

CITY OF WILDWOOD
RECORD OF PROCEEDINGS

MEETING OF THE PLANNING AND ZONING COMMISSION
CITY HALL, 16860 MAIN STREET, WILDWOOD, MISSOURI
FEBRUARY 2, 2015

The Planning and Zoning Commission meeting was called to order by Chair Bopp, at 7:30 p.m., on Monday, February 2, 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 – (8)

Chair Bopp
Commissioner Archeski
Commissioner Bauer
Commissioner Gragnani
Commissioner Lee
Commissioner Peasley
Commissioner Renner
Mayor Woerther

ABSENT - (1)

Council Member Sewell

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 January 14, 2015 (Work Session) and January 20, 2015 Meeting

A motion made by Commissioner Peasley, seconded by Commissioner Lee, to approve the minutes from the January 14, 2015 (Work Session) and the January 20, 2015 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. 2-15 City of Wildwood Planning and Zoning Commission, c/o Department of Planning, 16860 Main Street, Wildwood, Missouri 63040** – A request to review and consider possible changes to the definition of 'Farm', under the current regulations of the City of Wildwood Zoning Ordinance (Chapter 415 of the City of Wildwood Municipal Code, Section 415.030 *Definitions*), which governs the use of properties in certain Residence District zoning designations (Chapter 415 – Sections 090 and 110), 415.090 NU Non-Urban Residence District and R-1 One Acre Residence District. The intent

of this review is to consider changes that would reduce the minimum acreage required for a “farm” in these two (2) zoning district designations and/or require a Conditional Use Permit (CUP) for such that are less than five (5) acres in overall area. (**Wards All**)

Director of Planning Vujnich reviewed the background associated with this request. He noted a property in Wildwood had been occupied by individuals who have a number of llamas, which are not permitted on this particular property, given its size does not meet the minimum area for a ‘farm’. He noted, specifically, the regulations of the NU Non-Urban Residence District are as follows: llamas are considered “domestic animals” and defined as follows: “*DOMESTIC ANIMAL* - Any domesticated animal, such as cattle, horses, llamas, goats, sheep, fowl or hogs, which is authorized as part of a permitted farming or related agricultural activity within the subject zoning district designation where the property is located.” He then added a farm is defined in the City’s Zoning Ordinance, as follows: “*FARMING* - the cultivation and sale of any plant crops and domestic animals.” Director Vujnich stated that, given these requirements, a farm must have a minimum lot area, of five (5) acres or greater, if llamas are kept there, since the Zoning Ordinance considers them to be ‘domestic animals.’

Director Vujnich noted the application of this minimum lot area had led to a discussion on this matter and the Department was asked to consider changes to these regulations, which prompted the posting for this public hearing. He reviewed a number of options available for consideration by the Planning and Zoning Commission, which include the following: consider amending the definition of ‘domestic animal’ to address certain species of animals; consider amending the definition of ‘farm’ to eliminate the inclusion of ‘domestic animals’; consider reducing the minimum area of a lot required for a farm in the NU Non-Urban Residence District and R-1 One Acre Residence District; consider allowing a ‘farm’ on a lot of any size, but if less than five (5) acres in area, require a Conditional Use Permit (CUP) be granted for it; or consider making no change to the current regulations. Director Vujnich concluded by noting this request is being presented to the Planning and Zoning Commission to seek its input and determination on whether changes to the City’s regulations are warranted and, if so, in what manner.

Discussion was held among Commission Members regarding the following items: if a Conditional Use Permit (CUP) would be required for this purpose, what is that process; whether the property owners contacted the City, prior to purchasing this property for this use; the City’s regulations regarding the number of dogs permitted on a property; whether there is a restriction regarding the number of horses allowed on a property; and how waste management is handled for llamas.

Julie Weir, 3015 Glencoe Road, stated she has owned llamas for thirty (30) years. She noted she has received over one thousand (1,000) signatures on a website in support of her being able to maintain her animals on this property. She reviewed the therapeutic benefit of llamas and specific information about their care and temperament. She also stated there is no noise associated with this animal, believes their proximity to Rockwoods Reservation complemented the area well, and the animals’ waste does not produce a smell and can be used for fertilizer. Ms. Weir concluded that she did contact the City about the allowance of llamas on the property and was told it was allowed, yet she did not know with whom she spoke.

Debbie Hodge, 3015 Glencoe Road, stated she sold this property to Ms. Weir and supports the keeping of llamas on it. She noted a representative from the City did visit her home, prior to the sale to discuss fire permit and floodplain issues. She also stated this property was an active farm in the

past. She questioned if there were any complaints received by surrounding property owners. She noted the City's regulations allow horses on less than one (1) acre of property.

Discussion continued among Commission Members regarding the following items: the pasture requirements for llamas; how long ago the subject property was utilized for farming purposes; and whether a review of neighboring communities and their regulations is warranted.

Director Vujnich reviewed the regulations regarding horses, which are different than all others regarding pets or domestic animals. He noted a complaint was made regarding the use of this property via voicemail. Director Vujnich also noted a private school contacted the City wanting to develop a nature camp at this site. However, due to the NU Non-Urban Residence District Regulations, Director Vujnich informed its representative this activity could not occur on a site less than five (5) acres in size.

Pierre L. Guerin, 1636 June Drive, stated his support for Ms. Weir and the keeping of llamas on the property. He stated it was his belief that horses are more aggressive than llamas. He reviewed the therapeutic benefits of llamas and how tame they are around people.

Joe Weir, 17901 Saddle Horn, noted his mother, Ms. Weir, is providing a community service with her animals and that she has rescued several llamas, and is a very compassionate individual.

A motion was made by Commissioner Archeski, seconded by Commissioner Peasley, 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 – Two (2) Items for Consideration

Letter of Recommendation – 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 Drive, Suite 150, O'Fallon, Missouri 63368, c/o SmithAmundsen, L.L.C., Brad Goss, 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 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 January 20, 2015 meeting, to prepare the Draft Letter of Recommendation and associated conditions. He noted the changes reflecting the Commission's discussion at the previous meeting had been added in blue bolded text. Director Vujnich reviewed the details regarding a number of conditions. 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 Mayor Woerther, seconded by Commissioner Peasley, to discuss the request. A voice vote was taken regarding the motion. Hearing no objections, Chair Bopp declared the motion approved.

Discussion was held among Commission Members regarding the following: the width of Center Avenue in conjunction with the proposed development and along the remainder of it; and whether the Brown Properties were included in this request and Master Plan modification.

Director Vujnich responded by noting there are two (2) different portions of Center Avenue and explained the residents currently living along it did not want a major overhaul to this roadway. He also noted the Draft Letter of Recommendation includes the Brown Properties, as was presented in the Information Report on January 20, 2015.

A motion made by Commissioner Peasley, seconded by Commissioner Renner, 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, Mayor Woerther, and Chair Bopp.

Nays: None

Absent: Council Member Sewell

Abstain: None

Whereupon, Chair Bopp declared the motion approved by a vote of 8 to 0.

Information Reports – One (1) Item for Consideration

- (a.) **P.Z. 25, 26, and 26a – 14 Main Street Crossing, Payne Family Homes L.L.C., c/o Jerry Duepner, 10407 Baur Boulevard, Suite B, St. Louis, Missouri 63132** – A request for the modification of the Town Center Regulating Plan designation(s) for a portion of the property that totals 34.8 acres of area, which is located on the east side of State Route 109, south of State Route 100, from its current designations as “Downtown” and “Neighborhood General” Districts (Planning and Zoning Commission's adopted plan [March 1, 2010]) to the “Neighborhood Edge” District. Accompanying the aforementioned Regulating Plan changes is a request for a change in zoning from the NU Non-Urban Residence District to the R-4 7,500 square foot Residence District (Town Center “Neighborhood Edge District”), with a Planned Residential Development Overlay District (PRD), for a the same tract of land again being, located on the east side of State Route 109, south of State Route 100 (Locator Number: 23V120094/Street Address: 2461 Eatherton Road). **Proposed Use: A total of one hundred seventeen**

(117) detached single-family dwellings (Town Center Building Type – House), with common ground, and required public space areas. (Ward Eight)

Director of Planning Vujnich noted the petitioner has requested a postponement of this item from tonight's agenda.

A motion made by Mayor Woerther, seconded by Commissioner Archeski, to postpone this item from tonight's agenda. A voice vote was taken regarding the motion. Hearing no objections, Chair Bopp declared the motion approved.

VII. New Business – One (1) Item

Correspondence Item – One (1) Item for Consideration

- (a.) **P.Z. 3-15 Cambury Subdivision, McBride and Son Companies, L.L.C., c/o Jeannie Aumiller, 16091 Swingley Ridge Road, Suite 300, Chesterfield, Missouri, 63017** – A request to amend the existing Planned Residential Development Overlay District (PRD) in the R-6A 4,000 square foot Residence District for tracts of land located on the east side of Larksong Drive and west of Eatherton Road, south of State Route 100 (Addresses: 2416, 2420, 2502, 2506 Larksong Drive, 17041, 17053, 17054, 17033, 17029, 17025, 17017, 17013, 17009, 17032, 17028, 17024, 17020, 17008, 17004, 17000 Cambury Lane, 2402, 2406, 2410, 2418, 2400 North Kilare Lane, 2500, 2504, 2512, 2516, 2520, 2508 South Kilare Lane, 2413, 2417, 2421, and 2425 Eatherton Road / Locator Numbers: 23V121271, 23V120995, 23V121013, 23V121282, 23V210892, 23V210526, 23V210517, 23V211064, 23V210920, 23V211075, 23V211086, 23V210975, 23V211097, 23V211152, 23V210700, 23V210690, 23V211141, 23V210654, 23V210636, 23V211121, 23V211031, 23V210847, 23V211042, 23V211053, 23V211002, 23V210737, 23V211163, 23V211174, 23V210782, 23V211185, 23V210810, 23V211112, 23V210580, 23V210571, and 23V211103). The petitioner is seeking major modifications to the governing site-specific ordinance to accommodate the addition of four (4) attached rear entry rowhouses and forty-three (43) detached single-family dwellings with common ground area. These modifications include a reduction in total units, the use of front entry garages on the proposed detached single family dwellings, the modification of the current streetscape, and others to accommodate the completion of this project that was started in 1998. **(Ward Eight)**

Planner Weiss read the request into the record.

Director Vujnich reviewed the lengthy history associated with this development. He noted the petitioner is seeking modifications to the governing ordinance to accommodate detached units, rather than attached types that have already been constructed on the site by the original developer. He reviewed the requested modifications to the site-specific ordinance that would need to be changed to accommodate this request. He noted the Department has reviewed each of these items identified by the petitioner and addressed them in accordance with the Town Center Plan and past actions of a similar nature, i.e. the redevelopment of a distressed property. He stated it was the Department's belief the change in unit type will be positive for this project, which has been on hold for a number of years, creating concerns for all parties about its future. However, he stated the Department did not support all of the requested modifications to the current governing ordinance, so as to protect the integrity of the core components of the existing project and retain compliance and consistency with the Town Center Plan. He concluded that, after a motion and a second, the

Department is available to answer any questions the Commission may have regarding the recommendation.

Jeannie Aumiller, petitioner's representative, reviewed the design features of the existing development and identified those items that have prohibited the success of this development. She noted McBride and Son Homes had a preliminary meeting with the homeowners of this development and they are continuing to work on the architectural elements of the units to address their respective concerns. She reviewed the proposed conditions drafted by the Department of Planning and noted those requirements that are of concern to the petitioner.

John Kelly, 2401 Larksong Drive North, stated he is in support of the completion of this project and noted his concern about the four (4) units adjacent to the existing ones, i.e. not using the same materials. He also stated his concern for the reduction in property values. He questioned the size of the proposed dwellings and the proposed materials. He also stated it was his belief the subdivision indentures would need to undergo a major change, if this request were approved.

Dale Friedhoff, 2400 Eatherton Road; stated his concern with the location of the three (3) units along Eatherton Road due to issues in the past with vehicles driving into his yard. He stated he would support one (1) lot along Eatherton Road, but not three (3) lots, as proposed.

John Harris, 2523 Larksong Drive, stated he purchased a home in this development in 2003 and noted he supports the City's Town Center Plan. He stated the property values have gone down in the area and he would like to see the site developed. However, he noted that it was his belief the management company utilized by this development is inadequate.

Don Gay, 2409 Larksong Drive North, stressed the importance of the four (4) units adjacent to Larksong Drive North and South to mirror the existing units. He added it was his belief that, if the Homeowners Association is combined, there are several maintenance issues with the existing units that need to be addressed.

Kim Hanson, 2503 Larksong Drive, stated her support for the build-out of this development, but would like the four (4) units adjacent to hers to mirror it in terms of materials and quality.

Discussion was held among Commission Members regarding the following items: the fact there are a number of items that need to be addressed regarding this proposal; whether additional time to confer with the petitioner would be appropriate; the concern that rear entry garages are not proposed and the belief side-entry types should be considered; if increased regulations would be required for the underground detention basin; whether the City's Architectural Review Board could assist in the transition between the two (2) different areas of the same project.

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

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

- (a.) A recommendation report from the Site Plan Subcommittee of the Planning and Zoning Commission regarding its January 20, 2015 meeting on **P.Z. 3-14 Wildwood Trail Subdivision, Pulte Homes of St. Louis**; R-4 7,500 square foot Residence District, with a Planned Residential Development Overlay District (PRD); east side of State Route 109, north of Manchester Road; which would authorize the development of twenty (20), single family detached dwellings on individual lots, with common ground and public space, on this 4.63 acre parcel of ground by approving the Site Development Plan, Landscape Plan, and related materials. **(Ward Eight)**

Director Vujnich read the request into the record.

Planner Weiss presented the Site Plan Subcommittee's recommendation regarding the Site Development Plan for the aforementioned project. She noted the Subcommittee held its meeting on this submittal package on January 20, 2015. She reviewed the history associated with this project and described the plan and related information that had been reviewed by the Subcommittee.

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. Planner Weiss concluded by noting that, based upon the rationales described in the report, the Subcommittee of the Planning and Zoning Commission recommends final approval of these plans, contingent upon the petitioner's obtaining final approval of the Public Space Plan by City Council and the elevations by the Architectural Review Board, as well as 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 Mayor Woerther, seconded by Commissioner Renner, 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, Mayor Woerther, and Chair Bopp.

Nays: None

Absent: Council Member Sewell.

Abstain: None

Whereupon, Chair Bopp declared the motion approved by a vote of 8 to 0.

IX. Other

X. Closing Remarks and Adjournment

A motion was made by Commissioner Renner, seconded by Mayor Woerther, to adjourn the meeting. A voice vote was taken. Hearing no objections, Chair Bopp adjourned the meeting at 9:53 p.m.

Approved by:

The Planning and Zoning Commission at the February 17, 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.