

CITY OF WILDWOOD  
RECORD OF PROCEEDINGS

MEETING OF THE PLANNING AND ZONING COMMISSION  
CITY HALL, 16860 MAIN STREET, WILDWOOD, MISSOURI  
NOVEMBER 17, 2014

The Planning and Zoning Commission meeting was called to order by Chair Bopp, at 7:30 p.m., on Monday, November 17, 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 Bauer  
Commissioner Gragnani  
Commissioner Lee  
Commissioner Manton  
Commissioner Peasley  
Commissioner Renner  
Mayor Woerther

ABSENT – (1)

Council Member Sewell

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 November 3, 2014**

A motion was made by Commissioner Peasley, seconded by Commissioner Archeski, to approve the minutes from the November 3, 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 – No Items for Consideration**

**VI. Old Business – One (1) Items for Consideration**

Information Report – One (1) Item for Consideration

- a.) **P.Z. 15, 16, and 17-14 - Bordeaux Estates at Wildwood – Plat Two, MRM Manlin Development Group, Inc., Mike 251 Chesterfield Industrial Blvd, Chesterfield, MO 63005** - A request for a change in zoning from the R-6A 4,000 square foot Residence District, with a Planned Residential Development Overlay District

(PRD) (“Neighborhood General” District), to the R-3 10,000 square foot Residence District (“Neighborhood Edge” District), with an Amended Planned Residential Development Overlay District (PRD). Accompanying this zoning request is an application for a change in the Town Center Regulating Plan (from the “Neighborhood General” District to the “Neighborhood Edge” District), an one (1) acre site that is located on the west side of East Avenue, south of Manchester Road (Street Address: 2615 East Avenue/Locator Number 24V510090). **Proposed Use: Three (3) single family dwellings on individual lots. (Ward Eight)**

Planner Weiss read the request into the record.

Director of Planning Vujnich stated that, at the November 3, 2014 Planning and Zoning Commission Meeting, the Commission supported the Regulating Plan Change, but not the zoning modification or Planned Residential Development Overlay District request. Thus, following this meeting and action, Director Vujnich noted the petitioner contacted the Department of Planning and sought a meeting to discuss possible options. At this meeting, further conversation was held and a revised plan for the placement of the dwellings and improvements was agreed upon by both parties. Thus, Director Vujnich described the revised plan and noted it included the following changes: a streetscape design utilizing a “Road (R2)” classification, which is more rural in nature, but does include a tree lawn area for street trees, streetlight(s), a sidewalk, and a rolled curb; and single-family dwellings, with a side entry design to address the front facing garage issue.

Director Vujnich went on to review the petitioner’s request, which is an amendment to the Town Center Regulating Plan and the City’s Comprehensive Zoning Plan, and seeks to change the current designation of the subject site from ‘Neighborhood General’ District to ‘Neighborhood Edge’ District to accommodate the development of it with a different type of land use activity than currently approved and authorized. He then went on to identify, the petitioner is also seeking the rezoning of this same one (1) acre site from its current classification of R-6A 4,000 square foot Residence District, with a Planned Residential Development Overlay District, to the R-3 10,000 square foot Residence District, with an Amended Planned Residential Development Overlay District, to accommodate three (3), single family detached dwellings on individual lots.

Director Vujnich stated the requested change to the Town Center Plan’s Regulating Plan (and Comprehensive Zoning Plan of the Charter) for this site is reasonable, given current buyer preferences in the Wildwood community for detached units. He added that, based on the revised Primary Development Plan and the revisions that are being provided to the units by the petitioner, the Department now supports the rezoning request and application of the Amended Planned Residential Development Overlay District (PRD), since the streets, lots, and units minimally address the **Street Network Plan, the Neighborhood Design Standards, and the Architectural Guidelines** of the Town Center Plan. Therefore, he reiterated, the Department is supporting the approval of the Regulating Plan change, the rezoning request, and application of the Special Procedures Permit for this one (1) acre site. He then stated the petitioner’s representative is in attendance and the Department is available to answer any questions on the recommendation, after a motion and second is made on this matter.

Gabe DuBois, petitioner’s representative, THD Design Group, 251 Chesterfield Industrial Boulevard, thanked the Commission for its time and consideration and noted his client is in agreement with the conditions outlined in Attachment B of the Information Report.

Discussion was held among Commission Members regarding the following item: the square footage and price-point for the three (3) proposed single family dwellings.

Gabe DuBois, petitioner's representative, THD Design Group, 251 Chesterfield Industrial Boulevard, stated he could not speak to the exact price point for the proposed single-family dwellings, but that they would be consistent with the homes that currently exist in the Estates at Bordeaux, Plat 1. He also added he believed the two (2) story home model is approximately 2,200 square feet and the ranch model is approximately 3,800 square feet.

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

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

Ayes: Commissioner Manton, Commissioner Lee, Commissioner Archeski, Commissioner Gragnani, Commissioner Bauer, Commissioner Renner, 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 9 to 0.

## **VII. New Business – Five (5) Items**

### Correspondence Items – Five (5) Correspondence Items for Consideration

- a.) A response to communication from **Puppingham Palace**, c/o Audrey Treis, 16540 Manchester Road, Wildwood, Missouri, 63040, which is dated October 22, 2014, regarding **P.C. 219-85, Alfred L. Hicks and the J.L. Mason of Missouri, Inc.; PC 69-93 The Jones Company Custom Homes, Inc.; and P.C. 105-93 J.H.B. Properties**; Amended Mixed Use Development Ordinance #223; south side of Manchester Road, west of Pierside Lane (Street Address: 16540 Manchester Road/Locator Number: 23U120480); seeking the authorization to allow the use of the subject tenant space to board animals overnight, as a component of the overall pet care facility. This amendment is necessary since the boarding aspect is not accessory to a veterinary clinic, nor the primary use as a kennel. **(Ward Four)**

Planner Weiss read the request into the record.

Director of Planning Vujnich reviewed the request and provided background relating to the subject site. He went on to explain the site-specific ordinance, which establishes all permitted uses on the property, does not allow overnight boarding of pets, since this activity is not accessory to a veterinary office, nor is it a kennel (the primary business in the tenant space). Director Vujnich then described the boarding aspect could be considered to be an appropriate use by the Commission, if it is determined accessory. Thus, he noted, to make this determination, four (4) criteria exist for use, which include the following: customarily found in conjunction; reasonably necessary incident (dependent); clearly subordinate; and furthers the successful utilization. He stated that based on the aforementioned criteria and conditions, the Department believes the boarding aspect is accessory to the primary use. However, he added, the Department has remaining concerns with the noise

associated with this activity and, therefore, recommends placing the following conditions on this activity: no more than thirty (30) animals (dogs) are to be boarded within the facility; no boarded pet shall be at the facility for more than seven (7) consecutive days; the minimum number of employees to be on-site, when pets are boarded at the facility shall be two (2) in total; no boarded pet shall be outdoors after 9:00 p.m. or before 7:00 a.m.; and the outdoor time for boarded pets shall be limited to two (2) pets at a time, with an employee with them at all times.

Director Vujnich concluded these requirements are consistent with the petitioner's plan and will limit the impacts associated with boarding on the surrounding area. After a motion and a second, he noted the Department is available to answer any questions the Commission may have in this regard.

Julie Ellison, 109 Boathouse Drive, Lake Chesterfield Homeowners Association Representative, noted she had questions that were addressed relating to the square footage of the proposed outdoor activity, how noise will be controlled, and how waste management will be addressed to avoid smell.

Audrey Treis, petitioner, 16540 Manchester Road, stated no more than thirty (30) dogs will be boarding at the facility and that waste is picked up weekly and placed in a sealed container.

Discussion was held among Commission Members regarding the following items: the belief the facility is of a high-quality nature; the belief that the seven (7) night limit on the overnight boarding of an individual dog is unnecessary and would be difficult to enforce; and how urine waste is cleaned in the outdoor area and if this activity affects stormwater runoff.

A motion was made by Commissioner Gragnani, seconded by Commissioner Peasley, to approve the recommendation, but with the removal of the condition that states no boarded pet shall be at the facility for more than seven (7) consecutive days.

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

Ayes: Commissioner Manton, Commissioner Lee, Commissioner Archeski, Commissioner Gragnani, Commissioner Bauer, Commissioner Renner, 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 9 to 0.

- b.)** A request for the on-going operation of an existing telecommunications tower and facility authorized by **P.Z. 4-98 AT&T Wireless Services, Inc.**; Conditional Use Permit (CUP) in the NU Non-Urban Residence District; east side of Joe's Way, north of Valley Road; under a one (1) year renewal allowed by the existing conditions of this site-specific permit. **(Ward Two)**

Director of Planning Vujnich read the request into the record.

Planner Weiss provided an overview of the report for the renewal of the Conditional Use Permit (CUP) for AT&T Wireless Services. This tower is located on Joe's Way. Planner Weiss also presented the Commission with photographs identifying the facility had been found to be in generally good condition, but noted the following: two (2) of the evergreen trees that had been removed and replaced, as part of

the Commission's action in previous years and now, require replacement and attention again and the amount of debris surrounding the general site area needs to be removed, so as to improve the condition of the property. Conversely, she also noted wiring associated with the exterior equipment had been painted to match the tower. She went on to note the Department believes, given the overall compliance by the petitioner to the requirements of the Conditional Use Permit (CUP), and, with its limited impact and the needed service it provides in this general location, the Department of Planning is recommending the Conditional Use Permit (CUP) for this facility be renewed for an additional year. However, she noted, this recommendation is contingent on the aforementioned items being addressed within thirty (30) days. She also added an e-mail had been provided from the tower representative to the Commission at tonight's meeting stating these items will be addressed, which will be verified by the Department. She concluded that, after a motion and second, the Department is available to answer any questions the Commission may have regarding this renewal report.

A motion was made by Commissioner Archeski, seconded by Commissioner Renner, to approve the annual renewal, with the conditions stipulated in the Department's report.

Discussion was held among Commission Members regarding the following item: the belief a different type of planting should be used due to the fact that evergreens are not surviving three, such as a boxwood or firebush.

Chair Bopp called the question.

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

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

Nays: None

Absent: Council Member Sewell

Abstain: Mayor Woerther

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

- c.) A request for the on-going operation of an existing telecommunications tower and facility authorized by **P.Z. 25-97 Sprint Spectrum, L.P. (Marianist Retreat Center)**; Conditional Use Permit (CUP) in the NU Non-Urban Residence District; east side of State Route 109, south of Old State Road; under a one (1) year renewal allowed by the existing conditions of this site-specific permit. **(Ward Six)**

Director of Planning Vujnich read the request into the record.

Planner Weiss provided an overview of the report for the renewal of the Conditional Use Permit (CUP) that governs the Sprint Spectrum Tower at the Marianist Retreat Center. Planner Weiss also presented the Commission with photographs relating to two (2) issues that had been identified during the last few years' of discussion of this tower's renewal. She described these two (2) issues as: (1.) the replacement or repair of the wooden doors and lock; and (2.) the repair of the access driveway leading to the aforementioned wooden doors. She went on to note the Department believes the access driveway has withstood the weathering of another year. However, she noted the gap in the panel doors needs to be addressed again and a general clean-up of debris is also necessary. She added the Department is recommending the approval of the renewal, contingent on the two (2) aforementioned items being addressed within thirty (30) days. She concluded that, after a motion and second, the Department is

available to answer any questions the Commission may have regarding this renewal report.

A motion was made by Commissioner Lee, seconded by Commissioner Peasley, to approve the annual renewal, with the conditions stipulated in the Department's report.

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

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

Nays: None

Absent: Council Member Sewell

Abstain: Mayor Woerther

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

- d.) 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). The Planning and Zoning Commission granted a previous, and allowable, extension on November 21, 2011 to this submittal requirement. Subsequent extensions were requested by the petitioner and granted by the Planning and Zoning 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)**

Planner Weiss read the request into the record.

Director of Planning Vujnich reviewed the background associated with the request and added that, approximately four (4) weeks ago, a discussion was held by the Planning and Zoning Commission regarding this petition and the on-going need for additional extensions of time for the submittal of the required Site Development Plan. He also noted, shortly before the aforementioned meeting, the petitioner did provide a Site Development Plan (on the Thursday before the Commission's Monday night meeting). Thus, the Departments did not have time to review it, nor could it be ready for action, as part of the Planning and Zoning Commission's process. At this meeting, the Planning and Zoning Commission decided not to take any action to revoke the permit, but rather provide additional time to review the submittal and determine all of the other outstanding items that might need to be addressed.

Director of Planning Vujnich went on to note the Department has reviewed this matter and identified the major submittal items regarding the Site Development Plan. He then added the petitioner has continued to make progress on this matter and this level of compliance justifies a further extension of time to complete the review requirement associated with the Site Development Plan. Therefore, Director Vujnich concluded the Department is recommending an extension of time for the submittal and action on the plan, with an accompanying amendment to the permit for the purposes of commencement of construction/development included with it as well. Accordingly, he noted the recommended extension on the Site Development Plan (SDP) would be for six (6) months and now would require final action by the Planning and Zoning Commission no later than April 22, 2015 and the commencement of construction within thirty (30) months of the Site Development Plan's

approval and recording by the Planning and Zoning Commission.

Discussion was held among Commission Members regarding the following item: if the \$10,000 endowment is placed in a City escrow account.

Jon Hicks, 18763 Vixen Drive, Wildwood, the petitioner, stated they have completed or are close to completing several of the identified outstanding requirements relating to this Conditional Use Permit (CUP). He added the endowment system is an elective process, in which they have chosen to participate.

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

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

Ayes: Commissioner Manton, Commissioner Lee, Commissioner Archeski, Commissioner Gragnani, Commissioner Bauer, Commissioner Renner, 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 9 to 0.

- e.) **P.Z. 28-14 Frederick and Dania Catalano, 1601 Garden Valley Court, Wildwood, Missouri 63038** are seeking the review and action of the Planning and Zoning Commission on the requested installation of an outdoor game court (half-court basketball area), which is to be located at 1601 Garden Valley Court, Wildwood, Missouri 63038 (Locator Number 21V140283); R-1 One Acre Residence District, with a Planned Environment Unit (PEU). This request is to be reviewed in accordance with Chapter 415.110 R-1 Residence District Regulations of the City of Wildwood Zoning Code, which establishes standards and requirements for outdoor game courts relating to their consideration by the Planning and Zoning Commission. The proposed game court is to be situated on the northwest portion of the subject property. The Department will have a recommendation report prepared for consideration at this meeting on this request. **(Ward Three)**

Director of Planning Vujnich read the request into the record.

Before beginning the Department's recommendation, Planner Weiss provided the Commission Members, and those others in attendance, a brief slideshow presentation of the subject property and the surrounding area.

Planner Weiss provided an overview of the request and noted the petitioners are seeking the review and action of the Commission regarding the installation of a half-court basketball area on their property. She reviewed the requirements that were recently adopted for outdoor game courts by the City Council, which were intended to provide a framework for addressing lighting, landscaping, aesthetics, managing the flight of projectiles, implementing standards for these structures placement to protect in-place stormwater management facilities, and verifying their compliance with zoning performance standards for noise and peace disturbance in their use.

Planner Weiss went on to describe the existing and proposed site conditions and the half-court basketball area's layout and design components. She described the limited impacts of the half-court basketball area on the surrounding properties and noted that the Garden Valley Farms Subdivision Association has reviewed and approved it as well. Also, of note, she added, there is no intention to light or fence the facility.

Planner Weiss went on to state the Department of Planning believes this request meets the criteria established for the approval of the outdoor game court under the requirements of the City's Zoning Ordinance. She noted this recommendation for approval is premised on the following items: the chosen location of this half-court basketball area complements the site, given its placement behind the home-addition; the impact of the facility on the adjoining properties would appear to be minimal, given its orientation and the placement of the hoop away from the most impacted neighboring dwelling; the landscaping design eliminates, or significantly minimizes, the chance of balls entering the yards of surrounding properties; and the stormwater runoff requirements have been reviewed by the Director of Public Works and comply with City code. However, Planner Weiss added the dwarf variety of plantings only reach approximately three (3) feet and the Department believes the plantings' height should be a minimum of six (6) feet for screening purposes.

In conclusion, Planner Weiss noted that, based upon the listed information and conditions, the Department believes the request for the installation of the proposed half-court basketball area is justified and should be supported by the Planning and Zoning Commission, with the condition the owners must meet on-going compliance to the R-1 One Acre Residence District Regulations of the City of Wildwood Zoning Code, and associated performance standards for noise and peace disturbance.

Dania Catalano, 1601 Garden Valley Court, petitioner, thanked the Commission for its time and consideration and noted the importance of this proposed game court to her son. She added the game court will actually be smaller in size than a half-court basketball area and does not believe it will impact the neighboring properties.

Discussion was held among Commission Members regarding the following items: the belief a planting needs to be added on the southwest side of the game court area to screen it from the neighboring properties swing-set area; and more specific information relating to the stormwater run-off review.

Tammy Shea, 18132 Sunny Top Court, stated she had been involved in the wording and passing of the legislation relating to these structures due to an intrusive game court located that was also located in Garden Valley Farms Subdivision. She noted the issue with the aforementioned game court was its scale and intensity of use in relation to the property. However, she added, this proposed game court appears to be located on an appropriate portion of the lot. She also noted that information relating to the City's requirements of game courts on the website may need to be more prominent.

Nick Catalano, 1601 Garden Valley Court, petitioner, provided additional information relating to the size of the proposed game court and relative sizes of regulation basketball courts. He also added that the maximum number of people that could play on the proposed game court at one (1) time would be four (4).

A motion was made Mayor Woerther, seconded by Commission Manton, to approve the recommendation, with the condition that additional plantings be placed to screen the neighboring property to the southwest and its swing-set area.

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

Ayes: Commissioner Manton, Commissioner Lee, Commissioner Archeski, Commissioner Gagnani, Commissioner Bauer, Commissioner Renner, 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 9 to 0.

## **VII. Site Development Plans-Public Space Plans-Record Plats – No Items**

## **VIII. Other**

Chair Bopp inquired to the status of items ‘Not Ready for Action’ on the Commission’s agenda.

Director of Planning Vujnich noted that a nuisance hearing at St. Louis County regarding Whispering Oaks Healthy Care has been postponed for two (2) months and that other items will be ready for action in the upcoming months.

Director of Planning Vujnich also noted that the first Master Plan Committee Meeting is scheduled for Thursday, December 4, 2014, at 7:00 p.m., here at City Hall, and the Commission Members are all on this committee.

## **IX. Closing Remarks and Adjournment**

A motion made by Commissioner Lee, seconded by Commissioner Manton, 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 December 1, 2014 meeting.

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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.