

AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI THAT AMENDS SECTION FOUR, ITEM K. OF C-8 PLANNED COMMERCIAL DISTRICT ORDINANCE #2927 TO ALLOW FOR THE EXISTING POST AND ARM SIGN THAT ABUTS THE MANCHESTER ROAD RIGHT-OF-WAY AREA TO REMAIN AS CURRENTLY INSTALLED, WITH SUCH BEING CONSISTENT WITH THE PLANNING AND ZONING COMMISSION'S LETTER OF RECOMMENDATION DATED APRIL 7, 2025. (Ward Eight)

WHEREAS, this property was originally zoned for commercial purposes by St. Louis County before the incorporation of the City of Wildwood under its C-8 Planned Commercial District procedures and regulations; and

WHEREAS, the original authorization of this commercial zoning district designation at this location only allowed for general offices, pet grooming, and the on-going occupancy of the dwelling as a single family residence; and

WHEREAS, thereafter, in 1999, the City of Wildwood amended the site-specific ordinance to allow for the use of the dwelling, vacant at that time, to include professional and medical/dental offices for a planned chiropractic clinic at this location, which recognized its past use for business purposes, along with its location in the historic Grover Area – a commercial hub for many years along Historic Route 66 (Manchester Road); and

WHEREAS, this clinic was active for many years, but appeared to have closed in 2020 and the property was placed on the market for sale, which led to the current owners of this location to seek to use the dwelling and site for retail purposes and a café/coffee shop, with an orientation toward family pets, primarily dogs; and

WHEREAS, over the course of the last several years, the City and owners of this business have progressed through a number of issues, including allowing a commercial kitchen to be a permitted use at this location and authorizing certain tree removal, after the fact, and

WHEREAS, the Planning and Zoning Commission took this matter under consideration at its meeting on April 7, 2025 and concurred with the request to retain the current location of the post and arm sign on the site, given its visibility onto Manchester Road and logicalness of placement relative to other improvement; situated there as well and

WHEREAS, the recommendation from the Planning and Zoning Commission was forwarded to the City Council, which held its scheduled public hearing (May 12, 2025) on this matter, specifically to consider the amendment of the governing ordinance, as recommended by the Planning and Zoning Commission; and

WHEREAS, as part of the review process of City Council, it also had the proposed bill for this change to this C-8 Planned Commercial District ordinance available on this same agenda, given the favorable recommendation of the Planning and Zoning Commission in this regard, and authorized its first reading after the conclusion of the public hearing; and

WHEREAS, the City Council, in its consideration, agreed that such a small sign was best used, when visible from the abutting roadway; and

WHEREAS, the City Council has adopted laws, codes, and regulations to ensure all of its actions regarding land use within this community are intended to protect the general health, safety, and welfare of its residents.

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

Section One. The City of Wildwood Zoning Ordinances and Official Zoning District Maps, which are made a part hereof, are hereby amended by enacting certain and limited amendments to existing Amended C-8 Planned Commercial District Ordinance #2927 that is located within the City's Town Center Area of Wildwood, which are herein set forth in this Ordinance, for the following described land:

A tract of land being Lot 5 of "Niere Acres", a subdivision according to the plat thereof recorded in Plat Book 95 Page 23 in the St. Louis County records, Township 44 North – Range 3 East, St. Louis County, Missouri, and being more particularly described as:

Beginning at the southeast corner of said Lot 5 of "Niere Acres"; said point being a point on the North line of Manchester Road, 60 feet wide; thence westwardly along said North line of Manchester Road, 60 feet wide, South 72 degrees 41 minutes West 122.00 feet to the Southwest corner of said Lot 5, thence North 1 degree 42 minutes 30 seconds East 422.66 feet to the Northwest corner of said Lot 5, thence North 75 degrees 02 minutes 30 seconds East 120.39 feet to the Northeast corner of said Lot 5; thence South 1 degree 42 minutes 30 seconds West 417.42 feet to the point of beginning and containing 1.1 acres.

Section Two. The zoning authority and approval embodied in this Ordinance is granted subject to compliance with the Zoning Ordinance, Subdivision and Development Regulations, and all other City of Wildwood ordinances, rules, and regulations and the conditions of this Ordinance, except as may be modified herein, as set for in the Planning and Zoning Commission's Letter of Recommendation dated April 7, 2025, as well as in accordance with the recommendation of the City Council from its public hearing discussion held on May 12, 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:

1. **PERMITTED USES**

The uses authorized in this Amended C-8 Planned Commercial District shall be limited to professional and medical/dental offices, stores and shops for retail purposes, and a coffee shop and café (Phase 2 activities include the coffee shop and café), a single entity commercial kitchen, i.e., a single individual, business, or organization, with no more than one (1) employee in association with it.

2. **FLOOR AREA, HEIGHT AND BUILDING REQUIREMENTS**

- a. Before Phase 2 permitted uses can commence on the site, the property owners or other interests must submit an updated Site Development Plan (SDP) indicating provided parking on the site meets minimum code ratios and required total numbers. If required parking space numbers cannot be met, Phase 2 permitted uses may be limited by the number of tables and chairs to be authorized.
- b. The allowance for outdoor seating is hereby permitted, but must meet required parking space totals in terms of the number of planned tables and chairs, but shall be prohibited from broadcasting music through amplified speakers, unless the proposed location of this area is determined not to impact surrounding residential properties.
- c. The uses permitted in this Amended C-8 District shall be contained within a single story structure not to exceed a total of 1,650 square feet in overall gross floor area.
- d. In those instances where a building façade is absent, a brick or stone garden wall may be required for installation, in accordance with the City's Neighborhood Design Standards of the Town Center Plan. The wall(s) must complement the appearance of the buildings located within the same block in terms of its design, architecture, color, and character. All garden walls located upon this site shall be reviewed and approved by the Architectural Review Board, as part of the Site Development Plan review and approval process. Garden walls abutting the Manchester Road right-of-way must also include planting pots placed atop of each of the supporting columns, unless otherwise altered by action of the Planning and Zoning Commission.

- e. A maximum of one (1) building, located within the boundaries of this Amended C-8 Planned Commercial District, shall be one (1) story in height, as measured from the adjoining street or parking lot grade, whichever is applicable.
- f. The area of this Amended C-8 Planned Commercial District shall be a minimum of one (1) acre in overall size.
- g. The proposed architectural design, character, and style of any new additions, structures, and buildings 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. Approval of the required design, character, and style shall be by the Architectural Review Board.
- h. Any exterior modification on the site which would necessitate the addition of any square footage to the building footprint or an intensification of use, as determined by the Department of Planning, will require the rezoning of the property to a Town Center Land Use Designation, per that plan. The rezoning will require a new public hearing.

3. SITE PLAN SUBMITTAL REQUIREMENTS

Within twelve (12) months of the date of approval of the preliminary development plan by the County Council and prior to issuance of any building or occupancy permit, the developer shall submit a Site Development Plan to the Planning Commission for their review and approval. Where due cause is shown by the developer, this time interval may be extended by the Planning Commission. Said Site Development Plan shall include, but not be limited to, the following:

- a. The location and size, including height, of all proposed structures and general use of each building or structure.
- b. Structure and parking setbacks.
- c. Location and size of all parking and loading areas, vehicular stacking areas, light standards, fencing, freestanding business signs, canopies, and trash enclosures.
- d. Existing and proposed roadways, drives, and walkways on and adjacent to the property in question.
- e. Areas to be dedicated for road right-of-way and required roadway improvements.
- f. Approximate curb cut locations.
- g. Existing and proposed contours at intervals of not more than two (2) feet.
- h. A landscape plan including all landscaped buffers, indicating but not limited to, the location, size, and general type of all plants and other materials to be used.
- i. Construction type of the building.
- j. The approximate location of all stormwater facilities.
- k. Location of all existing easements.

4. SPECIFIC DEVELOPMENT PLAN DESIGN CRITERIA

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

Structure and Building Setbacks

- a. All new structures, other than signs, lights, fences, canopies, retaining walls under six (6) feet in height and flag poles, shall be located according to the following setbacks:
 - (1) Seventy-five (75) feet from the existing right-of-way of Manchester Road.
 - (2) Fifteen (15) feet from the western property line.
 - (3) Three hundred (300) feet from the northern property line.
 - (4) Forty (40) Feet from the eastern property line.

Parking Setbacks

- b. All parking stalls, loading spaces, internal drives, excluding points of ingress and egress and public or private roadways, shall adhere to the City of Wildwood's Town Center Neighborhood Design Standards for the 'Workplace' District, unless as otherwise noted below:
 - (1) Twenty-five (25) feet of the Manchester Road right-of-way.
 - (2) Ten (10) feet of the western property line.
 - (3) One hundred twenty (120) feet of the northern property limits.

- (4) Ten (10) feet of the eastern property line.

Minimum Requirements – Parking

- c. Minimum parking requirements shall be set forth in Chapter 415.290 of the City of Wildwood Zoning Ordinance. All parking stall configurations exceeding six (6) spaces in length shall be required to provide parking islands of sufficient area to accommodate plantings within these rows as approved by the Planning and Zoning Commission on the Site Development Plan.

Access

- d. Access to this development from Manchester Road shall be restricted to the existing entrance serving the tract of land.
- e. Provide cross access easement and temporary slope construction license or other appropriate legal instrument or agreement guaranteeing permanent access between this site and adjacent properties, as directed by the Departments of Planning and Highways and Traffic.

Landscape Requirements

- f. All new landscaping materials shall meet the following criteria:
 - (1) Deciduous Trees – one and one-half (1 ½) inch minimum caliper.
 - (2) Evergreen Trees – six (6) feet minimum height.
 - (3) Shrubs – eighteen (18) inch minimum diameter.
 - (4) Flowering Trees – one and one-half (1 ½) inch minimum caliper.
 - (5) Ground cover shall be construed to include any materials consisting of low plants that cover the ground and shall include grass or other plants adopted for such use.
- g. The eastern perimeter of the site, adjacent to the single family development, shall be adequately landscaped with appropriate vegetation to shield the single family residences from visual intrusion, noise, and light. This mix should minimally comply with the City's Landscape Manual and Sustainable Plantings Guide. Said landscape plan shall be denoted on the Site Development Plan.
- h. The planting islands located on the western side of the internal driveway adjacent to the existing building, shall be landscaped with appropriate ground cover. The planting islands shall not be paved or contain sidewalks, except as approved for safe pedestrian circulation.
- i. All existing trees and tree clusters located within the limits of this Amended C-8 District development shall be retained as approved by the Planning and Zoning Commission on the Site Development Plan.

Lighting Requirements

- j. Light standards shall not exceed sixteen (16) feet in height. No on-site illumination source shall be so situated that light is cast directly on adjoining properties or public roadways. Illumination levels shall comply with the provisions of the City of Wildwood's Zoning Code Section 1003.160 "Outdoor Lighting Requirements." A Lighting Plan shall be submitted in conjunction with the Site Development Plan indicating compliance to these requirements. The Planning and Zoning Commission and the Architectural Review Board shall approve the location of all light standards and their design and appearance, as part of the Site Development Plan review process.

Sign Requirements

- k. All signage on the property shall be limited to wall type only and comply with the City of Wildwood's Town Center Plan. However, a sign measuring five (5) square feet in size may be authorized, but must be mounted on a post, with cross arm, and installed along with a picket fence at a **one (1)** ~~ten (10)~~ foot build-to line required under the Town Center Plan. The height of the post cannot exceed ten (10) feet, as measured from the edge of roadway right-of-way line of Manchester Road. Such pole and sign shall complement the appearance, character, and type in terms of its color, material, and composition of the other buildings or structures on the property. All other signage shall be in accordance with the requirements of the City of Wildwood's Town Center Architectural Guidelines.

- l. The location of all signs shall be approved by the Planning Commission on the Site Development Plan.
- m. No portable, advertising, or temporary signs (including balloons, banners, festoons or lights, strings of pennants, clusters of flags, twirler or propellers, flares, and similar devices of a carnival nature) shall be permitted in this Amended C-8 Planned Commercial District.

Miscellaneous Conditions

- n. All exterior trash areas shall be enclosed by a six (6) foot high sight-proof fence complemented by evergreen trees around the periphery and pick-up hours for waste disposal shall not be authorized before 6:30 A.M. on any given day. There shall be no outside storage. The location of all exterior trash areas shall be approved by the Planning and Zoning Commission, as part of the Site Development Plan review process.
- o. No overnight storage or parking of trucks or other vehicles shall be permitted in this Amended C-8 Planned Commercial District.
- p. The permitted hours of operation for the uses permitted in this Amended C-8 Planned Commercial District development are 7:30 A.M. to 9:30 P.M., Sunday through Saturday.
- q. All rooftop mechanical equipment shall be screened from view or so designed as to be visually compatible with the exterior of the structure and be approved by the Planning and Zoning Commission, as part of the Site Development Plan review process.
- r. Parking, circulation, and other applicable site design features shall comply with Chapter 415.290 Off-Street Parking and Loading Requirements of the City of Wildwood Zoning Ordinance.

5. **TRAFFIC GENERATION ASSESSMENT ROAD TRUST FUND**

The developer shall contribute to the East Traffic Generation Assessment Trust Fund established by Section 140.210 Traffic Generation Assessment Trust Funds. This contribution shall not exceed an amount established by multiplying the number of provided and new parking spaces for the difference between the existing and proposed uses by the following rate schedule:

<u>Type of Development</u>	<u>Required Contribution Level</u>
Medical/Dental	\$2,331.45/Parking Space
General Retail	\$2,331.45/Parking Space
High Turn-Over Sit Down Restaurant	\$2,331.45/Parking Space

(Parking space as required by Chapter 415.280 of the City of Wildwood Zoning Ordinance.)

If types of development proposed differ from those listed, rates shall be provided by the Department of 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 road improvements required by the development shall be retained in the appropriate trust fund.

The amount of this required contribution, if not submitted by January 1, 2021, shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accordance with the construction cost index as determined by the City of Wildwood Department of Public Works.

6. **VERIFICATION PRIOR TO APPROVAL**

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

Stormwater

- a. The developer is required to provide adequate stormwater systems in accordance with the City of Wildwood and Metropolitan St. Louis Sewer District (MSD) Standards.

- b. All stormwater shall be discharged at an adequate natural discharge point. The design of stormwater management systems shall exhibit a positive discharge.
- c. Detention or differential runoff of stormwater shall be required. Said improvements shall be provided in permanent underground detention facilities. These detention facilities shall be completed and in operation prior to paving of any driveways or parking areas.
- d. The property owner/developer of this site shall be solely responsible to provide the necessary mechanisms, as part of the development process, to implement "best management practices" for stormwater management and the construction of related facilities. Minimally, these practices/facilities should include rain gardens, swales, and other options to substantially reduce the amount of stormwater leaving the subject site.
- e. The property owner/developer shall provide adequate detention and/or hydrologic calculations for review and approval of all stormwater that will encroach on City of Wildwood right-of-way.

7. RECORDING

Within sixty (60) days of approval of the Site Development Plan by the Planning and Zoning Commission, the approved plan shall be recorded with the St. Louis County Recorder of Deeds.

8. VERIFICATION PRIOR TO PERMITS

Notification to the Department of Planning and Parks

- a. Prior to issuance of foundation, building, or occupancy permits, all approvals from the Department of Planning, the Department of Public Works, and the Metropolitan St. Louis Sewer District (MSD) must be received by the Department of Planning and Parks.

Traffic Generation Assessment

- b. Traffic generation assessment contribution shall be deposited with City of Wildwood in the form of a cash deposit, prior to the issuance of building permits.

Landscape Bonds or Escrows

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

Roadway Improvements

- d. Any future right-of-way dedication shall be completed prior to the issuance of an occupancy permit for any new addition, structure, or building.

Sanitary Sewage System and Public Potable Water

- e. The developer shall provide verification from the Metropolitan St. Louis Sewer District (MSD) and the Missouri American Water Company that public sewer and water service have been provided to this site. Verification shall be in a form acceptable to the City of Wildwood.

9. STANDARD DEVELOPMENT CONDITIONS

- a. A grading permit is required prior to any grading on the site. No change in watersheds shall be permitted. Interim stormwater drainage control in the form of siltation control measures is required.
- b. Provide adequate temporary off-street parking for construction employees. Parking on non-surfaced areas shall be prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.
- c. If cut and fill operations occur during a season not favorable for immediate establishment of a permanent ground cover, a fast germinating annual, such as Rye or Sudan Grasses, shall be utilized to retard erosion.

- e. Failure to comply with any or all the conditions of this ordinance shall be adequate cause for revocation of permits issued by City Departments or Commissions.
- e. The Zoning Enforcement Officer of the City of Wildwood, Missouri, shall enforce the conditions of this ordinance in accordance with the Site Development Plan approved by the City of Wildwood Planning and Zoning Commission.
- f. Any other applicable zoning, subdivision, or other regulations or requirements of the City, whether in effect at the adoption of this ordinance or as may be hereinafter adopted, shall further apply to the development of this property as authorized by this Amended C-8 Planned Commercial District, except as may be provided by law. Nothing herein shall be deemed a waiver of any subdivision, zoning, or other development regulation of the City whether by implication or reference.
- g. This zoning approval is conditioned on compliance with the Zoning Ordinance, Subdivision and Development Regulations, and all applicable laws of the City. Such additional regulations are supplemental to the requirements herein and no modification of any applicable regulations shall result from the Amended C-8 Planned Commercial District ordinance, except where this ordinance has expressly modified such regulations by reference to the applicable provision authorizing such modification.

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

Section Four. 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 Five. 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.

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

Joseph Garritano
 The Honorable Joseph Garritano, Mayor

ATTEST:

ATTEST:

Colleen Lohbeck
 Colleen Lohbeck, City Clerk

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Editor's Note: Additions noted in red type and highlighted text.