



WILDWOOD

INFORMATION REPORT

Prepared by
Department of Planning
for the

Planning and Zoning Commission

City of Wildwood, Missouri

January 19, 2016 Executive Meeting

"Planning Tomorrow Today"

Petition No.: P.Z. 23-15
Petitioner: Pond Athletic Association, c/o Keith Ellis, 17131 Lafayette Trails Drive, Wildwood, Missouri 63038
Request: A request for a Conditional Use Permit (CUP) in the NU Non-Urban Residence District and FPNU Floodplain Non-Urban Residence District for the installation of sponsorship type banners on existing fencing associated with the athletic fields that are part of the Pond Athletic Association. **Proposed Use: Sponsorship type banners for a not-for-profit use, with a minimum of two (2) operational athletic fields on the same lot.**
Ward: One
Location: West side of Pond Road, north of Hohmann Road (Locator Numbers: 22W330042 and 22W330051/Street Address: 1725 and 1613 Pond Road).
Public Hearing
Date: December 21, 2015
Date and Vote on
Information Report: January 19, 2016 - TBD
Report: Attachment A
Background
Information: Attachment B

INTRODUCTION - The Pond Athletic Association (PAA) has been located in west St. Louis County since 1963 and offering services to this area, and now Wildwood residents, for over fifty (50) years. The operation of this facility over this period of time has been accomplished through funds raised by the imposition of fees, gifts, donations, and sponsorships, which means each year presents a challenge to raise enough money to provide the sought after services offered at the facility and maintain the property and improvements as well. The funding operations and maintenance of any not-for-profit facility, including the Pond Athletic Association, is an on-going challenge.

Prior to the incorporation of the City of Wildwood, the association utilized sponsorship banners as a fund raising tool, which were placed on the outfield fences. These banners represented local businesses that paid fees to be located at the facility and be viewed by patrons of the games. The use of sponsorship banners raised thousands of dollars each year. In fact, for the association's fiftieth anniversary celebration in 2013, the City's Board of Adjustment granted a variance that allowed the temporary placement of sponsorship banners at the facility, which raised over thirty thousand dollars (\$30,000.00) for support of its programming. Thereafter, in 2014 and 2015, banners were again prohibited, which meant that option for funding was not available.

The City is always working to implement one (1) of the goals of the Action Plan for Parks and Recreation - 2007, which was to partner with facilities that provided needed services to residents the City was not or could not at that time. Pond Athletic Association (PAA), which has playing fields, offers them to the area, where the City cannot. Therefore, from the perspective of the plan's goals and recommendations, the association is an excellent partner for the City. This partnership has led to the City allocating money to the association to be used by it to offset costs for Wildwood residents that participate in its training leagues. Along with this contribution, the City Council wanted to further assist the association, and this established partnership, and recommended the City's Sign Regulations be reviewed to determine if they could be changed to allow sponsorship banners for these types of facilities. This review was completed in 2015.

The review resulted in the City's regulations being changed to accommodate sponsorship banners, as a Conditional Use Permit (CUP) in the NU Non-Urban Residence District, under a certain set of specific conditions and read as follows:

Banners: sponsorship types for both public and not-for-profit uses, with a minimum of two (2) operational athletic fields on the same lot.

The Planning and Zoning Commission agreed the appropriate approach to address the allowance for banners was to employ the Conditional Use Permit (CUP) process of the City and review each location's request of them on a case-by-case basis and recommend upon them accordingly, which allows for the analysis to include the location's individual characteristics. Additionally, with the permit process, conditions can be created to address all aspects of the facility and the placement of banners at them, including the number, size, and maintenance.

CURRENT REQUEST - The specific advertisement for this request was as follows: **P.Z. 23-15 Pond Athletic Association, c/o Keith Ellis, 17131 Lafayette Trails Drive, Wildwood, Missouri 63038** - A request for a Conditional Use Permit (CUP) in the NU Non-Urban Residence District and FPNU Floodplain Non-Urban Residence District for the installation of sponsorship type banners on existing fencing associated with the athletic fields that are part of the Pond Athletic Association. This facility is located on the west side of Pond Road, north of Hohmann Road (Locator Numbers: 22W330042 and 22W330051/Street Address: 1725 and 1613 Pond Road). **Proposed Use: Sponsorship type banners for a not-for-profit use, with a minimum of two (2) operational athletic fields on the same lot. (Ward One)**

At the public hearing on this matter, the representative for the Pond Athletic Association (PAA) noted it would like to place banners on each of the existing fields. The banners would be placed on the outfield fences and face in toward the bleachers and stands, and are not intended to be seen from any surrounding roadway or property. This screening, so the banners would not be visible from roadways or properties, is partially achieved by their strategic placements, but also through the use of wind screen around the same fencing, which will assist in blocking their unintended view as well. The representative did not provide specific information about the size of the banners and number per field in his presentation.

ANALYSIS –

The Department of Planning has considered this request for sponsorship banners at the Pond Athletic Association (PAA) facility and believes it to be appropriate and the Planning and Zoning Commission should grant the requested Conditional Use Permit (CUP). The request meets the standards set forth in the new regulations regarding this matter, i.e. a facility with a minimum of two (2) athletic fields, established and operating as a not-for-profit entity, and located in the NU Non-Urban Residence District. These three (3) requirements are set forth in the underlying regulations, as the minimum standards for allowing a consideration of banners at applicable facilities.

Consistent with Good Planning Practices - In considering this request, the Department would note the request can be accommodated with little or no impact on the surrounding area, given certain protections the Department is recommending in this regard, including managing the size, height, screening, color, and maintenance components associated with these banners. Additionally, the Department is only recommending five (5) of the seven (7) fields be authorized for sponsorship banners, eliminating the two (2) training league fields, which are in closet proximity to the abutting single family residence and Pond Road. These protections, and others included in Attachment B of this report, are intended to limit impacts and be consistent with good planning practices.

Impacts on Permitted Uses in the Same Zoning District Designation - The addition of these banners will not have a negative impact on the allowable uses in the NU Non-Urban Residence District due to their limited application, the size of this facility and the nature of the surrounding properties, site topography, extent of landscaping, and the available existing screening. The facility, by its nature, has an impact on the area that was determined by St. Louis County to not be at the extent to cause it not to grant two (2) Conditional Use Permits (CUP) to the property in 1964 and 1991. The addition of these sponsorship banners will not add, nor, in the opinion of the Department, effect the principle land use in this area, which is single family residential.

Visual Degradation - The visual impact of these banners will vary by location, but the Department believes the requirements of the permitting process and other limitations imposed, as part of the permit's authorization, would minimize them to the greatest extent possible. The Department has recommended that any field, of the five (5) that are authorized for banner placement, be additionally treated by a wind screen on the opposite side of the fence, where they are to be placed, to offset casual viewing of them, while limiting the background color to white and, again,

managing size and height components as well. Along with these considerations, the Department believes the restriction on the maximum number of banners per field will also limit the overall degradation of the area too.

Community Benefit - Overarching many of the considerations associated with banner placements at this facility is the positive impact additional revenue will have on the facility and the children that participate there. As noted in the Background Section of this report, this facility offers the greatest number of play fields in Wildwood, so its importance, and how this community benefits from its existence here cannot be understood. Given the City's park planning documents encourage partnerships to meet gaps in Wildwood's facilities, assisting to ensure a consistent revenue stream is available for the association's activities is positive for the entire community.

SUMMARY OF KEY POINTS AND RECOMMENDATION –

The Department of Planning is recommending the Planning and Zoning Commission support the requested Conditional Use Permit (CUP) for sponsorship banners at this location, under the recommended conditions set forth below in Section 9 of Attachment B. This support of the permit is premised on compliance to the four (4) criteria identified for granting a Conditional Use Permit (CUP) that are set forth in the City's Zoning Ordinance and the location meeting the underlying requirements set forth therein as well. Accordingly, the Department is recommending the existing Conditional Use Permit (CUP) for this facility be amended to read as follows:

ATTACHMENT B

1. PERMITTED USES

- a. The uses authorized by this Amended Conditional Use Permit shall be a total of seven (7) ball fields, two (2) permanent concession stands, with storage and restrooms, bleachers and dugouts, a meeting room, and associated parking. No temporary structures or buildings shall be allowed within the boundary of this Amended Conditional Use Permit area, except a single portable restroom facility that currently is located within the facility. This facility may be located within the boundaries of this Amended Conditional Use Permit for no more than three (3) years after its effective date.
- b. The following recreational uses shall be permitted on the property covered by this permit: softball, baseball, soccer, football, and similar type games.
- c. The lighting of five (5) of the existing athletic fields shall be authorized within the boundaries of this Amended Conditional Use Permit area, with all existing and proposed light standards, fixtures, and luminaries complying with Section 1003.160 Lighting Code of the City of Wildwood's Zoning Ordinance. No new light standards, fixtures, and luminaries shall be installed, until the existing facilities (standards, fixtures, and luminaries) are brought into compliance with the current Lighting Code of the City of Wildwood.

- d. The total number of allowed light standards within the boundaries of this Amended Conditional Use Permit area shall not exceed thirty-two (32) structures.

2. **DEVELOPMENT AREAS AND BUILDING REQUIREMENTS**

- a. The total size of this Amended Conditional Use Permit area shall not be less than nineteen (19) acres in overall area.
- b. The total size of all buildings and structures located within the boundaries of this Amended Conditional Use Permit area shall not exceed 5,000 square feet in area.
- c. No building or structure, except the authorized light standards, shall exceed one (1) story in overall height.
- d. Any new building shall be subject to consideration by the Architectural Review Board of the City of Wildwood in accordance with the standards contained within Section 1003.167 of the City of Wildwood's Zoning Ordinance. Said review board must consider and act on any new building, before the issuance of a Zoning Authorization for building permit(s).
- e. The association shall provide a dust-suppression system upon/within the athletic fields to address nuisance problems associated with their grading and preparation for use.

3. **SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS**

Review and action on the Site Development Plan for this project by the Planning and Zoning Commission shall be accomplished in a manner, which will provide for the minimum disturbance with regards to all improvements on the property, consistent with technology and practically feasible subject to compliance by all applicable codes and safety standards. Within ~~thirty-six~~ (36) months of the Amended Conditional Use Permit being 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 Section 1003.181 of the City of Wildwood Zoning Ordinance. Said Site Development Plan shall include, but not be limited to, the following information, unless as otherwise provided in this permit:

- 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. Parking calculations for the proposed use.

- h. 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.
- i. An inventory indicating the percent of tree canopy to be retained on the site.
- j. Location of all existing and proposed easements.
- k. All other information not mentioned above, but required on a preliminary plat in accord with Section 1005.060 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, Parking, Loading and Internal Drives Setbacks

- a. No ballfields, parking areas, structure or internal drive, except points of ingress and egress, shall be located within the following setbacks:
 - (1) Fifty (50) feet from the right-of-way of Pond Road.
 - (2) Ten (10) feet from the west property line of this development.
 - (3) Fifty (50) feet from the east property line of this development.
 - (4) A minimum one hundred (100) foot distance shall be maintained for the authorized concession stand from the west property line of this Amended Conditional Use Permit area, with its exact location approved by the Planning and Zoning Commission on the Site Development Plan.

Minimum Requirements – Parking

- b. Minimum parking requirements shall be as set forth in Section 1003.165 of the City of Wildwood Zoning Ordinance, except that all parking areas shall be paved and there shall be adequate off-street parking facilities for at least eighty (80) automobiles.

Access

- c. A maximum of two (2) access points shall be authorized to serve this facility. These access points exist and no other curb cuts to Pond Road shall be permitted to serve this conditional use.

Road Improvements and Sidewalks

- d. Dedicate the necessary right-of-way, easements and Temporary Slope Construction License along Pond Road to accommodate the proposed realignment of Pond Road, as directed by the Department of Public Works.
- e. Provide a sidewalk adjacent to Pond Road, or provide the required cash escrow, as directed by the Department of Public Works.

Lighting Requirements

- f. The location of these lighting standards or fixtures 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, except the athletic field light standards, which may be no greater than sixty (60) feet in height. Illumination levels for all lighting shall comply with the provisions of the City of Wildwood's Zoning Code Section 1003.160 "Outdoor Lighting Requirements." A Lighting Study shall be submitted in conjunction with the Site Development Plan indicating compliance to these requirements. The Planning and Zoning Commission shall approve the location, design, and appearance of all light standards and fixtures as part of the Site Development Plan review process.

Signs

- g. Signs for this Amended Conditional Use Permit shall be erected in accordance with Section 1003.168 Sign Regulations of the City of Wildwood's Zoning Ordinance for the NU Non-Urban Residence District (please see Section 9 of this permit for permitted sponsorship banners).
- h. Sign illumination and other lighting arrangements shall be so arranged as to not cast light directly from any source of illumination on any public right of way or on adjoining property and comply with Section 1003.160 Outdoor Lighting Requirements of the City of Wildwood's Zoning Ordinance.

Landscaping Requirements

- i. 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 (2 ½) inch minimum caliper; Evergreen Trees - Six (6) feet minimum height; and Shrubs - twenty-four (24) inch minimum height.
- j. The areas of existing vegetation within the Amended Conditional Use Permit 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 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.
- k. All stormwater facilities shall be appropriately landscaped and comply with Chapter 410 of the City of Wildwood's Codified Ordinances and its accompanying Tree Manual. Wetlands plantings may be used at appropriate locations within the basins themselves as directed by the Department of Public Works.
- l. A Registered Landscape Architect shall prepare and sign all Landscape Plans for this development.

- m. Pine trees a minimum five (5) feet in height shall be planted along the eastern property line, where ballfields align with the abutting single family home to the east, if existing vegetation does not adequately provide buffering as determined by the Planning and Zoning Commission on the Site Development Plan.
- n. A ten (10) foot undisturbed buffer shall be provided along the west property line.

Miscellaneous Requirements

- o. No events or activities shall be conducted on the property in question after the time of 10:30 p.m.
- p. Trash shall be deposited only in dumpsters, which shall be screened with a six (6) foot high sight-proof fence.
- q. No public address or loudspeaker system shall be authorized by this Amended Conditional Use Permit
- r. A six (6) foot high wood sight-proof fence shall be provided along the entire east property line, where it abuts residentially developed property.
- s. A six (6) foot high chain-link fence shall be required along the west property line, or along or within the western undisturbed buffer, as approved on the Site Development Plan.
- t. Satisfactory sanitary facilities, including toilet facilities, as required by the St. Louis County Health Department, must be provided.
- u. Refreshments sold in conjunction with the recreational use shall be limited to food and non-intoxicating beverages.

5. VERIFICATION PRIOR TO APPROVAL OF SITE DEVELOPMENT PLAN

Prior to the approval of the Site Development Plan the petitioner shall submit the following:

Stormwater Management

- a. Submit to the Planning and Zoning Commission a preliminary engineering plan approved by the Department of Public Works showing that adequate handling of the stormwater drainage on the site is provided.
 - (1) The developer is required to provide adequate stormwater systems in accordance with City of Wildwood standards.
 - (2) All stormwater shall be discharged at an adequate natural discharge point.

Roadway Improvements and Curb Cuts

- b. Provide verification of approval by the City of Wildwood Department of Public Works of areas of new dedication and roadway improvements.

Flood Plain Study

- c. As a significant portion of this tract is located in Zone "A" of F.E.M.A.'s Flood Insurance Rate Map, an approved flood plain study will be required prior to approval of the Site Development Plan.

6. RECORDING

Prior to the issuance of any building permit or permit authorizing the use of the subject property, the approved Amended Conditional Use Permit, including conditions and any subsequent amendments thereto and the legal description of the tract shall be recorded with the St. Louis County Recorded of Deeds.

7. VERIFICATION PRIOR TO BUILDING PERMITS

Subsequent to approval of the Site Development Plan, and prior to the issuance of any building permit, the developer shall provide the following:

Landscape Bonds or Escrows

- a. If the estimated cost of new landscaping indicated on the Site Development Plan as required by the Planning and Zoning Commission exceeds and estimated cost of 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.

Notification to the Department of Planning

- b. Prior to the issuance of foundation or building permits, all approvals from the Department of Public Works must be received by the Department of Planning.

8. GENERAL DEVELOPMENT CONDITIONS

- a. Adequate temporary off-street parking for construction employees shall be provided. Parking on non-surfaced areas should 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. No change in watersheds shall be permitted.
- c. Interim stormwater drainage control in the form of siltation control measures, are required.
- d. Right-of-way dedication shall be completed prior to the issuance of a grading permit.
- e. If cut and fill operations occur during a season not favorable for immediate establishment of a permanent ground cover, a fast germinating annual such as Rye or Sudan Grasses shall be utilized to retard erosion.

- f. If any public roads are proposed within this development, they must be built above the 100-year flood elevation with proper freeboard, or protected from flood damage by an approved levee. Any roads and/or drives proposed below this elevation, not protected by an approved levee, are to be private and remain private forever.
- g. If roadways in this petition are to be private roadways, these roadways shall remain private forever. Maintenance of private roadways shall be the responsibility of the property owner(s) or trustees forever.
- h. The Zoning Enforcement Officer of the City of Wildwood, Missouri shall enforce the conditions of this ordinance in accord with the Site Development Plans approved by the Planning and Zoning Commission.
- i. In addition to the conditions herein imposed, this permit shall be subject to all applicable provisions of the City of Wildwood Zoning Ordinance. The Zoning Enforcement Officer of City of Wildwood, Missouri, shall be charged with the duty of enforcing the conditions of this permit.

9. **SPONSORSHIP BANNERS**

- a. A total of five (5) athletic fields may display sponsorship banners at this facility. These five (5) fields are identified on the approved Amended Site Development Plan, dated March 5, 2010, and noted as Fields One (1) through Five (5) upon it.
- b. Any athletic field that displays sponsorship banners must also have a wind screen installed on the opposite side of the same fence to offset their color and potential viewing from locations other than at the facility. The inclusion of the wind screen materials must be indicated on the 2nd Amended Site Development Plan, be black or dark green in color, and reviewed and acted upon by the Planning and Zoning Commission before installation.
- l. No sponsorship banner shall be placed upon a fence at this facility, so as it is **directly** visible from an adjoining roadway or property.
- c. Sponsorship banners shall only be printed on one (1) side, that side facing into the playing fields themselves, and cannot exceed the height of the fence where it is attached.
- d. No sponsorship banner shall exceed thirty (30) square feet in area. Any banner shall have a white background for its color and cannot be lighted, except from existing sources used for play or safety.
- e. None of the athletic fields authorized for the placement of sponsorship banners shall have more than six (6) of these displays installed upon the fences. All sponsorship banners must be placed in conjunction with an active use athletic field.
- f. Any sponsorship banner that is damaged, faded through use, or in disrepair shall be removed as soon as possible. All banners shall be regularly maintained in good condition.

P.Z. Number(s): 23-15
(as assigned by department)

CITY OF WILDWOOD

NOV 16 2015

DEPT OF PLANNING & PARKS

PETITION

before the
CITY OF WILDWOOD'S
PLANNING AND ZONING COMMISSION
FOR THE PURPOSE OF HEARING REQUESTS
FOR ONE OR A COMBINATION OF THE FOLLOWING:
(PLEASE CHECK THOSE ITEMS WHICH ARE APPLICABLE)

- Change in Zoning
- Conditional Use Permit
- Approval of a Planned District or other special procedure (C-8/M-3/PRD)

APPLICANT/OWNER INFORMATION

Applicant's Name: POND ATHLETIC ASSOCIATION c/o KEITH ELLIS

Mailing Address: P.O. Box 111
Wildwood, Missouri 63038

Telephone Number, with Area Code: 636-458-9627

Fax Number, with Area Code: N/A

E-Mail Address: ellisnd@charter.net

Interest in Property (Owner or Owner Under Contract):
Board President of the Association

If owner under contract, please attach a copy of the contract.

Owner's Name (if different than applicant):
Pond Athletic Association

Address: P.O. Box 111
Wildwood, Missouri 63038

Telephone Number, with Area Code: (636) 458-9627

SITE INFORMATION

Postal Address of the Petitioned Property(ies):

1613 and 1725 Pond Road

Locator Number(s) of the petitioned Property(ies):

22W330042 and 22w330051

Total Acreage of the Site to the Nearest Tenth of an Acre:

19.32 acres (according to St. Louis County, Missouri records)

Current Zoning District Designation: NU and FPNU, with CUP

Proposed Zoning District Designation: NU and FPNU

Proposed Planned District or Special Procedure: NU and FPNU, with Amended CUP

USE INFORMATION

Current Use of Petitioned Site:

Athletic Fields for League Play

Proposed Use of Site:

Same as 'Current,' but allow sponsorship banners to be sold and displayed on the fences surrounding the playing fields to support the facility's operation.

Proposed Title of Project: Pond Athletic Association

Proposed Development Schedule (include approximate date of start and completion of the project):

Spring through Fall, 2016

CONSULTANT INFORMATION

Engineer's/Architect's Name: Not Applicable

Address: _____

Telephone Number, with area code: _____

Fax Number, with area code: _____

E-Mail Address: _____

Soil Scientist/Forester's Name: Not Applicable

Address: _____

Telephone Number, with area code: _____

Fax Number, with area code: _____

E-Mail Address: _____

ACKNOWLEDGEMENT INFORMATION

The petitioner(s) state(s) they (he) (she) will comply with all the requirements of the city of wildwood with regard to the procedures relating to its administration of land use and development controls within its boundaries, including the payment of all applicable fees.

The petitioner(s) further represent(s) and agree(s) that they (he) (she) has (have) not made any arrangement to pay any commission, gratuity, or consideration, directly or indirectly, to any official, employee, or appointee of the City of Wildwood with respect to this application.

The petitioner(s) hereby certify(ies) that (indicate one):

- I (we) have a legal interest in the hereinabove described property.
- I am (we are) the duly appointed agent of the petitioner(s) and that all information given and represented on this application is an accurate and true statement of fact. Any misrepresentation of information on this application or accompanying information shall constitute grounds for the City of Wildwood, Missouri to terminate review of this petition and return all materials, minus any fees, associated with its review up to and through that point.

SIGNATURE: *Keith Ellis*

NAME (PRINTED): KEITH ELLIS

ADDRESS: 17131 LAFAYETTE TRAILS DR.
WILDWOOD, Mo 63038

TELEPHONE NUMBER: 314-440-3333 (CELL) 636-458-6687 (HOME)

[PLEASE NOTE: THE ABOVE NAMED PERSON SHALL RECEIVE ALL OFFICIAL NOTICES REGARDING THIS REQUEST, INCLUDING THE PUBLIC HEARING NOTICE.]

SUBSCRIBED AND SWORN BEFORE ME THIS
11th DAY OF Nov. 20 15

MARTA ANDERSON
Notary Public - Notary Seal
State of Missouri
Commissioned for St. Charles
My Commission Expires: May 22, 2019
15052162

SIGNED: *Marta Anderson*
(NOTARY PUBLIC)

NOTARY PUBLIC Marta Anderson
STATE OF MISSOURI.

MY COMMISSION EXPIRES May 22, 2019

FOR OFFICE USE ONLY	
1 ST SUBMITTAL DATE: <u>11-23-15</u>	
FEE: <u>—</u> ; RECEIVED BY: <u>KA</u>	
PRELIMINARY DEVELOPMENT PLAN: YES NO	
PACKET COMPLETE: <u>YES</u> NO	
2 ND SUBMITTAL DATE: _____	
PACKET COMPLETE: YES NO	
3 RD SUBMITTAL DATE: _____	
PACKET COMPLETE: YES NO	
4 TH SUBMITTAL DATE: _____	
PACKET COMPLETE: YES NO	



WILDWOOD

16860 Main Street
Wildwood, MO 63040

**CITY OF WILDWOOD
NOTICE OF
PUBLIC HEARING**
before the Planning and Zoning Commission
Monday, December 21, 2015, at 7:30 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.

* PLEASE SEE YELLOW BOX ON OPPOSITE SIDE OF THIS MAILER FOR A LIST OF WAYS TO EITHER COMMENT ON AND/OR TRACK THIS ITEM.



Street Address of Subject Site:
1725 and 1613 Pond Road

THE CITY WELCOMES AND ENCOURAGES
YOUR COMMENTS AND PARTICIPATION IN
ITS PUBLIC PROCESSES.

The Planning and Zoning Commission of the City of Wildwood will conduct a public hearing on **Monday, December 21, 2015, at 7:30 p.m.**, in the **City Hall 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, change in the underlying regulations of the Zoning Ordinance, action on Record Plats, update on zoning matters, or amendment of the Master Plan, which will then be considered for action. This hearing is open to all interested parties to comment upon this request, whether in favor or opposition, or provide additional input for consideration. If you do not have comments regarding this request, no action is required on your part. Written comments are requested to be submitted prior to this hearing and should be addressed to the Planning and Zoning Commission, City of Wildwood, 16860 Main Street, Wildwood, Missouri 63040 or via the City's website at www.cityofwildwood.com/comment. The following request will be considered at this time:

P.Z. 23-15 Pond Athletic Association, c/o Keith Ellis, 17131 Lafayette Trails Drive, Wildwood, Missouri 63038 - A request for a Conditional Use Permit (CUP) in the NU Non-Urban Residence District and FPNU Floodplain Non-Urban Residence District for the installation of sponsorship type banners on existing fencing associated with the athletic fields that are part of the Pond Athletic Association. This facility is located on the west side of Pond Road, north of Hohmann Road (Locator Numbers: 22W330042 and 22W330051/Street Address: 1725 and 1613 Pond Road). **Proposed Use: Sponsorship type banners for a not-for-profit use, with a minimum of two (2) operational athletic fields on the same lot. (Ward One)**

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

- 1) Submitting a comment online by visiting: <http://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.

If you should have any questions regarding this information, please feel free to contact the Department of Planning at (636) 458-0440. Thank you in advance for your interest in this matter.

City of Wildwood, MO
Thursday, December 17, 2015

Chapter 415. Zoning Regulations

Section 415.090. "NU" Non-Urban Residence District Regulations.

[Ord. No. 1324 App. A §1003.107(K), 8-14-2006; Ord. No. 1874 §1, 6-25-2012; Ord. No. 1880 §1, 8-13-2012; Ord. No. 1934 §1, 5-13-2013]

- A. *Scope Of Provisions.* This Section contains the district regulations of the "NU" Non-Urban Residence District. These regulations are supplemented and qualified by additional general regulations appearing elsewhere in this Chapter which are incorporated as part of this Section by reference. The "NU" Non-Urban Residence District of the City of Wildwood encompasses areas within which rough natural topography, geological conditions or location in relation to urbanized areas creates practical difficulties in providing and maintaining public roads and public or private utility services and facilities. The "NU" Non-Urban Residence District, therefore, shall promote the protection and existence of a large-lot rural development pattern.
- B. *Permitted Land Uses And Developments.* The following land uses and developments are permitted in this district:
1. Churches.
 2. Commercial vegetable and flower gardening, as well as plant nurseries and greenhouses, but not including any structure or building used as a retail or wholesale salesroom.
 3. Dairy farming.
 4. Dwelling, single-family.
 5. (Reserved)
 6. Farming, including the cultivation and sale of any plant crops and domestic animals.
 7. Forests, wildlife reservations, as well as conservation projects.
 8. (Reserved)
 9. Home occupations.
 10. Hunting and fishing as well as propagation of wildlife of any kind.
 11. Libraries, public or private not-for-profit.
 12. Mausoleums or crematoriums in an existing cemetery, any other provision of the law notwithstanding, but no such structure shall be situated closer than one hundred (100) feet to any cemetery property line.
 13. Parks, parkways and playgrounds, public or private not-for-profit.
 14. Schools, public or private kindergarten, elementary, secondary and collegiate.
 15. Water features determined not to be high hazard or located in the main channel of a named watershed located in the City of Wildwood. Notwithstanding the foregoing, permitting of these features shall be governed by the regulations, requirements, and standards of the Chapter 425 Grading Code of the City of Wildwood Municipal Code and be reviewed and acted upon by the Department of Public Works. These water features, herein permitted by

right, shall require a Conditional Use Permit (CUP), under the regulations set forth in Chapter 415.500 Conditional Use Permit Procedures (CUP) of the City of Wildwood Zoning Ordinance, if the source of any of its water for developing or maintaining normal pool elevation is determined to be from a ground water source.

- C. *Conditional Land Use And Development Permits Issued By The Commission.* The following land uses and developments may be permitted under conditions and requirements specified in Section **415.500** "Conditional Use Permits", except the specified home occupations described below which must adhere to simplified process defined in Subsections **(H)** and **(I)** of this Section:
1. Administrative offices and educational facilities.
 2. Banners: sponsorship types for both public and not-for-profit uses, with a minimum of two (2) operational athletic fields on the same lot.
[Ord. No. 415.090 §1, 4-13-2015]
 3. Bed and breakfast establishments.
 4. Blacksmiths.
 5. Cemeteries, including mortuaries operated in conjunction with the cemetery.
 6. Child care centers, nursery schools and day nurseries.
 7. Clubs, private not-for-profit.
 8. (Reserved)
 9. (Reserved)
 10. Fairgrounds.
 11. Feed or grain storage, commercial or cooperative.
 12. Foster homes for handicapped children.
 13. Golf courses, including practice driving tees on the same premises. Miniature golf courses and independent practice driving tees are excluded.
 14. (Reserved)
 15. Group homes for the elderly.
 16. (Reserved)
 17. Home occupations permitted by Section **415.090(H)**.
 18. Large water features.
 19. Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, shall be:
 - a. Adequately screened with landscaping, fencing or walls or any combination thereof; or
 - b. Placed underground; or
 - c. Enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.
 - d. All plans for screening these facilities shall be submitted to the Department of Planning for review. No building permit or installation permit shall be issued until these plans have been approved by the Department of Planning.

20. Mortuaries.
21. Mulching plants for trees, wood or wood waste, but not including any assembly or manufacture of a product.
22. Nursing homes, including assisted care living facilities (overall density of assisted care units is a function of permitted beds).
23. Police and fire stations.
24. Post offices and other government buildings.
25. Public utility facilities, other than local public utility facilities.
26. Radio, television and communication transmitting, receiving or relay towers and facilities, subject to the provisions of the Model Telecommunications Code.
27. Recreational camps and camping facilities.
28. Recreational land uses, commercial or not-for-profit.
29. Residential substance abuse treatment facilities.
30. Retreats operated by educational or other not-for-profit entities.
31. Riding stables, kennels and veterinary clinics.
32. (Reserved)
33. Salesrooms (retail and wholesale), when established as an accessory use to commercial gardens, plant nurseries and greenhouses, for the sale of nursery products and related items for use in preserving the life and health of such products, hand tools and plant containers. The preceding items shall not include power-driven equipment, lawn and garden furniture nor decorative accessories and fencing; however, bulk sale of sand, gravel, mulch, railroad ties or similar materials may be permitted. The salesroom may occupy all or a portion of a building.
34. Satellite dishes (additional to provisions of Section **415.380(R)**).
35. Sewage treatment facilities, other than facilities permitted as an accessory use.
- 35a. Solar panels, all ground-mounted types. All roof-mounted types, if said installations are visible from an adjoining/adjacent street(s).
[Ord. No. 2028 §§1 — 2, 4, 8-25-2014]
36. Specialized private schools.
37. (Reserved)

D. *Accessory Land Uses And Developments.*

1. Subject to compliance with the procedures of this Section, accessory buildings, structures and uses are permitted in conjunction with a permitted land use or development or (unless restricted by applicable condition) a conditional land use or development when such accessory building, structure or use is customarily found in conjunction with the primary use, is a reasonably necessary incident to the primary use, is clearly subordinate to the primary use and serves only to further the successful utilization of the primary use. Accessory uses include the following:
 - a. Devices for the generation of energy, such as solar panels (roof-mounted types on rear and/or side of dwellings and not visible from the adjoining/adjacent street(s) only), wind generators and similar devices.
[Ord. No. 2028 §§1 — 2, 4, 8-25-2014]

Travis Newberry

From: noreply@cityofwildwood.com
Sent: Monday, December 21, 2015 4:13 PM
To: Lynne Greene-Beldner; Ryan Thomas; Elizabeth Weiss; Kathy Arnett; Travis Newberry; Travis Newberry
Subject: Online Form Submittal: Public Hearing Comment Form

Public Hearing Comment Form

By utilizing this form, your comments will be considered by the Department of Planning in its development of a recommendation of this request. Additionally, the Planning and Zoning Commission, the City Council, and/or the applicable board or committee will also receive copies of your comments, as they consider the merits of these land use proposals being reviewed by the city. You must submit a separate form for each public hearing for which you have comments.

Request Being Considered	P.Z 23-15 Pond Athletic Association
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Item Description	Banners on PAA fencing
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Position on Request	Other
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General Comments	I would support this on the condition that the banners are visible ONLY to those using the Pond Athletic Association and are not visible from Pond Road. Those of us who live in the area should not have to view advertising when driving on Pond Road.
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Suggestions	Ensure banners are not visible from Pond Road.
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(Section Break)

Name	Sandra Curtiss
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Address	17229 Portland Crest Ct
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City	Wildwood
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State	MO
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Zip	63038
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Phone Number	314-600-2691
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Email	sandra.w.curtiss@gmail.com
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Travis Newberry

From: noreply@cityofwildwood.com
Sent: Monday, December 21, 2015 4:01 PM
To: Lynne Greene-Beldner; Ryan Thomas; Elizabeth Weiss; Kathy Arnett; Travis Newberry; Travis Newberry
Subject: Online Form Submittal: Public Hearing Comment Form

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By utilizing this form, your comments will be considered by the Department of Planning in its development of a recommendation of this request. Additionally, the Planning and Zoning Commission, the City Council, and/or the applicable board or committee will also receive copies of your comments, as they consider the merits of these land use proposals being reviewed by the city. You must submit a separate form for each public hearing for which you have comments.

Request Being Considered	P.Z 23-15 Pond Athletic Association
Item Description	<i>Field not completed.</i>
Position on Request	Do Not Support
General Comments	How is the board going to protect the neighbor's from PAA becoming to commercial when presently their games that go past 10:00 they have their signs on the top of our streets. No one was asked if it was ok on smith school to have their name on our street, would it be reasonable to think the neighbor who live with this club don't count.
Suggestions	<i>Field not completed.</i>
(Section Break)	
Name	Betty
Address	1512 smith school
City	Wild wood
State	Mo
Zip	63038
Phone Number	N/A
Email	N/A

Travis Newberry

From: noreply@cityofwildwood.com
Sent: Tuesday, December 22, 2015 12:42 PM
To: Lynne Greene-Beldner; Ryan Thomas; Elizabeth Weiss; Kathy Arnett; Travis Newberry; Travis Newberry
Subject: Online Form Submittal: Public Hearing Comment Form

Public Hearing Comment Form

By utilizing this form, your comments will be considered by the Department of Planning in its development of a recommendation of this request. Additionally, the Planning and Zoning Commission, the City Council, and/or the applicable board or committee will also receive copies of your comments, as they consider the merits of these land use proposals being reviewed by the city. You must submit a separate form for each public hearing for which you have comments.

Request Being Considered	P.Z 23-15 Pond Athletic Association
Item Description	<i>Field not completed.</i>
Position on Request	Do Not Support
General Comments	<p>My husband has been living on the same property for over 30 years and remembers when the ball diamonds were nonexistent and just an open field and traffic concerns were not a problem. The small developing ball park has grown and grown so much that pond road cannot support all the traffic. Therefore, I do not believe more advertising is needed for success of the association. The association needs to realize this was, and the residents still want, it to be a quaint little country road and not a commercialized district. I was not in support of the banners when they were requested in 2013 and I still am not to date. The banners are seen from the road from all angles through the chain link fence and we drive by there multiple times a day. They are cheap looking plastic and unsightly. They do not go with the natural beauty of the wooded, hilly area we love to live in. Please consider the people who live by the park and are next door neighbors when deciding how our country road is perceived. It is a winding, country road, not a commercial district.</p>
Suggestions	<p>A suggestion to the ball park would be to raise the prices so that advertisement banners aren't needed. I drive down highway 40 close to the city and see ballfields on the north side of 40 and i do not see unsightly advertisement banners.</p>

Perhaps pond ballpark could ask them for suggestions on how generate more revenue. Or, when i was a young girl, our "tball" shirts had sponsors ads on the back of the shirt or shirt sleeve.

(Section Break)

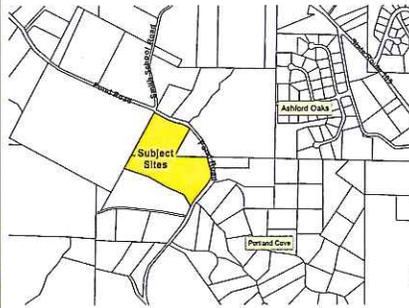
Name	Erica Sprunger
Address	1548 Pond View Drive
City	Wildwood
State	MO
Zip	63038
Phone Number	636-751-3581
Email	esprunger@gmail.com

Email not displaying correctly? [View it in your browser.](#)

**CITY OF WILDWOOD
NOTICE OF
PUBLIC MEETING**
before the Planning and Zoning Commission
Tuesday, January 19, 2016, at 7:30 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.

* PLEASE SEE YELLOW BOX ON OPPOSITE SIDE OF THIS MAILER FOR A LIST OF WAYS TO EITHER COMMENT ON AND/OR TRACK THIS ITEM.



Street Address of Subject Sites:
1613 and 1725 Pond Road

THE CITY WELCOMES AND ENCOURAGES
YOUR COMMENTS AND PARTICIPATION IN
ITS PUBLIC PROCESSES.

Listed below is a request that was presented to the Planning and Zoning Commission at a public hearing held on December 21, 2015. You and many of your neighbors may have expressed interest in its outcome and the Commission is scheduled to take action upon this item at their upcoming meeting. If inclined, the Commission encourages you to attend this meeting and hear the Department of Planning's recommendation on this matter and participate in its discussion. The meeting will be held on **Tuesday, January 19, 2016, at 7:30 p.m.** in the City Hall Council Chambers, 16860 Main Street, Wildwood, Missouri 63040. The specific request under consideration is as follows:

P.Z. 23-15 Pond Athletic Association, c/o Keith Ellis, 17131 Lafayette Trails Drive, Wildwood, Missouri 63038 - A request for a Conditional Use Permit (CUP) in the NU Non-Urban Residence District and FPNU Floodplain Non-Urban Residence District for the installation of sponsorship type banners on existing fencing associated with the athletic fields that are part of the Pond Athletic Association. This facility is located on the west side of Pond Road, north of Hohmann Road (Locator Numbers: 22W330042 and 22W330051/Street Address: 1725 and 1613 Pond Road). Proposed Use: Sponsorship type banners for a not-for-profit use, with a minimum of two (2) operational athletic fields on the same lot. (Ward One)

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

- 1) Submitting a comment online by visiting: <http://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.

If you should have any questions regarding this information, please feel free to contact the Department of Planning at (636) 458-0440. Thank you in advance for your interest in this matter.

Travis Newberry

From: noreply@cityofwildwood.com
Sent: Wednesday, December 23, 2015 1:23 PM
To: Lynne Greene-Beldner; Ryan Thomas; Elizabeth Weiss; Kathy Arnett; Travis Newberry; Travis Newberry
Subject: Online Form Submittal: Public Hearing Comment Form

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Request Being Considered	P.Z 23-15 Pond Athletic Association
Item Description	Allowing signs posted on the fence of the Pond Athletic Fields
Position on Request	Do Not Support
General Comments	I live across from Pond Ball Fields and am concerned about a "junky" appearance at the ball park. I am not opposed to the lights at Pond, but I know how expensive it is. Often I see lights on when no one is using the ball field. Maybe they could make money by conserving on the lighting bill.
Suggestions	Could we have it so that you do not see the signs as you drive along Pond Road? Also, is there a time frame for the signs so that they would not be left up after ball season.

(Section Break)

Name	Diana Bissell
Address	1513 Whetstone Ct.
City	Wildwood
State	MO
Zip	63038
Phone Number	636-458-6008

Email

dianabissell@sbcglobal.net

Email not displaying correctly? [View it in your browser.](#)