Drawing name: K:\SC16-539 Wildwood Salt Storage Facility - Kelpe Property\SITE PLAN.dwg Tab: S-1 Plotted on: Jun 29, 2016 - 8:36am Plotted by: eskoggs

SITE PLAN



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CERTIFICATE OF AUTHORITY NUMBER - 006937

Three working days prior to the start of any excavation on this site, call 800-DIG-RITE for utility location information.

All OSHA rules & regulations established for the type of construction involved by law must shall be strictly followed (ie. Trenching, Blasting, etc)

SALT STORAGE FACILITY
KELPE PROPERTY
CITY OF WILDWOOD, MO

DATE:	REVISION:	DWN. BY:	APPD. BY:

DWN. BY: T.J.V.	APPD. BY: D.A.C.
DATE: MARCH 2016	
SCALE: 1" = 20'	
PROJ. NO: SC16-539	
DWG. NO: S-1	

SITE PLAN

Drawing name: K:\SC16-539 Wildwood Salt Storage Facility - Kelpe Property\SITE PLAN.dwg Tab: S-1 (2) Plotted on: Jun 29, 2016 - 8:38am Plotted by: eskaggs

WILDWOOD

July 11, 2016

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

Re: Submittal of a Formal Appeal by Payne Family Homes on an Action by Planning and Zoning Commission regarding **P.Z. 19-15 1971 Pond Road**

Council Members:

The City Clerk has received the required paperwork and fee from Payne Family Homes regarding its intent to appeal a decision for denial by the Planning and Zoning Commission of its application for a Planned Residential Development Overlay District (PRD) in the NU Non-Urban Residence District for a seventy-eight (78) acre property that is located on the northwest corner of Pond Road and State Route 100. The intent of the Planned Residential Development Overlay District (PRD) was to allow the clustering of lots, thereby placing them, and other improvements, on the site's defined ridgeline, while preserving approximately forty (40) acres of the site in common ground, and from any future disturbance. The intended outcome was to then have no more than twenty-five (25) homesites on this site.

The Department of Planning supported this overlay district application, while the Planning and Zoning Commission recommended its denial by a unanimous vote. The Planning and Zoning Commission's reasons for this action are identified in its attached letter of recommendation. This matter has been postponed at City Council, since the Planning and Zoning Commission's action, so its members have not yet held its hearing.

With the filing of the formal appeal, the following steps the City Council are required to met are set forth below from the Zoning Ordinance's regulations:

Chapter 415. Zoning Regulations
Section 415.530. Appeal and Protest Procedure For Change of Zoning and Special Procedures.
[Ord. No. 1324 App. A §1003.193, 8-14-2006]

A. *Scope Of Provisions.* This Section contains the regulations governing the filing and review of an appeal or protest from a Planning Commission decision or recommendation regarding a change of zoning or special procedure authorized under Sections 415.500 "Conditional Use Permits" and 415.520 "Landmark and Preservation Area".

B. *Statement Of Intent.* The purpose of this Section is to provide a formal method by which a petitioner may request further consideration by the City Council of a Planning Commission denial or recommendation of denial of a change of zoning or certain special procedures as specified herein; and to provide a formal method by which the owners of property located within a specified proximity to a petitioned tract of land may present to the City Council a petition and statement of their opposition to a Planning Commission decision or recommendation of approval of a change of zoning or certain special procedures as specified herein.

C. *Filing Of Appeal Or Protest.* The following regulations shall govern the filing of an appeal or protest:

1. *Appeal by petitioner to decision or recommendation of denial.* Upon the denial or recommendation of denial by the Planning Commission of an application for a change of zoning or certain special procedure as specified herein, the applicant may file an appeal with the City Council requesting a determination from that body. The appeal shall be filed within thirty (30) days after the Planning Commission decision (or if the filing date falls on a weekend or holiday, the next regular business day). The appeal shall be submitted in writing to the City Council and shall be filed in duplicate with the City Clerk accompanied by a fee of two hundred dollars ($200.00). In the case of a special procedure, the applicant shall state in the appeal how the application, as initially filed or subsequently modified, meets the criteria set forth in the regulations of the special procedure in question.

2. *Protest by nearby property owners to recommendation of approval.* Owners of thirty percent (30%) (by area exclusive of streets and alleys) of the property within one hundred eighty-five (185) feet of the property in question may file a protest with the City Council against the Planning Commission's decision or recommendation of approval of a change of zoning or special procedure as specified herein. The protest shall be filed within eighteen (18) days after the Planning Commission decision (or if the filing date falls on a weekend or holiday, the next regular business day). The protest shall be in writing and shall be filed in duplicate with the City Clerk accompanied by the signatures of property owners in opposition, each signature being individually acknowledged. In the case of a special procedure, the protest shall include notarized verification from the person(s) collecting protestants' signatures that all signatures are correct and real. The protest shall specifically state how the application, as initially filed or subsequently modified, fails to meet the criteria set forth in the regulations of the special procedure in question.

D. *Review Of Appeal Or Protest.* The following regulations shall govern the review of an appeal or protest:

1. *Referral of appeal or protest to Planning and Zoning Committee.* Upon receipt of an appeal or a protest, the City Council shall refer it to the Planning and Zoning Committee.

2. *Public hearing by the City Council.* Before acting on any appeal or protest the City Council or its Committee on Planning and Zoning shall set the matter for hearing. The City Council shall give written notice of such hearing to the applicant and all other persons who appeared and spoke in opposition to the application at the public hearing before the Planning Commission or to the protestants in the case of a protest. The applicant and the protestants in the case of a protest shall be heard at the hearing. In addition, any other person or persons who, in the discretion of the City Council, will be aggrieved by any decision or action with respect to an appeal or protest may also be heard at the hearing.

3. *City Council decision.* Following the hearing by the City Council or its Committee on Planning and Zoning on an appealed or protested application, the City Council may affirm, reverse or modify, in whole or in part, any determination of the Planning Commission. No ordinance relating to a protested zoning or a zoning or special procedure which is contrary to a recommendation of a majority of the Planning Commission shall be adopted by the City Council only upon an affirmative vote of two-thirds (2/3) of the members of the whole City Council. In all other instances, a majority vote of the whole City Council shall be required to approve, deny or modify any recommendation of the Planning Commission with respect to a change of zoning or special procedure. A valid protest petition shall have the effect of extending the time for introduction of a bill beyond the ninety (90) day period established in Section 415.560 of this Chapter.

Accordingly, at tonight's meeting, the City Council is required by the regulations governing this formal appeal process to a land use decision by the Planning and Zoning Commission to forward this matter for public hearing to the Planning/Economic Development/Parks Committee. Thereafter, the Committee members will schedule the public hearing and take the needed steps to prepare a recommendation for presentation to the City Council thereafter.

If any of the City Council 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 your review of this information and requested action on the same.

Respectfully submitted,
CITY OF WILDWOOD

Joe Vujnich

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
Kathy Arnett, Assistant Director of Planning and Parks
Travis Newberry, Planner
Tom Cummings, Payne Family Homes

PAYNE family HOMES

July 5, 2016

VIA ELECTRONIC MAIL
City of Wildwood
City Council
16860 Main Street
Wildwood, MO 63040

RE: P.Z. 19-15 (1971 Pond Rd.)

Ladies and Gentlemen:

On behalf of Payne Family Homes, L.L.C., and pursuant to Section 415.510 (N), and Section 415.530 of the Wildwood City Ordinance, I hereby submit this letter and enclosed check for Two Hundred and 00/100 Dollars ($200.00) as our appeal from the recent zoning recommendation issued by the City of Wildwood Planning & Zoning Commission on the above referenced zoning case.

Our request for a Planned Residential Development (PRD) overlay on the subject property is substantially in conformance with the requirements of the City, as detailed in the report submitted by the Department of Planning on June 6, 2016. For the reasons detailed in that report, the PRD is appropriate for the subject property, is in substantial compliance with the City's ordinances, and should applied to the site in the manner requested by petitioner.

Please docket this case for consideration by the City Council's PEP subcommittee at your earliest opportunity, and contact me if you should have any questions, or require additional input on this very important matter.

Very truly yours,

PAYNE FAMILY HOMES, L.L.C.

By: _____
Thomas E. Cummings, VP of Land Acquisition

Cc via electronic mail: Elizabeth Weiss, City Clerk
Laura Rechtin, Deputy City Clerk

10407 Baur Blvd. Suite B St. Louis, MO 63132 Phone: 314.996.0300 / Fax: 314.996.0309

www.PayneFamilyHomes.com

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.

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

STATE OF MISSOURI
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 un-permitted 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.

CITY OF WILDWOOD
MAR 25 2016
DEPT OF PLANNING & PARKS

Sincerely,

MISSOURI DEPARTMENT OF NATURAL RESOURCES

Dawn Brooks

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. Baritizan 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

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.

Franklin Electric

FLO-SYSTEMS, INC
905 CHERRY LANE
TROY, IL 62294
P 618-667-7890
F 618-667-7976

Orenco®
Orenco Systems®, Incorporated
814 Airway Avenue
Sutherlin, OR 97479 USA
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T: 541-459-4449
F: 541-459-2884
www.orenco.com/systems/

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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

Champion Hills is one of the many subdivisions in rural Mobile County served by Orenco's effluent sewers and treatment systems.

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.

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 BOD_5 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

Orenco Systems®, Inc.
814 Airway Avenue, Sutherlin, Oregon, USA 97479
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Applications:

- Municipal systems
- Subdivisions, apartments
- Golf course developments, resorts
- Manufactured home parks
- Parks, RV parks, campgrounds
- Schools, churches, businesses
- Rest areas, truck stops

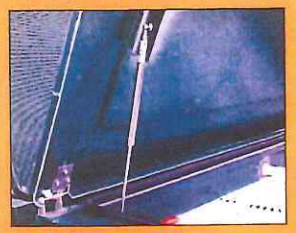
AdvanTex® AX100 Treatment System

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).

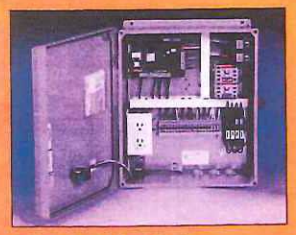
Effluent Distribution

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)

AdvanTex® AX100 Treatment System

Decades of Research, Thousands of Installations

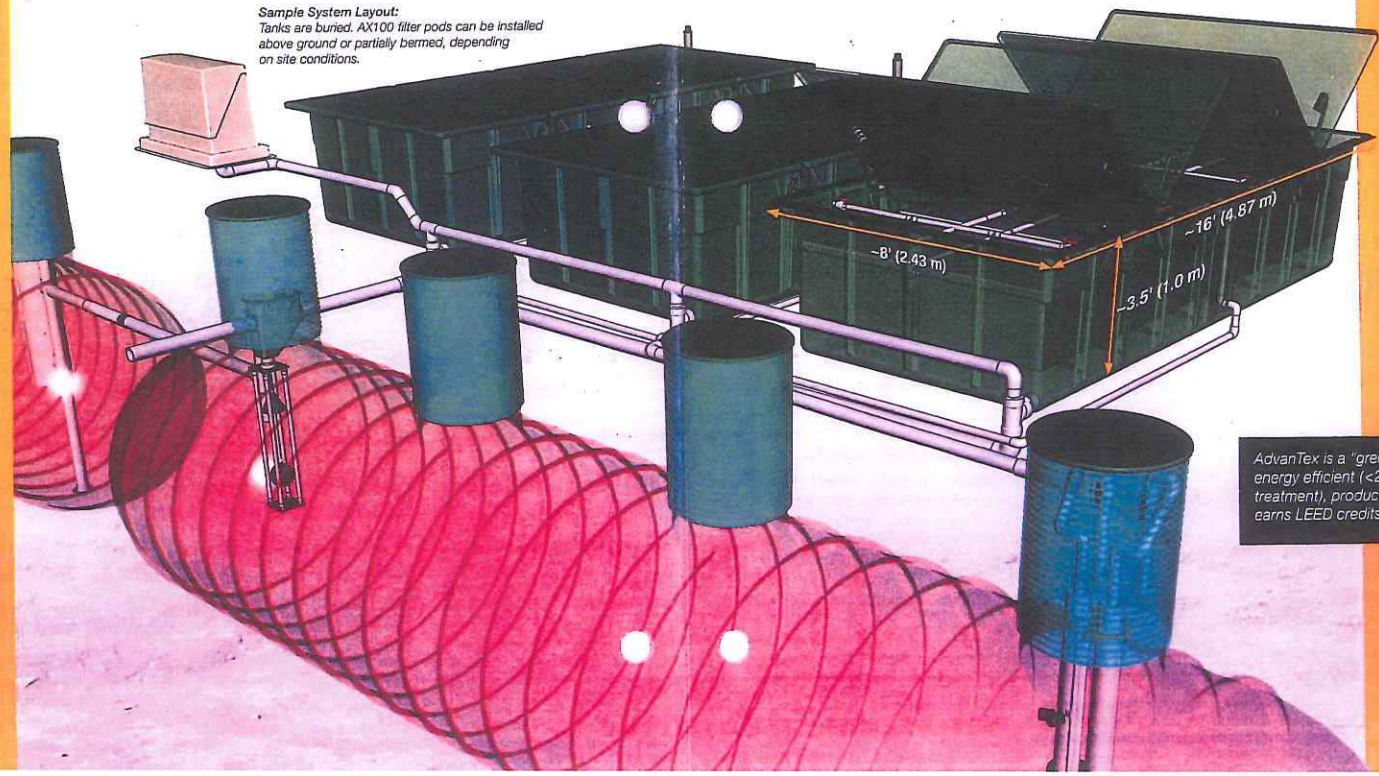
Orenco's AdvanTex recirculating filter unit is configured like a recirculating sand filter — a packed bed filter technology that Orenco engineers have helped to perfect since the 1970s. Like recirculating sand filters, AdvanTex is reliable and low-maintenance. It is superior to other packed bed filters, 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.

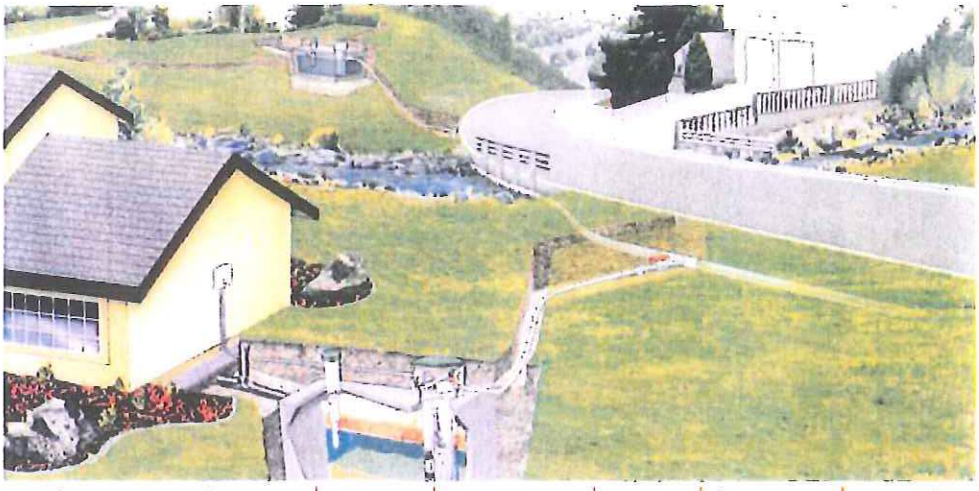
The Program

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



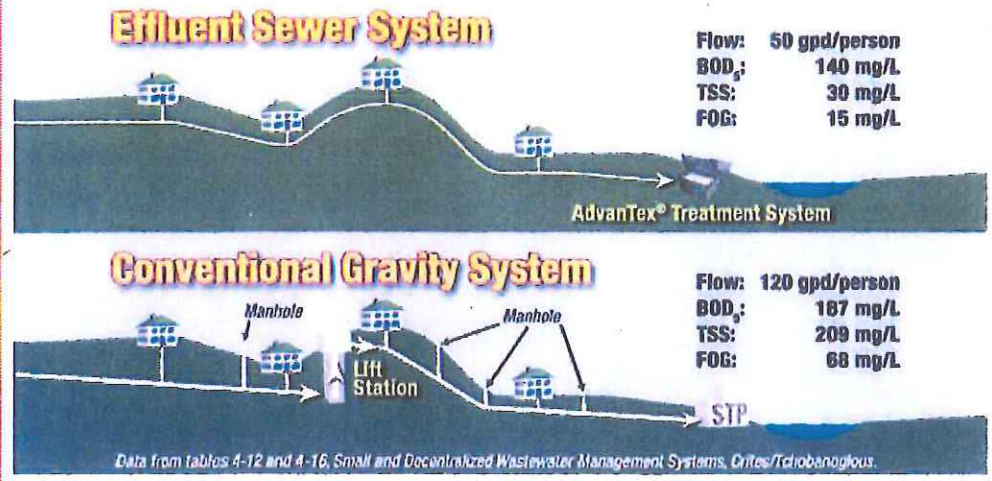
How Effluent Sewers Work

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, Washington**.

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-lost 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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Follow us:

OLD BUSINESS **AGENDA ITEM**

WILDWOOD

INFORMATION REPORT

City of Wildwood, Missouri

Prepared by the Department of Planning

Draft Date: May 2, 2016 (1st Publication - February 16, 2016; 2nd Publication - March 7, 2016)

"Planning Tomorrow Today"

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
Information Report Decision Date and Vote:	May 2, 2016 – **TBD**
Report:	Attachment A
Conditions:	Attachment B
Preliminary Development Plan:	Attachment C
Background Information:	Attachment D
School District:	Rockwood
Fire District:	Metro West
Ward:	One

Recommendation: The Department of Planning is recommending the Planning and Zoning Commission support the requested application of a Planned Residential Development Overlay District (PRD) upon the existing NU Non-Urban Residence District zoning district designation of this 78.0 acre site, which would authorized up to twenty-five (25) single family dwellings on individual lots, with common ground and public space.

1. In this report, the Department has determined the request complies with the Master Plan's Conceptual Land Use Classification of Non-Urban Residential Area, as well as a number of its goals, objectives, and policies in this regard.
2. In this report, the Department has noted the compatibility of this residential use with the surrounding development pattern.
3. In this report, the Department also notes the compliance of the proposed design of the site with the eight (8) standards that must be met for the City to authorize a Planned Residential Development Overlay District (PRD), which is partially met through the Department's recommended changes explained in the Information Report.

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 Overly 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 Department of Planning'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 Department can consider a recommendation, which supports the request.

< Master Plan >

The Department 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 2006

Over the course of 2005, 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 February 21, 2006, when the City's Planning and Zoning Commission approved the Master Plan Update 2006 by a unanimous vote (7 to 0). The City Council then ratified this action of the Planning and Zoning Commission on March 27, 2006.

The **Master Plan Update 2006** edition reflected a refinement of the original document 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 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 considering the changes to the document, the Planning and Zoning Commission noted the following: "these benefits (listed below) are equally tangible and further reinforce the desire of those voters supporting the incorporation in 1995, now ten (10) years later, that Wildwood must retain its unique character." These other benefits from the proposed revisions to the plan are as follows:

1. Memorialized the history and successes of the last ten (10) years as a community and recognizes the support of residents and property owners in this effort.
2. Promoted policies to encourage the recycling of all waste materials in the City, particularly construction wastes and debris, and continued to prioritize the protection of Wildwood's and the surrounding area's environmental resources by encouraging reuse of products.
3. Re-enforced the concept of the Town Center Area and the planning process associated with it by encouraging the provision of public potable water, sanitary sewers, and other utilities to its unserved portions.
4. Placed greater responsibilities on developers of properties to protect groundwater resources for potable water purposes.
5. Required 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.
6. Recognized the need to provide a mix of housing types in the City for all age groups and income levels.
7. Planned reduction in density of residential housing in the remaining areas of the City designated as 'Sub-urban Residential Area.'
8. Encouraged the more harmonic development of property with the surrounding natural and built environments.
9. Summarized major challenges facing the City in the upcoming ten (10) year period.
10. Imported priority to providing Internet service to the whole community at a serviceable standard.
11. Supported the continued use of private contractors to provide public services.
12. Implemented the first of many policies to preserve current housing stock and promote its maintenance.
13. Re-enforced the current policies of the City in terms of addressing unsafe streets, roadways, and bridges by repair and replacement.
14. Introduced internal review procedures to meet the goals, objectives, and policies of the other four (4) elements of the Master Plan for City-initiated projects and efforts.
15. Demanded more effort and resources be provided to improve open space and recreational opportunities in the City.
16. Maintained 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 Group, 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 Department 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 Pointe 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
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

[1] PRD – Planned Residential Development Overlay District

< 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 Department of Planning that petitioner's proposal does comply with the Master Plan and can be supported in its current form. Accordingly, the Department would support the approval of the Planned Residential Development Overlay District (PRD) for the subject site to allow no more than twenty-five (25) lots. The reduction in the proposed lots reflects a desire to have a lot width standard (at the 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 and 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	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. 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 Department 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.
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, petitioner's proposal does comply with each of them.

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 and 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 Department of Planning. In summary, the consistencies 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 achieved.

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 Department 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 Department is recommending the petitioner's participation in required roadway improvements along the subject site's frontage of Pond Road.

Transportation Element -

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 Department of Planning the requested Planned Residential Development Overlay District (PRD) is consistent with, and adheres to, the City's Master Plan. In fact, the comparison completed above indicates the proposal is in full compliance with the applicable policies of this plan.

< Compatibility of the Use >

The Department, in reviewing this request, would note its compatibility with the area land use and zoning pattern, which also supports the recommendation for its approval. Principally, the issues of compatibility are reflected as follows:

1) The development is at a three (3) acre density, which is consistent 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 approval.

< 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 analyzed on an individual basis provide the following information relative to the petitioner's request:

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

Department is 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 Department are 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.

Along with this reason, the Department has noted in other discussions on this topic that 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). Accordingly, the Department believes the appearance of this development will not drastically differ than others in the immediate area (three (3) acre lots).

Standard Two:

The second of these standards is open space. This standard is further defined by three (3) subcategories, which include (1.) open space is accessible, functional, and useable; (2.) open space is provided on all private lots; and (3.) the Planned Residential Development Overlay District (PRD) ensures the preservation of the site's natural features.

Under the proposed design, the first and second subcategories regarding useable open space is easily met by the one (1) acre minimum lot size, which is established here, and over thirty-five (35) acres of common ground being provided to future residents for their use as passive recreational areas, habitat protection, and aesthetic value, as well as addressing the locations for stormwater and wastewater treatment facilities. The Department, as part of its recommendation, is seeking the protection of the main drainageway that defines the eastern two-thirds (2/3) of the site from inappropriate disturbance. Within the conditions associated with this recommendation, the Department supports the use of the proposed common ground areas planned on this site for passive purposes only, leading to the relocation of the proposed wastewater facility to another portion of the subject site. This relocation needs to reflect an area of the site that is less visible, a substantial distance from any nearby residentially-used property, and using proposed improvements for access, rather than adding more site disturbance for such.

The petitioner has submitted an analysis from a professional soil scientist indicating 28.7 acres of the development tract of land must be preserved from use or disturbance. Included in this protected area are the site's ephemeral drainageways, steep slopes, and poor conditions caused by soil content or restrictive layers. Accordingly, some fifty (50) acres of the subject site can be disturbed by development activity related to the preparation of the parcel of ground for building pads and infrastructure and utility installation. Petitioner's analysis indicates the protection of 41.09 acres of the site, with disturbance of 36.92 acres of the property for the construction of these proposed homesites. Such an arrangement means the petitioner is utilizing less area of the site for development purposes than allowed by the Natural Resource Protection Standards Analysis. Such a development design is positive and consistent with the intent of the Planned Residential Development Overlay District (PRD), which, again, when utilizing clustering less of the property needs to be disturbed and more can be preserved for perpetuity.

Although compliant to the City's preservation standards, the petitioner, and the design team, has created at least two (2) lots that appear to be fitted into the site, with some difficulty, which indicates to the Department that a reduction in the overall amount of them is needed. The Department believes it is imperative to combine Lot 8 and 9 together to provide a more appropriate buildable area for use and create an appropriate size and configuration to match the surrounding pattern of development. Accordingly, the Department is recommending that no more than twenty-five (25) lots be authorized within the boundaries of this Planned Residential Development Overlay District (PRD).

As part of this trail system, the Department is also recommending that, as part of the dedication of the easement area along State Route 100, the petitioner be responsible for the installation of a public multiple-use trail. This trail would substitute for a sidewalk and extend the length of the property's frontage along State Route 100. This public segment of trail could be utilized by the residents of this proposed subdivision and the surrounding community, so both parties could derive a direct benefit from the ultimate use of this property.

With the application of the City's Public Space Ordinance, this development is now required to provide qualifying amounts consistent with its requirements. The petitioner is planning on providing the required 41,817 square feet of qualifying public space in the following manner: the trail dedication, without its construction, and common ground area. The amount of these dedications and improvements would equate to full compliance for the purposes of the Public Space Ordinance, if the City defers trail construction. In these areas, improvements are planned and would be required to comply with the Public Space Ordinance in this regard.

Two (2) major components must be discussed in regards to the Public Space Ordinance requirements, as it relates to this design. The first component, which is

alluded to in the above paragraph, seeks to allow the public trail easement to be used for qualifying public space, despite a prohibition in the ordinance against it due to it being a function of the zoning process. Therefore, the current request, without the benefit of this waiver, would not meet the minimum area of required public space for the number of recommended lots (common ground can only be credited for fifty (50) percent of the required public space, or approximately twenty-thousand (22,000) square feet).

The Department would note with regards to this matter it supports this allowance of suing his trail easement decision, as qualifying public space, given the unusual nature of this project and the extent of this trail component. The Department is recommending the trail be placed in a minimum thirty (30) foot wide easement to the City, but if needed, be increased in size to accommodate stormwater features in this area and topography. This trail would improve safety and allow its users a better experience from all perspectives. The trail's location in this easement would be premised on site characteristics and City of Wildwood requirements.

The second component relates to the existing cemetery that is located on the subject site and its placement in common ground, which is being credited to a certain amount for qualifying public space for this development. The cemetery is protected for perpetuity and the future homeowners association must allow access to it for family members to visit as well. Both of these protections are established by State Statute and supported by the City. It is important to state the cemetery will need some immediate cleanup of its area, while on-going maintenance will be the responsibility of the newly formed Homeowners Association. The Department does not object to this cemetery being part of the qualifying public space for this development and, given its historic nature, is appropriate from that perspective as well.

Standard Three:

The third of these standards is landscaping, buffering, and screening. This standard is further defined by five (5) subcategories, which include (1.) the use of a variety of plants, colors, and hard surfaces for character in the development; (2.) the use of appropriate sized plantings; (3.) the inclusion of attractive streetscapes; (4.) the use of buffering between activities by landscaping; and (5.) the creation of continual maintenance provisions as part of the Planned Residential Development Overlay District (PRD).

With regards to the variety of plants, colors, and surfaces and sizing and maintenance, the City's Tree Manual requires that all developments comply with these requirements. The conditions of the Planned Residential Development Overlay District (PRD) allow the City to impose requirements consistent with the intent of this standard, and specifically in the area of the centralized treatment facility, the development's entry area, and the hillside where the main internal roadway is to be located. These areas are either visible from adjoining roadways or properties or need

softening for the residents who will reside near them or pass by when entering or leaving the development. In the instance of this request, the standards of the Tree Manual will be applied.

The need for buffering throughout the site is lessened, given the size of lots and their proposed layout. Additionally, the preservation of existing tree masses at the proposed percentages by the petitioner provides an excellent buffer as well. This amount of tree preservation is well over forty (40) acres of the site and meets the City's requirements in this regard.

The petitioner is proposing to create a Homeowners Association, which will be responsible for maintenance and upkeep of the centralized wastewater treatment plant, along with all other improvements, including the private roadways. This association will be created at the time of the platting of this development and the City requires certain considerations be placed in the indentures to provide for this continual maintenance responsibility for improvements. Therefore, this subcategory will be met under the current requirements of the City's Zoning Ordinance and Subdivision and Development Regulations.

Standard Four:

The fourth of these standards is internal circulation and appropriate linkages. This standard is further defined by five (5) subcategories, which include (1.) reductions in the speed of vehicular movements; (2.) reductions in pedestrian-vehicle conflicts; (3.) encouragement of connections between the new streets and the existing network; (4.) reductions in land area devoted to streets; and (5.) institution of appropriate design and construction standards.

With regards to the petitioner's request, the Department would note the single main internal street is to be built, which will serve the twenty-five (25) recommended lots. This street will be placed in a standard right-of-way dimension (forty (40) feet), with a twenty (20) foot pavement area. Given the nature of this development and the width of the ridgelines, where this development is planned, no sidewalks are proposed. Eliminating sidewalks will reduce site grading to a degree. Conversely, an easement is being requested on both sides of the right-of-way area to allow for a future installation of a trail system, if sought by a majority of the individual owners of lots.

The location of the proposed access point onto Pond Road for this development was discussed by many parties at the public hearing, all noting their concerns about safety of it at this proposed location. The proposed access point was shown at a location, where a double turn and varying slopes exist and creates concerns about sight distance, accidents, and overall safety. The petitioner has proposed to relocate the access point further to the south on Pond Road and construct it at a location that avoids the double curves that are located where the current access point onto this roadway is situated. This location has been reviewed by the City's Department of Public Works and it has determined that minimum sight distance is provided for such

and its location there can be accommodated, based upon compliance to Wildwood design criteria. Therefore, the Department is supporting this change in the location of the development's access point.

This relocation of the access point does increase the extent of grading associated with its construction, in a very visible portion of the site along Pond Road. Therefore, the Department is recommending the petitioner use retaining walls on both sides of the proposed access point, and associated roadway, to reduce the extent of grading and the site disturbance to a smaller, overall portion of the property. These walls must be constructed respectful of sight distance, while complementing the natural and built environments around them in terms of material, color, and style.

Although during the public hearing on this matter, a discussion was held on whether to potentially use Lynda Jayne Lane for primary access to this site, given it might have less sight distance issues associated with it than Pond Road. The Department does not support it. The Department would note the roadway is rural in nature and somewhat in disrepair, which could be corrected by this petitioner, but would bring a certain level of traffic to this area, which depends on a right-in/right-out access point onto State Route 100. The Department believes Lynda Jayne Lane can be used for secondary emergency access, but not for the overall development's use.

The provision of stub streets in this development is not planned, given two (2) sides of the subject site abut existing roadways and a third has established three (3) acre, occupied lots located at the common boundary. However, the western boundary of this site does abut a large tract of land that might benefit from an option of a future stub street connection. However, the Department has found that extending stub streets in large-lot subdivisions, with private roadways, is difficult, given payments for maintenance of the improvements between two (2) different homeowners association is often cited as an issue and attributing responsibility for wear and tear between the parties an on-going problem. Although the difficulty does exist, the Planning and Zoning Commission and City Council could create a reservation area, with the option for future use, if determined appropriate for this connection.

Given certain segments of the internal roadway do exceed a ten (10) percent grade, it is important to note such and identify if acceptable or not, as part of this subdivision's design. This grade is not normally acceptable to many developers or buyers in new residential communities, but, given the characteristics of this site, the need for this grade is premised on limiting site disturbance and following a cleared area already existing on the site. With these roadways intended to be private, the City's 'Rural Roadway Standards' allow for this grade to be considered favorably and, in the Department's opinion, is acceptable.

The Department is recommending the dedication of right-of-way along Pond Road to the City for further widening of the pavement area and other future improvements

to the roadway. The petitioner has indicated this dedication on the submitted Preliminary Development Plan, but does not indicate any improvements therein. Although Pond Road functions, given the volume of traffic at generally satisfactory levels of service, the Departments of Public Works and Planning are recommending a left-turn lane be constructed on Pond Road to accommodate westbound turning movements into this development. This left-turn lane will assure the safety of drivers and can be considered a creditable charge to the required Traffic Generation Assessment Fee of the City for this project.

An issue that remains with the Pond Road improvement is the lack of any pedestrian facilities along its length. As noted above, the petitioner is providing a twenty (20) foot dedication of land area to right-of-way purposes, but does not indicate any improvements therein. The length of the site's frontage on this roadway is significant and installing a sidewalk would be costly, but the Department does believe such a feature is needed at this location. However, the Department would recommend the petitioner provide an escrow, in an amount sufficient to cover the cost of its construction at a future point. The installation of this sidewalk could then be bundled with the City's trail project on State Route 100, between the community park and Pond Road, and obtain some economies of scale in this regard. The City's trail project is funded for 2016 construction, so this improvement could be completed within the next couple of years.

The fire district has requested an emergency access be provided, beyond just the proposed curb cut onto Pond Road. This emergency access point is located at the westernmost end of the proposed internal street and would eventually access Lynda Jayne Lane. The access point would be controlled and could only be used by police, fire, and EMS services. The Department supports this secondary emergency access point and believes its construction is appropriate for the safety of these residents. The fire district must first approve the location, design, engineering, and construction specifications of this secondary emergency access point, before action on the Site Development Plan by the City's Planning and Zoning Commission could proceed. This staging will ensure this access roadway meets all needed standards for use in an emergency situation.

Standard Five:

The fifth of these standards is parking. This standard is further defined by three (3) subcategories, which include (1.) the utilization of appropriate design considerations to reduce the impact on the development's character; (2.) the reduction in land area used for parking; and (3.) the adherence to City standards.

The design of this development is typical of most rural subdivisions. Parking is provided in an enclosed structure, which supports a minimum of two (2) spaces per household. The Zoning Ordinance requires two (2) spaces for each residence.

Standard Six: The sixth of these standards is livability. This standard is further defined by four (4) subcategories, which include (1.) noise reduction; (2.) visual separation; (3.) lighting limits; and (4.) amount of cut and fill.

The petitioner's design, with the larger lots and their placement addresses many of the issues relative to noise reduction and visual separation between the individual lots and residences themselves. In most instances, the minimum distance between dwellings is sixty (60) feet. Additional tree preservation within the sideyard setback areas between the respective dwellings is anticipated by the Department of Planning to further improve the character of this subdivision in that specific regard. All street lighting will meet the City's requirement for reducing trespass and pollution. The issue of cut and fill is minimized by the petitioner's use of the Planned Residential Development Overlay District (PRD) and compliance to the Natural Resource Protection Standards.

Standard Seven: The seventh of these standards is building and neighborhood design. This standard is further defined by five (5) subcategories, which include (1.) variety and quality of design; (2.) compatibility; (3.) orientation; (4.) density; and (5.) view.

The petitioner's proposal appears to address many of these considerations. Although single family dwellings are proposed, in an area of similar uses, the type and design will be different than what currently exists there. The Department has, by its earlier recommendation, determined the density of this development adheres to the appropriate underlying zoning district classification that supports the Master Plan. The building orientation in this proposed development is a reflection of topography and the ridgelines formed by them. These site factors generally create a north/south street with homesites facing east/west. Cooling considerations are a factor, given the direction of movement of the morning and evening sun in the summer months.

Standard Eight: The eighth standard is community interest. The development of this site for residential uses is consistent with the Master Plan's recommendation for conceptual land use in this area of the City. The use of the Planned Residential Development Overlay District (PRD) would appear to be in the overall, and best, interest of the City, since it allows the City to protect the site's natural characteristics, while allowing for the utilization of the property for its permitted use – single family dwellings.

Summary and Recommendation

The Department has found, based upon the review and analysis of the petitioner's proposal, the requested Planned Residential Development Overlay District (PRD) is consistent with the City's Master Plan; compatible with the surrounding land use pattern; and complies with the Planned Residential Development Overlay District (PRD) requirements of the Zoning Code. Therefore, it is the recommendation of the Department of Planning 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) be supported by the Planning and Zoning Commission and such action be contingent upon the petitioner adhering to all the requirements of Attachment B of this Information Report.

ATTACHMENT B
Conditions

ATTACHMENT B - CONDITIONS

1. PERMITTED USES

This Planned Residential Development (P.R.D.) Overlay District shall authorize the maximum development of twenty-five (25), detached single family dwellings on individual lots, with common ground, and all permitted accessory structures. Common ground areas shall be a minimum of thirty-five (35) acres in overall area, preserved for perpetuity as such, and cannot be subdivided after the initial Record Plat for this development is approved by City Council. The minimum area of this Planned Residential Development Overlay District shall be seventy-eight (78) acres. **A centralized wastewater treatment facility shall provide service to this site and be of a type and design, as reviewed and acted upon by the Planning and Zoning Commission on the required Site Development Plan.**

2. LOT SIZES, DEPTHS, AND BUILDING REQUIREMENTS

a. The developer(s)/Homeowners Association of this residential subdivision shall have the option of providing a recreational facility, which can include an outdoor swimming pool and related cabana. The placement and construction of this recreational amenity must comply with the Natural Resource Protection Standards Analysis conducted for this site.

b. Each dwelling unit shall be located on an individual lot of record, which shall not be less than one (1) acre in overall size. The minimum width of any lot within this P.R.D. Overlay District shall be two hundred (200) feet in distance at the front building line, except for parcels of ground located within any cul-de-sac **and Lots 15 through 19**. These lot frontages (within the cul-de-sacs) shall be as approved on the Site Development Plan by the Planning and Zoning Commission.

c. The depth of all lots within this residential subdivision shall be a minimum two hundred (200) feet in size, **except Lot 7.**

d. No building and/or structure shall be more than two (2) stories above final grade, as measured from the front building line on any individual lot at street elevation.

e. The maximum area of this 78.0 acre tract of land, which can be used for development and related land disturbance for the permitted and accessory uses, shall not exceed thirty-six point nine (36.9) acres, not including the Director of Planning's five (5) percent variance.

f. The minimum amount of this 78.0 acre tract of land, which must be preserved as part of this development, shall be forty-one point one (41.1) acres in overall size, not including the Director of Planning's five (5) percent variance.

g. Lot sizes, configurations, and locations shall comply with the City's general lot design standards set forth in its *Subdivision and Development Regulations*. Variations to these lot design standards referenced therein must be submitted and acted upon by the Planning and Zoning Commission, as part of its current review process. Any requested modifications to these lots shall be based upon locations that are most suitable for disturbance and consistent with the Natural Resource Protection Standards of the City's *Subdivision and Development Regulations*.

3. PLAN SUBMITTAL REQUIREMENTS

Within twelve (12) months of the P.R.D. Overlay District approval by the City Council, and prior to any site disturbance, the developer shall submit to the Planning and Zoning Commission for their review and approval a Site Development Plan. Where due cause is shown by the developer, this time interval may be extended once by the Planning and Zoning Commission in accord with requirements of Chapter 415.510 of the City of Wildwood Zoning Ordinance. Said Site Development Plan shall include, but not be limited to, the following information:

a. Outboundary plat and legal description of the property.
b. A general numbered lot plan, with setback lines from all streets and roadways on and adjacent to the property. A typical configuration for a lot indicating all site design information such as, but not limited to, right-of-way width, improvement dimensions and locations, setbacks, and building placement, along with minimum and maximum sizes.
c. A general plan indicating setback lines along the perimeter of the subject tract of land and surrounding property lines and related improvements within one hundred (100) feet of this site's boundaries, i.e. curb cut and access locations, stormwater facilities, and utility installations.
d. Location of all roadways adjacent to the property, including required roadway right-of-way dedication and pavement widening, with existing and proposed improvements and sidewalks, and general location, size, right-of-way, and pavement width of all interior drives.
e. The location and size of all freestanding signs, lighting, fences, and other above ground structures, except retaining walls less than two (2) feet in height per section.
f. Existing and proposed contours at vertical intervals of not more than two (2) feet.
g. General location of sanitary sewer and stormwater facilities.
h. Parking and density calculations.
i. Conceptual location and size of common ground areas, if provided.
j. A Landscape Plan including, but not limited to, the location, size, and general type of plant materials to be used in accord with the City of Wildwood's Chapter 410 and accompanying Tree Manual.
k. An inventory of the percent of tree canopy or individual trees to be retained on the site indicated on a Tree Preservation Plan completed in accordance with the City of Wildwood Chapter 410 Tree Preservation and Restoration Code and accompanying Tree Manual.
l. Location of all existing and proposed easements.
m. 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:

Building Setbacks – Residential

a. All buildings or structures[1], other than boundary and/or retaining walls, approved fences, detention/retention facilities, and/or light standards, shall adhere to the following setbacks, as specified in Chapter 415.110 R-1 One Acre Residence District of the City of Wildwood's Zoning Ordinance, except as noted below:

[1] *The definition of structure includes the centralized wastewater treatment plant.*

1.) Thirty (30) feet from any roadway right-of-way, whether public or private, except a one hundred (100) foot distance from State Route 100 and a three hundred (300) foot distance from Pond Road, shall be required.

2.) Fifteen (15) feet from any side yard property line of any individual lot, but a minimum of thirty (30) feet shall be maintained between buildings on adjoining lots

3.) Thirty (30) feet from any rear yard property line of any individual lot.

Parking Setbacks - Residential

b. All parking stalls or loading spaces, excluding points of ingress or egress and streets and roads, shall comply with the requirements of Chapter 415.110 R-1 One Acre Residence District of the City of Wildwood's Zoning Ordinance, except for a one hundred (100) foot distance from State Route 100 and a three hundred (300) foot distance from Pond Road shall be required, **while also excepting Lot 1, which shall be as approved on the Site Development Plan.** All single family dwellings shall be constructed with rear or side-entry garages only; no front-loaded garages are authorized.

Miscellaneous Setbacks - Right-of-Way and Other Locations

c. No portion of any residential building foundation shall encroach within twenty-five (25) feet of the 'Final Resource Protection Line.' However, no land disturbance, as defined by the City's Grading Code, shall be authorized within **two hundred (200)** ~~two hundred fifty (250)~~ feet of the property's northern boundary line, **excepting the installation of a required berm and landscaping**, and seven hundred (700) feet of Pond Road, **except Lot 1 (and the allowable residential street approach** ~~**and centralized wastewater treatment facility**~~**).**

Access and Roadway Improvements

d. Access to Pond Road shall be limited to one (1) residential street approach located to provide required sight distance and flood-free access to all lots and constructed to conform to the requirements of the Department of Public Works in this regard. All work within the right-of-way shall be as directed by the Department of Public Works and no work in the same shall commence until authorized by the Department of Public Works.

e. Dedicate land area along the property's entire frontage that abuts Pond Road, at a minimum width of twenty (20) feet, while also providing sufficient right-of-way area for the construction of a left-turn lane into the subject site, including the installation of storm drainage facilities, as directed by the City of Wildwood Department of Public Works. The required sidewalk to be constructed in the Pond Road right-of-way area may be escrowed in lieu of its construction by the developer to the City of Wildwood, if deemed appropriate by the Department of Public Works and the Department of Planning. **Both of these required improvements can be considered creditable charges to the Traffic Generation Assessment Fee (TGA) that is assessed by the City on this development.**

f. Construct an internal private roadway system, within a forty (40) foot right-of-way easement, for vehicles and pedestrians to serve the residential lots within this development that complies with the requirements of the City of Wildwood's 'Rural Roadway Standards' and as approved by the Department of Public Works. Street widths shall be as approved on the Site Development Plan by the Planning and Zoning Commission. Earthen swales along portions of the internal street may not be required, where stormwater volumes justify their elimination. Along with this forty (40) foot

right-of-way area, provide eight (8) foot wide roadway maintenance, pedestrian, and utility easements on either side of this roadway dedication.

g. Dedicate a minimum thirty (30) foot easement/dedication along State Route 100 to the City of Wildwood and construct a multiple-use trail that conforms to its standards, which shall be as directed by the Department of Public Works. This trail must minimally provide an adequate distance from edge of the State Route 100 pavement area to create separation between vehicles and pedestrians. This requirement shall also mean the easement might meander through the area of the subject site abutting the State Route 100 right-of-way edge to address public safety considerations. **In lieu of construction of this multiple-use trail, a fee-in-lieu of may be accepted by the City of Wildwood for this purpose.**

h. No direct residential access from any individual lot within this development shall be allowed or authorized to State Route 100, Pond Road, and Lynda Jayne Lane.

Miscellaneous Roadway Requirements

i. Installation of landscaping and ornamental entrance monument or identification signage, if proposed, shall be reviewed by the Department of Public Works for sight distance considerations and approved prior to its installation or construction.

j. If required sight distance cannot be provided at the access location, acquisition of right-of-way, reconstruction of pavement, including correction to vertical alignment and other off-site improvements, may be required to provide the required sight distance as directed by the Department of Public Works.

k. The developer shall design, engineer, and construct a secondary access point into this residential subdivision for emergency purposes only. The design and engineering associated with this secondary emergency access shall be submitted and acted upon by the Fire Marshal of the Metro West Fire Protection District, before the Site Development Plan can be finalized by the Planning and Zoning Commission and any action forthcoming thereafter. This secondary emergency access point shall have controlled access/barrier that is permanent in nature and shall be the responsibility of the Homeowners Association to maintain and keep functional.

Parking Requirements

l. Parking spaces shall be provided as required by Chapter 415.340 Off-Street Parking and Loading Requirements of the City of Wildwood Zoning Ordinance for the R-1 One Acre Residence District. Minimally, two (2) parking spaces for each single family dwelling shall be provided.

Landscape Requirements - Specific

m. Landscaping shall adhere to all requirements of Chapter 410 of the City's Tree Preservation and Restoration Code and its accompanying Tree Manual, including the submittal of a Tree Preservation Plan in conjunction with the Site Development Plan.

n. All streets and roads shall be appropriately landscaped as required by the Chapter 410 Tree Preservation and Restoration Code and be approved by the Planning and Zoning Commission on the

Site Development Plan.

o. The areas of existing vegetation within the P.R.D. Overlay District boundaries identified as to be retained shall be marked on the site prior to the commencement of any disturbance in accord with the City of Wildwood's Chapter 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 Chapter 410 Tree Preservation and Restoration Code. Initial clearing and grubbing of the site shall be limited to the installation of the internal roadway system.

p. Landscaping within the defined common ground areas shall comply with Chapter 410 Tree Preservation and Restoration Code requirements and accompanying Tree Manual. Those areas of common ground to be used for stormwater detention/retention shall comply with the City of Wildwood requirements in this regard. The Planning and Zoning Commission on the Site Development Plan shall approve the planting pattern.

q. A registered Landscape Architect shall prepare, submit, and sign all plan(s).

r. A berm shall be constructed, with appropriate landscaping in size, type, and number, on Lot 2, so as to provide a visual separation between existing and proposed dwellings. The specifics of the berm's construction and associated landscaping shall be as reviewed and acted upon by the Planning and Zoning Commission on the required Site Development Plan.

Signs

s. Signs for this P.R.D. Overlay District shall be erected in accordance with Chapter 415.410 Sign Regulations of the City of Wildwood Zoning Ordinance for the R-1 One Acre Residence District.

t. 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

u. 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. Minimally, lighting levels and their design specifications shall be approved by the Planning and Zoning Commission, as part of a Lighting Plan submitted in conjunction with the Site Development Plan, and comply with City of Wildwood's Lighting Code – Chapter 415.450 of the Zoning Ordinance. **Street lights authorized within this development shall not exceed a total of four (4) in total number.**

Miscellaneous Conditions

v. Parking, circulation, and other applicable site design features shall comply with Chapter 1101, Section 512.4 "Physically Handicapped and Aged" of the S.L.C.R.O. 1974, as amended.

w. Hours of construction and grading activity shall be limited to 7:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday. No development (grading and

construction) activity shall be authorized on Sundays.

x. All retaining walls exceeding three (3) feet in height per section or crossing individual property lines shall be constructed of an appropriate inter-locking concrete block system or boulders. Walls crossing property lines shall be located in a maintenance easement. The Planning and Zoning Commission, as part of the Site Development Plan review process, shall approve said materials and design.

y. The generalized location of all utility easements for proposed service to this development shall be shown on a Typical Lot Diagram, as approved by the Planning and Zoning Commission on the Site Development Plan. Installation of utilities within the respective easements shall adhere to the requirements of the Natural Resource Protection Standards Analysis and, whenever practical, be placed in areas of existing or proposed disturbance relating to previous site activity, the construction of streets, or the layout of building lots.

z. All utilities serving this site shall be installed underground in accord with the requirements of the City of Wildwood's Subdivision and Development Regulations. Any existing easements located on the subject site, which are not being utilized, shall be vacated under the standard procedures of the City of Wildwood Subdivision and Development Regulations.

Sewage Treatment Plant

aa. A minimum four (4) foot high, sight-proof, chain link fence shall be installed around the perimeter of the area where the centralized sewage treatment facility is to be located on the site. This fence shall be constructed with a black vinyl coating, including support structures as well. Wood slatting may be incorporated in its design. The Planning and Zoning Commission shall approve the location of this fence on the Site Development Plan.

bb. Mechanical equipment associated with the operation of this facility shall be adequately screened and soundproofed to reduce noise associated with its operation over any given hour at the boundaries of the Planned Residential Development Overlay District.

cc. Mechanical systems shall be equipped with alarm systems, which will notify operators of any malfunctions or system failures and an emergency power source to provide for its operation in an event of a power failure. Minimally, the alarm shall be wired to directly notify the operator or maintenance contractor of the failure or shutdown. In the event of a system failure, operators shall meet all emergency procedures, as established by the Missouri Department of Natural Resources and the City of Wildwood.

dd. The proposed access roadway and maneuvering area will be a maximum of twelve (12) feet in width and paved. The remaining area within the perimeter of the fence not paved shall be surfaced in an appropriate dust-proof material, as determined and approved by the City of Wildwood's Department of Public Works.

ee. The developer shall provide a copy of a signed "pump and haul" agreement, whereby failure of the plant would implement a discharge shutdown; waste would be transported to an approved Metropolitan St. Louis Sewer District facility for disposal.

ff. The operator shall submit monthly inspection reports to the Missouri Department of Natural Resources and the City of Wildwood indicating adherence to all applicable standards established for the maintenance and operation of these types of facilities. This report must include a lab analysis of plant discharge samples (pH, BOD, TSS, fecal coliform) obtained and analyzed by a licensed, accredited laboratory.

gg. Operators of this facility shall provide verification of licensing with the Missouri Department of Natural Resources in the form of an approved Operating License. Along with this licensing requirement, the developer or Homeowners Association shall provide to the City of Wildwood a bond or cash deposit in the amount of five thousand dollars ($5,000.00) to guarantee the upkeep of this facility, per Section 510.090 of the City of Wildwood's Municipal Code. This bond or cash deposit shall be in place during the operation of the wastewater treatment facility.

hh. At any point in the future, the petitioner or the relevant Homeowners Association (or any entity of it), will be required to close this treatment plant, when public sanitary sewer service is available to this site by the Metropolitan St. Louis Sewer District (MSD) or other comparable public district/agency. De-commissioning of the plant shall be the responsibility of the owner/developer and completed according to Missouri Department of Natural Resources (MDNR) and Metropolitan St. Louis Sewer District (MSD) standards. **Final determination of the plant's decommissioning shall be at the sole discretion of the Metropolitan St. Louis Sewer District (MSD) and the City of Wildwood.**

ii. The Homeowners Association shall be required to employ a maintenance contractor that has offices or facilities within a fifty (50) mile radius of the subject site. Verification shall be provided in the form of the signed contract with the location of the office/facility clearly noted.

jj. The location of this centralized wastewater treatment facility shall be **in a common ground area owned by the Homeowners Association and located between proposed Lots 13 and 14, as shown on the revised Preliminary Development Plan that is dated March 22, 2016.** ~~**and to the south of the proposed residential street approach, but no closer than one thousand five hundred (1,500) feet of the State Route 100 right-of-way and two hundred (200) feet of any lot with an existing dwelling located upon it.**~~ ~~not be closer to the south boundary of this Planned Residential Development Overlay District than the following: six hundred (600) feet from Pond Road and three hundred (300) feet from the southern boundary of the property.~~

5. PUBLIC SPACE REQUIREMENTS

Developer shall construct improved public space in conformance with or otherwise satisfying the requirements of the City's Public Space Ordinance, Chapter 415.260 of the City of Wildwood's Zoning Ordinance. The City Council accepts the findings of the Public Space Study adopted therein and determines the compliance with the Public Space Ordinance provisions will address the impact of this specific development on public space needs in a manner and amount that is equal to or less than an amount that is roughly proportional to the actual or anticipated impact. The installation of required public space improvements shall be as required by the applicable ordinance, but shall be completed prior to issuance of any zoning authorizations for building permits in excess of fifty (50) percent of the total dwellings 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 permitted lots, shall be 41,818 square feet or its

equivalent. Qualifying public space shall be deemed to include, in this instance only, the public multiple use trail that is referenced in Section 4(g.) of this ordinance and designed in accordance with the recommendations contained therein. This trail shall be located within an easement, a width to be determined, so as to provide ample and safe separation from the edge of pavement along State Route 100. The design and construction shall conform to the City of Wildwood requirements and be as directed by the Department of Public Works.

6. TRAFFIC GENERATION ASSESSMENT FEE

The developer shall contribute to the West Area Traffic Generation Assessment Trust Fund established by Section 140.210 of the City of Wildwood's Revised Codes. This assessment may be paid in full at the time of the first Zoning Authorization for any building or structure, or at the time of each Zoning Authorization for the individual dwellings. This contribution shall not exceed the amount established by multiplying the ordinance-required number of parking spaces by the following rate:

Type of Development	*Required Contribution*
Single Family Dwelling	$1,212.72 /Parking Space

(Parking space, as defined by Chapter 415.340 of the City of Wildwood Zoning Ordinance.)

Credits to this fee are at the sole discretion of the City Council of the City of Wildwood. If the type of proposed development differs from that listed, rates shall be provided by the Department of Public Works.

The amount of this required contribution, if not submitted by January 1, 2017, 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.

7. 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 Department of Public Works 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 standards.
   2. All stormwater shall be discharged at an adequate natural discharge point.
   3. Retention/detention of differential runoff of stormwater shall be required. Stormwater management shall be provided in permanent retention/detention facilities, such as ponds or other acceptable alternatives. These retention/detention facilities shall be completed and in operation prior to the issuance of building permits for an approved dwelling unit, except display lots.
   4. All proposed retention/detention facilities and related stormwater improvements shall be located in a common ground area and insure perpetual maintenance to the Homeowners

Association to be created at the time of platting of this development.

5. The developer of this site shall be solely responsible to provide the necessary mechanisms, as part of the Site Development Plan/Improvement Plan process, to implement "best management practices" for stormwater management and the construction of related facilities. Minimally, these practices/facilities should include rain gardens, vegetative swales, and other options to substantially reduce the amount of stormwater leaving the subject site.
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 right-of-way.
7. A bond or letter of credit will be required by the City of Wildwood to cover any downstream damage to abutting or adjacent properties, common ground areas, or drainageways caused by the developers' use of this subject site (land/disturbance/grading/construction activities, etc.), which shall be used for the restoration of damaged areas to their pre-development condition, if the developers fail to meet their responsibilities in this regard. The amount of this bond and the establishment of the process for creating an accurate baseline condition for the existing downstream facilities shall be at the discretion of the City of Wildwood Department of Public Works, in conjunction with input from the petitioner's engineer.

Geotechnical Report

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

Natural Resource Protection Standard Plans

c. 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.

Archeological Inventory

d. The archeological assets of this subject site, such as remnants of buildings, structures, or other improvements, shall be cataloged, photographed, and preserved, if possible, by a professional/firm with expertise in this field. This survey shall meet generally accepted industry practices and procedures for the delineation of areas, assets, and other considerations to guarantee that these features are catalogued, recorded, and addressed before any land disturbance can occur on the site. The City of Wildwood's Historic Preservation Commission shall approve the professional/firm chosen by the developer of this project to conduct this assessment and survey, before any of this related activity occurs on the site.

Stormwater Pollution Prevention Plan

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

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 PERMITS

Notification to Department of Planning

a. Subsequent to approval of the Site Development Plan and prior to issuance of any grading, foundation, or building permit, all approvals from the Department of Public Works, the Metro West Fire Protection District, the Missouri Department of Transportation, the U.S. Army Corp of Engineers, and the Missouri Department of Natural Resources must be received by the Department of Planning.

b. Prior to issuance of foundation or building permits for any lot adjoining a common area or detention facility, written certification from a professional engineer, which verifies these areas are graded in accordance with approved plans, must be received by the Department of Public Works.

Land Subdivision

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

Indentures

d. 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 the provisions of Chapters 415.470 and 415.510 of the City of Wildwood Zoning Ordinance.

Public Potable Water

e. The developer shall be required to provide public potable water from the Missouri American Water Company to the property, and related homesites. Verification of this service shall be in a form acceptable to the City of Wildwood. Additionally, the design and location of this water system shall be reviewed and acted upon by the Planning and Zoning Commission, as part of the Site Development Plan submittal process.

Escrow Requirements

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

Traffic Generation Assessment

g. Traffic Generation Assessment contributions shall be deposited with the City of Wildwood in the form of a cash escrow prior to the issuance of building permits. If development phasing is anticipated, the developer shall provide the Traffic Generation Assessment Contribution prior to the issuance of building permits for each phase of the development.

Roadway Improvements

h. Based upon the preliminary development plan, improvements to the Pond Road right-of-way must be completed prior to issuance of the building permits in excess of twenty (20) percent of the total.

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 and must comply with the Stormwater Pollution Prevention Plan for this development (SWPPP). The developer shall be solely responsible for obtaining any temporary slope and construction licenses needed to address the installation of public and private improvements on this site that require the use of adjoining parcels of ground that are not under their ownership or control. A demolition permit is required for the removal of the existing dwelling and related structures.

c. A copy of the most recently approved Site Development Plan for this P.R.D. Overlay District subdivision shall be prominently displayed at all times in all sales offices of this project

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. The developer is advised that utility companies will require compensation for relocation of their utility facilities within public right-of-way. 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 infrastructure improvements.

f. 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. This restoration must occur within thirty (30) days of the conclusion of preliminary grading as determined by the Director of Public Works.

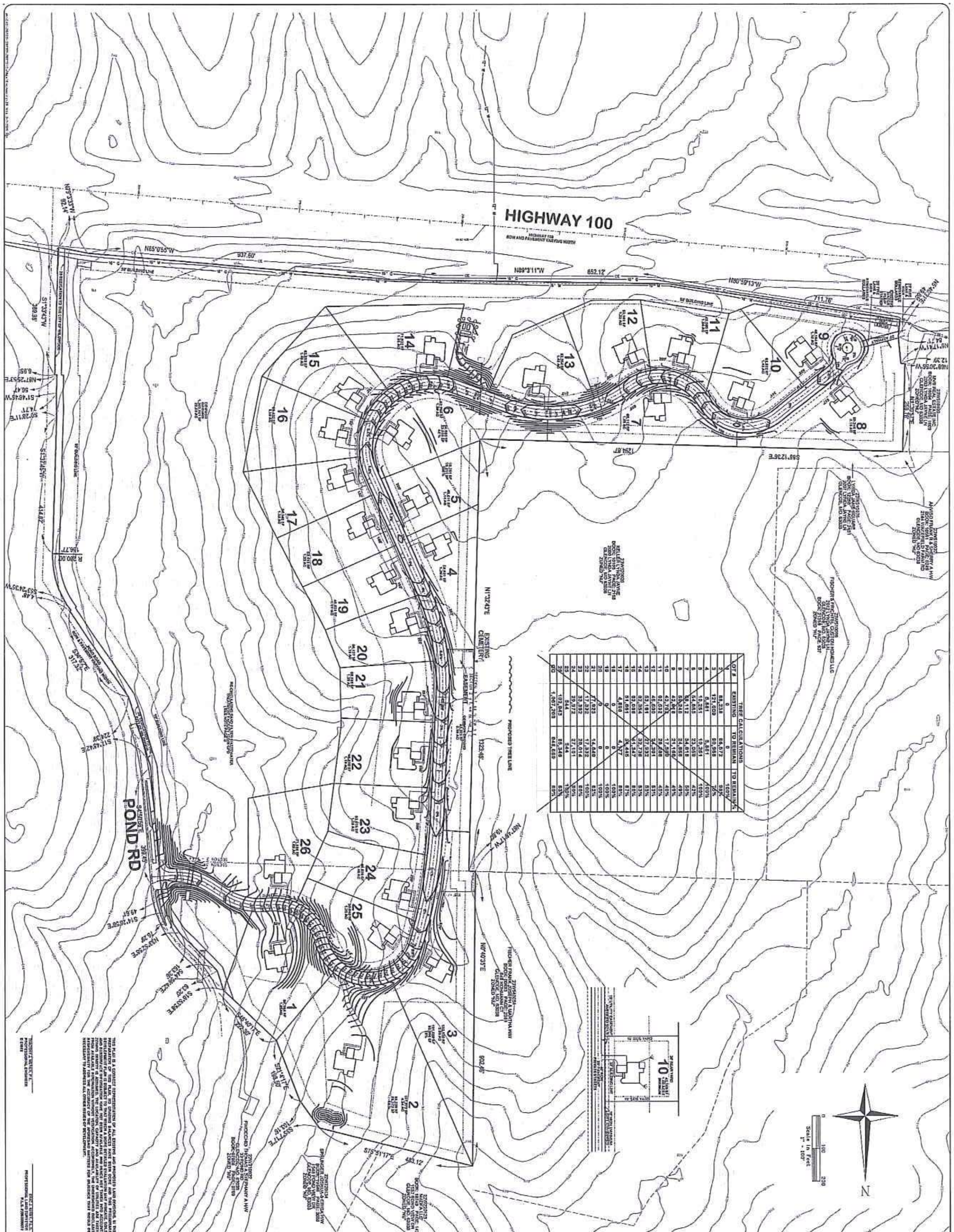
g. Failure to comply with any or all of the conditions of this ordinance shall be adequate cause for revocation of permits by issuing City of Wildwood Departments or Commissions.

h. 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.

i. Any other applicable zoning, subdivision, or other regulations or requirements of the City, whether in effect at the adoption of this ordinance or as may be hereinafter adopted, shall further apply to the development of this property as authorized by this Planned Residential Development Overlay District Ordinance, except as may be provided by law. Nothing herein shall be deemed a waiver of any subdivision, zoning, or other development regulation of the City whether by implication or reference.

j. This zoning approval is conditioned on compliance with the Zoning Ordinance, 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 this Planned Residential Development Overlay District, except where this ordinance has expressly modified such regulations by reference to the applicable provision authorizing such modification.

ATTACHMENT C
Preliminary Development Plan



TREE CALCULATIONS			
LOT #	EXISTING	TO REMIAN	TO REMAIN %
1	0	0	100%
2	68,238	66,672	98%
3	121,000	90,968	75%
4	6,681	5,681	100%
5	10,251	10,251	100%
6	54,865	23,060	42%
7	50,112	24,810	50%
8	50,240	24,656	49%
9	42,810	21,166	49%
10	43,703	17,590	40%
11	62,032	26,288	40%
12	46,600	24,301	53%
13	53,181	27,932	55%
14	62,354	32,736	53%
15	83,000	41,347	80%
16	51,661	34,446	67%
17	4,800	4,277	89%
18	0	0	100%
19	0	0	100%
20	0	0	100%
21	17,925	14,840	82%
22	17,332	17,332	100%
23	33,392	20,014	60%
24	29,972	27,101	90%
25	844	844	100%
26	102,843	85,346	83%
GC	1,067,208	648,680	60%

PRELIMINARY DEVELOPMENT
& TREE PRESERVATION PLAN

Base Map No. 23V
23V320033
20710

03-22-2016
1

1971 POND ROAD

REVISED:
11-13-2015
12-16-2015

VOLZ Incorporated
ENGINEERS
LAND PLANNING
LAND SURVEYING
TRANSPORTATION
CONST. MANAGEMENT
10849 Indian Head Ind'l. Blvd.
St. Louis, Missouri 63132
314.426.6212 Main
314.890.1250 Fax
www.volzinc.com

03-22-2016 PlAN Version

ATTACHMENT D
Background Information

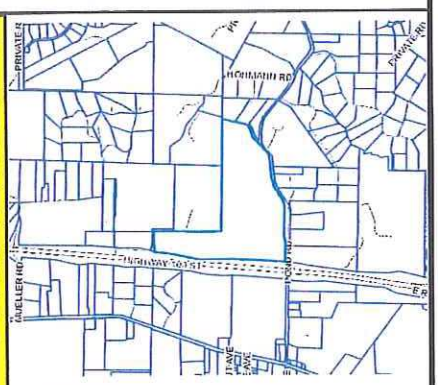
WILDWOOD

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.

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

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 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
Access of the Subdivision to Pond Road	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.	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. 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. 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. The Department also agreed to investigate the following items: a. traffic counts on Pond Road; and b. accidents and summonses on Pond Road. These items are underway, but not completed at this time.

Resident Concern	Discussion Points	Outcome
The use of the Planned Residential Development Overlay District (PRD)	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.	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.
Privacy Concerns Along the Perimeter of the Site	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.	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.
Wastewater Treatment Facility	The residents asked about this plant, its operation and function, along with its location.	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.
Lighting Plan	The residents want the least amount of lighting as possible and preserve the dark sky.	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.

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.

OLD BUSINESS **AGENDA ITEM**

WILDWOOD

INFORMATION REPORT

City of Wildwood, Missouri
Prepared by the Department of Planning
Draft Date: March 7, 2016 (1st Publication - February 16, 2016)
"Planning Tomorrow Today"

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
Information Report Decision Date and Vote:	March 7, 2016 – **TBD**
Report:	Attachment A
Conditions:	Attachment B
Preliminary Development Plan:	Attachment C
Background Information:	Attachment D
School District:	Rockwood
Fire District:	Metro West
Ward:	One

Recommendation: The Department of Planning is recommending the Planning and Zoning Commission support the requested application of a Planned Residential Development Overlay District (PRD) upon the existing NU Non-Urban Residence District zoning district designation of this 78.0 acre site, which would authorized up to twenty-five (25) single family dwellings on individual lots, with common ground and public space.

1. In this report, the Department has determined the request complies with the Master Plan's Conceptual Land Use Classification of Non-Urban Residential Area, as well as a number of its goals, objectives, and policies in this regard.
2. In this report, the Department has noted the compatibility of this residential use with the surrounding development pattern.
3. In this report, the Department also notes the compliance of the proposed design of the site with the eight (8) standards that must be met for the City to authorize a Planned Residential Development Overlay District (PRD), which is partially met through the Department's recommended changes explained in the Information Report.

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 at the current entry/exit to the site. No improvements are planned to Pond Road, except a twenty (20) foot wide dedication of land area to the City of Wildwood is indicated.
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 recirculating sand filter design. The facility is shown on the plan being served by a ten (10) foot wide gravel roadway, from an access point off of Pond Road.
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 Overly 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 Department of Planning'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 Department can consider a recommendation, which supports the request.

< Master Plan >

The Department 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 2006

Over the course of 2005, 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 February 21, 2006, when the City's Planning and Zoning Commission approved the Master Plan Update 2006 by a unanimous vote (7 to 0). The City Council then ratified this action of the Planning and Zoning Commission on March 27, 2006.

The **Master Plan Update 2006** edition reflected a refinement of the original document 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 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 considering the changes to the document, the Planning and Zoning Commission noted the following: "these benefits (listed below) are equally tangible and further reinforce the desire of those voters supporting the incorporation in 1995, now ten (10) years later, that Wildwood must retain its unique character." These other benefits from the proposed revisions to the plan are as follows:

1. Memorialized the history and successes of the last ten (10) years as a community and recognizes the support of residents and property owners in this effort.
2. Promoted policies to encourage the recycling of all waste materials in the City, particularly construction wastes and debris, and continued to prioritize the protection of Wildwood's and the surrounding area's environmental resources by encouraging reuse of products.
3. Re-enforced the concept of the Town Center Area and the planning process associated with it by encouraging the provision of public potable water, sanitary sewers, and other utilities to its unserved portions.
4. Placed greater responsibilities on developers of properties to protect groundwater resources for potable water purposes.
5. Required 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.
6. Recognized the need to provide a mix of housing types in the City for all age groups and income levels.
7. Planned reduction in density of residential housing in the remaining areas of the City designated as 'Sub-urban Residential Area.'
8. Encouraged the more harmonic development of property with the surrounding natural and built environments.
9. Summarized major challenges facing the City in the upcoming ten (10) year period.
10. Imported priority to providing Internet service to the whole community at a serviceable standard.
11. Supported the continued use of private contractors to provide public services.
12. Implemented the first of many policies to preserve current housing stock and promote its maintenance.
13. Re-enforced the current policies of the City in terms of addressing unsafe streets, roadways, and bridges by repair and replacement.
14. Introduced internal review procedures to meet the goals, objectives, and policies of the other four (4) elements of the Master Plan for City-initiated projects and efforts.
15. Demanded more effort and resources be provided to improve open space and recreational opportunities in the City.
16. Maintained 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 Group, 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 Department 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 Pointe 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
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

[1] PRD – Planned Residential Development Overlay District

< 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 Department of Planning that petitioner's proposal does comply with the Master Plan and can be supported in its current form. Accordingly, the Department would support the approval of the Planned Residential Development Overlay District (PRD) for the subject site to allow no more than twenty-five (25) lots. The reduction in the proposed lots reflects a desire to have a lot width standard (at the 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 and 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	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. 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 Department 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.
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, petitioner's proposal does comply with each of them.

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 and 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 Department of Planning. In summary, the consistencies 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 achieved.

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 Department 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 Department is recommending the petitioner's participation in required roadway improvements along the subject site's frontage along Pond Road.

Transportation Element -

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 Department of Planning the requested Planned Residential Development Overlay District (PRD) is consistent with, and adheres to, the City's Master Plan. In fact, the comparison completed above indicates the proposal is in full compliance with the applicable policies of this plan.

< Compatibility of the Use >

The Department, in reviewing this request, would note its compatibility with the area land use and zoning pattern, which also supports the recommendation for its approval. Principally, the issues of compatibility are reflected as follows:

1) The development is at a three (3) acre density, which is consistent 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 approval.

< 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 analyzed on an individual basis provide the following information relative to the petitioner's request:

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

Department is 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 Department, is supportive of the clustering concept for other reasons than 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.

Along with this reason, the Department has noted in other discussions on this topic that 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). Accordingly, the Department believes the appearance of this development will not drastically differ than others in the immediate area (three (3) acre lots).

Standard Two:

The second of these standards is open space. This standard is further defined by three (3) subcategories, which include (1.) open space is accessible, functional, and useable; (2.) open space is provided on all private lots; and (3.) the Planned Residential Development Overlay District (PRD) ensures the preservation of the site's natural features.

Under the proposed design, the first and second subcategories regarding useable open space is easily met by the one (1) acre minimum lot size, which is established here, and over thirty-five (35) acres of common ground being provided to future residents for their use as passive recreational areas, habitat protection, and aesthetic value, as well as addressing the locations for stormwater and wastewater treatment facilities. The Department, as part of its recommendation, is seeking the protection of the main drainageway that defines the eastern two-thirds (2/3) of the site from inappropriate disturbance. Within the conditions associated with this recommendation, the Department supports the use of the proposed common ground areas planned on this site for passive purposes only, leading to the relocation of the proposed wastewater facility to another portion of the subject site. This relocation needs to reflect an area of the site that is less visible, a substantial distance from any nearby residentially-used property, and using proposed improvements for access, rather than adding more site disturbance for such.

The petitioner has submitted an analysis from a professional soil scientist indicating 28.7 acres of the development tract of land must be preserved from use or disturbance. Included in this protected area are the site's ephemeral drainageways, steep slopes, and poor conditions caused by soil content or restrictive layers. Accordingly, some fifty (50) acres of the subject site can be disturbed by development activity related to the preparation of the parcel of ground for building pads and infrastructure and utility installation. Petitioner's analysis indicates the protection of 41.09 acres of the site, with disturbance of 36.92 acres of the property for the construction of these proposed homesites. Such an arrangement means the petitioner is utilizing less area of the site for development purposes than allowed by the Natural Resource Protection Standards Analysis. Such a development design is positive and consistent with the intent of the Planned Residential Development Overlay District (PRD), which, again, when utilizing clustering less of the property needs to be disturbed and more can be preserved for perpetuity.

Although compliant to the City's preservation standards, the petitioner, and the design team, has created at least two (2) lots that appear to be fitted into the site, with some difficulty, which indicates to the Department that a reduction in the overall amount of them is needed. The Department believes it is imperative to combine Lot 8 and 9 together to provide a more appropriate buildable area for use and create an appropriate size and configuration to match the surrounding pattern of development. Accordingly, the Department is recommending that no more than twenty-five (25) lots be authorized within the boundaries of this Planned Residential Development Overlay District (PRD).

As part of this trail system, the Department is also recommending that, as part of the dedication of the easement area along State Route 100, the petitioner be responsible for the installation of a public multiple-use trail. This trail would substitute for a sidewalk and extend the length of the property's frontage along State Route 100. This public segment of trail could be utilized by the residents of this proposed subdivision and the surrounding community, so both parties could derive a direct benefit from the ultimate use of this property.

With the application of the City's Public Space Ordinance, this development is now required to provide qualifying amounts consistent with its requirements. The petitioner is planning on providing the required 41,817 square feet of qualifying public space in the following manner: the trail dedication, without its construction, and common ground area. The amount of these dedications and improvements would equate to full compliance for the purposes of the Public Space Ordinance, if the City defers trail construction. In these areas, improvements are planned and would be required to comply with the Public Space Ordinance in this regard.

Two (2) major components must be discussed in regards to the Public Space Ordinance requirements, as it relates to this design. The first component, which is

alluded to in the above paragraph, seeks to allow the public trail easement to be used for qualifying public space, despite a prohibition in the ordinance against it due to it being a function of the zoning process. Therefore, the current request, without the benefit of this waiver, would not meet the minimum area of required public space for the number of recommended lots (common ground can only be credited for fifty (50) percent of the required public space, or approximately twenty-thousand (22,000) square feet).

The Department would note with regards to this matter it supports this allowance, given the unusual nature of this project and the extent of this trail component. The Department is recommending the trail be placed in a minimum thirty (30) foot wide easement to the City, but if needed, be increased in size to accommodate stormwater features in this area and topography. This trail would improve safety and allow its users a better experience from all perspectives. The trail's location in this easement would be premised on site characteristics and City of Wildwood requirements.

The second component relates to the existing cemetery that is located on the subject site and its placement in common ground, which is being credited to a certain amount for qualifying public space for this development. The cemetery is protected for perpetuity and the future homeowners association must allow access to it for family members to visit as well. Both of these protections are established by State Statute and supported by the City. It is important to state the cemetery will need some immediate cleanup of its area, while on-going maintenance will be the responsibility of the newly formed Homeowners Association. The Department does not object to this cemetery being part of the qualifying public space for this development and, given its historic nature, is appropriate from that perspective as well.

Standard Three: The third of these standards is landscaping, buffering, and screening. This standard is further defined by five (5) subcategories, which include (1.) the use of a variety of plants, colors, and hard surfaces for character in the development; (2.) the use of appropriate sized plantings; (3.) the inclusion of attractive streetscapes; (4.) the use of buffering between activities by landscaping; and (5.) the creation of continual maintenance provisions as part of the Planned Residential Development Overlay District (PRD).

With regards to the variety of plants, colors, and surfaces and sizing and maintenance, the City's Tree Manual requires that all developments comply with these requirements. The conditions of the Planned Residential Development Overlay District (PRD) allow the City to impose requirements consistent with the intent of this standard, and specifically in the area of the centralized treatment facility, the development's entry area, and the hillside where the main internal roadway is to be located. These areas are either visible from adjoining roadways or properties or need

softening for the residents who will reside near them or pass by when entering or leaving the development. In the instance of this request, the standards of the Tree Manual will be applied.

The need for buffering throughout the site is lessened, given the size of lots and their proposed layout. Additionally, the preservation of existing tree masses at the proposed percentages by the petitioner provides an excellent buffer as well. This amount of tree preservation is well over forty (40) acres of the site and meets the City's requirements in this regard.

The petitioner is proposing to create a Homeowners Association, which will be responsible for maintenance and upkeep of the centralized wastewater treatment plant, along with all other improvements, including the private roadways. This association will be created at the time of the platting of this development and the City requires certain considerations be placed in the indentures to provide for this continual maintenance responsibility for improvements. Therefore, this subcategory will be met under the current requirements of the City's Zoning Ordinance and Subdivision and Development Regulations.

Standard Four: The fourth of these standards is internal circulation and appropriate linkages. This standard is further defined by five (5) subcategories, which include (1.) reductions in the speed of vehicular movements; (2.) reductions in pedestrian-vehicle conflicts; (3.) encouragement of connections between the new streets and the existing network; (4.) reductions in land area devoted to streets; and (5.) institution of appropriate design and construction standards.

With regards to the petitioner's request, the Department would note the single main internal street is to be built, which will serve the twenty-five (25) recommended lots. This street will be placed in a standard right-of-way dimension (forty (40) feet), with a twenty (20) foot pavement area. Given the nature of this development and the width of the ridgelines, where this development is planned, no sidewalks are proposed. Eliminating sidewalks will reduce site grading to a degree. Conversely, an easement is being requested on both sides of the right-of-way area to allow for a future installation of a trail system, if sought by a majority of the individual owners of lots.

The location of the proposed access point onto Pond Road for this development was discussed by many parties at the public hearing, all noting their concerns about safety of it at this proposed location. The proposed access point was shown at a location, where a double turn and varying slopes exist and creates concerns about sight distance, accidents, and overall safety. The petitioner has proposed to relocate the access point further to the south on Pond Road and construct it at a location that avoids the double curves that are located further north on this roadway. This location has been reviewed by the City's Department of Public Works and it has determined that minimum sight distance is provided for such and its location there can be

accommodated, based upon compliance to Wildwood design criteria. Therefore, the Department is supporting this change in the location of the development's access point.

This relocation of the access point does increase the extent of grading associated with its construction, in a very visible portion of the site along Pond Road. Therefore, the Department is recommending the petitioner use retaining walls on both sides of the proposed access point, and associated roadway, to reduce the extent of grading and the site disturbance to a smaller, overall portion of the property. These walls must be constructed respectful of sight distance, while complementing the natural and built environments around them in terms of material, color, and style.

Although during the public hearing on this matter, a discussion was held on whether to potentially use Lynda Jayne Lane for primary access to this site, given it might have less sight distance issues associated with it than Pond Road. The Department does not support it. The Department would note the roadway is rural in nature and somewhat in disrepair, which could be corrected by this petitioner, but would bring a certain level of traffic to this area, which depends on a right-in/right-out access point onto State Route 100. The Department believes Lynda Jayne Lane can be used for secondary emergency access, but not for the overall development's use.

The provision of stub streets in this development is not planned, given two (2) sides of the subject site abut existing roadways and a third has established three (3) acre, occupied lots located at the common boundary. However, the western boundary of this site does abut a large tract of land that might benefit from an option of a future stub street connection. However, the Department has found that extending stub streets in large-lot subdivisions, with private roadways, is difficult, given payments for maintenance of the improvements between two (2) different homeowners association is often cited as an issue and attributing responsibility for wear and tear between the parties an on-going problem. Although the difficulty does exist, the Planning and Zoning Commission and City Council could create a reservation area, with the option for future use, if determined appropriate for this connection.

Given certain segments of the internal roadway do exceed a ten (10) percent grade, it is important to note such and identify if acceptable or not, as part of this subdivision's design. This grade is not normally acceptable to many developers or buyers in new residential communities, but, given the characteristics of this site, the need for this grade is premised on limiting site disturbance and following a cleared area already existing on the site. With these roadways intended to be private, the City's 'Rural Roadway Standards' allow for this grade to be considered favorably and, in the Department's opinion, acceptable.

The Department is recommending the dedication of right-of-way along Pond Road to the City for further widening of the pavement area and other future improvements

to the roadway. The petitioner has indicated this dedication on the submitted Preliminary Development Plan, but does not indicate any improvements therein. Although Pond Road functions, given the volume of traffic at generally satisfactory levels of service, the Departments of Public Works and Planning are recommending a left-turn lane be constructed on Pond Road to accommodates southbound turning movements into this development. This left-turn lane will assure the safety of drivers and can be considered a creditable charge to the required Traffic Generation Assessment Fee of the City for this project.

An issue that remains with the Pond Road improvement is the lack of any pedestrian facilities along its length. As noted above, the petitioner is providing a twenty (20) foot dedication of land area to right-of-way purposes, but does not indicate any improvements therein. The length of the site's frontage on this roadway is significant and installing a sidewalk would be costly, but the Department does believe such a feature is needed at this location. However, the Department would recommend the petitioner provide an escrow, in an amount sufficient to cover the cost of its construction at a future point. The installation of this sidewalk could then be bundled with the City's trail project on State Route 100, between the community park and Pond Road, and obtain some economies of scale in this regard. The City's trail project is funded for 2016 construction, so this improvement could be completed within the next couple of years.

The fire district has requested an emergency access be provided, beyond just the proposed curb cut onto Pond Road. This emergency access point is located at the westernmost end of the proposed internal street and would eventually access Lynda Jayne Lane. The access point would be controlled and could only be used by police, fire, and EMS services. The Department supports this secondary emergency access point and believes its construction is appropriate for the safety of these residents. The fire district must first approve the location, design, engineering, and construction specifications of this secondary emergency access point, before action on the Site Development Plan by the City's Planning and Zoning Commission could proceed. This staging will ensure this access roadway meets all needed standards for use in an emergency situation.

Standard Five: The fifth of these standards is parking. This standard is further defined by three (3) subcategories, which include (1.) the utilization of appropriate design considerations to reduce the impact on the development's character; (2.) the reduction in land area used for parking; and (3.) the adherence to City standards.

The design of this development is typical of most rural subdivisions. Parking is provided in an enclosed structure, which supports a minimum of two (2) spaces per household. The Zoning Ordinance requires two (2) spaces for each residence.

Standard Six: The sixth of these standards is livability. This standard is further defined by four (4) subcategories, which include (1.) noise reduction; (2.) visual separation; (3.) lighting limits; and (4.) amount of cut and fill.

The petitioner's design, with the larger lots and their placement addresses many of the issues relative to noise reduction and visual separation between the individual lots and residences themselves. In most instances, the minimum distance between dwellings is sixty (60) feet. Additional tree preservation within the sideyard setback areas between the respective dwellings is anticipated by the Department of Planning to further improve the character of this subdivision in that specific regard. All street lighting will meet the City's requirement for reducing trespass and pollution. The issue of cut and fill is minimized by the petitioner's use of the Planned Residential Development Overlay District (PRD) and compliance to the Natural Resource Protection Standards.

Standard Seven: The seventh of these standards is building and neighborhood design. This standard is further defined by five (5) subcategories, which include (1.) variety and quality of design; (2.) compatibility; (3.) orientation; (4.) density; and (5.) view.

The petitioner's proposal appears to address many of these considerations. Although single family dwellings are proposed, in an area of similar uses, the type and design will be different than what currently exists there. The Department has, by its earlier recommendation, determined the density of this development adheres to the appropriate underlying zoning district classification that supports the Master Plan. The building orientation in this proposed development is a reflection of topography and the ridgelines formed by them. These site factors generally create a north/south street with homesites facing east/west. Cooling considerations are a factor, given the direction of movement of the morning and evening sun in the summer months.

Standard Eight: The eighth standard is community interest. The development of this site for residential uses is consistent with the Master Plan's recommendation for conceptual land use in this area of the City. The use of the Planned Residential Development Overlay District (PRD) would appear to be in the overall, and best, interest of the City, since it allows the City to protect the site's natural characteristics, while allowing for the utilization of the property for its permitted use – single family dwellings.

Summary and Recommendation

The Department has found, based upon the review and analysis of the petitioner's proposal, the requested Planned Residential Development Overlay District (PRD) is consistent with the City's Master Plan; compatible with the surrounding land use pattern; and complies with the Planned Residential Development Overlay District (PRD) requirements of the Zoning Code. Therefore, it is the recommendation of the Department of Planning 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) be supported by the Planning and Zoning Commission and such action be contingent upon the petitioner adhering to all the requirements of Attachment B of this Information Report.

ATTACHMENT B
Conditions

ATTACHMENT B - CONDITIONS

1. PERMITTED USES

This Planned Residential Development (P.R.D.) Overlay District shall authorize the maximum development of twenty-five (25), detached single family dwellings on individual lots, with common ground, and all permitted accessory structures. Common ground areas shall be a minimum of thirty-five (35) acres in overall area, preserved for perpetuity as such, and cannot be subdivided after the initial Record Plat for this development is approved by City Council. The minimum area of this Planned Residential Development Overlay District shall be seventy-eight (78) acres. A re-circulating sand filter type, centralized wastewater treatment facility shall be provided to serve this site.

2. LOT SIZES, DEPTHS, AND BUILDING REQUIREMENTS

a. The developer(s)/Homeowners Association of this residential subdivision shall have the option of providing a recreational facility, which can include an outdoor swimming pool and related cabana. The placement and construction of this recreational amenity must comply with the Natural Resource Protection Standards Analysis conducted for this site.

b. Each dwelling unit shall be located on an individual lot of record, which shall not be less than one (1) acre in overall size. The minimum width of any lot within this P.R.D. Overlay District shall be two hundred (200) feet in distance at the front building line, except for parcels of ground located within any cul-de-sac **and Lots 14 through 18**. These lot frontages (within the cul-de-sacs) shall be as approved on the Site Development Plan by the Planning and Zoning Commission.

c. The depth of all lots within this residential subdivision shall be a minimum two hundred (200) feet in size, **except Lot 17.**

d. No building and/or structure shall be more than two (2) stories above final grade, as measured from the front building line on any individual lot at street elevation.

e. The maximum area of this 78.0 acre tract of land, which can be used for development and related land disturbance for the permitted and accessory uses, shall not exceed thirty-six point nine (36.9) acres, not including the Director of Planning's five (5) percent variance.

f. The minimum amount of this 78.0 acre tract of land, which must be preserved as part of this development, shall be forty-one point one (41.1) acres in overall size, not including the Director of Planning's five (5) percent variance.

g. Lot sizes, configurations, and locations shall comply with the City's general lot design standards set forth in its *Subdivision and Development Regulations*. Variations to these lot design standards referenced therein must be submitted and acted upon by the Planning and Zoning Commission, as part of its current review process. Any requested modifications to these lots shall be based upon locations that are most suitable for disturbance and consistent with the Natural Resource Protection Standards of the City's *Subdivision and Development Regulations*.

3. PLAN SUBMITTAL REQUIREMENTS

Within twelve (12) months of the P.R.D. Overlay District approval by the City Council, and prior to any site disturbance, the developer shall submit to the Planning and Zoning Commission for their review and approval a Site Development Plan. Where due cause is shown by the developer, this time interval may be extended once by the Planning and Zoning Commission in accord with requirements of Chapter 415.510 of the City of Wildwood Zoning Ordinance. Said Site Development Plan shall include, but not be limited to, the following information:

a. Outboundary plat and legal description of the property.
b. A general numbered lot plan, with setback lines from all streets and roadways on and adjacent to the property. A typical configuration for a lot indicating all site design information such as, but not limited to, right-of-way width, improvement dimensions and locations, setbacks, and building placement, along with minimum and maximum sizes.
c. A general plan indicating setback lines along the perimeter of the subject tract of land and surrounding property lines and related improvements within one hundred (100) feet of this site's boundaries, i.e. curb cut and access locations, stormwater facilities, and utility installations.
d. Location of all roadways adjacent to the property, including required roadway right-of-way dedication and pavement widening, with existing and proposed improvements and sidewalks, and general location, size, right-of-way, and pavement width of all interior drives.
e. The location and size of all freestanding signs, lighting, fences, and other above ground structures, except retaining walls less than two (2) feet in height per section.
f. Existing and proposed contours at vertical intervals of not more than two (2) feet.
g. General location of sanitary sewer and stormwater facilities.
h. Parking and density calculations.
i. Conceptual location and size of common ground areas, if provided.
j. A Landscape Plan including, but not limited to, the location, size, and general type of plant materials to be used in accord with the City of Wildwood's Chapter 410 and accompanying Tree Manual.
k. An inventory of the percent of tree canopy or individual trees to be retained on the site indicated on a Tree Preservation Plan completed in accordance with the City of Wildwood Chapter 410 Tree Preservation and Restoration Code and accompanying Tree Manual.
l. Location of all existing and proposed easements.
m. 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:

Building Setbacks – Residential

a. All buildings or structures[1], other than boundary and/or retaining walls, approved fences, detention/retention facilities, and/or light standards, shall adhere to the following setbacks, as specified in Chapter 415.110 R-1 One Acre Residence District of the City of Wildwood's Zoning Ordinance, except as noted below:

[1] *The definition of structure includes the centralized wastewater treatment plant.*

1.) Thirty (30) feet from any roadway right-of-way, whether public or private, except a one hundred (100) foot distance from State Route 100 and a three hundred (300) foot distance from Pond Road, shall be required.
2.) Fifteen (15) feet from any side yard property line of any individual lot, but a minimum of thirty (30) feet shall be maintained between buildings on adjoining lots
3.) Thirty (30) feet from any rear yard property line of any individual lot.

Parking Setbacks - Residential

b. All parking stalls or loading spaces, excluding points of ingress or egress and streets and roads, shall comply with the requirements of Chapter 415.110 R-1 One Acre Residence District of the City of Wildwood's Zoning Ordinance, except for a one hundred (100) foot distance from State Route 100 and a three hundred (300) foot distance from Pond Road shall be required, **while also excepting Lot 1, which shall be as approved on the Site Development Plan**. All single family dwellings shall be constructed with rear or side-entry garages only; no front-loaded garages are authorized.

Miscellaneous Setbacks - Right-of-Way and Other Locations

c. No portion of any residential building foundation shall encroach within twenty-five (25) feet of the 'Final Resource Protection Line.' However, no land disturbance, as defined by the City's Grading Code, shall be authorized within **two hundred (200)** ~~two hundred fifty (250)~~ feet of the property's northern boundary line and seven hundred (700) feet of Pond Road, **except Lots 1 and 25 (and the allowable residential street approach and centralized wastewater treatment facility).**

Access and Roadway Improvements

d. Access to Pond Road shall be limited to one (1) residential street approach located to provide required sight distance and flood-free access to all lots and constructed to conform to the requirements of the Department of Public Works in this regard. All work within the right-of-way shall be as directed by the Department of Public Works and no work in the same shall commence until authorized by the Department of Public Works.

e. Dedicate land area along the property's entire frontage that abuts Pond Road, at a minimum width of twenty (20) feet, while also providing sufficient right-of-way area for the construction of a left-turn lane into the subject site, including the installation of storm drainage facilities, as directed by the City of Wildwood Department of Public Works. The required sidewalk to be constructed in the Pond Road right-of-way area may be escrowed in lieu of its construction by the developer to the City of Wildwood, if deemed appropriate by the Department of Public Works and the Department of Planning. **Both of these required improvements can be considered creditable charges to the Traffic Generation Assessment Fee (TGA) that is assessed by the City on this development.**

f. Construct an internal private roadway system, within a forty (40) foot right-of-way easement, for vehicles and pedestrians to serve the residential lots within this development that complies with the requirements of the City of Wildwood's 'Rural Roadway Standards' and as approved by the Department of Public Works. Street widths shall be as approved on the Site Development Plan by the Planning and Zoning Commission. Earthen swales along portions of the internal street may not be required, where stormwater volumes justify their elimination. Along with this forty (40) foot right-of-way area, provide eight (8) foot wide roadway maintenance, pedestrian, and utility

easements on either side of this roadway dedication.

g. Dedicate a minimum thirty (30) foot easement/dedication along State Route 100 to the City of Wildwood and construct a multiple-use trail that conforms to its standards, which shall be as directed by the Department of Public Works. This trail must minimally provide an adequate distance from edge of the State Route 100 pavement area to create separation between vehicles and pedestrians. This requirement shall also mean the easement might meander through the area of the subject site abutting the State Route 100 right-of-way edge to address public safety considerations. **In lieu of construction of this multiple-use trail, a fee-in-lieu of may be accepted by the City of Wildwood for this purpose.**

h. No direct residential access from any individual lot within this development shall be allowed or authorized to State Route 100, Pond Road, and Lynda Jayne Lane.

Miscellaneous Roadway Requirements

i. Installation of landscaping and ornamental entrance monument or identification signage, if proposed, shall be reviewed by the Department of Public Works for sight distance considerations and approved prior to its installation or construction.

j. If required sight distance cannot be provided at the access location, acquisition of right-of-way, reconstruction of pavement, including correction to vertical alignment and other off-site improvements, may be required to provide the required sight distance as directed by the Department of Public Works.

k. The developer shall design, engineer, and construct a secondary access point into this residential subdivision for emergency purposes only. The design and engineering associated with this secondary emergency access shall be submitted and acted upon by the Fire Marshal of the Metro West Fire Protection District, before the Site Development Plan can be finalized by the Planning and Zoning Commission and any action forthcoming thereafter. This secondary emergency access point shall have controlled access/barrier that is permanent in nature and shall be the responsibility of the Homeowners Association to maintain and keep functional.

Parking Requirements

l. Parking spaces shall be provided as required by Chapter 415.340 Off-Street Parking and Loading Requirements of the City of Wildwood Zoning Ordinance for the R-1 One Acre Residence District. Minimally, two (2) parking spaces for each single family dwelling shall be provided.

Landscape Requirements - Specific

m. Landscaping shall adhere to all requirements of Chapter 410 of the City's Tree Preservation and Restoration Code and its accompanying Tree Manual, including the submittal of a Tree Preservation Plan in conjunction with the Site Development Plan.

n. All streets and roads shall be appropriately landscaped as required by the Chapter 410 Tree Preservation and Restoration Code and be approved by the Planning and Zoning Commission on the Site Development Plan.

o. The areas of existing vegetation within the P.R.D. Overlay District boundaries identified as to be retained shall be marked on the site prior to the commencement of any disturbance in accord with the City of Wildwood's Chapter 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 Chapter 410 Tree Preservation and Restoration Code. Initial clearing and grubbing of the site shall be limited to the installation of the internal roadway system.

p. Landscaping within the defined common ground areas shall comply with Chapter 410 Tree Preservation and Restoration Code requirements and accompanying Tree Manual. Those areas of common ground to be used for stormwater detention/retention shall comply with the City of Wildwood requirements in this regard. The Planning and Zoning Commission on the Site Development Plan shall approve the planting pattern.

q. A registered Landscape Architect shall prepare, submit, and sign all plan(s).

Signs

r. Signs for this P.R.D. Overlay District shall be erected in accordance with Chapter 415.410 Sign Regulations of the City of Wildwood Zoning Ordinance for the R-1 One Acre Residence District.

s. The location of all signage shall be as approved on the Site Development Plan by the Planning and Zoning Commission. Signage not located on common ground must be erected within an easement.

Lighting Requirements

t. The location of all lighting standards shall be as approved on the Site Development Plan. No on-site illumination source shall exceed sixteen (16) feet in height or be so situated that light is cast directly on adjoining properties. Minimally, lighting levels and their design specifications shall be approved by the Planning and Zoning Commission, as part of a Lighting Plan submitted in conjunction with the Site Development Plan, and comply with City of Wildwood's Lighting Code – Chapter 415.450 of the Zoning Ordinance.

Miscellaneous Conditions

u. Parking, circulation, and other applicable site design features shall comply with Chapter 1101, Section 512.4 "Physically Handicapped and Aged" of the S.L.C.R.O. 1974, as amended.

v. 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.

w. All retaining walls exceeding three (3) feet in height per section or crossing individual property lines shall be constructed of an appropriate inter-locking concrete block system or boulders. Walls crossing property lines shall be located in a maintenance easement. The Planning and Zoning Commission, as part of the Site Development Plan review process, shall approve said materials and design.

x. The generalized location of all utility easements for proposed service to this development shall be shown on a Typical Lot Diagram, as approved by the Planning and Zoning Commission on the Site Development Plan. Installation of utilities within the respective easements shall adhere to the requirements of the Natural Resource Protection Standards Analysis and, whenever practical, be placed in areas of existing or proposed disturbance relating to previous site activity, the construction of streets, or the layout of building lots.

y. All utilities serving this site shall be installed underground in accord with the requirements of the City of Wildwood's Subdivision and Development Regulations. Any existing easements located on the subject site, which are not being utilized, shall be vacated under the standard procedures of the City of Wildwood Subdivision and Development Regulations.

Sewage Treatment Plant

z. A minimum four (4) foot high, sight-proof, chain link fence shall be installed around the perimeter of the area where the centralized sewage treatment facility is to be located on the site. This fence shall be constructed with a black vinyl coating, including support structures as well. Wood slatting may be incorporated in its design. The Planning and Zoning Commission shall approve the location of this fence on the Site Development Plan.

aa. Mechanical equipment associated with the operation of this facility shall be adequately screened and soundproofed to reduce noise associated with its operation over any given hour at the boundaries of the Planned Residential Development Overlay District.

bb. Mechanical systems shall be equipped with alarm systems, which will notify operators of any malfunctions or system failures and an emergency power source to provide for its operation in an event of a power failure. Minimally, the alarm shall be wired to directly notify the operator or maintenance contractor of the failure or shutdown. In the event of a system failure, operators shall meet all emergency procedures, as established by the Missouri Department of Natural Resources and the City of Wildwood.

cc. The proposed access roadway and maneuvering area will be a maximum of twelve (12) feet in width and paved. The remaining area within the perimeter of the fence not paved shall be surfaced in an appropriate dust-proof material, as determined and approved by the City of Wildwood's Department of Public Works.

dd. The developer shall provide a copy of a signed "pump and haul" agreement, whereby failure of the plant would implement a discharge shutdown; waste would be transported to an approved Metropolitan St. Louis Sewer District facility for disposal.

ee. The operator shall submit monthly inspection reports to the Missouri Department of Natural Resources and the City of Wildwood indicating adherence to all applicable standards established for the maintenance and operation of these types of facilities. This report must include a lab analysis of plant discharge samples (pH, BOD, TSS, fecal coliform) obtained and analyzed by a licensed, accredited laboratory.

ff. Operators of this facility shall provide verification of licensing with the Missouri Department of Natural Resources in the form of an approved Operating License. Along with this licensing

requirement, the developer or Homeowners Association shall provide to the City of Wildwood a bond or cash deposit in the amount of five thousand dollars ($5,000.00) to guarantee the upkeep of this facility, per Section 510.090 of the City of Wildwood's Municipal Code. This bond or cash deposit shall be in place during the operation of the wastewater treatment facility.

gg. At any point in the future, the petitioner or the relevant Homeowners Association (or any entity of it), will be required to close this treatment plant, when public sanitary sewer service is available to this site by the Metropolitan St. Louis Sewer District (MSD) or other comparable public district/agency. De-commissioning of the plant shall be the responsibility of the owner/developer and completed according to Missouri Department of Natural Resources (MDNR) and Metropolitan St. Louis Sewer District (MSD) standards. **Final determination of the plant's decommissioning shall be at the sole discretion of the Metropolitan St. Louis Sewer District (MSD) and the City of Wildwood.**

hh. The Homeowners Association shall be required to employ a maintenance contractor that has offices or facilities within a fifty (50) mile radius of the subject site. Verification shall be provided in the form of the signed contract with the location of the office/facility clearly noted.

ii. The location of this centralized wastewater treatment facility shall be **in a common ground area owned by the Homeowners Association and to the south of the proposed residential street approach, but no closer than one thousand five hundred (1,500) feet of the State Route 100 right-of-way and two hundred (200) feet of any lot with an existing dwelling located upon it.** ~~not be closer to the south boundary of this Planned Residential Development Overlay District than the following: six hundred (600) feet from Pond Road and three hundred (300) feet from the southern boundary of the property~~.

5. PUBLIC SPACE REQUIREMENTS

Developer shall construct improved public space in conformance with or otherwise satisfying the requirements of the City's Public Space Ordinance, Chapter 415.260 of the City of Wildwood's Zoning Ordinance. The City Council accepts the findings of the Public Space Study adopted therein and determines the compliance with the Public Space Ordinance provisions will address the impact of this specific development on public space needs in a manner and amount that is equal to or less than an amount that is roughly proportional to the actual or anticipated impact. The installation of required public space improvements shall be as required by the applicable ordinance, but shall be completed prior to issuance of any zoning authorizations for building permits in excess of fifty (50) percent of the total dwellings 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 permitted lots, shall be 41,818 square feet or its equivalent. Qualifying public space shall be deemed to include, in this instance only, the public multiple use trail that is referenced in Section 4(g.) of this ordinance and designed in accordance with the recommendations contained therein. This trail shall be located within an easement, a width to be determined, so as to provide ample and safe separation from the edge of pavement along State Route 100. The design and construction shall conform to the City of Wildwood requirements and be as directed by the Department of Public Works.

6. TRAFFIC GENERATION ASSESSMENT FEE

The developer shall contribute to the West Area Traffic Generation Assessment Trust Fund established by Section 140.210 of the City of Wildwood's Revised Codes. This assessment may be paid in full at the time of the first Zoning Authorization for any building or structure, or at the time of each Zoning Authorization for the individual dwellings. This contribution shall not exceed the amount established by multiplying the ordinance-required number of parking spaces by the following rate:

Type of Development	*Required Contribution*
Single Family Dwelling	$1,212.72 /Parking Space

(Parking space, as defined by Chapter 415.340 of the City of Wildwood Zoning Ordinance.)

Credits to this fee are at the sole discretion of the City Council of the City of Wildwood. If the type of proposed development differs from that listed, rates shall be provided by the Department of Public Works.

The amount of this required contribution, if not submitted by January 1, 2017, 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.

7. 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 Department of Public Works 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 standards.
   2. All stormwater shall be discharged at an adequate natural discharge point.
   3. Retention/detention of differential runoff of stormwater shall be required. Stormwater management shall be provided in permanent retention/detention facilities, such as ponds or other acceptable alternatives. These retention/detention facilities shall be completed and in operation prior to the issuance of building permits for an approved dwelling unit, except display lots.
   4. All proposed retention/detention facilities and related stormwater improvements shall be located in a common ground area and insure perpetual maintenance to the Homeowners Association to be created at the time of platting of this development.
   5. The developer of this site shall be solely responsible to provide the necessary mechanisms, as part of the Site Development Plan/Improvement Plan process, to implement "best management practices" for stormwater management and the construction of related facilities. Minimally, these practices/facilities should include rain gardens, vegetative swales, and other options to substantially reduce the amount of stormwater leaving the subject site.

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

Geotechnical Report

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

Natural Resource Protection Standard Plans

c. 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.

Archeological Inventory

d. The archeological assets of this subject site, such as remnants of buildings, structures, or other improvements, shall be cataloged, photographed, and preserved, if possible, by a professional/firm with expertise in this field. This survey shall meet generally accepted industry practices and procedures for the delineation of areas, assets, and other considerations to guarantee that these features are catalogued, recorded, and addressed before any land disturbance can occur on the site. The City of Wildwood's Historic Preservation Commission shall approve the professional/firm chosen by the developer of this project to conduct this assessment and survey, before any of this related activity occurs on the site.

Stormwater Pollution Prevention Plan

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

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 PERMITS

Notification to Department of Planning

a. Subsequent to approval of the Site Development Plan and prior to issuance of any grading, foundation, or building permit, all approvals from the Department of Public Works, the Metro West Fire Protection District, the Missouri Department of Transportation, the U.S. Army Corp of Engineers, and the Missouri Department of Natural Resources must be received by the Department of Planning.

b. Prior to issuance of foundation or building permits for any lot adjoining a common area or detention facility, written certification from a professional engineer, which verifies these areas are graded in accordance with approved plans, must be received by the Department of Public Works.

Land Subdivision

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

Indentures

d. 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 the provisions of Chapters 415.470 and 415.510 of the City of Wildwood Zoning Ordinance.

Public Potable Water

e. The developer shall be required to provide public potable water from the Missouri American Water Company to the property, and related homesites. Verification of this service shall be in a form acceptable to the City of Wildwood. Additionally, the design and location of this water system shall be reviewed and acted upon by the Planning and Zoning Commission, as part of the Site Development Plan submittal process.

Escrow Requirements

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

Traffic Generation Assessment

g. Traffic Generation Assessment contributions shall be deposited with the City of Wildwood in the form of a cash escrow prior to the issuance of building permits. If development phasing is

anticipated, the developer shall provide the Traffic Generation Assessment Contribution prior to the issuance of building permits for each phase of the development.

Roadway Improvements

h. Based upon the preliminary development plan, improvements to the Pond Road right-of-way must be completed prior to issuance of the building permits in excess of twenty (20) percent of the total.

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 and must comply with the Stormwater Pollution Prevention Plan for this development (SWPPP). The developer shall be solely responsible for obtaining any temporary slope and construction licenses needed to address the installation of public and private improvements on this site that require the use of adjoining parcels of ground that are not under their ownership or control. A demolition permit is required for the removal of the existing dwelling and related structures.

c. A copy of the most recently approved Site Development Plan for this P.R.D. Overlay District subdivision shall be prominently displayed at all times in all sales offices of this project

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. The developer is advised that utility companies will require compensation for relocation of their utility facilities within public right-of-way. 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 infrastructure improvements.

f. 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. This restoration must occur within thirty (30) days of the conclusion of preliminary grading as determined by the Director of Public Works.

g. 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.

h. 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.

i. Any other applicable zoning, subdivision, or other regulations or requirements of the City, whether in effect at the adoption of this ordinance or as may be hereinafter adopted, shall further apply to

the development of this property as authorized by this Planned Residential Development Overlay District Ordinance, except as may be provided by law. Nothing herein shall be deemed a waiver of any subdivision, zoning, or other development regulation of the City whether by implication or reference.

j. This zoning approval is conditioned on compliance with the Zoning Ordinance, 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 this Planned Residential Development Overlay District, except where this ordinance has expressly modified such regulations by reference to the applicable provision authorizing such modification.

ATTACHMENT C
Preliminary Development Plan

1971 POND ROAD

A TRACT OF LAND BEING PART OF SECTIONS 2 AND 3, TOWNSHIP 44 NORTH - RANGE 5 EAST AND SECTIONS 34 AND 35, TOWNSHIP 45 NORTH - RANGE 5 EAST, ST. LOUIS COUNTY, MISSOURI

PRELIMINARY DEVELOPMENT & TREE PRESERVATION PLAN

VOLZ Incorporated | EST. 1968 | SURVEYING, LAND PLANNING, LANDSCAPE ARCHITECTURE, CIVIL ENGINEERING

PAYNE FAMILY HOMES

REVISED:
11-13-2015
12-16-2015

Scale in Feet 1" = 100'

TREE CALCULATIONS			
LOT #	EXISTING	TO REMAIN	TO REMAIN %
1	0	0	100%
2	68,338	55,672	81%
3	121,009	90,088	75%
4	6,881	6,881	100%
5	16,561	16,561	100%
6	54,885	23,059	42%
7	69,112	34,016	50%
8	59,246	24,806	45%
9	43,016	21,160	49%
10	43,782	17,580	40%
11	62,632	28,298	45%
12	45,590	24,291	53%
13	53,161	27,832	53%
14	62,364	32,731	52%
15	63,088	41,347	65%
16	51,091	34,445	67%
17	4,888	4,277	88%
18	0	0	100%
19	0	0	100%
20	0	0	100%
21	17,023	14,849	87%
22	17,333	17,332	100%
23	33,383	29,814	89%
24	29,972	27,521	92%
25	544	544	100%
26	102,943	65,848	63%
CO	1,007,208	948,089	94%

54,865 SF
23,059 SF
42 %

PROPOSED TREE LINE

TYPICAL LOT

HIGHWAY 100

POND RD

EXISTING CEMETERY

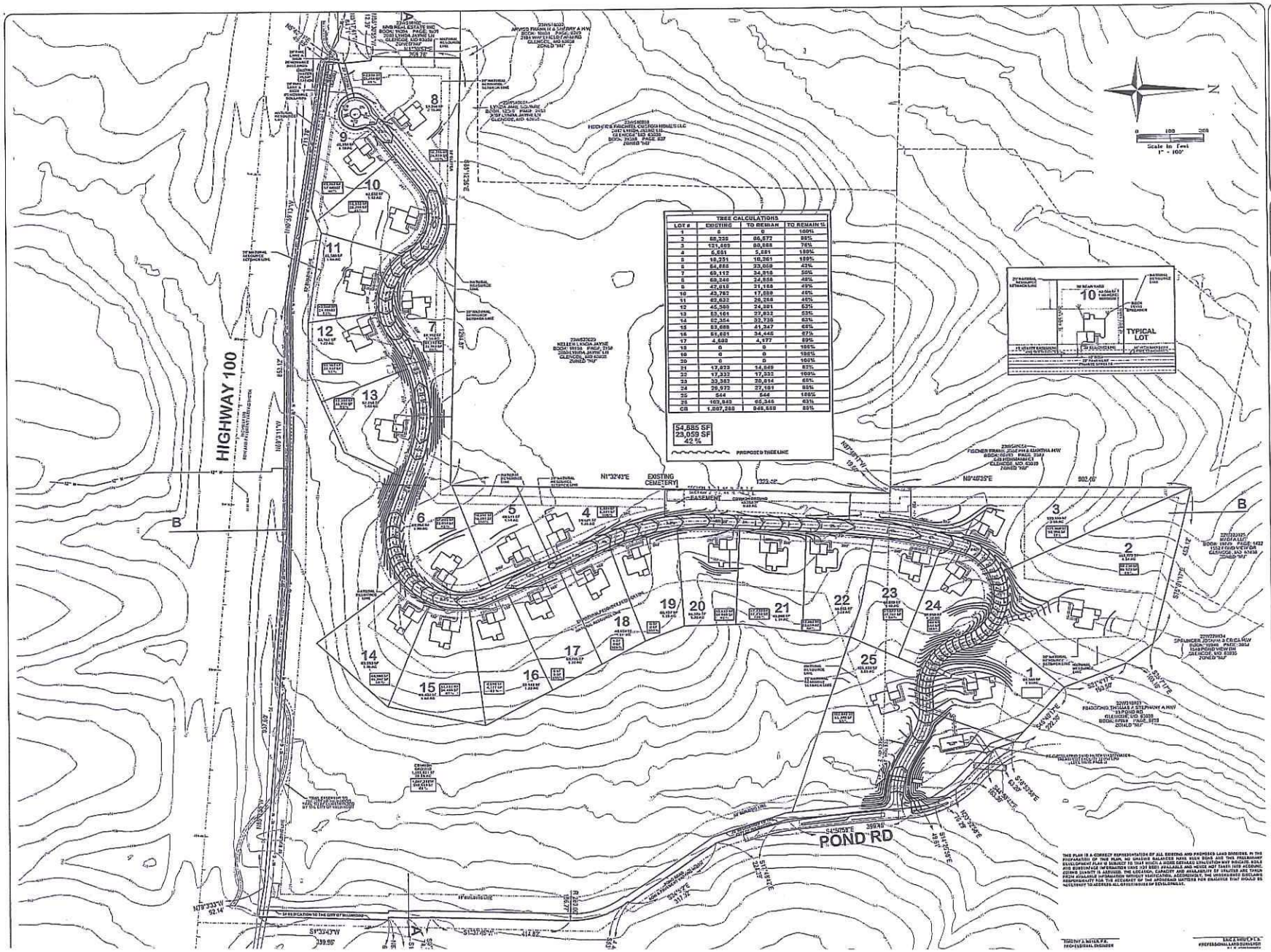
EASEMENT

THIS PLAN IS A CORRECT REPRESENTATION OF ALL EXISTING AND PROPOSED LAND DISTURBANCE. IN THE DEVELOPMENT OF THIS PLAN, ALL REASONABLE EFFORTS HAVE BEEN MADE TO ENSURE THAT WHEN A MORE DETAILED EVALUATION MAY INDICATE, SOILS AND SUBSURFACE INFORMATION HAVE NOT BEEN AVAILABLE AND THEREFORE NOT TAKEN INTO ACCOUNT. ZONING TOPOGRAPHY IS ASSUMED. THE LOCATION, CAPACITY AND AVAILABILITY OF UTILITIES AND TAKEN FROM AVAILABLE INFORMATION WITHOUT VERIFICATION. ACCORDINGLY, THE UNDERSIGNED DISCLAIMS RESPONSIBILITY FOR THE ACCURACY OF THE APPROVED MATTERS FOR DISTANCE THAT WOULD BE NECESSARY TO ADDRESS ALL CONTINGENCIES OF DEVELOPMENT.

DAVID J. ZIMMER, P.E.
PROFESSIONAL ENGINEER

MIC J. NOSS, P.L.S.
PROFESSIONAL LAND SURVEYOR

3/7/16



TREE CALCULATIONS			
LOT #	EXISTING	TO REMAIN	TO REMAIN %
1	0	0	100%
2	88,238	86,572	98%
3	121,669	80,888	76%
4	6,581	5,881	100%
5	10,251	10,261	100%
6	54,885	23,059	42%
7	69,112	34,818	50%
8	68,246	24,858	48%
9	42,918	21,168	49%
10	43,782	17,889	46%
11	62,632	28,288	45%
12	45,509	24,891	53%
13	53,161	27,932	53%
14	52,354	32,738	63%
15	52,688	41,347	65%
16	51,681	34,446	67%
17	4,680	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	20,814	65%
24	29,972	27,181	85%
25	544	544	100%
26	102,843	65,346	63%
CR	1,007,288	848,688	85%

54,885 SF
23,059 SF
42 %

PROPOSED TREE LINE

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

VOLZ Incorporated
ENGINEERS
LAND PLANNERS
LAND SURVEYORS
TRANSPORTATION
ENVIRONMENTAL

REVISED:
11-13-2015
12-15-2015

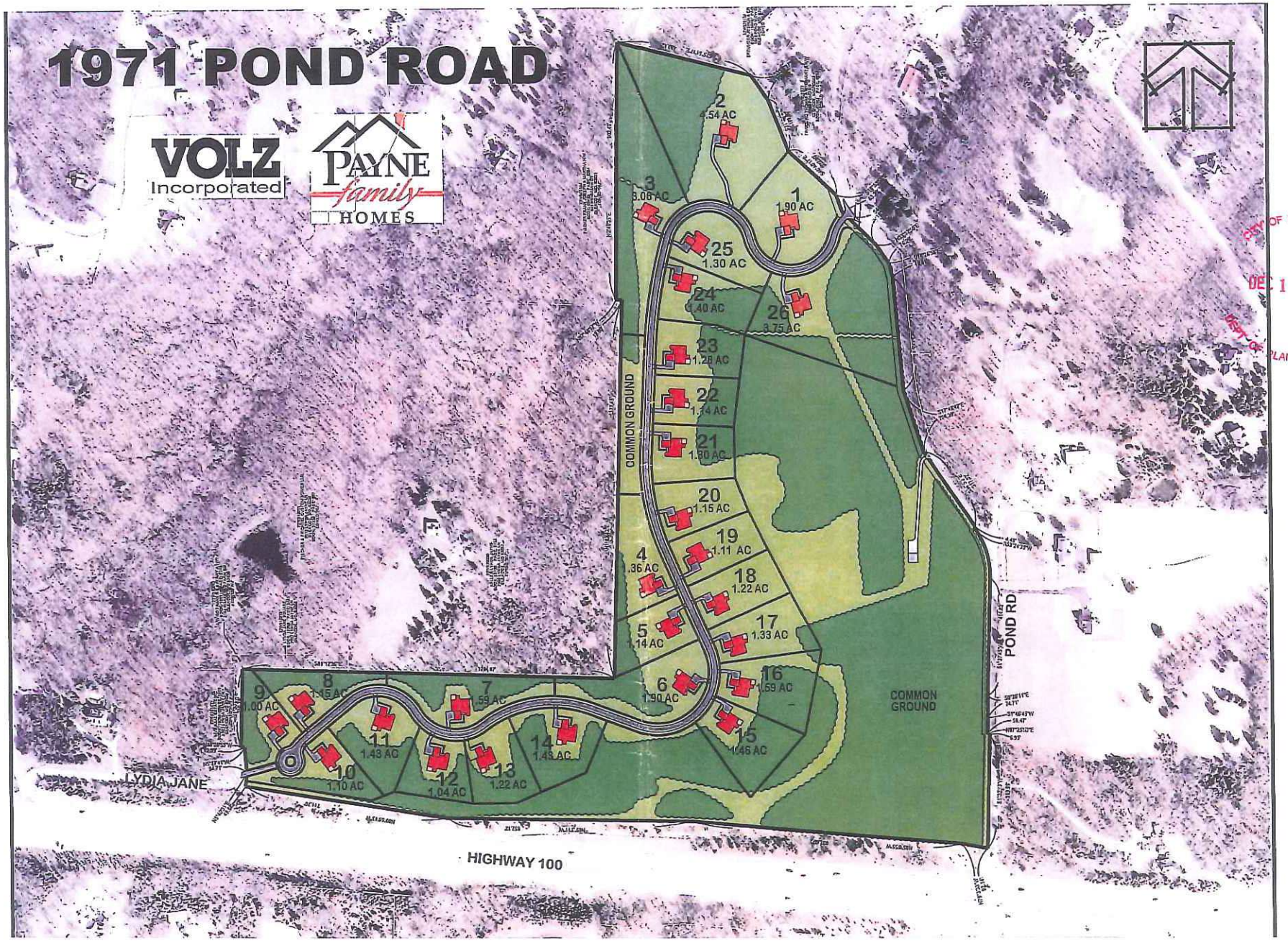
PRELIMINARY DEVELOPMENT & TREE PRESERVATION PLAN

3/7/16

1971 POND ROAD

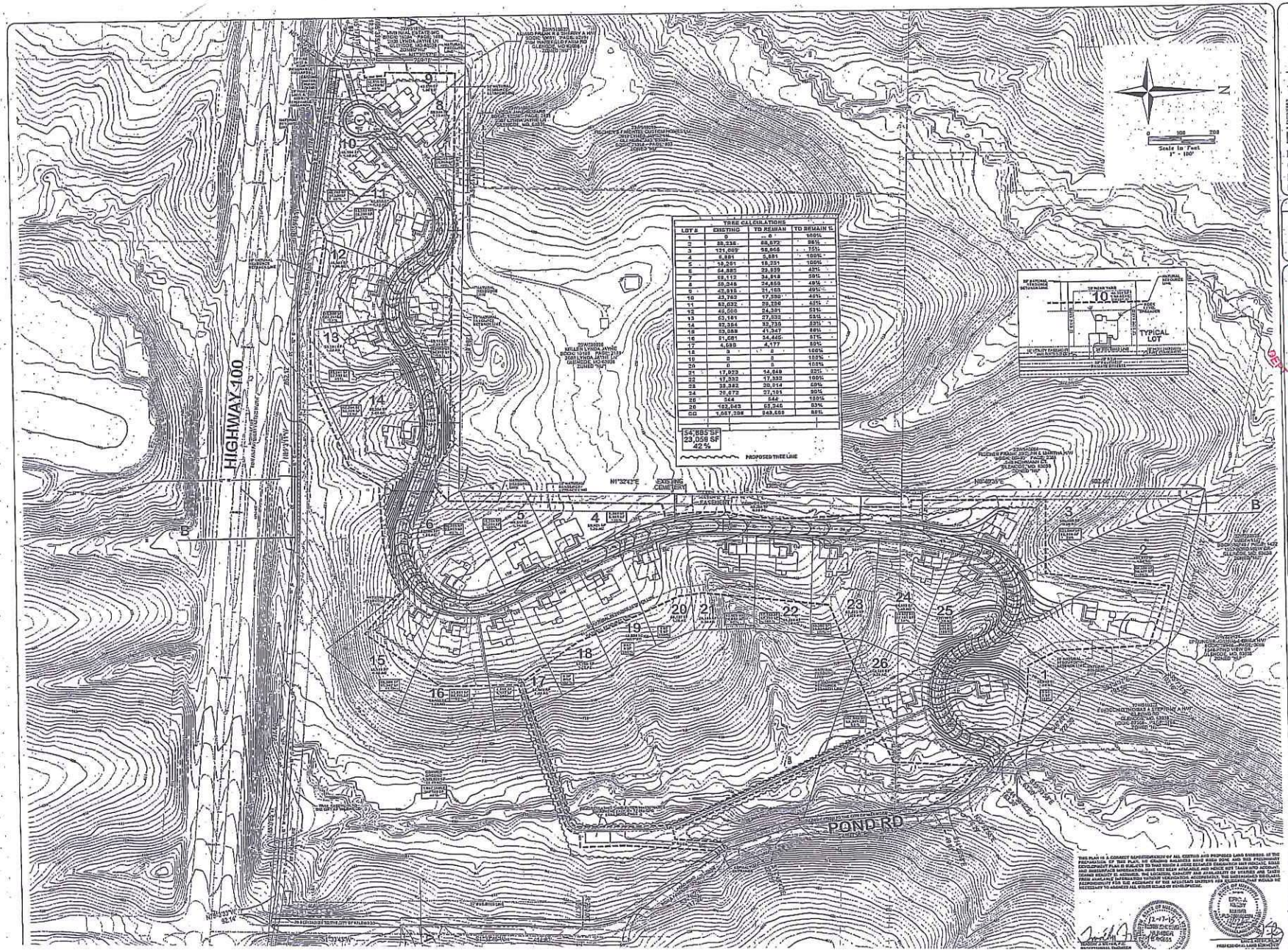
VOLZ Incorporated

PAYNE family HOMES



CITY OF WILDWOOD
DEC 18 2015
DEPT. OF PLANNING & PARKS

Original Submittal 12/18/15



TREE CALCULATIONS			
LOT #	EXISTING	TO REMAIN	TO REMAIN %
1	0	0	100%
2	28,336	26,572	94%
3	121,069	38,866	75%
4	5,881	5,881	100%
5	19,251	19,251	100%
6	54,883	29,839	45%
7	69,113	34,818	50%
8	59,248	34,669	49%
9	43,016	21,165	49%
10	43,763	17,590	40%
11	63,032	28,286	45%
12	46,508	24,381	53%
13	53,161	27,832	53%
14	52,364	35,730	68%
15	53,088	41,347	78%
16	51,081	34,465	67%
17	4,088	4,177	102%
18	0	0	100%
19	0	0	100%
20	0	0	100%
21	17,923	14,849	83%
22	17,332	17,332	100%
23	38,882	30,014	80%
24	38,072	27,191	90%
25	348	348	100%
26	162,043	53,346	33%
CO	1,067,398	848,650	80%

54,885 SF
23,058 SF
42%

VOLZ Incorporated
CIVIL ENGINEERS
LAND SURVEYORS
LANDSCAPE ARCHITECTS
PROJECT MANAGEMENT
1055 St. Louis Galleria, Suite 200
Clayton, Missouri 63105
314-726-8787 Fax
www.volzinc.com

REVISED:
12-15-2015
12-15-2015

CITY OF WILDWOOD
DEC 18 2015
DEPT. OF PLANNING & PARKS

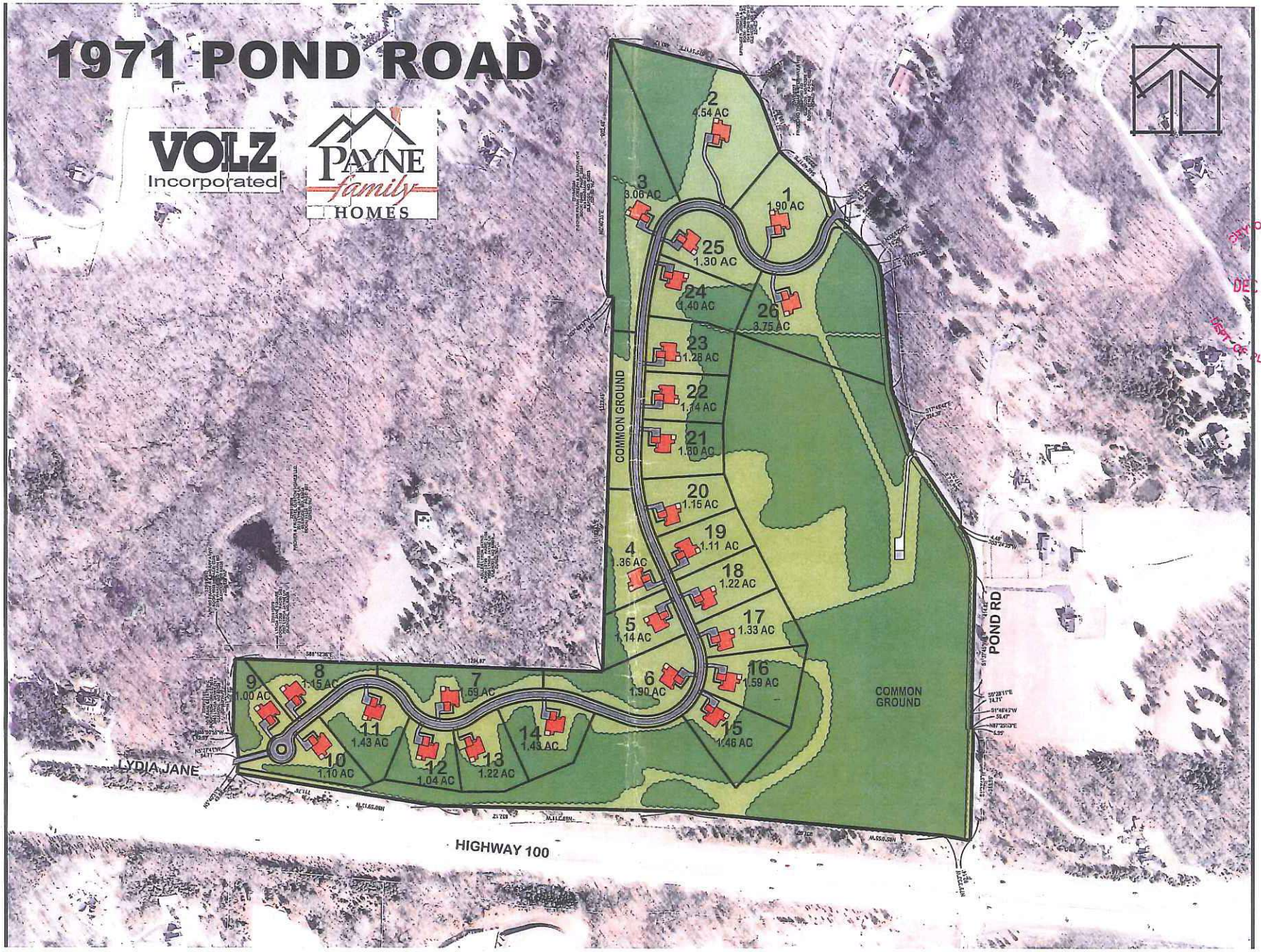
12/18/15

1971 POND ROAD

A TRACT OF LAND BEING PART OF SECTIONS 2 AND 3, TOWNSHIP 44 NORTH, RANGE 3 EAST AND SECTIONS 34 AND 35, TOWNSHIP 45 NORTH, RANGE 3 EAST, ST. LOUIS COUNTY, MISSOURI

PRELIMINARY DEVELOPMENT & TREE PRESERVATION PLAN

Date: 12-15-2015
Scale: 1" = 100'
Drawn By: JAMES
Checked By: JAMES
Job No. 2015-0333
Sheet No. 2 of 2



CITY OF WILDWOOD
DEC 18 2015
DEPT OF PLANNING & PARKS

Original Submittal 12/18/15

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

VOLZ Incorporated

REVISED: 11-13-2015, 12-10-2015

DEC 18 2015

CITY OF WILDWOOD DEPT. OF PLANNING & PARKS

12/18/15

TREE CALCULATIONS			
LOT #	EXISTING	TO REMAIN	TO REMAIN %
1	0	0	100%
2	88,238	85,672	98%
3	121,009	90,856	75%
4	5,881	5,881	100%
5	10,251	10,251	100%
6	34,885	23,059	42%
7	59,113	34,918	59%
8	39,748	24,855	43%
9	42,818	21,105	49%
10	43,798	17,501	40%
11	52,532	28,286	46%
12	45,500	24,301	53%
13	53,161	27,932	53%
14	62,354	32,735	53%
15	69,088	41,347	60%
16	54,561	34,445	67%
17	4,699	4,177	89%
18	0	0	100%
19	0	0	100%
20	0	0	100%
21	17,923	14,549	81%
22	17,332	17,332	100%
23	33,382	29,914	90%
24	29,972	27,101	90%
25	544	544	100%
26	107,943	69,346	63%
CG	1,067,298	848,669	80%

54,885 SF
23,059 SF
42 %

PROPOSED TREE LINE

Scale in Feet
1" = 100'

TYPICAL LOT

HIGHWAY 100

POND RD

EXISTING CEMETERY

N1°32'43"E

N0°40'35"E

S1°37'43"W

N1°37'43"W

THIS PLAN IS A CORRECT REPRESENTATION OF ALL EXISTING AND PROPOSED LAND DIVISIONS, IN THE OPINION OF THE UNDERSIGNED, TO THE BEST OF MY KNOWLEDGE THAT, EVEN SOME AND THIS PRELIMINARY DEVELOPMENT PLAN IS SUBJECT TO THAT WHICH A MORE DETAILED EXAMINATION MAY DISCLOSE, SOILS AND SUBSURFACE INFORMATION HAVE NOT BEEN AVAILABLE AND WERE NOT TAKEN INTO ACCOUNT. SOME SUBJECT & ABSENT, THE LOCATION, CAPACITY AND AVAILABILITY OF UTILITIES AND THEIR FROM AVAILABLE INFORMATION WITHOUT VERIFICATION. ACCORDINGLY, THE UNDERSIGNED DISCLAIMS RESPONSIBILITY FOR THE ACCURACY OF THE APPROVED UTILITIES AND OTHER ITEMS THAT MAY BE NECESSARY TO ADDRESS ALL OTHER ISSUES OF DEVELOPMENT.

12-17-15
NUMBER
E-24585

ROBERT J. VOLZ, P.E.
PROFESSIONAL ENGINEER
E-24585

ERIC J. KOSTY
NUMBER
LS-2885

ERIC J. KOSTY, P.L.S.
PROFESSIONAL LAND SURVEYOR
P.L.S. 2885

GENERAL NOTES:

THIS SITE 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 TRETMENT 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.

GRADING 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 BY EXCAVATION, OR CONSTRUCTION OF IMPROVEMENTS IN THE FIELD PRIOR TO ANY GRADING. THESE PROVISIONS SHALL IN NO WAY ABSOLVE ANY PARTY FROM COMPLYING WITH THE UNDERGROUND FACILTY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 319, RSMO.

LANDSCAPING AND LIGHTING PLANS WILL BE PROVIDED AT FUTURE DATE AND COMPLY WITH CITY OF WILDWOOD REGULATIONS. STREET LIGHTS 16' HIGH MAX.

EXISTING PAVEMENT & R.O.W. WIDTHS VARY ALONG HIGHWAY 109 & 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.

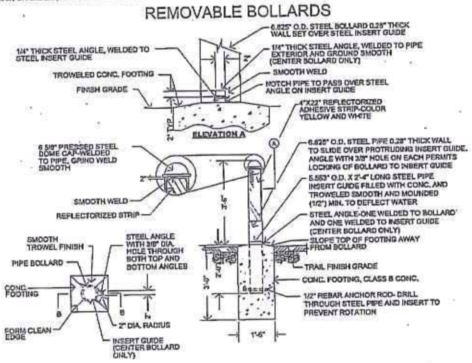
FIRE FLOW IS 1000 GPM AT 20 PSI HYDRANT SPACING IS 600' APART, ANY STREET LESS THAN 26 FEET WIDE WILL NEED TO RESTRICT PARKING ON ONE SIDE, EMERGENCY ACCESS OFF OF LYNDA JANE LANE MUST BE BUILT TO HOLD A 75,000 POUND VEHICLE. (NO PARKING SIGNS ON ONE SIDE OF STREET)

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 AMENDED SOILS, RAIN GARDENS, LEVEL ROCK SPREADERS, AND DRY WELLS. THE TYPICAL ROAD WAY SECTION WILL NOT HAVE CURBING BUT

REMOVABLE BOLLARDS



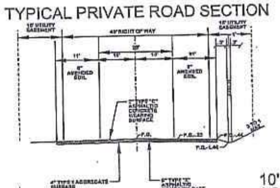
PROJECT NOTES:		
AREA OF SITE:	78.80 ACRES	
EXISTING ZONING:	"NU" NON-URBAN	
PROPOSED ZONING	"NU" PRD – PLANNED RESIDENTIAL DEVELOPMENT	
PROPOSED COMMON GROUND	23.80 ACRES	
LOCATOR NUMBERS: OWNER OF RECORD: SITE ADDRESS:	23W520053 SCHNEIDER MILDRED E TRUSTEE 1971 POND RD GLENCOE, MO. 63038	
PREPARED FOR:	PAYNE family HOMES	16467 BAUR BLVD, SUITE B SAINT LOUIS, MISSOURI 63132 MAIN OFFICE: 314-896-0380
PREPARED BY:	VOLZ Incorporated	10849 INDIAN HEAD INDL. BLVD. ST. LOUIS, MO 63132 314.426.6212 MAIN 314.890.1259 FAX
NUMBER OF LOTS ALLOWED:	78.0 AC / 3 AC = 26 LOTS	
PARKING REQUIREMENT & PROPOSED:	2 SPACES PER LOT (26 LOTS) = 52 SPACES	
FEMA	29189C0255K – THERE IS NO FLOODPLAIN ON THIS SITE	

Standard for 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)
Amount of Required Public Space	45,302.4 Square feet – 1.04 Acres
Amount of Provided Public Space	728,040 Square feet – 16.7 Acres
⇒ Multiple Use Trail	31,000 Square feet
⇒ Underground Detention Area	0
⇒ Public Land Dedication	0
⇒ Privately-Held Common Ground	1,444,870 Square feet – 50% = 16.0 Ac
List Installed Improvements	Total Number (list below on lines)
⇒ Picnic Tables	0
⇒ Benches	0
⇒ Trash Receptacles	0
⇒ Bicycle Racks	0
⇒ Trail	2,550 LIN FT OF TRAIL
Other Public Space Items (if provided)	
Fee In Lieu	

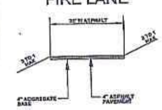
TREE PROTECTION NOTES

1) PRECONSTRUCTION MEETING HELD ON-SITE TO INCLUDE A PRESENTATION OF TREE PROTECTON 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 TRENCHING 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 TRENCHING
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

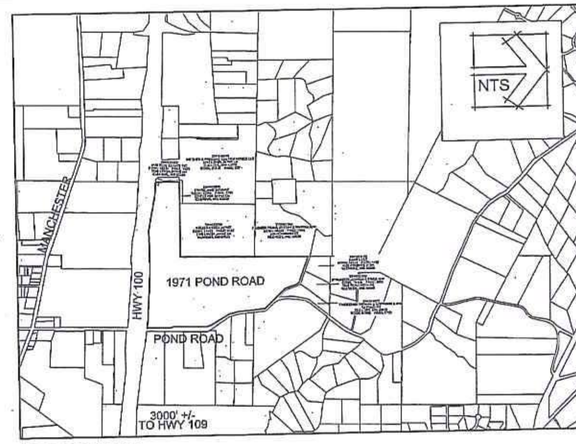
TYPICAL PRIVATE ROAD SECTION



20' WIDE ASPHALT FIRE LANE



10' WIDE ROCK ACCESS DRIVE TREATMENT FACILITY

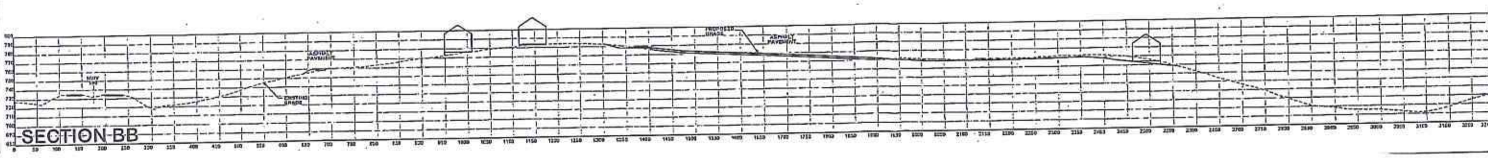


LOCATION MAP

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 00 DEGREES 49 MINUTES 35 SECONDS EAST 802.46 FEET TO THE SOUTH LINE "EATHERTON TRACTS" A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 155 PAGE 54 OF THE ST. LOUIS COUNTY RECORDS; THENCE EASTWARDLY ALONG SAID SOUTH LINE THE FOLLOWING COURSES AND DISTANCES: SOUTH 75 DEGREES 01 MINUTES 17 SECONDS EAST 483.12 FEET, SOUTH 35 DEGREES 47 MINUTES 17 SECONDS EAST 183.16 FEET, SOUTH 21 DEGREES 34 MINUTES 17 SECONDS EAST 199.50 FEET, SOUTH 46 DEGREES 40 MINUTES 17 SECONDS EAST 222.50 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 36 SECONDS EAST 83.20 FEET, SOUTH 44 DEGREES 03 MINUTES 42 SECONDS EAST 183.36 FEET, SOUTH 33 DEGREES 52 MINUTES 28 SECONDS EAST 76.29 FEET, SOUTH 14 DEGREES 28 MINUTES 26 SECONDS EAST 48.61 FEET, SOUTH 04 DEGREES 30 MINUTES 38 SECONDS EAST 389.45 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 280.83 FEET FROM THE LAST MENTIONED POINT A DISTANCE OF 184.77 FEET, SOUTH 01 DEGREES 37 MINUTES 48 SECONDS WEST 414.02 FEET, SOUTH 06 DEGREES 38 MINUTES 11 SECONDS EAST 74.71 FEET, SOUTH 01 DEGREES 45 MINUTES 45 SECONDS WEST 66.47 FEET, NORTH 87 DEGREES 26 MINUTES 53 SECONDS EAST 6.85 FEET, SOUTH 01 DEGREES 33 MINUTES 43 SECONDS WEST 360.95 FEET TO THE NORTH RIGHT-OF-WAY LINE OF MISSOURI ROUTE 109, VARYING WIDTH, AS ESTABLISHED BY INSTRUMENT RECORDED IN BOOK 6641 PAGE 1654 OF THE ST. LOUIS COUNTY RECORDS; THENCE WESTWARDLY ALONG SAID NORTH RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES: NORTH 78 DEGREES 03 MINUTES 33 SECONDS WEST 82.14 FEET, NORTH 85 DEGREES 00 MINUTES 55 SECONDS WEST 337.60 FEET, NORTH 63 DEGREES 23 MINUTES 11 SECONDS WEST 862.12 FEET, NORTH 80 DEGREES 09 MINUTES 13 SECONDS WEST 711.76 FEET, NORTH 65 DEGREES 40 MINUTES 31 SECONDS EAST 49.88 FEET, NORTH 85 DEGREES 17 MINUTES 41 SECONDS WEST 54.71 FEET, NORTH 88 DEGREES 39 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 37 SECONDS EAST 269.76 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 1294.67 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 NORTH LINE NORTH 87 DEGREES 49 MINUTES 17 SECONDS WEST 13.89 FEET TO THE POINT OF BEGINNING AND CONTAINING 78.8 ACRES ACCORDING TO CALCULATIONS BY VOLZ INC. DURING SEPTEMBER 2015.

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 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 AFORESAID MATTERS FOR DILIGENCE THAT WOULD BE NECESSARY TO ADDRESS ALL OTHER ISSUES OF DEVELOPMENT.



VOLZ Incorporated
ENGINEERS
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LAND SURVEYING
TRANSPORTATION
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10849 Indian Head Ind'l. Blvd.
St. Louis, Missouri 63132
314.426.6212 Main
314.890.1259 Fax
www.volzinc.com

PAYNE family HOMES

CITY OF WILDWOOD
DEC 18 2015
DEPT OF PLANNING & PARKS

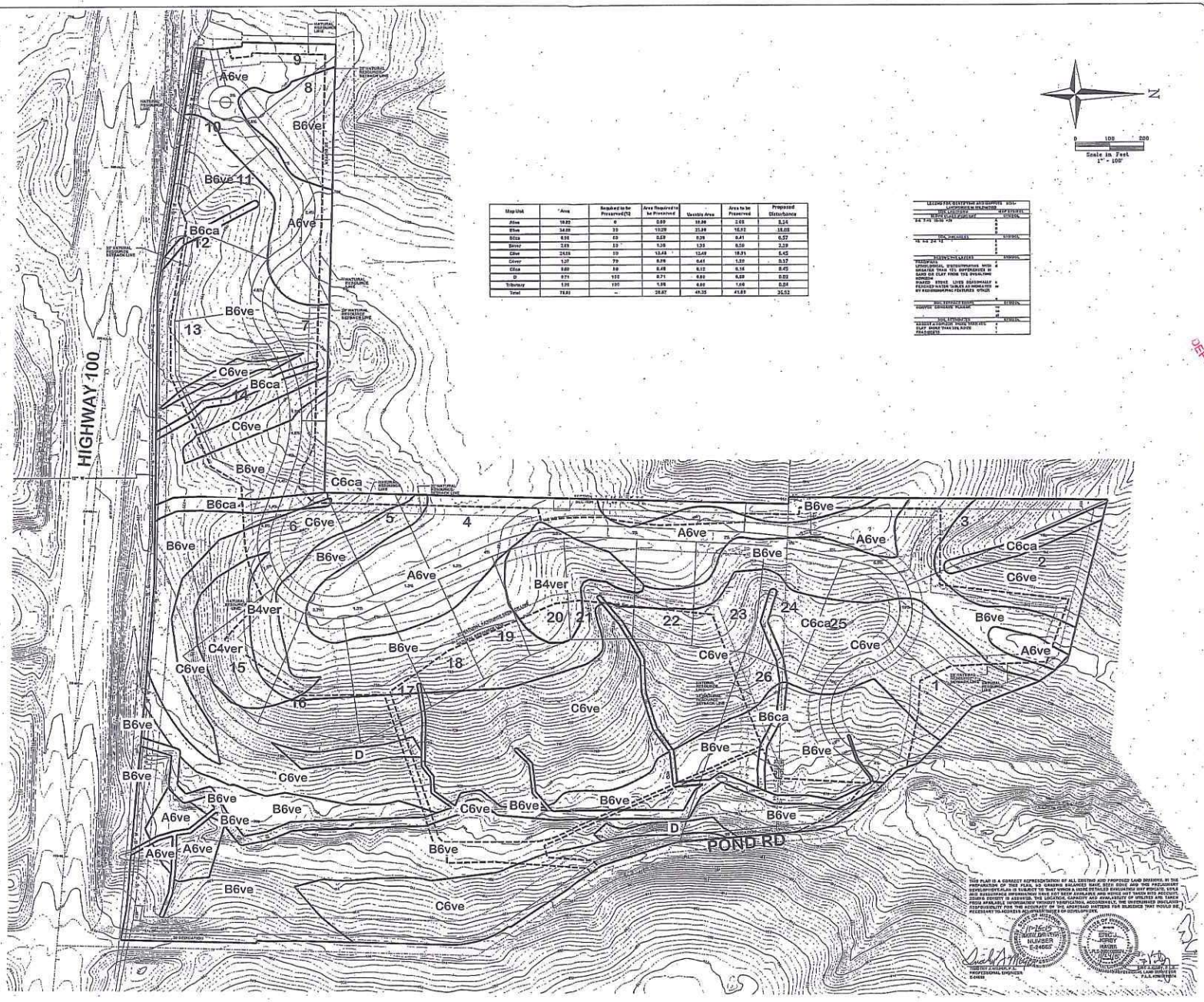
12/18/15

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

Base Map No. 23X
23W520053
20732
09102015
2



Map Unit	Area	Required to be Preserved(%)	Area Required to be Preserved	Usable Area	Area to be Preserved	Proposed Disturbance
A6ve	10.20	0	0.00	10.20	2.05	8.15
B6ve	34.68	30	10.20	24.48	16.52	18.05
B6ca	6.98	60	6.69	0.29	0.41	6.57
B6ver	2.69	50	1.35	1.33	0.50	2.19
C6ve	24.69	50	12.49	12.49	18.91	5.42
C6ver	1.37	70	0.96	0.41	1.20	0.17
C6ca	6.60	50	6.48	0.12	0.15	6.45
D	0.71	100	0.71	0.00	0.69	0.02
Tributary	1.00	100	1.00	0.00	1.00	0.00
Total	78.92	--	39.87	49.32	41.53	38.52

LEGEND FOR IDENTIFYING AND DESCRIBING SOIL-DERIVED NATURAL RESOURCES IN DELINEATION

	DEP STUDY
BEDROCK OUTCROPPING	SYMBOL
44 F45 46 48 49	A
	B
	C
	D
ROCK PINNACLES	SYMBOL
44 F45 46 48 49	A
	B
	C
	D
SUBSURFACE WATERS	SYMBOL
PROBABILITY OF LITHOLOGICAL DISTRIBUTIONS WITH GREATER THAN 10% DIFFERENCES IN SAND OR CLAY FROM THE DEVELOPING SURFACE	A
PROBABLE WORST CASE SEASONALLY PERCHED WATER TABLES AS INDICATED BY REDISSOLVING FEATURES OTHER	B
	C
	D
ROCK TERRACE RISER	SYMBOL
SURFICIAL CONTACTS PLANAR	A
	B
	C
	D
SOIL TEXTURES	SYMBOL
SUBSURFACE SOIL WORK DIFFERS CLAY MORE THAN 10% FROM PROFILE	A
	B
	C
	D

THIS PLAN IS A CORRECT REPRESENTATION OF ALL EXISTING AND PROPOSED LAND DIVISIONS. IN THE PREPARATION OF THIS PLAN, NO GRADING BALANCES MADE, BOTH SIDE AND THE PRELIMINARY DEVELOPMENT PLAN IS SUBJECT TO THAT WHICH A MORE DETAILED EVALUATION MAY INDICATE. SOILS AND SUBSURFACE INFORMATION MAY BE NOT NEW AVAILABLE AND WERE NOT KNOWN WITH REASONABLE DOUBTS ASSURED. THE LOCATION, CAPACITY AND AVAILABILITY OF UTILITIES AND TAKEN FROM AVAILABLE INFORMATION WITHOUT VERIFICATION. ACCORDINGLY, THE UNDERSIGNED DISCLAIMS RESPONSIBILITY FOR THE ACCURACY OF THE APPROVED PATTERN FOR BUILDINGS THAT MAY BE NECESSARY TO ADDRESS ANY ISSUES ARISING ON DEVELOPMENT.

STATE OF MISSOURI
DAVID A. HUMBER
E-24665
PROFESSIONAL ENGINEER

STATE OF MISSOURI
ERIC J. JIGRBY
IS-2005
PROFESSIONAL LAND SURVEYOR

DAVID A. HUMBER P.E.
PROFESSIONAL ENGINEER
E-24665

ERIC J. JIGRBY P.L.S.
PROFESSIONAL LAND SURVEYOR
P.L.S. 2005

VOLZ Incorporated
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PAYNE FAMILY HOMES

CITY OF WILDWOOD

DEC 18 2015

DEPT OF PLANNING & PARKS

12/18/15

1971 POND ROAD

A TRACT OF LAND BEING PART OF SECTIONS 2 AND 3, TOWNSHIP 44 NORTH -RANGE 5 EAST AND SECTIONS 34 AND 35, TOWNSHIP 45 NORTH -RANGE 5 EAST, ST. LOUIS COUNTY MISSOURI

NATURAL RESOURCE PROTECTION PLAN

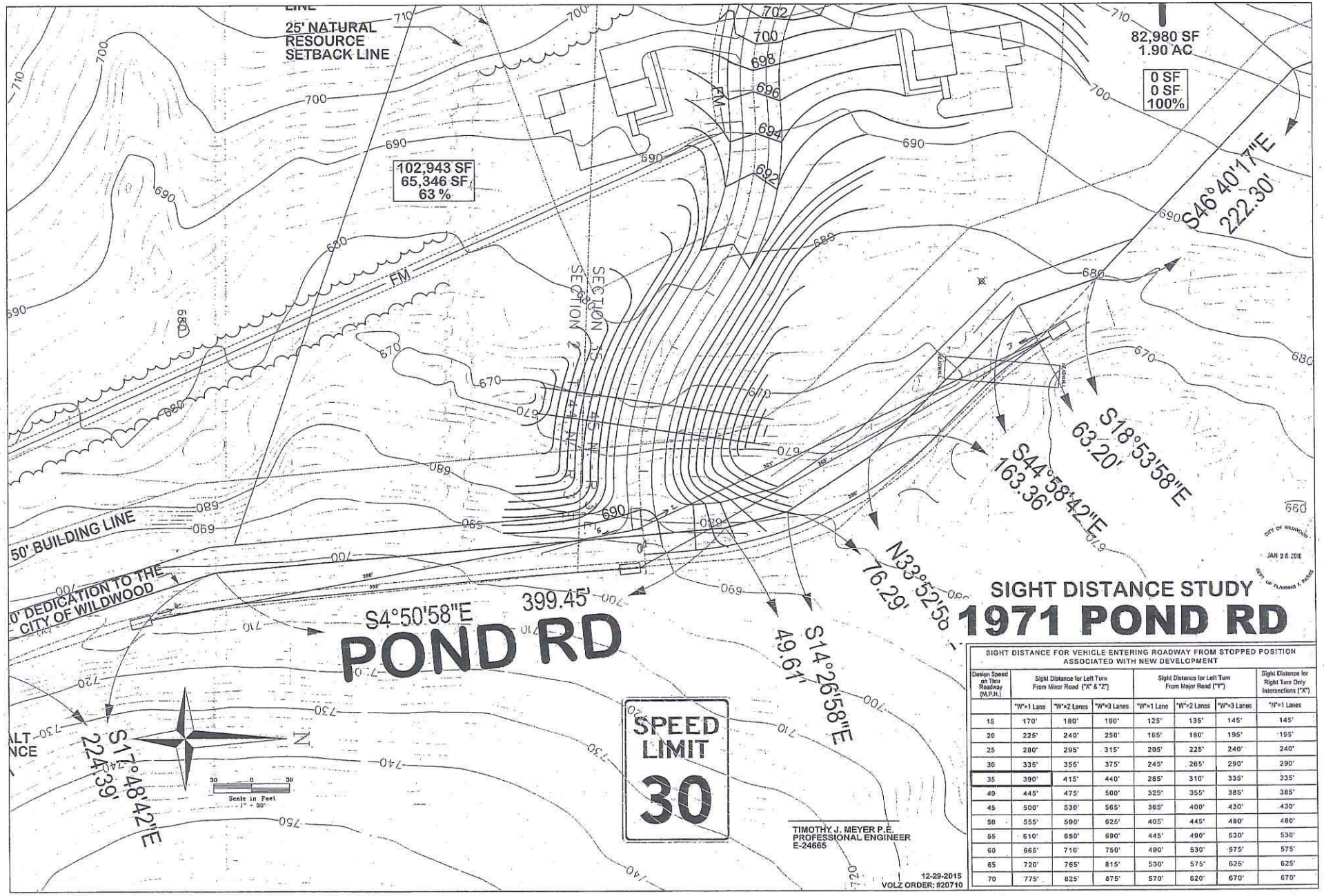
Base Map No. 234

23452023

2015-12

CONCEPTUAL

3

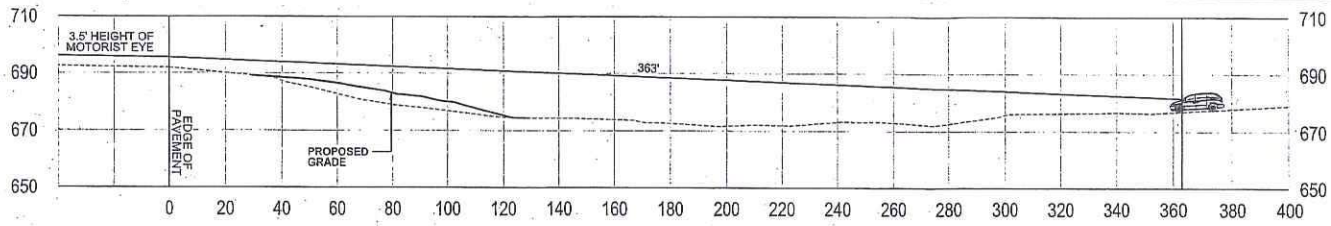


SIGHT DISTANCE STUDY
1971 POND RD

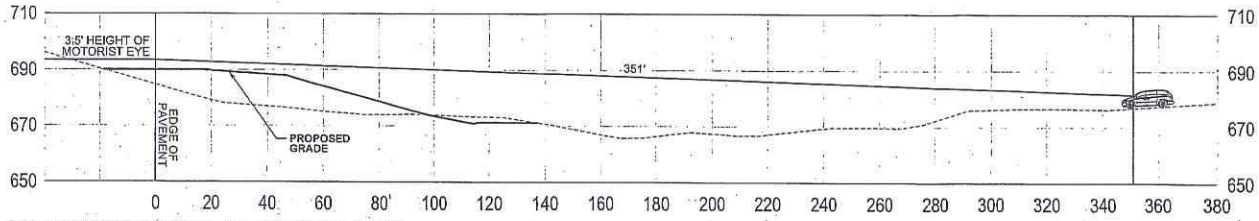
SIGHT DISTANCE FOR VEHICLE ENTERING ROADWAY FROM STOPPED POSITION ASSOCIATED WITH NEW DEVELOPMENT

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	"W"=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'

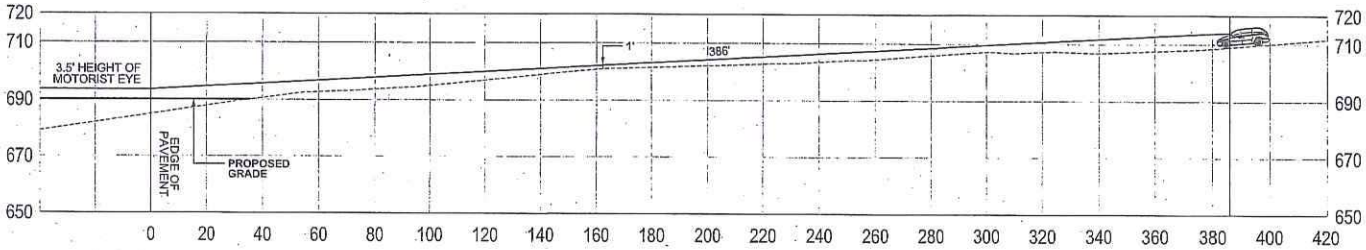
12/18/15



MAIN ENTRANCE LEFT TURN



MAIN ENTRANCE LOOKING NORTH



MAIN ENTRANCE LOOKING SOUTH

TIMOTHY J. MEYER P.E.
PROFESSIONAL ENGINEER
E-24665

JAN 28 2016
CITY OF PLANNING & PARKS

12/18/15

SIGHT DISTANCE STUDY
1971 POND RD

SIGHT DISTANCE FOR VEHICLE ENTERING ROADWAY FROM STOPPED POSITION ASSOCIATED WITH NEW DEVELOPMENT

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15	170'	180'	190'	125'	135'	145'	145'
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70	775'	825'	875'	570'	620'	670'	670'

12-29-2015
VOLZ ORDER: #20710

ATTACHMENT D
Background Information

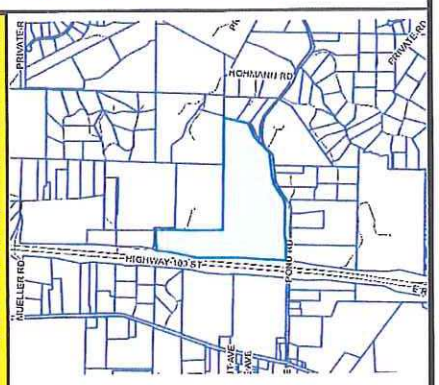
WILDWOOD

16860 Main Street
Wildwood, MO 63040

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.

*** 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

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.

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.

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 <melmjon@gmail.com>, "Duepner, Jerry" <jgd@paynefamilyhomes.com>, Cathy Armfield <carmfield@tricountyr.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
Item Description	*Field not completed.*
Position on Request	Do Not Support
General Comments	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

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
Item Description	*Field not completed.*
Position on Request	Other
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 d0 exisiting homeowners have. Will the developer/city correct this situation if it occurs. How will the sewer/septic /system be handled, especially on the lesss than 3 acre plots? Ground water run off. How will developer control the water run off so that exisiting 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.
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.

(Section Break)

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.

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
Item Description	*Field not completed.*
Position on Request	Do Not Support
General Comments	Application does not adhere to minimum 3 acre lot
Suggestions	*Field not completed.*
	(Section Break)
Name	John Bondurant
Address	2055 Wakefield Lake Drive
City	Wildwood
State	MO
Zip	63038
Phone Number	6364588365
Email	mohogfan@junoc.om

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 that 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

CITY OF WILDWOOD
JAN 28 2016
DEPT. OF PLANNING & PARKS

VOLZ
314-426-6212
0849 Indianhead Ind Blv.
St. Louis MO, 63132
Engineers
Land Planners
Land Surveyors

159

30

ATTACHMENT D
Background Information

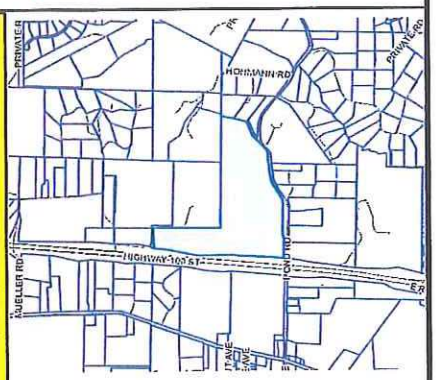
WILDWOOD

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.

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

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 **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 (636) 458-0440. Thank you in advance for your interest in this matter.

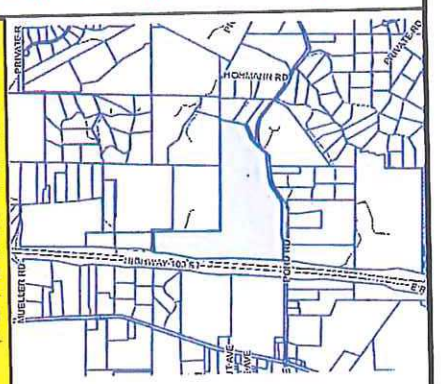
WILDWOOD

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.

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

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, 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:**

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.

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

CITY OF WILDWOOD
SEP 18 2015
DEPT OF PLANNING & PARKS

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)

____ 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 BALLR BLVD. SUITE B
ST. LOUIS, MO. 63137
Telephone Number, with Area Code: 314.996.0300
Fax Number, with Area Code: _____
E-Mail Address: tec@payne family homes.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
GLENCOE, 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 RESDENTIAL 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 Developament: SUMMER/FALL 2014
Home Construction: SPRING 2017

CONSULTANT INFORMATION

Engineer's/Architect's Name: TIM MEYER / JEFF ATKINS

Address: VOLZ INC
10849 INDIAN HEAD INDL 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 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: shardinge@scienglineering.com jmullikin@scienglineering.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)

NANCY COPLING
Notary Public, Notary Seal
State of Missouri
St. Charles County
Commission # 11250033
My Commission Expires October 04, 2015

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

VOLZ Incorporated

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.

STATE OF MISSOURI
ERIC J. KIRBY
NUMBER
PLS-2005000074
9/04/15
PROFESSIONAL LAND SURVEYOR

Eric J. Kirby, P.L.S.
Professional Land Surveyor
Mo. P.L.S. 2005000074

PAYNE family HOMES

CITY OF WILDWOOD
SEP 18 2015
DEPT OF PLANNING & PARKS

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.

10407 Baur Blvd. Suite B St. Louis, MO 63132 Phone: 314.996.0300 / Fax: 314.996.0309

Thank you for your consideration in this matter.

Sincerely,

Thomas E. Cummings
Vice President of Land Acquisition

10407 Baur Blvd. Suite B St. Louis, MO 63132 Phone: 314.996.0300 / Fax: 314.996.0309

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

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

VOLZ incorporated

ENGINEERING
LAND PLANNING
LAND SURVEYING
TRANSPORTATION
CONSTRUCTION MANAGEMENT

CITY OF WILDWOOD
NOV 30 2015
DEPT OF PLANNING & PARKS

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

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.

____ 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

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 conceprual 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

CITY OF WILDWOOD
NOV 30 2015
DEPT OF PLANNING & PARKS

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.

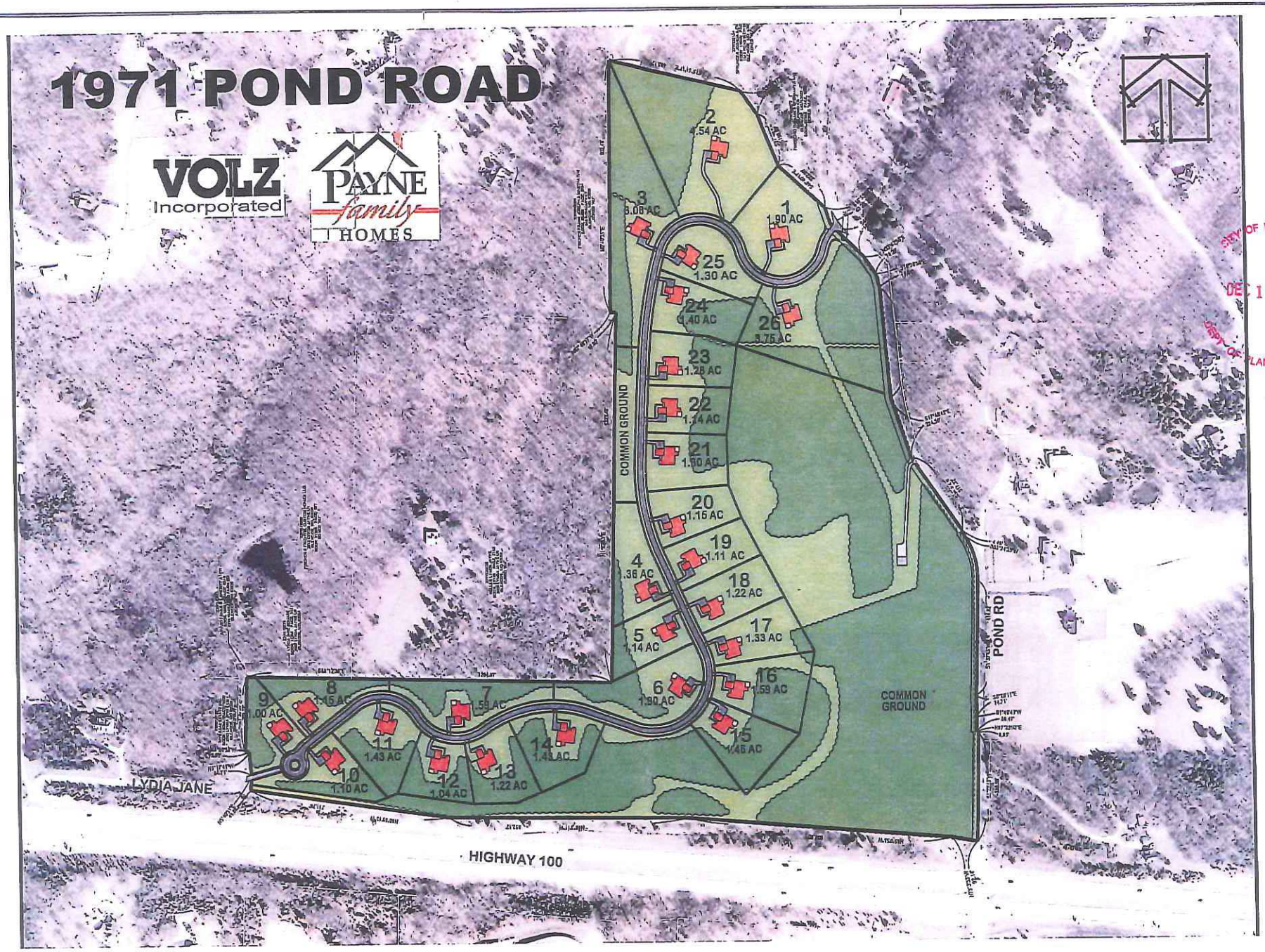
Thank you,

Jeff Atkins
Director of Planning
VOLZ Incorporated
Direct] 314.890.1218
Main] 314.426.6212
Fax] 314.890.1250
web] <www.volzinc.com>

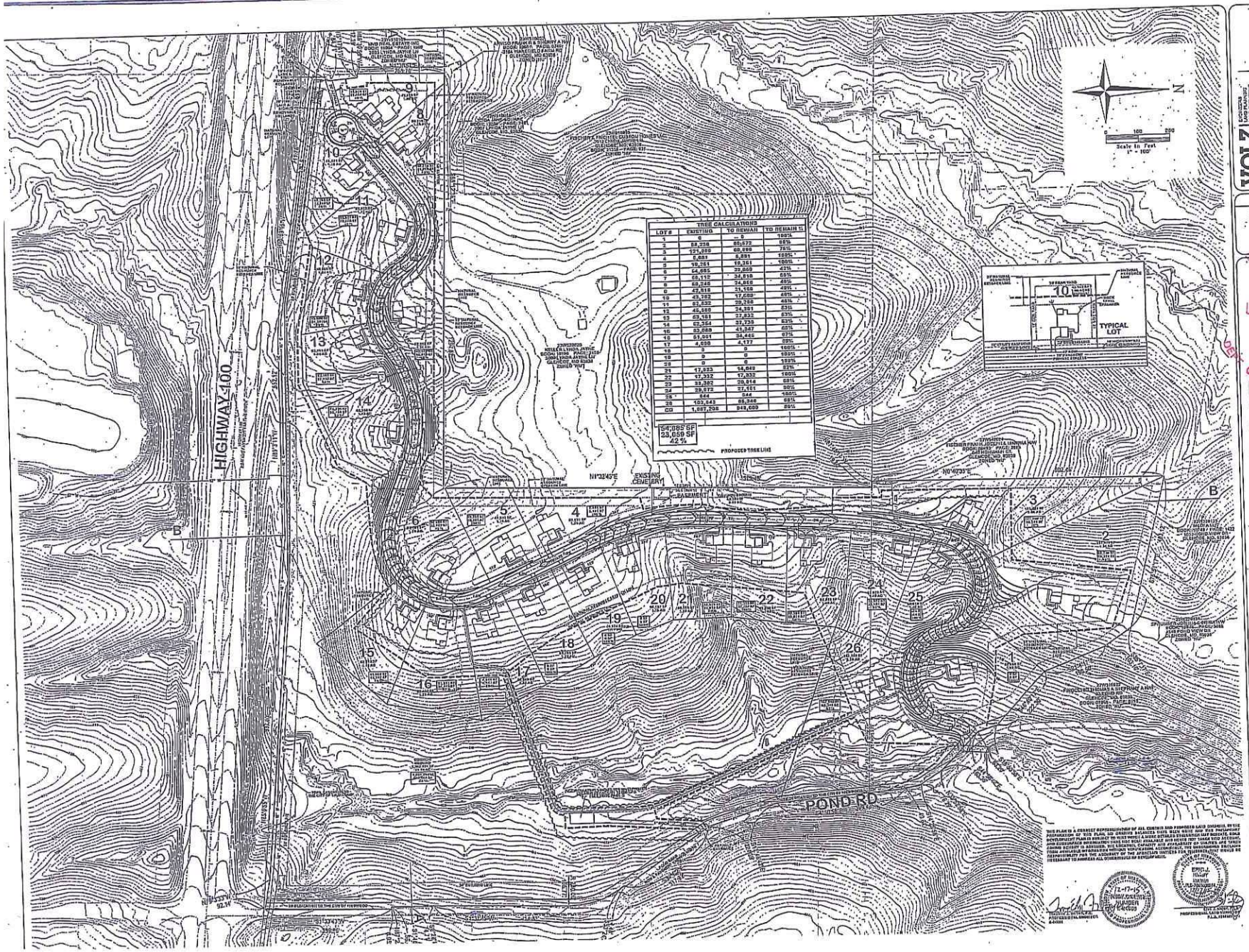
1971 POND ROAD

VOLZ Incorporated

PAYNE family HOMES



CITY OF WILDWOOD
DEC 18 2015
DEPT OF PLANNING & PARKS



VOLZ
Incorporated
LAND PLANNERS
LAND SURVEYORS
TRANSPORTATION
ENVIRONMENTAL MANAGEMENT
Corporate Office
Post Office Box 1
St. Louis, Missouri 63135
Telephone: 314.521.7772
314.521.7779
Fax: 314.521.1407
www.volz.com

REVISED:
11-13-2015
12-18-2015

CITY OF WILDWOOD
DEC 18 2015
DEPT. OF PLANNING & PARKS

1971 POND ROAD

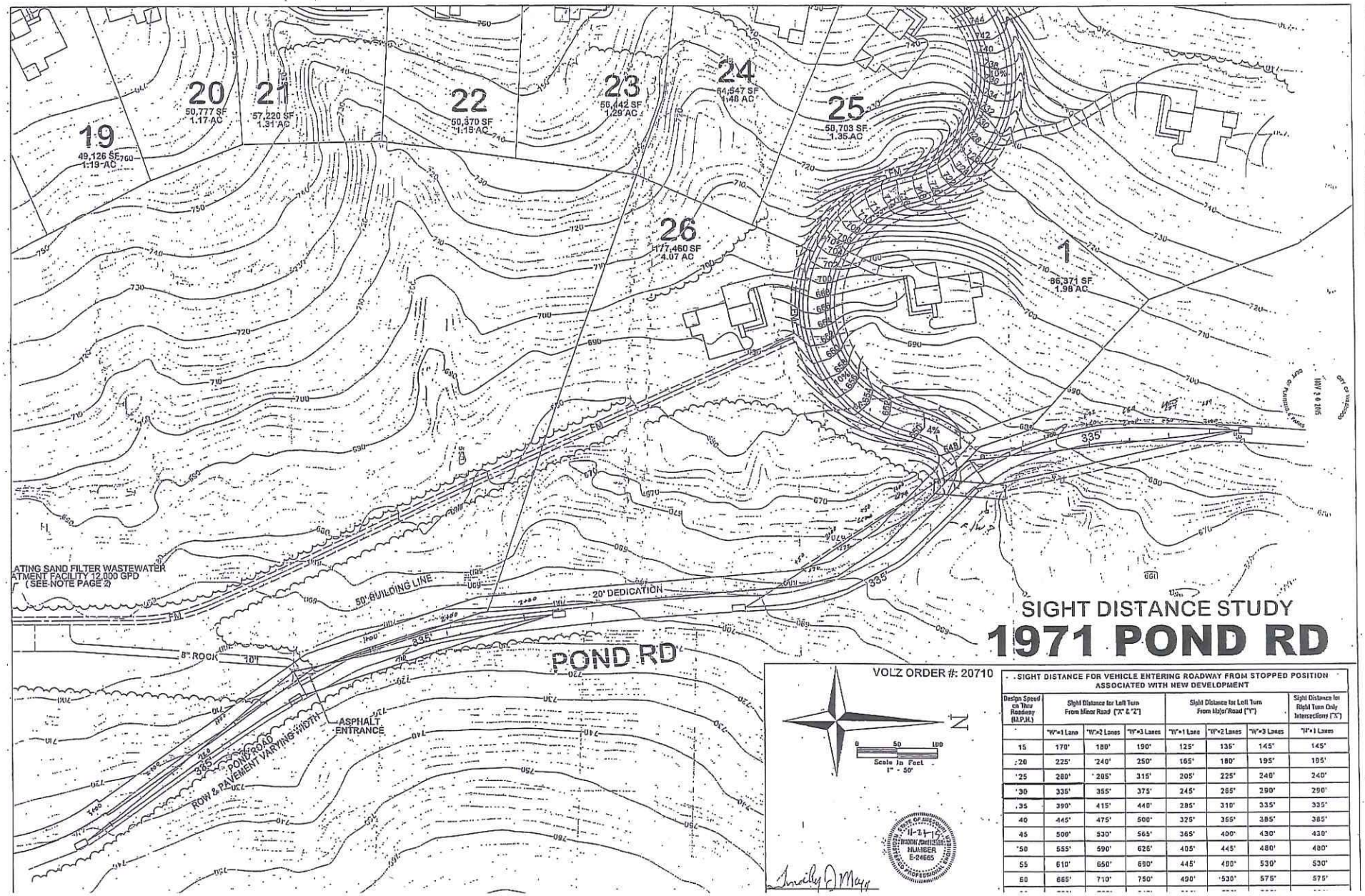
A TRACT OF LAND BEING PART OF SECTIONS 2 AND 3, TOWNSHIP 44 NORTH - RANGE 1 EAST AND PART OF SECTION 35, TOWNSHIP 45 NORTH - RANGE 1 EAST, ST. LOUIS COUNTY MISSOURI

PRELIMINARY DEVELOPMENT & TREE PRESERVATION PLAN

Bid No. 14-119
3/23/2015
2016

12-17-15
MICHAEL J. HUGHES
NUMBER E-40605
PROFESSIONAL ENGINEER

12-17-15
PROFESSIONAL ENGINEER



SIGHT DISTANCE STUDY
1971 POND RD

VOLZ ORDER #: 20710

11-21-16
NORMAN CHRISTIAN
NUMBER
E-24665
REGISTERED PROFESSIONAL ENGINEER

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	"W"=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'

GENERAL NOTES:

THIS SITE 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 12,085 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.

GRADING 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 BY EXCAVATION, OR CONSTRUCTION OF IMPROVEMENTS IN THE FIELD PRIOR TO ANY GRADING. THESE PROVISIONS SHALL IN NO WAY ABSOLVE ANY PARTY FROM COMPLYING WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 319, RSMO.

LANDSCAPING AND LIGHTING PLANS WILL BE PROVIDED AT FUTURE DATE AND COMPLY WITH CITY OF WILDWOOD REGULATIONS. STREET LIGHTS 16' HIGH MAX.

EXISTING PAVEMENT & R.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.

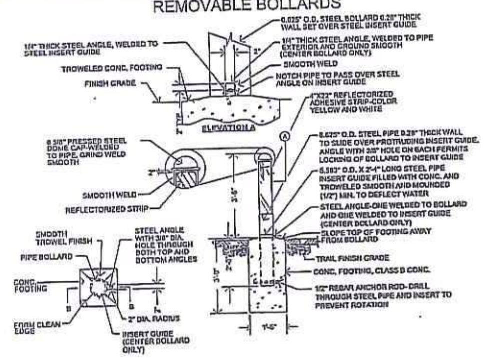
FIRE FLOW IS 1500 GPM AT 20 PSI HYDRANT SPACING IS 400' APART, ANY STREET LESS THAN 29 FEET WIDE WILL NEED TO RESTRICT PARKING ON ONE SIDE. EMERGENCY ACCESS OFF OF LYNDA JANE LANE MUST BE BUILT TO HOLD A 75,000 POUND VEHICLE. (NO PARKING SIGNS ON ONE SIDE OF STREET)

ACCESS WILL BE GRANTED TO THE FAMILY MEMBERS OF THOSE BURIED IN THE CEMETERY VIA THE PRIVATE ROADWAY AND EASEMENT TO THE CEMETERY AREA.

STORMWATER NOTE:

THE PROPOSED POND ROAD SUBDIVISION WILL HAVE 20 LOTS ON 78 ACRES. ALL THE LOTS WILL BE A MINIMUM OF 3 ACRES WITH THE OVERALL AVERAGE BEING 4.7 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 AMENDED SOILS, RAIN GARDENS, LEVEL ROCK SPREADERS, AND DRY WELLS. THE TYPICAL ROAD WAY SECTION WILL NOT HAVE CURBING OUT

REMOVABLE BOLLARDS



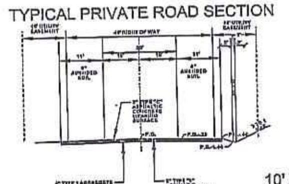
PROJECT NOTES:		
AREA OF SITE:	78.08 ACRES	
EXISTING ZONING:	"NU" NON-URBAN	
PROPOSED ZONING	"NU" PRD – PLANNED RESIDENTIAL DEVELOPMENT	
PROPOSED COMMON GROUND	22.89 ACRES	
LOCATOR NUMBERS: OWNER OF RECORD: SITE ADDRESS:	23Y520013 SCHNEIDER MILDRED B TRUSTEE 1971 POND RD GLENCOE, MO. 63038	
PREPARED FOR:	PAYNE family HOMES	16457 BAUR BLVD. SUITE B SAINT LOUIS, MISSOURI 63132 MAIN OFFICE: 314-538-0280
PREPARED BY:	VOLZ Incorporated	10849 INDIAN HEAD IND. BLVD. ST. LOUIS, MO 63132 314.426.6212 MAIN 314.890.1250 FAX
NUMBER OF LOTS ALLOWED:	78.8 AC / 3 AC = 26 LOTS	
PARKING REQUIREMENT & PROPOSED:	2 SPACES PER LOT (26 LOTS) = 52 SPACES	
FEMA	29189C0340K – THERE IS NO FLOODPLAIN ON THIS SITE	

Standard for 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)
Amount of Required Public Space	45,302.4 Square feet – 1.04 Acres
Amount of Provided Public Space	729,040 Square feet – 16.7 Acres
=> Multiple Use Trail	31,220 Square feet
=> Underground Detention Area	0
=> Public Land Dedication	0
=> Privately-Held Common Ground	1,444,878 Square feet – 50% = 16.9 Ac
List Installed Improvements	Total Number (#'s) below on lines)
=> Picnic Tables	0
=> Benches	0
=> Trash Receptacles	0
=> Bicycle Racks	0
=> Trail	2,600 LN(FT) OF TRAIL
Other Public Space Items (if provided)	
Fee in Lieu	

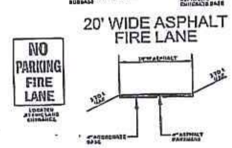
TREE PROTECTION NOTES

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 TRENCHING 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 TRENCHING
   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

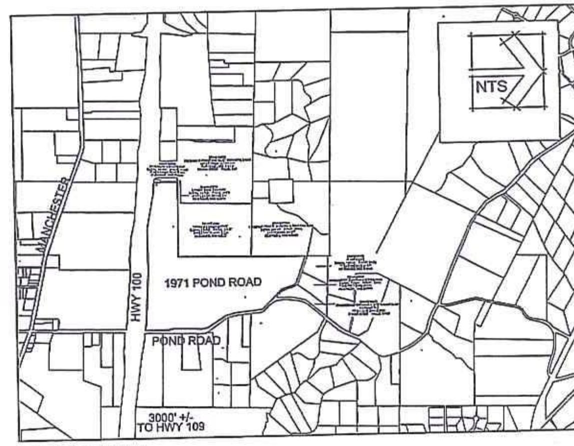
TYPICAL PRIVATE ROAD SECTION



20' WIDE ASPHALT FIRE LANE



10' WIDE ROCK ACCESS DRIVE TREATMENT FACILITY

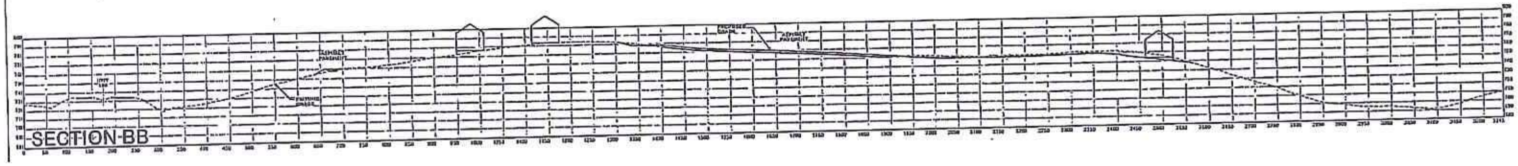


LOCATION MAP

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 00 DEGREES 43 MINUTES 35 SECONDS EAST 982.48 FEET TO THE SOUTH LINE "EATHERTON TRACTS" A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 180 PAGE 54 OF THE ST. LOUIS COUNTY RECORDS; THENCE EASTWARDLY ALONG SAID SOUTH LINE THE FOLLOWING COURSES AND DISTANCES: SOUTH 76 DEGREES 31 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 198.30 FEET, SOUTH 46 DEGREES 40 MINUTES 17 SECONDS EAST 332.30 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 03 MINUTES 56 SECONDS EAST 63.20 FEET, SOUTH 46 DEGREES 58 MINUTES 42 SECONDS EAST 153.34 FEET, SOUTH 33 DEGREES 02 MINUTES 59 SECONDS EAST 18.29 FEET, SOUTH 14 DEGREES 28 MINUTES 50 SECONDS EAST 49.61 FEET, SOUTH 04 DEGREES 50 MINUTES 56 SECONDS EAST 378.45 FEET, SOUTH 17 DEGREES 48 MINUTES 42 SECONDS EAST 224.39 FEET, SOUTH 34 DEGREES 05 MINUTES 02 SECONDS EAST 317.32 FEET, SOUTH 51 DEGREES 34 MINUTES 33 SECONDS WEST 4.40 FEET, ALONG A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS SOUTH 13 DEGREES 24 MINUTES 36 SECONDS WEST 288.60 FEET FROM THE LAST MENTIONED POINT A DISTANCE OF 163.77 FEET, SOUTH 01 DEGREES 37 MINUTES 40 SECONDS WEST 414.83 FEET, SOUTH 00 DEGREES 38 MINUTES 11 SECONDS EAST 74.21 FEET, SOUTH 01 DEGREES 46 MINUTES 43 SECONDS WEST 56.47 FEET, NORTH 87 DEGREES 25 MINUTES 33 SECONDS EAST 8.83 FEET, SOUTH 01 DEGREES 33 MINUTES 43 SECONDS WEST 203.50 FEET TO THE NORTH RIGHT-OF-WAY LINE OF MISSOURI ROUTE 100, VARYING WIDTH, AS ESTABLISHED BY INSTRUMENT RECORDED IN BOOK 8041 PAGE 1054 OF THE ST. LOUIS COUNTY RECORDS; THENCE WESTWARDLY ALONG SAID NORTH RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES: NORTH 78 DEGREES 03 MINUTES 35 SECONDS WEST 52.14 FEET, NORTH 85 DEGREES 03 MINUTES 55 SECONDS WEST 337.40 FEET, NORTH 89 DEGREES 03 MINUTES 11 SECONDS WEST 257.12 FEET, NORTH 83 DEGREES 33 MINUTES 13 SECONDS WEST 711.76 FEET, NORTH 05 DEGREES 42 MINUTES 38 SECONDS EAST 43.03 FEET, NORTH 85 DEGREES 17 MINUTES 41 SECONDS WEST 64.71 FEET, NORTH 88 DEGREES 38 MINUTES 53 SECONDS WEST 13.30 FEET TO THE EAST LINE OF LYNDA JAYNE LANE, 23 FEET WIDE; THENCE NORTHWARDLY ALONG THE SAID EAST LINE NORTH 01 DEGREES 38 MINUTES 37 SECONDS EAST 269.18 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 13 MINUTES 38 SECONDS EAST 1234.07 FEET TO THE WEST LINE OF SAID SECTION 2; THENCE NORTHWARDLY ALONG SAID WEST LINE OF SECTION 2 NORTH 01 DEGREES 33 MINUTES 43 SECONDS EAST 1333.41 FEET TO THE NORTH LINE OF TOWNSHIP 44 NORTH – RANGE 3 EAST; THENCE WESTWARDLY ALONG SAID NORTH LINE NORTH 87 DEGREES 48 MINUTES 17 SECONDS WEST 15.51 FEET TO THE POINT OF BEGINNING AND CONTAINING 78.0 ACRES ACCORDING TO CALCULATIONS BY VOLZ INC. DURING SEPTEMBER 2015.

THIS PLAN IS A CORRECT REPRESENTATION OF ALL EXISTING AND PROPOSED LAND DIVISIONS. AT 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 HAVE NOT TAKEN INTO ACCOUNT. ZONING UTILITY 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 GUIDANCE THAT WOULD BE NECESSARY TO ADDRESS ALL OTHER ISSUES OF DEVELOPMENT.



CITY OF WILDWOOD
DEC 18 2015
DEPT OF PLANNING & PARKS

VOLZ Incorporated
ENGINEERS LAND PLANNING LAND SURVEYING TRANSPORTATION CONST. MANAGEMENT
10849 Indian Head Inds. Blvd. St. Louis, Missouri 63132 314.426.6212 Main 314.890.1250 Fax www.volzinc.com

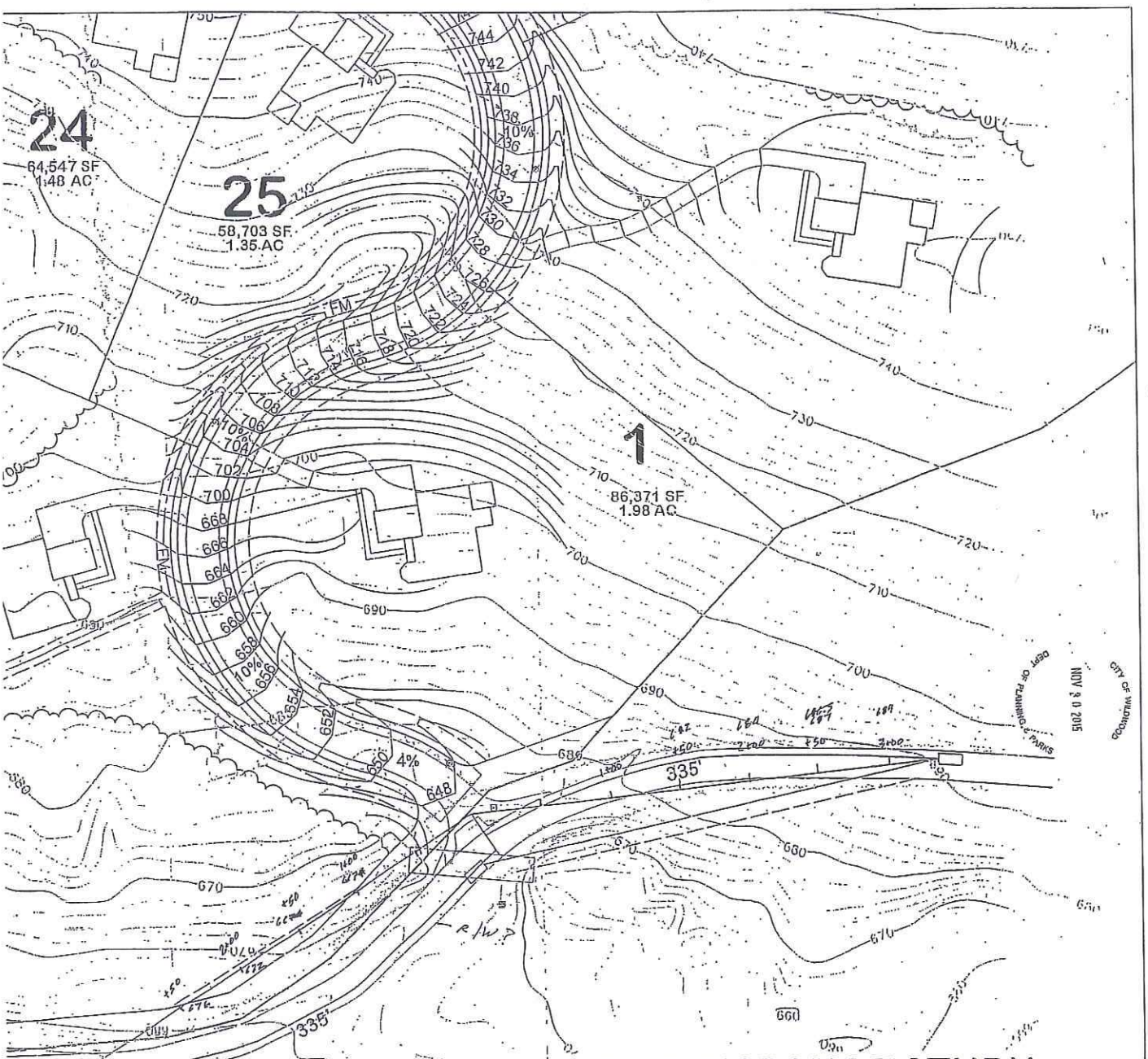
PAYNE family HOMES

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

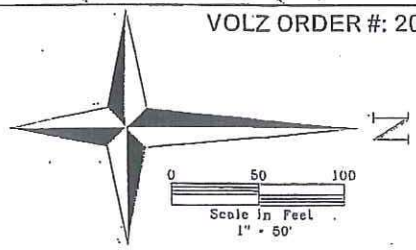
Base Map No. 23Y
23Y520013
25710
09/03/2015
2



SIGHT DISTANCE STUDY

1971 POND RD

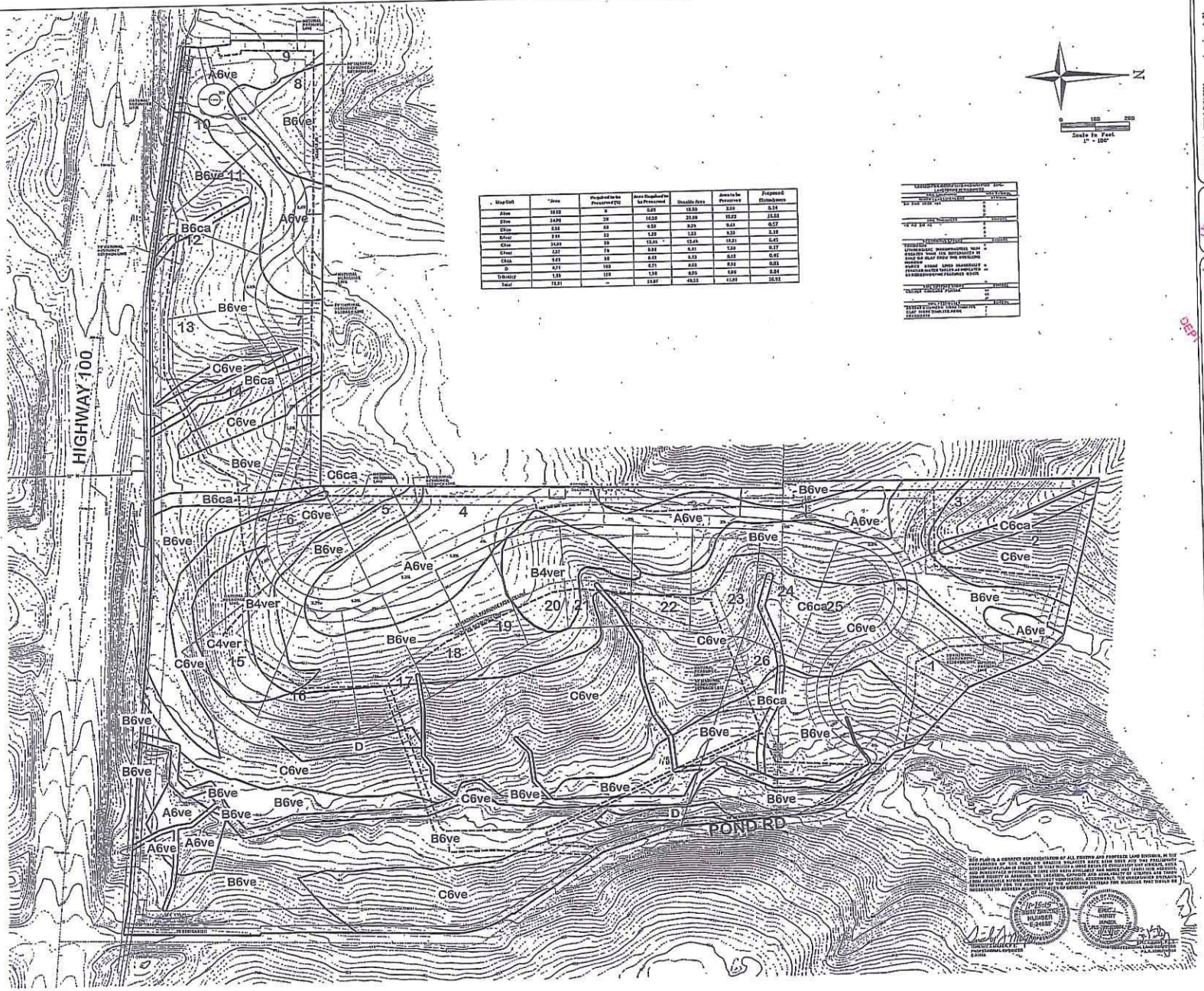
VOLZ ORDER #: 20710



STATE OF MISSOURI
11-23-15
TIMOTHY JOHN MEYER
NUMBER
E-24665
REGISTERED PROFESSIONAL ENGINEER

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'



Map Unit	*Area	Proposed to be Preserved (%)	Area Required to be Preserved	Usable Area	Area to be Preserved	Proposed Disturbance
A6ve	10.88	0	0.00	10.88	0.00	0.34
B6ve	34.96	38	10.50	23.88	13.22	23.03
B6ca	0.84	68	0.59	0.25	0.43	0.17
B6ver	3.93	53	1.20	2.73	1.53	2.10
C6ve	14.01	55	13.01	12.46	13.21	0.45
C6ca	1.27	78	0.94	0.33	1.10	0.17
B4ver	9.61	10	0.61	8.73	0.88	0.45
D	0.71	100	0.71	0.00	0.71	0.00
C4ver	1.35	100	1.35	0.00	1.00	0.04
Total	71.31	--	18.87	49.23	41.08	26.92

GENERAL	
PROJECT NAME	1971 POND ROAD
PROJECT LOCATION	POND ROAD, WILDWOOD, MO 63040
PROJECT DESCRIPTION	RESIDENTIAL SINGLE FAMILY DEVELOPMENT
SITE DATA	
TOTAL SITE AREA	71.31 ACRES
TOTAL DISTURBED AREA	41.08 ACRES
PROPOSED SITE DATA	
TOTAL NUMBER OF LOTS	71
TOTAL NUMBER OF BUILDINGS	71
ZONING	
ZONING	R-1
PARKING	
PARKING REQUIRED	2 PER DWELLING UNIT
PARKING PROVIDED	2 PER DWELLING UNIT
SIGNS	
SIGNS	NONE

VOLZ Incorporated
ENGINEERS
LAND SURVEYORS
LAND DEVELOPERS
ENVIRONMENTAL CONSULTANTS
1055 Corporate Pointe Drive, Suite 200
Ballwin, Missouri 63021
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PAYNE family HOMES

CITY OF WILDWOOD
DEC 18 2015
DEPT. OF PLANNING & PARKS

1971 POND ROAD

A TRACT OF LAND BEING PART OF SECTIONS 3 AND 10, TOWNSHIP 44 NORTH, RANGE 3 EAST AND SECTIONS 33 AND 34, TOWNSHIP 45 NORTH, RANGE 3 EAST, ST. LOUIS COUNTY, MISSOURI

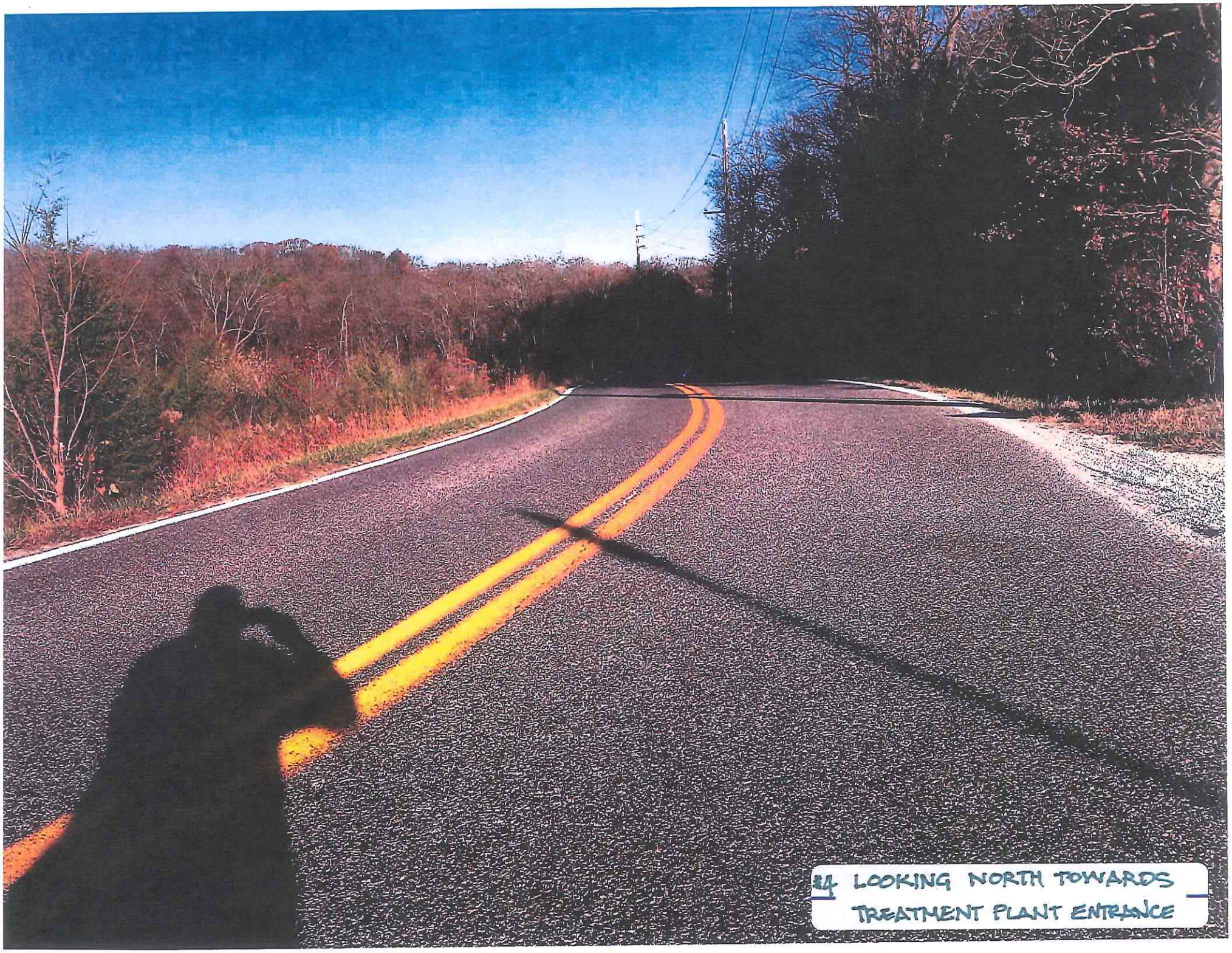
NATURAL RESOURCE PROTECTION PLAN

Est. Sur. No. 3.31
3/30/2015
2016

SHEET 3

LOOKING NORTH TOWARDS
MAIN ENTRANCE #2

#3 LOOKING SOUTH TOWARDS TREATMENT PLANT ENTRANCE



#4 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 the 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 Puppingham 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: Ronald W Peasley

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

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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

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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

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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

Email not displaying correctly? View it in your browser.

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

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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 subdivison 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
Neighborhoid 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

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Request Being Considered	P.Z 19-15 1971 Pond Road
Item Description	PRD application
Position on Request	Do Not Support
General Comments	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

	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

Email not displaying correctly? View it in your browser.

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.*
Position on Request	Do Not Support
General Comments	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 impposible 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

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

GENERAL NOTES:

THIS SITE 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 TRETMENT 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.

GRADING 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 THIS 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 EXCAVATION, OR CONSTRUCTION OF IMPROVEMENTS IN THE FIELD PRIOR TO ANY GRADING. THESE PROVISIONS SHALL IN NO WAY ABSOLVE ANY PARTY FROM COMPLYING WITH THE UNDERGROUND FACILTY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 319, RSMO.

LANDSCAPING AND LIGHTING PLANS WILL BE PROVIDED AT FUTURE DATE AND COMPLY WITH CITY OF WILDWOOD REGULATIONS. STREET LIGHTS 16' HIGH MAX.

EXISTING PAVEMENT & R.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.

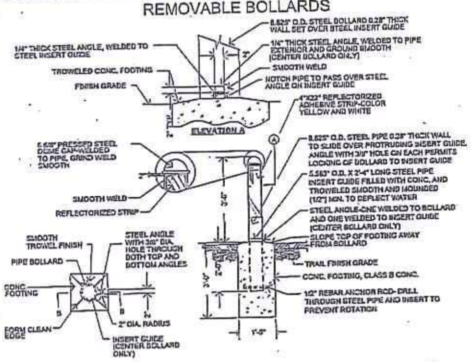
FIRE FLOW IS 1500 GPM AT 20 PSI HYDRANT SPACING IS 600' APART, ANY STREET LESS THAN 28 FEET WIDE WILL NEED TO RESTRICT PARKING ON ONE SIDE, EMERGENCY ACCESS OFF OF LYNDA JANE LANE MUST BE BUILT TO HOLD A 74,000 POUND VEHICLE. (NO PARKING SIGNS ON ONE SIDE OF STREET)

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 28 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 AMENDED SOILS, RAIN GARDENS, LEVEL ROCK SPREADERS, AND DRY WELLS. THE TYPICAL ROAD WAY SECTION WILL NOT HAVE CURBING BUT

REMOVABLE BOLLARDS



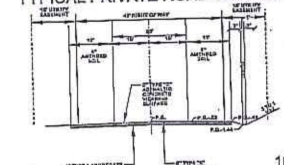
PROJECT NOTES:		
AREA OF SITE:	78.80 ACRES	
EXISTING ZONING:	"NU" NON-URBAN	
PROPOSED ZONING:	"NU" PRD – PLANNED RESIDENTIAL DEVELOPMENT	
PROPOSED COMMON GROUND	29.89 ACRES	
LOCATOR NUMBER/S: OWNER OF RECORD: SITE ADDRESS:	23W320013 SCHNEIDER MILDRED E TRUSTEE 1971 POND RD GLENCOE, MO. 63038	
PREPARED FOR:	PAYNE family HOMES	16427 BAUR BLVD. SUITE B SAINT LOUIS, MISSOURI 63132 MAIN OFFICE: 314-856-6033
PREPARED BY:	VOLZ Incorporated	10849 INDIAN HEAD IND. BLVD. ST. LOUIS, MO 63132 314.426.6212 MAIN 314.890.1260 FAX
NUMBER OF LOTS ALLOWED:	78.8 AC / 3 AC = 26 LOTS	
PARKING REQUIREMENT & PROPOSED:	2 SPACES PER LOT (26 LOTS) = 52 SPACES	
FEMA	29189C0384K – THERE IS NO FLOODPLAIN ON THIS SITE	

Standard for 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)
Amount of Required Public Space	45,302.4 Square feet – 1.04 Acres
Amount of Provided Public Space	728,040 Square feet – 16.7 Acres
– Multiple Use Trail	31,000 Square feet
– Underground Detention Area	0
– Public Land Dedication	0
– Privately-held Common Ground	1,444,873 Square feet – 33% = 16.0 Ac
List Installed Improvements	Total Number (list below on lines)
– Picnic Tables	0
– Benches	0
– Trash Receptacles	0
– Bicycle Racks	0
– Trail	2,500 LN FT OF TRAIL
Other Public Space Items (if provided)	
Fee In Lieu	

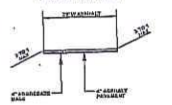
TREE PROTECTION NOTES:

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 TRENCHING 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 TRENCHING
   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

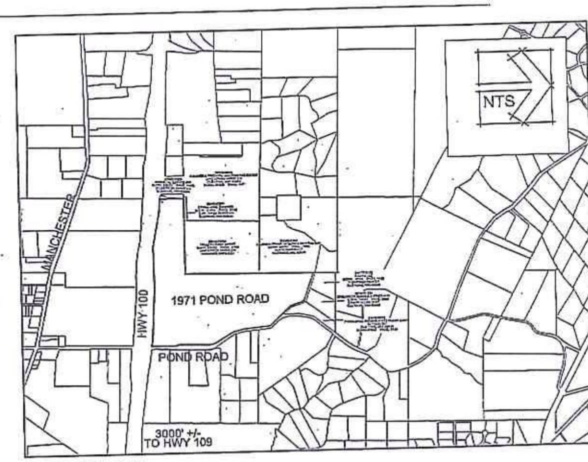
TYPICAL PRIVATE ROAD SECTION



20' WIDE ASPHALT FIRE LANE



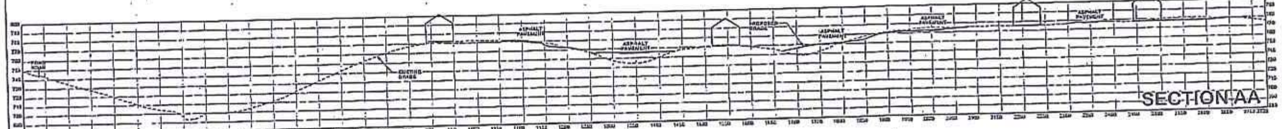
10' WIDE ROCK ACCESS DRIVE TREATMENT FACILITY

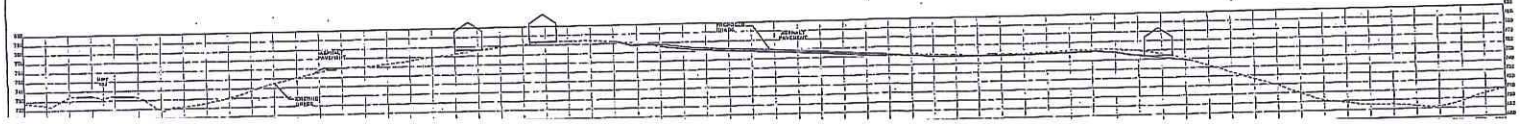


LOCATION MAP

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 00 DEGREES 48 MINUTES 35 SECONDS EAST 902.41 FEET TO THE SOUTH LINE "EATHERTON TRACTS" A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 108 PAGE 34 OF THE ST. LOUIS COUNTY RECORDS; THENCE EASTWARDLY ALONG SAID SOUTH LINE THE FOLLOWING COURSES AND DISTANCES: SOUTH 75 DEGREES 31 MINUTES 17 SECONDS EAST 483.57 FEET, SOUTH 35 DEGREES 07 MINUTES 17 SECONDS EAST 103.18 FEET, SOUTH 21 DEGREES 04 MINUTES 17 SECONDS EAST 103.50 FEET, SOUTH 46 DEGREES 42 MINUTES 17 SECONDS EAST 233.30 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 10 DEGREES 33 MINUTES 58 SECONDS EAST 53.36 FEET, SOUTH 44 DEGREES 58 MINUTES 42 SECONDS EAST 153.36 FEET, SOUTH 33 DEGREES 52 MINUTES 03 SECONDS EAST 78.23 FEET, SOUTH 14 DEGREES 23 MINUTES 51 SECONDS EAST 48.61 FEET, SOUTH 14 DEGREES 38 MINUTES 03 SECONDS EAST 108.45 FEET, SOUTH 17 DEGREES 48 MINUTES 43 SECONDS EAST 234.30 FEET, SOUTH 34 DEGREES 45 MINUTES 08 SECONDS EAST 317.33 FEET, SOUTH 53 DEGREES 34 MINUTES 35 SECONDS WEST 4.48 FEET, ALONG A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS SOUTH 53 DEGREES 34 MINUTES 35 SECONDS WEST 238.70 FEET FROM THE LAST MENTIONED POINT A DISTANCE OF 188.77 FEET, SOUTH 01 DEGREES 37 MINUTES 46 SECONDS WEST 434.62 FEET, SOUTH 80 DEGREES 30 MINUTES 14 SECONDS EAST 74.71 FEET, SOUTH 01 DEGREES 46 MINUTES 45 SECONDS WEST 58.47 FEET, NORTH 87 DEGREES 35 MINUTES 03 SECONDS EAST 4.85 FEET, SOUTH 01 DEGREES 33 MINUTES 43 SECONDS WEST 368.55 FEET TO THE NORTH RIGHT-OF-WAY LINE OF MISSOURI ROUTE 100, VARYING WIDTH, AS ESTABLISHED BY INSTRUMENT RECORDED IN BOOK 1881 PAGE 1084 OF THE ST. LOUIS COUNTY RECORDS; THENCE WESTWARDLY ALONG SAID NORTH RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES: NORTH 78 DEGREES 03 MINUTES 33 SECONDS WEST 93.14 FEET, NORTH 85 DEGREES 00 MINUTES 53 SECONDS WEST 337.83 FEET, NORTH 89 DEGREES 05 MINUTES 11 SECONDS WEST 852.13 FEET, NORTH 83 DEGREES 59 MINUTES 13 SECONDS WEST 711.78 FEET, NORTH 85 DEGREES 40 MINUTES 21 SECONDS EAST 48.85 FEET, NORTH 85 DEGREES 17 MINUTES 41 SECONDS WEST 84.71 FEET, NORTH 38 DEGREES 30 MINUTES 33 SECONDS WEST 12.38 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 388.78 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 38 SECONDS EAST 1294.57 FEET TO THE WEST LINE OF SAID SECTION 2; THENCE NORTHWARDLY ALONG SAID WEST LINE OF SECTION 2 NORTH 01 DEGREES 32 MINUTES 41 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 78.8 ACRES ACCORDING TO CALCULATIONS BY VOLZ INC. DURING SEPTEMBER 2015.





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 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 CONSENT 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 GUIDANCE THAT WOULD BE NECESSARY TO ADDRESS ALL CONDITIONS OF DEVELOPMENT.

PAYNE family HOMES

VOLZ Incorporated
ENGINEERS
LAND PLANNERS
LAND SURVEYORS
TRANSPORTATION
CONST. MANAGEMENT
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314.890.1260 Fax
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CITY OF WILDWOOD
DEC 18 2015
DEPT OF PLANNING & PARKS

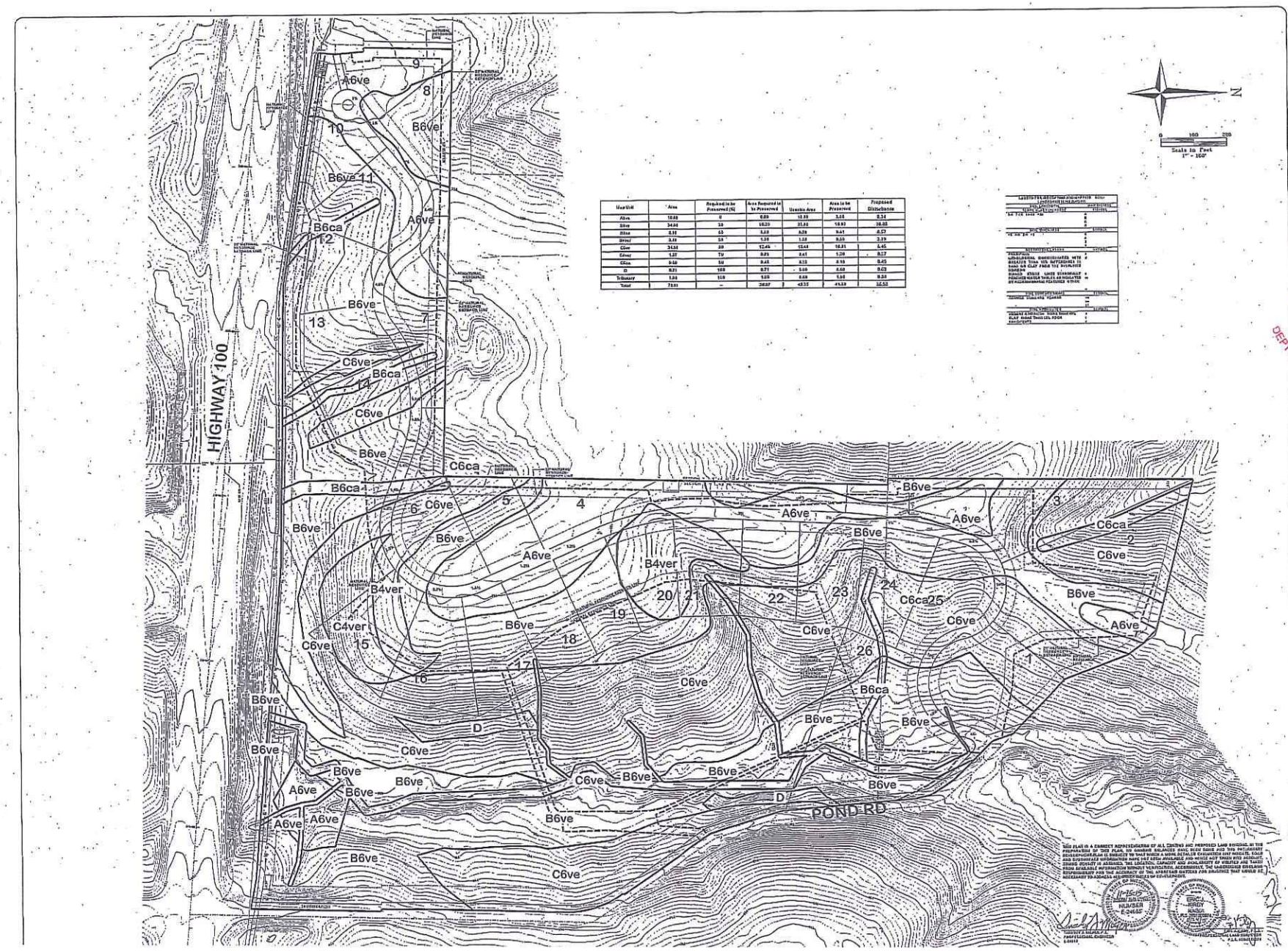
12/18/15

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

East Map No. 23W
23N320013
9/10/2015



Use/Unit	Area	Required to be Preserved (%)	Area Required to be Preserved	Useable Area	Area to be Preserved	Proposed Disturbance
A6ve	10.60	0	0.00	10.60	2.26	8.34
B6ve	34.84	50	16.93	31.93	13.93	18.00
B6ca	2.91	65	1.89	0.59	0.41	0.17
B4ver	3.34	55	1.84	1.50	0.35	1.15
C6ve	24.92	50	12.46	12.46	10.31	6.45
C6ca	1.37	70	0.96	0.41	1.28	0.17
C4ver	0.52	50	0.26	0.26	0.16	0.10
D	0.71	100	0.71	0.00	0.69	0.02
Tributary	1.04	100	1.04	0.00	1.04	0.00
Total	79.91	–	36.07	43.53	31.13	12.53

LEGEND

SOIL CHARACTERISTICS

Soil Pits Dug	

SOIL PROPERTIES

Hydrologic Group	

DESCRIPTIONS

Hydrologic Soil Group	
Depth to Bedrock	
Depth to Water Table	
Depth to Restrictive Layer	

SOIL TYPE/DRAINAGE

Drainage Class	

SOIL COMPONENTS

Clay	
Silt	
Sand	
Gravel	
Cobbles	
Stones	
Boulders	

SOIL COMPONENTS

Organic Matter	
Clay	
Silt	
Sand	
Gravel	
Cobbles	
Stones	
Boulders	

THIS PLAN IS A CORRECT REPRESENTATION OF ALL EXISTING AND PROPOSED LAND DISTURBANCE IN THE PREPARATION OF THIS PLAN, THE GRADING BALANCES HAVE BEEN MADE AND THE INFORMATION REGARDING CHERTLAND IS SUBJECT TO THAT WHICH A MORE DETAILED EVALUATION MAY INDICATE. COLLECTED AND DISCERNED INFORMATION MAPS THAT WERE AVAILABLE AND WHICH NOT THEIR SITE ACCURACY. EXISTING SOILINFO IN ADDITION, THE LOCATION, CAPACITY AND AVAILABILITY OF UTILITIES AND TAKEN FROM AVAILABLE INFORMATION WITHOUT VERIFICATION. ACCURACY THE LANDOWNER SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE APPROPRIATE METHODS FOR DRAINAGE THAT WOULD BE NECESSARY TO ADEQUATE AN ACCEPTABLE DEVELOPMENT.

PROFESSIONAL ENGINEER
PROFESSIONAL ENGINEER
E-24458

PROFESSIONAL LAND SURVEYOR
P.L.S. 2001-0126

VOLZ Incorporated
Engineers
Land Surveyors
Land Planners
Consultants
Environmental Consultants
PAYNE family HOMES

CITY OF WILDWOOD
DEC 18 2015
DEPT OF PLANNING & PARKS

1971 POND ROAD

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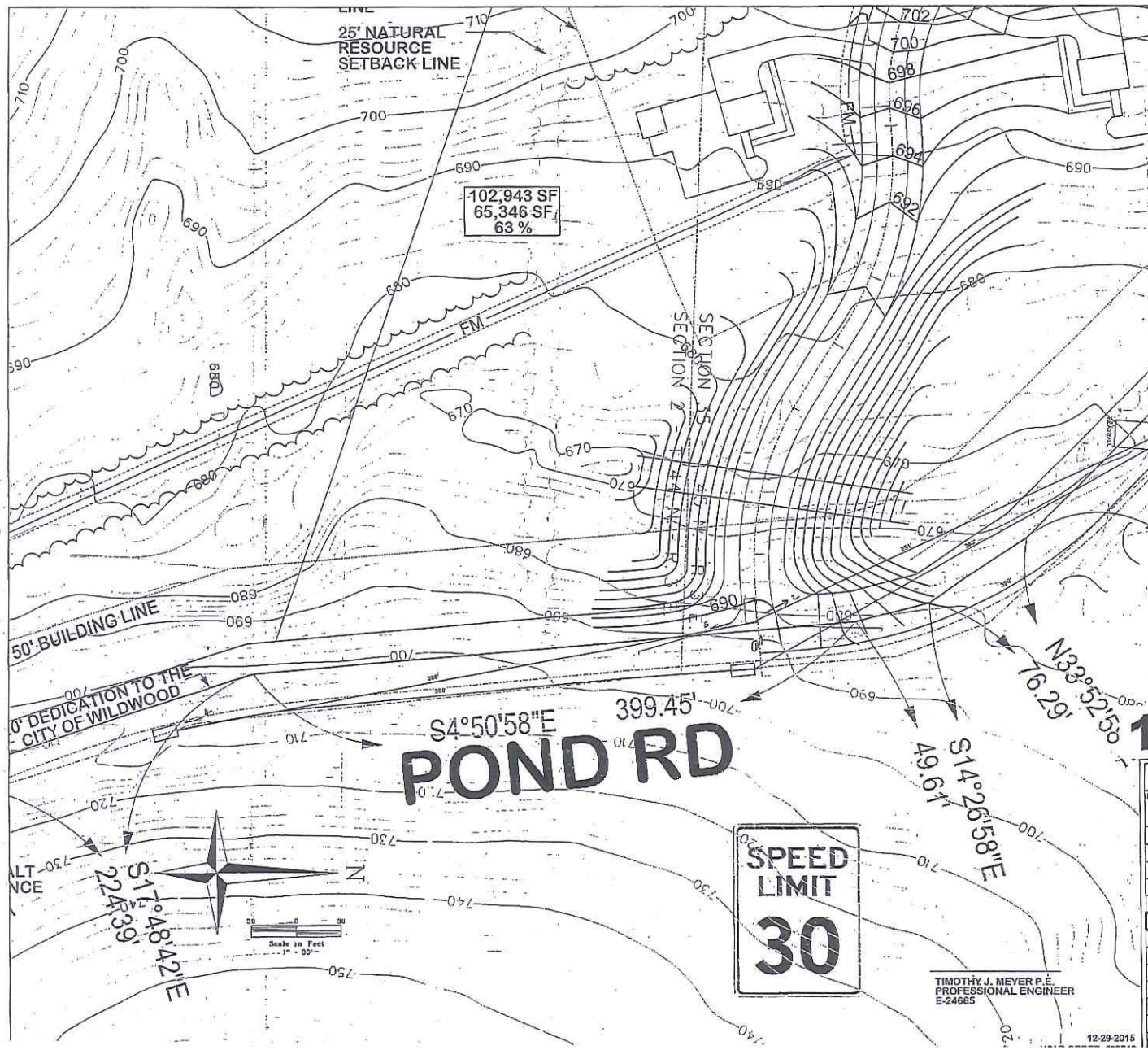
NATURAL RESOURCE PROTECTION PLAN

Book No. 336
Page 19
Date 12/18/2015
Scale 1"=100'

12/18/15

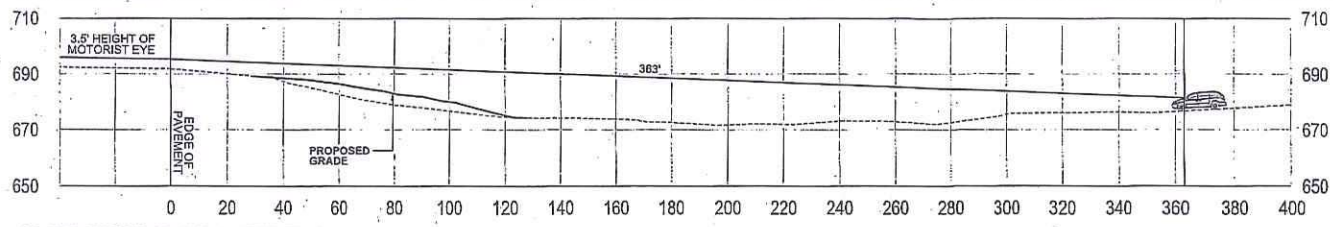


SIGHT DISTANCE STUDY
1971 POND RD

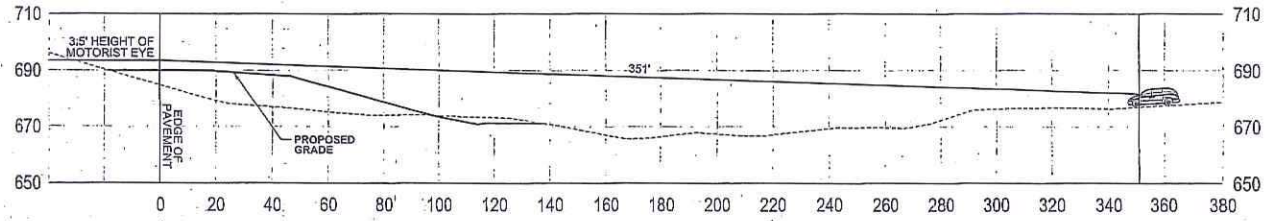
SIGHT DISTANCE FOR VEHICLE ENTERING ROADWAY FROM STOPPED POSITION ASSOCIATED WITH NEW DEVELOPMENT

Design Speed on Thru Roadway (M.P.H.)	Sight Distance for Left Turn From Minor Road ("X" & "2")			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	"W"=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'

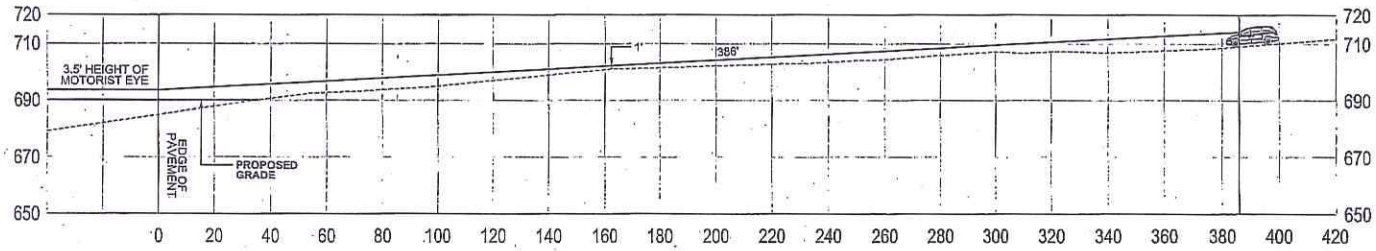
12/18/15



MAIN ENTRANCE LEFT TURN



MAIN ENTRANCE LOOKING NORTH



MAIN ENTRANCE LOOKING SOUTH

TIMOTHY J. MEYER P.E.
PROFESSIONAL ENGINEER
E-24665

JAN 28 2015

SIGHT DISTANCE STUDY

1971 POND RD

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 ("A" & "2")			Sight Distance for Left Turn From Major Road ("1")			Sight Distance for Right Turn Only Intersections ("X")
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