

MINUTES OF THE REGULAR MEETING  
OF THE PLANNING AND ZONING COMMISSION  
OF THE CITY OF SUNSET HILLS, MISSOURI

HELD ON WEDNESDAY MAY 2, 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, May 2, 2012. The meeting convened at 7:00 p.m.

ROLL CALL

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

It should be noted that Member, Mr. Niemeyer, served as Chairman of the meeting in the absence of Mr. Stecher.

**APPROVAL OF THE MINUTES**

Copies of the Minutes of the April 4, 2012 Planning and Zoning Commission meeting were distributed to the members for their review. Mr. Hessburg amended the minutes to note that he abstained on voting on the item P-11-12, Petition for an Amended Conditional Use Permit submitted by Permit Consultants to add an additional drive up ATM to the existing M & I drive through banking facility located at 12414 Rott Road. He noted that he supported the Petition, but did not agree with the recommendation being contingent on replacing any vegetation in the buffer zone.

Mrs. Otto made a motion to approve the minutes as amended. Mr. Koller seconded the motion, and it was unanimously approved.

**OLD BUSINESS**

- 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 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.

Mrs. Otto explained that according to State Laws, she is unable to participate in the discussion regarding the above item.

Mr. Charles Walter, President of the Board of Friendship Village, was present and stated the proposal involves rezoning the 12 acre parcel purchased by Friendship Village from R-1 Residential to PD-MXD.

Mr. Walter stated that Friendship Village provides residential units including independent living, assisted living as well as full, continual care. Because of the operation, they are a non-residential user. Friendship Village has proved to be a good neighbor for over 35 years and purchased a 12 acre parcel adjacent to their property.

Mr. Walter stated the mission statement of Friendship Village states that the building shall be operated by high moral standards. It is desired to construct new facilities for new residents. There is frequent communication with the residents.

Mr. Walter stated that there was a concern expressed regarding construction duration; it is the intention to accomplish the construction duration with reasonable demands. There will be phases; it is not designed to be continuous phases, therefore, there will not be continual construction traffic in the complex for the ten years or so. The construction phases will be completed as the market demands and to not close the facility.

Mr. Brandon Harp, Principle of Civil Engineering Design Consultants, was present and reminded the members that a detailed presentation was given at the March 14, 2012 Planning and Zoning Commission meeting at which time the Commission requested additional information; the elevations of the cottages and detailed landscape plans being presented to the Urban Forestry Commission. The elevations of the cottages and landscaping plans were provided in the members' packets. The Urban Forestry Commission approved the landscaping plans at their March 29, 2012 meeting. Mr. Harp added that the plans provided in the members' packets include new elevations for the cottages.

Mr. Jerry Larson, resident of Rambling Oaks Subdivision was present, and stated he appreciates the efforts to make changes. He stated that in the past, Friendship Village has allowed additions to the cottages as well as shed roof additions and patio covers, spring patios constructed of various materials. He then asked if Friendship Village has any restrictions in place to eliminate inconsistencies with additions within the new development to maintain consistency. He also asked if in the future additions will need to be approved. Mrs. Lamitola explained that the City reviews essentially all building permit applications. Mr. Walter added that additions to the existing such as screened in porches are reviewed by Friendship Village.

Mr. Larson stated that developer has stated that the proposed changes could take up to 20 years to complete. He requested that the perimeter plantings be planted immediately after the installation of utilities to afford privacy to the residents of Rambling Oaks and would eliminate a timeline.

Mr. Karl Imo was present and stated he owns 5.4 acres of property near Friendship Village that is currently for sale. The individuals who have viewed his property have stated they do not want to deal with 15 years of construction. He added that he feels the proposal will decrease his property value. In additions, he agrees with the concerns of Mr. Larson regarding the timing of establishing the buffer.

Mr. Koller asked about the outside materials of the new buildings. Mr. John Harold, representative with THW Design, was present and stated there will be a variety of materials; hardy board siding, brick, painted siding or painted panels with asphalt shingled roofs.

Mr. Walls expressed concern that what is being presented may not be what is actually constructed. He also questioned the modifications. Mr. Walter stated that the intent is to construct what people need as well as what the market demands.

Mr. Engelbert, resident of Friendship Village was present and stated he has lived in Friendship Village for eight years. His wife desired a year-round porch on the back of their unit which is the only modifications he has made. It was pointed out that the modification was completed with City approval.

Mr. Koller made a motion that 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 Bluffs Subdivision from R-1 Residential to PD-MXD be recommended to the Board of Aldermen for approval. Mr. Littlefield seconded the motion. All members voted AYE with the exception of Mr. Walls who voted NAY and Mrs. Otto who recused herself from participation. There being only 1 NAY vote, the motion passed.

Mr. Studer made a motion that 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 be recommended to the Board of Aldermen for approval. Mr. Koller seconded the motion. All members voted AYE with the exception of Mr. Walls and Mr. Robben who voted NAY and Mrs. Otto who recused herself from participation. There being only 2 NAY votes, the motion passed.

The members addressed P-14-12 as their next order of business.

## **NEW BUSINESS**

**P-12-12** Petition for an Amendment to Appendix A, Section 11.1 of the City's Subdivision Regulations regarding various requirements of the Subdivision Regulations.

Mrs. Lamitola explained that there have been a few complications when trying to work with the Petitioner, the Bush Family, in regards to the desire to subdivide 12920 Gravois Road. The suggested amendment consists of modifying Section 11 to expand upon what variances can be granted to the Subdivision Regulations.

Mr. Jones explained that currently, the Planning and Zoning Commission approves variances. The recommended change would allow the Board of Aldermen to approve variances by ordinance; however, the Planning and Zoning Commission will still hear the petitions first to make recommendations to the Board of Aldermen. The change will not affect the Board of Adjustment as it is not a statutory variance as what is heard by the Board of Adjustment.

Mr. Jones added that to him, it seems to be an improvement compared to the current process.

Mrs. Otto made a motion that P-12-12 Petition for an Amendment to Appendix A, Section 11.1 of the City's Subdivision Regulations regarding various requirements of the Subdivision Regulations be recommended to the Board of Aldermen for approval. Mr. Robben seconded the motion, and it was unanimously approved.

**P-13-12** Petition for a variance to the Subdivision Regulations submitted by Wind Engineering related to access at 12920 Gravois Road for Kirby Smith.

**P-5-12**

Petition for a Lot Split submitted by Bush Family Properties to sub-divide 12920 Gravois Road into two parcels for the purpose of selling one 9 acre parcel.

Mr. Dan Wind of Wind Engineering was present and explained that the property owners desire to subdivide the current 45 acre property into two lots. One lot would be just over 36 acres and the second portion would be 9 acres. Kirby Smith currently leases the property and would now like to purchase the property and perform some upgrades and remain operating their business in Sunset Hills. However, a variance will be needed to address access issues. If the Board of Aldermen approves P-12-12, a variance request can be presented. After a variance is approved to address the access issues, the proposed lot split could be approved.

Mr. Wind displayed photographs of the property and explained the existing 20 feet easement through the Independent Concrete Pipe parcel as well as the proposed 40 feet easement through the new 9 acre tract. Mr. Jones explained that there is a specific easement agreement that will follow the title of the land even if ownership changes. Any future developments would have to make a presentation to the City for approval. After the lot split is approved, access to the rear will have to be allowed.

Mrs. Otto made a motion that P-13-12 Petition for a variance to the Subdivision Regulations submitted by Wind Engineering related to access at 12920 Gravois Road for Kirby Smith be recommended to the Board of Aldermen for approval, contingent on the approval of P-12-12 by the Board of Alderman. Mr. Koller seconded the motion, and it was unanimously approved.

Mrs. Otto made a motion that P-5-12 Petition for a Lot Split submitted by Bush Family Properties to sub-divide 12920 Gravois Road into two parcels for the purpose of selling one 9 acre parcel be recommended to the Board of Aldermen for approval contingent upon approval of P-12-12 by the Board of Aldermen. Mr. Littlefield seconded the motion, and it was unanimously approved.

**P-14-12**

Petition for a Lot Consolidation submitted by McBride Developers to Consolidate 9920 and 9924 Grandview Hill Court into one parcel for the purpose of building a new home.

Mr. Jeff Boland, with McBride Homes, was present and stated that the request for a lot consolidation is due to the desire to improve the angle the location of the house on the lot for the home owner.

Mrs. Otto made a motion that P-14-12 Petition for a Lot Consolidation submitted by McBride Developers to consolidate 9920 and 9924 Grandview Hill Court into one parcel for the purpose of building a new home be recommended to the Board of Aldermen for approval. Mr. Koller seconded the motion, and it was unanimously approved.

The members addressed P-12-12 as their next order of business.

**ADJOURNMENT**

Mrs. Otto made a motion to adjourn the meeting at 8:01 p.m. Mr. Robben seconded the motion, and it was unanimously approved.

Recording Secretary,



Laurie Sanneman