

AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, RATIFYING THE TOWN CENTER REGULATING PLAN, AND APPROVING THE REZONING OF FOUR LOTS WITH THE APPLICATION OF A PLANNED RESIDENTIAL DEVELOPMENT OVERLAY DISTRICT (PRD) ONTO THE PROPERTIES TOTALING 8.3 ACRES, LOCATED ON THE WEST SIDE OF TAYLOR ROAD EXTENSION, NORTH OF STATE ROUTE 100, AND EAST OF STATE ROUTE 109, AND AUTHORIZING UP TO 30 DETACHED SINGLE-FAMILY DWELLINGS ON INDIVIDUAL LOTS WITH COMMON GROUND, STORMWATER FACILITIES, AND REQUIRED PUBLIC SPACE AREAS, ALL CONSISTENT WITH THE PLANNING AND ZONING COMMISSION'S APRIL 1, 2024 LETTER OF RECOMMENDATION.

WHEREAS, in 2018, the City Council approved a major, Town Center residential development called the Villages at Bright Leaf, which included over one hundred ninety (190) homesites, divided into five (5) distinct villages; and

WHEREAS, specifically, one (1) of those villages (Village E) was different than the other four (4) by the type of unit, size of lot, and care of property and improvements, all as a common element, which made it a maintenance-free type of setting for a certain type of buyers seeking such; and

WHEREAS, this village was successful and the developer/builder of it would like to replicate that success on an adjacent parcel of ground across Taylor Road Extension from Village E, and is calling it the Pointe at Bright Leaf; and

WHEREAS, this proposed project is to be situated on an eight point three (8.3) acre tract of land and was proposed at thirty (30), single family detached dwellings on individual lots that would mirror the types of housing in the nearby peer village (Village E); and

WHEREAS, as part of the project, a number of infrastructure items (streets, curb and gutters, sidewalks), public spaces, stormwater managements, and amenities are proposed to support the unit count and create a focal point at the nearby intersection of State Route 100 and State Rout 109 that includes a small lake, with fountain, trails, and green spaces, all highlighted by new landscaping and plantings; and

WHEREAS, the Planning and Zoning Commission was presented this project at its meeting on January 16, 2024, where its members held a public hearing, and accepted comments and questions from the public and others; and

WHEREAS, after the conclusion of the public hearing and its closing, and at the following meeting, the Department of Planning presented its Information Report, with favorable recommendation, to the Planning and Zoning Commission, relative to the project and the list of reasons for its support, principally compliance with the five (5) major components of the Town Center Plan, i.e., Boundary Map, Street Network Map, Regulating Plan, Neighborhood Design Standards, and Architectural Guidelines; and

WHEREAS, the Planning and Zoning Commission reviewed the report, with recommendation, and by a majority vote of its members supported the project, with acknowledgement and acceptance of the conditions attached to this favorable support to ensure compliance of it to all levels of design, engineering, and architecture; and

WHEREAS, this recommendation was then forwarded to the City Council for its review and action at a public hearing on this matter, which was held on May 13, 2024; and

WHEREAS, at the public hearing on this matter, the City Council concurred with the Planning and Zoning Commission and, at its conclusion, led its members to accept the prepared legislation that endorsed and ratified the change to the Regulating Plan, the amendment of the zoning district designations associated with this tract of land, and the acceptance of the overlay district associated for the same; and

WHEREAS, this action is consistent with the authorities of the City to manage all land use decisions within its boundaries, such being administered by the City Council for the health, safety, and general welfare of its residents.

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

Section One. Regulating Plan. The amendments to the City’s Town Center Plan, specifically its Regulating Plan component, previously adopted by the Planning and Zoning Commission on April 1, 2024, by its action on the Letter of Recommendation on this request, is hereby incorporated herein by reference and on file for view with the City Clerk of the City of Wildwood, Missouri, and endorsed, ratified, and confirmed, as part of the City’s Master Plan.

Section Two. Comprehensive Zoning Map. Pursuant to Section 3.9(b.) of the City Charter, the Comprehensive Zoning Map is hereby amended to reflect the modification made to the Regulating Plan of the Town Center Plan by the Planning and Zoning Commission, which establishes how the development of these properties will be reviewed and considered by the City in terms of authorized uses, neighborhood design standards, architectural guidelines, street specifications, and streetscape requirements, all in accordance with the stated objectives of the amendment and the contemporaneous amendment of the Master Plan.

Section Three. Zoning Actions. 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 C-8 Planned Commercial District and NU Non-Urban Residence District to the R-4 7,500 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 NORTHWEST QUARTER 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 POINT OF INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF TAYLOR ROAD (40-FEET WIDE AND FORMERLY KNOWN AS EATHERTON ROAD), AND THE

NORTH RIGHT-OF-WAY LINE OF MISSOURI STATE HIGHWAY 100 (WIDTH VARIES); THENCE PROCEEDING ALONG SAID NORTH RIGHT-OF-WAY LINE, NORTH 74° 04' 56" WEST, 784.77 FEET TO A POINT; THENCE CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, NORTH 27° 27' 55" WEST, 91.53 FEET TO A POINT LOCATED ON THE EAST RIGHT-OF-WAY LINE OF MISSOURI STATE HIGHWAY 109 (WIDTH VARIES), SAID POINT BEING DISTANT 120.00 EAST OF THE CENTERLINE OF SAID EAST RIGHT-OF-WAY LINE; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, ALONG A LINE PARALLEL TO AND DISTANT 120.00 EAST OF THE CENTERLINE OF SAID EAST RIGHT-OF-WAY, NORTH 14°-59' 55" EAST, 742.60 FEET TO A POINT LOCATED ON THE EAST-WEST CENTERLINE OF THE NORTHWEST QUARTER OF THE ABOVEMENTIONED SECTION 1; THENCE ALONG SAID QUARTER CENTERLINE, SOUTH 87° 40' 08" EAST, 55.64 FEET TO A POINT ON THE WEST RIGHT-OF-WAY OF THE ABOVEMENTIONED TAYLOR ROAD; THENCE ALONG THE WEST RIGHT-OF-WAY OF SAID TAYLOR ROAD, SOUTH 28° 03' 19" EAST, 967.22 FEET TO AN ANGLE POINT; THENCE CONTINUING ALONG SAID WEST RIGHT-OF-WAY SOUTH 30° 49' 19" EAST, 183.89 FEET TO THE POINT OF BEGINNING AND CONTAINING .363,596 SQUARE FEET (8.347 ACRES MORE OR LESS), ACCORDING TO CALCULATIONS PERFORMED BY THE STERLING COMPANY DURING THE MONTH OF SEPTEMBER, 2023 UNDER PROJECT NUMBER 21-01-015. THE ABOVE DESCRIPTION IS SUBJECT TO THE RESULTS OF A FUTURE BOUNDARY SURVEY.

Section Four. Authority. 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 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 1, 2024, which is incorporated herein by reference, as if fully set forth in this ordinance. The zoning authority granted herein is further subject to the conditions and provisions as follows:

1. PERMITTED USES

- a. This Planned Residential Development (P.R.D.) Overlay District shall authorize a maximum of thirty (30), detached single family dwellings, all on individual lots, with them being in conjunction with common ground areas, public space locations, and any permitted accessory structures and uses normally found in conjunction with this type of principal activity.

2. LOT SIZES, DEPTHS, AND BUILDING REQUIREMENTS

- a. The area of this Planned Residential Development Overlay District (PRD) shall be no less than eight (8) acres in size (inclusive of dedications for public rights-of-way).
- b. Any garage door facing or otherwise orientated toward any public street shall be set back from an imaginary line along the dwelling's front a minimum of six (6) feet. This garage door setback from the front of the dwelling shall as approved by the Planning and Zoning Commission, as part of the Site Development Plan (SDP) review and action process.
- c. Any unit that is situated on a lot abutting the rights-of-way of State Route 109 and State Route 100 shall be required to provide upgraded windows, doors, insulation, and drywall

components to mitigate sound from these corridors. Assessment of such mitigation steps shall be considered and acted upon by the Planning and Zoning Commission as part of the Site Development Plan (SDP) review and action process.

- d. Each detached dwelling unit shall be located on an individual lot of record that is a minimum of 5,000 square feet or greater in size. The minimum width of any lot within this P.R.D. Overlay District shall be forty (40) feet in distance. This width shall be measured at the lot's front building line.
- e. All detached single family dwellings shall have a minimum finish floor elevation at their front porches of eighteen (18) inches in height above the adjoining sidewalk grade or as acted upon by the Planning and Zoning Commission on the Site Development Plan (SDP). All dwelling units shall have a portion of each front porch area (minimum of thirty percent (30%), at a depth of no less than six (6) feet, or as acted upon by the Planning and Zoning Commission as part of the Site Development Plan (SDP) process.
- f. 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.
- g. All lots that are part of this Planned Residential Development Overlay District (PRD) shall be accessed from the proposed, internal loop street, not by the Taylor Road Extension, State Route 100, or State Route 109.
- h. The first story, interior clear height for all single family dwellings shall be not less than nine (9) feet.
- i. Detached single family dwelling units, which face the frontage lines of State Route 100, State Route 109, and Taylor Road Extension, but also placed the sides of the buildings along another rights-of-way, shall be designed to incorporate the elements of the front facades along that portion of the structures. The placements and designs 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.
- j. Direct residential drive access shall be allowed for the allowable thirty (30) of the single family detached units within this development from the system of internal streets, but the garage door(s) on each unit must be a minimum of six (6) feet behind an imaginary line formed by an extension of the front elevation of the dwelling (including the front porch) parallel to the lot's frontage. Individual garage doors shall not be greater than twenty (20) feet in width and must be carriage types, including windows, and incorporate other architectural treatments, as determined by the City's Architectural Review Board to be appropriate, to lessen their prominence within the visual corridor formed by these interior streets within the development, unless a suitable alternative design is provided for these openings.
- k. The proposed architectural design, character, and style of all 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 backerboard, wood, stone, and/or brick. Architectural type shingle selections shall be required on all residential units of a minimum thirty (30) year standard, with all penetrations, i.e., vents, stacks, etc. to be painted to match the shingle's color. 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 (PRD) in terms of material, color, and style.

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.

4. SITE DEVELOPMENT PLAN DESIGN CRITERIA

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

Build-To/Setback 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/setback lines, as specified in the Town Center Plan’s Neighborhood Design Standards:
 - (1) A minimum of twenty (20) feet for the front yard setback distance. **Front porches or stoops may extend five (5) feet into this setback area, per the Town Center Plan.**
 - (2) Five (5) feet for the side yard setback distance, except a minimum of ten (10) feet must be met for any lot that abuts the perimeter of the Planned Residential Development Overlay District (PRD).
 - (3) Fifteen (15) feet from any rear yard property line, except a minimum thirty (30) feet must be maintain for proposed Lots 32 through 34, which abut the perimeter of the Planned Residential Development Overlay District (PRD).
- 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-six (26) feet **from the edge of any right-of-way area (public or private)**. 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

> State Route 100 and State Route 109

- c. Dedicate any requested and/or required amount of rights-of-way and/or easements along this property’s State Routes 100 and 109 frontages to the Missouri Department of Transportation (MoDOT) for public roadway purposes and construct within these areas all necessary intersection modifications and upgrades, and other improvements required therein. Improvements to State Routes 100 and 109 shall conform to the requirements of the Missouri Department of Transportation (MoDOT) and the City of Wildwood’s Street Specifications of the Town Center Plan, as directed and approved by the State of Missouri and the City of Wildwood’s Department of Public Works. All streetscape requirements (street trees, lights, signs, waste receptacles, benches, and other items consisting of approved materials) shall be installed by the developer, as specified by the City of Wildwood’s Town Center Plan within the rights-of-way of State Routes 100 and 109,

and as directed by the Department of Public Works. Said design and engineering for the same shall be indicated on the Site Development Plan (SDP) and reviewed and acted upon by the Planning and Zoning Commission.

> Taylor Road Extension

- d. Dedicate the required amount of land area for public right-of-way and/or easement purposes within the boundaries of this property to the City of Wildwood for the Taylor Road Extension, which would create area for a minimum driving surface of two (2) lanes that total twenty-six (26) feet or greater in width. Said dedication area shall be indicated on the Site Development Plan (SDP) and reviewed and acted upon by the Planning and Zoning Commission.
- e. The developer shall construct the obligatory roadway improvements, which shall include a widening of it by a minimum of five (5) feet in width, with a ~~ten (10)~~ **five (5) foot wide sidewalk** ~~multiple-use trail~~, and street trees and lights, to be installed in a minimum five (5) foot wide tree lawn area for these improvements. Improvements to Taylor Road Extension 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 Taylor Road Extension and directed by the Department of Public Works. Said design and engineering for the same shall be indicated on the Site Development Plan (SDP) and reviewed and acted upon by the Planning and Zoning Commission.
- f. The development of this tract of land shall be limited to no more than **three (3)** curb cuts onto Taylor Road Extension and align with Fire Glow Drive and Sandalwood Creek Drive. The design and construction specifications of the final and authorized curb cuts shall be as set forth, reviewed, and approved the Department of Public Works before any action by the Planning and Zoning Commission on the required Site Development Plan. This curb cuts shall meet the minimum standards for sight distance associated with its respective use.

> Other Roadway and Street Requirements

- g. 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 maximum of forty-five (45) feet in width to accommodate the construction of two (2) lanes of asphalt roadway (a minimum of twenty-six point one (26.1) feet in width), with concrete curb and gutter (type to be approved on the Site Development Plan (SDP)), and five (5) foot wide sidewalks, including a five (5) 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 specifications of these public streets shall accommodate turnaround capabilities, where needed for larger vehicles. 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. Said design and engineering of these streets shall be indicated on the Site Development Plan (SDP) and reviewed and acted upon by the Planning and Zoning Commission.

- h. 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 designs of any traffic calming improvements.

> Miscellaneous Roadway Requirements

- i. Any planned infrastructure improvement 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.
- 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. Sidewalks shall be required on all public streets and provide for a continuous and logical layout of this pedestrian network. Design and construction requirements for all sidewalks within the entire development shall be as established in the Street Specifications and Streetscape Elements of the Town Center Plan. Approval of their location, design, and material shall be by the Planning and Zoning Commission, as part of the Site Development Plan review process.
- 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 roadway improvements.

- n. 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, trash enclosures, mailbox clusters, pedestrian furniture, and on-street parking locations.
- o. Construction access during the entirety of this project's development shall be via State Route 109 and the Taylor Road Extension. Use of the portion of Taylor Road Extension that is located within the Villages of Bright Leaf Subdivision is prohibited.

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-4 7,500 square foot Residence District. The developer shall be responsible to provide additional parking spaces within certain public rights-of-way areas of the project, as part of the system of streets identified thereon.

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 planting pattern shall be approved by the Planning and Zoning Commission on the Site Development Plan. Amenities, such as benches, lights, fences, and walking paths shall be installed in the open space area of the residential development by the developer.
- u. A Landscape Architect shall sign and submit all plans for review and approval for this development.

Signs - Residential

- v. Signs for this P.R.D. Overlay District shall be erected in accordance with the Town Center Plan Architectural Guidelines and Section 415.410 Sign Regulations of the City of Wildwood Zoning Ordinance for the R-4 7,500 square foot Residence District.
- w. The location of all signage shall be as approved on the Site Development Plan (SDP) by the Planning and Zoning Commission. Signage not located on common ground must be erected within an easement.

Lighting Requirements

- x. 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 Ordinance, 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 (SDP) review process.

Miscellaneous Conditions

- y. 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.
- z. 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.
- aa. 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.
- bb. 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.

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, with all components of said apportionment for this project identified as part of a Development Agreement that details all rights and responsibilities set forth for this collection by the City of Wildwood. Said Development Agreement shall be approved by the City Attorney. 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 two (2) parking spaces per dwelling by the following rate:

| <i>Type of Development</i> | <i>Required Contribution</i> |
|----------------------------|------------------------------|
| Single Family Dwelling | \$1,435.20/Parking Space |

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

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

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

The amount of this required contribution, if not submitted by January 1, 2025, 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.

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.
 - i. The developer is required to provide adequate stormwater systems in accordance with the City of Wildwood and the Metropolitan St. Louis Sewer District standards.
 - ii. All stormwater shall be discharged at an adequate natural discharge point.
 - iii. 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.
- iv. All proposed retention/detention facilities and related stormwater improvements shall be located in a common ground area and ensure perpetual maintenance to the Homeowners Association to be created at the time of platting of this development. These stormwater improvements shall provide appropriate plantings to meet Metropolitan St. Louis Sewer District standards, while also addressing the City of Wildwood's requirements relating to its Sustainable Plantings Guide and Tree Manual. These areas, where lots faced onto them, must provide an appropriate environment and said determination will be indicated on the required Landscape Plan and acted upon by the Planning and Zoning Commission.
 - v. 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. An aerator/fountain shall be allowed, as part of this facility.
 - vi. 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.
 - vii. 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 Federal, State, and local requirements regarding the management of stormwater runoff to prevent siltation and erosion, both on-site and upon downstream properties.

Phase I Environmental Assessment

- d. 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.

Traffic Impact Study (TIS)

- e. The developer shall provide to the Departments of Planning and Public Works a Traffic Impact 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 Taylor Road Extension and State Route 109. The Traffic Impact 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 Impact Study shall be by the City of Wildwood Departments of Planning and Public Works. Additional roadway improvements may be required only along the frontages of the petitioner's site, based upon the findings of this study, if warranted.

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, the Missouri Department of Transportation (MoDOT), the Missouri Department of Natural Resources (MDNR), the Metro West Fire Protection District, and the Metropolitan St. Louis Sewer District (MSD) 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 stormwater basin or facility, 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 Taylor Road Extension must be completed prior to the issuance of building permits in excess of fifty (50) 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. This indenture, if common maintenance of the exterior of all residential units, private lots, and common ground areas, shall address such, and be reviewed by the City Attorney for compliance to all applicable law.

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 and Public Potable Water

- h. The developer shall provide verification from the Metropolitan St. Louis Sewer District (MSD) and Missouri American Water Company respectively that public sewer service and adequate pressure and volume of potable water is to be provided to this site and associated dwellings. Verification shall be in a form acceptable to the City of Wildwood.

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 for the authorized by this ordinance. Unless otherwise approved pursuant to the procedures set forth in the Public Space Ordinance, the public space attributable to this development, based upon the number of authorized dwelling units at a rate of 1,742.4 square feet per new single family dwelling.


- i. The public space plan shall generally match the components of the same that were presented at the March 4, 2024 Planning and Zoning Commission meeting and as depicted on the last submitted Preliminary Development Plan (PDP) for the same.

Section Five. Savings. Except as expressly set forth herein, nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether relating to or in manner connected with the subject matter hereof.


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

Section Seven. This Ordinance shall be in full force and take effect from and after the date of its final passage and approval.

This Bill was passed and approved this 15th day of July, 2024, by the Council of the City of Wildwood, Missouri, after having been read by title or in full two (2) times prior to passage.



Presiding Officer



Joseph Garritano, Mayor

ATTEST:



City Clerk

ATTEST:



City Clerk