

CITY OF WILDWOOD, MISSOURI
RECORD OF PROCEEDINGS

MEETING OF THE PLANNING AND ZONING COMMISSION
CITY HALL, 16860 MAIN STREET, WILDWOOD, MISSOURI
August 5, 2019

The Planning and Zoning Commission meeting was called to order by Acting Chair Lee, at 7:00 p.m., on Monday, August 5, 2019, at Wildwood City Hall, 16860 Main Street, Wildwood, Missouri.

I. Welcome to Attendees and Roll Call of Commission Members

Acting Chair Lee requested a roll call be taken by Planner Newberry. The roll call was taken, with the following results:

PRESENT – (8)

Acting Chair Lee
Commissioner Deppeler
Commissioner Gragnani
Commissioner Kohn
Commissioner Beattie
Commissioner Simpson
Council Member Woerther
Mayor Bowlin

ABSENT – (2)

Commissioner Helfrey
Commissioner Levitt

Other City officials present: Director of Planning Vujnich, Planner Newberry, and City Attorney Young

II. Review Tonight's Agenda / Questions or Comments

There were no questions or comments on the agenda.

III. Approval of Minutes from the July 15, 2019 Meeting

A motion was made by Commissioner Kohn, seconded by Commissioner Simpson, to approve the minutes from the July 15, 2019 meeting. A voice vote was taken regarding the motion for approval of the minutes. Hearing no objections, Acting Chair Lee declared the motion approved by a vote of 7-0, with one (1) abstention (Beattie).

IV. Department of Planning Opening Remarks

The Department had no opening remarks.

V. Public Comment Session

VI. Public Hearings – No Items for Consideration

VII. Old Business – Two (2) Items for Consideration

- a) **P.Z. 10-19 Dennis Hall, 17555 Thunder Mountain Road, Wildwood, Missouri 63025, c/o Solar SME, 2727 Lyndon B. Johnson Freeway, Suite 762 Dallas, Texas 75234** – A request for a Conditional Use Permit (CUP) in the NU Non-Urban Residence District (Street Address: 17555 Thunder Mountain Road/Locator Number: 27W310090), for the installation of roof-mounted solar panels, which are to be so situated on the dwelling as to be visible from an adjoining roadway. This request is to be reviewed in accordance with Chapter 415.090 NU Non-Urban Residence District Regulations of the City of Wildwood Zoning Ordinance, which establishes standards and requirements for the installation of solar panels. The requested permit is required due to the panels' placement on the front facing area of the dwelling's roof, which abuts a defined roadway. **(Ward Six)**

Planner Newberry read the request into the record.

Director Vujnich stated the petitioner is seeking a Conditional Use Permit (CUP) for the placement of solar panels, which would be visible from the abutting street. He stated the petitioner has proposed several solar panels that are not flush-mounted, but rather an angled installation. Director Vujnich noted the Planning and Zoning Commission cannot support these panels because the regulations governing these types of permits do not allow the Commission to lessen their thresholds, as set forth in the code. He stated if the petitioner would like to proceed with flush-mounted panels at these locations, which can be supported. He stated, notwithstanding the angled design of some of the panels, the Department believes the request does meet each of the four (4) required criteria for the granting of the Conditional Use Permit (CUP), with the conditions outlined in the Department's report. He stated, with these identified conditions, the Department is recommending the permit be granted for this proposed solar panel installation.

Discussion was held among Commission Members regarding whether or not solar panel installations have an impact on surrounding property values and the notion the data collected by the Department of Planning is inconclusive.

A motion by Council Member Woerther, seconded by Commissioner Beattie, to approve the Department's recommendation, with associated conditions, as presented.

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

Ayes: Commissioner Deppeler, Commissioner Gragnani, Commissioner Kohn, Commissioner Beattie, Commissioner Simpson, Council Member Woerther, Mayor Bowlin, and Acting Chair Lee

Nays: None

Absent: Commissioner Helfrey and Commissioner Levitt

Abstain: None

Whereupon, Acting Chair Lee declared the motion approved by a vote of 8-0.

- b) **P.Z. 6-19 City of Wildwood Planning and Zoning Commission c/o Department of Planning, 16860 Main Street, Wildwood, Missouri, 63040** – A request for the consideration of possible changes to Chapter 415 of the City of Wildwood's Code of Municipal Ordinances that would potentially provide new regulations governing the cultivation, manufacture, transportation, distribution, testing, and sale (dispensary) of medical marijuana, within any "NU" Non-Urban Residence District, "C" Commercial District, or "M" Industrial District zoned parcel of ground within the City of Wildwood. The consideration of such is necessitated by the timeline and requirements established in the constitutional amendment that was approved and passed by the voters of Missouri on November 6,

2018 for such activities. Any considerations relating to any possible new regulations associated with these activities are premised upon the City of Wildwood's required protection of the public's health, safety, and general welfare through the application of its zoning and land use regulations. **(Ward - All)**

Planner Newberry read the request into the record.

Director Vujnich stated the Planning and Zoning Commission held its public hearing regarding this item on May 6, 2019. Following the public hearing, the Department prepared an Information Report that outlined a possible approach to directing certain uses associated with medical marijuana to the Industrial Area of the City, while allowing others in the more rural locations of Wildwood for cultivation, as well as, possible allowances for dispensaries within the Town Center Area. With the Department's presentation of the first Information Report, draft regulations were not recommended at that time, with it rather seeking the direction of the Planning and Zoning commission. He stated a Work Session was held to discuss the topic, at which the Commission directed the Department to prepare a recommendation that would restrict all uses associated with medical marijuana to the Industrial Area of the City. Director Vujnich stated the Information Report being presented to the Commission at tonight's meeting, along with City Attorney's draft ordinance, reflect the direction of the Commission in this regard.

Discussion was held among Commission Members regarding the concern about the potential legalization of recreational marijuana; the availability of medical marijuana in this community for those individuals with a need for it; whether or not a less conservative approach could be taken in the future; and the various characteristics of the Industrial area of the City.

A motion by Mayor Bowlin, seconded by Commissioner Simpson, to approve the Department's recommendation, as presented.

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

Ayes: Commissioner Gragnani, Commissioner Kohn, Commissioner Simpson, Council Member Woerther, Mayor Bowlin, and Acting Chair Lee

Nays: Commissioner Beattie and Commissioner Deppeler

Absent: Commissioner Helfrey and Commissioner Levitt

Abstain: None

Whereupon, Acting Chair Lee declared the motion approved by a vote of 6-2.

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

- a) Presentation and discussion of revised Planning and Zoning Commission's By-Laws for consideration and action by its members. **(Wards – All)**

Planner Newberry read the request into the record.

Director Vujnich stated the Commission, with the assistance of the Department and City Attorney Young, have been working for the past several months to update its By-Laws. He stated this review has been completed and the Commission's updated By-Laws are in final draft form for action. Director Vujnich thanked Mr. Young for his assistance in the development of these updates.

No discussion was held among Commission Members regarding this item

A motion by Mayor Bowlin, seconded by Council Member Woerther, to approve the revised Planning and Zoning Commission's By-Laws, as presented.

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

Ayes: Commissioner Deppeler, Commissioner Gragnani, Commissioner Kohn, Commissioner Beattie, Commissioner Simpson, Council Member Woerther, Mayor Bowlin, and Acting Chair Lee

Nays: None

Absent: Commissioner Helfrey and Commissioner Levitt

Abstain: None

Whereupon, Acting Chair Lee declared the motion approved by a vote of 8-0.

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

- a) A recommendation report by the Department of Planning for consideration and action by the Planning and Zoning Commission on an additional parking lot area for the Al Foster Memorial Trailhead; FPPS Floodplain Park and Scenic District; southeast corner of 3rd Street and Grand Avenue; which supports the installation thirty-nine (39) parking spaces in the immediate vicinity of the trailhead, where the original gravel lot was previously located. (**Ward Six**)

Planner Newberry read the request into the record.

Director Vujnich provided a history of the development of the various park and trailhead facilities located within the historic Glencoe Community of Wildwood. He stated, over the years, the Al Foster Memorial Trail, and associated trailhead, have become an increasingly popular destination. Director Vujnich noted that this popular location, along with the W, F & P single gauge railroad, have led to a shortage of parking spaces. He stated that over the course of the past few years, the Department and the Planning and Parks Committee of City Council have been working on a plan to address this issue by the addition of another parking area, thereby adding thirty-nine (39) additional spaces. Director Vujnich stated the Department is presenting the Amended Site Development Plan for this additional parking at this trailhead location for the Planning and Zoning Commission's review and action. He stated the Department is recommending approval of the Amended Site Development Plan.

No discussion was held among Commission Members regarding this item

A motion by Commissioner Beattie, seconded by Council Member Woerther, to approve the Amended Site Development Plan, as presented.

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

Ayes: Commissioner Deppeler, Commissioner Gragnani, Commissioner Kohn, Commissioner Beattie, Commissioner Simpson, Council Member Woerther, Mayor Bowlin, and Acting Chair Lee

Nays: None

Absent: Commissioner Helfrey and Commissioner Levitt

Abstain: None

Whereupon, Acting Chair Lee declared the motion approved by a vote of 8-0.

X. Other – Two (2) Items for Consideration

- a) Report and action of the Tree Advisory Board (Planning and Zoning Commission) on changes to the **City Street Tree Removal and Replacement Policy** of the City of Wildwood. **(Wards – All)**

Planner Newberry read the request into the record.

Director Vujnich provided a brief history of street tree requirements, since the City’s incorporation. He outlined a recent review of the City’s policy regarding the removal and replacement of street trees by the City Council. He stated, with this review, the City Council ultimately voted to change certain components of this policy. Director Vujnich stated as part of the City’s “Tree City” designation, changes to the City’s practices regarding trees must also be reviewed and endorsed by the City’s Tree Advisory Board, which is the Planning and Zoning Commission. Director Vujnich stated the Department is presenting the changes to the ‘City Street Tree Removal and Replacement Policy’ to the Commission, serving as the Tree Advisory Board, for its consideration and recommending the endorsement of the changes.

No discussion was held among Commission Members regarding this matter.

A motion by Council Member Woerther, seconded by Commissioner Simpson, to approve the recommended changes to the City’s Street Tree Policy, as presented.

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

Ayes: Commissioner Deppeler, Commissioner Gragnani, Commissioner Kohn, Commissioner Beattie, Commissioner Simpson, Council Member Woerther, Mayor Bowlin, and Acting Chair Lee

Nays: None

Absent: Commissioner Helfrey and Commissioner Levitt

Abstain: None

Whereupon, Acting Chair Lee declared the motion approved by a vote of 8-0.

- b) Recommendation of the Nominating Committee of the Planning and Zoning Commission on the slate of officers for the upcoming 2019/2020 Year. **(Wards – All)**

Acting Chair Lee stated the Nominations Committee met and is putting forth the nomination of himself, Mr. Lee, as Chair and Ms. Helfrey, as Secretary. No other nominations were offered from the floor.

A motion by Commissioner Kohn, seconded by Mayor Bowlin, to nominate Mr. Lee as Chair and Ms. Helfrey as Secretary.

A voice vote was taken. Hearing no objections, Acting Chair Lee declared the motion approved by a vote of 8-0.

Chair Lee stated two (2) Commission Members have expressed interest in being the Commission’s Vice Chair, Ms. Gragnani and Mr. Beattie. Given Ms. Gragnani expressed interest first, the Commission will vote on her nomination.

A roll call vote was taken regarding the nomination of Ms. Gragnani as Vice Chair.

Ayes: Commissioner Gragnani, Commissioner Kohn, Commissioner Simpson, Council Member Woerther, and Chair Lee

Nays: Commissioner Deppeler and Mayor Bowlin

Absent: Commissioner Helfrey and Commissioner Levitt

Abstain: Commissioner Beattie

Whereupon, Acting Chair Lee declared the motion approved by a majority of voting members. The vote being 5-2, with one (1) abstention (Beattie).

XI. Closing Remarks and Adjournment

A motion by Council Member Woerther, seconded by Commissioner Beattie, to adjourn. A voice vote was held regarding the motion. Hearing no objections, Chair Lee adjourned the meeting at 7:54 p.m.

Approved by:

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.