

MINUTES OF THE REGULAR MEETING
OF THE PLANNING AND ZONING COMMISSION
OF THE CITY OF SUNSET HILLS, MISSOURI
HELD ON WEDNESDAY, JUNE 27, 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, June 27, 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
	Bill Hopfinger	-Member
	Roger Kaiser	-Member
	Todd Powers	-Member
	Mike Svoboda	-Member
	John Martin	-Member
	Brian VanCardo	-Member
	Bryson Baker	-City Engineer
	Robert E. Jones	-City Attorney
	Lynn Sprick	-Assistant Planner
Absent:	Thomas Ortmann	-Vice Chairman
	Thomas Lynch	-Member

APPROVAL OF THE MINUTES

Copies of the minutes of the May 2, 2018 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. Martin seconded the motion, and it was unanimously approved.

NEW BUSINESS:

P-15-18 Petition for a Lot Split submitted by James & Lura Cooksey to divide a 1.378 acre property into a 0.503 acre lot with an existing residence and a 0.875 acre lot for future development at 10229 E. Watson Road.

Mr. Baker stated the property meets minimum lot size requirements to be split. Staff recommendations for the lot split are that a new address must be issued by St. Louis County and recorded on the plat, payment must be made to the City in lieu of sidewalk installation, and the property owner must obtain approval from Missouri American Water, Metropolitan Sewer District (MSD), and Mehlville Fire District prior to recording the plat.

Brian Fischer, with THD Design Group, was present. He stated they are still waiting for approval from MSD.

Mr. Svoboda asked if the houses are on sewers.

Mr. Fischer replied yes.

Mr. Hopfinger made a motion that P-15-18 Petition for a Lot Split submitted by James & Lura Cooksey to divide a 1.378 acre property into a 0.503 acre lot with an existing residence and a 0.875 acre lot for future development at 10229 E. Watson Road be recommended to the Board of Aldermen for approval with the conditions that a new address must be issued by St. Louis County and recorded on the plat, payment must be made to the City in lieu of sidewalk installation, and the property owner must obtain approval from Missouri American Water, MSD, and Mehlville Fire District prior to recording the plat. Mr. Young seconded the motion and it was unanimously approved.

P-16-18 Petition for an Amended Conditional Use Permit submitted by Dr. Abid Nisar for the expansion and rebranding of an existing hotel at 1580 S. Kirkwood Road.

Mr. Baker stated the petitioner is proposing to upgrade the exterior of the hotel and rebrand it to a different franchise. The existing canopy will be replaced with a new two-story lobby and the two curb cuts on Deane Court will be widened. The structure footprint and the parking lot will remain the same. They are seeking approval of the following variances: Variance for 82 parking spaces, instead of 87. Variance for the drive aisle width of parking areas with 90 degree parking spaces to go from 24 feet to 21.5 feet. Variance for the setback for parking spaces to go from 10 feet to 0 feet. Variance for the setback of parking circulation aisles and parking areas to go from 5 feet to 0 feet. Staff recommends approval with the conditions that the variances be approved by the Board of Adjustment and the sidewalks to be improved to Americans with Disabilities Act (ADA) standards.

Dan Hereford, with Hereford Architects, was present and stated they are freshening up the building. They are renovating the inside and out; the rooms, kitchen, lobby, and reception area.

Mr. Beiter stated the City's zoning regulations are in the process of being updated. If they were complete, maybe the petitioner would not need a variance for 82 parking spaces instead of 87.

Ms. Sprick stated there are 87 spaces, but five spaces in the rear of the building are not counted by the City because in order to get out of the spaces, the car would have to back all of the way out.

Frank Hardy asked what the new brand is.

Mr. Hereford stated Laquinta.

Mr. Young made a motion that P-16-18 Petition for an Amended Conditional Use Permit submitted by Dr. Abid Nisar for the expansion and rebranding of an existing hotel at 1580 S. Kirkwood Road be recommended to the Board of Aldermen for approval with conditions that all sidewalks must be improved to meet current ADA requirements and they receive approval for the following variances: Variance for 82 parking spaces, instead of 87. Variance for the drive aisle width of parking areas with 90 degree parking spaces from 24 feet to 21.5 feet. Variance for the setback for parking spaces from 10 feet to 0 feet. Variance for the setback of parking circulation aisles and parking areas from 5 feet to 0 feet. Mr. Martin seconded the motion and it was unanimously approved.

P-19-18 Petition for a Lot Consolidation submitted by Kimberly Grbac to combine two lots at 9262 Rott Road.

Mr. Baker stated this is a simple lot consolidation. Lot A is 1.02 acres and Lot B is 1 acre.

Mr. Svoboda made a motion that P-19-18 Petition for a Lot Consolidation submitted by Kimberly Grbac to combine two lots at 9262 Rott Road be recommended to the Board of Aldermen for approval. Mr. Hopfinger seconded the motion and it was unanimously approved.

It should be noted that Petition P-20-18 and P-21-18 were discussed simultaneously, and voted on separately.

P-20-18 Petition for an Amended Development Plan submitted by Edison Real Estate, LLC for redevelopment of the property at 3720 S. Lindbergh Blvd.

P-21-18 Petition for a Conditional Use Permit submitted by Edison Real Estate, LLC for MVOB uses (gas station with a convenience store, car wash & drive through restaurant) at 3720 S. Lindbergh Blvd.

Mr. Baker stated the property is zoned PD-LC (B). The petitioner is proposing to demolish the existing structure and construct a carwash, with a convenience market, gas station, and a drive through restaurant. The traffic study suggested changes be made to the site plan and surrounding areas. The driveway to Lindbergh Boulevard will be right turn in, right turn out only. The existing driveway onto East Watson Road will be moved to the east away from the intersection and another is proposed closer to the intersection. The existing lanes on East Watson Road will be re-stripped to create three distinct lanes. The traffic study suggested several changes that will need to be made by MODOT, as well. They will need to convert the eastbound and westbound signal phases at Lindbergh Boulevard and East Watson Road/Rott Road to protected-plus-permissive, add a right turn overlap signal phase for right-turn movement, adjust the traffic signal timing to accommodate the recommended traffic signal phasing changes, including protected-plus-permissive eastbound and westbound left-turns by time-of-day schedule. The City staff recommendations include the appeals to vary the setbacks for the vacuums be approved by the Board of Adjustment prior to the Board of Aldermen's vote. Two loading spaces, measuring 12 feet by 50 feet shall be provided. MODOT must endorse the traffic study and agree to execute the applicable recommendations listed. Revisions need to be made to the lighting plan, to meet the City's requirements. Enhanced landscaping must be added along East Watson Road, along with a prominent landscape/art feature at the corner of South Lindbergh Boulevard and East Watson Road. The City staff also suggests eliminating one of the driveways on East Watson Road, creating a cross access easement to the properties to the east and south, and facing the building toward Lindbergh Boulevard. With the suggestions from the traffic study in place, the intersection will operate at a Level of Service (LOS) D.

Mr. Martin asked if it will still be a level D with all the proposed changes.

Mr. Baker replied yes.

Mr. Beiter asked what it is right now.

Mr. Baker replied it is currently a level D.

Brandon Harp, Principal with Civil Engineering Design Consultants, Mace Nosovitch, Principal with Edison Real Estate, and Julie Nolfo, Traffic Engineer with Lochmueller Group, were present.

Mr. Harp stated they are proposing a convenience market, full service car wash, a drive through restaurant, fuel pumps, and vacuums on the site. The concept plan was presented to the Planning and Zoning Commission in April, where the main discussion was mitigating the additional traffic the development would create. The traffic study has been submitted and the suggested changes have been implemented onto the site plan. They received a variance to the side yard setback on the southern property line last month. According to the Comprehensive Plan, this corridor should support commercial uses and the property should be re-developed. Uses and services that would serve the public's day to day needs, such as a carwash, are what the Comprehensive Plan had suggested for the property. Ten vacuums, twelve fuel pumps,

forty-three parking spaces, full service carwash tunnel, and two loading spaces are proposed. The building and convenience market with a drive through restaurant will be 11,900 square feet. They have agreed to construct the planned sidewalks along East Watson Road and South Lindbergh Boulevard. They have applied for variances with the Board of Adjustment due to the vacuums having to meet the building setbacks, as it is an ancillary use. The convenience market will be open twenty-four hours. The car wash and vacuums will be open from 6:00 A.M. to 10:00 P.M. The landscape plan was prepared by Landscape Technologies and the project meets the City's landscaping requirements. Mr. Harp went over the conditions that need to be taken into account for a conditional use permit. The development will not substantially increase traffic congestion or fire hazards. The business will not adversely affect the character of the neighborhood or general welfare of the community because it complies with the Comprehensive Plan's suggestion for the property development. It will not overtax public utilities. Section 7.3-2 is not applicable to the site. Section 7.3-3 for a motor vehicle oriented business (MVOB) states conditions the commission should consider, as well. The allowed site coverage is 70%; they are proposing 63%. All permits and ordinances will be followed, along with stormwater control. They agree and will comply with all staff recommendations, except they would like to keep both driveways on East Watson Road to help mitigate and disburse traffic and they believe cross access driveways are not conducive to the site.

Mr. Beiter stated there is not a person in the City who is not concerned about the current state of this property. A carwash is a recommended use for the property according to the Comprehensive Plan.

Mr. Martin asked why the City would prefer one exit on East Watson instead of two.

Mr. Baker stated they would prefer to only have one for the benefit of the residents since it is a mainly residential street.

Mr. Martin asked how important the cross access is.

Mr. Baker stated it is important, but he understands Mr. Harp's position.

Ms. Sprick stated the City is not asking for an exact location for cross access. She asked Mr. Jones if they can create a cross access without pointing out a specific area.

Mr. Jones replied yes.

Mr. Young was concerned about the noise created by the vacuums. He stated they are too close to a residential area.

Mr. Harp did not have the decibel levels with him, but they are required to comply with City ordinances. He stated there is background noise that affects the noise coming from the vacuums.

Mr. Young asked if there was any flexibility with the hours.

Mr. Harp stated it is up to the Commission. The luxury carwash ends at 7:00 or 8:00 P.M. The self-serve wash is open until 10:00 P.M.

Mr. Powers asked for clarification on the traffic.

Mr. Harp explained on East Watson Road the eastbound lane will remain as a single lane.

Mrs. Nolfo stated the left turn lane going westbound would have a solid green arrow for a protective phase, followed by a flashing yellow arrow. The eastbound lanes will have the same. Widening and re-striping will allow more stacking in each lane and easier right turns because they will not have to wait on cars turning left. Signal timing will help, as well.

Mr. Beiter stated those improvements should be made regardless. There are two curb cuts shown on East Watson Road. The east entrance is placed directly next to the entrance for the adjacent property.

Mr. Powers stated when traffic is heavy, some cars may be forced to use the east exit in order to make the left turn onto East Watson Road.

Mrs. Nolfo agreed and stated when gas pumps are present, cars tend to drive freelance style throughout the pumps causing congestion at the entrance that is located near them. If the person does not need to get to the gas pumps, they can avoid the area completely by using the far entrance. MODOT favors more on-site circulation rather than more cars on their roads, so this plan caters to that.

Mr. Beiter stated that Mr. Baker had asked them to use certain data sources that they did not use. He asked if the LOS would have had a different outcome if they had used his suggestion.

Mrs. Nolfo explained they did not use Land Use 960 calculations because the IT Trip Generation Manual states if actual site data for a specific use is available that can be applied, that is preferable over using the land use that is taken from several different locations. Land Use 960 is more comparable to busier gas stations, such as Quiktrip, but their counts are actually higher. It is not appropriate for this use.

Mr. Beiter asked what their peak hours will be.

Mrs. Nolfo stated peak hours are the same as typical peak hours for MVOB's.

Mr. Beiter stated his main concern is the increase of traffic along East Watson Road. Re-striping without the improvements would benefit the intersection tremendously.

Mr. VanCardo stated the only operational issue uncovered by the analysis is the eastbound traffic will be operating a LOS F.

Mrs. Nolfo stated that is the right turns coming off of Rott Road where the right turn overlaps.

Mr. VanCardo asked what would happen if they were limited to one entrance.

Mrs. Nolfo stated it would operate at a LOS C.

Mrs. Sprick asked where the mechanical equipment for the carwash is located.

Mr. Harp stated it is all located inside the building.

Mrs. Sprick asked how many curb cuts the Chesterfield location has.

Mr. Harp explained Chesterfield has one right in/right out access, a right in access, a full access, and a cross access to the adjoining property.

Mr. Jones stated the south elevation is just a white wall.

Mr. Harp stated it cannot be seen, but changes can be made to this feature. They would be happy to install evergreens to break up the wall.

Frans Von Kaenel, Attorney with Husch Blackwell, representing the property owner at 3742 South Lindbergh Boulevard, stated they are not opposed to the development. There is no landscaping, fencing, or buffering on the south side of the property to protect from noise or lighting.

Floyd Reed, of 8804 Ryegate Court, stated commercial businesses are continuously encroaching into residential areas. He is concerned he will lose peace and quiet. High traffic would be detrimental to all residents in the area and he suggested making Lindbergh Boulevard the only entrance.

Vern Remiger, of 8814 Sunset Woods, cannot support the development. He stated it is the worst use of the property. The traffic study is a study; not a science. He believes it will only operate at a LOS D in the evening. 17% of traffic is exiting onto Lindbergh Boulevard, so 83% is exiting onto a residential street. The rendering is misleading and not taken from the corner.

James Woelich, of 10238 Richview Drive, is concerned about the traffic and stated no matter what is done to the street, nothing is going to help the traffic.

Kathryn Heese, of 8811 Ryegate Court, visited the existing tidal wave in Chesterfield and she does not feel the conditions are the same.

Mr. Beiter asked how far down East Watson Road they went for the traffic counts.

Mrs. Nolfo replied only at the intersection.

Mr. Harp stated they would be willing to adjust the southern property line to accommodate Auto Tire.

Mark Kornfeld, with The Sansone Group, stated Mellow Mushroom was purchased for \$700,000. The asking price for Econolodge is 2.5 million and it costs approximately \$300,000 - \$400,000 to demolish the building.

James Clancy, of 10018 Benbury Lane, stated he does not like having vacant buildings in our town and he supports the development.

Mr. Hopfinger made a motion that P-20-18 Petition for an Amended Development Plan submitted by Edison Real Estate, LLC for redevelopment of the property at 3720 S. Lindbergh Blvd. be recommended to the Board of Aldermen for approval with the conditions that the appeals to vary the setbacks for the vacuums are approved by the Board of Adjustment prior to the Board of Aldermen's vote and two loading spaces, measuring 12 feet by 50 feet shall be provided. MODOT must endorse the traffic study and agree to execute the applicable recommendations listed. Revisions need to be made to the lighting plan, to meet the City's requirements. Enhanced landscaping must be added along East Watson Road, along with a prominent landscape/art feature at the corner of South Lindbergh Boulevard and East Watson Road. With 6 Aye votes and 2 Nay votes, the motion passed.

Mr. Hopfinger made a motion that P-21-18 Petition for a Conditional Use Permit submitted by Edison Real estate, LLC for MVOB uses (gas station with a convenience store, car wash & drive through restaurant) at 3720 S. Lindbergh Blvd. be recommended to the Board of Aldermen for approval with the same conditions as listed above. With 6 Aye votes and 2 Nay votes, the motion passed.

P-22-18 Petition for a Text Amendment submitted by the City of Sunset Hills to make changes to Appendix B, Section 5.13-1 (B) by adding a new subparagraph 6, to read as follows:
6. Invasive plants prohibited: Invasive plants as identified by the Missouri Department of Conservation's invasive plant list are prohibited.

Mr. Baker explained the City has been overgrown with honeysuckle and bamboo. Staff would like to prohibit those invasive plants for future developments.

Mr. Jones stated this is in addition to the landscaping screening requirements.

Mr. Svoboda asked if this can be used for neighbor against neighbor.

Mr. Jones stated it is not designed to go back and cure situations between neighbors.

Mr. Powers made a motion that P-22-18 Petition for a Text Amendment submitted by the City of Sunset Hills to make changes to Appendix B, Section 5.13-1 (B) by adding a new subparagraph 6, to read as follows:

6. Invasive plants prohibited: Invasive plants as identified by the Missouri Department of Conservation's invasive plant list are prohibited be recommended to the Board of Aldermen for approval. Mr. Young seconded the motion and it was unanimously approved.

ANY OTHER MATTERS DEEMED APPROPRIATE

Mr. Beiter asked for an update on the Zoning Code.

Mr. Baker stated it is scheduled to be done by the end of the year. There is a meeting scheduled the week of July 16th.

Mr. Powers asked if there are any updates on the Jimmy John's site.

Mr. Baker stated the City is in communications with the owner.

ADJOURNMENT

Mr. Hopfinger made a motion to adjourn the meeting at 9:15 p.m. Mr. Powers seconded the motion, and it was unanimously approved.

Recording Secretary



Sarina Cape