

CITY OF WILDWOOD, MISSOURI
RECORD OF PROCEEDINGS

MEETING OF THE PLANNING AND ZONING COMMISSION
CITY HALL, 16860 MAIN STREET, WILDWOOD, MISSOURI
APRIL 6, 2015

The Planning and Zoning Commission meeting was called to order by Chair Bopp, at 7:30 p.m., on Monday, April 6, 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 Renner
Commissioner Archeski
Commissioner Peasley
Commissioner Gragnani
Commissioner Bauer
Commissioner Liddy
Mayor Woerther

ABSENT - (2)

Council Member Sewell
Commissioner Lee

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

II. Review Tonight's Agenda / Questions or Comments

Chair Bopp welcomed newly appointed Commission Member Liddy and thanked him in advance for his service.

Commissioner Liddy provided an overview of his background and stated he was looking forward to serving on the Commission.

III. Approval of Minutes from the March 16, 2015 Meeting

A motion made by Commissioner Gragnani, seconded by Commissioner Archeski, to approve the minutes from the March 16, 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

Director of Planning Vujnich also welcomed Commissioner Liddy and thanked him for his service to Wildwood.

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

- a.) **P.Z. 6-15 City of Wildwood Planning and Zoning Commission c/o Department of Planning, 16860 Main Street, Wildwood, Missouri 63040** – A request to consider the addition of a new section (Section 415.600) to the City of Wildwood Zoning Ordinance that would include regulations for the purposes of addressing temporary uses, such as produce stands, temporary venues, and street vendor activities, in all appropriate zoning district designations, including the “R”, “C”, and “M” District categories. **(Wards – All)**

Planner Weiss read the request into the record.

Director of Planning Vujnich provided an overview of the public hearing primer prepared by the Department regarding this subject request. He stated this request was prompted by an individual that was seeking to open a shaved ice stand in Town Center that would operate for a limited time each year. Thus, a report was prepared on this specific matter by the Department of Planning for consideration by the Planning and Zoning Commission at its February 17, 2015 meeting. Director Vujnich added, in the Department’s report, it was noted the Planning and Zoning Commission had considered such requests for temporary types of vendors in the past, with no final outcome being reached.

Director of Planning Vujnich went on to provide background information on this matter relating to the review that occurred approximately five (5) years ago. This review covered a number of topics and considerations, which at the time were viewed by many of the Commission members as potentially competing with existing businesses housed in many of the established commercial centers in Wildwood. Additionally, the condition of the economy in late 2008 and early 2009 was a consideration and raised enough reservations about the matter that it was removed from the Commission’s agenda, and to be addressed at a later date. Director Vujnich added the issue of temporary vendors has been discussed on several other occasions over the last six (6) years, either by the Department of Planning, individuals seeking direction in this regard from the Commission, or the City Council and its respective committees. He also noted this item originated at the Planning/Economic Development/Parks Committee, where it was part of a consideration on how to improve economic conditions in the City for local businesses. Therefore, the City Council Committee requested a review of the regulations at that time to possibly inject this component into the commercial centers, where appropriate, but again, no action was taken.

To this end, Director of Planning Vujnich stated the Department is seeking the Commission’s input and direction on this matter. He added the Department has been supportive of temporary vendor type activities on a limited basis and concluded by noting the Department is available to address any questions or comments the Commission may have in this regard.

Randy Stewart, 15917 Richland Cove Court, stated he has visited several locations in the St. Louis Area, where shaved ice is sold, and believes this type of activity is positive because it creates a sense of community and increased foot traffic.

Kira Stewart, 15917 Richland Cove Court, stated it is her intent to open and operate a business that sells shaved ice from a temporary structure in the Town Center Plaza Area of the City. She noted she is working with an architect on the design of such a structure and believes it will be a positive for the community.

Discussion was held among Commission Members regarding the following items: what will be the appearance of the proposed shaved ice stand; if it will be on wheels; if conditions have changed in the Wildwood community, since 2008/2009; if the St. Louis County Department of Health has increased its regulations relating to these types of temporary vendors; the belief that temporary vendors operate successfully in New Town, St. Charles and provide a broad spectrum of services to the community; the belief

that, if temporary vendors are allowed, their number and hours of operation should be limited and regulations created, so as they do not interfere with the existing Farmer's Market; if restroom facilities are required to be provided with temporary structures and vendors; the belief that a temporary restroom facility located in the Town Center Area for several months is not desirable; the belief that a temporary structure should not be located in the Town Center Area the duration of the year, when it is not operational; the belief that temporary vendors and buildings can create a negative appearance in a community; the belief this type of activity may not be fair to existing business that buy or lease commercial space within the City; and if the business community has provided any comments on this matter.

Director of Planning Vujnich noted the Department sent a mailing notification to each licensed business owner located within the City, in advance of tonight's meeting, and heard feedback from one (1) of them, who expressed concern with competition from businesses that are not of the brick and mortar type.

Kira Stewart, 15917 Richland Cove Court, stated that if a business does not have indoor seating, it is not required to provide a restroom facility.

Director Vujnich noted the Department of Planning would look into these requirements relating to restroom facilities, in conjunction with temporary structures, as well.

A motion was made by Commissioner Archeski, seconded by Commissioner Bauer, 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

Letters of Recommendation – 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 stated that he received an e-mail on Friday, April 3, 2015 from Jerry Duepner (petitioner's representative) on the proposal known as 'Main Street Crossing.' He added the e-mail noted that Payne Family Homes continues to work on revisions to the plan to address comments that have been made by the Commission and the Department, but was unable to complete them in time for tonight's meeting. Thus, the petitioner would like to postpone any action on this matter for another two (2) weeks to allow this revised plan to be submitted for the City's consideration.

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

Information Report – One (1) Item for Consideration

- (a.) **P.Z. 5-15 City of Wildwood Missouri, c/o the Department of Planning, 16860 Main Street, Wildwood, Missouri, 63040** – A request for the review and consideration of the definition of the ‘Suburban Residential Area’ under the ‘Conceptual Land Use Categories Map’ of the City’s Master Plan for a potential change to its text to address two (2) properties that abut, or are located, between the boundaries of the Town Center Area and existing developments approved by St. Louis County, prior to the incorporation of the City of Wildwood. The subject of this request is the **“Brown Properties” - 2623 and 2631 West Avenue**, which are two (2) tracts of land that total six (6) acres in size, and more specifically located on the west side of West Avenue, south of New College Avenue (Locator Numbers: 24V420153 and 24V420186). This review is necessary due to a posting error relative to their advertisement. Currently, the definition of ‘Suburban Residential Area’ of the Conceptual Land Use Categories Map of the Master Plan is not consistent with the Charter’s Comprehensive Zoning Map and must be addressed. **(Wards - All)**

Planner Weiss read the request into the record.

Director of Planning Vujnich provided an overview and background relating to the request. He stated the reason the Commission is being asked to consider this request is due to a posting error on the Department’s part relative to the requests that were recently considered and acted upon relating to **P.Z. 21, 22, and 23-14 Stone Mill Subdivision**. Stone Mill Subdivision was a request for a rezoning and the application of a Planned Residential Development Overlay District (PRD), along with a Master Plan change to the ‘Suburban Residential Area’ definition. He noted this change to the definition of this Conceptual Land Use Category allowed a greater density of units to be considered for this eight (8) acre site, than currently allowed by the Master Plan. The requested change allowed an increase to 1.75 units per acre.

Director of Planning Vujnich then noted, as part of the discussion on the Stone Mill Subdivision requests, the Department, in its recommendation report, also included the two (2) other properties of a similar nature, i.e. “Brown Properties.” The inclusion of these properties, along with the Stone Mill Project, was intended to address all of these sites that exhibit the same characteristics, such as location relative to the Town Center’s boundary, access and infrastructure levels, utility network, surrounding land use pattern, and topography. He added the references to these three (3) properties were included in the Department’s Information Report and in the draft and final Letters of Recommendation, and thus the action of the Commission did amend the definition of ‘Suburban Residential Area’ for the total of all three (3) properties. However, he noted, the Department did not advertise the “Brown Properties,” as part of the Stone Mill Subdivision request. Thus, the City Council, having the advertisement issue identified to it, did not include the “Brown Properties” in its Resolution authorizing this change in the Comprehensive Zoning Map of the Charter to allow the development of the Stone Mill Project at the 1.75 units per acre density.

To this end, Director of Planning Vujnich stated the Department is recommending the Commission revert the description of the ‘Suburban Residential Area’ of the Conceptual Land Use Categories Map of the Master Plan for the two (2) “Brown Properties”, so as their allowable density for future residential development shall be no more than one (1) unit per acre. Thus, this action would create the needed consistency between the Conceptual Land Use Category description of the Master Plan for them and the Comprehensive Zoning

Map of the Charter. He concluded by noting that, after a motion and a second, the Department is available for any questions the Commission may have on this recommendation.

A motion was made by Mayor Woerther, seconded by Commissioner Archeski, to approve the Letter or Recommendation.

Chair Bopp called the question.

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

Ayes: Commissioner Renner, Commissioner Archeski, Commissioner Gragnani, Commissioner Bauer, Commissioner Peasley, Commissioner Liddy, Mayor Woerther, and Chair Bopp.

Nays: None

Absent: Council Member Sewell and Commissioner Lee

Abstain: None

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

VII. New Business – One (1) Item for Consideration

- (a.) A report, with recommendation, regarding **P.Z. 3, 4, 5, and 6-14 Wildwood Trail Subdivision, Pulte Homes of St. Louis, Larry Butts, 16640 Chesterfield Grove, Chesterfield, Missouri 63005, c/o Stock and Associates Consulting Engineers, Inc., Chris Mueller, P.E., 257 Chesterfield Business Parkway, Chesterfield, Missouri 63005**; R-4 7,500 square foot Residence District, with a Planned Residential Development Overlay District (PRD); two (2) tracts of land that total 4.63 acres in size, which are located on the east side of State Route 109, north of Manchester Road (Locator Numbers 24V440122 and 24V440104/Street Addresses: 2516 and 2520 Highway 109). The petitioner is requesting a modification to the existing **Planned Residential Development Overlay District (PRD) Ordinance # 2042** to allow for the use of vinyl siding in conjunction with the construction of the dwelling units within the boundaries of this Planned Residential Development Overlay District, (PRD), which is currently prohibited by Condition 2 (g.) of the same. **(Ward Eight)**

Planner Weiss read the request into the record.

Director of Planning noted the subject request was postponed at the March 16, 2015 Planning and Zoning Commission Meeting in order for the petitioner to provide material samples of the proposed types of vinyl siding to be used in conjunction with this development.

He went on to review the request submitted by Larry Butts, representing Pulte Homes of St. Louis, which seeks an allowance for the use of vinyl siding, as the principle building material within the Wildwood Trail Subdivision (**P.Z. 3, 4, 5, and 6-14 Wildwood Trail**), in lieu of the current requirement of fiber cement siding. He added this request was submitted, after the petitioner had a discussion with the City's Architectural Review Board on the planned elevations of the dwellings and the types of materials to be used upon them. The City's Architectural Review Board supported allowing vinyl siding, as an option in the project. However, he added, the petitioner did note that Pulte Homes of St. Louis would offer fiber cement siding as an option to any buyer. Thus, following the the Board's action, the petitioner requested this review by the Planning and Zoning Commission, since the site-specific ordinance requires the use of fiber cement siding.

Director Vujnich stated the Department has considered the petitioner's request and its position remains unchanged from the March 16, 2015 Commission meeting, which recommended no change to the

governing ordinance (PRD Ordinance #2042), thereby retaining fiber cement siding as the material of choice for use in this project. He added this material, in combination with the other requirements for these dwellings, will ensure an attractive and quality development for many years to come in Town Center. He concluded, by reiterating, the Department is recommending no change to the Planned Residential Development Overlay District (PRD), which governs this site's use and development. After a motion and a second, the Department is available for any questions the Commission may have on this recommendation.

Larry Butts, Pulte Homes of St. Louis, petitioner, thanked the Commission for its consideration and provided several samples of the proposed vinyl materials to be used in conjunction with the construction of Wildwood Trail Subdivision and requested the allowance for their use within in this development. He added the adjacent subdivision, the Towns at Windrush, utilized this material and they would like to do the same. He also noted his company plans to provide an upgraded vinyl siding type, as a base option, and the Architectural Review Board favorably recommended this material.

Discussion was held among Commission Members regarding the following items: if there are different grades of fiber cement siding; the relative cost to the homebuyer of vinyl siding versus fiber cement siding; if house-wrap will be used in the construction of the homes to prevent water from seeping through the fiber cement siding, if used; how often fiber cement siding should be painted; the belief that allowing vinyl siding at Wildwood Trail Subdivision will be consistent with the surrounding neighborhoods; conversely, the belief that, if the Commission wanted to be consistent, it would have required the Wildwood Trail Subdivision to have rear-entry garages; and the belief vinyl siding contains environmentally unsafe chemicals.

A motion was made by Commissioner Gragnani, seconded by Commissioner Liddy , to approve the Department's recommendation, not allowing the use of vinyl siding.

Chair Bopp called the question.

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

Ayes: Commissioner Renner, Commissioner Archeski, Commissioner Gragnani, Commissioner Bauer, Commissioner Peasley, Commissioner Liddy, Mayor Woerther, and Chair Bopp.

Nays: None

Absent: Council Member Sewell and Commissioner Lee

Abstain: None

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

VIII. Site Development Plans-Public Space Plans-Record Plats – No Items for Consideration

IX. Other

X. Closing Remarks and Adjournment

A motion was made by Mayor Woerther, seconded by Commissioner Archeski, to adjourn the meeting. A voice vote was taken. Hearing no objections, Chair Bopp adjourned the meeting at 8:40 p.m.

Approved by: The Planning and Zoning Commission at their April 20, 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.