

City of Wildwood
Council Planning/Parks Committee
“Planning Tomorrow Today”
Minutes from the
September 20, 2016 Meeting

The Council Planning/Parks Committee meeting was called to order by Chair Baugus, at 6:00 p.m., on September 20, 2016, at Wildwood City Hall, 16860 Main Street, Wildwood, Missouri.

I. Welcome and Roll Call:

The roll call was taken, with the following results:

PRESENT – (7)

Council Member De Hart (arrived at 6:45 p.m.)
Council Member Manton
Council Member Bertolino
Council Member Alexander
Council Member Levitt
Council Member Goodson
Chair Baugus

ABSENT – (1)

Council Member Cox

Other City Officials present:

James Bowlin, Mayor
Ryan Thomas, City Administrator
Council Member Larry McGowen
Joe Vujnich, Director of Planning and Parks
Kathy Arnett, Assistant Director of Planning and Parks
Travis Newberry, City Planner
Gary Crews, Superintendent of Parks and Recreation

II. Approval of Minutes from the Meeting of August 16, 2016:

A motion was made by Council Member Bertolino, seconded by Council Member Goodson, to approve the minutes of the August 16, 2016 meeting. A voice vote was taken to approve the motion, with affirmative and unanimous result. The motion was declared approved by Chair Baugus.

III. Public Comment (on non-Agenda and other items):

There was no *Public Comment* concerning items outside of the Payne Family Homes Appeal Process. It was decided the public would be given time for their comments under Section IV. Planning Issues.

A motion was made by Council Member Goodson, seconded by Council Member Levitt, to amend the meeting agenda and proceed to discussion under Section V. Parks Issues, Section A.5 – Executive Session. A voice vote was taken to approve the motion, with unanimous, affirmative result. The motion was declared approved by Chair Baugus.

A motion was made by Council Member Alexander, seconded by Council Member Manton, to enter into Closed Executive Session with regard to the lease, sale, or purchase of real estate (RSMO 610.021 (2)). A roll call vote was taken to approve the motion, with the following results:

Ayes: Council Members Manton, Bertolino, Alexander, Levitt, Goodson, and Chair Baugus.

Nays: None

Absent: Council Member De Hart and Council Member Cox.

The motion was declared approved by Chair Baugus

Time: 6:09 p.m.

A motion was made by Council Member Manton, seconded by Council Member Goodson, to leave Closed Executive Session with regard to the lease, sale, or purchase of real estate (RSMO 610.021 (2)). A roll call vote was taken to approve the motion, with the following results:

Ayes: Council Members Manton, Bertolino, Alexander, Levitt, Goodson, and Chair Baugus.

Nays: None

Absent: Council Member De Hart and Council Member Cox.

The motion was declared approved by Chair Baugus.

Time: 6:38 p.m.

IV. Planning Issues:

1. Discussion on the City's review and approval process used for the Planned Residential Development Overlay District (PRD) in the NU Non-Urban Residence District. (Ward – All)

Director of Planning and Parks Joe Vujnich provided an overview of past discussions relative to Planned Residential Development Overlay Districts (PRD) in the NU Non-Urban Residence District zoned areas of Wildwood. He noted a binder had been provided to each member with extensive reference materials to assist with this evening's discussion. Director of Planning and Parks Vujnich informed the Committee there as always been a *clustering* ordinance in the Wildwood Area, both under the current ordinances in the City of Wildwood and pre-dating the City of Wildwood. He

stressed that a flexible procedure for building homes needs to be in place and *clustering ordinances* provides such flexibility.

Mayor James Bowlin provided a Powerpoint presentation, with extensive explanation, delivering his direction on the existing information relative to Planned Residential Development Overlay District (PRD).

Following the Mayors presentation, discussion among Committee Members included the following: the fact there is three (3) land use categories in the City – Non Urban, Sub-Urban, and Town Center; the belief the City’s Master Plan specifically mentions Sub-Urban and Town Center categories, but does not mention the Non-Urban classification; the general belief there are different interpretations of *high density development* between the land use categories; the belief that *allowable density* is the key with any interpretation, since lot sizes can be adjusted, but *density* cannot be altered; the fact *clustering* is introduced, when people have land development concerns; the question if City Officials had any idea how many homes in the City are on three (3) acre lots versus how many homes are on less than three (3) acre lots; the belief the reality of the *Planned Residential Development Overlay District (PRD)* is ecological preservation; the fact there was no specific discussion on the subject of *Planned Residential Development Overlay District (PRD)*, when the Master Plan was reviewed; the belief the *rare occasion* emphasis on *Planned Residential Development Overlay District (PRD)* is a *Catch 22*; the opinion the subject of *Planned Residential Development Overlay District (PRD)* should be an *either/or* proposition; and the opinion/fact that discussion/applications of *Planned Residential Development Overlay District (PRD)* before the City of Wildwood was incorporated has no bearing on today’s decisions.

Comments from the public included the following:

Tom Cummings: speaking as a resident and developer; stated the *Planned Residential Development Overlay District (PRD)* is a sound planning tool; feels the PRD will in no way countermand the Master Plan, but will instead enhance the Master Plan; stated homes are not like used cars and do not immediately depreciate when you move in; and stated abolishing the *Planned Residential Development Overlay District (PRD)* is not a solution to this dilemma.

Josh Sprunger: stated he strongly agrees with the Mayor and Director of Planning and Parks Vujnich the *Planned residential Development Overlay District (PRD)* is a matter of interpretation; informed the Committee it should key on the fact the Master Plan states development in the Non-Urban Residential Areas should be on lots of three (3) acres or more; feels that PRD’s can be good, but it takes a special individual/developer to utilize them correctly; and feels the question should be how many homes are on three (3) acres, or more, in the Non-Urban Residential Area.

Jan Sprunger: totally agreed with the presentation and comments of Mayor Bowlin and the comments of Council Member De Hart; wants to keep the three (3) acre rule intact; and the City should not be discussed in terms of east of State Route 109 and west of State Route 109, but instead Urban and Non-Urban Areas.

Gregg Maryniak: stated the City should not deal with averages, when it comes to interpreting a PRD, but instead consider actual/apparent density; feels that *clustering* homes on a ridgeline will give the image of a large density and the visual effect on the community will not be good.

John Gragnani: feels the *Planned Residential Development Overlay District (PRD)* is a genuine and valuable tool and should not be eliminated.

Chair Baugus, with agreement of the Committee, stated a decision would not be made on this matter at tonight's meeting. It was suggested the Committee needed time to absorb and consider all the comments made on this subject and action on the matter would be delayed until the next meeting.

Mayor James Bowlin then displayed a second Powerpoint presentation, with a detailed explanation, concerning PRD Overview/Issues.

Following the Mayor's presentation, discussion among Committee Members included the following: the opinion the Planning and Zoning Commission should make a decision concerning a PRD, *before the* application can be considered by the City Council; the fact City Council could override the decision of the Planning and Zoning Commission with a two-thirds majority vote; the belief the Planning and Zoning Commission and the City Council should operate under the same standards for PRD approval; the opinion current *rules*, and how they apply to approval of a PRD, seem to be *silent*, and need to be clarified; the opinion the *rules* for approval should include that *all* criteria must be met; the opinion current rules for PRD approval should include a standard that must exist for PRD approval – compatible with the zoning district designation of the area; and standards for PRD approval should be prioritized.

Mayor Bowlin brought attention to his handout reflecting his presentation and made a specific request for the Department to examine Issue #4/Solution #4: *Issue - None of the existing eight standards requires compatibility with the Residential Classification (Town Center, etc.), where proposed PRD is located. Solution – Amend rules to include a standard that must exist for PRD approval – compatible with the Residential Zoning Classification of the area, where the proposed PRD is located.* It was noted that the solution to Issue #4 cannot conflict with State Statutes.

A five (5) minute recess was called for at 8:05 p.m. Meeting resumed at 8:10 p.m.

A motion was made by Council Member Goodson, seconded by Council Member Alexander, to amend the evening's agenda to discuss Section V. Parks Issues relative to Section A.1: **Pond Athletic Association Accounting – 2015 Season**. A voice vote was taken to approve this motion, with unanimous, affirmative result. The motion was declared approved by Chair Baugus.

A motion was made by Council Member Alexander, seconded by Council Member Levitt, to postpone discussion of the Pond Athletic Association Accounting – 2015 Season until the October 18, 2016 meeting of the Committee. A voice vote was taken to approve the motion, with unanimous, affirmative result. The motion was declared approved by Chair Baugus.

2. Payne Family Homes Appeal Process regarding **P.Z. 19-15 1971 Pond Road, Payne Family Homes L.L.C., 10407 Baur Boulevard, Suite B, St. Louis, Missouri 63132** – A request for the application of a Planned Residential Development Overlay District (PRD), within the NU Non-Urban Residence District for a 78.0 acre tract of land that is located on the north side of State Route 100, west of Pond Road (Locator Number: 23W520053/Street Address: 1971 Pond Road). **Proposed Use: A total of twenty-six (26) individual lots, with common ground, and required public space areas. Lots would range in size from one (1) acre to four and one-half (4.5) acres.** (Ward - One)

Director of Planning and Parks Vujnich reviewed past discussion relative to the appeal process requested by Payne Family Homes L.L.C. and the public hearing conducted in August 2016. He noted that it was necessary for the Committee to make a recommendation concerning this appeal in order to complete the process.

Discussion among Committee Members included the following: the opinion that PRD's, requested at the right time and right place, can be extremely useful; the opinion that *visibility* is the biggest problem with the development involving this particular appeal process; the opinion this development will look like a high density subdivision, since all twenty-six (26) homes will be visible from Pond Road and State Route 100; the opinion that PRD's are too easy for developers to use; and the question of how many PRD's have been authorized over the last 22 years.

Public Comment on this matter included:

Tom Cummings: the question of whether discussion during the original application process would influence the appeal process; a request that he be able to respond to questions and comments at the end of Public Comment Section; the fact that he addressed most, if not all, of the concerns about the development brought to his attention by area residents; his feeling that a PRD does not require that homes be *invisible*; the opinion that building on ridges is an encouraged practice; and the opinion the current plans for the development are the most supportive of the Master Plan.

Phil Schroeder: twenty-one (21) year resident of Wildwood; he is the person responsible for the petition containing over one hundred (100) signatures opposing the development; and he made a point to tell the Committee that Homestead Estates still had over twenty (2) lots not developed.

Maureen Maryniak: commented that all the individuals speaking against the development are uniquely qualified to do so; the opinion that six hundred (600) feet between homes is not a significant distance; the statement the developer did not say he owned the property, where the development is proposed, he only has a contract on the property; and the opinion that putting a line of houses on the ridge will change the look of the area from Non-Urban to Sub-Urban.

Jan Sprunger (reading comments from Arnie Sprunger): the comment this process has not been easy for Payne Family Homes; the opinion the project could have worked, if more inventive planning and thought would have been put into the design; the feeling that traffic safety is a huge concern; the opinion that area residents should not have had to speak out to have a water treatment facility moved from the front door of a neighbor; and the feeling this development will look like a bunch of apartment buildings.

Gregg Maryniak: commented the developer seems to be more interested in his needs and goals than of the interest and fairness to the residents that will be affected. He encouraged the Committee to vote no on this appeal.

Tom Cummings: informed the Committee the proposed homes will not be small. They will be large and spread-out; he advised the appearance of the development will not look at all like being described by those opposed to the development; his concern this plan/development is being unfairly scrutinized by a select group of people; and informed the Committee the final decision needs to be fair and open minded.

The Committee was reminded the Department of Planning recommended acceptance and approval of this *Planned Residential Development Overlay District (PRD)*, while the Planning and Zoning Commission voted unanimously against it. However, since the decision of the Planning and Zoning Commission, Payne Family Homes addressed most of the concerns presented by the Planning and Zoning Commission at the time of denial.

A motion was made by Council Member Bertolino, seconded by Council Member Alexander, to support/endorse the recommendation of the Planning and Zoning Commission to deny the Planned Residential Development Overlay District (PRD) submitted by Payne Family Homes L.L.C. A roll call vote was taken to approve the motion, with the following results:

Ayes: Council Members Manton, Bertolino, and Alexander
Nay: Council Members Levitt and Chair Baugus.
Abstain: Council Member De Hart
Absent: Council Members Cox and Goodson

The motion was declared approved by chair Baugus,

V. Park Issues

1. Pond Athletic Association Accounting – 2015 Season (Ward – One)

Postponed until the October 18, 2016 meeting of the Committee.

2. Reservation and Registration Update (Wards – All)

Assistant Director of Parks and Recreation Kathy Arnett provided a memorandum and spread sheet for Committees review concerning the *Reservation and Registration of Park Facilities and Activities*.

3. On-Going and Long-Term Maintenance Costs for Parks and Trail Facilities (Wards – All)

Assistant Director of Parks and Recreation Kathy Arnett provided a memorandum and spread sheet for Committee review concerning the *On-Going and Long-Term Maintenance Costs for Parks and Trail Facilities*.

4. Update on Parks and Recreation Action Plan

Superintendent of Parks and Recreation Gary Crews provided a memorandum for review concerning the *Parks and Recreation Update* for Mid-July to Mid-August 2016. n

5. Executive Session Pursuant to RSMO 610.021 (2) Lease, Purchase, or Sale of Real Estate.

Addressed early in the evening's meeting

VI. Other/Additional Public Comment:

None

VII. Closing Remarks and Adjournment

Director of Planning and Parks Vujnich and Chair Baugus summarized the evening's meeting and a motion was made by Council Member Levitt, seconded by Council Member Manton, to adjourn. A voice vote was taken to approve the motion, with unanimous, affirmative result, and it was declared approved by Chair Baugus at 9:15 p.m.