

CITY OF WASHINGTON, MISSOURI
PLANNING & ZONING COMMISSION MEETING MINUTES
Monday, August 10, 2020 7:00 p.m.

The regular meeting of the Planning & Zoning Commission was held on the aforementioned date and time in the Council Chambers of City Hall, located at 405 Jefferson Street in Washington, MO.

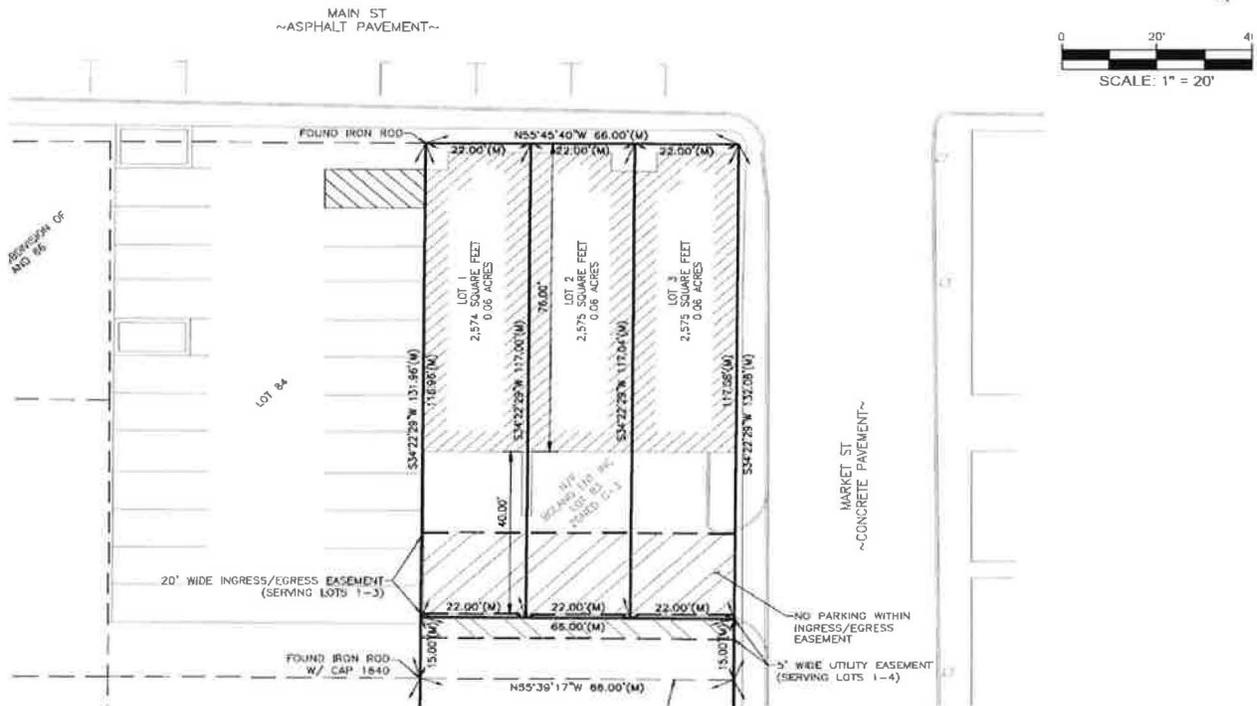
1) The meeting was called to order, Pledge of Allegiance, and the following roll call was taken:

Present: Tony Gokenbach, Carolyn Witt, Mark Hidritch, Mark Piontek, Tom Holdmeier, Sandy Lucy, John Borgmann, Chuck Watson, Samantha Cerutti Wacker, Sal Maniaci

Absent: Mark Kluesner

2) **Approval of Minutes from June 8, 2020-Motion made to approve, seconded and passed without dissent.**

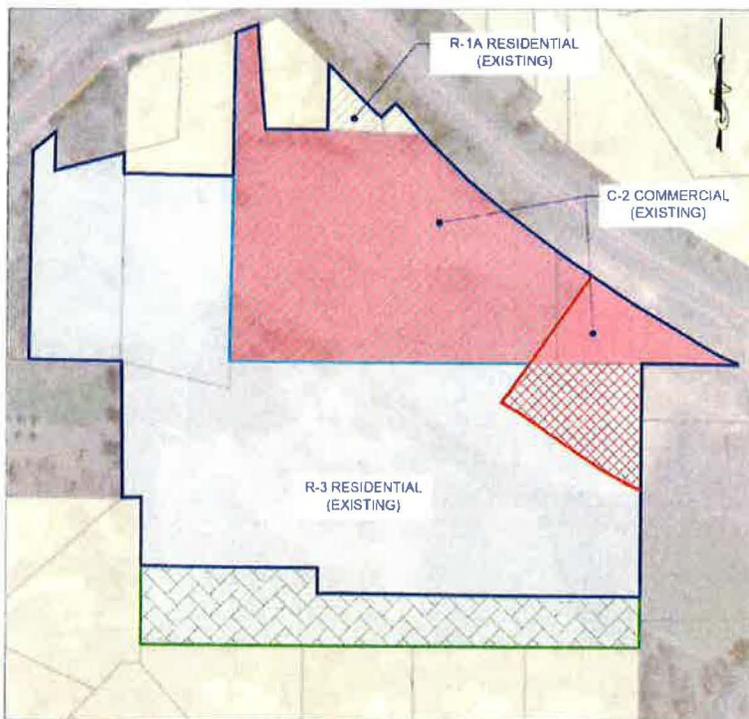
3) **File #20-0801-Applicant is requesting approval of a rezoning at 15 & 21 E. Second Street from R-3, Multi Family to C-3, Central Commercial**
LOTS 62 AND 63 IN BLOCK 14, OF THE 'ORIGINAL TOWN OF WASHINGTON',
PART OF SECTION 22, TOWNSHIP 44 NORTH, RANGE 1 WEST OF THE 5TH P.M.
CITY OF WASHINGTON, FRANKLIN COUNTY, MISSOURI



Sal Maniaci-The applicant had requested approval of two applications:

1. A rezoning of 15 and 21 East Second Street from R-3 to C-3 Central Commercial. This proposed rezoning will take two lots that are currently zoned multi-family residential and bring them into the downtown district. 15 E 2nd Street is a single family home used as a Vacation Rental and 21 E 2nd Street is the historic school house that is currently vacant. The request rezoning will not only complete the block to a uniform district but it will also open the properties to the appropriate zoning for their intended and potential uses.
2. A preliminary plat for 3 townhomes on the south side of the Main and Market intersection. These townhomes will be similar to the 9 townhomes on the north side of Main and Market. The property is already zoned C-3 allowing for zero lot line setbacks and shared walls. The plat allows for a shared driveway in the rear for the garages. All public utilities and access are existing so there is no requirement for an escrow or performance agreement.

5) **File #20-0803-**Applicant is requesting approval of a rezoning of 132 South Old Pottery Road



NOTE: THIS DOES NOT CONSTITUTE A LEGAL BOUNDARY SURVEY. FINAL SURVEY SHALL BE CONDUCTED BY A LICENSED PROFESSIONAL LAND SURVEYOR. FOR REFERENCE ONLY.

PROPOSED ZONING TABLE	ACREAGE OF LOTS AFTER REZONING
AREA TO BE REZONED TO R-3 RESIDENTIAL	R-3 RESIDENTIAL 27.4 AC
AREA TO BE REZONED TO C-2 COMMERCIAL	R-1C RESIDENTIAL 3.05 AC
AREA TO BE REZONED TO R-1C RESIDENTIAL	C-2 COMMERCIAL 2.03 AC
	25.65 AC

Sal Maniaci-In January of 2019, the applicant requested and was granted a rezoning of this property from R-1A to R-3 Multi Family Residential and an extension of C-2 General Commercial along the highway. The applicant rezoned multiple properties as they had bought them, with multiple parcels that would eventually be consolidated and re-platted prior to development.

The applicant approached city staff and wished to amend the existing zoning to better fit the development that is now planned. This amendment includes rezoning 7.5 acres along the highway that was previously C-2 to R-3, 1.3 acres from R-3 to C-2, and 2 acres along the southern boundary from R-3 to R-1C Single Family Attached. In doing so the applicant is finalizing the zoning needed for the request that was approved in 2019. The C-2 Commercial area will be squared off for a more developable lot along the highway and the R-3 Multi-Family area will consolidate 3 lots into one buildable lot, which would have been required by the City prior to a building permit. Also the newly proposed R-1C will allow for duplexes adjacent to Meadowlake. In staff's opinion the requested rezonings create appropriate buffers between the existing uses. The proposed change from C-2 to R-3 removes the chances of a commercial use abutting the single family residential along South Pottery Road and the R-1C to the south will allow for duplexes to buffer the multi-family from the Meadowlake subdivision.

The applicant has also requested a boundary adjustment that will be reviewed at City Council to consolidate the rezoned properties so that each district will be an individual parcel ready for development.

Given the nature of the existing zoning and the fact that the request will create appropriate transitions in uses staff recommends approval of the three requested rezonings

Tom Holdmeier-How big is the R-2 area?

Sal Maniaci-3 acres between the single family and the multifamily.

John Borgmann-You mentioned the area that was outside the city limits. How can we be rezoning property that is outside the city limits?

Sal Maniaci-We're not. I drew that on there just to show the general area as it is going to be developed. Ideally when they come into annex this piece they will square off the lot shown. There will be a row of outlots along the highway.

Sandy Lucy-So this is contiguous to Pottery Road?

Sal Maniaci-Yes. There is not great access at Old Pottery Road but we won't know until we get a site plan. We are anticipating that Don Avenue will be extended and will be the access to this property.

Tony Gokenbach-Is it the intention of the applicant to annex the property in your description on that photo?

Sal Maniaci-I believe so but the applicant is here. There is no way to access this property with Don Avenue until that property is annexed.

Gary Dusoc-You may remember me from last time. I had some trouble with the way this was going. I do like and struggle with at the same time with how they are developing and putting a buffer zone for the subdivision. The only thing I would like to know is why are we not doing at the north end for the three homeowners there? They are going from R-3 to R-1. So I would like to consider that part of the rezoning and see if we can help and put an R-1 buffer on our section of the land as well. That is the only thing I don't like with this. It looks like you are paying attention to the subdivision and not to us.

Rick Moore-I am in agreement with that. Why can't we have some sort of buffer there.

Bill Mayhue-What kind of setbacks are there for the R-2?

Sal Maniaci-It will have a 25 foot rear yard setback and a 25 foot front yard setback. The multifamily technically has a 25 foot front and then the sides are different depending on how many stories it is but must have to have a 360 fire lane and that is 26 feet on itself.

Mark Hidritch-Is there any plan at this point, that you know of, to maintain any type of tree buffer in that setback?

Sal Maniaci-The applicant may offer that. We do have screening requirements between different uses. So to the north we will have to have, saying this multifamily is adjacent to the single family, there is a screening requirement. To the south there will have to be screening between the multifamily and single family but this buffer is actually single family so that is the buffer. There are no screening requirements between the duplexes and Meadowlake.

Kurt Unnerstall-Applicant.-As far as what we are trying to get accomplished is, the history of this Kampschroeder Farm is, the land to the north or the south, those folks sold them 40 feet of buffer off of that farm originally but again to make the transition from the homes to the south to the residential and the planned unit units to the north we went ahead and went with the duplexes along there. Their concerns that they have on the three property owners, all their homes sit up against the road so if we would zone them R-1 behind them we would have to take down all the vegetation and really mess with the contours of the land and what we are trying to do is place all that in a undisturbed state and work it down. What we are working is the apartments that are going to be stair stepped in there are actually going to be further away than to plat R-1 up against it. As you know, 10k square feet, 25 feet front, 25 feet back, and about 40 in the middle, so if we were to zone it up against their property they would actually have buildings tighter to them than the R-3. All we are doing is cleaning up the R-3 just so that the process of laying out the apartment complex so that the corner of a parking lot is 21 feet or 22 feet and does not create a zoning issue. We are just trying to clean up the zoning in that area is why we are doing that. We are eliminating commercial. My plan eventually will be to bring in the rest of the Jasper Farm that is not annexed right now. But we will, just haven't done it yet. As Sal mentioned, we will have to bring Don Avenue in and I actually have access off of Hwy 100 so we will bring in all that road network and connect that piece to the north. I plan to have plans further drawn up in the next couple of months but this was the process of the folks that I am working with to get the zoning right. They are working with some architects to do the layout. The preliminary layout that I have shown Sal, the buildings are further off of their line to the north. Their homes are in the greenspace to the north and you can actually see how it stair steps that property. I cannot build up there against their houses because they have so much zigzagging going on back there. I don't understand why they would want something zoned because once I zone it, then I got to build it then if I build it then I have to doze it. My method is to clean up the zoning because there is going to be a bigger buffer than required because in a R-3 there is a 20 foot buffer with landscaping. Right now we have trees planted in that area and I am trying not to disturb the existing soils.

Tom Holdmeier-Do you know approximately how far it will be away from their homes?

Kurt Unnerstall-Approximately 50 feet. There may be a parking lot there. There will be a road, to satisfy John's concerns, there will be a road that will come up and have a second access in from the north through there.

Samantha Wacker-Can you tell us a little bit more about the vegetation plan and how many units you are putting in and a little more to what you are planning to submit?

Kurt Unnerstall-I don't think we are even close to the maximum. Sal is more up on the numbers on what I submitted preliminary. What I am trying to do on this property is work with the contours of the land. Our plan is to stair step the apartment buildings instead of table topping it and doing a lot of blasting. I think Gary mentioned that he doesn't want to live on a plateau and you blast everything underneath me so we are trying to make the land blend in with their land and then consequently leave the vegetation.

Larry Beck-I am the third house on the road. We were talking about the second access. Is it going to be the driveway between our house or the other road next to Ricks?

Kurt Unnerstall-Right now we are going to utilize the city right-of-way. That will be a back door fire access.

Sal Maniaci-If it is fire access it is 26 if it is dedicated city it is 35. So it depends on what we end up doing.

Gary Dusoe-I still need some clarification. I don't quite follow when you say how our homes have the street on the top, but the subdivision has a street too. And you are using that to backup why you don't want to put R-1 there. We have that street there, I don't understand.

Kurt Unnerstall-Your homes face Old Pottery Road. If I put R-1 behind your house, I have to build on it then.

Gary Dusoe-I understand that part but you also used that reason why you can put R-3 there and that is why you can put that street there?

Kurt Unnerstall-All that land is already R-3.

Gary Dusoe-We would prefer the buffer like you are doing by Meadowlake.

Tony Gokenbach-When the site plan is submitted he will have to do some kind of screening there.

Tom Holdmeier-What he is saying that if he had to put R-2 or R-1 there he would have to develop closer to your lot line to make that work.

Gary Dusoe-They have a 25 foot buffer and I am having a 15 foot buffer.

Sal Maniaci-There is a 25 foot buffer to the south here between because your yard has to be 25 feet.

Kurt Unnerstall-Down below we could put an apartment complexes and a parking lot right below the Meadowlake subdivision because it is flat ground and it lays good for that. I made a promise that I would not put that in their back yard. So we are going to do duplexes then apartments. Your land sits up high. The land slopes off as you well know. If I work with the land all the buildings are going to be below you but if you force me to put R-1 up there then all I can do is knock everything down and flatten it right in your back yard. If you throw a rock you will hit a house. I am building off of you by what I am doing. The only reason I am doing the duplexes down there is because it is flat to the ground.

Gary Dusoe-The only other thing that has not been brought up is that we are all on septic tanks and wells. We have no city services.

Kurt Unnerstall-Mr. Nilges and I are working on a plan to get you city sewer and water. We actually just finished with Meadowlake. They are on city sewer and water. So as this land develops our plan is to get you guys all city services. That is between you and the city. We are going to provide sewer.

Gary Dusoe-We can still stay on well?

Kurt Unnerstall-yes, you can but you have to connect to sewer for sanitary reasons.

Rick Moore-There is a little section off of Old Potter Road, will that be used as an access point in the future?

Sal Maniaci-So it depends on what they submit to build. Every 100 units you have to have another access point so it is up to them on what they want to use.

Kurt Unnerstall-I don't have it final engineered yet but right now we are planning on using the existing right-of-way to the north.

Steve Hoffmann-I would like to tell Kurt that I appreciate the zoning change because we prefer to have single family homes there. Do you have any idea of what type of duplexes you will be putting in.

Kurt Unnerstall-Brick fronts, like the ones on Hanover Place on Ninth Street. Same quality as this town likes.

Motion was made, seconded and passed without dissent.

6) Discussion of Cell Tower Code-**Sal Maniaci**-

Cell Tower Height Options

1. Set by underlying zone district --- The tower height shall be:

- 150 feet or less, if located in an industrial use category of the Future Land Use Plan;
- 130 feet or less, if located in a Community/General Commercial, Regional Commercial or Central Business District category of the Future Land Use Plan;
- 110 feet or less, if located in a Neighborhood Commercial or Public Buildings and Facilities category of the Future Land Use Plan;
- 90 feet or less, if located in any other non-residential category of the Future Land Use Plan, except the Conservation category;

2. Set on a case by case basis as long as it meets setbacks:

- Height. The height of a telecommunication tower shall be measured from the natural undisturbed ground surface below the center of the base of said tower to the top of the tower itself or, if higher, to the tip of the highest antenna or piece of equipment attached thereto. In the case of building-mounted towers the height of the tower includes the height of the portion of the building on which it is mounted. In the case of “crank-up” or other similar towers whose height can be adjusted, the height of the tower shall be the maximum height to which it is capable of being raised.

3. Set a maximum Height

- No tower shall be more than 200 feet in height.
- Setback from any neighboring structure the engineered fall zone as submitted by the company by a licensed engineer plus 10 ft.

After a short discussion the public hearing will be at our next meeting.

7) Zoning Table Amendment-Allowing the use “Social correctional, treatment, and counseling services” as a special use in C-1 and C-2

After a short discussion the public hearing will be at our next meeting.

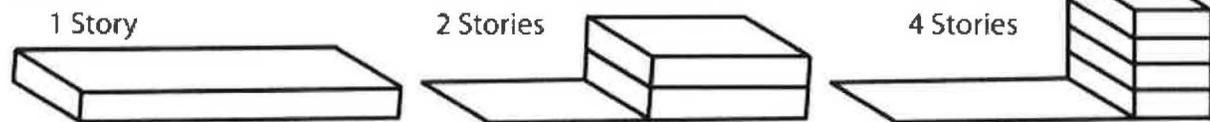
8) Commercial Height Discussion-

Exhibit 23.84A.012 A
Floor Area Ratio

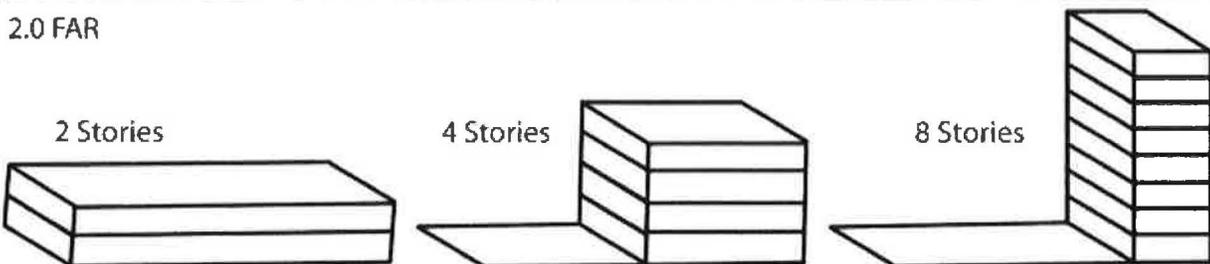
0.5 FAR



1.0 FAR



2.0 FAR



Sal Maniaci-

Sal Maniaci-Trying to keep people away from the Board of Adjustment when it is not needed, I thought this would be a good discussion. Right now our commercial height restrictions for C-2 is three stories or 35 feet whichever is lesser and we have gotten a lot of building permits for people doing, we have gotten two hotel calls and we these flagship hotels, the franchisee typically they have the box that they are permitted to build to make the model work and if it doesn't they just move on to the next town. They are not going to chase it especially if they are going to get the flagship out here. If they need a variance, they have to have that already secured. That is what they told me before the flagship will approve the site. There are a number of uses that this could effect. Last February we paid to have that hotel study done and it said that we have the capacity for an additional 100 rooms without having an oversupply. On top of that I don't think it would be an hindrance if we added a floor. Both of them said they need four floors and the only other uses I could see is in C-2, a medical office or a business office somewhat like the 14th Street Business Center and have multiple tenants. There are two options here:

1. Set the height. Right now it is three. You could do four stories or 50 feet whichever is lesser.
2. You could set a floor ratio which is basically no maximum height per say, you have a maximum floor area ratio and it all depends on the square footage of your land compared to your building. So if you have a floor area ratio, you could say that in C-2 you have a floor ratio of one. If you are filling up the whole lot you get one story, if you are filling up half the lot you get two. If you are filling up a quarter lot you get four stories. So it is basically the less land you are taking the higher you can go. I know that is how a lot of cities control density to make sure you get some open space sunlight.

This is really the two options we have to control height. You have to set a maximum or set it by floor area ratio. I see a benefit in floor area ratio in a place downtown possibly. My recommendation would be to set a change for the C-2 along General Commercial to change that four stories. I think in time it will entice additional development not only needed for tourism economy but also for maybe to encourage some office development. It could be a good thing. It might be next to residential but you are always going to have the setback,buffer requirements, parking and stormwater and all those things to protect the residential area. I don't think four stories compared to three will really hinder a neighbor that is already next to a C-2.

John Borgmann-I think where that three stories or 35 feet is coming from is the ISO Grading Schedule. Years and years ago that is the criteria that they determined when you needed a ladder truck.

Sal Maniaci-I think you are correct. I think when it is over 35 feet it automatically has to be sprinkled.

John Borgmann-That is a moot point because the fire code addresses the extra height. That is why we have 35 foot ladders. They have to meet safety codes. Anything over three stories it has to be sprinkled.

Tony Gokenbach-Anything about the Historic District?

Sal Maniaci-They already go to eight stories.

Carolyn Witt-I would say go with the four stories unless anyone thinks that the floor area ratio is better. Simple is the way to go.

Sal Maniaci-Next month will be code revisions and a big Planned Unit Development Area.

After a short discussion the public hearing will be at our next meeting

Motion to adjourn, seconded and passed without dissent at 8:07 p.m.



Thomas R. Holdmeier
Chairman

Next meeting will be September 14th, 2020 7:00 p.m. Council Chambers, City Hall.