



**MINUTES**  
**Planning and Zoning Commission Meeting**  
**Wednesday, January 12, 2022**  
**7:00 pm**

**CALL TO ORDER**

Mr. Nelson called the meeting to order at 7:01 PM.

**ROLL CALL**

Hart Nelson- Chair/Commission Member  
Jeff Moore- Commission Member Absent  
Mark Favazza-Commission Member  
Paul Moran- Commission Member  
John Ritter- Commission Member  
Sheri Bilderback-Commission Member attended via Zoom  
Leslie Nichols- Commission Member  
Lisa Schuering-Commission Member  
John Nuerenberger-Commission Member Absent

**AGENDA APPROVAL**

Mr. Moran made a motion to approve the agenda. Mr. Favazza seconded.

**APPROVAL OF THE MINUTES**

Ms. Schuering requested the spelling to her name be corrected.  
The minutes from the December 8, 2021 were approved by acclimation.

**CITIZEN COMMENTS**

None

**OLD BUSINESS**

None

## **NEW BUSINESS**

**A. P&Z #22-01:** Kitchen Conservatory Site Development Plan and Conditional Use Permit at 9001 Manchester Road

Ms. Ann Corey, Kitchen Conservatory owner, said she was before the commission to renew the approval.

Mr. Nelson asked if there were any changes.

Ms. Ann said there were not any changes.

Ms. Kelly gave a brief history of the application. She said the approval was good for 1 year and the additional 1-year extension expired. She said the building size has gone down. She said two additional parking spaces were added. She said the building was brick and stone veneer. She said EFIS has been added above the windows. She said the commission should discuss if the EFIS is appropriate. Ms. Kelly said the landscape plan is nearly the same. The submitted landscape plan was missing some trees so staff has added them back in as a condition to match the original proposal.

Ms. Schuering asked why there was a change in size.

Mr. Louis Chiodini, of Chiodini Architects, said it was due to building cost. He said the building was simplified and better.

Mr. Keith Dottle, of Gene Del Printing, said a tree that was removed from the plan was removed because it was too close to the building.

Ms. Kelly said the tree was shown on the east side of the property line.

Mr. Nelson said they should ensure the trees do not infringe on neighboring properties.

There was some discussion regarding the easement.

Mr. Moran made a motion to approve the application subject to the conditions in the staff report.

Ms. Schering seconded. All in favor.

**B. P&Z #22-02:** Site Development Plan review for the exterior renovation of the building at 2428 S. Brentwood Boulevard for St. Louis Cremation office use only

Mr. Robert Serot, of Serot and Co Architects, said they were proposing and interior and exterior changes. He said the site would be administrative and an office building only. He said they are proposing a new facade. He showed samples and said the samples are indicative of the texture not the color.

He went over the facade elements. He said they were adding windows to the side elevations.

Ms. Kelly went over the history of the building. She said the traffic consultant had no concerns. She said review is limited to the exterior. Ms. Kelly recommended the commission review some of the proposed exterior materials.

Mr. Moran asked about staff and parking.

Ms. Kelly said she thought that it was on their application and maybe 5 full time staff and the site is being used as-is, and is pre-existing non-conforming.

Mr. Moran made a motion to approve. Mr. Ritter seconded. All in favor.

**C. P&Z #22-03:** An Ordinance Amending Sections 400.1370 And 400.1380 Of The Zoning Code Relating To Conditional Uses In The "GC" General Commercial District And The "PD" Planned Development Overlay Districts To Eliminate Certain Auto-Oriented And Outdated Uses.

Ms. Kelly gave a background on the comprehensive plan and the permitted uses along Manchester Rd and Brentwood Blvd. She said the auto-oriented uses requiring a conditional uses would be eliminated. She said orphanages and children's homes and coin operated laundries were also recommended to be eliminated with this text amendment. She said warehousing was also removed from the GC district but would still be allowed in the LI district. She showed a map of the areas the text amendment would affect. She said auto sales would still be permitted.

Mr. Nelson asked for confirmation this would allow existing business to remain, but non-conforming businesses would not be able to renovate more than 50% of its space.

Mr. Moran asked about change of ownership.

Ms. Kelly said change of ownership would not affect the use as long as the building and structure remains the same.

Mr. Moran asked what prompted this text amendment.

Ms. Kelly responded that this was prompted by attempts to bring these areas more in line with the spirit of the Comprehensive Plan. She said the existing businesses could remain but could not increase in size and renovations would be limited - per the non-conformities section of the Code for Non-conforming uses: renovated, remodeled, or rehabilitated to an extent greater than fifty percent (50%) of its fair market value prior to such renovation, remodeling or rehabilitation.

Mr. Larry Howe asked how 50% was determined. He said staff gave a superficial and unsatisfactory explanation of why this text amendment was being considered. He said there were several very large auto-oriented businesses in the area that would be negatively impacted.

Mr. Nelson said this would go to the Board of Alderman after the Commissions review and recommendation.

Ms. Kelly read from the code what would be an ordinary repair.

Mr. O'Keefe, City of Brentwood Attorney, added this could also be found in the code under 400.370 then current fair market value.

Mr. Nelson said this would not affect current operations but would prevent new businesses and expansion.

Ms. Kelly said public notice had been sent to properties along the affected area

Ms. Lynn Wallis, of Wallis Companies, said she owns a business in Brentwood and they employ over 1000 employees statewide. She said they distribute fuel for various stores. She said they purchased this location in 1993. She said in 2008 they took out the service bays. She said it is now time to re-do the store. She says competition and strategy has changed. She said they do not want to be limited in the scope of their customer needs. She said they have purchased properties surrounding their store to rebuild. She said they still have four more properties to purchase. She said it would be over 7 million dollars invested before the restoration and rebuilding would even begin. She said the proposed text amendment feels discriminatory. She asked for more discussion with those it would affect.

Mr. Nelson said the comprehensive plan is intended to draw lines based on the feedback and desire of the community. He asked if the text amendment would affect a remodel if they were not looking to grow in physical space and size.

Ms. Wallis said it certainly would affect them as customers want more space.

Mr. Nelson said the Comprehensive Plan serves to guide the direction of the city and text amendments are part of that.

Ms. Schuering asked how they strike the balance of the spirit of the comprehensive plan

Mr. O'Keefe said the Comprehensive Plan is not to say "we have enough", it is to say, "what is the character and what are the consequences of land uses, quality of life, traffic impacts, environmental impacts etc"... He said that is the nature of a non-conforming entity. They can continue until they are no longer viable or wish to be viable. He said it is the nature of a transition process.

Mr. Nelson asked Mr. Howe how it would affect his business.

Mr. Howe said given the building was built 50 years ago it would be difficult to renovate or find another use.

Ms. Kelly said if the use was similar enough use it would be allowed to continue under new ownership but it would be a pre-existing, non-conforming use.

Mr. O'Keefe said that was correct, as long as it was not expanded.

Ms. Jessica Stutte, Planning Clerk, read Ms. Bilderback's comment via zoom requesting more time for review and input from neighbors and businesses.

Ms. Lynn Good, a resident behind the Mobil station, said she does appreciate the mobile station. She said an expansion would increase the noise with an increase in tanker trucks. She said there are several dead-end streets there. She said she appreciates the spirit of the text amendment and it does affect the neighborhood.

Mr. Moran made a motion to continue the discussion to the Feb 9th meeting. Ms. Schering seconded. All in favor.

#### 8. ALDERMANIC REPORT

None

#### 9. DIRECTOR OF PLANNING AND DEVELOPMENT REPORT

Ms. Kelly said there was another text amendment up for review at the next meeting.

Ms. Kelly clarified the text amendment to merge the ARB and the Planning & Zoning Commission was still under Committee review and had not gone before the Board of Aldermen.

#### 10. ADJOURNMENT

Mr. Favazza made a motion to adjourn. Ms. Schering seconded. Meeting adjourned at 8:03PM.