

MINUTES OF THE REGULAR MEETING  
OF THE PLANNING AND ZONING COMMISSION  
OF THE CITY OF SUNSET HILLS, MISSOURI  
HELD ON WEDNESDAY, MARCH 14, 2012

BE IT REMEMBERED that the Planning and Zoning Commission of the City of Sunset Hills, Missouri met in regular session at City Hall Quarters, 3939 S. Lindbergh Blvd., in said City on Wednesday, March 14, 2012. The meeting convened at 7:00 p.m.

ROLL CALL

Present:	Rodney Stecher	-Chairman
	John Littlefield	-Member
	Jim Hessburg	-Member
	Al Koller	-Member
	Mark Naes	-Member
	Joseph Niemeyer	-Member
	Kevin Studer	-Member
	Anne C. Lamitola	-City Engineer
	Robert E. Jones	-City Attorney

Absent:	Patricia Otto	-Member
	Robert Robben	-Member
	Stuart Walls	-Member

**APPROVAL OF THE MINUTES**

Copies of the Minutes of the February 1, 2012 Planning and Zoning Commission meeting were distributed to the members for their review. Mr. Niemeyer made a motion to approve the Minutes as submitted. Mr. Koller seconded the motion, and it was unanimously approved.

**NEW BUSINESS**

**P-2-12** Petition for a Lot Consolidation submitted by Robert Brockhaus to consolidate Lot 25 and 26 of Hilltop Estates for the purpose of constructing an addition onto the existing home at 10000 Hilltop Drive.

Mr. Robert Brockhaus, Petitioner, was present and stated he purchased the property many years ago from his parents with the house as it sits on the property. However, he now desires to expand the house and cannot do so with the property line being in the middle of the house.

Mr. Niemeyer made a motion that P-2-12 Petition for a Lot Consolidation submitted by Robert Brockhaus to consolidate Lot 25 and 26 of Hilltop Estates for the purpose of constructing an addition onto the existing home at 10000 Hilltop Drive be recommended to the Board of Aldermen for approval. Mr. Koller seconded the motion, and it was unanimously approved.

Mr. Brockhaus thanked the members for their service.

**P-3-12** Petition for a Conditional Use Permit submitted by Jeanne Johnston to operate a library at the property of 13270 Maple Drive also known as the former Paracletes property – **POSTPONED BY APPLICANT 2-14-12**

**P-4-12** Petition for a Conditional Use Permit submitted by Keith Rhodes, Mile 277 to construct sand volleyball courts and a concession building at 10801 Sunset Office Drive.

Mr. Keith Rhodes of Mile 277 was present and stated that Mile 277's first year was very successful.

Mr. Brandon Harp with Civil Engineering Design Consultants was also present and stated the proposed construction would be on a vacant 1.6 acre parcel which is adjacent to the hotel and the office buildings are located to the north and the west and gas stations to the south and southwest. The property is zoned PD-BC. The proposal is to develop a five court sand volleyball facility and a one story concession building with restrooms. In addition there would be a service drive.

Mr. Harp stated that they were negotiating with an adjacent property for shared parking; however, the negotiations were unsuccessful. Currently, the site plan does not meet the required parking. Therefore, a secondary site plan was created with a slightly reduced patio, same size concession building.

Mr. Harp stated there would be a covered canopy. There would be a substantial number of street trees, annuals, bushes and evergreens throughout the complex for a park like setting.

Mr. Harp stated that the lighting plan is designed to illuminate the facility and not the adjacent properties.

Mr. Harp explained that the Holiday Inn and Mile 277 requires 281 spaces without the banquet facility. The volleyball courts, based on 90 people being present at the facility, require 30 spaces. The overall complex has 417 parking spaces; however, he is not sure of the parking requirement for the banquet facility.

Mr. Rhodes explained that volleyball is the fastest growing sport and currently has around 990 million participants worldwide and 220 countries with organized volleyball programs. A demographics study indicates approximately 62% of players are female; however, the proposed complex would be coed and people of all ages. This particular facility would have more corporate players and would be for the 21 years of age and older crowd. Approximately 34% of the players have an income of over \$75,000.

Mr. Rhodes also explained that he first discussed the idea with Mr. Ed Kruetz and Mr. Chris Kruetz as well as the mayor and some of the board of aldermen and the response was favorable. However, within the last 48 hours there have been concerns raised. One of the concerns was participants and a question was raised if the participants would be bikers playing volleyball and the answer is generally, no. He added that the facility will not be a music venue as there is a music venue inside Mile 277; there would be background music at a minimum level towards the courts. The noise level will basically come from the whistles of the referees as is the case with similar facilities in the area such as the facility in Creve Coeur which is located in a residential neighborhood and operates without complaints.

Mr. Rhodes stated another concern was road access onto Sunset Office Drive. This has been revised and there is no need to have access onto Sunset Office Drive; egress can be off of Watson Road or S. Lindbergh Blvd.

Mr. Rhodes stated the volleyball season is from mid-April through mid-October; the hours of operation will not be during the typical business hours; the facility will be operational after 5:00 p.m. and on weekends.

Mr. Rhodes stated that Mile 277 has a great standard of cleanliness which will also be the same for the proposed facility and it is desired to be the best volleyball facility in the entire state.

Mr. Rhodes stated the proposed facility will increase property values and bring additional revenue to the City. It is also desired to be good neighbors.

Mr. Rhodes stated that he is not requesting a vote on the Petition at tonight's meeting. He would like to host an informational meeting and invite the surrounding neighbors to the meeting and answer any questions or concerns in an attempt to address the concerns.

Mr. Rhodes commented that Holiday Inn has been informed of the proposed facility. The corporate entity of Holiday Inn is strict with venues. Holiday Inn is known as a family hotel and the proposed facility will be a family recreational facility.

Mr. Rhodes clarified that sand volleyball is the preference; however, he does not know the demographics of outdoor volleyball vs. indoor volleyball.

Mr. Rhodes stated the seating will be patio style furniture located on the paver area. The food served will be the same as Mile 277. There will be six servers, two bartenders and one ambassador during operating hours. He has spoken with Liquor Control and the liquor license will be under Mile 277.

Mr. Rhodes stated that there will be fencing and there will be gate to enter the facility from the Holiday Inn parking lot; the entrance will be secured after hours.

Mr. Rhodes restated that he is not requesting a vote at tonight's meeting.

Mr. James Fredericks, attorney representing Lutheran Church Extension Fund located at 10733 Sunset Office Drive, was present and stated he likes volleyball and plays on leagues. He stated he and his client feel the proposed location is not a great place for a volleyball facility. The applicant has indicated he was surprised about concerns raised in the last 48 hours; however, to the best of his knowledge, the applicant has made little to no effort to contact property owners and tenants in the office park. He commented that the hotel is now owned by the bank; the bank is now the owner of the Viking Holiday Inn. His client is opposed to the proposal generally because they feel it is not in the character of the office park, a reduction of the value of properties within the office park and other problems. His client views the proposal as a nuisance; there will be an increase in traffic, noise, property damage and litter. The office park has one of the lowest vacancies in St. Louis County and is extraordinarily respected. The indentures state that office park will be utilized as an office park. There are not retail businesses or warehouses in the office park.

Mr. Fredericks stated that the Viking is not in the office park. The volleyball facility will be an extension of the bar and the office park does not want a bar in the office park. There will be frenzied music to replicate the music inside the bar. The proposal will present parking problems, binge drinking as well as fights. He requested the Commission deny the proposed Conditional Use Permit.

Mr. Fredericks stated the proposed volleyball facility would be located in the office park; there are indentures, however, they are very old and there are issues.

Ms. Elizabeth Meyer, Assistant Vice President of Solon Gershman, was present and stated she personally polled the tenants at 10733 Sunset Office Drive; the majority of the tenants were opposed to the volleyball courts as the image it will portray of not being an office environment. Concordia University will be moving into the building on May 1 and there will be evening classes. She added that last summer when Mile 277 had events, there were around 25 cars parked in their parking lot. Parking has been a problem.

Mr. Bruce Brophy was present and stated he currently oversees the office management for Gershman. The concept of the proposal is good; however, the proposed location is not the appropriate location. It is an office park. The site would be a few feet from the entrance sign to Sunset Office Park. The proposed use would be detrimental to the property values.

Mr. Bruce Reid stated that the impact of alcohol and entertainment operation will depreciate the values of the assets in the office park. He commented that he hasn't had a chance to fully review the proposal as he was not aware of it until recently when a tenant contacted him to find out what was going to be done. Mr. Reid stated that his building will be the most affected as it overlooks the proposed site. He added that he is hesitant to be negative; however, he feels this issue cannot be worked out because the location is an office park and not a volleyball facility. He further stated he is from Chicago but will return to meetings as many times as necessary because he does not want the office park to suffer a loss.

Mr. Jim Schmersahl of the CPA firm of Schmersahl Treloar located at 10805 Sunset Office Drive. The business chose to relocate to Sunset Hills in 1999 from downtown St. Louis because of the professional environment that was offered. It is desired for the office park to remain a professional environment to continue to attract accountants and clients. He is concerned of the traffic, noise, parking, litter and mostly the image. In addition, employees work evenings and weekends and clients do come to their offices during the evenings and on weekends.

Ms. Amy Gill, representative of the Holiday Inn property, was present and stated they are happy to have Mile 277 as a tenant but would appreciate time to review the proposal so they can evaluate the impact it would have on the property as a whole.

Ms. Gill stated that her company is in the business of rehabilitating businesses that need help; they have an agreement with the bank to operate the property for at least three years if not to eventually purchase the property. The bank wants to save the property. Her company took over the hotel approximately three weeks ago and they have not had a chance to become acquainted with Mile 277.

Mr. Butch Johnston, manager at Holiday Inn, was present and stated he has seen every parking spot being utilized at the hotel.

The members questioned how to look at the indenture. Mr. Jones explained that indentures are a private matter between property owners; the City should not look at the indentures as a factor in terms of enforcement.

Mrs. Lamitola stated that there are criteria for a Conditional Use Permit and one is adversely affecting the character of the neighborhood.

Mr. Stecher asked if the applicant still desires to continue the item. Mr. Rhodes replied yes.

Mr. Niemeyer made a motion that P-4-12 Petition for a Conditional Use Permit submitted by Keith Rhodes, Mile 277 to construct sand volleyball courts and a concession building at 10801 Sunset Office Drive and P-10-12 Petition for an Amended Development Plan submitted by Keith Rhodes, Mile 277 to construct sand volleyball courts and a concession building at 10801 Sunset Office Drive be tabled until the April 4, 2012 Planning and Zoning Commission meeting. Mr. Studer seconded the motion and it was unanimously approved.

- P-5-12** Petition for a Lot Split submitted by Bush Family Properties to subdivide 12920 Gravois Road into two parcels for the purpose of selling one 9 acre parcel.

This petition was postponed by Wind Engineering March 12, 2012.

- P-6-12** Request to amend the City's Comprehensive Plan submitted by Friendship Village for the property known as Sunset Bluff's Subdivision; to change the use from single family residential to attached unit residential.

Mrs. Lamitola explained that the Friendship village property is categorized as attached unit residential. The 12 acre parcel of Sunset Bluff's Subdivision is recommended as single family residential in the Comprehensive Plan. The request is to amend the Comprehensive Plan for the 12 acre parcel to attached unit residential. She explained that an amendment to the Comprehensive Plan is approved by resolution by the Planning and Zoning Commission.

Mr. Niemeyer made a motion to approve P-6-12 Request to amend the City's Comprehensive Plan submitted by Friendship Village for the property known as Sunset Bluff's subdivision; to change the use from single family residential to attached unit residential. Mr. Koller seconded the motion, and it was unanimously approved.

- P-7-12** Petition for a change of Zoning submitted by Friendship Village to rezone a 12 acre parcel along Gravois Road just west of Village Circle, known as Sunset Bluffs Subdivision from R-1 Residential to PD-MXD.

- P-8-12** Petition for a Preliminary Development Plan submitted by Friendship Village for the proposed expansion and renovation to the Friendship Village complex at 12503 Village Circle Drive to include the 12 acre parcel fronting on Gravois Road.

- P-9-12** Petition for a Lot Consolidation Plat submitted by Friendship Village to consolidate the 12 acre parcel fronting on Gravois into their existing complex known as 12503 Village Circle Drive.

Mr. Brandon Harp with Civil Engineering Design Consultants, and Mr. Richard Money, Executive Director of Friendship Village, were present.

Mr. Money stated that they have been working on a plan over the past several years to ensure that Friendship Village remains competitive in this environment. He has spoken with residents, neighbors, Mayor Nolan, Aldermen and City staff.

Mr. Money stated that there have been Focus Groups with respective residents to gather information. There is the need for larger apartments with more square footage, washer and dryers in the apartments, taller ceilings and larger bathrooms. He stated that approximately 80% of the residents of Sunset Hills are from a 10 mile radius. Mr. Money further stated this will be a multiple phase improvement project over the next 10 to 20 years.

Mr. Harp stated the 12 acre parcel is zoned R-1, single family residential; there is a request, P-7-12 to rezone the property to PD-MXD; P-8-12 is a Preliminary Development Plan and P-9-12 is a Lot Consolidation Plat to consolidate the 12 acre parcel into their existing complex. Mr. Harp stated that they are requesting to postpone P-9-12 to a later meeting with a corrected plat dedicating right-of-way.

Mr. Harp stated the proposal includes realigning Pointe Drive. There will be an addition of 142 independent living units; 23 duplexes a new skilled nursing facility and a new clubhouse.

Mr. Harp stated that Friendship Village was first developed in the 1970's. There have been several amendments for a variety of things such as additions, renovations, etc. Several months ago Friendship Village presented a Concept Plan to the Planning and Zoning Commission. In addition, a neighborhood meeting was held February 28, 2012 at Friendship Village and the neighbors, trustees, two aldermen, etc. were invited.

Mr. Harp stated that the proposal to rezone the 12 acre parcel would match the existing 40 acres of property of Friendship Village. Fountain View will remain and will be used as it exists. There will be 20 cottages removed and the independent living units will also remain.

Mr. Harp stated that there are several water sheds on the property. The site is currently served by an existing pond which provides storm water detention.

The proposal includes redeveloping the center portion of the 52 acres, where the cottages are currently located into the new independent living, main entry, dining and skilled nursing facility; the 12 acres will be developed into attached duplexes for independent living and an expansion to the existing lake. The heavy woodlands preservation area will be maintained.

Pointe Drive which currently serves the Sunset Pointe Subdivision will be realigned; there will be a soft, gentle curve to the subdivision. Currently there is a "T" intersection which seems to cause confusion on how to enter the subdivision and Friendship Village. The realignment should resolve the confusion issue. Subject to approval from the fire department, the entrance to Fountain View facility will be removed. The five cottages will be served by an access point onto Pointe Dr.

There will be underground parking; one space per unit which exceeds the minimum requirements of Sunset Hills. Additional surface parking will be provided for visitors and employees; the requirement is 417 spaces and there will be 612 spaces provided.

The lake will be expanded to meet the requirements of the Metropolitan Sewer District (MSD) for water quality and management.

Mr. Harp stated the zoning requirements allow not more than 11 dwelling units per acre. The proposal is for 10.24 units per acre. The calculations are on Sheet C1 of the plans. The site coverage requirements have been met; a maximum of 50% is allowed and the proposal is for 37% site coverage and 63% open space.

Mr. Harp stated that a landscape plan has been provided. There are some trees along Pointe Drive that will be saved. The realignment of Pointe Drive will include heavy landscaping. There will be a 50 feet buffer along residentially zoned properties and a 60 feet landscape buffer along old Gravois Road. In addition, the cottages will be architecturally consistent on all four sides of the building.

The existing curb cut to the Fountain View Assisted Living facility would be removed, subject to the approval of the fire department. The subdivision has agreed to the renaming of Village Circle to Pointe Drive to eliminate confusion for the subdivision.

Mr. Harp stated they are designing the site in an effort to minimize grading and land disturbance to match the existing topography.

Mr. Harp stated that the maximum height of the existing facility is 60 feet and the proposed development does not exceed that height. The architecture of the proposed development is similar in materials and will be the same pallet of colors.

Mr. Koller asked of the buildings by the main entrance. Mr. Money stated the independent living buildings will remain until the last minute. A portion of the existing skilled nursing facility will be converted into a spa and fitness space for the independent residents; the other portion will be removed. There would be a new skilled facility constructed.

Mr. Money stated they have been working with the residents to address individual needs.

Mr. Niemeyer commented that the timeline of the projects seem to be a long time. Mr. Money explained that there are several reasons; the projects are market driven and there will also need to be pre-sales. There will be construction phases.

Mr. Stecher asked when Pointe Drive would be realigned. Mr. Money replied in the first phase. Mr. Money added that even if future phases are not constructed, the complex will still be able to stand on its own and will not be an unfinished project. Typically, the occupancy rate is 93% - 95%.

Mr. Mark Murphy with the Fenton Fire District was present and stated a concern was raised regarding the number of curb cuts onto the new Pointe Drive. The Fenton Fire District will be asking for an emergency access point for emergency vehicles only to be gated and locked.

Mr. Jerry Larson, resident of Rambling Oaks, was present and requested the Commission to reject the proposed rezoning; Friendship Village was aware of the zoning when they purchased the property. The residents of Rambling Oaks had a reasonable expectation that the City would protect the residents when they purchased their property. The proposal would be 80% more dense than the current zoning of the property. Mr. Larson stated that he does not feel the proposed density is consistent with the surrounding area.

Mr. Larson stated that he feels there should be a 70 feet setback from Gravois Road and 30 feet between the buildings; there should be dense landscaping along Gravois Road with evergreen plantings; 50% brick and stone should be on all four sides of the buildings. He would like the proposed development to be attractive to the neighboring properties. In addition, consideration should be given to the power lines being buried underground, to not having high elevations or high intensity lights. Mr. Larson stated that as a courtesy to the residents of Rambling Oaks, Friendship Village should provide water source to the entrance of Rambling Oaks so the landscaping at the entrance to the subdivision can be watered.

Mr. Jim Mesner, resident of Friendship Village, was present and stated that he has lived in Friendship Village for three years and his mother was one of the initial residents. He commented that he does not oppose the rezoning request; however he has questions regarding the remaining 40 acres. Mr. Mesner further stated that the Focus Groups consisted of people who plan to move to Friendship Village, not current residents. There are current residents that are concerned of the stress factors while under construction. He is concerned that the construction will go on for the rest of his life. They would like to see a plan to address the stress factors while there is construction. He would like the Commission to postpone voting on the requested proposal until the residents have met with the architects and Mr. Money to discuss how the stress factors of the residents will be addressed.

Mr. Ollie Dressel, resident of Friendship Village was present and stated he has lived in Friendship Village for five years and he has had many family members who also lived in Friendship Village. He has not been disappointed in Friendship Village and feels it is an asset to the City.

Ms. Kathy Billingsley, trustee of Rambling Oaks Subdivision, was present and stated that Mr. Larson spoke of a lot of the concerns of the residents of the subdivision such as how the buildings will appear and the green space between the buildings and the street.

Mrs. Lamitola stated that a request to rezone to a Planned Development requires a Preliminary Development Plan.

Mr. Niemeyer stated the presentation was good and was detailed but he would like more time.

Mrs. Lamitola stated that the Landscape Plan could be referred to the Urban Forestry Commission to address the concerns regarding the landscaping.

Mrs. Lamitola stated the Petitioner needs some direction from the Commission.

Mr. Littlefield stated he feels there needs to be some compromise. He feels the proposal is a good plan.

Mr. Studer stated the proposal meets the setback requirements. Mrs. Lamitola stated it was indicated that Rambling Oaks subdivision has a 70 feet front yard setback; however this is a requirement of the subdivision indentures, not a City requirement. The front yard setback in R-1 single family residential is 50 feet.

Mr. Stecher asked Mr. Money if he would be willing to speak with the residents of Friendship Village. Mr. Money replied yes.

Mr. Niemeyer made a motion to postpone P-7-12 Petition for a Change of Zoning submitted by Friendship Village to rezone a 12 acre parcel along Gravois Road just west of Village Circle Drive known as Sunset Bluff's Subdivision from R-1 Residential to PD-MXD; P-8-12 Petition for a Preliminary Development Plan submitted by Friendship Village for the proposed expansion and renovation to the Friendship Village complex at 12503 Village Circle Drive to include the 12 acre parcel fronting on Gravois Road and P-9-12 Petition for a Lot Consolidation Plat submitted by Friendship Village to consolidate the 12 acre parcel fronting on Gravois Road into their existing complex known as 12503 Village Circle Drive until the April 4, 2012 meeting of the Planning and Zoning Commission. Mr. Littlefield seconded the motion. There were 5 AYE votes and 2 NAY votes. The motion passed.

**P-10-12** Petition for an Amended Development Plan submitted by Keith Rhodes, Mile 277 to construct sand volleyball courts and a concession building at 10801 Sunset Office Drive.

This item has been tabled until the April 4, 2012 Planning and Zoning Commission meeting, as addressed previously.

#### **ANY OTHER MATTERS DEEMED APPROPRIATE**

The members determined to reschedule the regularly scheduled meeting on July 4, 2012 to Tuesday, June 26, 2012 at 7:00 p.m.

#### **ADJOURNMENT**

Mr. Koller made a motion to adjourn the meeting at 9:40 pm. Mr. Niemeyer seconded the motion, and it was unanimously approved.

Recording Secretary,



Laurie Sanneman