WILDWOOD®

Recommendation Report on an Outdoor Game Court
Prepared by Department of Planning
for the
City of Wildwood Planning and Zoning Commission
December 19, 2016 Executive Session
"Planning Tomorrow Today"

Nature of Request –

P.Z. 4-16 Scott Fieser, 10 Whitsetts Fork Ridge Road, Wildwood, Missouri, 63038, is seeking a second review and action of the Planning and Zoning Commission on an outdoor game court (full court basketball court, with lighting), which is located at 10 Whitsetts Fork Ridge Road, Wildwood, Missouri (Locator Number 24V430121)); NU Non-Urban Residence District. This request is to be reviewed in accordance with Chapter 415.090 NU Non-Urban Residence District Regulations of the City of Wildwood Zoning Code, which establishes standards and requirements for outdoor game courts relating to their consideration by the Planning and Zoning Commission. The game court and lighting is currently installed, without Planning and Zoning Commission approval, and situated to the west of the single family residence located on the subject property. The Department will have a recommendation report prepared for consideration at this meeting for this request. **(Ward Six)**

Introduction –

At its June 20, 2016 meeting, the Planning and Zoning Commission considered a request for the authorization of an outdoor game court, with lighting, which had been installed on the subject property without Planning and Zoning Commission approval. At that initial meeting, the Commission did not support the request, noting a number of violations needed to be addressed before the outdoor game court could be authorized. This action did not preclude the petitioner from submitting a request for the same in the future, only after these violations had been addressed, then reviewed again by the Commission, as required by the City's Zoning Ordinance.

All outdoor game courts must be acted upon by the Planning and Zoning Commission. The requirements for the Planning and Zoning Commission's review of outdoor game courts were adopted by the City Council in April 2013 and intended to provide a framework for addressing lighting, landscaping, and aesthetics, along with managing the flight of projectiles i.e. balls, pucks, etc., while implementing standards for their placement to protect in-place stormwater management facilities and verifying their compliance with zoning performance standards for noise and peace disturbance in their use.

This request is before the Commission for a second consideration, following action by the City's Board of Adjustment to grant a variance to the petitioner regarding side yard setback area but denying a request regarding the height of the light standards associated with the game court. The Department believes the next appropriate step to bring this installed game court into compliance with City requirements is the above-mentioned second consideration and action by the Planning and Zoning Commission, as required by the City's Zoning Ordinance.

Principle to this request is the review of the existing site conditions and the installed outdoor game court's location, design, associated landscaping, and other components of it. This review is intended to determine whether this outdoor game court and associated lighting are appropriate and in compliance with the criteria established for such on properties zoned NU Non-Urban Residence District, while now taking into consideration the Board of Adjustment's action regarding the side yard setback area.

Board of Adjustment Action Overview–

The property owner requested a modification to the City of Wildwood Zoning Ordinance regulations to adjust the side yard setback area and the allowed height of the light standards. The City's Board of Adjustment considered this request at its September 15, 2016 meeting. The Board partially granted the request by authorizing a side yard setback distance of five (5) feet, in lieu of the thirty (30) foot standard, while denying the requested height of (20) feet, in lieu of the sixteen (16) foot standard, for the retention of two (2) of the three (3) game court light standards. This variance authorized the game court to be retained, but with a portion removed, on the western side of the property, to a minimum distance of five (5) feet from the property line. The result of the denial of the request regarding the light standards is they must be brought into compliance with the City's Outdoor Lighting Requirements and meet the sixteen (16) foot height requirement.

General Site and Area Conditions –

1. This 3.18 acre site is located on the south side of Whitsetts Fork Ridge Road, west of State Route 109, and within the Whitsetts Fork Subdivision. The site is zoned NU Non-Urban Residence District.
2. The single family dwelling is located slightly below the grade of Whitsetts Fork Ridge Road. The elevation gently slopes to the south, until the tree line, where it begins to slope more steeply toward the rear property line.
3. An in-ground swimming pool, patio area, and associated retaining walls are located at the rear of the single family dwelling.
4. A detached garage is located at the rear of the home, on the western portion of the site, and accessed from Whitsetts Fork Ridge Road by a gravel drive that parallels the east side of the single family dwelling to the rear of the pool and patio area, then turns west to reach the garage.
5. The installed asphalt surface outdoor game court is approximately twenty (20) to twenty-five (25) feet below the grade of Whitsetts Fork Ridge Road, and located to the west of the detached garage, with a portion of it being located south of it.
6. A sixteen (16) feet by thirteen (13) feet frame shed is located to the rear of the single family dwelling and entirely in the side yard setback area, with a portion of it being situated on the neighboring property to the east.
7. The adjacent properties have the following characteristics:

   North: Single family dwelling on a 5.0 acre lot, being located north of Whitsetts Fork Ridge Road, with the elevation sloping downward to the north

   South: Single family dwelling on a 5.0 acre lot, located significantly below the elevation of the subject site, at the bottom of the ridge, with a large pasture area

   East: Single family dwelling on a 3.18 acre lot, with the elevation being very similar to the subject site

   West: Single family dwelling on a 3.93 acre lot, with the elevation being very similar to the subject site

8. Stormwater on the site is managed by natural sheet flow, with none of these types of improvements installed on the property.
9. The structure setbacks for this site are thirty (30) feet for the side yard area on the east property line; five (5) feet for the side yard area along the west property line (authorized by Board of Adjustment Case #18-16); thirty (30) feet for the rear yard area; and fifty (50) feet for the front yard area.

Characteristics of Installed Outdoor Game Court and Associated Improvements –

1. The outdoor game court is approximately forty-eight (48) feet wide by eighty-eight (88) feet long, with varying width on the southwest half of the court, given a slight alteration to remove a portion of the game court that was previously installed on the abutting property.
2. Based on a recent site visit by the Department, alterations have been made to the court, since the Commission's initial review. These alterations removed the portion of the court and associated retaining wall that had previously been placed upon the abutting property; however, a portion of the court and retaining wall appear to be in the five (5) foot side yard setback area, which is not permitted by right, nor can it be authorized by the Commission, as part of this review (Section 415.090 (L) 5).
3. Two (2), twenty-five (25) foot high light standards, with four hundred (400) watt metal halide floodlight fixtures placed atop them, are currently installed. Based on the Board of Adjustment action, these standards must meet the sixteen (16) foot standard and otherwise comply with the City's Outdoor Lighting Requirements. The property owner has removed a third similar light standard that was in place at the time of the Commission's initial review and is proposing its re-installation at a sixteen (16) foot height along the eastern side of the court.
4. The property owner is proposing four (4) wall-mounted fixtures, with four-hundred (400) watt metal halide bulbs, to be placed on the western exterior of the garage. Additional details regarding these fixtures relating to design, placement, shielding, and performance have not been provided at this time.
5. The property owner has also installed two (2), standard height, pole-mounted basketball hoops at the north and south ends of the outdoor game court, both of which are located outside of the five (5) foot side yard setback area.
6. The property owner has installed an eight (8) foot tall black chain link fence along the southern length of the outdoor game court and a small portion of it appears to be located in the five (5) foot side yard setback area. A fence of this height is considered a structure and required to be located entirely out of the side yard setback area.
7. The property owner is proposing a six (6) foot chain link fence along the western length of the outdoor game court, in order to control the flight of projectiles onto neighboring properties, in accordance with Section 415.090(L) of the City of Wildwood's Zoning Regulations. A fence of this height is not considered a structure and is permitted within the five (5) foot side yard setback area.
8. A retaining wall that is greater than two (2) feet in height, and supporting the surcharge load of the asphalt surface outdoor game court, is installed along the southern length of the court.
9. A retaining wall that is greater than six (6) feet (approximately ten (10) feet) is installed along the northern length, and a portion of the western length, of the outdoor game court. A wall of this height is required to be located entirely out of the side yard setback area.
10. A temporary batting cage is located at the southeast corner of the court. Given it is temporary in nature, this batting cage is not subject to the review of the Planning and Zoning Commission.
11. The landscaping plan for the site indicates the following:

    North: Five (5) Norway Spruce Trees, above the grade of the installed outdoor game court, and below the grade of Whitsetts Fork Ridge Road

    South: None (existing tree line)

East: None (interior of the lot)
West: None (existing tree line)

Analysis -

The Department of Planning has reviewed this request with regards to its compliance with the City's Zoning Ordinance, Tree Manual, and Sustainable Plantings Guide and believes it does not currently meet the minimum requirements set forth therein, but can be brought into compliance by the property owner based on certain conditions and established timelines. Additionally, the property owner has expressed his intent to take steps to achieve compliance based on tonight's action by the Planning and Zoning Commission. The Department is recommending the Planning and Zoning Commission act to authorize this request, based on certain considerations, recommended conditions, and established deadlines. This recommendation is made with an understanding such an authorization would be revoked if any condition or deadline, as outlined below, is not met by the property owner. In making this recommendation, the Department considered the following:

Lighting

1. Prior to the Commission's initial consideration of the this request, the City's consultant met on-site with the petitioner in order to review the installed outdoor lighting for this structure and submitted a report to the Department indicating the installed lights do not meet a number of requirements of the City's Outdoor Lighting Requirements (Sections 415.450(D)4; 415.450(D)5; and 415.450(E)3), principally due to their installation, prior to review, and light trespass restriction requirements.
2. The City's consultant also noted the installed outdoor lighting is not in compliance with Section 415.090(L) 4, in regards to the height of the light standards.
3. The City's consultant's recommendation was to lower the light standards to twenty (20) feet. The property owner took this recommendation into consideration and requested a variance from the City's Board of Adjustment to permit the height of (20) feet, in lieu of the sixteen (16) foot standard. This request was denied by the Board. With this request not being granted, the two (2) remaining light fixtures on the north and south ends of the court and one (1) proposed light fixture to be re-installed on the east side of the court must be lowered and meet the sixteen (16) foot standard, while otherwise meeting the City's Outdoor Lighting Requirements.
4. The City's consultant also recommended replacing the existing fixtures with new units that have better optical and cutoff capabilities, in order to be in compliance with the City's Outdoor Lighting Requirements.
5. The two (2) remaining light fixtures and proposed re-installed light fixture are located outside of the five (5) foot setback area and meet the City's requirements in this regard.
6. No zoning authorization or electrical permits were issued prior to the installation of the light standards, as required by City of Wildwood and St. Louis County Codes. As a condition of the authorization of the game court and associated lighting, all necessary permits are required for all past and future work that will be performed.
7. All installed and proposed lighting must be reviewed by the City's lighting consultant and be determined to meet the City's Outdoor Lighting Requirements. The location and height of all lighting standards and fixtures must be shown on an engineered, as-built plot plan provided to the Department of Planning by the property owner following the completion of all work. This work must be completed and in compliance with the City's Outdoor Lighting Requirements, as confirmed by the City's consultant, no later than ***May 19, 2017***.

Netting and Fencing

1. The eight (8) foot high black chain link fence located along the southern length of the outdoor game court is considered a structure and any portion of it must be removed from the five (5) foot side yard setback area. The location of this fence adequately meets the requirement of Section 415.090(L) regarding fencing and netting for this portion of the court
2. The property owner is proposing a six (6) foot chain link fence along the western length of the outdoor game court, in order to control the flight of projectiles onto neighboring properties, being in accordance with Section 415.090(L). This fence shall be black in color and match the existing fence along the southern length of the court. A fence of this height is not considered a structure and permitted in the five (5) foot side yard setback area.
3. All required fencing associated with the outdoor game court must be shown on an engineered as-built plot plan provided to the Department of Planning by the property owner following the completion of all work. This work must be completed no later than ***May 19, 2017***.

Landscaping

1) Section 415.090 (L) 1 requires landscaping in association with outdoor game courts to provide a visual screen from adjacent parcels of ground.
2) Five (5) Norway Spruce Trees are proposed to be placed above the grade of the installed outdoor game court and below the grade of Whitsetts Fork Ridge Road to provide screening from the private street. This proposed landscaping must be reviewed to ensure compliance with the City's Tree Manual and Sustainable Plantings Guide.
3) No landscaping is currently proposed along the southern or western lengths of the court. Landscaping shall be provided along the western length of the court, where the existing retaining wall is not present. Landscaping shall not be required, where existing woodlands are located on this western boundary line.
4) A landscape plan must be prepared by a landscape architect or reputable nursery and submitted to the City for review to ensure compliance with Section 415.090(L) and the City's Tree Manual and Sustainable Plantings Guide.
5) All approved landscaping shall be installed no later than ***May 19, 2017,*** unless otherwise recommended by the City's landscape consultant.

Outdoor Game Court Surface and Other Installed Improvements

1. No portion of the outdoor game court shall be located within the five (5) foot setback area.
2. The existing retaining walls were installed without the benefit of review and zoning authorization from the City of Wildwood and subsequent St. Louis County Building Code and permitting requirements. All appropriate authorizations and permits shall be obtained for all past and future work.
3. The location of all improvements associated with the outdoor game court must be shown on an engineered, as-built plot plan provided to the Department of Planning by the property owner following the completion of all work. This work must be completed and plan submitted no later than ***May 19, 2017***.

Other Considerations

1. A number of minimum standards and processes have been established in the City of Wildwood's Zoning Regulations and were not adhered to with the installation of this outdoor game court and lighting. With conditional authorization from the Planning and Zoning Commission for the outdoor game court and lighting, the property owner can begin the permitting process and take the necessary steps to achieve compliance with the City's Zoning Regulations.
2. No zoning authorizations or permits were issued by the Departments of Planning and Public Works and, subsequently, St. Louis County for any of the installed improvements associated with this outdoor game court. With conditional approval from the Planning and Zoning Commission, the property owner can begin this required process.
3. The Department of Planning has received a number of comments from neighboring property owners, particularly in regard to light trespass. These concerns can be addressed by the required compliance with the City's Outdoor Lighting Requirements.
4. The Department is in receipt of a letter signed by the members of the Whitsetts Fork Subdivision Board of Trustees confirming the installation of the game court is not prohibited by its indentures. This letter satisfies the requirement of such an approval in Section 415.090 (L) of the City's Zoning Ordinance.

Recommendation -

In summary, based upon the considerations and proposed conditions stated above, the Department is recommending the Planning and Zoning Commission grant conditional approval of the outdoor game court and associated lighting. It is the Department's opinion, that following the Commission's initial consideration and action, the Board of Adjustment's action regarding the side yard setback area and light standard height, and the property owner's expressed intent to be in compliance with the City's Zoning Ordinance, in this regard, the next appropriate step is for the Planning and Zoning Commission to conditionally authorize the game court, with lighting. With this conditional authorization, the property owner can begin the permit process and take the necessary steps to come into compliance with the City's Zoning Ordinance. The Department would emphasize that, if all conditions of this authorization and above-established deadlines are not met, this authorization would be revoked, after a public hearing at the Planning and Zoning Commission.

With an action by the Planning and Zoning Commission to conditionally grant this request, this authorization would be forwarded to the City Council for its receipt and filing. Accordingly, the Planning and Zoning Commission, by a vote of 8 to 0, at its December 19, 2016 meeting, granted the requested Conditional Use Permit (CUP), with such items as have been identified and recommended by the Department of Planning for completion to be met. The report, with recommendation, and action are hereby forwarded to the City Council for its receipt and filing, along with any further consideration it may choose to undertake, if the members should decide to exercise their 'power of review' in this matter.

WILDWOOD

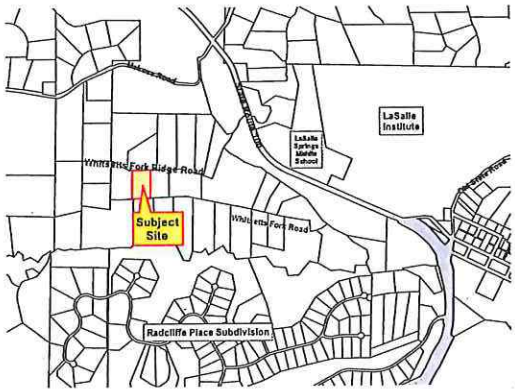
16860 Main Street
Wildwood, MO 63040

CITY OF WILDWOOD NOTICE OF

PUBLIC MEETING

before the Planning and Zoning Commission

Monday, December 19 2016, at 6:30 P.M.



Street Address of Subject Site:
10 Whitsetts Fork Ridge Road
Wildwood, MO 63038

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

The **Planning and Zoning Commission** of the City of Wildwood will hold a meeting on **Monday, December 19, 2016, at 6:30 p.m., in the City Hall Council Chambers, 16860 Main Street, Wildwood, Missouri 63040.** At this public meeting, an item is planned for discussion and described below, which will then be taken under advisement for action either that evening or at a future date. The meeting will be open to all interested parties to comment upon this item, whether in favor or opposition, or provide additional input for discussion purposes. *If you wish to attend this public meeting and require accommodation due to disability, please contact the Department of Planning forty-eight (48) hours in advance at (636) 458-0440.* If you do not have comments regarding this item, no action is required on your part. The following item will be considered at this time:

P.Z. 4-16 Scott Fieser, 10 Whitsetts Fork Ridge Road, Wildwood, Missouri, 63038, is seeking a second review and action of the Planning and Zoning Commission on an outdoor game court (full court basketball court, with lighting), which is located at 10 Whitsetts Fork Ridge Road, Wildwood, Missouri (Locator Number 24V430121)); NU Non-Urban Residence District. This request is to be reviewed in accordance with Chapter 415.090 NU Non-Urban Residence District Regulations of the City of Wildwood Zoning Code, which establishes standards and requirements for outdoor game courts relating to their consideration by the Planning and Zoning Commission. The game court and lighting is currently installed, without Planning and Zoning Commission approval, and situated to the west of the single family residence located on the subject property. The Department will have a recommendation report prepared for consideration at this meeting for this request. **(Ward Six)**

***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 meeting and addressed to the Planning and Zoning Commission, City of Wildwood, 16860 Main Street, Wildwood, Missouri 63040.
3) Viewing the meeting agenda and report, which is available on the City's website at: **www.cityofwildwood.com**.

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 consideration in this matter.

WILDWOOD

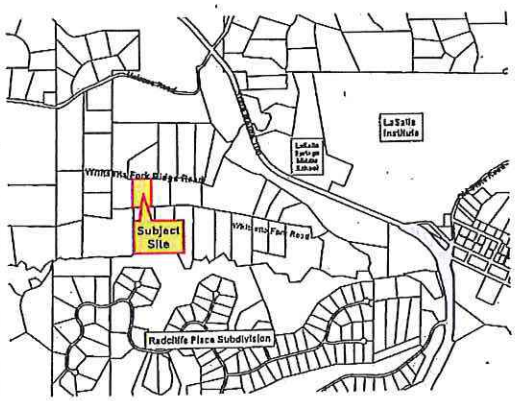
16860 Main Street
Wildwood, MO 63040

CITY OF WILDWOOD NOTICE OF

PUBLIC MEETING

before the Planning and Zoning Commission

Monday, June 20, 2016, at 7:00P.M.



Street Address of Subject Site:
10 Whitsetts Fork Ridge Road
Wildwood, MO 63038

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

The **Planning and Zoning Commission** of the City of Wildwood will hold a meeting on **Monday, June 20, 2016, at 7:00 p.m., in the City Hall Council Chambers, 16860 Main Street, Wildwood, Missouri 63040.** At this public meeting, an item is planned for discussion and described below, which will then be taken under advisement for action either that evening or at a future date. The meeting will be open to all interested parties to comment upon this item, whether in favor or opposition, or provide additional input for discussion purposes. *If you wish to attend this public meeting and require accommodation due to disability, please contact the Department of Planning forty-eight (48) hours in advance at (636) 458-0440.* If you do not have comments regarding this item, no action is required on your part. The following item will be considered at this time:

P.Z. 4-16 Scott Fieser, 10 Whitsetts Fork Ridge Road, Wildwood, Missouri, 63038, is seeking the review and action of the Planning and Zoning Commission regarding an outdoor game court (full-court basketball court, with lighting), which is located at 10 Whitsetts Fork Ridge Road, Wildwood, Missouri (Locator Number 24V430121); NU—Non-Urban Residence District. This request is to be reviewed in accordance with Chapter 415.090 NU—Non-Urban Residence District Regulations of the City of Wildwood Zoning Code, which establishes standards and requirements for outdoor game courts relating to their consideration by the Planning and Zoning Commission. The game court and lighting is currently installed, without Planning and Zoning Commission approval, and situated to the west of the single family residence located on the subject property. The Department will have a recommendation report prepared for consideration at this meeting for this request. **(Ward Six)**

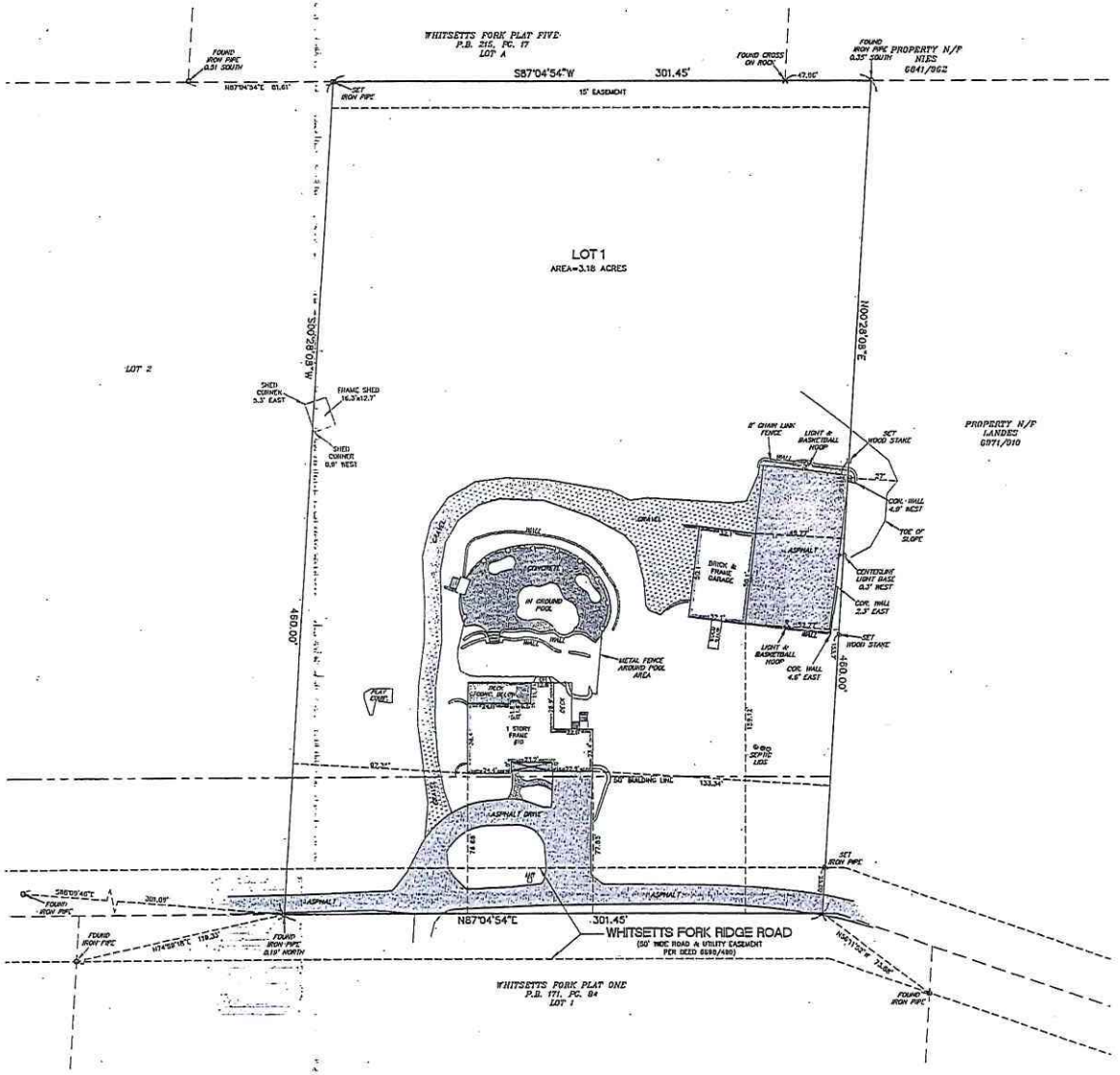
Please note, as of June 6, 2016, all Planning and Zoning Commission meetings will begin at 7:00 p.m.

***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 meeting and addressed to the Planning and Zoning Commission, City of Wildwood, 16860 Main Street, Wildwood, Missouri 63040.
3) Viewing the meeting agenda and report, which is available on the City's website at: **www.cityofwildwood.com**.

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 consideration in this matter.

A TRACT OF LAND BEING ALL OF LOT 1 OF "WHITSETTS FORK PLAT FOUR", PLAT BOOK 177, PAGE 55, TOWNSHIP 44 NORTH, RANGE 3 EAST OF THE FIFTH PRINCIPAL MERIDIAN, ST. LOUIS COUNTY, MISSOURI



GENERAL NOTES:

1. BASIS OF BEARINGS ADOPTED FROM PLAT BOOK 177, PAGE 55.
2. A CURRENT TITLE COMMITMENT WAS NOT FURNISHED FOR THE EXECUTION OF THE SURVEY. THEREFORE THIS PLAT IS SUBJECT TO ALL THE CONDITIONS AND EXCEPTIONS THAT A CURRENT TITLE COMMITMENT MAY REVEAL, INCLUDING, BUT NOT LIMITED TO THE FOLLOWING:

   A. EASEMENTS OF RECORD.
   B. EASEMENTS OR CLAIMS OF EASEMENTS NOT REVEALED IN THE PUBLIC RECORDS.
   C. RIGHTS OR CLAIMS OF RIGHTS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORD, IF ANY.
   D. DEFECTS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY. THIS SURVEY IS ALSO SUBJECT TO ANY CONVEYANCES OR TAKINGS, NOT REVEALED BY THE COUNTY ASSESSOR'S OFFICE, RIGHTS OF WAY, SETBACK LINES, COVENANTS, RESTRICTIONS AND ZONING ORDINANCES, IF ANY.

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT WE HAVE, DURING THE MONTH OF DECEMBER 2015, BY THE ORDER OF SCOTT FIESER, EXECUTED A PROPERTY BOUNDARY SURVEY WITH LOCATION OF IMPROVEMENTS ON A TRACT OF LAND BEING ALL OF LOT 1, OF "WHITSETTS FORK PLAT FOUR", A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 177, PAGE 55 OF THE ST. LOUIS COUNTY RECORDS, TOWNSHIP 44 NORTH, RANGE 3 EAST OF THE FIFTH PRINCIPAL MERIDIAN, ST. LOUIS COUNTY, MISSOURI. THIS SURVEY WAS EXECUTED IN ACCORDANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS FOR URBAN PROPERTY.

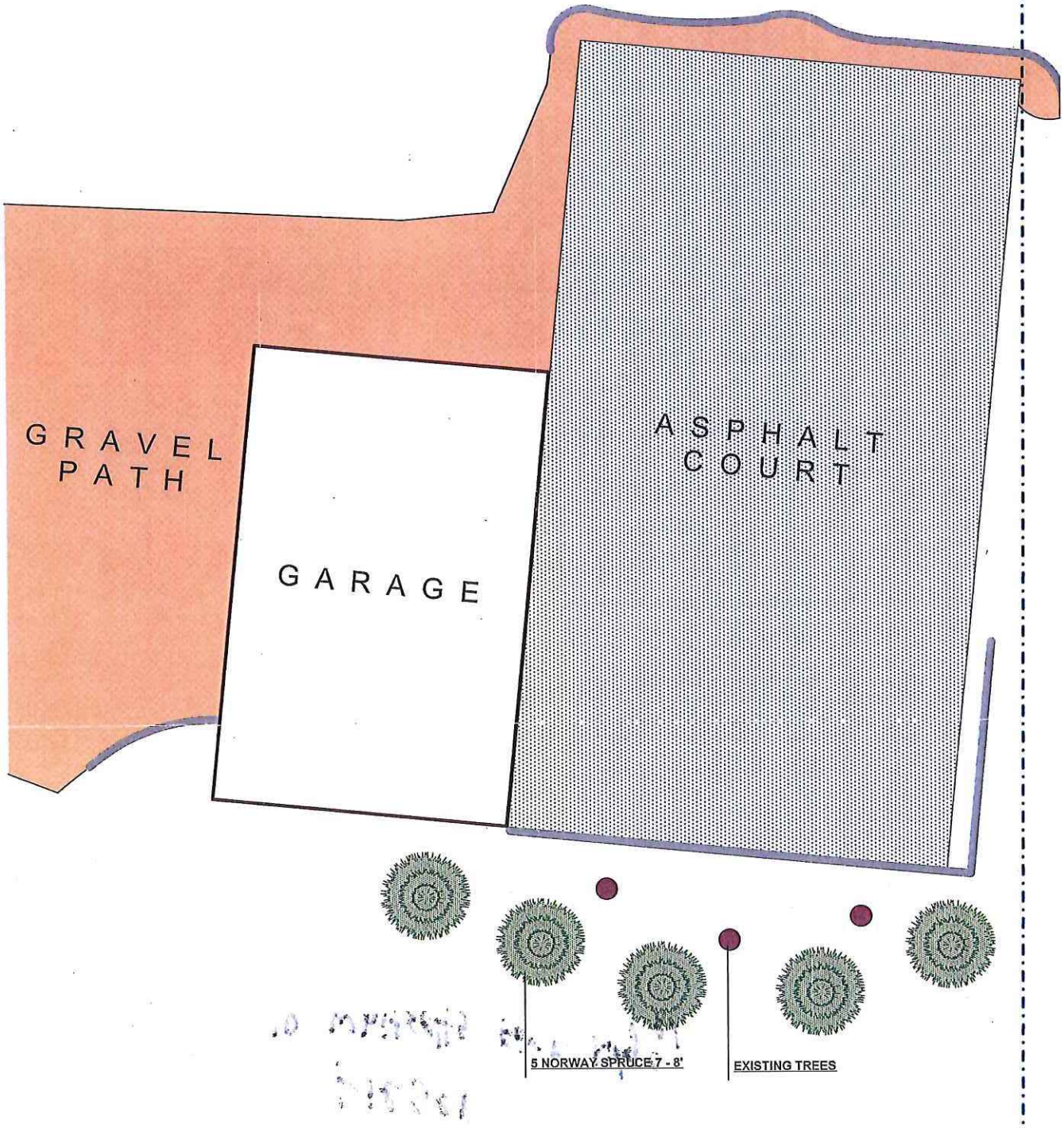
Dennis C. Frazier 12/16/15

DENNIS C. FRAZIER
FRAZIER LAND SURVEYING SERVICES, INC.
MISSOURI PROFESSIONAL LAND SURVEYOR #2002000247
CORP.# 2000003611

STATE OF MISSOURI
DENNIS C. FRAZIER
NUMBER 2002000247
REGISTERED LAND SURVEYOR

SCALE : 1" = 30'
0' 15' 30' 60'

PREPARED FOR: SCOTT FIESER 10 WHITSETTS FORK RIDGE RD. WILDWOOD, MO. 63038	DATE: 12/16/15 SCALE: 1"=30' PROJECT NO: 15-2377 FILE NAME: 15-2377.DWG
PROPERTY BOUNDARY SURVEY WITH LOCATION OF IMPROVEMENTS	
REV#1 REV#2 REV#3 REV#4	FRAZIER LAND SURVEYING SERVICES, INC. 116 E. PEARCE BLVD., P.O. BOX 65 WENTZVILLE, MO. 63385 PHONE: 636-332-0610 FAX: 636-332-0710
	1 OF 1 SHEET:



This plan is the sole property of Baxter Gardens Of Chesterfield
All rights reserved.

L1

LANDSCAPE DEVELOPMENT PLAN FOR
FIESER RESIDENCE
10 Whitsetts Fork Ridge Road
Wildwood, MO 63038
636-262-7855 scottfieser@hotmail.com

THE PROFESSIONALS
"Where Quality Is Foremost"
BAXTER GARDENS
Chesterfield
17259 Wildhorse Creek Road (636) 532-1033 FAX (636) 532-1258
Chesterfield, MO 63005 www.baxtergardens.com

DESIGNED BY: **Chris Weishaar**

SCALE: 1" = 10' 0"

ORIGINAL DATE: February 2, 2016
REVISION DATE:

GRAPHIC ART: HNH

RANDY
BURKETT
LIGHTING
DESIGN

To: Kathy Arnett

From: Ronald Kurtz

Subject: City of Wildwood Lighting Ordinance Review – Fieser Residence

Date: June 6, 2016

Copies: Joe Vujnich
File/

As requested, we performed an on-site review of a lighting installation at 10 Whitsetts Fork Road, a private residence, on March 22, 2016.

General Survey Findings

The lighting in question is associated with a level blacktop playing surface equipped with two (2) standard height pole mounted backboards and nets, one mounted at each end of the playing surface. There are two (2) 400W metal halide floodlights atop (nominal) 25'-0" poles at the (approximate) center line of the north, south, and west sides of the playing surface. Properties to the south are, generally, at a lower elevation than the court, while properties to the north are higher. A sketch is attached for reference.

The pole mounted floodlights are focused onto the court surface at an angle that introduces the lamp (bulb) to the eye at normal viewing angles creating significant glare. Photos included.

Review with Respect to City Code Section 415.450

Review of this installation is based primarily upon Section 415.450.I.1 Special Uses: Recreational Facilities. This section require sporting facility lighting to meet the code, but offers some flexibility to account for safe play. There are other special provisions within the section that apply and are notated herein.

The equipment types, locations, and requisite calculations were not, to our understanding, submitted to the City prior to installation. Therefore, the following sections of the code do not show compliance.

> **Section 415.450.D.4** "All outdoor lighting shall be subject to review by the Architectural Review Board of the City of Wildwood prior to installation and shall comply with the following: "(sections 415.450.D.4.a thru 415.450.D.4.i).
>
> Note: Of particular note is 415.450.D.4.i "Recreational and sports facility lighting shall comply with IES (ed. note: Illumination Engineering Society) recommendations and shall be fully shielded. Lighting applications shall adhere to the requirements and restrictions in Subsection I.

609 East Lockwood Ave. Suite 201 St. Louis, MO 63119 TEL: 314 961-6650 FAX: 314 961-7640 www.rbldi.com

RANDY
BURKETT
LIGHTING
DESIGN

Review with Respect to City Code Section 415.450 (Continued)

Section 415.450.5 "All light fixtures, including lighting associated with single-family dwellings, but excluding street lighting, shall be designed, installed and maintained to prevent light trespass as specified below:

a. At the property line of subject property, illumination from light fixtures shall not exceed one-tenth (0.1) foot-candles on residentially zoned property or five-tenths (0.5) foot-candles on commercially zones property, as measured in a vertical plane five (5) feet above the ground. Every reasonable effort shall be made through placement and lighting control devices) to minimize the visibility of any luminaire that is required to be fully shielded.

b. Light fixtures near adjacent property may require special shielding devices to prevent light trespass as defined in Subsection (D)(5)(a).

c. New lighting installations subject to the provisions of this Code shall comply, without exception, with these Code requirements. Established lighting fixtures must be maximally adjusted within their present limits and abilities in an effort to prevent unlawful light trespass or they may be subject to fines and/or penalties as stated in Subsection (N) of this Section.

Section 415.450.E.3 "Specifically, lighting plans submitted for review and approval as part of a site development plan or preliminary plat shall include a layout of proposed luminaire locations, including aiming angles, minimum and average illuminances for each area, uniformity ratios, a description of this equipment (catalog cuts), glare control devices, lamps, mounting heights and means, hours of operation, maintenance methods proposed, location and use of adjacent properties and an illumination (foot-candle) grid demonstrating adequate intensities and uniformity. The illumination grid scale must be maximized to the extent of a thirty (30) inches by forty-two (42) inches drawing. Also, a calculation of vertical luminance along the property line at five (5) feet above the ground is required to show compliance with Subsection (D)(5)(a). Additional submissions may be required showing greater detail of areas that may require further clarification.

RANDY
BURKETT
LIGHTING
DESIGN

Review with Respect to City Code Section 415.450 (Continued)

Section 415.090.L.4 (Non-Urban Residence District Regulations) – "Lighting of these facilities may be authorized upon "NU" Non-Urban Residence District zoned properties, but must comply with the City's outdoor lighting requirements. Light standards in association with these facilities shall not exceed sixteen (16) feet in height, but shall always be at the least height necessary to accommodate the safe and functional use of the facility."

While the requirements of these have not been met, and with consideration that the submittals were not provided, Section 415.450.I.1 does permit some leeway with respect to sports lighting. Most notable would be 415.450.I.1.b "All fixtures for event lighting shall be fully shielded. To the extent that it is not feasible to use fully shielded fixtures as required in Subsection (D) of this Section, lighting must be designed or provided with sharp cut-off capability, so as to minimize up-light, spill light and glare.

IES recommendations for Class IV (recreational) outdoor basketball courts suggests 20 horizontal foot-candles (average) at the plan of play and 5 vertical footcandles.

Given that a plane of play exists at the basketball goal (net), which is 10 feet above the playing surface, and that the ball may routinely eclipse 16'-0" above the playing surface, it is impractical to use a maximum 16'-0" pole to provide light, if the court is accepted as a sporting location.

The existing fixtures, however, do not exhibit good glare or light control, nor are they focused (aimed) in an acceptable manner to minimize light trespass or light pollution.

Recommendations

Recommendations made pertain to the existing conditions and do not consider any other action the City may take with respect to this review or any other code section.

1. The existing 25'-0" poles should be reduced to 20'-0" in height. (Note: 16'-0" poles are insufficient height for safe nighttime play).

RANDY
BURKETT
LIGHTING
DESIGN

Recommendations (Continued)

2. The existing fixtures would not, in our opinion, be acceptable for use as currently outfitted. The fixtures do not include any significant optical control and, therefore, light travels indiscriminately across property lines and skyward. Additionally, aiming angles create undesirable glare from adjacent property.

   The following are potential solutions:

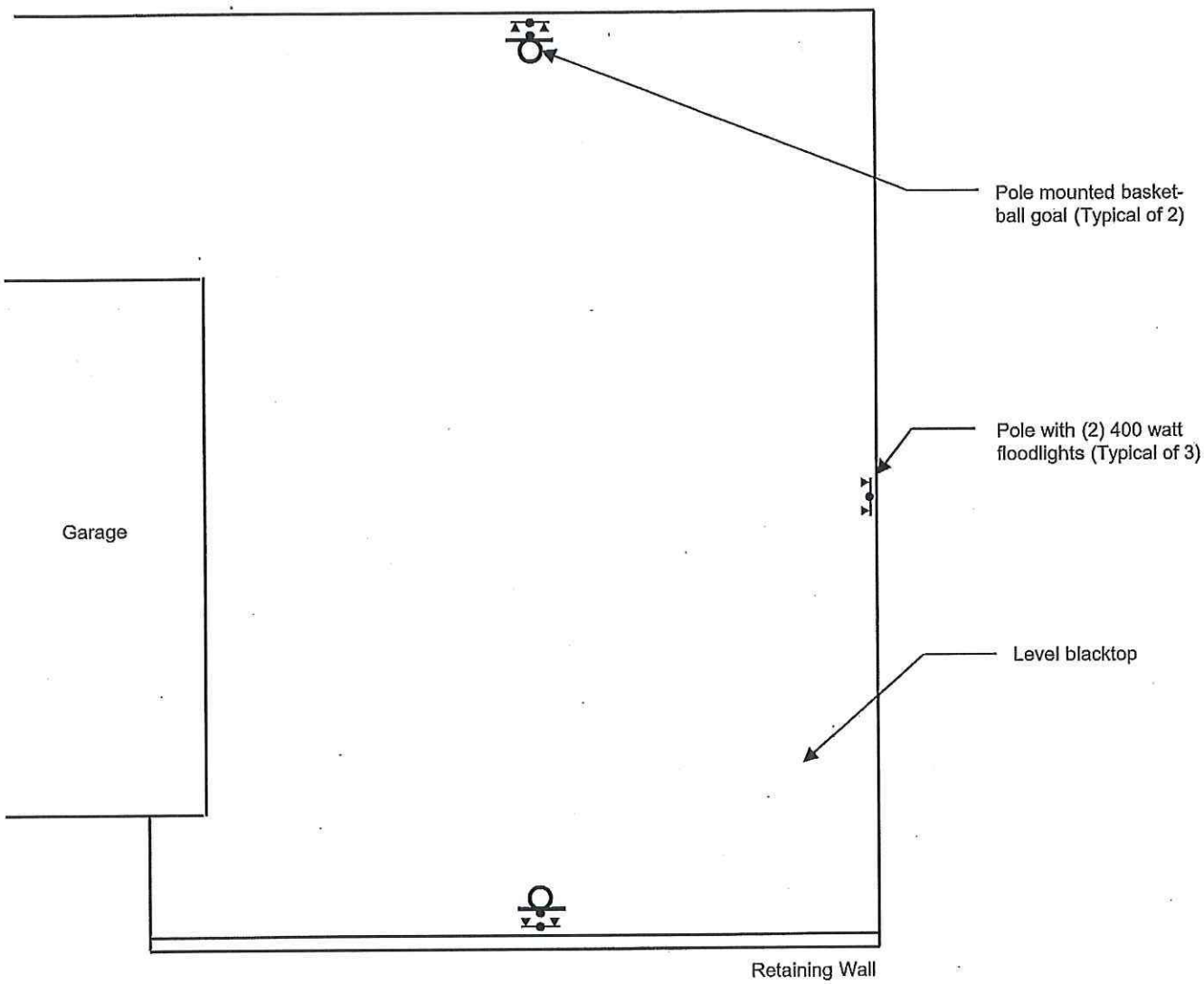
   a) Replace existing fixtures with new units that have better optical and cutoff capabilities. Tailor optics for the court. RECOMMENDED

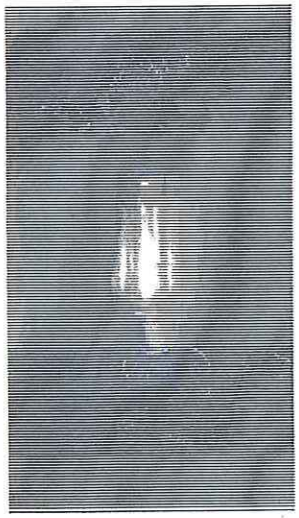
   b) Focus existing fixtures downward so that lamp is parallel with playing surface plane. Add external glare control devices to minimize/eliminate upward directed light, light crossing property lines, back directed light. This may be achievable but not easily so.

3. As per code, if this installation is to be treated as an athletic field, then provision must be made to automatically shut-off lighting at 10:00 PM.

Upon your review, please contact us with any questions or comments.

RK:vh





RANDY
BURKETT
LIGHTING
DESIGN

609 East Lockwood Ave.
Suite 201
St. Louis, MO 63119
Tel: (314) 961-6650
Fax: (314) 9617640
www.rbldi.com

Fieser Residence

Date: 6/7/2016

Proj. #16050D

Scale: N/A

Drawing No.

LS-1

February 7, 2016

City of Wildwood
Attn: Planning and Zoning Commission
Re: Conditional Use Permit at 10 Whitsetts Fork Ridge Rd.

Dear Commission:

Please accept this letter as confirmation that the Whitsetts Fork Subdivision indentures do not prohibit residences from installing a Sport Court.

Sincerely – Whitsetts Fork Board of Trustees

Greg Streeter

Bob Baisch

Julie ~~Fouts~~ Nack

Travis Newberry

From: noreply@cityofwildwood.com
Sent: Sunday, June 12, 2016 2:18 PM
To: Lynne Greene-Beldner; Ryan Thomas; Elizabeth Weiss; Kathy Arnett; Travis Newberry; Steve Vogel; 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. 4-16 Fieser Outdoor Game Court
Item Description	*Field not completed.*
Position on Request	Do Not Support
General Comments	We are opposed to the above basketball court. We live on property below the basketball court. In the past several months since the building of the outdoor game court there has been considerable more runoff onto our property. We have had to build additional landscaping buffers to prevent runoff and erosion from the above mentioned property. In addition to the outdoor court, he has rerouted a large gravel driveway which has also increased runoff and erosion into our property.
Suggestions	install buffer landscaping and erosion control measures to prevent damage to neighboring properties.

(Section Break)

Name	Debra Hurt
Address	3402 Whitsetts Fork Rd
City	Wildwood
State	Mo
Zip	63038

Phone Number	314 608 1494
Email	dhurt24@aol.com

Email not displaying correctly? View it in your browser.

Travis Newberry

From: noreply@cityofwildwood.com
Sent: Thursday, June 09, 2016 3:12 PM
To: Lynne Greene-Beldner; Ryan Thomas; Elizabeth Weiss; Kathy Arnett; Travis Newberry; Steve Vogel; 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. 4-16 Fieser Outdoor Game Court
Item Description	*Field not completed.*
Position on Request	Do Not Support
General Comments	Mr. Fieser reportedly built the subject lighted game court without Planning & Zoning Commission approval. Light pollution is a problem in rural areas including Wildwood. In consideration of present and future neighbors I recommend the Planning & Zoning Commission allow the basketball court to remain but require removal of all light standards, fixtures, etc. including any attached to the dwelling that light the game court.
Suggestions	*Field not completed.*
	(Section Break)
Name	Ray Naughton
Address	Rocky Ridge
City	Wildwood
State	MO
Zip	63038
Phone Number	636-458-3153

Email rglencoe@swbell.net

Email not displaying correctly? View it in your browser.