

MINUTES OF THE REGULAR MEETING
OF THE PLANNING AND ZONING COMMISSION
OF THE CITY OF SUNSET HILLS, MISSOURI
HELD ON WEDNESDAY, JANUARY 3, 2018

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, January 3, 2018. 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:	Terry Beiter	-Chairman
	Steve Young	-Member arrived at 7:03
	Bill Hopfinger	-Member
	Roger Kaiser	-Member
	Todd Powers	-Member
	Mike Svoboda	-Member
	John Martin	-Member
	Brian VanCardo	-Member
	Thomas Lynch	-Member
	Bryson Baker	-City Engineer
	Robert E. Jones	-City Attorney
	Lynn Sprick	-Assistant Planner
Absent:	Thomas Ortmann	-Vice Chairman

APPROVAL OF THE MINUTES

Copies of the minutes of the December 6, 2017 Planning and Zoning Commission meeting were distributed to the members for their review. Mr. Hopfinger made a motion to approve the minutes as submitted. Mr. Powers seconded the motion, and it was unanimously approved.

OLD BUSINESS:

- P-20-17 Presentation by Houseal Lavigne, providing an update on revisions to the following sections of the Code of Ordinances for the City of Sunset Hills:
Appendix A, Subdivision Code
Appendix B, Zoning Regulations
Appendix D, Sign Regulations

This was presented as the last item, per Mr. Beiter.

John Houseal, with Houseal Lavigne, was present to review current findings, describe the conceptual direction, and get feedback from the Commission. Their goals are to align the City's zoning ordinance with the Comprehensive Plan, modernize the City's standards, and make the City Code of Ordinances more user-friendly. They would like to prioritize commercial development and improve its appearance while maintaining the single family residential character as a staple of the community and improving development standards. They are beginning to explore housing diversity and feel Sunset Hills needs to accommodate aging. They would like to find a way to better utilize the existing commercial areas because the current zoning regulations discourage future investment. They would like to look at the policies and determine what should be considered codes and what should be considered guidelines. There is currently nothing in the code for pedestrian connections, but the Comprehensive Plan suggests it, so that will be looked into. They would like to reduce the amount of required parking because it is too restrictive, which can help with the strict stormwater guidelines that are in place, as well. Landscaping, screening and buffering between commercial and residential will be addressed, so there are set standards. Cross access between properties is not accommodated by the current code. They would like to add verbiage for this that will not take away from landscaping or the number of parking spaces, but will prevent unnecessary movements on frontage roads. The entire project is a seven step process and currently numbers three and four are being worked on. They are working on applying district and development standards. District standards apply to each zoning district, while development standards are across the board. Workshops were held with business owners, residents, and the Planning and Zoning Commission. Business owners wanted to see more code enforcement. Residents believed there was over-regulation going on in the fact that they did not know what they can and cannot do on their properties. They also felt home occupation guidelines need to be clarified. The Planning and Zoning Commission stated cost of land permitted densities was an issue, along with the standards for drive through facilities and rental regulations. Some issues

related to development standards were restrictive parking standards, lack of pedestrian access, height limitations, inconsistencies in lot and house sizing, non-conforming lots, residential setbacks, dumpster screening, and no architectural review board or guidelines. He stated it is not ideal for the home and business owners to have to figure out the standards as they go through the process. Some other issues that were brought up were the amount of time it takes for the zoning approval process, buffer requirements between industrial properties, and frequency of text amendments. Some issues with development ordinances include business owners preferring monument signs, lack of pedestrian walkways, creek erosion, trucks cutting through residential areas, expansion of commercial properties by redeveloping existing commercial, and unnecessary stormwater requirements. To clarify regulations they would like to analyze building height definitions, eliminate servant quarters provisions and dwelling definitions, and review garage and site coverage standards. They would like to revise the planned development district to be an overlay, so there would be an underlying zoning district with planned development over it. They would also like to review procedures for planned development amendments, look at areas that are spot zoned, and revise standards for accessory structures. The code will be more graphic. They will eliminate parts that refer to fence permits and update land use specifications.

Mr. Hopfinger asked if most of the non-conforming lots are due to annexation.

Mr. Baker stated yes, when areas are annexed the zoning will be made set to go with the majority.

Mr. Houseal stated the ordinances are written for majority and not exception. Commercial corridors are another area the company looked at in depth. They would like to retain R-1 as one acre lots, change some R-1 to R-2, and combine R-2 and R-3 in certain areas. Split zoning in some properties will need to be addressed, as well. They would like to create a new district for the Watson and Lindbergh corridors.

Mr. Houseal stated in order to introduce a new district or change one proactively would require a public hearing and each property owner within the area being changed would be notified.

Mr. Jones stated they would have to go through the map amendment process that is used for re-zoning.

Mr. Houseal stated over the next few months, they will address district standards, general development standards, and design guidelines. Afterwards will be

administration such as applications and legal processes. The Board of Aldermen approves the final ordinance.

Mr. Beiter stated he was concerned about the budget and asked if everything is on track.

Mr. Houseal stated they are healthy and solid where they are with the budget.

Mr. Beiter stated there is still a lot of work to be done. He asked where they are in regards to scheduling.

Mr. Houseal stated they are behind schedule, but will be working expeditiously. The future meetings will be done on a regular basis and will be productive.

Mr. Lynch asked if they had looked at the sign requirements.

Mr. Houseal stated sign ordinances used to be structural and functional, now Cities are not allowed to restrict what is written on the signs, so there are a lot of changes to be made.

NEW BUSINESS:

P-01-18 Petition for an Amended Conditional Use Permit, submitted by Steven Saladin, for changes to the approved Conditional Use Permit at 3751 South Lindbergh Boulevard.

Mr. Beiter stated the staff report would be presented first.

Mr. Baker explained the approved conditional use permit was for the operation of a restaurant with a drive through. Originally there were going to be two buildings on the property; one retail building and one retail building with the drive through restaurant. The conditions included enhanced landscaping being installed behind the fence and the fence was to be closer to the parking lot. These items will not change. In September, Mr. Saladin came for a boundary adjustment. The two lots were not divided equally and the adjustment made them equal. The conditions for that were the relocation of the Metropolitan Sewer District (MSD) easement being shown on the Mylar, and a cross access agreement had to be recorded. Both conditions have been met. Now, minor changes to the size of the restaurant and the location are going to be made. For a conditional use permit, any change to the restaurant has to be approved. The restaurant

was originally proposed for the south section of the south building, but will be moved to the north section of the south building. They will be moving the drive through window to the northeast edge, so stacking of cars will be along Lindbergh Boulevard instead of Maret Drive. The size of the restaurant will be changed from 1,800 square feet to 1,600 square feet. The location of the menu board, the landscaping, the parking, the screening, the setbacks, and other approved conditions still apply. Section 7.3 Appendix B states certain items must be met. A traffic study was done previously in regards to increasing traffic congestion. Mehlville Fire District has reviewed the plans and will make sure it meets all fire codes. It should not change the character of the neighborhood; this plan will be better with the stacking of cars along Lindbergh Boulevard instead of Maret Drive. The development most likely will not over-tax public utilities. The Comprehensive Plan has set the site as commercial and there is no change there.

Mr. Beiter asked what the staff recommendation is.

Mr. Baker stated the staff recommends approval because the changes will benefit the City.

Mr. Beiter stated Gary and Susan Wideman sent an e-mail voicing their concerns based on this change helping the neighboring residential properties and the height of the foundation.

Mr. Baker stated the change should help the neighboring properties because the cars will be stacked along Lindbergh Boulevard instead of Maret Dr. The height of the foundation was part of the original design. The height is based on the site conditions and were originally proposed and approved.

Mr. Beiter asked what the elevation of the grade and top of the fence are.

Mr. Baker replied the City does not have that information available at the meeting.

Steve Saladin was present and stated when he came for the original conditional use permit, he wanted to make sure they could get the drive through approved. He was not specific on where the window would be. He had not thought about it until they were further along in the process. The three sided architectural front of the building has made it difficult to find retail tenants. He can use it for the restaurant, but it is not functional for other tenants. This plan gives more stacking for customers with the restaurant.

Michael Courtois, of 3726 Sunset Chase, stated he agrees with the Wideman's e-mail. He is surprised at how high the elevation on the foundation is. He requested the developer to put a small berm under the fence. The berm will provide more screening for neighboring properties. Moving the restaurant is not a major problem to him, but he landscaped his property to block the plan that had been previously approved and now the building is being moved.

Mr. Beiter asked what types of trees were planted.

Mr. Courtois stated fast growing trees like arborvitaes and pines.

Mr. Saladin stated he has no issues with putting the berm in, but he is concerned that the footings of the fence post are quite large. It'd be hard to auger out post holes so close to the curbs and porous pavement. The subbase has to be made of different materials for the porous pavement to work. The nature of the soil may not be good enough to withstand a berm with loose soil. The berm may cause more issues. Vegetation was left to provide cover and he is not sure if Metropolitan Sewer District (MSD) would want them to do more grading in the area. He will do the berm if they can plant on it or if MSD will allow it.

Mr. Beiter stated the residents do not want to see the fence go away.

Mr. Courtouis would like the fence to stay.

Mr. Beiter understands that bigger footings and softer soil will not be compact.

Mr. Baker asked Mr. Saladin to talk to the fence contractor to see if the fence on top of a berm is feasible.

Mr. Saladin stated the whole site is graded. As the site gets finished, additional grade will be added. The rear of the property will be higher than the front. From Lindbergh Boulevard, the footings look taller than they will end up being. The fence will be built onto an elevation that has been graded up.

Mr. Beiter concurs with looking into adding a berm.

Mr. Lynch stated an eight foot fence is high. The foundation looks exaggerated right now compared to how it will look once construction is complete.

Mr. Hopfinger asked if the berm may cause more run off.

Mr. Vancardo stated there should be no run off issues.

Mr. Saladin stated there is a proposed rain garden, so the run off from the north lot gets filtered and piped down to a vortex generator, which spins the incoming water and traps debris in the generator. MSD and Missouri Department of Transportation would like all water to shed to the front of the property.

Mr. Bieter stated for him to keep in mind their concern and do what he can within reason.

Frank Hardy, of 421 Rayburn, asked to be shown where the location of the speaker will be and how many cars can be stacked between the drive through window and the speaker. He was curious about the process as people go up to the window, how often they will be told to move forward while the car behind is being serviced. He asked about the appearance of the buildings; if there are any architectural drawings and if the north and south buildings will look the same.

Mr. Baker stated six to seven cars will be stacked at peak hour and pointed them out on the drawings. Architectural drawings are available on file with City staff and the buildings look similar.

Mr. Saladin stated one building has more dimension to it, but they are similar. The company does not have people pull forward; the first car's order gets made first and so on.

Mr. Vancardo made a motion that petition P-01-18 Petition for an Amended Conditional Use Permit, submitted by Steven Saladin, for changes to the approved Conditional Use Permit at 3751 South Lindbergh Boulevard be recommended to the Board of Aldermen for approval. Mr. Hopfinger seconded the motion. With nine aye votes and zero nay votes, it was unanimously approved.

P-02-18 Petition for a Conditional Use Permit, submitted by ExteNet Systems Inc., for the installation of an antenna on an existing utility pole in the right of way at 10159 Watson Road.

Mrs. Sprick stated ExteNet Systems, Inc. would like to add an antenna onto an existing utility pole on Windward Ridge Drive. The antenna extends several feet above the existing utility pole. According to Section 7.3-1 the project should not increase any traffic hazards. The fire district will inspect to make sure there are no fire hazards. The project will not adversely affect the neighborhood or overtax public utilities. This project will not conflict with subsection 7.3-2 or 3, which is for motor vehicle oriented businesses. It will not conflict with the Comprehensive Plan. City staff recommends approval with the condition that a building permit is issued by the City and St. Louis County.

Joe Marcus, with Black and Veatch, the engineering firm representing ExteNet Systems was present and stated the existing pole is 29 feet and 3 inches tall. The antenna to be added is 21 inches tall and will be placed on top of pole, which will make the pole a total of 31 feet and 10 inches. There will be small pieces of equipment added onto the side of the pole. The accessories will start at 12 feet above ground and go up to approximately 19 feet.

Mr. Beiter asked if the light fixture will remain.

Mr. Marcus replied yes, it may be moved down, but it will remain.

Mr. Baker asked Mr. Jones if the company would be required to pay an antenna fee.

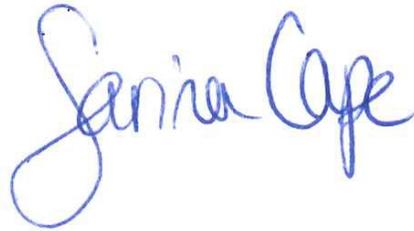
Mr. Jones replied yes.

Mr. Hopfinger made a motion that petition P-02-18 Petition for a Conditional Use Permit, submitted by ExteNet Systems Inc., for the installation of an antenna on an existing utility pole in the right of way at 10159 Watson Road be recommended to the Board of Aldermen for approval with the condition that they obtain a building permit from the City and St. Louis County. Mr. Martin seconded the motion. With nine aye votes and zero nay, it was unanimously approved.

ADJOURNMENT

Mr. Martin made a motion to adjourn the meeting at 8:28 p.m. Mr. Powers 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, looping initial "S".

Sarina Cape