

MINUTES OF THE WORKSHOP  
OF THE PLANNING AND ZONING COMMISSION  
OF THE CITY OF SUNSET HILLS, MISSOURI  
HELD ON WEDNESDAY, FEBRUARY 3, 2021

BE IT REMEMBERED that the Planning and Zoning Commission of the City of Sunset Hills, Missouri met by Zoom meeting on Wednesday, February 3, 2021. 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

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

Mr. Pellegrini nominated Mr. Svoboda to be Chairman. Mr. Kaiser seconded and it was unanimously approved. Mr. Gau arrive after meeting began.

**APPROVAL OF THE MINUTES**

Copies of the minutes of the January 6, 2021 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. Young seconded the motion, and it was unanimously approved.

## **NEW BUSINESS:**

P-03-21 Petition for an Amended Development Plan, submitted by Friendship Village, for an elevator addition to an existing corridor at 12777 Village Circle Drive.

Ms. Sprick stated an elevator and corridor will run adjacent to the ramp connecting the two buildings, making the building more ADA compliant.

Mr. Hopfinger made a motion that P-03-21 Petition for an Amended Development Plan, submitted by Friendship Village, for an elevator addition to an existing corridor at 12777 Village Circle Drive be recommended to the Board of Alderman for approval. Mr. Kaiser seconded the motion, and it was unanimously approved.

P-02-21 Petition for an Amended Development Plan, submitted by Edison Real Estate Three LLC, for changes to the intersection at 3720 South Lindbergh Boulevard.

Ms. Sprick stated these are changes to the approved lane realignment on East Watson Road. The striping was not completed and the traffic light mast arm is not properly centered with the lanes. If approved, the current condition will remain. If denied, compliance including a new right turn lane will be required. Staff recommends approval with the following conditions: Lighting must meet current requirements of Appendix B or the petitioner must apply for a variance from those requirements prior to issuance of a final occupancy permit, all items listed on the temporary occupancy permit must be met or Missouri Department of Transportation (MoDot) upgrades the intersection to meet the requirements.

Mr. Svoboda asked if MoDot agreed to extend the right turn lane.

Mr. Baker stated the engineer from MoDot will do everything they can. The engineers from Tidal Wave may have to do some extra work. The City is requesting they work together to meet the approved plans

Brandon Harp, Principal with Civil Engineer Design Consultants (CEDC), and Chris Beard, Principal with Lockmueller Group, were present. Mr. Harp showed the originally approved plan for the intersection. The proposed striping was not fully designed on the intersection plan. There was still a lot of work that needed to be done with MoDot. The overhead mast arm across Lindbergh Boulevard did not align with the lanes. There is an offset on East Watson Road as it crosses the street. MoDot wanted the lanes more centered. They wanted the lanes shifted up about six feet and to change the alignment to line up with the signal heads. After this was completed, the City saw

the change. The main concern was that the right turn lane from East Watson Road was not extended out as far as was previously approved for extra vehicle stacking. MoDot has approved the current changes. Mr. Beard had previously stated the right turn lane pocket would not change the level of service to the intersection. He showed e-mails from MoDot declining the way the lanes were aligned and approving the changes. MoDot is designing changes to the intersection and is willing to include the original plan for the intersection to their design. The signals are being replaced. CEDC is proposing to implement these plans on their 2022 design project. If the plan is approved as is, the intersection will remain the same. If it is denied, they will continue working with MoDot to see that the original design is completed.

Mr. Svoboda asked about the six car stacking.

Mr. Harp stated if denied, the stacking will go back to the turn lane pocket.

Mr. Svoboda asked Ms. Sprick for clarification.

Ms. Sprick stated if the Commission wants to recommend to the Board to deny the way the lanes are now. They would need to deny the petition and wait for MoDot's redesign.

Mr. Powers stated the temporary occupancy permit would stay in effect until MoDot's work is complete. Full occupancy will not be granted until this is completed.

Mr. Svoboda asked who would be paying for the extension of the right turn lane.

Mr. Harp stated MoDot will handle the work on the mast arm and light. The developer would have to handle the re-striping.

Mr. Svoboda asked if the lane is there right now and if it just needs to be re-striped.

Mr. Harp stated the mast arm is too short. MoDot will put in a longer mast arm and the lanes could be moved back and restriped to fit the extra length for the lane.

Mr. Powers stated if the Commission feels that a couple years is too long, to make sure the developer follows through, the petitioner could give an escrow to make sure this project is completed.

Ms. Sprick stated there are several letters from residents that need to be read. Tim and Kathleen Lalk asked for the petition to be denied. They stated that the lighting should have to meet all requirements of Appendix B and that the lights are always on. They requested that a light study be submitted. The plan should meet the original striping that was approved to aid in traffic flow. Post pandemic traffic will be extreme and the cost of re-striping is not significant. Jim and Cathy Heese stated they would like

the Commission to deny the request. They would like the original striping to be kept as a requirement. Current traffic patterns should not be used to determine if the extra stacking is necessary; post pandemic traffic will be extreme. The next letter asked that the Commission to deny the petition for safety. The intersection is always congested. The noise and lighting from the carwash tunnel is a serious issue. The lighting is on 24 hours a day and the shouting from the workers is disruptive. They requested a privacy fence, as well. Ann and Vern Remiger stated they were disappointed to see Tidal Wave open before all improvements were complete. The traffic is a concern. On weekday evenings, west bound level of service was a D before the development. The level of service would still decrease to an E with the improvement of the extra length of the turn lane. The two critical pieces are being eliminated. The level of service will be an F. Gary Vincent stated the primary concerns of the residents is the extra traffic that will be generated by Tidal Wave. The right turn pocket lane would have helped and he feels that is the only way the petition got approved. They should be required to develop the intersection like the approved planes. Jim and Tina Watson stated the tunnel lights remain on 24 hours a day and there is no fencing or screening to obscure the site. They were told a light study would be submitted before Tidal Wave opened. The traffic light timing was supposed to be re timed so more cars could go through and the right lane was supposed to have more stacking.

Mr. Powers stated the Commission does not have a choice but to wait for MoDot's improvements because the alignment is an issue. He asked Staff if the lighting meets City requirements

Ms. Sprick stated when the original plan was approved the developer stated on the plans that all City requirements will be met. They are required to submit an as-built survey. It does not meet current City requirements and they are working to make the site meet them. If not, they will have to go to the Board of Adjustment for a variance.

Mr. Powers asked if denying the petition will eliminate their chance for placing conditions on the petition.

Ms. Sprick stated yes.

Mr. Svoboda asked about the fence.

Ms. Sprick stated Tidal Wave was not required to install a fence because they are adjacent to another commercial property.

Ms. Svoboda asked about the light on the tunnel.

Mr. Baker stated this could go along with the light study and the City will continue to work with the developer to remedy the situation.

Andrew Day was present and asked if the only way the traffic light could be moved is when the MoDot development takes place.

Mr. Baker stated MoDot has jurisdiction over all MoDot right of ways, so no changes could take place as of right now.

Kathryn Heese stated the safety and lack of right turn lane is a concern. She requested something be done about the lights and noise.

Mr. Svoboda asked if there is a fence between the offices behind Tidal Wave and the residential area.

Mrs. Heese stated yes, the fence would have to be taller and have landscaping. Currently, there is no buffer at all. There used to be a fence behind the hotel, which helped a lot.

Mr. Svoboda stated a fence would not help much.

Mrs. Heese stated if they could just turn the carwash light off when it is closed, it would be helpful. The fence would help with noise.

Mr. Pelleginri asked if the right turn lane from Lindbergh Boulevard to East Watson is wide enough.

Mr. Harp stated it is MoDot's right of way and he is not sure what it will look like when MoDot restripes it.

Mr. Baker stated it is narrow and he hopes MoDot addresses that when they approve it.

Mr. Jones stated they can work with MoDot and post a \$2,000.00 escrow. A motion for denial with conditions is appropriate.

Mr. Powers made a motion that P-02-21 Petition for an Amended Development Plan, submitted by Edison Real Estate Three LLC, for changes to the intersection at 3720 South Lindbergh Boulevard be recommended to the Board of Aldermen for denial with the conditions the petitioner continue to work with MoDot to meet the originally approved intersection plan extended the right turn lane and that they submit \$2,000.00 in escrow to cover the costs. The escrow is to be released when the improvements are complete. Mr. Gau seconded the motion, and it was unanimously approved.

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. Pellegrini made a motion to table the discussion on the Unified Development Ordinance. Mr. Young seconded the motion and it was unanimously approved.

### **ADJOURNMENT**

Mr. Hopfinger made a motion to adjourn the meeting at 7:15 P.M. Mr. Gau seconded the motion, and it was unanimously approved.

Recording Secretary



Sarina Cape