

**CITY OF WASHINGTON, MISSOURI
PLANNING & ZONING COMMISSION MEETING MINUTES
Monday, June 14, 2021 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: 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 May 10, 2021-Motion made to approve, seconded and passed without dissent.**
- 3) **File No. 21-0601-Applicant is requesting approval of a Special Use Permit at 1498 High Street for a road side stand.**



Sal Maniaci-Yes, so this is a pretty straight forward request for a roadside stand permit at the Iron Spike Train Museum on High Street at the corner of High Street and Highway 100. This property is zoned C-2, General Commercial, so there's no problem with the commercial use being proposed there. The applicant actually already currently has a temporary roadside stand permit to operate there, but our code only allows that 10 times in one calendar year anytime more than that you have to come in for a special use permit to make sure it's not going to cause any issues to the parking lot and fire lanes. The proposed request here is directly on the corner along the highway. It is not blocking any fire lanes. There's no issue with parking there. We recommend approval of the request tonight.

John Borgmann-Sal do you know how long he's been operating? Because I know he's been there the last two Sundays.

Jan Frank-Jeans Tamales. I've been operating for about three years.

John Borgmann-And how long at this site?

Jan Frank-At this site? Since May.

John Borgmann-Okay. I just was concerned that we might be running into the 10 maximum by the time this would get approved, I guess.

Sal Maniaci-Well, it goes to council next Monday, so hopefully we should be good.

John Borgmann-We'll be okay. Okay. Very good.

Samantha Cerutti Wacker-Is this your only location for business?

Jan Frank-I have a pop up food stand. I have temporary permits in other locations and I go to the Union Farmer's Market, Washington Farmers Market and Shop Around the Corner. I think that's it.

Sal Maniaci-So the temporary permits are approved actually from the city clerk's office. So Sherri has been working with her on the numbers at each location.

Motion made, seconded and passed without dissent.

4. Discussion Items: Downtown Mixed Used Overlay District



SECTION 400.110 – “C-3 Overlay” DOWNTOWN DEVELOPMENT OVERLAY DISTRICT

A. INTENT AND PURPOSE

The purpose of this zoning district is to recognize the City of Washington's most historic and unique area of the City — the downtown area. This area is a nationally recognized Historic District. These regulations set forth in this Chapter are to promote a mix of uses such as commercial and residential with appropriate density requirements which reflect existing lot sizes within the downtown area. In this way, the types of uses in the downtown area, a mixture of residential and commercial, can continue in order to promote the unique characteristics of this area not found anywhere else in the City. The intent of the Overlay District is to set potential growth boundaries for this historic district and to allow for mixed uses and higher densities areas that may not currently be zoned C-3, but are appropriate for similar downtown development styles.

B. OVERLAY DISTRICT BOUNDARIES

1. The overlay district boundary is as follows:

The south side of Fifth Street between Elm and Market Streets, the east side of Market Street between Fifth and Front Streets, the north side of Front Street between Market and the western edge of Rhine River Development, the east side of Olive Street between Front and Second Streets, the north side of Second Street between Olive and Cedar Streets, the west side of Cedar between Second and Third Streets, the north side of Third Street between Cedar and Elm Streets, and the west side of Elm Street between Third and Fifth Streets.

C. PERMITTED USES

The permitted uses in the "C-3 Overlay Downtown Development District are those as provided for in **Section 400.120, D** of this Article in the C-3 Central Commercial District. In addition, the following uses are permitted subject to the conditions set forth:

1. Residential uses shall not occupy the street level of any building along Main Street from Cedar to Jefferson Streets and on Elm Street from Fourth to Front Streets. Any street level mixed use in this area shall be subject to a Special Use Permit per the provisions of Article V of this Chapter.

Sal Maniaci So this is continuing our discussion from last month. We kind of discussed the opportunity to do an overlay district for basically a C-3 Overlay that would expand our C-3 zoning into a boundary that we would almost well, the intent of this code and I wrote it in your packet. I had an intent and purpose to this new section of code to basically set a boundary for downtown development and growth as we know, we had an application where historically we have tried not to approve C-3 zoning request unless it was contingent with other C-3. There were two cases, we did not do that. And so we already had a precedent when we weren't necessarily following that non written rule. And so we thought this would be a good time to actually set an overlay district where someone were to come in with a mixed use zero lot line request that is appropriate for the downtown district, then we can say, this is this is the boundaries that our Planning & Zoning Commission has set. And then that way it draws an actual red line to tell people that this is delineation of the downtown district. So, this is a little bit wider than what we saw last month. I

know we all talked about getting down to Fifth Street because the C-2 Overlay already gets down to that area to allow mixed use and has shorter setbacks. And if you looked at historically what was up and down Fifth Street, especially at Fifth and Jefferson, the style and the construction of what you used to be there is exactly what you would see on Main and Elm shared walls, zero lot line and that kind of thing. And so if you really wanted to come back, if someone wants to come and redevelop anything in this, what we delineated in this four blocks along Fifth, this development code would now allow that. So what you see here is obviously what's in the package is longer than this, but this is the only these are the only sections that are really different. The intent and purpose is written differently than our C-3 because I wanted to add the definition of why we're doing this outside of the what we have currently and actually show that there may be, it may be R-3 right now. It maybe there's some C-1's in there, but that's where we can show this is the delineated area that you can do this type of development. The rest of it is exactly the same of the C-3. The same uses, the same development code, building, fire, everything they have to go through that. This boundary I wrote, it's very confusing if you just read it out as one long run on sentence because it's not just square blocks kind of as you can see on the western side it cuts down. So I wrote that as clear as I could, but we'll probably do is just do an attachment to the code to make it a lot easier so someone doesn't have to sit there and try and read that and figure out if they're in it or not. And then lastly, I did add this one sentence and bullet number one. This is something that downtown, as part of the Main Street Program in Downtown Inc. has discussed for a long time. I know it's been discussed at council as long as 10 years ago and it never went through but I thought at this point I can throw it in their draft, we can discuss it and possibly pull it out. But on Main and Elm this is the only area that has always been the intention to not allow residential uses on the street level. We want to encourage office commercial uses on that and not to say you can't have residential obviously, but to encourage them to be on the top level. And so the way that this one bullet point is written is to not allow residential uses on the street level, on Main and on Main from Cedar to Jefferson and Elm from Front to Fourth. So that would just basically be in this area on Main and Elm. Not all the way to the full district but just from, because there's a single family here, but here down there are not, I think right now there are currently not any residences. There have been on Main here and there. I know there was there was an article about someone buying something on Main for residential which is kind of spurred the conversation with Downtown. So it hasn't necessarily been an issue but we could write it into the code. I wanted to throw it out there. I understand this is a little bit more touchy because it is removing uses from property owners that they currently do have the ability to do. And I know that that is not always the most popular thing and so I just wanted to throw it out there as an option if we don't want to do that and just have it matched C-3 like we have it all I got to do is take out that number one and that is it.

Samantha Cerutti Wacker-My thoughts Sal, would be to take it out just simply because I mean I think obviously we can still do it with a special use permit, but I think the point is to keep downtown this area of focus full and vibrant and occupied and not have dark fronts, whether it be somebody living there or somebody you know, having an office there. So my thought would be remove it and you know if it becomes an issue in the future, I guess we can address it but I don't see the harm in having a mix of residences and businesses.

Sal Maniaci-And I concur.

Chuck Watson-Even the example of that house across the street up there by the I mean, originally it was residential and everything got changed over to commercial up there and then it took whatever to get the thing changed back to residential.

Sal Maniaci-And again, the whole point of this was not to make anything more restrictive. So I understand a little counter intuitive, but that has been, we tell people often whenever they when they get a permit and either of those blocks that we discourage the residential uses and it hasn't really come up except for this possibility of one time. But even then, I think that this building that sold on Main, I think it's totally mixed use, so, I just want to throw it out there as an option. I know I spoke to the Mayor about it beforehand as well and we talked about maybe removing it, but just I wanted it to be a discussion point.

Mayor Sandy Lucy-I think we want to encourage any investment in downtown and again, it makes it more restrictive, really, in essence.

Sal Maniaci-Absolutely. And again, I think it's a point in the Main Street system that they give us these guidelines that they encourage you to have this in your code. So that's where the idea came from, but it has not been an issue. So it's almost like you're writing a rule for something that hasn't come up yet.

Samantha Cerutti Wacker-I almost think that we need to make it so you let it evolve. I mean, I think as we become, as we continue with a vibrant downtown, I think we want to be flexible within reason and encourage that.

Mayor Sandy Lucy-They have certainly changed in the last 20 years, the last 10.

Mark Hidritch-Why did we jump across Fifth Street to include Lutheran school there?

Sal Maniaci-The way it's written as any property that actually touches Fifth Street. So I did include both sides, but that could easily be to be the north side only. On that section of Cedar here, I didn't do both sides. It's strictly down the street and on Fifth historically there were some structures on both sides of the street that had that zero lot line. But you're actually right, we could just do on the north side of Fifth.

Samantha Cerutti Wacker-As I recall when we were talking about last time, I think it came up when we were thinking about the corner of Fifth and Jefferson specifically thinking about you know what that used to look like historically with more buildings and more stuff and I don't know, I liked the boundary personally just to give some flexibility.

Sal Maniaci-It would actually bring the coffee shop into conformance right now. It's technically grandfathered and has a zero lot line when it would not be permitted today in our current zoning code. So there are some uses there that are grandfathered in. This would bring them in. Lutheran, maybe on their western boundary they may be, but again, some of these, who knows if they would ever sell or redevelop. I included like the Borgia field or Borgia grade school, but it has the opportunity there that we wouldn't have to go through zoning hoops. They would still obviously have to go through all the building and inspections and fire and all that, but they wouldn't have to get it rezoned.

Chuck Watson-Well I think having both sides of the street, I mean it just be, you know when you're going down the street you're able to have conformity there and stuff a lot easier and stuff or whatever. People are going to be looking at stuff down the road.

Samantha Cerutti Wacker-I think just expanding that ability to have the downtown feel and the historic development might be nice.

Sal Maniaci-I think it's on the north side but like an example we said that with Purcell possibly becoming on the market there in that block that lot having a lot of open space currently I could potentially, again no one's reached out but I could potentially see a development that would utilize having moving the building up to Fifth Street and maybe putting something behind it.

Mayor Sandy Lucy-Would it be required to have a zero lot line. Could you still do, does that become a requirement or does it just allow it?

Sal Maniaci-It just allows it. We do not require it. The setbacks are even in all the other districts, setbacks are a minimum. You can go push it back if you want. Except I will say in the Fifth Street overlay or the C-2 overlay that does require 10 ft. because the whole idea was to make that historically half the parking in the back, remove the strip malls kind of feel because we're having more issues with parking in the front so that C-2 overlay along Fifth actually does require a 10 ft setback. We haven't had anything new build since the oral surgery center that's why actually they're built up to the street because of that requirement. So that's the only one.

Mayor Sandy Lucy-So 10 ft set back from the sidewalk or from the?

Sal Maniaci- From the right away. But it would be a sidewalk yes.

Samantha Cerutti Wacker-But then to the extent that this change is that then it would become the zero?

Sal Maniaci-Only in this area.

Samantha Cerutti Wacker-Only in this part of it, correct?

Mark Hidritch-So my next question is just using the school again and the church there. Is that going to affect them if we don't use their whole property line?

Sal Maniaci-Well, it would actually and Mark correct me if I am wrong, it would actually follow the parcel line, correct? So even though Lutheran has all the way down.

Mark Hidritch-You got to stay behind him.

Sal Maniaci-Yes. Because it follows the parcel line, correct? Or is it how we've written..

Mark Piontek-They actually have the option to petition to have an extended through their entire parcel.

Mark Hidritch-I feel like everybody's whole property ought to be not chopped in half.

Sal Maniaci-Because whenever we would update it on our zoning map, we don't split properties on zoning. The color for the overlay would just follow the whole parcel.

John Borgmann-So really what we're adding in the overlay is just the residential option, correct?

Sal Maniaci-It's the mixed use because some of them are currently residential, the multi families, some of them are C-1. Actually, I pulled it up so I think some good examples here, especially in this area. So this darker maroon is C-1 right on the border and then there's a lot here that's R-3. A lot of these uses are currently the same. They already have mixed uses, they have apartments, they have single family and this would allow the overlay district word, they don't have to worry about coming in and rezoning, we're saying, hey look this is the boundary of that, we're cleaning that up. Because it really makes no sense why just this little grouping is C-1. C-1 is more restrictive. I don't think if there was any use that requested to go there that would request to go three blocks north that we would say now that area needs to be neighborhood commercial. We basically are saying if what you can do down here on Main Street, you should be able to do here as well.

Samantha Cerutti Wacker- Carolyn how do you see this inter playing with you know what the historic preservation is doing?

Carolyn Witt-I really like the fact that it is very limited to the existing downtown is just expanding a minimal amount and I know historically were very defensive about the C-3 but at the same time I think this is a winning proposition because we are current, Downtown Washington is currently undertaking discussion of expanding their definition of downtown to expand more or less along these lines. That the idea that the historic district isn't all historic but it's still growing. I mean it has especially economically when you have housing or businesses, you know all of this has expanded the definition of what we consider our downtown area. So I don't think there'll be any problem with from and also from a historic standpoint.

Sal Maniaci-Yes. So actually the design review that our code requires you to get a design permit certificate before you build is actually even wider than what we're proposing because obviously it has a design review area whether you're in a national district or not and then there's our five Actual registered districts. They all have to go through that. Our design review area actually extends to Sixth Street. So any homes, anything they're actually does have to already go through that design review. So I think there could be an argument that some of those people, it's like you're considering the historic or making me go through historic preservation, but you're not considering me in the downtown zoning. So this would at least extend that to Fifth Street and Market then obviously meander.

Carolyn Witt-I would also like to jump in and just address the, I cannot speak for Downtown Washington because I know they really are making a concerted effort to work on development of second floor housing. But I don't think anybody would have any problem with this because I think you know where you, the previous thing we were discussing about the because that particular area doesn't lend itself really to residential. I mean, that thing with the Modern Auto building is the first thing that's come up that I know of that is basically the first floor. I don't think they would, I think they have different priorities. They would rather fight to change an ordinance that you can't paint your brick building in the downtown area without getting a review, mandatory review, mandatory compliance, so I think they have a tendency to marshal their forces and go for what they think is more, and I think that is more important than what we're looking at here.

Samantha Cerutti Wacker-Aesthetics versus use.

Carolyn Witt-Right. So I really don't think you would get any back.

Mayor Sandy Lucy-No, I'm just thinking about some stuff that's happened down there. One night I ran down the street on Saturday and said, what are you doing?

Carolyn Witt-I know it was like overnight you grew. I'm glad it wasn't purple. I just wanted to put that in from that standpoint that I think if you want to take it out that I don't think you'll have any grief.

Sal Maniaci-No. And so I didn't talk to the Downtown board about it. We had conversations with Tyler King and kind of the same feelings that it hasn't become an issue and they are already making, they have the economic Vitality Committee that I actually sit on is making a concerted effort to try and encourage upstairs residential in other situations where they're connecting them with resources rather than actually worried about the zoning side of it.

Carolyn Witt-And it's not a stick, it's the carrot, you know, How can we help you? Sure do this? We have this low interest loan thing that they can apply for and you want to encourage positive instead of do this or else you know, we don't want to go there.

Mayor Sandy Lucy-Which is kind of how the Historic Preservation has worked through the years.

Carolyn Witt-It's been pretty successful. I mean there are a few losing propositions that we've lost, but that's, you know, you win some, you lose some.

Mayor Sandy Lucy-Right.

Carolyn Witt-We try and draw a line in the sand but the sand blows in the wind and you try it.

John Borgmann-Sal, when we look at redoing the zoning codes again, would this be something that we would want to look at and maybe making a different zoning code that instead of having overlays in locations or?

Sal Maniaci-The reason I wanted to do an overlay is because if you, an overlay district you can cover multiple zonings. And actually you don't have to go individually to these property owners and say we're going to sign off on a rezoning. I think that was the easiest way to do because even if we created its own C-5 or whatever for our downtown district, I guess that it is an option to redo all of it, but I think currently having multiple zonings on there without having to go to each property owner. This overly district can cover the properties that are R-3, C-1 and C-3.

John Borgmann-Because I know it would cover some of the overlay on C-2.

Sal Maniaci-Yes.

John Borgmann-So that would change.

Sal Maniaci-Yes. And then multi family because right now the C-2's, one family and two family, where in C-3 you can have multi family.

Mark Skornia-Good evening everyone. I come before you tonight as a safety official for the city. I'm concerned about a couple of things, but primarily the zero lot line expansion and the potential to create hazards in the form of sight distance in these areas. So the Traffic Committee has already added one four-way stop downtown and that's Main and Market. Originally there was only one zero lot line building there. It really wasn't much of a hazard. We've added three zero lot line. Having added two more. There's three zero lot line corners there now and that did create a sight distance problem. The traffic committee was tasked with taking a look at that. We went down and looked at it and agreed, yes, there definitely was a sight distance problem and now the Traffic committee has recommended there has been a four way stop installed there. Now, I'm not going argue for a moment that the buildings have been added to have are absolutely beautiful and a wonderful addition to town because they are, there's no doubt, but nonetheless, there's a sight distance problem that exists there. And I'm a little bit concerned about creating a lot of intersections with four way stops. The town had a lot of those years ago and a lot of those have been removed. So I'm concerned about that.

Samantha Cerutti Wacker-Not to throw you off too much, but is there a positive perhaps to having the stop signs? Maybe some traffic calming effect?

Mark Skornia-There's evidence to that. Yes, it will calm traffic, but I think people don't like to go and make a stop every block or every two blocks.

Samantha Cerutti Wacker-And I guess that I'm going to ask you a question again though, as downtown becomes bigger and there's more foot traffic and more stuff going on is it beneficial then to perhaps have traffic be a bit calmer in that area?

Mark Skornia-There is that possibility. But all these things depend on actually, the Police Department primarily does the surveys on them. They'll look at accidents, they'll look at speeds, sight distance problems. They have a number of things they look at to recommend stops. So, it's probably a matter of more inconvenience. Are four way stop signs safer, yes, they probably are as long as people don't, don't run them. But obviously people don't like stopping all the time. They like to go. So, But great question. I like it. When the downtown zoning district was created, I'm certain the existing limitation for those zero lot lines was to grandfather existing buildings that were in there. So in case there was damage to the building, it could be rebuilt in the exact location and rebuilt right there. But similarly, I also believe that when that was created those who created that district looked at limiting that area because they could see there was more desirous uses and more open space. I believe that's the reason there was a limitation there. You know, not just to make it available all over The deliberation you're making is going to be obviously a 100 plus year decision. It's a lot like other zoning decisions you make. The zoning goes with that property in perpetuity, but in this instance, this is not a decision that goes away when there's property changes or building changes or even if someone comes along and request is zoning change, the building's already there. Look at the age of the buildings downtown, 100 plus years old. So one is there, it's there, there's no change now. So that's going to give you limitations to any widening of sidewalks or any widening of, maybe not widening sidewalks, but any significant street and sidewalk improvements. You're not going to be widening streets and making big improvements to the area. You're locked. So long term decision. I don't recall expansion of zero lot lines in the 2013 comprehensive plan, but what is mentioned in there and went and looked a little bit and the focus groups pointed out what they like and what they don't like when they were interviewed. So the best things about streets for transfer of transportation group was they like wide streets with curb and gutter, no parking meters, sidewalks, good thing, cleanliness, street lights, all those sort of things. The dislike the worst streets in town, they determine where the narrowest and the older parts of town. Parking on both sides of heavily traveled streets and bump outs on Jefferson mentioned many times. You know, at least like Jefferson Street patch trees, fewer bump out at least like Jefferson Streets, bump out streets are not wide enough for bump outs. There's a lot of common themes in those focus groups from back.

Samantha Cerutti Wacker-Mark, would you agree that there has been, I mean, I know the last time that we were here, we talked about it's time to get gear up for another review of the comp plan that's going to be up for change.

Mark Skornia-Oh, there's no doubt there's going to be some things, although I can tell you there's going to be a lot of those things that are going to be very..

Samantha Cerutti Wacker-Sure. But obviously our downtown looks a lot different now than it did at that point.

Mark Skornia-Without a doubt there's been big improvements and a lot of what the comprehensive plan talks about is what committees feed the comprehensive plan. To me that's sort of one of the short falls. I would much rather have somebody from outside come in and look and say this is what I recommend. But I think while the shortfalls of a comprehensive plan is sometimes they pay too much attention to what the committees are feeding them, instead of really making a recommendation. They're listening to what somebody wants in the comprehensive plan if you will.

Carolyn Witt-But at the same time it's, there was a lot of local input into that. It wasn't just a committee that did it. I was on one of those and there was a very diverse group.

Tom Holdmeier- I think a lot of the people from right outside of town.

Samantha Cerutti Wacker-Yes, we did have a lot of participation from people that were not necessarily stakeholders.

Mark Skornia-Exactly. There were lots and that's what I'm reading so you're right Caroline. You know, but it's a double edged sword, they're fed information, but there's focus groups.

Carolyn Witt-But at the same time somebody coming in, that race is a lot of hackles because I've been here over 40 years and I'm still not a native.

Mark Skornia-But I'll listen.

Carolyn Witt-But you're right.

Mark Skornia-I may not adopt it.

Carolyn Witt-Well, I've been here long enough. I'm suspicious people coming in and telling me what to do.

Tom Holdmeier-We're including Market Street and Fifth Street for street traffic. And so you have one block on Main, Third to Market. I'm just trying to get how many streets we're talking about here.

Sal Maniaci-that you're adding?

Mark Skornia-That are in addition?

Tom Holdmeier-Because Market has a problem all the way up. You got the house on the corner, apartment on the corner. Market and Third has always been a problem.

Samantha Cerutti Wacker-And I think the character of Market Street is changing. I mean it's not necessarily the thoroughfare to the river anymore. But I mean in terms of, you know historically, what maybe 150 years ago or whatever.

Mark Skornia-I can tell you as an east ender, Third Street hang a right on Market when you're going go down.

Samantha Cerutti Wacker-Oh, I know. Hey, I grew up on the east end of town.

Tom Holdmeier-So that construction that closed streets for a while, people go different directions.

Chuck Watson-As soon as it opened back up back down the street everyone went.

Samantha Cerutti Wacker-But it's good to see people not flying down Market Street with the stop sign.

Mark Skornia-Fifth and Jefferson was mentioned a little bit ago. I mean we examined Fifth and Jefferson, you have one zero lot line property which Sal has pointed out. You know, it's grandfathered in, it's there. It's going to be there a long time most likely. And then the other intersection you have a very closely placed utility pole on the corner in front of Unnerstall Tire, which makes making a right hand turn north on Jefferson difficult. So if you would imagine and this is in the proposal, imagine Fifth and Jefferson with all four corners, zero lot line.

Carolyn Witt-I really think that's true. But Andy's development is definitely an issue. I agree. But at the same time, I don't see that happening in the future really that people are going to choose to do that.

Samantha Cerutti Wacker-I mean, in fairness Carolyn who envisioned everything that, I mean you have a point Mark you can envision. But then I guess my question would be, what is the likelihood that anybody is going to widen streets in the downtown area? That's just that's not likely and not in this lifetime.

Mark Skornia-My point is and you hit it right on the head. Like I said, it's 100 year decision and what we do just like zoning you make decisions on every month that goes with that property in perpetuity.

Carolyn Witt-Yes. But at the same time in my lifetime we have reviewed the zoning ordinances fairly recently and we threw out a lot and we brought a lot of new ones in. Right? But I mean I don't know if perpetuity is really the correct phrase

Samantha Cerutti Wacker-I mean theoretically.

Carolyn Witt-We do review because things change with time.

Mark Skornia-Once the buildings built.

Carolyn Witt-Yes, but that doesn't that doesn't mean that well, anyway, okay.

Mark Skornia-Yes, I think we both recognize each other's points.

Carolyn Witt-Right, right.

Mark Skornia-I'd like to recommend that any future buildings are built on property lines require special use permit. Even in the existing downtown district, I believe the special use permits have developed a bad reputation when basically all they're doing is calling attention to whatever is going on at that particular property can have a serious impact to that area. So, I think based on the development we've seen in downtown that's marvelous and beautiful and just as nothing but fantastic for the city, I believe that if a developer, you could easily make a cell on a special use permit, if it's appropriate for the area versus

inappropriate. So just a consideration. So, it's not germane to this conversation, but I did find interesting the conversation on overlays. And over the years I understand overlays at the same time, they get a little confusing, you know, I think even Sal was having a little difficulty there with okay, what's permitted in this overlay? What's permitted in that overlay? I think maybe sometimes an overlay can allow something that wasn't permitted in the code that we're just putting an overlay on something to give permission to something, but that's really not totally germane to my true purpose for being here. So, in conclusion, I believe that's a zero lot lines have been a wonderful addition to Washington and I thank the developers who have done them for their vision and commitment to the allure of Washington. Okay, questions of me. Okay, thank you for your consideration, folks. Thank you.

Tim Frankenberg, Fire Chief-I'm an engineer by education and employment. So, when we talk about engineering problems, inter problems out, I have some concern with zero setbacks particularly at intersections. This particular intersection I've had a number of near misses at on emergency responses. And so the Fifth and Jefferson intersection, the more you make intersections compacted, particularly in a thoroughfare that's not regulated with stop signs are some sort of stop measure you're creating safety hazards. To your point of stop signs. One of the issues with the downside of the stop sign is without having a continuous traffic flow when you have an emergency response, you get backed up in both directions, you can't get through and with the shoulders filled up in the narrow streets, you can't necessarily navigate through that. So as far as the zero lot lines, I don't have a problem with zero lot lines, it's the zero setback on the intersections is where I have concerns. Looking at it from a risk perspective and that's how my engineering brain, fire protection, engineering brain works. I look at risk. The downtown is the most significant risk that we manage. So when we look at this portion of our city, this is the part that gives me the most grief because it's the part that when we look at a fire per spread perspective, it's one of the worst ones we have in our area actually, it's the worst one. And so looking at that and the ability for us to get in and get in safely and not only navigate the streets, particularly Fifth Street, Jefferson and Market or the three. The rest of the overlay I don't really have too much issue with. I don't like the streets down. I don't like the setbacks on Market that was alluded to. I think Andy's done some beautiful things to your point with Market Street. You know that used to be the Washington ready mix. That used to be the route for the commercial trucks. So the more you jam that up and slow things down, it's going to be impediment when you need to get through there. So you're mentioning the curb bump outs about its traffic calming unless you're driving mercy vehicle and it makes it very uncalming sometimes with the bump outs trying to navigate the terms from time to time. But that would be my concern to the commission is that the zero setback on the intersections. As far as going down the street. I think what they did down on Fifth Street with the dental office there are oral surgeon makes perfect sense. Doing it in the middle of the block makes perfect sense. However, when you get to these intersections, I think there is some safety concerns that we're allowing engineers to engineering problems into what Mark's point is those buildings are going to be there a significant amount of time so that problem is engineered for a lifetime. Any questions.

Mayor Sandy Lucy-So when we talk about zero lot lines and zero setback.

Tom Holdmeier-It's not zero setback.

Tim Frankenberg-It's off your easement.

Sal Maniaci-So you're saying wall to wall is a zero lot line. We've shared wall zero step back is to the street. Regardless of this code, would allow it to be 0000 on all four sides. Now, I will say we have currently in our development code some site triangle requirements for others, like when it comes to signage where it's actually defined. Do we just change it from 20 ft? I think it's 20 ft back. Yes, so we do have a definition of a sightline triangle. It would be very easy to write into this that any zero lot line at an intersection is subject to sight distance approval like sight distance and site triangle stipulations.

Mayor Sandy Lucy-So like on Main Street, Jefferson is a thoroughfare, so there's no stop sign but when you get to that's a four way stop at Lafayette and Maine. But we have some parking lots but then those other two buildings are zero, Okay? And then you get to Oak and you have four zero lot lines there, right, with a four way stop. And then when you get to Elm, you have three with a parking lot as you come south. I hadn't thought about where all the stop signs were in downtown.

Tim Frankenberg-Right now from our perspective, we use fire lanes, so Jefferson's considered a fire lane, that's our that's our main thoroughfare and then Fifth, Third, Front and Eighth those are fire lanes because they go across the city. Those are the fire lines that we used to, because the streets are wider, they're easier to navigate, plus they get you the most distance from point A to point B across the city.

Mayor Sandy Lucy-And I understand that.

Mark Skornia-And throughout the rest of town, once we leave the downtown district as Sal was alluding to and we just talked about it at the last traffic committee meeting that you take, there's little discussion whether it's the back of the curve versus the property line, but essentially it's the back of the curb. Give to give the folks as much as possible back at the curb, 30 ft. each way on the corner. Hypothesis is the sideline.

John Borgmann-So Sal could we include that in this overlay district at the intersection?

Sal Maniaci-So I think you can do either one where the traffic or the city engineer has to approve that the site triangle has been met or because there are examples that have it currently, we could make it a special use permit if you're on an intersection and you want a zero lot line, then it has to be reviewed individually.

Mark Hidritch-Mark or Tim, would there be a specific number of feet back from the intersection?

Tim Frankenberg-I would defer to a traffic engineer.

Samantha Cerutti Wacker-So you have a site triangle review. Is that the right term? I think that makes sense.

Mark Skornia-That's sort of what I was meaning by a special use permits that be the perfect application.

Samantha Cerutti Wacker-But you're not saying special use like for everything or are you? Because I heard you to say everything.

Mark Skornia-I think I would I would defer to corners to intercept.

Samantha Cerutti Wacker-So you're more concerned about the corner. I just want to make sure because I heard one thing.

Mark Skornia-Tim is exactly right in the middle of the block it's not an issue.

Sal Maniaci-I think it would be an easy change to have zero lot line of intersections for special use permit because it could be reviewed individually because maybe it's whatever design they have. Talk about a certain building design that doesn't actually have a site distance issue. So they can submit a an actual rendering to show what it would look like. And in their defense like we had those three building permits at Market and Main or Market and Front basically and then up to Main where we didn't realize the site distance issue until the third one was already built because we got them at three different times.

Mayor Sandy Lucy-But there would still be one more intersection there that would be part of the overlay district now that you could do something about that a little bit. \

Sal Maniaci-Yes, but they could apply for it and just say, well, if they have to get special use permit, but maybe the justification for adding on the fourth side that it's already got a four way stop. So we could review it on a case by case basis and make sure that the traffic.

Mayor Sandy Lucy-I'm just saying if it didn't, that would be then an open corner.

Tim Frankenberg-Operate on the exception rather than making it the rule.

Sal Maniaci-I think that would be very easy change to the code to require intersections to be a special use permit to be able to review site triangles.

Mayor Sandy Lucy-Let's see us expanding the library to the curb.

John Borgmann-We talk about buildings. What about landscaping trees and that type of thing?

Sal Maniaci-So right now, anything that is in every zoning district, it mentions the site triangle where like if someone were to put landscaping up or a sign or fencing, the traffic committee has the authority to say, hey, this is this is a traffic hazard.

John Borgmann-Okay.

Mayor Sandy Lucy-That, I guess, is complaint driven if it is in the neighborhood.

Sal Maniaci-A great example is we don't require a building permit for fencing unless they're eight ft. tall. So people put up fences all the time without us knowing. But if someone puts it, say they have a corner lot and someone puts it in the site triangle, we have the authority to say, hey look, this is blocking sight

distance, causing an issue there. I think the alternative when it comes to a building permit, we can't issue building permits and then say it's causing a sight distance issue. So this would have caused that review beforehand.

Mayor Sandy Lucy-So Thursday review meetings or whatever that would you?

Sal Maniaci-Yes, I mean these are all any permit would obviously go to that, but it would be very easy that any special use permit request we got for a zero lot line in this area on an intersection to bring it to the traffic committee as well. I mean they meet monthly.

John Borgmann-I think that would work.

Samantha Cerutti Wacker-I think it's reasonable and I think it makes sense to address the concerns.

Tim Frankenberg-Think about the intersection of Main and Jefferson for a moment. If you're coming west on Main Street from Market and there's a zero setback building in that corner and people are zipping up Jefferson on oncoming traffic southbound, you have a very poor you're having to get out into the street before you can make negotiate a left turn and what we're doing your engineering in problems.

Tom Holdmeier-The same thing on the third. Yeah, the next one up, You had a shop there on Jefferson and you're always trying to look around and get out.

John Borgmann-Steutermann and Michelle is the same way.

Tim Frankenberg-That is a horrible intersection. I've complained. It's terrible.

John Borgmann-If I stop at the stop sign you can't see anything coming down the hill.

Tom Holdmeier-Sounds like we have a plan.

Sal Maniaci-I think the motion would be to amend it to add a special use permit for zero lot lines at intersections in the overlay district.

Carolyn Witt-I'd move we do that.

Mark Hidritch-Second.

Tom Holdmeier-All those in favor, aye. Any opposed? Thank you for your help.

John Borgmann-We will see a copy of that then to review for sure.

Mayor Sandy Lucy-Are we ready to go to council?

Sal Maniaci-No. I wanted to make sure that the reason I didn't write it, I didn't do a public notice in the paper yet because since we're amending the code, we have to put a notice in the paper before council does it and I wanted to make sure we don't have any changes before I wrote that. And so I would assume will do the second meeting in July so we actually do have one more chance to review it here.

Samantha Cerutti Wacker-Okay. And then I think, and this wasn't in the motion, but I thought it from our discussion, it's clear we're going to take out that C-1 paragraph also about the no residential on the first floor.

Carolyn Witt-Is the first meeting in July on the sixth.

Sal Maniaci-So council is going to be on a Tuesday. I mean it's full disclosure I am going on next week so I'm not going to put anything on that first council meeting for zoning purposes or any planning and zoning purposes. So then we'll go to the second meeting in July which means I will have this code change for us to look at in the packet.

John Borgmann-So that would be on the 12th at our meeting and then go to council in the 19.

Sal Maniaci-Correct. The twelfth of July for P&Z and council on July 19th for the approval and then you'll do the public hearing.

Sal Maniaci-Yes, the public hearing there and ideally we'd pass the ordinance the same night but I guess that they have changes then. Mark, do we technically need a public hearing here as well? This is just council right?

Mark Piontek-Just council.

Tom Holdmeier-Any other business Sal?

Sal Maniaci-Departments are submitting budgets this week and so I did reach out to P. J. V. for some packages just to get a ballpark of what to put in the budget. To get something substantial, 285 pages last time and all the meetings and interviews they did. I think last time it was upwards of like \$50,000 so that's kind of the price range I'm doing right now. It's something you do every 10 years. Right now our, I'm sure

you're aware our comprehensive plan is just a 300 page pdf. It's not that user friendly and you can't even search it, you just have to know what you're looking for. Just know that the Road map pages on page 75 you know that kind of thing.

Chuck Watson-So based on just the type of pdf that was created.

Sal Maniaci-Yes, because that's honestly that was the final product that they gave us. It wasn't actually put into like the new type pdf where you can search it. But P. J. V. said obviously that's a concern that allowed cities have had so they have some options now where they're interactive, comprehensive plans that live online that I'm looking to see if that's substantially more or not. But either way, once I get that I'll be discussing that in July with everybody because our budget year starts in October and then we're going, the goal is to do that in 2022. So in 2023 it's fresh, we're not waiting a year.

Samantha Cerutti Wacker-Sal I assume we're going to interview different firms. Right?

Sal Maniaci-Oh yes I just needed a just a ballpark on the price. I just needed a place holder for that much so especially that much we have to go out for a proposal and we will be able to interview firms. The Lang Gang Group who did it last time, they're actually no longer in business. And so I actually was struggling to find some St. Louis companies so I will probably send that out, would probably be interviewing some regional groups. Also, not that it really is planning and zoning but we decided, I got some budget numbers back, and I think we're going to do a labor market analysis as part of this study with it because that's the main concern we're hearing. So, there may be some additional items that weren't related to economic development that weren't necessarily in the last study.

Tom Holdmeier-Doesn't Ameren do one?

Sal Maniaci- So, they used to do it individually with the city, you can split it with them. Now they do it county by county for free and they do it release it every other year. So, there is one coming out in 2021. I will tell you from just the group I spoke to on the phone today it's a lot more intensive for only like \$5,000 for what they, some of the examples they showed from the community. I thought that was a pretty decent price for a study like that. They survey all your biggest industries, figure out where the employees are going to live. So that will probably something we will try and do all at the same time.

Tom Holdmeier-I'll entertain one last motion.

Samantha Cerutti Wacker-Motion to adjourn.

John Borgmann-Second.

Tom Holdmeier- All those in favor. Any opposed? So moved.

Motion to adjourn, seconded and passed without dissent at 7:56 p.m.



Thomas R. Holdmeier
Chairman