

MINUTES OF THE REGULAR MEETING
OF THE PLANNING AND ZONING COMMISSION
OF THE CITY OF SUNSET HILLS, MISSOURI
HELD ON WEDNESDAY, MARCH 2, 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, March 2, 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
Bill Hopfinger	-Member
Thomas Ortmann	-Member
Joseph Niemeyer	-Member
Al Koller	-Member
Roger Kaiser	-Member
Thomas Lynch	-Member
Steve Young	-Member
Bryson Baker	-City Engineer
Robert E. Jones	-City Attorney

Absent:

APPROVAL OF THE MINUTES

Copies of the minutes of the February 3, 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.

OLD BUSINESS

P-03-16 Petition for a Lot Split submitted by Nancy Thias to divide the property into 2 parcels for the construction of a new residence at 13 Roosevelt Drive.

Petitioner has withdrawn this application.

NEW BUSINESS

P-02-16 Petition for a Conditional Use Permit submitted by South Lindbergh, LLC (aka, Jimmy John's Restaurant) to construct and operate a drive-thru restaurant at 3751 S. Lindbergh Blvd.

Petitioner has postponed this application.

P-06-16 Petition for a Concept Plan submitted by Walter Davis of CEDC for redevelopment of property at 12630 Rott Road (also known as Peace Haven).

 Mr. Paul Boyer, with Civil Engineering Design Consultants was present. He introduced other representatives present this evening, Susan Bruker, Architect with The Lawrence Group and Anne McCauley, Executive Director with Peace Haven.

Mr. Boyer stated that Peace Haven is proposing a new facility at the existing location. This site is 5 acres and is currently zoned R2 residential. The building has been in existence since 1952 and in poor shape. Construction will begin on the north parking lot with the existing buildings to remain in place until the new ones are constructed. Currently Peace Haven is licensed for 42 beds. The proposal is for 23-26 beds. Peace Haven is proposing to rezone the property to PD-LC.

Ms. Bruker, Architect with The Lawrence Group stated that Peace Haven will continue to be operational during the construction. The facility is broken down into three levels of care; Memory Care has 5 beds, Long-Term Care 12 and Transitional will have 4-6 beds. All rooms are private with baths.

Ms. McCauley, Executive Director of Peace Haven stated the board performed a building analysis and reported a cost of \$5 million to bring the buildings up to code over the next 15 years. Peace Haven is a Christian Science Nursing Care where residents rely on spiritual healing. There is no diagnosing, medicine, drugs, oxygen, PT or medical treatment.

Mr. Koiler asked why the number of rooms is being reduced. Ms. McCauley stated they average 26-32 patients, and would rather be full than have extra rooms not being used.

Mr. Bieter asked if the footprint of the building was larger. Ms. Bruker stated the new building is smaller.

Ms. Otto stated the Commission does not vote on a concept plan. This is to give the applicant our opinion.

Mr. Lynch stated that a new facility is needed, will it require the removal of trees. Ms. Bruker stated no trees will be removed for construction of the new building.

Mr. Beiter expressed concern regarding the entrance on the rock road which is directly across from a resident driveway. Ms. McCauley stated the entrances are not changing.

Ms. Otto stated the plan looks very promising and indicated to the applicant to move forward.



P-07-16

Petition for an Amended Conditional Use Permit submitted by Home Depot to display outdoor seasonal merchandise utilizing 44 parking spaces at 10890 Sunset Plaza

Mr. Ryan Neal, Operations Manager, was present. Mr. Neal stated he has been at the Sunset Hills location for 6 years. He indicated that the same spaces will be used as in previous years. Mr. Neal stated that he was aware of 3 year permits, but only if a store manager remains the same. He stated store managers change frequently.

Mr. Baker asked if Mr. Neal was above the store manager, Mr. Neal said just below. Mr. Baker stated it is up to the Commission, if they want to issue a one year or three year. Mr. Niemeyer said it's not that time consuming to ask for a one year since the managers change frequently and suggested that we continue with one year.

Mr. Hopfinger asked if there was any harm in issuing a 3 year approval as long as they don't change the footprint of the display. Mr. Jones stated that would be an acceptable recommendation in which the board could approve.

Mr. Hopfinger made a motion that P-07-16 Petition for an Amended Conditional Use Permit Submitted by Home Depot to display outdoor seasonal merchandise utilizing 44 parking spaces at 10890 Sunset Plaza be recommended to the Board of Alderman for approval for a 3 year time frame as long as the footprint of the layout does not change. Mr. Lynch seconded the motion and it was unanimously approved with 9 Aye votes and 1 Nay vote.



P-08-16

Petition for a Final Development Plan submitted by Don Jacobsmeyer to redevelop the site at 10300 Watson Road (aka known as the Color Art Building)

Mr. Jacobsmeyer was present. He stated changes have been made to the drive thru doors. Customers will back into an overhang, unload and exit the same; no cars will exit to the rear of the building.

Mr. Lynch asked where the overhead doors will be located; at the edge or 25 feet in. Mr. Jacobsmeyer said 25 feet in. Each overhead has two doors and will accommodate 2 cars.

Mrs. Otto asked about lighting. Mr. Jacobsmeyer stated lighting will be facing the building and not the residences. They will be dusk to dawn lights.

Mr. Lynch asked about hours of operation. Mr. Jacobsmeyer stated 9-6 during the week and Saturday 9-1, however, they are still in the preliminary planning.

Mr. Lynch made a motion that P-08-16 Petition for a Final Development Plan submitted by Don Jacobsmeyer to redevelop the site at 10300 Watson Road (also known as the Color Art Building) be recommended to the Board of Alderman for approval. Mr. Young seconded the motion and it was unanimously approved.



P-09-16

Petition for a Concept Plan submitted by George Despotis for a commercial development at 12405, 12411 and 12417 W. Watson Road.

Mr. Randall, Director of Development for Pace Properties was present. Mr. John King, Attorney with Lathrop & Gage and Mr. Jim Hall, Landscaping Architect with Hall & Associates were also present.

Mr. Randall mentioned that there has been a lot of discussion and input received from Planning & Zoning regarding the site. Mr. Randall stated the original area was 7 acres however the proposal includes approximately 4.5 acres.

Mr. Jim Hall, Landscaping Architect, stated his focus is on Phase I which is a 1.91 acre tract on the northwest corner. The end user is First Community Credit Union. The concept plan is low intensity one story building with very little traffic generated. The plan proposes a 50' buffer and the proposed zoning is PD-LC(C) which requires a 20' buffer. Drive up windows will be located to the rear of the building. Parking is broken up into smaller bays with about 7 parking spaces each and a landscape island. Plans have been submitted to MoDOT for conceptual approval.

Mr. Jim Keller of 12502 Maret Drive presented signatures of residents who are opposed to this development, and would like to keep residential.

Mr. Frank Hardy of 421 Rayburn Ave and a past Alderman during the tornado of 2010 gave a brief story on the area. He stated that he would like to keep it residential.

Mr. Gary Wideman of 3720 Sunset Chase Drive stated this area is very congested. Mellow Mushroom and an assisted living are under development and more commercial development is proposed. He presented a petition with resident signatures that are opposed to the plan and wish to keep this residential.

Ms. McMunn of 12431 Court Drive stated that we are all here again. Her concerns were traffic, and why do they propose commercial and not residential. There is a developer interested in the area if the lots were available.

Ms. Herbold of 12437 Court Drive stated she is new to this street and has heard the stories of the proposed sites in the past. She is employed by the fire department and is concerned about traffic. She understands that they would want a return on their investment but please bring a new idea other than commercial.

Mr. Ortmann a one year member of the commission that lives on W. Watson stated that he has no problem with commercial use. This area has been voted on three times against commercial and he agrees with what the commission has previously decided.

Mr. Beiter reiterated that it is residential and the comp plan calls for residential development. There was a committee formed after the tornado which determined it should be kept residential.

Mr. Niemeyer stated to leave it residential.

Mr. Koller referenced Mr. Randall's comment regarding who would live on Lindbergh. There are homes on both sides of the street. He would like it to stay residential.

Mr. Kaiser stated a promise was made to the people of Sunset Hills to remain residential.

Mr. Lynch commented that it is all about the money, selling commercially would bring more money. Mr. Lynch is in favor to keep it residential.

Mr. Young complimented the developer on a good presentation, with emphasis on buffering, proposing a light pond and planning a very anti-commercial area. The sentiment of the residents and this commission are very anti commercial and would like to keep it residential.

Ms. Otto agrees with the Commission as she has sat through several of these discussions. The citizens of Sunset Hills are very firm that this should stay residential. We are not recommending that you move forward with this concept plan.

Mr. Randall with Pace Properties stated he respected everything he has heard this evening but this is the first time he has been here. Mr. Randall stated that they had an informal discussion at the Board of Aldermen meeting. We've tried to reach out to residents and they didn't want to talk. The residents can call and discuss what their interests are. Mr. Randall would be glad to talk to any resident about ideas they may have.

Ms. Tyra of 12440 Court Drive stated she has talked to a builder and that he wants to buy a lot but no one will sell because they want it commercial.

Ms. Otto stated a public hearing will be held on March 16th to discuss the Comprehensive Plan. She encourages the residents to attend the meeting.



P-10-16 Petition for a Boundary Adjustment submitted by Gabe DuBois of THD Design Group to reconfigure the existing lots at 12541 and 12537 Maret Drive.

Mr. Gabe DuBois with THD Design Group was present. He stated the previous approved plan was an ingress/egress easement on Lot 14. The amended Boundary Adjustment is to include an adjustment of a lot line to include the ingress/egress with Lot 15. Both lots meet all zoning requirements.

Mr. Ortmann asked about a 2" overlay on Maret Drive, did the City ask for this. Mr. DuBois stated the residents requested it, the City supported it and the developer agreed.

Mr. Ortmann asked is the City us, or who was this. The neighboring residents requested it, Planning and Zoning and Board of Alderman agreed.

Ms. Sprick clarified the question stating it was a condition on the application and was approved with that condition.

Mr. Keller of 12502 Maret Drive is concerned that nothing has happened. The plan seems to be in limbo. The residents want to make street repairs and don't want the street to be damaged. Mr. Keller says his lot will be affected by this. Mr. Keller stated he did not receive any materials on this except from Mr. Baker. Lot 14 is 20,861 square feet that was approved. The new road will be a huge circle into these lots. This lot is 20,048 and is close to the minimum.

Mr. Scott Paul, of Vanderbilt Homes addressed some of the comments. He agreed they have not started on the project as it took several months to obtain approval with Planning & Zoning and with MSD. The weather is playing a big factor on this development. The lots are actively marketed and we have someone interested in the lots. The proposed owner noticed that the driveways will cross over and asked a minor adjustment be made.

Mr. Lynch asked if the cul-de-sac has changed. Mr. DuBois replied no it has not.

Mr. Ortmann asked if Lot #14 is 22,618 or 20,000 square feet. Mr. Paul stated according to the legal description it is 22,616 square feet which includes a road easement. With the road easement removed the lot is 20,049 square feet.

Mr. Baker stated when someone purchases the lot they are purchasing 22,616 but includes the easement.

Mr. Beiter made a motion that P-10-16 Petition for a Boundary Adjustment submitted by Gabe DuBois of THD Design Group to reconfigure the existing lots at 12541 and 12537 Maret Drive be approved. Mr. Lynch seconded the motion and it was unanimously approved.



P-11-16 Petition for a Record Plat submitted by Gabe Dubois of THD Design Group for 3 single family lots at 12529, 12537 and 12541 Maret Drive.

Mr. Gabe DuBois requested approval of the record plat on the three lots. This is a formality with the City and finalizes the development plan. A review from MSD shows a bio-retention basin, if the homeowner association does not maintain, then MSD will step in.

Ms. Otto asked about bond insurance. Mr. Baker stated the staff would recommend making this a condition for approval before it's approved by the Board of Alderman.

Mr. Ortmann made a motion that P-11-16 Petition for a Record Plat submitted by Gabe DuBois of THD Design Group for 3 single family lots at 12529, 12537 and 12541 Maret Drive be recommended to the Board of Alderman for approval with condition that they provide the required bond. Mr. Beiter seconded the motion and it was unanimously approved.

UPDATE ON THE COMPREHENSIVE PLAN

Ms. Otto stated the revised Comprehensive Plan will be discussed on March 16th. Houseal Lavigne will be available to answer questions from 4 pm -6 pm. The Public Hearing will begin at 6 pm. Planning & Zoning will discuss citizen comments at the April 6th meeting and decide what, if any, changes are necessary.

Mr. Beiter suggested re-reading the plan, he noticed some typos.

Mr. Jones asked if a resolution for adoption on the plan will be presented at the April meeting.

Ms. Otto stated she could not say at this time. She feels strongly that the citizens need to speak.

Mr. Baker asked if the resolution can be placed on the April agenda and if necessary hold until May if the Commission is not ready. Mr. Jones stated that would be a good idea.

ANY OTHER MATTERS DEEMED APPROPRIATE

ADJOURNMENT

Mr. Niemeyer made a motion to adjourn the meeting at 8:40 p.m. Mr. Koiler seconded the motion, and it was unanimously approved.

Recording Secretary,

Dede Hendricks