

CITY OF WILDWOOD
RECORD OF PROCEEDINGS

MEETING OF THE PLANNING AND ZONING COMMISSION
CITY HALL, 16860 MAIN STREET, WILDWOOD, MISSOURI
OCTOBER 20, 2014

The Planning and Zoning Commission meeting was called to order by Chair Bopp, at 7:30 p.m., on Monday, October 20, 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 – (8)

Chair Bopp
Commissioner Archeski
Commissioner Bauer
Commissioner Gragnani
Commissioner Lee
Commissioner Manton
Commissioner Peasley
Mayor Woerther

ABSENT – (2)

Council Member Sewell
Commissioner Renner

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 October 6, 2014

A motion was made by Commissioner Peasley, seconded by Commissioner Archeski, to approve the minutes from the October 6, 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. 20-14 Happy Hounds Playground, L.L.C., 431 Castle Glen Court, Ballwin, Missouri, 63021, c/o Clayton Engineering, Steven W. Quigley, 11920 Westline Industrial Drive, St. Louis, Missouri, 63146**
– A request for a Conditional Use Permit (CUP) in the NU Non-Urban Residence District for an eleven (11) acre tract of land that is located on the east side of Pond Road, south of State Route 100 (Locator Numbers 23W340042 and 23W330032/Street Addresses: 2440 and 2448 Pond Road). **Proposed Use: A recreational land use facility (commercial dog park). (Ward One)**

Director of Planning Vujnich read the request into the record.

Planner Weiss provided the Commission Members, and those others in attendance, a brief slideshow presentation of the subject property and the surrounding area.

Steve Quigley, petitioner's representative, Clayton Engineering, 11920 Westline Industrial Drive, gave a brief overview of the subject property and the petitioners' request. He also introduced the petitioners, Laura and Neal Van Gerpen, and their design firm, Arcturus.

Laura Van Gerpen, petitioner, 431 Castle Glen Court, gave an overview of the business model for the proposed dog park and plans for the utilization of the property. She went on to describe how the facility will be operated by private memberships and listed the amenities planned there. She also noted that they have done extensive research on dog park facilities and visited several across the country.

Steve Quigley, petitioner's representative, Clayton Engineering, 11920 Westline Industrial Drive, went on to provide further information regarding the Preliminary Development Plan by noting the petitioner is proposing the following in conjunction with the development of the site: forty-two (42) parking spaces; small and large dog play areas; a mulch wilderness trail; a concrete trail, which is ADA accessible; a public space component, which will provide a connection to the City's existing trail system; areas to be preserved; and the planned fencing of the entire property. Mr. Quigley also noted the plan mostly adheres to the prohibition of grading within the setback areas, except for in the northwestern portion of the site, in which the petitioners are seeking an exception to this requirement of the City's Grading Code.

Discussion was held among Commission Members regarding the following items: if the existing trees to be removed contain mature growth; if the petitioners are aware the City park under construction will include a dog park in the future; what the membership price/monthly fee of the proposed dog park will be; if an employee will be on-site at all times; how the animal waste will be handled; if the proposed lake/pond will require a Conditional Use Permit (CUP); if the sale of animal related items is planned to occur in the main building; if dogs will be boarded on the premises; if the petitioners have any previous experience in the development of a dog park; when they plan to become operational; if the petitioner currently owns the property; if there are any mechanisms for child-safety, with regards to the water features and pond areas; what the plans are for the property to the north of the proposed development; if a trail connection will be made to the City's multiple-use trail; if the existing single-family dwelling will be demolished, how old it is, and if it is on property located within the Pond Historic District; what security measures that will be implemented on the property; if dogs are required to be vaccinated, prior to membership; and if grading were to be authorized within the setback area on the northwestern portion of the property, will a restoration plan be required.

Dan Gerlach, 2615 Maple Avenue, stated he is opposed to the proposed dog park and that he has issues with how development has occurred in the Pond Area, specifically with regards to Living Word Church. He also noted the need for more facilities/trails to accommodate equestrian users, and noted the City already has a dog park in Glencoe. He also stated his concern with increasing property taxes and the belief commercial facilities should not be approved in this area.

Mike Morton, 1816 Pond Hill Court, stated his opposition to this request and noted he is concerned with the following issues: traffic, noise, water availability issues for surrounding properties due to the

use of well water to fill the proposed dog park pond; parking; and vicious dogs. He also noted that it was his belief the existing single-family dwelling on the property could be restored and provides significant historic value to the area.

Craig Taylor, 1825 Shiloh Valley Drive, stated his support for the proposed dog park. He stated it was his belief the facility will provide a controlled safe environment for dogs, and will be a progressive amenity for the area.

Katie Leeker, 2450 Pond Road, stated her support for the proposed dog park. She added she lives on the adjoining property to the south is not concerned with noise from the proposed facility.

Reuben Rigel, 1532 Wolf Trail Road, stated his support for the proposed dog park facility. He added that it was his belief that it is a good fit for the community.

Bill Kennedy, 48 Rockwood Forest Ridge, advised the petitioner about the large water feature ordinance that was recently passed by the City Council and stated the need to have its design and construction undertaken by experienced and qualified contractors.

Discussion was held among Commission Members regarding the following items: the number of memberships the petitioners expect to sell; the belief the intersection at Pond Road and Highway 100 is dangerous and crowded; questions pertaining to the City's community park access plans; if Missouri Department of Transportation (MODOT) will be required to comment on this facility; and if a traffic study analysis has been completed.

A motion was made by Mayor Woerther, seconded by Commissioner Archeski, 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 - Two (2) Items for Consideration

Letter of Recommendation – One (1) Item for Consideration

- a.) **P.Z. 14-14 Carohaven Farm, L.L.C. c/o Dr. Caroline Morgan, 18318 Melrose Road, Wildwood, Missouri 63069** - A request for a Conditional Use Permit (CUP) within the NU Non-Urban Residence District for a ten (10) acre tract of land that is located on the south side of Melrose Road, east of State Route 100 (Locator Number 25X240071/Street Address: 18318 Melrose Road). **Proposed Use: A horse boarding and training (lessons) facility.** The petitioner is not planning any additional structures or buildings in conjunction with this requested permit. **(Ward Six)**

Planner Weiss read the request into the record.

Director of Planning Vujnich noted the Department has prepared the Draft Letter of Recommendation for the Commission's consideration. He added the Commission voted unanimously, by a vote of 10 to 0, at its last meeting to accept the recommendation, as prepared by the Department. Director Vujnich then concluded by stating the Draft Letter of Recommendation is now in the appropriate form to be forwarded to City Council. He added that, after a motion and a second, the Department was available to answer any questions the Commission may have on this item.

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

Chair Bopp called the question.

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

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

Nays: None

Absent: Commissioner Renner and Council Member Sewell

Abstain: None

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

Information Report – One (1) Item for Consideration

a.) P.Z. 24-14 Centaur Station, c/o Michael Phelan, 18833 Cliffview Lane, Wildwood, Missouri, 63005 – A request for (Ward One)

Planner Weiss read the request into the record.

Director of Planning Vujnich reviewed the background relating to the request and gave an overview of the history pertaining to it. He also noted the Historic Preservation Commission provided a recommendation on this matter, which was in support regarding the application for a LPA (Landmarks Preservation Area), as part of this overall review process. Along with this support, the Historic Preservation Commission provided a historic overview of the area and determined the properties, and related elements, were historically significant.

Director Vujnich stated the Department is recommending the Planning and Zoning Commission approve the application of this special procedure permit based on the following items: it believes the application of the Landmark Preservation Area (LPA) is appropriate at this location and appreciates the petitioner's efforts in regards to the properties' restoration; the set of conditions created provides the petitioner options for the future, but also protects and preserves the historical elements on the site; and the conditions include a requirement the site be considered for placement on the City's Historic Registry, which is a positive step for all parties. Director Vujnich went on to describe the permitted uses the Department considers appropriate at this location, which would include the following: professional offices and limited retail service activities, antique store, or a location for artists, crafters, and other similar people, who would benefit from the character of Centaur, the charm of the building, and the history of Wildwood. He then added the Department does not support a restaurant at this location, given the amount of wastewater it might generate, and the limited space for an on-site treatment system.

In conclusion, Director Vujnich reiterated the petitioner is required to place the property, and associated buildings and structures, on the City's Historic Registry and this process must run parallel to the steps associated with the Planning and Zoning Commission and City Council's consideration of the Landmark Preservation Area (LPA) request. He noted, with the conditions recommended in place, the Department believes the site will retain its current character, but also provide assurances to the

City and residents that it will be preserved and protected. He stated the petitioner was unable to attend tonight's meeting because he is out of town due to the birth of his grandchild and the Department is available to answer any questions on the recommendation, after a motion and second is made.

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

Discussion was held among Commission Members regarding the following items: how the Commission can ensure the property is placed on the City's Historic Registry within the specified timelines; and how enforcement will occur regarding the use of the property.

Chair Bopp called the question.

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

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

Nays: None

Absent: Commissioner Renner and 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

Correspondence Items – One (1) Item for Consideration

- a.) A report, with recommendation, regarding **P.Z. 9-10 Wildwood Memorial Park and Gardens, c/o Dale R. Hicks, Dale Hicks and Associates**; Conditional Use Permit (CUP) in the NU Non-Urban Residence District; south side of State Route 100, at Hencken Road; which addresses the need for an extension of time for the submittal of the required Site Development Plan (SDP) to the Planning and Zoning Commission for its action, which is required by the current Conditional Use Permit (CUP). A previous, and allowable, extension was granted by the Planning and Zoning Commission on November 21, 2011 to this submittal requirement. Subsequent extensions were requested by the petitioner and granted by the Planning and Zoning in Commission on November 19, 2012, November 18, 2013, and July 21, 2014. With a fifth extension of time now needed, another amendment of the governing permit must be considered. **(Ward Six)**

Director of Planning Vujnich read the request into the record.

Planner Weiss reviewed the background relating to this site, which included the approval of a Conditional Use Permit (CUP) that authorized a cemetery – Wildwood Memorial Park and Gardens. She noted that, with the Planning and Zoning Commission's last action, a short extension to the date for the submittal and final action on the Site Development Plan was granted - October 22, 2014. She added at this July 2014 meeting, the Commission believed the petitioner was close to a position to request an amendment to the Conditional Use Permit (CUP) and submitting a revised Site Development Plan. She went on to identify, the Commission also required the on-going maintenance of the site and, at the end of this ninety (90) day period, it would reassess the extension request, based upon the anticipated

provided information. Planner Weiss then noted, the petitioner provided a Site Development Plan on October 16, 2014, but it did not appear to reflect the discussion points and changes presented by him in July 2014.

Thus, Planner Weiss noted the Department is not supporting this extension of time due to the belief the petitioner is no closer to moving forward with this project at this time, than forty-seven (47) months ago. Planner Weiss also noted the property has not been maintained in an acceptable manner, as required by the Commission, during the consideration of extensions in 2012 and July 2014. Planner Weiss concluded by stating that, given the rationales described, the Department is not recommending any further extensions of time to this project and would like the Commission to authorize the Department to post this matter for a public hearing on the permit's revocation. After a motion and second, the Department is available to answer any questions the Commission may have on this presentation and report.

Director of Planning Vujnich added the preparation of this report was mostly completed prior to the submittal of the revised Site Development Plan on October 16, 2014 and, thus, the Department has not had the opportunity to review said plan. He added the Department believes the Commission has two (2) options: beginning the process for the revocation of the Conditional Use Permit (CUP); or granting another extension of time in order for the Department and the Commission to consider the plan that was most recently submitted.

Dale Hicks, property owner, 18738 Vixen Drive, stated he believes a cemetery is still a logical use for the subject site and he did not realize the Site Development Plan had to be approved by October 22, 2014. He also noted that he has spent years working on this project and has had the property cut and baled for hay.

Discussion was held among Commission Members regarding the following: the appreciation for the petitioner's plan to develop the property for a cemetery, but also the belief the endeavor is becoming aimless and there is little being accomplished; and the belief the petitioner needs to take some additional time to formulate a realistic and attainable plan for the property's development and return to the Commission, when appropriate.

Director of Planning Vujnich suggested the Commission postpone the request for at least two (2) weeks in order to allow the Department to review the recently submitted Site Development Plan.

A motion was made by Commissioner Peasley, seconded by Commissioner Archeski, to postpone this request for four (4) weeks.

Chair Bopp called the question.

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

Ayes: Commissioner Manton, Commissioner Renner, Commissioner Lee, Commissioner Archeski, Commissioner Gragnani, Commissioner Bauer, Commissioner Peasley, and Chair Bopp.

Nays: Mayor Woerther

Absent: Commissioner Renner and Council Member Sewell

Abstain: None

Whereupon, Chair Bopp declared the motion approved by a vote of 7 to 1.

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

VIII. Other

IX. 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 9:00 p.m.

Approved by: The Planning and Zoning Commission at the November 3, 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.