

MINUTES OF THE REGULAR MEETING  
OF THE PLANNING AND ZONING COMMISSION  
OF THE CITY OF SUNSET HILLS, MISSOURI  
HELD ON WEDNESDAY, MAY 4, 2016

BE IT REMEMBERED that the Planning and Zoning Commission of the City of Sunset Hills, Missouri met in regular session in the Robert C. Jones Chambers of City Hall, 3939 S. Lindbergh Blvd., in said City on Wednesday, May 4, 2016. The meeting convened at 7: 00 p.m.

The meeting began with those present standing for the reciting of the Pledge of Allegiance.

ROLL CALL

**Present:**

Patricia Otto	-Chairman
Terry Beiter	-Member
Dan Werner	-Member
Thomas Ortmann	-Member
Joseph Niemeyer	-Member
Al Koller	-Member
Thomas Lynch	-Member (arrived at 7:15)
Steve Young	-Member
Bill Hopfinger	-Member
Roger Kaiser	-Member
Bryson Baker	-City Engineer
Robert E. Jones	-City Attorney

**APPROVAL OF THE MINUTES**

Copies of the minutes of the April 6, 2016 Planning and Zoning Commission meeting were distributed to the members for their review. Mr. Niemeyer made a motion to approve the minutes as submitted. Mr. Ortmann seconded the motion, and it was unanimously approved.

**NEW BUSINESS**

Friendship Village Phase 1B Escrow Release

Mrs. Otto recused herself from this discussion.

Mr. Niemeyer states this pertains to City of Sunset Hills, Public Works Department. On April 28<sup>th</sup>, 2016, Mr. Baker wrote to the Planning and Zoning Commission that Friendship

Village, Sunset Hills requested an escrow release for completion of Phase 1B. Phase 1B has been constructed and does meet all City requirements in the construction plans.

Mr. Koller asked if the work has been done.

Mr. Baker replied yes and explained that the inspecting agency is the City. He stated there was work done by Missouri-American Water as well, and they have given a letter of release that their work has been completed. City staff inspected the project once and gave a notice of some outstanding items, which are now completed. The department agrees that the escrow should be released.

Mr. Ortmann asked if the department was holding a 10% retention.

Mr. Baker stated the City can only release up to 90% until the project is completed. They did not request the 90% release, they waited until the project was finished and are now asking for 100% refund.

Mr. Werner made a motion to approve the release of the escrow funds to Friendship Village. Mr. Young seconded the motion and it was unanimously approved.

**P-15-16**      Petition for a Lot Split submitted by Nancy Thias to divide the property into 2 parcels for the construction of two new residences at 13 Roosevelt Drive.

Gary Ploesser, President of St. Louis County Surveying was present, representing Mrs. Thias. Mrs. Thias' house will be removed. Two new homes would be built on the new lots. Both houses would be on septic and would be walk outs.

Mr. Koller stated the sewer is not clear in their presentation.

Mr. Ploesser stated both houses would be on septic tanks and will follow county guidelines. There would be two brand new tanks, behind the houses.

Mr. Niemeyer asked why the fire hydrant has chains on it.

Mr. Baker did not know, but stated that it is usually because the hydrant is out of commission.

Mr. Beiter asked when she plans on demolishing the existing residence.

Mr. Ploesser answered Mrs. Thias will accept a condition for a time limit on demolition.

Mr. Beiter stated it should be a condition of their approval.

Mr. Baker clarified that it should be demolished prior to the construction of the new houses. A building permit would not be issued until the demolition is complete.

Mr. Young asked if Mr. Baker has a concern about the septic.

Mr. Baker answered no, because the plans will have to be designed and approved prior to construction.

Mr. Beiter asked who approves the septic systems.

Mr. Baker answered that County would have to approve them.

Mr. Hopfinger asked if everything else complies.

Mr. Baker answered yes.

Mrs. Otto asked if there is any way the sewage could be attached to a current main.

Mr. Baker answered MSD only requires it to be attached if they are within 200 ft. of a main, which they are not.

Mr. Beiter asked if all the houses on the street are on septic.

Mr. Ploesser answered yes.

Mr. Werner asked if it is a sealed system.

Mr. Ploesser stated that Mrs. Thias has not selected a system to install yet.

Mr. Koller made a motion that Petition P-15-16 for a Lot Split submitted by Nancy Thias to divide the property into 2 parcels for the construction of two new residences at 13 Roosevelt Drive be recommended to the Board of Alderman for approval with the condition that the existing residence be demolished prior to any construction. Mr. Ortmann seconded the motion and it was unanimously approved.

Mrs. Otto announced the election of a commission secretary will be the next order of business, and asked for nominations.

Mr. Kaiser nominated Mr. Lynch.

Mr. Koller nominated Mr. Beiter.

Mrs. Otto asked for a vote on each of the nominees by a show of hands.

Mr. Lynch had 3 aye votes.

Mr. Beiter had 5 aye votes.

Mrs. Otto stated that Mr. Beiter was elected the Secretary of the Planning and Zoning Commission.

## **UPDATE ON THE COMPREHENSIVE PLAN**

Mrs. Otto and Mr. Beiter distributed three pages of updates to the Comprehensive Plan. Mrs. Otto stated she would like to do the updates as a consensus, unless there is a dispute, then a vote would be taken.

Mrs. Otto pointed out on page three the date of adoption would have to be corrected, when the plan is adopted.

Mrs. Otto stated on page 33, the discussion on preserving Sunset Hills' residential character came from a discussion by focus groups. The focus groups agree with having commercial areas, but want to keep the areas where they are already located. Focus groups from the 1999 Comprehensive Plan said the same thing.

Mrs. Otto stated they recently heard from Attorney John King, that felt the Commission are pantering to the neighbors, she responded that the Commission is talking about the whole community and focus groups over the years.

Mrs. Otto pointed out the tax rate on page 49, Column two. This has to do with land use and business taxes for the homeowner. It discusses tax building for the homeowner while providing a more equitable mix of land use in business. She asked where Sunset Hills stands compared with other cities on tax levies.

Mr. Baker stated that he could ask the City Clerk to get that information for her.

Mr. Lynch asked what they are doing with that information.

Mr. Beiter answered they are asking the consultant to make comparisons to other cities in St. Louis County. It provides the Commission and the residents with the information. He believes it could add to the research and conclusions of the Comprehensive Plan.

Mr. Lynch stated there is a lot of diversity between some of the other cities and Sunset Hills. He asked if they are looking for a range.

Mrs. Otto stated it will let everyone know where the City stands, that taxes don't need to be raised, or a big plant doesn't need to be built to make more money for the City.

Mr. Ortmann pointed out on page 33, the reason we are in a low tax base is because we have so much commercial. That has to be understood with taxes and when it is talked about that residential should stay residential.

Mr. Beiter claimed the consultant has stated the County is overbuilt with commercial.

Mrs. Otto agrees the reason Sunset Hills' taxes stay low is because of the sales tax.

Mr. Beiter stated he does not want this information to preclude any commercial development in undeveloped areas. He believes commercial development should be approved where it is appropriate.

Mr. Lynch asked if Sunset Hills is on the positive side in sales tax revenue.

Mr. Jones looked the tax rate up and stated residential is 0.0550%, commercial is 0.0540%, agricultural is 0.560% for a blended rate 0.600. He stated Sunset Hills is clearly in the lowest quartile.

Mrs. Otto stated the consultants are saying homeowners will have a lessened tax rate and she doesn't believe that.

Mr. Jones replied that he believes what they meant was with the taxes Sunset Hills will be getting from commercial developments, the tax burden on residents will be lessened.

Mr. Beiter points out that the map on page 58 references flex and he asked what they mean by flex.

Mr. Baker asked if they were leaving page 49 as is.

Mr. Beiter stated the quartile statement should be added.

Mr. Lynch stated the only piece labeled as flex on page 58 is the Nolan property. He asked Mr. Beiter if he would rather it be re-labeled and if so, what he would like it described as.

Mr. Beiter explained he feels it's developable and it could be commercial or light industrial. He stated that it should be a commercial property because of it's relationship to The Bluffs, which is not far away. There are businesses that are looking for sizeable sites and good locations that may be interested in that site. He agrees the reference should be left as is, but flex should be defined.

Mrs. Otto requested on page 64, Column two the line stating incremental transition for some of the lots on Deane Court to commercial use aligned with re-development of the Watson Road corridor be removed. The commission decided in January that Deane Ct. would not be involved in commercial use.

Mrs. Otto requested removing the narrative on page 69 because it is outdated rental information and it is not valid at this time, as discussed at the public hearing. In column one, it states the presence of rental property is evenly disbursed throughout the community with the exception of Sunset Manor, which is 78% rental. She stated the figure is substantially higher than the 7.6% figure for the community as a whole.

Mr. Koller asked if they had current information on this.

Mrs. Otto stated the only information they had was that the 200 block of Deane Ct. is primarily owner/occupied. There was a request from the public hearing that the whole section be removed from the document as being inaccurate.

Mr. Ortmann asked if they wanted to leave the 7.6% figure.

Mr. Niemeyer answered if they take one out, both should come out.

Mr. Beiter stated the 7.6% figure could be placed in the section where residential character is talked about. He feels it is valid information, but maybe it should be in a different section.

Mr. Baker stated the most recent information, which came from a credible source, is that Sunset Manor is 48% renter occupied.

Mrs. Otto suggested they allow the sentence to stay, but change the 78% to 48%.

Mrs. Otto stated that on page 71, column three states the most likely opportunities to allow more housing product types is any potential re-development of Sunset Hills Golf and Highway 30 frontage, immediately adjacent to it. She asked if the area is in the flood plain and if so, that should be added.

Mr. Beiter stated if the owner of the golf course wants to sell it and develop it residentially, he wouldn't oppose it.

Mr. Baker stated that numerous people have approached the city about the property and they wanted to develop it residentially. He said they would have to raise the property out of the flood plain.

Mr. Beiter stated that he would like more information on what steps are required to develop lots in the flood plain.

Mrs. Otto stated that on page 76 column two, it talks about the area lacking unified district identity. She explained that the light industrial area off of Old Gravois & Rahning Road lacks unified gateway monument streetscape. They are finding signage is in consistent infrastructure standards. She asked who, in the city, is responsible for this kind of development.

Mr. Beiter asked how the city would accomplish the implementation of these amenities. He stated there used to be different federal funding programs for funding of signage, entrance ways, and street enhancements. He asked if those programs still exist. He suggested that they give a hint as to what programs are available and where the funding comes from.

Mr. Baker stated the funding for these items would be the City's responsibility. He asked if they wanted it worded that way in the Comprehensive Plan.

Mr. Beiter stated to leave it more vague.

Mr. Beiter stated on page 76, column three, it discusses the Nolan property being light industrial, but the Commission had described it as undeveloped.

Mrs. Otto recommended to remove the last sentence on page 87, stating the City should anticipate future development proposals to consolidate and combine both residential and commercial lots in the area in order to add additional lot depth, which will facilitate future projects. She stated it is talking about Deane Ct., which being removed would make it consistent with the choices the Commission has made.

Mrs. Otto stated the map and commercial encroachment for Deane Ct. on page 88 should be removed.

Mr. Beiter stated on page 89, they referred to site four as an opportunity site, which the Commission has concluded is not true, so it should be removed.

Mrs. Otto stated on page 95 it discusses the appropriate use of current residential areas be removed and converted to commercial at the corner of Gravois and Lindbergh.

Mr. Beiter stated it is the only way to get well designed commercial development there.

Mr. Young stated it should be left out there to see what comes in the future.

Mr. Beiter agreed.

Mr. Baker stated three different groups have talked with him about extending the parcel for commercial development, but no one has come through with a plan.

Mr. Ortmann stated it is commercial, according to the map.

Mr. Lynch stated two homes are in the rear of the commercial.

Mrs. Otto stated there was a spelling error on the word parking in the first paragraph on page 97.

Mrs. Otto stated on page 99, the public hearing, the community was concerned about traffic safety at the intersection of Highway 270 and Gravois. They desire no commercial buildings at the commuter lots. They recommended the City purchase the lots and charge for their use as a way of generating revenue. The Commission suggests the commuter parking lots be an opportunity to be zoned commercial.

Mr. Beiter stated the City is not going to buy the lots and charge for their use. He agreed there is a traffic issue, but stated anyone that comes in to build commercially will have to provide a sufficient traffic study and that is the Commission's job to approve or disapprove.

Mrs. Otto pointed out that on page 106 & 107 there are bike lanes and sidewalks along Old Gravois from the commuter parking lots down to the bottom of the hill. The plan indicates there isn't.

Mr. Beiter stated the map on page 113, the light green color showing open space and golf course did not match the color on the legend. He stated it may be a printing issue.

Mrs. Otto asked if they needed to extend the 500 year flood plain on Page 115, after the flooding in December 2015.

Mr. Baker answered FEMA just issued new flood plain maps prior to this flooding and their new maps wouldn't come out for a few years. The maps can't be changed, accurately, until Sunset Hills receives something from FEMA.

Mrs. Otto stated Mehlville's fire station number three is outside of Sunset Hills and it should be corrected on page 120, Column two.

Mr. Beiter stated on page 123, the communities' facilities number five and six are labeled incorrectly.

Mrs. Otto stated it was discussed during the public hearing that West Watson and Lindbergh should remain residential.

Mrs. Otto stated she prefers not to sign the document until she sees the corrections.

Mr. Jones stated if she was not going to sign until June then there is no need to approve the Resolution at this meeting.

Mrs. Otto stated it takes six of the ten members voting to approve the document.

Mr. Beiter will not be at the June meeting.

Mr. Koller will not be at the June meeting.

Mr. Baker stated he will give changes to Houseal Lavigne the following day. It will take them about 2 weeks to make changes and produce copies of the final document to Sunset Hills. He is hoping the Commission will have their copies a week or two prior to the meeting. He stated he will have the resolution on the June 1<sup>st</sup> agenda for voting.

Mrs. Otto stated there will be three of the members absent for the June meeting.

Mr. Jones stated that they can vote and adopt the resolution at this meeting and wait to sign the final document until the corrections have been made.

Mr. Beiter made a motion to approve Resolution 384 Adopting the City of Sunset Hills 2016 Comprehensive Plan under the condition that all changes as discussed are addressed and corrected in the final document. Mr. Young seconded the motion and a roll call vote was taken.

Dan Werner – Aye  
Terry Beiter – Aye  
Pat Otto – Aye  
Thomas Ortmann – Aye  
Joseph Niemeyer – Aye  
Roger Kaiser – Aye  
Al Koller – Aye  
Thomas Lynch – Aye  
Bill Hopfinger – Aye  
Steve Young – Aye

There being 10 aye votes and 0 nay votes, the motion passed.

#### **ANY OTHER MATTERS DEEMED APPROPRIATE**

Mrs. Otto stated she would like to reflect on the process the Commission has been going through for the past 18 months. She would like to go over what went well and what could've been done better. The zoning regulations will be the next project the Commission will review. She stated they would go over this in July's meeting.

Mrs. Trish Moore asked of the time frame Sunset Hills has to submit the Comprehensive Plan to St. Louis County, after it is signed.

Mrs. Otto asked Mr. Baker when they would begin looking for a company to revise the zoning regulations.

Mr. Baker stated they would be sending out the request for qualifications within the next month. They have to be developed and written. So, it will be a few months before qualifications are received.

Mr. Jones stated there is no time limit on submitting the Comprehensive Plan to St. Louis County after it is signed. It just has to be sent to the County Recorder of Deeds.

### **ADJOURNMENT**

Mr. Niemeyer made a motion to adjourn the meeting at 8:20 p.m. Mr. Werner seconded the motion, and it was unanimously approved.

Recording Secretary,

A handwritten signature in blue ink that reads "Sarina Cape". The signature is written in a cursive style with a large initial 'S'.

Sarina Cape