

MINUTES OF THE REGULAR MEETING  
OF THE PLANNING AND ZONING COMMISSION  
OF THE CITY OF SUNSET HILLS, MISSOURI  
HELD ON WEDNESDAY, MAY 5, 2021

BE IT REMEMBERED that the Planning and Zoning Commission of the City of Sunset Hills, Missouri met by Zoom meeting on Wednesday, May 5, 2021. The meeting convened at 10:00 A.M.

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

ROLL CALL

<b>Present:</b>	Terry Beiter	-Chairman
	Todd Powers	-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 March 3, 2021 Planning and Zoning Commission meeting were distributed to the members for their review. Mr. Svoboda made a motion to approve the minutes as submitted. Mr. Powers seconded the motion, and it was unanimously approved.

## **NEW BUSINESS:**

P-06-21      Petition for a Boundary Adjustment Plat, submitted by Bob Vandas, to transfer 1,000 square feet of property from 35 Oleander Drive to 33 Oleander Drive.

Ms. Sprick stated 33 Oleander had an attached garage that was destroyed by a fire. The new garage will be larger and will not meet the side setback requirement. 35 Oleander is transferring 1,000 square feet of land to 33 Oleander; which will help the garage meet the side setback. Staff recommends approval with the condition that the legal description for both revised lots and the original lots be included on the recorded plat.

Bob Vandas, homeowner, was present and stated he will work with James Engineering to add the legal description of both original lots.

Mr. Svoboda asked if there is anything extra that needs to be done with the easement.

Mr. Vandas stated he is working with the utility companies for them to vacate the easement or allow access.

Mr. Jones stated the easement does not have to be transferred, but an encroachment permit has to be issued.

Mr. Young made a motion that petition P-06-21 Petition for a Boundary Adjustment Plat, submitted by Bob Vandas, to transfer 1,000 square feet of property from 35 Oleander Drive to 33 Oleander Drive be approved with the condition that the legal description for both revised lots and the original lots be included on the plat. Mr. Gau seconded the motion, and it was unanimously approved.

P-07-21      Petition for a Preliminary Subdivision Plat, submitted by Westview Investment LLC for the development of property at 12300 & 12322 Robyn Road.

Ms. Sprick stated the project consists of two parent properties that will create a 16 lot subdivision, with lots between 1 and 3.54 acres each. There will be 2.02 acres of common ground and the streets will be private. Staff recommends approval. She showed the site plan for the property lines and streets.

David Volz, with Volz Engineering, was present and stated Mike and Al Borzillo, which were also present, plan to build 16 homes that meet all of the R-1 zoning

regulations. They would like to inhabit one of the homes and, eventually sell and build the others.

Mr. Svoboda, Mr. Gau, and Mr. Beiter all favored the concept.

Mr. Powers stated he was concerned about the neighborhood eventually wanting to make the private streets public. If they build them to city standards the process will not be as hard.

Mr. Volz stated they want to keep them private. It is a steep site with a 40 foot right of way and a 26 foot wide street. They will not meet city standards. The slope is steep enough that the lots will go down or up from the street. It will be graded, but they will have to build and make the homes work with the street. Public streets would require more grading. Something can be added into the indenture that the roads will remain private forever.

Mr. Powers would like that to be added.

Mr. Beiter asked if the city would provide snow removal.

Mr. Baker stated that is correct, as long as the homeowner's association signs an indemnification to the city.

Mr. Jones stated the subdivision code within the street standards requires a disclosure of street maintenance. The owners & homeowners are responsible for the care of the streets. The commission would need to make it part of the motion that the streets will remain private.

Ms. Sprick stated there was a note on the plat that the streets will be maintained privately in perpetuity. This will be recorded on the plat.

Mr. Jones stated this satisfies his concerns.

Mr. Svoboda asked about the sewers.

Mr. Volz stated they are still waiting on the topographic map. Below lot five, there is an existing manhole. They plan on feeding that from the backyards. Another sewer line will go up the street. All other utilities will be served through the street, as well.

Mr. VanCardo asked how short the development will be for dump trucks transporting down Robyn Road.

Mr. Volz stated there are 10% grades coming off of Robyn Road. They are trying to reduce the amount of fill needed, but material will need to be hauled onto the property.

Mr. VanCardo asked if there will be rock removal.

Mr. Volz stated he does not think so.

Ms. Sprick asked if there will be any blasting and if St. Louis County requires permits for that.

Mr. Volz stated he is hoping not to for the improvements. He is not sure if it will be necessary for each home foundation. County will require a permit for blasting.

Mr. Borzillo stated he would have a breaker, instead of blasting.

Gary Vincent, of 9456 Sunny Creek Lane, stated the residents in his subdivision agree with the development. He is glad to hear blasting is not anticipated. He asked if the lots on the cul de sacs will need variances for frontage.

Ms. Sprick stated there were revisions made and now they all meet lot width requirements.

Mr. Volz stated they were able to spread the lots and get the frontage necessary.

Mr. Gau made a motion that petition P-07-21 Petition for a Preliminary Subdivision Plat, submitted by Westview Investment LLC for the development of property at 12300 & 12322 Robyn Road. Mr. Hopfinger seconded the motion, and it was unanimously approved.

P-08-21      Petition for a Concept Plan, submitted by John Miller, for redevelopment of properties at 128, 130, 132, 134, 136 & 138 Deane Court.

Ms. Sprick stated the petitioner would like to demolish six homes and construct an apartment building in their place. The R-6 zoning district does not allow multifamily homes. Several text amendments would be required. The PD-LS zoning district allows luxury apartments, but requires specific requirements that would need to be met and text amendments would have to be made in order for this to apply. If all text amendments were approved, they could change the zoning and then a preliminary development plan would be required. The commission needs to provide feedback.

Mr. Beiter stated the architectural design is attractive, but he does not think, from a land use perspective, that the type of facility being across from single family homes is appropriate. It would be a poorly placed and should be located in a more prominent location. The densities at that location are too high and a three story apartment building would be too much for that location.

Mr. Gau agrees with Mr. Beiter's comments. He stated the plan would work in a different location.

Mr. Young, Mr. VanCardo, and Mr. Svoboda agree.

Joe Wiedemeier, the architect, was present and stated it is a feasible concept for the lot.

John Miller, of Miller Construction, and Wasi Nasar, owner, were present.

Norm Henenberg, of 114 Monica Drive, stated he agrees with the Commission. The plan is not conducive and he fears of continued encroachment into the neighborhood by commercial.

Christopher Flores, of 220 Deane Court, stated 27 units would be a minimum of 54 residents. There are only 32 parking spots. The residents would end up having to park in the street and the street is already full of cars.

Mr. Miller asked if a smaller building could be discussed.

Mr. Beiter stated the Commission is open to ideas and something smaller might be considered.

Mr. Miller stated they are trying to come up with a solution to clean up the block.

Mr. Gau stated he would still think that type of development would not be good in the area.

Mr. Hopfinger asked if he was thinking of mixed use or strictly apartments.

Mr. Miller stated only apartments.

Mr. Hopfinger stated row houses may be more accepted. Something more residential looking would be better.

Mr. Nasar stated the apartments would not be used for overflow for the hotel. The main goal is to clean up the area. There are a lot of issues with Deane Court and he would like to uplift the area.

Mr. Beiter asked if a vote was necessary.

Mr. Jones replied no. The comments in the record will guide what happens in the future.

Ms. Sprick stated the comments that were e-mailed will be added to the file and if the petition moves forward, they will be read into the record.

## **ANY OTHER MATTERS DEEMED APPROPRIATE**

Mr. Beiter asked Mr. Baker to discuss the zoning code update.

Mr. Baker stated a red lined version was created from the last draft and the map has been updated. They would like to bring the updates to the June meeting and he would like to hold the public hearings in future meetings. This way, a recommendation can be made to the Board of Aldermen.

Mr. Beiter would like to have the public hearing in person and he is comfortable having the meeting in person.

Mr. Gau asked when the red lined version will be distributed.

Mr. Baker stated it will be put on the website and e-mailed to the Commission. Anyone wanting a hard copy, can have one as well.

Mr. Beiter requested a hard copy.

Mr. Gau asked if once the document is finalized by the Commission, if it will be posted to the public.

Mr. Baker stated, based on the red lined version, changes can be made and then the final document can be released for the public hearing. Public hearings on zoom have been working okay. He would rather do it via zoom or have it when everyone is comfortable being in person, which could be months.

Mr. Gau agreed with Mr. Baker and stated everyone is getting accustomed to the technology.

Mr. Baker stated the red lined version will be discussed at the June meeting.

## **ADJOURNMENT**

Mr. Gau made a motion to adjourn the meeting at 10:53 A.M. Mr. VanCardo seconded the motion, and it was unanimously approved.

Recording Secretary



Sarina Cape