

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WILDWOOD, MISSOURI THAT AUTHORIZES THE CHANGE IN THE ZONING OF NINE (9) PROPERTIES THAT TOTAL 78.7 ACRES OF AREA FROM THE NU NON-URBAN RESIDENCE DISTRICT, THE R-3 10,000 SQUARE FOOT RESIDENCE DISTRICT, THE R-4 7,500 SQUARE FOOT RESIDENCE DISTRICT, AND THE R-6 AND R-6A 4,500 SQUARE FOOT RESIDENCE DISTRICT, WITH A PLANNED ENVIRONMENT UNIT (PEU) AND A PLANNED RESIDENTIAL DEVELOPMENT OVERLAY DISTRICT (PRD), TO THE R-3 10,000 SQUARE FOOT RESIDENCE DISTRICT (TOWN CENTER "NEIGHBORHOOD GENERAL DISTRICT" AND "NEIGHBORHOOD EDGE DISTRICT"), WITH A PLANNED RESIDENTIAL DEVELOPMENT OVERLAY DISTRICT (PRD), WHICH ARE ALL LOCATED ON THE NORTHWEST CORNER OF TAYLOR ROAD AND STATE ROUTE 100, WHICH WILL ALLOW THIS SITE'S USE FOR ONE HUNDRED NINETY-FOUR (194), SINGLE FAMILY DETACHED DWELLINGS ON INDIVIDUAL LOTS, WITH PUBLIC SPACE AND COMMON GROUND. (Ward Five)

**WHEREAS**, the Town Center Plan allows development proposals that are uniquely limited to this area, given their allowable densities, intensities, designs, and other characteristics that are consistent with the tenets of 'New Urbanism;' and

**WHEREAS**, over the years, many projects have been approved and developed in Town Center for commercial purposes, but only a limited number of residential developments have been completed, with many of the larger parcels of ground located within its boundaries not having that same level of interest; and

**WHEREAS**, this proposed site is the largest undeveloped property in the Town Center Area and designated for a mix of residential uses, including single family detached types on individual lots, which represents the current proposal that has been submitted and considered by the Planning and Zoning Commission and the City Council; and

**WHEREAS**, the proposal includes the development of a minimum of five (5) villages, with a varying number of lots and dwellings, which will total the one hundred ninety-four (194) authorized homesites and will be designed and developed consistent with many of the tenets of the Neighborhood Design Standards and Architectural Guidelines of the Town Center Plan; and

**WHEREAS**, the Planning and Zoning Commission was presented this proposal at a July 2015 public hearing, where many issues and other considerations were identified via the petitioners' presentation, its members' questions, and comments from nearby residents; and

**WHEREAS**, after this public hearing, the Planning and Zoning Commission considered those identified issues, considerations, questions, and comments, specifically relating to this proposal and particularly the construction of the Pond-Grover Loop Road, the extension of the Birch Forest Drive (a stub street), and the front-facing garages and suggested further review was warranted; and

**WHEREAS**, a Work Session was held by the Planning and Zoning Commission to further discuss these matters and seek resolutions to them, within the confines of the standards and requirements of the Town Center Plan; and

**WHEREAS**, after this Work Session, refinements were made to the design concept for this large Town Center Area site, which included revised designs of the some of the residential units relative to the proximity of the garage doors to the fronting streets, increases in public space areas, inclusion of sound mitigation efforts along State Route 100, alterations to the street network to improve safety, function, and calm traffic, and a modification to the design of a cul-de-sac and other lots to increase the bufferyard distance between them and abutting residential lots located in surrounding subdivisions; and

**WHEREAS**, with this direction from the Planning and Zoning Commission, the petitioner did revise the plan, but concerns lingered regarding the Pond-Grover Loop Road, Birch Forest Drive, and the front-facing garages, which led to another design that did not include the inclusion of any street extensions, i.e. Pond-Grover Loop Road and Birch Forest Drive; and

**WHEREAS**, this revised plan was reviewed by the Planning and Zoning Commission and it could not reach a majority vote on this project and the associated rezoning of the property and application of the special procedures permit (Planned Residential Development Overlay District); and

**WHEREAS**, the Planning and Zoning Commission deadlock, with a vote of 5 to 5, which meant the proposal failed for a lack of majority; and

**WHEREAS**, the Letter of Recommendation from the Planning and Zoning Commission was forwarded to City Council on December 14, 2015, where it conducted another public hearing on this matter, and heard from those individuals in attendance regarding this proposal; and

**WHEREAS**, at the conclusion of the public hearing, the City Council noted its concerns with the roadway issues and sought an appropriate solution, if possible, which was offered as the following: not connect Birch Forest Drive for all vehicular traffic, but rather design it to accommodate emergency access only, along with pedestrian and bicycle facilities, while requiring the dedication of the necessary and prescribed amount of right-of-way for the Pond-Grover Loop Road, along with requiring the developers to provide an escrow in the amount sufficient to accommodate its construction in the future, but not at this time, thereby allowing further consideration of it by the community; and

**WHEREAS**, with this direction for design changes to the roadway plan and other conditions, the City Council authorized the preparation of legislation in this regard for presentation on January 11, 2016, along with noting the project, notwithstanding the roadway components described above, was a positive for the Town Center Area and would address a difficult property that had been the subject of many discussions, since the update of the Town Center Plan during the years of 2008 to 2012; and

**WHEREAS**, the City Council, through its established authority under Chapter 89 of Missouri Revised Statutes and the Wildwood Charter, believes this action is consistent with good planning practice and will protect the public's health, safety, and general welfare by improving the conditions at this site with its redevelopment under a new owner.

**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, are hereby amended to reflect the change in zoning from the NU Non-Urban Residence District, the R-3 10,000 square foot Residence District, the R-4 7,500 square foot Residence District, and the R-6 and R-6A 4,500 square Residence District, with a Planned Environment Unit (PEU) and a Planned Residential Development Overlay District (PRD), to the R-3 10,000 square foot Residence District, with a Planned Residential Development Overlay District (PRD), as set forth in this ordinance, for the following described land:

A TRACT OF LAND BEING PART OF SECTION 1, TOWNSHIP 44 NORTH, RANGE 3 EAST IN ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTH AND SOUTH CENTERLINE OF SECTION 1 AND BEING THE SOUTHWEST CORNER OF EVERGREEN SECTION 2, PLAT 1, A SUBDIVISION AS RECORDED IN PLAT BOOK 260, PAGES 67 AND 68 OF THE ST. LOUIS COUNTY RECORDS; THENCE LEAVING SAID CENTERLINE AND ALONG THE SOUTH LINE OF SAID EVERGREEN SECTION 2, SOUTH 87°39'31" EAST, 935.26 FEET TO A POINT BEING THE SOUTHEAST CORNER OF LOT 409 OF EVERGREEN PLAT 4, A SUBDIVISION AS RECORDED IN PLAT BOOK 226, PAGES 95-97 OF SAID COUNTY RECORDS; THENCE LEAVING SAID SOUTH LINE AND ALONG AN ARC TO THE RIGHT HAVING A RADIUS OF 125.00 FEET, A CENTRAL ANGLE OF 59°04'05", AN ARC LENGTH OF 128.87 FEET, THE CHORD OF WHICH BEARS NORTH 31°51'57" EAST, 123.24 FEET TO A POINT; THENCE NORTH 61°24'00" EAST, 79.93 FEET TO A POINT; THENCE ALONG AN ARC TO THE RIGHT HAVING A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 46°05'00", AN ARC LENGTH OF 160.86 FEET, THE CHORD OF WHICH BEARS NORTH 84°26'30" EAST, 156.56 FEET TO A POINT IN THE SOUTH RIGHT-OF-WAY OF BIRCH FOREST DRIVE (50' WIDE); THENCE ALONG THE SOUTHERN EDGE OF SAID RIGHT-OF-WAY SOUTH 72°31'00" EAST, 38.21 FEET TO A POINT; THENCE ALONG AN ARC TO THE LEFT HAVING A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 12°38'00", AN ARC

LENGTH OF 44.10 FEET, THE CHORD OF WHICH BEARS SOUTH 78°50'00" EAST, 44.01 FEET TO A POINT BEING THE NORTHWEST CORNER OF LOT 406 OF SAID EVERGREEN PLAT 4; THENCE LEAVING SAID RIGHT-OF-WAY AND ALONG THE WEST LINE OF SAID LOT 406, SOUTH 04°51'00" WEST, 153.26 FEET TO THE SOUTHWEST CORNER OF SAID LOT 406, SAID POINT BEING IN THE SOUTH LINE OF SAID EVERGREEN PLAT 4; THENCE ALONG SAID SOUTH LINE SOUTH 87°39'31" EAST, 51.98 FEET TO A FOUND AXLE, SAID POINT BEING THE NORTHWEST CORNER OF EVERGREEN PLAT 3, A SUBDIVISION AS RECORDED IN PLAT BOOK 204, PAGES 71-73 OF SAID COUNTY RECORDS, FROM WHICH POINT A STONE BEARS SOUTH 01°34'37" WEST, 98.54 FEET SAID POINT ALSO BEING IN THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 1; THENCE ALONG THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER, SOUTH 01°34'37" WEST, 1,128.77 FEET TO A POINT, SAID POINT BEING LOCATED ALONG THE WESTERN LINE OF LOT 112 OF EVERGREEN PLAT 1, A SUBDIVISION AS RECORDED IN PLAT BOOK 190, PAGE 89 OF SAID COUNTY RECORDS, SAID POINT BEING LOCATED ON THE CENTERLINE OF TAYLOR ROAD (30 FEET WIDE), THENCE LEAVING SAID CENTERLINE AND PROCEEDING NORTH 88°25'23"W, 20.00 FEET TO A POINT; THENCE SOUTH 20°00'41" WEST, 94.87 FEET; SOUTH 01°34'37" WEST, 113.11 FEET; SOUTH 43°21'00" WEST, 75.00 FEET TO A POINT BEING ON THE NORTH LINE OF MISSOURI STATE HIGHWAY 100 (ALSO KNOWN AS MANCHESTER ROAD); THENCE WITH SAID NORTH LINE NORTH 85°02'20" WEST, 461.64 FEET; ALONG AN ARC TO THE RIGHT HAVING A RADIUS OF 17,063.74 FEET, A CENTRAL ANGLE OF 01°22'40", AN ARC LENGTH OF 410.35 FEET, THE CHORD OF WHICH BEARS NORTH 84°21'00" WEST, 410.34 FEET TO A POINT; THENCE NORTH 73°52'26" WEST, 150.88 FEET; ALONG AN ARC TO THE RIGHT HAVING A RADIUS OF 17,038.74 FEET, A CENTRAL ANGLE OF 01°40'00", AN ARC LENGTH OF 495.64 FEET, THE CHORD OF WHICH BEARS NORTH 82°19'40" WEST, 495.62 FEET TO A POINT; THENCE NORTH 68°37'23" WEST, 137.03 FEET; NORTH 81°02'40" WEST, 865.00 FEET; NORTH 79°53'55" WEST, 500.10 FEET; NORTH 73°28'36" WEST, 230.48 FEET TO A POINT IN THE EAST RIGHT-OF-WAY LINE OF EATHERTON ROAD (40' WIDE); THENCE ALONG LAST SAID RIGHT-OF-WAY NORTH 27°33'18" WEST, 688.50 FEET TO A POINT BEING THE SOUTHWEST CORNER OF A 15 FOOT DEDICATION STRIP AS PER EASEMENT PLAT FOR SANDALWOOD CREEK PHASE 1, AS RECORDED IN PLAT BOOK 234, PAGE 33, AND AMENDED IN PLAT BOOK 243, PAGE 3 OF SAID COUNTY RECORDS, FROM WHICH POINT A CONCRETE MONUMENT BEARS SOUTH 87°37'57" EAST, A DISTANCE OF 17.32 FEET; THENCE ALONG THE SOUTH LINE OF SANDALWOOD CREEK CONDOMINIUMS PHASE ONE-A, (PLAT BOOK 234, PAGE 6), SANDALWOOD CREEK CONDOMINIUMS PHASE TWO-A (PLAT BOOK 242, PAGES 84-87), SANDALWOOD CREEK CONDOMINIUMS PHASE SIX-A, (PLAT BOOK 270, PAGES 57-61), AND SANDALWOOD CREEK CONDOMINIUMS PHASE SEVEN-A, (PLAT BOOK 285, PAGES 35-38) OF ST. LOUIS COUNTY RECORDS, SOUTH 87°33'57" EAST, 1,534.38 FEET TO A POINT BEING THE SOUTHEAST CORNER OF SAID SANDALWOOD CREEK CONDOMINIUMS PHASE SEVEN-A, AND ALSO BEING THE SOUTHWEST CORNER OF HUNTERS RUN, A SUBDIVISION AS RECORDED IN PLAT BOOK 320, PAGES 25-26 OF SAID COUNTY RECORDS; THENCE ALONG THE SOUTH LINE OF SAID HUNTERS RUN SOUTH 87°41'40" EAST, 771.44 FEET TO A POINT IN THE AFOREMENTIONED NORTH AND SOUTH CENTERLINE OF SECTION 1, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SAID HUNTERS RUN; THENCE ALONG SAID CENTERLINE AND EAST LINE OF SAID HUNTERS RUN NORTH 01°12'37" EAST, 399.14 FEET TO THE NORTHEAST CORNER OF SAID HUNTERS RUN AND THE POINT OF BEGINNING AND CONTAINING 3,436,441 SQUARE FEET MORE OR LESS (78.8898 ACRES MORE OR LESS.)

**Section Two.** The zoning authority and approval embodied in this ordinance is granted subject to compliance with the Subdivision and Development Regulations, Zoning Code, 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 December 7, 2015, which is incorporated herein by reference as if fully set forth in this ordinance. The zoning authority granted herein is further subject to the following conditions:

**1. PERMITTED USES**

- a. This Planned Residential Development (P.R.D.) Overlay District shall authorize the maximum development of **one hundred ninety-four (194)<sup>1</sup> ~~eighty-seven (87)~~**, detached single family dwellings on individual lots, with common ground and public space, and all permitted accessory structures normally found in conjunction with the primary use of each property. If the Homeowners Association should want to construct an in-ground swimming pool and related cabana, such is allowed within the boundaries of this Planned Residential Development Overlay District (PRD), but must be located in subdivision-owned common ground.

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<sup>1</sup> These requests were advertised for 194 units; therefore, a greater number cannot be considered, unless a new public hearing is held.

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

- a. Each detached dwelling unit shall be located on an individual lot of record that meets the following requirements, per its location within the six (6) defined villages:
  - i. Village A – Eighty (80) foot minimum lot width and lot size of 12,000 square feet.
  - ii. Village B – Sixty-three (63) foot minimum lot width and lot size of 9,000 square feet.
  - iii. Village C – Sixty-two (62) foot minimum lot width and lot size of 9,000 square feet. ~~excepting four (4) lots, which shall have direct frontage onto the Pond Grover Loop Road, with on-site turnaround capabilities provided on each of them. These four (4) lots shall have a minimum width of seventy (70) feet, a front yard setback distance of thirty-five (35) feet, and a depth no less than one hundred sixty (160) feet.~~
  - iv. Village D – Sixty (60) foot minimum lot width and lot size of 6,500 square feet.
  - v. Village E – Thirty-eight (38) foot minimum lot width and lot size of 4,000 square feet.
  - vi. Village F - Rear-Entry Garage Lots – Forty-five (45) foot minimum lot width and lots size of 5,400 square feet.
  - vii. Properties located within a cul-de-sac shall be as approved by the Planning and Zoning Commission on the Site Development Plan. These widths shall be measured at the front building line.
- b. All detached single family dwellings shall have a minimum finish floor elevation of their front porches of eighteen (18) inches in height above the adjoining sidewalk grade. All dwelling units shall have a front porch, which must extend across at least thirty percent (30%) of the façade's elevation facing the frontage line, at a minimum depth of no less than six (6) feet. No building facade shall show more than four (4) corners to the frontage line or as approved by the Architectural Review Board on the required elevations.
- c. No building and/or structure shall be more than two (2) stories above final grade, as measured from the front building line on any individual lot.
- d. Direct residential drive access shall be allowed for up to one hundred fifty-seven (157) fifty-three (153) of the single family detached units within this development from the system of internal streets, but the garage door(s) on each unit must be a minimum of seven point five (7.5) feet behind an imaginary line formed by an extension of the front elevation of the dwelling (including the front porch) parallel to the lot's frontage, excepting those units in Villages A, C, and E. Units in two (2) of these villages shall be as reviewed and acted upon by the Planning and Zoning Commission on the Site Development Plan (Villages A and C). Garage door(s) associated with any unit located within Village E shall be a minimum of six (6) feet behind an imaginary line formed by an extension of the front elevation of the dwelling (including the front porch) parallel to the lot's frontage. Individual garage doors shall not be greater than twenty (20) feet in width and must be carriage types, including windows, and incorporate other architectural treatments, as determined by the City's Architectural Review Board to be appropriate, to lessen their prominence within the visual corridor formed by these interior streets within the development, unless a suitable alternative design is provided for these openings. The developer shall provide a minimum of two (2) options that incorporate these requirements to the Planning and Zoning Commission for its consideration, as part of the Site Development Plan review and action process, regarding the front of the garages that further reduces their prominence from the abutting street view. Architectural type shingle selections shall be required on all residential units of a minimum thirty (30) year standard.

- e. The New Urbanism lots that are part of this Planned Residential Development Overlay District boundary shall be accessed by service lanes (alleys) that comply in their construction with the Street Specifications of the Town Center Plan. These service drives shall provide access to rear loaded garages that must be provided, as part of any single-family detached dwelling, for a minimum of thirty-seven (37) ~~thirty-three (33)~~ of the allowable one hundred ninety-four (194) ~~eighty-seven (187)~~ lots. These lots do not need to incorporate the garage offset distance noted in Condition 2(d.) of this Ordinance.
- f. The first story, interior clear height for all single family dwellings shall be not less than **nine (9) feet**.
- g. Detached single family dwelling units, which face the frontage line, but also places the side of the building along another right-of-way, shall be designed to incorporate the elements of the front facade along that portion of the structure (**in its entirety**). The placement and design of these units shall be approved by the Planning and Zoning Commission on the Site Development Plan and the elevations of these units by the Architectural Review Board.
- h. The proposed architectural design, character, and style of all buildings and dwelling units shall adhere to the City of Wildwood's Town Center Architectural Guidelines, Neighborhood Design Standards, and any other applicable requirements of the Town Center Plan, **excepting no vinyl siding shall be allowed on any dwelling unit within the boundaries of this Planned Residential Development Overlay District (PRD). All materials used on any facade of a residential unit shall be fiber cement siding and backer board.** Approval of the required design shall be by the Architectural Review Board. Minimally, all buildings shall maintain a consistent theme throughout the boundaries of this Planned Residential Development Overlay District in terms of material, color, and style.
- i. The overall area of this Planned Residential Development Overlay District (PRD) shall be no less than 78.7 acres in total.

### **3. PLAN SUBMITTAL REQUIREMENTS**

Within twelve (12) months of the P.R.D. Overlay District approval by the City Council, and prior to any site disturbance, the developer shall submit to the Planning and Zoning Commission for their review and approval a Site Development Plan. Where due cause is shown by the developer, time intervals may be extended once by the Planning and Zoning Commission in accord with requirements of Section 420.060 of the City of Wildwood Zoning Ordinance. Said Site Development Plan shall include, but not be limited to, the following information:

- a. Outboundary plat and legal description of the property.
- b. A general numbered lot plan with setback lines from all streets and roadways on and adjacent to the property. A typical lot diagram, indicating all site design information such as, but not limited to, right-of-way width, improvement dimensions and locations, setbacks, and building placement.
- c. The location and size of all parking areas, pavement widths, and right-of-way dedications of all internal roadway improvements and drives.
- d. A general plan indicating setback lines along the perimeter of the subject tract of land and surrounding property lines and related improvements within four hundred (400) feet of this site's boundaries.

- e. Location of all roadways adjacent to the property, including required roadway right-of-way dedication and pavement widening with existing and proposed improvements, and general location, size, right-of-way, and pavement width of all interior drives.
- f. The location and size of all freestanding signs, lighting, fences, sidewalks, and other above ground structures, except retaining walls less than two (2) feet in height per section.
- g. Existing and proposed contours at vertical intervals of not more than two (2) feet.
- h. General location of sanitary sewer facilities.
- i. Parking and density calculations.
- j. Conceptual location and size of common ground areas.
- k. A typical section of the proposed road indicating the placement and design of required streetscape improvements.
- l. A Landscape Plan including, but not limited to, the location, size, and general type of plant materials to be used in accord with the City of Wildwood's Ordinance 410 and accompanying Tree Manual.
- m. An inventory of the percent of tree canopy or individual trees to be retained on the site.
- n. Location of all existing and proposed easements.
- o. All other information not mentioned above, but required on a preliminary plat in accord with Section 420.060 of the City of Wildwood Subdivision and Development Regulations.

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

#### 4. **SITE DEVELOPMENT PLAN DESIGN CRITERIA**

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

##### **Build-To Lines - Residential**

- a. Any building or structure, other than boundary and/or retaining walls, fences, detention facilities, and/or light standards, shall adhere to the following build-to lines, as specified in the Town Center Plan's Neighborhood Design Standards:
  - (1) **Twenty (20) feet** from any right-of-way line, except any unit served by a rear entry garage, which shall have a **build-to distance of ten (10) feet** (see Condition 2(a)).
  - (2) **Five (5) feet** for any side yard property line and ten (10) feet for side yard areas that abut the perimeter of the Planned Residential Development Overlay District.
  - (3) **Fifteen (15) feet from any rear yard property line** and thirty (30) feet for rear yard areas that abut the perimeter of the Planned Residential Development Overlay District.
  - (4) **Five (5) feet from any rear yard property line** for any unit served by a rear entry garage.

##### **Parking Setbacks - Residential**

- b. All parking stalls or loading spaces, excluding points of ingress or egress for the detached dwelling units, shall be located behind the front elevation of the dwelling a minimum of **twenty-five (25)**

feet. Driveway widths serving these required parking spaces, specifically between the edge of the public right-of-way and the front building line, shall be as approved by the Planning and Zoning Commission on the Site Development Plan, but be minimized in their respective distances to the greatest extent possible.

#### Access and Roadway Improvements

- c. **State Route 100** - Dedicate the required amount of right-of-way and/or easements along this property's State Route 100 frontage to the Missouri Department of Transportation (MoDOT) for public roadway purposes and, **subject to Subsection 4(d.)**, construct within this area the extension of the Pond-Grover Loop Road, all necessary intersection modifications and upgrades, and other improvements required therein. Improvements to State Route 100 shall conform to the requirements of the Missouri Department of Transportation (MoDOT) and the City of Wildwood's Street Specifications of the Town Center Plan, as directed and approved by the State of Missouri and the City of Wildwood's Department of Public Works. All streetscape requirements (street trees, lights, signs, waste receptacles, benches, and other items consisting of approved materials) shall be installed by the developer, as specified by the City of Wildwood's Town Center Plan within the right-of-way of State Route 100 and directed by the Department of Public Works.
- d. **Pond-Grover Loop Road** - **Subject to the conditions that follow in this Subsection [4 (d.)]**, **petitioners/developer shall construct the Pond-Grover Loop Extension, as shown on the approved Preliminary Plan; deviations in modifications to the location and design of the extension from what is shown on the plan may be approved by the Directors of the Departments of Planning and Public Works, so long as the purpose of the extension, as contemplated by the Town Center Plan, is fulfilled satisfied; the final location, design and specifications of the plan extension shall be shown on the applicable plat of the subdivision, as approved by City Council.**
- i. **The extension shall be constructed pursuant to applicable City standards;**
  - ii. **The cost of constructing the extension shall be determined by petitioners/developer, subject to approval review and acceptance by the Directors of Planning and Public Works, prior to approval of the applicable plat;**
  - iii. **Upon acceptance approval of the cost by the Directors of Planning and Public Works, and prior to approval of the applicable plat, the petitioners/developer and the City shall execute an agreement that provides for the following:**
    1. **The dedication of right-of-way to the City for the extension, pursuant to the applicable plat, and such other instruments, as may be reasonably required by the City;**
    2. **A Letter of Credit, in the amount of the cost, issued to the City, as beneficiary, shall be obtained by petitioners/developer from a financial institution and with terms and conditions and an outside expiration date (including any renewal terms) that are acceptable to the Directors of Planning and Parks and the City Attorney and in accord with the terms and conditions of this Subsection [4(d.)] for the purpose of securing the performance of the construction of the extension; and the Letter of Credit shall be issued and delivered to the City, prior to approval of the applicable plat;**
    3. **Commencement of construction of the extension within ninety (90) days after a Notice to Proceed is issued by the Directors of Planning and Public Works to petitioners/developer and petitioners/developer shall proceed and complete the extension in accordance with a schedule approved by the Directors of Planning and Public Works;**

4. If Notice to Proceed is not issued by the second first anniversary date of the approval of the applicable plat or if the City issues a notice to petitioners/developers stating the extension should not be constructed, petitioners/developer's obligation to construct the extension shall terminate, the Letter of Credit shall terminate, and the dedication shall be released/reconveyed to the petitioners/developers, or their successor(s), in title; the area on the plan set aside for the extension shall, in the event of such release and reconveyance, be converted to common ground, with trail(s) and associated public easements for them, as approved by the Director of Planning and Parks; and
  5. The City shall execute and record such instruments and documents, as may be reasonably necessary to effect the foregoing terminations and release/reconveyance.
- e. ~~Establish a minimum seventy (70) foot wide public right of way dedication to the City of Wildwood and construct the Pond Grover Loop Road Extension through the site that provides a total of two (2), eleven (11) foot wide lanes (not inclusive of the concrete vertical curb and gutter), a minimum ten (10) foot wide grass median, and a five (5) foot wide sidewalk on east side of this internal roadway, and a ten (10) foot wide multiple use trail on its west side, all of which adhere to the Town Center Plan's Street Specifications and the Streetscape Design Requirements, as directed by the Department of Public Works and approved by the Planning and Zoning Commission on the Site Development Plan. Tree lawn areas and all stormwater management facilities shall be the developer's responsibility to provide and construct as well. Along with this dedication of seventy (70) feet of right of way, the developer shall provide a five (5) foot wide roadway, maintenance, landscaping, sewer, sidewalk, and utility easement along both sides of this public dedication area. All streetscape requirements (street trees, lights, signs, waste receptacles, benches, and other items consisting of approved materials) shall be installed by the developer, as specified by the City of Wildwood's Town Center Plan within the right of way of Pond Grover Loop Road and directed by the Department of Public Works.~~
- i. ~~The developer is also responsible for the construction of a roundabout at a location approved by the Planning and Zoning Commission on the Site Development Plan. This roundabout shall be designed, engineered, and constructed in accordance with the Town Center Plans Street Specifications and Streetscape Requirements. The Departments of Public Works and Planning shall direct determinations in this regard, along with final action by the Planning and Zoning Commission.~~
- e. **Internal Streets** - Complete the necessary dedication of land area within this subject site for public right-of-way purposes associated with the internal network of streets. These dedications for public rights-of-way shall be used for the construction by the developer of a network of internal residential streets for service to the authorized lots. These dedications shall be a minimum of forty (40) feet in width to accommodate the construction of two (2) lanes of asphalt roadway, with concrete curb and gutter, and five (5) foot wide sidewalks, including a three (3) foot tree lawn area, which all adhere to the Town Center Plan's Street Specifications and the Streetscape Design Requirements, as directed by the Department of Public Works and approved by the Planning and Zoning Commission on the Site Development Plan. The construction of these improvements is the sole responsibility of the developer(s) of this project. Along with this dedication of these rights-of-way areas, the developer shall provide a five (5) foot wide roadway, maintenance, landscaping, sewer, sidewalk, and utility easement along both sides of this public dedication area. All streetscape requirements (street trees, lights, signs, waste receptacles, benches, and other items consisting of approved materials) shall be

installed by the developer, as specified by the City of Wildwood's Town Center Plan within the rights-of-way of these unnamed streets and directed by the Department of Public Works.

- f. **Eatherton Road Extension** - Dedicate the required amount of right-of-way and/or easements within the boundaries of this property to the City of Wildwood for the construction of the Eatherton Road Extension for public roadway purposes, which include a minimum driving surface of two (2) lanes that total twenty-six (26) feet in width, a five (5) foot wide sidewalk on both sides of this driving surface, and street trees and lights, including a minimum seven (7) foot wide tree lawn area for these improvements. A roundabout, and related channelization islands and other improvements as set forth therein, is required within the Eatherton Road Extension right-of-way area and the developer is responsible for its construction. Improvements to Eatherton Road shall conform to all of the requirements of the City of Wildwood's Street Specifications of the Town Center Plan, as directed and approved by the City of Wildwood's Department of Public Works. All streetscape requirements (street trees, lights, signs, waste receptacles, benches, and other items consisting of approved materials) shall be installed by the developer, as specified by the City of Wildwood's Town Center Plan within the right-of-way of Eatherton Road and directed by the Department of Public Works.
- g. **Birch Forest Drive** – ~~The trail/emergency extension of extend Birch Forest Drive, from its current terminus into the subject site, shall be limited to a design that accommodates only emergency and pedestrian/bicyclist access. The construction and of this trail/emergency extension shall adhere to established and accepted design, engineering, and material standards and specifications, which would allow for emergency vehicles only, pedestrians, and bicyclists to access across it, while blocking any other vehicle by a system of bollards (or acceptable alternative), to be selected in terms of their types and placements, as directed by the Town Center Plan's Street Specifications and the Streetscape Design Requirements Department of Public Works and the Metro West Fire Protection District, all needing final action by the Planning and Zoning Commission on the Site Development Plan. Safety Components determined necessary for the design and construction/reconstruction of this alternative, trail/emergency/pedestrian/bicyclist any stub street extension shall be indicated on the Site Development Plan and reviewed and acted upon thereafter by the Planning and Zoning Commission.~~
- h. **Service Lanes (alleys)** - Complete the necessary dedication of land area within this subject site for private access purposes. These dedications for private purposes shall be used for the construction by the developer of a system of lanes/alleys for service to the authorized lots. These dedications shall be a minimum of twenty-two (22) feet in width to accommodate the construction of a lane/alley, which all adhere to the Town Center Plan's Street Specifications and the Streetscape Design Requirements, as directed by the Department of Public Works and approved by the Planning and Zoning Commission on the Site Development Plan.
- i. Any planned traffic island/cul-de-sac shall be designed and constructed by the developer of this residential subdivision in accordance with City of Wildwood standards, and as directed by the Department of Public Works. The Planning and Zoning Commission, on the Site Development Plan, shall approve the final design of this traffic calming improvement.

### Miscellaneous Roadway Requirements

- j. Installation of landscaping and ornamental entrance monument or identification signage, if proposed, shall be reviewed by the Department of Public Works for sight distance considerations and approved prior to its installation or construction.
- k. If required sight distance cannot be provided at the access location, acquisition of right-of-way, reconstruction of pavement, including correction to vertical alignment and other off-site improvements, may be required to provide the required sight distance as directed by the Department of Public Works.
- l. **Construction access shall be from State Route 100 during the development of this site, not via Birch Forest Drive and/or Eatherton Road.**
- m. Sidewalks shall be required on all public and private streets (parking lot aisles) and provide for a continuous and logical layout of this pedestrian network. Design and construction requirements for all sidewalks within the entire development shall be as established in the Street Specifications and Streetscape Elements of the Town Center Plan. Approval of their location, design, and material shall be by the Planning and Zoning Commission, as part of the Site Development Plan review process.
- n. The developer is advised that utility companies will require compensation for relocation of their utility facilities within public road right-of-way. Utility relocation cost shall not be considered as an allowable credit against the petitioner's Traffic Generation Assessment contributions. The developer should also be aware of extensive delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of roadway improvements.
- 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.

### Parking Requirements - Residential

- p. Parking spaces shall be provided as required by the Town Center Plan's Neighborhood Design Standards and Section 415.340 Off-Street Parking and Loading Requirements of the City of Wildwood Zoning Ordinance for the R-3 10,000 square foot Residence District.

### Landscape Requirements - Specific

- q. Landscaping shall adhere to all requirements of Ordinance 410 and its accompanying Tree Manual, including the submittal of a Tree Preservation Plan in conjunction with the Site Development Plan.
- r. All streets, roads, and lanes shall be appropriately landscaped as required by the Streetscape Design Requirements of the Town Center Plan and approved by the Planning and Zoning Commission on the Site Development Plan.

- s. The areas of existing vegetation within the P.R.D. Overlay District boundaries identified as to be retained shall be marked on the site prior to the commencement of any disturbance in accord with the City of Wildwood's Ordinance 410. These areas shall be indicated on the Site Development Plan submitted to the City of Wildwood for Planning and Zoning Commission review and approval. Existing mature tree canopy shall be preserved in accordance with the requirements of City of Wildwood's Ordinance 410 Tree Preservation and Restoration Code.
- t. Landscaping within the defined common ground areas shall comply with Ordinance 410 Tree Preservation and Restoration Code requirements and accompanying Tree Manual. The Planning and Zoning Commission, on the Site Development Plan, shall approve the planting pattern. Amenities, such as benches, lights, and walking paths shall be installed in the open space area of the residential development by the developer of these one hundred ninety-four (194) ~~eighty seven (187)~~ dwelling units.
- u. The developer shall provide a minimum twenty (20) foot wide, landscape buffer strip, within a perpetual easement dedicated to the Homeowners Association for its maintenance and care, along the entire eastern boundary of the site, where existing woodlands are not preserved, for plantings, as reviewed and acted upon by the Planning and Zoning Commission.
- v. A Landscape Architect shall sign and submit all plans for review and approval for this mixed-use development.

#### **Signs - Residential**

- w. Signs for this P.R.D. Overlay District shall be erected in accordance with the Town Center Plan Architectural Guidelines and Section 415.410 Sign Regulations of the City of Wildwood Zoning Ordinance for the R-3 10,000 square foot Residence District.
- x. The location of all signage shall be as approved on the Site Development Plan by the Planning and Zoning Commission. Signage not located on common ground must be erected within an easement.

#### **Lighting Requirements**

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

#### **Miscellaneous Conditions**

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

- aa. Improvements associated with public infrastructure, such as roadways, sidewalks, and access points, shall comply with general design principles that will provide for safe and efficient movement of traffic in and around these sites and improve overall circulation in the area. These improvements shall be reviewed and approved by the Department of Public Works.
- bb. Hours of construction and grading activity shall be limited to 7:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday. No development (grading and construction) activity shall be authorized on Sundays.
- cc. All retaining walls exceeding three (3) feet in height per section or crossing individual property lines shall be constructed of an appropriate inter-locking concrete block system. Walls crossing property lines shall be located in a maintenance easement. The design, color, material, and location of all walls shall be consistent with the requirements of the Town Center Plan's Architectural Guidelines and be shown on the Site Development Plan for review and action by the Planning and Zoning Commission.
- dd. The location of all utility easements for proposed service to this development shall be as approved by the Planning and Zoning Commission on the Site Development Plan. All utilities installed to serve this site shall be placed underground, including any existing overhead lines located on the subject property.
- ~~ee. No portion of any lot that is to be located within the proposed eight (8) lot cul-de-sac solely served by Pond Grover Loop Road shall extend closer than thirty (30) feet to the abutting Planned Residential Development Overlay District (PRD) boundary to their north. This buffer area shall be protected from all land disturbance activities. Additionally, the common boundary between this site and the Sandalwood Creek and Hunters Run Subdivisions shall be separated by a minimum ten (10) foot buffer area that is common ground. This area shall also be protected from all land disturbance activities.~~

**5. TRAFFIC GENERATION ASSESSMENT FEE**

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

<i>Type of Development</i>	<i>Required Contribution</i>
Single Family Dwelling ( <b>detached</b> )	\$1,055.10/Parking Space

(Section 415.280 of the City of Wildwood Zoning Code defines a parking space.)

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

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

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

The Planning and Zoning Commission is recommending these fees be credited to the developer for the purposes of assisting with completion of required improvements within the right-of-way of the Pond-Grover Loop Road, if constructed. Additionally, credits may also be considered toward the construction of the Eatherton Road extension through the subject site, but would be solely based upon the difference in cost of a residential type street, of the same dimensions, versus this arterial type roadway. Credits would only be considered for the Eatherton Road Extension, if Pond-Grover Loop Road were not to be constructed. The granting of these credits is at the sole discretion of the City Council.

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

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

### **Stormwater Improvements**

- a. Submit to the Planning and Zoning Commission an engineering plan approved by the City of Wildwood Department of Public Works and the Metropolitan St. Louis Sewer District showing that adequate handling of the stormwater drainage of the site is provided.
  1. The developer is required to provide adequate stormwater systems in accordance with the City of Wildwood and the Metropolitan St. Louis Sewer District standards.
  2. All stormwater shall be discharged at an adequate natural discharge point. Sinkholes are not adequate points of natural discharge and may not be disturbed.
  3. Retention/detention of differential runoff of stormwater shall be required. Stormwater management shall be provided in permanent retention/detention facilities, such as ponds or other acceptable alternatives. These retention/detention facilities shall be completed and in operation prior to the issuance of building permits for an approved dwelling unit, except display lots.
  4. All proposed retention/detention facilities and related stormwater improvements shall be located in a common ground area and insure perpetual maintenance to the Homeowners Association to be created at the time of platting of this development, unless otherwise accepted by the Metropolitan St. Louis Sewer District.
  5. The developer of this site shall be solely responsible to provide the necessary mechanisms, as part of the Site Development Plan/Improvement Plan process, to implement "best management practices" for stormwater management and the construction of related facilities. Minimally, these practices/facilities should include rain gardens, vegetative swales, and other options to substantially reduce the amount of stormwater leaving the subject site.
  6. The developer shall provide adequate detention and/or hydrologic calculations for review and approval of all stormwater that will encroach on City of Wildwood/Missouri Department of Transportation (MoDOT) rights-of-way.
  7. A bond or letter of credit will be required by the City of Wildwood to cover any downstream damage to abutting or adjacent properties, common ground areas, or drainageways caused by the developers' use of this subject site (land/disturbance/grading/construction activities, etc.), which shall be used for the restoration of damaged areas to their pre-development condition, if the developers fail to meet their responsibilities in this regard. The amount of this bond and

the establishment of the process for creating an accurate baseline condition for the existing downstream facilities shall be at the discretion of the City of Wildwood Department of Public Works, in conjunction with input from the petitioner's engineer.

#### **Geotechnical Report**

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

#### **Stormwater Pollution Prevention Plan**

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

#### **Natural Resource Protection Plan**

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

#### **Environmental Assessment – Phase One**

- e. The developer shall provide to the Planning and Zoning Commission, as part of the Site Development Plan submittal package, a Phase I Environmental Assessment Report of the property, which indicates its current condition relative to its past utilization by other owners. Determination regarding any required mediation shall be identified and completed, prior to the approval of the Record Plat and before the occupancy of any residential unit, all being in accordance with State and federal standards and guidelines, as set forth by the United States Environmental Protection Agency (EPA) and the Missouri Department of Natural Resources (MDNR), for any determined contaminant exceeding a residential cleanup standard/guideline, with the cost borne for such by the developer and not the City of Wildwood.

#### **Floodplain Study and Plans/Wetlands Study**

- f. The developer shall provide a floodplain/wetlands study to the Department of Public Works indicating compliance to the requirements of the City of Wildwood, the U.S. Army Corp of Engineers, and the Federal Emergency Management Agency (FEMA) regarding disturbance or development in

the protected waterways and floodplain areas. This study shall minimally provide information relating to disturbance of any protected area and be reviewed and acted upon by the Department of Public Works, as part of the Site Development Plan submittal process.

## **7. RECORDING**

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

## **8. VERIFICATION PRIOR TO PERMITS**

### **Notification to Department of Planning**

- a. Subsequent to approval of the Site Development Plan and prior to issuance of any grading, foundation, or building permit, all approvals from the Department of Public Works (Wildwood), the Missouri Department of Transportation, the Metro West Fire Protection District, the Missouri Department of Natural Resources, and the Metropolitan St. Louis Sewer District must be received by the Department of Planning.
- b. Prior to the issuance of a foundation or building permit for any lot, which adjoins the common ground area and/or detention, basin, written certification from a Professional Engineer which verifies these areas are graded in accordance with the approved plans, must be received by the Department of Planning.

### **Roadway Improvements**

- c. Improvements to State Route 100 and Eatherton Road must be completed prior to the issuance of building permits in excess of ten (10) percent of the units. Any delays in utility company relocation and adjustments will not constitute a cause to allow occupancy prior to completion of roadway improvements.

### **Land Subdivision**

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

### **Indentures**

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

### **Escrow Requirements**

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

### **Improvement Plans**

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

### **Sanitary Sewage System**

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

### **Potable Water Service**

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

## **9. GENERAL DEVELOPMENT CONDITIONS**

- a. Provide adequate temporary off-street parking for construction employees. Parking on non-surfaced areas shall be prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.
- b. A grading permit is required prior to any grading on the site. Interim stormwater drainage control in the form of siltation control measures is required.
- c. A copy of the most recently approved Site Development Plan for this P.R.D. Overlay District development shall be prominently displayed at all times in all sales offices for this development.
- d. The petitioner shall be responsible for obtaining all necessary permits from the Department of Natural Resources Clean Water Commission as they relate to the development of this tract of land.
- e. If cut and fill operations occur during a season not favorable for immediate establishment of a permanent ground cover, a fast germinating annual, such as Rye or Sudan Grasses, shall be utilized to retard erosion.
- f. Failure to comply with any or all of the conditions of this ordinance shall be adequate cause for revocation of permits by issuing City of Wildwood Departments or Commissions.
- g. The Zoning Enforcement Officer of the City of Wildwood, Missouri, shall enforce the conditions of this ordinance in accord with Site Development Plans approved by the Planning and Zoning Commission and the Department of Planning.
- h. Any other applicable zoning, subdivision, or other regulations or requirements of the City, whether in effect at the adoption of this ordinance or as may be hereinafter adopted, shall further apply to the development of this property as authorized by this Planned Residential Development Overlay District

Ordinance, except as may be provided by law. Nothing herein shall be deemed a waiver of any subdivision, zoning or other development regulation of the City whether by implication or reference.

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

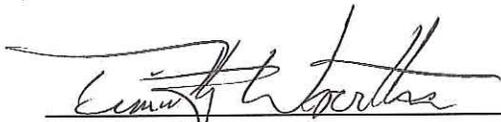
**10. PUBLIC SPACE REQUIREMENTS**

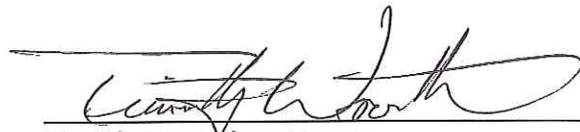
- a. Developer shall construct improved public space in conformance with or otherwise satisfying the requirements of the City's Public Space Ordinance, Chapter 415.260 and 415.270 of the City of Wildwood's Zoning Ordinance. The City Council accepts the findings of the Public Space Study adopted therein and determines the compliance with the Public Space Ordinance provisions will address the impact of this specific development on public space needs in a manner and amount that is equal to less than an amount that is roughly proportional to the actual or anticipated impact. The installation of required public space improvements shall be as required by the applicable ordinances, but shall be completed prior to issuance of any occupancy (temporary or final) permit authorized by this ordinance. Unless otherwise approved pursuant to the procedures set forth in the Public Space Ordinance, the public space attributable to this development, **based upon the number of authorized dwelling units at a rate of 1,742.4 square feet per new single family dwelling**. The provision of public space shall substantially comply with the Preliminary Development Plan submitted in conjunction at the public meeting on November 2, 2015.

**Editor's Note:** Changes to the report from its October 5, 2015 version to the November 2, 2015 are with a single strike-through line. Previous changes considered by the members at their October 5, 2015 Planning and Zoning Commission meeting are indicated by blue-type. **No modifications have been made to the Letter of Recommendation, since the Planning and Zoning Commission took action upon it on November 16, 2015, excepting Condition 2(d). This condition was recommended for a change, as part of the motion and vote on the overall Letter of Recommendation, which, again, failed for a lack of majority. Changes to the Letter of Recommendation, which were supported by the City Council and authorize for inclusion in the proposed Bill, are indicated in brown, bolded type.** Blue, bolded type reflects changes from the January 11, 2016 City Council meeting.

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

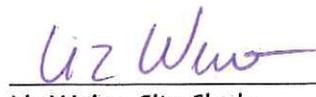
This Bill was passed and approved this 25 day of JANUARY, 2015, by the Council of the City of Wildwood, Missouri after having been read by title, or in full, two (2) times prior to its passage.

  
\_\_\_\_\_  
Presiding Officer

  
\_\_\_\_\_  
Timothy Woerther, Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
Liz Weiss, City Clerk