

MINUTES OF THE REGULAR MEETING
OF THE PLANNING AND ZONING COMMISSION
OF THE CITY OF SUNSET HILLS, MISSOURI
HELD ON WEDNESDAY, FEBRUARY 1, 2023

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, February 1, 2023. The meeting convened at 6:00 P.M.

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

ROLL CALL

Present:	Rich Gau	-Member
	Roger Kaiser	-Member
	Mike Svoboda	-Member
	Steve Young	-Member
	Brian VanCardo	-Member
	Todd Powers	-Member
	Michael Hopfinger	-Member
	Frank Pellegrini	-Member
	Jennifer Geen	-Member
	Erin Seele	-City Attorney
	Bryson Baker	-City Engineer
	Lynn Sprick	-City Planner

Absent:

REQUEST TO MEET IN CLOSED SESSION PURSUANT TO 610.21. (1) TO DISCUSS LEGAL MATTERS AND CONFIDENTIAL COMMUNICATIONS WITH ITS ATTORNEY

Mr. Hopfinger made a motion to go into closed session. Mr. Kaiser seconded the motion and a roll call vote was taken.

Rich Gau	- Aye
Roger Kaiser	- Aye
Mike Svoboda	- Aye

Steve Young - Aye
Brian VanCardo - Aye
Todd Powers - Aye
Michael Hopfinger - Aye
Frank Pellegrini - Aye
Jennifer Geen - Aye

With 7 aye votes and 0 nay votes, the motion was approved.

APPROVAL OF THE MINUTES

Copies of the minutes of the January 4, 2023 Planning and Zoning Commission meeting were distributed to the members for their review. Mr. Gau made a motion to approve the minutes as submitted. Mr. Pellegrini seconded the motion, and it was unanimously approved.

OLD BUSINESS

It should be noted that the following three petitions were heard simultaneously but voted on separately.

- P-27-22 Petition for a Change of Zoning, submitted by Olga Despotis Perpetuities Trust, from R-2 Single Family Residential – 20,000 square foot minimum lot size to PD-LC(B) Planned Development – Limited Commercial for 12405, 12411 & 12417 West Watson Road.
- P-28-22 Petition for a Conditional Use Permit, submitted by Olga Despotis Perpetuities Trust, for a motor vehicle-oriented business (MVOB) at 12405, 12411 & 12417 West Watson Road.
- P-29-22 Petition for a Preliminary Development Plan, submitted by Olga Despotis Perpetuities Trust, for a motor vehicle-oriented business (MVOB) at 12405, 12411 & 12417 West Watson Road.

Ms. Sprick stated at the November 3, 2022, Planning and Zoning Commission meeting, requests were made for changes to the proposal. The fence along the west property line has been relocated with landscaping on the outside. 7 parking spaces along South Lindbergh Boulevard and 11 along West Watson Road have been eliminated. The relocation of the northern entrance is not currently possible but may be feasible in the future. Staff recommends approval with conditions. Michael Houser, of 12736 West Watson Road, wrote a letter stating the traffic on Eddie and Park Road will also be affected by this development.

Mr. Gau asked if the variance request is due to the distance of the driveway.

Ms. Sprick stated the driveway is required to be 24 feet away from any property line.

Jim Hall, of Hall and Associates, was present and stated they are now proposing a Type C buffer along the west and north property lines. The discussions for acquisition of the northern property are still in place. They are now proposing a monument for World War Two veterans and a small pond with a fountain at the corner of South Lindbergh Boulevard and West Watson Road.

Marek Gaska, of 12429 West Watson Road, was present and stated traffic is horrible from 7:00 A.M. to 8:00 A.M. and from 2:00 P.M. to 3:00 P.M. Traffic blocks his driveway. He opposes the development and the entrance off West Watson Road.

Paul Bucherich, of 12423 West Watson Road, stated if there is going to be a commercial development in that area, he would like it to be kept classy and for it to benefit the people of the city and the neighborhood. He requested a complete plan be presented for the entire area. Adding traffic to West Watson Road is the wrong option.

Pat Peterson, of 12429 Court Drive, was present and stated she is the president of the neighborhood association. She presented an exhibit proving they are an official neighborhood. She does not want construction materials stored in the area or for their neighborhood private street to be utilized as access to develop the properties. She requested the property be left residential.

David Witbrodt, of 12443 West Watson Road, was present and stated this development is not on South Lindbergh Boulevard; these properties are on West Watson Road and this development will add to the traffic. The park patrons will have to compete with the bank traffic.

Mr. Svoboda stated when the Black and Decker building was developed, the residents were told that would be the end of commercial development in that area and no more would occur to the south. He is opposed to the development and he asked about the pending court case.

Ms. Seele stated the city lost the case, but it is in the middle of an appeal. It has no bearing on the petitions being presented.

Mr. Gau stated the entrance is an issue and this is an incomplete plan. Mr. Despotis desires to move development to the north and he would like to see a complete plan for the area.

Mr. Gau made a motion that petition P-27-22 Petition for a Change of Zoning, submitted by Olga Despotis Perpetuities Trust, from R-2 Single Family Residential – 20,000 square foot minimum lot size to PD-LC(B) Planned Development – Limited Commercial for 12405, 12411, & 12417 West Watson Road be recommended to the

Board of Aldermen for approval with the condition that petitions P-28-22 and P-29-22 are also approved. Mr. Hopfinger seconded the motion. With 3 aye votes and 7 nay votes, the motion was denied.

Mr. Gau made a motion that petition P-28-22 Petition for a Conditional Use Permit, submitted by Olga Despotis Perpetuities Trust, for a motor vehicle-oriented business (MVOB) at 12405, 12411 & 12417 West Watson Road be recommended to the Board of Aldermen for approval. Mr. Hopfinger seconded the motion. With 3 aye votes and 7 nay votes, the motion was denied.

Mr. Gau made a motion that petition P-29-22 Petition for a Preliminary Development Plan, submitted by Olga Despotis Perpetuities Trust, for a motor vehicle-oriented business (MVOB) at 12405, 12411 & 12417 West Watson Road be recommended to the Board of Aldermen for approval with the conditions that petitions P-27-22 and P-28-22 are also approved and a variance is granted for the proposed driveway location onto South Lindbergh Boulevard. If the driveway is constructed as proposed, it must be right in right out only. If the driveway is relocated to the north, a traffic study may be required. Missouri Department of Transportation (MoDOT) must approve the proposed entrance onto South Lindbergh Boulevard. Mr. Young seconded the motion. With 3 aye votes and 7 nay votes, the motion was denied.

NEW BUSINESS

P-01-23 Petition for a Conditional Use Permit, submitted by BMGR SSHD LLC, for the construction of a hotel at 3660 South Lindbergh Boulevard.

This Petition has been postponed.

P-02-23 Petition for a Development Plan, submitted by BMGR SSHD LLC, for a commercial development at 3660 South Lindbergh Boulevard.

This Petition has been postponed.

P-06-23 Petition for a Text Amendment, submitted by Syberg Development Group LLC, to amend the use table in Section 3.4 of the Unified Development Ordinance, adding “parking lot” as a permitted use in the LC Local Commercial, GC General Commercial and LI Light Industrial Zoning Districts.

This Petition has been postponed.

P-07-23 Petition for a Change of Zoning, submitted by Syberg Development Group LLC, to change the zoning designation of the property at 10611 East Watson Road from R-2 Single Family Residential – 20,000 square foot minimum lot size to LC Local Commercial District.

This Petition has been postponed.

P-08-23 Petition for a Development Plan, submitted by Syberg Development Group, LLC, for the development of a parking lot at 10611 East Watson Road.

This Petition has been postponed.

P-09-23 Petition for an Amended Conditional Use Permit, submitted by QPS Missouri Holdings LLC, for changes to the business at 10425 Watson Road.

Ms. Sprick stated the request is for the conversion from a medical marijuana facility to a comprehensive marijuana facility. Staff recommends approval with conditions.

Ankur Rungta, on behalf of QPS Missouri Holdings, LLC, and Brian Rensing, with CBB, were present. Mr. Rungta stated the state passed comprehensive cannabis sales, in November. Operations will be identical to what they are now, after the conversion. The only difference will be that they will be able to serve all adults, 21 and over. All regulations and rules of the state will be met. The conversions are happening statewide, and it is imperative that this happens for the success of the business.

Mr. Gau asked if there was a requirement for a traffic study.

Ms. Sprick stated it is not required, but they had one completed to give an idea of what traffic could potentially be.

Mr. Rungta stated the conclusion of the traffic study is that the site can handle the traffic. They used national trip data and local store traffic to calculate the totals. They will receive roughly two times the amount of volume. They have a parking agreement with the business owner of 10345 Watson Road for employee parking only and this, along with their current parking, will supply enough spaces.

Ms. Sprick stated there is a condition placed on the recommendation for approval that all customer parking be kept on site.

Mr. Rungta stated no customers will park at 10345 Watson Road.

Mr. Svoboda asked about the status of the medical portion of the business.

Mr. Rungta stated it would remain the same.

Mr. Svoboda asked if medical is even necessary, if comprehensive sales are approved.

Mr. Rungta stated there are benefits to having the medical card, such as taxes. Other states require separate business actions for medical and for comprehensive, but

Missouri allows the sales to be combined. Local communities can tax the business more, as a comprehensive business.

Mr. Gau made a motion that petition P-09-23 Petition for an Amended Conditional Use Permit, submitted by QPS Missouri Holdings LLC, for changes to the business at 10425 Watson Road be recommended to the Board of Aldermen for approval with the conditions that petition P-05-23 is also approved, the hours of operation shall be from 10:00 a.m. to 9:00 p.m., Sunday through Saturday, no onsite consumption of marijuana is allowed, no loitering is allowed on the premises, and customers shall park only on site, not on adjoining properties or streets. Mr. Young seconded the motion. With 7 aye votes and 3 nay votes, the motion was approved.

ANY OTHER MATTERS DEEMED APPROPRIATE

Ms. Sprick asked if March 8, 2023, would be okay for the next meeting date.

Mr. Baker stated moving the date would be beneficial to applicants, to give them enough time to apply.

All members agreed.

ADJOURNMENT

Mr. Gau made a motion to adjourn the meeting at 6:52 P.M. Mr. Pellegrini seconded the motion, and it was unanimously approved.

Recording Secretary



Sarina Cape