

MINUTES OF THE WORKSHOP
OF THE PLANNING AND ZONING COMMISSION
OF THE CITY OF SUNSET HILLS, MISSOURI
HELD ON WEDNESDAY, DECEMBER 17, 2020

BE IT REMEMBERED that the Planning and Zoning Commission of the City of Sunset Hills, Missouri met by Zoom meeting on Wednesday, December 17, 2020. The meeting convened at 10:30 A.M.

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

ROLL CALL

Present:	Mike Svoboda	-Member
	Terry Beiter	-Chairman
	Frank Pellegrini	-Member
	Todd Powers	-Member
	Roger Kaiser	-Member
	Michael Hopfinger	-Member
	Bryson Baker	-City Engineer
	Robert E. Jones	-City Attorney
	Lynn Sprick	-City Planner
Absent:	Rich Gau	-Member
	Brian VanCardo	-Member
	Steve Young	-Member

APPROVAL OF THE MINUTES

Copies of the minutes of the December 2, 2020 Planning and Zoning Commission meeting were distributed to the members for their review. Mr. Kaiser stated motion he was not at the meeting and did not second the motion for P-16-20. Mr. Svoboda stated he seconded the motion. Mr. Svoboda made a motion to approve the minutes as amended. Mr. Kaiser seconded the motion, and it was unanimously approved.

NEW BUSINESS:

P-20-17 Discussion of the draft Unified Development Ordinance by the Commission to replace the following sections of the current Code of Ordinances:

Appendix A, Subdivision Code;
Appendix B, Zoning Regulations; and
Appendix D, Sign Regulations

Mr. Beiter stated there are comments from Gary Vincent, Cathy Friedmann, and Mike Svoboda that need to be taken into consideration. He asked what the best time for everyone is for the workshops and how long they should last.

Mr. Hopfinger stated the workshops should be two to three hours max.

Mr. Pellegrini stated residents would like the meetings to be held in the evening.

Ms. Sprick stated when this is open for public comment, the meeting will be held in the evening.

Mr. Pellegrini stated a subcommittee should be appointed. There is another set of comments that have been submitted that no one has seen yet.

Mr. Beiter stated the public hearing will not be held until COVID-19 is no longer an issue. Having that many people together in one place, at one time, is unsafe.

Mr. Pellegrini requested a red line copy of the draft ordinance.

Ms. Sprick stated everyone should have received it along with the proposed zoning map.

Mr. Jones stated it is from August 2020.

Mr. Baker stated all recommendations requested by the Planning and Zoning Commission should be in this draft.

Mr. Pellegrini stated the Board of Aldermen made changes.

Mr. Baker stated the only motion the Board made was to go back to the original six zoning districts. All of those changes have been made.

Mr. Pellegrini stated that single family attached is possible in R-1 in this draft and this should not be possible. It should be prohibited.

Mr. Baker stated all minutes were reviewed and that direction was not given. It is still in the draft. If the Board directs to remove them, they will be removed. All Planning and Zoning requests will be reviewed by the Board.

Mr. Beiter stated this is something that needs to be discussed and voted on.

Mr. Pellegrini stated a subcommittee would help expedite the process.

Mr. Baker stated their recommendations will still need to be voted on by Planning and Zoning.

Mr. Beiter asked about the public being able to listen to these meetings.

Ms. Sprick stated no public comment is allowed. The audio is uploaded to the website.

Mr. Beiter asked Mr. Pellegrini to start discussing the comments made by Cathy Friedmann and Gary Vincent.

Mr. Pellegrini stated section 3.3 gives the Director of Public Works permission to allow deviation from standard by 20%. Numerous titles for the same person should be consolidated, as well.

Mr. Baker stated the consolidation can be done.

Mr. Svoboda suggested adding it to the definition.

Mr. Jones stated that is currently in the definition.

Mr. Pellegrini stated 7.3.1 has no adverse impact on the neighborhood.

Mr. Baker stated Staff recommends that stay to provide administrative relief. If Planning and Zoning does not agree, they can vote to have it removed.

Mr. Pellegrini stated there should be an appeal provision for that kind of decision.

Mr. Beiter agrees.

Mr. Jones stated the appeal is not practical.

Mr. Pellegrini stated notice should be given to residents.

Mr. Jones stated it may be best to just leave it to Board of Adjustment. It would be unreasonable to notify.

Mr. Beiter stated to keep it as written by Gary Vincent.

Mr. Baker stated it is written in the draft, so it needs to be voted on that the 20% provision in section 3.3 needs to be removed.

Mr. Jones stated there is significant adverse impact, should just be adverse impact.

Mr. Svoboda suggested changing it to 5%.

Mr. Baker stated 5% would make sense.

Mr. Beiter suggested 10%.

Mr. Jones stated significant adverse impact refers to Conditional Use Permits.

Mr. Svoboda made a motion that the 20% provision in section 3.3 and the word, "significant" be removed. Mr. Kaiser seconded and it was unanimously approved.

Mr. Pellegrini stated in section 3.4 single family attached and multifamily dwellings do not belong in R-1, R-2 and R-3.

Mr. Baker stated Staff recommends leaving it as written, but the Commission can vote to not allow Planned Unit Developments (PUD's) in those districts.

Mr. Pellegrini inquired on why staff wants that in residential districts. Residents feel that it decreases their property value.

Mr. Baker stated Staff is not pushing for it. It is a Country wide standard for general planning practice and principles. The current Code does not allow it, but it can still be proposed and there is a way to do it with certain procedures. The protest provision is provided for the residents.

Mr. Pellegrini stated it is a burden on adjacent property owners to do the protest provision. He would like to have it prohibited to protect residents. It can be changed in the future, if necessary.

Mr. Beiter stated some people would like that type of development.

Mr. Hopfinger stated this is government of the entire City, for a small section of the City. He supports prohibiting it in R-1, but not R-2 and R-3.

Mr. Baker stated R-2 involves the properties that are Mr. Pellegrini's main concern. The Board of Aldermen has the final decision on this. Planning and Zoning will need to vote on it.

Mr. Pellegrini made a motion to prohibit single family attached in R-1 and R-2. Mr. Svoboda seconded the motion. A roll call vote was taken.

Mike Svoboda	-Aye
Terry Beiter	-Nay
Frank Pellegrini	-Aye
Todd Powers	-Nay
Roger Kaiser	-Nay
Michael Hopfinger	-Nay

With two aye votes and four nay votes, the motion was denied.

Mr. Hopfinger stated removing R-2 from the motion would change his mind. He agrees with protecting R-1.

Mr. Pellegrini made a motion to prohibit single family attached and multifamily in the R-1 district. Mr. Hopfinger seconded and it was unanimously approved.

Mr. Pellegrini stated it is written that the City Administrator can determine a similar use if not listed in the use table. Planning and Zoning should have this authority.

Mr. Beiter agrees.

Mr. Baker stated it is common practice to let the Zoning Administrator make this decision. Currently, this is allowed. It is time consuming to have the applicant go through Planning and Zoning for this.

Ms. Sprick gave examples of how this has happened in the past. Staff typically picks the most restrictive option when making these decisions.

Mr. Pellegrini asked if there is an appeal process if the applicant does not agree with staff's decision.

Mr. Baker stated Planning and Zoning would be the appeal process. It is not a written appeal process, but they would be sent to the Commission for a final decision.

Mr. Pellegrini made a motion that if the applicant disagrees with the City Administrator's determination of a use that is not listed, the applicant can take it to the Planning and Zoning Commission to be decided on. Mr. Beiter seconded the motion and it was unanimously approved.

Mr. Pellegrini asked about 4.1.3 gravel driveways being restricted.

Mr. Baker stated they are currently not allowed.

Mr. Pellegrini state 4.2.2 landscape requirements should be the same between all residential districts.

Mr. Baker stated if PUD is allowed in residential, this may be difficult. Landscaping can be proposed in PUD's.

Mr. Pellegrini stated this should be the Board's decision.

ANY OTHER MATTERS DEEMED APPROPRIATE

Mr. Beiter asked when would be best to have the next meeting.

Ms. Sprick suggested adding this discussion to the next meeting.

Mr. Beiter asked what time works best for everyone.

Mr. Pellegrini requested an evening meeting. The remaining members agreed.

ADJOURNMENT

Mr. Pellegrini made a motion to adjourn the meeting at 12:00 P.M. Mr. Hopfinger seconded the motion, and it was unanimously approved.

Recording Secretary



Sarina Cape

DRAFT