

## Planning and Zoning Commission

February 9, 2016

At 7:00 p.m. Chairman Eaton called the meeting to order under provisions of Chapter 400 of City Code and Chapter 89 Revised Statutes of Missouri.

### Roll Call

John Cooper	Present
James Cross	Absent
Jim Eaton	Present
Gary Kramer	Present
Alan Mastin	Present
David Jones	Present
Tony Wessler	Present

Also present were Robert Schaffer, Dan King and Toni Earl representing City staff.

### Approval of Minutes

Commissioner Cooper made a motion, seconded by Commissioner Kramer to approve the minutes from January 12, 2016. Motion carried.

### Public Hearings

Chairman Eaton opened the public hearing at 7:01 p.m.

Marty Marler is requesting the City of Sullivan, vacate a forty (40) foot street right-of-way (Lilac Lane) adjacent to his property at the north end of Scottsdale Drive, Franklin County Parcel #35-2-09.0-20-02-026.000.

Tim McCarty, pastor at St. Matthew Lutheran Church, 528 North Church Street, Sullivan, addressed the Commission. Pastor McCarty stated the congregation is not in favor of granting the vacation of the right-of-way citing it would significantly limit future use of the church' property and decrease the value as a whole.

Marty Marler addressed the Commission. He stated he no longer owns the property but agreed to follow-up this matter with the Commission. He stated he felt there is no reasonable use for the street right-of-way citing multiple reasons including drainage issues and too cost-prohibitive to the City to ever bring this roadway into fruition. He stated he has a petition signed by 19 neighbors of this property in favor of vacation. He feels this access would be the least eligible point of entry for the Church's seven acres. He has met with the Church to go over possible scenarios for other points of entry should the seven acres ever develop.

Susan Klauser, 26 Elmont, addressed the Commission. She stated she is the new owner of

the property. She plans to build a duplex and would like the right-of-way vacated so the neighborhood would remain peaceful and quiet with no thru street.

Lewis Bott, President of St. Matthew Lutheran Church, stated the Church as a whole is not in favor of granting the vacation request.

Richard Wright, 480 Scottsdale, stated he is in favor of granting the vacation citing existing drainage issues and standing water in this area.

The public hearing was closed at 7:14 p.m.

### Old Business-None

### Subdivision Review-None

### New Business

Right-of-way (Lilac Lane) vacation request was discussed at great length. Commissioner Jones gave a brief synopsis on the history of the subdivision.

Connor Tierney, 449 Scottsdale, advised that he is in favor of granting the vacation citing existing stormwater issues. Mr. Tierney advised that whether the vacation request is granted or not, the City needs to look into correcting the existing problem with drainage and standing water which he felt creates a health hazard.

Commissioner Mastin stated he felt that if the Church's property was developed at a later date for a stormwater area or other use, the right-of-way could be vacated at that time if necessary.

Wally Tierney, 476 Scottsdale, stated he is in favor of granting the vacation request citing stormwater issues.

The Commission noted that once a right-of-way is vacated, it is cost-prohibitive to re-acquire and that, if possible, the City should not take lightly releasing right-of-ways with future development unknown.

Commissioner Cooper made a motion to forward a recommendation to the Board of Aldermen to vacate a forty (40) foot street right-of-way (Lilac Lane) adjacent to their property at the north end of Scottsdale Drive, Franklin County Parcel #35-2-09.0-20-02-026.000. Roll call as follows: Commissioner Jones, aye; Commissioner Wessler, nay; Commissioner Mastin, nay; Commissioner

Kramer, aye; Commissioner Cooper, nay and Commission Eaton, nay. This motion failed and no recommendation will be made to the Board of Aldermen. Commissioner Wessler noted that each side of the issue has valid points but feels that we should retain the right-of-way at this time.

### **Communications and Visitors' Comments**

### **Commission's Forum**

### **Adjournment**

With no further questions or comments, Commissioner Cooper made the motion, seconded by Commissioner Mastin to adjourn. The motion carried unanimously. At 7:56 p.m. the meeting was adjourned.