

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDWOOD, MISSOURI APPROVING A CHANGE IN ZONING FROM THE NU NON-URBAN RESIDENCE DISTRICT TO THE R-1A 22,000 SQUARE FOOT RESIDENCE DISTRICT FOR A THREE (3) ACRE TRACT OF LAND, WHICH IS LOCATED ON THE EAST SIDE OF EATHERTON ROAD, NORTH OF MANCHESTER ROAD, THEREBY ALLOWING FOR ITS DIVISION INTO THREE (3) PARCELS OF GROUND, SUCH ALSO BEING CONSISTENT WITH THE 'NEIGHBORHOOD EDGE DISTRICT DESIGNATION OF THE TOWN CENTER PLAN. P.Z. 5-24 Eatherton Heights (Revised), c/o Spree Sidutta Properties, L.L.C. (Ward Eight)

WHEREAS, Spree Sidutta Properties (the "Petitioner") is the owner of a single lot of record generally located on the east side of Eatherton Road, north of its intersection with Manchester Road, and consisting of approximately three (3) acres, more particularly described herein (the "Property"); and

WHEREAS, the Petitioner submitted a Petition for the change of zoning (the "Petition") requesting the rezoning of the Property, which is also located within the Town Center Area, and designated the "Neighborhood Edge" and "Neighborhood General District" under the Regulating Plan of the Town Center Plan; and

WHEREAS, the Petitioner specifically requested the Property be rezoned from the NU Non-Urban Residence District to the R-1A 22,000 square foot Residence District, which would allow for the three (3) requested lots located on the Property, all being approximately 39,330 square feet or greater in size; and

WHEREAS, the Planning and Zoning Commission considered the Petition at public hearings held on December 4, 2024 and January 21, 2025, where a discussion was held about a range of considerations and issues, including the compliance of the proposed residential subdivision's design to the Town Center Plan, required dedications along the Property's frontage onto Eatherton Road, and stormwater management considerations; and

WHEREAS, after the conclusion of the public hearing, followed by further consideration of the matter and responding to the Department of Planning's report, the Planning and Zoning Commission recommended approval of the Petition requesting the change in zoning from the NU Non-Urban Residence District to the R-1A 22,000 square foot Residence District, the specifics of such approval and recommendation being set forth in the recommendation of the Planning and Zoning Commission submitted to the City Council dated February 3, 2025, and regarding P.Z. 5-24 Eatherton Heights, c/o Spree Sidutta Properties, L.L.C., a copy of which is on file in the office of the City Clerk and incorporated by reference herein; and

WHEREAS, the City Council held a public hearing to consider the requested change in zoning on March 10, 2025, at which interested persons were offered an opportunity to address the City Council regarding the matter; and

WHEREAS, at the public hearing on this matter, the City Council concurred with the Planning and Zoning Commission, particularly given such being consistent with the Town Center Plan and the required dedication of land area for future Eatherton Road improvements ; 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 CITY COUNCIL OF THE CITY OF WILDWOOD, MISSOURI, AS FOLLOWS:

Section One. 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

this property 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 Two. Zoning Action. The City of Wildwood's Zoning Ordinance and Official Zoning District Maps of the City of Wildwood, Missouri, all made a part hereof and incorporated by reference herein, are hereby amended by designating the Property from the NU Non-Urban Residence District to the R-1A 22,000 square foot Residence District for the described tracts of land provided below:

A tract of land in the southwest on quarter of section 1, township 44 north, range 3 east, St. Louis County, Missouri and more particularly described as follows:

Beginning at the southwest corner of property conveyed to Spree Sidutta properties, L.L.C., by deed document 2024012600143, St. Louis County recorder of deeds;

Thence along the east line of said property, also being the east right of way line of Eatherton Road, variable width, north 01 degrees 54 minutes 00 seconds east, a distance of 208.71 feet to a point, thence leaving said east right of way line of Eatherton Road, south 86 degrees 50 minutes 00 seconds east, a distance of 442.15 feet to a point; thence south 01 degrees 54 minutes 00 seconds west, a distance of 254.09 feet; thence south 75 degrees 02 minutes 30 seconds west, a distance of 28.41 feet; thence south 76 degrees 51 minutes 00 seconds west, a distance of 67.68 feet to a point; thence south 84 degrees 06 minutes 00 seconds west, a distance of 137.81 feet; thence north 89 degrees 46 minutes 00 seconds west, a distance of 4.47 feet; thence north 89 degrees 45 minutes 00 seconds west, a distance of 208.71 feet to the point of beginning and containing 3.00 acres, more or less.

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

Section Four. 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 invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

Section Five. Effective Date. This Ordinance shall be in full force and effect on and after its passage and approval.

This Bill was passed and approved this 14TH day of APRIL, 2025, by the City Council of the City of Wildwood, Missouri, after having been read by title, or in full, two (2) times prior to its passage.

Joseph Garritano

Presiding Officer

ATTEST:

Colleen Lohbeck

Colleen Lohbeck, Deputy City Clerk

Joseph Garritano

The Honorable Joseph Garritano, Mayor

ATTEST:

Colleen Lohbeck

Colleen Lohbeck, Deputy City Clerk