AGENDA

for the

CITY OF WILDWOOD'S

PLANNING AND ZONING COMMISSION

City Hall Council Chambers · 16860 Main Street

August 15, 2016 - Monday
7:00 P.M.

I. Action Items On Tonight's Agenda ----------> One (1) Letter Of Recommendation, One (1) Information Report, One (1) Correspondence Item (Old Business), One (1) Site Development Plan, And One (1) Other Item.

II. Public Comments On Recommendation

III. Welcome To Attendees And Roll Call Of Commission Members

IV. Review Tonight's Agenda/Questions Or Comments

V. Approval Of Minutes Of The Meeting Of Monday, August 15, 2016

Documents:

III. AUGUST 1, 2016 DRAFT MINUTES.PDF

VI. Department Of Planning's Opening Remarks/Updates

VII. Public Hearings – No Items For Consideration

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

1. Letters Of Recommendation – One (1) Item For Consideration

a. 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.A. LAFAYETTE HIGH SCHOOL CUP.PDF

a.1. (1.) Public Comments On Recommendation

2. Information Reports – One (1) Item For Consideration

a. P.Z. 11-16 City Of Wildwood Planning And Zoning Commission, C/O Department Of Planning, 16860 Main Street, Wildwood, Missouri 63040

A request to review and consider amendments to the City of Wildwood's Zoning Ordinance – Chapter 415 of the City of Wildwood Municipal Code – for all of its "R" Residence Districts designations (Chapter 415 – Sections 110 through 160), including Chapter 415.090 NU Non-Urban Residence District, along with Chapter 415.030 Definitions, which would thereby consider the addition of new language for group homes for the developmentally disabled that is consistent with current Missouri Revised Statutes. **(Wards – All)**

Documents:

VI.B. GROUP HOMES.PDF

a.1. (1.) Public Comments On Recommendation

3. Correspondence Items – One (1) Item For Consideration

a. P.Z 14-07 Covert-Corsair Homes, Inc., C/O Stock And Associates

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)**

Documents:

VI.C. COVERT CORSAIR HOMES.PDF

a.1. (1.) Public Comments On Recommendation

IX. New Business – No Items For Consideration

X. Site Development Plans - Public Space Plans - Record Plats – One (1) Item For Consideration

1. P.Z. 25, 26, And 26a – 14 Main Street Crossing, Payne Family Homes L.L.C.

A recommendation report regarding the submittal of plans and related information for **P.Z. 25, 26, and 26a – 14 Main Street Crossing, Payne Family Homes L.L.C.,** which includes the Site Development Plan, Landscape Plan, Public Space Plan, and other components; east side of State Route 109, south of State Route 100; R-4 7,500 square foot Residence District (Town Center "Neighborhood Edge District"), with a Planned Residential Development Overlay District (PRD); that would allow for the property's use to proceed and

provide Preliminary Plat approval of this planned one hundred four (104) lot residential subdivision, including single family detached dwellings, common ground, and public space. **(Ward Eight)**

Documents:

VIII.A. MAIN STREET CROSSING.PDF

XI. Other – One (1) Item For Consideration – Commission Proceedings

1. Time Change For The Starting Time Of The Planning And Zoning Commission - Two (2) Month Pilot Program

XII. Closing Remarks And Adjournment By Chair Of Commission

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

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

CITY OF WILDWOOD, MISSOURI
RECORD OF PROCEEDINGS

MEETING OF THE PLANNING AND ZONING COMMISSION
CITY HALL, 16860 MAIN STREET, WILDWOOD, MISSOURI
August 1, 2016

The Planning and Zoning Commission meeting was called to order by Chair Bopp, at 7:00 p.m., on Monday, August 1, 2016, at Wildwood City Hall, 16860 Main Street, Wildwood, Missouri.

I. Welcome to Attendees and Roll Call of Commission Members

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

PRESENT – (10)	ABSENT – (0)
Chair Bopp	
Commissioner Lee	
Commissioner Archeski	
Commissioner Bauer	
Commissioner Renner	
Commissioner Gragnani	
Commissioner Bartoni	
Commissioner Kohn	
Council Member Manton	
Mayor Bowlin	

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

II. Review Tonight's Agenda / Questions or Comments

There were no questions or comments on the agenda.

III. Approval of Minutes from the July 18, 2016 Meeting

A motion was made by Council Member Manton, seconded by Commissioner Lee, to approve the minutes from the July 18, 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 – One (1) Item for Consideration

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

a) **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)**

Planner Newberry read the request into the record.

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

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

Director Vujnich provided a brief outline of the proposal and shared a presentation of photographs taken by the Department of Planning of the site. He noted the petitioner's representatives were in attendance.

Chair Bopp invited the petitioner to address the Commission.

Mike Doster, petitioner's legal counsel, 16090 Swingley Ridge Road, outlined the proposal for the application of the Planned Residential Development Overlay District (PRD), while maintaining the underlying NU Non-Urban Residence district designation. He noted the proposed common ground and extensive tree preservation. He stated it was his belief this development is consistent with surrounding residential areas, specifically noting Quail Ridge. He stated the benefits of clustering the single family dwellings on smaller lots.

Chris DeGuentz, petitioner, 695 Trade Center Boulevard, stated it was his belief the clustering of homes, while maintaining a one unit per three acre density, with the application of the Planned Residential Development Overlay District (PRD), is appropriate for this site, given its difficult topography.

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

Tom Huge, 1529 Lack Ridge Drive, stated his concern the proposed development would impact the viewscape from his property and impact the use of it as well.

Richard Schneider, 1511 Windwood Hills Drive, stated his concern regarding the density of the proposed development and maintaining varied architecture in the area.

Noel Schneider, 1511 Windwood Hills Drive, expressed her concern regarding traffic safety and the narrow design of Ridge Road.

Ralph Bicknese, 1133 Ridge Road, stated his concerns regarding the density of the proposed development; the unique topography of the site; the impact of the proposed development on the soils; the number of proposed lots; the removal of trees; the location of the entrance to the site; and the impact the proposed development would have on stormwater runoff.

John Miller, 16202 Thornberry Ridge Lane, stated his concerns regarding tree removal; maintaining varied architecture in the area; and the number of proposed lots.

Greg Kiger, 1537 Wolf Trail Road, stated his concern the proposed development would impact the viewscape from his property and the proposed density.

David Dowell, 1629 Wolf Trail Road, stated his belief the proposed development would have a negative impact on the character of the area and the proposal is not consistent with the City's Master Plan.

Berryl Bader, 16113 Canyon Ridge Court, stated his concerns regarding light and noise pollution generated by the proposed development.

Dean Klohr, 1614 Wolf Trail Road, expressed his concerns regarding the rate at which common ground is taxed; light pollution; and noise pollution.

Mark Gebhart, 1645 Wolf Trail Road, stated his belief the proposed development would have a negative impact on the character of the area.

Robert Jones, 1549 Wolf Trail Road, stated his concerns regarding the impact the proposed development would have on the existing viewscape in the area; the number of proposed lots; and traffic safety.

Discussion was held among Commission Members on the rationales behind the application of the Planned Residential Development Overlay District (PRD); the extension of public utilities to the site; and the size and width of the proposed lots.

A motion by Mayor Bowlin, seconded by Commissioner Bauer, to close the Public Hearing. A voice vote was taken regarding the motion to close the Public Hearing. Hearing no objections, Chair Bopp declared the motion approved.

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

Letters of Recommendation – Two (2) Items for Consideration

a) **P.Z. 2-16 City of Wildwood Planning and Zoning Commission c/o Department of Planning, 16860 Main 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 explained the proposal for four (4) single family dwellings on four (4) legal lots of record and the request for a change in zoning. He updated the Commission on the progress the City had made in regards to the neighbors' concerns about improvements to Center Avenue and its future dedication as a public roadway. He outlined the Planning and Zoning Commission's role in the review of the

preliminary plat for the proposed development. Director Vujnich also noted the proposed single family dwellings must be reviewed and acted on by the City's Architectural Review Board.

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

Discussion was held among Commission Members regarding the process through the City, as this proposed development moves forward.

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

Chair Bopp called the question.

A roll call vote was taken, with the following results:
Ayes: Commissioner Renner, Commissioner Lee, Commissioner Archeski, Commissioner Bauer, Commissioner Gragnani, Commissioner Bartoni, Council Member Manton, Mayor Bowlin, and Chair Bopp
Nays: None
Absent: None
Abstain: None
Whereupon, Chair Bopp declared the motion passed by a vote of 10-0.

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)**

Planner Newberry read the request into the record.

Director Vujnich explained the Department's Information Report, with recommendation, was presented to the Planning and Zoning Commission at its July 18, 2016 meeting and the Commission acted to accept the recommendation, with additional language. Director Vujnich noted the suggested changes are reflected in the Letter of Recommendation presented to the Commission at tonight's meeting.

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

No discussion was held among Commission Members.

A motion by Commissioner Gragnani, seconded by Commissioner Lee, to accept the Letter of Recommendation.

Chair Bopp called the question.

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

Ayes: Commissioner Renner, Commissioner Lee, Commissioner Archeski, Commissioner Bauer, Commissioner Gragnani, Commissioner Bartoni, Council Member Manton, Mayor Bowlin, and Chair Bopp
Nays: None
Absent: None
Abstain: None
Whereupon, Chair Bopp declared the motion passed by a vote of 10-0.

Information Reports – One (1) Item for Consideration

c) **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)**

Planner Newberry read the request into the record.

Director Vujnich first noted a letter from Mike Winnett, Trustee of Tall Oaks Subdivision, stating his limited support of the Department's recommendation and associated conditions. Director Vujnich provided an overview of the Department's Information Report and recommendation. He explained the history of requiring a Conditional Use Permit (CUP) for these types of sponsorship banners. He provided a comparison of this request to the recent approval for the Pond Athletic Association. He outlined the conditions listed in the Department's Information Report and stated, with those conditions, the Department is supporting the allowance of sponsorship type banners at this campus.

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

Discussion was held among Commission Members regarding the opacity and color of the wind screen to be provided, as a requirement of the Conditional Use Permit (CUP); the duration of time the banners would be allowed; and the need to limit the installation of the banners to times of the year the sports fields are active.

A motion by Council Member Manton, seconded by Commissioner Bartoni, to accept the Letter of Recommendation, with the addition of only allowing banners to be displayed during the times of the year the athletic fields are active and the review of the material of the windscreen on the Site Development Plan.

Chair Bopp called the question.

A roll call vote was taken, with the following results:
Ayes: Commissioner Renner, Commissioner Lee, Commissioner Archeski, Commissioner Bauer, Commissioner Gragnani, Commissioner Bartoni, Council Member Manton, and Chair Bopp
Nays: Mayor Bowlin
Absent: None
Abstain: None
Whereupon, Chair Bopp declared the motion passed by a vote of 9-1.

VII. New Business – No Items for Consideration

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

IX. Other – One (1) for Consideration

a) Amend existing by-laws to address time change relative to the start of Planning and Zoning Commission meetings. **(Wards – All)**

Planner Newberry read the request into the record.

Director Vujnich explained the Department discovered a number of inconsistencies with the current Planning and Zoning Commission by-laws, including the meeting start time and the order of the agenda.

A motion by Mayor Bowlin, seconded by Council Member Manton, to amend existing by-laws as presented, but changing the starting time for Planning and Zoning Commission meetings to 6:00 p.m. beginning after the Labor Day Holiday, for a two (2) month trial period, at which time the Planning and Zoning Commission would review the change.

Discussion was held among Commission Members regarding issues that may arise, if the meeting time is changed to an earlier start.

Director Vujnich respectfully stated the Department of Planning does not support such a change, noting an earlier meeting start time may conflict with the schedules of citizens who wish to attend Planning and Zoning Commission meetings.

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

Council Member Jim Baugus, Ward Three, , 1324 Westhampton Woods Court echoed the concerns of the Department of Planning and respectfully asked the Commission to not change the starting time of Planning and Zoning Commission meetings to an earlier time.

Chair Bopp called the question.

A roll call vote was taken, with the following results:
Ayes: Commissioner Renner, Commissioner Archeski, Commissioner Gragnani, Commissioner Bartoni, Council Member Manton, Mayor Bolin, and Chair Bopp
Nays: Commissioner Lee, Commissioner Bauer, and Commissioner Kohn
Absent: None
Abstain: None
Whereupon, Chair Bopp declared the motion passed by a vote of 7-3.

Commissioner Gragnani offered the following nominations for Planning and Zoning Officers on behalf of the Nominating Committee of the Planning and Zoning Commission:

Chair – Mr. R. Jon Bopp
Vice-Chair – Mr. Rick Archeski
Secretary – Mrs. Fran Gragnani

A motion by Commissioner Bauer, seconded by Mayor Bowlin, to accept the nominations for officers by the Nominating Committee.

Chair Bopp called the question.

A roll call vote was taken, with the following results:
Ayes: Commissioner Renner, Commissioner Lee, Commissioner Archeski, Commissioner Bauer, Commissioner Gragnani, Commissioner Bartoni, Council Member Manton, and Mayor Bowlin
Nays: None
Absent: None
Abstain: Chair Bopp
Whereupon, Chair Bopp declared the motion passed by a vote of 9-0, with one (1) abstention.

Director Vujnich brought to the attention of the Commission a letter from Mike Doster, petitioner's legal counsel, regarding **P.Z. 12 and 13-15 Villages at Brightleaf.** He noted the petitioner is requesting the Planning and Zoning Commission to act to place this item on the next available Commission agenda.

Chair Bopp invited the petitioner's representative to address the Commission.

Mike Doster, petitioner's legal counsel, 16090 Swingley Ridge Road, respectfully asked the Commission consider this item on its next available agenda. He stated it was his belief the decision regarding the possible extension of the Pond-Grover Loop Road and the requested amendments to the ordinance are separate issues.

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

Council Member Debra Smith McCutchen, Ward Five, 16548 Birch Forest Drive, stated it was her belief the Commission acted to postpone the item, until after City Council acted on the possible extension of the Pond-Grover Loop Road and respectfully asked the Commission not to consider this item, until such an action was made.

Council Member Jim Baugus, Ward Three, 1324 Westhampton Woods Court, respectfully asked the Commission to consider this item on its next available agenda. He stated it was his belief the possible extension of the Pond-Grover Loop Road and the requested amendments to the ordinance are separate issues.

Discussion was held among Commission Members regarding whether or not the possible extension of the Pond-Grover Loop Road and the requested amendments to the ordinance are separate issues; and the anticipated date the possible extension of the Pond-Grover Loop Road would be resolved.

A motion by Mayor Bowlin to postpone the item, until the possible extension of the Pond-Grover Loop Road was acted on by the City Council, no second was heard.

Council Member Manton stated he had a motion on the floor to place the item on the agenda for the Planning and Zoning Commission's September 6, 2016, Agenda, seconded by Commissioner Kohn. Mayor Bowlin objected to the order of proceedings.

Chair Bopp called the question regarding Council Member Manton's motion to place the item on the agenda for the Planning and Zoning Commission's September 6, 2016, agenda.

A roll call vote was taken, with the following results:
Ayes: Commissioner Renner, Commissioner Kohn, Commissioner Bartoni, Council Member Manton, Mayor Bowlin, and Chair Bopp.
Nays: Commissioner Lee, Commissioner Archeski, Commissioner Bauer, Commissioner Gragnani.
Absent: None
Abstain: None
Whereupon, Chair Bopp declared the motion passed by a vote of 6-4.

X. Closing Remarks and Adjournment

Motion by Mayor Bowlin, seconded by Council Member Manton, to adjourn the meeting. A voice vote was taken. Hearing no objections, Chair Bopp adjourned the meeting at 9:00 p.m.

Approved by:

Secretary – City of Wildwood Planning and Zoning Commission

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

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

DRAFT

WILDWOOD

August 15, 2016

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

Council Members:

The Planning and Zoning Commission has completed its review of the requested Conditional Use Permit (CUP) application that was submitted to it for the temporary installation of sponsorship banners at this athletic facility, having over two (2) active fields in operation, and prepared the following recommendation report in that regard. This recommendation report, which includes an associated action, reflects the Planning and Zoning Commission's vote to grant the permit, which is now being forwarded to the City Council for its consideration. This recommendation and action were completed in accordance with the requirements of Chapter 89 of Missouri Revised Statutes, the City's Charter, and those regulations of the City relating to public notice and publications (Chapter 415.560 of the City of Wildwood Zoning Ordinance). This recommendation and action are as follows:

Petition Number:	P.Z. 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 – Approval to grant the Conditional Use Permit (CUP) by a vote of 10 to 0 (Voting Aye: Renner, Lee, Archeski, Gragnani, Bauer, Bertoni, Kohn, Manton, Bowlin, and Bopp)

Letter of Recommendation Decision Date and Vote:	August 15, 2016 - TBD
Report:	Attachment A
Conditions:	Attachment B
Background Information:	Attachment C
School District:	Rockwood
Fire District:	Metro West
Recommendation:	The Planning and Zoning Commission supports 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.

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

Respectfully submitted,
CITY OF WILDWOOD PLANNING AND ZONING COMMISSION

R. Jon Bopp, Chair

ATTEST:

Joe Vujnich, Director
Department of Planning

Cc: The Honorable James R. Bowlin, Mayor
Ryan S. Thomas, P.E. City Administrator
John A. Young, City Attorney
Rick Brown, P.E. and P.T.O.E., Director of Public Works
Travis Newberry, Planner
Karen Calcaterra, Assistant Principal – Lafayette High School, Rockwood School District

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 Planning and Zoning Commission 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, questions were asked about 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 research, 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 Planning and Zoning Commission 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. 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 Commission would note the request can be accommodated with minimal impact on the surrounding area, given certain protections that are being 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 Commission 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 Commission, 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 Commission 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 Commission 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 Commission 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 Planning and Zoning Commission has determined the requested Conditional Use Permit (CUP) for sponsorship banners at this location, under the recommended conditions set forth in Attachment B, is reasonable. 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 Planning and Zoning Commission hereby grants the Conditional Use Permit (CUP) for this facility and it shall 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. **Authorized sponsorship banners installed on any of the two (2) approved athletic fields shall be removed during any period of time these facilities are not in use or off-seasons for outdoor activities solely associated with Lafayette High School teams, i.e. summer and winter breaks, etc.**

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

Editor's Note: The bolded and red type in Item G. of the conditions of this permit reflects the Planning and Zoning Commission's action on this matter, which sought the removal of banners during certain times of the school year due to non-use of the fields.

ATTACHMENT B
Background Information

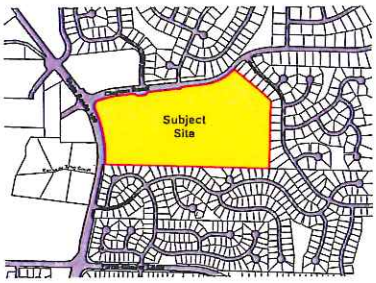
WILDWOOD

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:

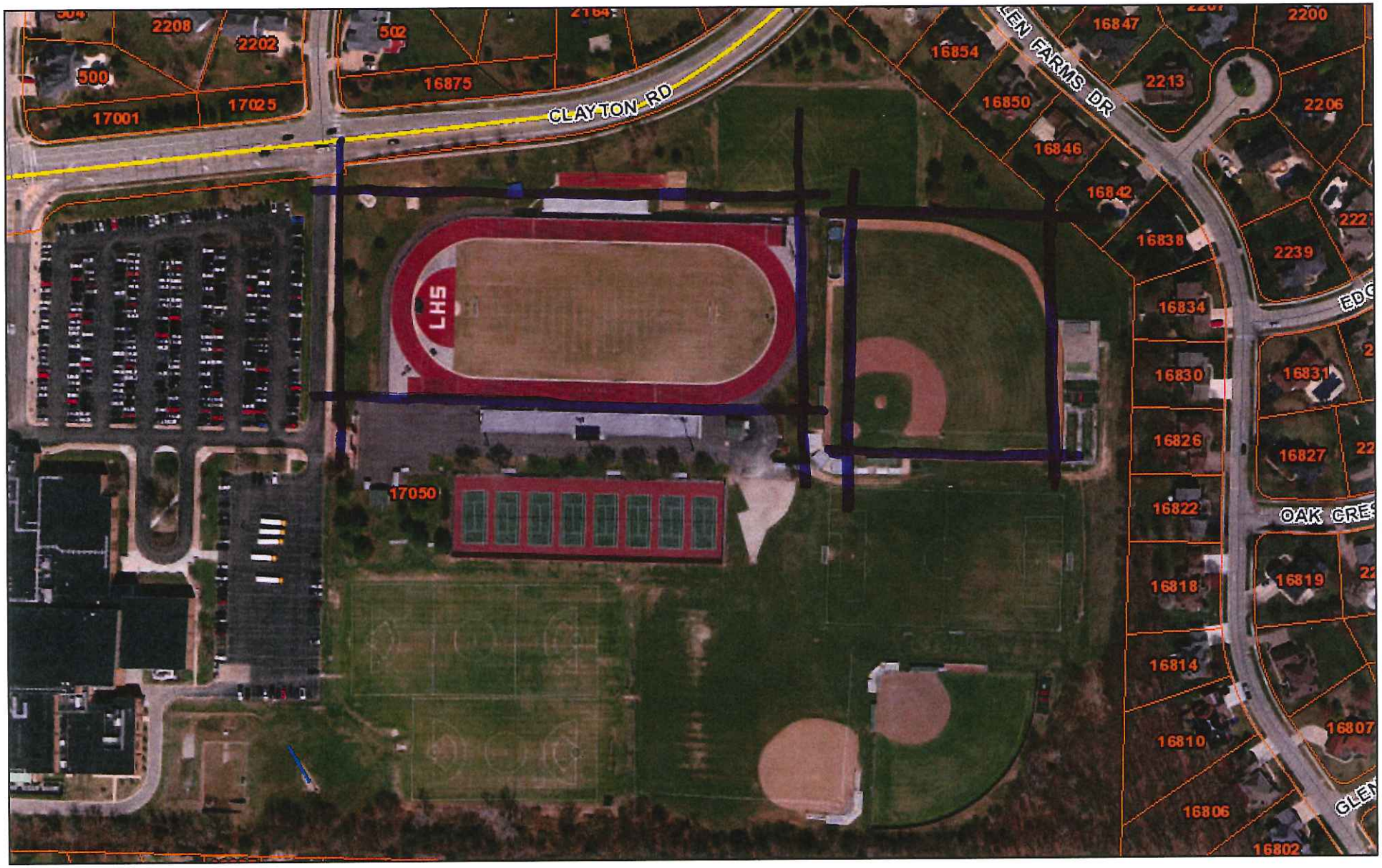
P.Z. 24-15 Rockwood School District—Lafayette High School, c/o Dr. Karen Calcaterra, 17050 Clayton Road, Wildwood, Missouri 63011 - A request for a Conditional Use Permit (CUP) in the NU Non-Urban Residence District for the installation of sponsorship type banners on existing fencing associated with 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

1:2,400

0 0.02 0.04 0.08 mi

0 0.0325 0.065 0.13 km

St. Louis County GIS Service Center

Created by: St. Louis County GIS Service Center
Copyright St. Louis County, all rights reserved

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.

CITY OF WILDWOOD
JUL 25 2016
DEPT OF PLANNING & PARKS

CITY OF WILDWOOD
JUL 25 2016
DEPT OF PLANNING & PARKS

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.

Name (Print)	Signature	Address
MICHAEL WINNEST	[illegible]	16830 WESTGLEN FARMS
PAT WELLS	Patsy S. Wells	16818 Westglen Farms
ROSS WELLS	Ross Wells Jr.	" "
WALTER GULLER	Walt Guller	16814 Westglen Farms 63011
DAVID BAKKER	[illegible]	16806 WESTGLEN FARMS DR. 63011
DAVID EAST	David M East	2209 EDGEWOOD MANOR LN 63011
Mike Unland	Mike Unland	16842 Westglen Farms 63011
Noreen Conte	Noreen Conte	16850 Westglen Farms Drive 63011
Robert Conte	Robert J Conte	16850 Westglen Farms Drive 63011
CHRIS BUCKLEY	Chris Buckley	16847 Westglen Farms Dr. 63011
Janine M. Felthouse	Janine M Felthouse	16826 Westglen Farms Dr. 63011
Larry R. Prewitt	Larry R Prewitt	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.

CITY OF WILDWOOD
JUL 25 2016
DEPT OF PLANNING & PARKS

Name (Print)	Signature	Address
Victor Lopez	Victor Lopez	16846 Westglen Farms Drive
DAN LEHMANN	[illegible]	16854 Westglen Farms Dr
Kim Winnett	Kim Winnett	16830 Westglen Farms Dr.
GREG GALATI	Greg Galati	16858 WESTGLEN FARMS DR
BRAD OVERBY	[illegible]	16822 WESTGLEN FARMS DR
Frances Erwin	[illegible]	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)
Item Description	*Field not completed.*
Position on Request	Other
General Comments	I support the proposal to allow sponsorship type banners on "parts of the fencing" around the athletic fields.
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
City	Wildwood
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

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Request Being Considered	P.Z. 24-15 Rockwood School District—Lafayette High School (CUP - Banners)
Item Description	*Field not completed.*
Position on Request	Do Not Support
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	*Field not completed.*
	(Section Break)
Name	Walt Guller
Address	16814 Westglen Farms
City	Wildwood
State	MO
Zip	63011
Phone Number	636-458-2484
Email	wguller@charter.net

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.

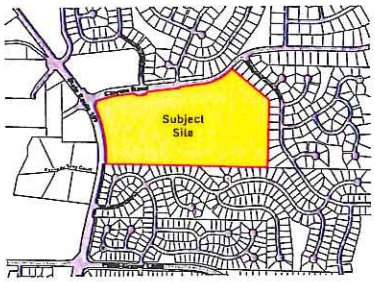
WILDWOOD

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.

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.

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	*Field not completed.*
Position on Request	Do Not Support
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.

(Section Break)

Name	Bryan Aston
Address	520 Dartmouth Crossing
City	Wildwood
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
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	*Field not completed.*

(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
X 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 63011
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
Eureka, 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: [signature]

NAME (PRINTED): John Schaumburg

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 20 15

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

SIGNED: D Hagemeier
(NOTARY PUBLIC)

NOTARY PUBLIC D Hagemeier
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:	Ephriam 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
	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
	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
	2013	Total:	10,698,900	10,685,700	21,384,600		2,032,790	2,030,280	4,063,070
	2012	Total:	10,698,900	10,718,900	21,417,800		2,032,790	2,036,590	4,069,380
	2011	Total:	10,698,900	10,718,900	21,417,800		2,032,790	2,036,590	4,069,380
	2010	Total:	10,698,900	10,738,800	21,437,700		2,032,790	2,040,370	4,073,160
	2009	Total:	10,698,900	10,738,800	21,437,700		3,423,650	3,436,420	6,860,070
	2008	Total:	10,698,900	30,808,000	41,506,900		3,423,650	9,858,560	13,282,210
	2007	Total:	10,698,900	30,808,000	41,506,900		3,423,650	9,858,560	13,282,210
	2006	Total:	4,114,900	28,830,100	32,945,000		1,316,770	9,225,630	10,542,400
	2005	Total:	4,114,900	28,830,100	32,945,000		1,316,770	9,225,630	10,542,400
	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 propety 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

OLD BUSINESS **AGENDA ITEM**

WILDWOOD

INFORMATION REPORT

PLANNING AND ZONING COMMISSION
CITY OF WILDWOOD, MISSOURI
August 15, 2016 Executive Meeting
Prepared by the Department of Planning

PETITION NUMBER:	**P.Z. 11-16**
PETITIONER:	**City of Wildwood Planning and Zoning Commission c/o Department of Planning, 16860 Main Street, Wildwood, Missouri**
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 – including, but not necessarily limited to, all of its "R" Residence Districts designations (Chapter 415 – Sections 110 through 160), Section 415.090 NU Non-Urban Residence District, and Chapter 415.030 Definitions; and providing authority for the location and operation of group homes for persons with disabilities that is consistent with current Missouri Revised Statutes and Federal Law.
LOCATION:	All Single-Family Residentially Zoned Properties
ZONING:	Multiple Residential Districts
PUBLIC HEARING DATE:	June 6, 2016
ACTION AND VOTE ON INFORMATION REPORT:	August 15, 2016
REPORT:	Attachment A
BACKGROUND INFORMATION:	Attachment B
WARDS:	All
RECOMMENDATION:	Approval of the changes to the City's Zoning Ordinance to comply with current federal and State of Missouri requirements in regards to group homes.

INTRODUCTION >>> The Missouri Legislature, by action relating to its revised statutes, addresses certain uses and how they must be treated not only on a statewide basis, but also at the County and municipal levels of government. One such use with this specific direction from the State is 'group homes.' The State of Missouri requires that group homes for persons with disabilities be classified the same as single family dwellings and/or single family residences. As such, to the extent a single family dwelling is a permitted use in a residential zoning district, a group home must similarly be a permitted use. Currently, the City's Zoning Ordinance allows this use, but only by Conditional Use Permit (CUP). Furthermore, Federal Law (the Fair Housing Act and the Fair Housing Amendments Act) prohibits the disparate treatment of persons with disabilities. The zoning regulations of municipalities, as applied to group homes, and the administration thereof, have been held to fall within the scope of this federal prohibition.

The State Statute prompting this proposed modification to the City's Zoning Ordinance is RSMO 89.020.2 reads as follows: *"For the purpose of any zoning law, ordinance or code, the classification single family dwelling or single family residence shall include any home in which eight or fewer unrelated mentally or physically handicapped persons reside, and may include two additional persons acting as house parents or guardians who need not be related to each other or to any of the mentally or physically handicapped persons residing in the home. In the case of any such residential home for mentally or physically handicapped persons, the local zoning authority may require that the exterior appearance of the home and property be in reasonable conformance with the general neighborhood standards. Further, the local zoning authority may establish reasonable standards regarding the density of such individual homes in any specific single family dwelling neighborhood."*

CURRENT REQUEST >>> The Planning and Zoning Commission was presented a request by the City's Department of Planning to consider changes to several sections within the Zoning Ordinance in this regard. These changes would include the definitions section and the list of permitted and conditional uses in all single-family residential districts (NU, R-1, R-1A, R-2, R-3, and R-4 Districts). Each of these districts may need to be amended to ensure the City's Code is in compliance with the current State and Federal Law. The specific advertisement for this consideration is as follows:

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

DISCUSSION OF APPLICABLE CODE >>> A number of provisions within the City's Zoning Ordinance reference this type of use and do not currently meet the provisions of both the State and Federal Law. These code sections are listed below:

Zoning Ordinance - Section 415.030 Definitions

DWELLING, SINGLE-FAMILY
A building designed for or occupied exclusively by one (1) family, excluding earth sheltered dwellings. The presence of an accessory dwelling on the same lot shall not change the classification of the principal dwelling as a single-family dwelling.

FAMILY
An individual or two (2) or more persons, excluding servants, who are related by blood, marriage or adoption or a group of not more than three (3) persons who need not be related by blood, marriage or adoption occupying a single dwelling unit or in combination with an accessory dwelling, living together and subsisting in common as a single non-profit housekeeping unit. This definition shall not exclude groups of three (3) or more persons who are required by State or Federal law to be treated as a family for residential zoning purposes. This definition expressly excludes any other group of two (2) or more persons where meals or lodging are made available in exchange for payment or other consideration.

Zoning Ordinance - Section 415.090 NU Non-Urban Residence District Regulations

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

4. Dwelling, single-family.

G. Lot Area And Yard Requirements. The minimum lot area and yard requirements for land uses and developments in the "NU" Non-Urban Residence District shall be as set out below:

a.

USE	MINIMUM AREA (acres)
Group homes for the developmentally disabled	3 acres

b. Any lot or tract of record on the effective date of this Chapter, which contains less than three (3) acres, may be used as a site for one (1) single-family dwelling together with customary accessory structures and uses.

Zoning Ordinance - Section 415.110 R-1 Residence District Regulations

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":

10. Group homes for the developmentally disabled to be occupied by no more than nine (9) individuals (excluding supervisory personnel) not related by blood or marriage to the operator or operators of the facility, provided where such use is required by Federal or State law as a permitted use, no conditional use permit shall be required.

G. Lot Area And Yard Requirements. The minimum lot area and yard requirements for land uses and developments in the "R-1" Residence District as well as the maximum density of nursing home self-care units shall be as set out below:

a.

USE	MINIMUM AREA
Group homes for the developmentally disabled	1 acre

b. Any lot or tract of record on the effective date of this Chapter, which contains less than one (1) acre, may be used as a site for one (1) single-family dwelling together with accessory structures and uses.

Zoning Ordinance - Section 415.120 R-1A Residence District Regulations

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":

5. Group homes for the developmentally disabled to be occupied by no more than nine (9) individuals (excluding supervisory personnel) not related by blood or marriage to the operator or operators of the facility, provided where such use is required by Federal or State law as a permitted use, no conditional use permit shall be required.

G. Lot Area And Yard Requirements. The minimum lot area and yard requirements for land uses and developments in the "R-1A" Residence District as well as the maximum density of nursing home self-care units shall be as set out below:

a.

USE	MINIMUM AREA
Group homes for the developmentally disabled	22,000 square feet

b. Any lot or tract of record on the effective date of this Chapter, which contains less than twenty-two thousand (22,000) square feet, may be used as a site for one (1) single-family dwelling together with accessory structures and uses.

Zoning Ordinance - Section 415.130 R-2 Residence District Regulations

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":

5. Group homes for the developmentally disabled to be occupied by no more than nine (9) individuals (excluding supervisory personnel) not related by blood or marriage to the operator or operators of the facility, provided where such use is required by Federal or State law as a permitted use, no conditional use permit shall be required.

G. Lot Area And Yard Requirements. The minimum lot area and yard requirements for land uses and developments in the "R-2" Residence District as well as the maximum density of nursing home self-care units shall be as set out below:

a.

USE	MINIMUM AREA
Group homes for the developmentally disabled	15,000 square feet

b. Any lot or tract of record on the effective date of this Chapter, which contains less than fifteen thousand (15,000) square feet, may be used as a site for one (1) single-family dwelling together with accessory structures and uses.

Zoning Ordinance - Section 415.140 R-3 Residence District Regulations

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":

5. Group homes for the developmentally disabled to be occupied by no more than nine (9) individuals (excluding supervisory personnel) not related by blood or marriage to the operator or operators of the facility, provided where such use is required by Federal or State law as a permitted use, no conditional use permit shall be required.

G. Lot Area And Yard Requirements. The minimum lot area and yard requirements for land uses and developments in the "R-3" Residence District as well as the maximum density of nursing home self-care units shall be as set out below:

a.

USE	MINIMUM AREA
Group homes for the developmentally disabled	10,000 square feet

b. Any lot or tract of record on the effective date of this Chapter, which contains less than ten thousand (10,000) square feet, may be used as a site for one (1) single-family dwelling together with accessory structures and uses.

Zoning Ordinance - Section 415.150 R-4 Residence District Regulations

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":

5. Group homes for the developmentally disabled to be occupied by no more than nine (9) individuals (excluding supervisory personnel) not related by blood or marriage to the operator or operators of the facility, provided where such use is required by Federal or State law as a permitted use, no conditional use permit shall be required.

G. Lot Area And Yard Requirements. The minimum lot area and yard requirements for land uses and developments in the "R-4" Residence District as well as the maximum density of nursing home self-care units shall be as set out below:

a.

USE	MINIMUM AREA
Group homes for the developmentally disabled	7,500 square feet

b. Any lot or tract of record on the effective date of this Chapter, which contains less than seven thousand five hundred (7,500) square feet, may be used as a site for one (1) single-family dwelling together with accessory structures and uses.

Zoning Ordinance - Section 415.390 Area Regulations For Group Homes For The Developmentally Disabled

[Ord. No. 1324 App. A §1003.167A, 8-14-2006]

A. Group homes for the developmentally disabled shall, in all zoning districts in which established, comply with the following space requirements:

1. Each bedroom occupied by one (1) person shall contain at least eighty (80) square feet of floor space.
2. Each bedroom occupied by more than one (1) person shall provide at least sixty (60) square feet of floor space per person and no more than four (4) persons shall occupy each bedroom.
3. Each home shall provide eighty (80) square feet of interior floor space, excluding bedrooms, kitchens, bathrooms, closets and basements, for each occupant, including staff.

Zoning Ordinance -Section 415.340 Off-Street Parking and Loading Requirements – Residential.

[Ord. No. 1324 App. A §1003.165F, 8-14-2006]

Residential uses shall provide off-street parking and loading facilities as follows:

Use	Minimum Parking Requirement	Minimum Loading Requirement (Section 415.360)
Group Homes for the Developmentally Disabled	2 spaces for each such use	None

ANALYSIS >>>The Department's concerns with regards to the current Zoning Ordinance language of the City relative to Group Homes are as follows:

- The lack of inclusion within the definition of a family;
- The absence of group homes for the developmentally disabled within the NU Non-Urban Residence District; and
- The minimum lot requirements in all single-family zoning districts.

In expressing these concerns, the Department would note that, for a period of time, many communities had concerns about the integration of Group Homes into traditional residential subdivisions and communities. These concerns, whether founded or not, focused on multiple adults or children with house parents, occupying a single family dwelling meant for one (1) family, under the communities' definition of such. Additionally, concerns about parking of vehicles and visitors led to standards being set to assure that Group Homes were integrated into the neighborhood of choice, versus the Group Home creating a problem for surrounding property owners. To achieve this assurance, many communities created a process to review Group Home locations, set minimum standards for the development, including parking and minimum lot area, and established parameters for the interior design. In the end, many of these well-intended requirements were viewed by the court system as discriminatory, which led to the federal and State governments supplanting the local governments right with omnibus legislation in this regard.

With the action of the federal government and the State of Missouri, the City's requirements for Group Homes could be considered contrary to the intended direction of these two (2) higher forms of government. In any case, the City must be consistent with the federal and State laws in this regard to avoid prosecution, but, more importantly, to provide a place where any person, regardless of ability can feel welcome and live. The desire of the City to protect other properties from undue or unanticipated impacts is not eliminated, but now covered by Building and Fire Codes to protect the inhabitants of the facility. Additionally, any material changes to the property and its improvements, including wastewater treatment, would require a zoning authorization from the City, just as any single family dwelling.

Therefore, it is the opinion of the Department of Planning that 'Group Home' activities should be permitted on all lots, where the Zoning Ordinance identifies single family dwellings as permitted uses by right, including within the NU Non-Urban Residence District. Additionally, provisions relating to minimum parking requirements, beyond any for the typical single family dwelling, and the provision of a greater minimum lot area should be removed from the residential districts of the City of Wildwood. By accommodating such, the City would then be consistent with both State and federal requirements in this regard. This accommodation is appropriate and will provide the City protection from any future fair housing claim.

SUMMARY AND CONCLUSION >>> The Department of Planning is recommending changes to the current languages of the different residential districts of the City of Wildwood's Zoning Ordinance, including the NU Non-Urban Residence District, along with two (2) other chapters of the code, to ensure compliance to all current federal and State laws relating to group homes. These changes are consistent with these laws in this regard and will protect the rights of certain populations to fair housing opportunities in the City of Wildwood. Accordingly, the Department of Planning is recommending the following wording and changes be incorporated into Chapters 415.090 NU Non-Urban Residence District and Chapters 415.110 through 415.150, inclusive of the R-1 One Acre Residence District, the R-1A 22,000 square foot Residence District, the R-2 15,000 square foot Residence District, the R-3 10,000 square foot Residence District, and the R-4 7,500 square foot Residence District, along with Chapters 415.340 and Chapter 415.390 relating to Off-Street Parking and Loading Requirements and Area Regulations for Group Homes, which would read as follows:

Zoning Ordinance – Section 415.030 Definitions

FAMILY

An individual or two (2) or more persons, excluding servants, who are related by blood, marriage or adoption or a group of not more than three (3) persons who need not be related by blood, marriage or adoption occupying a single dwelling unit or in combination with an accessory dwelling, living together and subsisting in common as a single non-profit housekeeping unit. This definition shall not exclude groups of three (3) or more persons who are required by State or Federal law to be treated as a family for residential zoning purposes, **i.e. group homes**. This definition expressly excludes any other group of two (2) or more persons where meals or lodging are made available in exchange for payment or other consideration.

Zoning Ordinance - Section 415.090 NU Non-Urban Residence District Regulations

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

4. Dwelling, single-family, **including group homes for the developmentally disabled, as defined herein by reference to those applicable federal law(s) and/or State Statute(s).**

G. Lot Area And Yard Requirements. The minimum lot area and yard requirements for land uses and developments in the "NU" Non-Urban Residence District shall be as set out below:

~~a.~~

~~USE~~	~~MINIMUM AREA (acres)~~
~~Group homes for the developmentally disabled~~	~~3 acres~~

Zoning Ordinance - Section 415.110 R-1 Residence District Regulations

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

3. Dwelling, single-family, **including group homes for the developmentally disabled, as defined herein by reference to those applicable federal law(s) and/or State Statute(s).**

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":

10. ~~Group homes for the developmentally disabled to be occupied by no more than nine (9) individuals (excluding supervisory personnel) not related by blood or marriage to the operator or operators of the facility, provided where such use is required by Federal or State law as a permitted use, no conditional use permit shall be required.~~

G. Lot Area And Yard Requirements. The minimum lot area and yard requirements for land uses and developments in the "R-1" Residence District as well as the maximum density of nursing home self-care units shall be as set out below:

a.

~~USE~~	~~MINIMUM AREA~~
~~Group homes for the developmentally disabled~~	~~1 acre~~

Zoning Ordinance - Section 415.120 R-1A Residence District Regulations

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

2. Dwelling, single-family, **including group homes for the developmentally disabled, as defined herein by reference to those applicable federal law(s) and/or State Statute(s).**

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":

~~5. Group homes for the developmentally disabled to be occupied by no more than nine (9) individuals (excluding supervisory personnel) not related by blood or marriage to the operator or operators of the facility, provided where such use is required by Federal or State law as a permitted use, no conditional use permit shall be required.~~

G. Lot Area And Yard Requirements. The minimum lot area and yard requirements for land uses and developments in the "R-1A" Residence District as well as the maximum density of nursing home self-care units shall be as set out below:

a.

~~USE~~	~~MINIMUM AREA~~
~~Group homes for the developmentally disabled~~	~~22,000 square feet~~

Zoning Ordinance - Section 415.130 R-2 Residence District Regulations

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

2. Dwelling, single-family, **including group homes for the developmentally disabled, as defined herein by reference to those applicable federal law(s) and/or State Statute(s).**

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":

~~5. Group homes for the developmentally disabled to be occupied by no more than nine (9) individuals (excluding supervisory personnel) not related by blood or marriage to the operator or operators of the facility, provided where such use is required by Federal or State law as a permitted use, no conditional use permit shall be required.~~

G. Lot Area And Yard Requirements. The minimum lot area and yard requirements for land uses and developments in the "R-2" Residence District as well as the maximum density of nursing home self-care units shall be as set out below:

a.

~~USE~~	~~MINIMUM AREA~~
~~Group homes for the developmentally disabled~~	~~15,000 square feet~~

Zoning Ordinance - Section 415.140 R-3 Residence District Regulations

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

2. Dwelling, single-family, **including group homes for the developmentally disabled, as defined herein by reference to those applicable federal law(s) and/or State Statute(s).**

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":

~~5. Group homes for the developmentally disabled to be occupied by no more than nine (9) individuals (excluding supervisory personnel) not related by blood or marriage to the operator or operators of the facility, provided where such use is required by Federal or State law as a permitted use, no conditional use permit shall be required.~~

G. Lot Area And Yard Requirements. The minimum lot area and yard requirements for land uses and developments in the "R-3" Residence District as well as the maximum density of nursing home self-care units shall be as set out below:

a.

~~USE~~	~~MINIMUM AREA~~
~~Group homes for the developmentally disabled~~	~~10,000 square feet~~

Zoning Ordinance - Section 415.150 R-4 Residence District Regulations

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

2. Dwelling, single-family, **including group homes for the developmentally disabled, as defined herein by reference to those applicable federal law(s) and/or State Statute(s).**

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":

~~5. Group homes for the developmentally disabled to be occupied by no more than nine (9) individuals (excluding supervisory personnel) not related by blood or marriage to the operator or operators of the facility, provided where such use is required by Federal or State law as a permitted use, no conditional use permit shall be required.~~

G. Lot Area And Yard Requirements. The minimum lot area and yard requirements for land uses and developments in the "R-4" Residence District as well as the maximum density of nursing home self-care units shall be as set out below:

a.

~~USE~~	~~MINIMUM AREA~~
~~Group homes for the developmentally disabled~~	~~7,500 square feet~~

Zoning Ordinance - Section 415.340 Off-Street Parking and Loading Requirements – Residential.
[Ord. No. 1324 App. A §1003.165F, 8-14-2006]

Residential uses shall provide off-street parking and loading facilities as follows:

~~Use~~	~~Minimum Parking Requirement~~	~~Minimum Loading Requirement (Section 415.360)~~
~~Group Homes for the Developmentally Disabled~~	~~2 spaces for each such use~~	~~None~~

Zoning Ordinance - Section 415.390 Area Regulations For Group Homes For The Developmentally Disabled
[Ord. No. 1324 App. A §1003.167A, 8-14-2006]

A. Group homes for the developmentally disabled, in all zoning districts in which **permitted and** established, shall comply with **the applicable** ~~following space~~ **building requirements/standards of the International Residential Code (IRC) and International Fire Code (IFC) for this type of Use Group.**

1. ~~Each bedroom occupied by one (1) person shall contain at least eighty (80) square feet of floor space.~~
2. ~~Each bedroom occupied by more than one (1) person shall provide at least sixty (60) square feet of floor space per person and no more than four (4) persons shall occupy each bedroom.~~
3. ~~Each home shall provide eighty (80) square feet of interior floor space, excluding bedrooms, kitchens, bathrooms, closets and basements, for each occupant, including staff.~~

Editor's Note: Additions to the current language of the code are indicated by bolded and red type, while a single, strike-through line shows deletions.

ATTACHMENT B
Background Information

Public Notice posted in accordance with
610 RSMO 1994, as amended,
by Laura Rechtin
Deputy City Clerk

NOTICE OF PUBLIC HEARINGS
before the
CITY OF WILDWOOD
PLANNING AND ZONING COMMISSION
June 6, 2016 - 7:00 p.m. (Monday)

The Planning and Zoning Commission of the City of Wildwood will conduct public hearings 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. These hearings are open to all interested parties to comment upon these requests, whether in favor or opposition, or provide additional input for consideration. If you do not have comments regarding these requests, no action is required on your part. Written comments are requested to be submitted prior to the hearings and addressed to the Planning and Zoning Commission, City of Wildwood, 16860 Main Street, Wildwood, Missouri 63040 or via the City's website at **www.cityofwildwood.com/comment**. The following requests 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)**

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

By Order of the Planning and Zoning Commission
On May 19, 2016
by Laura Rechtin
Deputy City Clerk

The City of Wildwood is working to comply with the American with Disabilities Act mandates. Individuals who require accommodation to attend a meeting should contact City Hall, (636) 458-0440, at least 48 hours in advance.

Missouri Revised Statutes

Chapter 89
Zoning and Planning

←89.010

Section 89.020.1

89.030→

August 28, 2015

Powers of municipal legislative body--group homes, classification, standards, restrictions--enforcement of zoning beyond lake shorelines, when, how--foster homes, classifications of--certain municipalities may adopt county zoning regulations.

89.020. 1. For the purpose of promoting health, safety, morals or the general welfare of the community, the legislative body of all cities, towns, and villages is hereby empowered to regulate and restrict the height, number of stories, and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts, and other open spaces, the density of population, the preservation of features of historical significance, and the location and use of buildings, structures and land for trade, industry, residence or other purposes.

2. For the purpose of any zoning law, ordinance or code, the classification single family dwelling or single family residence shall include any home in which eight or fewer unrelated mentally or physically handicapped persons reside, and may include two additional persons acting as houseparents or guardians who need not be related to each other or to any of the mentally or physically handicapped persons residing in the home. In the case of any such residential home for mentally or physically handicapped persons, the local zoning authority may require that the exterior appearance of the home and property be in reasonable conformance with the general neighborhood standards. Further, the local zoning authority may establish reasonable standards regarding the density of such individual homes in any specific single family dwelling neighborhood.

3. No person or entity shall contract or enter into a contract which would restrict group homes or their location as described in this section from and after September 28, 1985.

4. Any county, city, town or village which has a population of at least five hundred and whose boundaries are partially contiguous with a portion of a lake with a shoreline of at least one hundred fifty miles shall have the authority to enforce its zoning laws, ordinances or codes for one hundred yards beyond the shoreline which is adjacent to its boundaries. In the event that a lake is not large enough to allow any county, city, town or village to enforce its zoning laws, ordinances or codes for one hundred yards beyond the shoreline without encroaching on the enforcement powers granted another county, city, town or village under this subsection, the counties, cities, towns and villages whose boundaries are partially contiguous to such lake shall enforce their zoning laws, ordinances or orders under this subsection pursuant to an agreement entered into by such counties, cities, towns and villages.

5. Should a single family dwelling or single family residence as defined in subsection 2 of this section cease to operate for the purpose as set forth in subsection 2 of this section, any other use of such home, other than allowed by local zoning restrictions, must be approved by the local zoning authority.

6. For purposes of any zoning law, ordinance or code the classification of single family dwelling or single family residence shall include any private residence licensed by the children's division or department of mental health to provide foster care to one or more but less than seven children who are unrelated to either foster parent by blood, marriage or adoption. Nothing in this subsection shall be construed to relieve the children's division, the department of mental health or any other person, firm or corporation occupying or utilizing any single family dwelling or single family residence for the purposes specified in this subsection from compliance with any ordinance or regulation relating to occupancy permits except as to number and relationship of occupants or from compliance with any building or safety code applicable to actual use of such single family dwelling or single family residence.

7. Any city, town, or village that is granted zoning powers under this section and is located within a county that has adopted zoning regulations under chapter 64 may enact an ordinance to adopt by reference the zoning regulations of such county in lieu of adopting its own zoning regulations.

(RSMo 1939 § 7412, A.L. 1957 p. 274, A.L. 1959 H.B. 493, A.L. 1985 H.B. 552, A.L. 1989 S.B. 11, A.L. 2006 S.B. 809, A.L. 2014 H.B. 1299 Revision)

2006	1991

Top

Missouri General Assembly

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JOINT STATEMENT OF THE DEPARTMENT OF JUSTICE AND THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

GROUP HOMES, LOCAL LAND USE, AND THE FAIR HOUSING ACT

Since the federal Fair Housing Act ("the Act") was amended by Congress in 1988 to add protections for persons with disabilities and families with children, there has been a great deal of litigation concerning the Act's effect on the ability of local governments to exercise control over group living arrangements, particularly for persons with disabilities. The Department of Justice has taken an active part in much of this litigation, often following referral of a matter by the Department of Housing and Urban Development ("HUD"). This joint statement provides an overview of the Fair Housing Act's requirements in this area. Specific topics are addressed in more depth in the attached Questions and Answers.
The Fair Housing Act prohibits a broad range of practices that discriminate against individuals on the basis of race, color, religion, sex, national origin, familial status, and disability.[1] The Act does not pre-empt local zoning laws. However, the Act applies to municipalities and other local government entities and prohibits them from making zoning or land use decisions or implementing land use policies that exclude or otherwise discriminate against protected persons, including individuals with disabilities.

The Fair Housing Act makes it unlawful –

- To utilize land use policies or actions that treat groups of persons with disabilities less favorably than groups of non-disabled persons. An example would be an ordinance prohibiting housing for persons with disabilities or a specific type of disability, such as mental illness, from locating in a particular area, while allowing other groups of unrelated individuals to live together in that area.

- To take action against, or deny a permit, for a home because of the disability of individuals who live or would live there. An example would be denying a building permit for a home because it was intended to provide housing for persons with mental retardation.
- To refuse to make reasonable accommodations in land use and zoning policies and procedures where such accommodations may be necessary to afford persons or groups of persons with disabilities an equal opportunity to use and enjoy housing.

- What constitutes a reasonable accommodation is a case-by-case determination.
- Not all requested modifications of rules or policies are reasonable. If a requested modification imposes an undue financial or administrative burden on a local government, or if a modification creates a fundamental alteration in a local government's land use and zoning scheme, it is not a "reasonable" accommodation.

The disability discrimination provisions of the Fair Housing Act do <u>not</u> extend to persons who claim to be disabled solely on the basis of having been adjudicated a juvenile delinquent, having a criminal record, or being a sex offender. Furthermore, the Fair Housing Act does not protect persons who currently use illegal drugs, persons who have been convicted of the manufacture or sale of illegal drugs, or persons with or without disabilities who present a direct threat to the persons or property of others.

HUD and the Department of Justice encourage parties to group home disputes to explore all reasonable dispute resolution procedures, like mediation, as alternatives to litigation.

DATE: AUGUST 18, 1999

Questions and Answers

on the Fair Housing Act and Zoning

Q. Does the Fair Housing Act pre-empt local zoning laws?

No. "Pre-emption" is a legal term meaning that one level of government has taken over a field and left no room for government at any other level to pass laws or exercise authorityin that area. The Fair Housing Act is not a land use or zoning statute; it does not pre-empt local land use and zoning laws. This is an area where state law typically gives local governments primary power. However, if that power is exercised in a specific instance in a way that is inconsistent with a federal law such as the Fair Housing Act, the federal law will control. Long before the 1988 amendments, the courts had held that the Fair Housing Act prohibited local governments from exercising their land use and zoning powers in a discriminatory way.

Q. What is a group home within the meaning of the Fair Housing Act?

The term "group home" does not have a specific legal meaning. In this statement, the term "group home" refers to housing occupied by groups of unrelated individuals with disabilities.[(2)] Sometimes, but not always, housing is provided by organizations that also offer various services for individuals with disabilities living in the group homes. Sometimes it is this group home operator, rather than the individuals who live in the home, that interacts with local government in seeking permits and making requests for reasonable accommodations on behalf of those individuals.

The term "group home" is also sometimes applied to any group of unrelated persons who live together in a dwelling -- such as a group of students who voluntarily agree to share the rent on a house. The Act does not generally affect the ability of local governments to regulate housing of this kind, as long as they do not discriminate against the residents on the basis of race, color, national origin, religion, sex, handicap (disability) or familial status (families with minor children).

Q. Who are persons with disabilities within the meaning of the Fair Housing Act?

The Fair Housing Act prohibits discrimination on the basis of handicap. "Handicap" has the same legal meaning as the term "disability" which is used in other federal civil rights laws. Persons with disabilities (handicaps) are individuals with mental or physical impairments which substantially limit one or more major life activities. The term mental or physical impairment may include conditions such as blindness, hearing impairment, mobility impairment, HIV infection, mental retardation, alcoholism, drug addiction, chronic fatigue, learning disability, head injury, and mental illness. The term major life activity may include seeing, hearing, walking, breathing, performing manual tasks, caring for one's self, learning, speaking, or working. The Fair Housing Act also protects persons who have a record of such an impairment, or are regarded as having such an impairment.

Current users of illegal controlled substances, persons convicted for illegal manufacture or distribution of a controlled substance, sex offenders, and juvenile offenders, are not considered disabled under the Fair Housing Act, by virtue of that status.

The Fair Housing Act affords no protections to individuals with or without disabilities who present a direct threat to the persons or property of others. Determining whether someone poses such a direct threat must be made on an individualized basis, however, and cannot be based on general assumptions or speculation about the nature of a disability.

Q. What kinds of local zoning and land use laws relating to group homes violate the Fair Housing Act?

Local zoning and land use laws that treat groups of unrelated persons with disabilities less favorably than similar groups of unrelated persons without disabilities violate the Fair Housing Act. For example, suppose a

city's zoning ordinance defines a "family" to include up to six unrelated persons living together as a household unit, and gives such a group of unrelated persons the right to live in any zoning district without special permission. If that ordinance also disallows a group home for six or fewer people with disabilities in a certain district or requires this home to seek a use permit, such requirements would conflict with the Fair Housing Act. The ordinance treats persons with disabilities worse than persons without disabilities.

A local government may generally restrict the ability of groups of unrelated persons to live together as long as the restrictions are imposed on all such groups. Thus, in the case where a family is defined to include up to six unrelated people, an ordinance would not, on its face, violate the Act if a group home for seven people with disabilities was not allowed to locate in a single family zoned neighborhood, because a group of seven unrelated people without disabilities would also be disallowed. However, as discussed below, because persons with disabilities are also entitled to request reasonable accommodations in rules and policies, the group home for seven persons with disabilities would have to be given the opportunity to seek an exception or waiver. If the criteria for reasonable accommodation are met, the permit would have to be given in that instance, but the ordinance would not be invalid in all circumstances.

Q. What is a reasonable accommodation under the Fair Housing Act?

As a general rule, the Fair Housing Act makes it unlawful to refuse to make "reasonable accommodations" (modifications or exceptions) to rules, policies, practices, or services, when such accommodations may be necessary to afford persons with disabilities an equal opportunity to use or enjoy a dwelling.

Even though a zoning ordinance imposes on group homes the same restrictions it imposes on other groups of unrelated people, a local government may be required, in individual cases and when requested to do so, to grant a reasonable accommodation to a group home for persons with disabilities. For example, it may be a reasonable accommodation to waive a setback requirement so that a paved path of travel can be provided to residents who have mobility impairments. A similar waiver might not be required for a different type of group home where residents do not have difficulty negotiating steps and do not need a setback in order to have an equal opportunity to use and enjoy a dwelling.

Not all requested modifications of rules or policies are reasonable. Whether a particular accommodation is reasonable depends on the facts, and must be decided on a case-by-case basis. The determination of what is reasonable depends on the answers to two questions: First, does the request impose an undue burden or expense on the local government? Second, does the proposed use create a fundamental alteration in the zoning scheme? If the answer to either question is "yes," the requested accommodation is unreasonable.

What is "reasonable" in one circumstance may not be "reasonable" in another. For example, suppose a local government does not allow groups of four or more unrelated people to live together in a single-family neighborhood. A group home for four adults with mental retardation would very likely be able to show that it will have no more impact on parking, traffic, noise, utility use, and other typical concerns of zoning than an "ordinary family." In this circumstance, there would be no undue burden or expense for the local government nor would the single-family character of the neighborhood be fundamentally altered. Granting an exception or waiver to the group home in this circumstance does not invalidate the ordinance. The local government would still be able to keep groups of unrelated persons without disabilities from living in single-family neighborhoods.

By contrast, a fifty-bed nursing home would not ordinarily be considered an appropriate use in a single-family neighborhood, for obvious reasons having nothing to do with the disabilities of its residents. Such a facility might or might not impose significant burdens and expense on the community, but it would likely create a fundamental change in the single-family character of the neighborhood. On the other hand, a nursing home might not create a "fundamental change" in a neighborhood zoned for multi-family housing. The scope and magnitude of the modification requested, and the features of the surrounding neighborhood are among the factors that will be taken into account in determining whether a requested accommodation is reasonable.

Q. What is the procedure for requesting a reasonable accommodation?

Where a local zoning scheme specifies procedures for seeking a departure from the general rule, courts have decided, and the Department of Justice and HUD agree, that these procedures must ordinarily be followed. If no procedure is specified, persons with disabilities may, nevertheless, request a reasonable accommodation in some other way, and a local government is obligated to grant it if it meets the criteria discussed above. A local government's failure to respond to a request for reasonable accommodation or an inordinate delay in responding could also violate the Act.

Whether a procedure for requesting accommodations is provided or not, if local government officials have previously made statements or otherwise indicated that an application would not receive fair consideration, or if the procedure itself is discriminatory, then individuals with disabilities living in a group home (and/or its operator) might be able to go directly into court to request an order for an accommodation.

Local governments are encouraged to provide mechanisms for requesting reasonable accommodations that operate promptly and efficiently, without imposing significant costs or delays. The local government should also make efforts to insure that the availability of such mechanisms is well known within the community.

Q. When, if ever, can a local government limit the number of group homes that can locate in a certain area?

A concern expressed by some local government officials and neighborhood residents is that certain jurisdictions, governments, or particular neighborhoods within a jurisdiction, may come to have more than their "fair share" of group homes. There are legal ways to address this concern. The Fair Housing Act does not prohibit most governmental programs designed to encourage people of a particular race to move to neighborhoods occupied predominantly by people of another race. A local government that believes a particular area within its boundaries has its "fair share" of group homes, could offer incentives to providers to locate future homes in other neighborhoods.

However, some state and local governments have tried to address this concern by enacting laws requiring that group homes be at a certain minimum distance from one another. The Department of Justice and HUD take the position, and most courts that have addressed the issue agree, that density restrictions are generally inconsistent with the Fair Housing Act. We also believe, however, that if a neighborhood came to be composed largely of group homes, that could adversely affect individuals with disabilities and would be inconsistent with the objective of integrating persons with disabilities into the community. Especially in the licensing and regulatory process, it is appropriate to be concerned about the setting for a group home. A consideration of over-concentration could be considered in this context. This objective does not, however, justify requiring separations which have the effect of foreclosing group homes from locating in entire neighborhoods.

Q. What kinds of health and safety regulations can be imposed upon group homes?

The great majority of group homes for persons with disabilities are subject to state regulations intended to protect the health and safety of their residents. The Department of Justice and HUD believe, as do responsible group home operators, that such licensing schemes are necessary and legitimate. Neighbors who have concerns that a particular group home is being operated inappropriately should be able to bring their concerns to the attention of the responsible licensing agency. We encourage the states

to commit the resources needed to make these systems responsive to resident and community needs and concerns.

Regulation and licensing requirements for group homes are themselves subject to scrutiny under the Fair Housing Act. Such requirements based on health and safety concerns can be discriminatory themselves or

may be cited sometimes to disguise discriminatory motives behind attempts to exclude group homes from a community. Regulators must also recognize that not all individuals with disabilities living in group home settings desire or need the same level of services or protection. For example, it may be appropriate to require heightened fire safety measures in a group home for people who are unable to move about without assistance. But for another group of persons with disabilities who do not desire or need such assistance, it would not be appropriate to require fire safety measures beyond those normally imposed on the size and type of residential building involved.

Q. Can a local government consider the feelings of neighbors in making a decision about granting a permit to a group home to locate in a residential neighborhood?

In the same way a local government would break the law if it rejected low-income housing in a community because of neighbors' fears that such housing would be occupied by racial minorities, a local government can violate the Fair Housing Act if it blocks a group home or denies a requested reasonable accommodation in response to neighbors' stereotypical fears or prejudices about persons with disabilities. This is so even if the individual government decision-makers are not themselves personally prejudiced against persons with disabilities. If the evidence shows that the decision-makers were responding to the wishes of their constituents, and that the constituents were motivated in substantial part by discriminatory concerns, that could be enough to prove a violation.

Of course, a city council or zoning board is not bound by everything that is said by every person who speaks out at a public hearing. It is the record as a whole that will be determinative. If the record shows that there were valid reasons for denying an application that were not related to the disability of the prospective residents, the courts will give little weight to isolated discriminatory statements. If, however, the purportedly legitimate reasons advanced to support the action are not objectively valid, the courts are likely to treat them as pretextual, and to find that there has been discrimination.

For example, neighbors and local government officials may be legitimately concerned that a group home for adults in certain circumstances may create more demand for on-street parking than would a typical family. It is not a violation of the Fair Housing Act for neighbors or officials to raise this concern and to ask the provider to respond. A valid unaddressed concern about inadequate parking facilities could justify denying the application, if another type of facility would ordinarily be denied a permit for such parking problems. However, if a group of individuals with disabilities or a group home operator shows by credible and unrebutted evidence that the home will not create a need for more parking spaces, or submits a plan to provide whatever off-street parking may be needed, then parking concerns would not support a decision to deny the home a permit.

Q. What is the status of group living arrangements for children under the Fair Housing Act?

In the course of litigation addressing group homes for persons with disabilities, the issue has arisen whether the Fair Housing Act also provides protections for group living arrangements for children. Such living arrangements are covered by the Fair Housing Act's provisions prohibiting discrimination against families with children. For example, a local government may not enforce a zoning ordinance which treats group living arrangements for children less favorably than it treats a similar group living arrangement for unrelated adults. Thus, an ordinance that defined a group of up to six unrelated adult persons as a family, but specifically disallowed a group living arrangement for six or fewer children, would, on its face, discriminate on the basis of familial status. Likewise, a local government might violate the Act if it denied a permit to such a home because neighbors did not want to have a group facility for children next to them.

The law generally recognizes that children require adult supervision. Imposing a reasonable requirement for adequate supervision in group living facilities for children would not violate the familial status provisions of the Fair Housing Act.

Q. How are zoning and land use matters handled by HUD and the Department of Justice?

The Fair Housing Act gives the Department of Housing and Urban Development the power to receive and investigate complaints of discrimination, including complaints that a local government has discriminated in exercising its land use and zoning powers. HUD is also obligated by statute to attempt to conciliate the complaints that it receives, even before it completes an investigation.

In matters involving zoning and land use, HUD does not issue a charge of discrimination. Instead, HUD refers matters it believes may be meritorious to the Department of Justice which, in its discretion, may decide to bring suit against the respondent in such a case. The Department of Justice may also bring suit in a case that has not been the subject of a HUD complaint by exercising its power to initiate litigation alleging a "pattern or practice" of discrimination or a denial of rights to a group of persons which raises an issue of general public importance.

The Department of Justice's principal objective in a suit of this kind is to remove significant barriers to the housing opportunities available for persons with disabilities. The Department ordinarily will not participate in litigation to challenge discriminatory ordinances which are not being enforced, unless there is evidence that the mere existence of the provisions are preventing or discouraging the development of needed housing.

If HUD determines that there is no reasonable basis to believe that there may be a violation, it will close an investigation without referring the matter to the Department of Justice. Although the Department of Justice would still have independent "pattern or practice" authority to take enforcement action in the matter that was the subject of the closed HUD investigation, that would be an unlikely event. A HUD or Department of Justice decision not to proceed with a zoning or land use matter does not foreclose private plaintiffs from pursuing a claim.

Litigation can be an expensive, time-consuming, and uncertain process for all parties. HUD and the Department of Justice encourage parties to group home disputes to explore all reasonable alternatives to litigation, including alternative dispute resolution procedures, like mediation. HUD attempts to conciliate all Fair Housing Act complaints that it receives. In addition, it is the Department of Justice's policy to offer prospective defendants the opportunity to engage in pre-suit settlement negotiations, except in the most unusual circumstances.

1. The Fair Housing Act uses the term "handicap." This document uses the term "disability" which has exactly the same legal meaning.

2. There are groups of unrelated persons with disabilities who choose to live together who do not consider their living arrangements "group homes," and it is inappropriate to consider them "group homes" as that concept is discussed in this statement.

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Updated August 6, 2015

WILDWOOD

August 15, 2016

The Planning and Zoning Commission
City of Wildwood, Missouri
16860 Main Street
Wildwood, Missouri 63040

Re:	A request from the Wildwood City Council to the Planning and Zoning Commission for it to reconsider its action relative to a correspondence from Mary Kay Corsair and Robert Covert (owners of the subject property), which was dated April 15, 2016, that sought 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, given the specified timeframe ended on July 25, 2016.
Street Address:	16815 Manchester Road
Location:	North side of Manchester Road, west of Taylor Road
Zoning District:	C-8 Planned Commercial District
Town Center Plan Designations:	'Neighborhood General and Workplace' Districts
Ward:	Eight

Commission Members:

INTRODUCTION >>>The City Council received the Planning and Zoning Commission's report on this aforementioned matter at its July 25, 2016 meeting and conducted its required hearing upon it that night. At this public hearing, the property owner attended and requested the City Council reconsider the action of the Planning and Zoning Commission, which was to deny the extension of time for commencement of construction to begin at the site, which was set for July 25, 2016. The property owner noted the substantial amount of investment her company had made into the property and to obtain the zoning change and an approved Site Development Plan. The action of the Commission would result in a substantial loss to her company, and community, if not overturned.

The City Council discussed this request by the property owner and agreed that further review of the matter was needed. However, the City Council, based upon a recommendation by the City Attorney, advised the process must begin again at the Planning and Zoning Commission, based upon the wording of the site-specific ordinance. Similarly though, the City Council noted that, despite the language of the site-specific ordinance, it preferred the Commission reconsider the

matter and review its previous action, more with considerations toward preserving this zoning, rather than making a decision that would lead to a process to void it.

OUTCOME AND DIRECTION >>> Given the direction of City Council, the Department of Planning has placed this matter on the Planning and Zoning Commission's agenda for reconsideration, as requested. To assist in this discussion, the Department has provided the information the Planning and Zoning Commission had completed, when it reviewed this matter on July 18, 2016. The Department would note that, at that meeting, it did support the extension of the time, as requested, by acknowledging that no major items, regulations, standards, and other specifications had changed in Town Center that would necessarily lead to modifications to this project's overall design. Conversely, the Commission has noted that almost nine (9) years had passed since the initial posting of the property for rezoning and waiting this long was not in the best interest of the surrounding community in terms of input.

SUMMARY >>> To assist in this discussion as well, the Department of Planning has provided its initial report on this matter, along with the revised recommendation report from the Planning and Zoning Commission the City Council received on this matter. If any of the Commission Members should have questions or comments in this regard, please fell free to contact the Department of Planning at (636) 458-0440. Thank you for your consideration of this information and direction on the same.

Respectfully submitted,
CITY OF WILDWOOD PLANNING AND ZONING COMMISSION

Joe Vujnich, Director
Department of Planning

Cc: Ryan S. Thomas, P.E., City Administrator
John A. Young, City Attorney
Kathy Arnett, Assistant Director of Planning and Parks
Travis Newberry, Planner
Mary Kay Corsair and Bob Covert, Property Owners and Petitioners

WILDWOOD

July 18, 2016

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

Re:	A response by the Planning and Zoning Commission to a correspondence from Mary Kay Corsair and Robert Covert (owners of the subject property), which is dated April 15, 2016, 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, given the specified timeframe ends on July 25, 2016.
Street Address:	16815 Manchester Road
Location:	North side of Manchester Road, west of Taylor Road
Zoning District:	C-8 Planned Commercial District
Town Center Plan Designations:	'Neighborhood General and Workplace' Districts
Ward:	Eight

Council Members:

INTRODUCTION - The Planning and Zoning Commission is in receipt of a correspondence from the owners of an eleven (11) acre site, which is part of the Town Center Area, and dated April 15, 2016. This property is located on the north side of Manchester Road, west of Taylor Road, and zoned C-8 Planned Commercial District, with "Workplace and Neighborhood General" Districts uses permitted there. The intent of this correspondence is to seek an amendment to the site-specific ordinance to allow additional time for commencement of construction to begin on the site. The Planning and Zoning Commission has reviewed the files and materials associated with the original action on the zoning change request from 2007 and developed a recommendation in this regard. Accordingly, acting at its July 18, 2016, Executive Session and, by a vote of 8 to 0, the Planning and Zoning Commission hereby submits the following report, with recommendation, to the City Council for its consideration and action in this regard.

BACKGROUND AND HISTORY - For the purpose of review, P.Z. 14-07 Covert Corsair Homes, Inc. was a request for a change in zoning from the R-4 7,500 square foot Residence District, with a Planned Environment Unit, to the C-8 Planned Commercial District. The subject site is 11.3 acres in size and located on the north side of Manchester Road, west of Taylor Road. This property is located within the "Workplace and Neighborhood General" Districts (1998) of the City's Town Center Area. The rezoning request for the subject site was to accommodate a mixed-use project that would include one hundred sixty-eight (168) residential units (garden-style condominiums), with underground parking. Additionally, two (2), twenty thousand (20,000) square foot commercial buildings were proposed to be located along the property's Manchester Road frontage and intended for professional/general offices, restaurants, or service activities.

During the Planning and Zoning Commission's review of this rezoning request, a number of items were modified relating to the design of this site. Specifically, the locations of the western-most residential buildings were changed in order to increase the separation between them and the existing residential homes adjoining this boundary of the site. Additionally, the design of the internal roadway was altered to accommodate the required streetscape improvements and provide ample room for a bicycle lane through the site. This roadway connection was critical to the design of this site, given it will ultimately provide access between Manchester Road and Main Street (through the property to the north) and meet a requirement established by the Missouri Department of Transportation for an alternative access from State Route 100 to Manchester Road. Finally, the revised design incorporated the necessary public space amenities, as required by the City's Public Space Requirements of the Zoning Ordinance.

The Planning and Zoning Commission recommended approval of the change in zoning, given its compliance with the Town Center Plan and its related standards and guidelines. The Letter of Recommendation from the Planning and Zoning Commission was forwarded to the City Council, with this affirmative recommendation for the change in zoning and application of the C-8 Planned Commercial District. The City Council received this letter and ultimately approved and passed the change in zoning on March 10, 2008. This approval was based upon the compliance of this request to the City's Master Plan and Town Center Plan, the improved design that provided a better transition from this development to existing residential areas, and the installation and development of the infrastructure needed to support this use, including the required public space.

With the approval of the C-8 Planned Commercial District ordinance, the petitioner was required to complete the Site Development Plan review process and receive approval from the Planning and Zoning Commission within one (1) year of the March 10, 2008 date. This date would have been March 10, 2009. A one-time six (6) month extension is authorized by the site-specific ordinance, and the Planning and Zoning Commission approved this extension at its February 17, 2009 Executive Session. Therefore, the new date for the required submittal and action on the Site Development Plan became September 10, 2009, but was not met.

As noted, with the City Council's action, the approval of the required Site Development Plan was to have been completed by September 10, 2009. With the September 2009 date already passed and the residential home and commercial market suffering under the Great Recession, the petitioner sought an eighteen (18) month extension for the approval of the Site Development Plan. Although the plan was not completed, the petitioners, along with their engineer, had continued to work towards this end, but certain design considerations, such as stormwater facilities and roadway extension, delayed its approval by the Planning and Zoning Commission, which led to the petitioner's requested extension.

This request was considered by the Planning and Zoning Commission in April 2010 and its members recommended the extension of time for the approval of the Site Development Plan be granted to this project. The Commission members noted the current climate for residential projects was still very difficult and, by not allowing additional time, the City would be ignoring the problems that exist across the country relative to new developments of this type. Additionally, the petitioners had been working on the plan with City staff and other service providers/utilities to address the integration of this site into the surrounding network of improvements that were being planned on adjacent properties or already in place. With this support, the Commission agreed to an additional eighteen (18) months of time for the submittal of the required plan, which would be October 2011. The City Council concurred and the request for an extension of time for the Site Development Plan was granted shortly thereafter by the City. The Site Development Plan received approval from the Planning and Zoning Commission on January 25, 2011, being well within this extended timeframe.

In April 2013, the owners of this eleven (11) acre site requested an extension of time for the commencement of construction to begin on the site, which was to have occurred thirty (30) months following the approval of the Site Development Plan. Accompanying this extension request was an amendment to the site-specific ordinance to allow the unit type to change from condominiums to apartments. The petitioners noted, at the meeting with the Department of Planning, that interest in the project was limited and they did not want to proceed forward, given the financial burden an unsuccessful development would be to them. However, the petitioners were marketing the property to other potential developers, which was part of their reason for requesting a change to the unit type, thereby hoping such would generate more interest in this location. Along with this aforementioned correspondence, the petitioners provided active permits from both the U.S. Army Corp of Engineers and Missouri Department of Natural Resources for site work and disturbance of waterways, which were still valid at the time. The petitioners contended, with these permits still being valid, an extension to the timeline for commencement of construction was reasonable.

In considering the extension of time, the Planning and Zoning Commission was supportive of allowing an additional eighteen (18) months for construction to commence, which was considered appropriate to address unforeseen circumstances or outside influences that have affected the conditions of the residential housing and commercial markets. The Commission noted the economic climate has been difficult for a developer to begin a project of this nature and understood the petitioners' need for this additional time, given reaching the required threshold for commencement of construction would disturb much of the site and be expensive to complete. Thus, the Commission recommended the date for commencement of construction be extended for an additional eighteen (18) months, which changed the deadline to January 2015.

With regards to the requested unit type amendment from condominium to apartment units, the Commission had reservations and did not support it. The Commission was concerned with this unit type and the effect the lack of owner-occupied condominiums could have on Town Center. The City Council held a public hearing on this matter on June 10, 2013, where it reviewed the recommendation of the Planning and Zoning Commission, and supported the extension to the requested timeframe to commence construction on the site, but did not share the concerns of the Commission regarding the addition of apartment type units, as permitted uses on the site. Thus, after careful consideration and deliberation of all the comments, information, and documentation, including the Planning and Zoning Commission's Letter of Recommendation, the City Council authorized the preparation of the legislation to allow for the site-specific ordinance to be modified to accommodate the extension of time, as well as to include 'apartment type units' as a permitted use on the site. Again, the requirement for the commencement of construction to begin on the site was extended for an additional eighteen (18) months, which changed the timeline to January 25, 2015.

In a correspondence dated September 10, 2014, the petitioners again requested additional time for the commencement of construction. As part of this request, the petitioners noted there was still limited interest in developing this property from multiple-family developers, however, there had been slightly more interest given the additional allowance of apartment units. The petitioners also provided an active permit from the U.S. Army Corps of Engineers for site work and disturbance of waterways, which is valid through 2019. In considering this request, the Planning and Zoning Commission noted the continued challenges of the multiple-family housing market. At its December 15, 2014 meeting, the Planning and Zoning Commission acted favorably to amend the site-specific governing ordinance to allow for an eighteen (18) month extension for the commencement of construction, the new deadline for such being **July 25, 2016**. The City Council, upon receipt of this recommendation, concurred and the deadline was changed again.

CURRENT REQUEST - The Planning and Zoning Commission is in receipt of a correspondence from the owners of this eleven (11) acre site, which is dated April 15, 2016. This property is located on the north side of Manchester

Road, west of Taylor Road, and zoned C-8 Planned Commercial District. The intent of this correspondence is to seek an amendment to the site-specific ordinance to allow for additional time for commencement of construction to begin on the site.

As noted during the previous request, apartments would provide a type of residential unit that is limited in the City and a use that has not been constructed in Town Center since 1996. Additionally, along with the correspondence and discussion, the petitioners have provided an active permit from the U.S. Army Corp of Engineers though 2019 for site work and disturbance of waterways. It is the petitioners' contention, with these permits still being valid and the unit type, an extension to the timeline for commencement of construction is reasonable.

ANALYSIS - In considering this proposed extension of time, the Planning and Zoning Commission is not supportive of allowing an additional eighteen (18) months for construction to begin at the site, given those challenges that existed for many years, during and after the Great Recession, in the multiple-family market have abated. The Commission would also note the economic climate, since the approval of the site-specific governing ordinance (#1953) in 2008, has improved and the City has seen a spike in residential requests of all types. In addition, it is the Commission's opinion that, if it were to approve the extension of time for commencement of construction to begin on the site, will not lead to its imminent development. Therefore, the Planning and Zoning Commission recommends the date for commencement of construction not be extended past its current deadline of July 25, 2016.

SUMMARY AND RECOMMENDATION - Given the above noted rationales for this non-support, the Planning and Zoning Commission is recommending an eighteen (18) month extension of time not be granted to this project, so as to extend the deadline for commencement of construction. Accordingly, the Planning and Zoning Commission is recommending no change to C-8 Planned Commercial District Ordinance #1953 and the current ordinance read as previously approved by the City Council, which is provided below.

1. PERMITTED USES

The uses allowed in this C-8 Planned Commercial District (Town Center Workplace and Neighborhood General District designations) shall be limited to professional offices, general offices, restaurants, including fast-food types, but without drive-through facilities, and retail and service activities, as defined in the Town Center Plan (as amended March 2, 1998), with associated parking, but not financial institutions, vehicle repair/service facilities, and taverns. Additionally, this C-8 Planned Commercial District shall authorize the development of no more than one hundred sixty-eight (168) condominium units, and/or apartment type, with underground parking, housed in garden style types of buildings (as shown on the submitted Preliminary Development Plan).

2. FLOOR AREA, HEIGHT, AND BUILDING REQUIREMENTS

a. The uses permitted in this C-8 Planned Commercial District shall be contained in a total of nine (9) buildings. The two (2) authorized commercial buildings fronting onto Manchester Road shall not exceed a total of twenty thousand (20,000) square feet in gross floor area (Buildings AA1 and AA2). These two (2) buildings (AA1 and AA2) cannot exceed an individual size of ten thousand (10,000) square feet respectfully. The seven (7) residential buildings shall be approved as such:

Residential Building Identification	Gross Floor Area (footprint) – in square foot	Maximum Height (in stories), including parking deck*
Building BB	13,330	Four (4)
Building CC	13,330	Three (3)
Building DD	13,330	Two (2)
Building EE	13,330	Two (2)
Building FF	13,330	Four (4)
Building GG	13,330	Four (4)
Building HH	13,330	Four (4)

* Only two (2) of the identified four (4) buildings shall be allowed four (4) stories, the other two (2) structures cannot exceed a maximum of three (3) stories in overall height.

b. The area of this C-8 Planned Commercial District shall be a minimum of eleven (11) acres in overall size, unless otherwise reduced in area by public roadway dedications, as required herein. No division of this lot, once consolidated, shall be authorized, unless approved by the City Council of the City of Wildwood.

c. The two (2) allowable commercial buildings must be located abutting the Manchester Road right-of-way, so as to provide no less than eighty (80) percent of that frontage occupied by an arcade, porch, or building façade, along with the required commercial plaza. The orientation of these commercial buildings shall be as shown on the Preliminary Development Plan submitted by the petitioner as part of the rezoning request. These buildings shall be constructed with glazing to provide a minimum fifty (50) percent transparency along Manchester Road and exhibit no individual bay distance of greater than thirty (30) feet, without providing some type of recess, projection, or pilaster.

d. In those instances where a building façade is absent, a garden or screen wall shall be installed. This wall(s) must complement the appearance of the buildings located within the same block in terms of its design, architecture, color, material, and character. All garden or screen walls located upon this site shall be reviewed and approved by the Architectural Review Board as part of the Site Development Plan review and approval process.

e. No loading docks are authorized within the boundaries of this C-8 Planned Commercial District.

f. No structure or building shall exceed four (4) stories in overall height, as measured from final finish grade of the adjoining street. No commercial building shall exhibit less than a one and one-half (1½) story profile in terms of its massing along Manchester Road, with a first story, interior clear height not less than twelve (12) feet.

g. The proposed architectural design, character, and style of all buildings and structures, including retaining walls, shall adhere to the City of Wildwood's Town Center Architectural Guidelines, Neighborhood Design Standards, and any other applicable requirements of the Town Center Plan. Consideration and action relative to the required design shall be by the Architectural Review Board in accordance with the Town Center Development Manual for the "Workplace and Neighborhood General" District designations.

    1. Each residential building may have key components that are identical, but colors, materials and their use on the elevations of the structures, shingle types and colors, and other architectural treatments must be varied to create interest within the project in terms of their appearances.

All of these components and treatments will be reviewed and approved by the City's Architectural Review Board.

h. The integration of public art features shall be required throughout key public spaces and gathering areas to act as focal points within this development. These features are creditable deductions from the required Public Space Dedication required in Condition 5 of this legislation. A minimum of two (2) of these features must be provided within the boundaries of this C-8 Planned Commercial District. The City Council shall consider and act upon the selection and location of these art features, prior to the release of any building permits for any of the permitted uses.

i. All residential units within the boundaries of this C-8 Planned Commercial District of this site must incorporate a deck, porch, or balcony on their front elevations.

3. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

Within eighteen (18) months of the date of approval of the preliminary development plan by the City Council and prior to any site disturbance, the developer shall submit to the Planning and Zoning Commission for its review and approval a Site Development Plan. Where due cause is shown by the petitioner, this time interval may be extended for an additional eighteen (18) months, through appeal to and approval by the Planning and Zoning Commission. The Site Development Plan shall include, but not be limited to, the following:

a. Outboundary and legal description of the property.
b. Location map of generalized nature, north arrow, and plan scale.
c. Location and size of all proposed structures, including canopies, arcades, business signage, and any garden or retaining walls.
d. Location and size of all parking areas and corresponding parking calculations.
e. Existing and proposed contours at two (2) foot intervals.
f. Roadways and driveways on and adjacent to the property in question, including required right-of-way dedication, pavement widening, and cross access easement areas.
g. The design, location, and size of all proposed lighting, fences, and trash areas.
h. A landscape plan including, but not limited to, the location, size, and general type of all plant and other materials to be used. (See Landscape Requirements Section of this Ordinance).
i. The approximate location of all stormwater and sanitary sewer facilities.
j. Parking and structure setbacks from adjacent property lines.
k. Location of all existing and proposed easements.
l. Location and method of protecting existing tree stands to be preserved.
m. A description of the area's (all surrounding properties within one hundred (100) feet of the subject site) infrastructure and site improvements of a general nature. Principally, building locations on individual properties, curb cuts, and driveway locations along the right-of-way, as well as other natural and man-made features must be shown.
n. All other information not mentioned above, but required on a preliminary plat in accord with Section 420.060 of the City of Wildwood Subdivision and Development Regulations.

4. SITE DEVELOPMENT PLAN DESIGN CRITERIA

The above Site Development Plan shall adhere to the following specific design criteria:

Building/Structure Setbacks

a. All buildings or structures, excluding boundary, garden and/or retaining walls, or fences, shall adhere to the setbacks therein established by the City of Wildwood's Town Center Neighborhood Design Standards for the "Workplace and Neighborhood General" Districts, except as follows:

    1. Fifty (50) feet from the western boundary line of this C-8 Planned Commercial District for all residential buildings/structures.

Parking Setbacks

b. All parking stalls, loading spaces, internal drives, excluding points of ingress and egress and public or private roadways, shall adhere to the City of Wildwood's Town Center Neighborhood Design Standards for the "Workplace and Neighborhood General" Districts, unless otherwise approved on the Site Development Plan by the Planning and Zoning Commission or as noted below:

    1. One hundred (100) feet from the Manchester Road right-of-way line, as shown on the submitted Preliminary Development Plan.

Minimum Parking Requirements

c. Minimum parking requirements shall be set forth in the City of Wildwood's Town Center Neighborhood Design Standards for the "Workplace and Neighborhood General" Districts and Chapter 415.290 Parking Regulations of the City of Wildwood's Zoning Ordinance. However, parking spaces for the authorized commercial uses shall be provided at a ratio of three (3) spaces per one thousand (1,000) square feet of gross floor area. Additionally, the following requirements shall also apply:

    1. All parking spaces and access drives shall be paved.
    2. A minimum of one hundred sixty-eight (168) parking spaces shall be provided as part of the residential building's design (underground).

Access and Roadway Improvements, including sidewalks

d. The developer of the project shall be responsible for the construction and installation of all improvements within Manchester Road right-of-way along the subject site's frontage, which shall conform to the requirements of the City of Wildwood's Street Specifications of the Town Center Plan and as directed and approved by the Department of Public Works. All streetscape requirements (street trees, lights, signs, waste receptacles, benches, and other items) shall consist of approved materials and installed, as required by the City of Wildwood's Town Center Plan within the right-of-way of Manchester Road by the developer of this project, and be approved by the Department of Public Works.

    1. The developer shall be responsible for the design and construction of a left-turn lane within Manchester Road right-of-way to serve this site. The design details of this left-turn lane shall be provided in conjunction with the Manchester Road Streetscape Requirements and Street Specifications, first as part of the Site Development Plan review process and then as part of the Improvement Plans submitted to the Departments of Public Works and Planning for final action. All design requirements and construction details shall be as directed and approved by the Department of Public Works.

e. Dedicate all the right-of-way, easements, and licenses within the subject site necessary for the improvement of Manchester Road. In this regard, the developer/owner shall dedicate a minimum of ten (10) feet of land area along the subject property's frontage to the City of Wildwood for public right-of-way purposes. This dedication shall be reviewed by the Department of Public Works and acted upon by Planning and Zoning Commission on the Site Development Plan.

f. Access to this development from Manchester Road shall be limited to one (1) public street intersection designed in accordance with the City of Wildwood's Street Specifications of the Town Center and as directed and approved by the Department of Public Works.

g. Provide a sidewalk conforming to City of Wildwood ADA standards along Manchester Road, as directed by the Department of Public Works. Said sidewalk shall conform to the City of Wildwood's Street Specifications of the Town Center Plan and be no less than ten (10) feet in width and comply with the Streetscape Requirements of the aforementioned plan.

New Public Street (North/South Roadway)

h. Dedicate land area within the site for a fifty (50) foot right-of-way for a yet un-named public street and construct said roadway, sidewalks, and improvements in conformance with the requirements of the City of Wildwood's Street Specifications of the Town Center Plan and as directed by the Department of Public Works. All streetscape requirements (street trees, lights, signs, waste receptacles, benches, and other items shall consist of approved materials) shall be installed by the developer, as required by the City of Wildwood's Town Center Plan, within the right-of-way of this yet un-named street and be approved by the Department of Public Works.

i. Dedicate all other easements and licenses within the subject site, as necessary for the improvement of the proposed yet un-named public street, per the direction of the Department of Public Works, consistent with the approved design for this Town Center infrastructure improvement.

j. The construction extent of this roadway shall be from the northern edge of the new right-of-way area for Manchester Road to the northern property line of the subject property and again be the responsibility of the developer of this site to complete in accordance with approved plans.

Miscellaneous Roadway Requirements

k. Provide cross-access easement and temporary slope construction license, or other appropriate legal instrument or agreement guaranteeing permanent access between this site and adjacent properties to the west and east of the subject tract of land, as directed by the Departments of Planning and Public Works. Improvements associated with the required cross-access shall be deeded and recorded prior to the occupancy (both temporary and final) of the building and be the full responsibility of the developer. Said design and construction specifications shall be as directed by the Department of Public Works and acted upon by the Planning and Zoning Commission on the Site Development Plan.

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

m. The developer is advised that utility companies will require compensation for relocation of their utility facilities within public road right-of-way. Utility relocation cost shall not be considered as an allowable

credit against the petitioner's traffic generation assessment contributions. The developer should also be aware of extensive delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of road improvements. All utilities within the C-8 Planned Commercial District and on rights-of-way otherwise constructed pursuant to this authorization shall be installed and placed underground in locations, as approved by the Director of Public Works.

n. Sidewalks shall be required on all public and private streets and provide for a continuous and logical layout of this pedestrian network. Minimally, this pedestrian network shall include plazas, patios, and other features and provide ample areas for access to all locations within the boundaries of this C-8 Planned Commercial District. Design and construction requirements for all sidewalks within the entire development shall be as established in the Street Specifications and Streetscape Elements of the Town Center Plan. Approval of their location, design, and material shall be by the Planning and Zoning Commission and the Architectural Review Board as part of the Site Development Plan review process.

o. All internal streets, access drives, or lanes, whether public or private, shall comply with the Streetscape Requirements of the Town Center Plan in terms of improvements, such as drive lane widths, sidewalks, stormwater drainage facilities, garden walls, street trees and lights, and pedestrian furniture. If certain streets, drives, or lanes are to be private, an easement shall be provided to the City granting public use of them for pedestrian and vehicular purposes. These easements shall be granted at the time of the Record Plat approval by the City Council.

Landscape Requirements - Specific

p. Building and parking setbacks shall be landscaped in accord with Chapter 410 of the City of Wildwood's Codified Ordinances and its accompanying Tree Manual.

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

r. All lawn areas shall be appropriately landscaped and sodded and comply with Chapter 410 of the City of Wildwood's Codified Ordinances and its accompanying Tree Manual.

s. All new landscaping materials shall meet the following criteria: Deciduous Trees - two and one-half (2½) inch minimum caliper; Evergreen Trees - Six (6) feet minimum height; and Shrubs- twenty-four (24) inch minimum height.

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

Lighting Requirements

u. Light standards shall not exceed sixteen (16) feet in height. No on-site illumination source shall be so situated that light is cast directly on adjoining properties or public roadways. Illumination levels shall comply with the provisions of the City of Wildwood's Zoning Code proposed Chapter 415.450 "Outdoor Lighting Requirements." A Lighting Study shall be submitted in conjunction with the Site Development

Plan indicating compliance to these requirements. The location of all light standards and their design and appearance shall be approved by the Planning and Zoning Commission on the Site Development Plan.

Sign Regulations

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

1. All wall signs shall comply with the Chapter 415.420 Sign Regulations for the C-2 Shopping District, except all signage shall be externally illuminated according to the Town Center Plan's Architectural Guidelines.
2. No wall sign shall exceed thirty (30) square feet in overall size.
3. No freestanding monument type sign shall be authorized within the boundaries of this C-8 Planned Commercial District.
4. No advertising, temporary, or portable signs shall be authorized in this C-8 Planned Commercial District development. No other signs shall be authorized, except as may comply with the C-2 Shopping District Regulations of the City of Wildwood Zoning Ordinance and the Town Center Plan's Architectural Guidelines.

Miscellaneous Conditions

w. All trash areas shall be enclosed with a six (6) foot high sight-proof wall (with gate) and be appropriately landscaped around its perimeter, if applicable. The location and design of the enclosure shall be reviewed and acted upon by the Planning and Zoning Commission on the Site Development Plan. The design of this enclosure shall reflect the appearance, character, and style, in terms of its color, material, and composition, of the approved architecture of the main building.

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

y. No rooftop mechanical equipment shall be allowed within this C-8 Planned Commercial District.

z. Improvements associated with public infrastructure, such as roadways, sidewalks (internal and within the public right-of-way), and access points, shall comply with general design principles that will provide for safe and efficient movement of traffic in and around these sites and improve overall circulation in the area. These improvements shall be reviewed and approved by the Department of Planning and indicated on the required Site Development Plan, which will be reviewed and acted upon by the Planning and Zoning Commission.

aa. The owner or developer shall be required to obtain public sewer service from the Metropolitan St. Louis Sewer District for the treatment of wastewater effluent.

bb. The design, color, material, and location of all garden and screen walls or fences shall be consistent with the requirements of the Town Center Plan's Architectural Guidelines and be shown on the Site Development Plan for review and action by the Planning and Zoning Commission and the Architectural Review Board.

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

5. PUBLIC SPACE REQUIREMENTS

Developer shall construct improved public space in conformance with or otherwise satisfying the requirements of the City's Public Space Ordinance, Chapter 415.260 and 415.270 of the City of Wildwood's Zoning Ordinance. The City Council accepts the findings of the Public Space Study adopted therein and determines the compliance with the Public Space Ordinance provisions will address the impact of this specific development on public space needs in a manner and amount that is equal to less than an amount that is roughly proportional to the actual or anticipated impact. The installation of required public space improvements shall be as required by the applicable ordinance, but shall be completed prior to issuance of any occupancy (temporary or final) permit for the individual commercial building authorized by this ordinance. Unless otherwise approved pursuant to the procedures set forth in the Public Space Ordinance, the public space attributable to this development, based upon the number of provided parking spaces at a rate of 290.4 square feet per parking space (commercial) and 828 square feet per unit for residential.

a. In compliance with all requirements of the Public Space Regulations of the City's Zoning Ordinance, the proposed commercial plaza shall be a minimum of seventy-five (75) feet in width, located between the two (2) commercial buildings, placed at the ten (10) foot build-to line with the new Manchester Road right-of-way, and designed and constructed as directed by the Planning and Zoning Commission. The design of this commercial plaza shall be reviewed and acted upon as part of the Site Development Plan process by the Planning and Zoning Commission.

6. TRAFFIC GENERATION ASSESSMENT

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

Type of Development	Required Contribution
Condominiums/Apartments	$382.06/Parking Space
General Retail	$1,751.08/Parking Space
Professional Office	$1,751.08/Parking Space
Sit-Down Restaurant	$1,751.08/Parking Space
General Office	$583.66/Parking Space
Shopping Centers	$1,751.08/Parking Space
Loading Space	$2,865.42/Loading Space

(For the purposes of this calculation, a parking space as defined and required by Chapter 415.280 of the City of Wildwood Zoning Ordinance.)

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

As this development is located within a trust fund area established by the City of Wildwood, any portion of the traffic generation assessment contribution, which remains, following completion of road improvements required by the development, shall be retained in the appropriate trust fund.

The amount of this required contribution, if not submitted by January 1, 2009, shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accord with the construction cost index as determined by the City of Wildwood Department of Public Works.

7. VERIFICATION PRIOR TO APPROVAL OF THE SITE DEVELOPMENT PLAN

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

Stormwater

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

   1. The developer is required to provide adequate stormwater systems in accordance with the City of Wildwood and Metropolitan St. Louis Sewer District Standards.
   2. All stormwater shall be discharged at an adequate natural discharge point.
   3. Detention or differential runoff of stormwater shall be required in accord with the standards of Metropolitan St. Louis Sewer District and the City of Wildwood. These facilities shall be provided in permanent retention facilities, specifically a lake of a minimum one-half (½) acre in size. The retention facilities shall be completed and in operation prior to paving of any driveways or parking areas.
   4. The developer of this site shall be solely responsible to provide the necessary mechanisms, as part of the Site Development Plan/Improvement Plan process, to implement "best management practices" for stormwater management and the construction of related facilities. Minimally, these practices/facilities should include rain gardens, vegetative swales, and other options to substantially reduce the amount of stormwater leaving the subject site.
   5. The developer shall provide adequate detention and/or hydrologic calculations for review and approval of all stormwater that will encroach on City of Wildwood rights-of-way.
   6. The provision of all approvals from the U.S. Army Corp of Engineers and the Missouri Department of Natural Resources shall be required for the enclosure of the creek. Any mitigation efforts required by these two (2), federal and State agencies shall also be approved by the City of Wildwood.
   7. The approved stormwater management plan for this development may include the use of off-site, regional facilities in terms of the retention/detention of runoff from this site, unless otherwise authorized by the Department of Public Works on the Site Development Plan. The developer(s) shall be responsible for all costs associated with the construction and modifications to existing facilities to accomplish this regional stormwater management requirement, if applicable.

Geotechnical Report

b. Provide a Geotechnical Report covering development and grading required by improvements involved with this site, as directed by the Department of Public Works. Said report shall verify the adaptability of grading and improvements with soil and geologic conditions, which are susceptible to rapid erosion,

landslide, and/or creep. A statement of compliance with this study, signed by the Geotechnical Engineer preparing the report, shall be included on all Site Development Plans. The development and construction plans shall be designed to conform to the requirements and conditions of the Geotechnical Report.

Stormwater Pollution Prevention Plan

c. Submit a Stormwater Pollution Prevention Plan, as part of the Site Development Plan review process, indicating compliance to Federal, State, and local requirements regarding the management of stormwater runoff to prevent siltation and erosion, both on-site and upon downstream properties.

Traffic Study

d. The developer shall provide to the Departments of Planning and Public Works a Traffic Study indicating the anticipated trip generation from this use and corresponding improvements to address changes in circulation patterns, turning movements, volumes, and other related circumstances for Manchester Road. The Traffic Study must be completed by a qualified engineer having recent (within the last two (2) years) experience in this area of expertise. Review and approval of the Traffic Study shall be by the City of Wildwood Departments of Planning and Public Works.

Phase I Environmental Assessment

e. The developer shall provide to the Planning and Zoning Commission, as part of the Site Development Plan submittal package, a Phase I Environmental Assessment Report of the properties indicating their current condition relative to past utilization of this tract of land.

8. RECORDING

Within sixty (60) days of approval of the Site Development Plan by the Planning and Zoning Commission, the approved plan shall be recorded with the St. Louis County Recorder of Deeds.

9. VERIFICATION PRIOR TO BUILDING PERMITS

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

Landscape Bonds or Escrows

a. If the estimated cost of new landscaping required by the Planning and Zoning Commission on the Site Development Plan exceeds one thousand ($1,000) dollars, as determined by a plant nursery, the petitioner shall furnish a two (2) year deposit bond or escrow sufficient in amount to guarantee the installation and maintenance of said landscaping in a form determined by the Director of Planning.

Notification of Department of Planning

b. Prior to issuance of foundation or building permits, all approvals from the Department of Public Works, the U.S. Army Corp of Engineers, the Missouri Department of Natural Resources, Metro West Fire

Protection District, and the Metropolitan St. Louis Sewer District must be received by the Department of Planning.

Roadway Improvements

c. Road improvements and right-of-way dedication shall be completed, prior to the issuance of an occupancy permit, unless otherwise noted in this ordinance. As previously noted, the delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.

Traffic Generation Assessment Contribution

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

Certification of Plans

e. Provide verification that construction plans are designed to conform to the requirements and conditions of the Geotechnical Report.

10. GENERAL DEVELOPMENT CONDITIONS

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

b. Provide adequate temporary off-street parking for construction employees. Parking on non-surfaced areas shall be prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.

c. If cut and fill operations occur during a season not favorable for immediate establishment of a permanent ground cover, a fast germinating annual, such as Rye or Sudan Grasses, shall be utilized to retard erosion.

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

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

f. Any other applicable zoning, subdivision, or other regulations or requirements of the City, whether in effect at the adoption of this ordinance or as may be hereinafter adopted, shall further apply to the development of this property as authorized by this C-8 Planned Commercial District Ordinance, except as may be provided by law. Nothing herein shall be deemed a waiver of any subdivision, zoning or other development regulation of the City whether by implication or reference.

g. This zoning approval is conditioned on compliance with the Zoning Ordinance, Subdivision and Development Regulations, and all applicable laws of the City. Such additional regulations are

supplemental to the requirements herein and no modification of any applicable regulations shall result from this C-8 Planned Commercial District ordinance, except where this ordinance has expressly modified such regulations by reference to the applicable provision authorizing such modification.

h. Substantial construction shall begin by July 25, 2016 for the parcel of ground governed by this C-8 Planned Commercial District ordinance. Construction shall be deemed to have commenced with the final grading for and installation of roadways necessary for the first approved plat or phase of construction and commencement of installation of the sanitary and storm sewers.

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
Travis Newberry, Planner
Mary Kay Corsair and Robert W. Covert III, Property Owners

Attachment A

Background Information

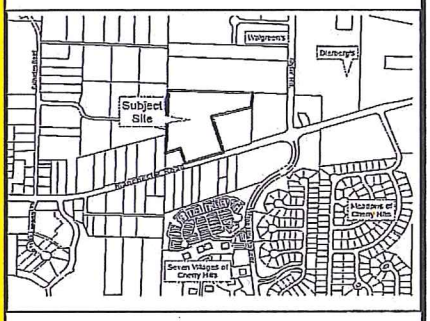
WILDWOOD

16860 Main Street
Wildwood, MO 63040

CITY OF WILDWOOD
NOTICE OF
PUBLIC HEARING
before the City Council
Monday, July 25, 2016, at 7:30 p.m.

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

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



Street Address of Subject Site:
16815 Manchester Road
Wildwood, MO 63040

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

The City Council of the City of Wildwood will conduct a public hearing on **Monday, July 25, 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 a request 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 the hearing and addressed to the City Council, 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:

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)**

***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 City Council, City of Wildwood, 16860 Main Street, Wildwood, Missouri 63040.
3) Viewing the City Council's agenda and report, which is available on the City's website at: **www.cityofwildwood.com**, the Friday before the aforementioned meeting date.

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

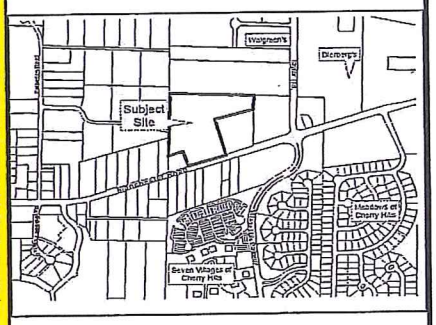
WILDWOOD

16860 Main Street
Wildwood, MO 63040

CITY OF WILDWOOD
NOTICE OF
PUBLIC HEARING
before the Planning and Zoning Commission
Monday, 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 Address of Subject Site:
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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 that governs this 11.3 acre site that was approved for a total of seven (7), multiple-story buildings, housing one hundred sixty-eight (168) condominium and/or apartment units, along with two (2) commercial buildings fronting onto Manchester Road, with associated parking, 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)**

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 and report, 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.

Covert-Corsair
Robert W. Covert III and Mary Kay Corsair
P. O. Box 280
Wildwood, MO 63040

CITY OF WILDWOOD

April 15, 2016

APR 20 2016

DEPT OF PLANNING & PARKS

Mr. Joe Vujnich
Director of Planning
City of Wildwood
16860 Main Street
Wildwood, MO 63040

Dear Mr. Vujnich:

Re: Governing Ordinance No. 1953 and
Site Development Plan
16815 Manchester Road
11.29 Acres
Wildwood, MO 63040

At this time, we are requesting that the governing Ordinance/ Site Development Plan for the above captioned property be extended from July 25, 2016.

We appreciate your consideration to our request.

Sincerely,

Robert W Covert III

Robert W. Covert III
President

Mary Kay Corsair

Mary Kay Corsair
Vice President

RWC/MKC:gkw

Attachment B

Site Development Plan

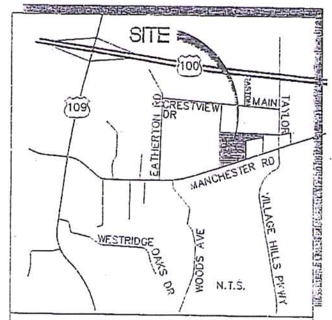
2011012500528
PLAT BK: 359, PG: 25-33
FILED FOR RECORD - Jan 26, 2011 10:28 AM
RECORDER OF DEEDS
ST. LOUIS COUNTY, MO.

28

SITE DEVELOPMENT PLAN

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 44 NORTH, RANGE 3 EAST OF THE 5th PRINCIPAL MERIDIAN, CITY OF WILDWOOD, ST. LOUIS COUNTY, MISSOURI.

ORDINANCE #1723



LOCATION MAP
(NOT TO SCALE)

PROPERTY DATA

LOT:	11.29 Acres ±
LOT ZONING:	C-8 PLANNED COMMERCIAL DISTRICT
PROPOSED USE:	RESIDENTIAL AND RETAIL
PARKING SETBACK:	CONFORMING TO CITY OF WILDWOOD "TOWN CENTER NEIGHBORHOOD DESIGN STANDARDS, WORKPLACE AND NEIGHBORHOOD GENERAL DISTRICTS" OR AS APPROVED BY PLANNING AND ZONING COMMISSION, EXCEPT 100' FROM MANCHESTER ROAD RIGHT-OF-WAY.
BUILDING SETBACK:	CONFORMING TO CITY OF WILDWOOD "TOWN CENTER NEIGHBORHOOD DESIGN STANDARDS, WORKPLACE AND NEIGHBORHOOD GENERAL DISTRICTS", EXCEPT 50' FROM WESTERN BOUNDARY.
LOCATOR NUMBER:	24V530268
ADDRESS:	16315 MANCHESTER RD
ZIP CODE:	63040
WARD NUMBER:	8
FIRE DISTRICT:	METRO WEST
SCHOOL DISTRICT:	ROCKWOOD R-6
SEWER DISTRICT:	METROPOLITAN ST. LOUIS SEWER DISTRICT
WATER SHED:	CAULKS CREEK WATERSHED
ELECTRIC COMPANY:	AMERENUE
GAS COMPANY:	LACLEDE GAS COMPANY
PHONE COMPANY:	AT&T
WATER COMPANY:	MISSOURI AMERICAN WATER COMPANY
POLICE:	WILDWOOD POLICE DEPARTMENT
FLOOD MAP PANEL:	29189C0235 H
GUNNENBERG'S:	PAGE 31, GRID 25 H

PROJECT DATA

BUILDING	AREA	PARKING REQ'D
AA RETAIL	20,000 S.F.	60 P.S.
PARKING REQUIRED		60 P.S.
PARKING PROVIDED		61 P.S.

CONDOMINIUM DATA

BUILDING		PARKING REQ'D
BB	CONDOMINIUM	48 P.S.
CC	CONDOMINIUM	48 P.S.
DD	CONDOMINIUM	32 P.S.
EE	CONDOMINIUM	32 P.S.
FF	CONDOMINIUM	48 P.S.
GG	CONDOMINIUM	64 P.S.
HH	CONDOMINIUM	64 P.S.

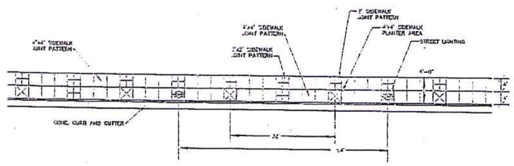
PARKING REQUIRED	336 P.S.
PARKING PROVIDED	108 P.S.
	165 P.S.
	336 P.S.

DENSITY CALCULATIONS

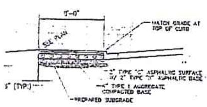
	AREA	PERCENTAGE
BUILDING	113,310 SF	23%
PAVEMENT	169,681 SF	35%
GRASS	209,003 SF	42%
TOTAL	491,974 SF	100%

GENERAL NOTES

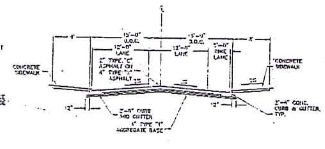
SURVEYOR'S CERTIFICATION



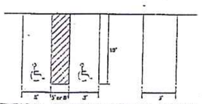
SIDEWALK JOINT PATTERN DETAIL (INTERNAL ROAD)
(n.t.s.)



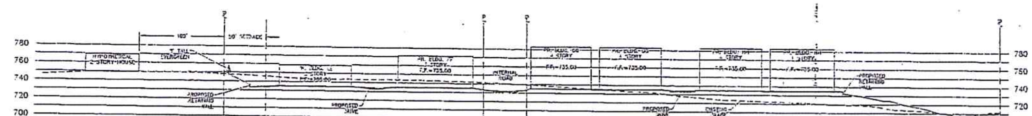
MULTI-USE PATH DETAIL



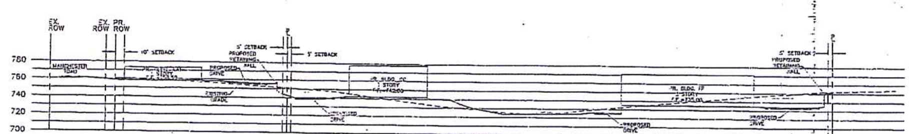
TYPICAL STREET SECTION (INTERNAL ROAD)
(n.t.s.)



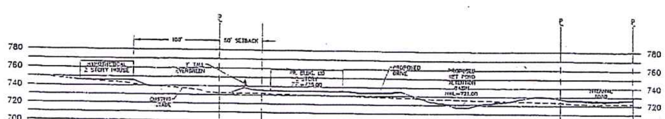
TYPICAL PARKING STALLS DETAIL
(n.t.s.)



SITE SECTION A – A



SITE SECTION B – B



SITE SECTION C – C

APPROVED 1-7-6
CITY OF WILDWOOD
DEPARTMENT OF PLANNING
SIGNED: [signature]
DATE: 1-25-11

NOTE:
NO PERMITS SHALL BE ISSUED, BASED UPON THE APPROVED SITE DEVELOPMENT PLAN, UNTIL THE FOLLOWING ITEMS ARE SUBMITTED AND ACTED UPON BY THE CITY OF WILDWOOD:
1. A COMPLETED TRAFFIC STUDY, AS REQUIRED BY ORDINANCE #1491, SECTION 7(J)
2. GEOTECHNICAL REPORT
3. PHASE I ENVIRONMENTAL ASSESSMENT
4. LANDSCAPE AND LIGHTING PLANS
5. IMPROVEMENT PLANS, WHICH MEET CITY REQUIREMENTS AND ADDRESS THE ALIGNMENT OF MANCHESTER ROAD, AS SET FORTH BY THE CITY'S DEPARTMENT OF PUBLIC WORKS.

REVISED PER CITY COMMENTS 07/07/10	
REVISED PER CITY COMMENTS 03/25/10	REVISED PER CITY COMMENTS 12/21/10
REVISED PER CITY COMMENTS 01/11/10	REVISED PER CITY COMMENTS 11/10/10
REVISED PER CITY COMMENTS 11/05/09	REVISED PER CITY COMMENTS 07/13/10

M.S.D. REF# D-089-00
BASE MAP # 25-H

ELEVATION DATUM

PREPARED FOR:
COVERT - CORSAIR HOMES, INC.
P.O. BOX 280
Wildwood, MO 63040
CONTACT: Mr. Robert W. Covert III (Bob) and Ms. Mary Kay Corsair

COVERT - CORSAIR HOMES, INC.

SITE DEVELOPMENT PLAN

STOCK & ASSOCIATES
Consulting Engineers, Inc.
257 Chesterfield Business Parkway
St. Louis, MO 63005
PH. (636) 530-9100
FAX (636) 530-9130
e-mail: general@stockassoc.com
Web: www.stockassoc.com

GEORGE M. STOCK E-25116

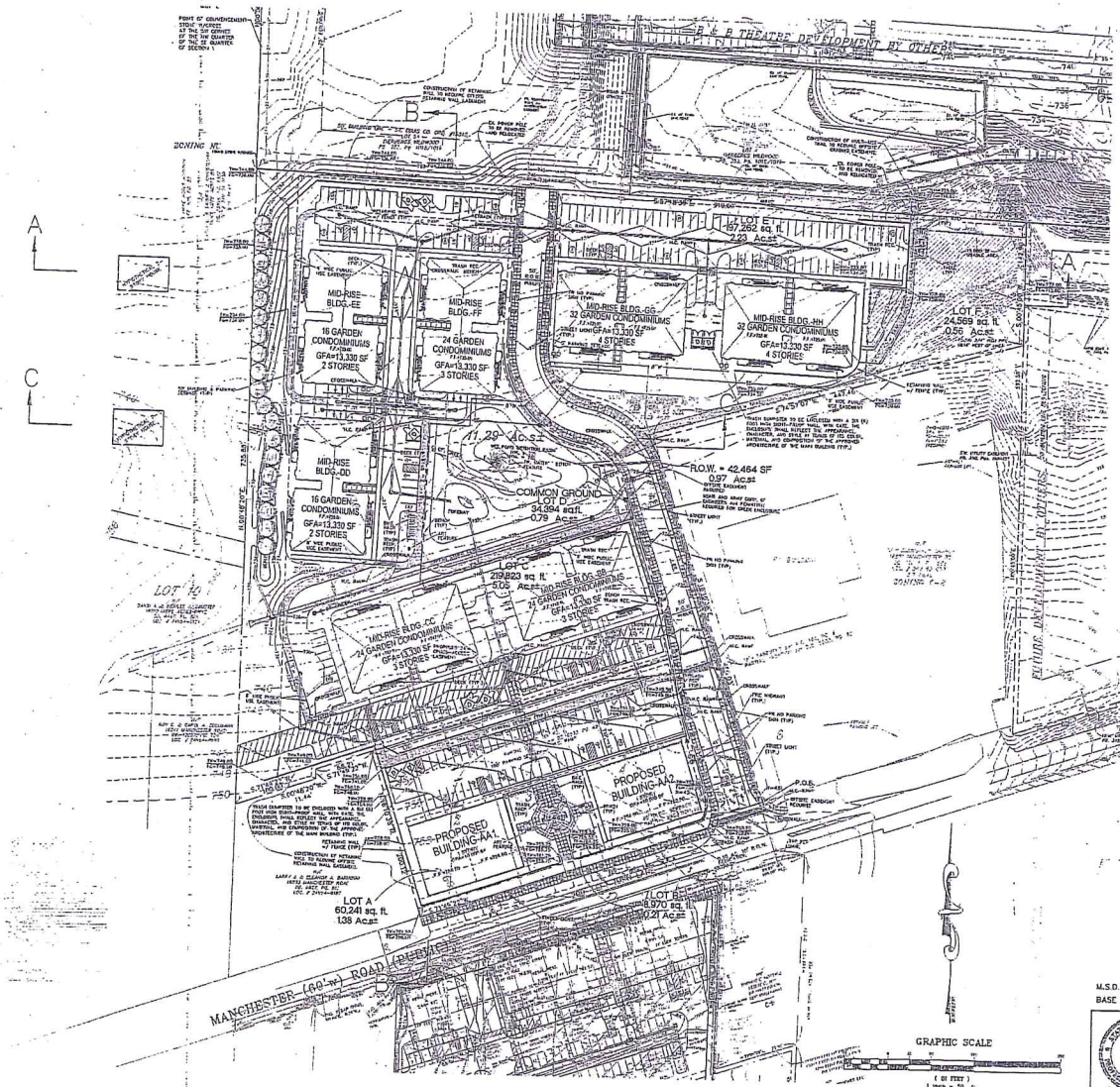
DRAWN BY	DATE	CHECKED BY	DATE	JOB NUMBER	SHEET
J.P.W.	07/23/09	G.M.S.	07/23/09	207-4133.2	1 of 6

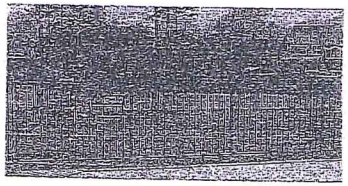
SITE DEVELOPMENT PLAN

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 1,
TOWNSHIP 44 NORTH, RANGE 3 EAST OF THE 5th PRINCIPAL MERIDIAN,
CITY OF WILDWOOD, ST. LOUIS COUNTY, MISSOURI

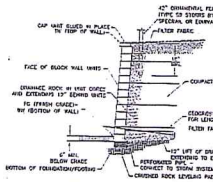
ORDINANCE #1723

29





RETAINING WALL GUARDRAIL EXHIBIT



TYPICAL RETAINING WALL SECTION

NOTES –
1. ALL CONSTRUCTION SHALL BE PER THE MANUFACTURER'S RECOMMENDATIONS.
2. THE INFORMATION IS A CONCEPT ONLY. ACTUAL DESIGN OF RETAINING WALL SHALL BE BY A LICENSED PROFESSIONAL ENGINEER & SUBMITTED TO STOCK AND ASSOCIATES FOR REVIEW WITH GRADING PLAN.
3. ACCEPTABLE ALTERNATE WALL SYSTEMS: ALTERNATE BLOCK WALL.
4. TOP-TOP OF RETAINING WALL, FOOTINGS, GRADE AT BASE OF WALL.
5. COLOR SELECTION TO BE COORDINATED WITH ARCHITECT AND APPROVED BY OWNER.
6. THE WALL DESIGNER SHALL INCLUDE A "GLOBAL STABILITY ANALYSIS" WITH THE SUBMISSION OF PERMIT PLANS.

APPROVED 2 of 6
CITY OF WILDWOOD
DEPARTMENT OF PLANNING
SIGNED: for Wayne
DATE: 1-25-11

NOTE:
NO PERMITS SHALL BE ISSUED, BASED UPON THE APPROVED SITE DEVELOPMENT PLAN, UNTIL THE FOLLOWING HAVE BEEN SUBMITTED AND ACCEPTED BY THE CITY OF WILDWOOD:
1. A COMPLETED WATER STUDY, AS REQUIRED BY ORDINANCE 1149, SECTION 7(B)
2. GEOTECHNICAL REPORT
3. PHASE I ENVIRONMENTAL ASSESSMENT
4. LANDSCAPE AND LIGHTING PLANS
5. IMPROVEMENT PLANS, WHICH MEET CITY REQUIREMENTS AND ADDRESS THE ALIGNMENT OF MANCHESTER ROAD, AS SET FORTH BY THE CITY'S DEPARTMENT OF PUBLIC WORKS.

REVISED PER CITY COMMENTS 07/07/10	REVISED PER CITY COMMENTS 12/23/10
REVISED PER CITY COMMENTS 03/25/10	REVISED PER CITY COMMENTS 11/30/10
REVISED PER CITY COMMENTS 01/11/10	REVISED PER CITY COMMENTS 07/13/10
REVISED PER CITY COMMENTS 11/20/09	

M.S.D. REF# D-089-00
BASE MAP # 25-E

COVERT – CORSAIR HOMES, INC.

SITE DEVELOPMENT PLAN

STATE OF MISSOURI
GEORGE MICHAEL STOCK
NUMBER E-25116
PROFESSIONAL ENGINEER

GEORGE M. STOCK E-25116

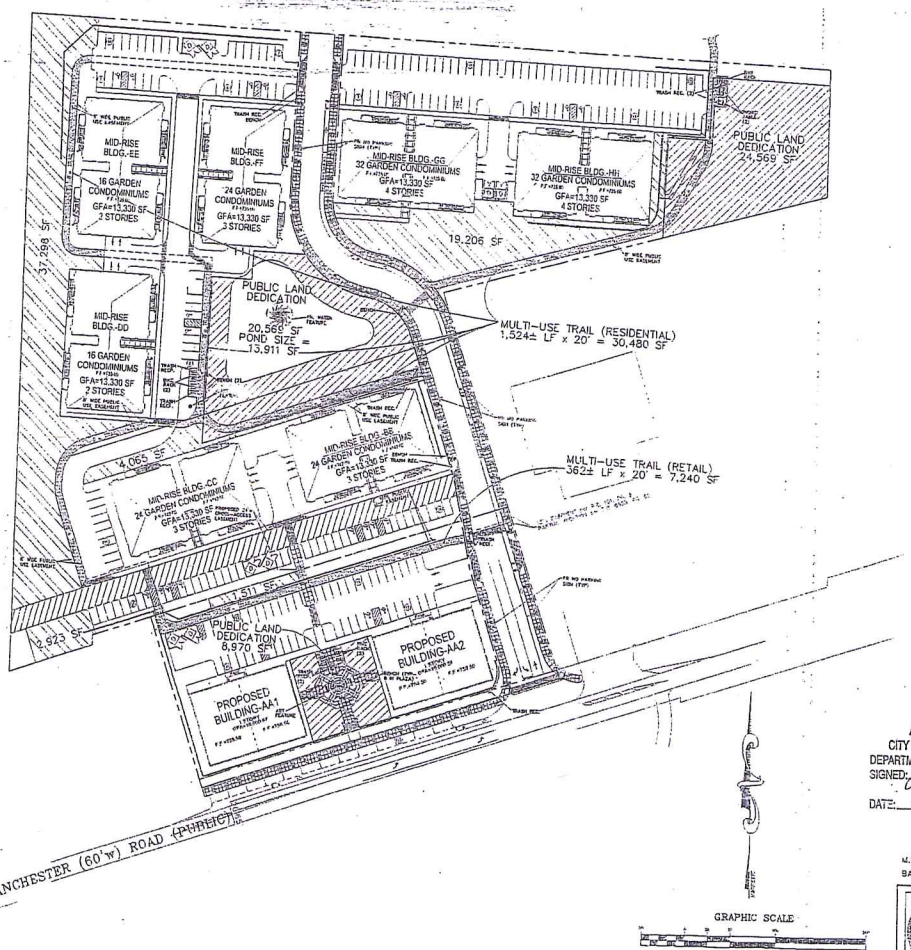
STOCK & ASSOCIATES
Consulting Engineers, Inc.

257 Chesterfield Business Parkway
St. Louis, MO 63005
PH. (636) 530-9900
FAX (636) 530-9100
e-mail: general@stockassoc.com
Web: www.stockassoc.com

DRAWN BY:	DATE:	DESIGNED BY:	DATE:	PROJECT NUMBER:	SHEET:
J.P.W.	07/23/09	G.M.S.	07/23/09	207-4133.2	2 of 6

PUBLIC SPACE CALCULATIONS

30



COMMON GROUND LEGEND

- PUBLIC COMMON GROUND
- PRIVATE COMMON GROUND

Residential:

Number of Provided Parking Spaces: 330 spaces
Number of Proposed Units: 166
Standard for Public Space: 625 square feet per dwelling unit
Amount of Required Public Space: 138,104 square feet
Amount of Provided Public Space: 138,110 square feet
- Multi-Use Trail: 30,480 square feet
- Underground Detention Area: N/A square feet
- Public Land Dedication: 45,175 square feet
- Private Common Ground: 63,482 square feet

List installed improvements:
- Picnic Tables: 2 total number
- Benches: 4 total number
- Trash Receptacles: 4 total number
- Bike Racks: 3 total number
- Art Feature: 1 total number
- Other: Water Feature 1
- Other:

Retail:

Number of Provided Parking Spaces: 61 spaces
Number of Proposed Units: 1176
Standard for Public Space: 250.4 square feet per parking space
Amount of Required Public Space: 13,314 square feet
Amount of Provided Public Space: 13,321 square feet
- Multi-Use Trail: 7,240 square feet
- Underground Detention Area: N/A square feet
- Public Land Dedication: 8,970 square feet
- Private Common Ground: 1,511 square feet

List installed improvements:
- Picnic Tables: total number
- Benches: 4 total number
- Trash Receptacles: 4 total number
- Bike Racks: 3 total number
- Art Feature: 1 total number
- Other:
- Other:

Note:
The design of the Commercial Plaza shall be reviewed and acted upon by the Planning and Zoning Commission.

APPROVED 3-4-6
CITY OF WILDWOOD
DEPARTMENT OF PLANNING
SIGNED: [signature]
DATE: 1-25-11

NOTE:
NO PERMITS SHALL BE ISSUED, BASED UPON THE APPROVED SITE DEVELOPMENT PLAN, UNTIL THE FOLLOWING ITEMS ARE SUBMITTED AND ACTED UPON BY THE CITY OF WILDWOOD:
1. A COMPLETED TRAFFIC STUDY, AS REQUIRED BY ORDINANCE #1491, SECTION 3(c)
2. GEOTECHNICAL REPORT
3. PHASE I ENVIRONMENTAL ASSESSMENT
4. LANDSCAPE AND LIGHTING PLANS
5. IMPROVEMENT PLANS, WHICH MEET CITY REQUIREMENTS AND ADDRESS THE ALIGNMENT OF MANCHESTER ROAD, AS SET FORTH BY THE CITY'S DEPARTMENT OF PUBLIC WORKS.

REVISED PER CITY COMMENTS 07/07/10
REVISED PER CITY COMMENTS 02/25/10
REVISED PER CITY COMMENTS 01/11/10
REVISED PER CITY COMMENTS 11/03/09
REVISED PER CITY COMMENTS 12/29/10
REVISED PER CITY COMMENTS 11/10/10
REVISED PER CITY COMMENTS 07/12/10

M.S.D. REF# D-085-00
BASE MAP # 25-6

COVERT – CORSAIR HOMES, INC.

SITE DEVELOPMENT PLAN

STATE OF MISSOURI
GEORGE M. STOCK
NUMBER
PE-2511
PROFESSIONAL ENGINEER
12/23/10

GEORGE M. STOCK E-25116

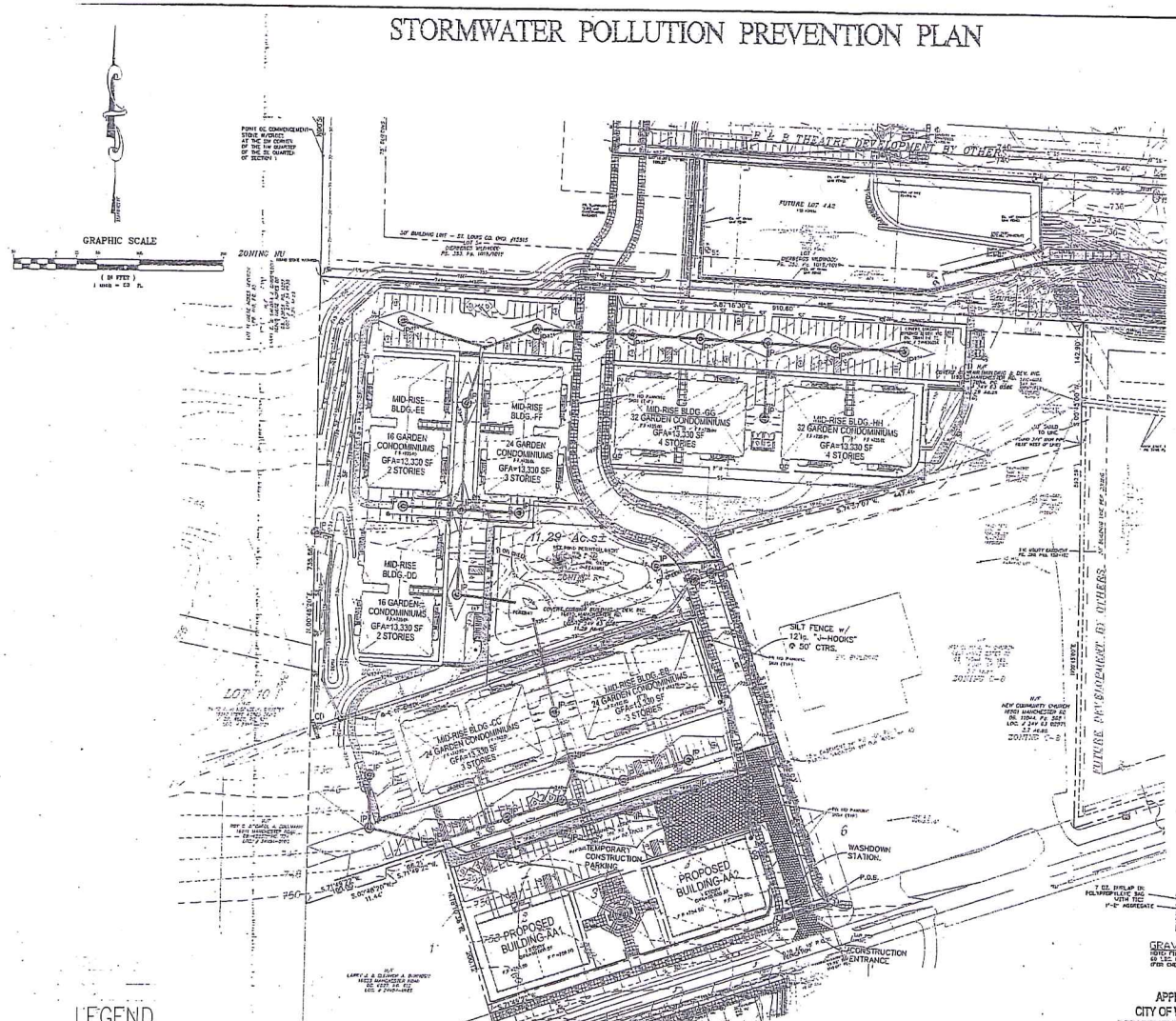
STOCK & ASSOCIATES
Consulting Engineers, Inc.

257 Chesterfield Business Parkway
St. Louis, MO 63005
PH. (636) 530-9100
FAX (636) 530-9130
e-mail: general@stockassoc.com
Web: www.stockassoc.com

DRAWN BY:	DATE:	CHECKED BY:	DATE:	JOB NUMBER:	
J.P.W.	07/23/09	G.M.S.	07/23/09	207-4133.2	3 of 6

GRAPHIC SCALE
(IN FEET)
1 inch = 50 ft.

STORMWATER POLLUTION PREVENTION PLAN

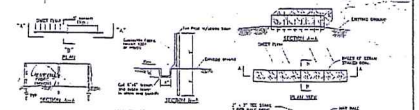


LEGEND

- SF — SILTATION FENCE
- CONSTRUCTION ENTRANCE
- IP — INLET PROTECTION
- CD — CHECK DAM

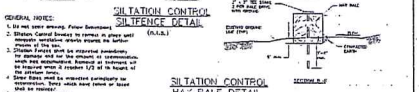
EROSION CONTROL NOTES

1. EROSION AND SILTATION CONTROL SHALL BE INSTALLED AND BE MAINTAINED THROUGHOUT THE PROJECT UNTIL ACCEPTANCE OF THE WORK BY THE OWNER AND/OR CONTROLLING REGULATORY AGENCY AND ADEQUATE VEGETATIVE GROWTH PROVIDES NO FURTHER EROSION OF THE SOIL.
2. AT LEAST ONCE EVERY WEEK AND AFTER EVERY RAINFALL EVENT OF 0.25 INCHES OR MORE, EROSION AND SILTATION CONTROL DEVICES SHALL BE INSPECTED FOR DAMAGE AND AMOUNT OF SEDIMENTATION ACCUMULATED AND CORRECTING ACTIONS TAKEN.
3. TEMPORARY SILTATION CONTROL MEASURES (STRUCTURAL) SHALL BE MAINTAINED UNTIL VEGETATIVE COVER IS ESTABLISHED AT A SUFFICIENT DENSITY TO PROVIDE EROSION CONTROL ON THE SITE.
4. WHERE NATURAL VEGETATION IS REMOVED DURING GRADING, VEGETATION SHALL BE REESTABLISHED IN SUCH A FASHION AS TO PREVENT EROSION.
5. WHEN GRADING OPERATIONS ARE COMPLETED OR SUSPENDED FOR MORE THAN 3 DAYS IN ANY AREA, THE DISTURBED AREA SHALL BE SEEDED OR OTHERWISE STABILIZED TO SIGNIFICANTLY REDUCE THE ERODIBILITY OF THE SOIL. PROTECTIVE MEASURES MAY INCLUDE: A COMBINATION OF SEEDING, SODDING, MULCHING OR OTHER SUITABLE MEANS TO PROTECT THE GROUND SURFACE FROM EROSION.
6. IF CUT AND FILL OPERATIONS OCCUR DURING A SEASON NOT FAVORABLE FOR ADEQUATE ESTABLISHMENT OF PERMANENT GROUND COVER, A FAST GERMINATING ANNUAL SUCH AS RYE GRASSES OR SUDAN GRASSES SHALL BE UTILIZED TO RETARD EROSION. IF ADEQUATE STORMWATER DETENTION AND EROSION CONTROL DEVICES HAVE NOT BEEN ESTABLISHED.
7. STORM WATER PIPES, OUTLETS AND CHANNELS SHALL BE PROTECTED BY SILT BARRIERS AND KEPT FREE OF WASTE AND SILT AT ALL TIMES PRIOR TO FINAL SURFACE STABILIZATION AND/OR PAVING.
8. DUST CONTROL MEASURES TO BE USED DURING PERIODS OF DRY WEATHER AND REDUCE POLLUTANTS FROM ENTERING INTO STORMWATER.
9. CONTRACTOR TO MAINTAIN CLEAN STREETS SURROUNDING THE DEVELOPMENT AND REDUCING/PREVENTING DUST POLLUTION BY USING DUST CONTROL MEASURES. SPRINKLING IS ONE TYPE OF DUST CONTROL THAT MAY BE USED ON HAUL ROADS AND OTHER TRAFFIC AREAS ON SITE.
10. ANY LAND CLEARING, CONSTRUCTION, OR DEVELOPMENT INVOLVING THE MOVEMENT OF EARTH SHALL BE IN ACCORDANCE WITH THE STORM WATER POLLUTION PREVENTION PLAN.
11. PRIOR TO ANY MAJOR LAND DISTURBANCE ACTIVITY, A LAND DISTURBANCE PERMIT FROM THE STATE OF MISSOURI DEPARTMENT OF NATURAL RESOURCES WILL BE REQUIRED.
12. IN THE EVENT OF SILT RUNOFF FROM SUBJECT PROPERTY ONTO OFFSITE PROPERTY, THE CONTRACTOR SHALL NOTIFY THE OFFSITE PROPERTY OWNER AND OBTAIN CONSENT TO REMOVE SEDIMENT AND RESTORE PROPERTY TO ORIGINAL CONDITION.

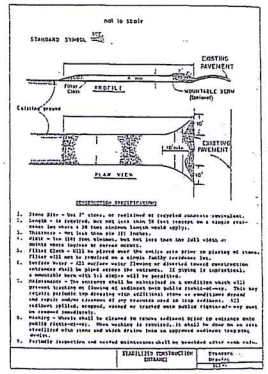


SILTATION CONTROL
SILTFENCE DETAIL
(n.t.s.)

GENERAL NOTES:
1. Use new posts ground. Follow Sediment
2. Siltation Control Devices to remain in place until upstream area stabilized. Remove the barrier prior to the last.
3. Siltation Fences shall be repaired immediately. Repairs will be the amount of sedimentation which has accumulated. Removal of sediment will be required when it reaches 1/2 of the height of the barrier fence.
4. Silter Bags shall be maintained periodically for sedimentation. Bags which have rotted or leaked shall be replaced.
5. Sediment shall be disposed. Places to be of acceptable with the municipalities/owner's representatives.



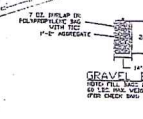
SILTATION CONTROL
HAY BALE DETAIL
(n.t.s.)



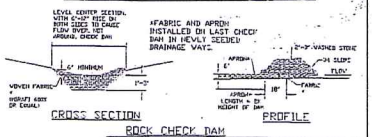
RECOMMENDED SPECIFICATIONS

1. Stone Size - Use 2" stone, or equivalent or recycled concrete equivalent.
2. Length - As required, but not less than 50 feet (except on a single residence lot where a 30 foot minimum length would apply).
3. Thickness - Not less than six (6) inches.
4. Width - Not less than twenty feet, but not less than the full width of all points of ingress or egress.
5. Filter Cloth - Will be placed over the entire area prior to placing of stone. Filter will not be required on a single family residence lot.
6. Surface Water - All surface water flowing or diverted toward construction entrances shall be piped across the entrance. If piping is impractical, a mountable berm with 5:1 slopes will be permitted.
7. Maintenance - The entrance shall be maintained in a condition which will prevent tracking or flowing of sediment onto public streets whatsoever. This may require periodic top dressing with additional stone as conditions dictate and repair and/or cleaning of such devices as deemed necessary by the reviewing officials. Streets shall be cleaned by removal of sediment prior to the end of each day and be removed immediately.
8. Washing - Wheels shall be cleaned to remove sediment prior to entrance onto public streets/roads. When washing is required, it shall be done on an area stabilized with stone and which drains into an approved sediment trap/pond.
9. Periodic inspection and needed maintenance shall be provided after each rain.

STABILIZED CONSTRUCTION ENTRANCE | Standard Drawing No.



GRAVEL BAR
NOTE: FILL BAGS 2/3 FULL, 60 LBS. MAX. WEIGHT. OPEN CHECK DAM



CROSS SECTION | PROFILE

ROCK CHECK DAM

NOTE:
NO PERMITS SHALL BE ISSUED BASED UPON THE APPROVED SITE DEVELOPMENT PLAN, UNTIL THE FOLLOWING ITEMS HAVE BEEN SUBMITTED AND ACTED UPON BY THE CITY OF WILDWOOD:
1. A COMPLETED TRAFFIC STUDY, AS REQUIRED BY ORDINANCE 21491, SECTION 7(a)
2. GEOTECHNICAL REPORT
3. PHASE I ENVIRONMENTAL ASSESSMENT
4. LANDSCAPE AND LIGHTING PLAN.
5. IMPROVEMENT PLANS, WHICH MEET CITY REQUIREMENTS AND ADDRESS THE ALIGNMENT OF MANCHESTER ROAD, AS SET FORTH BY THE CITY'S DEPARTMENT OF PUBLIC WORKS.

GRAVEL BAGS:
INSTALLATION/CONSTRUCTION PROCEDURES:
1. FILL BAGS APPROXIMATELY 2/3 FULL.
2. GRADE AND STABILIZE SOIL ON WHICH BAGS ARE TO BE PLACED.
3. PLACE CENTER LINE OF BAGS ON BOTTOM PERP.
4. PULLED BOTTOM BAGS TOWARD EACH SIDE OF CHANNEL TO ABUT WIDTH OF BOTTOM PLACE.
5. PLACE UPPER ROWS OF BAGS, STAGGERING ENDS IN BRICK-LIKE PATTERN.

O&M PROCEDURES:

SITE CONDITIONS FOR REMOVAL:

COMPLETION OF UPSTREAM WORK AND VEGETATION OF CONTRIBUTING NUMERIC AREAS.

1. INSPECT ONCE A WEEK AND AFTER EVERY STORM.
2. REMOVE TRASH AND LEAF ACCUMULATION.
3. PACK THAT HAVE BROKEN OUT OF PLACE.
4. WHEN SILT BUILDS UP TO 1/2 THE HEIGHT OF GRAVEL BAGS PERFORMING THE FUNCTION OF SILT FENCE, MOVE THE ROW OF BAGS IN FRONT OF THE SEDIMENT BUILDUP. THE "NEW ROW" WILL CAPTURE ADDITIONAL SEDIMENT AND KEEP CONCENTRATED SEDIMENT FROM REACHING THE PREVIOUS SEDIMENT BUILDUP.
5. REMOVE SEDIMENT AT ROWS OF BAGS USED AS FENCE ON LIFT. BAGS MAY BE REPOSITIONED TO FACILITATE REMOVAL OF SEDIMENT.

CHECK DAM:
INSTALLATION/CONSTRUCTION PROCEDURES:
1. GRADE DRAINAGE WAY AND DRAINAGE AREA OF CHECK DAM.
2. PLACE ROCK, SAND BAGS OR GRAVEL BAGS TO REQUIRED CONFIGURATION PERPENDICULAR TO FLOW.
3. MAXIMUM SPACING BETWEEN DAMS SHOULD BE SUCH THAT THE TOE OF THE UPSTREAM DAMS IS AT THE SAME ELEVATION AS THE TOP OF THE DOWNSTREAM DAM.

O&M PROCEDURES:
1. INSPECT ONCE A WEEK AND AFTER EVERY STORM.
2. REMOVE TRASH AND LEAF ACCUMULATION.
3. REMOVE SEDIMENT BUILDUP ONCE IT REACHES 1/2 DEPTH OF CHECK DAM OR 12" DEPTH, WHICHEVER IS LESS.
4. RESTORE DAM STRUCTURE TO ORIGINAL CONFIGURATION TO PROTECT DAMAGE.
5. REPLACE ROCK ON UPSTREAM FACE OF DAM IF POINTING DOES NOT DRAIN AT REASONABLE THEREAFTER.

SITE CONDITIONS FOR REMOVAL:

REMOVE AFTER CONTRIBUTING DRAINAGE AREAS HAVE BEEN ADEQUATELY STABILIZED AND VEGETATION IS ADEQUATELY ESTABLISHED IN DRAINAGEWAY. REGRADE AND VEGETATE AREA OF CHECK DAM.

APPROVED 4/26
CITY OF WILDWOOD
DEPARTMENT OF PLANNING
SIGNED: [signature]
DATE: 1-25-11

M.S.D. REF# D-089-00
BASE MAP: # 25-II

REVISED PER CITY COMMENTS 07/07/10
REVISED PER CITY COMMENTS 03/25/10
REVISED PER CITY COMMENTS 01/01/10
REVISED PER CITY COMMENTS 11/05/09
REVISED PER CITY COMMENTS 12/21/10
REVISED PER CITY COMMENTS 11/15/10
REVISED PER CITY COMMENTS 07/13/10

COVERT – CORSAIR HOMES, INC.

SITE DEVELOPMENT PLAN

STOCK & ASSOCIATES
Consulting Engineers, Inc.
257 Chesterfield Business Parkway
St. Louis, MO 63005
PH. (636) 530-9100
FAX (636) 530-9130
e-mail: general@stockassoc.com
Web: www.stockassoc.com
GEORGE M. STOCK C-25116

DRAWN BY:	DATE	DESIGNED BY:	DATE	JOB NUMBER	SHEET
J.P.W.	07/23/09	G.M.S.	07/23/09	207-4133.2	4 of 6

32

BILL #1723 ORDINANCE #1723

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WILDWOOD, MISSOURI AUTHORIZING A MODIFICATION TO AN EXISTING C-8 PLANNED COMMERCIAL DISTRICT ORDINANCE FOR THE PURPOSES OF ALLOWING AN EXTENSION OF TIME TO SUBMIT THE REQUIRED SITE DEVELOPMENT PLAN TO THE PLANNING AND ZONING COMMISSION FOR ITS APPROVAL, ALL IN ACCORDANCE WITH THE LETTER OF RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION DATED APRIL 19, 2010 ON THIS MATTER. (P.Z. 14-07 Covert-Corsair Homes, Inc., c/o Stock and Associates) Ward Eight

WHEREAS, the development of the City's Town Center Area has been done in accordance with plans, standards, and guidelines created by an expert in "New Urbanism" for the purposes of establishing a compact community of residential, commercial, institutional, and public space activities that are linked together by a coordinated system of streets, roadways, and sidewalks, along with unique architecture and design components; and

WHEREAS, the Town Center Area has seen interest in it, since its inception, from a number of different developers that have offered a range of projects, including large "Commercial/Workplace" types, residential neighborhoods, and a range of office/retail projects along Manchester Road and State Route 109; and

WHEREAS, the development of residential units in the City has been limited to single family types that are detached or attached, but not at higher densities consistent with the "Neighborhood General" District requirements of the Town Center Plan; and

WHEREAS, the need for higher density residential cottages in the Town Center Area is critical to the success of providing the population to support the business community in their immediate vicinity, as well as provide a variety of housing, with a mix of styles and prices; and

WHEREAS, the petitioners own an eleven (11) acre parcel of ground in the Town Center Area that abuts Manchester Road that was rezoned by St. Louis County for a higher density residential development, but did not proceed to construction and completion, and allowed the tract of land to remain vacant; and

WHEREAS, a petition was filed by these owners with the City of Wildwood utilizing the C-8 Planned Commercial District that sought to develop this same eleven (11) acre site with one hundred sixty-eight (168) residential units in a total of seven (7) buildings and approximately 20,000 square feet of "Workplace" type activities, which includes the installation of required infrastructure and utilities to meet the increased demand placed on the site and the surrounding area; and

WHEREAS, the City Council supported this request and noted it was in compliance with the City's Master and Town Center Plans, provided an appropriate transition between it and established residential areas, and met the level of public space that was in keeping with the City's requirements; and

WHEREAS, the ordinance authorizing this C-8 Planned Commercial District on the subject property was approved on March 10, 2008, which allowed the petitioners twelve (12) months to complete the Site Development Plan review process and receive approval from the Planning and Zoning Commission; and

WHEREAS, this time period was extended once by the Planning and Zoning Commission, which granted an additional six (6) months to receive approval of the aforementioned plan; and

WHEREAS, the petitioners and their design team have continued to work towards the completion of this plan; however, certain considerations have delayed its approval by the Planning and Zoning Commission, which led to the petitioner to submit a request for additional time to complete this action; and

WHEREAS, the Planning and Zoning Commission reviewed this request and believed an extension to this time period was appropriate in order to address unforeseen circumstances or outside influences that may affect the viability of a project of this size and magnitude, such as the current economic conditions associated with the residential housing and commercial markets; and

WHEREAS, the Commission also noted this proposed design has been determined to be an appropriate application of the City's regulations for this site and believes the denial of such a request may not result in an improved design in the future; and

WHEREAS, the City Council held a public hearing on this matter on April 26, 2010, where it reviewed the recommendation of the Planning and Zoning Commission, as well as comments regarding this request; and

WHEREAS, the City Council supports the requested modification to this C-8 Planned Commercial District to accommodate an extension to the required timeframe to receive approval of the Site Development Plan; and

WHEREAS, after careful and due deliberation and consideration of all comments, information, and documentation, including, but not limited to, the Planning and Zoning Commission's Letter of Recommendation, the City Council authorized the preparation of the legislation to allow for the site specific ordinance to be modified to accommodate the extension of time; and

WHEREAS, the City Council of the City of Wildwood, Missouri is empowered to consider and act upon requests of this nature based upon Chapter 89 of Missouri Revised Statutes, the City of Wildwood Charter, and local codes under the provisions of its need to promote and protect the public's health, safety, and general welfare.

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

Section One. The City of Wildwood Zoning Ordinances and Official Zoning District Maps, which are made a part hereof, are hereby amended by approving changes to existing C-8 Planned Commercial District Ordinance #1491 Regulations, which are set forth therein for the following described tract of land:

A tract of land being located in the [illegible] of Section 1, Township 44 North, Range 3 East of the Fifth Principal Meridian, City of Wildwood, St. Louis County, Missouri and being more particularly described as follows:

[illegible]

Section Two: The zoning authority and approval embodied in this ordinance is granted subject to compliance with the Subdivision and Development Regulations, Zoning Ordinance, and all other City of Wildwood ordinances, rules, and regulations and the conditions of this ordinance, except as may be modified herein, upon the requirement the development and approved Site Development Plan are carried out in accordance with the recommendation forwarded to the City Council by the Planning and Zoning Commission within the communication dated April 19, 2010, which is incorporated herein by reference as if fully set forth in this ordinance. The zoning authority granted herein is further subject to the following conditions:

1. PERMITTED USES

The uses allowed in this C-8 Planned Commercial District (Town Center Workplace and Neighborhood General District designations) shall be limited to professional offices, general offices, restaurants, including fast-food types, but without drive-through facilities, and retail and service activities, as defined in the Town Center Plan (as amended March 2, 1998), with associated parking, but not financial institutions, vehicle repair/service facilities, and taverns. Additionally, this C-8 Planned Commercial District shall authorize the development of no more than one hundred sixty-eight (168) condominium units, with underground parking, housed in garden style types of buildings (as shown on the submitted Preliminary Development Plan).

2. FLOOR AREA, HEIGHT, AND BUILDING REQUIREMENTS

a. The uses permitted in this C-8 Planned Commercial District shall be contained in a total of nine (9) buildings. The two (2) authorized commercial buildings fronting onto Manchester Road shall not exceed a total of twenty thousand (20,000) square feet in gross floor area (Buildings AA1 and AA2). These two (2) buildings (AA1 and AA2) cannot exceed an individual size of ten thousand (10,000) square feet respectfully. The seven (7) residential buildings shall be approved as such:

[illegible]	[illegible]	[illegible]
Building BB	13,330	Four (4)
Building CC	13,330	Three (3)
Building DD	13,330	Two (2)
Building EE	13,330	Two (2)
Building FF	13,330	Four (4)
Building GG	13,330	Four (4)
Building HH	13,330	Four (4)

Only two (2) of the identified four (4) buildings shall be allowed four (4) stories, the other two (2) structures cannot exceed a maximum of three (3) stories in overall height.

b. The area of this C-8 Planned Commercial District shall be a minimum of eleven (11) acres in overall size, unless otherwise reduced in area by public roadway dedications, as required herein. No division of this lot, once consolidated, shall be authorized, unless approved by the City Council of the City of Wildwood.

c. The two (2) allowable commercial buildings must be located abutting the Manchester Road right-of-way, so as to provide no less than eighty (80) percent of that frontage occupied by an arcade, porch, or building facade, along with the required commercial plaza. The orientation of these commercial buildings shall be as shown on the Preliminary Development Plan submitted by the petitioner as part of the rezoning request. These buildings shall be constructed with glazing to provide a minimum fifty (50) percent transparency along Manchester Road and exhibit no individual bay distance of greater than thirty (30) feet, without providing some type of recess, projection, or pilaster.

d. In those instances where a building facade is absent, a garden or screen wall shall be installed. This wall(s) must complement the appearance of the buildings located within the same block in terms of its design, architecture, color, material, and character. All garden or screen walls located upon this site shall be reviewed and approved by the Architectural Review Board as part of the Site Development Plan review and approval process.

e. No loading docks are authorized within the boundaries of this C-8 Planned Commercial District.

f. No structure or building shall exceed four (4) stories in overall height, as measured from final finish grade of the adjoining street. No commercial building shall exhibit less than a one and one-half (1½) story profile in terms of its massing along Manchester Road, with a first story, interior clear height not less than twelve (12) feet.

g. The proposed architectural design, character, and style of all buildings and structures, including retaining walls, shall adhere to the City of Wildwood's Town Center Architectural Guidelines, Neighborhood Design Standards, and any other applicable requirements of the Town Center Plan. Consideration and action relative to the required design shall be by the Architectural Review Board in accordance with the Town Center Development Manual for the "Workplace and Neighborhood General" District designations.

1. Each residential building may have key components that are identical, but colors, materials and their use on the elevations of the structures, shingle types and colors, and other architectural treatments must be varied to create interest within the project in terms of their appearances. All of these components and treatments will be reviewed and approved by the City's Architectural Review Board.

h. The integration of public art features shall be required throughout key public spaces and gathering areas to act as focal points within this development. These features are creditable deductions from the required Public Space Dedication required in Condition 5 of this legislation. A minimum of two (2) of these features must be provided within the boundaries of this C-8 Planned Commercial District. The City Council shall consider and act upon the selection and location of these art features, prior to the release of any building permits for any of the permitted uses.

i. All residential units within the boundaries of this C-8 Planned Commercial District of this site must incorporate a deck, porch, or balcony on their front elevations.

3. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

Within eighteen (18) months of the date of approval of the preliminary development plan by the City Council and prior to any site disturbance, the developer shall submit to the Planning and Zoning Commission for its review and approval a Site Development Plan. Where due cause is shown by the petitioner, this time interval may be extended for an additional eighteen (18) months, through appeal to and approval by the Planning and Zoning Commission. The Site Development Plan shall include, but not be limited to, the following:

a. Outboundary and legal description of the property.
b. Location map of generalized nature, north arrow, and plan scale.
c. Location and size of all proposed structures, including canopies, arcades, business signage, and any garden or retaining walls.
d. Location and size of all parking areas and corresponding parking calculations.
e. Existing and proposed contours at two (2) foot intervals.
f. Roadways and driveways on and adjacent to the property in question, including required right-of-way dedication, pavement widening, and cross access easement areas.
g. The design, location, and size of all proposed lighting, fences, and trash areas.
h. A landscape plan including, but not limited to, the location, size, and general type of all plant and other materials to be used. (See Landscape Requirements Section of this Ordinance.)
i. The approximate location of all stormwater and sanitary sewer facilities.
j. Parking and structure setbacks from adjacent property lines.
k. Location of all existing and proposed easements.
l. Location and method of protecting existing tree stands to be preserved.
m. A description of the area's (all surrounding properties within one hundred (100) feet of the subject site) infrastructure and site improvements of a general nature. Principally, existing locations on individual properties, curb cuts, and driveway locations along the right-of-way, as well as other natural and man-made features must be shown.
n. All other information not mentioned above, but required on a preliminary plat in accord with Section 420.060 of the City of Wildwood Subdivision and Development Regulations.

4. SITE DEVELOPMENT PLAN DESIGN CRITERIA

The above Site Development Plan shall adhere to the following specific design criteria:

Building/Structure Setbacks

a. All buildings or structures, excluding boundary, garden and/or retaining walls, or fences, shall adhere to the setbacks therein established by the City of Wildwood's Town Center Neighborhood Design Standards for the "Workplace and Neighborhood General" Districts, except as follows:

1. Fifty (50) feet from the western boundary line of this C-8 Planned Commercial District for all residential buildings/structures.

Parking Setbacks

b. All parking stalls, loading spaces, internal drives, excluding points of ingress and egress and public or private roadways, shall adhere to the City of Wildwood's Town Center Neighborhood Design Standards for the "Workplace and Neighborhood General" Districts, unless otherwise approved on the Site Development Plan by the Planning and Zoning Commission or as noted below:

1. One hundred (100) feet from the Manchester Road right-of-way line, as shown on the submitted Preliminary Development Plan.

Minimum Parking Requirements

c. Minimum parking requirements shall be set forth in the City of Wildwood's Town Center Neighborhood Design Standards for the "Workplace and Neighborhood General" Districts and Chapter 415.290 Parking Regulations of the City of Wildwood's Zoning Ordinance. However, parking spaces for the authorized commercial uses shall be provided at a ratio of three (3) spaces per one thousand (1,000) square feet of gross floor area. Additionally, the following requirements shall also apply:

1. All parking spaces and access drives shall be paved.
2. A minimum of one hundred sixty-eight (168) parking spaces shall be provided as part of the residential building's design (underground).

Access and Roadway Improvements, including sidewalks

d. The developer of the project shall be responsible for the construction and installation of all improvements within Manchester Road right-of-way along the subject site's frontage, which shall conform to the requirements of the City of Wildwood's Street Specifications of the Town Center Plan and as directed and approved by the Department of Public Works. All streetscape requirements (street trees, lights, signs, waste receptacles, benches, and other items) shall consist of approved materials and installed, as required by the City of Wildwood's Town Center Plan within the right-of-way of Manchester Road by the developer of this project, and be approved by the Department of Public Works.

1. The developer shall be responsible for the design and construction of a left-turn lane within Manchester Road right-of-way to serve this site. The design details of this left-turn lane shall be provided in conjunction with the Manchester Road Streetscape Requirements and Street Specifications, first as part of the Site Development Plan review process and then as part of the Improvement Plans submitted to the Departments of Public Works and Planning for final action. All design requirements and construction details shall be as directed and approved by the Department of Public Works.

e. Dedicate all the right-of-way, easements, and licenses within the subject site necessary for the improvement of Manchester Road. In this regard, the developer/owner shall dedicate a minimum of ten (10) feet of land area along the subject property's frontage to the City of Wildwood for public right-of-way purposes. This dedication shall be reviewed by the Department of Public Works and acted upon by Planning and Zoning Commission on the Site Development Plan.

f. Access to this development from Manchester Road shall be limited to one (1) public street intersection designed in accordance with the City of Wildwood's Street Specifications of the Town Center and as directed and approved by the Department of Public Works.

g. Provide a sidewalk conforming to City of Wildwood ADA standards along Manchester Road, as directed by the Department of Public Works. Said sidewalk shall conform to the City of Wildwood's Street Specifications of the Town Center Plan and be no less than ten (10) feet in width and comply with the Streetscape Requirements of the aforementioned plan.

New Public Street (North/South Roadway)

h. Dedicate land area within the site for a fifty (50) foot right-of-way for a yet un-named public street and construct said roadway, sidewalks, and improvements in conformance with the requirements of the City of Wildwood's Street Specifications of the Town Center Plan and as directed by the Department of Public Works. All streetscape requirements (street trees, lights, signs, waste receptacles, benches, and other items shall consist of approved materials) shall be installed by the developer, as required by the City of Wildwood's Town Center Plan, within the right-of-way of this yet un-named street and be approved by the Department of Public Works.

i. Dedicate all other easements and licenses within the subject site, as necessary for the improvement of the proposed yet un-named public street, per the direction of the Department of Public Works, consistent with the approved design for this Town Center infrastructure improvement.

j. The construction extent of this roadway shall be from the northern edge of the new right-of-way area for Manchester Road to the northern property line of the subject property and again be the responsibility of the developer of this site to complete in accordance with approved plans.

Miscellaneous Roadway Requirements

k. Provide cross-access easement and temporary slope construction license, or other appropriate legal instrument or agreement guaranteeing permanent access between this site and adjacent properties to the west and east of the subject tract of land, as directed by the Departments of Planning and Public Works. Improvements associated with the required cross-access shall be deeded and recorded prior to the occupancy (both temporary and final) of the building and be the full responsibility of the developer. Said design and construction specifications shall be as directed by the Department of Public Works and acted upon by the Planning and Zoning Commission on the Site Development Plan.

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

m. The developer is advised that utility companies will require compensation for relocation of their utility facilities within public road right-of-way. Utility relocation cost shall not be considered as an allowable credit against the petitioner's traffic generation assessment contributions. The developer should also be aware of extensive delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of road improvements. All utilities within the C-8 Planned Commercial District and on rights-of-way otherwise constructed pursuant to this authorization shall be installed and placed underground in locations, as approved by the Director of Public Works.

n. Sidewalks shall be required on all public and private streets and provide for a continuous and logical layout of this pedestrian network. Minimally, this pedestrian network shall include plazas, patios, and other features and provide ample areas for access to all locations within the boundaries of this C-8 Planned Commercial District. Design and construction requirements for all sidewalks within the entire development shall be as established in the Street Specifications and Streetscape Elements of the Town Center Plan. Approval of their location, design, and material shall be by the Planning and Zoning Commission and the Architectural Review Board as part of the Site Development Plan review process.

o. All internal streets, access drives, or lanes, whether public or private, shall comply with the Streetscape Requirements of the Town Center Plan in terms of improvements, such as drive lane widths, sidewalks, stormwater drainage facilities, garden walls, street trees and lights, and pedestrian furniture. If certain streets, drives, or lanes are to be private, an easement shall be provided to the City granting public use of them for pedestrian and vehicular purposes. These easements shall be granted at the time of the Record Plat approval by the City Council.

Landscape Requirements - Specific

p. Building and parking setbacks shall be landscaped in accord with Chapter 410 of the City of Wildwood's Codified Ordinances and its accompanying Tree Manual.

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

r. All lawn areas shall be appropriately landscaped and sodded and comply with Chapter 410 of the City of Wildwood's Codified Ordinances and its accompanying Tree Manual.

s. All new landscaping materials shall meet the following criteria: Deciduous Trees - two and one-half (2½) inch minimum caliper; Evergreen Trees - Six (6) feet minimum height; and Shrubs - twenty-four (24) inch minimum height.

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

Lighting Requirements

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

APPROVED 5 of 6
CITY OF WILDWOOD
DEPARTMENT OF PLANNING
SIGNED: Joe [illegible]
DATE: 1-25-11

NOTE:
NO PERMITS SHALL BE ISSUED, BASED UPON THE APPROVED SITE DEVELOPMENT PLAN, UNTIL THE FOLLOWING ITEMS ARE SUBMITTED AND ACTED UPON BY THE CITY OF WILDWOOD:
1. A COMPLETED TRAFFIC STUDY, AS REQUIRED BY ORDINANCE #1491, SECTION 7(d)
2. GEOTECHNICAL REPORT
3. PHASE I ENVIRONMENTAL ASSESSMENT
4. LANDSCAPE AND LIGHTING PLANS
5. IMPROVEMENT PLANS, WHICH MEET CITY REQUIREMENTS AND ADDRESS THE ALIGNMENT OF MANCHESTER ROAD, AS SET FORTH BY THE CITY'S DEPARTMENT OF PUBLIC WORKS.

REVISED PER CITY COMMENTS 07/07/10
REVISED PER CITY COMMENTS 03/25/10
REVISED PER CITY COMMENTS 01/11/10
REVISED PER CITY COMMENTS 11/05/09
REVISED PER CITY COMMENTS 12/21/10
REVISED PER CITY COMMENTS 11/10/10
REVISED PER CITY COMMENTS 07/13/10

M.S.D. REF# D-089-00
BASE MAP # 25-V

COVERT - CORSAIR HOMES, INC.

SITE DEVELOPMENT PLAN

STATE OF MISSOURI
GEORGE MICHAEL STOCK
NUMBER PE-25116
PROFESSIONAL ENGINEER

[illegible] 12/22/10
GEORGE M. STOCK E-25116

STOCK & ASSOCIATES
Consulting Engineers, Inc.
257 Chesterfield Business Parkway
St. Louis, MO 63005
PH. (636) 530-9100
FAX (636) 530-9130
e-mail: general@stockassoc.com
Web: www.stockassoc.com

DRAWN BY	DATE	CHECKED BY	DATE	JOB NUMBER	SHEET
J.P.W.	07/23/09	G.M.S.	07/23/09	207-4133.2	5 of 6

Sign Regulations

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

1. All wall signs shall comply with the Chapter 415.470 Sign Regulations for the C-2 Shopping District, except all signage shall be externally illuminated according to the Town Center Plan's Architectural Guidelines.
2. No wall sign shall exceed thirty (30) square feet in overall size.
3. No freestanding monument type sign shall be authorized within the boundaries of this C-8 Planned Commercial District.
4. No advertising, temporary, or portable signs shall be authorized in this C-8 Planned Commercial District development. No other signs shall be authorized, except as may comply with the C-2 Shopping District Regulations of the City of Wildwood Zoning Ordinance and the Town Center Plan's Architectural Guidelines.

Miscellaneous Conditions

w. All trash areas shall be enclosed with a six (6) foot high sight-proof wall (with gate) and be appropriately landscaped around its perimeter, if applicable. The location and design of the enclosure shall be reviewed and acted upon by the Planning and Zoning Commission on the Site Development Plan. The design of this enclosure shall reflect the appearance, character, and style, in terms of its color, material, and composition, of the approved architecture of the main building.

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

y. No rooftop mechanical equipment shall be allowed within this C-8 Planned Commercial District.

z. Improvements associated with public infrastructure, such as roadways, sidewalks (internal and within the public right-of-way), and access points, shall comply with general design principles that will provide for safe and efficient movement of traffic in and around these sites and improve overall circulation in the area. These improvements shall be reviewed and approved by the Department of Planning and indicated on the required Site Development Plan, which will be reviewed and acted upon by the Planning and Zoning Commission.

aa. The owner or developer shall be required to obtain public sewer service from the Metropolitan St. Louis Sewer District for the treatment of wastewater effluent.

bb. The design, color, material, and location of all garden and screen walls or fences shall be consistent with the requirements of the Town Center Plan's Architectural Guidelines and be shown on the Site Development Plan for review and action by the Planning and Zoning Commission and the Architectural Review Board.

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

5. **PUBLIC SPACE REQUIREMENTS**

Developer shall construct improved public space in conformance with or otherwise satisfying the requirements of the City's Public Space Ordinance, Chapter 415.260 and 415.270 of the City of Wildwood's Zoning Ordinance. The City Council accepts the findings of the Public Space Study adopted therein and determines the compliance with the Public Space Ordinance provisions will address the impact of this specific development on public space needs in a manner and amount that is equal to less than an amount that is roughly proportional to the actual or anticipated impact. The installation of required public space improvements shall be as required by the applicable ordinance, but shall be completed prior to issuance of any occupancy (temporary or final) permit for the individual commercial building authorized by this ordinance. Unless otherwise approved pursuant to the procedures set forth in the Public Space Ordinance, the public space attributable to this development based upon the number of provided parking spaces at a rate of 290.4 square feet per parking space (commercial) and 826 square feet per unit for residential.

a. In compliance with all requirements of the Public Space Regulations of the City's Zoning Ordinance, the proposed commercial plaza shall be a minimum of seventy-five (75) feet in width, located between the two (2) commercial buildings, placed at the ten (10) foot build-to line with the new Manchester Road right-of-way, and designed and constructed as directed by the Planning and Zoning Commission. The design of this commercial plaza shall be reviewed and acted upon as part of the Site Development Plan process by the Planning and Zoning Commission.

6. **TRAFFIC GENERATION ASSESSMENT**

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

Type of Development	Required Contribution
Condominiums	$382.06/Parking Space
General Retail	$1,751.08/Parking Space
Professional Office	$1,751.08/Parking Space
Sit-Down Restaurant	$1,751.08/Parking Space
General Office	$583.66/Parking Space
Shopping Centers	$1,751.08/Parking Space
Loading Space	$2,565.47/Loading Space

(For the purposes of this calculation, a parking space as defined and required by Chapter 415.280 of the City of Wildwood Zoning Ordinance.)

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

As this development is located within a trust fund area established by the City of Wildwood, any portion of the traffic generation assessment contribution, which remains, following completion of road improvements required by the development, shall be retained in the appropriate trust fund.

The amount of this required contribution, if not submitted by January 1, 2011, shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accord with the construction cost index as determined by the City of Wildwood Department of Public Works.

7. **VERIFICATION PRIOR TO APPROVAL OF THE SITE DEVELOPMENT PLAN**

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

Stormwater

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

1. The developer is required to provide adequate stormwater systems in accordance with the City of Wildwood and Metropolitan St. Louis Sewer District Standards.
2. All stormwater shall be discharged at an adequate natural discharge point.
3. Detention or differential runoff of stormwater shall be required in accord with the standards of Metropolitan St. Louis Sewer District and the City of Wildwood. These facilities shall be provided in permanent retention facilities, specifically a lake of a minimum one-half (½) acre in size. The retention facilities shall be completed and in operation prior to paving of any driveways or parking areas.
4. The developer of this site shall be solely responsible to provide the necessary mechanisms, as part of the Site Development Plan/improvement Plan process, to implement "best management practices" for stormwater management and the construction of related facilities. Minimally, these practices/facilities should include rain gardens, vegetative swales, and other options to substantially reduce the amount of stormwater leaving the subject site.
5. The developer shall provide adequate detention and/or hydrologic calculations for review and approval of all stormwater that will encroach on City of Wildwood rights-of-way.
6. The provision of all approvals from the U.S. Army Corp of Engineers and the Missouri Department of Natural Resources shall be required for the enclosure of the creek. Any mitigation efforts required by these two (2), federal and State agencies shall also be approved by the City of Wildwood.
7. The approved stormwater management plan for this development may include the use of off-site, regional facilities in terms of the retention/detention of runoff from this site, unless otherwise authorized by the Department of Public Works on the Site Development Plan. The developer(s) shall be responsible for all costs associated with the construction and modifications to existing facilities to accomplish this regional stormwater management requirement, if applicable.

Geotechnical Report

b. Provide a Geotechnical Report covering development and grading required by improvements involved with this site, as directed by the Department of Public Works. Said report shall verify the adaptability of grading and improvements with soil and geologic conditions, which are susceptible to rapid erosion, landslide, and/or creep. A statement of compliance with this study, signed by the Geotechnical Engineer preparing the report, shall be included on all Site Development Plans. The development and construction plans shall be designed to conform to the requirements and conditions of the Geotechnical Report.

Stormwater Pollution Prevention Plan

c. Submit a Stormwater Pollution Prevention Plan, as part of the Site Development Plan review process, indicating compliance to Federal, State, and local requirements regarding the management of stormwater runoff to prevent siltation and erosion, both on-site and upon downstream properties.

Traffic Study

d. The developer shall provide to the Departments of Planning and Public Works a Traffic Study indicating the anticipated trip generation from this use and corresponding improvements to address changes in circulation patterns, turning movements, volumes, and other related circumstances for Manchester Road. The Traffic Study must be completed by a qualified engineer having recent (within the last two (2) years) experience in this area of expertise. Review and approval of the Traffic Study shall be by the City of Wildwood Departments of Planning and Public Works.

Phase I Environmental Assessment

e. The developer shall provide to the Planning and Zoning Commission, as part of the Site Development Plan submittal package, a Phase I Environmental Assessment Report of the properties indicating their current condition relative to past utilization of this tract of land.

8. **RECORDING**

Within sixty (60) days of approval of the Site Development Plan by the Planning and Zoning Commission, the approved plan shall be recorded with the St. Louis County Recorder of Deeds.

9. **VERIFICATION PRIOR TO BUILDING PERMITS**

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

Landscape Bonds or Escrows

a. If the estimated cost of new landscaping required by the Planning and Zoning Commission on the Site Development Plan exceeds one thousand ($1,000) dollars, as determined by a plant nursery, the petitioner shall furnish a two (2) year deposit bond or escrow sufficient in amount to guarantee the installation and maintenance of said landscaping in a form determined by the Director of Planning.

Notification of Department of Planning

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

Roadway Improvements

c. Road improvements and right-of-way dedication shall be completed, prior to the issuance of an occupancy permit, unless otherwise noted in this ordinance. As previously noted, the delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.

Traffic Generation Assessment Contribution

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

Certification of Plans

e. Provide verification that construction plans are designed to conform to the requirements and conditions of the Geotechnical Report.

10. **GENERAL DEVELOPMENT CONDITIONS**

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

b. Provide adequate temporary off-street parking for construction employees. Parking on non-surfaced areas shall be prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.

c. If cut and fill operations occur during a season not favorable for immediate establishment of a permanent ground cover, a fast germinating annual, such as Rye or Sudan Grasses, shall be utilized to retard erosion.

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

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

f. Any other applicable zoning, subdivision, or other regulations or requirements of the City, whether in effect at the adoption of this ordinance or as may be hereinafter adopted, shall further apply to the development of this property as authorized by this C-8 Planned Commercial District Ordinance, except as may be provided by law. Nothing herein shall be deemed a waiver of any subdivision, zoning or other development regulation of the City whether by implication or reference.

g. This zoning approval is conditioned on compliance with the Zoning Ordinance, Subdivision and Development Regulations, and all applicable laws of the City. Such additional regulations are supplemental to the requirements herein and no modification of any applicable regulations shall result from this C-8 Planned Commercial District ordinance, except where this ordinance has expressly modified such regulations by reference to the applicable provision authorizing such modification.

h. Substantial construction shall begin within thirty (30) months of the approval of the Site Development Plan for the parcel of ground governed by this C-8 Planned Commercial District ordinance. Construction shall be deemed to have commenced with the final grading for and installation of roadways necessary for the first approved plat or phase of construction and commencement of installation of the sanitary and storm sewers.

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

This Bill was passed and approved this 24 day of May, 2010 by the Council of the City of Wildwood, Missouri after having been read by title, or in full, two (2) times prior to its passage.

Presiding Officer | Timothy Woerther, Mayor

ATTEST:

City Clerk | City Clerk

#1723

This plan was approved by the City of Wildwood's Planning and Zoning Commission in accordance with the provisions of Section 415.190 of the Zoning Code. This plan shall be developed under the conditions herein prescribed by Ordinance #1723, which was approved by the City Council of the City of Wildwood, Missouri on ~~March 15, 2006~~ May 24, 2010

Joe Vujnich, Director of Planning

1-25-11
Date

33

I, ~~Anna Greene-Beldner~~ Laura Rechtien, Assistant City Clerk of the City of Wildwood, St. Louis County, Missouri do hereby certify the Site Development Plan submitted for this commercial development is required under Ordinance #1723 which was approved by the City Council on ~~March 15, 2006~~ May 24, 2010. Said ordinance of the same appears on record in my office as testimony whereof, I hereunto now set my hand and affix the official seal of the City of Wildwood, Missouri, St. Louis County on this 27th day of January 2011.

~~Anna Greene-Beldner~~, City Clerk — Assistant
Laura Rechtien

Owner's Script:

~~Covert~~ Covert-Corsair Homes, Inc. Profit Sharing Plan
(Owners)

In connection with a change in zoning for the following described property from R-4 with PEU to C-8

~~Covert~~ Covert-Corsair Homes, Inc. Profit Sharing Plan, the owner(s) of the property shown on this plan for and in consideration of being granted a permit to develop said property under the provisions of Section 415.190 (applicable subsection) of the City's Zoning Code and the C-8 District (present zoning), do hereby agree, declare, and covenant that from the date of recording of this plan, the property shall be developed only as shown herein. This covenant shall run with the land, and shall be enforceable pursuant to Sections 67.870 through 67.900, R.S. Mo. by the City of Wildwood or its successor as a plan of development adopted by the City of Wildwood's Planning and Zoning Commission to promote orderly development. This plan may be amended or supersede by the Planning and Zoning Commission or modified by the Department of Planning or voided by order of the City of Wildwood's City Council, each as more particularly authorized by the City of Wildwood's Zoning Code now and hereafter in effect.

PROPERTY DESCRIPTION

A tract of land being located in the Southeast 1/4 of Section 1, Township 44 North, Range 3 East of the Fifth Principal Meridian, City of Wildwood, St. Louis County, Missouri and being more particularly described as follows:

Beginning at the Southwest corner of a tract of land as conveyed to New Community Church as recorded in Book 11044, Page 558 of the above said records, said point also being the Southwest corner of Lot Six of Francine Acres, a subdivision according to the plat thereof as recorded in Plat Book 101, Page 6 of the St. Louis County Records, said point also being located on the Northerly line of Manchester Road, 60 feet wide; thence along said Northerly line South 71 degrees 49 minutes 22 seconds West 425.16 feet to the East line a tract of land as conveyed to Larry J. and Eleanor A. Barnoski by instrument recorded in Book C827, Page 812 of above said records said point also being located on the East line of Lot 1 of above said Francine Acres; thence along said East line North 18 degrees 10 minutes 26 seconds West 200.12 feet to the North line of said Barnoski tract; thence along said North line South 71 degrees 49 minutes 22 seconds West 63.21 feet; South 00 degrees 48 minutes 20 seconds West 11.44 feet and South 71 degrees 49 minutes 22 seconds West 100.00 feet to the North-South Center line of above said Section 1; thence along said North-South Center Line North 00 degrees 48 minutes 20 seconds East 733.88 feet to the South line of the Resubdivision of Lot 4 of Dierbergs Wildwood and Lot 5B of the Resubdivision of Lot 5 of Dierbergs Wildwood, a subdivision according to the plat there of as recorded in Plat Book 353, Pages 1018 and 1019 of the above said records; thence along said South line South 87 degrees 18 minutes 30 seconds East 910.60 feet to the West line of a tract of land as conveyed to Dierbergs Wildwood II LLC by instrument recorded in Book 12181, Page 199 of the above said records; thence along said West line South 00 degrees 45 minutes 00 seconds West, 142.00 feet to the Northerly line of above said New Community Church tract; thence along said North line and the West line of said New Community Church tract South 74 degrees 57 minutes 07 seconds West 447.46 feet and South 18 degrees 10 minutes 36 seconds East 450.03 feet to the Point of Beginning and containing 491,908 square feet or 11.294 acres more or less according to calculations performed by Stock and Associates Consulting Engineers, Inc. on February 20, 2006.

Signature: ____________________
Robert W. Covert III — Trustee

Signature: ____________________
Mary Kay Corsair — Trustee

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

On this 23 day of December, ~~2006~~ 2010, before me personally appeared Robert W. Covert III and Mary Kay Corsair who being by me duly sworn, did say they are the Trustees of the ~~Covert~~ Covert-Corsair Homes, Inc., Profit Sharing Plan Trust and that said instrument was signed on behalf of said Trust and that said Trustees acknowledged said instrument to be the free act and deed of said Trust.

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

____
Notary Public

Daniel Stock
Print Name

My commission expires: 3/17/2013

APPROVED 6 of 6
CITY OF WILDWOOD
DEPARTMENT OF PLANNING
SIGNED: Joe Vujnich
DATE: 1-25-11

NOTE:
NO PERMITS SHALL BE ISSUED, BASED UPON THE APPROVED SITE DEVELOPMENT PLAN, UNTIL THE FOLLOWING ITEMS ARE SUBMITTED AND ACTED UPON BY THE CITY OF WILDWOOD:
1. A COMPLETED TRAFFIC STUDY, AS REQUIRED BY ORDINANCE #1431, SECTION 7(d)
2. GEOTECHNICAL REPORT
3. PHASE I ENVIRONMENTAL ASSESSMENT
4. LANDSCAPE AND LIGHTING PLANS
5. IMPROVEMENT PLANS, WHICH MEET CITY REQUIREMENTS AND ADDRESS THE ALIGNMENT OF MANCHESTER ROAD, AS SET FORTH BY THE CITY'S DEPARTMENT OF PUBLIC WORKS.

REVISED PER CITY COMMENTS 07/07/10
REVISED PER CITY COMMENTS 03/25/10
REVISED PER CITY COMMENTS 01/11/10
REVISED PER CITY COMMENTS 11/05/09
REVISED PER CITY COMMENTS 12/21/10
REVISED PER CITY COMMENTS 11/10/10
REVISED PER CITY COMMENTS 07/13/10

M.S.D. REF# D-089-00
BASE MAP # 25-11

COVERT - CORSAIR HOMES, INC.

SITE DEVELOPMENT PLAN

STOCK & ASSOCIATES Consulting Engineers, Inc.
257 Chesterfield Business Parkway
St. Louis, MO 63005
PH. (636) 530-9100
FAX (636) 530-9130
e-mail: general@stockassoc.com
Web: www.stockassoc.com

GEORGE M. STOCK E-25116 12/22/10

DRAWN BY	DATE	CHECKED BY	DATE	JOB NUMBER	SHEET
J.P.W.	07/23/09	G.M.S.	07/23/09	207-4133.2	6 of 6

WILDWOOD

Recommendation Report

<<< Site Development Plan Package >>>

City of Wildwood Planning and Zoning Commission – Site Plan Subcommittee
August 15, 2016 Executive Session

Petition No.:	***P.Z. 25, 26, and 26a–14***
Petitioner:	***Main Street Crossing, Payne Family Homes L.L.C.***
Zoning District(s):	R-4 7,500 Square Foot Residence District, with a Planned Residential Development Overlay District (PRD)
Location:	East side of State Route 109, west of side of Eatherton Road, all being south of State Route 100
Locator Number and Street Address:	23V120094 and 2461 Eatherton Road
Town Center Designation:	Neighborhood Edge District
Ward:	Eight
Tract Size:	28.01 acres
Site Plan Subcommittee Meeting Date:	March 7, 2016
Approval Date of the Plan Package:	August 15, 2016

Petitioner's Request: Approval of the Site Development Plan (SDP) and related items to allow for the development of this one hundred four (104) lot, single-family residential subdivision, with common ground and public space areas.

Subcommittee Recommendation: **Conditional approval** of a Site Development Plan (SDP) and related items to allow for the development of this one hundred four (104) lot, single-family residential subdivision, with common ground and public space areas; however, this recommendation is based upon receiving required approvals from the applicable service providers referenced herein this report (if these approvals require significant changes to the plan, as determined by the Department of Planning, further review and action by the Planning and Zoning Commission will be required).

Background on Proposal/Project: The Department of Planning and the petitioner - Payne Family Homes - presented this project to the Site Plan Subcommittee of the Planning and Zoning Commission on

March 7, 2016 at its meeting. The Department of Planning began the presentation with a description of the zoning process that had been completed for this project by the Planning and Zoning Commission and City Council in September 2015. The highlights of this process were as follows:

1. The public hearing was held on this matter in December 2014, where the concept of the project was presented to the community for the first time.
2. The Planning and Zoning Commission conducted a series of meetings between December 2014 and September 2015 that led from the project being recommended for denial by the Department of Planning to a recommendation by the Planning and Zoning Commission to allow the development of the twenty-eight (28) acre site with one hundred four (104) homesites.
3. The City Council approved the project in September 2015, with the passage of the site-specific ordinance for it.
4. The petitioner and the City, from October 2015 to March 2016, undertook the review of the Site Development Plan and related matters.
5. The petitioner, during this same timeframe, was also requesting the City Council consider financial incentives for assistance in completing some of the development's required roadway improvements, i.e. Main Street and State Route 109.
6. The petitioner requested the Site Plan Subcommittee meeting be scheduled for consideration of the plan package.

As noted above, the petitioner has been seeking financial incentives from the City to assist with the anticipated expenses associated with the system of roadways and streets to be required due to the project's location in Town Center. These roadway and street improvements include the extension of Main Street and the rebuild of State Route 109 along the property's frontage to accommodate access to this arterial roadway. This request for financing incentives led to the City Council supporting changes to some of the design components of these infrastructure improvements, which are being processed by the City Council at this time, given the Planning and Zoning Commission had recommended their respective approval as well. These changes included revised light standard spacing and changes to the access point at State Route 109.

Thereafter, the Department highlighted the major design components of the project, which included the following:

Site Characteristics >>>

1. The total number of lots was decreased to 104 to address certain site characteristics and improve the project's overall design.

2. The design of all streets will include traffic calming measures, per the direction of the City, and specific safety measures in the vicinity of the Cambury Subdivision Area and the extended stub streets from the same.
3. The provision of roadway improvements to the surrounding network of streets, including three (3) stub street extensions, is consistent with the Town Center Plan's Street Network Plan and creates the interconnectivity between surrounding like developments and this site.
4. The petitioner will design and construct all internal streets to the City's streetscape standards, i.e. asphalt surfaces and concrete vertical curbs and gutters.
5. The design of the stormwater management system for the development, and overall site, will meet all of the latest standards and requirements of the Metropolitan St. Louis Sewer District (MSD).
6. The perimeter of the subject site, where it abuts existing residential units on its southern boundary, will be protected to allow for existing tree retention and new plantings to be added there as well.
7. The provision of public space is integral to the design of the site and includes useable active use areas and trails for the whole community.
8. The design of the site does provide a minimum level of protection to the jurisdictional waterway on the site, while creating a view feature by its non-disturbance to many of the new lots that are planned in its vicinity.
9. The Landscape Plan reflects a range and quantity of plantings to create a green development in the next decade.

Unit Characteristics >>>

10. The petitioner will use architectural shingles on all homes of a 30-year type.
11. The petitioner will use carriage doors for the garages, with the inclusion of windows.
12. The petitioner will use fiber cement board siding on all residential units.
13. The driveway apron to all garages will be reduced in size, between the curb and back edges of sidewalk, to reduce impervious surfaces associated with the site and increase the green space.
14. The petitioner will provide a nine (9) foot interior celling height within all residential units.
15. The petitioner will extend all materials used on the front of the homes' elevations to the respective sides a minimum of twenty-four (24) inches – only on corner lots.
16. The petitioner will provide front porch areas that are a minimum of twenty-four (24) inches above the elevation of the adjoining sidewalks.
17. The petitioner will setback the garage doors from the front of the dwellings a minimum of six (6) feet, not the 7.5 feet applied most recently in the Wildwood Trail Subdivision.

The petitioner provided additional background on this project, after the Department completed its presentation of this information.

Site Plan Subcommittee's Recommendation: The Site Plan Subcommittee of the Planning and Zoning Commission would first note several items are still in process in regards to this project's design and reflects the changes that have been incorporated most recently due to the alterations in infrastructure levels. These outstanding items can be summarized as follows:

1. The final conceptual approval from the Metropolitan St. Louis Sewer District (MSD) regarding the planned design of the system of improvements to manage runoff from storm events has not been finalized. The general location and size of the stormwater features is not expected to change, but the final considerations relating to the specifications for construction have yet to be completed.
2. The Missouri Department of Transportation (MoDOT) has yet to provide its final approval on the temporary right-in/right-out design for Main Street at State Route 109. This temporary arrangement for access replaces the ultimate construction of a roundabout at that location, which is now being planned and funded by the City through Traffic Generation Assessment Fees and anticipated grants. The petitioner is required to provide the Missouri Department of Transportation (MoDOT) a revised traffic study to address impacts on adjoining roadways, given the temporary access design will not allow left-turns into and out of the site.
3. The determination by the Geotechnical Engineer and the Department of Public Works regarding any potential issues relating to sinkholes on the property, as anticipated by the type of soil, climate, and bedrock characteristics, along with testimony from the public hearing process associated with the rezoning of the property.

Acknowledging these items, the Site Plan Subcommittee of the Planning and Zoning Commission has considered the submitted plans, which includes the Site Development Plan (SDP) and related items, and believes them to be in minimum compliance with the site-specific ordinance governing this property and the City's *Zoning Ordinance* and *Subdivision and Development Regulations*. This compliance leads the members of the Site Plan Subcommittee to support approval of this complement of plans, thereby allowing the Department of Planning to sign and release them. Again, this authorization is **conditioned** upon all service provider approvals being submitted and determined acceptable by the Departments of Public Works and Planning. These final reviews by the respective departments of any pertinent service provider comments will address the requirements set forth by City codes and ensure adequate stormwater management is in place, while access into and out of the site

to the surrounding roadway systems meets all safety and function standards, now and at build-out of the project.

Additionally, the Site Plan Subcommittee would also note the proposal for this site reinforces the priority of the City to create communities that reflect reasonable densities of dwellings within the Town Center Area, while providing for a full range of amenities and infrastructure to meet the increased needs and demands created by additional residents in the area. Additionally, this proposal includes the extension of Main Street through the entirety of the site, a critical roadway for the success of the overall Town Center Area, while also protecting the jurisdictional waterway located thereon, providing useable public space and a safe trail-sidewalk network, and offering a mix of units (life-cycle housing), all with quality materials and design. Collectively, these components of the plan and associated units are indicative of the compliance the submittal has to standards, guidelines, and regulations of the City.

To date, this project will represent the largest Town Center Area residential development undertaken in the City to reach this point in the process, with its one hundred four (104) units. The project entails over twenty-eight (28) acres of land area, which under full development will alter the characteristics of the neighborhood from this point forward. Therefore, it is incumbent on the petitioner and the City staff to meet the required high levels of design, construction, and compliance to protect the neighborhood and the investment of current residents. Requirements have been set in place that are reflected on the attached plan sheets to ensure the proper framework is in place to achieve this desired end product.

Summary and Conditions of Action:

This recommendation is conditioned upon all other required codes, regulations, and standards of the City relating to this property and the development of land being met during the construction of the buildings and public space areas. The Site Plan Subcommittee is again recommending approval of the Site Development Plan and related items by the Planning and Zoning Commission at this time, with certain conditions that have been identified and noted above. This recommendation is based upon the completion of all required improvements, in accordance with the plans approved for such by the City of Wildwood.

Attachments And Enclosures:

Attachment A - Site Development Plan (SDP) and Related Items
Attachment B – Site Specific Ordinance
Attachment C – Background Information

ATTACHMENT A
Site Development Plan (SDP) and Related Items

Main Street Crossing

A Tract Of Land Located In
Sections 1 & 2, Township 44 North, Range 3 East,
City Of Wildwood,
St. Louis County, Missouri

Site Development Plan

R-4 7,500 Square Foot Residence District, With A Planned
Residential Development Overlay District (PRD),
Town Center Neighborhood Edge District, Ordinance #2116

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 – CITY OF WILDWOOD (6TH) PRECINCT
   ROCKWOOD R-6 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. STORMWATER SYSTEM DESIGN SHALL BE PURSUANT TO THE CITY OF WILDWOOD AND METROPOLITAN ST. LOUIS SEWER DISTRICT REQUIREMENTS AND SHALL DISCHARGE AT AN ADEQUATE NATURAL DISCHARGE POINT. SINKHOLES ARE NOT ADEQUATE NATURAL DISCHARGE POINTS.
4. THE LOCATION OF STORM AND SANITARY SEWER IMPROVEMENTS ARE APPROXIMATE ONLY. ACTUAL LOCATIONS SHALL BE DETERMINED BY FIELD CONDITIONS AND SHALL BE INDICATED ON THE IMPROVEMENT PLANS.
5. ALL GRADING AND DRAINAGE SHALL BE PER CITY OF WILDWOOD AND METROPOLITAN ST. LOUIS SEWER DISTRICT STANDARDS. SOURCE OF TOPOGRAPHY– MSD ORTHOTOPO.
6. NO SLOPES SHALL EXCEED 3 (HORIZONTAL) TO 1 (VERTICAL), UNLESS JUSTIFIED BY GEOTECHNICAL REPORT WHICH HAS BEEN ACCEPTED/APPROVED BY THE CITY OF WILDWOOD.
7. ALL UTILITIES WILL BE LOCATED UNDERGROUND WITHIN THIS SITE.
8. NO PLANTS, TREES, SIGNS, ETC. GREATER THAN 36" IN HEIGHT SHALL BE PLACED WITHIN THE SIGHT DISTANCE TRIANGLE
9. MAXIMUM HEIGHT OF STREET LIGHTING FIXTURES SHALL BE 16 FEET AND SHALL BE IN COMPLIANCE WITH THE CITY OF WILDWOOD OUTDOOR LIGHTING REQUIREMENTS.
10. STREET TREES AND SITE LANDSCAPING SHALL BE AS REQUIRED BY THE CITY OF WILDWOOD. SEE INCLUDED LIGHTING AND LANDSCAPE PLANS.
11. BUILDING HEIGHT SHALL NOT EXCEED 2 STORIES OR 24 FEET.
12. THE NEAREST MAJOR INTERSECTION IS MANCHESTER ROAD AND STATE ROUTE 109 APPROXIMATELY 1200 FEET TO THE NORTH.
13. THE FRONT FACADES MUST BE 1.5 FEET ABOVE GRADE AT THE FRONTAGE LINES.
14. ENTRANCES, STREET INTERSECTIONS, **CUL-DE-SACS** SHALL BE CONSTRUCTED TO CITY OF WILDWOOD AND MODOT STANDARDS.
15. NO PLANTS, TREES, SIGNS, ETC., **SHALL BE PLACED** WITHIN THE SIGHT TRIANGLE AT INTERSECTIONS/MEDIANS AS TO **RESTRICT SIGHT DISTANCE.**

DEVELOPMENT NOTES:

LOCATOR NUMBER: 23V120094

1. SITE ADDRESS: 2461 EATHERTON RD. WILDWOOD, MO 63040

   CURRENT OWNER: MILDRED E. SCHNEIDER, TRUSTEE, 15 WILDERNESS LN., DEFIANCE, MO 63341

   OWNER UNDER CONTRACT: PAYNE FAMILY HOMES, 10407 BAUR BLVD, SUITE B, ST. LOUIS, MO 63132

EXISTING ZONING: R-4 WITH A PRD, TOWN CENTER NEIGHBORHOOD EDGE DISTRICT

2. PROPOSED USE: SINGLE FAMILY RESIDENTIAL
3.

	RESIDENTIAL	OUTLOTS
GROSS AREA OF SITE:	28.03 ACRES	6.60 ACRES
RIGHT-OF-WAY:	-6.00 ACRES	-0.80 ACRES
NET AREA:	22.03 ACRES	5.80 ACRES

4. DENSITY = $\frac{22.03 \text{ AC.} \times 43,560 \text{ S.F./AC.}}{7,500 \text{ SQ.FT.}}$ =127 LOTS ALLOWABLE
5. NUMBER OF LOTS PROPOSED: 104
6. PARKING REQUIREMENTS:
   2 EA. X 104 LOTS = 208 SPACES
   PROVIDED = 208 SPACES

FLOOD NOTE:

ACCORDING TO THE FLOOD INSURANCE RATE MAP OF SAINT LOUIS COUNTY, MISSOURI, AND UNINCORPORATED AREAS (COMMUNITY PANEL NUMBER 29189C0260K DATED FEBRUARY 4, 2015), THIS PROPERTY LIES ENTIRELY OUTSIDE THE 500-YEAR FLOODPLAIN.

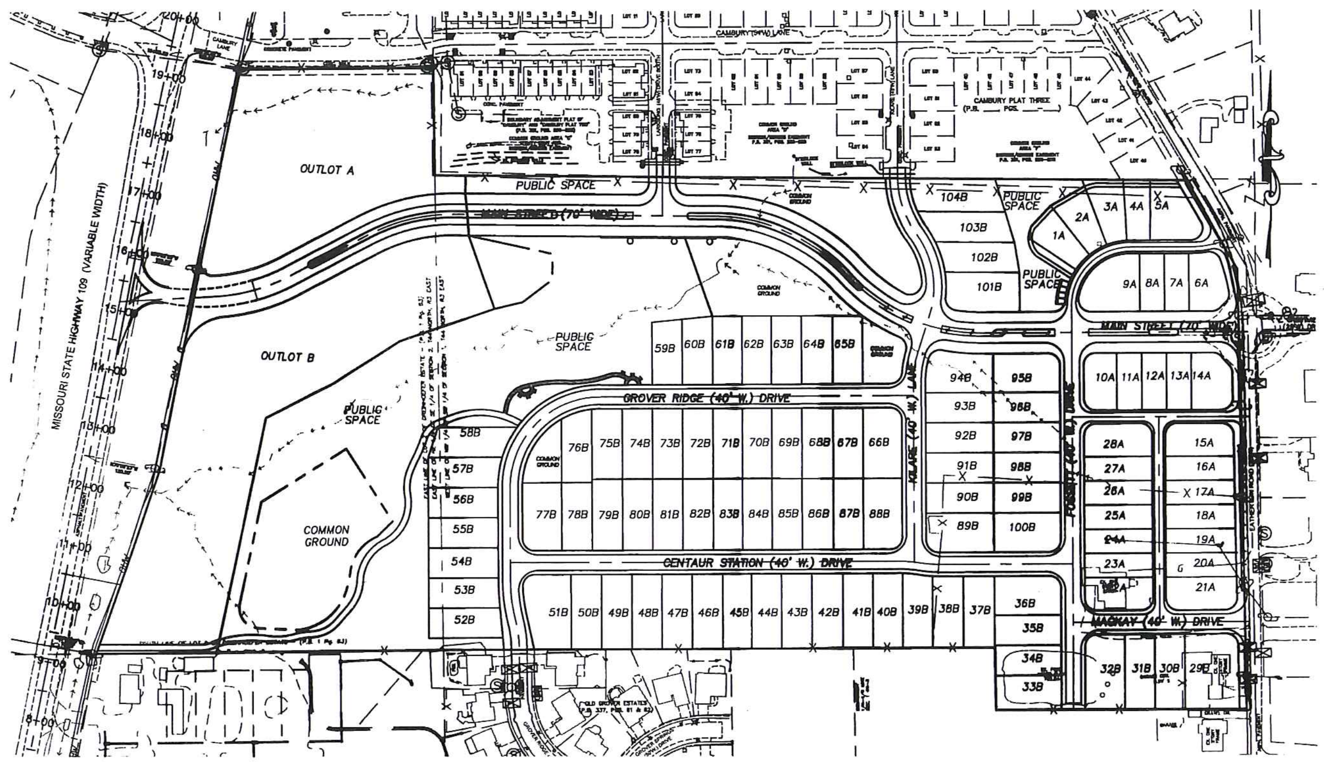
GEOTECHNICAL ENGINEER'S STATEMENT:

THESE PLANS HAVE BEEN REVIEWED BY SCI ENGINEERING, INC. FOR THEIR COMPLIANCE REGARDING GEOTECHNICAL RECOMMENDATIONS RELATIVE TO SITE DEVELOPMENT. BASED ON THIS REVIEW AND AVAILABLE SUBSURFACE INFORMATION, IT IS OUR OPINION THAT THE SITE MAY BE CONSTRUCTED IN ACCORDANCE WITH THE PLANS, GOOD CONSTRUCTION PRACTICES, AND THE RECOMMENDATIONS GIVEN IN THE GEOTECHNICAL REPORT PREPARED BY SCI ENGINEERING, INC DATED OCTOBER 2014.

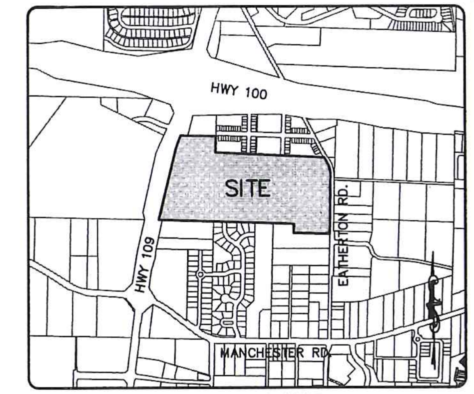
WE HAVE NOT PREPARED ANY PART OF THESE PLANS AND MY SEAL ON THESE PLANS IS INTENDED ONLY TO CONFIRM MY PERSONAL REVIEW AND APPROVAL TO THE SITE GRADING PLAN AS IT RELATES TO THE STABILITY OF EARTH SLOPES.

SCI ENGINEERING, INC MUST BE INVOLVED DURING THE CONSTRUCTION PHASE OF THIS PROJECT IN ORDER TO DETERMINE IF SUBSURFACE CONDITIONS ARE AS ANTICIPATED FROM THE FIELD EXPLORATION DATA, THAT OUR RECOMMENDATIONS RELATIVE TO SITE GRADING ARE IMPLEMENTED, AND THAT OTHER GEOTECHNICAL ASPECTS OF SITE DEVELOPMENT ARE PERFORMED IN ACCORDANCE WITH THESE PLANS.

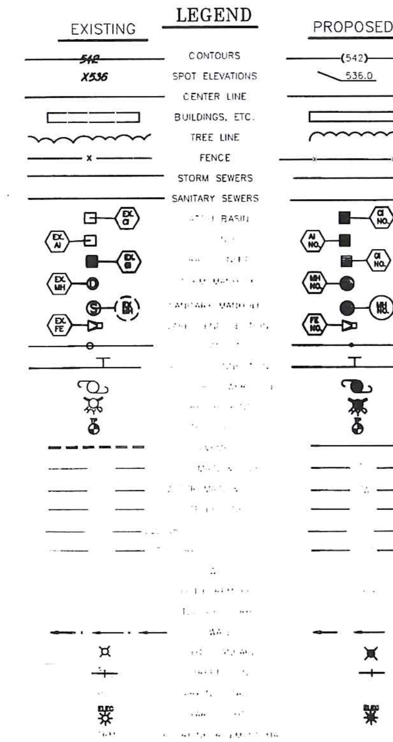
SCI ENGINEERING, INC



KEY MAP
N.T.S.

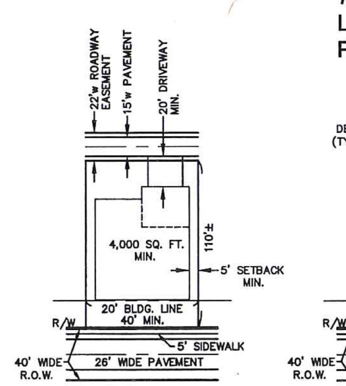


LOCATION MAP
N.T.S.

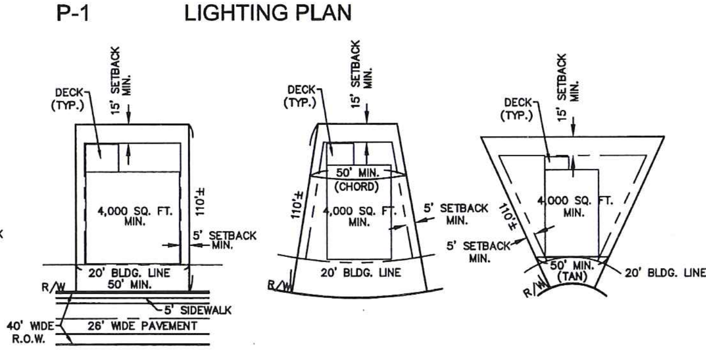


SHEET INDEX

1.1	COVER SHEET
2.1-2.2	SDP - SITE PLAN
3.1-3.2	SDP - GRADING PLAN
4.1-4.2	SDP -PUBLIC SPACE PLAN
5.1	NATURAL RESOURCES MAP
5.2	TREE PROTECTION PLAN
6.1	SITE SECTIONS
7.1-7.2	ORDINANCE #2116
L-1-L-3	LANDSCAPE PLAN
P-1	LIGHTING PLAN



TYPICAL "A" LOT
(EXCEPT PERIMETER LOTS)
NOT TO SCALE



TYPICAL "B" LOT
(EXCEPT PERIMETER LOTS)
NOT TO SCALE

PROPERTY DESCRIPTION:

A TRACT OF LAND BEING A PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 1, AND A PART OF LOT 2 OF DREINHOEFER ESTATE IN THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 2, RECORDED IN PLAT BOOK 1, PAGE 63 OF THE LOUIS COUNTY RECORDS, ALL IN TOWNSHIP 44 NORTH, RANGE 3 EAST CITY OF WILDWOOD, ST. LOUIS COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF PROPERTY DESCRIBED IN DEED TO MILDRED E. SCHNEIDER, TRUSTEE, RECORDED IN BOOK 12833, PAGE 620 OF THE ST. LOUIS COUNTY, MISSOURI, RECORDS, SAID POINT ALSO BEING THE NORTHEAST CORNER OF AT TRACT OF LAND CONVEYED TO ANDREW E. LINDBERG BY DEED RECORDED IN BOOK 7597, PAGE 1337 OF SAID RECORDS, SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF EATHERTON ROAD, 30 FEET WIDE, SAID POINT BEING 15 FEET PERPENDICULAR DISTANCE SOUTHWEST OF THE CENTERLINE OF SAID EATHERTON ROAD; THENCE ALONG THE NORTH LINE OF SAID LINDBERG TRACT, NORTH 87° 25' 51" WEST, 417.42 FEET, THENCE LEAVING SAID NORTH LINE, NORTH 01° 41' 38" EAST, 104.36 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF ABOVE SAID SECTION 1; THENCE ALONG SAID SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, SAID LINE ALSO BEING THE NORTH LINE OF OLD GROVER ESTATES, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 337 PAGE 61 OF SAID RECORDS, NORTH 87° 25' 51" WEST, 914.54 FEET TO THE NORTHWEST CORNER OF LOT 25 OF SAID OLD GROVER ESTATES SUBDIVISION, SAID CORNER ALSO BEING THE INTERSECTION OF SAID SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1 AND THE WEST LINE OF SAID SECTION 1; THENCE ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF ABOVE SAID SECTION 2, SAID LINE ALSO BEING THE NORTH LINE OF A TRACT OF LAND CONVEYED TO COLUMBIA SPORTS, LLC BY DEED RECORDED IN BOOK 16541, PAGE 1743 OF SAID RECORDS, NORTH 87° 52' 40" WEST, 578.85 FEET TO THE NORTHWEST CORNER OF SAID COLUMBIA SPORTS, LLC TRACT, SAID CORNER BEING THE INTERSECTION OF THE EAST LINE OF MISSOURI STATE HIGHWAY 109, WIDTH VARIES, AS WIDENED BY DOCUMENT RECORDED IN DEED BOOK 6558 PAGE 2183 OF SAID RECORDS, AND SAID SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, SAID INTERSECTION BEING 75 FEET PERPENDICULAR DISTANCE EAST OF THE CENTERLINE OF SAID HIGHWAY 109; THENCE LEAVING LAST SAID SOUTH LINE AND ALONG SAID EAST LINE OF HIGHWAY 109 THE FOLLOWING COURSES, DISTANCES AND CURVES: NORTH 21° 48' 57" EAST, 325.13 FEET TO A POINT BEING 120 FEET PERPENDICULAR DISTANCE EAST OF SAID CENTERLINE OF HIGHWAY 109; NORTH 13° 51' 37" EAST, 339.82 FEET TO A POINT OF CURVATURE; AND ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 22,798.32 FEET, WHOSE CHORD BEARS NORTH 14° 17' 34" EAST, 344.16 FEET, AN ARC DISTANCE OF 344.17 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF CAMBURY LANE, 54 FEET WIDE, SAID POINT BEING 27 FEET PERPENDICULAR DISTANCE SOUTH OF THE CENTERLINE OF SAID CAMBURY LANE; THENCE LEAVING LAST SAID EAST LINE AND ALONG SAID SOUTH RIGHT-OF-WAY LINE OF CAMBURY LANE, SOUTH 87° 35' 00" EAST, 322.50 FEET TO A POINT ON THE WEST LINE OF 'BOUNDARY ADJUSTMENT PLAT OF 'CAMBURY' AND 'CAMBURY PLAT TWO'", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 351, PAGE 206 OF SAID RECORDS; THENCE LEAVING LAST SAID SOUTH RIGHT-OF-WAY LINE AND ALONG SAID WEST LINE OF BOUNDARY ADJUSTMENT PLAT, SOUTH 01° 57' 00" WEST, 180.00 FEET TO THE SOUTHWEST CORNER OF SAID BOUNDARY ADJUSTMENT PLAT; THENCE LEAVING LAST SAID WEST LINE AND ALONG THE SOUTH LINE OF SAID BOUNDARY ADJUSTMENT PLAT, SOUTH 86° 48' 00" EAST, 1246.20 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF EATHERTON ROAD (30 FEET WIDE), SAID POINT BEING 15 FEET DISTANT PERPENDICULAR WEST OF THE CENTERLINE OF SAID ROAD; THENCE ALONG THE WESTERN RIGHT-OF-WAY LINE OF EARTHERTON ROAD (30 FEET WIDE) AND PARALLEL TO THE CENTERLINE OF SAID ROAD THE FOLLOWING COURSES AND DISTANCES; SOUTH 27° 50' 50" EAST, 171.71 FEET TO AN ANGLE POINT; THENCE SOUTH 01° 41' 38" WEST, 736.17 FEET TO THE POINT OF BEGINNING, CONTAINING 1,508,659 SQUARE FEET OR 34.634 ACRES, MORE OR LESS, ACCORDING TO CALCULATIONS PERFORMED BY THE STERLING COMPANY DURING THE MONTH OF OCTOBER, 2015 UNDER ORDER NO. 14-04-126.

SURVEYOR'S CERTIFICATION:

THIS IS TO CERTIFY THAT WE HAVE, DURING THE MONTH OF NOVEMBER, 2015, AT THE REQUEST OF PAYNE FAMILY HOMES, PREPARED A SITE DEVELOPMENT PLAN OF "MAIN STREET CROSSING". A TRACT OF LAND LOCATED IN SECTIONS 1 & 2, TOWNSHIP 44 NORTH, RANGE 3 EAST, CITY OF WILDWOOD, ST. LOUIS COUNTY, MISSOURI. THIS PLAN IS NOT A SURVEY AND DOES NOT MEET THE "MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" IN EFFECT AT THE DATE OF THIS PLAN.

THE STERLING COMPANY

JAMEY A HENSON, PLS
MO. REG. PLS #2007017963

CITY OF WILDWOOD
AUG 09 2016
DEPT OF PLANNING & PARKS

MSD Base Map - 23V

ISSUE	REMARKS/DATE
1	10-30-2015, INITIAL SUBMITTAL
2	11-19-2015, CLIENT REVISIONS
3	2-23-2016, CITY COMMENT REVISIONS
4	8-9-2016, REVISED ORDINANCE

PAYNE FAMILY HOMES
10407 BAUR BLVD., SUITE B
ST. LOUIS, MO 63132
Ph. 314-996-0341
www.paynefamilyhomes.com

THE STERLING CO.
ENGINEERS & SURVEYORS
5055 New Baumgartner Road
St. Louis, Missouri 63129
Ph 314-487-0440 Fax 314-487-8944
www.sterling-eng-sur.com
Corporate Certificate of Authority #001348

Main Street Crossing
2461 EATHERTON RD., WILDWOOD, MO
COVER SHEET

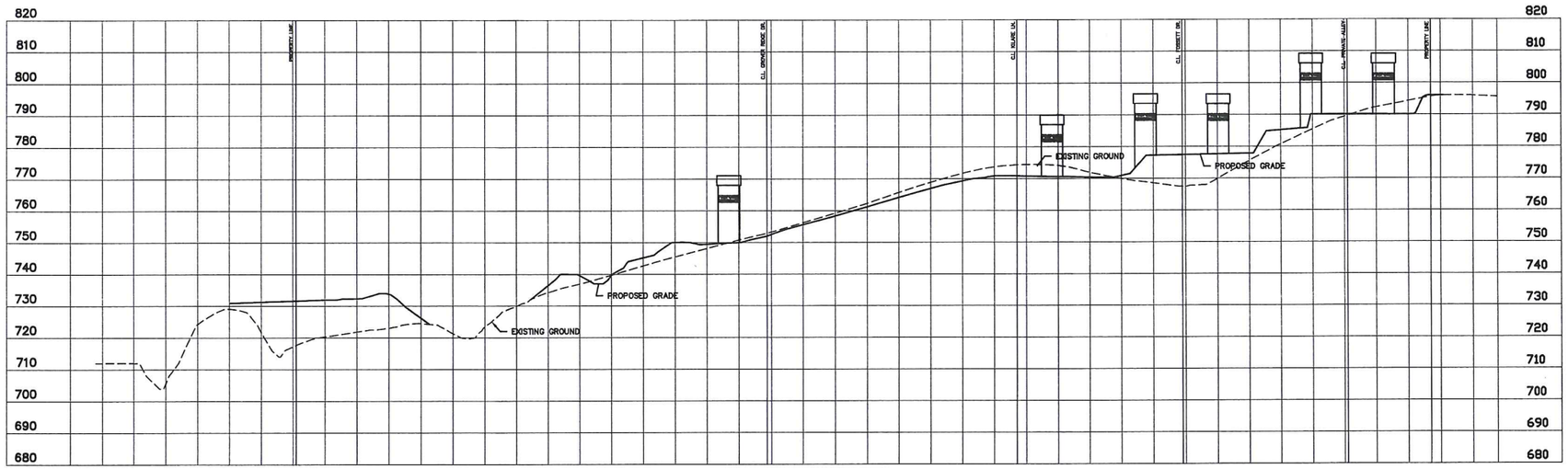
The Professional Engineer's seal and signature affixed to this sheet applies only to the material and items shown on this sheet. All drawing, instruments or other documents not exhibiting this seal and signature shall not be considered prepared by this engineer, and the engineer expressly disclaims any and all responsibility for such plans, drawings or documents not exhibiting this seal and signature.

STATE OF MISSOURI
RODNEY ARNOLD
NUMBER PE-2002016612
PROFESSIONAL ENGINEER

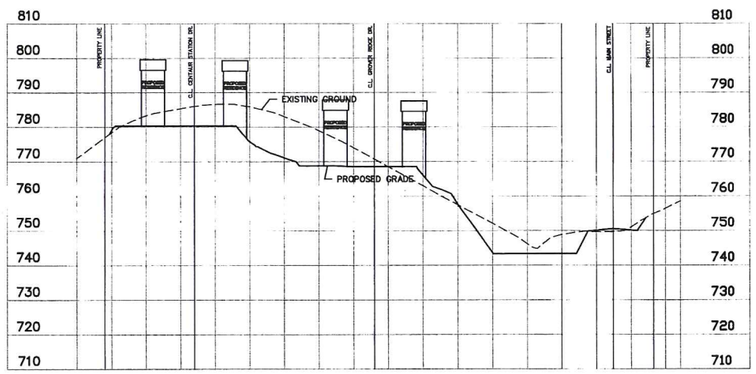
Date: 8-9-2016
RODNEY ARNOLD
License No. PE-2002016612
Civil Engineer

Job Number	
14-04-126	
Date	
8-9-2016	
Designed: SL	Sheet 1.1
Drawn: SL	
Checked:	SDP

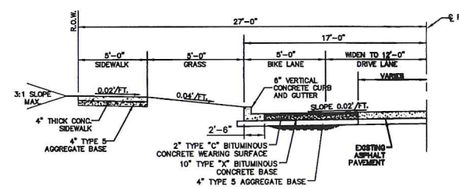
Drawing name: V:\1404126 Schneider Tract\Drawings\Engineering\Site Development Plan\4126sdp.dwg Plotted on: Aug 09, 2016 - 2:06pm Plotted by: bmolitor



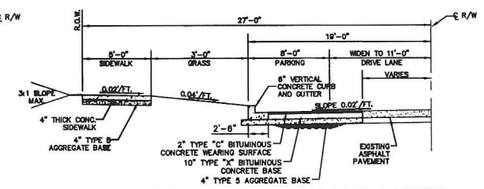
SECTION A-A



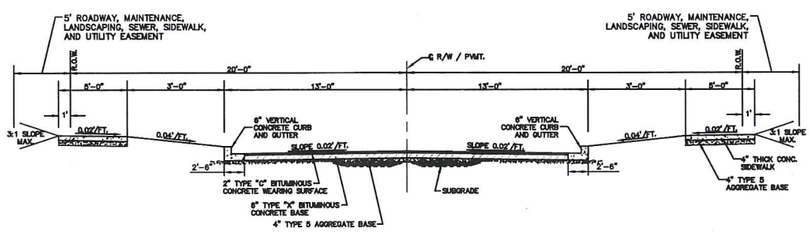
SECTION B-B



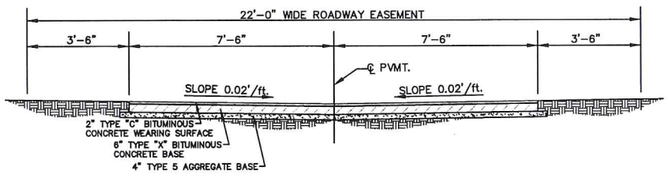
EATHERTON ROAD WITH BIKE LANE
TYPICAL PVMT. WIDENING
N.T.S.



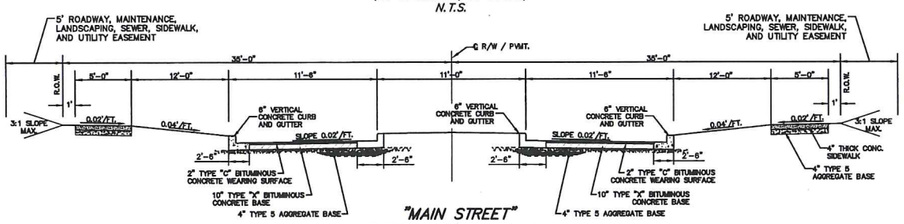
EATHERTON ROAD WITH PARALLEL PARKING
TYPICAL PVMT. WIDENING
N.T.S.



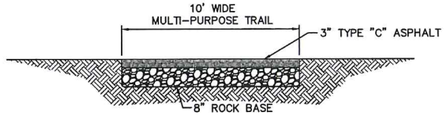
TYPICAL PVMT. SECTION
(26' PAVEMENT/40' R.O.W.)
N.T.S.



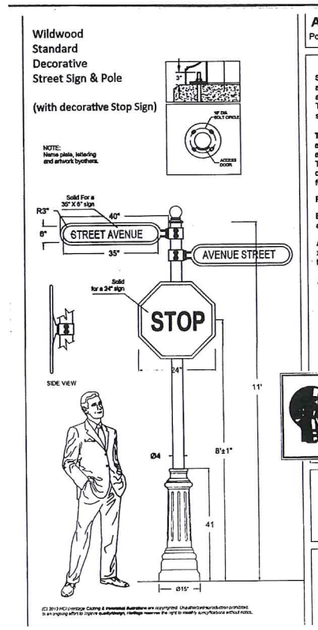
TYPICAL ALLEY PAVEMENT SECTION
(15' PAVEMENT/22' ROADWAY EASEMENT)



"MAIN STREET"
TYPICAL PVMT. SECTION
(70' R.O.W.)
N.T.S.



MULTI-PURPOSE TRAIL
N.T.S.



Approval Drawing

PoleStd: P430-2-4PA-11

Street Sign: The street sign frame shall be a one-piece aluminum casting with a solid backing and a 1" thick border. The sign frame shall clamp around the pole secured with four 3/8" hex head bolt.

Traffic Sign: The traffic sign frame shall be a one-piece aluminum casting with a solid backing and a 1" thick border. The traffic sign shall be octagonal and clamp around the pole secured with four 3/8" hex head bolt.

Pole: Extruded aluminum, thickness 0.125" .

Base Cover: Two-piece cast aluminum attached to shaft by 4 S.S. set screws.

Anchor bolts: 4 galvanized 19mm (3/4") x 610 mm (24") long. A bolt circle template is supplied by HCI

Anchor Circle: 10"

Finish: Electrostatically applied thermoset polyester powder coat finish.

Color: RAL 9011 (Black)

Lighting & Pole Supplier
Brian Brader
Simply Bright Ideas, Inc.
office: (314) 718-1688
Brian@SimplyBrightIdeas.com

Date: DEC.09,2013 Drawing No: 13703-V1
Model: P430-2-4PA-11-RALL9011-STREETSIGN
Project: WILDWOOD STREET
Pre: 681, MO
Please Note: Fabrication will not begin until this drawing is approved, signed and returned to HCI

HCI Heritage Cooking & Innovation
1280 Feaster Drive, Mississauga, Ontario, Canada L4W 1A4
www.hcilighting.com

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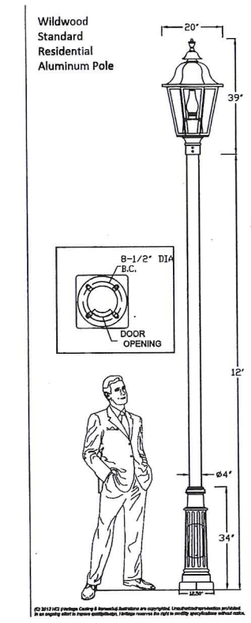

Approval Drawing

Light Std: F144-L-P440-2-MOD-4PA-12

Diffuser Type: Clear

Diffuser Material: Acrylic U.V. stabilized.

Optical System: Segmented reflector type III.

Luminaire Housing: The whole luminaire is made of cast aluminum. Top is fully hinged for easy access to lamp and ballast.

Ballast: MH high power factor mounted on removable plate. A quick disconnect wiring system allows for fast easy ballast maintenance.
Wattage - 100W (MH)
Voltage - 120V
Socket - Medium (4KV)

Option: Decorative Chimny

Pole: Extruded 4" OD aluminum with 0.125" wall thickness.

Base Cover: Two-piece Square cast Aluminum.

Anchor Bolts: 4 galvanized 19mm (3/4") x 609 mm(24") long. A bolt circle template is supplied by HCI.

Bolt Circle: 8-1/2"

Finish: Elecrostatically applied, thermoset polyester powder-coat finish.

Colour: RAL 9011 (Black-Texture)

Lighting & Pole Supplier
Brian Brader
Simply Bright Ideas, Inc.
office: (314) 718-1688
Brian@SimplyBrightIdeas.com

Date: SEP.4.2015 Drawing No: 15692-V7
Model: F144-L-CAC-100W-MH-120V-SR-3-CHY
P440-2-MOD-4PA-12-RAL-9011-TXT
Project: Wildwood Residential, MO
Reg: SSI MO
Please Note: Fabrication will not begin until this drawing is approved, signed and returned to HCI

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MSD Base Map - 23V

ISSUE	REMARKS/DATE
1	10-30-2015, INITIAL SUBMITTAL
2	11-19-2015, CLIENT REVISIONS
3	2-23-2016, CITY COMMENT REVISIONS
4	8-9-2016, REVISED ORDINANCE

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St. Louis, Missouri 63129
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www.sterling-eng-sur.com
Corporate Certificate of Authority #001348

Main Street Crossing

2461 EATHERTON RD., WILDWOOD, MO

SITE SECTIONS

The Professional Engineer's seal and signature affixed to this sheet applies only to the material and items shown on this sheet. All drawing, instruments or other documents not exhibiting this seal and signature shall not be considered prepared by this engineer, and the engineer expressly disclaims any and all responsibility for such plans, drawings or documents not exhibiting this seal and signature.

STATE OF MISSOURI
RODNEY ARNOLD
NUMBER PE-2002016612
PROFESSIONAL ENGINEER

Date: 8-9-2016
RODNEY ARNOLD
License No. PE-2002016612
Civil Engineer

Job Number	
14-04-126	
Date	
8-9-2016	
Designed: SL	Sheet
Drawn: SL	6.1
Checked:	SDP

Drawing name: V:\14\04126 Schneider Tract\Drawings\Engineering\Site Development Plan\14126sdp.dwg Plotted on: Aug 09, 2016 - 2:08pm Plotted by: bmoller

BILL # 2204 ORDINANCE # 2204

AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, AMENDING SPECIAL PROCEDURES PERMIT ORDINANCE #2116 BY DELETING SECTION TWO THEREOF AND ENACTING, IN LIEU THEREOF, A NEW SECTION TWO; AND PROVIDING FOR THE APPROVAL OF AN AMENDED PLANNED RESIDENTIAL DEVELOPMENT OVERLAY DISTRICT (PRD) FOR AN APPROXIMATELY TWENTY-EIGHT (28) ACRE TRACT OF LAND BEING AUTHORIZED FOR ONE HUNDRED FOUR (104), SINGLE FAMILY DETACHED DWELLINGS ON INDIVIDUAL LOTS, WITH COMMON GROUND AND PUBLIC SPACES - P.Z. 15, 16, and 26-14 Main Street Crossing, Payne Family Homes L.L.C. (Ward - Eight)

WHEREAS, pursuant to Ordinance #2116, certain property more particularly described herein (the "Property") was zoned R-4 7,500 square foot Residence District, with a Planned Residential Development Overlay District (PRD), in September 2015, which allowed for the use of such Property for a Town Center Neighborhood Edge type of residential development consisting of an authorized one hundred four (104) single family detached dwellings on individual lots, with common ground and public spaces; and

WHEREAS, on June 13, 2016, the City Council referred consideration of amendments to the Planned Residential Development Overlay District Ordinance #2116 to the Planning and Zoning Commission in light of certain development finance incentives sought by the developer to assist with the cost of certain roadway improvements that are necessary for this site, given its location in Town Center and the additional trips that it will create on the network of surrounding roadways; and

WHEREAS, this request was considered by the Planning and Zoning Commission on July 5, 2016 and discussion was held on the merits of these changes to the current Planned Residential Development Overlay District (PRD) ordinance, which would lessen certain infrastructure and phasing requirements associated with the project's development to the favor of the petitioner; and

WHEREAS, after consideration of this matter and responding to the Department of Planning's report, the Planning and Zoning Commission recommended approval of the Petition requesting the current Planned Residential Development Overlay District (PRD) ordinance be amended, subject to certain terms and conditions, the specifics of such approval and recommendation being set forth in the recommendation of the Planning and Zoning Commission submitted to the City Council dated July 5, 2016, and regarding P.Z. 15, 16, and 26-14 Main Street Crossing, Payne Family Homes L.L.C., a copy of which is on file in the office of the City Clerk and incorporated by reference herein; and

WHEREAS, the City Council held a public hearing to consider the amendment on July 25, 2016, at which interested persons were offered an opportunity to speak; and

WHEREAS, at their meeting on July 25, 2016, the City Council directed the Department of Planning to prepare draft legislation for consideration by the City Council consistent with the Planning and Zoning Commission's recommendation.

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

Section One. The City of Wildwood's Zoning Ordinance, Official Zoning District Maps, and Ordinance #2116 of the City of Wildwood, Missouri, all made a part hereof and incorporated by reference herein, are hereby amended by designating the Property described below by amending the current Planned Residential Development Overlay District (PRD) for the described tract of land provided below:

A tract of land situated in Sections 1 and 2, Township 44 North, Range 3 East in St. Louis County, Missouri, more particularly described as follows: Commencing at an old stone in the South line of the Northwest ¼ of the Southwest ¼ of said Section 1, set at a point where the said South line is intersected by the West line of Eatherton Road; thence along the Western line of Eatherton Road South 1 degree 53 minutes West, a distance of 104.36 feet to a point being the Southeast corner of property described in deed to Bert C. Colman and wife, recorded in Book 6848 page 335, also being the point of beginning; thence North 87 degrees 17 minutes West along a line parallel with the South line of the Northwest ¼ of the Southwest ¼ of said Section 1, 417.41 feet to an old stone at the Southwest corner of property described in said deed to Colman and wife; thence North 1 degree 53 minutes East of 104.36 feet to an old stone in said South line of the Northwest ¼ of the Southwest ¼ Section 1; thence North 87 degrees 17 minutes West along the South line of Northwest ¼ of the Southwest ¼ of Section, 314.40 feet to an old iron rod at the Southwest corner of said ¼ sections; thence North 89 degrees 47 minutes West along the South line of the Northwest ¼ of the Southeast ¼ of Section 2, 576.52 feet to an iron pipe at its intersection with the Eastern line of Missouri Route 109; thence along the Eastern line of said Route 109, north 22 degrees 10 minutes 53 seconds East, 312.27 feet; Thence continuing along said Eastern line North 14 degrees 6 minutes 23 seconds East; Trance North 14 degrees 32 minutes 43 seconds East, 344.18 feet to a point on the South line of tract conveyed to Alexander J. Coyle and wife by deed recorded in Book 9563 page 27; thence departing said Eastern line of Missouri Route 109 South 87 degrees 35 minutes East along the South line of the property conveyed to Coyle and wife in aforesaid; 319.52 feet to an iron pipe at the Southeast corner thereof being at a point in the line between said Sections 1 and 2; thence along the line between Sections 1 and 2, South 1 degree 57 minutes West 180 feet to corner of property conveyed to Albert Anderson and wife by deed recorded in Book 3399 page 38, thence along the South line of said property conveyed to Anderson and wife as aforesaid, South 86 degrees 48 minutes East 3,246.1 feet to the West line of Eatherton Road, thence Southeastwardly and Southwardly along the Western line of Eatherton Road along a curve to the right having a radius of 938.00 feet a distance of 371.68 feet; Thence continuing along said West line South 1 degree 53 minutes West, 312.47 feet to the point of beginning and containing 38.80 Acres, more or less.

Section Two. That Ordinance #2116 of the City of Wildwood, Missouri, be and is hereby amended by deleting Section Two thereof in its entirety and enacting, in lieu thereof, new Section Two, to read as follows:

Section Two. The zoning authority and approval embodied in this ordinance is granted subject to compliance with the Subdivision and Development Regulations, Zoning Ordinance, and all other City of Wildwood ordinances, rules, and regulations and the conditions of this ordinance, except as may be modified herein, upon the requirement the development and approved Site Development Plan are carried out in accordance with the recommendation of the City Council from its public hearing discussion held on July 25, 2016, which is incorporated herein by reference as if fully set forth in this ordinance. The zoning authority granted herein is further subject to the following conditions:

1. **PERMITTED USES**

a. This Planned Residential Development (P.R.D.) Overlay District shall authorize the maximum development of one hundred four (104), detached single family dwellings on individual lots, with common ground and public space, and all permitted accessory structures normally found in conjunction with the primary use of each of the allowable residential properties.

2. **LOT SIZES, DEPTHS, AND BUILDING REQUIREMENTS**

a. Each detached dwelling unit shall be located on an individual lot of record that is a minimum of 4,000 square feet in size. The minimum width of any lot within this P.R.D. Overlay District shall be forty (40) feet in distance, except for those properties located within a cul-de-sac, which shall be as approved by the Planning and Zoning Commission on the Site Development Plan. These lot widths shall be measured at the front building line.

b. All detached single family dwellings shall have a minimum finish floor elevation of their front porches of eighteen (18) inches in height above the adjoining sidewalk grade. All dwelling units shall have a front porch, which must extend across at least twenty percent (20%) of the façade's elevation facing the frontage line, at a minimum depth of no less than six (6) feet. No building facade shall show more than four (4) corners to the frontage line or as approved by the Architectural Review Board on the required elevations.

c. No building and/or structure shall be more than two (2) stories above final grade, as measured from the front building line on any individual lot.

d. Direct residential drive access shall be allowed for up to seventy-six (76) of the single family detached units within this development from the system of internal streets, but the garage door(s) on each unit must be a minimum of six (6) feet behind an imaginary line formed by an extension of the front elevation of the dwelling (including the front porch) parallel to the lot's frontage. Individual garage doors shall not be greater than twenty (20) feet in width and must be carriage types, including windows, and incorporate other architectural treatments, as determined by the City's Architectural Review Board to be appropriate, to lessen their prominence within the visual corridor formed by these interior streets within the development, unless a suitable alternative design is provided for these openings. The developer shall provide a minimum of two (2) options that incorporate these requirements to the Planning and Zoning Commission for its consideration, as part of the Site Development Plan review and action process, regarding the front of the garages that further reduces their prominence from the abutting street view. Architectural type shingle selections shall be required on all residential units of a minimum thirty (30) year standard.

e. The New Urbanism lots that are part of this Planned Residential Development Overlay District boundary shall be accessed by service lanes (alleys) that comply in their construction with the Street Specifications of the Town Center Plan. These service drives shall provide access to rear loaded garages that must be provided, as part of any single-family detached dwelling, for a minimum of twenty-eight (28) of the allowable one hundred four (104) lots. These lots do not need to incorporate the garage-offset distance noted in Condition 2(d.) of this Ordinance.

f. The first story, interior clear height for all single family dwellings shall be not less than nine (9) feet.

g. Detached single family dwelling units, which face the frontage line, but also places the side of the building along another right-of-way, shall be designed to incorporate the elements of the front facade along that portion of the structure. The placement and design of these units shall be approved by the Planning and Zoning Commission on the Site Development Plan and the elevations of these units by the Architectural Review Board.

h. The proposed architectural design, character, and style of all buildings and dwelling units shall adhere to the City of Wildwood's Town Center Architectural Guidelines, Neighborhood Design Standards, and any other applicable requirements of the Town Center Plan, excepting no vinyl siding shall be allowed on any dwelling unit within the boundaries of this Planned Residential Development Overlay District (PRD). All materials used on any facade of a residential unit shall be fiber cement siding and backer board. Approval of the required design shall be by the Architectural Review Board. Minimally, all buildings shall maintain a consistent theme throughout the boundaries of this Planned Residential Development Overlay District in terms of material, color, and style.

i. The overall area of this Planned Residential Development Overlay District (PRD) shall be no less than twenty-eight (28) acres and no greater than 28.5 acres.

3. **PLAN SUBMITTAL REQUIREMENTS**

Within twelve (12) months of the P.R.D. Overlay District approval by the City Council, and prior to any site disturbance, the developer shall submit to the Planning and Zoning Commission for their review and approval a Site Development Plan. Where due cause is shown by the developer, time intervals may be extended once by the Planning and Zoning Commission in accord with requirements of Section 410.060 of the City of Wildwood Zoning Ordinance. Said Site Development Plan shall include, but not be limited to, the following information:

a. Outboundary plat and legal description of the property.
b. A general numbered lot plan with setback lines from all streets and roadways on and adjacent to the property. A typical lot diagram, indicating all site design information such as, but not limited to, right-of-way width, improvement dimensions and locations, setbacks, and building placement.
c. The location and size of all parking areas, pavement widths, and right-of-way dedications of all internal roadway improvements and drives.

d. A general plan indicating setback lines along the perimeter of the subject tract of land and surrounding property lines and related improvements within four hundred (400) feet of this site's boundaries.
e. Location of all roadways adjacent to the property, including required roadway right-of-way dedication and pavement widening with existing and proposed improvements, and general location, size, right-of-way, and pavement width of all interior drives.
f. The location and size of all freestanding signs, lighting, fences, sidewalks, and other above ground structures, except retaining walls less than two (2) feet in height per section.
g. Existing and proposed contours at vertical intervals of not more than two (2) feet.
h. General location of sanitary sewer facilities.
i. Parking and density calculations.
j. Conceptual location and size of common ground areas.
k. A typical section of the proposed road indicating the placement and design of required streetscape improvements.
l. A Landscape Plan including, but not limited to, the location, size, and general type of plant materials to be used in accord with the City of Wildwood's Ordinance 410 and accompanying Tree Manual.
m. An inventory of the percent of tree canopy or individual trees to be retained on the site.
n. Location of all existing and proposed easements.
o. All other information not mentioned above, but required on a preliminary plat in accord with Section 410.060 of the City of Wildwood Subdivision and Development Regulations.

If the Planning and Zoning Commission determines, through its standard review processes, the Site Development Plan cannot be acted upon due to non-compliance to the site-specific ordinance, the Zoning Ordinance, or other land use regulations applicable to this type of subdivision, as interpreted by it, then the Regulating Plan changes, the rezoning of the subject site, and the application of the Planned Residential Development Overlay District shall not remain effective thereafter and the City must initiate the revocation process described in the Zoning Ordinance for this type of circumstance.

4. **SITE DEVELOPMENT PLAN DESIGN CRITERIA**

The above Site Development Plan shall adhere to the following specific design criteria:

Build-To Lines - Residential

a. Any building or structure, other than boundary and/or retaining walls, fences, detention facilities, and/or light standards, shall adhere to the following build-to lines, as specified in the Town Center Plan's Neighborhood Design Standards:

(1) Twenty (20) feet from any right-of-way line.
(2) Five (5) feet for any side yard property line and ten (10) feet for side yard areas that abut the perimeter of the Planned Residential Development Overlay District.

(3) Fifteen (15) feet from any rear yard property line and thirty (30) feet for rear yard areas that abut the perimeter of the Planned Residential Development Overlay District.

Parking Setbacks – Residential

b. All parking stalls or loading spaces, excluding points of ingress or egress for the detached dwelling units, shall be located behind the front elevation of the dwelling a minimum of twenty-five (25) feet. Driveway widths serving these required parking spaces, specifically between the edge of the public right-of-way and the front building line, shall be as approved by the Planning and Zoning Commission on the Site Development Plan, but be minimized in their respective distances to the greatest extent possible.

Access and Roadway Improvements

c. Dedicate the required amount of right-of-way and/or easements along this property's State Route 109 frontage to the Missouri Department of Transportation (MoDOT) for public roadway purposes, *which shall incorporate the ultimate design for the planned installation of a roundabout and related items, while constructing a temporary,* right-in/right-out *access point a roundabout and related channelization Island(s) and other improvements required therein.* Improvements, *whether temporary or permanent in nature,* to State Route 109 shall conform to the requirements of the Missouri Department of Transportation (MoDOT) and the City of Wildwood's Street Specifications of the Town Center Plan, as directed and approved by the State of Missouri and the City of Wildwood's Department of Public Works. ~~All streetscape requirements (street trees, lights, signs, waste receptacles, benches, and other items consisting of approved materials) shall be installed by the developer, as specified by the City of Wildwood's~~ Town Center ~~Plan within the right-of-way of State Route 109 and directed by the Department~~ of Public Works.

d. Establish a minimum seventy (70) foot wide public right-of-way for the construction of Main Street within the site, for a total of thirty-four (34) feet of pavement area (inclusive of the concrete vertical curb and gutter and grass median) and five (5) foot sidewalks on both sides of this internal roadway, which adhere to the Town Center Plan's Street Specifications and the Streetscape Design Requirements, as directed by the Department of Public Works and approved by the Planning and Zoning Commission on the Site Development Plan. Along with this dedication of seventy (70) feet of right-of-way, the developer shall provide a five (5) foot wide roadway, maintenance, landscaping, sewer, sidewalk, and utility easement along both sides of this public dedication area. All streetscape requirements (street trees, lights *(spacing of lights on one (1) side of any street/roadway shall be no greater than one hundred fifty (150) feet in distance),* signs, waste receptacles, benches, and other items consisting of approved materials) shall be installed by the developer, as specified by the City of Wildwood's Town Center Plan within the right-of-way of Main Street and directed by the Department of Public Works.

e. Complete the necessary dedication of land area within this subject site for public right-of-way purposes associated with the internal network of streets. These dedications for public rights-of-way shall be used for the construction by the developer of a network of internal residential streets for service to the authorized lots. These dedications shall be a minimum of forty (40) feet in width to accommodate the construction of two (2) lanes of asphalt roadway, with concrete curb and gutter, and five (5) foot wide sidewalks, including a three (3) foot tree lawn area, which all adhere to the Town Center Plan's Street Specifications and the Streetscape Design Requirements, as directed by the Department of Public Works and approved by the Planning and Zoning Commission on the Site Development Plan. Along with this dedication of these rights-of-way areas, the developer shall provide a five (5) foot wide roadway, maintenance, landscaping, sewer, sidewalk, and utility easement along both sides of this public dedication area. All streetscape requirements (street trees, lights, signs, waste receptacles, benches, and other items consisting of approved materials) shall be installed by the developer, as specified by the City of Wildwood's Town Center Plan within the rights-of-way of these unnamed streets and directed by the Department of Public Works.

f. Dedicate the required amount of right-of-way and/or easements along this property's Eatherton Road frontage to the City of Wildwood, Missouri for public roadway purposes and for the construction of required roadway improvements, which include a widening of a minimum of five (5) feet in width, a five (5) foot wide sidewalk, and street trees and lights, including a minimum three (3) foot wide tree lawn area for these improvements. A future roundabout, and related channelization islands and other improvements required therein, shall not be required, but the dedication of right-of-way for such shall be made at the time of the Record Plat. Improvements to Eatherton Road shall conform to all of the requirements of the City of Wildwood's Street Specifications of the Town Center Plan, as directed and approved by the City of Wildwood's Department of Public Works. All streetscape requirements (street trees, lights, signs, waste receptacles, benches, and other items consisting of approved materials) shall be installed by the developer, as specified by the City of Wildwood's Town Center Plan within the right-of-way of Eatherton Road and directed by the Department of Public Works.

g. Extend all existing stub streets abutting the subject site into it and these extensions shall adhere to the Town Center Plan's Street Specifications and the Streetscape Design Requirements, as directed by the Department of Public Works and approved by the Planning and Zoning Commission on the Site Development Plan. These stub street extensions shall include Larksong Drive South, Kilare Lane, and Grover Ridge Drive. Safety components determined necessary for any stub street extension shall be indicated on the Site Development Plan and reviewed and acted upon by the Planning and Zoning Commission.

h. Dedicate a minimum forty (40) foot wide strip of land on the subject site for a future street connection to the south, which shall be as approved by the Planning and Zoning Commission on the Site Development Plan. The location of this planned stub street shall be generally in the southeast corner of the subject site, approximately 370 feet to the west of existing

Eatherton Road. Within this dedication of public right-of-way, construct a roadway that shall adhere to the Town Center Plan's Street Specifications and the Streetscape Design Requirements, as directed by the Department of Public Works and approved by the Planning and Zoning Commission on the Site Development Plan.

i. Complete the necessary dedication of land area within this subject site for private access purposes. These dedications for private purposes shall be used for the construction by the developer of a system of lanes/alleys for service to the authorized lots. These dedications shall be a minimum of twenty-two (22) feet in width to accommodate the construction of a lane/alley, which all adhere to the Town Center Plan's Street Specifications and the Streetscape Design Requirements, as directed by the Department of Public Works and approved by the Planning and Zoning Commission on the Site Development Plan.

j. Any planned traffic island/cul-de-sac shall be designed and constructed by the developer of this residential subdivision in accordance with City of Wildwood standards, and as directed by the Department of Public Works. The Planning and Zoning Commission, on the Site Development Plan, shall approve the final design of this traffic calming improvement.

Miscellaneous Roadway Requirements

k. Installation of landscaping and ornamental entrance monument or identification signage, if proposed, shall be reviewed by the Department of Public Works for sight distance considerations and approved prior to its installation or construction.

l. If required sight distance cannot be provided at the access location, acquisition of right-of-way, reconstruction of pavement, including correction to vertical alignment and other off-site improvements, may be required to provide the required sight distance as directed by the Department of Public Works.

m. Construction access shall be from State Route 109 during the development of this site, not via the Cambury Subdivision or Eatherton Road.

n. Sidewalks shall be required on all public and private streets (parking lot aisles) and provide for a continuous and logical layout of this pedestrian network. Design and construction requirements for all sidewalks within the entire development shall be as established in the Street Specifications and Streetscape Elements of the Town Center Plan. Approval of their location, design, and material shall be by the Planning and Zoning Commission, as part of the Site Development Plan review process.

o. The developer is advised that utility companies will require compensation for relocation of their utility facilities within public road right-of-way. Utility relocation cost shall not be considered as an allowable credit against the petitioner's Traffic Generation Assessment contributions. The developer should also be aware of extensive delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of roadway improvements. *The City of Wildwood will assist, where applicable,*

MSD Base Map - 23V

Drawing name: V:\14-04126 Schneider Tract\Drawings\Engineering\Site Development Plans\14126sdp.dwg Plotted on: Aug 09, 2016 - 2:06pm Plotted by: bmoltor

ISSUE	REMARKS/DATE
1	10-30-2015, INITIAL SUBMITTAL
2	11-19-2015, CLIENT REVISIONS
3	2-23-2016, CITY COMMENT REVISIONS
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www.sterling-eng-sur.com
Corporate Certificate of Authority #001348

Main Street Crossing
2461 EATHERTON RD., WILDWOOD, MO
ORDINANCE #2116

The Professional Engineer's seal and signature affixed to this sheet applies only to the material and items shown on this sheet. All drawing, instruments or other documents not bearing the seal and signature of the engineer named prepared by this engineer, and the engineer expressly declaims any and all responsibility for such plans, drawings or documents not exhibiting the seal and signature.

STATE OF MISSOURI
RODNEY ARNOLD
NUMBER PE-2002016612
PROFESSIONAL ENGINEER

Date: 8-9-2016
RODNEY ARNOLD
License No. PE-2002016612
Civil Engineer

Job Number	
14-04-126	
Date	
8-9-2016	
Designed: SL	Sheet
Drawn: SL	7.1
Checked:	SDP

with the discussions on said utility requirements, so as to minimize delays and costs to the developer. Any decision in this regard shall be acted upon by the City Council, if funding is associated with such.

p. All internal streets, access drives, or lanes, whether public or private, shall comply with the Streetscape Requirements of the Town Center Plan in terms of improvements, such as drive lane widths, sidewalks, stormwater drainage facilities, garden walls, street trees and lights, and pedestrian furniture. If certain streets, drives, or lanes are to be private, an easement shall be provided to the City granting public use of them for pedestrian and vehicular purposes. These easements shall be granted at the time of the Record Plat approval by the City Council.

Parking Requirements - Residential

q. Parking spaces shall be provided as required by the Town Center Plan's Neighborhood Design Standards and Section 415.340 Off-Street Parking and Loading Requirements of the City of Wildwood Zoning Ordinance for the R-4 7,500 square foot Residence District.

Landscape Requirements - Specific

r. Landscaping shall adhere to all requirements of Ordinance 410 and its accompanying Tree Manual, including the submittal of a Tree Preservation Plan in conjunction with the Site Development Plan.

s. All streets, roads, and lanes shall be appropriately landscaped as required by the Streetscape Design Requirements of the Town Center Plan and approved by the Planning and Zoning Commission on the Site Development Plan.

t. The areas of existing vegetation within the P.R.D. Overlay District boundaries identified as to be retained shall be marked on the site prior to the commencement of any disturbance in accord with the City of Wildwood's Ordinance 410. These areas shall be indicated on the Site Development Plan submitted to the City of Wildwood for Planning and Zoning Commission review and approval. Existing mature tree canopy shall be preserved in accordance with the requirements of City of Wildwood's Ordinance 410 Tree Preservation and Restoration Code.

u. Landscaping with the defined common ground areas shall comply with Ordinance 410 Tree Preservation and Restoration Code requirements and accompanying Tree Manual. The Planning and Zoning Commission, on the Site Development Plan, shall approve the planting pattern. Amenities, such as benches, lights, and walking paths shall be installed in the open space area of the residential development by the developer of these one hundred four (104) dwelling units.

v. The developer shall provide a minimum ten (10) foot wide, landscape buffer strip, within a perpetual easement dedicated to the Homeowners Association for its maintenance and

(9.)

care, along the entire southern boundary of the site, and upon individual rear lot areas, for plantings, as reviewed and acted upon by the Planning and Zoning Commission.

w. A Landscape Architect shall sign and submit all plans for review and approval for this mixed-use development.

Signs - Residential

x. Signs for this P.R.D. Overlay District shall be erected in accordance with the Town Center Plan Architectural Guidelines and Section 415.410 Sign Regulations of the City of Wildwood Zoning Ordinance for the R-4 7,500 square foot Residence District.

y. The location of all signage shall be as approved on the Site Development Plan by the Planning and Zoning Commission. Signage not located on common ground must be erected within an easement.

Lighting Requirements

z. The location of all lighting standards shall be as approved on the Site Development Plan. No on-site illumination source shall exceed sixteen (16) feet in height or be so situated that light is cast directly on adjoining properties. Illumination levels for all lighting shall comply with the provisions of the City of Wildwood's Zoning Code, Section 415.450 "Outdoor Lighting Requirements." A Lighting Study shall be submitted in conjunction with the Site Development Plan indicating compliance to these requirements. The Planning and Zoning Commission shall approve the location, design, and appearance of all light standards and fixtures as part of the Site Development Plan review process.

Miscellaneous Conditions

aa. The design, color, material, and location of all garden and screen walls or fences, if planned or required, shall be consistent with the requirements of the Town Center Plan's Architectural Guidelines and be shown on the Site Development Plan for review and action by the Planning and Zoning Commission and the Architectural Review Board.

bb. Improvements associated with public infrastructure, such as roadways, sidewalks, and access points, shall comply with general design principles that will provide for safe and efficient movement of traffic in and around these sites and improve overall circulation in the area. These improvements shall be reviewed and approved by the Department of Public Works.

cc. Hours of construction and grading activity shall be limited to 7:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday. No development (grading and construction) activity shall be authorized on Sundays.

(10.)

dd. All retaining walls exceeding three (3) feet in height per section or crossing individual property lines shall be constructed of an appropriate inter-locking concrete block system. Walls crossing property lines shall be located in a maintenance easement. The design, color, material, and location of all walls shall be consistent with the requirements of the Town Center Plan's Architectural Guidelines and be shown on the Site Development Plan for review and action by the Planning and Zoning Commission.

ee. The location of all utility easements for proposed service to this development shall be as approved by the Planning and Zoning Commission on the Site Development Plan. All utilities installed to serve this site shall be placed underground, including any existing overhead lines located on the subject property.

ff. Access to Eatherton Road from this Planned Residential Development Overlay District, e.g. any street or alley, including Main Street, shall not be authorized, until such time as all necessary street and roadway improvements, including temporary access to State Route 109, have been completed to an acceptable minimum level to the Missouri Department of Transportation (MoDOT) and the City of Wildwood. ~~forty (40) percent of the authorized units within its boundaries are owner occupied.~~ Until this threshold is reached, access shall be restricted/blocked to Eatherton Road, as shown on the Site Development Plan and reviewed and acted upon by the Department of Public Works and the Planning and Zoning Commission. Specifications for the manner in which access shall be controlled to Eatherton Road shall be at the discretion of the City of Wildwood, but all costs associated with such are the responsibility of the developer.

5. **TRAFFIC GENERATION ASSESSMENT FEE**

The developer shall contribute to the East Area Traffic Generation Assessment Trust Fund established by Section 140.210 of the City of Wildwood's Revised Codes. This assessment must be paid in full at the time of the first Zoning Authorization for any building or structure or when the individual issuances of building permits for the authorized lots are approved. This contribution shall not exceed the amount established by multiplying the number of parking spaces provided by the following rate:

Type of Development	*Required Contribution*
Single Family Dwelling (detached)	$1,055.10/Parking Space

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

If type of development proposed differ than those listed, rates shall be provided by the Department of Public Works.

As this development is located within a Trust Fund area established by the City of Wildwood, any portion of the traffic generation assessment contribution, which remains, following completion of

(11.)

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

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

The Planning and Zoning Commission is recommending these fees be credited to the developer for use for the purposes of assisting with completion of required improvements within the right-of-way of State Route 109 and the off-site portion of the Main Street right-of-way. The granting of these credits is at the sole discretion of the City Council.

6. **VERIFICATIONS PRIOR TO APPROVAL OF THE SITE DEVELOPMENT PLAN**

Prior to approval of the Site Development Plan, the developer shall provide the following:

Stormwater Improvements

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

1. The developer is required to provide adequate stormwater systems in accordance with the City of Wildwood and the Metropolitan St. Louis Sewer District standards.
2. All stormwater shall be discharged at an adequate natural discharge point.
3. Retention/detention of differential runoff of stormwater shall be required. Stormwater management shall be provided in permanent retention/detention facilities, such as ponds or other acceptable alternatives. These retention/detention facilities shall be completed and in operation prior to the issuance of building permits for an approved dwelling unit, except display lots.
4. All proposed retention/detention facilities and related stormwater improvements shall be located in a common ground area and insure perpetual maintenance to the Homeowners Association to be created at the time of platting of this development.
5. The developer of this site shall be solely responsible to provide the necessary mechanisms, as part of the Site Development Plan/Improvement Plan process, to implement "best management practices" for stormwater management and the construction of related facilities. Minimally, these practices/facilities should include rain gardens, vegetative swales, and other options to substantially reduce the amount of stormwater leaving the subject site.
6. The developer shall provide adequate detention and/or hydrologic calculations for review and approval of all stormwater that will encroach on City of Wildwood/Missouri Department of Transportation (MoDOT) rights-of-way.
7. A bond or letter of credit will be required by the City of Wildwood to cover any downstream damage to abutting or adjacent properties, common ground areas, or

(12.)

drainageways caused by the developers' use of this subject site (land/disturbance/grading/construction activities, etc.), which shall be used for the restoration of damaged areas to their pre-development condition, if the developers fail to meet their responsibilities in this regard. The amount of this bond and the establishment of the process for creating an accurate baseline condition for the existing downstream facilities shall be at the discretion of the City of Wildwood Department of Public Works, in conjunction with input from the petitioner's engineer.

Geotechnical Report

b. Provide a Geotechnical Report covering development and grading required by improvements involved with this site, as directed by the Department of Public Works. Said report shall verify the adaptability of grading and improvements with soil and geologic conditions which are susceptible to rapid erosion, landslide, and/or creep. A statement of compliance with this study, signed by the Geotechnical Engineer preparing the report, shall be included on all Site Development Plans. The development and construction plans shall be designed to conform to the requirements and conditions of the Geotechnical Report. The Geotechnical Engineer shall be required to sign and seal all plans with a certification the proposed construction will be completed in accordance with the grading and soils requirements and conditions contained in the report.

Stormwater Pollution Prevention Plan

c. Submit a Stormwater Pollution Prevention Plan, as part of the Site Development Plan review process, indicating compliance to all Federal, State, and local requirements regarding the management of stormwater runoff to prevent siltation and erosion, while preserving water quality, both upon the site and on downstream properties.

Natural Resource Protection Plan

d. Provide a revised and final copy of the Natural Resource Protection Plan indicating all areas of the site, which are to be designated as protected and not developable. This revised and final copy of this map shall be reviewed and signed by a qualified soil scientist, who completed the analysis, and a statement indicating compliance with all the requirements of Section 1005.200 of the City of Wildwood's Subdivision and Development Regulations.

Environmental Assessment – Phase One

e. The developer shall provide to the Planning and Zoning Commission, as part of the Site Development Plan submittal package, a Phase I Environmental Assessment Report of the property, which indicates its current condition relative to its past utilization by other owners. Determination regarding any required mediation shall be identified and completed, prior to the approval of the Record Plat and before the occupancy of any residential unit, all being in accordance with State and federal standards and guidelines, as set forth by the United

(13.)

States Environmental Protection Agency (EPA) and the Missouri Department of Natural Resources (MDNR), for any determined contaminant exceeding a residential cleanup standard/guideline, with the cost borne for such by the developer and not the City of Wildwood.

Floodplain Study and Plans

f. The developer shall provide a floodplain/wetlands study to the Department of Public Works indicating compliance to the requirements of the City of Wildwood, the U.S. Army Corp of Engineers, and the Federal Emergency Management Agency (FEMA) regarding disturbance or development in the protected waterways and floodplain areas. This study shall minimally provide information relating to disturbance of any protected area and be reviewed and acted upon by the Department of Public Works, as part of the Site Development Plan submittal process.

7. **RECORDING**

Within ninety (90) days of approval of the Site Development Plan by the Planning and Zoning Commission, the approved plan shall be recorded with the St. Louis County Recorder of Deeds.

8. **VERIFICATION PRIOR TO PERMITS**

Notification to Department of Planning

a. Subsequent to approval of the Site Development Plan and prior to issuance of any grading, foundation, or building permit, all approvals from the Department of Public Works (Wildwood), the Missouri Department of Transportation, the Metro West Fire Protection District, the Missouri Department of Natural Resources, and the Metropolitan St. Louis Sewer District must be received by the Department of Planning.

b. Prior to the issuance of a foundation or building permit for any lot, which adjoins the common ground area and/or detention, basin, written certification from a Professional Engineer which verifies these areas are graded in accordance with the approved plans, must be received by the Department of Planning.

Roadway Improvements

c. Improvements to State Route 109 and Eatherton Road must be completed prior to the issuance of building permits in excess of fifty (50) ~~twenty (20)~~ percent of the units. The State Route 109 required improvements may be credited against the overall Traffic Generation Assessment Fee (TGA) charge associated with these allowable residential units, if authorized by the City Council. Any delays in utility company relocation and adjustments will not constitute a cause to allow occupancy prior to completion of roadway improvements.

(14.)

Land Subdivision

d. Record a proper subdivision of the property and comply with all other applicable Subdivision and Development Regulations sections affecting the development of land, except as otherwise specified by this ordinance.

Indentures

e. With the filing of the record plat establishing separate lots, the developer shall record an approved Indenture, which defines the necessary assessments and specific trustee obligations in accord with provisions of Section 415.470 and 415.510 of the City of Wildwood Zoning Code.

Escrow Requirements

f. All improvement and landscaping costs shall be submitted to the City of Wildwood through the standard subdivision escrow procedures.

Improvement Plans

g. The developer of this residential subdivision shall provide to the City Improvement Plans indicating construction details relative to public and private infrastructure associated with its development. Said plans will be used to calculate escrow requirements for these identified improvements.

Sanitary Sewage System

h. The developer shall provide verification from the Metropolitan St. Louis Sewer District that public sewer service has been provided to this site. Verification shall be in a form acceptable to the City of Wildwood.

Potable Water Service

i. The developer shall provide verification from the Missouri American Water Company that service to this subdivision can be provided at acceptable levels relative to the density of the project and not cause service issues to other households served by the same.

9. **GENERAL DEVELOPMENT CONDITIONS**

a. Provide adequate temporary off-street parking for construction employees. Parking on non-surfaced areas shall be prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.

(15.)

b. A grading permit is required prior to any grading on the site. Interim stormwater drainage control in the form of salutation control measures is required.

c. A copy of the most recently approved Site Development Plan for this P.R.D. Overlay District development shall be prominently displayed at all times in all sales offices for this development.

d. The petitioner shall be responsible for obtaining all necessary permits from the Department of Natural Resources Clean Water Commission as they relate to the development of this tract of land.

e. If cut and fill operations occur during a season not favorable for immediate establishment of a permanent ground cover, a fast germinating annual, such as Rye or Sudan Grasses, shall be utilized to retard erosion.

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

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

h. Any other applicable zoning, subdivision, or other regulations or requirements of the City, whether in effect at the adoption of this ordinance or as may be hereinafter adopted, shall further apply to the development of this property as authorized by this Planned Residential Development Overlay District Ordinance, except as may be provided by law. Nothing herein shall be deemed a waiver of any subdivision, zoning or other development regulation of the City whether by implication or reference.

i. This zoning approval is conditioned on compliance with the Zoning Code, Subdivision Code, and all applicable laws of the City. Such additional regulations are supplemental to the requirements herein and no modification of any applicable regulations shall result from this Planned Residential Development Overlay District ordinance, except where this ordinance has expressly modified such regulations by reference to the applicable provision authorizing such modification.

10. **PUBLIC SPACE REQUIREMENTS**

a. Developer shall construct improved public space in conformance with or otherwise satisfying the requirements of the City's Public Space Ordinance, Chapter 415.260 and 415.270 of the City of Wildwood's Zoning Ordinance. The City Council accepts the findings of the Public Space Study adopted therein and determines the compliance with the Public Space Ordinance provisions will address the impact of this specific development on public space needs in a manner and amount that is equal to less than an amount that is roughly

(16.)

proportional to the actual or anticipated impact. The installation of required public space improvements shall be as required by the applicable ordinances, but shall be completed prior to issuance of any occupancy (temporary or final) permit for the authorized by this ordinance. Unless otherwise approved pursuant to the procedures set forth in the Public Space Ordinance, the public space attributable to this development, based upon the number of authorized dwelling units at a rate of 1,742.4 square feet per new single family dwelling.

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

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

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

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

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

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

(17.)

MSD Base Map - 23V

ISSUE	REMARKS/DATE
1	10-30-2015, INITIAL SUBMITTAL
2	11-19-2015, CLIENT REVISIONS
3	2-23-2016, CITY COMMENT REVISIONS
4	8-9-2016, REVISED ORDINANCE

PAYNE FAMILY HOMES
10407 BAUR BLVD., SUITE B
ST. LOUIS, MO 63132
Ph. 314-996-0341
www.paynefamilyhomes.com

THE STERLING CO.
ENGINEERS & SURVEYORS
5055 New Baumgartner Road
St. Louis, Missouri 63129
Ph 314-487-0440 Fax 314-487-8944
www.sterling-eng-sur.com
Corporate Certificate of Authority #001348

Main Street Crossing
2461 EATHERTON RD., WILDWOOD, MO
ORDINANCE #2116

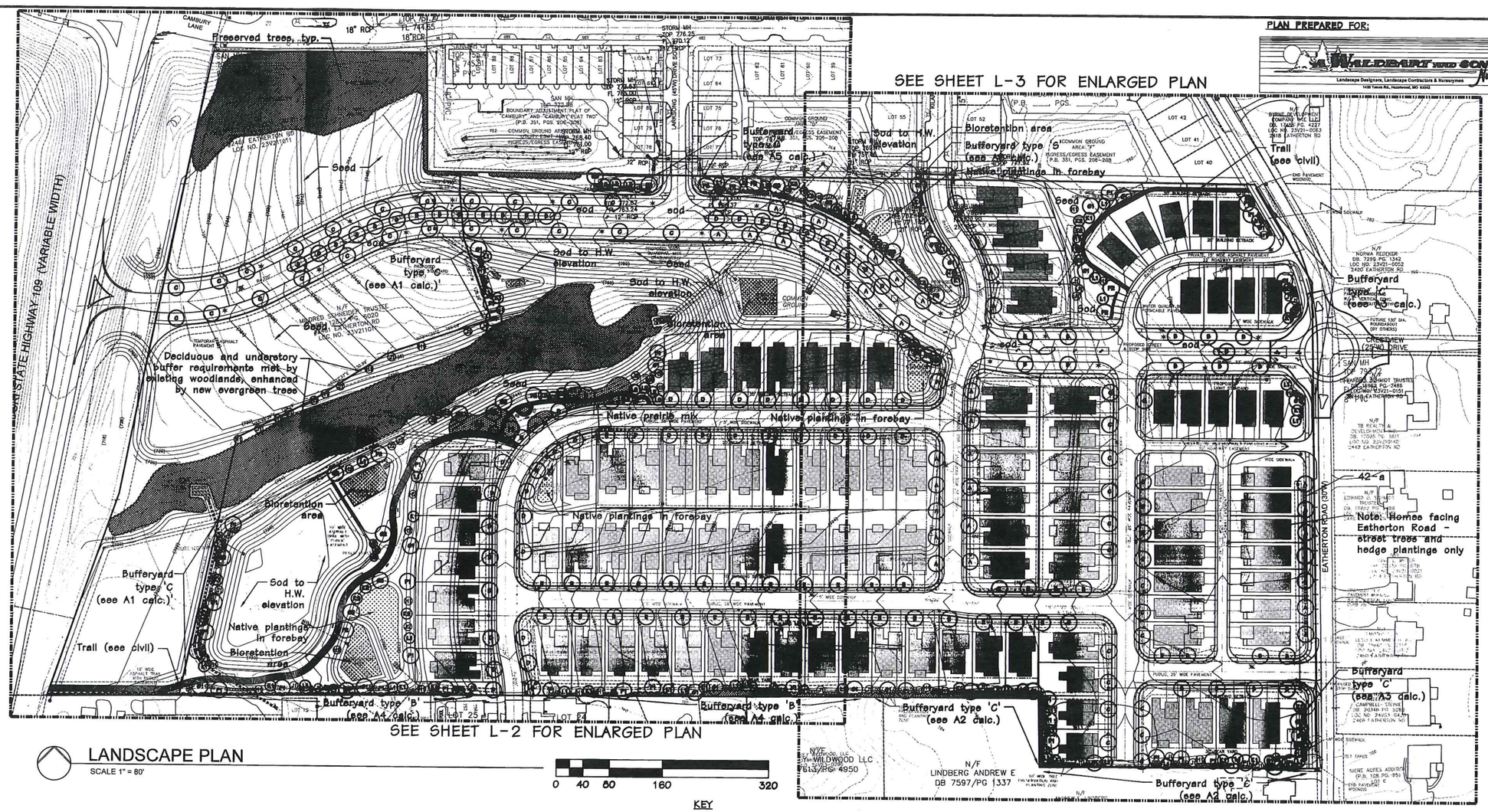
The Professional Engineer's seal and signature affixed to this sheet applies only to the material and items shown on this sheet. All drawing, instruments or other documents not exhibiting this seal and signature shall not be considered prepared by this engineer, and the engineer expressly disclaims any and all responsibility for such plans, drawings or documents not exhibiting this seal and signature.

STATE OF MISSOURI
RODNEY ARNOLD
NUMBER PE-2002016612
PROFESSIONAL ENGINEER

Date: 8-9-2016
RODNEY ARNOLD
License No. PE-2002016612
Civil Engineer

Job Number	
14-04-126	
Date	
8-9-2016	
Designed: SL	Sheet
Drawn: SL	7.2
Checked:	SDP

Drawing name: V:\1404126 Schneider Tract\Drawings\Engineering\Site Development Plan\4126sdp.dwg Plotted on: Aug 09, 2016 - 2:08pm Plotted by: bmolitor



LANDSCAPE PLAN

SCALE 1" = 80'

0 40 80 160 320

PLAN PREPARED FOR:

WALDBART TREE SONS

Landscape Designers, Landscape Contractors & Nurserymen

KEY

- Existing woodland to remain
- Native prairie mix
- MSD bio plantings

LANDSCAPE CALCULATIONS:

A) Bufferyards

1. Type "C" required along west property line as labeled on the plan
(3 canopy trees, 3 evergreen trees, 3 understory trees, and 10 shrubs required per 150 LF)
432 LF ÷ 150 LF bufferyard unit measurement = 2.88
2.88 x 3 tree units = 8.64 = 9 canopy trees, 9 evergreen trees, and 9 understory trees
2.88 x 30 shrub units = 86.4 = 86 shrubs

2. Type "C" required along southeastern property line as labeled on the plan
(3 canopy trees, 3 evergreen trees, 3 understory trees, and 30 shrubs required per 150 LF)
748 LF ÷ 150 LF bufferyard unit measurement = 4.98
4.98 x 3 tree units = 14.94 = 15 canopy trees, 15 evergreen trees, and 15 understory trees
4.98 x 30 shrub units = 149.4 = 149 shrubs

3. Type "C" required along east property line as labeled on the plan
(3 canopy trees, 3 evergreen trees, 3 understory trees, and 10 shrubs required per 150 LF)
480 LF ÷ 150 LF bufferyard unit measurement = 3.2
3.2 x 3 tree units = 9.6 = 10 canopy trees, 10 evergreen trees, and 10 understory trees
3.2 x 30 shrub units = 96 shrubs

4. Type "B" required along southern property line as labeled on the plan
(2 canopy trees, 2 evergreen trees, 2 understory trees, and 20 shrubs required per 150 LF)
1,042 LF ÷ 150 LF bufferyard unit measurement = 6.94
6.94 x 2 tree units = 13.88 = 14 canopy trees, 14 evergreen trees, and 14 understory trees
6.94 x 20 shrub units = 138.8 = 139 shrubs

5. Type "C" required along collector roadway as labeled on the plan
(3 canopy trees, 3 evergreen trees, 3 understory trees, and 30 shrubs required per 150 LF)
1,413 LF ÷ 150 LF bufferyard unit measurement = 9.42
9.42 x 3 tree units = 28.26 = 28 canopy trees, 28 evergreen trees, and 28 understory trees
9.42 x 30 shrub units = 282.6 = 283 shrubs

6. Type "S" required along access roadway as labeled on the plan
(2 canopy trees, 2 evergreen trees, 2 understory trees, and 20 shrubs required per 150 LF)
190 LF ÷ 150 LF bufferyard unit measurement = 1.26
1.26 x 2 tree units = 2.52 = 3 canopy trees, 3 evergreen trees, and 3 understory trees
1.26 x 20 shrub units = 25.2 = 25 shrubs

7. Required plant materials for bufferyards shall be planted in the following sizes and percentages

Canopy Trees	Evergreen Trees	Understory Trees	Shrubs
10% 4" Caliper	10% 10' High	10% 2.5" Caliper	100% 2' High
20% 3" Caliper	20% 8' High	20% 2" Caliper	
70% 2" Caliper	70% 6' High	70% 1.5" Caliper	

B) Street Trees

1. Street trees shall be installed a minimum of every 40 LF of proposed lot frontage.
7,800 LF ÷ 40 = 195 minimum street trees required

2. A maximum of forty percent (40%) of one (1) species may be utilized to meet planting requirements.

3. Street trees shall not be planted closer than three (3) feet to any curb.

PLANTING SCHEDULE

SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	TYPE	PERCENTAGE
STREET TREES						
A	34	Quercus rubra	Red Oak	2.5"	Deciduous	17.7%
B	31	Gleditsia triacanthos f. inermis 'Skycole'	Skyline Honeylocust	2.5"	Deciduous	9.4%
C	44	Ginkgo biloba 'Autumn Gold'	Autumn Gold Ginkgo	2.5"	Deciduous	22.9
D	50	Acer rubrum 'Frankred'	Red Sunset Maple	2.5"	Deciduous	20.8%
E	33	Quercus bicolor	Swamp White Oak	2.5"	Deciduous	17.2%
	192	TOTAL STREET TREES (additional trees added to buffer plantings to meet street tree requirement)				=100%

SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	TYPE	PERCENTAGE
BUFFERYARD TREES & SHRUBS						
F1	30	Quercus bicolor	Swamp White Oak	2"	Deciduous, Canopy	
F2	8	Quercus bicolor	Swamp White Oak	3"	Deciduous, Canopy	
F3	4	Quercus bicolor	Swamp White Oak	4"	Deciduous, Canopy	
G1	29	Tilia cordata	Littleleaf Linden	2"	Deciduous, Canopy	
G2	8	Tilia cordata	Littleleaf Linden	3"	Deciduous, Canopy	
G3	4	Tilia cordata	Littleleaf Linden	4"	Deciduous, Canopy	
H1	33	Pinus strobus	Eastern White Pine	6' Ht.	Evergreen	
H2	10	Pinus strobus	Eastern White Pine	8' Ht.	Evergreen	
H3	4	Pinus strobus	Eastern White Pine	10' Ht.	Evergreen	
J1	32	Picea abies	Norway Spruce	6' Ht.	Evergreen	
J2	10	Picea abies	Norway Spruce	8' Ht.	Evergreen	
J3	5	Picea abies	Norway Spruce	10' Ht.	Evergreen	
K1	26	Cornus florida 'Cherokee Princess'	Cherokee Princess Flowering Dogwood	1.5"	Deciduous, Understory	
K2	8	Cornus florida 'Cherokee Princess'	Cherokee Princess Flowering Dogwood	2"	Deciduous, Understory	
K3	4	Cornus florida 'Cherokee Princess'	Cherokee Princess Flowering Dogwood	2.5"	Deciduous, Understory	
L1	31	Cercis canadensis 'Forest Pansy'	Forest Pansy Redbud	1.5"	Deciduous, Understory	
L2	8	Cercis canadensis 'Forest Pansy'	Forest Pansy Redbud	2"	Deciduous, Understory	
L3	4	Cercis canadensis 'Forest Pansy'	Forest Pansy Redbud	2.5"	Deciduous, Understory	
a	42	Buxus 'Green Velvet'	Green Velvet Boxwood	24"	Evergreen	
	150	Physocarpus opulifolius 'Monlo'	Diabolo Ninebark	24"	Deciduous	
	150	Viburnum x burkwoodii	Burkwood Viburnum	24"	Deciduous	
	120	Juniperus chinensis 'Sea Green'	Sea Green Juniper	24"	Evergreen	
	150	Ilex verticillata 'Jim Dandy/Red Sprite'	Jim Dandy/Red Sprite Winterberry Holly	24"	Deciduous (1:9 ratio M/F)	
		Water quality plantings per MSD requirements		plugs	space 12" o.c.	

Wildwood General Notes:

A. Individual homeowners must be notified at least one week prior to the installation of plants on lots that have an occupied dwelling.
B. Unless otherwise stipulated by specific requirements of the City of Wildwood Tree Manual, the landscaping shown on this plan must be planted in accordance with the latest edition of the Tree and Shrub Transplanting Manual published by the International Society of Arboriculture (P.O.Box GG, Savoy, IL 61874-9902)
C. All trees are to be located a minimum distance of 5' from all utility boxes, 5' from a storm drain inlet or manhole, 10' from a fire hydrant, 15' from public street lights, 5' from driveway aprons, 20' from any traffic control sign and at least 30' from any intersection.
D. Locations of street trees may be subject to change in order to avoid conflict with street lighting.
E. Any planting within a tree preservation area, as designated on the Tree Preservation Plan and shown on this plan, must be done to avoid any adverse impact to the roots of existing trees.
F. Plant substitutions are permitted with verbal or written approval from the City of Wildwood Planning Department.
G. 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.
H. All plants must meet standards of the latest edition of the American Standards for Nursery Stock sponsored by the Association of American Nurserymen.
I. No plant shall be located in areas of obvious poor drainage. If such conditions exist, contact the Landsape Architect immediately to relocate affected plant material.
J. Soil conditions must be tested, verified and adjusted by the landscape contractor to insure that appropriate soil compostion and pH levels are suitable for plant material specified for that specific location.
K. All grading for landscaped areas will not exceed a slope greater than 3:1. All exposed slopes will be protected from erosion.
L. The landscape of all undeveloped and developed property will be properly maintained in a slightly and well-kept manner.
M. Replanting and replacement of existing plan materials will be executed on an annual basis as needed by the property owner.

STATE OF MISSOURI JERALD SAUNDERS NUMBER LA-7 LANDSCAPE ARCHITECT

Jerald Saunders 8/18/16
Landscape Architect
MO License # LA-007

Consultants:

Main Street Crossing

Wildwood, MO

Revisions:

Date	Description	No.
11/11/15	Base Revision	1
11/19/15	Base Revision	2
02/23/16	City Comments	3
08/08/16	Site Changes	4

Drawn: LWH
Checked: JAS

loomisAssociates
landscape-architects/planners
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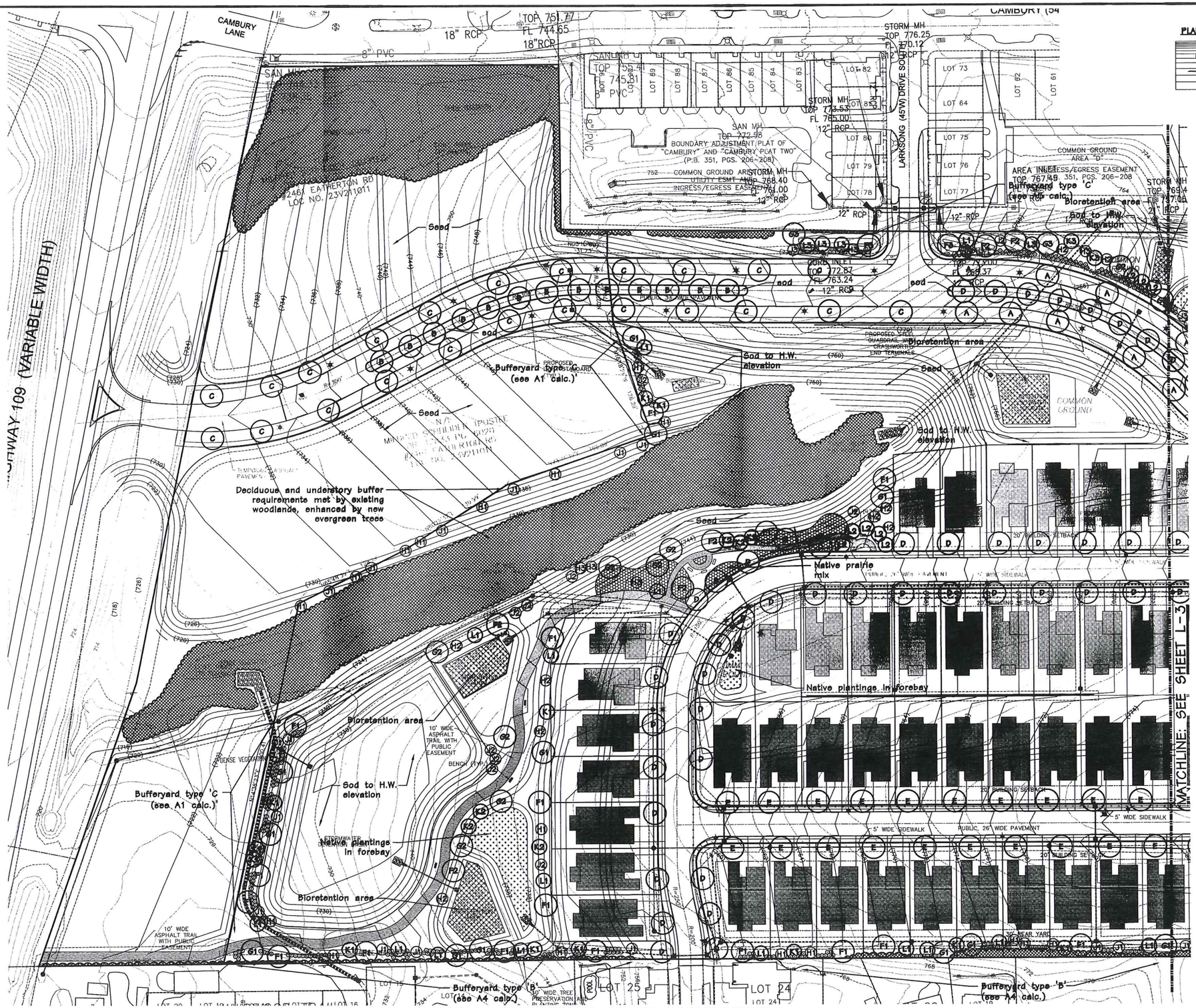
636/537-8400 fax: 636/537-0797
e-mail: lauryl@loomis-associates.com
Loomis Associates Inc.
Missouri State Certificate of Authority #: LAC #000019

Sheet Title: Landscape Plan

Sheet No: L-1

Date: 11/19/14
Job #: 965.013



LANDSCAPE PLAN - ENLARGED: WEST

SCALE 1" = 50'

0 50 100 200

KEY

- Existing woodland to remain
- Native prairie mix
- MSD bio plantings

PLAN PREPARED FOR:

WALDPART AND SONS

Landscape Designers, Landscape Contractors & Nurserymen

Jerald Saunders Landscape Architect
MO License # LA-007

Consultants:

Main Street Crossing

Wildwood, MO

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Drawn: LWH
Checked: JAS

loomisAssociates

landscapeArchitects/planners

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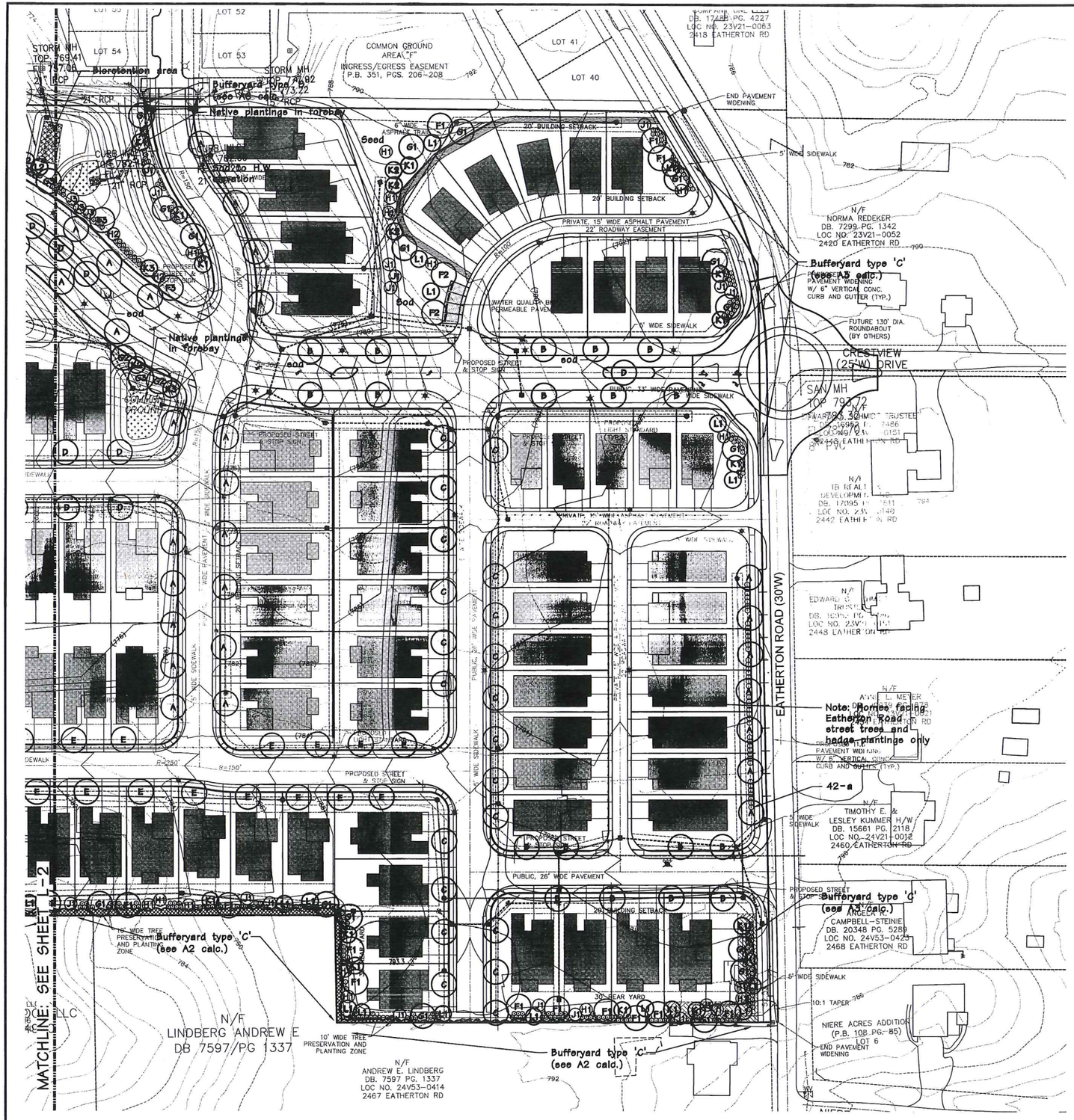
Chesterfield, Missouri 63005-1194
(636)519-8668 Fax: (636)519-0797
e-mail: lwh@loomis-associates.com

Loomis Associates Inc.
Missouri State Certificate of Authority #: LAC #000019

Sheet Title: Landscape Plan Enlarged: West

Sheet No: L-2

Date: 11/19/14
Job #: 985.013



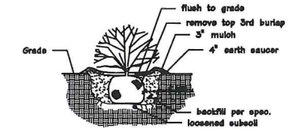
LANDSCAPE PLAN - ENLARGED: EAST

SCALE 1" = 50'

0 50 100 200

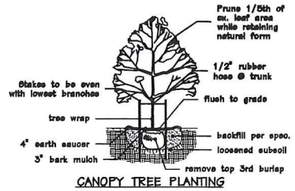
PLAN PREPARED FOR:

WALDBART AND SONS
Landscape Designers, Landscape Contractors & Nurserymen
1430 Tesson Rd., Hazelwood, MO 63042

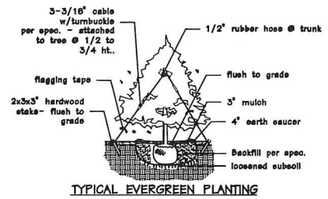


SCARIFY ROOT BALL OF ALL CONTAINER STOCK

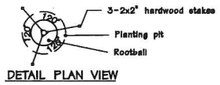
TYPICAL SHRUB PLANTING



CANOPY TREE PLANTING



TYPICAL EVERGREEN PLANTING



DETAIL PLAN VIEW

BOTANICAL NAME	COMMON NAME	PERCENTAGE	PLS OZ/ACRE
NATIVE PRAIRIE SEED MIX			
Asclepias tuberosa	Butterfly Milkweed	2.7	2.0
Aster oblongifolius	Aromatic Aster	2.7	2.0
Echinacea purpurea	Purple Coneflower	10.8	8.0
Liatris pycnostachya	Prairie Blazing Star	5.4	4.0
Penstemon digitalis	Foxglove Beardtongue	5.4	4.0
Pycnanthemum tenuifolium	Slender Mountain Mint	2.7	2.0
Schyzachyrium scoparium	Little Bluestem	37.8	28.0
Solidago nemoralis	Gray Goldenrod	5.4	4.0
Sporobolus heterolepis	Prairie Dropseed	16.3	12.0
Ratidiba pinnata	Grayhead Coneflower	10.8	8.0
	TOTALS	100%	74.0

KEY

Existing woodland to remain

MSD bio plantings

STATE OF MISSOURI
JERALD A. SAUNDERS
NUMBER LA-7
LANDSCAPE ARCHITECT

Jerald Saunders Landscape Architect
MO License # LA-007

Consultants:

Main Street Crossing

Wildwood, MO

Revisions:

Date	Description	No.
11/11/15	Base Revision	1
11/19/15	Base Revision	2
02/23/16	City Comments	3
08/08/16	Site Changes	4

Drawn: LWH
Checked: JAS

loomisAssociates
landscapeArchitectsplanners
707 Spirit 40 Park Drive, Suite 135
Chesterfield, Missouri 63005-1194
636.519-8668 fax: 636.519-0797
e-mail: info@loomis-associates.com
Loomis Associates Inc.
Missouri State Certificate of Authority #: LAC #000019

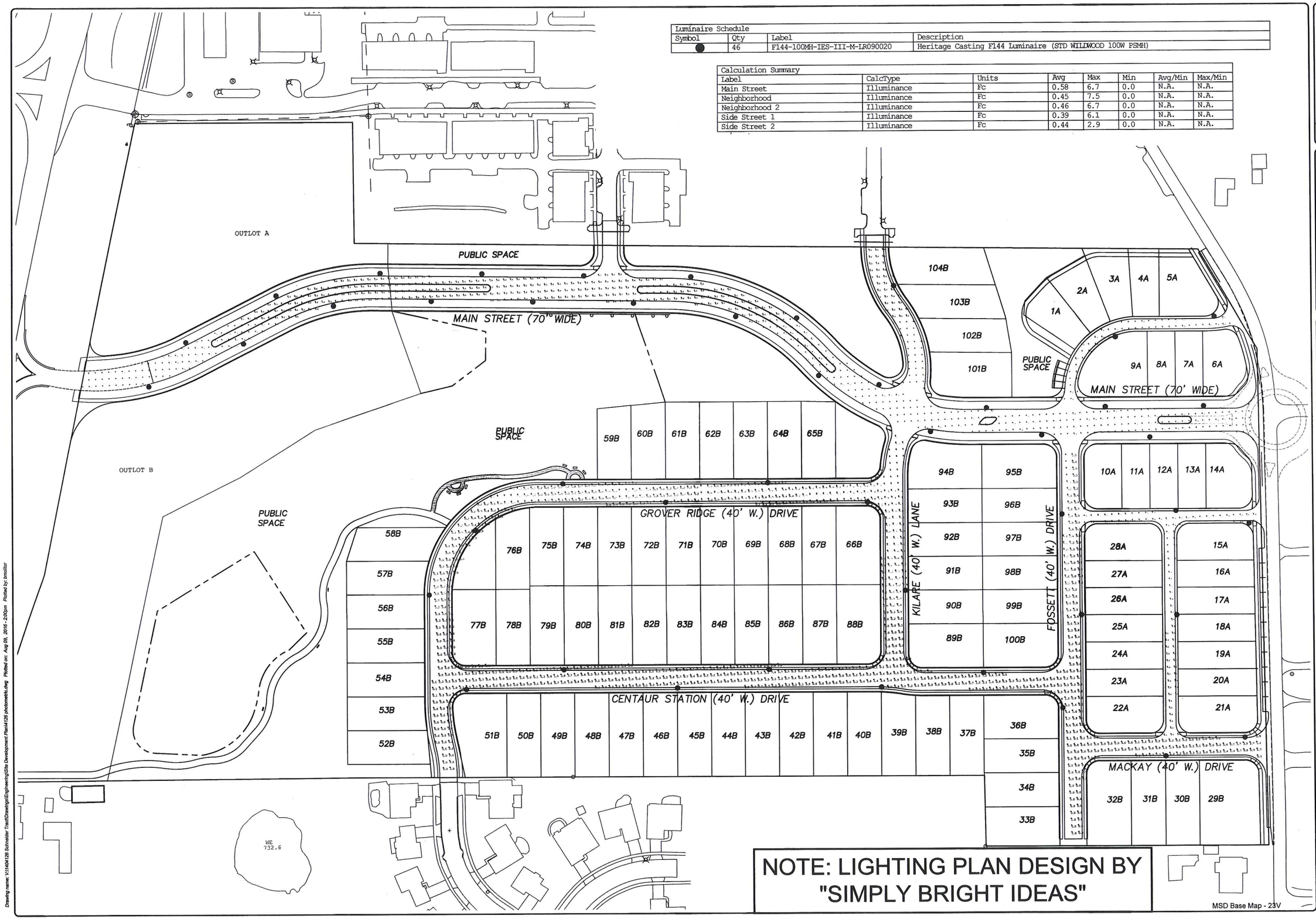
Sheet Title: Landscape Plan Enlarged: East

Sheet No: L-3

Date: 11/19/14
Job #: 985.013

Luminaire Schedule			
Symbol	Qty	Label	Description
●	46	F144-100MH-IES-III-M-LR090020	Heritage Casting F144 Luminaire (STD WILDWOOD 100W PSMH)

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Main Street	Illuminance	Fc	0.58	6.7	0.0	N.A.	N.A.
Neighborhood	Illuminance	Fc	0.45	7.5	0.0	N.A.	N.A.
Neighborhood 2	Illuminance	Fc	0.46	6.7	0.0	N.A.	N.A.
Side Street 1	Illuminance	Fc	0.39	6.1	0.0	N.A.	N.A.
Side Street 2	Illuminance	Fc	0.44	2.9	0.0	N.A.	N.A.



NOTE: LIGHTING PLAN DESIGN BY "SIMPLY BRIGHT IDEAS"

ISSUE	REMARKS/DATE
1	10-30-2015, INITIAL SUBMITTAL
2	11-19-2015, CLIENT REVISIONS
3	2-23-2016, CITY COMMENT REVISIONS
4	8-9-2016, REVISED ORDINANCE

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www.paynefamilyhomes.com

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www.sterling-eng-sur.com
Corporate Certificate of Authority #001348

Main Street Crossing

2461 EATHERTON RD., WILDWOOD, MO

LIGHTING PLAN

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Date:_____

License No.
Civil Engineer

Job Number	14-04-126
Date	8/9/2016
Designed: SL	Sheet P-1
Drawn: SL	
Checked:	SDP

Drawing name: V:\14\04126 Schneider Tract\Drawings\Engineering\Site Development Plan\4126 photometric.dwg Plotted on: Aug 09, 2016 - 2:00pm Plotted by: bmoitor

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1	10-30-2015, INITIAL SUBMITTAL	
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3	2-23-2016, CITY COMMENT REVISIONS	
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SDP - SITE PLAN

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STATE OF MISSOURI
RODNEY ARNOLD
NUMBER PE-2002016612
PROFESSIONAL ENGINEER

Date: 8-9-2016
RODNEY ARNOLD
License No. PE-2002016612
Civil Engineer

Job Number	
14-04-126	
Date	
8-9-2016	
Designed: SL	Sheet 2.1
Drawn: SL	
Checked:	SDP

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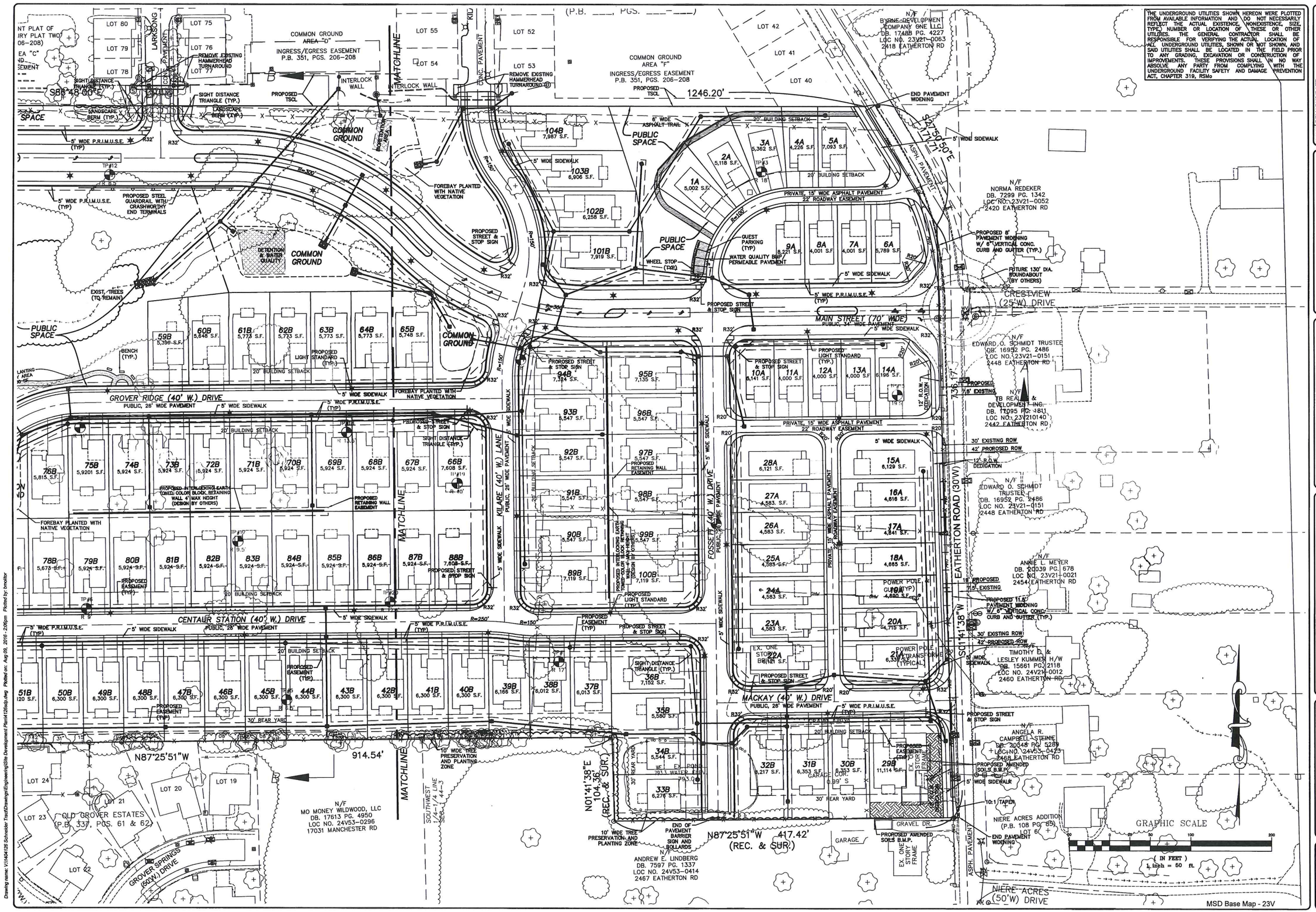

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ISSUE	REMARKS	DATE
1	10-9-2015, INITIAL SUBMITTAL	
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3	2-23-2016, CITY COMMENT REVISIONS	
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STATE OF MISSOURI — RODNEY ARNOLD — NUMBER PE-2002016612 — PROFESSIONAL ENGINEER

Date: 8-9-2016
RODNEY ARNOLD
License No. PE-2002016612
Civil Engineer

Job Number	14-04-126
Date	8-9-2016
Designed: SL	Sheet 2.2
Drawn: SL	
Checked:	SDP

Drawing name: V:\14\04126 Schneider Tract\Drawings\Engineering\Site Development Plans\14126sdp.dwg Plotted on: Aug 09, 2016 - 2:06pm Plotted by: bmoltor

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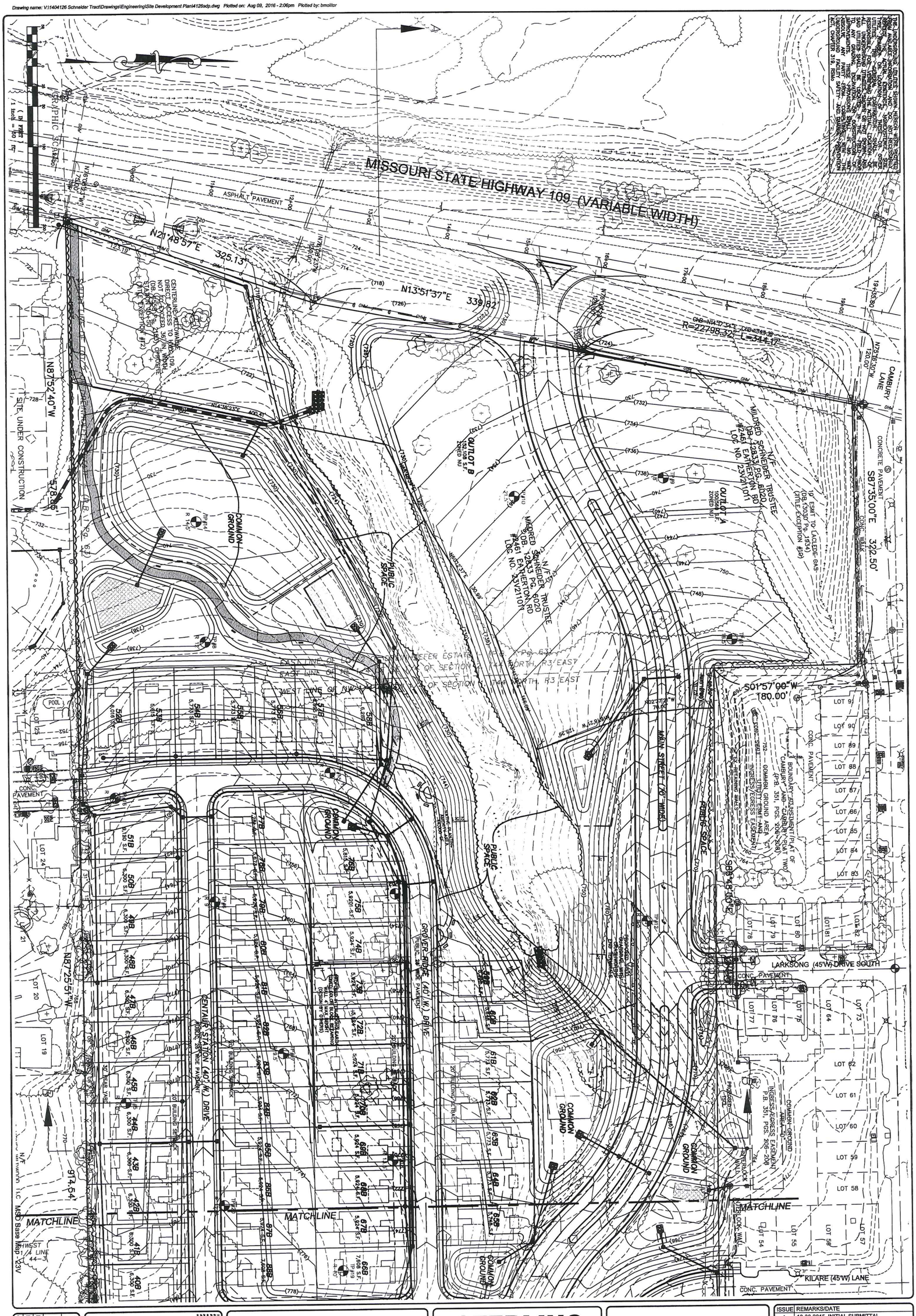

Job Number	Date	Designed: SL	Drawn: SL	Checked:
14-04-126	8-9-2016	Sheet 3.1	SDP	

Date: 8-9-2016
RODNEY ARNOLD
License No. PE-2002016612
Civil Engineer

STATE OF MISSOURI
RODNEY ARNOLD
NUMBER PE-2002016612
PROFESSIONAL ENGINEER

Main Street Crossing

2461 EATHERTON RD., WILDWOOD, MO

SDP - GRADING PLAN

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PROFESSIONAL ENGINEER

Date: 8-9-2016
RODNEY ARNOLD
License No. PE-2002016612
Civil Engineer

Job Number	
14-04-126	
Date	
8-9-2016	
Designed: SL	Sheet
Drawn: SL	3.2
Checked:	SDP

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Main Street Crossing

2461 EATHERTON RD., WILDWOOD, MO

SDP - PUBLIC SPACE PLAN

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STATE OF MISSOURI
RODNEY ARNOLD
NUMBER PE-2002016612
PROFESSIONAL ENGINEER

Date: 8-9-2016
RODNEY ARNOLD
License No. PE-2002016612
Civil Engineer

Job Number	
14-04-126	
Date	
8-9-2016	
Designed: SL	Sheet
Drawn: SL	4.1
Checked:	SDP

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PUBLIC SPACE REQUIREMENTS

Standard Public Space Calculation: Total Tract: 34.6 Acres; 104 Lots x 1,742.4 s.f. = 181,210 s.f.	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	181,210 Square Feet
Amount of Provided Public Space	216,308 Square Feet
~ Multiple Use Trail	13,269 Square Feet
~ Underground Detention Area	Square Feet
~ Public Land Dedication	Square Feet
~ Privately-Held Common Ground	Square Feet
List of Installed Improvements	Total Number (list below on lines)
~ Picnic Tables	
~ Benches	9
~ Trash Receptacles	
~ Bicycle Racks	
~ Other	
Other Public Space Items (if provided)	
NATIVE PLANTING AMENITY AREA	14,000 S.F.
Fee in Lieu	

ISSUE	REMARKS	DATE
1	10-30-2015, INITIAL SUBMITTAL	
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STATE OF MISSOURI
RODNEY ARNOLD
NUMBER PE-2002016612
PROFESSIONAL ENGINEER

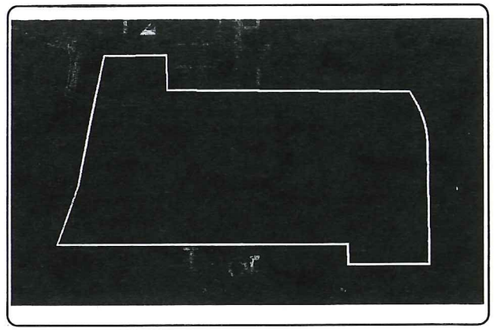
Date: 8-9-2016
RODNEY ARNOLD
License No. PE-2002016612
Civil Engineer

Job Number	14-04-126
Date	8-9-2016
Designed: SL	Sheet 4.2
Drawn: SL	
Checked:	SDP

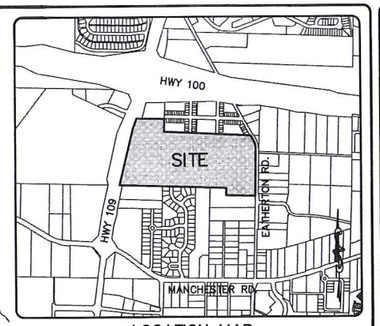
GRAPHIC SCALE (IN FEET) 1 inch = 50 ft.

MSD Base Map - 23V

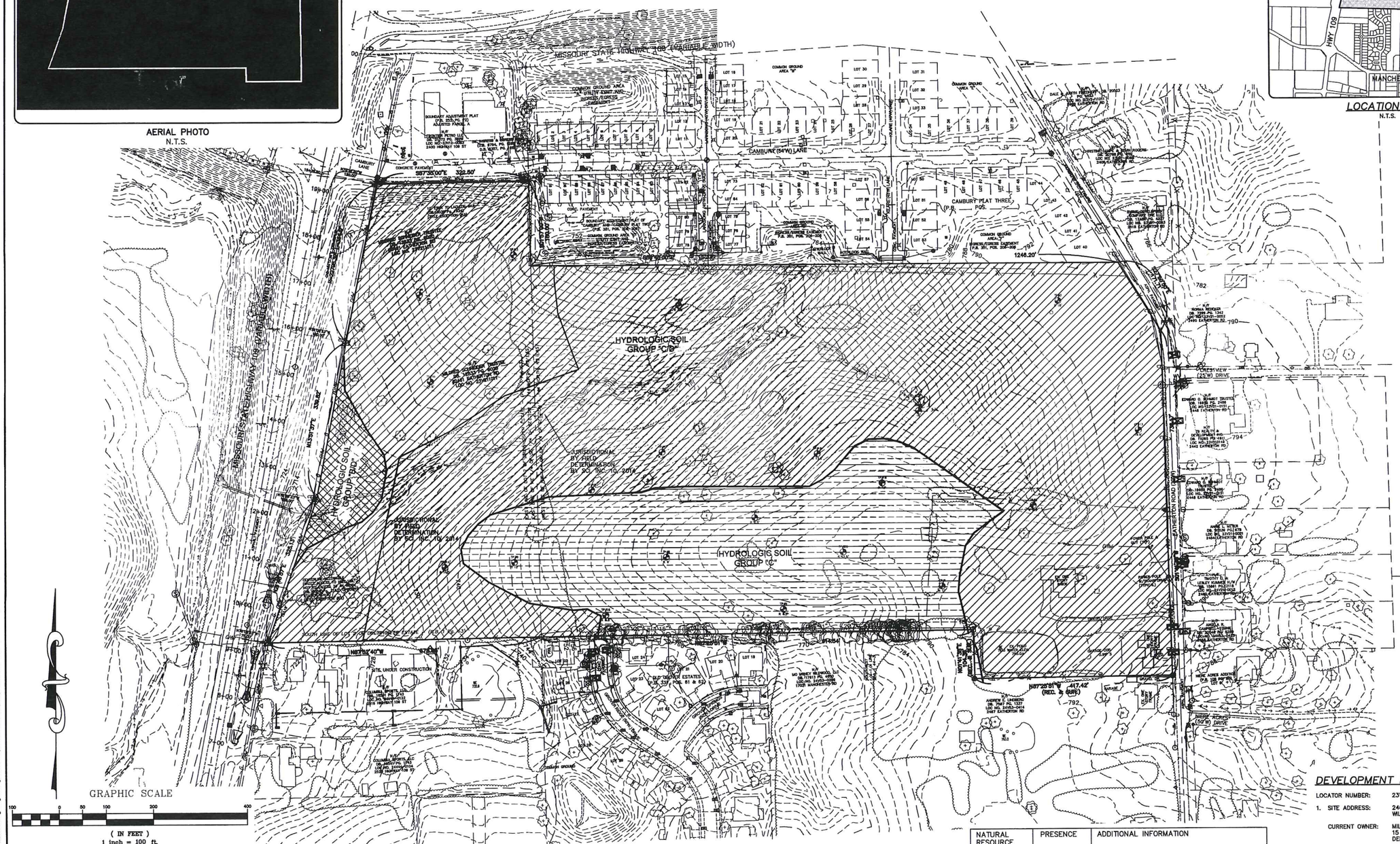
Drawing name: V:\14\04126 Schneider Tract\Drawings\Engineering\Site Development Plans\4126sdp.dwg Plotted on: Aug 09, 2016 - 2:07pm Plotted by: bmoltor



AERIAL PHOTO
N.T.S.



LOCATION MAP
N.T.S.



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SOIL SCIENTIST CERTIFICATION:

THIS IS TO CERTIFY THAT WE HAVE, DURING THE MONTH OF NOVEMBER 2015, REVIEWED 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 1005.200, "NATURAL RESOURCE PROTECTION STANDARDS AND PROCEDURES" OF THE CITY OF WILDWOOD, MISSOURI.

SOIL SCIENTIST _____ DATE _____

	Existing Tree Mass
	Hydrologic Group "C" Soils
	Hydrologic Group "B/D" Soils
	Hydrologic Group "C/D" Soils
	Regulated Waters

NATURAL RESOURCE	PRESENCE	ADDITIONAL INFORMATION
Wetlands	No	None identified during site walk.
Streams and Floodplains	Yes	Two streams cross the site, both of which were determined to be jurisdictional.
Karst	No	None identified during site walk.
Ponds/Lakes	Yes	One stock/farm pond identified during site walk.

DEVELOPMENT NOTES:

LOCATOR NUMBER: 23V120094

1. SITE ADDRESS: 2461 EATHERTON RD. WILDWOOD, MO 63040

CURRENT OWNER: MILDRED E. SCHNEIDER, TRUSTEE 15 WILDERNESS LN. DEFIANCE, MO 63341

2. EXISTING USE: VACANT / UNDEVELOPED
3. GROSS AREA OF SITE: 34.60 ACRES

FLOOD NOTE:

ACCORDING TO THE FLOOD INSURANCE RATE MAP OF SAINT LOUIS COUNTY, MISSOURI, AND UNINCORPORATED AREAS (COMMUNITY PANEL NUMBER 29189C0280K DATED FEBRUARY 4, 2015), THIS PROPERTY LIES ENTIRELY OUTSIDE THE 500-YEAR FLOODPLAIN.

MSD Base Map - 23V

ISSUE	REMARKS/DATE
1	10-30-2015, INITIAL SUBMITTAL
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Main Street Crossing

2461 EATHERTON RD., WILDWOOD, MO

NATURAL RESOURCES MAP

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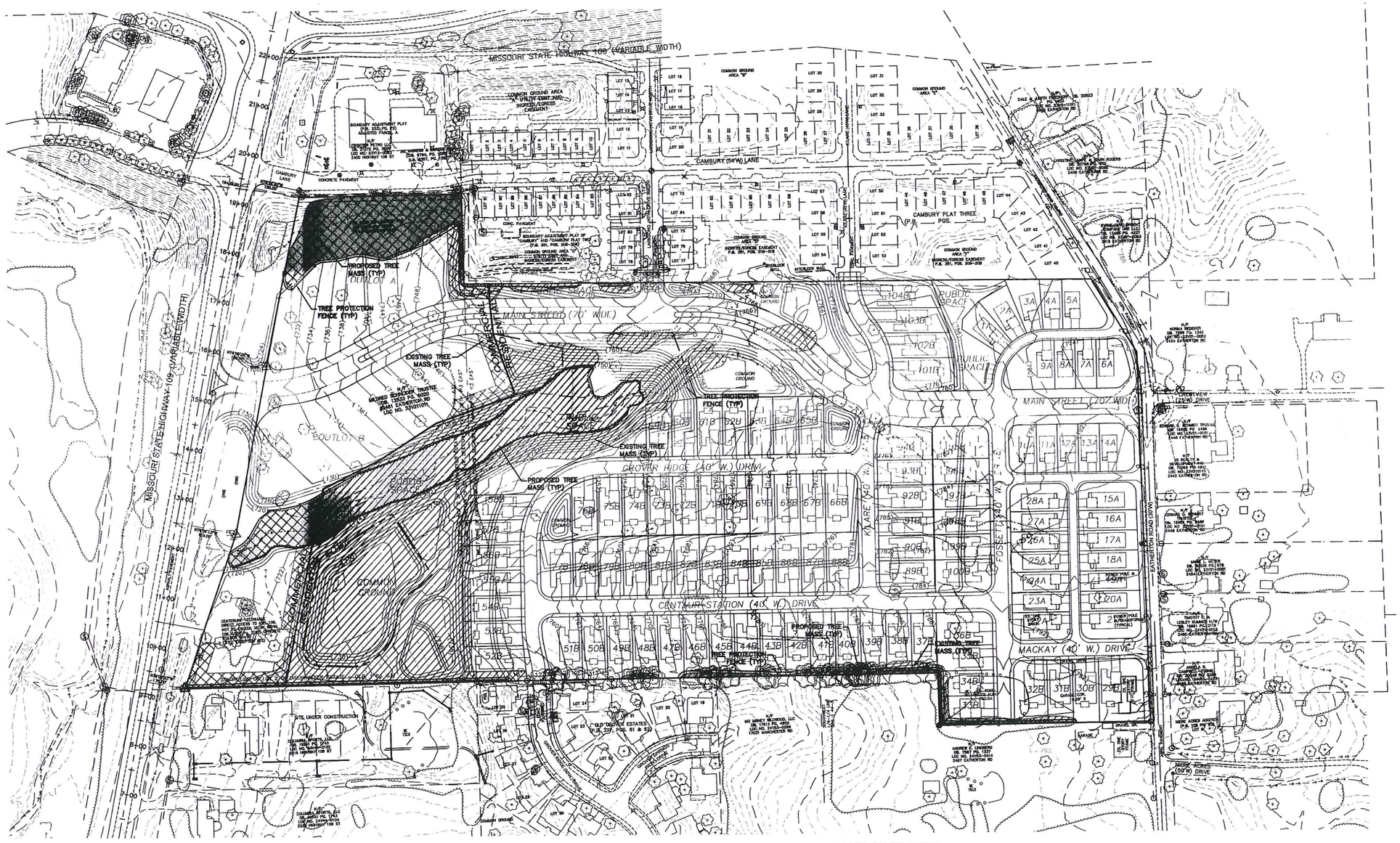
STATE OF MISSOURI
RODNEY ARNOLD
NUMBER PE-2002016612
PROFESSIONAL ENGINEER

Date: 8-9-2016
RODNEY ARNOLD
License No. PE-2002016612
Civil Engineer

Job Number	14-04-126
Date	8-9-2016
Designed: SL	Sheet 5.1
Drawn: SL	
Checked:	SDP

Drawing name: V:\14041126 Schneider Tract\Drawings\Engineering\Site Development Plans\4126sdp.dwg Plotted on: Aug 05, 2016 - 2:07pm Plotted by: bmoller



GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.

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

LEGEND	
	Existing Tree Mass
	Existing Tree Mass (Residential) (Located outside of right-of-way and building area)
	Existing Tree Mass (Commercial) (Located outside of right-of-way and building area)
	Proposed Tree Mass (Residential)
	Proposed Tree Mass (Commercial)

TREE AREA CALCULATIONS

Residential:
- Existing Tree Mass: 5.59 ac.
- Proposed Tree Mass: 1.36 ac.

Commercial:
- Existing Tree Mass: 1.73 ac.
- Proposed Tree Mass: 1.12 ac.

Site Total:
- Existing Tree Mass: 7.32 ac.
- Proposed Tree Mass: 2.48 ac.
- Percentage Retained (Provided): 34%
- Percentage Retained (Required): 30%

MSD Base Map - 23V

ISSUE REMARKS/DATE	
1	10-30-2015, INITIAL SUBMITTAL
2	11-19-2015, CLIENT REVISIONS
3	2-23-2016, CITY COMMENT REVISIONS
4	8-9-2016, REVISED ORDINANCE

PAYNE FAMILY HOMES
10407 BAUR BLVD., SUITE B
ST. LOUIS, MO 63132
Ph. 314-996-0341
www.paynefamilyhomes.com

THE STERLING CO.
ENGINEERS & SURVEYORS
5055 New Baumgartner Road
St. Louis, Missouri 63129
Ph 314-487-0440 Fax 314-487-8944
www.sterling-co.com
Corporate Certificate of Authority #001348

Main Street Crossing

2461 EATHERTON RD., WILDWOOD, MO

TREE PRESERVATION PLAN

The Professional Engineer's seal and signature affixed to this sheet applies only to the material and items shown on this sheet. All drawing, instruments or other documents not exhibiting this seal and signature shall not be considered prepared by this engineer, and the engineer expressly disclaims any and all responsibility for such plans, drawings or documents not exhibiting this seal and signature.

STATE OF MISSOURI
RODNEY ARNOLD
NUMBER
PE-2002016612
PROFESSIONAL ENGINEER

Date: 8-9-2016
RODNEY ARNOLD
License No. PE-2002016612
Civil Engineer

Job Number	
14-04-126	
Date 8-9-2016	
Designed: SL	Sheet 5.2
Drawn: SL	
Checked:	SDP

Drawing name: V:\14\04126 Schneider Tract\Drawings\Engineering\Site Development Plan\14126sdp.dwg Plotted on: Aug 09, 2016 - 2:07pm Plotted by: bmoller

ATTACHMENT B
Site -Specific Ordinance

BILL # 2204 **ORDINANCE # 2204**

AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, AMENDING SPECIAL PROCEDURES PERMIT ORDINANCE #2116 BY DELETING SECTION TWO THEREOF AND ENACTING, IN LIEU THEREOF, A NEW SECTION TWO; AND PROVIDING FOR THE APPROVAL OF AN AMENDED PLANNED RESIDENTIAL DEVELOPMENT OVERLAY DISTRICT (PRD) FOR AN APPROXIMATELY TWENTY-EIGHT (28) ACRE TRACT OF LAND BEING AUTHORIZED FOR ONE HUNDRED FOUR (104), SINGLE FAMILY DETACHED DWELLINGS ON INDIVIDUAL LOTS, WITH COMMON GROUND AND PUBLIC SPACES - *P.Z. 25, 26, and 26a–14 Main Street Crossing, Payne Family Homes L.L.C.* (Ward - Eight)

WHEREAS, pursuant to Ordinance #2116, certain property more particularly described herein (the "Property") was zoned R-4 7,500 square foot Residence District, with a Planned Residential Development Overlay District (PRD), in September 2015, which allowed for the use of such Property for a Town Center Neighborhood Edge type of residential development consisting of an authorized one hundred four (104) single family detached dwellings on individual lots, with common ground and public spaces; and

WHEREAS, on June 13, 2016, the City Council referred consideration of amendments to the Planned Residential Development Overlay District Ordinance #2116 to the Planning and Zoning Commission in light of certain development finance incentives sought by the developer to assist with the cost of certain roadway improvements that are necessary for this site, given its location in Town Center and the additional trips that it will create on the network of surrounding roadways; and

WHEREAS, this request was considered by the Planning and Zoning Commission on July 5, 2016 and discussion was held on the merits of these changes to the current Planned Residential Development Overlay District (PRD) ordinance, which would lessen certain infrastructure and phasing requirements associated with the project's development to the favor of the petitioner; and

WHEREAS, after consideration of this matter and responding to the Department of Planning's report, the Planning and Zoning Commission recommended approval of the Petition requesting the current Planned Residential Development Overlay District (PRD) ordinance be amended, subject to certain terms and conditions, the specifics of such approval and recommendation being set forth in the recommendation of the Planning and Zoning Commission submitted to the City Council dated July 5, 2016, and regarding ***P.Z. 25, 26, and 26a–14 Main Street Crossing, Payne Family Homes L.L.C.***, a copy of which is on file in the office of the City Clerk and incorporated by reference herein; and

WHEREAS, the City Council held a public hearing to consider the amendment on July 25, 2016, at which interested persons were offered an opportunity to speak; and

WHEREAS, at their meeting on July 25, 2016, the City Council directed the Department of Planning to prepare draft legislation for consideration by the City Council consistent with the Planning and Zoning Commission's recommendation.

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

Section One. The City of Wildwood's Zoning Ordinance, Official Zoning District Maps, and Ordinance #2116 of the City of Wildwood, Missouri, all made a part hereof and incorporated by reference herein, are hereby amended by designating the Property described below by amending the current Planned Residential Development Overlay District (PRD) for the described tract of land provided below:

A tract of land situated in Sections 1 and 2, Township 44 North, Range 3 East in St. Louis County, Missouri, more particularly described as follows: Commencing at an old stone in the South line of the Northwest ¼ of the Southwest ¼ of said Section 1, set at a point where the said South line is intersected by the West line of Eatherton Road; thence along the Western line of Eatherton Road South 1 degree 53 minutes West, a distance of 104.36 feet to a point being the Southeast corner of property described in deed to Bert C. Grimm and wife, recorded in Book 1848 page 335, also being the point of beginning; thence North 87 degrees 17 minutes West along a line parallel with the South line of the Northwest ¼ of the Southwest ¼ of said Section 1, 417.42 feet to an old stone at the Southwest corner of property described in said deed to Grimm and wife; thence North 1 degree 53 minutes East of 104.36 feet to an old stone in said South line of the Northwest ¼ of the Southwest ¼ Section 1; thence North 87 degrees 17 minutes West along the South line of Northwest ¼ of the Southwest ¼ of Section, 914.42 feet to an old iron rod at the Southwest corner of said ¼ section; thence North 87 degrees 47 minutes West along the South line of the Northeast ¼ of the Southeast ¼ of Section 2, 578.52 feet to an iron pipe at its intersection with the Eastern line of Missouri Route 109; thence along the Eastern line of said Route 109, north 22 degrees 10 minutes 53 seconds East, 324.27 feet; Thence continuing along said eastern line North 14 degrees 6 minutes 29 seconds East; Thence North 14 degrees 32 minutes 43 seconds East, 346.18 feet to a point on the South line of tract conveyed to Alexander J. Coyle and wife by deed recorded in Book 1567 page 27; thence departing said Eastern line of Missouri Route 109 South 87 degrees 35 minutes East along the South line of the property conveyed to Coyle and wife as aforesaid; 319.52 feet to an iron pipe at the Southeast corner thereof being at a point in the line between said Sections 1 and 2; thence along the line between Sections 1 and 2, South 1 degree 57 minutes West 180 feet to corner of property conveyed to Albert Anderson and wife by deed recorded in Book 2909 page 26, thence along the South line of said property conveyed to Anderson and wife as aforesaid, South 86 degrees 48 minutes East 1,246.2 feet to the West line of Eatherton Road, thence Southeastwardly and Southwardly along the Western line of Eatherton Road along a curve to the right having a radius of 458.00 feet a distance of 251.66 feet; Thence continuing along said West line South 1 degree 53 minutes West, 512.47 feet to the point of beginning and containing 34.80 Acres, more or less.

Section Two. That Ordinance #2116 of the City of Wildwood, Missouri, be and is hereby amended by deleting Section Two thereof in its entirety and enacting, in lieu thereof, new Section Two, to read as follows:

> **Section Two**. The zoning authority and approval embodied in this ordinance is granted subject to compliance with the Subdivision and Development Regulations, Zoning Ordinance, and all other City of Wildwood ordinances, rules, and regulations and the conditions of this ordinance, except as may be modified herein, upon the requirement the development and approved Site Development Plan are carried out in accordance with the recommendation of the City Council from its public hearing discussion held on July 25, 2016, which is incorporated herein by reference as if fully set forth in this ordinance. The zoning authority granted herein is further subject to the following conditions:

1. PERMITTED USES

a. This Planned Residential Development (P.R.D.) Overlay District shall authorize the maximum development of **one hundred four (104)**, detached single family dwellings on individual lots, with common ground and public space, and all permitted accessory structures normally found in conjunction with the primary use of each of the allowable residential properties.

2. LOT SIZES, DEPTHS, AND BUILDING REQUIREMENTS

a. Each detached dwelling unit shall be located on an individual lot of record that is a minimum of **4,000 square feet** in size. The minimum width of any lot within this P.R.D. Overlay District shall be **forty (40) feet** in distance, except for those properties located within a cul-de-sac, which shall be as approved by the Planning and Zoning Commission on the Site Development Plan. These lot widths shall be measured at the front building line.

b. All detached single family dwellings shall have a minimum finish floor elevation of their front porches of **eighteen (18) inches** in height above the adjoining sidewalk grade. All dwelling units shall have a front porch, which must extend across **at least twenty percent (20%)** of the façade's elevation facing the frontage line, at a minimum depth of no less than six (6) feet. No building facade shall show more than four (4) corners to the frontage line or as approved by the Architectural Review Board on the required elevations.

c. No building and/or structure shall be more than two (2) stories above final grade, as measured from the front building line on any individual lot.

d. Direct residential drive access shall be allowed for up to **seventy-six (76)** of the single family detached units within this development from the system of internal streets, but the garage door(s) on each unit must be a minimum of **six (6)** feet behind an imaginary line formed by an extension of the front elevation of the dwelling (including the front porch) parallel to the lot's frontage. Individual garage doors shall not be greater than **twenty (20) feet** in width and must be **carriage types**, including windows, and incorporate other architectural treatments, as determined by the City's Architectural Review Board to be appropriate, to lessen their prominence within the visual corridor formed by these interior streets within the development, unless a suitable alternative design is provided for these openings. **The developer shall provide a minimum of two (2) options that incorporate these requirements to the Planning and Zoning Commission for its consideration, as part of the Site Development Plan review and action process, regarding the front of the garages that further reduces their prominence from the abutting street view. Architectural type shingle selections shall be required on all residential units of a minimum thirty (30) year standard.**

e. **The New Urbanism lots that are part of this Planned Residential Development Overlay District boundary shall be accessed by service lanes (alleys) that comply in their construction with the Street Specifications of the Town Center Plan. These service drives shall provide access to rear loaded garages that must be provided, as part of any single-**

family detached dwelling, for a minimum of twenty-eight (28) of the allowable one hundred four (104) lots. These lots do not need to incorporate the garage-offset distance noted in Condition 2(d.) of this Ordinance.

f. The first story, interior clear height for all single family dwellings shall be not less than **nine (9) feet**.

g. Detached single family dwelling units, which face the frontage line, but also places the side of the building along another right-of-way, shall be designed to incorporate the elements of the front facade along that portion of the structure. The placement and design of these units shall be approved by the Planning and Zoning Commission on the Site Development Plan and the elevations of these units by the Architectural Review Board.

h. The proposed architectural design, character, and style of all buildings and dwelling units shall adhere to the City of Wildwood's Town Center Architectural Guidelines, Neighborhood Design Standards, and any other applicable requirements of the Town Center Plan, **excepting no vinyl siding shall be allowed on any dwelling unit within the boundaries of this Planned Residential Development Overlay District (PRD). All materials used on any facade of a residential unit shall be fiber cement siding and backer board**. Approval of the required design shall be by the Architectural Review Board. Minimally, all buildings shall maintain a consistent theme throughout the boundaries of this Planned Residential Development Overlay District in terms of material, color, and style.

i. The overall area of this Planned Residential Development Overlay District (PRD) shall be no less than twenty-eight (28) acres and no greater than 28.5 acres.

3. PLAN SUBMITTAL REQUIREMENTS

Within twelve (12) months of the P.R.D. Overlay District approval by the City Council, and prior to any site disturbance, the developer shall submit to the Planning and Zoning Commission for their review and approval a Site Development Plan. Where due cause is shown by the developer, time intervals may be extended once by the Planning and Zoning Commission in accord with requirements of Section 420.060 of the City of Wildwood Zoning Ordinance. Said Site Development Plan shall include, but not be limited to, the following information:

a. Outboundary plat and legal description of the property.
b. A general numbered lot plan with setback lines from all streets and roadways on and adjacent to the property. A typical lot diagram, indicating all site design information such as, but not limited to, right-of-way width, improvement dimensions and locations, setbacks, and building placement.
c. The location and size of all parking areas, pavement widths, and right-of-way dedications of all internal roadway improvements and drives.

d. A general plan indicating setback lines along the perimeter of the subject tract of land and surrounding property lines and related improvements within four hundred (400) feet of this site's boundaries.
e. Location of all roadways adjacent to the property, including required roadway right-of-way dedication and pavement widening with existing and proposed improvements, and general location, size, right-of-way, and pavement width of all interior drives.
f. The location and size of all freestanding signs, lighting, fences, sidewalks, and other above ground structures, except retaining walls less than two (2) feet in height per section.
g. Existing and proposed contours at vertical intervals of not more than two (2) feet.
h. General location of sanitary sewer facilities.
i. Parking and density calculations.
j. Conceptual location and size of common ground areas.
k. A typical section of the proposed road indicating the placement and design of required streetscape improvements.
l. A Landscape Plan including, but not limited to, the location, size, and general type of plant materials to be used in accord with the City of Wildwood's Ordinance 410 and accompanying Tree Manual.
m. An inventory of the percent of tree canopy or individual trees to be retained on the site.
n. Location of all existing and proposed easements.
o. All other information not mentioned above, but required on a preliminary plat in accord with Section 420.060 of the City of Wildwood Subdivision and Development Regulations.

If the Planning and Zoning Commission determines, through its standard review processes, the Site Development Plan cannot be acted upon due to non-compliance to the site-specific ordinance, the Zoning Ordinance, or other land use regulations applicable to this type of subdivision, as interpreted by it, then the Regulating Plan changes, the rezoning of the subject site, and the application of the Planned Residential Development Overlay District shall not remain effective thereafter and the City must initiate the revocation process described in the Zoning Ordinance for this type of circumstance.

4. SITE DEVELOPMENT PLAN DESIGN CRITERIA

The above Site Development Plan shall adhere to the following specific design criteria:

Build-To Lines - Residential

a. Any building or structure, other than boundary and/or retaining walls, fences, detention facilities, and/or light standards, shall adhere to the following build-to lines, as specified in the Town Center Plan's Neighborhood Design Standards:

    (1) **Twenty (20)** feet from any right-of-way line.
    (2) **Five (5) feet** for any side yard property line and ten (10) feet for side yard areas that abut the perimeter of the Planned Residential Development Overlay District.

(3) **Fifteen (15) feet from any rear yard property line** and thirty (30) feet for rear yard areas that abut the perimeter of the Planned Residential Development Overlay District.

Parking Setbacks – Residential

b. All parking stalls or loading spaces, excluding points of ingress or egress for the detached dwelling units, shall be located behind the front elevation of the dwelling a minimum of **twenty-five (25) feet. Driveway widths serving these required parking spaces, specifically between the edge of the public right-of-way and the front building line, shall be as approved by the Planning and Zoning Commission on the Site Development Plan, but be minimized in their respective distances to the greatest extent possible.**

Access and Roadway Improvements

c. Dedicate the required amount of right-of-way and/or easements along this property's State Route 109 frontage to the Missouri Department of Transportation (MoDOT) for public roadway purposes, ***which shall incorporate the ultimate design for the planned installation of a roundabout and related items, while constructing a temporary, right-in/right-out access point*** ~~***a roundabout***~~ ***and related channelization island(s) and other improvements required therein.*** Improvements, ***whether temporary or permanent in nature***, to State Route 109 shall conform to the requirements of the Missouri Department of Transportation (MoDOT) and the City of Wildwood's Street Specifications of the Town Center Plan, as directed and approved by the State of Missouri and the City of Wildwood's Department of Public Works. ~~All streetscape requirements (street trees, lights, signs, waste receptacles, benches, and other items consisting of approved materials) shall be installed by the developer, as specified by the City of Wildwood's Town Center Plan within the right-of-way of State Route 109 and directed by the Department of Public Works~~.

d. Establish a minimum seventy (70) foot wide public right-of-way for the construction of Main Street within the site, for a total of thirty-four (34) feet of pavement area (inclusive of the concrete vertical curb and gutter and grass median) and five (5) foot sidewalks on both sides of this internal roadway, which adhere to the Town Center Plan's Street Specifications and the Streetscape Design Requirements, as directed by the Department of Public Works and approved by the Planning and Zoning Commission on the Site Development Plan. Along with this dedication of seventy (70) feet of right-of-way, the developer shall provide a five (5) foot wide roadway, maintenance, landscaping, sewer, sidewalk, and utility easement along both sides of this public dedication area. All streetscape requirements (street trees, lights ***(spacing of lights on one (1) side of any street/roadway shall be no greater than one hundred fifty (150) feet in distance)***, signs, waste receptacles, benches, and other items consisting of approved materials) shall be installed by the developer, as specified by the City of Wildwood's Town Center Plan within the right-of-way of Main Street and directed by the Department of Public Works.

e. Complete the necessary dedication of land area within this subject site for public right-of-way purposes associated with the internal network of streets. These dedications for public rights-of-way shall be used for the construction by the developer of a network of internal residential streets for service to the authorized lots. These dedications shall be a minimum of forty (40) feet in width to accommodate the construction of two (2) lanes of asphalt roadway, with concrete curb and gutter, and five (5) foot wide sidewalks, including a three (3) foot tree lawn area, which all adhere to the Town Center Plan's Street Specifications and the Streetscape Design Requirements, as directed by the Department of Public Works and approved by the Planning and Zoning Commission on the Site Development Plan. Along with this dedication of these rights-of-way areas, the developer shall provide a five (5) foot wide roadway, maintenance, landscaping, sewer, sidewalk, and utility easement along both sides of this public dedication area. All streetscape requirements (street trees, lights, signs, waste receptacles, benches, and other items consisting of approved materials) shall be installed by the developer, as specified by the City of Wildwood's Town Center Plan within the rights-of-way of these unnamed streets and directed by the Department of Public Works.

f. Dedicate the required amount of right-of-way and/or easements along this property's Eatherton Road frontage to the City of Wildwood, Missouri for public roadway purposes and for the construction of required roadway improvements, which include a widening of a minimum of five (5) feet in width, a five (5) foot wide sidewalk, and street trees and lights, including a minimum three (3) foot wide tree lawn area for these improvements. A future roundabout, and related channelization islands and other improvements required therein, shall not be required, but the dedication of right-of-way for such shall be made at the time of the Record Plat. Improvements to Eatherton Road shall conform to all of the requirements of the City of Wildwood's Street Specifications of the Town Center Plan, as directed and approved by the City of Wildwood's Department of Public Works. All streetscape requirements (street trees, lights, signs, waste receptacles, benches, and other items consisting of approved materials) shall be installed by the developer, as specified by the City of Wildwood's Town Center Plan within the right-of-way of Eatherton Road and directed by the Department of Public Works.

g. Extend all existing stub streets abutting the subject site into it and these extensions shall adhere to the Town Center Plan's Street Specifications and the Streetscape Design Requirements, as directed by the Department of Public Works and approved by the Planning and Zoning Commission on the Site Development Plan. These stub street extensions shall include Larksong Drive South, Kilare Lane, and Grover Ridge Drive. Safety components determined necessary for any stub street extension shall be indicated on the Site Development Plan and reviewed and acted upon by the Planning and Zoning Commission.

h. Dedicate a minimum forty (40) foot wide strip of land on the subject site for a future street connection to the south, which shall be as approved by the Planning and Zoning Commission on the Site Development Plan. The location of this planned stub street shall be generally in the southeast corner of the subject site, approximately 370 feet to the west of existing

Eatherton Road. Within this dedication of public right-of-way, construct a roadway that shall adhere to the Town Center Plan's Street Specifications and the Streetscape Design Requirements, as directed by the Department of Public Works and approved by the Planning and Zoning Commission on the Site Development Plan.

i. Complete the necessary dedication of land area within this subject site for private access purposes. These dedications for private purposes shall be used for the construction by the developer of a system of lanes/alleys for service to the authorized lots. These dedications shall be a minimum of twenty-two (22) feet in width to accommodate the construction of a lane/alley, which all adhere to the Town Center Plan's Street Specifications and the Streetscape Design Requirements, as directed by the Department of Public Works and approved by the Planning and Zoning Commission on the Site Development Plan.

j. Any planned traffic island/cul-de-sac shall be designed and constructed by the developer of this residential subdivision in accordance with City of Wildwood standards, and as directed by the Department of Public Works. The Planning and Zoning Commission, on the Site Development Plan, shall approve the final design of this traffic calming improvement.

Miscellaneous Roadway Requirements

k. Installation of landscaping and ornamental entrance monument or identification signage, if proposed, shall be reviewed by the Department of Public Works for sight distance considerations and approved prior to its installation or construction.

l. If required sight distance cannot be provided at the access location, acquisition of right-of-way, reconstruction of pavement, including correction to vertical alignment and other off-site improvements, may be required to provide the required sight distance as directed by the Department of Public Works.

m. **Construction access shall be from State Route 109 during the development of this site, not via the Cambury Subdivision or Eatherton Road.**

n. Sidewalks shall be required on all public and private streets (parking lot aisles) and provide for a continuous and logical layout of this pedestrian network. Design and construction requirements for all sidewalks within the entire development shall be as established in the Street Specifications and Streetscape Elements of the Town Center Plan. Approval of their location, design, and material shall be by the Planning and Zoning Commission, as part of the Site Development Plan review process.

o. The developer is advised that utility companies will require compensation for relocation of their utility facilities within public road right-of-way. Utility relocation cost shall not be considered as an allowable credit against the petitioner's Traffic Generation Assessment contributions. The developer should also be aware of extensive delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of roadway improvements. ***The City of Wildwood will assist, where applicable,***

with the discussions on said utility requirements, so as to minimize delays and costs to the developer. Any decision in this regard shall be acted upon by the City Council, if funding is associated with such.

p. All internal streets, access drives, or lanes, whether public or private, shall comply with the Streetscape Requirements of the Town Center Plan in terms of improvements, such as drive lane widths, sidewalks, stormwater drainage facilities, garden walls, street trees and lights, and pedestrian furniture. If certain streets, drives, or lanes are to be private, an easement shall be provided to the City granting public use of them for pedestrian and vehicular purposes. These easements shall be granted at the time of the Record Plat approval by the City Council.

Parking Requirements - Residential

q. Parking spaces shall be provided as required by the Town Center Plan's Neighborhood Design Standards and Section 415.340 Off-Street Parking and Loading Requirements of the City of Wildwood Zoning Ordinance for the R-4 7,500 square foot Residence District.

Landscape Requirements - Specific

r. Landscaping shall adhere to all requirements of Ordinance 410 and its accompanying Tree Manual, including the submittal of a Tree Preservation Plan in conjunction with the Site Development Plan.

s. All streets, roads, and lanes shall be appropriately landscaped as required by the Streetscape Design Requirements of the Town Center Plan and approved by the Planning and Zoning Commission on the Site Development Plan.

t. The areas of existing vegetation within the P.R.D. Overlay District boundaries identified as to be retained shall be marked on the site prior to the commencement of any disturbance in accord with the City of Wildwood's Ordinance 410. These areas shall be indicated on the Site Development Plan submitted to the City of Wildwood for Planning and Zoning Commission review and approval. Existing mature tree canopy shall be preserved in accordance with the requirements of City of Wildwood's Ordinance 410 Tree Preservation and Restoration Code.

u. Landscaping with the defined common ground areas shall comply with Ordinance 410 Tree Preservation and Restoration Code requirements and accompanying Tree Manual. The Planning and Zoning Commission, on the Site Development Plan, shall approve the planting pattern. Amenities, such as benches, lights, and walking paths shall be installed in the open space area of the residential development by the developer of these one hundred four (104) dwelling units.

v. The developer shall provide a minimum ten (10) foot wide, landscape buffer strip, within a perpetual easement dedicated to the Homeowners Association for its maintenance and

care, along the entire southern boundary of the site, and upon individual rear lot areas, for plantings, as reviewed and acted upon by the Planning and Zoning Commission.

w. A Landscape Architect shall sign and submit all plans for review and approval for this mixed-use development.

Signs - Residential

x. Signs for this P.R.D. Overlay District shall be erected in accordance with the Town Center Plan Architectural Guidelines and Section 415.410 Sign Regulations of the City of Wildwood Zoning Ordinance for the R-4 7,500 square foot Residence District.

y. The location of all signage shall be as approved on the Site Development Plan by the Planning and Zoning Commission. Signage not located on common ground must be erected within an easement.

Lighting Requirements

z. The location of all lighting standards shall be as approved on the Site Development Plan. No on-site illumination source shall exceed sixteen (16) feet in height or be so situated that light is cast directly on adjoining properties. Illumination levels for all lighting shall comply with the provisions of the City of Wildwood's Zoning Code, Section 415.450 "Outdoor Lighting Requirements." A Lighting Study shall be submitted in conjunction with the Site Development Plan indicating compliance to these requirements. The Planning and Zoning Commission shall approve the location, design, and appearance of all light standards and fixtures as part of the Site Development Plan review process.

Miscellaneous Conditions

aa. The design, color, material, and location of all garden and screen walls or fences, if planned or required, shall be consistent with the requirements of the Town Center Plan's Architectural Guidelines and be shown on the Site Development Plan for review and action by the Planning and Zoning Commission and the Architectural Review Board.

bb. Improvements associated with public infrastructure, such as roadways, sidewalks, and access points, shall comply with general design principles that will provide for safe and efficient movement of traffic in and around these sites and improve overall circulation in the area. These improvements shall be reviewed and approved by the Department of Public Works.

cc. Hours of construction and grading activity shall be limited to 7:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday. No development (grading and construction) activity shall be authorized on Sundays.

dd. All retaining walls exceeding three (3) feet in height per section or crossing individual property lines shall be constructed of an appropriate inter-locking concrete block system. Walls crossing property lines shall be located in a maintenance easement. The design, color, material, and location of all walls shall be consistent with the requirements of the Town Center Plan's Architectural Guidelines and be shown on the Site Development Plan for review and action by the Planning and Zoning Commission.

ee. The location of all utility easements for proposed service to this development shall be as approved by the Planning and Zoning Commission on the Site Development Plan. All utilities installed to serve this site shall be placed underground, including any existing overhead lines located on the subject property.

ff. Access to Eatherton Road from this Planned Residential Development Overlay District, e.g. any street or alley, including Main Street, shall not be authorized, **until such time as all necessary street and roadway improvements, including temporary access to State Route 109, have been completed to an acceptable minimum level to the Missouri Department of Transportation (MoDOT) and the City of Wildwood.** ~~forty (40) percent of the authorized units within its boundaries are owner-occupied~~. Until this threshold is reached, access shall be restricted/blocked to Eatherton Road, as shown on the Site Development Plan and reviewed and acted upon by the Department of Public Works and the Planning and Zoning Commission. Specifications for the manner in which access shall be controlled to Eatherton Road shall be at the discretion of the City of Wildwood, but all costs associated with such are the responsibility of the developer.

5. TRAFFIC GENERATION ASSESSMENT FEE

The developer shall contribute to the East Area Traffic Generation Assessment Trust Fund established by Section 140.210 of the City of Wildwood's Revised Codes. This assessment must be paid in full at the time of the first Zoning Authorization for any building or structure or when the individual issuances of building permits for the authorized lots are approved. This contribution shall not exceed the amount established by multiplying the number of parking spaces provided by the following rate:

Type of Development	*Required Contribution*
Single Family Dwelling **(detached)**	$1,055.10/Parking Space

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

If type of development proposed differ than those listed, rates shall be provided by the Department of Public Works.

As this development is located within a Trust Fund area established by the City of Wildwood, any portion of the traffic generation assessment contribution, which remains, following completion of

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

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

The Planning and Zoning Commission is recommending these fees be credited to the developer for use for the purposes of assisting with completion of required improvements within the right-of-way of State Route 109 and the off-site portion of the Main Street right-of-way. The granting of these credits is at the sole discretion of the City Council.

6. VERIFICATIONS PRIOR TO APPROVAL OF THE SITE DEVELOPMENT PLAN

Prior to approval of the Site Development Plan, the developer shall provide the following:

Stormwater Improvements

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

1. The developer is required to provide adequate stormwater systems in accordance with the City of Wildwood and the Metropolitan St. Louis Sewer District standards.
2. All stormwater shall be discharged at an adequate natural discharge point.
3. Retention/detention of differential runoff of stormwater shall be required. Stormwater management shall be provided in permanent retention/detention facilities, such as ponds or other acceptable alternatives. These retention/detention facilities shall be completed and in operation prior to the issuance of building permits for an approved dwelling unit, except display lots.
4. All proposed retention/detention facilities and related stormwater improvements shall be located in a common ground area and insure perpetual maintenance to the Homeowners Association to be created at the time of platting of this development.
5. The developer of this site shall be solely responsible to provide the necessary mechanisms, as part of the Site Development Plan/Improvement Plan process, to implement "best management practices" for stormwater management and the construction of related facilities. Minimally, these practices/facilities should include rain gardens, vegetative swales, and other options to substantially reduce the amount of stormwater leaving the subject site.
6. The developer shall provide adequate detention and/or hydrologic calculations for review and approval of all stormwater that will encroach on City of Wildwood/Missouri Department of Transportation (MoDOT) rights-of-way.
7. A bond or letter of credit will be required by the City of Wildwood to cover any downstream damage to abutting or adjacent properties, common ground areas, or

drainageways caused by the developers' use of this subject site (land/disturbance/grading/construction activities, etc.), which shall be used for the restoration of damaged areas to their pre-development condition, if the developers fail to meet their responsibilities in this regard. The amount of this bond and the establishment of the process for creating an accurate baseline condition for the existing downstream facilities shall be at the discretion of the City of Wildwood Department of Public Works, in conjunction with input from the petitioner's engineer.

Geotechnical Report

b. Provide a Geotechnical Report covering development and grading required by improvements involved with this site, as directed by the Department of Public Works. Said report shall verify the adaptability of grading and improvements with soil and geologic conditions which are susceptible to rapid erosion, landslide, and/or creep. A statement of compliance with this study, signed by the Geotechnical Engineer preparing the report, shall be included on all Site Development Plans. The development and construction plans shall be designed to conform to the requirements and conditions of the Geotechnical Report. The Geotechnical Engineer shall be required to sign and seal all plans with a certification the proposed construction will be completed in accordance with the grading and soils requirements and conditions contained in the report.

Stormwater Pollution Prevention Plan

c. Submit a Stormwater Pollution Prevention Plan, as part of the Site Development Plan review process, indicating compliance to all Federal, State, and local requirements regarding the management of stormwater runoff to prevent siltation and erosion, while preserving water quality, both upon the site and on downstream properties.

Natural Resource Protection Plan

d. Provide a revised and final copy of the Natural Resource Protection Plan indicating all areas of the site, which are to be designated as protected and not developable. This revised and final copy of this map shall be reviewed and signed by a qualified soil scientist, who completed the analysis, and a statement indicating compliance with all the requirements of Section 1005.200 of the City of Wildwood's Subdivision and Development Regulations.

Environmental Assessment – Phase One

e. The developer shall provide to the Planning and Zoning Commission, as part of the Site Development Plan submittal package, a Phase I Environmental Assessment Report of the property, which indicates its current condition relative to its past utilization by other owners. Determination regarding any required mediation shall be identified and completed, prior to the approval of the Record Plat and before the occupancy of any residential unit, all being in accordance with State and federal standards and guidelines, as set forth by the United

States Environmental Protection Agency (EPA) and the Missouri Department of Natural Resources (MDNR), for any determined contaminant exceeding a residential cleanup standard/guideline, with the cost borne for such by the developer and not the City of Wildwood.

Floodplain Study and Plans

f. The developer shall provide a floodplain/wetlands study to the Department of Public Works indicating compliance to the requirements of the City of Wildwood, the U.S. Army Corp of Engineers, and the Federal Emergency Management Agency (FEMA) regarding disturbance or development in the protected waterways and floodplain areas. This study shall minimally provide information relating to disturbance of any protected area and be reviewed and acted upon by the Department of Public Works, as part of the Site Development Plan submittal process.

7. RECORDING

Within ninety (90) days of approval of the Site Development Plan by the Planning and Zoning Commission, the approved plan shall be recorded with the St. Louis County Recorder of Deeds.

8. VERIFICATION PRIOR TO PERMITS

Notification to Department of Planning

a. Subsequent to approval of the Site Development Plan and prior to issuance of any grading, foundation, or building permit, all approvals from the Department of Public Works (Wildwood), the Missouri Department of Transportation, the Metro West Fire Protection District, the Missouri Department of Natural Resources, and the Metropolitan St. Louis Sewer District must be received by the Department of Planning.

b. Prior to the issuance of a foundation or building permit for any lot, which adjoins the common ground area and/or detention, basin, written certification from a Professional Engineer which verifies these areas are graded in accordance with the approved plans, must be received by the Department of Planning.

Roadway Improvements

c. Improvements to State Route 109 and Eatherton Road must be completed prior to the issuance of building permits in excess of **fifty (50)** ~~twenty (20)~~ percent of the units. **The State Route 109 required improvements may be credited against the overall Traffic Generation Assessment Fee (TGA) charge associated with these allowable residential units, if authorized by the City Council.** Any delays in utility company relocation and adjustments will not constitute a cause to allow occupancy prior to completion of roadway improvements.

Land Subdivision

d. Record a proper subdivision of the property and comply with all other applicable Subdivision and Development Regulations sections affecting the development of land, except as otherwise specified by this ordinance.

Indentures

e. With the filing of the record plat establishing separate lots, the developer shall record an approved indenture, which defines the necessary assessments and specific trustee obligations in accord with provisions of Section 415.470 and 415.510 of the City of Wildwood Zoning Code.

Escrow Requirements

f. All improvement and landscaping costs shall be submitted to the City of Wildwood through the standard subdivision escrow procedures.

Improvement Plans

g. The developer of this residential subdivision shall provide to the City Improvement Plans indicating construction details relative to public and private infrastructure associated with its development. Said plans will be used to calculate escrow requirements for these identified improvements.

Sanitary Sewage System

h. The developer shall provide verification from the Metropolitan St. Louis Sewer District that public sewer service has been provided to this site. Verification shall be in a form acceptable to the City of Wildwood.

Potable Water Service

i. The developer shall provide verification from the Missouri American Water Company that service to this subdivision can be provided at acceptable levels relative to the density of the project and not cause service issues to other households served by the same.

9. GENERAL DEVELOPMENT CONDITIONS

a. Provide adequate temporary off-street parking for construction employees. Parking on non-surfaced areas shall be prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.

b. A grading permit is required prior to any grading on the site. Interim stormwater drainage control in the form of salutation control measures is required.

c. A copy of the most recently approved Site Development Plan for this P.R.D. Overlay District development shall be prominently displayed at all times in all sales offices for this development.

d. The petitioner shall be responsible for obtaining all necessary permits from the Department of Natural Resources Clean Water Commission as they relate to the development of this tract of land.

e. If cut and fill operations occur during a season not favorable for immediate establishment of a permanent ground cover, a fast germinating annual, such as Rye or Sudan Grasses, shall be utilized to retard erosion.

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

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

h. Any other applicable zoning, subdivision, or other regulations or requirements of the City, whether in effect at the adoption of this ordinance or as may be hereinafter adopted, shall further apply to the development of this property as authorized by this Planned Residential Development Overlay District Ordinance, except as may be provided by law. Nothing herein shall be deemed a waiver of any subdivision, zoning or other development regulation of the City whether by implication or reference.

i. This zoning approval is conditioned on compliance with the Zoning Code, Subdivision Code, and all applicable laws of the City. Such additional regulations are supplemental to the requirements herein and no modification of any applicable regulations shall result from this Planned Residential Development Overlay District ordinance, except where this ordinance has expressly modified such regulations by reference to the applicable provision authorizing such modification.

10. PUBLIC SPACE REQUIREMENTS

a. Developer shall construct improved public space in conformance with or otherwise satisfying the requirements of the City's Public Space Ordinance, Chapter 415.260 and 415.270 of the City of Wildwood's Zoning Ordinance. The City Council accepts the findings of the Public Space Study adopted therein and determines the compliance with the Public Space Ordinance provisions will address the impact of this specific development on public space needs in a manner and amount that is equal to less than an amount that is roughly

proportional to the actual or anticipated impact. The installation of required public space improvements shall be as required by the applicable ordinances, but shall be completed prior to issuance of any occupancy (temporary or final) permit for the authorized by this ordinance. Unless otherwise approved pursuant to the procedures set forth in the Public Space Ordinance, the public space attributable to this development, **based upon the number of authorized dwelling units at a rate of 1,742.4 square feet per new single family dwelling**.

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

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

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

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

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

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

ATTACHMENT C
Background Information

WILDWOOD

16860 Main Street
Wildwood, MO 63040

CITY OF WILDWOOD
NOTICE OF
PUBLIC HEARING
before the City Council
Monday, July 25, 2016, at 7:30 p.m.

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

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

Street Address of Subject Site:
2461 Eatherton Road Wildwood, MO 6040

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

The City Council of the City of Wildwood will conduct a public hearing on **Monday, July 25, 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 City Council, 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:

A recommendation regarding **P.Z. 25, 26, and 26a – 14 Main Street Crossing, Payne Family Homes L.L.C., c/o Jerry Duepner, 10407 Baur Boulevard, Suite B, St. Louis, Missouri 63132** that addresses petitioner's request for modifications to the current Planned Residential Development Overlay District (PRD) Ordinance #2116 for this approximately thirty (30) acre tract of land (Locator Number: 23V120094/Street Address: 2461 Eatherton Road); east side of State Route 109, south of State Route 100; R-4 7,500 square foot Residence District (Town Center "Neighborhood Edge District"), with a Planned Residential Development Overlay District (PRD); to allow for certain allowances/relief to existing requirements relating to required roadway improvements and utility issues, so as the project can proceed to eventual construction. **(Ward Eight)**

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

1) Submitting a comment online by visiting: **http://www.cityofwildwood.com/comment.**
2) Submitting a written comment prior to the hearing and addressed to the City Council, City of Wildwood, 16860 Main Street, Wildwood, Missouri 63040.
3) Viewing the City Council'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.

Tuesday, December 8, 2015

Mr. Joe Vujnich
Director of Planning
City of Wildwood
16860 Main Street
Wildwood, Mo 63040

Re: Landscape Plan Review #1
Main Street Crossing
terraspec Job Number 02038-99

Dear Mr. Vujnich:

Per your request we have performed a review of the proposed landscape plan for the above referenced project and submit for consideration the following comments and recommendations.

We have reviewed the landscape plan prepared for Waldbart and Sons, Inc. by Loomis Associates, dated REV 11/19/15 and find that the landscape submittal for this project does not appear to meet the minimum requirements set forth in the City's Ordinances and Tree Manual/Sustainable Plantings Guide.

1. To meet the minimum drawing requirements, the plan should:
   A. Add the following notes from the Landscape Applications Section of the City's Landscape Manual:
      Grading - All grading for landscaped areas will not exceed a slope greater than 3:1. All exposed slopes will be protected from erosion as needed.
      Maintenance - The landscape of all undeveloped and developed property will be properly maintained in a sightly and well-kept manner.
      Replacement - Replanting and replacement of existing plant materials will be executed on an annual basis as needed by the property owner.
   B. Include a Tree Preservation Plan - Site Specific Ordinance, included in the SDP Design Criteria, under Landscape Requirements-Specific, paragraph (r) indicates that a Tree Preservation Plan is required. No Tree Preservation Plan was included with the submittal package received by this office.
   C. Show Common Ground Landscape - Site Specific Ordinance, in paragraph (u) implies that the common ground areas are to be landscaped. It does not appear that any attempt to provide landscaping in the common ground areas or public space areas has been made.

2. To meet the minimum planting requirements for this residential application, the plan should include:
   A. Street Trees
      1. Interior Streets - Street Trees are required at a ratio of one (1) tree for every 40' of frontage per Chapter 420. Subdivision and Development Regulations, Section 420.340. Landscaping, Paragraph B. Street Trees are indicated on the submitted plan, at the appropriate spacing, along most sections of the interior streets, however no street trees are indicated along common ground frontages or the western end frontages of the main boulevard within the future development area. Additional street trees should be located along the aforementioned frontages at the same 40' spacing.
      2. Missouri State Highway 109 - No street trees are indicated along the Rte. 109 frontage. It is assumed that, since the areas along Rte. 109 are labeled as Future Development, street tree and street bufferyard requirements will be addressed at a future date when development plans for these areas are submitted for review.

(Continued on page 2)

B. Street Bufferyards

1. Access roadway frontages require a Type 'S' Bufferyard, per the Tree Manual, at 2 PUs per 150 lf of frontage. No street bufferyard plantings are shown on the submitted plan. It is our recommendation that this requirement be waived for all access roadways that adjoin residential lots that front onto the street due to the limited space within the 40' wide frontyards. However, street bufferyards should be required for all other access roadway frontages including those that adjoin sides of residential structures, common grounds and public spaces.

2. Collector roadway frontages require a Type 'C Bufferyard, at 3 PUs per 150 lf of frontage. No street bufferyard plantings are shown on the submitted plan. It is our recommendation that this requirement be waived for the extreme eastern end of the collector roadway, that runs east-west between Rte. 109 and Eatherton Road, where the fronts of residential structures face the roadway (Lots 6A-14A). Once again, this recommendation is prompted by the limited frontyard space. Street bufferyards should be required along the rest of the collector road frontage, including through the future development areas.

Note: The Standard Plant Unit (PU) requirements for Bufferyards are as follows:
1 PU = 1 Canopy Tree, 1 Understory Tree, 1 Evergreen Tree and 10 Shrubs.
The required plant materials for the aforementioned bufferyards shall be planted in the sizes and percentages as indicated in the Landscape Applications Section of the City's Tree Manual under Bufferyards Paragraph (E), Sub Paragraph (b).

3. Missouri State Highway 109 - Type 'D' is required per the City's Tree Manual. None Shown.
As previously stated, it is assumed that this requirement will be fulfilled at a future date when plans are submitted for the development of those areas.

C. Property Line Bufferyards

1. South Property Line - Type 'C' Bufferyard is required, per the Tree Manual, along the eastern 750'+/- of the southern property line of the development, to buffer this R4 zoned development from the NU zoning district to the south, at 3 PU's per 150 lf. This requirement has been met on the submitted landscape plan, however, the Site Specific Ordinance that pertains to this development indicates that a minimum 10' wide landscape buffer strip be installed along the entire southern boundary of the site, no such landscape strip is indicated. Since no specific landscape density is mentioned in the ordinance, it is our recommendation that a Type 'B' Bufferyard be instituted to fulfill this ordinance requirement.

2. North Property Line - Per the Tree Manual, no bufferyard is required between zoning districts of similar character, in this case both the existing development to the north of the subject tract and the subject tract itself are considered High Density Residential (HDR). The submitted plan includes a small area of bufferyard where the new street system ties into Larksong Dr. It is our recommendation that this small section of planting be maintained in order to help buffer the existing residential units from the new collector road.

3. West Property Line - A Type 'C' Bufferyard is indicated at the southern end of the west property line that divides the residential portion of this development from the future development areas. It is assumed that this future development will eventually be commercial in nature, thus the inclusion of this bufferyard on the plans. The proposed bufferyard plantings, at the south end of the western property line, would be much more effective in screening any type of development to the west if they were moved nearer to the top of the berm that contains the proposed detention basin, similar to that of the bufferyard plantings on the west side of the water quality / detention base that abuts the collector road.

terraspec

3. Additional Comments:

A. Will there be any type of monument signage identifying this development, if so, indicate on plan and show associated landscape development.

B. It appears that the islands within the collector roadway contain only trees and lawn (assumed lawn since there is no labeling to indicate otherwise). It is our recommendation that these islands be heavily landscaped with a variety of trees, shrubs, ornamental grasses, groundcovers and flowers.

C. Show landscaping for Common Grounds and Public Spaces including MSD required plantings for Detention/ Water Quality Basins. Common Ground and Public Space areas should be planted in a manner that will enhance the development as a whole, especially in locations where public amenities are included.

D. Large portions of the existing woodlands that currently cover approximately 20-25% of the site are proposed to be removed. There appears, at least on this submittal, to be no attempt at any reforestation. It is our recommendation that additional landscaping, at a rate of 15 PU's (Bufferyard Planting Units) per acre, be required in all disturbed areas within the designated common grounds and public spaces.

If there are any questions or additional information is required, please don't hesitate to contact this office.

Sincerely,
terraspec

Kenneth J. Keitel, PLA, ASLA
Landscape Architect

terraspec

PAYNE family HOMES

VIA ELECTRONIC MAIL
City of Wildwood
Attn.: Joe Vujnich
Director of Planning
16860 Main Street
Wildwood, Missouri 63040

RE: Main Street Crossing SDP Second Submittal

Dear Mr. Vujnich:

Please accept this letter as Petitioner's response to your letter dated 12/23/15 in relation to the proposed development on the above referenced site.

The following numbers correspond to those in your letter, and describe the action taken on behalf of Petitioner to incorporate changes, make revisions in response to the same.

1. The geotechnical report is attached.
2. The following agencies were consulted (and the responses are as follows):
    a. MODOT
        i. Petitioner and City held a meeting with MODOT, and have discussed the project extensively. MODOT has expressed support for the proposed roundabout at Main Street and Hwy 109, and has not expressed any additional comments or concerns.
    b. MSD
        i. MSD was consulted, and has not expressed any specific concerns about the project.
    c. Metro West Fire District: Review letter is attached hereto.
    d. U.S. Army Corps of Engineers: 404 Permit is attached hereto.
3. The lighting plan has been incorporated into the SDP document, and is attached hereto.
4. The two (2) options proposed by the petitioner are as follows:
    a. Columns at the porches
    b. Ornamental address plates to be mounted on front face of porch vertical element
5. The comments on the Title Sheet of the Site Development Plan packet have been addressed, and the revisions incorporated into the revised SDP.
6. The requested revision has been made.

10407 Baur Blvd. Suite B St. Louis, MO 63132 Phone: 314.996.0300 / Fax: 314.996.0309

www.PayneFamilyHomes.com

7. The grading adjacent to the jurisdictional waterway has been revised to preserve additional trees (and exhibit is attached hereto for your reference).
8. The requested revision has been made.
9. The requested revision has been made.
10. The requested revision has been made.
11. The requested revision has been made.
12. The requested revision has been made.
13. The requested revision has been made.
14. The project has no frontage on Hwy 109. That property is owned by an entity not owned or controlled by Petitioner.
15. The project has no frontage on Hwy 109. That property is owned by an entity not owned or controlled by Petitioner.
16. The requested revision has been made.
17. While the design of the portion of the development formerly referred to as a "tot lot" has changed, the dimension has been added, per the Department's request.
18. The requested revision has been made.
19. The requested revision has been made.
20. The requested revision has been made.
21. The requested revision has been made.
22. The permeable pavement formerly proposed for the Southeast portion of the site has been removed from the proposed plan. The grading on the site has placed a high point on the private lane in the neo-traditional portion of the Property that makes it infeasible to relocate it there, as requested by the Department, so Petitioner has provided that the runoff be piped underground to the detention basin in the Southwest corner of the Property with a resulting decrease in runoff to the surrounding area—even as compared with pre-construction conditions.
23. The requested revision has been made.
24. The requested revision has been made.
25. The requested revision has been made.
26. This condition has changed, as described in Petitioner's response to #22 above.
27. The SDP provides for sufficient pavement, and a safe intersection prior to the installation of the roundabout.
28. The owner of the property west of Hwy 109 is aware of the proposed improvements to Hwy 109, and has indicated a general willingness to grant a Temporary Slope Construction License (TSCL) when the specific requirements for the project are determined. The TSCL was not added to the plan at this time because its final dimensions, details etc., are not yet available.
29. The area formerly designated as a "Tot Lot" has been redesigned as a "playground for all ages". In lieu of the typical playset, petitioner proposes an interpretive area with added paths, benches, and educational plaques (illustrative exhibits are attached). The slope between this green space and the jurisdictional waterway will be planted with deep rooted, native prairie grasses, and the area itself will be characterized by mounding of earth, installation of boulders, and native plantings to encourage pollinators (a.k.a. "butterfly gardens"). Petitioner believes that this natural area will be a unique, value added amenity to the community, and one that connects with the natural elements on the site.
30. The requested revision has been made.

31. The requested revision has been made.

32. The area of the former "tot lot" has been dimensioned as requested by the Department.

33. The requested revision has been made.

34-37. The former 22 foot wide pavement section has been revised to a 15 foot wide symmetrical design with abutting easements, as detailed in the attached revised SDP.

38. The requested revision has been made.

39. The comments of the City's landscape consultant were incorporated into the revised SDP with the following exceptions:

- 3(a): No entry monument is currently planned
- 3 (b) Additional landscaping on the islands was not added, as it would likely pose sight restrictions, and potential safety hazards
- 3(d) In response to this comment, the buffer yards have been increased, and the grading adjusted to preserve additional trees onsite. The main grouping of trees on the property abuts the jurisdictional waterway. The waterway is in turn abutted by the commercial outlots to the West of the proposed development, and the residential development which is the subject of this SDP. It should be noted that the site as a whole (commercial & residential) will preserve roughly 30% of the existing trees on the site. Since the proposed development already encompasses street plantings, common ground plantings, and plantings on each lot, the total preservation required for the site is met by the proposed plan, and the additional PU's should not be required.

Thank you once again for your assistance, and review of this very important project. Please let me know if you have any questions, or require additional information.

Very truly yours,

Payne Family Homes, L.L.C.

By: Thomas E. Cummings
Vice President of Land Acquisition

Attachments

10407 Baur Blvd. Suite B St. Louis, MO 63132 Phone: 314.996.0300 / Fax: 314.996.0309

www.PayneFamilyHomes.com

From: Dave Phipps [mailto:daveph@metrowest-fire.org]
Sent: Thursday, January 21, 2016 10:20 AM
To: Larry Green
Cc: Joe Vujnich
Subject: RE: Main Street - will serve letter

Larry,

The Bureau of Fire Prevention have reviewed site development plan for Main Street Crossing. The fire flow will be 1500 GPM at 20 PSI, fire hydrant spacing is 600 feet apart. Any street width less than 26 feet will be required to restrict parking on one side and be posted with no parking signage and the no parking must be record on the plat.

David E. Phipps
Fire Marshal
Metro West Fire Protection District
(636) 821-5806

From: Larry Green [mailto:LGreen@sterling-eng-sur.com]
Sent: Tuesday, December 22, 2015 8:05 AM
To: Dave Phipps <daveph@metrowest-fire.org>
Cc: Mike Falkner <mfalkner@sterling-eng-sur.com>; Mike Boerding <MBoerding@sterling-eng-sur.com>; George Gower <GGower@sterling-eng-sur.com>; Rodney Arnold <RArnold@sterling-eng-sur.com>; Ben Molitor <BMolitor@sterling-eng-sur.com>; Scott Loveless <SLoveless@sterling-eng-sur.com>; 'Thomas Cummings (tec@paynefamilyhomes.com)' <tec@paynefamilyhomes.com>; 'wra@paynefamilyhomes.com' <wra@paynefamilyhomes.com>
Subject: Main Street - will serve letter

Dear Chief Phipps,

This email is submitted to you on behalf of Payne Family Homes.

Attached please find a cover letter, Google Earth link, and a Site Development Plan for this project.

The Site Development Plan is for your review and comment.

If you have any questions or comments, please do not hesitate to call.

Thank you,

DEPARTMENT OF THE ARMY
ST. LOUIS DISTRICT CORPS OF ENGINEERS
1222 SPRUCE STREET
ST. LOUIS, MISSOURI 63103-2833

REPLY TO
ATTENTION OF:

RECEIVED
OCT 14 2014

October 7, 2014

Regulatory Branch
File Number: MVS-2014-549

Mr. Jerry Duepner
Payne Family Homes
10407 Baur Blvd., Ste. 3
St. Louis, Missouri 63132

Dear Mr. Duepner:

We have reviewed your permit application dated October 3, 2014, submitted on your behalf by SCI Engineering, Inc., regarding the project known as *Eatherton Road – Schneider Tract.* The proposed project consists of the construction of a 62-lot residential development, commercial storefronts, and associated infrastructure, including new roadways and stormwater detention/water quality basins, located in between Highway 109 (west boundary) and Eatherton Road (east boundary) in Wildwood, Missouri. The site exists as an approximate 35-acre tract and contains two unnamed ephemeral tributaries (tributary A&B), non-jurisdictional drainages and an isolated pond. The plans involve approximately 110 linear feet of tributary A to be encapsulated with a pipe for a road crossing and approximately 165 linear feet of tributary B to be encapsulated with a pipe for the development of an outlot. Erosion control measures will be taken during development to reduce the potential of unintentional sedimentation and sediment run-off. More specifically, the project is located in Section 2, Township 44 North, Range 3 East, St. Louis County, Missouri. The unnamed tributaries flow into Bonhomme Creek, a primary tributary of the Missouri River.

Based upon a review of the U.S. Geological Survey 7.5-minute topographical map, aerial imagery, National Wetland Inventory, and submittal provided by SCI Engineering, Inc., we have determined that the two unnamed tributaries would possess an ordinary high water mark at these locations and would be considered jurisdictional waters of the United States. Therefore, the placement of fill material below the ordinary high water elevation requires a permit from this office.

The Corps of Engineers has determined that this activity will have no affect on endangered species, and is authorized under Section 404 of the Clean Water Act by an existing Department of the Army nationwide permit for *Residential Developments*, as described in the February 21, 2012, Federal Register, Reissuance of Nationwide Permits; Notice (77 FR 10276), Appendix A (B)(29). **This verification is valid** until March 18, 2017, unless the district engineer modifies, suspends, or revokes the nationwide permit authorization in accordance with 33 CFR 330.5(d). If you commence, or are under contract to commence, this activity before the nationwide permit

expires, you will have 12 months after the date the nationwide permit expires or is modified, suspended, or revoked, to complete the activity under the present terms and conditions of this nationwide permit. **The district engineer has further conditioned this permit to include the following special conditions:**

1. The site exists as open fields on the eastern boundary and a mix of early successional riparian corridor with a few large trees scattered throughout the drainage on the western boundary. To avoid any impact to the potential presence of the federally endangered Indiana Bat (*Myotis sodalis*) habitat, tree clearing is NOT allowed between April 1 and October 31.

2. All bank areas disturbed during construction shall be stabilized by rip-rapping, seeding and mulching, or other appropriate erosion control methods.

3. Measures must be taken to maintain normal downstream flows and to minimize flooding.

4. The permittee shall notify the Corps should any change is size, location of methods to accomplish the work occur. Changes could potentially require additional authorizations from the Corps as well as other federal, state, or local agencies.

In accordance with General Condition number 30 of the Nationwide Permit, a compliance certification (Attachment A of this package) must be completed within 30 days of project completion or the permit issuance may be revoked and considered null and void.

The Missouri Department of Natural Resources Water Protection Program (MDNR/WPP) has conditionally issued general Section 401 Water Quality Certification for this nationwide permit, subject to special conditions (see enclosure). These conditions are part of the Corps permit. If you have any questions regarding the water quality certification conditions, you may call Ms. Stacia Bax, MDNR/WPP, at 573-526-4586.

This determination is applicable only to the permit program administered by the Corps of Engineers. It does not eliminate the need to obtain other federal, state or local approvals before beginning work. This permit verification does not convey property rights, nor authorize any injury to property or invasion of other rights.

You are reminded that the permit is based on submitted plans. Variations from these plans shall constitute a violation of Federal law and may result in the revocation of the permit. If this nationwide permit is modified, reissued, or revoked during this period, the provisions described at 33 CFR 330.6(b) will apply.

The jurisdictional determination for this project is considered a preliminary jurisdictional determination (PJD) in accordance with Corps regulations at 33 CFR Part 331. A PJD is an expedited determination that does not require interagency coordination, but is also not appealable. If you consent to the findings of this PJD, please sign and date the enclosed *Preliminary Jurisdictional Determination Form* and return it to this office at the letterhead address. If you do not agree with the PJD, you may request an Approved Jurisdictional Determination, which may be appealed, by contacting our office for further instruction.

If you have any questions, please contact David Meyer at (314) 331-8810. Please refer to file number **MVS-2014-549**. The St. Louis District Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, go to our Customer Service Survey found on our web site at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey.

Sincerely,

Robert Gramke
Missouri Section Chief
Regulatory Branch

Enclosures

Mr. Rick Gundlach
SCI Engineering, Inc.
130 Point West Blvd.
St. Charles, Missouri 63301

Copy Furnished: (electronically w/o enclosures)

Ms. Stacia Bax, MDNR-Water Protection Program
Ms. Vicky Johnson, U.S. Environmental Protection Agency
Ms. Judith Deel, MDNR-State Historic Preservation Office
Mr. Bryan Simmons & Ms. Amy Salveter, U.S. Fish & Wildlife Service
Ms. Jennifer Campbell-Allison, Missouri Department of Conservation

ATTACHMENT A

COMPLETED WORK CERTIFICATION

Date of Issuance: October 8, 2014

File Number: MVS-2014-549

Name of Permittee: Payne Family Homes

Name of Project: Eatherton Road – Schneider Tract

River Basin/County/State: Missouri/St. Louis County/Missouri

Project Manager: David Meyer

Upon completion of this activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

U.S. Army Corps of Engineers
Attn: Regulatory Branch (OD-F)
1222 Spruce Street
St. Louis, Missouri 63103-2833

(Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit, you are subject to permit suspension, modification or revocation.)

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit conditions.

_____ _____

Signature of Permittee Date

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Payne Family Homes		File Number:2014-549	Date:10/7/2014
Attached is:			See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
	PROFFERED PERMIT (Standard Permit or Letter of permission)		B
	PERMIT DENIAL		C
	APPROVED JURISDICTIONAL DETERMINATION		D
X	PRELIMINARY JURISDICTIONAL DETERMINATION		E

RECEIVED OCT 14 2014

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://www.usace.army.mil/cecw/pages/reg_materials.aspx or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:
David Meyer
U.S. Army Corps, Regulatory Branch
1222 Spruce St.
St. Louis, Missouri 63103

If you only have questions regarding the appeal process you may also contact: Mr. Thomas McCabe
Administrative Appeals Review Officer
Mississippi Valley Division
P.O. Box 80 (1400 Walnut Street)
Vicksburg, MS 39181-0080
601-634-5820 FAX: 601-634-5816

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.	Date:	Telephone number:

PRELIMINARY JURISDICTIONAL DETERMINATION FORM

This preliminary JD finds that there *"may be"* waters of the United States on the subject project site, and identifies all aquatic features on the site that could be affected by the proposed activity, based on the following information:

District Office: St. Louis District | File/ORM #: 2014-549 | PJD Date: 10/7/2014

State: MO | City/County: St. Louis County

Nearest Waterbody: unnamed Trib. (A) to Bonhomme Creek

Location: TRS, LatLong or UTM: Section 2, Township 44 N, Range 3 East

Name/ Address of Person Requesting PJD: Mr. Jerry Duepner, Payne Family Homes, 10407 Baur Blvd., Ste. B, St. Louis, Missouri 63132

Identify (Estimate) Amount of Waters in the Review Area:

Non-Wetland Waters: 110 linear ft | width | acres | Stream Flow: Ephemeral

Wetlands: acre(s) | Cowardin Class:

Name of Any Water Bodies on the Site Identified as Section 10 Waters: Tidal: | Non-Tidal:

☑ Office (Desk) Determination
☐ Field Determination: Date of Field Trip:

SUPPORTING DATA: Data reviewed for preliminary JD (check all that apply - checked items should be included in case file and, where checked and requested, appropriately reference sources below):

- ☑ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: SCI Engineering, Inc.
- ☐ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
  - ☐ Office concurs with data sheets/delineation report.
  - ☐ Office does not concur with data sheets/delineation report.
- ☐ Data sheets prepared by the Corps
- ☐ Corps navigable waters' study:
- ☐ U.S. Geological Survey Hydrologic Atlas:
  - ☐ USGS NHD data.
  - ☐ USGS 8 and 12 digit HUC maps.
- ☑ U.S. Geological Survey map(s). Cite quad name: MO-Eureka
- ☐ USDA Natural Resources Conservation Service Soil Survey. Citation:
- ☐ National wetlands inventory map(s). Cite name:
- ☐ State/Local wetland inventory map(s):
- ☐ FEMA/FIRM maps:
- ☐ 100-year Floodplain Elevation is:
- ☑ Photographs: ☑ Aerial (Name & Date): ArcGIS
  - ☑ Other (Name & Date): Google Earth
- ☐ Previous determination(s). File no. and date of response letter:
- ☐ Other information (please specify):

IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.

Dey 10/7/14

Signature and Date of Regulatory Project Manager (REQUIRED)

Signature and Date of Person Requesting Preliminary JD (REQUIRED, unless obtaining the signature is impracticable)

EXPLANATION OF PRELIMINARY AND APPROVED JURISDICTIONAL DETERMINATIONS:

1. The Corps of Engineers believes that there may be jurisdictional waters of the United States on the subject site, and the permit applicant or other affected party who requested this preliminary JD is hereby advised of his or her option to request and obtain an approved jurisdictional determination (JD) for that site. Nevertheless, the permit applicant or other person who requested this preliminary JD has declined to exercise the option to obtain an approved JD in this instance and at this time.

2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "preconstruction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an approved JD for the activity, the permit applicant is hereby made aware of the following: (1) the permit applicant has elected to seek a permit authorization based on a preliminary JD, which does not make an official determination of jurisdictional waters; (2) that the applicant has the option to request an approved JD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an approved JD could possibly result in less compensatory mitigation being required or different special conditions; (3) that the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) that the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) that undertaking any activity in reliance upon the subject permit authorization without requesting an approved JD constitutes the applicant's acceptance of the use of the preliminary JD, but that either form of JD will be processed as soon as is practicable; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a preliminary JD constitutes agreement that all wetlands and other water bodies on the site affected in any way by that activity are jurisdictional waters of the United States, and precludes any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an approved JD or a preliminary JD, that JD will be processed as soon as is practicable. Further, an approved JD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331, and that in any administrative appeal, jurisdictional issues can be raised (see 33 C.F.R. 331.5(a)(2)). If, during that administrative appeal, it becomes necessary to make an official determination whether CWA jurisdiction exists over a site, or to provide an official delineation of jurisdictional waters on the site, the Corps will provide an approved JD to accomplish that result, as soon as is practicable.

PRELIMINARY JURISDICTIONAL DETERMINATION FORM

This preliminary JD finds that there *"may be"* waters of the United States on the subject project site, and identifies all aquatic features on the site that could be affected by the proposed activity, based on the following information:

District Office: St. Louis District | File/ORM #: 2014-549 | PJD Date: 10/7/2014

State: MO | City/County: St. Louis County

Nearest Waterbody: Unnamed Trib. (B)

Location: TRS, LatLong or UTM: Section 2, Township 44 N, Range 3 East

Name/ Address of Person Requesting PJD: Mr. Jerry Duepner, Payne Family Homes, 10407 Baur Blvd., Ste. B, St. Louis, Missouri 63132

Identify (Estimate) Amount of Waters in the Review Area:

Non-Wetland Waters: 165 linear ft | width | acres | Stream Flow: Ephemeral

Wetlands: acre(s) | Cowardin Class:

Name of Any Water Bodies on the Site Identified as Section 10 Waters: Tidal: | Non-Tidal:

☑ Office (Desk) Determination
☐ Field Determination: Date of Field Trip:

SUPPORTING DATA: Data reviewed for preliminary JD (check all that apply - checked items should be included in case file and, where checked and requested, appropriately reference sources below):

- ☑ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: SCI Engineering, Inc.
- ☐ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
  - ☐ Office concurs with data sheets/delineation report.
  - ☐ Office does not concur with data sheets/delineation report.
- ☐ Data sheets prepared by the Corps
- ☐ Corps navigable waters' study:
- ☐ U.S. Geological Survey Hydrologic Atlas:
  - ☐ USGS NHD data.
  - ☐ USGS 8 and 12 digit HUC maps.
- ☑ U.S. Geological Survey map(s). Cite quad name: MO-Eureka
- ☐ USDA Natural Resources Conservation Service Soil Survey. Citation:
- ☐ National wetlands inventory map(s). Cite name:
- ☐ State/Local wetland inventory map(s):
- ☐ FEMA/FIRM maps:
- ☐ 100-year Floodplain Elevation is:
- ☑ Photographs: ☑ Aerial (Name & Date): ArcGIS
  - ☑ Other (Name & Date): Google Earth
- ☐ Previous determination(s). File no. and date of response letter:
- ☐ Other information (please specify):

IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.

Signature and Date of Regulatory Project Manager (REQUIRED): 10/7/14

Signature and Date of Person Requesting Preliminary JD (REQUIRED, unless obtaining the signature is impracticable):

EXPLANATION OF PRELIMINARY AND APPROVED JURISDICTIONAL DETERMINATIONS:

1. The Corps of Engineers believes that there may be jurisdictional waters of the United States on the subject site, and the permit applicant or other affected party who requested this preliminary JD is hereby advised of his or her option to request and obtain an approved jurisdictional determination (JD) for that site. Nevertheless, the permit applicant or other person who requested this preliminary JD has declined to exercise the option to obtain an approved JD in this instance and at this time.

2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "preconstruction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an approved JD for the activity, the permit applicant is hereby made aware of the following: (1) the permit applicant has elected to seek a permit authorization based on a preliminary JD, which does not make an official determination of jurisdictional waters; (2) that the applicant has the option to request an approved JD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an approved JD could possibly result in less compensatory mitigation being required or different special conditions; (3) that the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) that the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) that undertaking any activity in reliance upon the subject permit authorization without requesting an approved JD constitutes the applicant's acceptance of the use of the preliminary JD, but that either form of JD will be processed as soon as is practicable; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a preliminary JD constitutes agreement that all wetlands and other water bodies on the site affected in any way by that activity are jurisdictional waters of the United States, and precludes any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an approved JD or a preliminary JD, that JD will be processed as soon as is practicable. Further, an approved JD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331, and that in any administrative appeal, jurisdictional issues can be raised (see 33 C.F.R. 331.5(a)(2)). If, during that administrative appeal, it becomes necessary to make an official determination whether CWA jurisdiction exists over a site, or to provide an official delineation of jurisdictional waters on the site, the Corps will provide an approved JD to accomplish that result, as soon as is practicable.

Nationwide Permit Summary

U.S Army Corps
Of Engineers
St. Louis District

OCT 14 2014

No. 29, RESIDENTIAL DEVELOPMENTS
(NWP Final Notice, 77 FR 10276)

Discharges of dredged or fill material into non-tidal waters of the United States for the construction or expansion of a single residence, a multiple unit residential development, or a residential subdivision. This NWP authorizes the construction of building foundations and building pads and attendant features that are necessary for the use of the residence or residential development. Attendant features may include but are not limited to roads, parking lots, garages, yards, utility lines, storm water management facilities, septic fields, and recreation facilities such as playgrounds, playing fields, and golf courses (provided the golf course is an integral part of the residential development).

The discharge must not cause the loss of greater than 1/2-acre of non-tidal waters of the United States, including the loss of no more than 300 linear feet of stream bed, unless for intermittent and ephemeral stream beds the district engineer waives the 300 linear foot limit by making a written determination concluding that the discharge will result in minimal adverse effects. This NWP does not authorize discharges into non-tidal wetlands adjacent to tidal waters.

Subdivisions: For residential subdivisions, the aggregate total loss of waters of United States authorized by this NWP cannot exceed 1/2 acre. This includes any loss of waters of the United States associated with development of individual subdivision lots.

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity. (See general condition 31.) (Sections 10 and 404)

NATIONWIDE PERMIT CONDITIONS

Note: To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as applicable, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer. Prospective permittees should contact the appropriate Corps district office to determine if regional conditions have been imposed on an NWP. Prospective permittees should also contact the appropriate Corps district office to determine the status of Clean Water Act Section 401 water quality certification and/ or Coastal Zone Management Act consistency for an NWP. Every person who may wish to obtain permit authorization under one or more NWPs, or who is currently relying on an existing or prior permit authorization under one or more NWPs, has been and is on notice that all of the provisions of 33 CFR 330.1 through 330.6 apply to every NWP authorization. Note especially 33 CFR 330.5 relating to the modification, suspension, or revocation of any NWP authorization.

1. **Navigation.** (a) No activity may cause more than a minimal adverse effect on navigation.

(b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.

(c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. **Aquatic Life Movements.** No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species.

3. **Spawning Areas.** Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.

4. **Migratory Bird Breeding Areas.** Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.

5. **Shellfish Beds.** No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWPs 4 and 48, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.

6. **Suitable Material.** No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the Clean Water Act).

7. **Water Supply Intakes.** No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

8. **Adverse Effects From Impoundments.** If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

9. **Management of Water Flows.** To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization and storm water management activities, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

10. **Fills Within 100-Year Floodplains.** The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

11. **Equipment.** Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

12. **Soil Erosion and Sediment Controls.** Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow.

13. **Removal of Temporary Fills.** Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

14. **Proper Maintenance.** Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety, and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.

15. **Single and Complete Project.** The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

16. **Wild and Scenic Rivers.** No activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service).

17. **Tribal Rights.** No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

18. **Endangered Species.** (a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical habitat of such species. No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless Section 7 consultation addressing the effects of the proposed activity has been completed.

(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA. Federal permittees must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will review the documentation and determine whether it is sufficient to address ESA compliance for the NWP activity, or whether additional ESA consultation is necessary.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species or designated critical habitat might be affected or is in the vicinity of the project, or if the project is located in designated critical habitat, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species or designated critical habitat, the pre-construction notification must include the name(s) of the endangered or threatened species that might be affected by the proposed work or that utilize the designated critical habitat that might be affected by the proposed work. The district engineer will determine whether the proposed activity "may affect" or will have "no effect" to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps' determination within 45 days of receipt of a complete pre-construction notification. In cases where the non-Federal applicant has identified listed species or critical habitat that might be affected or is in the vicinity of the project, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification the proposed activities will have "no effect" on listed species or critical habitat, or until Section 7 consultation has been completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(d) As a result of formal or informal consultation with the FWS or NMFS the district engineer may add species-specific regional endangered species conditions to the NWPs.

(e) Authorization of an activity by a NWP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the U.S. FWS or the NMFS, The Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word "harm" in the definition of "take" means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

(f) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the U.S. FWS and NMFS or their world web pages at *http://www.fws.gov/* or *http://www.fws.gov/ipac* and *http://www.noaa.gov/fisheries.html* respectively.

19. **Migratory Birds and Bald and Golden Eagles.** The permittee is responsible for obtaining any "take" permits required under the U.S. Fish and Wildlife Service's regulations governing compliance with the Migratory Bird Treaty Act or the Bald and Golden Eagle Protection Act. The permittee should contact the appropriate local office of the U.S. Fish and Wildlife Service to determine if such "take" permits are required for a particular activity.

20. **Historic Properties.** (a) In cases where the district engineer determines that the activity may affect properties listed, or eligible for listing, in the National Register of Historic Places, the activity is not authorized, until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

(b) Federal permittees should follow their own procedures for complying with the requirements of Section 106 of the National Historic Preservation Act. Federal permittees must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will review the documentation and determine whether it is sufficient to address section 106 compliance for the NWP activity, or whether additional section 106 consultation is necessary.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the authorized activity may have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties may be affected by the proposed work or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic

properties. Assistance regarding information on the location of or potential for the presence of historic resources can be sought from the State Historic Preservation Officer or Tribal Historic Preservation Officer, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of Section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts, which may include background research, consultation, oral history interviews, sample field investigation, and field survey. Based on the information submitted and these efforts, the district engineer shall determine whether the proposed activity has the potential to cause an effect on the historic properties. Where the non-Federal applicant has identified historic properties on which the activity may have the potential to cause effects and so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects or that consultation under Section 106 of the NHPA has been completed.

(d) The district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA Section 106 consultation is required. Section 106 consultation is not required when the Corps determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). If NHPA section 106 consultation is required and will occur, the district engineer will notify the non-Federal applicant that he or she cannot begin work until Section 106 consultation is completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(e) Prospective permittees should be aware that section 110k of the NHPA (16 U.S.C. 470h–2(k)) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

21. **Discovery of Previously Unknown Remains and Artifacts.** If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

22. **Designated Critical Resource Waters.** Critical resource waters include, NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after notice and opportunity for public comment, additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment.

(a) Discharges of dredged or fill material into waters of the United States are not authorized by NWPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, and 52 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.

(b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, and 38, notification is required in accordance with general condition 31, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only after it is determined that the impacts to the critical resource waters will be no more than minimal.

23. **Mitigation.** The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that adverse effects on the aquatic environment are minimal:

(a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the adverse effects to the aquatic environment are minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10 acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse effects of the proposed activity are minimal, and provides a project-specific waiver of this requirement. For wetland losses of 1/10 acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in minimal adverse effects on the aquatic environment. Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.

(1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in minimal adverse effects on the aquatic environment.

(2) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, wetland restoration should be the first compensatory mitigation option considered.

(3) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2)–(14) must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)).

(4) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan only needs to address the baseline conditions at the impact site and the number of credits to be provided.

(5) Compensatory mitigation requirements (e.g., resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of components of a compensatory mitigation plan.

(d) For losses of streams or other open waters that require pre-construction notification, the district engineer may require compensatory mitigation, such as stream rehabilitation, enhancement, or preservation, to ensure that the activity results in minimal adverse effects on the aquatic environment.

(e) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2 acre, it cannot be used to authorize any project resulting in the loss of greater than1/2 acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that a project already meeting the established acreage limits also satisfies the minimal impact requirement associated with the NWPs.

(f) Compensatory mitigation plans for projects in or near streams or other open waters will normally include a requirement for the restoration or establishment, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, riparian areas may be the only compensatory mitigation required. Riparian areas should consist of native species. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to establish a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or establishing a riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.

(g) Permittees may propose the use of mitigation banks, in-lieu fee programs, or separate permittee-responsible mitigation. For activities resulting in the loss of marine or estuarine resources, permittee-responsible compensatory mitigation may be environmentally preferable if there are no mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee-responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management.

(h) Where certain functions and services of waters of the United States are permanently adversely affected, such as the conversion of a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse effects of the project to the minimal level.

24. **Safety of Impoundment Structures.** To ensure that all impoundment structures are safely designed, the district engineer may require non-Federal applicants to demonstrate that the structures comply with established state dam safety criteria or have been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

25. **Water Quality.** Where States and authorized Tribes, or EPA where applicable, have not previously certified compliance of an NWP with CWA Section 401, individual 401 Water Quality Certification must be obtained or waived (see 33 CFR 330.4(c)). The district engineer or State or Tribe may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

26. **Coastal Zone Management.** In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). The district engineer or a State may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

27. **Regional and Case-By-Case Conditions.** The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

28. **Use of Multiple Nationwide Permits.** The use of more than one NWP for a single and complete project is prohibited, except when the acreage loss of waters of the United States authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-acre.

29. **Transfer of Nationwide Permit Verifications.** If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature: "When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below."

_____

(Transferee)

_____

(Date)

30. **Compliance Certification.** Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:

(a) A statement that the authorized work was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions;

(b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and

(c) The signature of the permittee certifying the completion of the work and mitigation.

31. **Pre-Construction Notification.** (a) Timing. Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 30 day period to request the additional information necessary to make the PCN complete. The request must specify the information needed to make the PCN complete. As as a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

(1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or

(2) 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 18 that listed species or critical habitat might be affected or in the vicinity of the project, or to notify the Corps pursuant to general condition 20 that the activity may have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is "no effect" on listed species or "no potential to cause effects" on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or Section 106 of the National Historic Preservation (see 33 CFR 330.4(g)) has been completed. Also, work cannot begin under NWPs 21, 49, or 50 until the permittee has received written approval from the Corps. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) Contents of Pre-Construction Notification: The PCN must be in writing and include the following information:

(1) Name, address and telephone numbers of the prospective permittee;

(2) Location of the proposed project;

(3) A description of the proposed project; the project's purpose; direct and indirect adverse environmental effects the project would cause, including the anticipated amount of loss of water of the United States expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. The description should be sufficiently detailed to allow the district engineer to determine that the adverse effects of the project will be minimal and to determine the need for compensatory mitigation. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the project and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);

(4)The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many waters of the United States. Furthermore, the 45 day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;

(5) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining why the adverse effects are minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

(6) If any listed species or designated critical habitat might be affected or is in the vicinity of the project, or if the project is located in designated critical habitat, for non-Federal applicants the PCN must include the name(s) of those endangered or threatened species that might be affected by the proposed work or utilize the designated critical habitat that may be affected by the proposed work. Federal applicants must provide documentation demonstrating compliance with the Endangered Species Act; and

(7) For an activity that may affect a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, for non-Federal applicants the PCN must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property. Federal applicants must provide documentation demonstrating compliance with Section 106 of the National Historic Preservation Act.

(c) Form of Pre-Construction Notification: The standard individual permit application form (Form ENG 4345) may be used, but the completed application form must clearly indicate that it is a PCN and must include all of the information required in paragraphs (b)(1) through (7) of this general condition. A letter containing the required information may also be used.

(d) Agency Coordination: (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the project's adverse environmental effects to a minimal level.

(2) For all NWP activities that require pre-construction notification and result in the loss of greater than 1/2-acre of waters of the United States, for NWP 21, 29, 39, 40, 42, 43, 44, 50, 51, and 52 activities that require pre-construction notification and will result in the loss of greater than 300 linear feet of stream bed, and for all NWP 48 activities that require pre-construction notification, the district engineer will immediately provide (e.g., via email, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate Federal or state offices (U.S. FWS, state natural resource or water quality agency, EPA, State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Office (THPO), and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to telephone or fax the district engineer notice that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the preconstruction notification. The district engineer will fully consider agency comments received within the specified time frame, concerning the proposed activity's compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure the net adverse environmental effects to the aquatic environment of the proposed activity are minimal. The district engineer will provide no response to the resource agency, except as provided

below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.

(3) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by Section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act.

(4) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of pre-construction notifications to expedite agency coordination.

D. District Engineer's Decision:

1. In reviewing the PCN for the proposed activity, the district engineer will determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. For a linear project, this determination will include an evaluation of the individual crossings to determine whether they individually satisfy the terms and conditions of the NWP(s), as well as the cumulative effects caused by all of the crossings authorized by NWP. If an applicant requests a waiver of the 300 linear foot limit on impacts to streams or of an otherwise applicable limit, as provided for in NWPs 13, 21, 29, 36, 39, 40, 42, 43, 44, 50, 51 or 52, the district engineer will only grant the waiver upon a written determination that the NWP activity will result in minimal adverse effects. When making minimal effects determinations the district engineer will consider the direct and indirect effects caused by the NWP activity. The district engineer will also consider site specific factors, such as the environmental setting in the vicinity of the NWP activity, the type of resource that will be affected by the NWP activity, the functions provided by the aquatic resources that will be affected by the NWP activity, the degree or magnitude to which the aquatic resources perform those functions, the extent that aquatic resource functions will be lost as a result of the NWP activity (e.g., partial or complete loss), the duration of the adverse effects (temporary or permanent), the importance of the aquatic resource functions to the region (e.g., watershed or ecoregion), and mitigation required by the district engineer. If an appropriate functional assessment method is available and practicable to use, that assessment method may be used by the district engineer to assist in the minimal adverse effects determination. The district engineer may add case-specific special conditions to the NWP authorization to address site-specific environmental concerns.

2. If the proposed activity requires a PCN and will result in a loss of greater than 1/10 acre of wetlands, the prospective permittee should submit a mitigation proposal with the PCN. Applicants may also propose compensatory mitigation for projects with smaller impacts. The district engineer will consider any proposed compensatory mitigation the applicant has included in the proposal in determining whether the net adverse environmental effects to the aquatic environment of the proposed activity are minimal. The compensatory mitigation proposal may be either conceptual or detailed. If the district engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse effects on the aquatic environment are minimal, after considering mitigation, the district engineer will notify the permittee and include any activity-specific conditions in the NWP verification the district engineer deems necessary. Conditions for compensatory mitigation requirements must comply with the appropriate provisions at 33 CFR 332.3(k). The district engineer must approve the final mitigation plan before the permittee commences work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation. If the prospective permittee elects to submit a compensatory mitigation plan with the PCN, the district engineer will expeditiously review the proposed compensatory mitigation plan. The district engineer must review the proposed compensatory mitigation plan within 45 calendar days of receiving a complete PCN and determine whether the proposed mitigation would ensure no more than minimal adverse effects on the aquatic environment. If the net adverse effects of the project on the aquatic environment (after consideration of the compensatory mitigation proposal) are determined by the district engineer to be minimal, the district engineer will provide a timely written response to the applicant. The response will state that the project can proceed under the terms and conditions of the NWP, including any activity specific conditions added to the NWP authorization by the district engineer.

3. If the district engineer determines that the adverse effects of the proposed work are more than minimal, then the district engineer will notify the applicant either: (a) That the project does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an individual permit; (b) that the project is authorized under the NWP subject to the applicant's submission of a mitigation plan that would reduce the adverse effects on the aquatic environment to the minimal level; or (c) that the project is authorized under the NWP with specific modifications or conditions. Where the district engineer determines that mitigation is required to ensure no more than minimal adverse effects occur to the aquatic environment, the activity will be authorized within the 45-day PCN period, with activity-specific conditions that state the mitigation requirements. The authorization will include the necessary conceptual or detailed mitigation or a requirement that the applicant submit a mitigation plan that would reduce the adverse effects on the aquatic environment to the minimal level. When mitigation is required, no work in waters of the United States may occur until the district engineer has approved a specific mitigation plan or has determined that prior approval of a final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation.

E. **Further Information**

1. District Engineers have authority to determine if an activity complies with the terms and conditions of an NWP.
2. NWPs do not obviate the need to obtain other federal, state, or local permits, approvals, or authorizations required by law.
3. NWPs do not grant any property rights or exclusive privileges.
4. NWPs do not authorize any injury to the property or rights of others.
5. NWPs do not authorize interference with any existing or proposed Federal project.

F. **Definitions**

Best management practices (BMPs): Policies, practices, procedures, or structures implemented to mitigate the adverse environmental effects on surface water quality resulting from development. BMPs are categorized as structural or non-structural.

Compensatory mitigation: The restoration (re-establishment or rehabilitation), establishment (creation), enhancement, and/or in certain circumstances preservation of aquatic resources for the purposes of offsetting unavoidable adverse impacts which remain after all appropriate and practicable avoidance and minimization has been achieved.

Currently serviceable: Useable as is or with some maintenance, but not so degraded as to essentially require reconstruction.

Direct effects: Effects that are caused by the activity and occur at the same time and place.

Discharge: The term "discharge" means any discharge of dredged or fill material.

Enhancement: The manipulation of the physical, chemical, or biological characteristics of an aquatic resource to heighten, intensify, or improve a specific aquatic resource function(s). Enhancement results in the gain of selected aquatic resource function(s), but may also lead to a decline in other aquatic resource function(s). Enhancement does not result in a gain in aquatic resource area.

Ephemeral stream: An ephemeral stream has flowing water only during, and for a short duration after, precipitation events in a typical year. Ephemeral stream beds are located above the water table year-round. Groundwater is not a source of water for the stream. Runoff from rainfall is the primary source of water for stream flow.

Establishment (creation): The manipulation of the physical, chemical, or biological characteristics present to develop an aquatic resource that did not previously exist at an upland site. Establishment results in a gain in aquatic resource area.

High Tide Line: The line of intersection of the land with the water's surface at the maximum height reached by a rising tide. The high tide line may be determined, in the absence of actual data, by a line of oil or scum along shore objects, a more or less continuous deposit of fine shell or debris on the foreshore or berm, other physical markings or characteristics, vegetation lines, tidal gages, or other suitable means that delineate the general height reached by a rising tide. The line encompasses spring high tides and other high tides that occur with periodic frequency but does not include storm surges in which there is a departure from the normal or predicted reach of the tide due to the piling up of water against a coast by strong winds such as those accompanying a hurricane or other intense storm.

Historic Property: Any prehistoric or historic district, site (including archaeological site), building, structure, or other object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria (36 CFR part 60).

Independent utility: A test to determine what constitutes a single and complete non-linear project in the Corps regulatory program. A project is considered to have independent utility if it would be constructed absent the construction of other projects in the project area. Portions of a multi-phase project that depend upon other phases of the project do not have independent utility. Phases of a project that would be constructed even if the other phases were not built can be considered as separate single and complete projects with independent utility.

Indirect effects: Effects that are caused by the activity and are later in time or farther removed in distance, but are still reasonably foreseeable.

Intermittent stream: An intermittent stream has flowing water during certain times of the year, when groundwater provides water for stream flow. During dry periods, intermittent streams may not have flowing water. Runoff from rainfall is a supplemental source of water for stream flow.

Loss of waters of the United States: Waters of the United States that are permanently adversely affected by filling, flooding, excavation, or drainage because of the regulated activity. Permanent adverse effects include permanent discharges of dredged or fill material that change an aquatic area to dry land, increase the bottom elevation of a waterbody, or change the use of a waterbody. The acreage of loss of waters of the United States is a threshold measurement of the impact to jurisdictional waters for determining whether a project may qualify for an NWP; it is not a net threshold that is calculated after considering compensatory mitigation that may be used to offset losses of aquatic functions and services. The loss of stream bed includes the linear feet of stream bed that is filled or excavated. Waters of the United States temporarily filled, flooded, excavated, or drained, but restored to pre-construction contours and elevations after construction, are not included in the measurement of loss of waters of the United States. Impacts resulting from activities eligible for exemptions under Section 404(f) of the Clean Water Act are not considered when calculating the loss of waters of the United States.

Non-tidal wetland: A non-tidal wetland is a wetland that is not subject to the ebb and flow of tidal waters. The definition of a wetland can be found at 33 CFR 328.3(b). Non-tidal wetlands contiguous to tidal waters are located landward of the high tide line (i.e., spring high tide line).

Open water: For purposes of the NWPs, an open water is any area that in a year with normal patterns of precipitation has water flowing or standing above ground to the extent that an ordinary high water mark can be determined. Aquatic vegetation within the area of standing or flowing water is either non-emergent, sparse, or absent. Vegetated shallows are considered to be open waters. Examples of "open waters" include rivers, streams, lakes, and ponds.

Ordinary High Water Mark: An ordinary high water mark is a line on the shore established by the fluctuations of water and indicated by physical characteristics, or by other appropriate means that consider the characteristics of the surrounding areas (see 33 CFR 328.3(e)).

Perennial stream: A perennial stream has flowing water year-round during a typical year. The water table is located above the stream bed for most of the year. Groundwater is the primary source of water for stream flow. Runoff from rainfall is a supplemental source of water for stream flow.

Practicable: Available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.

Pre-construction notification: A request submitted by the project proponent to the Corps for confirmation that a particular activity is authorized by nationwide permit. The request may be a permit application, letter, or similar document that includes information about the proposed work and its anticipated environmental effects. Pre-construction notification may be required by the terms and conditions of a nationwide permit, or by regional conditions. A pre-construction notification may be voluntarily submitted in cases where pre-construction notification is not required and the project proponent wants confirmation that the activity is authorized by nationwide permit.

Preservation: The removal of a threat to, or preventing the decline of, aquatic resources by an action in or near those aquatic resources. This term includes activities commonly associated with the protection and maintenance of aquatic resources through the implementation of appropriate legal and physical mechanisms. Preservation does not result in a gain of aquatic resource area or functions.

Re-establishment: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former aquatic resource. Re-establishment results in rebuilding a former aquatic resource and results in a gain in aquatic resource area and functions.

Rehabilitation: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/ historic functions to a degraded aquatic resource. Rehabilitation results in a gain in aquatic resource function, but does not result in a gain in aquatic resource area.

Restoration: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded aquatic resource. For the purpose of tracking net gains in aquatic resource area, restoration is divided into two categories: re-establishment and rehabilitation.

Riffle and pool complex: Riffle and pool complexes are special aquatic sites under the 404(b)(1) Guidelines. Riffle and pool complexes sometimes characterize steep gradient sections of streams. Such stream sections are recognizable by their hydraulic characteristics. The rapid movement of water over a course substrate in riffles results in a rough flow, a turbulent surface, and high dissolved oxygen levels in the water. Pools are deeper areas associated with riffles. A slower stream velocity, a streaming flow, a smooth surface, and a finer substrate characterize pools.

Riparian areas: Riparian areas are lands adjacent to streams, lakes, and estuarine-marine shorelines. Riparian areas are transitional

between terrestrial and aquatic ecosystems, through which surface and subsurface hydrology connects riverine, lacustrine, estuarine, and marine waters with their adjacent wetlands, non-wetland waters, or uplands. Riparian areas provide a variety of ecological functions and services and help improve or maintain local water quality. (See general condition 23.)

Shellfish seeding: The placement of shellfish seed and/or suitable substrate to increase shellfish production. Shellfish seed consists of immature individual shellfish or individual shellfish attached to shells or shell fragments (i.e., spat on shell). Suitable substrate may consist of shellfish shells, shell fragments, or other appropriate materials placed into waters for shellfish habitat.

Single and complete linear project: A linear project is a project constructed for the purpose of getting people, goods, or services from a point of origin to a terminal point, which often involves multiple crossings of one or more waterbodies at separate and distant locations. The term "single and complete project" is defined as that portion of the total linear project proposed or accomplished by one owner/developer or partnership or other association of owners/developers that includes all crossings of a single water of the United States (i.e., a single waterbody) at a specific location. For linear projects crossing a single or multiple waterbodies several times at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. However, individual channels in a braided stream or river, or individual arms of a large, irregularly shaped wetland or lake, etc., are not separate waterbodies, and crossings of such features cannot be considered separately.

Single and complete non-linear project: For non-linear projects, the term "single and complete project" is defined at 33 CFR 330.2(i) as the total project proposed or accomplished by one owner/developer or partnership or other association of owners/developers. A single and complete non-linear project must have independent utility (see definition of "independent utility"). Single and complete non-linear projects may not be "piecemealed" to avoid the limits in an NWP authorization.

Stormwater management: Stormwater management is the mechanism for controlling stormwater runoff for the purposes of reducing downstream erosion, water quality degradation, and flooding and mitigating the adverse effects of changes in land use on the aquatic environment.

Stormwater management facilities: Stormwater management facilities are those facilities, including but not limited to, stormwater retention and detention ponds and best management practices, which retain water for a period of time to control runoff and/or improve the quality (i.e., by reducing the concentration of nutrients, sediments, hazardous substances and other pollutants) of stormwater runoff.

Stream bed: The substrate of the stream channel between the ordinary high water marks. The substrate may be bedrock or inorganic particles that range in size from clay to boulders. Wetlands contiguous to the stream bed, but outside of the ordinary high water marks, are not considered part of the stream bed.

Stream channelization: The manipulation of a stream's course, condition, capacity, or location that causes more than minimal interruption of normal stream processes. A channelized stream remains a water of the United States.

Structure: An object that is arranged in a definite pattern of organization. Examples of structures include, without limitation, any pier, boat dock, boat ramp, wharf, dolphin, weir, boom, breakwater, bulkhead, revetment, riprap, jetty, artificial island, artificial reef, permanent mooring structure, power transmission line, permanently moored floating vessel, piling, aid to navigation, or any other manmade obstacle or obstruction.

Tidal wetland: A tidal wetland is a wetland (i.e., water of the United States) that is inundated by tidal waters. The definitions of a wetland and tidal waters can be found at 33 CFR 328.3(b) and 33 CFR 328.3(f), respectively. Tidal waters rise and fall in a predictable and measurable rhythm or cycle due to the gravitational pulls of the moon and sun. Tidal waters end where the rise and fall of the water surface can no longer be practically measured in a predictable rhythm due to masking by other waters, wind, or other effects. Tidal wetlands are located channelward of the high tide line, which is defined at 33 CFR 328.3(d).

Vegetated shallows: Vegetated shallows are special aquatic sites under the 404(b)(1) Guidelines. They are areas that are permanently inundated and under normal circumstances have rooted aquatic vegetation, such as seagrasses in marine and estuarine systems and a variety of vascular rooted plants in freshwater systems.

Waterbody: For purposes of the NWPs, a waterbody is a jurisdictional water of the United States. If a jurisdictional wetland is adjacent— meaning bordering, contiguous, or neighboring—to a waterbody determined to be a water of the United States under 33 CFR 328.3(a)(1)–(6), that waterbody and its adjacent wetlands are considered together as a single aquatic unit (see 33 CFR 328.4(c)(2)). Examples of "waterbodies" include streams, rivers, lakes, ponds, and wetlands.

STATE OF MISSOURI
CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION
2012 GENERAL AND SPECIFIC CONDITIONS
NWP 29 – RESIDENTIAL DEVELOPMENTS

These conditions ensure that activities carried out under Nationwide Permits (NWPs) do not violate the Water Quality Standards of the State of Missouri resulting in permanent damage to habitat, increased turbidity, reduced bank and channel stability, and/or impacts to the biological and chemical integrity of the waters. These conditions are in addition to, not a replacement for, those conditions included by the federal authorities. Proposed projects authorized by the NWPs listed above that cannot be conducted within the conditions listed below must apply for individual Clean Water Act Section 401 Water Quality Certification (certification).

Applications for certification should be sent to the Missouri Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, MO 65102-0176, or electronically to wpsc401cert@dnr.mo.gov. A complete application consists of the application submitted to the U.S. Army Corps of Engineers (Corps) as well as additional information necessary for a complete review of the project. This may include but is not limited to topographical maps, locational maps, engineering plans, project diagrams and where applicable mitigation plans (10 CSR 20-6.060(5)).

An issued certification becomes part of the 404 Permit and; therefore, expires with the 404 Permit unless explicitly stated in the certification. Not all permit modifications require the certification to be modified and/or reissued. An example would be when a permit expiration date is extended or the permit is reissued and there are no changes to the original project, the certification may remain valid for that project.

The Department encourages, but does not require, the permittee to consider environmentally-friendly design techniques to include stormwater management strategies that maintain or restore the original site hydrology through infiltration, evaporation or reuse of stormwater. Designs might include creating vegetated swales or rain gardens, or using porous pavement. More information can be found at these websites: http://www.epa.gov/owow/NPS/lid/ and www.lid-stormwater.net/lid_techniques.htm.

GENERAL CONDITIONS for ALL NWPs

1. NWPs shall not allow the filling of jurisdictional springs.

2. Acquisition of a NWP(s) and the attendant certification(s) shall not be construed or interpreted to imply the requirements for other permits are replaced or superseded, including Clean Water Act Section 402 National Pollutant Discharge Elimination System (NPDES) Permits for land disturbance or return water from material deposition. Permits or any other requirements shall remain in effect. Applicants with questions are encouraged to contact the Missouri Department of Natural Resources' Regional Office in the project area. A regional office map with contact information can be located at www.dnr.mo.gov/regions/regions.htm.

3. Care shall be taken to keep machinery out of the waterway as much as possible. Fuel, oil and other petroleum products, equipment, construction materials and any solid waste shall not be stored below the ordinary high water mark at any time or in the adjacent floodway beyond normal working hours. All precautions shall be taken to avoid the release of wastes or fuel to streams and other adjacent waters as a result of this operation.

4. Petroleum products spilled into any water or on the banks where the material may enter waters of the state shall be immediately cleaned up and disposed of properly. Any such spills of petroleum shall be reported as soon as possible, but no later than 24 hours after discovery to the Missouri Department of Natural Resources' Environmental Emergency Response number at (573) 634-2436.

5. Only clean, nonpolluting fill shall be used. The following materials are not suitable for bank stabilization and shall not be used due to their potential to cause violations of the general criteria of the Water Quality Standards (10 CSR 20-7.031 (3)(A)-(H)):
   a. Earthen fill, gravel, broken concrete where the material does not meet the specifications stated in the Missouri NWP Regional Conditions (http://www.nwk.usace.army.mil/regulatory/NWP_2012/nwp.htm) and fragmented asphalt, since these materials are usually not substantial enough to withstand erosive flows;
   b. Concrete with exposed rebar;
   c. Tires, vehicles or vehicle bodies, construction or demolition debris are solid waste and are excluded from placement in the waters of the state;
   d. Liquid concrete, including grouted riprap, if not placed as part of an engineered structure; and
   e. Any material containing chemical pollutants (including but not limited to creosote or pentachlorophenol).

6. Clearing of vegetation/trees shall be the minimum necessary to accomplish the activity. A vegetated corridor shall be maintained from the high bank on either side of the jurisdictional channel to protect water quality and to provide for long-term stability of the stream channel, unless physical barriers prevent such a corridor. For purposes of this NWP, lack of ownership or control of any portion of this corridor may be considered a legitimate and discretionary cause to waive this requirement on that portion.

7. This certification is not valid for any Section 404 Permit issued on a water that is:
   a. Listed as impaired by inorganic sediment, aquatic habitat alteration or unknown impairment as listed in the most current Water Quality Report (Section 305(b) Report). For convenience a table of these impaired waters is provided at the following website: www.nwk.usace.army.mil/regulatory/NWP_2012/MO/MOWQC_Con7.pdf;
   b. Located in or occur within two miles upstream of a designated outstanding state or national resource water; or
   c. Located in a designated metropolitan no-discharge stream.

   The most current Water Quality Report can be found at http://www.dnr.mo.gov/env/wpp/waterquality/305b/. A listing of *Outstanding National and State Resource Waters* and *Metropolitan No-Discharge Streams* can be found in 10 CSR 20-7.031, Tables D, E and F or at http://www.sos.mo.gov/adrules/csr/current/10csr/10c20-7.pdf.

   The Department's geospatial data is available upon request, and all published data is available on the Missouri Spatial Data Information Services website at http://msdis.missouri.edu/.

   Additional information to identify the project location may be obtained from the program at (573) 751-1300.

8. Streambed gradient shall not be permanently altered during project construction.

9. NWPs issued by the Corps for which the 300 linear foot threshold for stream impacts is waived by the district engineer shall require individual certification by the state. This is applicable to all NWPs where the permit has a 300 linear foot threshold including NWPs 21, 29, 39, 40, 42, 43, 44, 50, 51 and 52.

10. No project under a NWP shall accelerate bed or bank erosion.

11. Representatives from the Department shall be allowed on the project property to inspect the authorized activity at any time deemed necessary to ensure compliance with permit conditions.

12. You must submit a copy of the signed "Compliance Certification" referenced in NWP General Condition No. 30 as proof of project completion when the original is submitted to the Corps. This document is to be sent to the Missouri Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, MO 65102-0176 or electronically to wpsc401cert@dnr.mo.gov.

13. After avoidance and minimization for the project, unavoidable stream impacts shall be mitigated appropriately. Mitigation for loss of aquatic resources shall be in conformance with the currently approved "Missouri Stream Mitigation Method" and the "State of Missouri Wetland Assessment Method" as well as other mitigation guidance located on-line at http://www.nwk.usace.army.mil/regulatory/CompMit/compmit.htm.

14. Best Management Practices shall be used during all phases of the project to limit the amount of discharge of water contaminants to waters of the state. The project shall not involve more than normal stormwater or incidental loading of sediment caused by construction disturbances.

15. Pursuant to Chapter 644.038, RSMo, the Department certifies all NWPs for impacts in all waters of the state without the above-stated or any other conditions for the construction of highways and bridges approved by the Missouri Highway and Transportation Commission. The Memorandum of Understanding of 2009 and any subsequent modifications between the two agencies outline the requirements by which the Missouri Department of Transportation will design and construct projects in order to protect the water quality of waters of the state.

SCI ENGINEERING, INC.
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636-949-8200 Fax 636-949-8269
www.sciengineering.com

Wetland and Waterbody Delineation and Section 404/401 Permit Application

EATHERON ROAD - SCHNEIDER TRACT
WILDWOOD, MISSOURI
October 2014

Prepared for:

Payne Family Homes

SCI No. 2014-0272.32

SCI ENGINEERING, INC.
CONSULTANTS IN DEVELOPMENT, DESIGN AND CONSTRUCTION
GEOTECHNICAL
ENVIRONMENTAL
NATURAL RESOURCES
CULTURAL RESOURCES
CONSTRUCTION SERVICES

October 3, 2014

Mr. Jerry Duepner
Payne Family Homes
Land Acquisition & Entitlement Manager
10407 Baur Boulevard, Suite B
St. Louis, Missouri 63132

RE: Wetland and Waterbody Delineation and Section 404/401 Permit Application
Eatherton Road –Schneider Tract
Wildwood, Missouri
SCI No. 2014-0372.32

Dear Mr. Duepner:

SCI Engineering, Inc. (SCI) is pleased to submit the attached report, dated October 2014. Our services consisted of a review of resource maps, a reconnaissance survey, impact assessment and applying for the Section 404 and 401 Permits from the regulatory agencies. Additionally, SCI identified one stock pond and three ephemeral drainages which lacked characteristics of a jurisdictional waterbody. Following a meeting with the U.S. Army Corps of Engineers (USACE) project manager Mr. David Meyer on July 31, 2014, it was determined that the stock pond and three drainages are not considered water of the United States and therefore would not be regulated.

- SCI conducted a wetland and waterbody delineation of the site on April 18, 2014.
- The site was found to contain two tributaries which are considered waters of the United States as identified under the definitions described in Section 328.3 of the Code of Federal Regulations.
- Based on our review of the preliminary development plan, it appears the project will impact waters of the United States and will require a Section 404 Permit from the USACE and a Section 401 Water Quality Certification from the Missouri Department of Natural Resources (MDNR).
- We anticipate the permit applications will be processed as a Section 404 Nationwide Permit from the USACE and a Section 401 Water Quality Certification from MDNR, based on our meeting with the USACE this summer.
- We are submitting this report and the attached Section 404/401 Permit Application Form (Engineering Form 4345) to initiate the permitting process with the USACE and MDNR.

The attached report should be read in its entirety. We appreciate the opportunity to provide you with our natural resource services.

130 Point West Boulevard, St. Charles, Missouri 63301 • phone 636-949-8200 • fax 636-949-8269 • www.sciengineering.com

You may reach me at (636) 757-1017 or rgundlach@sciengineering.com if you have any questions or concerns.

Respectfully,

SCI ENGINEERING, INC.

Rick J. Gundlach
Senior Staff Scientist

Scott D. Harding, CPSS/SC
Vice President

RJG/SDH/tlw

Enclosure

C: Mr. David Meyer, U.S. Army Corps of Engineers

\\scieng\shared\StCharles\shared\1soils\1NEW\PROJECT FILES\2014 PROJECTS\2014-0272 Eatherton-Main Street Plaza\NR\2014-0272.32_Eatherton Road-Schneider Tract_Wetland and Waterbody Delineation Report and Permit Application.docx

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Wetland and Waterbody Delineation and Section 404/401 Permit Application

EATHERON ROAD - SCHNEIDER TRACT WILDWOOD, MISSOURI

1.0 INTRODUCTION

SCI Engineering, Inc. (SCI) was retained by Payne Family Homes to conduct a wetland and waterbody delineation at the above-referenced site. The scope of the services included performing site reconnaissance to characterize the soils, vegetation, and hydrology for the delineation of wetlands and waterbodies. Our services were provided in general accordance with our proposal dated September 16, 2014.

The area delineated is approximately 22 acres and the proposed location of approximately 62 residential lots, commercial storefronts, and associated infrastructure including roadways and stormwater detention/water quality basins. The site was found to contain two tributaries and several non-jurisdictional features including drainages and an isolated pond. Creeks and tributaries, as well as most wetlands, are considered waters of the United States as identified under the definitions described in Section 328.3 of the Code of Federal Regulations (33 CFR). Any impact to a water of the United States, including filling, crossing, piping, relocating, or discharging into, will require a Section 404 Permit from the U.S. Army Corps of Engineers (USACE) and a Section 401 Water Quality Certification from the Missouri Department of Natural Resources (MDNR). Proposed impacts to the on-site tributaries will require both Section 404 and Section 401 permits. The permit application (Appendix B) is included with this report to initiate the permitting process.

2.0 SITE LOCATION

The site is located southeast of the intersection of Highways 100 and 109 in Wildwood, Missouri (Township 44 North, Range 3 East, Sections 1 and 2). The *Vicinity and Topographic Map* is enclosed as Figure 1.

3.0 SOIL SURVEY AND TOPOGRAPHIC RESEARCH

According to the Natural Resources Conservation Service (NRCS) Web Soil Survey (http://websoilsurvey.nrcs.usda.gov), the site is mapped as Union silt loam, Winfield silt loam, Iva silt loam, Wilbur silt loam, and Menfro silt loam. Based on the map unit descriptions, these soils do not meet hydric soil criteria.

The United States Geological Survey (USGS) topographic map and National Wetlands Inventory (NWI) map were reviewed for information concerning the site. The USGS and NWI maps depict one pond (PUBGh) within the boundaries of the subject site. The subject site appeared, upon review of the USGS, NWI and aerial imagery, to be a mix of forested areas and in the western side, and fields on the eastern portion with a drainage flowing west through the property. An existing residence and small pond are present in the southeast corner. Copies of the USGS topographic and NWI maps are enclosed as Figures 1 and 2, respectively.

4.0 SITE RECONNAISSANCE

On April 18, 2014 SCI performed a field exploration of the subject site to delineate the extent of wetlands and waterbodies and to provide an inventory of wetland areas that exist within the site. The site primarily exists as open fields and forested property bound by Eatherton Drive to the east, residential property to the north and south, and Highway 109 to the west. Additionally, we met with Mr. David Meyer of the USACE and presented our preliminary findings. He indicated that he agreed with our conclusion that the drainageways did not exhibit characteristics that put them in the category of Waters of the U.S. Additionally, the man-made pond was isolated and also not considered a Waters of the U.S.

5.0 CONDITION SUMMARY

A photographic summary of the representative site conditions is included as Appendix A. The conditions summarized below are mapped on the *Wetland Delineation and Preliminary Site Plan* and enclosed as Figure 3.

Tributary A is an ephemeral tributary to Bonhomme Creek. Two non-jurisdictional drainages flow into the tributary in the northeast portion of the site, as well as Tributary B in the southwestern corner of the site. The tributary was observed to possess an OHWM of approximately 1 to 3 feet as evidenced by a wrack line, bent, matted, and missing vegetation, wrested vegetation, and debris. Stream banks were observed to be 6 to 10 feet in height in the wooded areas, and 1 foot in the open field. There was no water present at the time of the site visit, and the substrate consisted of gravel, cobble, rock, silt, and clay. Tributary A possessed a riparian corridor of approximately 10 feet in width extending from either bank in the wooded portion of the site. Dominant vegetation within the riparian corridor was observed to include Red oak (*Quercus rubra*), white oak (*Quercus alba*), box elder (*Acer negundo*), mayapple (*Podophyllum peltatum*), prickly gooseberry (*Ribes cynosbati*), bush honeysuckle (*Lonicera maackii*), and multiflora rose (*Rosa multiflora*).

Tributary B is an ephemeral tributary that drains into Tributary A near a culvert at State Highway 109. The tributary was observed to possess an OHWM of approximately 1 to 2 feet as evidenced by wrested vegetation, bent or missing vegetation, and litter and debris. Stream banks appeared to be 3 feet in height and 3 to 5 feet in width. There was no water present at the time of the site visit, and the substrate consisted of gravel, rock, silt, and clay. Tributary B possessed a riparian corridor of approximately 10 feet extending from either bank, with dominant vegetation including mulberry (*Morus rubra*), prickly gooseberry (*Ribes cynosbati*), bush honeysuckle (*Lonicera maackii*), and multiflora rose (*Rosa multiflora*).

As previously stated, three non-jurisdictional drainages were observed on the site, one in the northwestern corner and two leading to Tributary A in the northeast. These features lack qualities of a typical water of the United States such as a bed, bank, and OHWM, and are therefore not considered jurisdictional by the USACE. Additionally, an isolated stock pond exists in the southeastern corner of the site as part of the existing residence. Isolated and man-made features are not under the jurisdiction of the USACE, and therefore not regulated for impacts.

6.0 DEVELOPMENT PLAN

Based on our review of development plans provided by Sterling Engineering, SCI understands that the proposed project will feature construction of approximately 62 residential lots, commercial storefronts, and associated infrastructure. Approximately 110 lineal feet (LF) of Tributary A will be piped in a culvert for a road crossing. Approximately 165 LF of Tributary B will be piped to allow for the development of an outlot.

Table 6.1 – Impact Summary

Waterbody	LF/Acreage	Impact Amount
Tributary A	1090 LF	110 LF
Tributary B	165 LF	165 LF

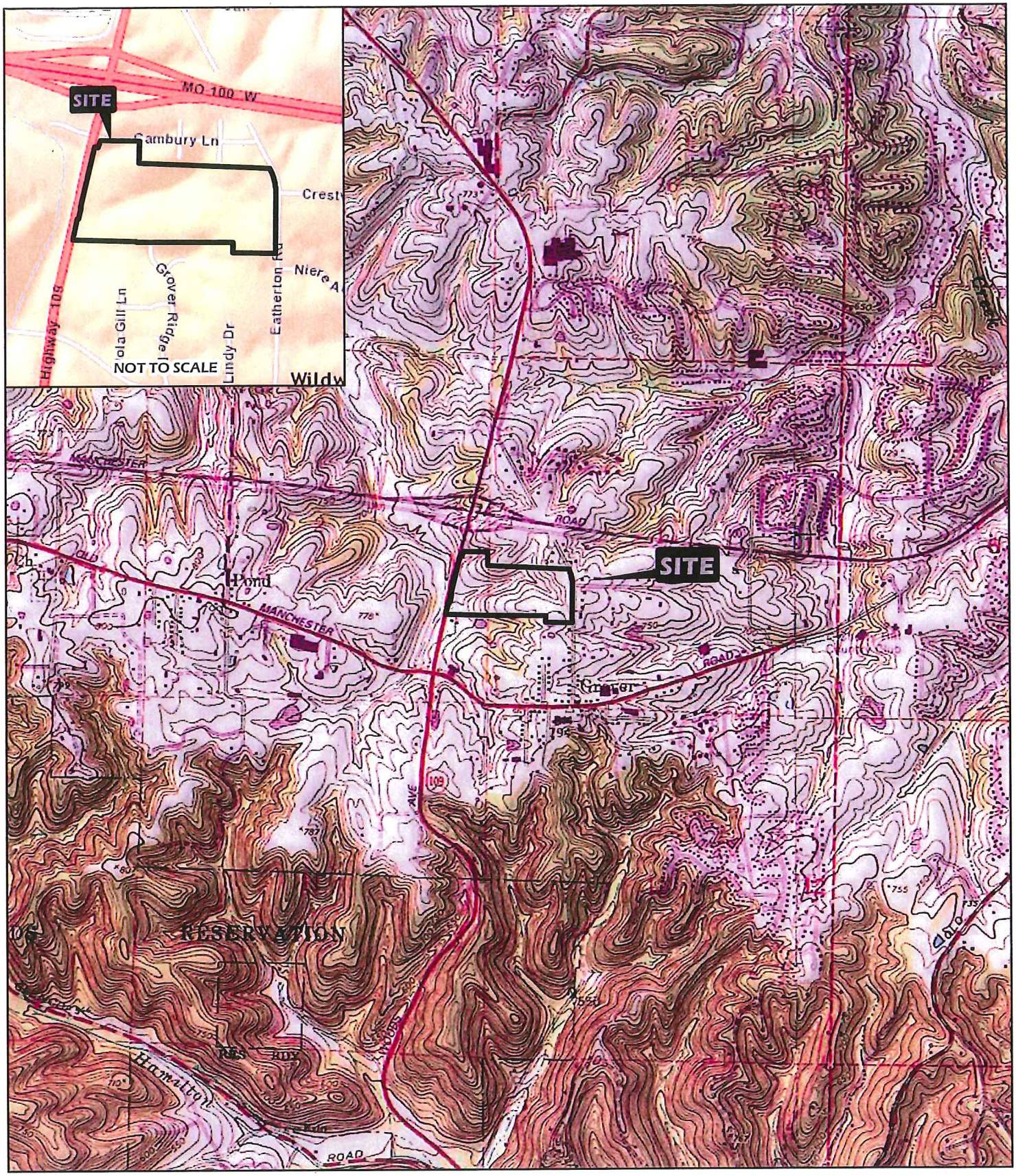
Appropriate erosion control measures will be taken during development to reduce the potential for unintentional sedimentation and sediment runoff into adjacent regulated waters. As the proposed wetland/tributary impacts fall below the threshold, SCI anticipates that the project will be processed as a Nationwide Permit since total tributary channel impacts are less than 300 LF. Engineering Form 4345 is included as Appendix B to apply for the Section 404 and Section 401 Permits from the USACE and MDNR, respectively.

7.0 LIMITATIONS

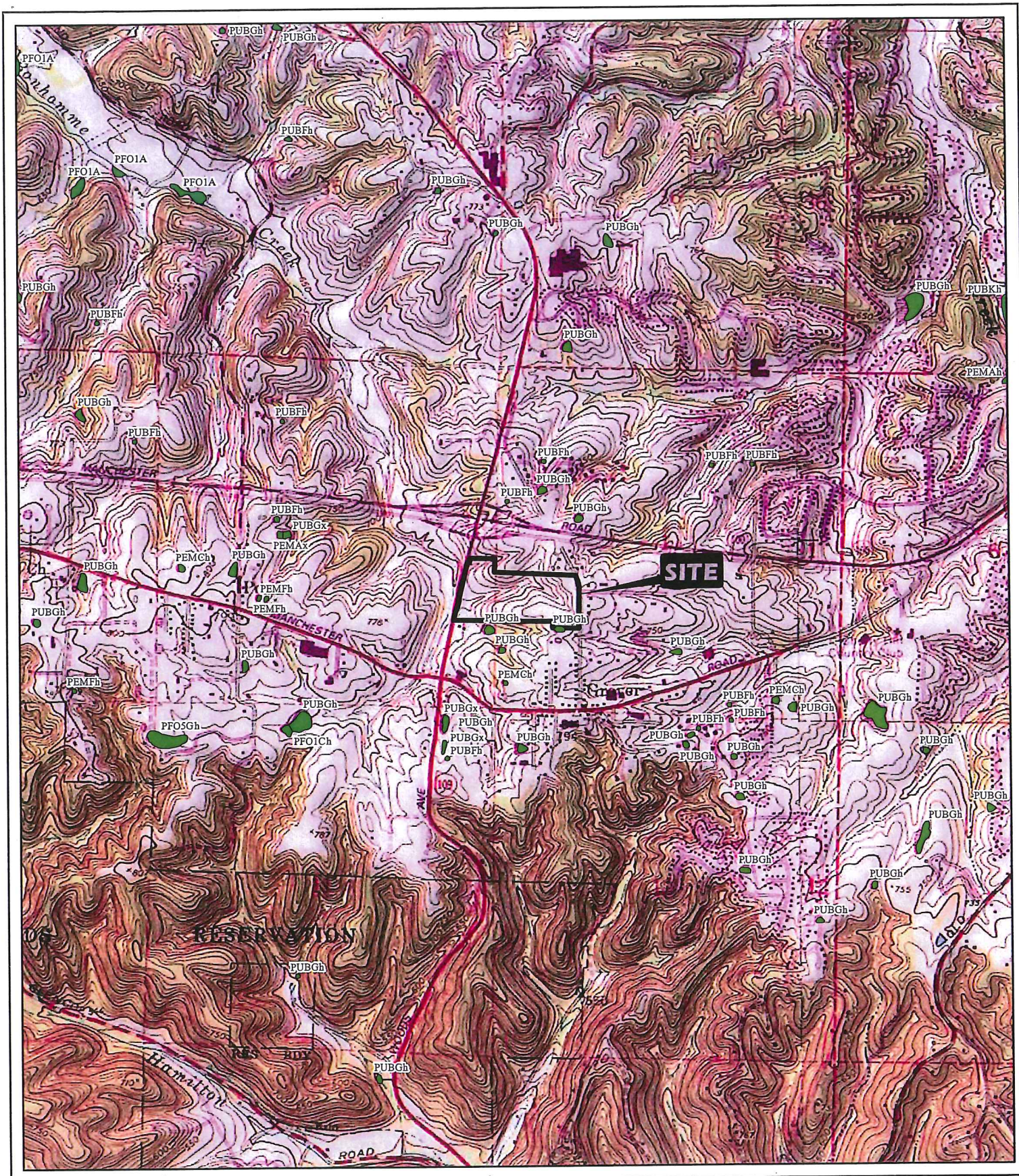
This report has been prepared for the exclusive use of Payne Family Homes, the USACE, and MDNR. SCI is not responsible for independent conclusions or recommendations made by others. Furthermore, written consent must be provided by SCI should anyone other than our client or the aforementioned agencies wish to excerpt, or rely on the contents of this report. The findings of this report are valid as of the present date of the delineation. SCI is not responsible for surveys, calculations, or plans that were prepared by others.

Changes in surface and subsurface conditions of a property can occur with the passage of time, whether due to natural processes or the works of man on this or adjacent properties. In addition, changes in applicable or appropriate standards may occur, whether they result from legislation, the broadening of knowledge, or other reasons. Accordingly, the findings of this report may be invalidated in whole or in part by changes outside our control.

SCI in no way guarantees the acquisition of a permit from the USACE and/or MDNR. The decision to issue or deny a permit is the sole authority of the USACE and MDNR. The intent of this report is to provide the USACE and MDNR with the information they typically require during their initial review of the permit application.



SCI	PROJECT NAME EATHERTON ROAD - SCHNEIDER TRACT WILDWOOD, MISSOURI	GENERAL NOTES/LEGEND USGS TOPOGRAPHIC MAP EUREKA, MISSOURI QUADRANGLE DATED 1954, PHOTO REVISED 1993 MANCHESTER, MISSOURI QUADRANGLE DATED 1954, PHOTO REVISED 1993 10' CONTOURS		N W E S	
	VICINITY AND TOPOGRAPHIC MAP			SCALE 1" = 2000'
	DRAWN BY RCV / CHECKED BY RJG	DATE 10/2014	JOB NUMBER 2014-0272.32	FIGURE 1



PROJECT NAME EATHERTON ROAD - SCHNEIDER TRACT WILDWOOD, MISSOURI			
NATIONAL WETLAND INVENTORY MAP			
DRAWN BY	RCV	DATE	JOB NUMBER
CHECKED BY	RJG	10/2014	2014-0272.32

GENERAL NOTES/LEGEND

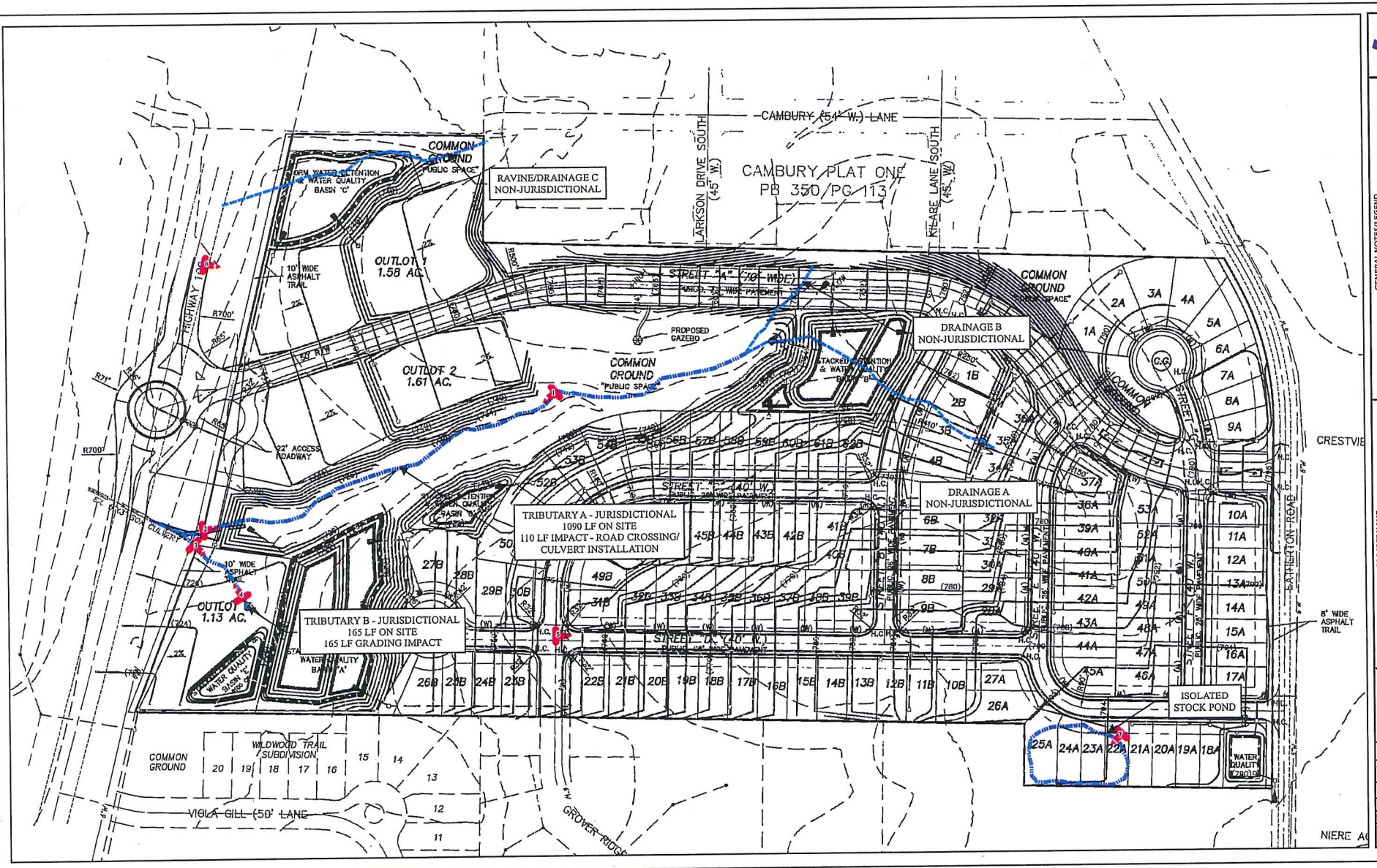
NATIONAL WETLAND INVENTORY DATA OBTAINED FROM www.fws.gov.

USGS TOPOGRAPHIC MAP
EUREKA, MISSOURI QUADRANGLE
DATED 1954, PHOTO REVISED 1993
MANCHESTER, MISSOURI QUADRANGLE
DATED 1954, PHOTO REVISED 1993
10' CONTOURS

N W E S

SCALE 1" = 2000'

FIGURE 2



GENERAL NOTES/LEGEND

INDICATES APPROXIMATE SOIL BORING LOCATION.

INDICATES APPROXIMATE LOCATION AND DIRECTION OF PHOTOGRAPH

PLAN DATED 10/01/2014 BY THE STERLING COMPANY. DIMENSIONS AND LOCATIONS ARE APPROXIMATE; ACTUAL MAY VARY. DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS GENERATED.

PROJECT NAME

EATHERTON ROAD - SCHNEIDER TRACT
WILDWOOD, MISSOURI

WETLAND DELINEATION AND PRELIMINARY SITE PLAN

N W E S

SCALE	1" = 150'
JOB NUMBER	2014-0272.32
DATE	10/2014
DRAWN BY	RCV
CHECKED BY	RJG
FIGURE	3

Appendix A

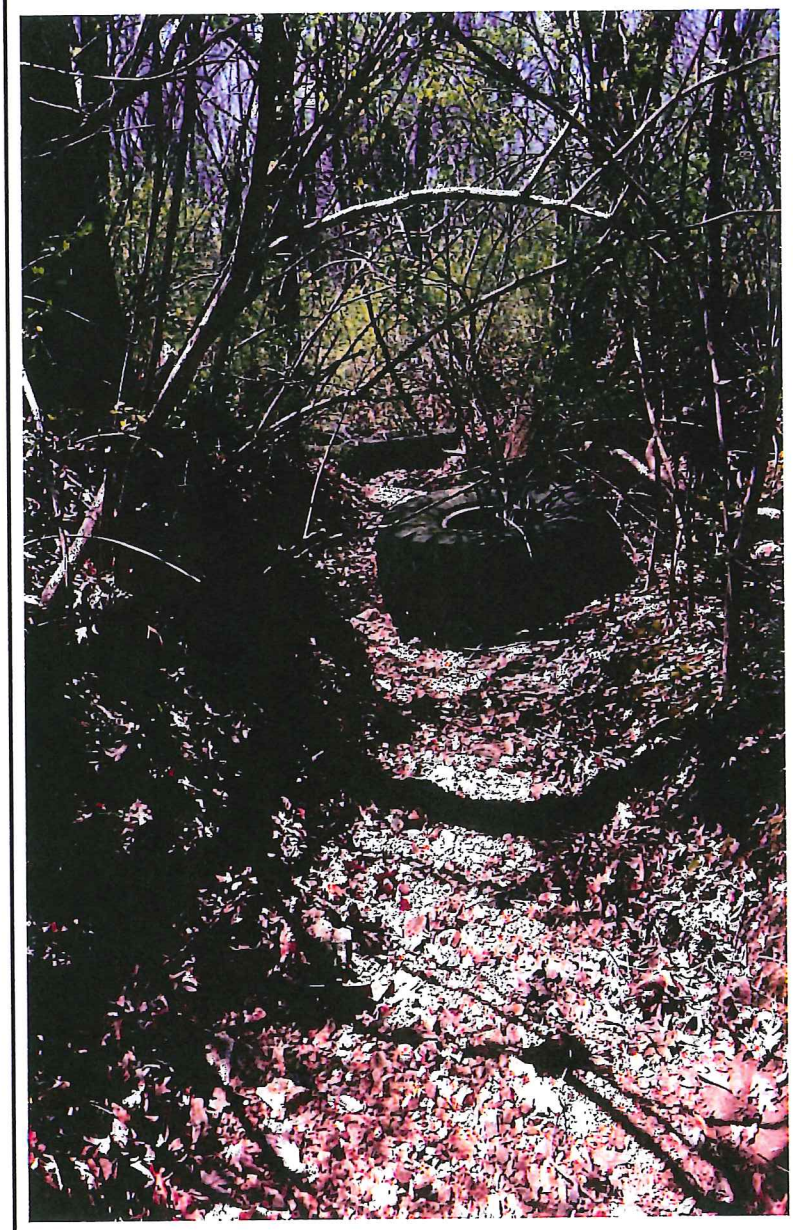


Photo 1. Tributary A looking west, downstream

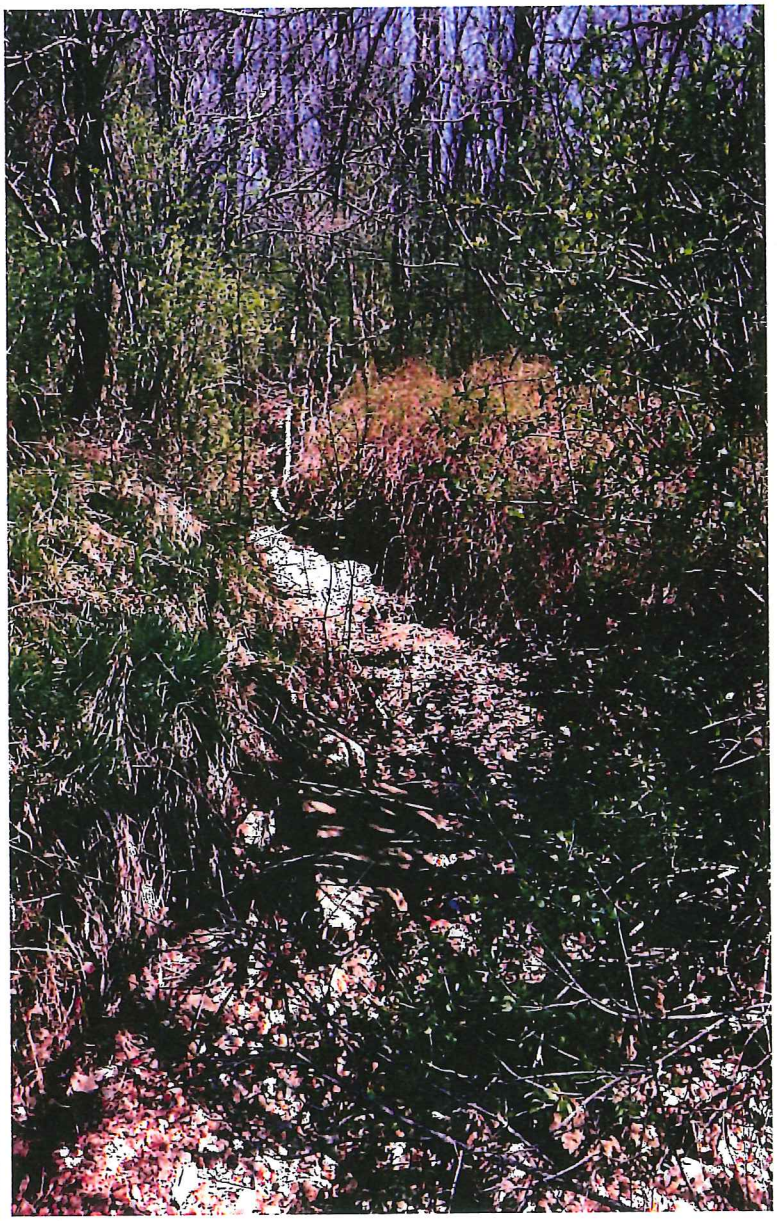


Photo 2. Tributary A looking east, upstream

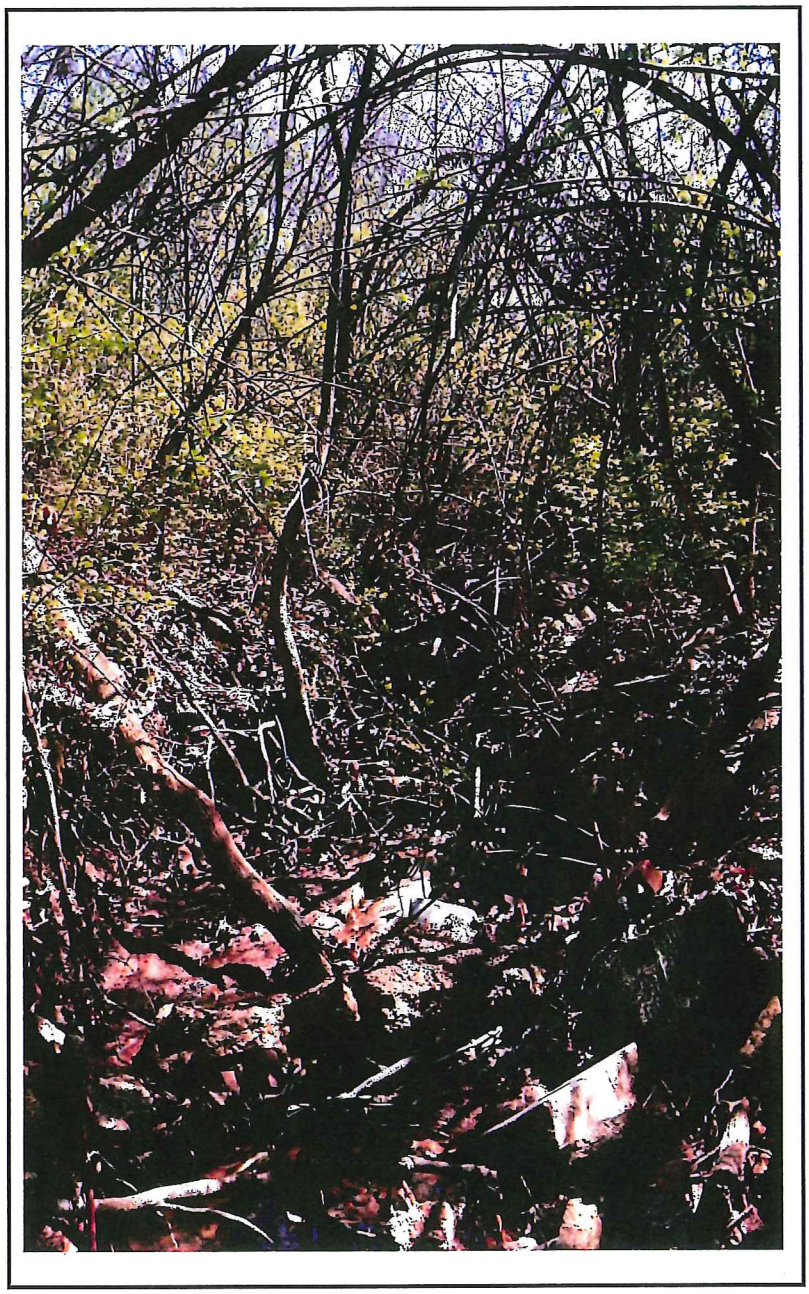


Photo 3. Tributary B looking southeast, upstream

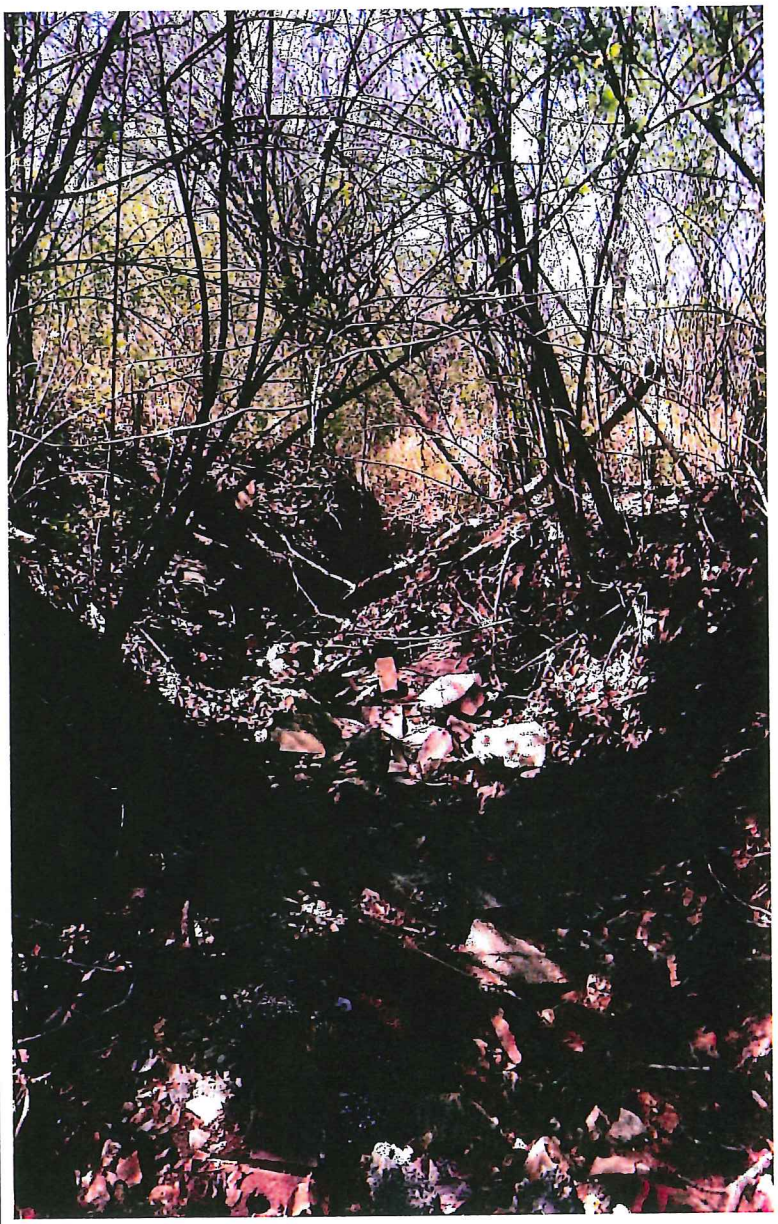


Photo 4. Tributary B looking northwest, downstream

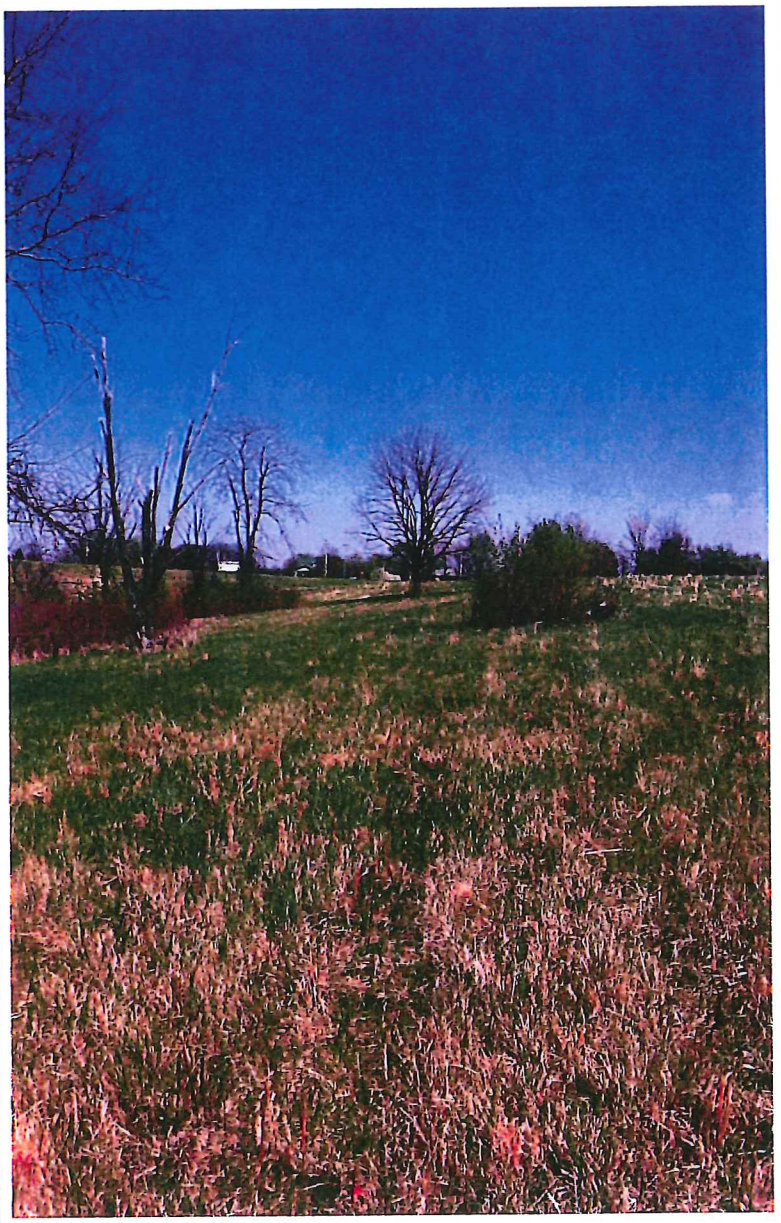


Photo 5. General site conditions, looking east

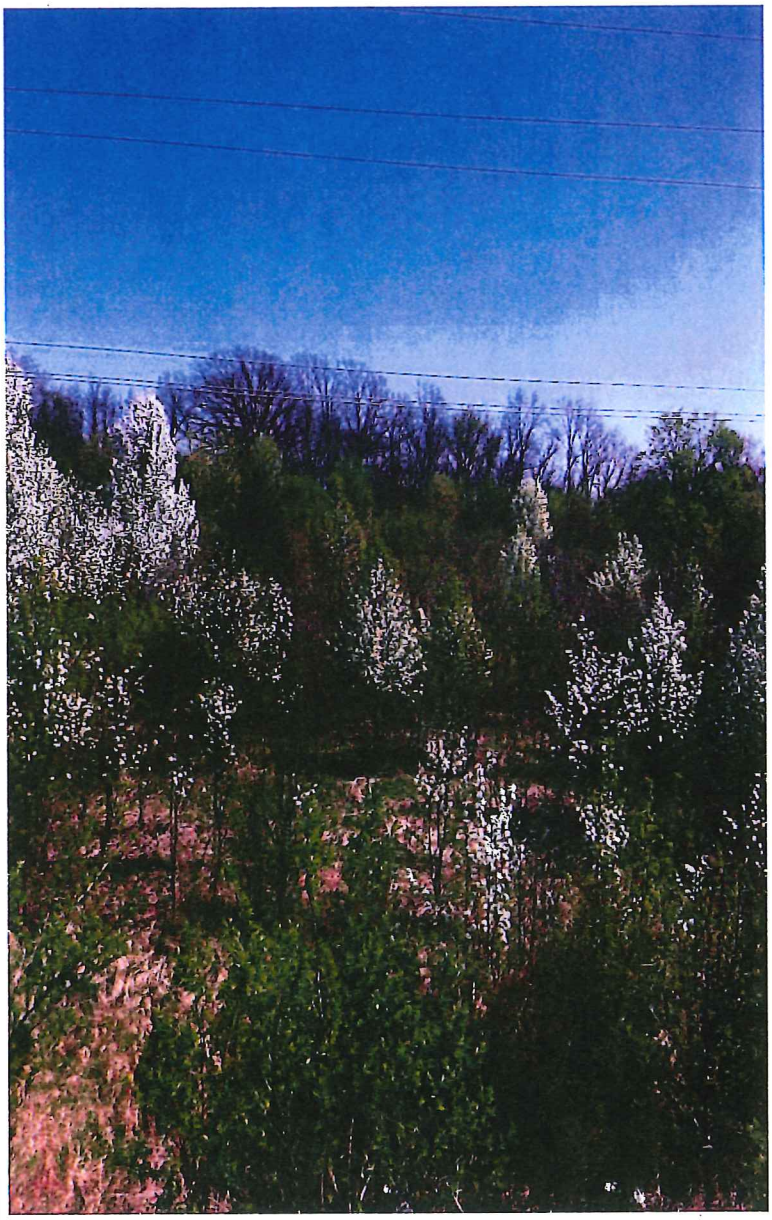


Photo 6. Northwest corner of the site, looking east

Photo 7. Looking southwest toward isolated stock pond

Appendix B

U.S. ARMY CORPS OF ENGINEERS

APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT

33 CFR 325. The proponent agency is CECW-CO-R.

OMB APPROVAL NO. 0710-0003
EXPIRES: 28 FEBRUARY 2013

Public reporting for this collection of information is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of the collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters, Executive Services and Communications Directorate, Information Management Division and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE

(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME
First - Jerry Middle - Last - Duepner
Company - Payne Family Homes
E-mail Address - jgdepaynefamilyhomes.com

8. AUTHORIZED AGENT'S NAME AND TITLE (agent is not required)
First - Scott Middle - D. Last - Harding
Company - SCI Engineering, Inc.
E-mail Address - sharding@sciengineering.com

6. APPLICANT'S ADDRESS:
Address- ~~10411~~ 10407 Baur Blvd. Ste B
City - St. Louis State - MO Zip - 63132 Country - USA

9. AGENT'S ADDRESS:
Address- 130 Point West Blvd
City - St. Charles State - MO Zip - 63301 Country - USA

7. APPLICANT'S PHONE NOs. w/AREA CODE
a. Residence b. Business 314-996-0341 c. Fax 314-996-0341

10. AGENTS PHONE NOs. w/AREA CODE
a. Residence b. Business 618-206-3041 c. Fax

STATEMENT OF AUTHORIZATION

11. I hereby authorize, SCI Engineering, Inc. to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

SIGNATURE OF APPLICANT DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions)
Eatherton Road - Schneider Tract

13. NAME OF WATERBODY, IF KNOWN (if applicable)
Unnamed Tributary to Bonhomme Creek

14. PROJECT STREET ADDRESS (if applicable)
Address Eatherton Road
City - Wildwood State- MO Zip- 63040

15. LOCATION OF PROJECT
Latitude: °N Longitude: °W

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions)
State Tax Parcel ID Municipality
Section - 1&2 Township - 44 North Range - 3 East

17. DIRECTIONS TO THE SITE

The project site is located on the intersection of Highways 100 and 109 in Wildwood, Missouri (See Vicinity Map, Figure 1).

18. Nature of Activity (Description of project, include all features)

The proposed project will feature construction of approximately 62 residential lots, commercial storefronts, and associated infrastructure. Approximately 110 LF of Tributary A will be piped in a culvert for a road crossing. Approximately 165 LF of Tributary B will be piped to allow for the development of an outlot.

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

The purpose of the project is the creation of a residential subdivision with commercial lots along Eatherton Road.

USE BLOCKS 20-23 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

Approximately 110 LF of Tributary A will be piped in a culvert for a road crossing. Approximately 165 LF of Tributary B will be piped to allow for the development of an outlot.

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards:

Type Amount in Cubic Yards	Type Amount in Cubic Yards	Type Amount in Cubic Yards
NA- culvert pipe		

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

Acres

or

Linear Feet 110 LF of Tributary A will be culverted for a road crossing, 165 LF of Tributary B will be piped for an outlot.

23. Description of Avoidance, Minimization, and Compensation (see instructions)

The construction of the subdivision avoids the majority of the main tributary on site (Tributary A). Minimization has also been accomplished by having stormwater detention provided off channel.

24. Is Any Portion of the Work Already Complete? ☐ Yes ☒ No IF YES, DESCRIBE THE COMPLETED WORK

25. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (if more than can be entered here, please attach a supplemental list).

a. Address-

City - State - Zip -

b. Address-

City - State - Zip -

c. Address-

City - State - Zip -

d. Address-

City - State - Zip -

e. Address-

City - State - Zip -

26. List of Other Certificates or Approvals/Denials received from other Federal, State, or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED

* Would include but is not restricted to zoning, building, and flood plain permits

27. Application is hereby made for permit or permits to authorize the work described in this application. I certify that this information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

SIGNATURE OF APPLICANT — DATE 10/2/2014

SIGNATURE OF AGENT — DATE 10/3/2014

The Application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than $10,000 or imprisoned not more than five years or both.

AMENDED BILL #2116 ORDINANCE #2116

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WILDWOOD, MISSOURI THAT AUTHORIZES A CHANGE IN ZONING FOR A TWENTY-EIGHT (28) ACRE TRACT OF LAND THAT IS LOCATED ON THE EAST SIDE OF STATE ROUTE 109, SOUTH OF STATE ROUTE 100, FROM THE NU NON-URBAN RESIDENCE DISTRICT TO THE R-4 7,500 SQUARE FOOT RESIDENCE DISTRICT, ALONG WITH A PLANNED RESIDENTIAL DEVELOPMENT OVERLAY DISTRICT (PRD), THEREBY AUTHORIZING ONE HUNDRED FOUR (104) SINGLE FAMILY DETACHED DWELLINGS ON INDIVIDUAL LOTS, COMMON GROUND, PUBLIC SPACE, AND THE PLANNED STREET NETWORK TO BE DEVELOPED THERE, ALL SUCH BEING CONSISTENT WITH THE LETTER OF RECOMMENDATION THAT WAS APPROVED BY THE PLANNING AND ZONING COMMISSION ON JULY 6, 2015. (Ward Eight)

WHEREAS, the development of single family units in the Town Center has been a priority to the City of Wildwood, since the Town Center Plan Update was adopted by the Planning and Zoning Commission in March 2010; and

WHEREAS, this priority was developed over this update process, as the City became aware of the need to provide greater areas of Town Center for housing, increase potential rooftops for economic development purposes, and address the desired market in the City of Wildwood; and

WHEREAS, the petitioned site has a number of different land use designations under the Regulating Plan of the Town Center Plan, two (2) of which are intended to allow for its development with "Downtown" District activities and "Neighborhood General" District uses, neither of which allow the traditional "home," as set forth in the plan's housing components; and

WHEREAS, much of the interest in residential housing in the Town Center Area has been for single family detached units on individual lots, developed in accordance with the plan, which is the primary land use activity set forth in the "Neighborhood Edge" District designation, which a portion of this site is so established; and

WHEREAS, the petitioner is seeking the entire twenty-eight (28) acres of the subject site be designated for "Neighborhood Edge" District uses, along with its rezoning and the application of the Planned Residential Development Overlay District (PRD), thereby accommodating its use for up to one hundred seventeen (117) single family detached dwellings on individual lots, including common ground, public space, and an extensive roadway and pedestrian network; and

WHEREAS, this matter was scheduled for a public hearing by the Planning and Zoning Commission in December 2014, where testimony was heard about the change in the Regulating Plan of the Town Center Plan, the rezoning of the property, and the application of the special procedures permit, which led to a number of other meetings and discussions about the merit of its design and units associated with this proposal; and

WHEREAS, the Planning and Zoning Commission, concerned about the location of Main Street and the lack of New Urbanism lots and homes, and the lack of stub street extensions, denied the Regulating Plan change and the associated zoning and special procedures permit requests on April 20, 2015 and forwarded that recommendation to the City Council, which received it and returned it back to the members for more study; and

WHEREAS, after several more months of discussion, the Planning and Zoning Commission granted approval of the Regulating Plan change to the Town Center Plan and the associated rezoning and special procedures permit, based upon a reduction of overall units to one hundred four (104), connection of all stub streets, improved design of units, and more functional public space (the vote of the Commission was 6 to 3); and

WHEREAS, the Planning and Zoning Commission's Letter of Recommendation, dated July 6, 2015, was forwarded to the City Council for its review and a public hearing was held on the matter on July 13, 2015, where additional public comments were provided at that time; and

WHEREAS, at the conclusion of this hearing, the City Council authorized the preparation of the necessary legislations for the purpose of authorizing these requests in the Town Center Area of Wildwood; and

WHEREAS, the City Council, in allowing the preparation of the needed legislations noted, in support of the project, the changes that had been incorporated into, since its initial submittal and hearing in December 2014, the addition of New Urbanism lots, as part of the housing mix, the extension of stub streets, the improved stormwater management design, and the inclusion of useable public space, all leading to this action; and

WHEREAS, the City Council of the City of Wildwood, via its Charter, State Statute, and local codes, is empowered to adopt laws, ordinances, and regulations regarding the development and use of land to the benefit and protection of the public's health, safety, and general welfare, of which this action is consistent with such.

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

Section One. The City of Wildwood Zoning Ordinances and Official Zoning District Maps, which are made a part hereof, are hereby amended by the action of changing the zoning district designation of the subject tract of land from its current NU Non-Urban Residence District to the R-4 7,500 square foot Residence District, with a Planned Residential Development Overlay District (PRD), Town Center Neighborhood Edge District, which are set forth therein for the following described tract of land:

A tract of land situated in Sections 1 and 2, Township 44 North, Range 3 East in St. Louis County, Missouri, more particularly described as follows: Commencing at an old stone in the South line of the Northwest ¼ of the Southwest ¼ of said Section 1, set at a point where the said South line is intersected by the West line of Eatherton Road; thence along the Western line of Eatherton Road South 1 degree 53 minutes West, a distance of 104.36 feet to a point being the Southeast corner of property described in deed to Bert C. Grimm and wife, recorded in Book 1848 page 335, also being the point of beginning; thence North 87 degrees 17 minutes West along a line parallel with the South line of the Northwest ¼ of the Southwest ¼ of said Section 1, 417.42 feet to an old stone at the Southwest corner of property described in said deed to Grimm and wife; thence North 1 degree 53 minutes East of 104.36 feet to an old stone in said South line of the Northwest ¼ of the Southwest ¼ Section 1; thence North 87 degrees 17 minutes West along the South line of Northwest ¼ of the Southwest ¼ of Section, 914.42 feet to an old iron rod at the Southwest corner of said ¼ section; thence North 87 degrees 47 minutes West along the South line of the Northeast ¼ of the Southeast ¼ of Section 2, 578.52 feet to an iron pipe at its intersection with the Eastern line of Missouri Route 109; thence along the Eastern line of said Route 109, north 22 degrees 10 minutes 53 seconds East, 324.27 feet; Thence continuing along said eastern line North 14 degrees 6 minutes 29 seconds East; Thence North 14 degrees 32 minutes 43 seconds East, 346.18 feet to a point on the South line of tract conveyed to Alexander J. Coyle and wife by deed recorded in Book 1567 page 27; thence departing said Eastern line of Missouri Route 109 South 87 degrees 35 minutes East along the South line of the property conveyed to Coyle and wife as aforesaid; 319.52 feet to an iron pipe at the Southeast corner thereof being at a point in the line between said Sections 1 and 2; thence along the line between Sections 1 and 2, South 1 degree 57 minutes West 180 feet to corner of property conveyed to Albert Anderson and wife by deed recorded in Book 2909 page 26, thence along the South line of said property conveyed to Anderson and wife as aforesaid, South 86 degrees 48 minutes East 1,246.2 feet to the West line of Eatherton Road, thence Southeastwardly and Southwardly along the Western line of Eatherton Road along a curve to the right having a radius of 458.00 feet a distance of 251.66 feet; Thence continuing along said West line South 1 degree 53 minutes West, 512.47 feet to the point of beginning and containing 34.80 Acres, more or less.

Section Two: The zoning authority and approval embodied in this ordinance is granted subject to compliance with the Subdivision and Development Regulations, Zoning Ordinance, and all other City of Wildwood ordinances, rules, and regulations and the conditions of this ordinance, except as, may be modified herein, upon the requirement the development and approved Site Development Plan are carried out in accordance with the recommendation forwarded to the City Council by the Planning and Zoning

Commission within the communication dated July 6, 2015 which is incorporated herein by reference as if fully set forth in this ordinance. The zoning authority granted herein is further subject to the following conditions:

1. PERMITTED USES

a. This Planned Residential Development (P.R.D.) Overlay District shall authorize the maximum development of **one hundred four (104)**, detached single family dwellings on individual lots, with common ground and public space, and all permitted accessory structures normally found in conjunction with the primary use of each property.

2. LOT SIZES, DEPTHS, AND BUILDING REQUIREMENTS

a. Each detached dwelling unit shall be located on an individual lot of record that is a minimum of **4,000 square feet** in size. The minimum width of any lot within this P.R.D. Overlay District shall be **forty (40) feet** in distance, except for those properties located within a cul-de-sac, which shall be as approved by the Planning and Zoning Commission on the Site Development Plan. This width shall be measured at the front building line.

b. All detached single family dwellings shall have a minimum finish floor elevation of their front porches of **eighteen (18) inches** in height above the adjoining sidewalk grade. All dwelling units shall have a front porch, which must extend across **at least twenty percent (20%)** of the façade's elevation facing the frontage line, at a minimum depth of no less than six (6) feet. No building facade shall show more than four (4) corners to the frontage line or as approved by the Architectural Review Board on the required elevations.

c. No building and/or structure shall be more than two (2) stories above final grade, as measured from the front building line on any individual lot.

d. Direct residential drive access shall be allowed for up to **seventy-six (76)** of the single family detached units within this development from the system of internal streets, but the garage door(s) on each unit must be a minimum of **six (6)** ~~five (5)~~ feet behind an imaginary line formed by an extension of the front elevation of the dwelling (including the front porch) parallel to the lot's frontage. Individual garage doors shall not be greater than **twenty (20) feet** in width and must be **carriage types**, including windows, and incorporate other architectural treatments, as determined by the City's Architectural Review Board to be appropriate, to lessen their prominence within the visual corridor formed by these interior streets within the development, unless a suitable alternative design is provided for these openings. **The developer shall provide a minimum of two (2) options that incorporate these requirements to the Planning and Zoning Commission for its consideration, as part of the Site Development Plan review and action process, regarding the front of the garages that further reduces their prominence from the abutting street view. Architectural type shingle selections shall be required on all residential units of a minimum thirty (30) year standard.**

e. **The New Urbanism lots that are part of this Planned Residential Development Overlay District boundary shall be accessed by service lanes (alleys) that comply in their construction with the Street Specifications of the Town Center Plan. These service drives shall provide access to rear loaded garages that must be provided, as part of any single-family detached dwelling, for a minimum of twenty-eight (28) of the allowable one hundred four (104) lots. These lots do not need to incorporate the garage offset distance noted in Condition 2(d.) of this Ordinance.**

f. The first story, interior clear height for all single family dwellings shall be not less than **nine (9) feet**.

g. Detached single family dwelling units, which face the frontage line, but also places the side of the building along another right-of-way, shall be designed to incorporate the elements of the front facade along that portion of the structure. The placement and design of these units shall be approved by the Planning and Zoning Commission on the Site Development Plan and the elevations of these units by the Architectural Review Board.

h. The proposed architectural design, character, and style of all buildings and dwelling units shall adhere to the City of Wildwood's Town Center Architectural Guidelines, Neighborhood Design Standards, and any other applicable requirements of the Town Center Plan, **excepting no vinyl siding shall be allowed on any dwelling unit within the boundaries of this Planned Residential Development Overlay District (PRD). All materials used on any facade of a residential unit shall be fiber cement siding and backer board**. Approval of the required design shall be by the Architectural Review Board. Minimally, all buildings shall maintain a consistent theme throughout the boundaries of this Planned Residential Development Overlay District in terms of material, color, and style.

i. The overall area of this Planned Residential Development Overlay District (PRD) shall be no less than twenty-eight (28) acres and no greater than 28.5 acres.

3. PLAN SUBMITTAL REQUIREMENTS

Within twelve (12) months of the P.R.D. Overlay District approval by the City Council, and prior to any site disturbance, the developer shall submit to the Planning and Zoning Commission for their review and approval a Site Development Plan. Where due cause is shown by the developer, time intervals may be extended once by the Planning and Zoning Commission in accord with requirements of Section 420.060 of the City of Wildwood Zoning Ordinance. Said Site Development Plan shall include, but not be limited to, the following information:

a. Outboundary plat and legal description of the property.
b. A general numbered lot plan with setback lines from all streets and roadways on and adjacent to the property. A typical lot diagram, indicating all site design information such as, but not limited to, right-of-way width, improvement dimensions and locations, setbacks, and building placement.
c. The location and size of all parking areas, pavement widths, and right-of-way dedications of all internal roadway improvements and drives.
d. A general plan indicating setback lines along the perimeter of the subject tract of land and surrounding property lines and related improvements within four hundred (400) feet of this site's boundaries.
e. Location of all roadways adjacent to the property, including required roadway right-of-way dedication and pavement widening with existing and proposed improvements, and general location, size, right-of-way, and pavement width of all interior drives.
f. The location and size of all freestanding signs, lighting, fences, sidewalks, and other above ground structures, except retaining walls less than two (2) feet in height per section.
g. Existing and proposed contours at vertical intervals of not more than two (2) feet.
h. General location of sanitary sewer facilities.
i. Parking and density calculations.
j. Conceptual location and size of common ground areas.

k. A typical section of the proposed road indicating the placement and design of required streetscape improvements.
l. A Landscape Plan including, but not limited to, the location, size, and general type of plant materials to be used in accord with the City of Wildwood's Ordinance 410 and accompanying Tree Manual.
m. An inventory of the percent of tree canopy or individual trees to be retained on the site.
n. Location of all existing and proposed easements.
o. All other information not mentioned above, but required on a preliminary plat in accord with Section 420.060 of the City of Wildwood Subdivision and Development Regulations.

If the Planning and Zoning Commission determines, through its standard review processes, the Site Development Plan cannot be acted upon due to non-compliance to the site-specific ordinance, the Zoning Ordinance, or other land use regulations applicable to this type of subdivision, as interpreted by it, then the Regulating Plan changes, the rezoning of the subject site, and the application of the Planned Residential Development Overlay District shall not remain effective thereafter and the City must initiate the revocation process described in the Zoning Ordinance for this type of circumstance.

4. SITE DEVELOPMENT PLAN DESIGN CRITERIA

The above Site Development Plan shall adhere to the following specific design criteria:

Build-To Lines - Residential

a. Any building or structure, other than boundary and/or retaining walls, fences, detention facilities, and/or light standards, shall adhere to the following build-to lines, as specified in the Town Center Plan's Neighborhood Design Standards:

(1) **Twenty (20)** feet from any right-of-way line.
(2) **Five (5) feet** for any side yard property line and ten (10) feet for side yard areas that abut the perimeter of the Planned Residential Development Overlay District.
(3) **Fifteen (15) feet from any rear yard property line** and thirty (30) feet for rear yard areas that abut the perimeter of the Planned Residential Development Overlay District.

Parking Setbacks – Residential

b. All parking stalls or loading spaces, excluding points of ingress or egress for the detached dwelling units, shall be located behind the front elevation of the dwelling a minimum of **twenty-five (25)** feet. **Driveway widths serving these required parking spaces, specifically between the edge of the public right-of-way and the front building line, shall be as approved by the Planning and Zoning Commission on the Site Development Plan, but be minimized in their respective distances to the greatest extent possible.**

Access and Roadway Improvements

c. Dedicate the required amount of right-of-way and/or easements along this property's State Route 109 frontage to the Missouri Department of Transportation (MoDOT) for public roadway purposes and construct a roundabout and related channelization islands and other improvements required therein. Improvements to State Route 109 shall conform to the requirements of the Missouri

Department of Transportation (MoDOT) and the City of Wildwood's Street Specifications of the Town Center Plan, as directed and approved by the State of Missouri and the City of Wildwood's Department of Public Works. All streetscape requirements (street trees, lights, signs, waste receptacles, benches, and other items consisting of approved materials) shall be installed by the developer, as specified by the City of Wildwood's Town Center Plan within the right-of-way of State Route 109 and directed by the Department of Public Works.

d. Establish a minimum seventy (70) foot wide public right-of-way for the construction of Main Street within the site, for a total of thirty-four (34) feet of pavement area (inclusive of the concrete vertical curb and gutter and grass median) and five (5) foot sidewalks on both sides of this internal roadway, which adhere to the Town Center Plan's Street Specifications and the Streetscape Design Requirements, as directed by the Department of Public Works and approved by the Planning and Zoning Commission on the Site Development Plan. Along with this dedication of seventy (70) feet of right-of-way, the developer shall provide a five (5) foot wide roadway, maintenance, landscaping, sewer, sidewalk, and utility easement along both sides of this public dedication area. All streetscape requirements (street trees, lights, signs, waste receptacles, benches, and other items consisting of approved materials) shall be installed by the developer, as specified by the City of Wildwood's Town Center Plan within the right-of-way of Main Street and directed by the Department of Public Works.

e. Complete the necessary dedication of land area within this subject site for public right-of-way purposes associated with the internal network of streets. These dedications for public rights-of-way shall be used for the construction by the developer of a network of internal residential streets for service to the authorized lots. These dedications shall be a minimum of forty (40) feet in width to accommodate the construction of two (2) lanes of asphalt roadway, with concrete curb and gutter, and five (5) foot wide sidewalks, including a three (3) foot tree lawn area, which all adhere to the Town Center Plan's Street Specifications and the Streetscape Design Requirements, as directed by the Department of Public Works and approved by the Planning and Zoning Commission on the Site Development Plan. Along with this dedication of these rights-of-way areas, the developer shall provide a five (5) foot wide roadway, maintenance, landscaping, sewer, sidewalk, and utility easement along both sides of this public dedication area. All streetscape requirements (street trees, lights, signs, waste receptacles, benches, and other items consisting of approved materials) shall be installed by the developer, as specified by the City of Wildwood's Town Center Plan within the rights-of-way of these unnamed streets and directed by the Department of Public Works.

f. Dedicate the required amount of right-of-way and/or easements along this property's Eatherton Road frontage to the City of Wildwood, Missouri for public roadway purposes and for the construction of required roadway improvements, which include a widening of a minimum of five (5) feet in width, a five (5) foot wide sidewalk, and street trees and lights, including a minimum three (3) foot wide tree lawn area for these improvements. A future roundabout, and related channelization islands and other improvements required therein, shall not be required, but the dedication of right-of-way for such shall be made at the time of the Record Plat. Improvements to Eatherton Road shall conform to all of the requirements of the City of Wildwood's Street Specifications of the Town Center Plan, as directed and approved by the City of Wildwood's Department of Public Works. All streetscape requirements (street trees, lights, signs, waste receptacles, benches, and other items consisting of approved materials) shall be installed by the developer, as specified by the City of Wildwood's Town Center Plan within the right-of-way of Eatherton Road and directed by the Department of Public Works.

g. Extend all existing stub streets abutting the subject site into it and these extensions shall adhere to the Town Center Plan's Street Specifications and the Streetscape Design Requirements, as directed by the Department of Public Works and approved by the Planning and Zoning Commission on the Site Development Plan. These stub street extensions shall include Larksong Drive South, Kilare Lane, and Grover Ridge Drive. Safety components determined necessary for any stub street extension shall be indicated on the Site Development Plan and reviewed and acted upon by the Planning and Zoning Commission.

h. Dedicate a minimum forty (40) foot wide strip of land on the subject site for a future street connection to the south, which shall be as approved by the Planning and Zoning Commission on the Site Development Plan. The location of this planned stub street shall be generally in the southeast corner of the subject site, approximately 370 feet to the west of existing Eatherton Road. Within this dedication of public right-of-way, construct a roadway that shall adhere to the Town Center Plan's Street Specifications and the Streetscape Design Requirements, as directed by the Department of Public Works and approved by the Planning and Zoning Commission on the Site Development Plan.

i. Complete the necessary dedication of land area within this subject site for private access purposes. These dedications for private purposes shall be used for the construction by the developer of a system of lanes/alleys for service to the authorized lots. These dedications shall be a minimum of twenty-two (22) feet in width to accommodate the construction of a lane/alley, which all adhere to the Town Center Plan's Street Specifications and the Streetscape Design Requirements, as directed by the Department of Public Works and approved by the Planning and Zoning Commission on the Site Development Plan.

j. Any planned traffic island/cul-de-sac shall be designed and constructed by the developer of this residential subdivision in accordance with City of Wildwood standards, and as directed by the Department of Public Works. The Planning and Zoning Commission, on the Site Development Plan, shall approve the final design of this traffic calming improvement.

Miscellaneous Roadway Requirements

k. Installation of landscaping and ornamental entrance monument or identification signage, if proposed, shall be reviewed by the Department of Public Works for sight distance considerations and approved prior to its installation or construction.

l. If required sight distance cannot be provided at the access location, acquisition of right-of-way, reconstruction of pavement, including correction to vertical alignment and other off-site improvements, may be required to provide the required sight distance as directed by the Department of Public Works.

m. **Construction access shall be from State Route 109 during the development of this site, not via the Cambury Subdivision or Eatherton Road.**

n. Sidewalks shall be required on all public and private streets (parking lot aisles) and provide for a continuous and logical layout of this pedestrian network. Design and construction requirements for all sidewalks within the entire development shall be as established in the Street Specifications and Streetscape Elements of the Town Center Plan. Approval of their location, design, and material shall be by the Planning and Zoning Commission, as part of the Site Development Plan review process.

o. The developer is advised that utility companies will require compensation for relocation of their utility facilities within public road right-of-way. Utility relocation cost shall not be considered as an allowable credit against the petitioner's Traffic Generation Assessment contributions. The developer should also be aware of extensive delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of roadway improvements.

p. All internal streets, access drives, or lanes, whether public or private, shall comply with the Streetscape Requirements of the Town Center Plan in terms of improvements, such as drive lane widths, sidewalks, stormwater drainage facilities, garden walls, street trees and lights, and pedestrian furniture. If certain streets, drives, or lanes are to be private, an easement shall be provided to the City granting public use of them for pedestrian and vehicular purposes. These easements shall be granted at the time of the Record Plat approval by the City Council.

Parking Requirements - Residential

q. Parking spaces shall be provided as required by the Town Center Plan's Neighborhood Design Standards and Section 415.340 Off-Street Parking and Loading Requirements of the City of Wildwood Zoning Ordinance for the R-4 7,500 square foot Residence District.

Landscape Requirements - Specific

r. Landscaping shall adhere to all requirements of Ordinance 410 and its accompanying Tree Manual, including the submittal of a Tree Preservation Plan in conjunction with the Site Development Plan.

s. All streets, roads, and lanes shall be appropriately landscaped as required by the Streetscape Design Requirements of the Town Center Plan and approved by the Planning and Zoning Commission on the Site Development Plan.

t. The areas of existing vegetation within the P.R.D. Overlay District boundaries identified as to be retained shall be marked on the site prior to the commencement of any disturbance in accord with the City of Wildwood's Ordinance 410. These areas shall be indicated on the Site Development Plan submitted to the City of Wildwood for Planning and Zoning Commission review and approval. Existing mature tree canopy shall be preserved in accordance with the requirements of City of Wildwood's Ordinance 410 Tree Preservation and Restoration Code.

u. Landscaping with the defined common ground areas shall comply with Ordinance 410 Tree Preservation and Restoration Code requirements and accompanying Tree Manual. The Planning and Zoning Commission, on the Site Development Plan, shall approve the planting pattern. Amenities, such as benches, lights, and walking paths shall be installed in the open space area of the residential development by the developer of these one hundred four (104) dwelling units.

v. The developer shall provide a minimum ten (10) foot wide, landscape buffer strip, within a perpetual easement dedicated to the Homeowners Association for its maintenance and care, along the entire southern boundary of the site, and upon individual rear lot areas, for plantings, as reviewed and acted upon by the Planning and Zoning Commission.

w. A Landscape Architect shall sign and submit all plans for review and approval for this mixed-use development.

Signs - Residential

x. Signs for this P.R.D. Overlay District shall be erected in accordance with the Town Center Plan Architectural Guidelines and Section 415.410 Sign Regulations of the City of Wildwood Zoning Ordinance for the R-4 7,500 square foot Residence District.

y. The location of all signage shall be as approved on the Site Development Plan by the Planning and Zoning Commission. Signage not located on common ground must be erected within an easement.

Lighting Requirements

z. The location of all lighting standards shall be as approved on the Site Development Plan. No on-site illumination source shall exceed sixteen (16) feet in height or be so situated that light is cast directly on adjoining properties. Illumination levels for all lighting shall comply with the provisions of the City of Wildwood's Zoning Code, Section 415.450 "Outdoor Lighting Requirements." A Lighting Study shall be submitted in conjunction with the Site Development Plan indicating compliance to these requirements. The Planning and Zoning Commission shall approve the location, design, and appearance of all light standards and fixtures as part of the Site Development Plan review process.

Miscellaneous Conditions

aa. The design, color, material, and location of all garden and screen walls or fences, if planned or required, shall be consistent with the requirements of the Town Center Plan's Architectural Guidelines and be shown on the Site Development Plan for review and action by the Planning and Zoning Commission and the Architectural Review Board.

bb. Improvements associated with public infrastructure, such as roadways, sidewalks, and access points, shall comply with general design principles that will provide for safe and efficient movement of traffic in and around these sites and improve overall circulation in the area. These improvements shall be reviewed and approved by the Department of Public Works.

cc. Hours of construction and grading activity shall be limited to 7:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday. No development (grading and construction) activity shall be authorized on Sundays.

dd. All retaining walls exceeding three (3) feet in height per section or crossing individual property lines shall be constructed of an appropriate inter-locking concrete block system. Walls crossing property lines shall be located in a maintenance easement. The design, color, material, and location of all walls shall be consistent with the requirements of the Town Center Plan's Architectural Guidelines and be shown on the Site Development Plan for review and action by the Planning and Zoning Commission.

ee. The location of all utility easements for proposed service to this development shall be as approved by the Planning and Zoning Commission on the Site Development Plan. All utilities installed to serve this site shall be placed underground, including any existing overhead lines located on the subject property.

ff. **Access to Eatherton Road from this Planned Residential Development Overlay District, e.g. any street or alley, including Main Street, shall not be authorized, until such time forty (40) percent of**

the authorized units within its boundaries are owner-occupied. Until this threshold is reached, access shall be restricted/blocked to Eatherton Road, as shown on the Site Development Plan and reviewed and acted upon by the Department of Public Works and the Planning and Zoning Commission. Specifications for the manner in which access shall be controlled to Eatherton Road shall be at the discretion of the City of Wildwood, but all costs associated with such are the responsibility of the developer.

5. TRAFFIC GENERATION ASSESSMENT FEE

The developer shall contribute to the East Area Traffic Generation Assessment Trust Fund established by Section 140.210 of the City of Wildwood's Revised Codes. This assessment must be paid in full at the time of the first Zoning Authorization for any building or structure or when the individual issuances of building permits for the authorized lots are approved. This contribution shall not exceed the amount established by multiplying the number of parking spaces provided by the following rate:

Type of Development	*Required Contribution*
Single Family Dwelling **(detached)**	$1,055.10/Parking Space

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

If type of development proposed differ than those listed, rates shall be provided by the Department of Public Works.

As this development is located within a Trust Fund area established by the City of Wildwood, any portion of the traffic generation assessment contribution, which remains, following completion of roadway improvements required by the development shall be retained in the appropriate trust fund.

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

The Planning and Zoning Commission is recommending these fees be credited to the developer for use for the purposes of assisting with completion of required improvements within the right-of-way of State Route 109 and the off-site portion of the Main Street right-of-way. The granting of these credits is at the sole discretion of the City Council.

6. VERIFICATIONS PRIOR TO APPROVAL OF THE SITE DEVELOPMENT PLAN

Prior to approval of the Site Development Plan, the developer shall provide the following:

Stormwater Improvements

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

1. The developer is required to provide adequate stormwater systems in accordance with the City of Wildwood and the Metropolitan St. Louis Sewer District standards.
2. All stormwater shall be discharged at an adequate natural discharge point.
3. Retention/detention of differential runoff of stormwater shall be required. Stormwater management shall be provided in permanent retention/detention facilities, such as ponds or other acceptable alternatives. These retention/detention facilities shall be completed and in operation prior to the issuance of building permits for an approved dwelling unit, except display lots.
4. All proposed retention/detention facilities and related stormwater improvements shall be located in a common ground area and insure perpetual maintenance to the Homeowners Association to be created at the time of platting of this development.
5. The developer of this site shall be solely responsible to provide the necessary mechanisms, as part of the Site Development Plan/Improvement Plan process, to implement "best management practices" for stormwater management and the construction of related facilities. Minimally, these practices/facilities should include rain gardens, vegetative swales, and other options to substantially reduce the amount of stormwater leaving the subject site.
6. The developer shall provide adequate detention and/or hydrologic calculations for review and approval of all stormwater that will encroach on City of Wildwood/Missouri Department of Transportation (MoDOT) rights-of-way.
7. A bond or letter of credit will be required by the City of Wildwood to cover any downstream damage to abutting or adjacent properties, common ground areas, or drainageways caused by the developers' use of this subject site (land/disturbance/grading/construction activities, etc.), which shall be used for the restoration of damaged areas to their pre-development condition, if the developers fail to meet their responsibilities in this regard. The amount of this bond and the establishment of the process for creating an accurate baseline condition for the existing downstream facilities shall be at the discretion of the City of Wildwood Department of Public Works, in conjunction with input from the petitioner's engineer.

Geotechnical Report

b. Provide a Geotechnical Report covering development and grading required by improvements involved with this site, as directed by the Department of Public Works. Said report shall verify the adaptability of grading and improvements with soil and geologic conditions which are susceptible to rapid erosion, landslide, and/or creep. A statement of compliance with this study, signed by the Geotechnical Engineer preparing the report, shall be included on all Site Development Plans. The development and construction plans shall be designed to conform to the requirements and conditions of the Geotechnical Report. The Geotechnical Engineer shall be required to sign and seal all plans with a certification the proposed construction will be completed in accordance with the grading and soils requirements and conditions contained in the report.

Stormwater Pollution Prevention Plan

c. Submit a Stormwater Pollution Prevention Plan, as part of the Site Development Plan review process, indicating compliance to all Federal, State, and local requirements regarding the management of stormwater runoff to prevent siltation and erosion, while preserving water quality, both upon the site and on downstream properties.

Natural Resource Protection Plan

d. Provide a revised and final copy of the Natural Resource Protection Plan indicating all areas of the site, which are to be designated as protected and not developable. This revised and final copy of this map shall be reviewed and signed by a qualified soil scientist, who completed the analysis, and a statement indicating compliance with all the requirements of Section 1005.200 of the City of Wildwood's Subdivision and Development Regulations.

Environmental Assessment – Phase One

e. The developer shall provide to the Planning and Zoning Commission, as part of the Site Development Plan submittal package, a Phase I Environmental Assessment Report of the property, which indicates its current condition relative to its past utilization by other owners. Determination regarding any required mediation shall be identified and completed, prior to the approval of the Record Plat and before the occupancy of any residential unit, all being in accordance with State and federal standards and guidelines, as set forth by the United States Environmental Protection Agency (EPA) and the Missouri Department of Natural Resources (MDNR), for any determined contaminant exceeding a residential cleanup standard/guideline, with the cost borne for such by the developer and not the City of Wildwood.

Floodplain Study and Plans

f. The developer shall provide a floodplain/wetlands study to the Department of Public Works indicating compliance to the requirements of the City of Wildwood, the U.S. Army Corp of Engineers, and the Federal Emergency Management Agency (FEMA) regarding disturbance or development in the protected waterways and floodplain areas. This study shall minimally provide information relating to disturbance of any protected area and be reviewed and acted upon by the Department of Public Works, as part of the Site Development Plan submittal process.

7. RECORDING

Within ninety (90) days of approval of the Site Development Plan by the Planning and Zoning Commission, the approved plan shall be recorded with the St. Louis County Recorder of Deeds.

8. VERIFICATION PRIOR TO PERMITS

Notification to Department of Planning

a. Subsequent to approval of the Site Development Plan and prior to issuance of any grading, foundation, or building permit, all approvals from the Department of Public Works (Wildwood), the Missouri Department of Transportation, the Metro West Fire Protection District, the Missouri Department of Natural Resources, and the Metropolitan St. Louis Sewer District must be received by the Department of Planning.

b. Prior to the issuance of a foundation or building permit for any lot, which adjoins the common ground area and/or detention, basin, written certification from a Professional Engineer which verifies these areas are graded in accordance with the approved plans, must be received by the Department of Planning.

Roadway Improvements

c. Improvements to State Route 109 and Eatherton Road must be completed prior to the issuance of building permits in excess of twenty (20) percent of the units. **These required improvements may be credited against the overall Traffic Generation Assessment Fee (TGA) charge associated with these allowable residential units, if authorized by the City Council.** Any delays in utility company relocation and adjustments will not constitute a cause to allow occupancy prior to completion of roadway improvements.

Land Subdivision

d. Record a proper subdivision of the property and comply with all other applicable Subdivision and Development Regulations sections affecting the development of land, except as otherwise specified by this ordinance.

Indentures

e. With the filing of the record plat establishing separate lots, the developer shall record an approved indenture, which defines the necessary assessments and specific trustee obligations in accord with provisions of Section 415.470 and 415.510 of the City of Wildwood Zoning Code.

Escrow Requirements

f. All improvement and landscaping costs shall be submitted to the City of Wildwood through the standard subdivision escrow procedures.

Improvement Plans

g. The developer of this residential subdivision shall provide to the City Improvement Plans indicating construction details relative to public and private infrastructure associated with its development. Said plans will be used to calculate escrow requirements for these identified improvements.

Sanitary Sewage System

h. The developer shall provide verification from the Metropolitan St. Louis Sewer District that public sewer service has been provided to this site. Verification shall be in a form acceptable to the City of Wildwood.

Potable Water Service

i. The developer shall provide verification from the Missouri American Water Company that service to this subdivision can be provided at acceptable levels relative to the density of the project and not cause service issues to other households served by the same.

9. GENERAL DEVELOPMENT CONDITIONS

a. Provide adequate temporary off-street parking for construction employees. Parking on non-surfaced areas shall be prohibited in order to eliminate the condition whereby mud from

construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.

b. A grading permit is required prior to any grading on the site. Interim stormwater drainage control in the form of salutation control measures is required.

c. A copy of the most recently approved Site Development Plan for this P.R.D. Overlay District development shall be prominently displayed at all times in all sales offices for this development.

d. The petitioner shall be responsible for obtaining all necessary permits from the Department of Natural Resources Clean Water Commission as they relate to the development of this tract of land.

e. If cut and fill operations occur during a season not favorable for immediate establishment of a permanent ground cover, a fast germinating annual, such as Rye or Sudan Grasses, shall be utilized to retard erosion.

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

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

h. Any other applicable zoning, subdivision, or other regulations or requirements of the City, whether in effect at the adoption of this ordinance or as may be hereinafter adopted, shall further apply to the development of this property as authorized by this Planned Residential Development Overlay District Ordinance, except as may be provided by law. Nothing herein shall be deemed a waiver of any subdivision, zoning or other development regulation of the City whether by implication or reference.

i. This zoning approval is conditioned on compliance with the Zoning Code, Subdivision Code, and all applicable laws of the City. Such additional regulations are supplemental to the requirements herein and no modification of any applicable regulations shall result from this Planned Residential Development Overlay District ordinance, except where this ordinance has expressly modified such regulations by reference to the applicable provision authorizing such modification.

10. PUBLIC SPACE REQUIREMENTS

a. Developer shall construct improved public space in conformance with or otherwise satisfying the requirements of the City's Public Space Ordinance, Chapter 415.260 and 415.270 of the City of Wildwood's Zoning Ordinance. The City Council accepts the findings of the Public Space Study adopted therein and determines the compliance with the Public Space Ordinance provisions will address the impact of this specific development on public space needs in a manner and amount that is equal to less than an amount that is roughly proportional to the actual or anticipated impact. The installation of required public space improvements shall be as required by the applicable ordinances, but shall be completed prior to issuance of any occupancy (temporary or final) permit for the authorized by this ordinance. Unless otherwise approved pursuant to the procedures set forth in the Public Space Ordinance, the public space attributable to this development, **based upon the number of authorized dwelling units at a rate of 1,742.4 square feet per new single family dwelling**.

Editor's Note: Modifications recommended by the Planning and Zoning Commission at its meeting on September 8, 2015 are indicated by **bolded blue type.**

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

This Bill was passed and approved this 14 day of SEPTEMBER, 2015 by the Council of the City of Wildwood, Missouri after having been read by title, or in full, two (2) times prior to its passage.

Presiding Officer

Timothy Woerther, Mayor

ATTEST:

City Clerk

City Clerk