

CITY OF WILDWOOD, MISSOURI

RECORD OF PROCEEDINGS

MEETING OF THE PLANNING AND ZONING COMMISSION

CITY HALL, 16860 MAIN STREET, WILDWOOD, MISSOURI

FEBRUARY 17, 2015

The Planning and Zoning Commission meeting was called to order by Chair Bopp, at 7:30 p.m., on Tuesday, February 17, 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 February 2, 2015 Meeting

A motion made by Commissioner Peasley, seconded by Commissioner Lee, to approve the minutes from the February 2, 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 – No Items for Consideration

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

Information Report – 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)**

Planner Weiss read the request into the record.

Director of Planning Vujnich reviewed the request and provided an overview relating to it. He noted that, in 2013, as part of Pond Athletic Association's 50th Anniversary, the City provided funding for its overall operation 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 the 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.

Noting any changes to the regulations relating to sponsorship banners would impact similar type settings, Director Vujnich identified Lafayette High School and other like private and public locations as examples. 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 do not authorize temporary banners of this nature, but do allow limited business type signs, when authorized by an associated Conditional Use Permit (CUP), or informational and directional types only. The current regulations governing temporary banners for special events would not accommodate these types of displays, given the business that is identified on the sign must be located where it is displayed.

Director Vujnich then noted the Department analyzed the request based upon the comments provided by the Commission at the public hearing held on January 20, 2015. He added these questions and comments focused on their locations, the potential number of applications the City may have to process, and, if the regulations were changed from the current prohibition, would it be in the best interest of the overall community, given the amount of signage allowed in the City. He went on to note the Department believes a community benefit does exist in some instances for these types of temporary banners, but only in specific cases, where the location is an institutional type use in the NU Non-Urban Residence District, with outdoor athletic facilities, owned by a public or not-for-profit entity. Director Vujnich stated the benefit derived to the community is the fund raising associated with these types of banners creates opportunities for youth. However, he added, the administration of these banners, along with their locations on the properties, and their designs, numbers, and sizes would all be managed by the City's Conditional Use Permit (CUP) process, with the decisions made by the Planning and Zoning Commission in this regard. This process ensures public notification, ample information about the banner application, and places the burden on the applicant to prove the four (4) criteria of the City's Zoning Ordinance for Conditional Use Permits (CUP) are met by this request. If not, the application cannot be granted. He concluded, the Department is recommending Chapter 415.090 NU Non-Urban Residence District regulations of the Zoning Ordinance be amended to

allow banners (sponsorship types) as conditional use. After a motion and a second, Director Vujnich stated the Department is available to answer any questions the Commission may have regarding the recommendation.

A motion was made by Commissioner Peasley, seconded by Commissioner Renner, to discuss the recommendation. 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 item: why requests for temporary banners (sponsorship types) could not be reviewed and acted upon by the City's Board of Adjustment.

Director of Planning Vujnich noted that, if there is a legislative solution to an issue/request, it should be explored, since it is not appropriate for the Board of Adjustment to promulgate laws. He went on to note, the Department realizes there have been a number of changes made to the City's Sign Regulations and understands the Commission's concern in this regard.

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

Commissioner Archeski noted he is an Emeritus member on the board at the Pond Athletic Association and will be abstaining from voting on this request.

A motion was made by Commissioner Lee, seconded by Commissioner Peasley, to approve the recommendation.

Chair Bopp called the question.

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

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

Nays: None

Absent: Council Member Sewell.

Abstain: Commissioner Archeski

Whereupon, Chair Bopp declared the motion approved by a vote of 7 to 0, with one (1) abstention.

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)**

A motion was made by Mayor Woerther, seconded by Commissioner Archeski, stating that each Locator Number associated with this request did not need to be read into the record, since they had noted at the previous meeting. A voice vote was taken regarding the motion. Hearing no objections, Chair Bopp declared the motion approved

Planner Weiss read the request into the record, without each Locator Number, but noted they had been made part of the official record at the previous meeting.

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, which 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 made to accommodate this request. He noted the Commission postponed action on this request at its February 2, 2015 meeting in order for the Department to meet with McBride and Son Companies, to work through questions and comments raised at the meeting.

Director Vujnich noted this meeting did occur and 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 distressed properties. 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, provided a slideshow presentation relating to the proposed development. She also reviewed the design features of the existing development and identified those items that have prohibited the success of this development. She reviewed the proposed conditions drafted by the Department of Planning and noted the petitioner is in agreement with all of them, including the following: the require architectural upgrades; the requirement for the garden walls; restriction of any lots with access onto Eatherton Road, north of Cambury Lane; and the provisions relating to the existing Homeowner Associations' review. She also noted they have added two (2) traffic calming measures to the Site Development Plan and provided a proposed elevation of the four (4) attached units that are to match the existing development, as closely as possible.

Discussion was held among Commission Members regarding the following items: if sidewalks are provided throughout the proposed development area; the location of the planned connection to the proposed pedestrian bridge; questions pertaining to the indentures and the transition with the new homeowners; if

the proposed development should be required to connect at the stub streets to the property to the south; and clarification with regards to the future disposition of the parallel parking spaces.

Carla Patrick, 17151 Cambury Lane, stated it was her belief the wording of Condition 8 (d.) should be reconsidered due to the current make-up of the 'Homeowners Association.' The current association is comprised of GMB (Greater Missouri Builders) and not any of the homeowners.

Jeannie Aumiller, petitioner's representative, noted the current indentures have been reviewed and stated their approval is required by the Director of Planning, not the City Council. She inquired if future changes to them would require City Council approval.

City Attorney Golterman noted the indentures can be reviewed and approved, as stated, by the Director of Planning. He also stated the current indentures allow the developer to appoint an advisory board comprised of current homeowners.

A motion was made by Commissioner Archeski, seconded by Mayor Woerther, to approve the Department's recommendation report.

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.

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

- a.) A response to a communication from **Kiraboo Kones**, c/o Kira Stewart, 15917 Richland Cove Court, Ballwin, Missouri, 63021, dated December 18, 2014 regarding **P.Z. 2 and 3-04 Koman Properties, Inc.**; Amended C-8 Planned Commercial District (Town Center "Downtown" District); southwest corner State Route 100 and Taylor Road; requesting modifications to the existing site-specific ordinance to accommodate the addition and use of a temporary structure for the sale of shaved ice during the months of May through August. This proposed temporary structure is approximately eighty (80) square feet in overall size. **(Ward Eight)**

Planner Weiss read the request into the record.

Director of Planning Vujnich provided an overview of the request by noting the petitioner contacted the Department at the end of 2014 seeking authorization for a temporary structure that would be used to sell shaved ice during the time period of approximately May to August. The structure would be approximately eighty (80) square feet in size, served only by electricity, designated with an architectural character complementary to other buildings in the area, and located to the northwest of the public plaza area in the Wildwood Town Center Area. Director Vujnich went on to review the history of the Wildwood Town Center Project and noted that, during the last ten (10) years, building development has been incremental.

Director Vujnich also reviewed the Commission's action relating to temporary uses and structures, which occurred in 2009. He noted the Planning and Zoning Commission considered the Department's Information Report on this request and postponed it, given several areas of concern. He noted these concerns included the following: the impact on the brick and mortar businesses in Town Center Area and the competition associated with such; the lack of input from the existing business community on temporary vendors in the Town Center Area; the liability issue with authorizing vendors of a temporary nature; the location and types of facilities these temporary vendors would use in Town Center; and the need for such vendors in the developing Town Center. Director Vujnich stated the Commission decided in 2009 to indefinitely postpone this request and not undertake any changes at that time in order to support the brick and mortar businesses first and ensure they were successful, before considering this type of activity.

To this end, Director Vujnich noted circumstances have not radically changed since 2009 in Wildwood's Town Center, and therefore, the concerns the Commission had about vendors and their temporary structures remains unchanged. He added the Department appreciates the petitioner's interest in Wildwood's Town Center, but it remains concerned about the impacts the approval of this request could have on the area. Director Vujnich concluded by stating the Department cannot support any changes to the governing ordinance to accommodate a temporary structure in the Wildwood Town Center Project, given a similar discussion in 2009 was never completed. He added that, until the concerns about impacts to the business community can better be addressed, the Department is recommending no changes to the current site-specific ordinance for this site.

Kira Stewart, 15917 Richland Cove Court, Ballwin, provided an overview of her request and the reasons why she chose Wildwood and its Town Center Area for her proposed shaved ice business. She added it was her belief the proposed structure would add to the unique character of this area and benefit its residents. She concluded that she has worked with an architect to provide a visually appealing structure and looks forward to working with the City on this request.

Discussion was held among Commission Members regarding the following items: the fact that some temporary uses occur in the Town Center Area, i.e. recreation activities and the Farmer's Market, but their improvements are placed on-site for the event and removed that same day; if the proposed structure would be similar to the one in Eureka that is on a trailer; if the City's Architectural Review Board would be required to review this structure; clarification relating to the proposed location and if the property owner (Koman properties) has agreed to it; if the Commission could restrict the number of these types of temporary structures; if a restroom facility will be provided; and the belief that a number of the same concerns remain from 2009 and they need to be addressed, before considering and acting upon this request.

A motion was made by Commissioner Gragnani, seconded by Mayor Woerther, to postpone the request and reconsider the issues that were discussed in 2009, with the consideration of temporary uses, such as produce stands and street vendor activities.

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.

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

- (a.) A recommendation report regarding **P.Z. 19-14 The Manors at the Meadows of Cherry Hills, McBride Town Center, L.L.C., c/o Jeannie Aumiller, 16091 Swingley Ridge Road, Suite 300, Chesterfield, Missouri, 63017**; R-4 7,500 square foot Residence District (Town Center “Neighborhood General District”), with a Planned Residential Development Overlay District (PRD), for two (2) properties totaling 11.5 acres of area; south side of Manchester Road, east of Taylor Road (Locator Numbers 24V640065 and 24V640076/Street Addresses: 16612 Manchester Road and 102 Cherry Hills Meadows Drive); which authorize the development of the property with thirty (38), single family detached dwellings on individual lots, with common ground and public space, in a design of traditional and neo-traditional styles. **(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 February 2, 2015. She reviewed the history associated with this project and described the plan and related information that had been reviewed and discussed by the Subcommittee.

Planner Weiss noted with the Subcommittee’s review of all information its members now believe 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 following conditions: the finalization of the Public Space Plan by the Department of Planning, in accord with the requirements of the City’s Public Space Requirements, i.e. identify needed public space easements; the retention of all trees along the common boundary between the subject site and those lots in the abutting subdivision, to the south, along with the protection of their root systems by accepted industry standards; the installation of a berm and landscaping between proposed Lot 16B and existing Lot 1 in the Meadows at Cherry Hills Subdivision; the addition of landscaping at the entry area into the subject site from Manchester Road, so as to screen the nearby stormwater facilities that are proposed as part of this project; the determination of an alternative construction access, as part of the review and action of the City on the Improvement Plans (construction drawings); and the completion of the Landscape Plan, with its adherence to all requirements of Ordinance 410 and its accompanying Tree Manual and Sustainable Plantings Guide. She 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, noted her client is in agreement with the noted conditions and thanked the Commission for their review and considerations relating to this project.

A motion was made by Mayor Woerther, seconded by Commissioner Bauer, 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 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.

IX. Other

X. Closing Remarks and Adjournment

Chair Bopp reminded the Commission, and those individuals in attendance, the first Master Plan Update Public Input Session will be held Thursday, February 19, 2015, 7:00 p.m., at the St. Louis Community College – Wildwood Campus.

A motion was made by Commissioner Archeski, seconded by Commissioner Lee, to adjourn the meeting. A voice vote was taken. Hearing no objections, Chair Bopp adjourned the meeting at 9:18 p.m.

Approved by:

The Planning and Zoning Commission at the March 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.