

**MINUTES OF THE PLANNING AND ZONING  
COMMISSION MEETING**

**Brentwood City Hall**

**Date: February 10, 2016  
7:00pm**

Chairman Daming called the meeting to order at 7:00pm and led the pledge of allegiance. John Nuernberger called the roll with the following members present: John Ritter, Rebecca Jacobs, Clint Lewis, John Nuernberger, Sheri Bilderback, Michael Daming, David Dimmitt, Karen Smith, and Hart Nelson

**APPROVAL OF MINUTES**

**Meeting Minutes December 9, 2015 and January 13, 2016**

Minutes were approved as submitted

**OLD BUSINESS**

None

**NEW BUSINESS**

**Application for Site Plan Review for façade improvements at 2533 S. Brentwood Blvd.  
(Case #16-01)**

Applicant: South Brentwood Partners

Mr. Daming stated that this item was presented at the January Commission Meeting and last Wednesday, February 3 the application was then presented at the February Sub Committee meeting.

Mr. Hagen stated the changes were basically discussed at the sub - committee meeting. Chairman Daming requested that Mr. Hagen present the changes. Mr. Hagen stated that the changes they made to the project as requested from the panel were as follows: At the top of the building some coping was added, alternating colors were shown on the elevations, and decorative panels were added to the base. The color scheme was changed a little and awnings were added for add more depth and detail to the project.

Mr. Daming mentioned that there were additional ideas presented at the last sub – committee meeting and asked Mr. Hagen to express whether he will consent to the changes. The additional changes were as follows: 1. They agreed to install two planters at the center of the primary façade. Mr. Hagen stated that was correct. 2. They agreed to install wall sconces in the center of the primary façade. Mr. Hagen stated that was correct. 3. They agree to show the canvas canopy on the architectural evaluations. Mr. Hagen stated that they were not currently there but they are doing a canvas awning. Mr. Daming also mentioned a conversation concerning the curb cut along Brentwood Blvd. Mr. Hagen stated that was correct but that they do not want to abandon the curb cut because of the possibility of future development. The curb cut would become very valuable to the land owner in the case where the City of Brentwood would do a comprehensive plan for that area. He also stated he believed it would belong to the St. Louis County Highway Dept. and they would be the ones to ultimately decide. Mr. Daming stated his concerns would be someone mistaking that for ingress and asked if Mr. Hagen had

**Audience Comment**

None

Mr. Daming stated that he would like the motion to take into account the items that were discussed earlier. He added that he feels it should include approval of the planters including the new planter that has been agreed to (in the unused curb cut) and the sconces subject to staff approval.

Mr. Nelson made a motion to approve the application with the stated requirements. Ms. Bilderback seconded the motion. All approved, **Motion Passed**

**Application for a Subdivision Plat for 2419 & 2423 Annalee Ave. (Case #16-02)**

Applicant: Edgar W. Ellermann, Jr. & Thomas E. Kramer

Mr. Ellermann stated they were applying for a subdivision for the property at 2419 and 2423 Annalee Ave. It is a 100' frontage parcel that they want to divide into two 50' frontage parcels.

**Staff Report**

Mr. Streiler, Interim Director of Planning and Development, stated that it is located off of Annalee. It is a large lot of almost 30,000 square feet that is in the city's lower density zoning district. The applicant is proposing two lots of 14,989 square foot lots which are well above the minimum lot (10,000SF) requirements. There is an existing home on the site. The intent of the subdivision is to subdivide the parcels roughly in half to allow the construction of a new building. On July 25, 2013, there was a variance approved for this site. A variance to Section 400.1320 (D)(3)(b) (*formally Section 25-253 at the time of the variance*), which addresses the City's 8' setback requirement. This variance was authorized to allow a variance from that setback which will be needed provided that this plat is approved by the board and recorded by the St. Louis County Recorder of Deeds. This variance allows them to have this existing house be right on the proposed property line. The variance further states that if the existing building is ever destroyed, or removed from the site, that the variance shall no longer be in effect. The 8' set back would then apply.

Mr. Daming asked if the Commission approved this subdivision that the applicant could sell lot A and a house could be constructed all the way to the property line B. Mr. Streiler stated that the P&Z Commission needed to recommend approval, the Board of Aldermen would have to approve and it would need to be recorded with the County. Then they could sell Lot A, which is currently undeveloped and put one single family home on Lot A. This would need to conform to the city's single family zoning district. They would have to have an 8' set back. The condition that arises is that the existing building is right on the property line.

Mr. Daming stated that there was a variance that was granted providing relief from the 8' set back on Lot B. The question is, does the variance also provide relief from the setback requirement on Lot A.

Mr. Dimmitt asked that since the applicants are asking to subdivide the property, would it be a condition that we would need to have an easement as part of this.

Mr. Streiler stated that he would want to see the easement on the plat.

Mr. Daming stated that the 8' variance between houses is actually 7'.

Mr. Dimmitt added that the house according to the plats is over into Lot A just under a foot. If we want to maintain the 10' building code requirement, then it shifts any new structure that much further south.

Mr. Streiler wanted to ask the petitioner if that is where (along the proposed dividing line) they might put a driveway, which would address the structural setback / separation issue.

Mr. Ellermann said that he understands the hesitancy, but does not understand why it could not just be added to the approval so they would not have to go through the entire process again. Right now their plans are for the house to go back further.

Mr. Daming asked Mr. Ellermann what their intentions were with this site.

Mr. Ellermann said they intend to sell Lot A, which is currently under contract to someone who is interested in building a house there. When that house is finished or almost finished, he will close on the second lot and build a spec house there.

Mr. Daming stated that then there would be one house on Lot A and one house on Lot B.

Mr. Ellermann responded that was the plan, it was not definite as the contract is contingent on the subdivision.

Mr. Daming said that the idea was the house on Lot B would be demolished.

Mr. Ellermann responded that was correct.

Mr. Daming added that then the variance that was in place now would go away.

Mr. Nuernberger stated that it looked like Lot B is larger than Lot A.

Mr. Ellermann stated that it was not.

Mr. Streiler stated that the drawings were not to scale.

Mr. Nuernberger stated that there were two lots 50' each divided down the middle.

Mr. Streiler confirmed.

Mr. Nuernberger feels it is going to be a problem; it could be a foot off and then asked how old the current house was.

Mr. Ellermann stated that he did not know, but that it was an old house, at least 30-40 years old.

Ms. Smith discussed previous issues with building structures that are too big and too close together. She is concerned about the structures being so close together. The building density is of concern.

### **Audience Comment**

Fred Rausch; 2443 Annalee: was curious if there were other situations where this kind of thing happened and the successes and failures.

Mr. Streiler commented that a lot split is fairly common. In fact many municipalities have a separate procedure that allows these to be approved very quickly. In Brentwood, everything is viewed as a subdivision plat whether it is 20 acres or just under an acre.

Fred Rausch stated that he understood, but how has Brentwood been affected by similar break ups of property.

Mr. Streiler stated he could not really answer that question. This is the first one he has reviewed.

Mr. Daming stated that they have approved these preliminary plats frequently. He is not aware of any occasion in which they have had to approve a plat that already had a variance.

Mr. Rausch was concerned that if some of those happened, what kind of failures happened for the people that are on each side; what kind of problems have there been.

Ms. Bilderback in responding to Mr. Rausch's question stated that it is definitely unique with the variance happening first. The other thing that is really unique is where the property line falls on the house in relation to that. She does not ever remember having that happen before. She further discussed the common issues that arise with split lots.

Mr. Daming asked if it was a done deal that the house on Lot B was going to be demolished.

Mr. Hagan responded that not at this point.

Mr. Daming asked Mr. Hagan that if approval of the sub division request would be contingent on demolition would that be more palatable.

Mr. Hagan stated that the most palatable thing would be approval subject to the building code. He went on to add that there are currently 50' lots to the south of that property and some to the north as well. What we are proposing to do is tear down a house that is in very bad repair and to put up two new houses. He continued to reiterate what their plans were and the zoning that was already approved.

Ms. Bilderback stated she liked the Chairman's idea concerning the sub division if it was contingent on the existing home being demolished, otherwise she would need more time to make a decision. She also asked why the home has been let to get into such poor repair.

Mr. Daming stated that the later point was beyond their jurisdiction.

Mr. Nuernberger stated he was curious if the variance was issued to the current property owner.

Mr. Daming asked if the Commission wants to put this item on hold or take it up tonight with contingencies.

Ms. Bilderback stated she would like to take it to site plan and go over some of the issues that were discussed tonight with the added information.

Everyone agreed to take this issue to subcommittee.

Mr. Daming stated to Mr. Streiler that for subcommittee they would like to have the pertinent building code provisions, the pertinent code sections that provide for the scope of their jurisdiction and review of the preliminary plat application. They also need some clarification from the applicant on the easement.

### **ALDERMANIC REPORT**

None

### **CITY PLANNER'S REPORT**

Mr. Streiler commented about clarification from some of the minutes that were brought up at the last meeting. There was a request for parking ratio at the Villas of Brentwood. Brentwood Forest has 1.5 stalls per unit, which is the minimum amount of parking that the city of Brentwood's code requires. The Villas of Brentwood has 620 stalls and 331 units which is 1.87 stalls per unit. It will be discussed further at the subcommittee meeting.

### **SITE PLAN REVIEW SUBCOMMITTEE APPOINTMENTS**

Plans were made to hold a sub-committee meeting on February 24th at 6:00pm.

### **RATIONALE FOR THE BOARD OF ALDERMEN**

Mr. Streiler will handle the rationale for Pasta Pronto

### **OTHER BUSINESS**

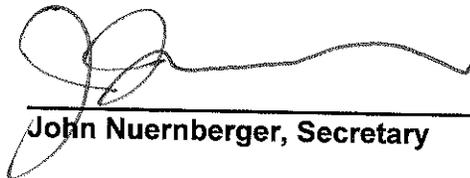
None

### **ADJOURNMENT**

Motion was made by Ms. Bilderback and seconded by Mr. Dimmitt to adjourn the meeting at 8:05 p.m. Unanimous vote in favor was taken; **MOTION PASSED.**



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Michael Daming, Chairman



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John Nuernberger, Secretary