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. Welcome To Attendees And Roll Call Of Commission Members

II. Review Tonight's Agenda/Questions Or Comments

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

Documents:

III. AUGUST 1, 2016 DRAFT MINUTES.PDF

IV. Department Of Planning's Opening Remarks/Updates

V. Public Hearings – No Items For Consideration

VI. 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

VII. New Business – No Items For Consideration

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

IX. 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

X. 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

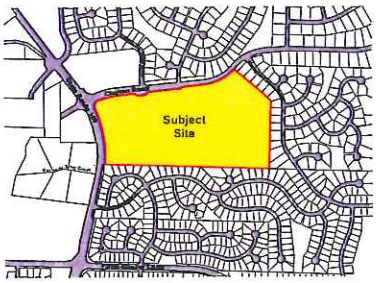
WILDWOOD

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:

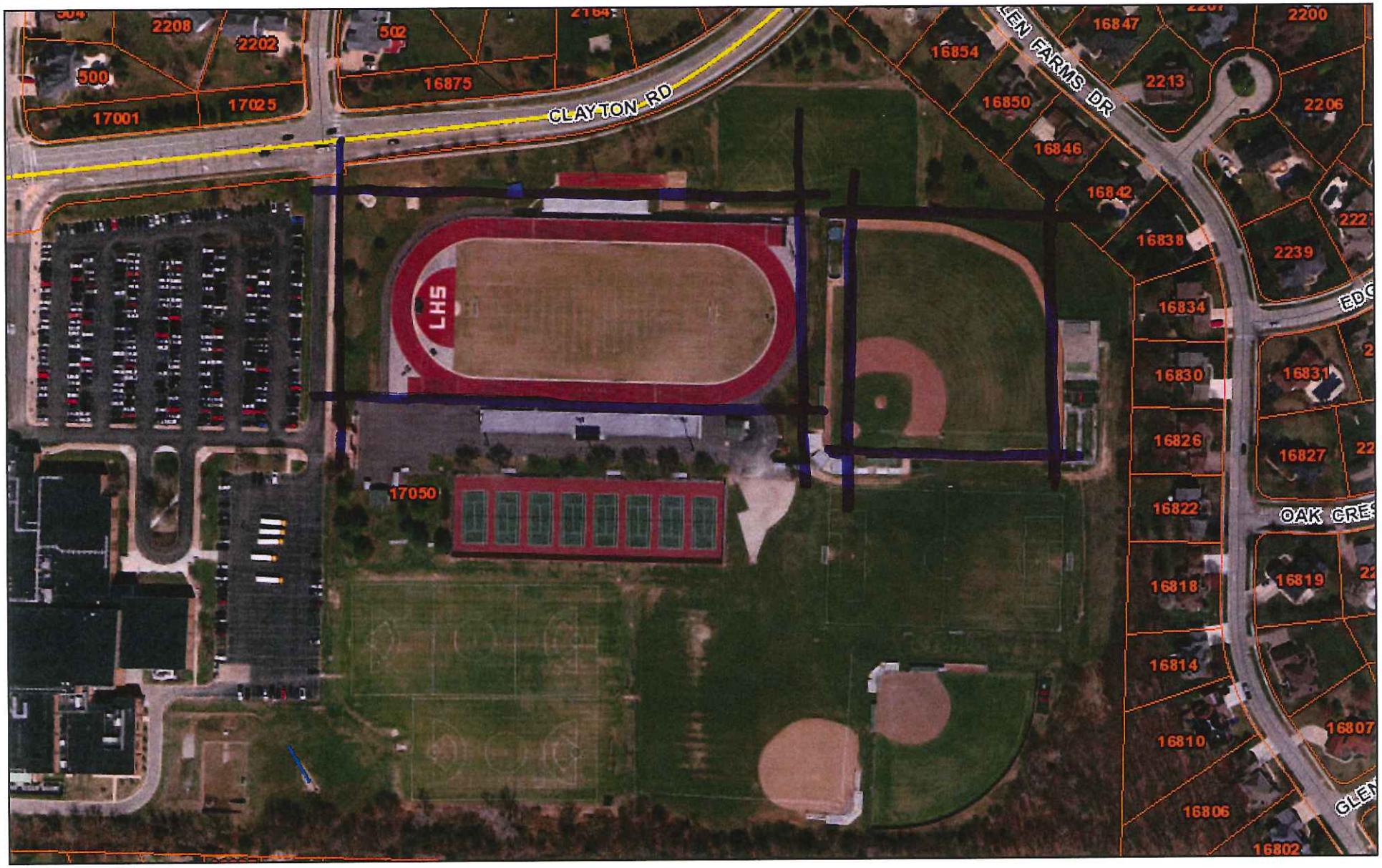
P.Z. 24-15 Rockwood School District—Lafayette High School, c/o Dr. Karen Calcaterra, 17050 Clayton Road, Wildwood, Missouri 63011 - A request for a Conditional Use Permit (CUP) in the NU Non-Urban Residence District for the installation of sponsorship type banners on existing fencing associated with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

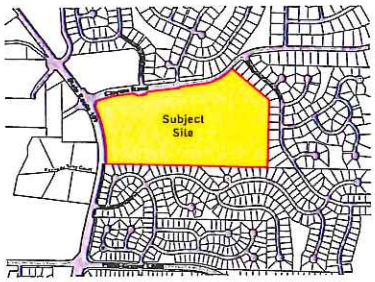
WILDWOOD

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

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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 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.

>

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

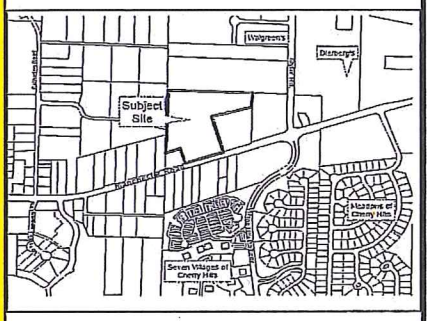
WILDWOOD

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.

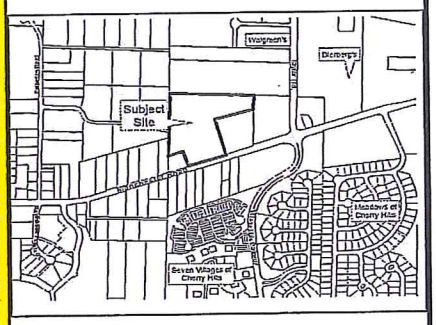
WILDWOOD

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:
16815 Manchester Road
Wildwood, MO 63040

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

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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

3011012500528
PLAT: BK: 359, PG: 25-33
FILED FOR RECORD -
Jan 26, 2011 10:28 AM
RECORDER OF DEEDS
ST. LOUIS COUNTY,MO.
Witness my hand and official seal on the day and year aforesaid.
Janice M. Hammonds

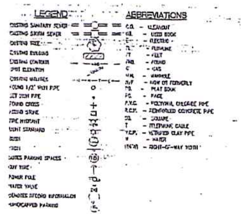
28

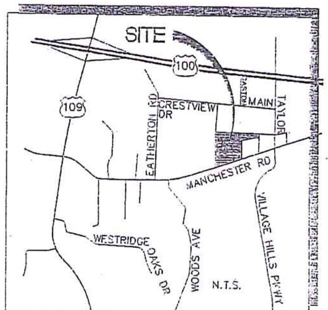
SITE DEVELOPMENT PLAN

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

LEGEND / ABBREVIATIONS





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:	24V530266
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.
	326 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

1.) BOUNDARY AND TOPOGRAPHIC SURVEY DERIVED FROM "OUTBOUNDARY TOPOGRAPHICAL SURVEY AND LOCATION OF IMPROVEMENTS SURVEY", MAY 1986, BY THE STERLING COMPANY. ALL INFORMATION SHOWN SHOULD BE CONSIDERED APPROXIMATE AND FOR REFERENCE ONLY. TOPOGRAPHY AND EXISTING CONDITIONS SHOULD BE VERIFIED BY A CURRENT FIELD SURVEY.

2.) ALL UTILITIES SHOWN HAVE BEEN LOCATED BY THE ENGINEER FROM AVAILABLE RECORDS. THEIR LOCATION SHOULD BE CONSIDERED APPROXIMATE. THE CONTRACTOR HAS THE RESPONSIBILITY TO NOTIFY ALL UTILITY COMPANIES, PRIOR TO CONSTRUCTION, TO HAVE EXISTING UTILITIES FIELD LOCATED.

3.) GRADING AND DRAINAGE SHALL BE PER CITY OF WILDWOOD AND MSD STANDARDS.

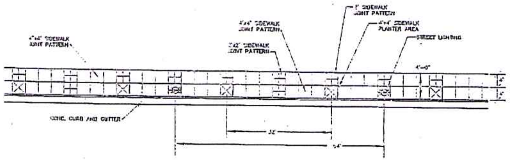
4.) SLOPE SHALL NOT EXCEED 3 (HORIZONTAL) : 1 (VERTICAL), UNLESS SUPPORTED BY GEOTECHNICAL REPORT.

5.) STORMWATER SHALL BE DISCHARGED AT AN ADEQUATE NATURAL DISCHARGE POINT.

6.) ALL EXISTING AND NEW OVERHEAD UTILITY LINES SHALL BE PLACED UNDERGROUND.

7.) ALL STREET ENTRANCES, STREET INTERSECTIONS, CUL-DE-SAC AND SIDEWALKS SHALL BE CONSTRUCTED TO CITY OF WILDWOOD ADA STANDARDS.

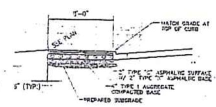
8.) SUBJECT PROPERTY LIES WITHIN FLOOD ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN) ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP FOR ST. LOUIS COUNTY, MISSOURI AND INCORPORATED AREAS. THE MAP IS IDENTIFIED AS MAP NO. 29189C0235 H, WITH A REVISED DATE OF AUGUST 2, 1995.



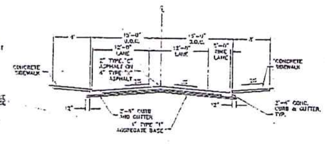
SIDEWALK JOINT PATTERN DETAIL (INTERNAL ROAD)
(n.t.s.)

SURVEYOR'S CERTIFICATION

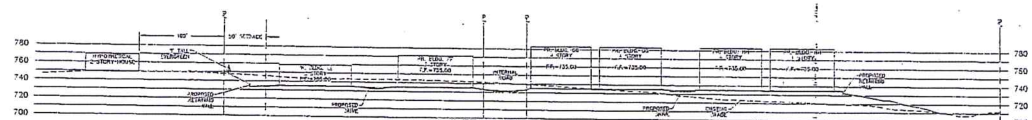
STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC.



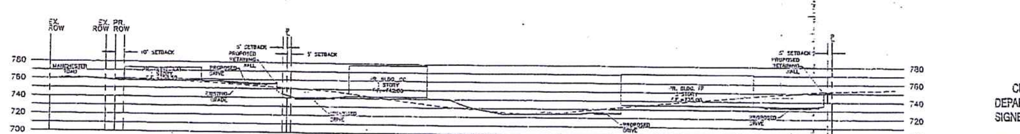
MULTI-USE PATH DETAIL
(n.t.s.)



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

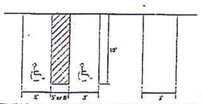


SITE SECTION A – A



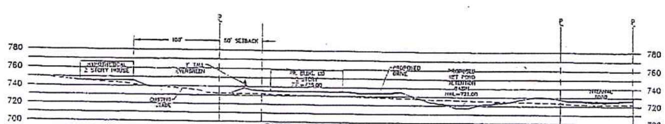
SITE SECTION B – B

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



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

PROPERTY DESCRIPTION



SITE SECTION C – C

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-II

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

ELEVATION DATUM

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

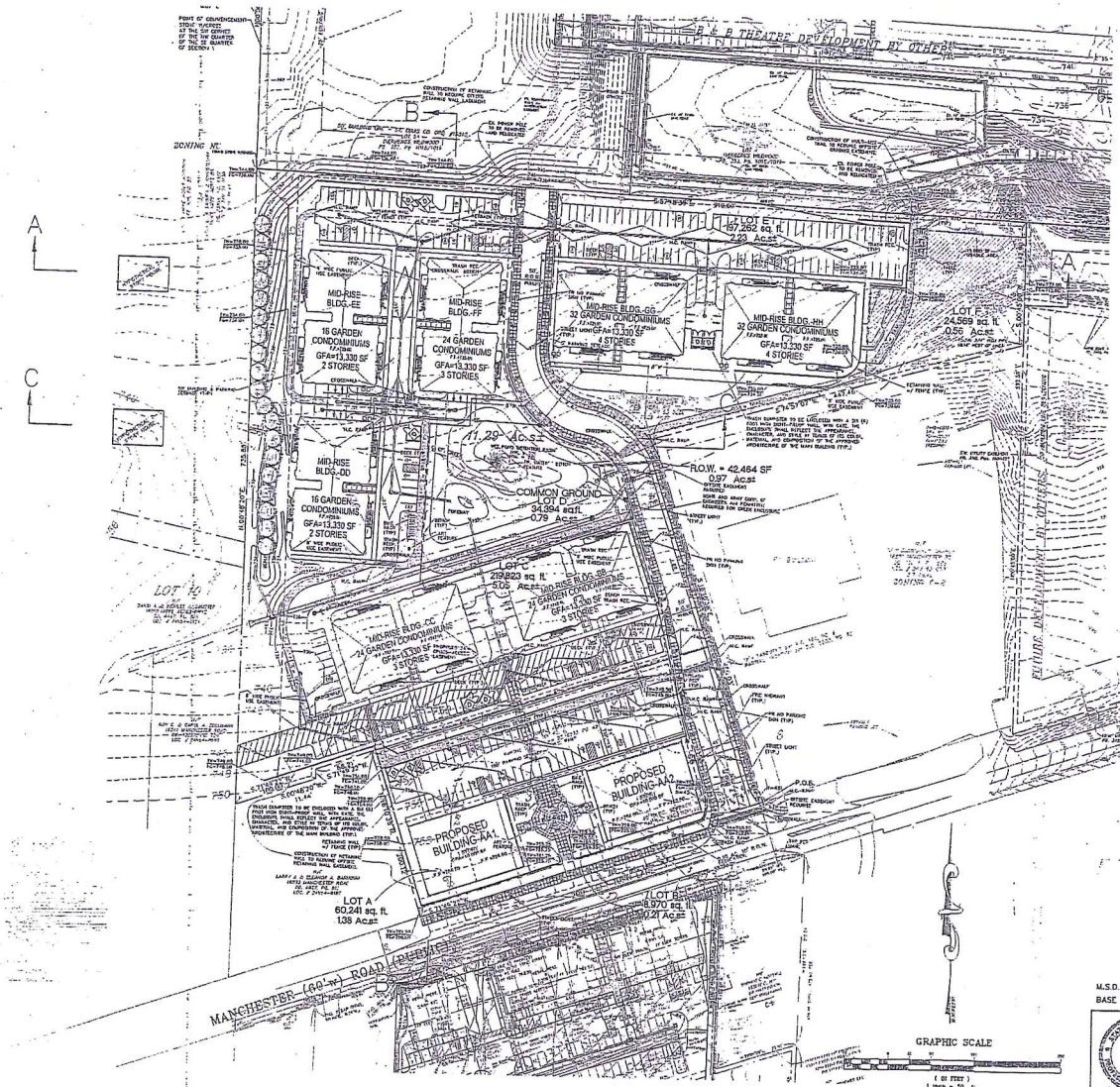
DRAWN BY	DATE	CHECKED BY	DATE	JOB NUMBER	SHEET
J.P.W.	07/23/09	G.M.S.	07/23/09	207-4133.2	1 of 6

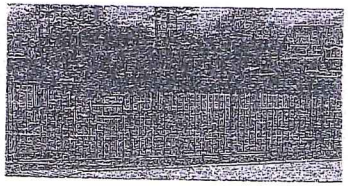
SITE DEVELOPMENT PLAN

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

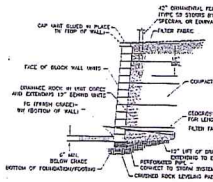
ORDINANCE #1723

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

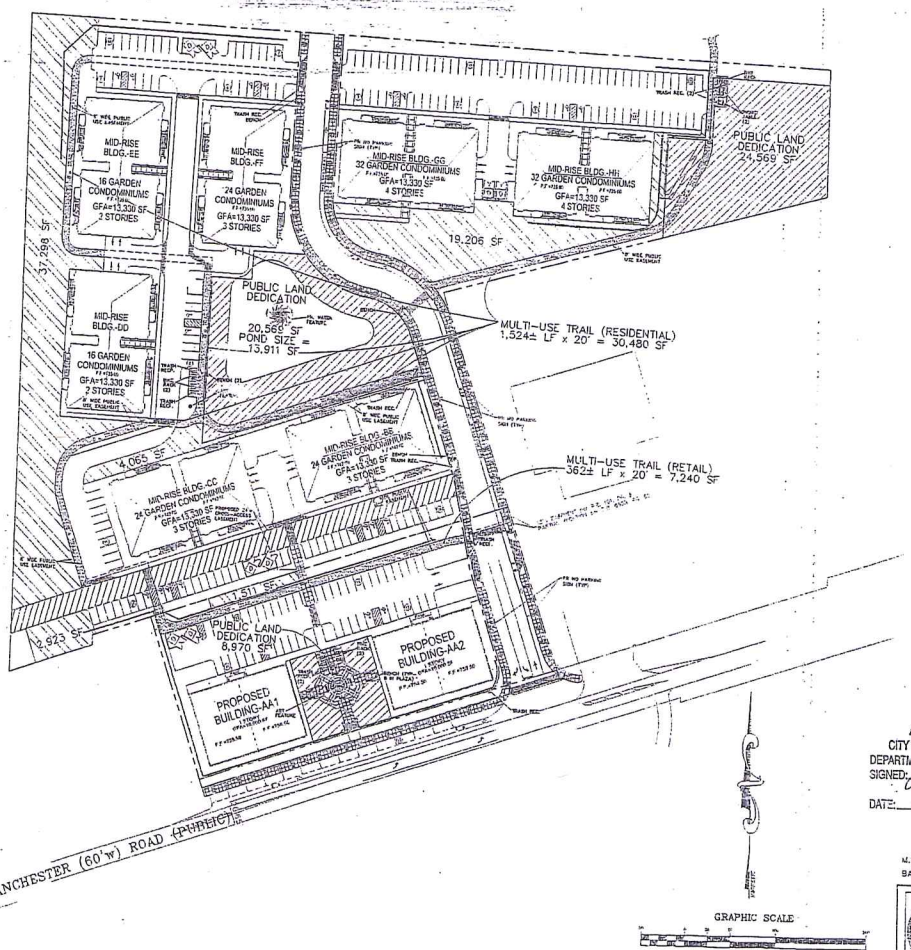
STOCK & ASSOCIATES
Consulting Engineers, Inc.

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

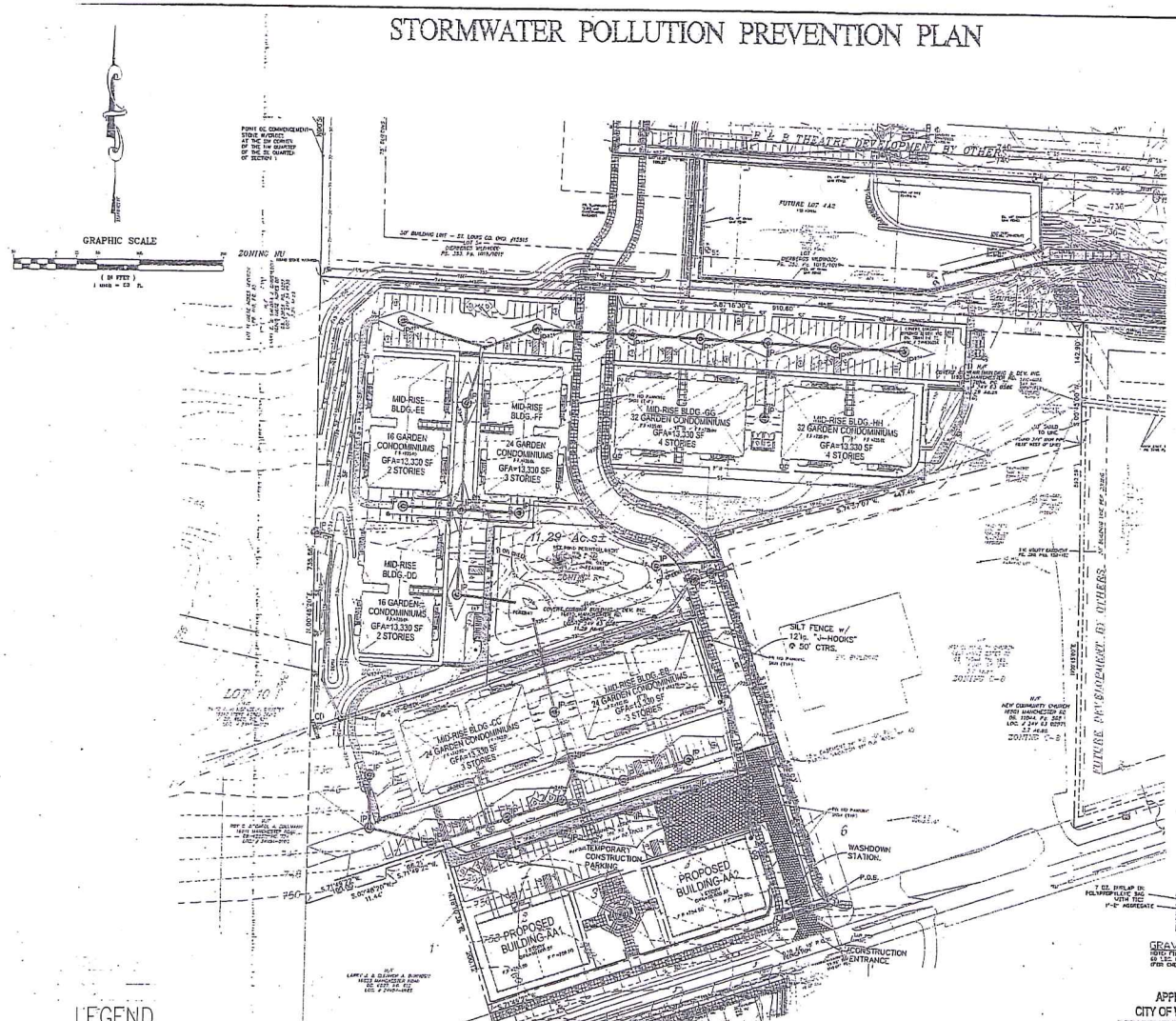
STOCK & ASSOCIATES
Consulting Engineers, Inc.

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

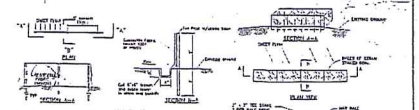


LEGEND

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

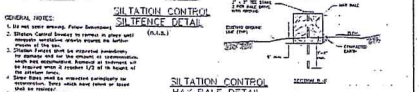
EROSION CONTROL NOTES

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.

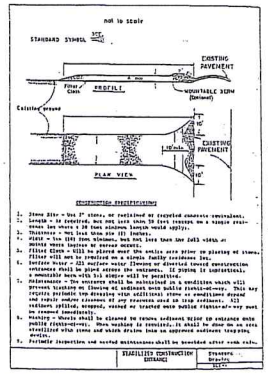


SILTATION CONTROL
SILTFENCE DETAIL
(n.t.s.)

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.



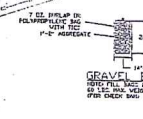
SILTATION CONTROL
HAY BALE DETAIL
(n.t.s.)



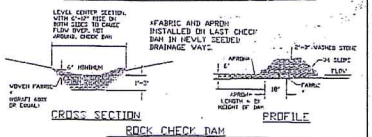
RECOMMENDED SPECIFICATIONS

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 Southwest 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:

[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 plants 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 site'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 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 #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-U

COVERT - CORSAIR HOMES, INC.

SITE DEVELOPMENT PLAN

STATE OF MISSOURI — GEORGE MICHAEL STOCK — NUMBER PE-25116 — PROFESSIONAL ENGINEER
GEORGE M. STOCK E-25116 12/22/10

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 324 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	$362.06/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	$2,865.47/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.

[signature]
Presiding Officer

[signature]
Timothy Woerther, Mayor

ATTEST:

[signature]
City Clerk

[signature]
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 16, 2006~~ May 24, 2010

33

[signature]
Joe Vujnich, Director of Planning

1-25-11
Date

I, ~~Anne 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 16, 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.

[signature]
~~Anne 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 affect.

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 553 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 38 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 46 minutes 00 seconds West, 142.80 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 38 seconds East 450.03 feet to the Point of Beginning and containing 491,958 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: [signature]
Robert W. Covert III, Trustee

Signature: [signature]
Mary Kay Corsair, Trustee

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

On this 23 day of December, ~~2005~~ 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.

[signature]
Notary Public

Daniel Stock
Print Name

My commission expires: 3/17/2013

APPROVED 6 of 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 #1431, SECTION 7(d)
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.

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 # 25-11

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