

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

Brentwood Recreation Center

**Date: January 8, 2020
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; Sheri Bilderback, Mike Daming, Mark Favazza, Rebecca Jacobs, Jeff Moore, Paul Moran, Hart Nelson, John Nuernberger, John Ritter, Lisa Schuering, and Tom Shipley.

APPROVAL OF MINUTES

Meeting Minutes for December 11th were approved by acclamation.

OLD BUSINESS

Case #19-19 - Application for a Site Plan/Conditional Use Permit for a Cooking School for property at 9001 Manchester Road. (Kitchen Conservatory)

Chairman Daming opened the meeting and reminded the commissioners of the previous meetings regarding the traffic study and a desire for a cross-access easement agreement. Mr. Daming asked if the applicant had agreed to the conditions in the traffic study and providing a cross-access easement to the property to the east in the future when it develops.

Mr. Denny, on behalf of his client the Kitchen Conservatory, responded that they had problems with the granting a future cross access easement to the property to the east. On any kind of permanent easement to agree to terms without knowing the location goes beyond what they could agree with.

Ms. Koerkenmeier stated regarding the condition the owner comply with MoDOT's request for permanent and temporary construction easements for the Manchester Road project, it was intended the owner grant what was requested and to ensure condemnation would not be required. She reminded the Commission the owner's design team designed the site plan to be compliant with the MoDOT project which was positive.

Mr. Lee traffic engineer explained, MoDOT is bound by federal regulations that they appraise the properties and offer a fair market value to the owners.

Chairman Daming asked would Mr. Lee be satisfied from a traffic engineer perspective with language that the applicant would reasonably cooperate with the city to permit a cross-access easement if the redevelopment to the east would occur in the future. Mr. Lee replied he's only

the engineer and not the attorney, but his recommendations are following access management principles which are to be encouraged along Manchester Road.

Mr. Denny stated his client has no issues with reasonable cooperation with the other parcel owners.

Mr. Nelson stated he is comfortable with language to have the owner reasonably cooperate with the city to permit this project. His additional question was if they revise the language that the property owner would not be subject to any costs. He wanted to know if this is something that could be stricken because it's reasonable cooperation? Also, could there be a conversation about the last sentence of condition; one that we're saying we don't know what this looks like but once we do know what it looks like then there could be some shared cost. It was decided to remove the reference of any party being responsible for the cost.

Ms. Bilderback wanted to make a point this was not a new situation, as it has been required in the past. The community center and Walgreens along with other parties are all part of required cross-access easements.

Chairman Daming wanted to recite the language and make sure that the applicant was satisfied with the staff recommendations changing as follows:

- 1) If the adjacent properties to the east redevelop in the future and warrant access management along Manchester Road, as determined by the City and/or Missouri Department of Transportation (MoDOT), the property owner will reasonably cooperate with the dedication of a cross-access easement, to 22 feet in width, to accommodate vehicular traffic between parcels. Such cross-access easement will be located as mutually agreed upon between parcel owners but located in a manner to comply with traffic management goals of the Manchester Road Corridor.
- 2) The property owner will sign documents related to the acquisition of property easements to construct roadway improvements as part of MoDOT project. Any compensation will be made to the owner for any required permanent and/or temporary easements in accordance to the standard federal guidelines.
- 3) Ms. Bilderback added that any amendments to the existing Reciprocal Easement, Joint Use and Maintenance Agreement with the parcel to the west (Locator No. 21K141362) shall be reviewed by staff prior to recording and a recorded copy of the easement be provided to the City.

Mr. Nelson made a motion to approve the conditional use permit and site development plan with the amended recommendations per decisions made this evening, second by Ms. Bilderback.

Roll Call: 10- ayes, 0 - nay, Sheri Bilderback – yes, Mark Favazza – yes, Rebecca Jacobs – yes, Jeff Moore – yes, Paul Moran – yes, Hart Nelson – yes, John Nuernberger – yes, John Ritter – yes, Lisa Schuering – yes, Tom Shipley – yes.

Motion passed.

New Business

None

ALDERMANIC REPORT

None

CITY PLANNER'S REPORT

Ms. Koerkenmeier reported, the 1st reading was done on the Strictly Pediatric Day Care Center on 1400 Strassner. It was presented to the Board of Alderman and a public hearing was held. This case will go back to the Board of Alderman on January 21st and the ordinance includes the conditions as recommended by the commission.

JANUARY 29TH SITE PLAN REVIEW SUBCOMMITTEE APPOINTMENTS

No meeting is scheduled.

RATIONALE FOR THE BOARD OF ALDERMEN

None

OTHER BUSINESS

None

ADJOURNMENT

Motion to adjourn all in favor; stand adjourned 7:33 p.m.