

MINUTES OF THE REGULAR MEETING
OF THE PLANNING AND ZONING COMMISSION
OF THE CITY OF SUNSET HILLS, MISSOURI
HELD ON WEDNESDAY, MARCH 3, 2021

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

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

Absent:

APPROVAL OF THE MINUTES

Copies of the minutes of the February 3, 2021 Planning and Zoning Commission meeting were distributed to the members for their review. Mr. Kaiser made a motion to approve the minutes as submitted. Mr. Pellegrini seconded the motion, and it was unanimously approved.

NEW BUSINESS:

The following two petitions were heard simultaneously, but voted on separately.

P-04-21 Petition for an Amended Conditional Use Permit, submitted by Special School District of St Louis County, for improvements to South County Technical School at 12721 West Watson Road.

T-01-21 Petition for a Tree Removal Permit, submitted by Special School District of St. Louis County, to remove in excess of 10,000 square feet of tree canopy at 12721 West Watson Road.

Ms. Sprick stated this project is for building and parking lot improvements. Additions are proposed to the administration building; they will be constructed of the same style and materials as the existing building. Improvements will be made to the southeast parking area, as well. The new parking area will be located to the side of the administration building containing 54 additional spaces. The petition for a tree removal is an amendment to the previously approved Tree Removal Permit. Area three, the area being removed, goes from 14,700 square feet to 11,215 square feet. 1,750 square feet of tree canopy is being added. Area four, which is 15,930 square feet, is being removed. Staff recommends approval.

Keith Fryer, with Clayton Engineering, was present and stated the driving force for this change is to eliminate the canopy in front of the building and add it to the back, along with the main entrance. This will separate the car traffic from the bus traffic to improve congestion. There will be additional rooms added in administration, as well. There will also be an elevator installed.

Mr. Beiter asked why additional parking is needed.

Mr. Fryer stated currently, the entire parking lot is full. This will alleviate the fight for parking spots.

Mr. Hopfinger made a motion that P-04-21 Petition for an Amended Conditional Use Permit, submitted by Special School District of St Louis County, for improvements to South County Technical School at 12721 West Watson Road be recommended to the Board of Aldermen for approval. Mr. Young seconded the motion, and it was unanimously approved.

Mr. Young made a motion that T-01-21 Petition for a Tree Removal Permit, submitted by Special School District of St. Louis County, to remove in excess of 10,000

square feet of tree canopy at 12721 West Watson Road be approved. Mr. Kaiser seconded the motion, and it was unanimously approved.

P-05-21 Petition for a Text Amendment submitted by the City of Sunset Hills, to revise and update the illumination standards in Appendix B Zoning Regulations, Section 6.3-7.

Ms. Sprick stated there have been several recent variance appeals applied for and complaints received from residential property owners in regards to the way the illumination standards are written. National standard research was done, along with research on what other local municipalities' requirements are. Some are limiting the type of fixture that can be installed. With the new fixtures any new lighting is cut off or full cut off design, which limits the amount of light that goes out or up. They also limit the height of light poles. The standard is 20 foot for commercial and 25 foot for industrial. Any variations from the proposed lighting regulations will be heard by the Planning and Zoning Commission and the Board of Aldermen; they will no longer be heard by the Board of Adjustment.

Mr. Beiter asked what brought this about.

Ms. Sprick stated any time a property is re-occupied and has to go through the Planning and Zoning and the Board of Aldermen for a Planned Development, they never meet the requirements. Lighting engineers agree that the ordinance is out of date. Board of Adjustment has to take into consideration, neighboring property complaints. Continuous lighting standard variances are being applied for. The City has been receiving complaints about Subaru and Tidal Wave's lighting. Tidal Wave meets the lighting standards, but neighbors are complaining. Subaru meets the standards near the residential properties, but complaints are still being received.

Mr. VanCardo made a motion that P-05-21 Petition for a Text Amendment submitted by the City of Sunset Hills, to revise and update the illumination standards in Appendix B Zoning Regulations, Section 6.3-7 be recommended to the Board of Aldermen for approval. Mr. Kaiser 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

The Commission will be discussing the draft Unified Development Ordinance. No public comment will be taken on this item at this time.

Mr. Beiter stated the Commission will begin where they left off, at section 8.

Ms. Sprick stated a Planned Unit Development (PUD) gives the developer and the City benefits. The developer can massage the regulations to create a better development. The City gets to impose regulations above and beyond what a zoning district normally allows. For example a ten plus acre parcel, can have ten homes in the R-1 zoning district. If a developer applies for a PUD, they can propose smaller lot sizes and setbacks. The City relies on the underlying zoning requirements for lot sizes and land uses. Multi-family housing and cluster homes were removed from the R-1 zoning district. She proceeded with reading Aldermen Friedmann and Gary Vincent's comments. They stated the section is completely new from the old code.

Mr. Beiter stated it is an entirely new section, but it is a state of the art zoning document that agrees with common planning and zoning practices.

Ms. Sprick stated the current Planned Development zoning districts were written specifically for certain developments that they apply to.

Mr. Beiter stated the current zoning ordinance brought problems that were not necessary. A Planned District overlay would allow flexibility in building housing that is appropriate for Sunset Hills. The Commission is there to make sure the appropriate number of housing units are applied each area. They do not have to agree with what developers propose. To throw the section out completely would be ridiculous.

Mr. Young asked if all PUD's are presented in front of the Commission.

Ms. Sprick stated yes.

Mr. Young asked why they would be eliminated if they have to come through the commission anyway.

Mr. Baker stated this is why the Board and Planning and Zoning are appointed. If a good development comes before them, they should be allowed. If they do not agree, it should not be allowed.

Ms. Sprick stated a PUD gives the City more control. The Commission can talk about the proposal, make changes to it, and deny or approve it.

Mr. Powers stated it would be a serious mistake to not allow the option for a PUD in residential districts.

Mr. Baker stated the current zoning code is poor planning practice, while this PUD overlay is good planning practice.

Mr. Beiter asked if in a PUD, a parcel of ten acres, which is largely a vacant site to would require common ground be associated with it. He also asked if common ground is taxed.

Mr. Jones stated it depends on how the association is set up. If it is non-profit, they would need an exemption. It is not on the real estate tax, generally.

Mr. Beiter stated in a site of five acres of new housing, maybe less, the four acres that are developed would be generating more taxes than undeveloped land that previously existed within the ten acres.

Ms. Sprick and Mr. Jones stated yes.

Ms. Sprick stated the next comment from Aldermen Friedmann and Gary Vincent stated there is a controversial section, eliminating 4.10 standards of current codes. They would not like PUD's to be allowed in the R-1, R-2, and R-3 zoning districts.

Mr. Baker stated all of these concerns have been discussed and the responses vary. City staff recommends keeping the language the same as written. Section 8 provides guidance and standards that are needed for these districts. Based on all discussions, there has not been an agreeing consensus.

Ms. Sprick stated if the City does not like the development, they can deny it without repercussions because it is a PUD and not straight zoning.

Mr. Beiter stated this is an opportunity to try something new. If the City tries it and they come to the conclusion that it was a mistake, the ordinance can be modified. If the City does not try this state of the art language and adjustments while the opportunity is here, the City will never come back to it.

Ms. Sprick stated it is new for our City, but it is not a new idea or a new practice. St. Charles County has this type of ordinance and it was a very successful tool for a lot of developments.

Mr. Gau asked what the Board was opposed to with this.

Mr. Baker stated it was whether to allow PUD's in residential districts or not. There are some members that agree with it and there are some that are against it.

Those against it are worried about high density in their neighborhood and there not being enough triggers in the code to prevent this from happening.

Mr. Pellegrini stated the fear is putting these in residential areas. There is fear of attached homes and high density for current residents.

Mr. Powers stated a PUD cannot be prohibited. There is a way to do this with the current ordinance, as well.

Mr. Pellegrini stated the Courtyards were a special project.

Mr. Powers stated this could happen again. It cannot be prohibited. At least with a PUD, there is a process in place that the City can regulate what happens. All it takes is a Text Amendment with Planning and Zoning and Board approval for this to happen right now. A modern code is being proposed with a lot of protection in place.

Mr. VanCardo stated there are only approximately eight people disagreeing with this ordinance throughout the entire City. It gives an opportunity for development, but the City can oppose any proposal. This does not guarantee approval.

Ms. Sprick stated with three, three acre lots, they still have to abide by the density of the underlying zoning. The number of homes allowed would not be increased with a PUD. The next point by Friedmann and Vincent was that section 8.1 should be deleted.

Mr. Baker stated it details when the PUD is required and when it can be opted into by the developer. Staff would like to keep it the way it is written.

Mr. Powers stated instead of going over all of Friedmann and Vincent's comments, he trusts the way the document is written with any changes City staff would like to make.

Mr. Pellegrini asked if there will be a face to face meeting with the public before Board submittal.

Mr. Beiter stated yes, a public hearing will be held.

Ms. Sprick stated Zoom meetings are not enough for a real public hearing. One will be held in person when possible.

Mr. Baker stated there are still a lot of comments that Friedmann and Vincent made that Staff does agree with. A motion for Staff to incorporate a document showing Planning and Zoning's changes and the changes that Staff believes should be incorporated should be made.

Mr. Jones stated a motion and a draft document with changes need to be submitted. They need to implement a Unified Development Ordinance (UDO) with staff recommendations.

Mr. Gau asked if this would be a red-lined version.

Mr. Baker stated the existing document will be submitted and then Staff will write up a document stating all changes that were made.

Mr. Gau and Mr. Beiter requested a red-lined version.

Mr. Beiter stated a new red-lined version should be made off of the August draft.

Mr. Baker stated that is acceptable.

All members agreed that it is easier to follow that way.

Mr. Gau made a motion to add staff recommendations and any changes that Planning and Zoning made as a red-lined August version. Mr. Young seconded the motion, and it was unanimously approved.

Mr. Svoboda stated he does not agree with limiting driveway widths to 24 feet.

Ms. Sprick stated the graphic will be looked at.

Mr. Gau asked if Mr. Svoboda's comments have been distributed to the Commission.

Ms. Sprick stated no, his comments will be reviewed.

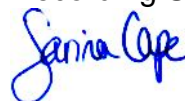
Mr. Jones stated the driveway issue is in section 4.1.7-2a.

Mr. Kaiser stated Mr. Svoboda's comments were attached to the December workshop packet.

ADJOURNMENT

Mr. Kaiser made a motion to adjourn the meeting at 7:18 P.M. Mr. Young seconded the motion, and it was unanimously approved.

Recording Secretary



Sarina Cape