

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDWOOD, MISSOURI THAT AUTHORIZES THE REVERSION OF AN AMENDED C-8 COMMERCIAL DISTRICT TO THE NU NON-URBAN RESIDENCE DISTRICT FOR A SERIES OF PROPERTIES FORMING A 4.08 ACRE SITE THAT IS SITUATED ON SOUTH SIDE OF MANCHESTER ROAD, WEST OF TAYLOR ROAD (Street Addresses: 16830, 16832, 16832-A, and 16840 Manchester Road/St. Louis County Locator Numbers: 24V630352, 24V630011, 24V610068, and 24V520202), GIVEN THIS ZONING ACTION IS REQUIRED DUE TO THE SITE DEVELOPMENT PLAN (SDP) FOR THE PROPOSED PROJECT AUTHORIZED BY IT NOT BEING SUBMITTED WITHIN THE ALLOTTED TWENTY-FOUR (24) MONTH PERIOD OF TIME, WITH SUCH BEING CONSISTENT WITH THE PLANNING AND ZONING COMMISSION'S LETTER OF RECOMMENDATION DATED MARCH 3, 2025.

WHEREAS, the subject property was rezoned from a NU Non-Urban Residence District to a C-8 Commercial District in 2007 for a commercial center and office/warehouse type activities, but these uses never developed, which led to it remaining vacant at this current time; and

WHEREAS, during the period between April 2022 through November 2022, New Community Church submitted plans for the expansion of its main worship center, while also seeking the rezoning of the subject parcel of ground located across Manchester Road from it to accommodate needed additional parking area and offer an outdoor setting for its recreational purposes in this regard; and

WHEREAS, the petitioner requested uses that included up to sixty-four (64) parking spaces, with the option for further expansion of this area to the west, along with a patio/concession center, and pickleball and volleyball courts, stormwater management facilities, and associated landscaping components consistent with providing screening and aesthetics along Manchester Road and to abutting properties; and

WHEREAS, with the application for the rezoning submitted to the City, the Planning and Zoning Commission held a public hearing on July 18, 2022, and its Letter of Recommendation, with conditions on this matter (dated October 3, 2022), was then forwarded to City Council for its consideration; and

WHEREAS, a public hearing that was held before the City Council on October 24, 2022, and after due diligence in this regard and discussion, the City Council concurred with this recommendation and approved the rezoning of this property from C-8 Commercial District to an Amended C-8 Planned Commercial District, and did not exercise its power of review relative to the Conditional Use Permit (CUP), on November 14, 2022; and

WHEREAS, the petitioner recognized that one (1) of these conditions required the submittal of a Site Development Plan (SDP) to the Planning and Zoning Commission for its review and action within twelve (12) months of City Council/Planning and Zoning Commission's favorable actions on the rezoning and permit. This approval of the zoning change and Conditional Use Permit (CUP) was completed by the City Council and the Planning and Zoning Commission on November 14, 2022. This plan acts as the first step in the construction and development process for a site of this nature; and

WHEREAS, in November 2023, the representatives of the church requested the allowable, and referenced, time interval of up to twelve (12) additional months be granted to allow for the submittal the Site Development Plan (SDP) to the Commission for its review and action. The church maintained the property, while it continued to consider its plans for the future. This extension allowed for the completion of this step in the zoning process, not in 2023, but in 2024, with commencement of construction to follow thereafter; and

WHEREAS, the Planning and Zoning Commission approved the additional twelve (12) months for this plan submittal and review process, and noted this extension of time was already programmed as a component of the overall condition, while also being standard in nature, given the complexity of the process for submitting and receiving approvals and positive actions on these types of plans, and acknowledged the owner continued to be an excellent steward of the property, thus ensuring any issues regarding maintenance and conditions associated with it remained non-existent. The City Council received and filed this recommendation, with no action on its part; and

WHEREAS, as of November 2024, the plan submittal process had not been started, nor the plan process completed, and the petitioner had begun the process to relocate this place of worship to a property in the City of Chesterfield; and

WHEREAS, their building and site constraints had to be addressed to their benefit, the properties have since been sold by New Community Church and, accordingly, the plan process appears likely not to be completed, nor sought by the petitioner in the future; and

WHEREAS, the allowable twenty-four (24) month period of time for the submittal of the plan has passed and, as per the regulations that apply to the C-8 Planned Commercial District/Conditional Use Permits (CUP), the City posted this site for a public hearing to revert the zoning designation of such to a district that is not a planned type, e.g., NU Non-Urban Residence District, while eliminating the permit as well; and

WHEREAS, with the expiration of the time, public hearings were held before the Planning and Zoning Commission on this matter on December 4, 2024 and January 21, 2025, which provided and opportunity for any party to speak about the requested reversion request and understand the process relating to planned districts/permits in the City of Wildwood; and

WHEREAS, the Planning and Zoning Commission reviewed the comments and concerns on the matter and requested the Department of Planning prepared a report recommending the City Council support the requested reversion of the property's current zoning district designation to the NU Non-Urban Residence District. Along with this recommended change in the property's zoning district designation, by said reversion, the Planning and Zoning Commission has terminated the Conditional Use Permit (CUP).

WHEREAS, all of these actions have been undertaken in accordance the regulations governing these processes contained within the City's Zoning Ordinance. With the petitioner not meeting the timeframes for the processes associated with the Site Development Plan (SDP) and now no longer the owner of the site, the actions in this regard are necessary and justified; and

WHEREAS, the Planning and Zoning Commission's Letter of Recommendation (dated March 3, 2025) on this matter was then forwarded to City Council for its consideration, which began with a public hearing held on April 14, 2025; and

WHEREAS, the City Council, after due diligence in this regard and discussion, authorized the Department of Planning to prepare the necessary legislation for the reversion in zoning upon this four (4) acre site; and

WHEREAS, this action was undertaken in accordance with the requirements of the City's Charter and Zoning Ordinance relating to considerations of land use changes and such are intended to ensure the public's health, safety, and general welfare remain protected, as part of any decision made by this community; and

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 herewith, amended to reflect the reversion in zoning from the Amended C-8 Planned Commercial District to the NU Non-Urban Residence District, as set forth in this Ordinance, for the following described land:

PARCEL 1: The South 1/2 of a tract of land described as; being in the Southwest 1/4 of the Southeast 1/4 of Section 1, Township 44 North, Range 3 East in St. Louis County, Missouri, having a frontage of 100 feet on the South line of Manchester Road by a depth Southwardly, between parallel line of 435.60 feet, being bounded Westwardly by property conveyed to Rolla Fick and Ela Fick, in Book 2083 Page 453 of the St Louis County Records.

PARCEL 2: A tract of land in the Southwest 1/4 of the Southeast 1/4 of Section 1 and in the Northwest 1/4 of the Northeast 1/4 of Section 12, Township 44, North Range 3 East, fronting 200 feet on the Southeast line of Manchester Road by a depth Southwardly between parallel lines of 435.6 feet; bounded West by the East line of property conveyed to Herny J. Jacob and wife, by deed recorded in Book 1485 Page 34 of the St. Louis County Records.

PARCEL 3: A tract of land in the Southwest 1/4 of the Southeast 1/4 of Section 1 and the Northwest 1/4 of the Northeast 1/4 of Section 12, Township 44 North Range 3 East and more particularly described as follows: Beginning at a point in the South line of Manchester Road distant 200 feet East of the point where the North and South center line of said Sections 1 and 12 intersect with the South line of Manchester Road, being also the northeast corner of property conveyed to Edward Broemmelsick and wife by deed recorded in Book 1240 Page 38 of the St. Louis County Records; thence East along the South line of Manchester Road 200 feet to a point, thence South parallel with the North and South center line of said Sections 1 and 12, 435.60 feet to a point; thence West parallel with the South line of Manchester Road, 200 feet to a point, being the Southeast corner of said property conveyed to Broemmelsick and thence North along Broemmelsick's East line 435.60 feet to the point of beginning, EXCEPTING THEREFROM that part conveyed to St Louis County, Missouri, by Warranty Deed recorded in Book 7089 Page 1002.

Section Two. The zoning authority and approval embodied in this Ordinance is granted subject to compliance with the Subdivision and Development Regulations, Zoning Ordinance, and all other City of Wildwood ordinances, rules, and regulations and the conditions of this ordinance, except as, may be modified herein, upon the requirement the development and approved Site Development Plan are carried out in accordance with the recommendation forwarded to the City Council by the Planning and Zoning Commission within the communication dated March 3, 2025, 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:

Section Three. 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. 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. This Ordinance shall be in full force and effect upon its passage and approval.

This Bill was passed and approved this 12TH day of MAY, 2025, 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.

Joseph Garritano
Presiding Officer

Joseph Garritano
Joseph Garritano, Mayor

ATTEST:
Collin Kohbeck
City Clerk

ATTEST:
Collin Kohbeck
City Clerk



WILDWOOD

"Planning Tomorrow Today"

March 3, 2025

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

Council Members:

The Planning and Zoning Commission has completed its review and consideration of this request, which is for the reversion of the existing Amended C-8 Planned Commercial District to the NU Non-Urban Residence District, along with the termination of the Conditional Use Permit (CUP) herein granted, relative to the subject site. As a result of this review, the Planning and Zoning Commission has prepared a recommendation upon this matter, completed its action on the permit item, and is forwarding such to the City Council for its consideration in this regard. The Commission's review and recommendation process were completed in accordance with Chapter 89 of the Missouri Revised Statutes, the City's Charter, and Chapter 415.560 Procedure for Amending the Zoning Ordinance. Collectively this process can be summarized as follows:

Petition No.: P.Z. 5-22
Petitioner: New Community Church, c/o Peter Schwartz, Vessel Architecture, 600 Emerson Road, Suite 401, Creve Coeur, Missouri 63141
Re: A request of the City of Wildwood's Planning and Zoning Commission regarding P.Z. 5-22 New Community Church, which would revert the current zoning designation of the property to the NU Non-Urban Residence District. Accompanying this matter is a request to terminate the existing Conditional Use Permit (CUP) associated with the site. These subject requests are due to the required Site Development Plan (SDP) not being submitted for its review and action by the Planning and Zoning Commission within the allowable twenty-four (24) month period of time.
Zoning: Amended C-8 Planned Commercial District, with a Conditional Use Permit (CUP)
General Location: South side of Manchester Road, west of Taylor Road
Street Addresses: 16830, 16832, 16832-A, and 16840 Manchester Road
Locator Numbers: 24V630352, 24V630011, 24V610068, and 24V520202
Tract Size: 4.08 acres
Hearing Dates: December 4, 2024 & January 21, 2025

Date and Vote on
Information Report: February 3, 2025 – Motion to approve the reversion of the current zoning district designation, along with the termination of the Conditional Use Permit (CUP), by a vote of 7 to 0 (Voting Aye: Helfrey, Kohn, Hrubes, Deppeler, Clayton, Garritano, and Beattie)

Date and Vote on
Letter of
Recommendation: March 3, 2025 - Motion to approve the reversion of the current zoning district designation, along with the termination of the Conditional Use Permit (CUP), by a vote of 10 to 0 (Voting Aye: Helfrey, Clayton, Deppeler, Hrubes, Kohn, Boren, Jackson, Beattie, Brost, and Garritano)

Report: Attachment A
Plan Sheets: Attachment B
Background
Information: Attachment C
Fire District: Metro West
School District: Rockwood
Police: St. Louis County Police Department – Wildwood Precinct
Ward: Eight
Recommendation:

A copy of the City of Wildwood's Charter, Master Plan 2016, Town Center Plan, and Chapter 415 Zoning Ordinance of the City of Wildwood Municipal Code are all on file in the City Clerk's Office.

Respectfully submitted,
CITY OF WILDWOOD PLANNING AND ZONING COMMISSION

David Beattie, Chair

ATTEST:

Joe Vujnich, Director
Department of Planning

Cc: The Honorable Joesph Garritano, Mayor
Thomas Lee, City Administrator
John A. Young, City Attorney
Rick C. Brown, P.E. and P.T.O.E., Director of Public Works
Melanie Rippetoe, Assistant Director of Planning and Parks
Travis Newberry, Senior Planner
Pastor Jeremiah Kirberg, New Community Church, Wildwood, Missouri
Asim Munir, Worth Clark Realty

ATTACHMENT A - Report

RECENT ACTIONS OF THE COMMISSION >>> In 2022, the New Community Church sought the rezoning of the subject property to address needed additional parking areas for its growing congregation, while also offsetting the lack of space for recreational venues that could serve the members, which did exist at its current facility. This location was in close enough proximity to the existing church property to provide a convenient and safe alternative for these needs. The approved design would allow a parking lot containing sixty-four (64) spaces, with three (3) of them being accessible designs, under ADA standards.

The recreational component of this proposal offered several activities and improvements, which included the following items: two (2) volleyball courts, with no perimeter fencing; four (4), standard pickleball courts, with perimeter fencing; a pavilion, restroom, and refreshment area that was approximately 4,750 square feet in size and located near the eastern boundary line of the subject site, toward the center of it; a five (5) foot wide, concrete sidewalk and trail that formed a loop around the recreational areas, while extending into the side and rear yard setback areas of the subject site; a large bio-retention/detention area for the purposes of the management of stormwater runoff, which was to be situated in the site's southeastern corner; and an open space area for free play.

The Planning and Zoning Commission considered these uses and the rezoning proposal/permit and agreed they would be reasonable and appropriate, given they were also viewed as temporary activities relative to the site. Supporting this action of the Planning and Zoning Commission was the Town Center Plan's designation of the property as 'Workplace' District, which anticipated these types of uses, and the willingness of the church to consider limited public use of these improvements in the future. Ultimately, the Planning and Zoning Commission recommended the change in zoning/granting of the permit and forwarded such to City Council for its action in this regard.

The City Council concurred with this recommendation and authorized legislation to be prepared, which included direction from its members that such ordinance/permit contain numerous conditions relating to the use of the property and the level of improvements needed to ensure it functions appropriately and safely at this location. The legislation was approved by the City Council, which led to the application of the conditions to the site and related timelines associated with certain actions required of the property owner. The permit became effective as well. Collectively, these conditions had a variety of intents and were comprehensive in nature.

The petitioner recognized that one (1) of these conditions required the submittal of a Site Development Plan (SDP) to the Planning and Zoning Commission for its review and action within twelve (12) months of City Council/Planning and Zoning Commission's favorable actions on the rezoning and permit. This approval of the zoning change and Conditional Use Permit (CUP) was completed by the City Council and the Planning and Zoning Commission on November 14, 2022. This plan acts as the first step in the construction and development process for a site of this nature. The specific wording this ordinance that is applicable to this site is as follows:

3. PLAN SUBMITTAL REQUIREMENTS

Within twelve (12) months of the Amended C-8 Planned Commercial District and Conditional Use Permit (CUP) being approved and granted by the City of Wildwood, 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, this time interval may be extended once by the Planning and Zoning Commission in accord with requirements of Chapter 415.190 and 415.500 of the City of Wildwood Zoning Ordinance.

Accordingly, in November 2023, the representatives of the church requested the allowable, and referenced, time interval of up to twelve (12) additional months be granted to allow for the submittal the Site Development Plan (SDP) to the Commission for its review and action. The church had continued to maintain the property, while it continued to consider its plans for the future. This extension would allow for the completion of this step in the zoning process, not in 2023, but in 2024, with commencement of construction to follow thereafter.

The Planning and Zoning Commission approved the additional twelve (12) months for this plan submittal and review process. The members noted this extension of time was already programmed and a component of the overall condition, while also being standard in nature, given the complexity of the process for submitting and receiving approvals and positive actions on these types of plans, now given the total number of agencies and governments involved in these respective reviews. It was also identified the church continues to be an excellent steward of the property, which ensures the additional time for this purpose will not lead to any issues regarding maintenance and conditions associated with it. With these acknowledgments on the part of the Planning and Zoning Commission, the members granted the additional timeframe for submittal of the required plan to be submitted, reviewed, and acted upon by the City. The City Council received and filed this recommendation, with no action on its part.

CURRENT REQUEST >>> As of November 2024, the plan submittal process had not been started with the City. Along with the plan process not being completed, the petitioner has purchased a property in the City of Chesterfield and relocating this place of worship to this new location. Also, more recently, the properties have sold by New Community Church and now leasing them for several months from the new owner (another place of worship). Accordingly, the plan process does not appear likely to be completed, nor sought by the petitioner in the future. Certainly, the Planning and Zoning Commission and City Council are saddened by the departure of a longstanding place of worship and partner, but recognize their building and site constraints had to be addressed to their benefit.

Accordingly, with the allowable twenty-four (24) month period of time for the submittal of the plan now passed and the current relocation of the petitioner's place of worship to another jurisdiction outside the City of Wildwood, the Department of Planning, under the regulations that apply to the C-8 Planned Commercial District/Conditional Use Permits (CUP) [see below], must post this site for a public hearing to revert the zoning designation of such to a district that is not a planned type, e.g., NU Non-Urban Residence District, while eliminating the permit as well. A public hearing was held on this matter, which

is required to allow any party to speak about the requested reversion request and understand the process relating to planned districts/permits in the City of Wildwood.

Chapter 415.190 K. (4.) - Site Development Plans. After passage by the City Council of an ordinance authorizing the establishment of a Planned Commercial District and requiring submission of a site development plan, such plans shall be submitted in accord with the following provisions. No building permits in authorization for improvement or development for any use requested under provisions of this Chapter shall be issued prior to approval of such plans.

Chapter 415.500, Section J. - Site Development Plans. Subsequent to the effective date of the conditional use permit, a site development plan shall be submitted for review and approval to the Planning Commission or the Department of Planning as specified in the conditions of the permit. The plan shall contain the minimum requirements established in the conditions governing the conditional use permit. No building permits or authorization for improvement or development for any use requested under provisions of this permit procedure shall be issued prior to approval of such plan. The approved plan shall be retained on file by the Department of Planning.

In summary, the City, by conducting the required public hearing, then with the Department's report, and this Letter of Recommendation by the Planning and Zoning Commission, along with the action by City Council, will have then met the ordinance directed steps in this regard.

COMMISSION'S RECOMMENDATION >>> The Commission would note that all of the City's planned or overlay districts are premised on the submittal of specific plans for the uses of these properties that are under considerations by the community. This plan submittal process allows for the community and decision makers to see in two-dimension how the property will be used relative to its characteristics, and then establish development conditions governing the same, which are tailored to it and ultimately provides protections for the petitioner and City. Given the plan process has not been completed and a new property owner is in place, the current site-specific ordinance for this set of activities at this location is no longer germane. With that situation, the reversion of the current zoning district designation and termination of the Conditional Use Permit (CUP) are reasonable and justified to ensure the next use of the subject site is subject to the same careful process for its development as this petitioner did regarding the current zoning district designation, site-specific ordinance, and associated permit.

SUMMARY >>> The Planning and Zoning Commission is recommending the City Council support the requested reversion of the property's current zoning district designation to the NU Non-Urban Residence District. Along with this recommended change in the property's zoning district designation, by said reversion, the Planning and Zoning Commission has terminated the Conditional Use Permit (CUP). All of these actions have been undertaken in accordance the regulations governing these processes that are within the City's Zoning Ordinance. With the petitioner not meeting the timeframes for the processes associated with the Site Development Plan (SDP) and now, no longer the owner of the site, the actions in this regard are necessary and justified.

ATTACHMENT B –

Plan Sheets



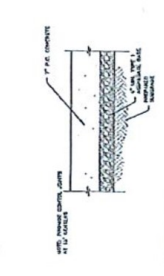
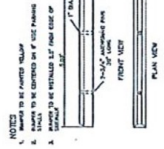
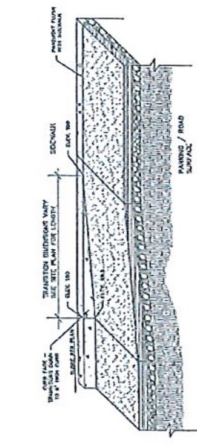
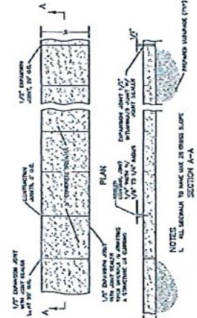
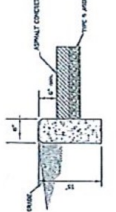
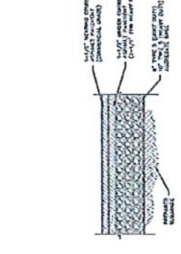
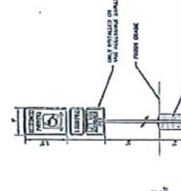
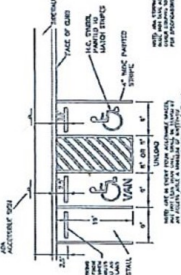
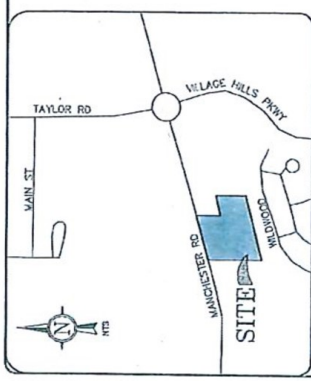
PROJECT: NEW MSD CONCEPT PLAN FOR NEW COMMUNITY CHURCH
 LOCATION: 16322 MANCHESTER ROAD, WILSON, NC 27597
 DATE: 01/15/2018
 DRAWN BY: JWH
 CHECKED BY: JWH
 SCALE: AS SHOWN

NO.	DESCRIPTION
1	ASPHALT PAVEMENT DETAIL
2	SIGN DETAIL
3	ADA PARKING DETAIL
4	BARRIER CURB DETAIL
5	CONCRETE PAVEMENT DETAIL
6	PARKING BUMPER DETAIL
7	SIDWALK DETAIL
8	TRANSITION CURBS DETAIL
9	INTEGRAL CURB AND SIDEWALK
10	CURB RAMP DETAIL
11	DECORATIVE FENCE DETAIL

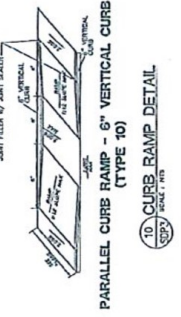
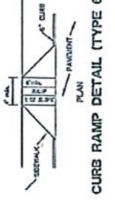
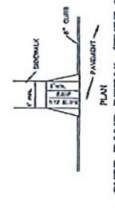
MSD CONCEPT PLAN FOR
NEW COMMUNITY CHURCH
 16322 MANCHESTER ROAD

DATE: 01/15/2018
 DRAWN BY: JWH
 CHECKED BY: JWH
 SCALE: AS SHOWN

SDP3
 SHEET NO. 24VRS0001
 ZIP CODE 27597



- CURB RAMP NOTES**
1. SEE PLAN FOR GRADE AND SLOPE.
 2. CURB RAMP SHALL BE CONSTRUCTED AS SHOWN AND SHALL BE FINISHED TO MATCH ADJACENT PAVEMENT SURFACES.
 3. CURB RAMP SHALL BE CONSTRUCTED TO A MINIMUM OF 1/4" PER FOOT SLOPE.
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 20. CURB RAMP SHALL BE CONSTRUCTED TO A MINIMUM OF 1/4" PER FOOT SLOPE.



MSD, BASE MAP, 24V
 LOC. NO. 24VRS0001
 ZIP CODE 27597

ATTACHMENT C –

Background

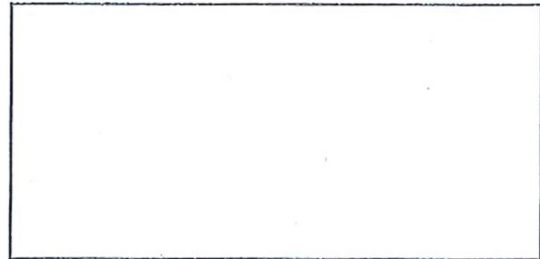
Information

**CITY OF WILDWOOD
NOTICE OF
PUBLIC HEARING**
before the Planning and Zoning Commission
Tuesday, January 21, 2025 @ 6:30 p.m.

AS A RESIDENT OR PROPERTY OWNER NEAR THE SITE THAT IS IDENTIFIED ON THIS MAILER, THE CITY OF WILDWOOD WOULD LIKE TO ENSURE YOU ARE AWARE OF THIS REQUEST/PROPOSAL BECAUSE IT IS LOCATED WITHIN 3,000 FEET OF YOUR PROPERTY. YOUR COMMENTS ARE ENCOURAGED, ALONG WITH YOUR PARTICIPATION AT THE SCHEDULED HEARING OR MEETING. THIS ITEM IS SCHEDULED FOR DISCUSSION AND ITS OUTCOME MAY IMPACT YOUR HOME, NEIGHBORHOOD, OR AREA, SO PLEASE CAREFULLY READ THE DESCRIPTION AND PARTICIPATE AT YOUR DISCRETION. THE CITY OF WILDWOOD ENCOURAGES CITIZEN INPUT AT ALL OF ITS HEARINGS OR MEETINGS AND YOUR INVOLVEMENT WILL ASSIST IT IN REACHING THE BEST DECISION POSSIBLE FOR ALL PARTIES.



Street Addresses of Subject Site:
16830, 16832, 16832-A and 16840 Manchester Road



The Planning and Zoning Commission of the City of Wildwood will conduct public hearings on **TUESDAY, January 21, 2025, at 6:30 p.m.**, which will be held at City Hall, in the Council Chambers, 16860 Main Street, Wildwood, Missouri 63040, for the purposes of obtaining testimony regarding request(s) for either the modification of zoning district designations, application of special procedures, consideration of conditional uses, change in the underlying regulations of the Zoning Ordinance, or Subdivision and Development Regulations, action on Record Plats, update on zoning matters, or amendment of the Master Plan, and thereafter will be considered for action. These hearings are open to all interested parties to comment.

Written comments may be submitted regarding these hearings and should be addressed to the Planning and Zoning Commission, City of Wildwood, 16860 Main Street, Wildwood, Missouri 63040 or can be provided via the City's website at <http://www.cityofwildwood.com/comment>. Residents and interested parties can participate as part of these public hearings in person, at City Hall, within the Council Chambers (16860 Main Street), or remotely by joining the meeting at the following link (also available in heading of posted online agenda): <https://us02web.zoom.us/j/83907430609?pwd=Z3VpUjNwd3F1WnZlbTJSbVdBOXBVUT09> The meeting can also be viewed on the City's YouTube Channel at www.cityofwildwood.com/YouTube

A request for the reversion of the current zoning district designation and termination of the granted Conditional Use Permit (CUP) for P.Z. 5-22 New Community Church; Amended C-8 Planned Commercial District (Town Center Regulating Plan Category of 'Workplace District'), with a Conditional Use Permit (CUP), all being in association 4.08 acre site that is situated on the south side of Manchester Road, west of Taylor Road (Street Addresses: 16830, 16832, 16832-A, and 16840 Manchester Road/St. Louis County Locator Numbers: 24V630352, 24V630011, 24V610068, and 24V520202). The reversion of the Amended C-8 Planned Commercial District would be the NU Non-Urban Residence District, while also terminating the existing Conditional Use Permit (CUP) in association with this site. These subject actions are necessary due to the required Site Development Plan (SDP) not being submitted by the petitioner for final action by the Planning and Zoning Commission within the allotted twenty-four (24) month period of time. (Ward Eight)

RESIDENT OR PROPERTY OWNER - PLEASE COMMENT ON AND/OR TRACK THIS REQUEST BY:

- 1) Submitting a comment online by visiting: www.cityofwildwood.com/comment
- 2) Submitting a written comment prior to the hearing and addressed to the Planning and Zoning Commission, City of Wildwood, 16860 Main Street, Wildwood, Missouri 63040.
- 3) Viewing the Planning and Zoning Commission's agenda, which is available on the City's website at: www.cityofwildwood.com, the Friday before the aforementioned meeting date.

AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, AUTHORIZING A CHANGE IN ZONING OF A PARCEL OF GROUND FROM THE C-8 PLANNED COMMERCIAL DISTRICT TO THE AMENDED C-8 PLANNED COMMERCIAL DISTRICT TO ALLOW FOR THE USE OF A FOUR ACRE SITE FOR A PARKING LOT AREA AND RECREATIONAL PURPOSES, IN ASSOCIATION WITH NEW COMMUNITY CHURCH, LOCATED ON MANCHESTER ROAD, INCLUSIVE OF VOLLEYBALL AND PICKLEBALL COURTS.

WHEREAS, New Community Church, the petitioner, which has been part of Wildwood since this community's inception, with such being located in the Town Center Area on Manchester Road, continues to grow in terms of its congregation size, thereby leading to the need to address its current parking needs, interior spaces, and outdoor opportunities for the future; and

WHEREAS, during the period between April 2022 through November 2022, New Community Church has submitted plans for the expansion of its facility, while also seeking the rezoning of the subject parcel of ground located across Manchester Road from its main facility to accommodate needed additional parking area and offer an outdoor setting for its recreational purposes in this regard; and

WHEREAS, the subject property was rezoned in 2007 for a commercial center and office/warehouse type activities, but these uses never developed, which led to it being vacant at this current time; and

WHEREAS, the requested permitted uses include up to sixty-four (64) parking spaces, with the option for further expansion of this area on the site to the west, along with a patio/concession center, and pickleball and volleyball courts, with the potential for their lighting; and

WHEREAS, to accommodate these uses, stormwater management facilities are planned and landscaping components consistent with providing screening and aesthetics needed for the parking area along Manchester Road and to abutting properties; and

WHEREAS, with the application for the rezoning submitted to the City, the Planning and Zoning Commission held a public hearing on July 18, 2022 regarding them, where comments were offered on stormwater management, tree preservation, lighting, assessment fees, and certain other considerations; and

WHEREAS, the Department of Planning prepared a report on this matter and recommended the zoning district designation be changed, but offered certain approaches to this land use to accommodate the standards and guidelines of the Town Center Plan, while also ensuring appropriate protections to abutting residential areas; and

WHEREAS, the Planning and Zoning Commission reviewed these comments and discussed a number of considerations and recommended approval of the rezoning to accommodate the requested use of the subject site, but with a list of conditions to ensure compliance to the Town Center Plan and minimal impacts to surrounding residential and other commercial properties that are abutting it or in its vicinity; and

WHEREAS, the Planning and Zoning Commission's Letter of Recommendation (dated October 3, 2022) on this matter was then forwarded to City Council for its consideration, which began with a public hearing that was held on October 24, 2022, where its members reviewed many of the components of this project; and

WHEREAS, the City Council, after due diligence in this regard and discussion, authorized the Department of Planning to prepare the necessary legislation for the change in zoning upon this four (4) acre site; and

WHEREAS, this action was undertaken in accordance with the requirements of the City's Charter and Zoning Ordinance relating to considerations of land use changes and such are intended to ensure the public's health, safety, and general welfare remain protected, as part of any decision made by this community.

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

Section One. The City of Wildwood Zoning Ordinances and Official Zoning District Maps, which are made a part hereof, are hereby, amended to reflect the change in zoning from the C-8 Planned Commercial District to the Amended C-8 Planned Commercial District, as set forth in this ordinance, for the following described land:

PARCEL 1: The South 1/2 of a tract of land described as; being in the Southwest 1/4 of the Southeast 1/4 of Section 1, Township 44 North, Range 3 East in St. Louis County, Missouri, having a frontage of 100 feet on the South line of Manchester Road by a depth Southwardly, between parallel line of 435.60 feet, being bounded Westwardly by property conveyed to Rolla Fick and Ela Fick, in Book 2083 Page 453 of the St Louis County Records.

PARCEL 2: A tract of land in the Southwest 1/4 of the Southeast 1/4 of Section 1 and in the Northwest 1/4 of the Northeast 1/4 of Section 12, Township 44, North Range 3 East, fronting 200 feet on the Southeast line of Manchester Road by a depth Southwardly between parallel lines of 435.6 feet; bounded West by the East line of property conveyed to Henry J. Jacob and wife, by deed recorded in Book 1485 Page 34 of the St. Louis County Records.

PARCEL 3: A tract of land in the Southwest 1/4 of the Southeast 1/4 of Section 1 and the Northwest 1/4 of the Northeast 1/4 of Section 12, Township 44 North Range 3 East and more particularly described as follows: Beginning at a point in the South line of Manchester Road distant 200 feet East of the point where the North and South center line of said Sections 1 and 12 intersect with the South line of Manchester Road, being also the northeast corner of property conveyed to Edward Broemmelsick and wife by deed recorded in Book 1240 Page 38 of the St. Louis County

Records; thence East along the South line of Manchester Road 200 feet to a point, thence South parallel with the North and South center line of said Sections 1 and 12, 435.60 feet to a point; thence West parallel with the South line of Manchester Road, 200 feet to a point, being the Southeast corner of said property conveyed to Broemmelsick and thence North along Broemmelsick's East line 435.60 feet to the point of beginning, EXCEPTING THEREFROM that part conveyed to St Louis County, Missouri, by Warranty Deed recorded in Book 7089 Page 1002.

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 October 3, 2022, 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

This Amended C-8 Planned Commercial District shall authorize certain recreational uses and activities to include two (2) volleyball courts, four (4) pickleball courts, a trail, an open play area, and pavilion, concession stand, and refreshment facility, with related parking, and all accessory uses normally found in conjunction with the primary activity. The accompanying Conditional Use Permit (CUP) is hereby granted for a parking lot, not to exceed sixty-four (64) spaces in total for Phase I. Phase II, which would be for consideration of additional parking spaces, shall be as approved by the Planning and Zoning Commission on an Amended Site Development Section Plan.

2. DEVELOPMENT AREAS AND BUILDING REQUIREMENTS

- a. The maximum size of the single authorized building shall not exceed ~~ten thousand (10,000)~~ **fifteen (15,000)** square feet in gross floor area. However, the footprint of this single allowable building shall not exceed ~~five thousand (5,000)~~ **seven thousand five hundred (7,500)** square feet in gross floor area. This building shall function as one (1) or all of the following activities: a pavilion, restroom, and refreshment area.
- b. The property shall not be less than four (4) acres in size for the purposes of these permitted and conditional uses.
- c. The interconnection between the parking lot area and Manchester Road shall include a garden wall, at a height not to exceed thirty-two (32) inches, for a portion of this common frontage. The area of this frontage for this garden wall shall be shown on the required Site Development Plan and acted upon by the Planning and Zoning Commission in terms of extent, materials, colors, and design. The Planning and Zoning Commission is hereby authorized the right to eliminate the garden wall requirement, under its authority associated with the Site Development Plan process, if a landscaping or other structural approach is comparable or better for these purposes.

- d. No building and/or structure shall be more than twenty-four (24) feet in height, as measured from sidewalk grade to the corresponding eave line of that subject improvement. Architectural treatments, including screening elements and parapets, which are part of the proposed roof element shall not be included as part of this height restriction.
- e. The proposed architectural design, character, and style of the building, any additions to it shall be harmonious with the character of the surrounding area. Action on the design shall be by the Architectural Review Board (ARB). Minimally, the building's architectural elements and appearance shall comply with the standards of Architectural Guidelines of the Town Center Plan.
- f. No athletic field lighting shall be allowed within the boundaries of the Amended C-8 Planned Commercial District, unless the following parameters are met in this regard:
 - 1. The height of any light standard shall not exceed sixteen (16) feet.
 - 2. The use of these light standards shall not be authorized after 9:00 p.m., seven (7) days per week.
 - 3. No light standard shall be located closer than one hundred forty-five (145) feet to the southern boundary of this Amended C-8 Planned Commercial District. However, in no instance shall an illumination source be so oriented or situated on a standard that it can be viewed at or along the southern boundary of the subject property. These illumination sources shall be oriented to north, east, or west, but not toward the south. **The prohibition on lighting improvements along the northern boundary of the court area, i.e. those light standards directing illumination to the south, can be modified, if a Lighting Study, prepared by a lighting professional, determines that no light trespass or nuisance glare is visible to the abutting residences situated along the southern boundary of this subject site.**
 - 4. All lighting for athletic field purposes shall be managed by a timer that will provide compliance to the 9:00 p.m. threshold for their use.
 - 5. The owner of this property/developer shall provide a Lighting Plan that indicates compliance to the City's Outdoor Lighting Requirements. This Lighting Plan shall be reviewed by the Planning and Zoning Commission, as part of the Site Development Plan (SDP) review and consideration process.
- g. All court areas shall have perimeter fencing and gates, except the volleyball courts. The type, style, color, and location of this fencing shall be reviewed and acted upon by the Planning and Zoning Commission, as part of the Site Development Plan process.

3. PLAN SUBMITTAL REQUIREMENTS

Within twelve (12) months of the Amended C-8 Planned Commercial District and Conditional Use Permit (CUP) being approved and granted by the City of Wildwood, 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, this time interval may be extended once by the Planning and Zoning Commission in accord with requirements of Chapter 415.190 and 415.500 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. The location and size of all parking areas, pavement widths, and right-of-way dedications of all internal roadway improvements and drives.
- c. A general plan indicating all structure and parking setback lines along the perimeter of the subject tract of land.
- d. 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.
- e. 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.
- f. Existing and proposed contours at vertical intervals of not more than two (2) feet.
- g. A Lighting Plan, including the location, heights, illumination levels, and types of standards and/or fixtures planned for use on any building or structure and parking lot areas.
- h. Parking calculations for the proposed use.
- i. A Landscape Plan including the location, size, and general type of plant materials to be used in accord with the City of Wildwood's Chapter 410 and accompanying Tree Manual.
- j. An inventory indicating the percent of tree canopy to be retained on the site.
- k. Location of all existing and proposed easements.
- l. All other information not mentioned above, but required on a preliminary plat in accord with Chapter 420.060 of the City of Wildwood's Subdivision and Development Regulations.

4. SITE DEVELOPMENT PLAN DESIGN CRITERIA

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

Building Setbacks

- a. No building or structure, inclusive of boundary and/or retaining walls, fences, and/or light standards, but excepting garden walls along Manchester Road's right-of-way, shall be located within the required setback distances as defined by Chapter 415.190 C-8 Planned Commercial District of the City of Wildwood's Zoning Ordinance:
 - 1.) One hundred forty (140) feet from Manchester Road right-of-way.
 - 2.) Thirty (30) feet from any side or rear yard property line.

Parking Setbacks

- b. No parking stall, loading space, internal drive, or roadway, excluding points of ingress

or egress, shall be located within the required setback distances, as minimally established by the C-8 Planned Commercial District Regulations in Chapter 415.190 of the City of Wildwood's Zoning Ordinance, as set forth below:

- 1.) Ten (10) feet from Manchester Road right-of-way and eastern boundary of this site.
- 2.) ~~Two hundred forty-five (245) Two hundred seventy-five (275)~~ feet of the southern boundary of this site.
- 3.) Thirty (30) feet of the western boundary of this site.

Miscellaneous Setbacks

- c. No portion of the stormwater bio-retention/detention facility shall encroach within thirty (30) feet of the easternmost and southernmost boundaries of this Amended C-8 Planned Commercial District.

Access and Roadway Improvements

- d. The developer of the project shall be responsible for all repairs or replacements to any existing improvements within Manchester Road right-of-way, along the subject site's frontage, which shall conform to the requirements of the City of Wildwood's Street Specifications of the Town Center Plan and be as directed and approved by the Department of Public Works, if damaged during development of the site. All streetscape requirements (street trees, lights, signs, waste receptacles, benches, and other items) shall consist of approved materials and installed, as required by the City of Wildwood's Town Center Plan within the right-of-way of Manchester Road by the developer of this project, and be approved by the Department of Public Works.
- e. Access to this development from Manchester Road shall be limited to two (2) commercial entrances, designed in accordance with the City of Wildwood's Street Specifications of the Town Center Plan and as directed and approved by the Department of Public Works.

Miscellaneous Roadway Requirements

- f. Installation of landscaping and 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.
- g. The developer is advised that utility companies will require compensation for relocation of their utility facilities within public road right-of-way. The developer should also be aware of extensive delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of road improvements.
- h. Parking shall be prohibited along both sides of the main drive aisle serving this

development. Parking lot aisles, where possible, should intersect the main driveway at right angles and be logically located opposite minor driveways and other parking lot aisles.

Parking Requirements

- i. Parking spaces shall be provided as required by Chapter 415.280 Off-Street Parking and Loading Requirements of the City of Wildwood's Zoning Ordinance for the C-8 Planned Commercial District.

Landscape Requirements - Specific

- j. Landscaping shall adhere to all requirements of the City of Wildwood's Chapter 410 and its accompanying Tree Manual, including the submittal of a Tree Preservation Plan in conjunction with the Site Development Plan. All new landscaping materials shall meet the following criteria: Deciduous Trees - two and one-half (2½) inch minimum caliper; Evergreen Trees - Six (6) feet minimum height; and Shrubs- twenty-four (24) inch minimum height.
- k. The areas of existing vegetation within the Amended C-8 Planned Commercial 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 Chapter 410. These areas shall be indicated on the Site Development Plan submitted to the City of Wildwood for Planning and Zoning Commission for review and approval. Existing mature tree canopy shall be preserved in accordance with the requirements of City of Wildwood's Chapter 410 Tree Preservation and Restoration Code.
- l. All stormwater facilities shall be appropriately landscaped and comply with the Chapter 410 of the City of Wildwood's Codified Ordinances and its accompanying Tree Manual. Wetlands plantings must be used at appropriate locations within the basins themselves as directed by the Department of Public Works.
- m. Replanting of trees shall conform to the requirements of Chapter 410 of the City of Wildwood's Codified Ordinances and its accompanying Tree Manual to achieve a minimum amount of thirty (30) percent canopy area on this site. Tree selection and location shall be reviewed and acted upon by the Planning and Zoning Commission as part of the Site Development Plan process. Street tree planting patterns must be based on and comply with the Town Center Streetscape Design.
- n. A Registered Landscape Architect shall prepare and sign all Landscape Plans for this development.

Signs

- o. Signs for this Conditional Use Permit shall be erected in accordance with Chapter 415.420 Sign Regulations of the City of Wildwood's Zoning Ordinance for the C-8

Planned Commercial District, except no freestanding monument sign shall be allowed.

- p. The location of all signage shall be as approved on the Site Development Plan by the Planning and Zoning Commission.

Lighting Requirements

- q. 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 shall comply with the provisions of the City of Wildwood's Zoning Code proposed Chapter 415.450 "Outdoor Lighting Requirements." A Lighting Study shall be submitted in conjunction with the Site Development Plan indicating compliance to these requirements. The location of all light standards and their design and appearance shall be approved by the Planning and Zoning Commission on the Site Development Plan. ~~No athletic field lighting shall be allowed within the boundaries of the C-3 Planned Commercial District.~~

Miscellaneous Conditions

- r. All trash areas shall be enclosed with a six (6) foot high sight-proof wall (with gate) and be appropriately landscaped around its perimeter, if applicable. The location and design of the enclosure shall be approved by the Planning and Zoning Commission on the Site Development Plan. The design of this enclosure shall reflect the appearance, character, and style, in terms of its color, material, and composition, of the approved architecture of the building.
- s. Parking, circulation, and other applicable site design features shall comply with Chapter 1101, Section 512.4 of the City of Wildwood Building Code, as amended.
- t. Hours of use for the recreational activities and the related support structure shall be limited to 8:00 a.m. to 9:00 p.m. Monday through Friday, and 9:00 a.m. to 10:00 p.m. on Saturday and Sunday. Extended hours for special events shall be by Special Event Permits, being reviewed and issued by the Department of Public Works.
- u. 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. Easement locations must avoid all identified resource protection areas of the site and generally parallel the rights-of-way locations whenever possible, except where varied by the Planning and Zoning Commission.

5. TRAFFIC GENERATION ASSESSMENT FEE

The developer shall contribute to the West Area Traffic Generation Assessment Trust Fund established by Section 140.210 of the City of Wildwood's Revised Codes. This assessment must be paid in full at the time of the first Zoning Authorization for any building or structure or when

the individual issuances of building permits for the authorized lots are approved. This contribution shall not exceed the amount established by multiplying the number of parking spaces provided by the following rate:

<i>Type of Development</i>	<i>Required Contribution</i>
Recreational Uses	\$570.76/Parking Space

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

If type of development proposed differs 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, 2023, 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 Site Development Plan, the developer shall provide the following:

- 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 (MSD) showing that adequate handling of the stormwater drainage of the site is provided.
 1. The developer is required to provide adequate stormwater systems in accordance with the City of Wildwood and the Metropolitan St. Louis Sewer District standards.
 2. All stormwater shall be discharged at an adequate natural discharge point.
 3. Retention/detention of differential runoff of stormwater shall be required. Stormwater management shall be provided in permanent retention/detention facilities, such as ponds or other acceptable alternatives. These retention/detention facilities shall be completed and in operation prior to the issuance of building permits for an approved dwelling unit, except display lots.
 4. 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.

Geotechnical Report

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

Stormwater Pollution Prevention Plan

- c. Submit a Stormwater Pollution Prevention Plan, as part of the Site Development Plan review process, indicating compliance to 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.

Environmental Assessment – Phase One

- 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 property, which indicates its current condition relative to its past utilization by other owners. Alternatives may be considered for the purpose of this verification, including documentation from the Missouri Department of Natural Resources (MDNR), as part of the Planning and Zoning Commission's review of the Site Development Plan (SDP). Determination regarding any required mediation shall be identified and completed, prior to the approval of the Record Plat and before the occupancy of any structure, 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 recreational cleanup standard/guideline, with the cost borne for such by the developer and not the City of Wildwood.

7. RECORDING

Within sixty (60) days of approval of the Site Development Plan by the Planning and Zoning Commission, a copy of the legal description and conditions of the permit 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 and the Missouri Department of Natural Resources, must be received by the

Department of Planning.
Landscaping Guarantee

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

Certification of Plans

- c. Provide verification that construction plans are designed to conform to the requirements and conditions of the Geotechnical Report. The Geotechnical Engineer shall be required to sign and seal all plans.

Improvement Plans

- d. The developer of this facility shall provide to the City Improvement Plans indicating construction details relative to public and private infrastructure associated with its development.

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. 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.
- c. If cut and fill operations occur during a season not favorable for immediate establishment of a permanent ground cover, a fast germinating annual, such as Rye or Sudan Grasses, shall be utilized to retard erosion.
- e. Failure to comply with any or all the conditions of this permit shall be adequate cause for revocation of permits by the issuing City of Wildwood Departments or Commissions.
- f. The Zoning Enforcement Officer of the City of Wildwood, Missouri, shall enforce the conditions of this permit in accord with Site Development Plans approved by the Planning and Zoning Commission and the Department of Planning.

- g. 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 Conditional Use Permit, 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.
- h. 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 Conditional Use Permit, except where this permit 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 or 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 parking spaces at a rate of one (1) acre of public space for each one hundred fifty (150) parking spaces, shall be zero (0), given the type of recreational amenities to be offered.** Thereafter, the referenced rate of public space shall be as set forth herein.

Section Three. 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.

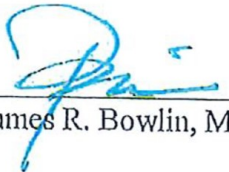
Section Four. If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced 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. 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 November, 2022, 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



James R. Bowlin, Mayor

ATTEST:



City Clerk



City Clerk