

MINUTES OF THE REGULAR MEETING
OF THE PLANNING AND ZONING COMMISSION
OF THE CITY OF SUNSET HILLS, MISSOURI

HELD ON Wednesday, June 5, 2019



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, June 5, 2019. 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:	Michael Hopfinger	-Member
	Roger Kaiser	-Member
	Todd Powers	-Member
	Mike Svoboda	-Member
	Rich Gau	-Member
	Steve Young	-Member
	Robert E. Jones	-City Attorney
	Lynn Sprick	-Assistant Planner

Absent:	Terry Beiter	-Chairman
	Brian VanCardo	-Member
	Frank Pellegrini	-Member
	Bryson Baker	-City Engineer



APPROVAL OF THE MINUTES

Copies of the minutes of the May 1, 2019 Planning and Zoning Commission meeting were distributed to the members for their review. Mr. Young made a motion to approve the minutes as submitted. Mr. Powers seconded the motion, and it was unanimously approved.

NEW BUSINESS:

T-02-19 Petition for a Tree Removal Permit, submitted by Ryan Winter, to remove a portion of the tree canopy at 13066 Gravois Road for grading activity. This petition has been removed from the agenda.



P-12-19 Petition for an Amended Development Plan, submitted by D & P Property LLC, for a change in use of the property at 12900 Maurer Industrial Drive.

Ms. Sprick stated that this is an amended development plan for redevelopment of the property to change the use. The structure was built in 2000 and was previously occupied by Vatterott College. The petitioner proposes to use the property as is, and there are no exterior changes proposed at this time. The ordinance requires an amended development plan for any change in use and all current standards must be met. They have asked for approval on the condition that the hours of operation be 8:00 AM – 5:00 PM. If they choose to extend the hours and the lighting requirements in the proposed ordinance cannot be met, they will need to request a variance. The Planning and Zoning Committee will make recommendations prior to the petitioner meeting with the Board of Aldermen. The requested variances are for landscape requirements of 31 trees 124 shrubs, required along the three frontages. There are currently 7 trees and 27 shrubs and would like to keep those numbers. The second variance will be for the number of parking spaces allowed in a row. It is currently stated that it is required that they have a landscape island for every 15 parking spaces. Currently, there is one row that has 20 spaces. The third variance is for parking lot setbacks. The parking lot must be 10 feet from any right of way property line. This requirement cannot be met on the side where Gravois Road sits. It is currently 2 feet 7 inches from the property line. The last variance application will be for parking space dimensions, they are currently 3 inches short of the requirement. Staff recommends approval, with conditions that hours of operation be limited to 8:00 AM – 5:00 PM and all variances are approved by Board of Adjustment.

Mr. Gau asked if these variances will be discussed when changes are made to the City's new zoning code.

Ms. Sprick stated that she does not know how changes to the code will affect this.

Mr. Hopfinger asked to what extent does the Commission have the ability to make recommendations within these four variances.

Ms. Sprick stated the Board of Adjustment will see the decision made and will take that decision into account. If the petitioner cannot prove a hardship, the petitions should be denied.

Mr. Gau stated if the City is reducing parking width requirements in the new code, that should be taken into account.

Mr. Paul Fusz, the Commercial Real Estate Broker for the petitioner, and Jonathan Schultz, with Drive Centric, were also present. Mr. Schultz stated Drive Centric is a startup software company out of St. Louis and Carmel, Indiana. As an automotive Customer

Relationship Management software, they service Suntrup, The Fusz Group, and Frank Leeta. Currently, there are around 50 employees and growing.

Mr. Gau asked if they have closed on the property.

Mr. Schultz stated they are under contract, scheduled for close in early July.

Mr. Gau asked if they will occupy the whole space or lease part of the building.

Mr. Fusz stated that given the current size of the company, they do not need the whole building. As they grow they will make use of the space. They plan in the future to create more of a “campus feel” than a traditional office space.

Mr. Gau asked about lighting and the hours of operation being from 8:00 AM – 5:00 PM.

Ms. Sprick stated there is lighting in the parking lot it just does not meet current standards. They conducted a photometric plan. The existing ordinance states that lighting must be at one foot candle, they are currently at 1.9.

Mr. Jones stated he reads it as a minimum. The condition will be stated as sunrise to sunset rather than 8:00 AM – 5:00 PM.

Mr. Gau stated they are meeting and exceeding the requirement.

Ms. Sprick stated taking nearby residential properties into account, the current lighting is very strong. Updated, modern lighting can be better controlled.

Mr. Jones stated the City is more concerned about light spillover.

Mr. Powers stated most ordinances require at least one foot candle. He suggested asking for a change in lighting when they make improvements in the future, but not to change the hours of operation.

Ms. Sprick stated if they do want to make changes, they will end up back in front of the Commission.

Mr. Gau inquired if the number of spaces in a row can be a hardship if it is up to the new code.

Mr. Jones stated that recommendations can be made but it will be up to the Board of Adjustment. If a positive recommendation is made, it will be considered.

Mr. Gau suggested leaving it as hours of operation, if the City is incorporating a new code shortly after.

Bill Erickson, owner of Finish It Construction, was present. He stated that he can attest that the building is extremely presentable and there is no problem with lighting. His business is located next door. He has worked late and has never had a problem with lighting. He is in favor of what they are requesting.



Mr. Powers made a motion that P-12-19 Petition for an Amended Development Plan, submitted by D & P Property LLC, for a change in use of the property at 12900 Maurer Industrial Drive be recommended to the Board of Aldermen for approval with the condition that hours of operation be limited to between dawn and dusk, unless parking lot lighting meets City requirements. Mr. Young seconded the motion and it was unanimously approved.



P-13-19 Petition for an Amended Development Plan, submitted by St. Louis Bombers RFC, for the redevelopment of property at 13420 & 13450 West Watson Rd.

Ms. Sprick stated this is an amended development plan for redevelopment of the property located at the far southern end of the old Sunset Hills Golf Course. The City conducted a boundary adjustment. It was 11 separate parcels and it has been combined to four. The land is 15.89 acres. The proposal is to develop a parking lot and two rugby fields. The 6.85 acres to the east will be graded, seeded and straw will be placed. Staff recommends approval, but The Bombers maintain the property, reroute the cart path, designate a crosswalk, and grade to repair the path along the northern property line. Most of the property is left in a natural state and the City requests the existing paths to be maintained as walking paths. Prior to issuance of an occupancy permit, staff asks that they submit a lighting study. Lighting has not been provided yet because they have not begun working on the property. Vegetation needs to be planted after grading. All necessary permits are the responsibility of The Bombers.

Mr. Powers asked if there is any portion of this project located in the floodway.

Ms. Sprick stated no, there may be an area along the creek, but the floodway is very narrow.

Mr. Svoboda inquired if they will need to bring fill in.

Ms. Sprick stated yes, they will have to bring fill in to build up the property. They are currently in the process of getting permits from the Corps of Engineers for land determination.

Gabe DuBois, with THD Design Group, was present and stated there is floodway on the property along a portion of lot two that is being developed. They do intend to bring in fill to elevate the site, but will not bring it out of floodplain. There is no issue with FEMA and they anticipate there to be no permit required from the Corps of Engineers. Lighting will be installed on the property and a photometric light plan will be submitted during the construction process.

Mr. Gau inquired on if they will need cross-access since it's connected to Andrés.

Mr. DuBois stated there is right of way access. There will be an asphalt road and a gravel parking lot.

Mr. Powers inquired about field lighting.

Ms. Spick stated the City does not have requirements for field lighting.

Mr. DuBois stated he cannot answer questions about field lighting.

Mr. Powers stated he is concerned about the residents being in close proximity with the field lights, which it would be a disturbance.

Mr. DuBois stated he will work with a lighting engineer to see if there is a way to control the lighting. There has been discussion that it would be shut down by 10:00 PM - 11:00 PM.

Ms. Sprick stated the condition is only for the parking lot.

Mr. Gau inquired if the condition can include the field.

Mr. Jones stated yes, if the Commission wants to restrict the hours the lights that are illuminated, the suggestion can be submitted.

Mr. Powers inquired on if field lighting will be determined by City staff and stated the field lighting will be the main nuisance with neighbors.

Ms. Sprick inquired if they would you like to make a recommendation that any field lights be turned off at 10:00 PM.

Mr. Powers stated he is not sure what the best time to limit it to would be.

Mr. Hopfinger stated it can be assumed the club will build a clubhouse later on.

Mr. DuBois stated yes, they plan to build a clubhouse, restrooms and a concession stand in the future. The main field is next to parking and the other two are practice fields. The main playing field would be the field that would be lit.

Mr. Powers stated the middle field will be lit before they come back for future petitions. He suggests that staff correct field lighting before it is installed.

Mr. Jones stated that the Planning and Zoning Commission can make a recommendation for field lighting.

Mr. DuBois stated he will have the applicant come back with a lighting engineer. They are looking to be the second venue in St. Louis. There are seven teams in St. Louis, so this is something good to bring to the City.

Mr. Gau suggested applying a condition for a lighting plan to be reviewed by staff where hours of operation are taken into account.

Bill Ericson, of 9925 Kimker Lane, stated he lives adjacent to the property. He inquired on what exactly is being voted on. He stated as a resident, he has concerns that this will be added noise to an area that used to be peaceful. There is constant noise in what was intended to be a peaceful environment. He asked The Commission to not allow any lights on this property. He already deals with lighting from the Andrés parking lot which comes into their

house when the trees are bare. He stated he doesn't see the use of the property as being beneficial to the City and its residents. He also stated there is an issue with traffic coming down Kimker Lane for Andrés. Rugby games will add more traffic to what is already occurring. Even if they do not come down Kimker Lane, there will be added traffic on Weber Hill Road, especially when it floods. If The Commission approves the petition, he asks that they limit the hours of operation from 8:00 AM to dusk, and do not allow lights on the property.

Ms. Sprick stated there are two parts to a floodway. Flood way is what the main channel becomes. The entire property is affected by the flood plain but only a small portion is affected by the floodway.

Mr. DuBois stated that lighting and noise should be considered. He agrees and understands shutting down at dark. Rugby is a social club and social clubs are valuable for residents and out of town residents.

Mr. Hopfinger, stated that the question that Mr. Ericson raised about what is being voted on is a good question to be considered.

Mr. Svoboda stated the Board of Alderman have discussed this project and said this is a good plan.

Mr. Jones stated that the City is leasing the property to The Bombers Rugby Club and the business plan was thoroughly discussed.

Mr. Gau inquired if it can be requested that before lights are erected on the field, it can be reviewed it again. Lights cannot be placed on the field before they come back for approval from the Commission.

Mr. DuBois stated an acceptable form of lighting will be presented to the Board of Aldermen.



Mr. Gau made a motion that P-13-19 Petition for an Amended Development Plan, submitted by St. Louis Bombers RFC, for the redevelopment of property at 13420 & 13450 West Watson Rd be recommended to the Board of Aldermen for approval with the conditions that payment be made to the city in lieu of sidewalk installation, a lighting plan be submitted, the 6.85 acre area proposed to be graded must have vegetation established prior to the issuance of the occupancy permit, and that all necessary permits are the responsibility of The Bombers, as long as there is an active lease for the property. Any lighting is to be added to fields it is to be submitted back to the City for review and approval by Planning and Zoning and the Board of Aldermen. Mr. Hopfinger seconded the motion and it was unanimously approved.



OTHER MATTERS DEEMED APPROPRIATE

Ms. Sprick stated the July meeting moved to July 17th. Houseal Lavigne will be present to discuss the draft zoning ordinance.



ADJOURNMENT

Mr. Gau made a motion to adjourn the meeting at 8:13 P.M. Mr. Powers seconded the motion, and it was unanimously approved.

Recording Secretary

A handwritten signature in black ink, appearing to read 'Paige Gruber', written over a large, light gray 'DRAFT' watermark.

Paige Gruber

DRAFT