

AGENDA

for the

CITY OF WILDWOOD'S

PLANNING AND ZONING COMMISSION

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

August 1, 2016 - Monday

7:00 P.M.

Action Items on Tonight's Agenda -----> **One (1) Public Hearing, Two (2) Letters of Recommendation, One (1) Information Report, and Consideration of Commission's By-Laws.**

- I. Welcome To Attendees And Roll Call Of Commission Members
- II. Review Tonight's Agenda/Questions Or Comments
- III. Approval Of Minutes Of The Meeting Of Monday, July 18, 2016

Documents:

[III. JULY 18, 2016 DRAFT MINUTES.PDF](#)

- IV. Department Of Planning's Opening Remarks/Updates
- V. Public Hearings – One (1) Item For Consideration

- 1. P.Z. 6-16 Auburn Ridge, Fischer And Frichtel Custom Homes, 695 Trade Center Boulevard, Chesterfield, Missouri, 63005

A request for the application of a Planned Residential Development Overlay District (PRD) within the NU Non-Urban Residence District for a 81.4 acre tract of land that is located on the southwest side of Ridge Road, south of Lack Ridge Road (Locator Number: 25U330010 and 25U310023/Street Addresses: 1115 Ridge Road and 1513 Windwood Hills Drive). Proposed Use: A total of twenty-seven (27) individual lots, with common ground, and required public space areas. **(Ward Six)**

Documents:

[V.A. AUBURN RIDGE.PDF](#)

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

1. Letters Of Recommendation – Two (2) Items For Consideration

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

Documents:

[VI.A. OLD TOWNE PARC.PDF](#)

- a.1. Public Comments On Recommendation
- b. P.Z. 10-16 City Of Wildwood Planning And Zoning Commission, C/O Department Of Planning, 16860 Main Street, Wildwood, Missouri 63040
A request to review and consider amendments to the City of Wildwood's Zoning Ordinance – Chapter 415 of the City of Wildwood Municipal Code – for all of its “R” Residence District zoning designations (Chapter 415 – Sections 110 through 160), including Chapter 415.090 NU Non-Urban Residence District, thereby adding new language to prohibit the installation of impervious surfaces and other improvements in the side yard setbacks, which are not considered structures under the Zoning Ordinance's definition of the same. **(Wards - All)**

Documents:

[VI.B. SIDE YARD SETBACKS.PDF](#)

- b.1. Public Comments On Recommendation
- c. Information Reports – One (1) Item For Consideration
- c.1. P.Z. 24-15 Rockwood School District - Lafayette High School, C/O Dr. Karen Calcaterra, 17050 Clayton Road, Wildwood, Missouri 63011
A request for a Conditional Use Permit (CUP) in the NU Non-Urban Residence District for the installation of sponsorship type banners on existing fencing associated with the athletic fields that are part of the Lafayette High School Campus. This campus is located on the east side of State Route 109, south of Clayton Road (Locator Number: 22V210215/Street Address: 17050 Clayton Road). **Proposed Use: Sponsorship type banners for a public use, with a minimum of two (2) operational athletic fields on the same lot. (Ward Five)**

Documents:

[VI.C. LAFAYETTE HIGH SCHOOL CUP.PDF](#)

- c.1.1. Public Comments On Recommendation

VII. New Business – No Items For Consideration

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

IX. Other – One (1) Item For Consideration – Commission By-Laws

1. Amend Existing By-Laws To Address Time Change Relative To The Start Of Planning And Zoning Commission Meetings. (Wards – All)

Documents:

[IX.A. BY-LAWS.PDF](#)

X. Closing Remarks And Adjournment By Chair Of Commission

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

CITY OF WILDWOOD, MISSOURI
RECORD OF PROCEEDINGS

MEETING OF THE PLANNING AND ZONING COMMISSION
CITY HALL, 16860 MAIN STREET, WILDWOOD, MISSOURI
July 18, 2016

The Planning and Zoning Commission meeting was called to order by Chair Bopp, at 7:00 p.m., on Monday, July 18, 2016, at Wildwood City Hall, 16860 Main Street, Wildwood, Missouri.

I. Welcome to Attendees and Roll Call of Commission Members

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

PRESENT – (8)

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

ABSENT – (2)

Commissioner Renner
Commissioner Kohn

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

II. Review Tonight's Agenda / Questions or Comments

III. Approval of Minutes from the July 5, 2016 Meeting

A motion was made by Commissioner Archeski, seconded by Council Member Manton, to approve the minutes from the July 5, 2016 meeting. A voice vote was taken regarding the motion for approval of the minutes. Hearing no objections, Chair Bopp declared the motion approved.

IV. Department of Planning Opening Remarks

No opening remarks from the Department of Planning.

V. Public Hearings – No Items for Consideration

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

Letters of Recommendation – One (1) Item for Consideration

- a) **P.Z. 9-16 Fick Supply Service, 501 North Eatherton Road, Wildwood, Missouri 63005** – A request to amend the current M-3 Planned Industrial District Ordinance that governs this property (#1697), along with the review and action upon an Amended Site Development Plan, all being on a 21.7 acre tract of land, which is located on the west side of North Eatherton Road, north of Centaur Road

(Locator Numbers: 17X320088 and 18X640013/Street Addresses: 501 and 495 North Eatherton Road).
Proposed Use: The expansion of the existing mulch storage and composting facility, with wholesaling and limited retail, to accommodate increased storage, processing, and accessory operations at this location. (Ward One)

Planner Newberry read the request into the record.

Director Vujnich first brought to the attention of the Commission a letter from the City of Chesterfield and a letter from the petitioner requesting certain additional materials be included in the amended site-specific governing ordinance. Director Vujnich noted the Commission is considering two (2) different components with this request, the first being amendments to the site-specific governing ordinance, and the second being the approval of the Site Development Plan. Regarding the first component, he explained the zoning history of the existing use and the requested expanded use. He noted the Department is recommending certain additional materials requested by the petitioner for processing be allowed, while also recommending other requested materials not be allowed, specifically Class D and Class H.

Chair Bopp invited the petitioner to address the Commission.

Dave Fick, owner, Fick Supply Service, 501 North Eatherton Road, explained the original request was not very specific, and respectfully asked the Planning and Zoning Commission to consider including the more specific additional materials for processing listed in his letter, which has been provided to Commission Members. He also outlined the various regulations with St. Louis County and others regarding the processing of these materials. He also noted there will be some additional landscaping on the expanded portion of the site.

Discussion was held among Commission Members regarding the requested additional materials and the proposed landscaping. Commission Members commended Mr. Fick for the success of his business and the overall maintenance of his property.

A motion by Commissioner Archeski, seconded by Council Member Manton, to accept the Department's report and recommendation, and to allow the materials requested by Mr. Fick in his email dated July 18, 2016.

Chair Bopp called the question.

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

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

Nays: None

Absent: Commissioner Renner and Commissioner Kohn

Abstain: None

Whereupon, Chair Bopp declared the motion passed by a vote of 8-0.

Information Reports – Two (2) Items for Consideration

- b) P.Z. 1-16 Old Towne Parc, Mike Whalen, Whalen Custom Homes, Inc., 338 South Kirkwood Road, Suite 103, Kirkwood, Missouri 63122 – A request for a change in zoning from the NU Non-Urban**

Residence District to the R-3 10,000 square foot Residence District on a 1.4 acre tract of land consisting of four (4) lots of record, all being located on the east side of Center Avenue, south of Manchester Road (Locator Numbers: 24V510232, 24V510221, 24V510166, and 24V510089/Street Addresses: 17020, 17026, and 17030 Manchester Road and 2612 Center Avenue). **Proposed Use: A total of four (4) single family dwellings on individual lots. (Ward Eight)**

Planner Newberry read the request into the record.

Director Vujnich outlined the Department's report and recommendation to approve the requested change in zoning. He noted this request was not for a special procedure, but rather a straight change in zoning. He outlined the process for review of this proposed development and that the Planning and Zoning Commission will have the opportunity to review and act on the preliminary plat. Director Vujnich updated the Commission on discussions with current residents along Center Avenue regarding improvements to the roadway and its dedication as a public street, noting productive discussions had taken place at a June 29, 2016, Neighborhood Meeting.

Chair Bopp invited the petitioner to address the Commission.

Mike Whalen, 338 South Kirkwood Road, Suite 103, Kirkwood, Missouri, outlined the proposed development, noting the garages would be side-entry on two (2) of the homesites and detached on two (2) of the homesites. He also shared examples of homes of similar character that he planned to build in this development.

Chair Bopp invited members of the public to address the Commission.

Keith Gegg, 2473 Hickory Manor Drive, outlined the history of the existing curb cut located on Manchester Road, accessing this tract of land.

Discussion was held among Commission Members regarding the type of home planned for this development; the discussions among the neighbors on Center Avenue, the City, and Mr. Whalen; the proposed design of Center Avenue; and the landscaping plan.

A motion by Commissioner Archeski, seconded by Mayor Bowlin, to accept the department's report and recommendation to approve the change in zoning.

Chair Bopp called the question.

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

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

Nays: None

Absent: Commissioner Renner and Commissioner Kohn

Abstain: None

Whereupon, Chair Bopp declared the motion passed by a vote of 8-0.

- c) **P.Z. 10-16 City of Wildwood Planning and Zoning Commission, c/o Department of Planning, 16860 Main Street, Wildwood, Missouri 63040** – A request to review and consider amendments to the City of Wildwood's Zoning Ordinance – Chapter 415 of the City of Wildwood Municipal Code – for all of its "R" Residence District zoning designations (Chapter 415 – Sections 110 through 160), including

Chapter 415.090 NU Non-Urban Residence District, thereby adding new language to prohibit the installation of impervious surfaces and other improvements in the side yard setbacks, which are not considered structures under the Zoning Ordinance's definition of the same. **(Wards - All)**

Planner Newberry read the request into the record.

Director Vujnich explained the City's current Zoning Regulations and Grading Code do not restrict the installation of impervious surfaces or other similar improvements within the side yard setback area. He outlined an existing issue that arose due to the installation of impervious surface in a side yard setback which, among others, prompted this review. He noted the research the Department of Planning compiled and explained the resulting amendment to the text of the Municipal Code outlined in the Department's report and recommendation.

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

Discussion was held among Commission Members regarding the regulations in relation to the parking of vehicles on the lawn area; issues with stormwater; if property owners would be allowed to install permeable paver surfaces in the side yard setback area; and allowing sidewalks in the side yard setback area.

Mayor Bowlin suggested "driving" be included in the prohibited intended purpose of flatwork in the side yard setback area.

Commissioner Bauer expressed her concern that this amendment to the City's Zoning Ordinance would lead to conflicts with the indenture requirements of individual subdivisions.

A motion by Mayor Bowlin, seconded by Commissioner Archeski, to accept the Department's report and recommendation, with the addition of "driving" to the prohibited intended purpose of flatwork in the side yard setback area.

Chair Bopp called the question.

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

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

Nays: Commissioner Bauer

Absent: Commissioner Renner and Commissioner Kohn

Abstain: None

Whereupon, Chair Bopp declared the motion passed by a vote of 7-1.

VII. New Business – Two (2) Items for Consideration

Correspondence Items – Two (2) Items for Consideration

- a) A response to a communication from Robert W. Covert III and Mary Kay Corsair, which is dated April 15, 2016, regarding **P.Z 14-07 Covert-Corsair Homes, Inc., c/o Stock and Associates**; C-8 Planned Commercial District (Town Center Workplace and Neighborhood Edge Districts); north side of

Manchester Road, west of Taylor Road; seeking a modification to the site-specific ordinance, to allow for an extension of time for the commencement of construction to begin upon this tract of land, which must be met in a specified timeframe (July 25, 2016). **(Ward Eight)**

Planner Newberry read the request into the record.

Director Vujnich outlined the zoning history of this site and the challenges that have prevented the commencement of construction on it. He stated the Department is recommending the time period for commencement of construction be extended eighteen (18) months.

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

Discussion was held among Commission Members regarding the existing Site Development Plan and the need to not extend time period for commencement of construction be extended eighteen (18) months.

A motion by Council Member Manton, seconded by Commissioner Archeski, to not accept the Department's recommendation to extend the deadline for commencement of construction.

Chair Bopp called the question.

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

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

Nays: None

Absent: Commissioner Renner and Commissioner Kohn

Abstain: None

Whereupon, Chair Bopp declared the motion passed by a vote of 8-0.

- b) A response to a request from the Wildwood City Council regarding **P.Z. 25-15 Laurie Taylor, 17715 Manchester Road, Wildwood, Missouri, 63038, c/o Volz, Inc.**; Conditional Use Permit (CUP) in the NU Non-Urban Residence District; north side of Manchester Road, west of Pond Road; which addresses the property owner's application to modify the governing permit to eliminate the current seven (7) year renewal requirement for this large water feature. **(Ward One)**

Planner Newberry read the request into the record.

Director Vujnich noted this Conditional Use Permit (CUP) for a large water feature was recently approved by the Planning and Zoning Commission and received and filed by the City Council. He noted the petitioner's reluctance to have the Conditional Use Permit (CUP) recorded with the St. Louis County Recorder of Deeds, given its condition of a seven (7) year renewal period. He explained the Department is in receipt of a correspondence from the petitioner requesting the condition of a seven (7) year renewal period be removed. He stated the Department is recommending this condition be removed. He also noted the petitioner is requesting the condition of providing a nuisance bond be removed.

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

Laurie Taylor, 2000 Sundowner Ridge Drive, stated her concerns regarding the condition of a seven (7) year renewal period and the nuisance bond. She outlined her plans for the property and her desire to

begin construction of the lake.

Discussion was held among Commission Members regarding the merits of requiring a renewal period for a lake of this size; the low amount of risk to State Route 100 if a failure were to occur in the proposed dam, as identified by the petitioner's consulting engineer; and the acknowledgement that large water features of a greater size proposed in the City in the future may require a renewal period, as determined appropriate by the Planning and Zoning Commission.

A motion by Mayor Bowlin, seconded by Council Member Manton to accept the Department's report and recommendation to remove the seven (7) year timeframe, and also remove the requirement to provide a nuisance bond, as requested by the petitioner at tonight's meeting.

Chair Bopp called the question.

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

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

Nays: None

Absent: Commissioner Renner and Commissioner Kohn

Abstain: None

Whereupon, Chair Bopp declared the motion passed by a vote of 8-0.

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

IX. Other – No Items for Consideration

A motion by Council Member Manton, seconded by Commissioner Bartoni, to place **P.Z. 12 and 13-15 Villages at Brightleaf** on the August 1, 2016 Planning and Zoning Commission Agenda, regarding the requested amendment to the site-specific governing ordinance to change lot widths and depths.

Discussion was held among Commission Members regarding the forthcoming recommendation by the Pond-Grover Loop Road Committee; the possible impact the proposed extension of the Pond-Grover Loop Road might have on the lot widths and depths; and the petitioner's desire to continue through the process, in order to commence construction of the development.

Chair Bopp called the question.

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

Ayes: Commissioner Bauer, Commissioner Bartoni, Council Member Manton, and Mayor Bowlin

Nays: Commissioner Lee, Commissioner Archeski, Commissioner Gragnani, Chair Bopp

Absent: Commissioner Renner and Commissioner Kohn

Abstain: None

Whereupon, Chair Bopp declared the motion failed for a lack of a majority, by a vote of 4-4.

Chair Bopp announced the Nominating Committee of the Planning and Zoning Commission offers the following nominations for Planning and Zoning Commission Officers:

Chair – Mr. R. Jon Bopp

Vice-Chair – Mr. Rick Archeski

Secretary – Mrs. Fran Gragnani

Planner Newberry informed Chair Bopp there was a member of the public who wished to address the Commission regarding an item that is listed as “Not Ready For Action Items” on tonight’s agenda.

Chair Bopp invited the individual to address the Commission.

Jean Vedvig, 16709 Clayton Road, stated her concerns regarding P.Z. 1 and 1a-99 W.J. Byrne Builders Inc. and an upcoming meeting between City officials and the United States Environmental Protection Agency (EPA).

Chair Bopp thanked Ms. Vedvig for her comments.

X. Closing Remarks and Adjournment

Motion by Commissioner Bartoni, seconded by Mayor Bowlin, to adjourn the meeting. A voice vote was taken. Hearing no objections, Chair Bopp adjourned the meeting at 9:30 p.m.

Approved by:

Chair – City of Wildwood Planning and Zoning Commission

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

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



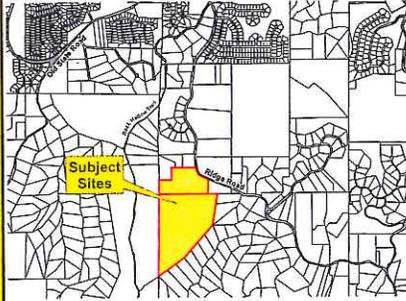
WILDWOOD

16860 Main Street
Wildwood, MO 63040

**CITY OF WILDWOOD
NOTICE OF
PUBLIC HEARING**
before the Planning and Zoning Commission
Monday, August 1, 2016, at 7:00 p.m.

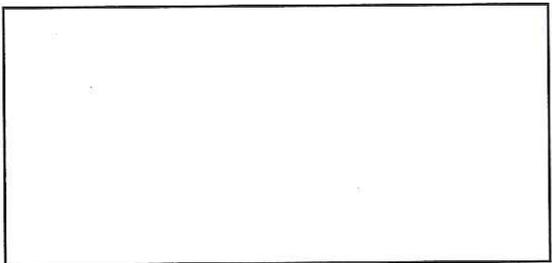
AS A RESIDENT OR PROPERTY OWNER NEAR THE SITE THAT IS IDENTIFIED ON THIS MAILER, THE CITY OF WILDWOOD WOULD LIKE TO ENSURE YOU ARE AWARE OF THIS REQUEST/PROPOSAL BECAUSE IT IS LOCATED WITHIN 3,000 FEET OF YOUR PROPERTY. YOUR COMMENTS ARE ENCOURAGED, ALONG WITH YOUR PARTICIPATION AT THE SCHEDULED HEARING 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 Addresses of Subject Site:
1115 Ridge Road and 1513 Windwood Hills Drive

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



The Planning and Zoning Commission of the City of Wildwood will conduct a public hearing on **Monday, August 1, 2016, at 7:00 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. 6-16 Auburn Ridge, Fischer and Fichtel Custom Homes, 695 Trade Center Boulevard, Chesterfield, Missouri, 63005 –
A request for the application of a Planned Residential Development Overlay District (PRD) within the NU Non-Urban Residence District for a 81.4 acre tract of land that is located on the southwest side of Ridge Road, south of Lack Ridge Road (Locator Number: 25U330010 and 25U310023/Street Addresses: 1115 Ridge Road and 1513 Windwood Hills Drive).
Proposed Use: A total of twenty-seven (27) individual lots, with common ground, and required public space areas. (Ward Six)

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

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

CITY OF WILDWOOD

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

MAR 28 2016

PETITION

DEPT. OF PLANNING & PARKS

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: Fischer & Frichtel Custom Homes

Mailing Address: 695 Trade Center Blvd
Chesterfield, Mo. 63005

Telephone Number, with Area Code: 314-576-0500

Fax Number, with Area Code: 314-576-0502

E-Mail Address: CDeGuents@fordfhomes.com

Interest in Property (Owner or Owner Under Contract):
Owner under contract

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

Owner's Name (if different than applicant):
Tom & Denise Reid

Address: 4073 Montgomery Lane
Pacific, Mo. 63021

Telephone Number, with Area Code: _____

SITE INFORMATION

Postal Address of the Petitioned Property(ies):

1115 Ridge Road
Ballwin, Mo. 63021

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

25U330010 & 25U310023

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

81.4

Current Zoning District Designation: MU - Non-Urban

Proposed Zoning District Designation: _____

Proposed Planned District or Special Procedure: Planned Residential Development (PRD) overlay District

USE INFORMATION

Current Use of Petitioned Site:

Vacant

Proposed Use of Site:

27 single family lots

Proposed Title of Project: Auburn Ridge

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

Fall 2016 - Summer 2017

CONSULTANT INFORMATION

Engineer's/Architect's Name: Stedding Engr & Surv. Co.

Address: 5055 New Braunhartner Road
St. Louis, Mo. 63129

Telephone Number, with area code: 314-487-0460

Fax Number, with area code: 314-487-8944

E-Mail Address: m.falkner@stedding-eng-sur.com

Soil Scientist/Forester's Name: Home and Farm Soil Consulting

Address: 835 Gerling Lane
New Haven, Mo. 63068

Telephone Number, with area code: (573) 237-5081

Fax Number, with area code: _____

E-Mail Address: _____

CITY OF WILDWOOD

MAR 28 2016

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):

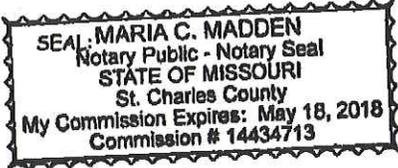
- I (we) have a legal interest in the hereinabove described property.
- I am (we are) the duly appointed agent of the petitioner(s) and that all information given and represented on this application is an accurate and true statement of fact. Any misrepresentation of information on this application or 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: Christopher T. DeGuentz
 NAME (PRINTED): CHRISTOPHER T. DEGUENTZ
 ADDRESS: FISCHER & FRICHEL CUSTOM HOMES LLC
695 TRADE CENTER BLVD. SUITE 200
CHESTERFIELD MO. 63005
 TELEPHONE NUMBER: 314.576.0500

[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
24th DAY OF MARCH, 2016

SIGNED: Maria C. Madden
(NOTARY PUBLIC)



NOTARY PUBLIC MARIA C. MADDEN
STATE OF MISSOURI.

MY COMMISSION EXPIRES May 18, 2018

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

CITY OF WILDWOOD

MAR 28 2016

DEPT OF PLANNING & PARKS



WILDWOOD

May 18, 2016

Chris DeGuentz
Fischer and Frichtel
695 Trade Center Boulevard, Suite #200,
Chesterfield, Missouri 63005

Re: Comment letter from first review of the submittal package for **Auburn Ridge**; a Planned Residential Development Overlay District in the NU Non-Urban Residence District

Dear Mr. DeGuentz:

The Departments of Planning and Public Works has completed their respective reviews of the submitted packet of information for the requested Planned Residential Development Overlay District (PRD) on the subject site. This application packet consisted of the plan, application, and associated fee. These items were compared to the applicable codes of the City, the design criteria for these types and extent of improvements, and the Zoning Ordinance/Subdivision and Development Regulations of the City. The outcome of this review was the identification of a number for items that must be addressed before the matter can be presented to the Planning and Zoning Commission at an upcoming meeting for the required public hearing. These items identified by the aforementioned review include the following:

Sheet 1.1

1. Please change "Preliminary Plat" to "Preliminary Development Plan" in the Title Block.
2. Please change General Note #5 to read: "All grading and drainage shall be per City of Wildwood and Metropolitan St. Louis Sewer District (MSD) standards."
3. Please change General Note #6 to include the Metropolitan St. Louis Sewer District as a review authority in this regard.
4. Please include in General Note #9, at the end of the current sentence, the following phrase: "- Section 415.450 Outdoor Lighting Requirements – Zoning Ordinance.
5. Please be advised the Public Space Table does not provide the extent of information needed in this regard. The common ground area, despite its size, can only be used to constitute one-half of the required amount of public space, which means there is a shortfall of 23,522.4 square feet. This amount must be provided in some other fashion. Additionally, are any improvements, as required by the Public Space Regulations, planned for these areas?
6. Please be advised the cross section detail for the proposed roadway does not indicate the City's required Rural Roadway Standards in terms of material type and associated construction specification. Please revise or provide an explanation for a concrete driving surface and no reference relative to the depth of the base material.

Sheet 2.1

7. Please provide dimensions for the proposed cul-de-sacs and roundings at the project's intersecting streets.
8. Please provide details on the proposed sewage treatment pump station relative to its size, etc.

9. Please be aware the grading design on Lots 12 through 16 and Lots 22 and 23 appear to be very different than the depictions of the other remaining lots in this project. Please provide a detailed explanation of such.
10. Please be advised the Department will recommend that areas between dwellings, where feasible, should not be blankly graded and trees preserved to the greatest extent possible. Additionally, this approach to tree preservation shall also be applied at the entry/exit of the project to Ridge Road.
11. Please show the approximate location of existing structures on all adjacent lots.
12. Please show the width of all lots at their front building lines.
13. Please provide dimensions and typical cross section for the access road to the proposed sanitary pump station, as well as details of any screening that is proposed.
14. The Department of Public Works has expressed a concern about the sight distance at Ridge Road and its intersection with the planned private street. Please provide more data regarding the sight distance analysis that is shown on Sheet 4.1 of the submittal package.
15. Please indicate Ridge Road as "Public."
16. Please advise if the development plans a dedicated access through the site to the City's Rock Hollow Trail.

Sheet 3.1:

16. Please be advised the plan for the protection of sensitive areas of the site (Natural Resource Protection Standards) identifies a variance of almost of one hundred (100) percent, which far exceeds any type of allowance ever considered before by the City. The Department can grant the requested five (5) percent variance, but the remainder will be at the discretion of the Planning and Zoning Commission. Please be prepared to describe why the variance is needed versus reducing the lot count and preserving more of the sensitive lands.

Other:

17. Please provide conceptual approval of this Preliminary Development Plan from the Metropolitan St. Louis Sewer District (MSD).
18. Please provide conceptual approval of this Preliminary Development Plan from the Metro West Fire Protection District.
19. Please provide a lighting plan. Please note, only one (1) street light is required by the City of Wildwood's Subdivision and Development Regulations, which is at the intersection of a private street and, in this case, Ridge Road.
20. Please provide a landscaping plan for this proposed development. Of particular interest is the landscaping design that is planned for the entrance to the subdivision off Ridge Road.

If you should have any questions or comments regarding this review process, please feel free to contact the Department of Planning at (636) 458-0440. Thank you for your patience during this review and your anticipated cooperation in this regard.

Respectfully submitted,
CITY OF WILDWOOD


Joe Vujnich, Director
Department of Planning

Cc: The Honorable James R. Bowlin, Mayor
Council Members Alexander and Porter, Ward Six
Ryan S. Thomas, P.E., City Administrator

Rick Brown, P.E. and P.T.O.E., Director of Public Works
Rob Golterman, City Attorney
Kathy Arnett, Assistance Director of Planning and Parks
Travis Newberry, Planner

1400 Ridgeway Trail Dr
Wildwood, Mo 63021
July 23, 2016

Planning and Zoning,

I am writing in regards to the proposed development at 1115 Ridge Rd and 1513 Wildwood Hills Dr.

We feel the planned number of homes for this area would be too many, due to the traffic increase on Ridge Rd and also the increase in traffic at the intersection of Old Spite and Ridge Rd. The road is windy and hilly with out any shoulders or side curbs. Plus bicyclist frequent this road which leads to an increase risk of accidents.

hence: more homes more traffic possible fatalities.

Another concern is the development would remove trees and take away from the beauty of this area. This is not what Wildwood stands for.

If this development does go thru it needs to be less homes and the road would need to have sidewalks and possibly widened.

My husband and I have lived here for 23 years and we feel strongly about making this development so populous. We will be out of town for the meeting but please consider the proposal very carefully.

Thank you
Don & Kathy Julian

Travis Newberry

From: noreply@cityofwildwood.com
Sent: Sunday, July 17, 2016 12:52 PM
To: 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. 6-16 Auburn Ridge
--------------------------	------------------------

Item Description	<i>Field not completed.</i>
------------------	-----------------------------

Position on Request	Other
---------------------	-------

General Comments	This is a very special property...Ridge Road has some of the best views in West County. I would hope that the price point would reflect that. I would like to see the developer offer their Signature series style of home ..quality should be at least as high as the Miceli development (Quail Run) up the road. Unlike that development, I would like to see the homes spaced out to preserve the rural nature of this part of Wildwood.
------------------	---

Suggestions	<i>Field not completed.</i>
-------------	-----------------------------

(Section Break)

Name	Dennis Church
------	---------------

Address	1453 Ridge Road
---------	-----------------

City	Wildwood
------	----------

State	MO
-------	----

Zip	63021
-----	-------

Phone Number	636-399-2500
--------------	--------------

Email

denochu@gmail.com

Email not displaying correctly? [View it in your browser.](#)

Travis Newberry

From: noreply@cityofwildwood.com
Sent: Wednesday, July 20, 2016 2:37 PM
To: 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. 6-16 Auburn Ridge
Item Description	<i>Field not completed.</i>
Position on Request	Do Not Support
General Comments	In keeping with City Charter's "... to preserve adequate open space, protect public parks and green space, conserve soil and reduce erosion, protect water quality, preserve trees and natural areas, and conserve and protect natural resources..." no residential development should be allowed to substantively modify the natural pre-existing grade or elevation, other than that in the immediate footprint of the dwelling which is required to construct basements or foundations. Area-wide elevation changes must NOT be permitted just to allow higher dwelling density or higher developer revenues. This area of Wildwood is a naturally steep, hilly terrain that should NOT be compromised for the sake of a subdivision.
Suggestions	Require the developer to modify the plan proposal so as to not change any of the existing terrain's elevation by more than 10 feet, and not in any areas more than 40 feet of any proposed dwelling. Wildwood does not need another 'stripped-flat' subdivision.

(Section Break)

Name	Robert E Jones
------	----------------

Address	1549 Wolf Trail Rd
City	Wildwood
State	MO
Zip	63021
Phone Number	6362309223
Email	robertejonas@juno.com

Email not displaying correctly? [View it in your browser.](#)

Travis Newberry

From: noreply@cityofwildwood.com
Sent: Monday, July 25, 2016 5:59 PM
To: 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. 6-16 Auburn Ridge
Item Description	<i>Field not completed.</i>
Position on Request	Do Not Support
General Comments	I do not support the zoning change as requested by the builder. The zoning change does not conform to the original intent of the zoning codes and should not be allowed.
Suggestions	Build on the land the same way others have. 200-300 foot road frontage per home and each home residing on no less than 3 acres. Just like the original zone ordinances define it.

(Section Break)

Name	Mark Thomley
Address	1573 Wolf Trail Road
City	Wildwood
State	MO
Zip	63021
Phone Number	314-401-4902
Email	MarkThomley@computrollc.com

Email not displaying correctly? [View it in your browser.](#)

Travis Newberry

From: noreply@cityofwildwood.com
Sent: Wednesday, July 27, 2016 6:52 PM
To: 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. 6-16 Auburn Ridge
--------------------------	------------------------

Item Description	<i>Field not completed.</i>
------------------	-----------------------------

Position on Request	Do Not Support
---------------------	----------------

General Comments	Less dwellings and more landscaping.
------------------	--------------------------------------

Suggestions	<i>Field not completed.</i>
-------------	-----------------------------

(Section Break)

Name	Paulette Winkelmann
------	---------------------

Address	1504 Wolf Trail Road
---------	----------------------

City	Wildwood
------	----------

State	MO
-------	----

Zip	63021
-----	-------

Phone Number	314-503-4805
--------------	--------------

Email	winkwoods@charter.net
-------	--

Email not displaying correctly? [View it in your browser.](#)

Travis Newberry

From: noreply@cityofwildwood.com
Sent: Wednesday, July 27, 2016 7:02 PM
To: 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. 6-16 Auburn Ridge
--------------------------	------------------------

Item Description	<i>Field not completed.</i>
------------------	-----------------------------

Position on Request	Do Not Support
---------------------	----------------

General Comments	As a resident of Wildwood before it was incorporated, one of the key principles was the establishment of minimum 3 acre lot size to preserve the wilderness, the wildlife and "country-like" settings for each home. I do not support the request for variance for the following reasons: a) the average lot size is 1.44 acres, less than half of code requirements. b) it would appear from the building plans that the entire building site would be clear-cut of all trees to facilitate construction. c) the result will be homes tightly grouped like a typical maximum build subdivision. Averaging the acreage does not meet code, nor does it meet the spirit and principle of why the code was adopted in the first place - to keep Wildwood country-like. I strongly urge the Planning Committee to reject this variance request.
------------------	--

Suggestions	Bulid less dwelling in order to meet the 3 acre/per home building code.
-------------	---

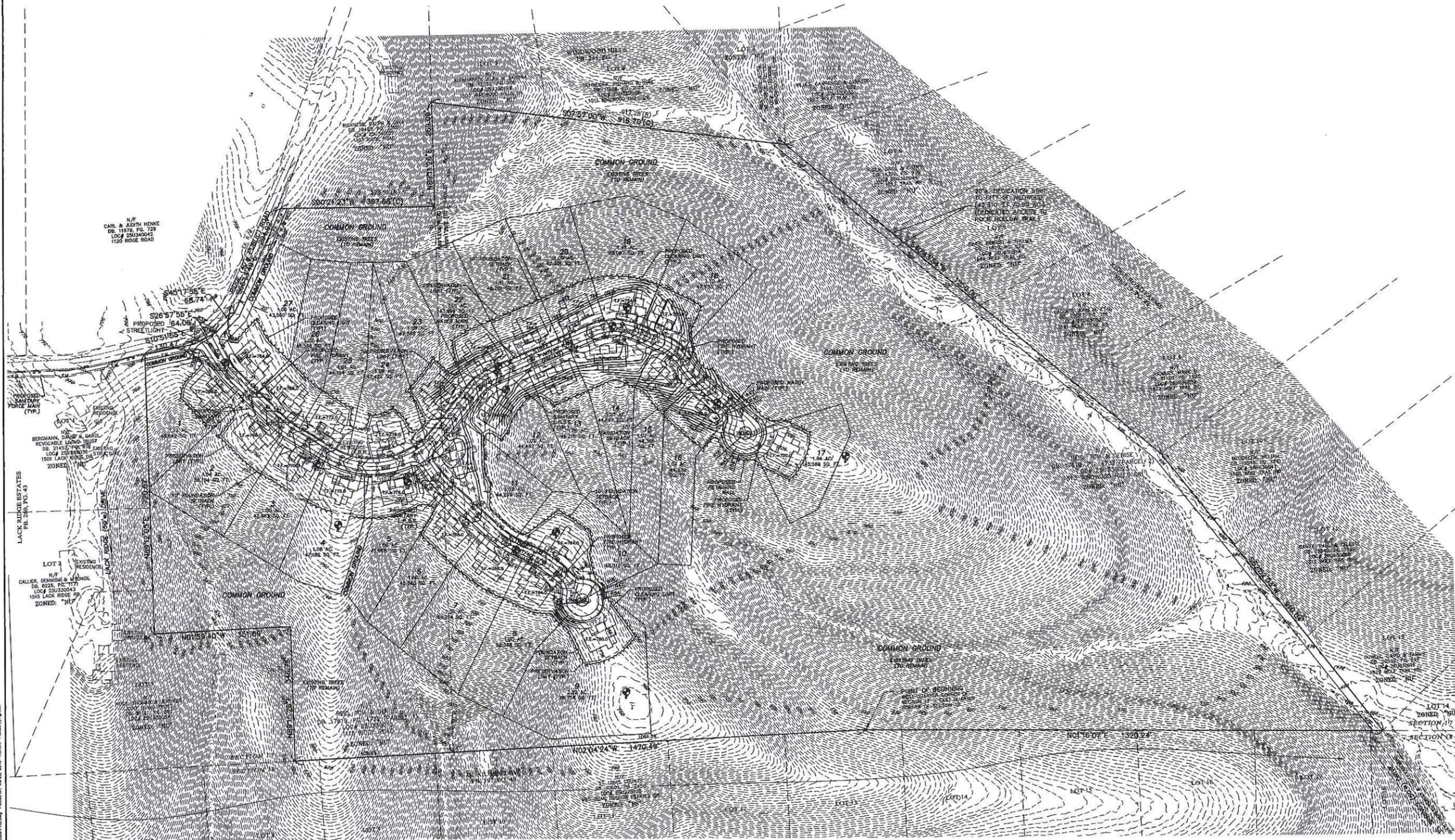
(Section Break)

Name	Larry Miner
------	-------------

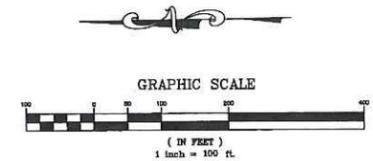
Address	1556 Wolf Trail Rd
---------	--------------------

City	Wildwood
State	MO
Zip	63021
Phone Number	636-346-3321
Email	bubbaqminer@yahoo.com

Email not displaying correctly? [View it in your browser.](#)



THE UNDERGROUND UTILITIES SHOWN HEREON WERE PLOTTED FROM AVAILABLE INFORMATION AND DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, HORIZONTAL SIZE, TYPE, NUMBER OR LOCATION OF THESE OR OTHER UTILITIES. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UNDERGROUND UTILITIES SHOWN OR NOT SHOWN, AND SAID UTILITIES SHALL BE LOCATED IN THE FIELD PRIOR TO ANY GRADING, EXCAVATION OR CONSTRUCTION OF IMPROVEMENTS. THESE PROVISIONS SHALL IN NO WAY ABSOLVE ANY PARTY FROM COMPLYING WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 319, RSMo.



ISSUE	REMARKS/DATE
1	2-25-2016 INITIAL SUBMITTAL
2	CITY COMMENTS/06-10-16
3	CITY COMMENTS/06-20-16
4	RESUBMITTAL/07-28-16

Fischer & Frichtel Custom Homes, LLC
 695 Trade Center Blvd
 Chesterfield, Missouri 63005
 Ph: (314) 576-0500
 Fax: (314) 576-0502
 www.fandfhomes.com

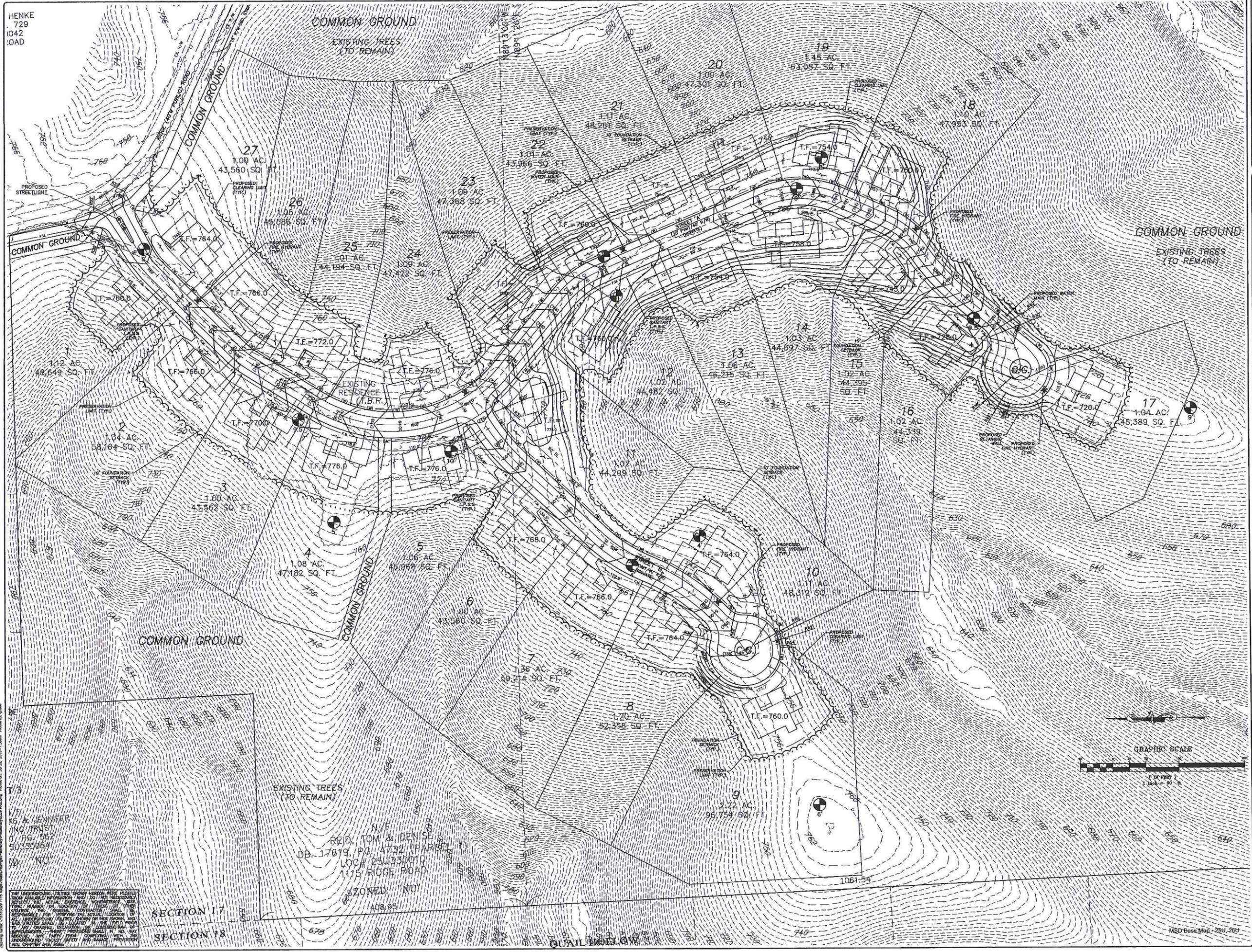
THE **STERLING** CO.
 ENGINEERS & SURVEYORS
 506 S. Locust, Missouri 63108
 Ph: 314-487-0440 Fax: 314-487-8944
 www.sterling-eng-srv.com
 Corporate Certificate of Authority #001046

Auburn Ridge
 Winwood, Missouri
 Preliminary Development Plan

Date: 07-28-16
 MICHAEL G. DIERDING
 License No. MO E-26643
 Civil Engineer

Job Number: 15-10-329
 Date: 07-28-16
 Designed: MF
 Drawn: LG
 Checked: PRE

HENKE
729
1042
ROAD



1	25-2016 INITIAL SUBMITTAL
2	CITY COMMENTS/06-04-16
3	CITY COMMENTS/06-20-16
4	RESUBMITTAL/07-28-16

Fischer & Fritchel Custom Homes, LLC
695 Trade Center Blvd.
Chesterfield, Missouri 63005
Ph: (314) 576-0500
Fax: (314) 576-0502
www.fishermh.com

THE **STERLING** CO.
ENGINEERS & SURVEYORS
5055 New Baumgartner Road
St. Louis, Missouri 63129
Ph: (314) 991-4044
www.sterling-eng-survey.com
Corporate Certificate of Authority #001348

Auburn Ridge
Winkwood, Missouri
Preliminary Development Plan



Date: 07-28-16
MICHAEL G. BORDING
License No. MO E-29843
Civil Engineer

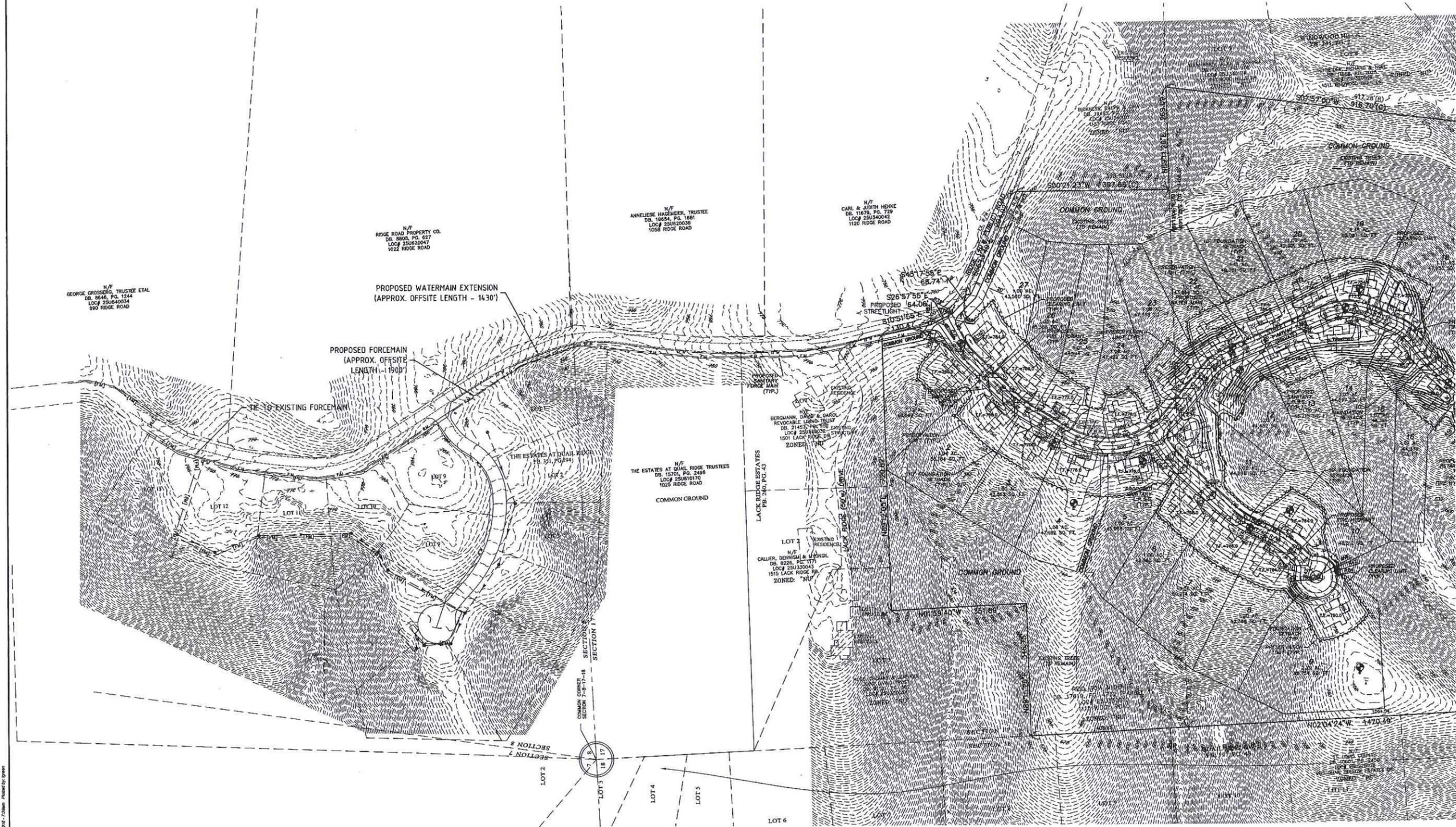
Job Number: 15-10-329
Date: 07-28-16
Designed by: MF
Drawn by: LG
Checked by: PRE

THE UNDERGROUND UTILITIES SHOWN HEREIN WERE PLOTTED FROM PUBLIC INFORMATION AND THE ENGINEER DOES NOT GUARANTEE THE ACTUAL EXISTENCE, LOCATION, SIZE, DEPTH, NUMBER OR LOCATION OF SUCH UTILITIES. THE ENGINEER'S RESPONSIBILITY FOR VERIFYING THE ACTUAL LOCATION OF SUCH UTILITIES SHALL BE LOCATED IN THE FIELD PRIOR TO ANY CONSTRUCTION. UNLESS OTHERWISE SPECIFIED, ALL DIMENSIONS AND LOCATIONS SHALL BE AS SHOWN ON THIS PLAN. UNLESS OTHERWISE SPECIFIED, ALL DIMENSIONS AND LOCATIONS SHALL BE AS SHOWN ON THIS PLAN.

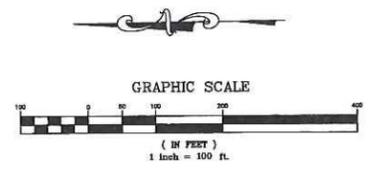
SECTION 17
SECTION 18

REID, TOM & DENISE
DB 17019, PG. 4732 (FARGO)
LOC# 250330019
1115 RIDGE ROAD
88 ZONED "NU"
A08.95

QUALITY CONTROL



THE UNDERGROUND UTILITIES SHOWN HEREON WERE PLOTTED FROM AVAILABLE INFORMATION AND DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, MONUMENTATION, 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 ANY UTILITIES SHALL BE LOCATED IN THE FIELD PRIOR TO ANY GRADING, EXCAVATION OR CONSTRUCTION OF IMPROVEMENTS. THESE PROVISIONS SHALL IN NO WAY ABSOLVE ANY PARTY FROM COMPLYING WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 319, RSMo.



1	ISSUE REVISIONS
2	CITY COMMENTS
3	RESUBMITTALS
4	RESUBMITTALS

Fischer & Fritzel Custom Homes, LLC
 695 Trade Center Blvd.
 Chesfield, Missouri 63005
 Ph. (314) 576-0500
 Fax (314) 576-0502
 www.fandfhomes.com

THE STERLING CO.
ENGINEERS & SURVEYORS
 6005 New Baumgartner Road
 St. Louis, Missouri 63129
 Ph. 314-497-2440 Fax 314-497-8544
 Corporate Certificate of Authority #001548

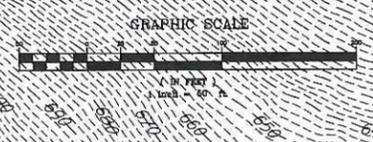
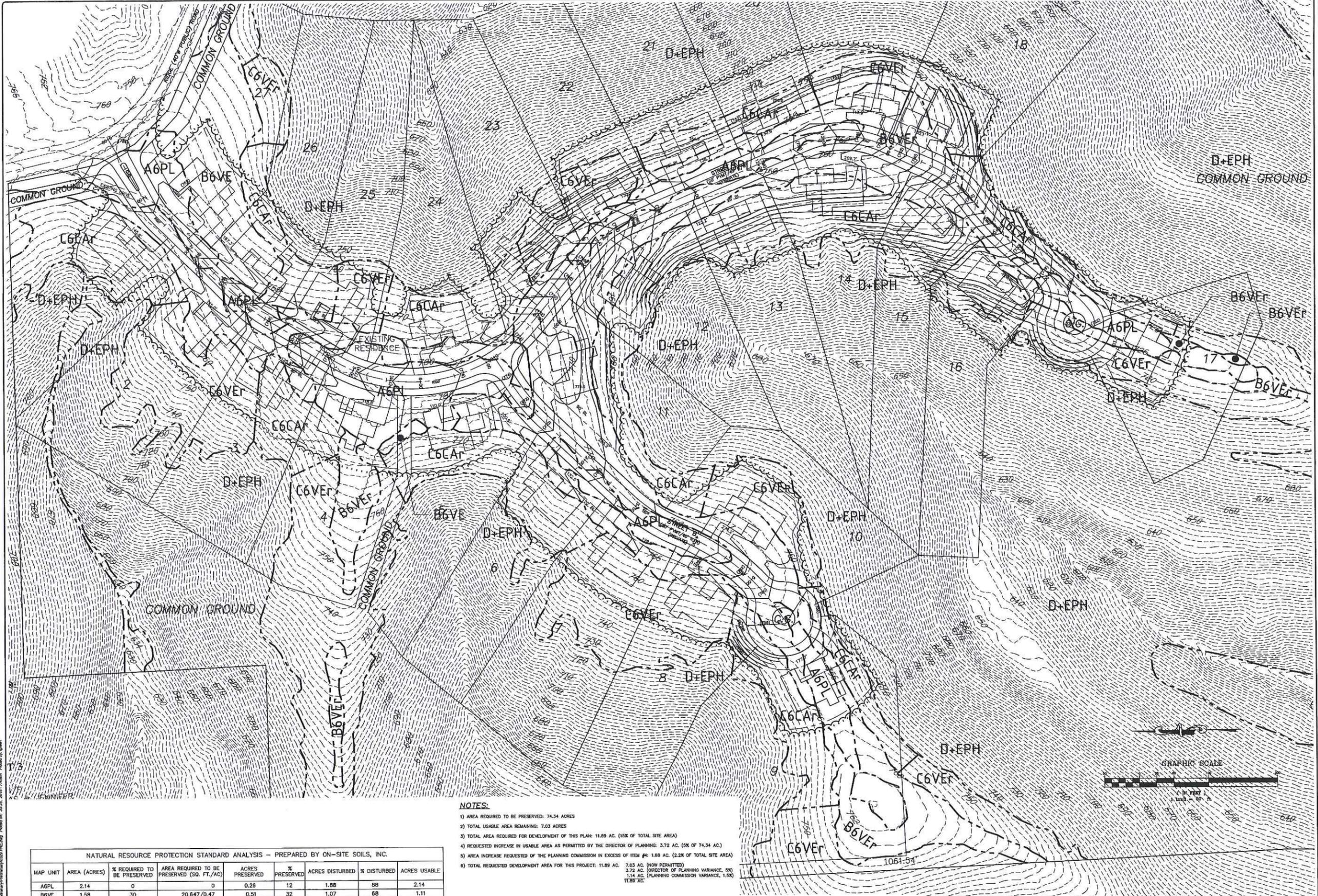
Auburn Ridge
 Winwood, Missouri
 Preliminary Development Plan
 Onsite Sanitary Sewer



Date: 07-28-16
 MICHAEL G. BOERDING
 License No. MO EC-08643
 Civil Engineer

Job Number: 15-10-329
 Date: 07-28-16
 Designed MF: Sheet
 Drawn: LG: 2.3
 Checked: PRE

MSD Base Map - 25U, 26U



- NOTES:**
- 1) AREA REQUIRED TO BE PRESERVED: 74.34 ACRES
 - 2) TOTAL USABLE AREA REMAINING: 7.03 ACRES
 - 3) TOTAL AREA REQUIRED FOR DEVELOPMENT OF THIS PLAN: 11.89 AC. (15% OF TOTAL SITE AREA)
 - 4) REQUESTED INCREASE IN USABLE AREA AS PERMITTED BY THE DIRECTOR OF PLANNING: 3.72 AC. (5% OF 74.34 AC.)
 - 5) AREA INCREASE REQUESTED OF THE PLANNING COMMISSION IN EXCESS OF ITEM #4: 1.88 AC. (2.2% OF TOTAL SITE AREA)
 - 6) TOTAL REQUESTED DEVELOPMENT AREA FOR THIS PROJECT: 11.89 AC. 7.03 AC. (NOW PERMITTED) 3.72 AC. (DIRECTOR OF PLANNING VARIANCE, 5%) 1.14 AC. (PLANNING COMMISSION VARIANCE, 1.5%) 11.89 AC.

SOIL SCIENTIST CERTIFICATION:
 THIS IS TO CERTIFY THAT WE HAVE, DURING THE MONTH OF MARCH 2016, PREPARED A REPORT REGARDING THE SOILS AND NATURAL RESOURCE EVALUATION OF THE SUBJECT PROPERTY. THE REPORT AND INFORMATION CONTAINED ON THIS PLAN RELATING TO SAME IS IN COMPLIANCE WITH SECTION 420.200, "NATURAL RESOURCE PROTECTION STANDARDS AND PROCEDURES" OF THE CITY OF WILDMOOD, MISSOURI.

SOIL LANDFORM	MAP SYMBOL
SLOPE CLASSES (PERCENT)	SYMBOL
0-6	A
7-15	B
16-30	C
>30	D

NATURAL RESOURCE PROTECTION STANDARD ANALYSIS - PREPARED BY ON-SITE SOILS, INC.

MAP UNIT	AREA (ACRES)	% REQUIRED TO BE PRESERVED	AREA REQUIRED TO BE PRESERVED (SQ. FT./AC)	ACRES PRESERVED	% PRESERVED	ACRES DISTURBED	% DISTURBED	ACRES USABLE
A6PL	2.14	0	0	0.26	12	1.88	88	2.14
B6VE	1.58	30	20,847/0.47	0.51	32	1.07	68	1.11
B6VEr	3.80	50	82,784/1.90	0.95	25	2.85	75	1.90
C6VEr	6.09	70	185,696/4.26	4.11	67	1.98	33	1.83
C6CAr	5.39	100	234,788/5.39	1.89	35	3.50	65	0.00
C2VEr	0.59	100	25,700/0.59	0.59	100	0.00	0	0.00
D+EPH	48.67	100	2,120,065/48.67	48.06	99	0.61	1	0.00
D	1.46	100	63,597/1.46	1.46	100	0.00	0	0.00
B6PL(AF)	0.23	80	8015/0.18	0.23	100	0.00	0	0.05
GLADE	6.97	100	303,613/6.97	6.97	100	0.00	0	0.00
FP	4.44	100	193,406/4.44	4.44	0	0.00	0	0.00
TOTAL	81.36		3,238,291/74.34	69.47	85	11.89	15	7.03

ISSUE REMARKS/DATE	
1 2/25/2016 INITIAL SUBMITTAL	
2 3/10/2016 CITY COMMENTS	
3 3/10/2016 CITY COMMENTS	
4 3/10/2016 CITY COMMENTS	

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 Chesterfield, Missouri 63005
 Ph. (314) 575-0500
 Fax (314) 575-0502
 www.fischerhomes.com

THE **STERLING** CO.
 ENGINEERS & SURVEYORS
 5055 New Baumgartner Road
 St. Louis, Missouri 63128
 Ph. (314) 994-4944
 www.sterling-engineers.com
 Corporate Certificate of Authority #031948

Auburn Ridge
 Wildwood, Missouri
 Preliminary Development Plan
 Natural Resource Protection Plan

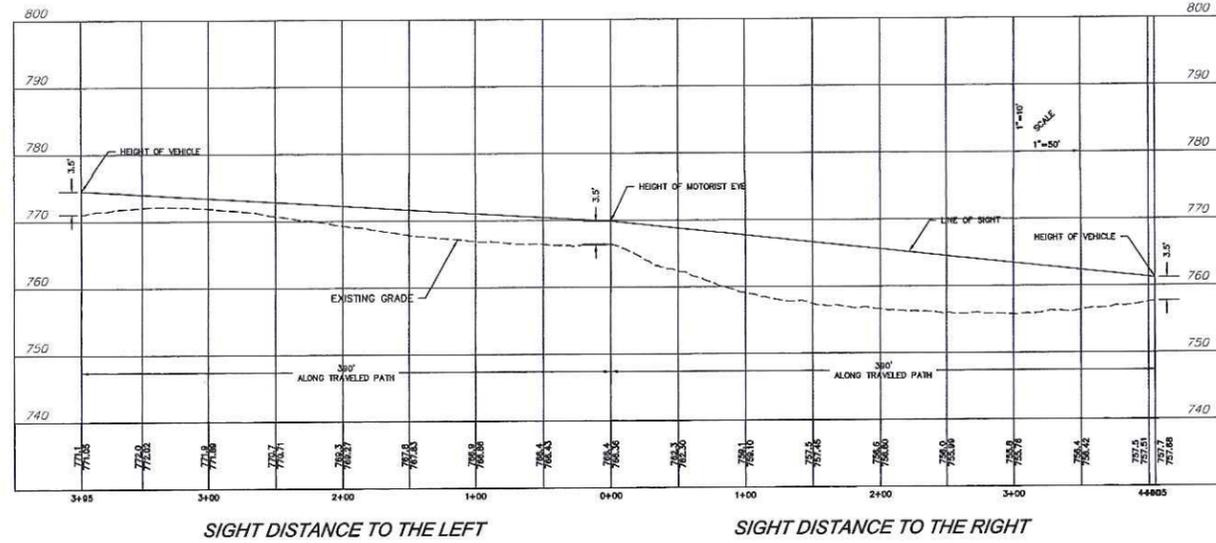


Date: 07-28-16
 MICHAEL G. BOERDING
 License No. MO E-28843
 Civil Engineer

Job Number: 15-10-329
 Date: 07-28-16
 Design MF Sheet
 Drawn: LG 3.1
 Checked: PRE

Drawing Name: V1515 0329 1112 Preliminary Natural Resource Protection Plan - PRE.dwg
 Plot Date: 07/28/2016 10:48:28 AM
 Plotter: HP DesignJet 5000

LOT 12
 LOT 13
 MSL Base Map - 25U-28U



POSTED SPEED LIMIT: 30 MPH
DESIGN SPEED: 35

SIGHT DISTANCE FOR LEFT TURN FROM MINOR ROAD (X & Z) - 390'
PER ST. LOUIS COUNTY 'SIGHT DISTANCE AT INTERSECTIONS' DWG. 40.25-1

40.25 Sight Distance at Intersections

NEW REVISIONS
3-15-95 12-9-95 4-15-07 3-4-08 9-1-15

Station	15'	20'	25'	30'	35'	40'	45'	50'
15	127	182	237	292	347	402	457	512
20	225	247	269	291	313	335	357	379
25	287	287	287	287	287	287	287	287
30	328	327	327	327	327	327	327	327
35	369	367	367	367	367	367	367	367
40	410	407	407	407	407	407	407	407
45	451	447	447	447	447	447	447	447
50	492	487	487	487	487	487	487	487
55	533	527	527	527	527	527	527	527
60	574	567	567	567	567	567	567	567
65	615	607	607	607	607	607	607	607
70	656	647	647	647	647	647	647	647

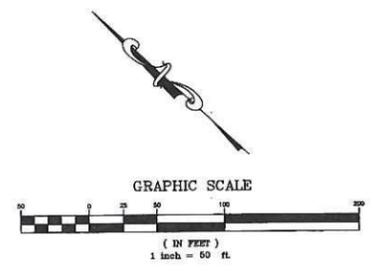
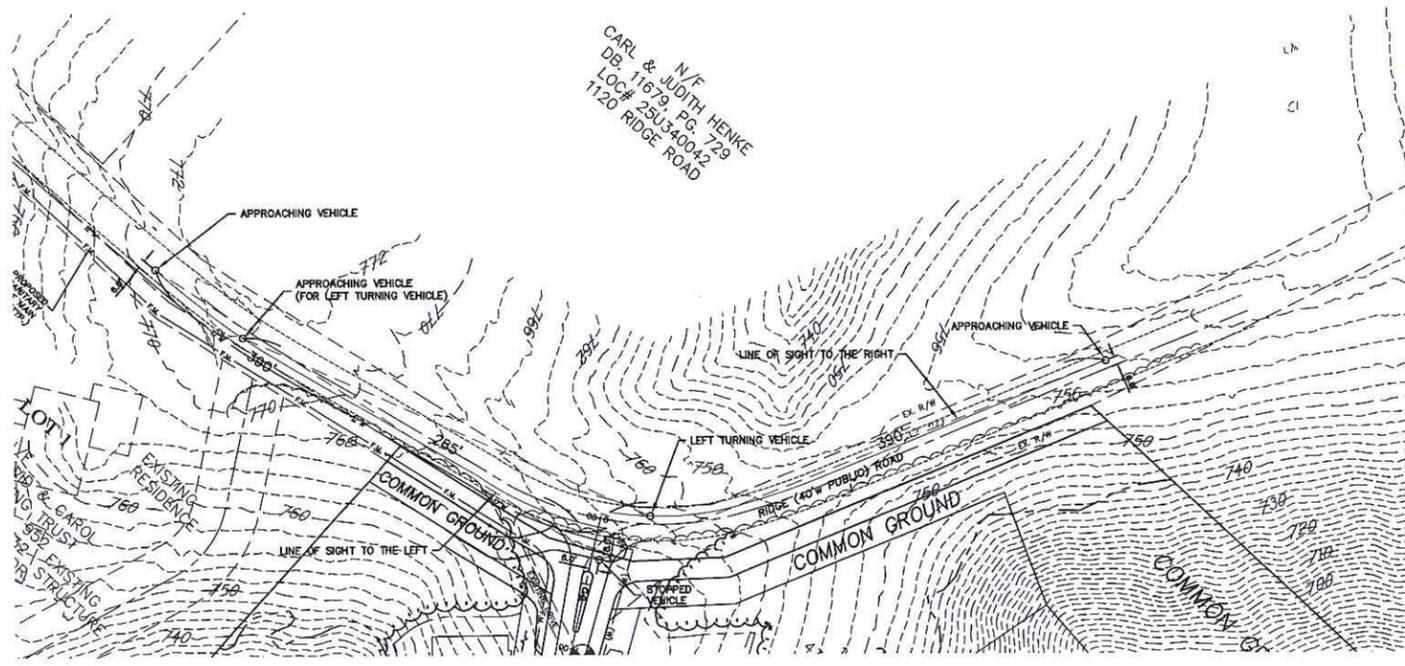
GENERAL NOTES

- Do not scale drawing. Follow dimensions.
- Sight distance requirements shall be based upon the number of lanes of the street involved.
- On existing streets the design speed shall be the 85th percentile speed of traffic on the street or the posted speed limit, whichever is greater.
- On new streets the design speed shall be 5 m.p.h. greater than the 85th percentile speed.
- If the posted speed limit is greater than the design speed, the sight distance shall be increased by 10% for each 5 m.p.h. increase in speed.
- If the posted speed limit is greater than the design speed, the sight distance shall be increased by 10% for each 5 m.p.h. increase in speed.
- Height of motorist eye in stopped vehicle = 3.5 ft. Height of the vehicle = 3.5 ft.
- Sight distance requirements shall be satisfied for both left and right turns on both sides of a side street or driveway.
- Sight distance requirements for left turns shall be based on the through traffic approaching from the right and on the through traffic approaching from the left.
- All sight distance requirements shall be based on the posted speed limit or the design speed, whichever is greater.
- Sight distance shall be met for signalized intersections.

**SAINT LOUIS COUNTY
DEPARTMENT OF TRANSPORTATION
CLAYTON, MISSOURI**

**SIGHT DISTANCE
AT INTERSECTIONS**

REVISION DATE: September 1, 2015. DRAWING 40.25-1



THE UNDERGROUND UTILITIES SHOWN HEREIN WERE PLOTTED FROM AVAILABLE INFORMATION, AND HAVE NOT BEEN FIELD EXPOSED (POTHOLED), AND DO NOT NECESSARILY REFLECT THE ACTUAL EXISTENCE, NON-EXISTENCE, SIZE, TYPE, NUMBER OR LOCATION OF THESE OR OTHER UTILITIES. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION OF ALL UNDERGROUND UTILITIES, SHOWN OR NOT SHOWN, AND SAID UTILITIES SHALL BE LOCATED IN THE FIELD PRIOR TO ANY GRADING, EXCAVATION OR CONSTRUCTION OF IMPROVEMENTS. THESE PROVISIONS SHALL IN NO WAY ASSOLVE ANY PARTY FROM COMPLYING WITH THE UNDERGROUND FACILITY SAFETY AND DAMAGE PREVENTION ACT, CHAPTER 319, RSMo

Fischer & Frickel Custom Homes, LLC
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Chesterfield, Missouri 63005
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Fax: (314) 576-6502
www.fishfrick.com

THE STERLING CO.
ENGINEERS & SURVEYORS
5055 New Baumgartner Road
St. Louis, Missouri 63128
Ph: 314-993-4944
www.sterling-eng.com
Corporate Certificate of Authority #001348

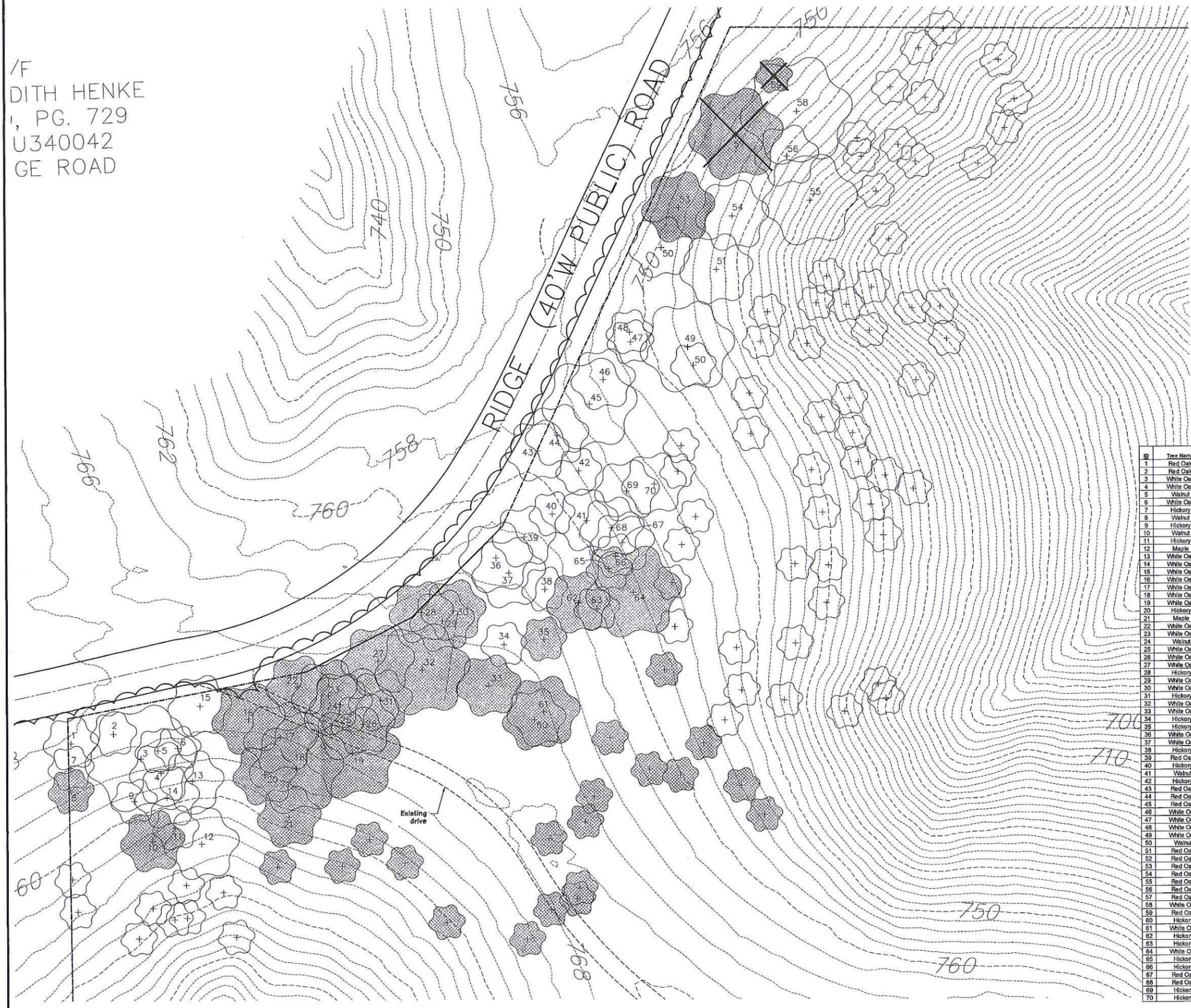
Auburn Ridge
Wilwood, Missouri
Preliminary Development Plan
Sight Distance Study

Date: 07-28-16
MICHAEL G. BOERDING
License No. MO E-28643
Civil Engineer

Job Number
15-10-329
Date
07-28-16
Designed by: Sheat
Drawn by: LG
Checked by: PRE

MSD Base Map - 25U, 26U

1/F
 DITH HENKE
 PG. 729
 U340042
 GE ROAD



KEY

- Existing tree
- Existing tree - dead
- Existing tree to be removed
- Existing canopy

ID	Tree Name	DBH	Canopy Diam.	Condition Rating	Comment
1	Red Oak	24	30	2	
2	Red Oak	24	25	2	UTIL
3	White Oak	24	60	3	some deadwood
4	White Oak	14	30	3	
5	Walnut	10	25	2	
6	White Oak	10	20	3	
7	Hickory	8	20	3	
8	Walnut	10	25	1	
9	Hickory	14	25	2	
10	Walnut	14	35	1	
11	Hickory	10	25	2	
12	Maple	14	40	2	
13	White Oak	14	35	3	
14	White Oak	14	35	3	
15	White Oak	16	35	3	UTIL
16	White Oak	20	40	2	
17	White Oak	12	40	3	
18	White Oak	14	50	3	
19	White Oak	20	50	3	
20	Hickory	10	35	3	
21	Maple	12	35	3	
22	White Oak	14	30	2	
23	White Oak	24	40	2	
24	Walnut	10	30	3	
25	White Oak	24	50	2	
26	White Oak	10	30	2	
27	White Oak	8	40	3	clump
28	Hickory	10	25	3	
29	White Oak	8	30	2	
30	White Oak	12	35	2	
31	Hickory	12	30	3	
32	White Oak	24	50	1	
33	White Oak	14	35	2	
34	Hickory	6	20	4	
35	Hickory	6	20	3	
36	White Oak	16	40	2	
37	White Oak	14	40	2	
38	Hickory	6	20	3	
39	Red Oak	15	35	3	
40	Hickory	6	20	3	
41	Walnut	10	30	2	
42	Hickory	6	20	3	
43	Red Oak	16	30	3	UTIL
44	Red Oak	18	30	3	UTIL
45	Red Oak	28	50	1	split trunk
46	White Oak	12	30	2	UTIL, trunk damage
47	White Oak	12	30	2	UTIL
48	White Oak	12	30	2	UTIL
49	White Oak	24	50	3	
50	Walnut	10	25	2	
51	Red Oak	24	45	3	
52	Red Oak	20	40	2	
53	Red Oak	20	30	1	multi-stem
54	Red Oak	14	35	2	
55	Red Oak	24	40	3	
56	Red Oak	12	-	-	
57	Red Oak	14	-	0	dead
58	White Oak	26	60	2	
59	Red Oak	6	0	0	dead
60	Hickory	12	30	3	
61	White Oak	18	45	2	
62	Hickory	8	30	4	
63	Hickory	6	20	3	
64	White Oak	24	50	2	
65	Hickory	8	25	2	
66	Hickory	6	25	3	
67	Red Oak	18	45	2	
68	Red Oak	14	35	2	
69	Hickory	8	25	2	
70	Hickory	8	25	3	

PARTIAL EXISTING TREE PLAN
 SCALE 1"=20'
 0 20 40 60



Consultants:

Auburn Ridge
 Wildwood, Missouri

Revisions:

Date	Description	No.

Drawn: BB
 Checked: RS

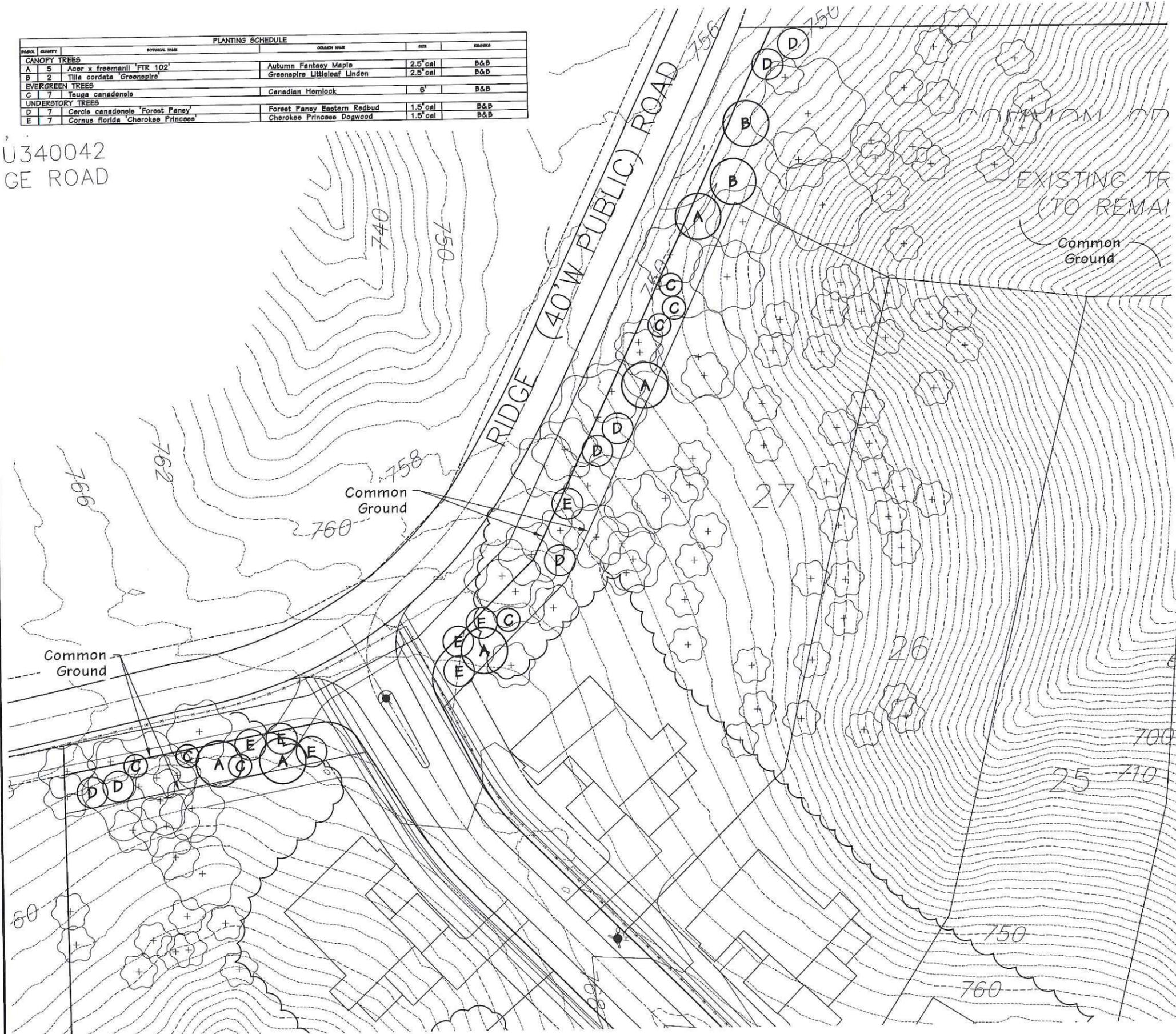
Ioomis Associates
 Landscape Architects/Planners
 107 South 40 West Drive, Suite 105
 2001 West 100th Street, Des Moines, IA 50319
 Phone: 515-281-0000
 Email: info@ioomis.com
 Ioomis Associates Inc.
 Missouri State Certificate of Authority # LAC 0000119

Sheet Title: **Partial Existing Tree Plan**
 Sheet No: **L-1**
 Date: 07/26/16
 Job #: 955.004

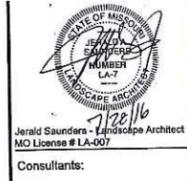
CITY OF WILDWOOD
 JUL 29 2016
 DEPT. OF PLANNING & PERMITS

PLANTING SCHEDULE				
PLANT	QUANTITY	BOTANICAL NAME	COMMON NAME	REMARKS
CANOPY TREES				
A	5	Acer x freemanii 'FTR 102'	Autumn Fantasy Maple	B&B
B	2	Tilia cordata 'Greenepire'	Greenepire Littleleaf Linden	B&B
EVERGREEN TREES				
C	7	Tsuga canadensis	Canadian Hemlock	B&B
UNDERSTORY TREES				
D	7	Cercis canadensis 'Forest Pansy'	Forest Pansy Eastern Redbud	B&B
E	7	Cornus florida 'Cherokee Princess'	Cherokee Princess Dogwood	B&B

U340042
GE ROAD



KEY
 Existing tree to remain
 Existing canopy to remain



Consultants:

Auburn Ridge
Wildwood, Missouri

Revisions:

Date	Description	No.

Drawn: BB
Checked: RG

Ioomis Associates
 Landscape Architects/Planners
 1000 S. Main Street, Suite 105
 Wildwood, Missouri 64095
 Phone: 660-335-1111
 Email: ioomis@ioomisassociates.com
 Missouri State Certificate of Authority #: LAC #000018

Sheet Title: **Landscape Plan**
 Sheet No: **L-2**
 Date: 07/28/16
 Job #: 955,004

PARTIAL LANDSCAPE PLAN
 SCALE 1" = 20'



WILDWOOD

August 1, 2016

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

Council Members:

The Planning and Zoning Commission has completed its review of the requested rezoning petition that was submitted to it for this proposed four (4) lot residential subdivision and prepared the following recommendation report in this regard. This recommendation report reflects the Planning and Zoning Commission's vote to recommend its support of the rezoning, which is now being forwarded for consideration by the City Council. This recommendation and action were completed in accordance with the requirements of Chapter 89 of Missouri Revised Statutes, the City's Charter, and those regulations of the City relating to public notice and publications (Chapter 415.560 of the City of Wildwood Zoning Ordinance). This recommendation and action are as follows:

Petition No.: P.Z. 1-16
Petitioner: Old Towne Parc, Mike Whalen, Whalen Custom Homes, Inc., 338 South Kirkwood Road, Suite 103, Kirkwood, Missouri 63122
Request: A request for a change in zoning from the NU Non-Urban Residence District to the R-3 10,000 square foot Residence District. **Proposed Use: A total of four (4) single family dwellings on individual lots.**
Location: East side of Center Avenue, south of Manchester Road
Tract Size: 1.4 acres
Locator No.: Locator Numbers: 24V510232, 24V510221, 24V510166, and 24V510089/Street Addresses: 17020, 17026, and 17030 Manchester Road and 2612 Center Avenue
Public Hearing Date: June 6, 2016
Information Report Decision Date and Vote: July 18, 2016 – **Approval of the rezoning of the tract of land by vote of 8 to 0** (Voting Aye: Lee, Archeski, Gragnani, Bauer, Bartoni, Manton, Bowlin, and Bopp)
Date and Vote on Letter of Recommendation: August 1, 2016 - TBD
Report: Attachment A

Preliminary Plat: Attachment B
Background Information: Attachment C
School District: Rockwood
Fire District: Metro West
Ward: Eight
Fire District: Metro West
School District: Rockwood
Police: St. Louis County Police Department – Wildwood Precinct
Ward: Eight
Recommendation: The Planning and Zoning Commission is recommending the City Council support the requested change in zoning for this tract of land from the NU Non-Urban Residence District to the R-3 10,000 square foot Residence District.

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

Respectfully submitted,
CITY OF WILDWOOD PLANNING AND ZONING COMMISSION

R. Jon Bopp, Chair

ATTEST:

Joe Vujnich, Director
Department of Planning

Cc: The Honorable James R. Bowlin, Mayor
Ryan S. Thomas, P.E. City Administrator
John A. Young, City Attorney
Rick Brown, P.E. and P.T.O.E., Director of Public Works
Kathy Arnett, Assistant Director of Planning and Parks
Mike Whalen, Whalen Custom Homes

ATTACHMENT A

Area and Site Description, Including Roadways - The site of this request is a 1.4 acre tract of land that is located on the southeast corner of Center Avenue (part public and part private in nature) and Manchester Road. The tract of land is four (4) legal lots of record, which are non-conforming due to their relative sizes (sizes ranging from 10,000 to 30,000 square feet). All of these lots are well below the minimum three (3) acre minimum size for NU Non-Urban Residence District zone sites in Wildwood. The shape of the site is rectangular and defined by Center Avenue, Manchester Road, and abutting properties to the east and south. The depth of the lot is approximately four hundred (400) feet, while its width is one hundred fifty (150) feet. Frontage on Center Avenue is the same as its defined depth, as is its width along Manchester Road.

Center Avenue, the primary access roadway to the subject site, is part public in nature, with the dedication of land area by Manlin Development Group with the Estates at Bordeaux Subdivision, at its southern end, while the remainder, and almost all of the street, is privately held by the other collective owners of lots located along its current length. This private street is very rural in nature, but can accommodate two (2) drive lanes. Center Avenue does not have a striped centerline. The right-of-way has limited improvements, which include earthen swales, but has no sidewalks and shoulders. This roadway has a north-south orientation, serves residential land uses only, and exhibits very limited traffic volumes.

Manchester Road has a lengthy history as one (1) of the first State roadways commissioned by the Missouri Legislature for access from the City of St. Louis to the capitol in Jefferson City. This roadway was first commissioned in approximately 1830 and has continuously been in use since that time. More recently, Manchester Road, during the 1930's, was designated as part of the original Route 66 corridor that stretches from Chicago, Illinois to Los Angeles, California, and the Pacific Ocean. During these glory years as part of the "Mother Road," many of the area's current buildings and structures were prominent landmarks along the route. Today, Manchester Road, along petitioner's frontage, is a two (2) lane arterial roadway maintained by the City of Wildwood. Along with these traffic lanes, bicycle lanes are provided in both directions. The roadway is asphalt, has curb and gutters, street trees, grates, and lights that are all coordinated with the Streetscape Specifications of the Town Center Plan. This frontage was part of the City of Wildwood's Phase Two Manchester Road Streetscape Project, which was completed approximately two (2) years ago.

The subject site is currently vacant and has been for a number of years, since the last dwelling was removed due to its condition. There are several large trees on the site. The property is otherwise all dedicated to lawn area and regularly maintained. Slope of the site is toward the northwest portion of it and relief is minimal, given its level topography for the most part.

The current zoning district designation of the property is NU Non-Urban Residence District and has been since the incorporation of the City in 1995. Prior to 1995, St. Louis County zoned the property NU Non-Urban District, a holding category for future development, based upon current trends in growth and demand. The area around this site has a very diverse zoning and land use pattern. This diverse pattern of zoning and land use was started by St. Louis County, then modified with the

incorporation of the City and the designation of this property to the “Town Center” Area under Conceptual Land Use Category of the Master Plan. The “Town Center” Residential Area designation allows future development to true mixed land use pattern, with residential densities ranging as high as ten (10) or eleven (11) lots per acre. This land use pattern can be detailed as follows:

To the North: Crossing Manchester Road is the historical development pattern of the Grover Area, which includes a mix of lot sizes, some as small as 10,000 square feet, while other properties are one (1) acre or greater in size. This pattern extends beyond the first tier of properties abutting Manchester Road. All of these lots are zoned NU Non-Urban Residence District.

To the West: Crossing Center Avenue is a long-established residential land use pattern of dwellings fronting onto Manchester Road and other lots that are accessed by either Center or West Avenues. All of these properties are zoned NU Non-Urban Residence District.

To the East: Abutting in this direction are residential lots that are of part of the historical pattern of the Grover Area and zoned NU Non-Urban Residence District. Crossing East Avenue is a node of commercial development, which includes the former Rufkahr Feed Store and Cherry Hills Square Center, all of which are zoned C-8 Planned Commercial District (St. Louis County).

To the South: Adjoining in this direction are several residential lots that front onto Center Avenue that are used for residential purposes and zoned with NU Non-Urban Residence District or R-1 One Acre Residence District and then, the Estates at Bordeaux Subdivision, which is eighteen (18) lots on an 11.5 acre site. This residential subdivision is zoned R-1A 22,000 square foot Residence District, with a Planned Residential Development Overlay District (PRD). All of these lots are now occupied with single family detached dwellings (has an overall density of 1.76 units per acre).

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

The petitioner, Whalen Custom Homes, is seeking a change in zoning to allow for the redevelopment of these four (4), legal, but non-conforming, lots into a new four (4) lot configuration. The new four (4) lots would all be 14,000 square feet or greater in size. On each of the new lots, a single family dwelling is planned. These dwellings will have a mix of detached and attached garages, accessing from either Center Avenue or, in one (1) case, Manchester Road. The garages are side entry types, for the units that are not to be built with the detached variety.

Other characteristics of the proposal include the following items:

1. The structure setback distances would be twenty (20) feet for the front yard areas, ten (10) feet for the side yard areas, and thirty (30) feet for the rear yard areas.
2. The site is served by all public utilities. The installation of all utilities to serve the site will be underground.
3. The units will have at least two (2) enclosed parking spaces in garages and all of these facilities will be side types, along with detached garages placed at the rear lot line.
4. The petitioner is proposing not to provide public space within this project's boundaries, but request a credit for the Stone Mill Project to the south on Center Avenue, given it provided a surplus amount of acreage in that case.
5. The petitioner is proposing a five (5) foot wide dedication strip along Center Avenue for public purposes, but with no improvements planned within the current private dedication or new dedication strip, including the absence of sidewalks.
6. The petitioner is not planning any additional improvements to the Manchester Road right-of-way.
7. The site will be served by a system of stormwater facilities designed to current Metropolitan St. Louis Sewer District standards, which include some 'Best Management Practices.'
8. The design of landscaping and lighting is intended to meet City requirements in regards to both.
9. The petitioner and City, based upon comments at the public hearing, are in agreement Center Avenue should become a public street, in its entirety, while improving it to an appropriate condition for the number of residences located upon it, i.e. maintaining a more rural appearance.

ANALYSIS - The Commission has considered this request for a change in zoning from the NU Non-Urban Residence District to the R-3 10,000 square foot Residence District to allow for the existing four (4), legal, but non-conforming, lots to be adjusted into four (4), legal lots of record to accommodate four (4) new single family dwellings. This request does not include a Planned Residential Development Overlay District (PRD), so no conditions can be attached to a favorable action on the rezoning request. Accordingly, the R-3 10,000 square foot Residence District does contain a list of requirements relating to the use of property so designated, which include setback distances, height limitations, parking ratios, lighting design, and public space dedications. Therefore, many of the requirements that would normally be included in the Planned Residential Development Overlay District (PRD) are a part of any City zoning action.

The Commission is disappointed a Planned Residential Development Overlay District was not requested, given it provides the developer, the City, and the community the mechanism to ensure all components of the Town Center Plan are set forth in a single document and any unusual characteristics of the site or area can be identified and addressed accordingly. Regardless, the City's Master Plan's land use description of Town Center Area states that an acceptable zoning district designation for this special location of Wildwood would be up to the R-6A 4,000 square foot Residence District, which allows the requested R-3 10,000 square foot Residence District to be favorably considered, without the inclusion of the Planned Residential Development Overlay District (PRD), given its density will be much lower than the zoning classification allowing that maximum density. The text is as follows:

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.

Given the property is located in Town Center and, despite a Planned Residential Development Overlay District (PRD) is not being sought, the requirements of this document relative to this project will be applied here almost in their entirety, given the integration of its standards and guidelines to the City's other land use codes. Those Neighborhood Design Standards and Architectural Guidelines, which create the character of New Urbanism and applied to all residential developments in Town Center, will be used as the litmus test for the units and site design themselves. If these standards and guidelines were not met, the four (4) lots would be non-compliant to the Town Center Plan and cause the Planning and Zoning Commission to forego any action on the Preliminary Plat, which acts as the Site Development Plan for subdivision purposes in this case. Acknowledging this situation, many of the Neighborhood Design Standards of the Town

Center Plan, along with Architectural Guidelines, once applied, will create the desired outcome for this project. These requirements, standards, and guidelines and their applicability are described below:

	Requirement(s)	Applicable Code(s)
1	Setback Distances	<ul style="list-style-type: none"> • Zoning Ordinance sets requirements and shown on plat
2	Height Limitations	<ul style="list-style-type: none"> • Zoning Ordinance sets requirements and reflected in plan submittal and zoning authorizations for building permits
3	Lot Depths and Widths	<ul style="list-style-type: none"> • Subdivision and Development Regulations and platting process.
4	Parking	<ul style="list-style-type: none"> • Zoning Ordinance sets requirements and platting process (preliminary).
5	Outdoor Lighting	<ul style="list-style-type: none"> • Zoning Ordinance sets requirements and platting process (preliminary).
6	Landscaping	<ul style="list-style-type: none"> • Tree Preservation and Restoration Code and platting process (preliminary).
7	Roadway Improvements and Access	<ul style="list-style-type: none"> • Subdivision and Development Regulations and platting process (preliminary and record)ⁱ.
8	Public Space	<ul style="list-style-type: none"> • Zoning Ordinance and platting process (preliminary).
9	Architectural Review	<ul style="list-style-type: none"> • Zoning Ordinance requires review of all buildings and structures in Town Center Area against guidelines established therein.
10	Garage Locations/Access	<ul style="list-style-type: none"> • Town Center Development Manual – Neighborhood Design Standards and platting process (preliminary and record).
11	Materials	<ul style="list-style-type: none"> • Zoning Ordinance requires review of all buildings and structures in Town Center Area against guidelines established therein.
12	Colors	<ul style="list-style-type: none"> • Zoning Ordinance requires review of all buildings and structures in Town Center Area against guidelines established therein.
13	Porches and Height to Street	<ul style="list-style-type: none"> • Town Center Development Manual – Neighborhood Design Standards.

With the development of this tract of land governed by the City’s codes and Town Center Plan, the outcome of these dwellings and lots should be consistent with other New Urbanism projects in the City. It is important to note the Town Center Plan favors rear entry garages that are served by a lane, which in the past has been altered by the use of the Planned Residential Development Overlay District (PRD). Given this special procedure is not being requested in this case, the issue of garage location and access can only be considered utilizing the current Town Center requirements in this regard, with any waivers to this requirement having to be addressed by the Planning and Zoning Commission on the Preliminary Plat and the Architectural Review Board on elevations. This issue, along with access to City streets, which is at the sole discretion of Wildwood, will dictate the arrangement, location, and character of garages on these proposed four (4) lots.

SUMMARY OF REPORT AND RECOMMENDATION – The Planning and Zoning Commission is recommending the City Council grant the requested change in zoning for this tract of land, given it will address a non-conformity relating to the current lots and their respective sizes and, despite no Planned Residential Development Overlay District (PRD) being sought, as in other Town Center residential developments, its 1.4 acre area and the integration of the City’s other land use codes create the framework to ensure its design and character will be New Urbanism. The Letter of Recommendation also notes the issue of garage location and access to it, without the Planned Residential Development Overlay District (PRD), is at the discretion of the Planning and Zoning Commission, as part of its action on the Preliminary Plat, given the description for the Town Center Area favors rear entry types, with lanes. Similarly, the report also identifies the requirements, standards, and guidelines that must be met by this project relative to its location in Town Center. Again, given the character of this request, the Commission is recommending favorable consideration of the R-3 10,000 square foot Residence District zoning district designation for this 1.4 acre tract of land by the City Council.

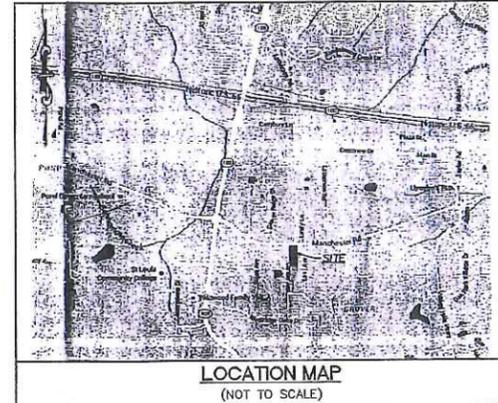
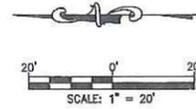
¹ Efforts are underway to address the width/roadway surface of Center Avenue and its long-term maintenance, given its increased use. A meeting was held with all of the property owners along its length at the end of June and the Departments of Public Works and Planning are working on a number of items that were identified by the group, so as to reach a consensus. The developer of this project, who is the same for the Stone Mill Project at the southern end of Center Avenue, is obliged to participate in this effort, both by providing land dedications and funding.

**Preliminary Development Plan
Attachment B**

Old Towne Parc

A TRACT OF LAND BEING PART OF SECTION 12, TOWNSHIP 44 NORTH, RANGE 3 EAST,
CITY OF WILDWOOD, ST. LOUIS COUNTY, MISSOURI

PRELIMINARY DEVELOPMENT PLAN R-3 10,000 SQUARE FOOT RESIDENCE DISTRICT



Special Inspections, LLC
16624 Old Chestnutfield Rd.
St. Louis, MO 63017
(636) 751-9161
SpecialInspectionsInfo

Whalen Custom Homes
338 S. Kirkwood Rd.
Kirkwood, MO 63122
314-575-7645

Old Towne Parc
2612 Center Avenue
Wildwood, MO 63040

SYMBOL LEGEND		
	SANITARY/STORM GRATE MANHOLE	UNDERGROUND STEAM LINE
	SANITARY / STORM MANHOLE	SANITARY / STORM LINE
	CURB INLET	OVERHEAD ELECTRIC
	GRATE	UNDERGROUND ELECTRIC
	TRASH CAN	UNDERGROUND TELEPHONE
	POWER POLE	WATER LINE
	SIGN	GAS LINE
	SET COTTON SPINDLE	ELECTRIC METER
	LIGHT ON BUILDING	ELECTRIC MANHOLE
	WATER METER	PHONE MANHOLE
	WATER VALVE	STREET LIGHTING PULL BOX
	WATER MANHOLE	GAS VALVE
	SPRINKLER CONTROL VALVE	GAS METER
	CLEAN OUT	CABLE BOX
	BUSH	ROOF DRAIN
	BOLLARD	CONCRETE STOPBAR
	TRAFFIC SIGNAL POST	

DEVELOPMENT NOTES

- 1. LOCATOR NUMBER: 24V510168
- 2. SITE ADDRESS: 17030 MANCHESTER ROAD
- 3. OWNER: WHALEN CUSTOM HOMES, 338 S. KIRKWOOD RD., KIRKWOOD, MO 63122
- 4. EXISTING ZONING: NU - NON-URBAN RESIDENCE DISTRICT
- 5. PROPOSED ZONING: R-3 10,000 SQUARE FOOT RESIDENCE DISTRICT
- 6. PROPOSED USE: SINGLE FAMILY RESIDENTIAL
- 7. GROSS AREA OF SITE: 1.37 ACRES
- 8. LESS RIGHT-OF-WAY: 0.055 ACRES
- 9. NET AREA: 1.32 ACRES
- 10. DENSITY = 4 LOTS/1.32 ACRES = 3.03 LOTS/ACRE
- 11. 1.32 ACRES x 3.5 UNITS/ACRE = 4.62 UNITS, 4 LOTS PERMITTED
- 12. NUMBER OF LOTS PROPOSED: 4
- 13. LOT SIZE: 10,000 S.F. MINIMUM
- 14. AVERAGE LOT SIZE: 14,848 S.F.

GENERAL NOTES:

- 1. THIS SITE IS IN THE FOLLOWING DISTRICTS AND UTILITY SERVICE AREAS: WARD EIGHT, METRO WEST FIRE PROTECTION DISTRICT, ST. LOUIS COUNTY POLICE DEPARTMENT - WILDWOOD PRECINCT, ROCKWOOD R-8 SCHOOL DISTRICT, METROPOLITAN ST. LOUIS SEWER DISTRICT, AMEREN MISSOURI, AT&T, Laclede Gas Company, MISSOURI AMERICAN WATER COMPANY, CHARTER CABLE SERVICES.
- 2. SANITARY SEWER CONSTRUCTION AND CONNECTIONS SHALL BE AS APPROVED BY THE METROPOLITAN ST. LOUIS SEWER DISTRICT AND IN ACCORDANCE WITH THE STANDARD CONSTRUCTION SPECIFICATIONS FOR SEWERS AND DRAINAGE FACILITIES.
- 3. ALL GRADING AND DRAINAGE SHALL BE PER CITY OF WILDWOOD AND METROPOLITAN ST. LOUIS SEWER DISTRICT STANDARDS.
- 4. NO SLOPES SHALL EXCEED 3 (HORIZONTAL) TO 1 (VERTICAL), UNLESS JUSTIFIED BY GEOTECHNICAL REPORT WHICH HAS BEEN ACCEPTED/APPROVED BY THE CITY OF WILDWOOD. NO SLOPES WITHIN CITY OF WILDWOOD RIGHT-OF-WAY SHALL EXCEED 3 (HORIZONTAL) TO 1 (VERTICAL).
- 5. ALL UTILITIES WILL BE LOCATED UNDERGROUND WITHIN THIS SITE.
- 6. MAXIMUM HEIGHT OF STREET LIGHTING FIXTURES SHALL BE 16 FEET AND SHALL BE IN COMPLIANCE WITH THE CITY OF WILDWOOD CODE REQUIREMENTS.
- 7. BUILDING HEIGHT SHALL NOT EXCEED 2 STORES OR 24 FEET.
- 8. THE NEAREST MAJOR INTERSECTION IS MANCHESTER ROAD AND STATE ROUTE 109 APPROXIMATELY 0.5 MILES TO THE NORTHWEST.
- 9. PARKING REQUIREMENTS: 2 UNITS, 8 SPACES PROVIDED; 8 SPACES
- 10. ALL OUTDOOR LIGHTING WILL BE IN COMPLIANCE WITH THE CITY OF WILDWOOD LIGHTING REQUIREMENTS.
- 11. ENTRANCES SHALL BE CONSTRUCTED TO CITY OF WILDWOOD STANDARDS.
- 12. ALL FUTURE IMPROVEMENTS TO CENTER AVENUE WILL OCCUR WITHIN ITS EXISTING RIGHT-OF-WAY AND TO THE EAST, AFFECTING THE SUBJECT SITE. ADDITIONAL RIGHT-OF-WAY DEDICATION WILL BE REQUIRED TO ACCOMMODATE IMPROVEMENTS TO CENTER AVENUE.
- 13. THE DEFICIENCY IN THE AMOUNT OF PROVIDED PUBLIC SPACE WILL BE SUPPLEMENTED BY THE EXCESS PROVIDED PUBLIC SPACE, AS PART OF THE STONE MILL SUBDIVISION (ORDINANCE #2088), IF AUTHORIZED BY CITY COUNCIL.

TREE PRESERVATION CALCULATIONS:

EXISTING TREE CANOPY: 0.57 AC.
TREE CANOPY REMOVED: 0.13 AC.
REMAINING TREE CANOPY: 0.44 AC. (78%)

BASIS OF BEARING:

BEARINGS ARE IN RELATION TO WESTRIDGE OAKS PLAT ONE, AS-RECORDED IN PLAT BOOK 338, PAGE 53, ST. LOUIS COUNTY RECORDS.

BENCHMARK:

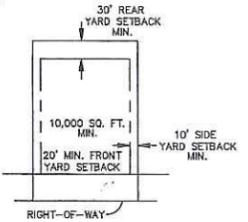
ST. LOUIS COUNTY BM 16-109: 794.70 (NGVD'29) "L" ON THE WEST SIDE OF A CONCRETE PORCH OF BUILDING AT # 16557 MANCHESTER ROAD; 21' EAST OF THE CENTERLINE OF EATHERTON ROAD AND 39' NORTH OF THE CENTERLINE OF MANCHESTER ROAD.

SITE BENCHMARKS:

795.68 (NGVD'29) CROSS AT THE INTERSECTION OF THE CENTERLINE OF BORDEAUX WALK WAY AND THE EAST LINE OF CENTER AVENUE. SAID POINT BEING 216.00 FEET SOUTH AND 29.80 FEET EAST OF THE NORTHEAST CORNER OF SUBJECT TRACT.

ELEV. 791.13 (NGVD'29) TOP OF IRON ROD WITH CAP LOCATED AT THE SOUTHWEST CORNER OF THE PROPERTY 2612 CENTER AVENUE. LOCATION IS SHOWN ON DRAWING.

FLOOD NOTE:



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	6,969.6 s.f.
Amount of Provided Public Space	1,998 s.f.
Multiple Use Trail	
Underground Detention Area	
Public Land Dedication	1,998 s.f.
Privately-Held Common Ground	
List Installed Improvements:	
Picnic Tables	
Benches	
Trash Receptacles	
Bicycle Racks	
Other:	
Other Public Space Items (if provided)	

SURVEYOR'S CERTIFICATION:

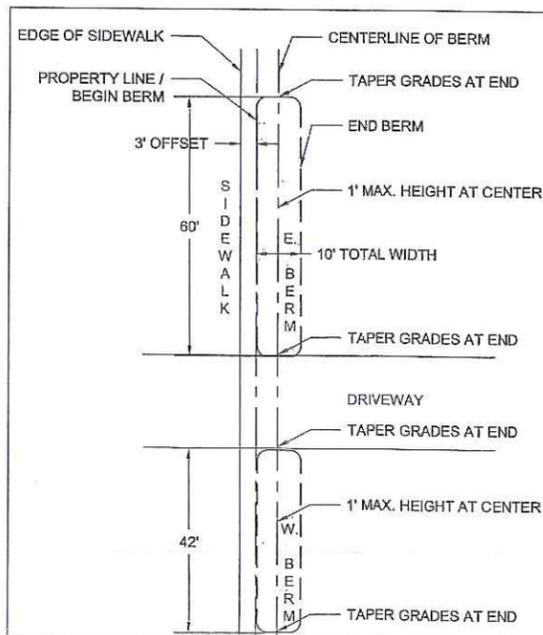
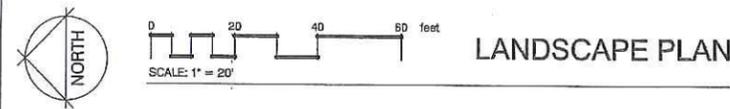
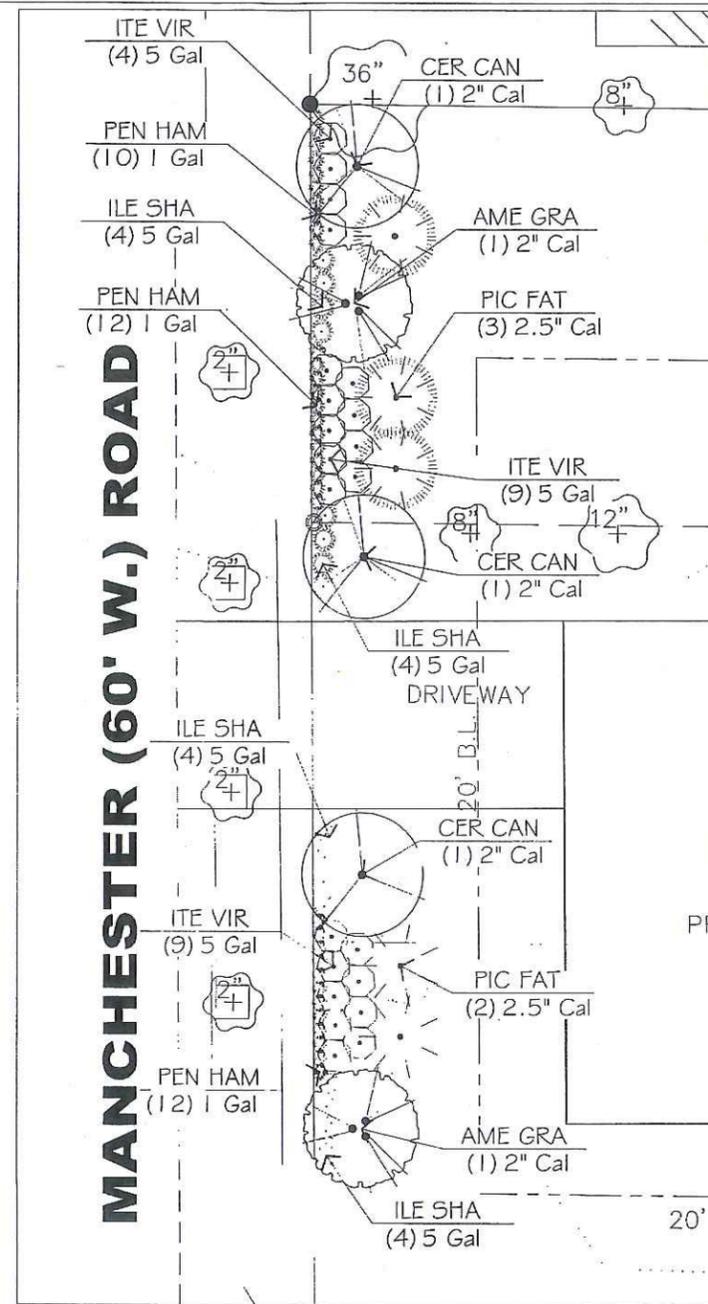
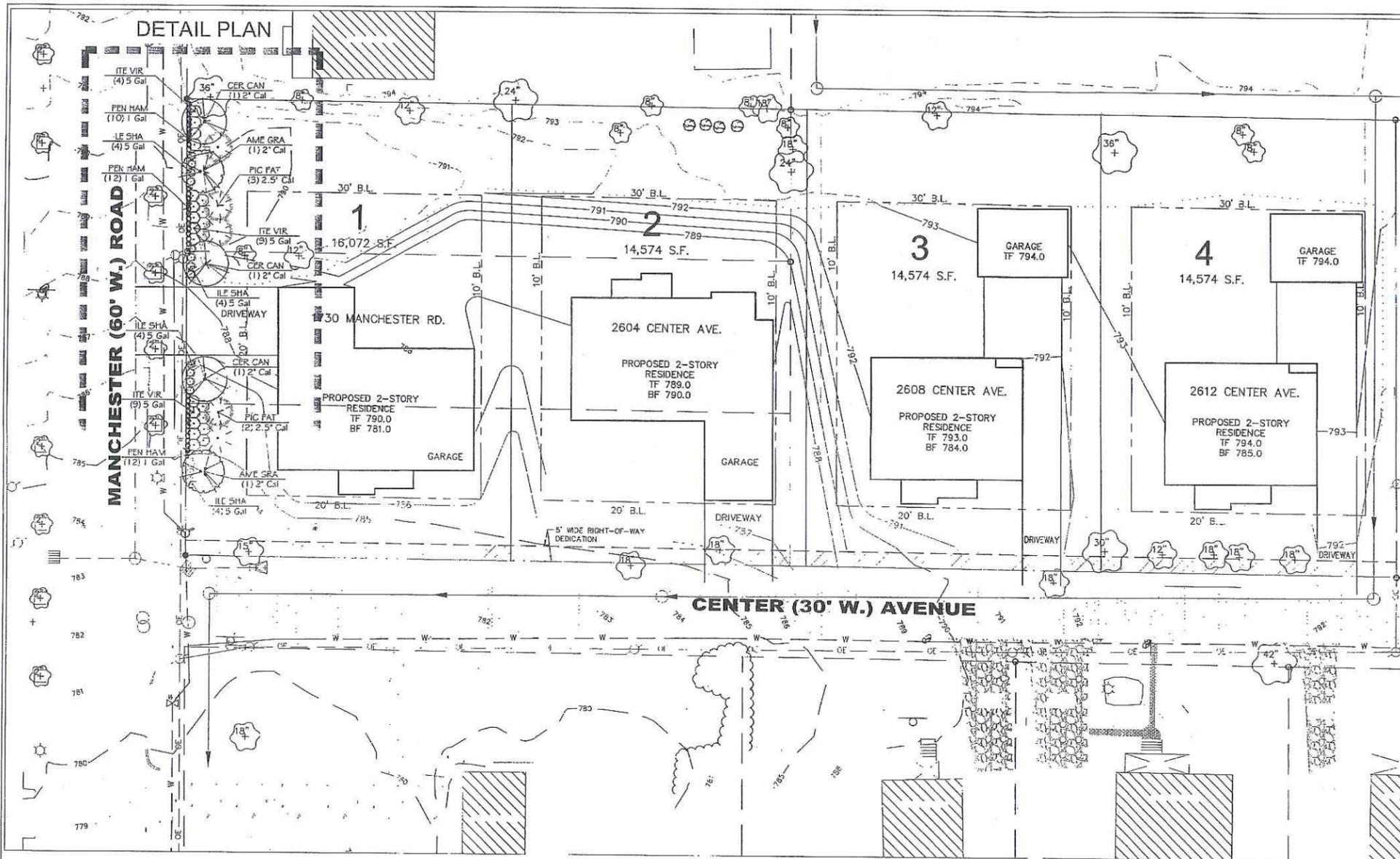
THIS IS TO CERTIFY TO MICHAEL WHALEN OF WHALEN CUSTOM HOMES, THAT AT HIS REQUEST, SUBURBAN LAND SURVEY, INC. HAS PREPARED A BOUNDARY AND TOPOGRAPHIC SURVEY DATED DECEMBER 4, 2015, OF LOT 10, LOT 11, AND LOT 12 OF "GROVER HEIGHTS" A SUBDIVISION RECORDED IN PLAT BOOK 20, PAGE 35 OF ST. LOUIS COUNTY RECORDS. ALSO THE PROPERTY OF KEITH AND JUDIE GEGG, CONVEYED IN DEED BOOK 18932, PAGE 2119, ST. LOUIS COUNTY RECORDS, SAID LAND BEING IN SECTION 12, TOWNSHIP 44 NORTH, RANGE 3 EAST, ST. LOUIS COUNTY, MISSOURI; THAT THIS PLAT IS BASED UPON A BOUNDARY SURVEY COMPLETED ON THE GROUND; THAT THE RESULTS OF SAID SURVEY ARE SHOWN HEREON; AND THAT THE SAID SURVEY MEETS OR EXCEEDS THE CURRENT MINIMUM STANDARDS FOR URBAN CLASS BOUNDARY SURVEYS, AS ESTABLISHED BY THE MISSOURI DEPARTMENT OF NATURAL RESOURCES, DIVISION OF GEOLOGY AND LAND



MAY 26 2016

PROJECT TITLE AND LOCATION:

JOB NUMBER:	15-002
DATE:	3/23/2016
DRAWN BY:	TBM
CHECKED BY:	MTM
SHEET TITLE:	PRELIMINARY DEVELOPMENT PLAN
SHEET NUMBER:	1 of 1



BERM DIAGRAM

GENERAL NOTES:

- INDIVIDUAL HOMEOWNERS MUST BE NOTIFIED AT LEAST ONE WEEK PRIOR TO INSTALLATION OF PLANTS ON LOTS THAT HAVE AN OCCUPIED DWELLING;
- UNLESS OTHERWISE STIPULATED BY SPECIFIC REQUIREMENTS OF THE CITY OF WILDWOOD TREE MANUAL, THE LANDSCAPING SHOWN ON THIS PLAN MUST BE PLANTED IN ACCORDANCE WITH THE LATEST EDITION OF THE TREE AND SHRUB TRANSPLANTING MANUAL PUBLISHED BY THE INTERNATIONAL SOCIETY OF ARBORICULTURE (PO BOX 66, SAVOY, IL 61874-9902);
- ALL TREES ARE TO BE LOCATED A MINIMUM DISTANCE OF 5' FROM ALL UTILITY BOXES, 5' FROM A STORM INLET OR MANHOLE, 10' FROM A FIRE HYDRANT, 15' FROM PUBLIC STREET LIGHTS, 5' FROM DRIVEWAY APRONS, 20' FROM ANY TRAFFIC CONTROL SIGN, AND AT LEAST 30' FROM ANY INTERSECTION;
- PLANT TYPE SUBSTITUTIONS ARE PERMITTED WITH VERBAL OR WRITTEN APPROVAL FROM THE CITY OF WILDWOOD PLANNING DEPARTMENT;
- ALL PLANT MATERIAL WILL BE REINSPECTED FOR SURVIVAL BY THE CITY OF WILDWOOD PLANNING DEPARTMENT ONE YEAR FOLLOWING INSTALLATION AND AGAIN TWO FULL GROWING SEASONS AFTER PLANTING;
- ALL PLANTS MUST MEET STANDARDS OF THE LATEST EDITION OF THE AMERICAN STANDARDS FOR NURSERY STOCK SPONSORED BY THE ASSOCIATION OF AMERICAN NURSERYMEN;
- NO PLANT SHALL BE LOCATED IN AREAS OF OBVIOUS POOR DRAINAGE. IF SUCH CONDITIONS EXIST, CONTACT THE LANDSCAPE ARCHITECT IMMEDIATELY TO RELOCATE AFFECTED PLANT MATERIAL; SOIL CONDITIONS MUST BE TESTED, VERIFIED AND ADJUSTED BY THE LANDSCAPE CONTRACTOR TO INSURE THAT APPROPRIATE SOIL COMPOSITION AND pH LEVELS ARE SUITABLE FOR PLANT MATERIAL SPECIFIED FOR THAT SPECIFIC LOCATION.

SPECIFICATIONS:

- PLANTING SOIL SHALL BE A PREPARED SOIL BY A REPUTABLE LOCAL NURSERY OR SIMILAR SOURCE.
- PLANTING SOIL SHALL BE FREE OF STONES, STUMPS, ROOTS OR OTHER WOODY MATERIAL OVER 1 INCH IN DIAMETER. FOR BEST RESULTS BRUSHOR SEEDS FROM NOXIOUS WEEDS, SUCH AS JOHNSON GRASS, MUGWORT, NUTSEDGE AND CANADIAN THISTLE SHOULD NOT BE PRESENT IN THE SOILS.
- pH RANGE: 5.0 - 7.0
- ORGANIC MATTER: UP TO 10%

LANDSCAPE BERM NOTES:

- PROPOSED LANDSCAPE BUFFER ALONG MANCHESTER ROAD IS TO BE PLANTED ON A LOW CONSTRUCTED BERM.
- BERM IS TO BE A MAXIMUM OF 1 FOOT TALL AT CENTERLINE.
- BERM SHALL BE 10 FEET WIDE STARTING FROM PROPERTY LINE, AND BE OFFSET FROM EXISTING SIDEWALK BY AT LEAST 3 FEET.
- TAPER BERM GRADES DOWN TO DRIVEWAY GRADE ACCORDINGLY.

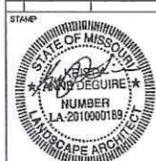
PLANT SCHEDULE OLD TOWNE PARC

TREES	CODE	BOTANICAL NAME / COMMON NAME	CAL	CONT	HGT	QTY
	AME GRA	AMELANCHIER X GRAND-FLORA 'AUTUMN BRILLIANCE' / 'AUTUMN BRILLIANCE' SERVICEBERRY	2' CAL	B+B		2
	CER CAN	CERCIS CANADENSIS / EASTERN REDBUD	2' CAL	B+B		3
	PIC FAT	PICEA PUNGENS GLAUCA 'FAT ALBERT' / 'FAT ALBERT COLORADO BLUE SPRUCE	2.5' CAL	B+B	6 FT.	5
SHRUBS	CODE	BOTANICAL NAME / COMMON NAME	CONT	SPACING	QTY	
	ILE SHA	ILEX GLABRA 'SHAMROCK' / INKBERRY	5 GAL	36' o.c.	16	
	ITE VIR	ITEA VIRG NICA 'HENRY'S GARNET' / 'HENRY'S GARNET SWEETSPIRE	5 GAL	48' o.c.	22	
GRASSES	CODE	BOTANICAL NAME / COMMON NAME	CONT	SPACING	QTY	
	PEN HAM	PENNISETUM ALOPECUROIDES 'MAMELI' / 'MAMELI DWARF FOUNTAIN GRASS	1 GAL	24' o.c.	34	

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DG2 Design
 Landscape Architecture
 4335 MO 100, Suite 102
 Wildwood, MO 63090
 TEL: 636.248.9007
 www.dg2design.com
 MISSOURI STATE
 CERTIFICATE
 OF AUTHORITY #L1232625
 CONSULTANT

OLD TOWNE PARC
 WHALEN CUSTOM HOMES
 WILDWOOD, MISSOURI 63040

NO.	ISSUED FOR	DATE



Kerry Dugre
 Landscape Architect
 LA-201000189
 DRAWING TITLE
LANDSCAPE PLAN
 PROJECT #: 16-232
 SHEET NUMBER

Background Information
Attachment C



WILDWOOD

16860 Main Street
Wildwood, MO 63040

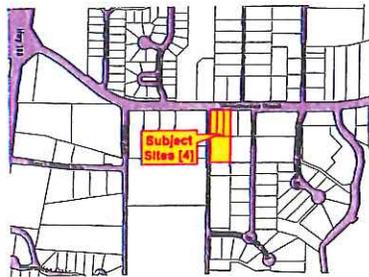
CITY OF WILDWOOD
NOTICE OF
PUBLIC MEETING

before the Planning and Zoning Commission

Monday, July 18, 2016, at 7:00 p.m.

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

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



Street Addresses of Subject Site:
17020, 17026, and 17030 Manchester Road and
2612 Center Avenue

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 June 6, 2016. You and many of your neighbors may have expressed interest in the outcome of this matter and the Commission is scheduled to take action upon this item at its upcoming meeting. If inclined, the Commission encourages you to attend this meeting and hear the Department of Planning's recommendation on this matter and participate in its discussion. The meeting will be held on **Monday, July 18, 2016, at 7:00 p.m.**, in the City Hall Council Chambers, 16860 Main Street, Wildwood, Missouri 63040. The specific request under consideration is as follows:

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

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

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

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

If you should have any questions regarding this information, please feel free to contact the Department of Planning at



June 15, 2016

Property Owner
Wildwood, Missouri 63040

RE: Center Avenue Meeting with City Representatives

Dear Property Owner:

As you may know, the City Council authorized a twelve (12) lot residential development (Stone Mill; 2710 West Avenue; Whalen Custom Homes) at the former location of the Missouri Department of Transportation (MODOT) site, at the terminus of Center Avenue, in 2015. Additionally, the City of Wildwood's Planning and Zoning Commission is currently considering a four (4) lot residential development (Old Towne Parc; 17020, 17026, and 17030 Manchester Road and 2612 Center Avenue; Whalen Custom Homes) that would be located on the east side of Center Avenue, south of Manchester Road. These developments will have an impact on Center Avenue, which is currently designated a private road. The City has been working with Whalen Custom Homes to design future improvements to Center Avenue and determine how best to maintain this roadway in the future, i.e. dedicating for public ownership, as the principle option for consideration.

Therefore, the Department of Planning would like to invite you to a meeting of your neighbors to hear any and all comments regarding proposed future improvements to Center Avenue and the roadway's dedication as a public street. Department of Planning staff will be present, as well as a representative from Whalen Custom Homes. This meeting will be held at Wildwood City Hall, on **Wednesday, June 29, 2016, at 6:30 p.m., in the Community Room.** All are welcome.

If you have any questions regarding this letter, please feel free to contact the Department of Planning at (636) 458-0440. Thank you in advance for your participation and the Department looks forward to hearing your input on this important matter. Written comments will also be accepted prior to the meeting, and should be addressed to the Department of Planning, City of Wildwood, 16860 Main Street, Wildwood, Missouri 63040. If you prefer, comments can also be provided via the City's website at www.cityofwildwood.com/comments.

Submitted,
CITY OF WILDWOOD

Joe Vujnich, Director
Department of Planning

CC: The Honorable James R. Bowlin, Mayor
City Council Members Garritano and Goodson
Planning and Zoning Commission Members
Ryan Thomas, City Administrator
John A. Young, City Attorney
Travis Newberry, Planner
Mike Whalen, Whalen Custom Homes (Petitioner)

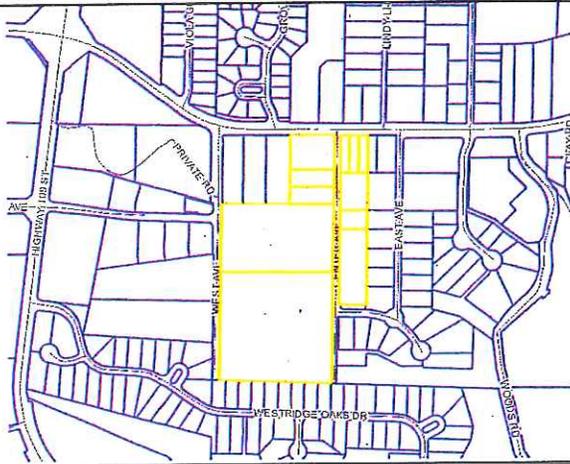


WILDWOOD

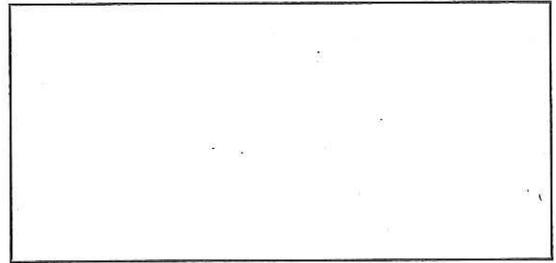
16860 Main Street
Wildwood, MO 63040

CITY OF WILDWOOD
NOTICE OF

Center Avenue Neighborhood Meeting
In the Community Room at City Hall
Wednesday, June 29, at 6:30 p.m.



Please RSVP to this meeting by contacting the Department of Planning at (636) 458-0440 or by emailing joe@cityofwildwood.com.



The City of Wildwood City Council authorized a twelve (12) lot residential development (Stone Mill; 2710 West Avenue; Whalen Custom Homes) at the former location of the Missouri Department of Transportation's (MODOT) maintenance garage, at the terminus of Center Avenue. Additionally, the City of Wildwood's Planning and Zoning Commission is currently considering a four (4) lot residential development (Old Towne Parc; 17020, 17026, and 17030 Manchester Road and 2612 Center Avenue; Whalen Custom Homes) that is located on the east side of Center Avenue, south of Manchester Road. These developments will have an impact on Center Avenue, which is currently designated a private road. The City has been working with Whalen Custom Homes to design future improvements to Center Avenue and determine how best to maintain this roadway in the future, i.e. dedicating for public ownership.

Therefore, the Department of Planning would like to invite you to a meeting of your neighbors to accept any and all comments regarding proposed future improvements to Center Avenue and the roadway's dedication as a public street. Department of Planning staff will be present, as well as a representative from Whalen Custom Homes. This meeting will be held at Wildwood City Hall, on **Wednesday, June 29, 2016, at 6:30 p.m., in the Community Room.** All are welcome.

Please RSVP to this meeting by contacting the Department of Planning at (636) 458-0440 or by emailing joe@cityofwildwood.com.

Your participation in this matter is greatly appreciated.

***RESIDENT OR PROPERTY OWNER - PLEASE COMMENT ON 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 Department of Planning, City of Wildwood, 16860 Main Street, Wildwood, Missouri 63040.



WILDWOOD

16860 Main Street
Wildwood, MO 63040

CITY OF WILDWOOD
NOTICE OF
PUBLIC HEARING

before the Planning and Zoning Commission

Monday, June 6, 2016, at 7:00 p.m.

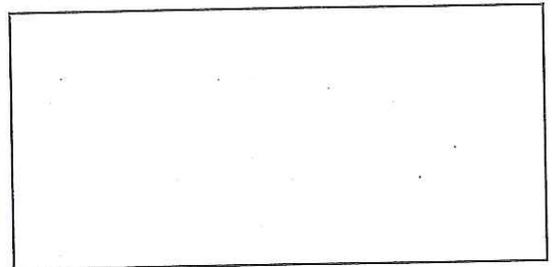
AS A RESIDENT OR PROPERTY OWNER NEAR THE SITE THAT IS IDENTIFIED ON THIS MAILER, THE CITY OF WILDWOOD WOULD LIKE TO ENSURE YOU ARE AWARE OF THIS REQUEST/PROPOSAL BECAUSE IT IS LOCATED WITHIN 1,500 FEET OF YOUR PROPERTY. YOUR COMMENTS ARE ENCOURAGED, ALONG WITH YOUR PARTICIPATION AT THE SCHEDULED HEARING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

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



Street Addresses of Subject Site:
17020, 17026, and 17030 Manchester Road and
2612 Center Avenue

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, June 6, 2016, at 7:00 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. 1-16 Old Towne Parc, Mike Whalen, Whalen Custom Homes, Inc., 338 South Kirkwood Road, Suite 103, Kirkwood, Missouri 63122 – A request for a change in zoning from the NU Non-Urban Residence District to the R-3 10,000 square foot Residence District on a 1.4 acre tract of land consisting of four (4) lots of record, all being located on the east side of Center Avenue, south of Manchester Road (Locator Numbers: 24V510232, 24V510221, 24V510166, and 24V510089/Street Addresses: 17020, 17026, and 17030 Manchester Road and 2612 Center Avenue). **Proposed Use: A total of four (4) single family dwellings on individual lots.**
(Ward Eight)

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

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

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

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



May 6, 2016

Whalen Custom Homes, Inc.
c/o Michael Whalen
338 South Kirkwood Road
Suite 103
Kirkwood, Missouri 63112

Re: Preliminary Development Plan for Old Towne Parc – A change in zoning from NU Non-Urban Residence District to the R-3 10,000 square foot Residence District, with a Town Center Designation of Neighborhood Edge District.

Dear Mr. Whalen,

The Department of Planning has completed its second review of the Preliminary Development Plan and related materials that have been submitted for the above mentioned proposal. This review compared the compliance of this plan and related materials to the Zoning Ordinance, Town Center Plan requirements for residential developments of this type, and to the Department's initial review letter dated February 12, 2016. In this comparison, a few items were found that need to be addressed, before the public hearing proceeds to its tentatively scheduled date of June 6, 2016. These items can be summarized as follows:

1. Please consider changing the orientation of the dwelling on Lot 1 to show the driveway and garage fronting on Center Avenue or having the residence facing Manchester Road, with its access on Center Avenue. The Department of Public Works has expressed some reservations about the driveway accessing Manchester Road.
2. Please consider changing the design of the dwelling on Lot 2 to accommodate a detached garage located at the rear of the lot, similar to Lots 3 and 4.
3. Please indicate Center Avenue as a private street at this time.
4. Please note the City's consultant has determined all future improvements to Center Avenue will occur within its existing right-of-way and to the east, affecting the subject site. Please note additional right-of-way dedication may be required to accommodate improvements to Center Avenue.
5. Please add a note stating the following: "The deficiency in the amount of provided public space will be supplemented by the excess provided public space, as part of the Stone Mill Subdivision (Ordinance #2088), if authorized by City Council."
6. Please provide preliminary comments regarding this subdivision from the Metro West Fire Protection District and the Metropolitan St. Louis Sewer District (MSD).
7. Please change "R-3 Residential District" to "R-3 10,000 square foot Residence District" in both the title block and the Development Notes Section.
8. Please note the orientation of the dwelling on Lot 2 shown on Sheet L100 is not consistent with what is represented on the Preliminary Development Plan sheet. Please correct this inconsistency.

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, June 2nd. Please be advised that additional comments may be identified between this letter's date and the June 6, 2016 hearing at the Planning and Zoning Commission. If you should have any questions or comments in this regard, please feel free to contact the Departments of Public Works and/or Planning at (636) 458-0440.

Sincerely,

CITY OF WILDWOOD



Joe Vujnich, Director

Department of Planning

Cc: The Honorable James R. Bowlin, Mayor
Council Members Joe Garritano and Larry Goodson, Ward 8
Ryan S. Thomas, P.E., City Administrator
Rick Brown, P.E. and P.T.O.E., Director of Public Works
Kathy Arnett, Assistant Director of Planning and Parks
Travis Newberry, Planner



WILDWOOD

February 12, 2016

Whalen Custom Homes, Inc.
c/o Michael Whalen
338 South Kirkwood Road
Suite 103
Kirkwood, Missouri 63112

Re: Preliminary Development Plan for Old Towne Parc – A change in zoning from NU Non-Urban Residence District to the R-3 10,000 square foot Residence District, with a Town Center Designation of Neighborhood Edge District.

Dear Mr. Whalen,

The Department of Planning has completed its initial review of the Preliminary Development Plan that has been submitted for the 1.4 acre tract of land located at the southeast corner of Manchester Road and Center Avenue. This review compared the compliance of this plan and related application materials to the Zoning Ordinance and Town Center Plan requirements for residential developments of this type. In this comparison, a number of items were found that need to be addressed, before the Department can schedule the public hearing before the Planning and Zoning Commission for its review and action on this request. These items can be summarized as follows:

1. Please be advised the proposed rezoning of this property for four (4) lots to the R-3 10,000 square foot Residence District is within the range of zoning district designations identified as suitable within the "Neighborhood Edge" District designation of the Town Center Plan. However, lot widths and other design components of these lots must be addressed to meet the minimums or maximums of that designation and other items that are identified in the Neighborhood Design Standards for the same. These standards have been attached to this review letter for your review and use.
2. Please note the preferred design of housing in the "Neighborhood Edge" District designation is a rear entry garages served by a lane, not front entry garages accessing the fronting street directly. Although front-entry garages can be considered in the "Neighborhood Edge" District designation, this site, with its visibility along Manchester Road, does not lend itself well to this application and is problematic. This plan is not consistent to the intent of creating a New Urbanism development at this location.
3. Please identify on the Preliminary Development Plan the streetscape requirements that must be provided on Center Avenue. Additionally, please note the street specifications for this type of roadway must also be met. A dedication of right-of-way will be required to the City of Wildwood on Center Avenue.
4. Please indicate Center Avenue as a private street at this time.
5. Please provide preliminary comments regarding this subdivision from the Metro West Fire Protection District and the Metropolitan St. Louis Sewer District (MSD).
6. Please provide the parking calculations for this proposed use of the property for four (4) lots.

7. Please provide the density calculations for this site and please be advised the dedication of twenty (20) feet of land area for right-of-way purposes along Center Avenue must be used in the determination of net acreage.
8. Please provide the gross acreage of the site on the Preliminary Development Plan sheet. Additionally, please provide a legal description that corresponds to the Outboundary Survey that has already been submitted.
9. Please identify the required Public Space information on the Preliminary Development Plan sheet. The Department has attached a table to assist in this regard.
10. Please provide preliminary elevations of the proposed houses, so they can be forwarded to the City's Architectural Review Board for its comments.
11. Please provide a preliminary Landscape Plan for this project.
12. Please provide information regarding the proposed lighting of this project. At this stage of the zoning process, a note that all outdoor lighting will be provided in compliance with the City's Outdoor Lighting Requirements would suffice.
13. Please identify the tree preservation requirements for this site, i.e. existing tree canopy and remaining tree canopy.
14. Please add a note to the plan sheet indicating grading and drainage shall comply with the City of Wildwood and Metropolitan St. Louis Sewer District (MSD) standards.
15. Please see the attached sheet for additional comments in this regard.

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.

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

Sincerely,
CITY OF WILDWOOD

Joe Vujnich, Director
Department of Planning

Cc: The Honorable Timothy Woerther, Mayor
Ryan S. Thomas, P.E., City Administrator
Rick Brown, P.E. and P.T.O.E., Director of Public Works
Kathy Arnett, Assistant Director of Planning and Parks
Travis Newberry, Planner

P.Z. Number(s): 1-16
(as assigned by department)

PETITION

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

- 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: Whalen Custom Homes, Inc.
Mailing Address: 338 S. Kirkwood Road Suite 103
Kirkwood, MO 63122
Telephone Number, with Area Code: (314) 575-7645
Fax Number, with Area Code: (314) 821-1755
E-Mail Address: Mike@Whalencustomhomes.com
Interest in Property (Owner or Owner Under Contract):
Owner Under Contract

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

Owner's Name (if different than applicant):
Keith & Judith Gegg
Address: 317 Clarkson Road Suite 201
Ellisville, MO 63011
Telephone Number, with Area Code: (636) 236-8881

SITE INFORMATION

Postal Address of the Petitioned Property(ies):

17020; 17026; 17030 Manchester Road
2612 Center Avenue, Wildwood MO

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

24V510232 ; # 24V510221 ; # 24V510166
24V510089

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

1.4 Acres

Current Zoning District Designation:

NU

Proposed Zoning District Designation:

R-3

Proposed Planned District or Special Procedure:

USE INFORMATION

Current Use of Petitioned Site:

Vacant Land

Proposed Use of Site:

Single Family Residential

Proposed Title of Project:

Old Towne Parc

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

6/1/16 - 6/1/17

CONSULTANT INFORMATION

Engineer's/Architect's Name:

Special Inspections, LLC

Address:

16624 Old Chesterfield Rd.
St. Louis, MO 63017

Telephone Number, with area code:

(636) 751-3161

Fax Number, with area code:

N/A

E-Mail Address:

specialinspections.info

Soil Scientist/Forester's Name:

TBD

Address:

Telephone Number, with area code:

Fax Number, with area code:

E-Mail Address:

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.

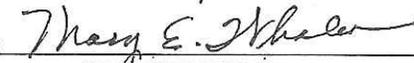
The petitioner(s) hereby certify(ies) that (indicate one):

- 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: 
 NAME (PRINTED): Michael Whalen
 ADDRESS: 338 S. Kirkwood Road Suite 103
Kirkwood, MO 63122
 TELEPHONE NUMBER: 314-575-7645

[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
11TH DAY OF JANUARY, 20 16

SIGNED: 
(NOTARY PUBLIC)



NOTARY PUBLIC _____
STATE OF MISSOURI.

MY COMMISSION EXPIRES OCT. 17, 2018

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

REAL ESTATE SALE CONTRACT

This Contract is made and entered into as of the Effective Date (as defined herein) by and between WHALEN CUSTOM HOMES, INC. a Missouri CORPORATION, ("Purchaser"), and Keith M. Gegg and Judith H. Gegg, Trustees of The Keith M. Gegg and Judith H. Gegg Revocable Trust dated 12/10/2009 (for lot 17020 Manchester) and Keith M. Gegg and Judith H. Gegg for lots 17026, 17030 Manchester and 2612 Center Ave. (the, "Seller"). The following recitals form the basis of this Contract, and are a material part hereof:

A. Seller is the owner of that certain real estate described on Exhibit A attached, in the city of Wildwood, St. Louis County, Missouri 17030, 17026, 17020 Manchester Road and 2612 Center Avenue, (the "Property") (legal description in the Title Commitment to govern); and

B. Purchaser desires to purchase, and Seller desires to sell the Property in accordance with the terms of this Contract.

NOW THEREFORE, in consideration of the mutual covenants and promises contained herein, the parties agree as follows:

1. Sale and Purchase of Property. Seller agrees to sell and Purchaser agrees to purchase, subject to the terms and conditions contained in this Contract, the Property and any improvements thereon and appurtenances thereto. The Property shall be sold together with all of Seller's right, title, and interest in and to all public and private streets, roads, avenues, and passageways abutting the Property, and any strips of land adjoining the Property, and all of Seller's water rights, mineral rights, easements, privileges, and related appurtenances. Subject to Seller's reasonable approval of such a survey, the exact acreage of the Property will be determined pursuant to Purchaser's survey of the Property.

2. Purchase Price. The purchase price for the Property shall be \$300,000 (the "Purchase Price"). The Purchase Price shall be payable in immediately available funds at each Closing.

3. Earnest Deposit. Purchaser agrees to deliver an earnest deposit in the amount of THREE THOUSAND AND 00/100 DOLLARS (\$3,000) (the "Earnest Deposit") in the form of cash with the Seller. Except as otherwise provided herein, the Earnest Deposit shall be refundable if contract is terminated within Contingency Period and applied as a credit at Closing in favor of Purchaser.

4. Conveyance of Title. At Closing, Seller shall convey to Purchaser by recordable special warranty deed marketable and insurable fee simple title to the Property, free and clear of all liens and encumbrances, subject only to covenants, conditions, restrictions, and easements of record; general and special taxes and assessments for the current year which are a lien on the Property but are not yet due and payable; building, zoning and like laws; statutes, ordinances and regulations (the "Permitted Exceptions").

5. Purchaser's Due Diligence Contingencies. This Contract and the obligations of Purchaser hereunder are subject to the contingencies set forth in the following Subparagraphs of this Section hereof, each of which shall be fulfilled or waived by Purchaser within 120 days following the Effective Date (the "Due Diligence Period"). If at any time within the Due Diligence Period, the applicable contingency is not satisfied, or will not be satisfied as determined in Purchaser's sole discretion, Purchaser may notify Seller in writing no later than 5:00 p.m. on the last day of the Due Diligence Period that it desires to terminate this Contract. Upon such termination, this Contract shall be null and void and the Earnest Deposit shall be retained by Seller. Notwithstanding the foregoing, in the event of failure by Purchaser to notify Seller in writing within such time of the waiver or satisfaction of the contingency or the termination of this Contract pursuant to such contingency, such contingency shall be deemed not to have been met and this Contract shall automatically be terminated with Earnest Deposit to be returned to Purchaser.

6.

(a) Survey and Title Examination. Within the Due Diligence Period, Purchaser shall, at Purchaser's expense, order and receive from the Title Company an ALTA form title insurance commitment (the "Title Commitment") with respect to the Property, together with copies of all exceptions to the Title Commitment and, at Purchaser's expense, a current ALTA form survey of the Property prepared by a licensed surveyor and certified to Purchaser and to the Title Company, showing all title exceptions, boundaries, improvements, easements, encroachments, building set-back lines, wetlands and floodway and flood plain boundaries as to the Property and in sufficient form to delete the survey exception on the title insurance policy, and neither the documents supplied by Seller, the Title Commitment nor the survey shall include any exceptions (including exceptions for mechanics liens) to title or other matters which are unacceptable to Purchaser.

(b) Zoning and other Governmental Approvals. Within the Due Diligence Period, Purchaser shall receive confirmation that (i) the zoning and permitted uses of the Property, and any general or special assessments applicable to the Property, are acceptable for such uses of the Property as are contemplated by Purchaser and (ii) all zoning and other governmental approvals necessary for Purchaser's intended development, including, without limitation, site plan and utility approvals, permits for water and sewer connections, and all other governmental permits and approvals which, in the Purchaser's reasonable judgment, are a prerequisite to the Purchaser's intended use of the Property, are received from all applicable regulatory agencies and utilities in form and content acceptable to Purchaser. Purchaser is responsible for obtaining the confirmation of zoning and permitted use as described in this Section.

(c) Plans, Specifications and Engineering. Within the Due Diligence Period, Purchaser may conduct, at Purchaser's expense, inspections, tests, studies, and analyses, including, without limitation, soil, percolation and flood plain tests, tests of capacity of utilities, environmental audits, engineering studies and feasibility studies, the results of which shall not disclose or indicate any soil, topographical, demographical or other conditions which would render the Property unacceptable, in Purchaser's sole but good faith discretion, for Purchaser's intended development and use of the Property.

(d) Due Diligence Contingency Extension. Purchaser shall have the right to extend the Due Diligence Period in this Section 5 hereof for two (2) additional 30 day periods by providing Seller with FOUR THOUSAND DOLLARS (\$4,000) prior to the expiration of the then current Due Diligence Period. The payment(s) made pursuant to this Section 5(e) will be non-refundable, but will be applied against the Purchase Price if Purchaser closes the purchase of the Property.

(e) Due Diligence Documents. In the event Purchaser elects to terminate this contract, Purchaser shall provide copies of, and freely assign any and all due diligence documents procured by Purchaser in connection with the Property to Seller.

7. Additional Purchaser Contingencies. Purchaser's obligation to close the transaction contemplated by this Contract shall, in addition to the contingencies listed in Section 5 hereof, be contingent upon (i) all of Seller's representations and warranties hereunder being true and correct as of the date of Closing, and (ii) Seller having tendered to Purchaser all of the items required to be delivered by Seller to Purchaser at the Closing.

8. Seller Contingencies. Seller's obligation to close the transaction contemplated by this Contract shall be contingent upon (i) all of Purchaser's representations and warranties hereunder being true and correct as of the date of Closing, and (ii) Purchaser having tendered to Seller all of the items required to be delivered by Purchaser to Seller at the Closing.

9. Inspection. During the Due Diligence Period, the Purchaser, its agents, employees, contractors and engineers shall have the right from time-to-time to enter upon the Property at their risk for the purpose of inspecting same and conducting surveys, engineering studies, borings, soil tests, investigations, feasibility studies and the like. To the extent that it is practical to do so, all such entries shall be made in such a manner as to minimize interference with Seller's present use of the Property. Within a reasonable time after such entries Purchaser shall, to the extent

practicable, restore the Property to its prior condition. The Purchaser agrees to indemnify and save the Seller harmless from and against any loss and all damages, liabilities, claims, causes of action, penalties, demands and expenses of any kind or nature arising out of, resulting from, or incident to such entries and activities.

10. Sellers Representations and Warranties. Seller hereby makes the following representations and warranties to Purchaser, which representations shall be true as of the Closing:

(a) Seller is now and will at the date of the Closing be the lawful owner of and have good and marketable title to all of the Property being sold, transferred or assigned by Seller to Purchaser at Closing;

(b) All of the Property will be at the time of the Closing, free and clear of any and all liens, security interests, restrictions, limitations, charges and encumbrances, except those listed as exceptions in the Title Commitment and approved by Purchaser.

(c) Seller has and will have at Closing good right, title and authority to sell, transfer and convey the Property pursuant to the terms of this Contract; and Seller will warrant and defend the same against the claims and demands of all persons whomsoever;

(d) If Seller is an entity, Seller is duly formed and validly existing. The execution and delivery of this Contract has been duly authorized to the extent required by Seller's organizational documents and no further action on the part of Seller is necessary in order to permit Seller to enter into this Contract;

(e) This Contract constitutes the valid and binding obligation of Seller enforceable in accordance with its terms;

(f) Seller has full right, power and authority and is duly authorized to enter into this Contract, to perform each and every one of the covenants on its part to be performed hereunder and to execute and deliver and to perform its obligations under all documents required to be executed and delivered by Seller pursuant to this Contract;

(g) The execution of this Contract by Seller and Seller's observance and performance of all its covenants and obligations hereunder does not contravene any judgment, order or provision of the law of which Seller is aware, or any agreement binding upon the Seller;

(h) There is no litigation or proceeding pending or, to Seller's knowledge, threatened against the Property or Seller;

(i) Seller has not received any written notice of any violation or any ordinance, regulation, law, statute, building code, zoning ordinance or environmental laws pertaining to the Property, or any portion thereof;

(j) Seller has received no written notice that there has been any unlawful contamination (including any disposal, discharge, deposit, injection, dumping, leaking, spilling, placing or escape) of any hazardous substance, pollutant or contaminant (as those items are defined under 42 U.S.C. Section 9601) on, in, under or from the Property, and to the best of Seller's knowledge, there is no facility in or on the Property which is used for the treatment, storage or disposal of hazardous wastes (as those terms are described in The Resource Conservation and Recovery Act, 42 U.S.C., Sections 6901-6987, and the Superfund Amendments and Reauthorization Act of 1986, 42 U.S.C., Section 11,000 et seq.); To the best of Seller's knowledge, there is currently no action, suit or proceeding pending, nor has Seller received notice of any threatened action, suit or proceeding, which would result in a condemnation of the Property or any portion thereof or which would affect the access to the Property or the utilities presently serving the Property;

(k) No written or otherwise enforceable commitments have been made by Seller to any governmental authority which would impose any obligation on Purchaser or its successors or assigns to make any contribution or dedication of money or land to construct or maintain any roads, levees or other improvements of a public or private nature on or off the Property, except for payments to MSD as previously disclosed by Seller;

(l) Seller shall have made no changes in the current zoning of the Property except as may be requested by Purchaser;

(m) There are no mechanics, materialmen or similar claims or liens presently claimed or which will be claimed against the Property for work performed or commenced prior to Closing at the request of Seller or of which Seller has knowledge; and

(n) Except as otherwise set forth in this Contract, the covenants, representations and warranties set forth herein are made as of the date of execution of this Contract, but Seller agrees that by the act of Closing the sale and purchase hereunder, the said covenants, representations and warranties shall be deemed confirmed as of the date of Closing.

11. Purchaser's Representations and Warranties.

(a) Purchaser is a MISSOURI CORPORATION company duly formed, validly existing and authorized to do business in the State of Missouri. The person executing this Contract on behalf of the Purchaser personally guarantees the execution and delivery of this Contract has been duly authorized to the extent required by Purchaser's organizational documents and no further action on the part of Purchaser is necessary in order to permit Purchaser to enter into this Contract;

(b) This Contract constitutes the valid and binding obligation of Purchaser enforceable in accordance with its terms;

(c) Purchaser has full right, power and authority and is duly authorized to enter into this Contract, to perform each and every one of the covenants on its part to be performed hereunder and to execute and deliver and to perform its obligations under all documents required to be executed and delivered by Purchaser pursuant to this Contract;

(d) The execution of this Contract by Purchaser and Purchaser's observance and performance of all its covenants and obligations hereunder does not contravene any judgment, order or provision of the law of which Purchaser is aware, or any agreement binding upon the Purchaser; and

(e) Purchaser shall provide Seller with a Certificate of Good Standing from the Missouri Secretary of State.

12. Adjustments to Purchase Price. The Purchase Price to be paid at Closing shall be adjusted at the time of Closing to account for pro-ration of real estate taxes, other assessments for the calendar year (all related only to the portion of the Property to be purchased at the specific Closing) in which Closing occurs, special taxes, and assessments on the Property levied prior to Closing.

13. Closing. The Closing shall take place at the office of the Title Company or at such other place as shall be mutually agreed to by Seller and Purchaser WITHIN THIRTY (30) DAYS OF CONTINGENCY WAIVER. Title to and possession of the Property shall pass to Purchaser upon completion of Closing.

14. Closing Documents. At Closing, Purchaser and Seller will execute and deliver such documents and/or instruments as may be reasonably required in order to convey the Property to the Purchaser and to satisfy the

obligations of the parties hereunder, all in form and substance acceptable to Purchaser and to Seller.

15. Condemnation. If, prior to Closing, all of the Property shall be condemned by governmental or other lawful authority, this Contract shall terminate. If, prior to Closing, less than all of the Property shall be condemned by governmental or other lawful authority, Purchaser shall have the option of (i) completing the purchase for the Purchase Price set forth in Section 2, in which event all condemnation proceeds or claims therefore shall be assigned to Purchaser, or (ii) terminating this Contract.

16. Default.

(a) If Purchaser fails or refuses to comply fully with the terms of this Contract or breaches any of its representations and warranties hereunder for any reason, and Purchaser fails to cure any such default within 10 days of receiving written notice of default from Seller, Seller may, as its sole and exclusive remedy, terminate this Contract and retain the Earnest Deposit and any other money paid hereunder as liquidated and stipulated damages.

(b) If Seller fails or refuses to comply fully with the terms of this Contract for any reason, or breaches any of its representations and warranties hereunder, and Seller fails to cure such default within 10 days of receiving written notice of default from Purchaser, Purchaser may, at its option, either: (i) terminate this Contract whereupon the Earnest Deposit will be immediately refunded to Purchaser; or (ii) pursue a suit for specific performance.

17. Real Estate Brokers. Purchaser is not represented by any real estate broker. Any commission due to any licensed real estate broker will be the sole responsibility of Seller.

18. Notices. All notices and other communications required or permitted to be given hereunder shall be in writing and shall be sent by prepaid reputable courier delivery service or mailed by registered or certified mail, postage prepaid, return receipt requested, addressed as follows:

If to Purchaser: WHALEN CUSTOM HOMES, INC
338 S. Kirkwood Road
Kirkwood MO, 63122
Telephone: 314-575-7645
Facsimile: 314-821-1755
E-mail: mike@whalencustomhomes.com

If to Seller: Keith and Judith Gegg
2473 Hickory Manor Dr.
Wildwood, MO 63011
Telephone: 636-236-8881
Facsimile: 636-394-4456
E-mail: keith@geggdesign.com

With copy to:

Either party may designate a different address for itself by notice similarly given. Any notice given by registered or certified mail shall be deemed to have been given when deposited in the mail, and any notice not so given shall be deemed to have been given upon receipt of the same by the party to whom the same is to be given.

19. Miscellaneous.

(a) The Effective Date of this Agreement ("Effective Date") shall be the date this Contract is last signed by the Purchaser or by any of the Sellers.

(b) This Contract shall be governed by the laws of the State of Missouri without regard to its conflict of laws provisions.

(c) This Contract (which includes any exhibit or addendum attached hereto, the provision of any said exhibit or addendum being hereby incorporated in this Contract) contains the entire Contract between Seller and Purchaser and there are no other terms, conditions, promises, undertakings, statements, or representations, express or implied, concerning the sale and purchase contemplated by this Contract. Neither party shall be bound by any representation, promise, undertaking, or statement unless set forth in this Contract.

(d) The headings to the paragraphs of this Contract have been inserted for convenience of reference only and shall in no way modify or restrict any provisions hereof or be used to construe any of such provisions.

(e) Purchaser and Seller agree to execute at Closing all forms and reports required for tax reporting purposes, including federal and state income tax reporting and any declaration of value required by St. Louis County, assessor's office. Purchaser and Seller further agree to deliver all other documents, instrument, or affidavits which are customary in a real estate closing in St. Louis County, or which reasonably may be required by the Title Company to effect the Closing hereunder and the issuance of the title policy pursuant to the Title Commitment.

(f) The terms of this Contract may not be amended, waived or terminated orally, but only by an instrument in writing signed by both Seller and Purchaser; provided, however, that either party shall have the right to waive any condition or contingency in this Contract which is for the benefit of the party granting such waiver, so long as such waiver is done so in writing.

(g) This Contract shall inure to the benefit of and be binding upon Seller and Purchaser and their respective heirs, personal representatives, successor and assigns. Seller may not assign its interest in this Contract without the consent of Purchaser. Likewise, Purchaser may not assign its interest in this Contract without the consent of Seller. In order for either Party to assign its interest in this Contract, the same must provide the other Party with written notice of its intent to make such assignment. The other Party shall have 10 days from receipt of such written notice to either consent to the assignment or terminate this Contract. In the event that an assignment is made pursuant to this Section, the assignor shall be relieved of any responsibility, liabilities, or obligations pursuant to this Contract to the extent assumed by the assignee. This Contract may not be assigned within 10 days prior to Closing. Time is of the essence of this Contract.

(h) If the date for performance of any act pursuant to this Contract falls on a Saturday, Sunday, or legal holiday in the State of Missouri, then the date for performance of such act shall be the next following business day.

(i) Whenever it is provided in this Contract that days shall be counted, the first date to be counted shall be the day following the date on which the event causing the period to commence occurs.

(j) In an event of a dispute between the parties with respect to this Contract, then the non-prevailing party shall reimburse the prevailing party for its reasonable attorney's fees and costs.

(k) It shall be a condition precedent to Purchaser's obligations hereunder that there be no material change in the Property, physically or otherwise, in the time between the final execution of the Contract and the date of Closing.

(l) Seller and Purchaser covenant and agree that until this Contract is closed, all terms, conditions and provisions thereof shall remain confidential and shall not be disclosed by either party to any persons

other than those necessary to complete the transaction contemplated herein.

(m) All of Property shall be held at the risk of Seller, and all portions of the Property shall remain the risk of Seller until such portion is purchased at Closing.

(n) This Contract may be executed in one or more counterparts, each of which will be deemed to be an original and all of which, when taken together, will be deemed to constitute one and the same contract. Facsimile transmission of this signed Contract shall be regarded and accepted as original signatures.

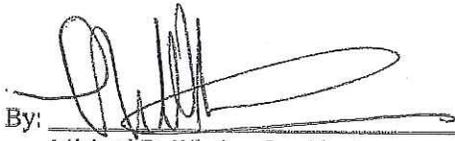
(p) Seller agrees, within five (5) business days of acceptance, to provide Purchaser with any title work in Seller's possession as of the Effective Date of this Contract, along with copies of all restrictions, appraisals, survey, topographical survey, construction plans, plats, engineering, soils test, and any other documents, agreements pertaining to the property to the extent Seller has these in his possession.

20. Acceptance of Purchaser's Offer. Seller shall have 2 business days from the date of its receipt of this Agreement during which to accept Purchaser's offer. Upon Seller's acceptance of Purchaser's offer, Seller shall deliver a fully executed copy of this Agreement to Purchaser. Unless so accepted by Seller, this Agreement shall be considered rejected and said copies as executed by Purchaser shall be promptly returned to Purchaser.

21. Signage. Purchaser shall have the right to erect signage on the Property during the term of this contract.

IN WITNESS WHEREOF the parties have executed this Contract as of the date written below their signatures on this Contract.

PURCHASER:

By: 
Michael D. Whalen, President

Date: 11-18-15

SELLER:


Keith M. Geary

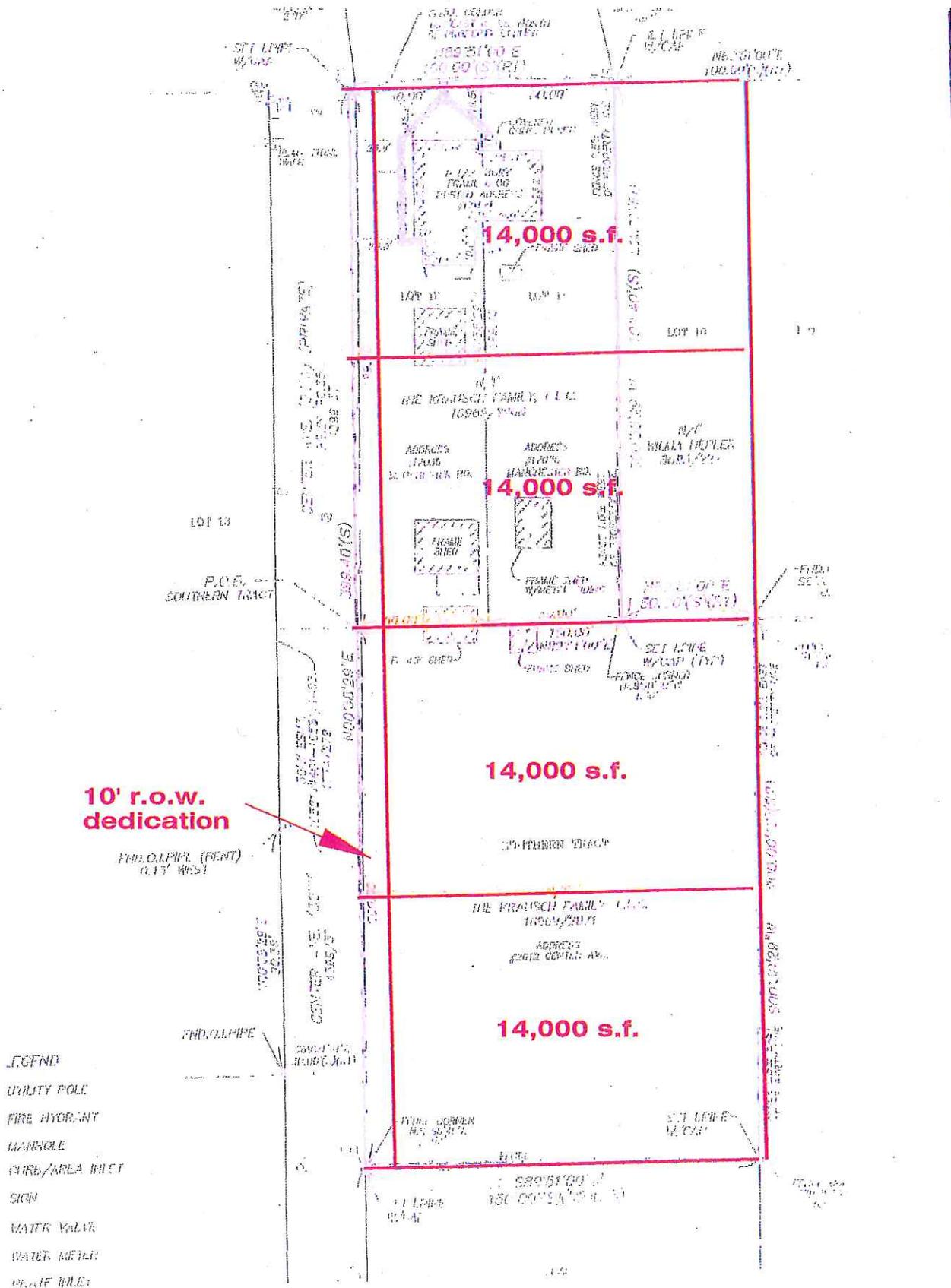
Date: 11-12-15


Judith H. Geary

Date: 11.12.2015.

EXHIBIT A
Description of the Property

Exhibit A



10' r.o.w. dedication

14,000 s.f.

14,000 s.f.

14,000 s.f.

14,000 s.f.

- LEGEND
- UTILITY POLE
 - FIRE HYDRANT
 - MANHOLE
 - CURB/AREA INLET
 - SIGN
 - WATER VALVE
 - WATER METER
 - GAS VALVE



WILDWOOD

August 1, 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 posted request regarding proposed consideration of exiting regulations governing the use of setback areas for certain other improvements, besides structures and/or buildings, which are contained in the City's Zoning Ordinance and prepared the following recommendation regarding it for City Council's consideration. This recommendation was completed in accordance with the requirements of Chapter 89 of Missouri Revised Statutes and those regulations of the City relating to public notice, publications, and amendments to the City's codes (Chapter 415.560 of the City of Wildwood Zoning Ordinance). This recommendation and associated action are as follows:

Petition No.: P.Z. 10-16
Petitioner: City of Wildwood Planning and Zoning Commission, c/o Department of Planning, 16860 Main Street, Wildwood, Missouri 63040
Request: A request to review and consider amendments to the City of Wildwood's Zoning Ordinance – Chapter 415 of the City of Wildwood Municipal Code – for all of its “R” Residence District zoning designations (Chapter 415 – Sections 110 through 160), including Chapter 415.090 NU Non-Urban Residence District, thereby adding new language to prohibit the installation of impervious surfaces and other improvements in the side yard setbacks, which are not considered structures under the Zoning Ordinance's definition of the same.
Location: City-Wide
Hearing Date: April 18, 2016
Date and Vote on Information Report: July 18, 2016 – Approval of the changes to the Miscellaneous Regulations of the Zoning Ordinance by a vote of 8 to 0 (Voting Aye: Lee, Archeski, Gragnani, Bauer, Bartoni, Manton, Bowlin, and Bopp)
Date and Action on Letter of Recommendation: August 1, 2016 - TBD

Recommendation: The Planning and Zoning Commission is supporting a change to the Zoning Ordinance's Miscellaneous Regulations relating to flatwork in the side yard setback areas for the purposes of parking or staging vehicles of any type.

Report: Attachment A

Background Information: Attachment B

Wards: All

School District: Rockwood School District

Police: St. Louis County Police Department – Wildwood Precinct

Fire Districts: Multiple – Eureka, Metro West, and Monarch Fire Protection Districts

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

Respectfully submitted,
CITY OF WILDWOOD PLANNING AND ZONING COMMISSION

R. Jon Bopp, Chair

ATTEST:

Joe Vujnich, Director
Department of Planning

cc: The Honorable James R. Bowlin, Mayor
Ryan S. Thomas, P.E., City Administrator
John A. Young, City Attorney
Kathy Arnett, Assistant Director of Planning and Parks
Travis Newberry, Planner

ATTACHMENT A - REPORT

Background: The City of Wildwood has a number of subdivisions developed with the use of a Planned Environment Unit (PEU - St. Louis County) or the Planned Residential Development Overlay District (PRD - City of Wildwood). These overlay districts allow the developer, eventual homebuyer, and the local government to address the use of property more in keeping with its characteristics versus compliance to a one size fits all residential zoning district designation approach. The use of these overlay districts has been across all areas of Wildwood, rural to Town Center.

One of the key components of the use of the overlay district procedure is the ability to modify the setback distances for structures and buildings to allow for them to match the minimum lot sizes that are also accommodated, thereby creating a more compact development featuring greater contiguous open spaces. In more traditional subdivisions, those outside the Non-Urban Residence District, side yard setback

distances can be five (5) to (6) feet in width, thereby allowing ten (10) feet between dwellings. These side yard setback areas are critical in their function as well, given they receive much of the stormwater runoff from the areas of the dwelling's impervious surfaces, along with the installation of needed utilities for the purposes of electric, water, sewer, telecommunications, and others. Therefore, the use of these areas needs to be carefully controlled to preserve their designed functions.

Over the last year, a number of homeowners have installed or requested the right to use these side yard setback areas and others for new improvements. These improvements include a range of flat work, landscaping, and stormwater improvements. Collectively, some of the improvements work within the narrow areas of the side yard setbacks, but not always.

An example of this situation that has created issues is the more recent trend of adding flatwork for an additional driveway pad in the side yard setback area. In recent instances, this driveway approach causes a number of issues for the abutting property owner, such as alterations of stormwater runoff, increase in noise, and degradation of aesthetics. These situations have led to an increase in questions and complaints to the City about such. These questions and complaints were reviewed and given no clear or concise interpretation of the multiple codes governing and controlling setback areas of a lot, resulting in responses being less than desirable to these parties.

Key Areas of Study: Accordingly, the Department believed the best approach to better understand this matter was to have it discussed and considered by the Planning and Zoning Commission via a public hearing, where input could be provided upon it. This hearing was held on April 18, 2016 and provided the identification of several key areas of study. The key areas of this discussion included the following items:

1. The need or lack thereof for a legislative solution to the use of the setback areas for typically exempt improvements, such as fences, walls, light standards, and flatwork.
2. The methods to manage or protect these setback areas from use and/or development.
3. The consideration of increasing the allowable minimum setbacks authorized by the City's Planned Residential Development Overlay District (PRD) procedure, if approved on a site, thereby ensuring certain distances are preserved between dwellings for necessary utility installations and stormwater management, but also, homeowner installed improvements as well.
4. The integration of the Grading Code requirements into the Zoning Ordinance, so as consistency exists between the two (2) sets of regulations.

The recent number of incidents relating to the use of side yard setback areas in more traditional subdivisions for improvements necessitates some type of action by the City of Wildwood. With changing demands on households, particularly the number of vehicles potentially associated with a single residence having children of a driving age, the availability of space on a lot is at a premium in some locations within the City. Acknowledging this trend, this issue is not going to abate in the near future. Conversely, it should be noted that many Homeowners Associations prohibit the parking of private vehicles on public streets located in their subdivisions during over-night hours. Therefore, restricting potential locations on lots for additional parking will compound issues within these locations.

Applicable Regulations: Below are listed some representative examples of the exceptions provided relative to the use of setback areas on lots. The examples from the City's Zoning Ordinance are cited from the Miscellaneous Regulations and the NU Non-Urban Residence District for residential lots, but all the "R" Residence Districts contain similar provisions relative to setback areas. Therefore, the NU Non-Urban Residence District is used in this context as a representative sample.

Chapter 415.380, Section L. - Miscellaneous Regulations Yards To Be Open To Sky—Exceptions. Every part of a required yard shall be open to the sky, unobstructed except as follows:

1. Ordinary projections of skylights, sills, belt courses, cornices and ornamental features projecting not to exceed twelve (12) inches;
2. Ordinary projecting of chimneys and flues, not to exceed seventy-two (72) inches in width, projecting not to exceed twenty-four (24) inches;
3. Roof overhangs projecting not to exceed eighteen (18) inches, except that roof overhangs on the south side of a building may project forty-eight (48) inches into a side or rear yard, but no closer than forty-eight (48) inches to a property line;
4. Canopy overhangs for service stations projecting a maximum of eighteen (18) inches into required front yards;
5. Slab type porches or paved terraces having a maximum height of not more than twelve (12) inches above ground elevation at any point may project into any yard except that the projection into the front yard shall not exceed ten (10) feet;
6. In all "R" Residence Districts air-conditioning units extending into side or rear yards a maximum of thirty (30) inches, with air-conditioning units including mounting pedestals not to exceed forty-eight (48) inches in height above ground elevation within said side or rear yards;
7. Driveways, ramps, sidewalks and parking lots as otherwise permitted by this Chapter.

Chapter 415.090, Section G. of the NU Non-Urban Residence District Regulations

3. Minimum yard requirements—general.

- A. *Front yard.* No structure shall be allowed within fifty (50) feet of any roadway right-of-way line or large lot roadway easement.
- B. *Side and rear yard.* No structure shall be allowed within thirty (30) feet of any property line other than a roadway right-of-way line or large lot roadway easement.

4. Specific yard requirements and exceptions.

- A. Notwithstanding any other provisions 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 or less in height, are allowed within the minimum yard requirements.
- C. Permitted information signs, six (6) feet or less in height are allowed within the minimum front yard setback.

- D. Permitted directional signs, three (3) feet or less in height, are allowed within the minimum front yard setback or sight distance triangle.
- E. A permitted freestanding business sign may be located 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, but not including parking lot lighting, are allowed within the minimum front yard setback when approved by the Department of Planning. 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.

Analysis: The Planning and Zoning Commission has considered this request for possible changes to the Zoning Ordinance to better protect side yard setback areas from inappropriate disturbance or use by reviewing and analyzing the relevant key areas defined at the public hearing held on this matter. These key areas that are considered included the following items:

1. The need or lack thereof for a legislative solution to the use of the setback areas for typically exempt improvements, such as fences, walls, light standards, and flatwork.
2. The methods to manage or protect these setback areas from use and/or development.
3. The consideration of increasing the allowable minimum setbacks authorized by the City's Planned Residential Development Overlay District (PRD) procedure, if approved on a site, thereby ensuring certain distances are preserved between dwellings for necessary utility installations and stormwater management, but also, homeowner installed improvements as well.
4. The integration of the Grading Code requirements into the Zoning Ordinance, so as consistency exists between the two (2) sets of regulations.

In considering these four (4) items, each of them must be favorably addressed, before a positive recommendation can be made in this regard. If all are determined to be appropriate, then the City Council can have a degree of confidence that residential lots in the City of Wildwood will have the minimum separation between improvements, whether structures, buildings, or flatwork that is appropriate, and provide the intended benefit that is derived from the imposition of setback distances.

Key Area #1 - *The need or lack thereof for a legislative solution to the use of the setback areas for typically exempt improvements, such as fences, walls, light standards, and flatwork.*

The Commission believes that, although the City has authorized the use of side yard setback areas in more traditional subdivision settings since its inception for limited improvements, as indicated above, with the addition of more use-based activities in these same locations, a worrisome trend that needs to be addressed has emerged. For many years in the City, these side yard setback areas had been limited to mechanical equipment, roof overhangs, water bibs, bay windows, and other similar items, but now, with the introduction of flatwork for parking purposes, the impacts associated with such are much greater. The magnitude of these impacts justifies a more rigorous approach to such. This particular circumstance seems to be the most problematic of the allowances or requests for the use of these setback areas.

The Commission has reviewed other pertinent information on this issue and contacted a number of other local municipalities, along with the American Planning Association's Planning Advisory Service (PAS), to determine if this issue is isolated and not addressed elsewhere or otherwise common and regulated. The results of this review from local and national perspectives provides the following conclusions:

1. Most local communities generally do not regulate the use of side yard setback areas for parking purposes, but do require some type of permitting to ensure that stormwater drainage is appropriately managed in those same areas.
2. Some local communities, more of the inner-ring types, allow or encourage this parking, given garages are detached and constructed behind the dwelling or rear entry. In these instances, the setback distances between the sides of the adjoining two (2) dwellings are larger in size.
3. Few examples exist across the United States that indicate the use of side yard setback areas as a major problem area for cities, but those communities that do address it, have different approaches via permitting, limiting locations for placement, screening requirements, etc.
4. Even fewer examples exist of an outright prohibition to allowing some parking or flatwork in the side yard areas of a lot.

The results of this research indicated to the Commission that many of the communities contacted recognize the use of side yard areas for more intensive activities can be an issue, but do not have the same circumstances as Wildwood that are prompting this review. Therefore, the Commission believes the City's approach to this matter needs to address it from its perspective and desired outcome to the betterment of the entire community.

Key Area #2 - *The methods to manage or protect these setback areas from use and/or development.*

With the installation of flatwork improvements in these setback areas, impacts from the staging or parking of vehicles can be pronounced in terms of noise, vibration, and appearance. Additionally, the impacts are not just limited to these factors, but also include stormwater runoff and access to utilities, when easements are present there as well. The placement of impervious surfaces in the area of both adjoining lots designed to transport stormwater is a primary concern in this regard. Understanding the complexities of the foundation height for the dwelling, stormwater management, and street grade coordination all contribute to how these side yard setback areas are prepared and why they need to be protected from mass changes. Therefore, the Commission does believe it is appropriate to restrict the use of side yard setback areas in all instances for certain activities and improvements, specifically the parking of vehicles. Included in this prohibition would be any flatwork associated with the same.

The Commission is not recommending any other changes to other allowances in the side yard setback areas of the lots and the activities that must occur there in terms of the Zoning Ordinance's Miscellaneous Regulations (see above). Placement of roof overhangs, mechanical equipment, chimneys, flues, and sidewalks would remain unchanged and be accommodated. However, the installation of flatwork for the parking or staging of vehicles, unless the dwelling has a rear or side entry garage would be prohibited. The Commission is aware that such a change will cause some of the City's residents issue, given not wanting to block the driveway area serving the garage doors with personal vehicles or avoiding parking on the street,

but in traditional subdivisions, the space between dwellings is such that a parked and/or idling car or truck is not acceptable.

Key Area #3 - The consideration of increasing the allowable minimum setbacks authorized by the City's Planned Residential Development Overlay District (PRD) procedure, if approved on a site, thereby ensuring certain distances are preserved between dwellings for necessary utility installations and stormwater management, but also, homeowner installed improvements as well.

The Planned Residential Development Overlay District (PRD) regulations could be amended to ensure that side yard setback areas meet a minimum distance regardless of the project's location in the City or its Master Plan's Land Use Classification. This approach would then be integral to the zoning and subdivision processes of the City, which includes the Improvement Plans that provide the precise grading that is planned on the overall site to create the buildable areas on each of the lots and manage stormwater. However, the imposition of a minimum distance regardless of circumstances, without the benefit of addressing each development on a site-by-site basis, would appear to be contrary to this special procedures permit processes' intent.

This procedure, as has been discussed in the past, is intended to promote a more environmentally sensitive approach to the development of properties in Wildwood and protect it from harm. Utilizing the Planned Residential Development Overlay District (PRD) to its fullest extent possible generally equates to a development that is least impactful as reasonably feasible on the City's landscape. Allowing that flexibility to remain is a key element of the regulations. Additionally, if the City chooses, it can always, via the site-specific ordinance for a development utilizing this procedure, add a greater side yard setback distance requirement to address considerations such as these noted herein, if determined necessary.

It is also important to note the underlying regulations in each of the "R" Residential Districts and the NU Non-Urban Residence District allow some placement of improvements in the side yard setback areas, but typically for retaining walls to address grade issues relative to construction of authorized improvements. Other provisions for signs and light standards are generally not applicable in traditional subdivisions, where the current issue has been identified. Accordingly, the Commission does not believe any changes are needed to the "R" Residential Districts and the NU Non-Urban Residence District in this regard.

Key Area #4 - The integration of the Grading Code requirements into the Zoning Ordinance, so as consistency exists between the two (2) sets of regulations.

The City's Grading Code already provides protections to all of the setback areas on any residential lot in the City, i.e. front, side, and rear. These protections were established within the Grading Code, when first approved in 1995. Specifically, the protections read as follows:

Grading Code - Chapter 425.050 Standards – Safety Precautions: Section 8.

- (c.) No land disturbance shall occur on any property or lot line or within the area of building setback required by applicable zoning or subdivision regulations, except as necessary for construction pursuant to an approved final site plan, planned zoning development, or conditional use permit, or approved subdivision plat specifically authorizing the modification of

this standard and necessitating exception to this minimum standard.

- (d.) No land disturbance shall occur which shall cause a nuisance to any adjoining property owner, or which shall violate any Federal, State or local law or regulation. The Director of Public Works, in conjunction with the Department of Planning, shall establish regulations for the granting of permits so as to enforce this Chapter and ensure that any grading is completed with minimum erosion, aesthetic degradation or other negative impact on the site or surrounding areas or the community.

Despite these regulations, the conflicting ordinances, Grading and Zoning, have caused some confusion and has led to the need to address them. Given the Grading Code already provides a high degree of protection, the Commission is recommending the Zoning Ordinance's Miscellaneous Regulations be amended to better correspond to the former, thereby eliminating any potential concerns regarding competing regulations or inconsistent interpretations by parties.

Summary of Report and Recommendation: In the Commission's report, it has developed information that indicates an issue exists in the City, particularly in the more traditional subdivision settings of Wildwood, with the use of side yard setback areas for certain activities. These activities create undesirable impacts and leads to the need to address them. Additionally, in the Letter of Recommendation, an option is provided that addresses the problem area of this matter, while noting the need to address conflicting language relative to the Grading Code and Zoning Ordinance, so as a clear and concise approach is provided relative to the use of these side yard areas of any lot. Accordingly, the Commission is recommending the Miscellaneous Regulations of the Zoning Ordinance be amended to read as follows:

Chapter 415.380, Section L. - Miscellaneous Regulations Yards To Be Open To Sky—Exceptions. Every part of a required yard shall be open to the sky, unobstructed except as follows:

1. Ordinary projections of skylights, sills, belt courses, cornices and ornamental features projecting not to exceed twelve (12) inches;
2. Ordinary projecting of chimneys and flues, not to exceed seventy-two (72) inches in width, projecting not to exceed twenty-four (24) inches;
3. Roof overhangs projecting not to exceed eighteen (18) inches, except that roof overhangs on the south side of a building may project forty-eight (48) inches into a side or rear yard, but no closer than forty-eight (48) inches to a property line;
4. Canopy overhangs for service stations projecting a maximum of eighteen (18) inches into required front yards;
5. Slab type porches or paved terraces having a maximum height of not more than twelve (12) inches above ground elevation at any point may project into any yard except that the projection into the front yard shall not exceed ten (10) feet;
6. In all "R" Residence Districts air-conditioning units extending into side or rear yards a maximum of thirty (30) inches, with air-conditioning units including mounting pedestals not to exceed forty-eight (48) inches in height above ground elevation within said side or rear yards;
7. Driveways, **Accessible ramps and sidewalks and parking lots, as otherwise permitted by this Chapter; but, in no instance, flatwork for the intended purpose of vehicle parking or staging. Single family dwellings constructed with side or rear entry garages shall be exempted from this prohibition, but the location of driveways and parking areas shall be as authorized on either the**

development's authorized Site Development Plan, Improvement Plans, or Plot Plan for building permit authorization.

ATTACHMENT B
Background Materials

From: **Kathy Arnett** kathy@cityofwildwood.com
Subject: FW: PAS Inquiry Response - Parking/Structures in Side Yards
Date: May 31, 2016 at 2:30 PM
To: Joe Vujnich JVujnich@cityofwildwood.com



Joe,
Here is the response from the APA for the review service we paid for.

Thanks!
Kath

Kathy Arnett
Assistant Director of Planning & Parks
City of Wildwood
16860 Main Street
Wildwood, MO 63040
kathy@cityofwildwood.com
636-458-0440 x135



Please Subscribe to the City's Weekly e-News:
<http://www.cityofwildwood.com/list.aspx>

From: Ann Dillemoth [mailto:ad@planning.org]
Sent: Tuesday, May 31, 2016 1:57 PM
To: Kathy Arnett
Subject: PAS Inquiry Response - Parking/Structures in Side Yards

Kathy,

Regarding your request for information on how communities regulate use of side yard setback areas:

In order to better regulate the aesthetics of a neighborhood and protect property values, many communities regulate yard parking in single-family residential districts. The focus is usually on prohibiting front yard parking, but a number of communities do address parking in the side yard as well. Below I've provided some sample ordinances from communities that limit parking in the side yard (I'll note that a number of communities do specifically allow parking in side yards).

In these ordinances, the most common approach I saw was to allow parking in side yards, but only on existing driveways or in some cases on improved parking areas. See the Butler, Missouri, code below for an example. Ballwin, Missouri, requires a special permit for parking in a required side yard. Minneapolis allows for some parking spaces in a side yard, but only towards the rear of the lot. In San Marcos, Texas, parking in side yard areas is only allowed if screened from the public right-of-way. Weber County, Utah, allows for construction of parking slabs in side yards, but requires that drainage and stormwater runoff be addressed so as not to negatively impact neighboring properties.

Regarding the placement of accessory structures in side yards, I didn't find much evidence that communities have established special protections for these areas, though I did come across a

few codes that limit to some extent the placement of structures in required side yards. Herndon, Virginia, and Selma, Alabama, do state in their codes that accessory structures are prohibited in required side yards; in Selma, accessory buildings must be at least 60' from the front yard line. Other communities limit the total amount of allowed side yard coverage by accessory structures; see the examples from McComb, Morgan Hill, Naperville, and San Rafael. In Flower Mound, Texas, accessory buildings may be placed in side yards, but they may not negatively impact drainage or stormwater runoff.

I hope you find this material helpful! Thank you for using the PAS Inquiry Answer Service, and please let us know if we can be of further assistance. **Please return the Outlook read receipt attached to this message or otherwise let us know that you have received this Inquiry Response.**

Sample Ordinances, Parking in Side Yards:

Ballwin (Missouri), City of. 2016. *Code of Ordinances*. Appendix A, Zoning Ordinance; Article XVI, Additional Height and Area Regulations; Section 15, Parking in Side Yard. Available at https://www.municode.com/library/mo/ballwin/codes/code_of_ordinances?nodeId=COOR_APXAZOOR_ARTXVIADHEARRE_S15PASIYA .

- Side yard parking in residential districts requires special use permit.
- Section 15. - [Parking in side yard.]

No required side yard in any dwelling district shall be used for off-street parking except as provided in a special permit granted under provisions of article XIV.

Butler (Missouri), City of. 2016. *Code of Ordinances*. Chapter 21, Streets and Sidewalks; Article V, Driveways; Section 21-143, Front, Side and Rear Yard Parking Requirements. Available at https://www.municode.com/library/mo/butler/codes/code_of_ordinances?nodeId=CICO_CH21STSI_ARTVDR_S21-143FRSIREYAPARE .

- Side yard parking restricted to driveways or improved parking areas adjacent to driveways or garages.
- Sec. 21-143. - Front, side and rear yard parking requirements.
 - (c) Parking areas in the side yard of any residential unit shall only be allowed on driveways or other improved parking surface areas adjacent to the driveway or garage.

Farmersville (Texas), City of. 2016. *Code of Ordinances*. Chapter 71, Traffic and Vehicles; Article V, Stopping, Standing and Parking; Division 2, Driveways, Improved Parking Surfaces and Further Parking Restrictions; Section 71-168, Front Yard, Side Yard and Limits on Improved Parking Surfaces. Available at https://www.municode.com/library/tx/farmersville/codes/code_of_ordinances?nodeId=COOR_CH71TRVE_ARTVSTSTPA_DIV2DRIMPASUFUPARE_S71-168FRYASIYALIIMPASU .

- Improved parking spaces in side yard limited to one driveway to access parking pad, carport, or garage; parking surfaces limited to 75% of required front and side yard areas for single-family uses.
- Sec. 71-168. - Front yard, side yard and limits on improved parking surfaces.
 - (a) The open space in a required front yard and side yard in the A, SF-1, SF-2, SF-3, 2F, MF-1, MF-2, P, O, NS, GR, C, HC, I-1, I-2, or PD zoning classifications shall not be diminished by constructing or installing improved parking surfaces in, upon, about, over and across the front yard and side yard, except in compliance with the following conditions. Improved parking surfaces and other impervious surfaces will be allowed in, upon, about, over and across the front yard and side yard for:
 - (2) One single-driveway per lot to serve a property that is zoned and/or used for single-family residential purposes which has a one-car parking pad, carport or garage constructed on the said lot;
 - (c) The total area of improved parking surfaces and other impervious surfaces on a lot specifically including the driveway, regardless of combination and configuration, parking pad, parking lot and any other impervious surfaces shall not exceed 75 percent of the area of the required front yard and side

yard for any single-family residential use. The amount of impervious surface attributable to a sidewalk that is situated in the sidewalk area and is intended to provide the public access across the lot will not be included in the calculation of the 75 percent maximum coverage of the required front yard and side yard.

Minneapolis (Minnesota), City of. 2016. *Code of Ordinances*. Title 20, Zoning Code; Chapter 541, Off-Street Parking; Article VI, Parking Location Requirements; Section 541.260, Driveways and Parking Areas on a Zoning Lot. Available at https://www.municode.com/library/mn/minneapolis/codes/code_of_ordinances?nodeId=MICOOR_TIT20ZOCO_CH541OREPALO_ARTVIPALORE_541.260DRPAARZOLO .

- Allows for temporary parking on a driveway in required interior side yard, as well as side yard parking spaces in the rear 40'/20% of the lot.
- 541.260. - Driveways and parking areas on a zoning lot.
 - (a) In general. Driveways and parking areas shall conform to the permitted obstructions provisions of Chapter 535, Regulations of General Applicability, Chapter 537, Accessory Uses and Structures, and the provisions of this section.
 - (1) Driveways.
 - b. Interior side yards.
 - 1. Residential uses. Uncovered driveways shall be a permitted obstruction in a required interior side yard, provided such driveway leads to a properly located parking area. Passenger automobiles may be parked temporarily on such driveway.
 - 2. All other uses. Uncovered driveways shall be prohibited in a required interior side yard.
 - (2) Parking areas.
 - b. Interior side yards.
 - 1. Residential uses. Parking areas shall be a permitted obstruction in a required interior side yard, provided such parking area is located in the rear forty (40) feet or twenty (20) percent of the lot, whichever is greater, subject to the provisions of Chapter 535, Regulations of General Applicability, and Chapter 537, Accessory Uses and Structures.
 - 2. All other uses. Parking areas shall be prohibited in a required interior side yard.

San Marcos (Texas), City of. 2016. *Code of Ordinances*. Subpart A, General Ordinances; Chapter 82, Traffic and Vehicles; Article 4, Stopping, Standing, Parking; Section 82.184, Parking Prohibited on Front and Side Yards. Section 82/185, Exceptions. Available at https://www.municode.com/library/tx/san_marcos/codes/code_of_ordinances?nodeId=SPAGEOR_CH82TRVE_ART4STSTPA_DIV2PAREAR_S82.184PAPRFRSIYA .

- Parking prohibited in side yards unless screened from public ROW by 6-foot opaque fence.
- Sec. 82.184. - Parking prohibited on front and side yards.
 - It is unlawful for a person to park or allow to remain parked a motor vehicle, large motor vehicle, farm equipment, construction vehicle, boat, personal watercraft or trailer of any kind at any time in the side or front yard, in any single-family residential zoning district.
- Sec. 82.185. - Exceptions.
 - (c) It is an exception to the prohibition in section 82.184 if the motor vehicle, large motor vehicle, travel trailer, boat or personal watercraft is parked in the side yard and the vehicle is screened from view from the public right-of-way by an opaque fence six feet in height.

Weber (Utah), County of. 2016. *Code of Ordinances*. Part II, Land Use Code; Title 108, Standards; Chapter 8, Parking and Loading; Section 108-8-11, Regulations Governing Accessory Vehicle Off-Street Parking within Required Side Yards. Available at https://www.municode.com/library/ut/weber_county/codes/code_of_ordinances?nodeId=PTIILAUSCO_TIT108ST_CH8PALOSPVETRACRE_S108-8-11REGOACVEOREPAWIRESIYAAR .

- Standards for one parking slab in side yard address improved surface, screening, stormwater runoff.
- Sec. 108-8-11. - Regulations governing accessory vehicle off-street parking within required side yard areas.
 - One concrete or asphalt slab for the purpose of providing additional off-street parking may be constructed in one required side yard of a dwelling provided that:

constructed in one required side yard or a dwelling provided that.

- (1) The dwelling unit has the minimum number of required off-street parking spaces as stipulated by section 108-8-2.
- (2) The slab is at least eight feet wide and is of sufficient length to accommodate the vehicle with no portion of the vehicle extending forward of the front face of the dwelling.
- (3) The appurtenant driveway to the slab must be tapered to use the existing driveway approach or a new approach must be installed for the new driveway.
- (4) Any slab constructed must remain open and unobstructed to the sky.
- (5) No vehicle shall be parked in the required side yard unless the parking area is improved with hard surface material such as concrete or asphalt.
- (6) Any slab constructed for vehicle parking must be screened by a non-see through fence of not less than six feet in height along the length of the slab behind the front yard setback.
- (7) All stormwater run off from the hard surface of slab must be directed so as to prevent drainage onto adjacent properties.

Sample Ordinances, Accessory Structures in Side Yards:

Flower Mound (Texas), City of. 2016. *Code of Ordinances*. Subpart B, Land Development Code; Chapter 98, Zoning; Article IV, Supplementary District Regulations; Division 3, Dimensional Regulations; Section 98-1027, Minimum Side Yard Setback. Section 98-1032, Accessory Buildings; part b, Setback Requirements. Available at

https://www.municode.com/library/tx/flower_mound/codes/code_of_ordinances?nodeId=SPBLADERE_CH98ZO_ARTIVSUDIRE_DIV3DIRE_S98-1027MISIYASE .

- Required side yards must be open and unobstructed, though accessory buildings are permitted; must be setback 3' from the property line and cannot negatively impact drainage or stormwater runoff.
- Sec. 98-1027. - Minimum side yard setback.
 - (a) Generally. The location of buildings shall comply with the minimum side yard setback standards contained in the district regulations and summarized in the residential and nonresidential dimensional regulations schedules, as may be modified by additional provisions in the district regulations, in this section or elsewhere in this chapter.
 - (b) Permitted obstructions. Every part of a required side yard shall be open and unobstructed, except for accessory buildings as permitted in subsection (c) of this section and the ordinary projections of window sills, belt courses, cornices and other architectural features of the main building projecting no more than 12 inches into the required side yard. Roof eaves of the main building shall project no more than two feet into the required side yard.
 - (c) Accessory buildings. Detached accessory buildings may be located within a required side yard, subject to section 98-1032, accessory buildings.
 - (d) Garage or carport. Where a garage or carport is designed and constructed to be entered from a side street, such garage or carport shall be set back from the side street a minimum distance of 20 feet from the right-of-way line and shall not encroach over a sidewalk so as not to interfere with the use of the street by other vehicles or persons.
- Sec. 98-1032. - Accessory buildings.
 - (b) Setback requirements.
 - (1) Detached accessory buildings less than 120 square feet shall be subject to the following regulations, in addition to any applicable regulations of this Code.
 - a. Generally.
 1. No accessory building shall be located within any easement.
 2. No accessory building may be placed so as to negatively impact drainage on any adjacent lot by diversion or impoundment of stormwater flows.
 - c. Side. Accessory buildings shall be set back a minimum of three feet from the side property line. When accessory buildings are placed on corner lots adjacent to an exterior side yard setback, the accessory building shall be required to adhere to the exterior side yard setback established for the primary structure.

Herndon (Virginia), Town of. 2016. *Code of Ordinances*. Chapter 78, Zoning; Article IV, Use Regulations; Section 78.402.4, Accessory Structures in Residential Districts. Available at

https://www2.municode.com/library/va/herndon/codes/code_of_ordinances?nodeId=PTIICOOR_CH78ZO_ARTIVUSRE_S78-402.1PUIN .

- Accessory structures prohibited within required setbacks or side yards.
- Sec. 78-402.4. - Accessory structures in residential districts.
 - (a) Location.

(1) Accessory structures except fences and walls shall not be located within a required setback or required side yard, except accessory buildings on corner lots may be located within the side yard.

McComb (Mississippi), City of. 2006. *Code of Ordinances*. Appendix A, Land Use Regulations; Article III, Establishment of District Regulations; Section 3.13, Supplementary District Regulations; part 3.1310, Accessory Buildings and Structures. Available at https://www.municode.com/library/ms/mccomb/codes/code_of_ordinances?nodeId=PTIICOOR_APXALOUSRE_ARTIIIESDIRE_S3.13SUDIRE.

- Allows accessory buildings in required side yards, but must be at least 40' from the front lot line; combined coverage of side and rear yards may not exceed 25% of the required rear yards, and not more than 1 accessory building may cover a required side yard.
- 3.1310 Accessory buildings and structures.
 - A. Any accessory building may be built in a required side yard, providing such accessory building is not less than forty (40) feet from the front lot line nor closer than three (3) feet from the nearest interior side lot line. On through lots, an accessory building may be built in a required side yard if no part of such accessory building is less than three (3) feet from the nearest interior side lot line and no portion of such building is located in either required front yard.
 - C. Except as otherwise provided in this ordinance, accessory buildings or structures permitted in a required rear or side yard by this ordinance shall not exceed fourteen (14) feet in height.
 - D. Accessory buildings may project from the required rear yard into a required side yard or approximately parallel to an interior side lot line, provided no portion of the accessory building is located more than twenty-five (25) feet from the rear property line.
 - E. The combined gross area of all accessory buildings or portions thereof located in required side and rear yards shall not exceed twenty-five (25) percent of the required rear yard area, nor shall more than one accessory building cover any part of a required side yard.

Morgan Hill (California), City of. 2016. *Code of Ordinances*. Title 18, Zoning; Division I, Zoning Code; Chapter 18.56, Accessory Structures; Section 18.56.010, Accessory Structures in Side or Rear Yards. Available at https://www.municode.com/library/ca/morgan_hill/codes/code_of_ordinances?nodeId=TIT18ZO_DIVIZOCO_CH18.56ACST_18.56.010ACSTSIREYA.

- For accessory structures greater than 7' in height and 120 SF, limits side and rear lot coverage to 30% of required yard areas, establishes setbacks.
- 18.56.010 - Accessory structures in side or rear yards.
 - A. Accessory structures seven feet or less in height and one hundred twenty square feet or less in size are exempt from the provisions of this title.
 - B. The following development standards shall apply to all accessory structures greater than seven feet in height, greater than one hundred twenty square feet in size which have some form of roof element (open or solid) and are constructed within or partially within, the required side and rear yard areas. Examples include a detached garage, carport, shed, trellises, arbors, shade structures, play structures, covered dog enclosures and gazebos.
 1. Maximum Coverage. Accessory structures in aggregate shall not exceed thirty percent of the area of the minimum required side or rear yards.
 2. Height. The maximum overall height for any accessory structure is twelve feet. Structure height is measured vertically from the lowest point of the natural grade at the base of the structure to the highest point at top.
 3. Setback. Setback is measured from the base to any property line.
 - a. Accessory structures with a height of greater than seven feet to a maximum of twelve feet shall be setback a minimum of five feet from property line.
 - b. Accessory structures with a height greater than twelve feet shall be constructed entirely within the building envelope.
 - c. Accessory structures with a solid roof element and walls on one or more sides shall be setback five feet from the principle structures. The separation may be covered by a breeze way or similar passage.

Naperville (Illinois), City of. 2016. *Code of Ordinances*. Title 6, Zoning Regulations; Chapter 2, General Zoning Provisions; Section 6-2-10, Accessory Buildings, Structures and Uses of Land. Available at https://www.municode.com/library/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH2GEZOPR_6-2-10ACBUSTUSLA.

- Accessory buildings/structures may be located within required interior side yards, but may not occupy more than 25% of required area/ 480 SF.
- 6-2-10: - ACCESSORY BUILDINGS, STRUCTURES AND USES OF LAND:
 1. Location: Accessory buildings, structures or uses may be attached to, established within, or detached from the principal building, structure or use of land. Detached accessory buildings, structures or uses may be located in the required rear yard or interior side yard of any zoning district; provided, that detached accessory buildings or structures shall not be located within five (5) feet of any rear or interior side lot line nor nearer to a lot line adjoining a street than the longest distance between such lot line and the nearest wall of the principal building or structure. Detached accessory buildings, structures or uses may be located in the corner side yard of any zoning district; provided that detached accessory buildings structures or uses are not located within the required corner side yard.
 2. Yard Requirements: All accessory buildings, structures or uses shall comply with the front and corner side yard requirements of the zoning district in which it is located. Accessory buildings, structures or uses attached to or established within the principal building or structure shall comply with the rear yard and interior side yard requirements of the zoning district in which located. Detached accessory buildings, structures or uses may be located in the required rear yard or interior side yard in accordance with the provisions of Subsection 6-2-10.1 of this Section.
 4. Bulk Regulations: All accessory buildings, structures or uses shall comply with the bulk regulations of the zoning district in which located. The area of the accessory building or structure shall be included in the computation of the floor area ratio. In residential districts, no single detached accessory structure shall exceed the footprint of the principal structure.
 5. Percentage Of Required Yard Occupied: Detached accessory buildings or structures shall not occupy more than twenty-five percent (25%) of the area of a required rear yard or interior side yard. In residential districts, detached accessory buildings or structures shall not occupy more than twenty-five percent (25%) of a required rear or interior side yard or a total of four hundred eighty (480) square feet, whichever is greater, provided that any unroofed brick paver or concrete patio which is less than five hundred (500) square feet in size shall be exempt from inclusion in this calculation.

Rolling Hills Estates (California), City of. 2016. *Code of Ordinances*. Title 17, Zoning; Chapter 17.06, Residential Districts; Section 17.06.160, Side Yard – Width. Sectionm 17.06.180 - Side yard—Structures in Excess of Fourteen Feet in Height. Section 17.06.190, Side Yard – Accessory Structure Setbacks. Available at https://www.municode.com/library/ca/rolling_hills_estates/codes/code_of_ordinances?nodeId=TIT17ZO_CH17.06REDIGE_17.06.190SIYACCSTSE .

- Requires minimum 10' wide side yard and 10' setbacks from property lines for accessory structures in the side yard, though setback may be reduced to 3' if 85' from front property line and 35' from off-site residences.
- 17.06.160 - Side yard—Width.

There shall be a side yard on each side of the lot extending from the front yard to the rear yard, which shall not be less than ten feet in width, with the exceptions set out in Sections 17.06.170 through 17.06.240.
- 17.06.180 - Side yard—Structures in excess of fourteen feet in height.

Where the height of a structure is in excess of fourteen feet above the finished local grade, areas in excess of the height shall be set back an additional foot of distance for every foot of height in excess of fourteen feet.
- 17.06.190 - Side yard—Accessory structure setbacks.

Accessory structures shall be set back ten feet from the side property line with the following exceptions: With the exception of street side property lines, a detached accessory structure may extend to within three feet of side property lines when the entire accessory structure is at least eighty-five feet from the front property line, and the structure is at least thirty-five feet from an off-site residence.

San Rafael (California), City of. 2015. *Code of Ordinances*. Title 14, Zoning; Division IV, Regulations Applying in All or Several Districts; Chapter 14.16, Site and Use Regulations; Section 14.16.020, Accessory Structures; part 2, Interior Side and Rear Yard Setbacks. Available at https://www.municode.com/library/ca/san_rafael/codes/code_of_ordinances?nodeId=TIT14ZO_DIVIVREAPALSEDI_CH14.16SIUSRE_14.16.020ACST .

- Notes which types of accessory structures require 0' or 3' setbacks in side yards; sets maximum coverage of 30% of required interior side yard areas.
- 2. Interior Side and Rear Yard Setbacks.

a. Zero feet (0') Setback. The following accessory structures may be located within the required rear

- a. Zero-foot (0') Setback. The following accessory structures may be located within the required rear and interior side yard setbacks, and up to the property line, subject to conformance with any applicable building code limitations and provision of an unobstructed walkway clearance of at least three feet (3') between above-grade accessory structures and adjacent buildings or the property line in order to provide access around the primary building:
- i. Accessory structures, unconditioned (e.g., not intended for human occupancy) with a maximum floor area of one hundred twenty (120) square feet and up to eight feet (8') in height measured from grade to roof peak;
 - ii. Fountains, trellises, statues and decorative yard improvements no taller than six feet (6') in height;
 - iii. Retaining walls up to four feet (4') in height above grade (e.g., exposed wall height above finished grade, as determined by the community development director);
 - iv. At-grade walkways and decks less than twelve inches (12") above grade.
- b. Three-foot (3') Minimum Setback. The following accessory structures may be located within three (3) feet of the rear and interior side yard property line:
- i. Accessory structures greater than one hundred twenty (120) square feet in floor area and up to fifteen feet (15') in height measured from grade to roof peak;
 - ii. Fireplaces, barbecues, self-contained portable spas, spa/pool equipment (additional setbacks and limitations on the placement of spa/pool pump and filtration systems shall be as specified in Section 14.16.320);
 - iii. Uncovered decks twelve inches (12") or more above grade.
- c. Pools/in-ground spas. A setback of at least three feet (3') or a distance equal to one-half (1/2) the depth of the pool, whichever is greater, shall be provided from the property line.
- d. Easements and Property Lines. No structure or portion thereof, including overhangs and foundations, shall obstruct an easement or cross a property line.
- e. Accessory Structure with Sanitary Facilities. A residential accessory structure that exceeds one hundred twenty (120) square feet in size and includes sanitary facilities shall require (prior to issuance of a building permit) recordation of a deed restriction with the County of Marin to reflect that the detached accessory structure cannot be utilized as a second dwelling unit, unless it complies with the requirements of Section 14.16.285.
- f. Mechanical equipment shall subject to additional screening and setback requirements, as specified in Section 14.16.320.
3. Alley Setback. An accessory structure shall be located a minimum of five feet (5') from an alley.
4. Coverage. In addition to counting toward the total lot coverage limit that applies to all structures on a parcel, residential accessory structures shall not exceed a maximum of thirty percent (30%) of the required side or rear yard areas. Required front yard areas shall maintain at least forty-percent (40%) pervious landscape area.

Selma (Alabama), City of. 2016. *Code of Ordinances*. Appendix A, Zoning; Article I, General Provisions; Section 19, Location of Accessory Structures on Residential Lots. Available at https://www.municode.com/library/al/selma/codes/code_of_ordinances?nodeId=PTIICOOR_APXAZO_ARTIGEPR_S19LOACSTRELO .

- Accessory structures prohibited in required front and side yards in residential districts; accessory buildings in side yards must be at least 60' from front lot lines.
- Starkville, Mississippi, has a similar provision; see Zoning Code, Article VI, Section B, at https://www.municode.com/library/ms/starkville/codes/code_of_ordinances?nodeId=COOR_APXAZO_ARTVIGEPR_SBLOACSTRELO .
- Sec. 19. - Location of accessory structures on residential lots.
Accessory structures in residential districts and on any lot used primarily for residential purposes shall conform to the following regulations:
 - (1) No accessory structure shall be erected in any required front or side yard. Accessory structures shall not exceed two (2) stories in height except as provided in section 59 hereof, and shall not cover more than thirty per cent (30%) of any required rear yard and shall be at least five (5) feet from all lot lines and ten (10) feet from any other structures on the same lot.
 - (2) On any lot adjoining along its side lot line another lot which is in a residential district, no part of any accessory building which is not an integral part of the main building shall be located within sixty (60) feet of any front lot line.

How'd we do? Please [share your feedback](#).

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Municipality	Contact Name	Email	Title	Date sent	Time sent	Quick Answer
Ballwin	Tom Aiken	taiken@ballwin.mo.us	Assistant City Administrator/City Planner	5/25/2016	10:55 AM	No
Brentwood	Latania Wallace	lwallace@brentwoodmo.org	Planning & Development Clerk	5/25/2016	11:45 AM	
Chesterfield	Aimee Nassif	anassif@chesterfield.mo.us	Planning and Development Services Director	5/25/2016	11:10 AM	
Crestwood	James Gillam	JGillam@cityofcrestwood.org	Director of Public Services	5/25/2016	11:46 AM	Sort of
Creve Coeur	Jason Jaggi	jjaggi@ci.creve-coeur.mo.us	Director of Community Development	5/25/2016	11:36 AM	Not Yet
Des Peres	Stacey Seymour	sseymour@desperesmo.org	Assitant to the Director of Public Works	5/25/2016	11:48 AM	No
Ellisville	Ada Hood	ahood@ellisville.mo.us	Director of Planning & Community Development	5/25/2016	10:52 AM	
Florissant	Carol O'Mara	comara@florissantmo.com	Director of Community Development	5/25/2016	11:50 AM	
Frontenac	Bob Shelton	bshelton@cityoffrontenac.org	City Administrator	5/25/2016	11:39 AM	No
Glendale	Jaysen Christensen	jchristensen@glendalemo.org	City Administrator	5/25/2016	11:54 AM	No
Kirkwood	Ryan Spencer	spencerm@kirkwoodmo.org	City Planner	5/25/2016	11:56 AM	No
Ladue	Andrea Sukanek	asukanek@cityofladue-mo.gov	Planning Consultant	5/25/2016	11:57 AM	
Maryland Heights	Wayne Oldroyd	woldroyd@marylandheights.com	Director of Community Development	5/25/2016	11:18 AM	
Maplewood	Rachelle L'Ecuyer	Online Form	Director of Community Development	5/25/2016	12:00 PM	No
Olivette	Carlos Trejo	ctrejo@olivettemo.com	Director of Planning & Community Development	5/25/2016	12:09 PM	
Rock Hill	Garrett Schlett	gschlett@rockhillmo.net	Management Assistant - Administration & Community Development Division	5/25/2016	12:10 PM	
Shrewsbury	Jonathan Greever	JGreever@cityofshrewsbury.com	Director of Administration	5/25/2016	12:11 PM	No
Sunset Hills	Trish Moore	pmoore@sunset-hills.com	Senior Zoning Officer	5/25/2016	12:11 PM	No
Town and Country	Melanie Rippetoe	rippetoem@town-and-country.org	City Planner	5/25/2016	11:19 AM	
University City	Andrea Riganti	ariganti@ucitymo.org	Director of Community Development	5/25/2016	11:11 AM	
Webster Groves	Mara Perry	perrym@webstergroves.org	Director of Planning and Development	5/25/2016	12:12 PM	

Other Municipality Responses

Ballwin –

Ballwin generally does not regulate the utilization of the required side yard setback areas except as it relates to the erection of buildings which are prohibited. Motor vehicles, trailers, RVs and the like can be parked in such areas and we allow pavement to be placed to the property line. Anything that would qualify as trash or rubbish cannot be accumulated in these areas. We sometimes have complaints about other items like non-motorized construction equipment (ladders, scaffolding, mixers, etc) being stored in these areas, but so far the board has not wanted to change the regulations.

Brentwood – No Response

Chesterfield – No Response

Crestwood –

We have several ordinances in relation to this issue:

For downspouts, we add this to every set of plans that adds an accessory structure or additional roofing:
Sec. 26-191. - Water discharge.

Water shall not be directed through a pipe, culvert, hose, spout, or drain which discharges within ten (10) feet of an abutting property line. The following are exceptions to this prohibition:

- (a) Roof or foundation drains that discharge within two (2) feet of the building foundation; or
- (b) Discharge into an open natural creek or swale on the same property; or
- (c) Discharge that is parallel to the abutting property line and at least five (5) feet from said line.

Any property owner violating this section is subject to the penalties specified in section 26-326.

For detached garages, carports, sheds, and accessory structures we have the following requirements:
Sec. 26-186. - Accessory buildings and structures.

No accessory building or structure shall be used prior to the principal building or use, except as a construction facility for the principal building. Accessory buildings or structures must conform to all provisions of this article. On a corner lot, accessory buildings and structures cannot be located in a required front or side yard.

- (1) Attached accessory buildings: Any accessory building which is structurally attached to the principal building of a lot shall be considered part of the principal building and shall comply with all provisions of this article pertaining thereto.
- (2) Detached garages:
 - a. Height: No detached garage shall be higher than the principal building or fifteen (15) feet, whichever is lower, as measured from the ground to the highest point of the structure. In addition, no detached garage shall have an exterior wall height in excess of ten (10) feet as measured from the ground to the top of the wall.
 - b. Yard and area requirements: No detached garage shall be erected in any required front or side yard. Detached garages may be located in the rear yard but shall not occupy more than thirty (30) percent of the rear yard area. No detached building or structure may be erected closer than five (5) feet to the rear lot line, nor closer to the side lot line than the required minimum side yard setback of the district. In addition, any detached garage must be at least ten (10) feet away from the primary structure.

- c. Erection and use: No accessory building shall be constructed upon a lot until the construction of the main building has been commenced. No detached garage shall be used for dwelling purposes.
 - d. Architectural compatibility: All detached garages must be of an architectural composition and style, which is compatible with the main structure located on the premises.
- (3) Other accessory structures or outbuildings:
- a. Height: No detached accessory structure or outbuilding shall be higher than principal building or ten (10) feet.
 - b. Yard and area requirements: No detached accessory building or structure shall be erected in any required front or side yard. Detached accessory building may be located in the rear yard but shall not occupy more than thirty (30) percent of the rear yard area. No detached building or structure may be erected closer than five (5) feet to the rear lot line nor closer to the side lot line than the required minimum side yard setback of the district.
 - c. Erection and use: No accessory building shall be constructed upon a lot until the construction of the main building has been commenced. No accessory building shall be used for dwelling purposes, but such accessory building may be temporarily used for storage purposes.
- (4) Carports:
- a. Code requirements: Carports are subject to the requirements for attached or detached structures except as otherwise provided for in this section.
 - b. Carport storage restrictions: It is unlawful to store within a carport any construction material, indoor furniture/appliances, or waste material of any kind, except in approved waste receptacles. Any storage which would render the area unclean or unsafe is prohibited. Orderly storage of outdoor equipment such as patio furniture, lawn care equipment, outdoor recreation/sport equipment, grills or firewood is acceptable. Storage of additional items is permitted within enclosed portions of the carport or within plastic, wood, or metal storage containers. It is the duty of the occupant and property owner to ensure that the carport is maintained in a safe and sanitary condition.

For paving, etc. next to the side lot line we have:

Section 26-311.(2) g. Required landscaping along side lot lines. Except as otherwise provided for in these regulations, landscape plantings of at least five (5) feet in width shall be required along each side lot line. The same shall apply to rear lot lines of corner lots, between the street and the established building setback line. Such restrictions shall not apply where there is an existing driveway within such five (5) feet on a residential lot, which is being replaced.

This does not include pavers or other "temporary" materials

This is not always an easy code to talk with residents over the phone, so we now have permits for fences and sheds. We are also contemplating permits for all concrete work as well.

Creve Coeur –

We are dealing with many of these same issues. We have a site coverage limitation for residentially zoned property that varies between 25 and 45 percent depending on zoning district, but we allow permeable pavers to not count against the coverage requirement. We require site improvement permits for staff review of flatwork and grading but only if the area of disturbance is 2,000 SF or greater. We have talked about lowering this standard to require site grading and disturbance activities greater than 500 SF in order to review more of these smaller jobs that seem to be creating just as many issues as the larger ones. In connection with increasing the site improvement permit requirements, we also are looking at requiring a minimum setback for impervious surfaces (5-10 feet) to provide at least a small area of the runoff to either be piped to the rear or front yards to allow overland flow or to create a small swale in which direct the runoff away from the neighboring properties.

Of course, increasing the review, permitting and inspection requirements would create much more work for staff which is another set of issues that we also would need to take into account.

I hope this helps. As you get further along, I would be interested in seeing what you all come up with.

Des Peres –

At this time we do not have any code that would prohibit the use of the side yard setback for parking. However we are considering restrictions on increased impervious surfaces in the future, as we are also receiving similar complaints.

Ellisville – No Response

Florissant – No Response

Frontenac –

We do not have anything in our ordinances that prohibit driveways, parking areas and the like in the side yard. However, we do inform residents that they cannot create nuisance such as diverting the stormwater drainage onto neighboring properties. Usually with utility easements minor structures such as parking areas and sidewalks are not an issue, the utilities simply remove them to do the work, similar to what is done in the road easements or right of way.

Glendale –

We do not. It hasn't been an issue in Glendale even though it is not uncommon for residents to build a driveway along the side of the house. The bigger issue here is on-street parking, which we prohibit overnight, and a lot of people end up building larger driveways, including side-yard parking areas to accommodate all of their vehicles. Again, knock on wood, it hasn't been an issue yet here.

I would expect some city out there has a guideline or zoning code that restricts side-yard driveways and parking except for obviously side and rear-entry garages, or at least has a minimum setback for side-yard driveways. I think there is a difference between side-yard driveways going back to a rear garage and side-yard parking pads. I can see the side-yard parking pads being more of an issue.

It's tricky.

Kirkwood –

Kirkwood currently does not have any regulations related to paving or flatwork in the sideyard of a residential lot. When a driveway permit is applied for we do look into drainage issues and address with swales, curbs or drywells.

Ladue – No Response

Maryland Heights – No Response

Maplewood –

I wish I could be of more assistance but it is not monitored or an issue in Maplewood. In most cases people are happy if this happens because it frees up on-street parking which is a bigger concern in Maplewood.

Olivette – No Response

Rock Hill – No Response

Shrewsbury –

This is an understandable issue. Much of Shrewsbury's lots are smaller. In those smaller lots, the parking drive lane goes alongside the house to a parking area behind the front building line or to a rear parking area. Placing a driveway in such a manner is allowed, and also does not require a building permit. However, in the areas with larger lots, the parking areas are not located alongside the house.

So, we do not address zoning specific regulations. However, if the issues you described below were becoming one here, I would advise the board to consider new ordinances adjusting the zoning regulations for the various residential zones, allowing improvements of a limited nature in some, restricting them greatly in others, and probably banning them entirely in cases where the lots are too small to accommodate such development (assuming the next house will be adversely impacted).

Sunset Hills –

We have not had any of the issues you listed come up.

Parking – A resident is allowed to cover up to 35% of their lot with parking, however, parking has to be paved. It cannot be a gravel drive or parking area. Very rarely can I think that someone put parking on side of home. Most of what we run into are retaining walls, which do not have to meet setback requirements but must indicate to us with a site plan how far they are from the property line. Anything like stacking wood, trash cans, storage of materials (junk). Some of this we can address under our occupancy code.

Utility locations we do not address unless they are physically trying to build something on the easement. We then require letters from the utility companies giving their approval to build a wall, a shed or deck, etc. over the easement.

Water run off – the only code we have states they cannot direct water onto someone else's property. Unless it is blatantly obvious with their gutter coming off the house and directly onto his neighbor's property, this may be a little hard to prove. This usually becomes a civil matter between two neighbors.

Not sure I was helpful, let me know if you have any further questions.

Town and Country – No Response

University City – Working on a Response

Webster Groves – No Response



WILDWOOD

PUBLIC HEARING PRIMER

PREPARED FOR THE

PLANNING AND ZONING COMMISSION'S APRIL 18, 2016 PUBLIC HEARING

Department of Planning
April 18, 2016 Executive Session
City Hall Council Chambers
"Planning Tomorrow Today"

Request: 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 review and consider amendments to the City of Wildwood's Zoning Ordinance – Chapter 415 of the City of Wildwood Municipal Code – for all of its "R" Residence Districts zoning designations (Chapter 415 – Sections 110 through 160), including Chapter 415.090 NU Non-Urban Residence District, thereby adding new language to prohibit the installation of impervious surfaces and other improvements in the side yard setbacks, which are not considered structures under the Zoning Ordinance's definition of the same. (Wards - All)

Background: The City of Wildwood has a number of subdivisions developed with the use of a Planned Environment Unit (PEU - St. Louis County) or the Planned Residential Development Overlay District (PRD - City of Wildwood). These overlay districts allow the developer, eventual homebuyer, and the local government to address the use of property more in keeping with its characteristics versus compliance to a one size fits all residential zoning district designation approach. The use of these overlay districts has been across all areas of Wildwood, rural to Town Center.

One of the key components of the use of the overlay district procedure is the ability to modify the setback distances for structures and buildings to allow for them to match the minimum lot sizes that are also accommodated, thereby creating a more compact development featuring greater contiguous open spaces. In more traditional subdivisions, those outside the non-urban residence district, side yard setback distances can be five (5) to (6) feet in width, thereby allowing ten (10) feet between dwellings. These side yard setback areas are critical in their function as well, given they receive much of the stormwater runoff from the areas of the dwelling's impervious surfaces, along with the installation of needed utilities for the purposes of electric, water, sewer, telecommunications, and others. Therefore, the use of these areas needs to be carefully controlled to preserve their designed functions.

Over the last year, a number of homeowners have installed or requested the right to use these side yard setback areas and others for new improvements. These improvements include a range of flat work, landscaping, and stormwater improvements. Collectively, some of the improvements work within the narrow areas of the side yard setbacks, but not always.

An example of this situation that has created issues is the more recent trend of adding flatwork for an additional driveway pad in the side yard setback area. In recent instances, this driveway approach causes a number of issues for the abutting property owner, such as alterations of stormwater runoff, increase in noise, and degradation of

aesthetics. These situations have led to an increase in questions and complaints to the City about such. These questions and complaints were reviewed and given no clear or concise interpretation of the multiple codes governing and controlling setback areas of a lot, resulting in responses being less than desirable to these parties. Accordingly, the Department believes the best approach is to have the Planning and Zoning Commission review the matter of how the use of certain setback areas of a lot should be treated, if at all.

Key Areas of Study: The key areas of this discussion include the following items:

1. The need or lack thereof for a legislative solution to the use of the setback areas for typically exempt improvements, such as fences, walls, light standards, and flatwork.
2. The methods to manage or protect these setback areas from use and/or development.
3. The consideration of increasing the allowable minimum setbacks authorized by the City's Planned Residential Development Overlay District (PRD) procedure, if approved on a site, thereby ensuring certain distances are preserved between dwellings for necessary utility installations and stormwater management, but also, homeowner installed improvements as well.
4. The integration of the Grading Code requirements into the Zoning Ordinance, so as consistency exists between the two (2) sets of regulations.

This list may not be all-inclusive to the number of items that might exist, but represents a starting point for discussion on this matter at tonight's public hearing. With this discussion and input from the public and the Planning and Zoning Commission, the Department then can prepare its report on this request. Again, this request is being presented due to a recent number of incidents relating to the use of side yard setback areas in more traditional subdivisions for improvements that were never expected to occur there. However, with changing demands on households, particularly the number of vehicles potentially associated with a single residence having children of a driving age, the availability of space on a lot is at a premium in some locations within the City. This situation is leading to the need to consider this matter and action by the Planning and Zoning Commission in this regard.

Applicable Regulations: Below are listed some representative examples of the exceptions provided relative to the use of setback areas on lots. The examples from the City's Zoning Ordinance are cited from the Miscellaneous Regulations and the NU Non-Urban Residence District for residential lots, but all the "R" Residence Districts contain similar provisions relative to setback areas. Therefore, the NU Non-Urban Residence District is used in this context as a representative sample.

Chapter 415.380, Section L. - Miscellaneous Regulations Yards To Be Open To Sky—Exceptions. Every part of a required yard shall be open to the sky, unobstructed except as follows:

1. Ordinary projections of skylights, sills, belt courses, cornices and ornamental features projecting not to exceed twelve (12) inches;
2. Ordinary projecting of chimneys and flues, not to exceed seventy-two (72) inches in width, projecting not to exceed twenty-four (24) inches;
3. Roof overhangs projecting not to exceed eighteen (18) inches, except that roof overhangs on the south side of a building may project forty-eight (48) inches into a side or rear yard, but no closer than forty-eight (48) inches to a property line;
4. Canopy overhangs for service stations projecting a maximum of eighteen (18) inches into required front yards;

5. Slab type porches or paved terraces having a maximum height of not more than twelve (12) inches above ground elevation at any point may project into any yard except that the projection into the front yard shall not exceed ten (10) feet;
6. In all "R" Residence Districts air-conditioning units extending into side or rear yards a maximum of thirty (30) inches, with air-conditioning units including mounting pedestals not to exceed forty-eight (48) inches in height above ground elevation within said side or rear yards;
7. Driveways, ramps, sidewalks and parking lots as otherwise permitted by this Chapter.

Chapter 415.090, Section G. of the NU Non-Urban Residence District Regulations

3. Minimum yard requirements—general.

- A. *Front yard.* No structure shall be allowed within fifty (50) feet of any roadway right-of-way line or large lot roadway easement.
- B. *Side and rear yard.* No structure shall be allowed within thirty (30) feet of any property line other than a roadway right-of-way line or large lot roadway easement.

4. Specific yard requirements and exceptions.

- A. Notwithstanding any other provisions 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 or less in height, are allowed within the minimum yard requirements.
- C. Permitted information signs, six (6) feet or less in height are allowed within the minimum front yard setback.
- D. Permitted directional signs, three (3) feet or less in height, are allowed within the minimum front yard setback or sight distance triangle.
- E. A permitted freestanding business sign may be located 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, but not including parking lot lighting, are allowed within the minimum front yard setback when approved by the Department of Planning. 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.

Next Steps: At tonight's public hearing, the City Attorney and the Department of Planning are seeking input on this matter in preparation of a recommendation on whether to amend the Zoning Ordinance to address this advertised matter. If any of the Commission members should have questions or comments in this regard, please feel free to contact the City Attorney (Rob Golterman) at (314) 444-7500 or the Department of Planning at (636) 458-0440. Thank you for your review of this information in preparation of tonight's hearing on this topic.



WILDWOOD

INFORMATION REPORT

City of Wildwood, Missouri

August 1, 2016 Executive Meeting

Prepared by the Department of Planning

“Planning Tomorrow Today”

PETITION NUMBER: P.Z. 24-15

PETITIONER: Rockwood School District - Lafayette High School, c/o Dr. Karen Calcaterra, 17050 Clayton Road, Wildwood, Missouri 63011

REQUEST: A request for a Conditional Use Permit (CUP) in the NU Non-Urban Residence District for the installation of sponsorship type banners on existing fencing associated with the athletic fields that are part of the Lafayette High School Campus. **Proposed Use: Sponsorship type banners for a public use, with a minimum of two (2) operational athletic fields on the same lot.**

LOCATION: East side of State Route 109, south of Clayton Road (Locator Number: 22V210215/Street Address: 17050 Clayton Road)

ZONING: NU Non-Urban Residence District

WARD: Five

Public

Hearing Date: April 18, 2016

Information Report

Decision Date and

Vote: August 1, 2016 – TBD

Report: Attachment A

Conditions: Attachment B

Background

Information: Attachment C

School District: Rockwood

Fire District: Metro West

Recommendation: The Department of Planning is recommending the Planning and Zoning Commission favorably consider the requested permit to allow sponsorship banners at Lafayette High School, but limit such display to no more than two (2) fields located upon the subject site.

1. This support of the permit is premised on compliance to the four (4) criteria identified for granting a Conditional Use Permit (CUP) that are set forth in the City’s Zoning Ordinance.

2. The location meeting the underlying requirements of the NU Non-Urban Residence District for such an allowance.

ATTACHMENT A - REPORT

BACKGROUND >>> The City of Wildwood recently made changes to its NU Non-Urban Residence District Regulations to accommodate sponsorship banners for certain fundraising purposes in association with institutional uses that are situated in this zoning district designation. In this discussion, two (2) specific locations were referenced as potential users of this application, which included Pond Athletic Association (PAA) and Lafayette High School, both of which had some types of banners displayed at their athletic stadiums over the years, all of which became illegal in the City of Wildwood with its incorporation. Pond Athletic Association (PAA) removed its banners, when contacted by the City, while the high school continued to display them at its facility, on and off over the years. It is important to note that, during the athletic association's 50th anniversary year, the City's Board of Adjustment granted temporary rights for sponsorship banners to celebrate this landmark event.

The City's new regulations for sponsorship banners are provided below in the bolded text:

Chapter 415. Zoning Regulations - **Section 415.090. "NU" Non-Urban Residence District Regulations.**

A. Scope Of Provisions. This Section contains the district regulations of the "NU" Non-Urban Residence 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 "NU" Non-Urban Residence District of the City of Wildwood encompasses areas within which rough natural topography, geological conditions or location in relation to urbanized areas creates practical difficulties in providing and maintaining public roads and public or private utility services and facilities. The "NU" Non-Urban Residence District, therefore, shall promote the protection and existence of a large-lot rural development pattern.

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", except the specified home occupations described below which must adhere to simplified process defined in Subsections (H) and (I) of this Section:

1. Administrative offices and educational facilities.
2. ***Banners: sponsorship types for both public and not-for-profit uses, with a minimum of two (2) operational athletic fields on the same lot. [Ord. No. 415.090 §1, 4-13-2015]***
3. Bed and breakfast establishments.
4. Blacksmiths.
5. Cemeteries, including mortuaries operated in conjunction with the cemetery.
6. Child care centers, nursery schools and day nurseries.
7. Clubs, private not-for-profit.
8. (Reserved)
9. (Reserved)

10. Fairgrounds.
11. Feed or grain storage, commercial or cooperative.
12. Foster homes for handicapped children.
13. Golf courses, including practice driving tees on the same premises. Miniature golf courses and independent practice driving tees are excluded.
14. (Reserved)
15. Group homes for the elderly.
16. (Reserved)
17. Home occupations permitted by Section 415.090(H).
18. Large water features.
19. Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, shall be:
 - a. Adequately screened with landscaping, fencing or walls or any combination thereof; or
 - b. Placed underground; or
 - c. Enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.
 - d. All plans for screening these facilities shall be submitted to the Department of Planning for review. No building permit or installation permit shall be issued until these plans have been approved by the Department of Planning.
20. Mortuaries.
21. Mulching plants for trees, wood or wood waste, but not including any assembly or manufacture of a product.
22. Nursing homes, including assisted care living facilities (overall density of assisted care units is a function of permitted beds).
23. Police and fire stations.
24. Post offices and other government buildings.
25. Public utility facilities, other than local public utility facilities.
26. Radio, television and communication transmitting, receiving or relay towers and facilities, subject to the provisions of the Model Telecommunications Code.
27. Recreational camps and camping facilities.
28. Recreational land uses, commercial or not-for-profit.
29. Residential substance abuse treatment facilities.
30. Retreats operated by educational or other not-for-profit entities.
31. Riding stables, kennels and veterinary clinics.
32. (Reserved)
33. Salesrooms (retail and wholesale), when established as an accessory use to commercial gardens, plant nurseries and greenhouses, for the sale of nursery products and related items for use in preserving the life and health of such products, hand tools and plant containers. The preceding items shall not include power-driven equipment, lawn and garden furniture nor decorative accessories and fencing; however, bulk sale of sand, gravel, mulch, railroad ties or similar materials may be permitted. The salesroom may occupy all or a portion of a building.
34. Satellite dishes (additional to provisions of Section 415.380(R)).
35. Sewage treatment facilities, other than facilities permitted as an accessory use.

- 35a. Solar panels, all ground-mounted types. All roof-mounted types, if said installations are visible from an adjoining/adjacent street(s). [Ord. No. 2028 §§1 — 2, 4, 8-25-2014]
- 36. Specialized private schools.
- 37. (Reserved)

CURRENT REQUEST >>> Lafayette High School would like to retain its current sponsorship banners that are displayed at the athletic stadium, and at least one (1) other field, during much of the year. The banners are placed facing into the stadium and seating for the spectators, on the perimeter fencing, and, in the past, been white in color, with lettering and logos on the front side of them. These banners advertise local businesses, which pay to be placed at this location. The specific request that was advertised by the Department of Planning for this consideration is as follows:

P.Z. 24-15 Rockwood School District—Lafayette High School, c/o Dr. Karen Calcaterra, 17050 Clayton Road, Wildwood, Missouri 63011 - A request for a Conditional Use Permit (CUP) in the NU Non-Urban Residence District for the installation of sponsorship type banners on existing fencing associated with the athletic fields that are part of the Lafayette High School Campus. This campus is located on the east side of State Route 109, south of Clayton Road (Locator Number: 22V210215/Street Address: 17050 Clayton Road). **Proposed Use: Sponsorship type banners for a public use, with a minimum of two (2) operational athletic fields on the same lot. (Ward Five)**

At the public hearing on this matter, Dr. Calcaterra, the representative for the high school, described the existing banners on the athletic field fences. She outlined instances the school has used banners in the past, including sponsorships from businesses, public service announcements, and promoting school events. She also explained the existing banners face the interior of the site and not the roadway.

After this presentation, the Commission Members questioned the time period Lafayette High School was constructed in relation to the construction of the surrounding subdivisions; clarification the sponsorship banners would only face the interior of the site; clarification the signs would be professionally manufactured; the number of banners being requested; and comparison of this location to the recently approved banners for the Pond Athletic Association and its associated conditions. Commissioner Bauer requested the Department of Planning to include, as part of its forthcoming Information Report, an inventory of the practices of surrounding schools, regarding sponsorship type banners (none others in Wildwood, while Eureka High School has a limited number).

Also at the public hearing, Michael Winnett, representative of Tall Oaks Homeowner's Association, stated the concerns of homeowners in the Tall Oaks Subdivision. These concerns include the visual intrusion of sponsorship banners and other existing activities related to the site's use as a high school onto their lots. He stated the Tall Oaks Homeowner's Association opposes the request.

ANALYSIS >>> The Department of Planning has considered this request for sponsorship banners at the Lafayette High School facility and believes it to be appropriate to grant a permit for limited utilization by the Planning and Zoning Commission. The request meets the standards set forth in the new regulations regarding this matter, i.e. a facility with a minimum of two (2) athletic fields, established and operating as a

not-for-profit entity, and located in the NU Non-Urban Residence District. These three (3) requirements are set forth in the underlying regulations, as the minimum standards for allowing a consideration of banners at applicable facilities.

Consistent with Good Planning Practices - In considering this request, the Department would note the request can be accommodated with minimal impact on the surrounding area, given certain protections the Department is recommending in this regard, including managing the total number of banners and their location, size, height, screening, color, and maintenance components associated with them. Additionally, the Department is only recommending two (2) of the five (5) fields be authorized for sponsorship banners, eliminating all of the other fields, which are in closest proximity to the abutting single family residences, excepting the main athletic stadium and the baseball field. These protections, which are set forth in Attachment B of this report, are intended to limit impacts and be consistent with good planning practices.

Impacts on Permitted Uses in the Same Zoning District Designation - The addition of these banners will not have a negative impact on the allowable uses in the NU Non-Urban Residence District due to their limited application, the size of this facility, the nature of the surrounding properties, site topography, extent of landscaping, and the available existing screening. The addition of these sponsorship banners will not add, nor, in the opinion of the Department, affect the principle land use in this area, which is single family residential.

Visual Degradation - The visual impact of these banners will vary by location, but the Department believes the requirements of the permitting process and other limitations imposed, as part of the permit's authorization, would minimize them to the greatest extent possible. The Department has recommended that any field, of the allowable two (2) that are authorized for banner placement, be additionally treated by a wind screen on the opposite side of the fence, where they are to be placed, to offset casual viewing of them, while limiting the banner background color to white and, again, managing size and height components as well. Along with these considerations, the Department believes the restriction on the maximum number of banners per field will also limit the overall degradation of the area too.

Community Benefit - Overarching many of the considerations associated with banner placements at this facility is the positive impact additional revenue will have on the facility and the children that participate there. As noted in the Background Section of this report, this facility offers the greatest number of play fields in Wildwood, so its importance, and how this community benefits from its existence here cannot be understated. Given the City's park planning documents encourage partnerships to meet gaps in Wildwood's facilities, assisting to ensure a consistent revenue stream is available for the association's activities is positive for the entire community.

SUMMARY OF KEY POINTS AND RECOMMENDATION >>> The Department of Planning is recommending the Planning and Zoning Commission support the requested Conditional Use Permit (CUP) for sponsorship banners at this location, under the recommended conditions set forth in Attachment B. This support of the permit is premised on compliance to the four (4) criteria identified for granting a Conditional Use Permit (CUP) that are set forth in the City's Zoning Ordinance and the location meeting the underlying requirements set forth therein as well. Accordingly, the Department is recommending the Conditional Use Permit (CUP) for this facility read as follows:

ATTACHMENT B – CONDITIONS

1. SPONSORSHIP BANNERS

- a. A total of two (2) athletic fields may display sponsorship banners at this facility. These two (2) fields are identified on the approved Site Development Plan and noted as main athletic stadium and the primary baseball field.
- b. Any athletic field that displays sponsorship banners must also have a windscreen installed on the opposite side of the same fence to offset their color and potential viewing from locations other than at the facility. The inclusion of the windscreen materials must be indicated on the Site Development Plan, be black or dark green in color, and reviewed and acted upon by the Planning and Zoning Commission before their respective installations.
- c. No sponsorship banner shall be placed upon a fence at this facility, so as it is **directly** visible from an adjoining roadway or property.
- d. Sponsorship banners shall only be printed on one (1) side, that side facing into the playing fields themselves, and cannot exceed the height of the fence where it is attached.
- e. No sponsorship banner shall exceed thirty (30) square feet in area. Any banner shall have a white background for its color and cannot be lighted, except from existing sources used for play or safety.
- f. No more than eighteen (18) banners shall be displayed within the main athletic stadium and no more than six (6) banners shall be displayed within the primary baseball field area (again, as identified on the approved Site Development Plan). All sponsorship banners must be placed in conjunction with an active use athletic field, as noted above.
- g. Any sponsorship banner that is damaged, faded through use, or in disrepair shall be removed as soon as possible. All banners shall be regularly maintained in good condition.

Author's Note: A comparison of current facilities with permits for sponsorship banners.

Characteristic	Lafayette HS	Pond AA
Acreage of the Facility	51 acres	19 acres
Number of Total Fields	2	5
Number of Banners Per Field	18 and 6, by identified field	6
Surrounding land use	Medium Density Residential	Low-Density Residential and Agricultural
Maximum Size of Any Banner	30 square feet	30 square feet
Total Square Footage of Banners	720 square feet	900 square feet
Other – Screening and Visibility	Windscreen, color, and visibility all conditioned by permit	Windscreen, color, and visibility all conditioned by permit

ATTACHMENT B
Background Information



WILDWOOD

16860 Main Street
Wildwood, MO 63040

**CITY OF WILDWOOD
NOTICE OF
PUBLIC MEETING**
before the Planning and Zoning Commission
Monday, August 1, 2016 at 7:00 p.m.

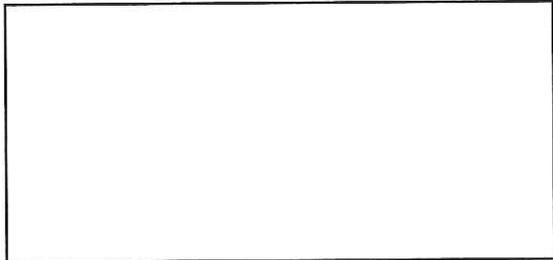
AS A RESIDENT OR PROPERTY OWNER NEAR THE SITE THAT IS IDENTIFIED ON THIS MAILER, THE CITY OF WILDWOOD WOULD LIKE TO ENSURE YOU ARE AWARE OF THIS REQUEST/PROPOSAL BECAUSE IT IS LOCATED WITHIN 3,000 FEET OF YOUR PROPERTY. YOUR COMMENTS ARE ENCOURAGED, ALONG WITH YOUR PARTICIPATION AT THE SCHEDULED HEARING 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:
17050 Clayton Road, Wildwood, Missouri 63011

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



Listed below is a request that was presented to the Planning and Zoning Commission at a public hearing held on April 18, 2016. You and many of your neighbors may have expressed interest in the outcome of this matter and the Commission is scheduled to take initial action upon this item at its upcoming meeting. If inclined, the Commission encourages you to attend this meeting and hear the Department of Planning's recommendation on this matter and participate in its discussion. The meeting will be held on **Monday, August 1, 2016, at 7:00 p.m.**, in the City Hall Council Chambers, 16860 Main Street, Wildwood, Missouri 63040. The specific request under consideration is as follows:

P.Z. 24-15 Rockwood School District—Lafayette High School, c/o Dr. Karen Calcaterra, 17050 Clayton Road, Wildwood, Missouri 63011 - A request for a Conditional Use Permit (CUP) in the NU Non-Urban Residence District for the installation of sponsorship type banners on existing fencing associated with the athletic fields that are part of the Lafayette High School Campus. This campus is located on the east side of State Route 109, south of Clayton Road (Locator Number: 22V210215/Street Address: 17050 Clayton Road). **Proposed Use: Sponsorship type banners for a public use, with a minimum of two (2) operational athletic fields on the same lot. (Ward Five)**

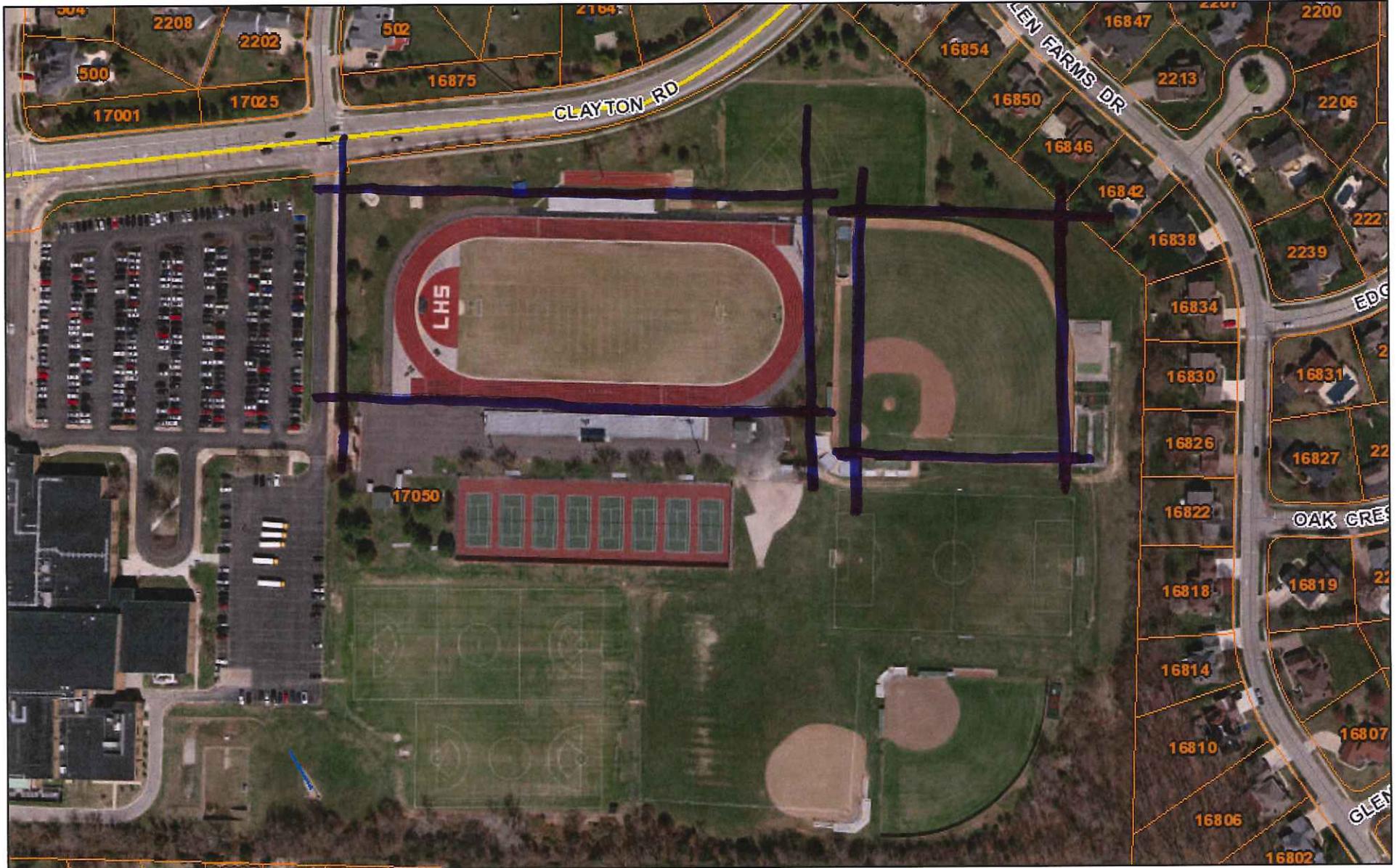
***RESIDENT OR PROPERTY OWNER - PLEASE COMMENT ON AND/OR TRACK THIS REQUEST BY:**

- 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.

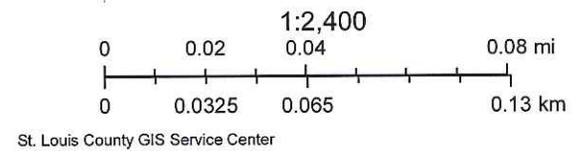
If you should have any questions regarding this information, please feel free to contact the Department of Planning at

(636) 458-0440. Thank you in advance for your interest in this matter.

St. Louis County Parcel Map



July 28, 2016



Joe,

Petition referred to in Mike Winnett's email.

15 total homes on the WEST side of Westglen Farms Drive in Tall Oaks.

13 signed petition; 1 declined; 1 house vacant; petition also has two additional signees.



We, the residents of Tall Oaks, request that all existing commercial sponsorship banners be removed from the property of Lafayette High School. In addition, we ask that NO NEW permanent fence signage be allowed on the property. We do NOT object to temporary signage that is used for the benefit of school events (homecoming banners, ie) or temporary day of event commercial signage.

CITY OF WILDWOOD

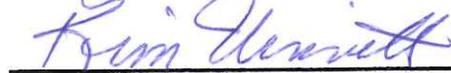
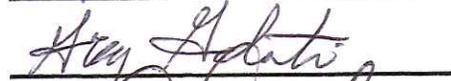
JUL 25 2016

DEPT. OF PLANNING & PARKS

Name (Print)	Signature	Address
MICHAEL WINNERSO	<i>[Signature]</i>	16830 WESTGLEN FARMS
PAT WELLS	<i>[Signature]</i>	16818 Westglen Farms
ROSS WELLS	<i>[Signature]</i>	" " "
WALTER GULLER	<i>[Signature]</i>	16814 Westglen Farms 63011
DAVID BAKER	<i>[Signature]</i>	16806 WESTGLEN FARMS DR. 63011
DAVID EAST	<i>[Signature]</i>	2209 EDGE WOODMANOR LN 63011
Mike Unland	<i>[Signature]</i>	16842 Westglen Farms 63011
Joanne Conte	<i>[Signature]</i>	16850 Westglen Farms Drive 63011
Robert Conte	<i>[Signature]</i>	16856 Westglen Farms Drive 63011
CHRIS BUCKLEY	<i>[Signature]</i>	16847 Westglen Farms Dr. 63011
Janine M. Felthouse	<i>[Signature]</i>	16826 Westglen Farms DR. 63011
Larry R. Prewitt	<i>[Signature]</i>	16802 Westglen Farms Dr 63011

We, the residents of Tall Oaks, request that all existing commercial sponsorship banners be removed from the property of Lafayette High School. In addition, we ask that NO NEW permanent fence signage be allowed on the property. We do NOT object to temporary signage that is used for the benefit of school events (homecoming banners, ie) or temporary day of event commercial signage.

DEPT. OF WILDWOOD
 JUL 25 2016
 DEPT. OF PLANNING & PARKS

Name (Print)	Signature	Address
Victor Lopez		16846 Westglen Farms Drive
DAN LEHMAN		16854 Westglen Farms Dr
Kim Winnett		16830 Westglen Farms Dr.
GREG GALATI		16858 WESTGLEN FARMS DR.
BRAD OVEBY		16822 WESTGLEN FARMS DR
Frances Erwin		16810 Westglen Farms Dr.

Travis Newberry

From: noreply@cityofwildwood.com
Sent: Saturday, July 23, 2016 3:45 PM
To: 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. 24-15 Rockwood School District—Lafayette High School (CUP - Banners)
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Item Description	<i>Field not completed.</i>
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Position on Request	Other
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General Comments	I support the proposal to allow sponsorship type banners on "parts of the fencing" around the athletic fields.
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Suggestions	I support the suggestion to allow banners as a fund raiser to support Lafayette High School sports. I would prefer and suggest that the banners not be allowed on the fencing that parallels Clayton Road and be restricted to the south, east and west ends of the fields (football and field hockey). Baseball fields are not adjacent to Clayton and should be allowed to put banners on any/all fences.
-------------	---

(Section Break)

Name	Steve Schwedt
------	---------------

Address	16788 Clayton Road
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City	Wildwood
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State	MO
-------	----

Zip	63011
-----	-------

Phone Number	636-458-3388
--------------	--------------

Email

steveschwedt@yahoo.com

Email not displaying correctly? [View it in your browser.](#)

Travis Newberry

From: noreply@cityofwildwood.com
Sent: Saturday, April 23, 2016 5:15 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. 24-15 Rockwood School District—Lafayette High School (CUP - Banners)
--------------------------	---

Item Description	<i>Field not completed.</i>
------------------	-----------------------------

Position on Request	Do Not Support
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General Comments	I object to advertising signs being put on Lafayette sports fields. We residents of Tall Oaks prefer an uncluttered view from our decks and windows. We already tolerate speeding drivers and noise.
------------------	--

Suggestions	<i>Field not completed.</i>
-------------	-----------------------------

(Section Break)

Name	Walt Guller
------	-------------

Address	16814 Westglen Farms
---------	----------------------

City	Wildwood
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State	MO
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Zip	63011
-----	-------

Phone Number	636-458-2484
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Email	wguller@charter.net
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Email not displaying correctly? [View it in your browser.](#)

Travis Newberry

From: noreply@cityofwildwood.com
Sent: Monday, April 18, 2016 2:58 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. 24-15 Rockwood School District—Lafayette High School (CUP - Banners)
Item Description	Commercial Sales Banners on Lafayette High School Fences
Position on Request	Do Not Support
General Comments	We own 16830 Westglen Farms Dr backing up to Lafayette High School and right field of the baseball field. We strongly oppose the use of banners on existing fencing. To allow the neighborhood high-school to look more commercialized than even allowed in Town Center makes no sense. The look of the area has degraded over time with installation of more batting cages, pitching mounds, fencing covers, etc. There has been little thought given to neighboring properties and what they have to look at.
Suggestions	Installation of view blocking evergreen trees, landscaping along perimeter fencing to mitigate offensive features would be greatly appreciated.

(Section Break)

Name	Michael Winnett
Address	16830 Westglen Farms Dr
City	Wildwood
State	MO

Zip	63011
Phone Number	3147539094
Email	winnett.engineer@gmail.com

Email not displaying correctly? [View it in your browser.](#)



WILDWOOD

16860 Main Street
Wildwood, MO 63040

**CITY OF WILDWOOD
NOTICE OF
PUBLIC HEARING**
before the Planning and Zoning Commission
Monday, April 18, 2016 at 7:30 p.m.

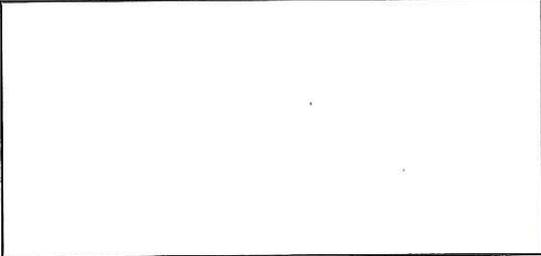
THE CITY WELCOMES AND ENCOURAGES
YOUR COMMENTS AND PARTICIPATION IN
ITS PUBLIC PROCESSES.

AS A RESIDENT OR PROPERTY OWNER NEAR THE SITE THAT IS IDENTIFIED ON THIS MAILER, THE CITY OF WILDWOOD WOULD LIKE TO ENSURE YOU ARE AWARE OF THIS REQUEST/PROPOSAL BECAUSE IT IS LOCATED WITHIN 3,000 FEET OF YOUR PROPERTY. YOUR COMMENTS ARE ENCOURAGED, ALONG WITH YOUR PARTICIPATION AT THE SCHEDULED HEARING OR MEETING. THIS ITEM IS SCHEDULED FOR DISCUSSION AND ITS OUTCOME MAY IMPACT YOUR HOME, NEIGHBORHOOD, OR AREA, SO PLEASE CAREFULLY READ THE DESCRIPTION AND PARTICIPATE AT YOUR DISCRETION. THE CITY OF WILDWOOD ENCOURAGES CITIZEN INPUT AT ALL OF ITS HEARINGS OR MEETINGS AND YOUR INVOLVEMENT WILL ASSIST IT IN REACHING THE BEST DECISION POSSIBLE FOR ALL PARTIES.



Street Address of Subject Site:
17050 Clayton Road, Wildwood, Missouri 63011

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



The Planning and Zoning Commission of the City of Wildwood will conduct a public hearing on **Monday, April 18, 2016, at 7:30 p.m.**, in the **City Hall Council Chambers, 16860 Main Street, Wildwood, Missouri 63040** for the purposes of obtaining testimony regarding request(s) for either the modification of zoning district designations, application of special procedures, change in the underlying regulations of the Zoning Ordinance, action on Record Plats, update on zoning matters, or amendment of the Master Plan, which will then be considered for action. This hearing is open to all interested parties to comment upon this request, whether in favor or opposition, or provide additional input for consideration. If you do not have comments regarding this request, no action is required on your part. Written comments are requested to be submitted prior to this hearing and should be addressed to the Planning and Zoning Commission, City of Wildwood, 16860 Main Street, Wildwood, Missouri 63040 or via the City's website at www.cityofwildwood.com/comment. The following request will be considered at this time:

P.Z. 24-15 Rockwood School District—Lafayette High School, c/o Dr. Karen Calcaterra, 17050 Clayton Road, Wildwood, Missouri 63011 - A request for a Conditional Use Permit (CUP) in the NU Non-Urban Residence District for the installation of sponsorship type banners on existing fencing associated with the athletic fields that are part of the Lafayette High School Campus. This campus is located on the east side of State Route 109, south of Clayton Road (Locator Number: 22V210215/ Street Address: 17050 Clayton Road). **Proposed Use: Sponsorship type banners for a public use, with a minimum of two (2) operational athletic fields on the same lot. (Ward Five)**

- *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

PLANNING AND ZONING COMMISSION CITY OF WILDWOOD, MISSOURI PUBLIC HEARING PRIMER

April 18, 2016 Executive Session
Prepared by the Department of Planning
"Planning Tomorrow Today"

PETITION NUMBER:	P.Z. 24-15
PETITIONER:	Rockwood School District—Lafayette High School, c/o Dr. Karen Calcaterra, 17050 Clayton Road, Wildwood, Missouri 63011
REQUEST:	A request for a Conditional Use Permit (CUP) in the NU Non-Urban Residence District for the installation of sponsorship type banners on existing fencing associated with the athletic fields that are part of the Lafayette High School Campus. Proposed Use: Sponsorship type banners for a public use, with a minimum of two (2) operational athletic fields on the same lot.
LOCATION:	East side of State Route 109, south of Clayton Road (Locator Number: 22V210215/Street Address: 17050 Clayton Road)
ZONING:	NU Non-Urban Residence District
WARD:	Five

BACKGROUND >>> The City of Wildwood recently made changes to its NU Non-Urban Residence District Regulations to accommodate sponsorship banners for certain fundraising purposes in association with institutional uses that are situated in this zoning district designation. In this discussion, two (2) specific locations were referenced as potential users of this application, which included Pond Athletic Association (PAA) and Lafayette High School, both of which had some types of banners displayed at their athletic stadiums over the years, all of which became illegal in the City of Wildwood with its incorporation. Pond Athletic Association (PAA) removed its banners, when contacted by the City, while the high school continued to display them at its facility, on and off over the years. It is important to note that, during the athletic association's 50th anniversary year, the City's Board of Adjustment granted temporary rights for sponsorship banners to celebrate this landmark event.

The City's new regulations for sponsorship banners are provided below in the bolded text:

Chapter 415. Zoning Regulations - Section 415.090. "NU" Non-Urban Residence District Regulations.

A. Scope Of Provisions. This Section contains the district regulations of the "NU" Non-Urban Residence 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 "NU" Non-Urban Residence District of the City of Wildwood encompasses areas within which rough natural topography, geological conditions or location in relation to urbanized areas creates practical difficulties in providing and maintaining public roads and public or private utility services and facilities. The "NU" Non-Urban Residence District, therefore, shall promote the protection and existence of a large-lot rural development pattern.

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", except the specified home occupations described below which must adhere to simplified process defined in Subsections (H) and (I) of this Section:

1. Administrative offices and educational facilities.
2. **Banners: sponsorship types for both public and not-for-profit uses, with a minimum of two (2) operational athletic fields on the same lot. [Ord. No. 415.090 §1, 4-13-2015]**
3. Bed and breakfast establishments.
4. Blacksmiths.
5. Cemeteries, including mortuaries operated in conjunction with the cemetery.
6. Child care centers, nursery schools and day nurseries.
7. Clubs, private not-for-profit.
8. (Reserved)
9. (Reserved)
10. Fairgrounds.
11. Feed or grain storage, commercial or cooperative.
12. Foster homes for handicapped children.
13. Golf courses, including practice driving tees on the same premises. Miniature golf courses and independent practice driving tees are excluded.
14. (Reserved)
15. Group homes for the elderly.
16. (Reserved)
17. Home occupations permitted by Section 415.090(H).
18. Large water features.
19. Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, shall be:
 - a. Adequately screened with landscaping, fencing or walls or any combination thereof; or
 - b. Placed underground; or
 - c. Enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.
 - d. All plans for screening these facilities shall be submitted to the Department of Planning for review. No building permit or installation permit shall be issued until these plans have been approved by the Department of Planning.
20. Mortuaries.
21. Mulching plants for trees, wood or wood waste, but not including any assembly or manufacture of a product.
22. Nursing homes, including assisted care living facilities (overall density of assisted care units is a function of permitted beds).
23. Police and fire stations.
24. Post offices and other government buildings.
25. Public utility facilities, other than local public utility facilities.
26. Radio, television and communication transmitting, receiving or relay towers and facilities, subject to the provisions of the Model Telecommunications Code.
27. Recreational camps and camping facilities.
28. Recreational land uses, commercial or not-for-profit.
29. Residential substance abuse treatment facilities.
30. Retreats operated by educational or other not-for-profit entities.

- 31. Riding stables, kennels and veterinary clinics.
- 32. (Reserved)
- 33. Salesrooms (retail and wholesale), when established as an accessory use to commercial gardens, plant nurseries and greenhouses, for the sale of nursery products and related items for use in preserving the life and health of such products, hand tools and plant containers. The preceding items shall not include power-driven equipment, lawn and garden furniture nor decorative accessories and fencing; however, bulk sale of sand, gravel, mulch, railroad ties or similar materials may be permitted. The salesroom may occupy all or a portion of a building.
- 34. Satellite dishes (additional to provisions of Section 415.380(R)).
- 35. Sewage treatment facilities, other than facilities permitted as an accessory use.
- 35a. Solar panels, all ground-mounted types. All roof-mounted types, if said installations are visible from an adjoining/adjacent street(s). [Ord. No. 2028 §§1 — 2, 4, 8-25-2014]
- 36. Specialized private schools.
- 37. (Reserved)

CURRENT REQUEST >>> Lafayette High School would like to retain its current sponsorship banners that are displayed at the athletic stadium throughout much of the year. The banners are placed facing into the stadium, on the perimeter fencing, and, in the past, been white in color, with lettering and logos on the front side of them. These banners advertise local businesses, which pay to be placed at this location. The specific request that was advertised by the Department of Planning for this consideration is as follows:

P.Z. 24-15 Rockwood School District—Lafayette High School, c/o Dr. Karen Calcaterra, 17050 Clayton Road, Wildwood, Missouri 63011 - A request for a Conditional Use Permit (CUP) in the NU Non-Urban Residence District for the installation of sponsorship type banners on existing fencing associated with the athletic fields that are part of the Lafayette High School Campus. This campus is located on the east side of State Route 109, south of Clayton Road (Locator Number: 22V210215/Street Address: 17050 Clayton Road). **Proposed Use: Sponsorship type banners for a public use, with a minimum of two (2) operational athletic fields on the same lot. (Ward Five)**

NEXT STEPS >>> At tonight’s public hearing, the Department of Planning is seeking input on this matter in preparation of a recommendation to address this advertised matter. If any of the Commission members should have questions or comments in this regard, please feel free to contact at the Department of Planning at (636) 458-0440. Thank you for your review of this information in preparation of tonight’s hearing on this topic.

Travis Newberry

From: noreply@cityofwildwood.com
Sent: Thursday, April 14, 2016 7:37 AM
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. 24-15 Rockwood School District—Lafayette High School (CUP - Banners)
--------------------------	---

Item Description	<i>Field not completed.</i>
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Position on Request	Do Not Support
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General Comments	I do not support this item if the banners do not face the athletic field and if they are left up when there is not a game being played.
------------------	---

Suggestions	I do support this item if the banners face the athletic field and if they are only on display when there is a game being played.
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(Section Break)

Name	Bryan Aston
------	-------------

Address	520 Dartmouth Crossing
---------	------------------------

City	Wildwood
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State	MO
-------	----

Zip	63011
-----	-------

Phone Number	314-363-9693
--------------	--------------

Email	baston@mlpllc.com
-------	--

Email not displaying correctly? [View it in your browser.](#)

Travis Newberry

From: noreply@cityofwildwood.com
Sent: Tuesday, April 12, 2016 3:27 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. 24-15 Rockwood School District—Lafayette High School (CUP - Banners)
--------------------------	---

Item Description	Lafayette High School - Banners on Fences
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Position on Request	Do Not Support
---------------------	----------------

General Comments	The proposal appears to be open to any fence associated with athletic fields. That is too broad and can contain too much neighborhood visual pollution. There is a reasonable balance somewhere between 0% use and every square inch has banners, but nothing is clearly defined in the postcard request as to which fences, and what is acceptable for the neighborhoods and what is not. In addition, there are old remnants of prior banners stuck on fences that looks unkempt and disrespectful to the community. Also, there is plenty of trash and ground debris that is not well kept all around the property. Prior to asking for conditional uses like this, a step back must be taken to see what impression is being left by leaders at LHS in regards to the community they are in.
------------------	--

Suggestions	<i>Field not completed.</i>
-------------	-----------------------------

(Section Break)

Name	Tim Tomasic
------	-------------

Address	2217 Oak Crest Manor Lane
---------	---------------------------

City	Wildwood
------	----------

State	MO
Zip	63011
Phone Number	314-707-6280
Email	ttomasic@trane.com

Email not displaying correctly? [View it in your browser.](#)

Travis Newberry

From: noreply@cityofwildwood.com
Sent: Wednesday, April 06, 2016 5:24 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. 24-15 Rockwood School District—Lafayette High School (CUP - Banners)
Item Description	Lafayette HS CUP - Banners
Position on Request	Do Not Support
General Comments	We oppose the banners b/c they look trashy and will be (are, actually) another in a series of increasing intrusions on our home.
Suggestions	In the last year or so: new loud speakers (and I mean loud), new lights, increased band practices. It may not seem like a big deal, until you have to deal with it all of the time within a couple hundred feet.
(Section Break)	
Name	Dan & Cindy Rohr
Address	2304 Gross Point Ln
City	Wildwood
State	MO
Zip	63011
Phone Number	636-458-9006
Email	Dan.rohr@yahoo.com

Email not displaying correctly? [View it in your browser.](#)

P.Z. Number(s): 24-15
(as assigned by department)

CITY OF WILDWOOD

NOV 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: Lafayette High School - Rockwood School District

Mailing Address: 17050 Clayton Road
Wildwood, Missouri 68011

Telephone Number, with Area Code: 636-733-4114

Fax Number, with Area Code: _____

E-Mail Address: calcaterrakaren@rsdmo.org

Interest in Property (Owner or Owner Under Contract):
Associate Principal - Karen Calcaterra

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

Owner's Name (if different than applicant):

Rockwood School District

Address: 111 East North Street

Evreka, Missouri 63025

Telephone Number, with Area Code: 636-733-2000

SITE INFORMATION

Postal Address of the Petitioned Property(ies):

17050 CLAYTON ROAD
WILDWOOD, MISSOURI 63011

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

22V210215

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

51.20

Current Zoning District Designation: NU Non-Urban Residence District

Proposed Zoning District Designation: NU Non-Urban Residence District

Proposed Planned District or Special Procedure: Conditional Use Permit (CUP)

USE INFORMATION

Current Use of Petitioned Site:

Public High School

Proposed Use of Site:

Same

Proposed Title of Project: Sponsorship Banners at Athletic Fields

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

Immediate

CONSULTANT INFORMATION

Engineer's/Architect's Name:

Not Applicable

Address:

Telephone Number, with area code:

Fax Number, with area code:

E-Mail Address:

Soil Scientist/Forester's Name:

Not Applicable

Address:

Telephone Number, with area code:

Fax Number, with area code:

E-Mail Address:

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: _____

NAME (PRINTED):

[Handwritten Signature]
JOAN SHAUGHNESSY

ADDRESS:

17050 CLAYTON RD.
WILDWOOD, MO 63011

TELEPHONE NUMBER:

636-733-4113

[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
21st DAY OF September, 2015

SEAL
D. HAGEMEIERS
NOTARY PUBLIC-NOTARY SEAL
STATE OF MISSOURI
ST. LOUIS COUNTY
COMMISSION #12521932
MY COMMISSION EXPIRES 6/10/2016

SIGNED: *[Handwritten Signature]*
(NOTARY PUBLIC)

NOTARY PUBLIC D. Hagemeyer
STATE OF MISSOURI

MY COMMISSION EXPIRES 6-10-16

FOR OFFICE USE ONLY

1ST SUBMITTAL DATE: 11-18-15

FEE: _____ RECEIVED BY: KA

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



Real Estate Information Property Sketch

22V210215 - 2015 - Card 1

Ownership and Legal Information: 22V210215 - 2015

Locator No.	Tax Year	Tax District	City Code	Site Code	Destination Code
22V210215	2015	110WE	107	1626	
Owner's Name:	Rockwood R-6 School District				
Taxing Address:	17050 Clayton Rd Ballwin, MO 63011				
Care-Of Name:					
Mailing Address:	Same as the taxing address.				
Subdivision Book - Page:					
Assessor's Book - Page:	10 - 0898				
City Name:	Wildwood				
Subdivision Name:	Ephraim Barber Estate				
Legal Description:	Lot Pts 16 & 17, S Pt 22V210206 2 23 90 Important: This is a brief legal description and is not meant for use in recorded legal documents.				
Lot Number:		Block Number:			
Lot Dimensions:		Total Acres:		51.20	
Tax Code - Description:	H - School District (Tax Exempted)		Land Use Code:	681	
Deed Document Number:			Deed Type:		
Deed Book and Page:	Book: 08360	Page: 0163	Trash District:	Not Applicable	
Deed Index List:	View Deed Index Information Recorded With Locator Number 22V210215				
School District:	Rockwood		County Council District:	7	

Assessment Information: 22V210215 - All Available Years

	Year	Property Class	Appraised Values			%	Assessed Values		
			Land	Improv.	Total		Land	Improv.	Total
[H]	2015	Residential:	421,400	31,220,800	31,642,200	19%	80,070	5,931,950	6,012,020
		Agriculture:				12%			
		Commercial:				32%			
		Total:	421,400	31,220,800	31,642,200		80,070	5,931,950	6,012,020
[H]	2014	Residential:	10,698,900	10,685,700	21,384,600	19%	2,032,790	2,030,280	4,063,070
		Agriculture:				12%			
		Commercial:				32%			
		Total:	10,698,900	10,685,700	21,384,600		2,032,790	2,030,280	4,063,070
[H]	2013	Total:	10,698,900	10,685,700	21,384,600		2,032,790	2,030,280	4,063,070
[H]	2012	Total:	10,698,900	10,718,900	21,417,800		2,032,790	2,036,590	4,069,380
[H]	2011	Total:	10,698,900	10,718,900	21,417,800		2,032,790	2,036,590	4,069,380
[H]	2010	Total:	10,698,900	10,738,800	21,437,700		2,032,790	2,040,370	4,073,160
[H]	2009	Total:	10,698,900	10,738,800	21,437,700		3,423,650	3,436,420	6,860,070
[H]	2008	Total:	10,698,900	30,808,000	41,506,900		3,423,650	9,858,560	13,282,210
[H]	2007	Total:	10,698,900	30,808,000	41,506,900		3,423,650	9,858,560	13,282,210
[H]	2006	Total:	4,114,900	28,830,100	32,945,000		1,316,770	9,225,630	10,542,400
[H]	2005	Total:	4,114,900	28,830,100	32,945,000		1,316,770	9,225,630	10,542,400
[H]	2004	Total:	4,114,900	23,610,900	27,725,800		1,316,770	7,555,490	8,872,260

Dwelling Information: 22V210215 - 2015 - Card 1

No dwelling information was found for this property and tax year.

Sales Information: 22V210215 - All Available Years

Sale Date	Sale Price	Sale Type	Sale Validity Code - Name	Book - Page
There is no sales information available for this parcel.				

Other Buildings and Yard Information: 22V210215 - 2015

Description	Year Built	Units	Total Area	Grade	Condition
School Gymnasium	2002	1	8,970	C	Average
School Gymnasium	2002	1	4,500	C	Average
Con Paving	2000	1	3,120	C	Average
School	2000	1	16,884	C	Average
School	2000	1	3,120	C	Average
School Gymnasium	1999	1	12,376	C	Average
Utility Bldg Mtl-Stone Cml	1999	1	450	C	Average
Utility Bldg Mtl-Stone Cml	1999	1	1,440	C	Average
School	1998	3	24 x 64 = 1,536 ft ²	C	Average

School	1992	1	20 x 25 = 500 ft ²	C	Average
School	1991	1	10,728	C	Average
School	1991	1	84,334	C	Average
School	1991	1	44,252	C	Average
School	1991	1	84,334	C	Average
School Gymnasium	1991	1	11,520	C	Average
School Gymnasium	1991	1	12,480	C	Average

Property Sketch Image: 22V210215 - 2015 - Card 1

The property sketch of the dwelling or building, if any, is not available for this tax year and card number, possibly because the property is vacant land.

Property Sketch Information: 22V210215 - 2015 - Card 1

Key	Area	Description	Floor
No property sketch details were found for this tax year and card number.			

Listed below are all the available online documents for this parcel.

Documents: 22V210215 - All Available Years

Tax Year	Document Title	Date	View
There are no online documents available for this parcel.			

Information on this page is current as of Friday, September 18, 2015.

Close Window



WILDWOOD

**BY-LAWS
CITY OF WILDWOOD
PLANNING AND ZONING COMMISSION**

< ARTICLE I - OBJECTIVES >

The powers and duties, procedures, and polices of the Planning and Zoning Commission are as established by City of Wildwood Ordinances, as amended and supplemented, and the relevant statutes of the State of Missouri, as amended and supplemented, relating to Charter Cities.

< ARTICLE II - OFFICERS AND THEIR DUTIES >

Section 1. The officers of the Planning and Zoning Commission shall consist of a Chair, Vice-Chair, and a Secretary. Each officer shall be a member of the Planning and Zoning Commission.

Section 2. The Chair of the Commission shall have the following powers and duties:

- (a) To preside at all meetings and hearings of the Commission;
- (b) To appoint Commission members to its respective Committees;
- (c) To have general charge of the activities of the Planning and Zoning Commission and generally oversee the conduct of its affairs;
- (d) To call Special Meetings of the Commission;
- (e) To carry out other duties normally conferred by parliamentary usage on such officer; and
- (f) Engage in other activities as directed by the Planning and Zoning Commission

Section 3. The Vice-Chair of the Planning and Zoning Commission shall have the following powers and duties:

- (a) To act for the Chair in the Chair's absence;
- (b) To perform all duties normally conferred by parliamentary usage on such officer; and
- (c) Engage in other activities as directed by the Planning and Zoning Commission.

Section 4. The Secretary of the Planning and Zoning Commission shall have the following duties:

- (a) To act for the Chair and Vice-Chair in their absence;
- (b) To certify and maintain a record of each meeting and hearing of the Planning and Zoning Commission. The Secretary may delegate this responsibility to the Director of Planning;
- (c) To attend to correspondence of the Planning and Zoning Commission. The Secretary may delegate this responsibility to the Director of Planning;
- (d) To give to each Commission Member due notice of the time and place of each Annual, Regular, or Special Meeting and each Public Hearing of the Commission. The Secretary may delegate this responsibility to the Director of Planning;
- (e) To carry out other duties normally conferred by parliamentary usage on such officer; and
- (f) To engage in other activities as directed by the Planning and Zoning Commission.

< ARTICLE III - ELECTIONS OF OFFICERS >

Section 1. A nominating committee of not less than four (4) Commissioners shall be appointed by the serving Chair of the Planning and Zoning Commission at the second meeting in June of each year to nominate officers of the Planning and Zoning Commission for the following year. The committee shall report to the full membership at the second meeting of the Planning and Zoning Commission in July, with the election of the officers occurring no later than the second meeting of August. Nominations may also be entertained from the floor at this second meeting in July. The new officers, being duly elected, shall take office at the first meeting of the Planning and Zoning Commission following its election and administer said office for one (1) year or until their successors are appointed.

Section 2. The Chair may request nominations for two (2) or three (3) officers simultaneously or, at discretion of the Chair, require a separate nomination and vote for each officer.

Section 3. A candidate receiving a majority vote of the Planning and Zoning Commission shall be declared elected.

Section 4. A vacancy in office shall be filled as soon as possible in accordance with the election procedure set forth herein or by a special election as directed by the Chair of the Commission.

< ARTICLES IV – MEETINGS >

- Section 1. A Meeting of the Planning and Zoning Commission shall be held on the first and third Mondays of each month at ~~7:00~~ 7:30 p.m. in the City Council Chambers, unless otherwise specified by the Chair.
- Section 2. An additional or special meeting may be called by the Chair, or at the request in writing of any three (3) or more members of the Commission.
- Section 3. A simple majority of the membership of the Commission shall constitute a quorum (six (6) members) for the transaction of Commission business. Each member of the Commission shall have one (1) vote.
- Section 4. The granting of a Conditional Use Permit, the submittal of a recommendation for approval of a zoning amendment, or the approval of a plan/plat shall require the affirmative vote of at least six (6) members of the Planning and Zoning Commission. All other matters may be approved by a majority of the members present. Any member of the minority may request a minority report be issued.
- Section 5. In the absence of the Chair, Vice-Chair, and Secretary, the member present who is senior, in terms of service on the Planning and Zoning Commission, shall preside over the meeting.
- Section 6. Except as otherwise specified by these by-laws, Robert's Rule of Order shall prevail at all meetings of the Commission.
- Section 7. The order of business at Meetings shall be:
- (a) Approval of minutes of previous meetings and hearings;
 - ~~(b) Public Comment;~~
 - (b) Public Hearing;
 - (c) Old Business;
 - (d) New Business;
 - (e) Site Plans, Building Elevations, and Signs;
 - ~~(f) Other~~
 - (g) Reports of officers and committees; and
 - (h) Adjournment.
- Section 8. The Chair of the Commission, or majority of the Planning and Zoning Commission, may alter the order of business at any meeting.

< ARTICLE V - PUBLIC HEARING >

- Section 1. A Public Comment Session shall be held at the beginning of each meeting as required by City of Wildwood Ordinance 27. The Public Hearings shall be held at City Hall as specified by Article IV, Section 4 of these By-laws, unless specified by the Chair.

Section 2. The order of business at a public hearing shall be as indicated in the public notice thereof.

Section 3. The Chair of the Commission, or a majority of the Planning and Zoning Commission, may alter the order of business at the public hearing.

Section 4. The rules of procedure governing public hearing shall be:

- (a) The number of petitions will not exceed two (2) per agenda, unless related petitions are presented and heard together, at which time there may be four (4) per agenda.
- (b) The Chair of the Planning and Zoning Commission may grant an exception to the number of petitions per agenda when necessary under special conditions.
- (c) The petitioner, or representative of the petitioner, shall be granted fifteen (15) minutes per hearing to explain the petition.
- (d) Speakers in favor or opposed to a petition shall be granted five (5) minutes when representing a group or organization.
- (e) Speakers in favor or opposed to a petition shall be granted three (3) minutes when not representing a group or organization.
- (f) The Chair of the Commission may authorize an exception to the time limit allotted to the petitioner, representative, or speakers in favor/opposition, when necessary under special conditions or unusual circumstances.

Section 5. The Planning and Zoning Commission shall maintain, and make available, a copy of the 'Public Hearing Guidelines' at its meetings, where an agenda item requires public comment.

< ARTICLE VI – COMMITTEES >

Section 1. At the next meeting following the election, the Chair of the Planning and Zoning Commission shall appoint, for a term of one (1) year, members of the Commission to each of the following standing committees and shall designate a Chair of each:

- (a) **Ordinance and Master Plan Review Committee:** This Committee shall have primary responsibility for reviewing, advising, and directing the Department of Planning staff on ordinances affecting the planning process as it relates to specific development and land use control authorities. Additionally, this Committee shall review and update the progress of the City in implementing the objectives and policies of the Master Plan. When necessary, it shall be their responsibility to recommend changes to it to insure its relevance and timeliness. A minimum of three (3) from the Commission will serve on this committee.

- (b) **Site Plan Review Committee:** This Committee shall have primary responsibility for reviewing and advising the Department of Planning staff on site development plan approvals and landscaping requirements. Each member of the Planning and Zoning Commission may serve on this Committee, but a minimum of three (3) members must be in attendance for it to conduct business, with two (2) or more affirmative votes required for action on any item before it. A participant of the Architectural Review Board may be a non-voting member of the Site Plan Review Committee and assist in the review of materials under the Planning and Zoning Commission's purview.
- (c) **Architectural Review Board:** At least one (1) member of the Planning and Zoning Commission may represent it at the regularly scheduled meetings of the Architectural Review Board (second Thursday of each month). A call list shall be maintained, in alphabetical succession, by the Department of Planning and Parks of the Planning and Zoning Commission's citizen appointees and at least one (1) such member shall be notified of the next upcoming meeting of the Architectural Review Board.
- (d) **Historic Preservation Commission:** At least one (1) member of the Planning and Zoning Commission may represent it at the regularly scheduled meetings of the Historic Preservation Commission (third Wednesday of each month). A call list shall be maintained, in alphabetical succession, by the Department of Planning and Parks of the Planning and Zoning Commission's citizen appointees and at least one (1) such member shall be notified of the next upcoming meeting of the Historic Preservation Commission.

Section 2. The Chair of the Commission, with the approval of its members, may appoint special committees.

Section 3. The Chair of the Commission shall fill a committee's vacancy.

Section 4. The Chair of the Commission, with the approval of its members, may appoint a person who is not a member of the Planning and Zoning Commission or the Department of Planning staff as an advisory participant to a committee.

Section 5. These committees shall meet at a time and place set by the Chair of the Committee.

< ARTICLE VII - DIRECTOR OF PLANNING >

Section 1. The Director of Planning shall provide staff assistance to the Planning and Zoning Commission and shall perform those duties required by law or delegated to him or an officer thereof.

Section 2. The Director of Planning shall appoint as necessary, a member of the Department of Planning staff to meet with, work for, and advise any delegated Committee of the Commission.

Section 3. The Director of Planning and/or City Attorney shall provide parliamentary assistance on the conduct of business as requested by the Chair of the Commission.

< ARTICLE VIII - AMENDMENTS OF BY-LAWS >

Section 1. These By-laws may be amended by an affirmative vote of not less than six (6) members of the Planning and Zoning Commission.

Adoption and Revision Dates:

Original Draft -	September 11, 1995
Revised Draft -	October 16, 1995 [Passed By-Laws; changed months from May to June.]
	June 1996 [Extended terms by City Council; changed months from June to July.]
	August 19, 1996 [Revised order of business and modified subcommittees.]
	September 3, 1996 [Revised order of business]
	September 7, 1999 [Committee membership and election of officers]
	May 19, 2003 [Modified election of officers and Committee descriptions]
	July 7, 2008 [Modified the month relating to election of officers]
	<u>August 1, 2016 [Changed meeting time from 7:30 p.m. to 7:00 p.m.; eliminated Public Comment as an item of the Order of Business at the start of Commission meetings; and added "Other" to the Order of Business]</u>

Editor's Note: Changes shown in bolded and underlined type and deletions by a single, strike-through line.