

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

Brentwood City Hall

Date: October 11, 2017

7:00 PM

Chairman Daming called the meeting to order at 7:00 PM and led the pledge of allegiance. John Nuernberger called roll with the following members present: Michael Daming, Mark Favazza, Jennifer Hansen, Michael Hart, Rebecca Jacobs, Clint Lewis, Hart Nelson, John Nuernberger, John Ritter, Lisa Schuering and Tom Shipley.

APPROVAL OF MINUTES

Meeting Minutes of September 13th were approved by acclamation.

OLD BUSINESS

- 1) Case # 17-11 - Application for Site Plan Review and a Conditional Use Permit for property located at 2301 S. Brentwood Blvd. to construct a 909 square foot drive through custard shop and accessory parking.
- 2) Case # 17-12 – Application for Site Plan Review for property located at 8212 Manchester to construct a “temporary” parking lot.

NEW BUSINESS

None

Old Business

Case # 17-11 - Application for Site Plan Review and a Conditional Use Permit for property located at 2301 S. Brentwood Blvd. to construct a 909 square foot drive through custard shop and accessory parking.

Ms. Jacobs stated she is involved in this project and asked to excuse herself from discussion on this application.

Mr. Daming reminded the Commission it has taken up this application at its regular meeting in August and at a Site Plan Subcommittee meeting in August.

Ryan Cerniglia with TWM and representing the applicant stated they met on August 9th with the Planning & Zoning Commission and also met with the Board of Adjustment on Aug 24th. The Board of Adjustment granted a variance with setback requirements on the west side of

property and a landscape buffer on west side as well as site coverage as it relates to allowing a portion of the parking area to be located in the required buffer yard. On August 30th they met with the Site Plan Subcommittee to give an overview of the property again and discuss the details of the project. The property at 2301 S Brentwood Blvd. is located at the southwest corner of White Ave. and Brentwood Blvd. and is zoned as PD District with residential to the west. The project consists of a drive through and a walk up ice cream shop, the construction of a one-story building with 9 parking spots and one accessible ingress / egress into the drive through and parking area off White Ave. There is no entrance off Brentwood Blvd. however the drive through will exit Brentwood Blvd. and head south bound only (right turn-out only). At the Subcommittee meeting, they received information from the traffic review conducted by CBB, the City's traffic engineer, and they have addressed all issues and added them to the revised plans.

Mr. Daming asked if the City landscape architect also reviewed the application.

Mr. Cerniglia stated they did receive the comments a few days ago however the updated plans do not address all of the landscape plan review comments as they did not have time to revise the plans.

Mr. Daming asked Ms. Koerkenmeier to bring the Commission up to date on whether or not they have incorporated all of the Subcommittee's recommendations.

Ms. Koerkenmeier said in terms of the recommendations of the Site Plan Subcommittee they have been addressed or have been included as conditions of approval in the staff report. The detailed landscape plan was submitted the week before last and the City's landscape architect, Andy Franke reviewed the application. He submitted the comments dated October 5th that were included in the staff report. The comments have been or can be addressed. The first comment is that the landscape buffer yard along White Ave. is to be a minimum of 10 ft. in width. She noted this requirement is not a zoning requirement but a development standard included in the parking section. It is under the provisions of the Site Plan review that the Commission and Board may approve the front yard landscape buffer along White Ave. as shown on the site plan. As Mr. Cerniglia stated the variances from the PD District (zoning) requirements were approved by the Board of Adjustment on August 24th. There was a comment about adding 90 sq. ft. of additional landscape area in the interior, and it appears that can be accommodated by adding landscaping in front of the building or around the perimeter of the trash enclosure on the north side. In terms of placement of the fence it does have to be 15 ft. back from the public right of way as required by Code. All of the landscape comments can be addressed.

Ms. Koerkenmeier stated staff was also waiting to receive preliminary review comments from St Louis County Department of Transportation. This parcel was previously developed so it has

existing curb cuts that the applicant will use. Although the existing curb cuts will be used, the curb cut on S. Brentwood Blvd. will require a permit from St. Louis County Department of Transportation to work on right-of-way. The County noted the existing curb cut along S. Brentwood Blvd. is wider than what would be for the proposed access for the drive through lane as it exits onto S. Brentwood Blvd. and their recommendation is that the width of the existing curb cut be reduced to the size of the drive through lane. If this project receives approval and the designed engineered site plan is completed, the site plan will officially be sent to St. Louis County Department of Transportation for review.

Mr. Cerniglia stated in regards to the curb cut off of S. Brentwood Blvd. they do not plan on doing any right of way improvements along S. Brentwood Blvd. The only right of way improvements they plan on doing is the entrance off of White Ave. So they do not anticipate doing any disturbance in that area. They are planning on having the drive through exit the current curb cut onto S. Brentwood Blvd. but would have fencing and signage to eliminate anyone from entering from S. Brentwood Blvd. into the drive through area.

Mr. Daming asked Mr. Cerniglia if he was familiar with the recommendations the Subcommittee made, and the recommendations incorporated into the staff report to address the landscape plan. He also asked if he and the developer were amenable into incorporating all of those into the site plan.

Mr. Cerniglia stated yes, with regards to what Ms. Koerkenmeier had stated.

Ms. Hansen stated she had missed the last Subcommittee meeting and asked Mr. Cerniglia if they had the traffic study at the time of the Site Plan Subcommittee meeting.

Mr. Cerniglia stated yes they did.

Ms. Hansen stated when looking at the traffic study under the sub section of drive through and site circulation, can someone explain how the study indicates the developer expects 60 second headway between vehicles, and is there concern if headways were longer than expected, particularly during peak times, that the traffic may increase quickly. How did we get the 60 second between vehicles? Is that just an industry standard or what this particular franchise uses?

Mr. Cerniglia stated he believed that was an industry standard but he did not do the review they are just reacting to the recommendations.

Mr. Daming replied it was not a franchise standard, but that question was asked of Mr. Cannon during the Subcommittee meeting. Mr. Cannon did indicate it was an industry standard looking at different ice cream shops.

Ms. Koerkenmeier stated generally industry standards are used. It is based on the size of the establishment, business hours and peak times.

Ms. Hansen asked if the developer was present to explain, she was not sure if the Mayor was the applicant or the LLC.

Mr. Thornton stated Mr. Cannon used a spreadsheet which was actually a traffic circulation model for a drive through with different variables. One of the variables used was the headway and the default in the model of 45 seconds, which is a typical headway for a fast food restaurant. Given the project is not a fast food establishment, 60 seconds was used. The model was ran all the way up to a minute and a half of headway and the ques did not expand beyond 6 or 7 cars which may be accommodated on the site. Mr. Cannon had asked for the worst case scenario; based upon the busiest day of the year and the busiest time of day to determine the peak traffic. These numbers produced what you see in the study.

Ms. Hansen stated her understanding was the peak hours for the shop are different than peak driving hours along S. Brentwood Blvd.

Mr. Thornton stated information submitted at the Site Plan Subcommittee meeting showed a peak time for local ice cream shops between 7 and 10 p.m., with the highest traffic between the 8 and 9 p.m. o'clock hour, which is not the peak time of volume on S. Brentwood Blvd.

Ms. Hansen stated looking at the traffic study again there is a recommendation that potentially all employees should park off site, and the Subcommittee recommendation was one parking spot. Can you give me a background as to how we got there?

Ms. Koerkenmeier stated the parking requirement meets the requirements of nine spaces for the business use and the size of the establishment. The City's parking requirement considers employees' needs as well as the customer's needs. Although the City's parking requirement is met, this particular business is expected to be seasonal so there will be more employees needed at some point. When the establishment would be at peak times, the Subcommittee encouraged the developer to seek an alternate parking arrangement with an adjoining commercial property owner. Joint parking agreements are permissible by our code provisions.

Ms. Hansen asked if it is a condition then to limit it to one parking space per employee, or per the traffic study recommendations which reflects that some or all the employees will need to park off site during peak hours.

Mr. Koerkenmeier stated that typical operations would require one employee to be there all the time, which is how the one employee space on-site came to.

Mr. Thornton added that Mr. Cannon stated they should limit it to one employee at the peak times. He stated he may establish a parking agreement with a neighbor, but the shop will also be employing teens and they will be walking to work.

Motion made by Mr. Nuernberger to approve based upon the site plan modifications that are recommended by the Site Plan Subcommittee meeting and the recommendations by the staff in the staff report for 2301 S. Brentwood Blvd., Mr. Shipley seconded.

Roll Call: 9-ayes, Favazza – yes, Hansen – yes, Hart – yes, Lewis – yes, Nelson - yes, Nuernberger – yes, Ritter – yes, Schuering – yes, Shipley – yes.

Motion passed.

Case # 17-12 – Application for Site Plan Review for property located at 8212 Manchester to construct a “temporary” parking lot.

Ms. Jacobs rejoined the Commission.

Mr. Daming asked Ms. Arbuthnot, representing the applicant, if the recommendations from the Site Plan Subcommittee have been incorporated into the revised site plan.

Ms. Arbuthnot stated that all but one had been.

Mr. Daming asked which one had not.

Ms. Arbuthnot stated staff has asked for a 2 inch overlay on the asphalt. Mr. Aston, the owner, for now wants to do just patching and reseal over the entire lot. She submitted pictures for review and stated by the time they finish they will be close to a 2 inch overlay. Ms. Arbuthnot said the parking lot was temporary and Mr. Aston is asking for relief on the 2 inch overlay.

Additionally, Ms. Arbuthnot provided remarks about working with Representative Elaine Gannon to draft new legislation for flood mitigation and storm water control and is hoping to draft a bill benefiting residents and businesses.

Mr. Daming asked Ms. Koerkenmeier where the recommendation for the 2 inch mill and overlay requirement was coming from.

Ms. Koerkenmeier stated that she and the Public Works Director visited the site and it was a determination by the Public Works Director that the parking lot condition is too deteriorated and cannot be patched. The original paving specification provided with the site plan submittal would have met, actually exceeded the minimum. The basic minimum applied to City projects is a 2 inch mill and overlay treatment.

Mr. Nuernberger stated that the parking lot had to have an overlay. If you crack filled, you would have to crack fill the entire lot. You cannot patch all the holes and not have it crack up during the winter.

Ms. Hansen stated the argument for Mr. Aston would be more compelling if there was an extreme price differential. She asked if the applicant acquired bids and could inform the Commission what the price differential between the two methods of surfacing would be.

Ms. Arbuthnot stated she had not gotten bids at this time.

Ms. Koerkenmeier stated she had asked the Public Works Director to provide a ball park figure and the two inch mill and overlay would cost about \$1.40 sq. ft., roughly about \$18,000-20,000 for the parking lot.

Mr. Daming asked if Ms. Arbuthnot would like to withdrawal the application at this time and look into it some more.

Mr. Nuernberger stated he would not be able to vote and approve this without requiring the overlay recommended from staff. He stated the applicant can withdraw and come back.

Ms. Arbuthnot asked if she could withdraw and come back with bids.

Mr. Daming stated she was free to withdraw.

Ms. Arbuthnot confirmed she was going to withdraw the application.

Audience Comments

None

COMPREHENSIVE PLAN ADVISORY REPORT

None

ALDERMANIC REPORT

None

CITY PLANNER'S REPORT

Mrs. Koerkenmeier gave an update on the Comprehensive Plan; a second draft should be delivered by the end of this week.

SITE PLAN REVIEW SUBCOMMITTEE APPOINTMENTS.

None

RATIONALE FOR THE BOARD OF ALDERMEN

None

OTHER BUSINESS

None

ADJOURNMENT

Mr. Neurnberger made a motion to adjourn the meeting at 7:32 pm. Seconded by Mr. Lewis. Unanimous vote in favor was taken; motion passed.