

CITY OF WILDWOOD
RECORD OF PROCEEDINGS

MEETING OF THE PLANNING AND ZONING COMMISSION
CITY HALL, 16860 MAIN STREET, WILDWOOD, MISSOURI
JUNE 2, 2014

The Planning and Zoning Commission meeting was called to order by Chair Bopp, at 7:30 p.m., on Monday, June 2, 2014, 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 – (9)

Chair Bopp
Commissioner Archeski
Commissioner Peasley
Commissioner Gagnani
Commissioner Lee
Commissioner Manton
Commissioner Renner
Council Member Sewell
Mayor Woerther

ABSENT – (1)

Commissioner Bauer

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

II. Review Tonight’s Agenda / Questions or Comments

III. Approval of Minutes from the Meeting of May 19, 2014

A motion was made by Commissioner Archeski, seconded by Commissioner Peasley, to approve the minutes from the May 19, 2014 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. 2-14 City of Wildwood Planning and Zoning Commission c/o Department of Planning and Parks, 16860 Main Street, Wildwood, Missouri 63040** – A review and determination of whether the current regulations of the City of Wildwood Zoning Ordinance (Chapter 415 of the City of Wildwood Municipal Code) that govern the permitting, construction, and installation of Ground-Mounted Solar Panel Arrays in all of its “R” Residence District zoning designations (Chapter 415 – Sections 110 through 160), including Chapter 415.090 NU Non-Urban Residence District, are sufficient to protect the public’s health, safety, and welfare. The intent of this review is to consider if additional regulations are needed for these types of structures. **(Wards - All)**

Planner Weiss read the request into the record.

Director of Planning Vujnich stated the Department prepared a summary of the background and current regulations within the City for ground-mounted solar panel arrays for discussion purposes at tonight's hearing. He went on to note that, at the Commission's March 17, 2014 meeting, it authorized the Department to post this matter for review due to the increase in the requested number of building permits for these types of structures and enforcement issues on a larger tract of land located in a rural area of the City. He noted, one (1) particular instance, the property owner installed ground-mounted solar panel arrays in the side yard setback area of his thirty (30) acre parcel of ground, which violated the City's requirements and was also denied by the City's Board of Adjustment. He went on to identify this particular situation is still under review, but, in the meantime, the Department believed the Commission should be advised of the impacted neighbor's concerns and consider the need for further regulations of these structures.

Director Vujnich went on to further describe the current regulations relating to solar panel arrays in the City and noted they include the following: structure setback requirements from underlying zoning district designations or Planned Residential Development Overlay Districts/Planned Environment Units (St. Louis County); height restrictions and additional setback distance requirements, if the height of the structure exceeds thirty (30) feet; non-disturbance in the structure setback areas, per the Grading Code; protected woodland areas on the buildable area of the lot, per the Tree Preservation and Restoration Code; and the Building Code requirements, as administered by St. Louis County, under its contract with the City of Wildwood.

Director Vujnich also noted that, in preparation of tonight's hearing, the Department provided information from other cities that was submitted to it by the impacted neighbor next to this large ground-mounted array, as well as some of its research on the use, siting, and regulations of solar panel arrays. He concluded by noting the Department is available for questions and input on this matter.

Discussion was held among Commission Members regarding the following items: if the City approved a plot plan for the installation of the ground-mounted solar panel arrays that are the subject of the enforcement issue; if St. Louis County reviews these types of structures for building permits; if there are any sight-line or visual regulations regarding the installation of these types of structures; what type of regulations currently exist regarding roof-mounted solar panels; the belief the City may currently have adequate regulations regarding ground-mounted solar panel arrays, when adhered to properly within the confines of the law; the belief arrays are a visual impact issue; if the size of the lot impacts the size of the ground-mounted solar panel array one can install; if these structures create glare that impact adjoining properties; the belief the motivation behind installing these structures is to benefit homeowners by reducing electricity costs and protect the environment; the belief the amount of stormwater runoff caused by these structures may negatively impact surrounding properties; screening (with landscaping) can be difficult due to the need to absorb the maximum amount of sunlight; the belief that black paneling used in conjunction with these structures may create less glare; the belief the size of these structures should be relative to the size of the lot; how much electricity these structures are producing for individual homeowners and how much is being returned to the electrical grid; the belief the regulations relating to ground-mounted solar panel arrays should be revised, based on increased installations and possible impacts on surrounding properties, and similarly to recently approved regulations approved for game courts; the belief the information provided from surrounding communities, such as Town and Country and Clarkson Valley, was helpful in this regard; the belief there should be a hierarchy of placement of solar panels, beginning with the roof-top, again, to lessen their impact on adjoining properties; and the fact that technology relating to this type of energy source is constantly changing.

Barbara Gaines, 1765 Shiloh Valley Drive, noted she lives adjacent to the property that installed the ground-mounted solar panel arrays that have been the subject of much of tonight's discussion and is part of an on-going enforcement issue. She noted her concern with her property's value, based on the visual impact of this structure from her home, and inquired if additional regulations could be considered to limit their impact, such as table-top types to eliminate the tilting (increased height) of such structures.

Director of Planning Vujnich noted that perhaps ground-mounted solar panel arrays would be required to be reviewed by the Planning and Zoning Commission, similar to game courts are considered, and that roof-mounted types would be reviewed internally by the Department.

John Gragnani, 1510 Scofield Valley Lane, noted some of the complications relating to solar panels installation and use. He also noted his belief there will be an increased number of permit applications for these structures due to President Obama's use of his executive authority to reduce carbon emissions from the nation's coal-fired power plants.

Andy Lindberg, 2467 Eatherton Road, stated he had experience studying energy sources from coal fire and solar panels at Washington University, St. Louis. He noted the size of the solar panel structure greatly affects the power supply and the demand for them is increasing.

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

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

Update – Information Report – One (1) Item for Consideration

- a.) **P.Z. 3-14 Wildwood Trail Subdivision, Pulte Homes of St. Louis, Chris Matteo, 17107 Chesterfield Airport Road, Suite 120, Chesterfield, Missouri 63005, c/o Stock and Associates Consulting Engineers, Inc., Chris Mueller, P.E., 257 Chesterfield Business Parkway, Chesterfield, Missouri 63005** – A request for the modification of the Town Center Regulating Plan designation(s) for a portion of two (2) properties that total 4.63 acres of area, which are located on the east side of State Route 109, north of Manchester Road, from its current designations as "Workplace" and "Neighborhood Edge" Districts (Planning and Zoning Commission's adopted plan [March 1, 2010]) to the "Neighborhood Edge" District. The City Council's adoption of the updated Town Center Plan did not include these two (2) parcels of ground and, therefore, both of them still retain a 'Workplace' District designation for the entire 4.63 acre tract of land. **(Ward Eight)**

and

- P.Z. 4-14 Wildwood Trail Subdivision, Pulte Homes of St. Louis, Chris Matteo, 17107 Chesterfield Airport Road, Suite 120, Chesterfield, Missouri 63005, c/o Stock and Associates Consulting Engineers, Inc., Chris Mueller, P.E., 257 Chesterfield Business Parkway, Chesterfield, Missouri 63005** – A request to amend the Street Network Map of the Town Center Plan and not be required to extend Viola Gill Lane through the entirety of this 4.63 acre site to the abutting parcel of ground located to its north for a future roadway connection. This street extension for the future roadway connection is indicated on the adopted Street Network Map of the Town Center Plan. **(Ward Eight)**

and

- P.Z. 5 and 6-14 Wildwood Trail Subdivision, Pulte Homes of St. Louis, Chris Matteo, 17107 Chesterfield Airport Road, Suite 120, Chesterfield, Missouri 63005, c/o Stock and Associates Consulting Engineers, Inc., Chris Mueller, P.E., 257 Chesterfield Business Parkway, Chesterfield, Missouri 63005** –

Accompanying the aforementioned Regulating Plan and Street Network Map changes is a request for a change in zoning from the C-8 Planned Commercial District to the R-4 7,500 square foot Residence District, with a Planned Residential Development Overlay District (PRD), for the same two (2) tracts of land that total 4.63 acres in size and 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). **Proposed Use: Seventeen (17), detached single-family dwellings on individual lots (Town Center Building Type – House), with common ground, and required public space areas. (Ward Eight)**

Director of Planning Vujnich and Planner Weiss read the requests into the record.

Director of Planning Vujnich reviewed the background relating to the request and noted the Commission postponed action on it at its May 19, 2014 meeting due to the issue associated with the access into and out of the site from State Route 109, given the Missouri Department of Transportation's (MODOT's) requirements and specifications relating to it. He reviewed that MODOT has stated this access point must be designed as a right-in/right-out type and that left turns into and out of the site will be prohibited. He added this verbal direction from the State was premised on safety and function. Additionally, he noted, with this MODOT requirement, the Department also recommended the proposed internal street include the extension of Viola Gill Lane through the entirety of the site and terminate at its northernmost boundary line, so it could extend further from there and ultimately intersect with Main Street to the north.

Director of Planning Vujnich concluded that the Department of Planning has not received any new information or received feedback from MODOT or the petitioner on these items and the issue remains unchanged at this time, which led to the original postponement on this matter. He added, given the Department has not altered its recommendation report at this time and is waiting for further direction, no action is planned on this matter at tonight's meeting.

Discussion was held among Commission Members regarding the following items: inquires relating to MODOT's future plans for Highway 109 in the area and how may roundabouts are planned; if a roundabout is still being considered at this location; and if the Department has an idea of a timeframe to as when MODOT will respond to these inquires.

Larry Butts, Pulte Homes of St. Louis, 17107 Chesterfield Airport Road, Suite 120, Chesterfield, Missouri 63005, stated Pulte Homes is communicating with MODOT and requesting further information with regards to the access issue.

A motion was made by Commissioner Lee, seconded by Commissioner Peasley, to close the discussion on this request. A voice vote was made regarding the motion. Hearing no objections, Chair Bopp declared the motion approved.

Information Reports – One (1) Item for Consideration

- b.) **P.Z. 10-14 City of Wildwood Planning and Zoning Commission c/o Department of Planning, 16860 Main Street, Wildwood, Missouri 63040** - A request to include the Western Greenway Public Outreach Summary, and related findings, as an attachment to the City's **Action Plan on Parks and Recreation – 2007** for the purpose of utilizing this information to assist in the further development of the City of Wildwood's multi-modal, recreation trail system consistent with the efforts of the Great Rivers Greenway's **River Ring**. This summary and related findings were developed over a period of time in 2013 through the efforts of Great Rivers Greenway (GRG), which solicited input from Wildwood residents and other users of the current system of multiple-use trails located in this community, to determine priorities, future locations, and other important information regarding the same. **(Wards – All)**

Planner Weiss read the requests into the record.

Director of Planning Vujnich reviewed the background relating to the request and gave an overview of the *Western Greenway Public Outreach Summary* completed by Great Rivers Greenway (GRG). He went on to note the Department is recommending this document be included as part of Wildwood's master planning documents. Thus, if approved, Director Vujnich noted this summary would be an official attachment to the Action Plan on Parks and Recreation – 2007, which provides almost all of the guidance relating to parks and trails projects in the City of Wildwood at this time. He added that regardless of the information provided in this summary relating to equestrian trails, the City is committed to providing the equestrian community with future facilities and devoted to how best to design such improvements. After a motion and a second, Director Vujnich noted the Department is available to answer any questions or comments the Commission may have on this recommendation report.

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

Discussion was held among Commission Members regarding the following items: concern relating to the equestrian trail statements and data in the Western Greenway Public Outreach Summary; the belief that equestrian trails can be constructed parallel to other types of trails; and the belief stronger language needs to be added to the Letter of Recommendation regarding the commitment to equestrian trails, prior to it returning to the Commission for final action.

The original maker of the motion (Mayor Woerther), and seconder (Commissioner Archeski) of it, amended it to include stronger language in the Commission's Letter of Recommendation relating to the development of equestrian trails and facilities.

Chair Bopp called the question on the motion, as amended.

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

Ayes: Commissioner Gragnani, Commissioner Archeski, Commissioner Peasley, Commissioner Lee, Commissioner Manton, Commissioner Renner, Council Member Sewell, Mayor Woerther, and Chair Bopp.

Nays: None

Absent: Commissioner Bauer

Abstain: None

Whereupon, Chair Bopp declared the motion approved by a vote of 9 to 0.

VII. New Business – No Items

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

- a.) A recommendation report regarding a Site Development Plan for a planned utility pole location to support the rollout of high-speed internet access service to the rural areas of Wildwood. The location, including related zoning district designation, and Address/Locator Number is as follows: Fox Creek Valley Subdivision; NU Non-Urban Residence District; 4522 Fox Creek Lane/28Y540098. The proposed internet pole's material is a Douglas Fir and would be eighty-eight (88) feet in height, after installation. **(Wards One and Three)**

Director of Planning Vujnich read the request into the record.

Planner Weiss provided an overview and background regarding tonight's recommendation, which is to address the on-going problem in the rural areas of the community regarding the provision of high-speed internet access. She went on to note two (2) wireless internet service providers and the City have been working on the expedited rollout of this service. These companies are Bays ET and WisperISP and their proposals are to serve the areas of the City by utilizing their current networks, supplemented by the City's network of internet poles.

Planner Weiss noted the City has developed a Site Development Plans for the Commission's consideration at tonight's meeting. She noted this proposed pole is planned within the southwestern portion of the City and has been reviewed favorably by the City Attorney and the Department. She also noted the plan complies with the requirements of the City's Model Telecommunications Ordinance, since it is considered a "Disguised Support Structure." However, she did note the issue of the pole's height relating to the setback requirements, at approximately eight-eight (88) feet, would need to be addressed at the upcoming meeting of the City's Board of Adjustment. Therefore, she concluded the Department is requesting favorable action on the Site Development Plan submitted for Bays ET Site #9, at 4522 Fox Creek Lane.

A motion was made by Commissioner Archeski, seconded by Council Member Sewell, to approve the recommendation.

Director of Planning Vujnich acknowledged and thanked Tom Illges, the property owner of this site, for working with the City to allow the erection of it on his lot.

Tom Illges, 4522 Fox Creek Lane, thanked Council Member Sewell for working on this project for several years and inquired to the duration of the easement agreement between him and the City, relating to his property.

Director Vujnich noted the lease agreements are for five (5) years, but can be extended or amended, as necessary.

Chair Bopp called the question.

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

Ayes: Commissioner Gragnani, Commissioner Archeski, Commissioner Peasley, Commissioner Lee, Commissioner Manton, Commissioner Renner, Council Member Sewell, and Chair Bopp.

Nays: None

Absent: Commissioner Bauer

Abstain: Mayor Woerther

Whereupon, Chair Bopp declared the motion approved by a vote of 8 to 0, with one (1) abstention.

IX. Other – No Items

a.) Selection of Nominating Committee for Officers of the Commission for Year 2014/2015 (Wards – All)

Chair Bopp to appointed the following Planning and Zoning Commission Members to serve on the Nominating Committee: Commissioner Peasley; Commissioner Manton; Commissioner Archeski; and Commissioner Gragnani.

Chair Bopp noted this Committee is anticipated to provide a recommendation to the Planning and Zoning Commission at its July 21, 2014 meeting.

X. Closing Remarks and Adjournment

A motion made by Commissioner Archeski, seconded by Commissioner Peasley, to adjourn the meeting. A voice vote was taken. Hearing no objections, Chair Bopp adjourned the meeting at 9:05 p.m.

Approved by: The Planning and Zoning Commission at the June 16, 2014 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.