

CITY OF WILDWOOD
RECORD OF PROCEEDINGS

MEETING OF THE PLANNING AND ZONING COMMISSION
CITY HALL, 16860 MAIN STREET, WILDWOOD, MISSOURI
JANUARY 20, 2015

The Planning and Zoning Commission meeting was called to order by Chair Bopp, at 7:30 p.m., on Tuesday, January 20, 2015, at Wildwood City Hall, 16860 Main Street, Wildwood, Missouri.

I. Welcome to Attendees and Roll Call of Commission Members

Chair Bopp requested a roll call be taken. The roll call was taken, with the following results:

PRESENT – (9)

ABSENT - (0)

Chair Bopp
Commissioner Archeski
Commissioner Bauer
Commissioner Gragnani
Commissioner Lee
Commissioner Peasley
Commissioner Renner
Council Member Sewell
Mayor Woerther

Other City Officials present: Director of Planning Vujnich, City Administrator Thomas, City Attorney Golterman, and Planner Weiss.

II. Review Tonight's Agenda / Questions or Comments

III. Approval of Minutes from the Meeting of December 1, 2014 and December 15, 2014.

A motion made by Commissioner Peasley, seconded by Commissioner Archeski, to approve the minutes from the December 1, 2014 and December 15, 2014 meeting. A voice vote was taken regarding the motion for approval of the minutes. Hearing no objections, Chair Bopp declared the motion approved.

IV. Department of Planning Opening Remarks

V. Public Hearings – One (1) Item for Consideration

- a.) **P.Z. 01-15 City of Wildwood Planning and Zoning Commission, c/o Department of Planning, 16860 Main Street, Wildwood, Missouri 63040** - A request for the review of the City of Wildwood's Sign Regulations by the Planning and Zoning Commission relating to banners and signs used by or placed in conjunction with certain types of outdoor athletic stadiums, fields, and/or other similar or comparable venues, where games, matches, races, or other youth activities are conducted. This review was

requested by the Planning/Economic Development/Parks Committee of City Council and it has asked that consideration be given to allowing these types of banners and signs to be used and placed at these types of facilities for sponsorship purposes relating to fund raising. The specific regulations that would be considered would include Chapter 415.410 Sign Regulations for all "FP," "PS," "NU," and "R" Districts, Sections 1 and 2, and Section 415.440 Temporary Signs, both of the City of Wildwood's Zoning Ordinance. **(Wards – All)**

Director of Planning Vujnich reviewed the primer that was provided to the Commission regarding this request. He noted that, in 2013, as part of Pond Athletic Association's 50th Anniversary, the City provided funding for its training leagues and last year continued this partnership, although not at the level of 2013. Additionally, in 2013, the City allowed the use of banners for sponsorships, which was not authorized in 2014. When Pond Athletic Association's request for funding was reviewed again for the 2015 Season, representatives noted the lack of these banners reduced their amount of funding significantly. When reviewing this request, the Planning/Economic Development/Parks Committee recognized this situation and recommended the review of the City of Wildwood's Sign Regulations be undertaken by the Planning and Zoning Commission relating to banners and signs used by or placed in conjunction with certain types of outdoor athletic stadiums, fields, and/or other similar or comparable venues, where games, matches, races, or other youth activities are conducted. The Committee asked that consideration be given to allowing these types of banners and signs to be used and placed at these types of facilities for sponsorship purposes relating to fundraising.

Director Vujnich noted any changes to the regulations relating to sponsorship banners would impact similar type settings, such as Lafayette High School, and other similar private and public locations. He added that it is important to note the Sign Regulations for all "FP," "PS," "NU," and "R" Districts of the City's Zoning Ordinance does not authorize temporary banners of this nature, but does allow limited business type signs, when authorized by an associated Conditional Use Permit (CUP), or informational and directional types only. The regulations governing temporary banners for special events would not accommodate these types of displays, given the advertisement that is provided on the sign must be at that location, where the business, activity, or event occurs. Director Vujnich noted this request is being presented to the Planning and Zoning Commission to seek their input and determination on whether changes to the City's Sign Regulations are warranted, and if so, in what manner.

Discussion was held among Commission Members regarding the following items: whether stipulations or timeframes for the banners could be added to each authorization; whether a change in zoning to PS Parks and Scenic could be considered in certain circumstances, such as with the Pond Athletic Association; the history associated with the prohibition of these types of banners; whether the City could limit other entities from seeking similar types of signage, if approved; whether other entities have made similar requests in the past; concern for authorizing such a change and how it could impact future application of the City's code; and whether there are other options available to the Pond Athletic Association that would allow the use of such banners by 'grandfathering', given their use in the past, prior to the City's incorporation.

Bill Kennedy, 48 Rockwood Forest Ridge, questioned whether the fields located at LaSalle Institute could benefit from a proposed change and it was his belief changes to the City's code could be detrimental to the area.

Director Vujnich noted Pond Athletic Association's request for these banners in 2013 was authorized through a Board of Adjustment variance, where certain stipulations were put into place. Director Vujnich also noted Pond Athletic Association does have a history of using sponsorship banners, prior to the incorporation of the City, but he would defer to the City Attorney to whether the Board of Adjustment would be an appropriate place for consideration. Director Vujnich also noted that, prior to the City's incorporation, temporary banners/signs were not enforced and led the City to establish strict regulations in order to address the proliferation of all signs in this area.

City Attorney Golterman noted a variance from the City's Board of Adjustment could authorize banners for Lafayette High School because of the fact they have used them in the past, but may not accommodate Pond Athletic Association's request.

A motion was made by Mayor Woerther, seconded by Commissioner Archeski, to close the public hearing. A voice vote was taken regarding the motion. Hearing no objections, Chair Bopp declared the motion approved.

VI. Old Business – Three (3) Items for Consideration

Letter of Recommendation – Two (2) Items for Consideration

- (a) **P.Z. 20-14 Happy Hounds Playground, L.L.C., 431 Castle Glen Court, Ballwin, Missouri, 63021, c/o Clayton Engine**
– A request for a Conditional Use Permit (CUP) in the NU Non-Urban Residence District for an eleven (11) acre tract of land that is located on the east side of Pond Road, south of State Route 100 (Locator Numbers 23W340042 and 23W330032/Street Addresses: 2440 and 2448 Pond Road). **Proposed Use: A recreational land use facility (commercial dog park). (Ward One)**

Planner Weiss read the request into the record.

Director of Planning Vujnich noted the Department has prepared the Draft Letter of Recommendation for the Commission's consideration at tonight's meeting. He added the Commission voted unanimously, by a vote of 8 to 0, at the December 15, 2014 meeting, to prepare the Draft Letter of Recommendation and associated conditions. Director Vujnich reviewed the details regarding a number of conditions that are recommended for this use. He stated it was his belief the conditions address the concerns that were voiced regarding this proposed use and are consistent with the Commission's previous action regarding this request. He then concluded by stating the Draft Letter of Recommendation is now in the appropriate form to be forwarded to City Council. He added that, after a motion and a second, the Department was available to answer any questions the Commission may have on this item.

A motion was made by Commissioner Lee, seconded by Mayor Woerther, to discuss the request.

Laura Van Gerpen, petitioner, 431 Castle Glen Court, Ballwin, noted the proposed conditions limit the maximum number of memberships to four hundred (400). She noted the City of Chesterfield has approximately seven hundred (700) members associated with its facility, with forty-six (46) parking spaces. She requested the Commission authorize 1,000 memberships for this site, given the size of the property.

Discussion was held among Commission Members regarding the following: the number of memberships recommended by the Department; whether there is adequate parking for 1,000 memberships, concern for the hours of operation and the impact this use may have on neighboring properties; concern with the lack of a condition requiring the renewal of the permit; how the hours of operation will be enforced by the facility; and whether the City could require quarterly reporting from the facility.

Director of Planning Vujnich noted the Department does not oppose one thousand (1,000) potential memberships, since it has limited information in this regard, but was erring on the side of caution. He noted a condition regarding a renewal requirement for the permit was not included, given the impact such a condition would have on the financing of such a facility. He reviewed the surrounding land use pattern and noted it was his belief this use would have limited impact on the surrounding area.

A motion made by Commissioner Bauer, seconded by Commissioner Gragnani, to amend the Letter of Recommendation relating to the hours of operation to modify the opening time to 7:00 a.m. rather than 6:00 a.m.

A roll call vote was taken, with the following results:

Ayes: Commissioner Gragnani and Commissioner Bauer.

Nays: Commissioner Lee, Commissioner Archeski, Commissioner Renner, Commissioner Peasley, Council Member Sewell, Mayor Woerther, and Chair Bopp.

Absent: None

Abstain: None

Whereupon, Chair Bopp declared the motion failed by a vote of 2 to 7.

A motion made by Mayor Woerther, seconded by Commissioner Lee, to amend the Letter of Recommendation to leave the maximum number of memberships open.

A roll call vote was taken, with the following results:

Ayes: Commissioner Lee, Commissioner Archeski, Commissioner Renner, Commissioner Gragnani, Commissioner Bauer, Commissioner Peasley, Council Member Sewell, Mayor Woerther, and Chair Bopp.

Nays: None

Absent: None

Abstain: None

Whereupon, Chair Bopp declared the motion approved by a vote of 9 to 0.

A motion made by Mayor Woerther, seconded by Commissioner Renner, to approve the Letter of Recommendation as amended.

Chair Bopp called the question.

A roll call vote was taken, with the following results:

Ayes: Commissioner Lee, Commissioner Archeski, Commissioner Renner, Commissioner Gragnani, Commissioner Bauer, Commissioner Peasley, Council Member Sewell, Mayor Woerther, and Chair Bopp.

Nays: None

Absent: None

Abstain: None

Whereupon, Chair Bopp declared the motion approved by a vote of 9 to 0.

b.) The City received input from a public outreach effort on a preliminary design for needed upgrades to the **Al Foster Memorial Trailhead**. The major components of this planned upgrade include the following:

- The parking lot area is relocated to the south part of the overall property and increased in size to meet current and projected demand that exists relative to the surrounding trail network and public spaces.
- The existing parking lot area is to be removed and restored to a lawn area for use.
- The new trailhead facility will have a shade structure.
- The new trailhead facility will be served by a permanent restroom facility.
- The design of the facility includes the utilization of many of the existing lawn areas for informal play.
- The plan will include a generous landscaping effort to add character and improve aesthetics.
- This plan and design components have been reviewed by the Planning/Economic Development/Parks Committee, the City Council, and the City's partners in this project (Great Rivers Greenway, St. Louis County, and the Missouri Department of Natural Resources).

Thus, the Department of Planning and Parks would like to present this plan to the community at a public meeting to be held before the Planning and Zoning Commission to obtain input from the residents and others in this regard. **(Ward Six)**

Planner Weiss read the request into the record.

Director of Planning Vujnich noted the Department has prepared the Draft Letter of Recommendation for the Commission's consideration at tonight's meeting. He added the Commission voted unanimously, by a vote of 8 to 0, at the December 15, 2014 meeting, to prepare the draft Letter of Recommendation. He concluded by stating the Draft Letter of Recommendation is now in the appropriate form to be forwarded to City Council. He added that, after a motion and a second, the Department was available to answer any questions the Commission may have on this item.

Bill Kennedy, 48 Rockwood Forest Ridge, noted that prior to the City's incorporation, the incorporators met with Glencoe residents and told them the City was going to listen to their concerns. He thanked the City and staff for listening to the residents of Glencoe regarding this proposed improvements to the Al Foster Memorial Trailhead. He stated it was his belief the improvements will not have an adverse impact on the residents and will complement the historic character well. He stated his support for the revised plan.

A motion made by Mayor Woerther, seconded by Commissioner Peasley, to approve the Letter of Recommendation.

Chair Bopp called the question.

A roll call vote was taken, with the following results:

Ayes: Commissioner Lee, Commissioner Archeski, Commissioner Renner, Commissioner Gragnani, Commissioner Bauer, Commissioner Peasley, Council Member Sewell, Mayor Woerther, and Chair Bopp.

Nays: None

Absent: None

Abstain: None

Whereupon, Chair Bopp declared the motion approved by a vote of 9 to 0.

Information Reports – One (1) Item for Consideration

- (a.) **P.Z. 21, 22, and 23-14 - Stone Mill Subdivision, Lombardo Homes of St. Louis, L.L.C., Skip Stone, 2299 Technology 120 South Central Avenue, Suite 700, St. Louis, Missouri 63105** - A request to consider a change to the 'Suburban Residential Area's definition described in the 'Conceptual Land Use Categories Map' of the City's Master Plan to consider a greater density of units per acre on this property than currently allowed under its adopted text. Accompanying this Master Plan amendment are requests for a change in zoning from the NU Non-Urban Residence District to the R1-A 22,000 square foot Residence District, with the application of a Planned Residential Development Overlay District (PRD), for an eight (8) acre property, which is located on the west side of Center Avenue, south of Manchester Road (Street Address: 2710 West Avenue/Locator Number: 24V420010). **Proposed Use: Twelve (12) single family dwellings on individual lots, common ground, and public space.** *This request was postponed prior to the October 6, and November 3, 2014 Planning and Zoning Commission Meetings. (Ward Eight)*

Planner Weiss read the request into the record.

Director of Planning Vujnich reviewed the details regarding the subject request, which includes a change to the definition of the 'Suburban' Residential Area of the City's Master Plan to allow a greater density on the subject site than currently authorized. He noted this Master Plan change is also accompanied by a change in zoning and Planned Residential Development Overlay District (PRD) to accommodate twelve (12) single family dwellings on the eight (8) acre site. He noted that, in 2013, the Commission reviewed a similar request, but a plan was not provided as part of it. He noted the petitioner currently owns the property and has provided a preliminary development plan accompanying this request. He noted the Department of Planning supported this request in 2013, although it was ultimately denied by the Commission. The Department believes there are circumstances associated with this property and two (2) others that are unique and cannot be replicated in other areas of the City. He reviewed the specific details regarding this proposed development, as well as the Department of Planning's rationales for supporting the requested text change, accompanying rezoning request, and application of the Planned Residential Development Overlay District (PRD). He noted the addition of twelve (12) lots is not an overuse of the site, with over one-third of it being protected, and the separation between new and existing lots is substantial. He also noted the proposed pedestrian facilities and roadway improvements will be an asset to the area. Director Vujnich concluded that, after a motion and a second, the Department is available to answer any questions the Commission may have regarding the recommendation.

Brad Goss, petitioner's representative, stated he has reviewed the proposed conditions and requested the prohibitions be eliminated, given the surrounding neighborhoods all utilize this type of material. He also stated his

concern for the requirement for a sidewalk along the internal roadway and noted the key goal is to limit stormwater runoff from the site.

Director of Planning Vujnich noted the sidewalk requirement was at the discretion of the Commission. City Administrator Thomas, P.E., concurred.

Keith Gegg, 2473 Hickory Manor, questioned if a sidewalk will be installed along Center Avenue. He stated it is his belief this roadway is too narrow.

Discussion was held among Commission Members regarding the following items: the procedure for acting on the three (3) separate requests; the concern relating to the Phase 2 Environmental Assessment completed by SCI, which notes the testing concluded the area is not suitable for residential development and the apprehension with approval of it with this wording present and conflicting statements regarding the existence of containments; and the location of the discharge from the detention pond.

Director Vujnich also added the proposed trail is located in a protected area, but can be allowed. He stated the petitioner is eligible for Traffic Generation Assessment credits for off-site improvements made to Center Avenue. He also added the Department would require the petitioner to have SCI provide a Work Plan detailing the steps in the proposed clean-up of the site, along with any State or federal permits associated with the same, and then reviewed by the City.

A motion was made by Mayor Woerther, seconded by Commissioner Renner, to approve the text change to the Su

A roll call vote was taken, with the following results:

Ayes: Commissioner Lee, Commissioner Archeski, Commissioner Renner, Commissioner Gragnani, Commissioner Bauer, Commissioner Peasley, Council Member Sewell, Mayor Woerther, and Chair Bopp.

Nays: None

Absent: None

Abstain: None

Whereupon, Chair Bopp declared the motion approved by a vote of 9 to 0.

A motion was made by Mayor Woerther, seconded by Commissioner Archeski, to approve the Department's record regarding the requested zoning change and application of the Planned Residential Development Overlay District (PRD), with the elimination of the requirement for the internal sidewalk and the requirement the SCI Report be corrected, so conflicting statements are eliminated regarding the existence of contaminants are removed and the unsuitability/suitability of the site for future residential use.

A roll call vote was taken, with the following results:

Ayes: Commissioner Lee, Commissioner Archeski, Commissioner Renner, Commissioner Gragnani, Commissioner Bauer, Commissioner Peasley, Council Member Sewell, Mayor Woerther, and Chair Bopp.

Nays: None

Absent: None

Abstain: None

Whereupon, Chair Bopp declared the motion approved by a vote of 9 to 0.

VII. New Business – One (1) Item

Correspondence Item – One (1) Item for Consideration

- (a.) A Department of Planning report on the required public meeting for **St. Louis County P.C. 69-91 Frank Erickson**, which was held on December 1, 2014 and set forth in the conditions of the Amended C-8 Planned Commercial District Ordinance #1960 relative to its allowance for the proprietor of the restaurant to hold live music performances on the outdoor patio area located on the south side of the existing building. The intent of the public meeting was to accept comments from any participant regarding the impact or lack of impact this allowance for these live music performances on the outdoor patio area have created or not created on surrounding residential, institutional, and commercial properties in the vicinity. (**Ward One**)

Planner Weiss read the request into the record.

Director of Planning Vujnich noted that, on December 15, 2014, the Planning and Zoning Commission participated in a public meeting for the purposes of hearing comments from neighbors and surrounding property owners about the past twelve (12) months of live music performances on the outdoor patio area of the Big Chief Roadhouse Restaurant. This meeting was to accept comments in this regard and was a condition of City Council's action, which allowed live music on the patio area, with such first authorized on a trial basis of six (6) months. He noted the owner of the restaurant was invited to the meeting, as well as neighbors and City Council members. Although no neighbors attended the meeting, several comments were submitted via mail and the City's website in this regard. Director Vujnich noted the comments were generally positive and noted the limited hours and days for live performances seemed to offset many of their concerns in this regard.

Director Vujnich explained that during this meeting, the restaurant owner discussed the efforts by her and her staff to be good neighbors at this location and noted the days and hours that are currently authorized are also the restaurant's busiest times, so the music does not necessarily achieve the goals she had hoped, which was to bring customers to the facility on slow nights. The Commission members and other in attendance noted that, if was such the case, the owner of the facility should submit a request for further review of the hours and days for live performances on the outdoor patio area.

Director Vujnich noted that, at the conclusion of this meeting, the Department was directed to prepare a draft report indicating if live music should be authorized for the allowable twelve (12) month extension and present that item to the Planning and Zoning Commission for consideration and action. Once acted upon by the Commission, the City Council would then receive its report for review and consideration. Director Vujnich noted that, given the input received at this meeting, it believes the live music on the outdoor patio can continue under the current conditions that have been set forth in the governing ordinance and in place over the last seventeen (17) months (trial period plus one (1) year). He concluded that, after a motion and a second, the Department is available to answer any questions the Commission may have regarding the recommendation.

A motion was made by Commissioner Archeski, seconded by Council Member Sewell, to approve the Department's recommendation.

Discussion was held among Commission Members regarding the fact the petitioner needed to submit a separate request, if she is to seek different days/hours for outdoor music.

Stephanie Mullholland, owner of Big Chief Restaurant, stated her appreciation for the recommendation and noted she has been too busy at the restaurant to consider requesting an amendment to the site-specific ordinance at this time.

Chair Bopp called the question.

A roll call vote was taken, with the following results:

Ayes: Commissioner Lee, Commissioner Archeski, Commissioner Renner, Commissioner Gragnani, Commissioner Bauer, Commissioner Peasley, Council Member Sewell, Mayor Woerther, and Chair Bopp.

Nays: None

Absent: None

Abstain: None

Whereupon, Chair Bopp declared the motion approved by a vote of 9 to 0.

VII. Site Development Plans-Public Space Plans-Record Plats – One (1) Item for Consideration

- (a.) A recommendation report of the Site Plan Subcommittee of the Planning and Zoning Commission regarding **P.Z. 5-11 Johnson Horse Solutions, L.L.C., C/O Christina Audrey Johnson, 3535 Allenton Road**: Conditional Use Permit (CUP) in the NU Non-Urban Residence District for a 5.6 acre tract of land; west side of Allenton Road, south of Melrose Road (Locator Number 25X220141/Street Address: 3535 Allenton Road); which, if approved, would authorize the use of the subject site for a **horse riding facility** under the conditions of said permit. **(Ward Six)**

Director Vujnich read the request into the record.

Planner Weiss presented the Site Plan Subcommittee of the Planning and Zoning Commission's recommendation regarding the Site Development Plan for the aforementioned project. She noted the Subcommittee held its meeting on this submittal package at its December 15, 2014 Executive Session. She reviewed the history associated with this project and described the plan and related information that was reviewed by the Subcommittee. Planner Weiss then identified key points on the Site Development Plan (SDP) relating to the proposed horse riding (training) stable.

Planner Weiss noted that, following the Subcommittee's review of all information, it believed the submittal package to be in compliance with the City's requirements, specifically the Conditional Use Permit (CUP). In support of its recommendation, the Subcommittee noted the following: the existing and potential future improvements are to be located in the already developed area of the property and will cause minimal new site disturbance; adequate parking is provided to support this facility; the petitioner is proposing to utilize the existing structures for this use and no major site improvements are planned in the immediate term; and the property will continue its use as an equine related property, in keeping with the surrounding area, and with limited modifications to the site. She

concluded by noting that, based upon the above mentioned rationales, the Subcommittee of the Planning and Zoning Commission recommends final approval of these plans, contingent upon the petitioner's compliance to all applicable codes in this regard and adherence to their requirements during the construction of improvements and operation of this facility. She concluded that, after a motion and a second, the Department is available to answer any questions the Commission may have regarding the recommendation.

A motion was made by Commissioner Sewell, seconded by Council Member Archeski, to approve the Site Plan Subcommittee's recommendation.

Chair Bopp called the question.

A roll call vote was taken, with the following results:

Ayes: Commissioner Lee, Commissioner Archeski, Commissioner Renner, Commissioner Gagnani, Commissioner Bauer, Commissioner Peasley, Council Member Sewell, Mayor Woerther, and Chair Bopp.

Nays: None

Absent: None

Abstain: None

Whereupon, Chair Bopp declared the motion approved by a vote of 9 to 0.

VIII. Other

IX. Closing Remarks and Adjournment

A motion was made by Mayor Woerther, seconded by Commissioner Renner, to adjourn the meeting. A voice vote was taken. Hearing no objections, Chair Bopp adjourned the meeting at 9:30 p.m.

Approved by:

The Planning and Zoning Commission at the February 2, 2015 meeting.

Secretary – City of Wildwood Planning and Zoning Commission

Note: Recordation of the opinions, statements, and/or other meeting participation in these minutes shall not be deemed to be an acknowledgement or endorsement by the Commission of the factual accuracy, relevance, or propriety thereof.

* If comment cards were submitted indicating they did not wish to speak at tonight's meeting, they have been attached and made part of the official record.