



WILDWOOD®

January 22, 2019

The Honorable City Council
City of Wildwood, Missouri
16860 Main Street
Wildwood, Missouri 63040

Re: A review and determination regarding the renewal of an existing Conditional Use Permit (CUP) in the NU Non-Urban Residence District that was granted by the Planning and Zoning Commission in 2010 for a museum, research library, and meeting space for the Wildwood Historical Society (WHS) (**P.Z. 4-10 Wildwood Historical Society**). The governing Conditional Use Permit (CUP) requires that it be reviewed, following its initial five (5) year period of time, which received favorable action by the Planning and Zoning Commission and City Council in 2015.

Location: South side of State Route 100, west of Hencken Road

Zoning: NU Non-Urban Residence District, with a Conditional Use Permit (CUP)

Ward: Six

Council Members:

SUMMARY AND ACTION – The Planning and Zoning Commission is required to review this permit for the purposes of its renewal, which is a condition of it. The permit’s review is required every five (5) years, after its first five (5) years from the initial approval and effective date. The permit was last renewed in 2015. The Conditional Use Permit (CUP) authorizes the use of the property for a museum, research library, and meeting space for the Wildwood Historical Society (WHS). The Planning and Zoning Commission has considered the file regarding this use, along with a site inspection, and has developed a recommendation on this matter. Accordingly, based upon this information, the Planning and Zoning Commission, by a vote of 8 to 0, with one (1) abstention (Council Member Woerther), hereby grants an extension to the existing permit. This recommendation and action is hereby forwarded to the City Council for its review, consideration, and filing.

BACKGROUND - For the purposes of review, **P.Z. 4-10 Wildwood Historical Society** was a request to grant a Conditional Use Permit (CUP) in the NU Non-Urban Residence District, which would allow for a 5.4 acre site, and the related buildings and structures located there, to be used for a museum, research library, and meeting space for this not-for-profit organization. The property had six (6) major buildings and structures located upon it, with each to be used for different purposes relating to this planned activity. The main building, the single-family dwelling, which was built in 1852, and has been used as the caretaker’s residence and meeting area, while the ‘chicken coop’ structure acts as the research library and meeting space for the Society’s outreach efforts. The larger outbuilding previously known as the ‘toy factory’ is used as a museum and display of historical items, while the barn is used for storage. The petitioner provided a detailed history of the site and related properties and its intent, when pursuing the placement of this asset on the City’s Historic Registry.

At the time of the public hearing and discussion of this request, the petitioner had developed a site design for the overall property, which included the following highlights:

1. The use of the site did not require any major improvements, other than a proposed gravel parking lot for twenty-one (21) vehicles. This surface material was contrary to typical requirements of the City's Zoning Ordinance, but it was sought by the petitioner to improve stormwater management and better reflect the historic character of the property.
2. The location was already served by approximately twenty-four (24) parking spaces due to a past use.
3. The access to the site was planned to be provided at two (2) locations. The primary access into the property was from State Route 100, via an existing curb cut. The other access point was being proposed from Stovall Lane, via a newly-constructed gravel roadway. This new roadway would link to the overflow parking area and provide a secondary ingress/egress to the main building compound for fire and emergency purposes. Two (2) gates were proposed in conjunction with this secondary access to control circulation through the site.
4. The petitioner was not intending to add any new utilities to the site or infrastructure relating to State Route 100.
5. The petitioner noted one (1) of the existing outbuildings was to be removed due to its poor condition. (It has since been removed).

At the conclusion of the public hearing, the Planning and Zoning Commission considered the components of the request against the requirements of the Master Plan and the four (4) criteria contained in the Zoning Ordinance for the consideration and action by the City on the Conditional Use Permit (CUP) submitted to it for consideration. The outcome of this comparison by the Planning and Zoning Commission was a determination the requested use was appropriate on this lot and would not be a detriment to the area, given the reuse and protection of the historic buildings and structures, the limited extent of planned improvements that might alter the site, and the benefits to the community derived from a facility of this nature. With this determination, the Planning and Zoning Commission granted the Conditional Use Permit (CUP) on May 3, 2010 and forwarded to the City Council its Letter of Recommendation on this matter on May 10, 2010.

The City Council received this referred information from the Planning and Zoning Commission and considered the merits of its decision and also supported the granting of the Conditional Use Permit (CUP) to the Wildwood Historical Society. With this action, the Conditional Use Permit (CUP) became effective on May 25, 2010. Shortly thereafter, the petitioner submitted the required Site Development Plan (SDP) to the Planning and Zoning Commission for its consideration and action. The review of this plan occurred over a several month period of time, with final approval of it being granted by the Planning and Zoning Commission on February 7, 2011. With the approval of the plan, the petitioner began completing the required improvements on site, which had been set forth by the governing Conditional Use Permit (CUP).

In January 2012, the petitioner requested amendments to the Conditional Use Permit (CUP) to change its wording and allow some of the site's required parking spaces to be allocated to the overflow lot, eliminate the requirement this lot must be a paved surface, and modify the permit to allow only one (1) set of bollards to control access into/out of the overflow parking lot area, instead of the previously planned (and required) two (2) sets of these structures. The intent of these modifications was to allow the petitioner to better address the functional aspects of access to the overflow parking area that was completed, while providing information that was not available at the time of the granting of the Conditional Use Permit (CUP). Additionally, this request to use the overflow area for required parking would have triggered the

need to pave the area under the requirements of the Parking Regulations of the City's Zoning Ordinance. The petitioner preferred not to pave this area for reasons relating to the character of the property, and surrounding area, the impact of additional stormwater runoff, and the associated cost. The Planning and Zoning Commission considered each of the aspects of this request and determined them to be reasonable, based upon the intention to reduce stormwater runoff and preserve the rural character of the environment, while managing traffic flow with one (1) set of bollards.

In June 2012, the petitioner requested to construct a thirty-six (36) foot by thirty-two (32) foot meeting room addition onto the existing 'chicken coop' structure. The addition was to provide seating for approximately seventy (70) people, while the existing building would be used for restroom facilities, a refreshment area, and entry foyer leading into the new addition. The addition would also provide an additional ingress/egress location on the south elevation of the building onto a concrete pad next to the existing parking area. The main entry was to be accessed from the existing 'chicken coop' structure. The area of disturbance anticipated with the construction of the addition was minimal due to the fact it was already cleared of vegetation for the installation of the current building.

The purpose of this addition was to allow the Wildwood Historical Society to address its needs for an on-site meeting space to accommodate its members. The Society had, and still has, an active membership group that previously met at off-site locations, such as Bethel Church, in order to accommodate large numbers of people for meetings and guest speaker presentations. Additionally, the Society fosters historical activities in the community by providing educational opportunities to high school students and other local organizations at these off-site locations. This off-site activity did not allow the Society to showcase their property's collection of historically significant structures and buildings intended to support its activities. The Society also noted existing buildings located on the subject site were considered for alternate use as meeting space, but would not be conducive for it, given they were dedicated or planned for other activities authorized by the Conditional Use Permit (CUP). For example, the Hencken House was an inhabited single-family residential dwelling, the Toy Factory housed museum materials and displays, the paint shop allowed for storage and restoration work, and the barn displayed and also stored larger museum items and antiques, such as a restored log cabin. Additionally, these existing structures were not built to accommodate meeting groups and do not provide modern amenities for comfort, health, and safety in this regard.

The Planning and Zoning Commission considered this request and determined it to be reasonable and supported it. The reasonableness of this building addition was based upon the same criteria used by the Planning and Zoning Commission in its deliberations and action on the initial request to grant the Conditional Use Permit (CUP) for this activity at this location. The Master Plan supports the development of properties in a few specific locations of the Non-Urban Residential Areas of the City for community land uses, such as petitioner's type, **administrative offices and educational facilities**. Given these uses demand larger tracts of land and these sized parcel of grounds are generally located in the more rural areas of the City, it is appropriate to consider a site, where these types of facilities can easily be developed/converted, with minimal impact on the environment. The petitioner's original request included the reuse of a grouping of buildings and structures for residential and institutional purposes and the addition to the 'chicken coop' structure would further support their reuse for educational facilities, again, consistent with the Master Plan.

Therefore, the Planning and Zoning Commission approved the addition because it believed the design led to the least amount of disturbance to the site to incorporate this building addition for the society's meeting space and indicated an overall adherence to good planning principles; no visual degradation;

compliance to the governing permit; and derived a larger community benefit that was in the best interest of its residents. The ‘chicken coop’ addition was also reviewed by the City’s Historic Preservation Commission and the Architectural Review Board and received favorable actions following discussions and amendments to its final design.

One (1) of the conditions originally established within the Wildwood Historical Society’s Conditional Use Permit (CUP) was a five (5) year time limit from its initial effective date to allow the City to review its success in meeting the conditions established for it and consider its operating parameters, complaints, or other relevant information from the surrounding property owners and community, which would lead to a determination if an extension is appropriate. The first review for renewal of the permit was conducted in 2015. At the time of this review, the Commission determined it would be appropriate to extend the permit due to the benefits derived from it to the members of the Society and community as a whole, as well as the operation’s limited impact on the site itself and surrounding properties. This extension was contingent upon the petitioner addressing an issue with the lack of controlled access points to the existing overflow parking area, which was a requirement of the Conditional Use Permit (CUP), as originally granted. Additionally, the Department identified an unsafe condition relating to controlling access to a portion of the overflow parking area with wooden stakes and a chain, which the Commission concurred also needed to be addressed with the renewal of the permit.

Several members of the Wildwood Historical Society provided public comment at this meeting stating the controlled access points to the overflow parking area were unnecessary, given the limited use of it. Comments were also heard regarding desire to remove the requirement that the Wildwood Historical Society notify the abutting neighbor to the south about any special event and the renewal timeframe be extended to every five (5) years, instead of three (3) years required by the permit, as originally granted. With these comments, the Department noted the permit could be amended to address them at a future meeting of the Commission. The following month, the petitioner submitted a request to amend the permit to address the three (3) identified issues, which were as follows:

1. The removal of the required controlled access points to the overflow parking area, along with uninstalling the unsafe wooden stakes and chain, as identified by the Department.
2. The removal of the requirement to notify the abutting neighbor to the south of any planned special event, given no issue had been identified regarding conflicting uses between the Wildwood Historical Society and the residential area.
3. The extension of the renewal timeframe from every three (3) years to every five (5) years.

The Commission considered each of these requests and determined each of them to be appropriate and acted favorably to amend the Conditional Use Permit (CUP) to reflect such. The Commission’s favorable action was based on the limited use of the overflow parking area over the first five (5) years, the history of a low level of impact on the area, with no issues or complaints by surrounding neighbors, and the requested five (5) year renewal period being consistent with other Conditional Use Permits (CUP) granted by the Commission. With the Commission’s favorable support of these amendments, the Conditional Use Permit (CUP) is effective through early 2020.

CURRENT REQUEST – The current request was initiated by the Department because, at the time of the standard notification time period (fifteen (15) days in advance of a scheduled meeting), it believed the three (3) year time limit established by the original permit was still applicable and the timeframe had been allowed to lapse in 2018. With this circumstance, the Department scheduled the matter as soon as a possible, posted the site, and sent notification to surrounding property owners regarding the permit’s

renewal. After further review of the file on this matter, the Department discovered the action of the Commission in May 2015 to amend the permit to extend the timeframe to a five (5) year renewal period meant it was currently effective through 2020.

The Department believes that, while this error is unfortunate, it is appropriate to move forward with the consideration of renewal of the permit at this time, albeit one (1) year early. The Department's rationale regarding this approach is that notification to the surrounding property owners has been provided regarding the renewal of the permit and no comments have been received at the time of publication of this report; the limited impact on surrounding properties this use has demonstrated over the years; and the significant benefit the Wildwood Historical Society provides to the overall community. Additionally, a representative of the Wildwood Historic Society was contacted regarding these timeframes and endorsed this approach. Utilizing this approach, the Planning and Zoning Commission would consider the renewal of the existing Conditional Use Permit (CUP) for an additional five (5) years, which, if granted, would commence in 2020 and extend the permit until 2025.

ANAYLISIS - The Planning and Zoning Commission has considered the extension of the permit for the Wildwood Historical Society (WHS) and reviewed its files on this matter, before making its determination in this regard. The results of this review indicate the permit should be extended due to the benefits derived from it to the members of this facility and the community as a whole. The extension of the Conditional Use Permit (CUP) would be for a period of five (5) years in length, which will commence in May 2020, when the current effective renewal period is complete, thereby establishing the next review cycle until May 2025. This timeframe is consistent with the previous action of the City in this regard and the requirements of the permit, as amended in 2015.

In recommending this action, the Planning and Zoning Commission would note the reasons it had utilized in its initial support for the original authorization remain applicable now, when considering this extension request. The reasons for the original approval, and subsequent support of this renewal request, are as follows:

1. The granting of the extension allows for the property and structures to be maintained and utilized.
2. The impact of its use over the last four (4) years continues to be minimal and caused no noticeable change to the area in terms of traffic volumes or other similar concerns.
3. The lack of extensive site improvements has maintained the appropriate environment at this site and not increased stormwater runoff to the surrounding properties.
4. The extension does not require any additional site improvements, so the current condition of the property will remain unchanged.
5. The property's use is consistent with the objectives and policies Master Plan that support the protection of historic elements, the creation of recreational opportunities for residents, and the appropriate use of the area's resources. Specifically, the Master Plan Policy includes adopting regulations to preserve historic buildings/sites and archaeological areas through their designation of landmarks.

Given these circumstances, the Planning and Zoning Commission supports the extension of this permit for the Wildwood Historical Society's use of this facility, as part of their overall mission, along with other opportunities previously authorized for it on this property. Therefore, the Commission believes the aforementioned policy of the Master Plan, and the City's preservation ordinance, mandate its support of this renewal request as well.

Additionally, the Commission would note that, during a recent site inspection by the Department of Planning, as part of this renewal, it was found to be in good condition. Overall, the site meets the minimum conditions necessary to be considered acceptable from the standpoint of appearances and compliance to the permit. The Department would also note that the two (2) wooden stakes, with a chain between them and orange ties, which acted as the access control on the eastern portion of the lot, have been uninstalled, as required by the Commission's previous renewal.

SUMMARY AND CONCLUSION

The Planning and Zoning Commission has determined the requested extension of this existing Conditional Use Permit (CUP) for the ongoing operation of the museum, research library, and meeting space for the Wildwood Historical Society (WHS) is appropriate. The Commission believes this use of the property is in the best interest of the overall community. Additionally, this action is consistent with good planning practices, does not affect the surrounding properties, is not visually degrading, and does further the public's welfare. Given these reasons, the Planning and Zoning Commission hereby grants the extension of this Conditional Use Permit (CUP) for the Wildwood Historical Society (WHS). Accordingly, the existing Conditional Use Permit is hereby extended for a period of five (5) years, commencing in 2020, following the exhaustion of the current renewal timeframe, thereby extending the effective date of the Conditional Use Permit (CUP) to May of 2025.

Respectfully submitted,
CITY OF WILDWOOD

Rick Archeski, Chair
Planning and Zoning Commission

ATTEST:

Joe Vujnich, Director
Department of Planning

Cc: The Honorable James R. Bowlin, Mayor
The Honorable City Council of the City of Wildwood, Missouri
Steve Cross, Co-Interim City Administrator
John A. Young, City Attorney
Rick Brown, P.E. and P.T.O.E., Director of Public Works
Kathy Arnett, Assistant Director of Planning and Parks
Travis Newberry, Planner
Historic Preservation Commission Members
Sandy Becker-Gunrow, President, Wildwood Historical Society