

**CITY OF WASHINGTON, MISSOURI
PLANNING & ZONING COMMISSION MEETING
405 JEFFERSON STREET, WASHINGTON, MISSOURI
COUNCIL CHAMBERS -- GROUND LEVEL
Monday, December 13, 2021 @ 7:00 P.M.**

- 1) Announcement of Meeting / Call to Order/ Roll Call / Pledge of Allegiance.
- 2) Approval of Minutes from November 8, 2021
- 3) **File No. 21-1201**-Joe & Karen Faust-Special Use Permit for 921 W. Fifth Street-Short Term Lodging
- 4) **File No. 21-1202**-Best Box Washington, MO 47 LLC. is requesting to rezone 4255 Hwy A from R-1A, Single Family Residential to C-2, General Commercial.
- 5) **File No. 21-1203**-Best Box Washington, MO 47, LLC. is requesting a Special Use Permit for self-storage units.
- 6) **File No. 21-1204**-Annexation-Vic Hoerstkamp-Koch Farm
- 7) **File No. 21-1205**-Annexation-Waterman Farms
- 8) **File No. 21-1206**-Walter Winters-Preliminary Plat – 5 lot subdivision between 2nd and 3rd Streets
- 9) **File No. 21-1207**-Andy Unerstall – Preliminary Plat – 6 Lot townhome subdivision on W Main to the rear of Zick, Voss, and Politte

NOTE: ATTENDANCE AT THIS PLANNING AND ZONING COMMISSION MEETING BY A KNOWLEDGEABLE REPRESENTATIVE OF YOUR INTERESTS IS RECOMMENDED. ANY QUESTIONS CONCERNING YOUR REQUESTS THAT ARE NOT ANSWERED AT THIS MEETING MAY RESULT IN YOUR REQUEST BEING TABLED OR DENIED.

CITY OF WASHINGTON, MISSOURI
PLANNING & ZONING COMMISSION MEETING MINUTES
Monday, November 8th, 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 Piontek, Mark Kluesner, Mark Hidritch, Tom Holdmeier, Sandy Lucy, John Borgmann, Chuck Watson, Mike Wood, Sal Maniaci

Absent: Samantha C. Wacker

- 2) **Approval of Minutes from October 11, 2021**-Motion made to approve by John Borgmann, seconded by Chuck Watson and passed without dissent.
- 3) **File No. 21-1101**-Extension of C-3 District to include 600 W. Front Street and 539 W. Second Street.



Sal Maniaci- So yes, thank you. Before I begin, I'm going to give a little bit of background here because this is more unique situation and request. And that this is actually we do not have an applicant. The owners of these properties did not request these rezoning. This is a little bit different situation as I'm sure you are all aware over the past four months we have been looking at and finalized the redistricting of our Downtown C-3 Central Business District zoning and that was to include a larger area into our downtown and to make it a more uniform growth boundary of identifying what actually is considered downtown Washington, what is appropriate for future downtown development as you are aware and I'm sure some people who have been following the stories are Downtown District was not uniform, there were some pockets in it. There was this C-3 that wasn't contiguous with other C-3's and we wanted to clean that up. And so this is the new zoning map that was approved last month. You can see this light blue is the new Downtown District. So we expanded it to these boundaries and that has been approved by City Council and this has all been finalized. As the Commission is aware, we looked at that for three months

determining what that boundary would be. And so there was discussions whether or not to move out west whether or not to move at south and to the east. We have made some boundaries here, but this is what we landed on. At the City Council meeting that this was approved, it was brought up by a few different Councilman and some audience members of why it didn't continue west to include the Heritage Apartments on that access Second Street but our fronted on Front Street and have that view there and then Elijah McLean's as well, 600 West Front. And there was some discussion as to why not include that in the boundary of C-3. And so just to make it clear what C-3, the Downtown District does, it allows for the same uses that are there today currently everything that's allowed in C-2 is allowed in C-3 plus it disallows some residential, the whole point of our C-3 Downtown District is to allow for mixed use. And that you could have commercial on the ground floor, apartments up top and Airbnb's. You know that that type of mix that we see often in our Downtown District. That was part of the reason that sparked the whole discussion is that we had permits for mixed use structures that really were appropriate for mixed use but technically they weren't in downtown. So we cleaned up those boundaries. The uses on both Elijah and the apartments currently could be, if it were to be approved for C-3, those uses could remain just as they as they are today. The main thing that the C-3 Downtown District does is it allows zero lot lines on property lines that don't a join single family, so they could build up to the property line on Front and Stafford. Same with the apartments. And then it also allows for no parking minimis. And that is the main concern here. I won't beat around the bush is that's been the discussion with these properties, specifically 600 West Front for over a year now. That when you come into C-3, you no longer have to provide any off street parking. You can build up to the property boundaries and let parking go onto the overflow on public streets, public lots, which is something that we encourage in our Downtown District for use of our public lots. And also to discourage the demolition of historic buildings just to have new parking lots made you know someone in the middle of Main and Jefferson wanted to redevelop the property and we said no you have to have X amount of parking spaces and the building is out to the property lines. Their only alternative really is to tear down the building and put in a parking garage or buy property next door and tear down a building. Obviously we don't want to encourage that in our historic district where 60% of our historic buildings have already been demolished over the years. So that's kind of the background on why that parking regulation is the way it is in city code. So over a year ago there was a request to rezone Elijah McLean's, 600 West Front to C-3. It was not contingent with the existing boundary obviously there's still a gap, let me zoom in here. So these are the two properties here, 600 West Front, Elijah's is this red C-2, General Commercial, all the uses that have today a hotel and event center, a private club that's all allowed in C-2 and C-3. So again the use isn't necessarily issue and then obviously the apartments here that's R-3 for multi-family again would be permitted in C-3. But like I said over a year ago there was a request to bring this into C-3. At that time staff's recommendation was denial on really two main points that it wasn't contiguous with existing C-3 and we as staff had drawn a pretty fine line that we didn't want to approve any C-3 that wasn't contiguous because then at what point do you stop that boundary if someone to come in five blocks away and want to be in the Downtown District and you approved it just catty corner from them because it was close enough, that that is not a good precedent setting for future rezoning. So that was a large part of wanting to have a growth designated growth boundary. This is considered downtown. The second part of our recommendation was that 600 West Front Elijah's is unique in a situation that it's a large lot here right on the edge of what is naturally considered our Downtown District and it does have, it does adjoin single family residential, that especially with the fact that it cuts off Main street, this is a primarily historically Single Family Residential District, that does not have any mixed use of commercial and single family. It is not the circumstance that you'd have Main and Market where people who have lived there and own property there for a long time are aware of the situation that they were going to have parking overflows, you're going to have people parking in front of your streets for festivals. The argument was that in this case, this neighborhood is not considered downtown necessarily and overflow parking could be a deterrent to a detriment to the existing property. So again, at the last recommendation of that are the last request of that staff's recommendation was in lieu of rezoning, how

about the staff and the property owners, which I understand this new property owners at this time. So a lot of things have changed or could change is that there are alternatives to making sure that they can develop it to the best of their ability, making sure it's a nice fit for downtown has the highest and best use while still protecting the integrity of the surrounding properties with not having overflow parking. I think the main concern that was addressed that night from the public is that the fact that there is access at Main and Johnson there to the subject property that patrons that come to this and when they don't if they don't want to walk up that hill will park on the residential streets first and walk through that access point. And that also is their emergency access. So it's not something as easy as just closing off. There have to be a parking plan essentially put into place. And so staff's recommendation really was, well you could ask for a parking variance and come up with a parking plan that demonstrates some type of solution that it may not have the 200 spaces that the code is requiring. But because you have alternatives close to downtown with the Front Street parking and possible new strike parking on Stafford where there is maybe a compromise that could be had there. A variance was not requested. So we never got to that point. And the second alternative that staff brought up was that we do have in our code what's called a Planned District in this case would most likely be P. D. C. Planned Commercial. In that circumstance a property owner can submit a development plan with the rezoning upfront. So it wouldn't necessarily be C-3 all the uses and the setbacks in the parking that they want. Basically the reason that they would want C-3, they could promote a development plan, propose a development plan showing zero setbacks where they wanted to expansion or maybe if they're adding pavilion and then making some improvements to the parking situation, whether that's like I said extending the parking working with the city to extend the parking on Front, adding parking on Stafford and if there's a way to close the gate and then have emergency access with I believe it's called a lock box or knox box that opens to a certain decibel and curse of a situation. Those are all just alternatives that we threw out is not saying that, it's not necessarily staffs position to come up with all the solutions here. It's just say we understand there's a parking issue, we don't want to make it worse if they were to add a, where the tent is a permanent structure for 360 days a year events that could naturally have a detriment to the property owner. And so we wanted to protect that in any way we could. So that was really staff's recommendation to say, hey let's look at some other options instead of just going to C-3. And that really goes for the apartment complex as well that is built out. Realistically if that were to be redeveloped because it's now in C-3, it would most likely have some type of demolition and major redevelopment. At that point they could come in with their own rezoning plan. There's no increase to the property use on the apartments because it's in C-3, it's already built out and completely occupied. So that is where we stood with this recommendation when Council recommended to staff, why not go back and include these in into C-3. It was brought up that it couldn't be voted on that night to just add those properties to the district because the district boundary was set by Planning and Zoning. And so why we're here tonight is, Council directed us to bring that back to you all to discuss amending this boundary to include these two properties into C-3 and then bring that back to Council next week. There is a public hearing at the Council meeting next Monday. That doesn't necessarily mean the ordinance will be on the agenda to be voted on but it will have the public hearing for discussion. So that's kind of where we are at tonight. And I wanted to make clear that there was not an application put in by the property owner to make this change. This was something that Council directed us to do. And I do see the representatives are here today to speak on their behalf but that is where staff is staying at now is our recommendation really hasn't changed from a year ago. When it comes to the uses and C-3 and the potential development, yes, I think it's natural Elijah McClean's and this apartment complex could be redeveloped into something that matches uses and setbacks that you'd see downtown is the kind of the cap the anchor of our western side of our Downtown District. But that doesn't change the fact that it is nestled into a historically residential area. And I think it's only appropriate for staff to try and have some type of protections for the property owners to have overflow parking onto the residential streets. We would do that on any other single family subdivision in town just because this is on the very border of downtown wouldn't change our recommendation on that. So that's where we're at. I'll be happy to answer any of your questions before we hear public comment.

Tom Holdmeier-Questions, comments by board. If not, we'll entertain hearing from the audience. If you would so choose, please come up, introduce yourself where you live and please address the board and not each other in the audience. If you would, please. Thank you.

Duane Reed-Mark, is it okay if I talk?

Mark Piontek-Yes, that is fine.

Duane Reed-Okay. All right. I didn't know. I'm the reason why you are here. I'm the one who kicked the can down the road and poked the hornet's nest and got everybody back here tonight. , I know the people that own the Elijah's and , they feel like they haven't been treated fairly because of not being in the downtown. , I'm the freshman Councilman here and I don't know how everything works. I'm going to get a lesson tonight, I'm sure. But Elijah McClean's has got parking in my mind a lot of parking. It's suitable as it is right now. I've done a lot of checking around town and the only other people downtown that have more parking than Elijah McClean's might be John G's and the Bank of Washington. Everything else, they might have a few spots here and there. But for the most part it's all public parking. I understand the rules change if it's considered downtown. I've talked to a lot of people, a lot of people, influential people, business owners downtown. And I don't know how many people I spoke to, but I've talked to close to 100. Now the 100 people I've talked to Washington residents or not. I ask them one question. Do you consider Elijah McLean's downtown? And 95% of everybody I talk to says, yes, definitely, why not? Well then I have to explain the situation and I still don't know yet why this is so hard. I understand it's in a residential district. I understand that Cedar Street is residential, Oak Streets, residential, it's downtown. Is this going to pose a parking problem? I'm sure. But the people have that I've talked to the owners that I've talked to have said that they have plans, they plan on shuttles running things from, you know, maybe the pool or else places to the event when and if they have an event. So I don't see that being a big deal. Noise, yeah, I understand that. I don't know if I would like to hear music I don't care to hear at 11:00 at night or 1:00 AM, anything like that. But they feel like they're not being treated fairly and so that's why I wanted to kick down, kick the can down the road one more time and find out again why. And I know Sal you do very good job of explaining everything, but I need to know more and I know there's a lot of people here against this and that's fine. That's why that's why we do this and I'm okay with that. But I've talked to, like I said, business owners and a lot of people around town all over and I just want to see how this is going to shake out. I'm not, I'm thinking they're not getting a fair shake, that's where I'm at. Thank you for your time.

Tom Holdmeier-Thank you.

Sean Brinker-Good evening everybody. My name is Sean Brinker. I represent the individuals who will say have an interest in the property. You look like you want to.

Tom Holdmeier-No, no, no, no.

Sean Brinker-You look like you want to tell me something like I messed up already. I don't know. As Councilman Reed said that the biggest thing is my clients feel like they're just not being treated fairly and they just want to be treated fairly, be part of the Downtown District, the C3 zoning. I want to be real clear. We're not here to talk about closing the gate. I don't think that's doable for a lot of reasons. The biggest safety. Also when the weather is bad I'm sure you all know that's a pretty steep hill on the front side so you do need the other access point. I don't know that anyone really disputes that Elijah's is clearly a commercial entity and has been for decades. It's what most of us as Councilman Reed said think of as part of the Downtown District and they just want to be included in that. The parking situation, I understand that some people have a concern. you know it seems to only be a concern whenever something is going to get rezoned. I know that the Old International Shoe Factory, everyone said that was going to be a concern and you all may have heard different things but I haven't heard anything since about parking being an issue. I really don't think it's going to be an issue. And I also think there are several ways to solve the parking and I'll address those in a second. I had a good conversation with Sal today and I thank him for that and thank him for his time and always work on this. When we were talking we talked about something that kind of struck me as interesting and you've alluded to it tonight is

the majority, vast majority probably, of all the businesses in the downtown area derive their parking from off street parking or public parking lots. Very few if any of them have their own dedicated parking, that's a benefit that the city provides to those businesses, but for some reason it feels like Elijah's is being singled out to say that well you have to go provide your own parking. We know we provide it for everyone else in this area, but we're not going to do that for you. We want you to figure it out and provide your own. And I think that's a large part of why my clients feel that they're not being treated fairly, you guys and I say you guys are in the city obviously could easily expand that, that parking lot that's right there along the railroad tracks, you could get very close to Elijah's create a lot of parking, you could clean up Stafford Street and get a lot of parking and alleviate a lot of the folks behind me, they're concerned about parking on Johnson and Main. Quite frankly as someone who very much enjoys all the events that the city puts on every year and that the private entities put on. I'm kind of baffled as to why there's not more parking down there because we all know whenever there's those big events on the riverfront, it gets tight. You know when I go to my office, which is right down there, it gets tight parking lot. So I think everyone benefits if the city does that. So I just point that out that there are solutions and it feels like Elijah is going to be denied based on a requirement that the city furnishes to everyone else, but they're not going to furnish it to Elijah's. One other point that I wanted to make is Sal talked about sort of the purposes of the C-3 or the Downtown District or the benefits maybe and it was the preservation of the historic buildings and whatnot. If you wanted to make Elijah's have enough parking then you're going to make it destroy part of that historic beauty that it has. The big hill, the view out to the river and if the purpose of the C-3 was to protect some of that, then this seems to fit right in with the goal of the Downtown District. I think that's important to note. And really, do you mind going back to your other slide that showed the light blue? You know talked about Elijah is being near residential, a lot of the C-3 zoning the Downtown District borders residential somewhere. So it's kind of unfair to pick it out and say well it's got some residential that borders it a lot of this stuff does. So again it just goes back to is Elijah's really being treated fairly and being looked at the same as every other downtown business, I thank you guys for your time

Tom Holdmeier-Anybody have any questions, comments.

Mike Wood-I'll ask one real quick

Sean Brinker-I'll do my best to answer it.

Mike Wood-But you said you weren't treated fairly. Specifically, how was the process that was used to deny your request not a fair treatment of your client? **Sean Brinker**-Well, to be real clear, as I said, we actually haven't made a request this go round.

Mike Wood-A year last round.

Sean Brinker- I wasn't involved. It's the whole notion right now about being treated fairly and being included as part of this. You know, right now we're being singled out because we're slightly to the side and because there's not enough parking. Every other business in that C3 downtown, whatever you want to call it doesn't have their own sufficient parking. They all rely on public parking in the adjacent area. And why should we be any different? We can be the same.

Mike Wood-Are any of those businesses down there going to hold events that are as large or larger than the events in which you're going to hold

Sean Brinker-Well, that's up for Shawn Mayall, will talk a little bit about the his vision for the future. I don't want to step on that too much, but I also want to be very clear that whatever he says, we don't want to restrict ourselves anything, but you know, there are tons of bars and event centers, I shouldn't say tons, but there are bars and event centers that do hold events down there. So, I mean, if you want to count numbers, I couldn't tell you.

Mike Wood-Those bars and centers are not necessarily on the border of a residential single family area.

Carolyn Witt-And there is public parking near most of them. I mean you are an event center that you want to increase your number by putting up a permanent building, which is even more than there's not a single business downtown that I'm aware of even when we're having a major event, those bars along Front Street all have that new parking. Well, it's wonderful if we could extend that parking, but I can tell

you it's a major issue to go through Union Pacific to get approval of that sort of thing. But I think it's great. It's something we should strive for whether we do this or not. But at the same time, I look on you as this event center is totally different than any business downtown because nobody is going to have, what is the increased number of people if they put up a permanent, 300 and something. **Sal Maniaci-**Well, so I don't know the size of what was proposed a year ago. To be clear, there has not been a proposal to make that tent a permanent pavilion, that was a previous owner. But at the time it's based on square footage, our parking calculations based on square footage and how many people can confirm. **Carolyn Witt-**I'm just supporting the he said that I look on this is a little different than any of the other businesses downtown. This be nothing is an event center at the size of what you've got there or what that event center is.

Sean Brinker-If I could respond to a couple of points there. The plans for the venue may have changed slightly, which may dispel some of your old concerns. But I think you also hit one of my points on the head is that all those other places have public parking provided by the city. And the city's concern is that there is not sufficient parking. Well, there would be if the city would take the appropriate steps to create that public.

Carolyn Witt-And that is a possibility that has been suggested. I mean, there are all kinds of options here on this letter to do that have nothing to do with zoning. It has to do with their options that can be followed up on.

Chuck Watson-And as she said, I mean, working with the railroad is not.

Sean Brinker-I'm confident that's not easy. I get that.

Chuck Watson-It's not as easy as sitting there. Well, we can just go extend this and it's going to solve everything.

Sean Brinker-I'm confident it's not like waving a magic wand. I get that but I think it's going back to the original question is that we are a business clearly in downtown Washington. And whether we're going to be treated differently just because we're a few feet over or not is the where they feel that.

Mike Wood-I think you're being treated different because of the different functions that you hold compared to anybody else in downtown Washington. I don't think it's based upon, I mean part of it is based upon your location but I think it's what you do and how many people you bring in?

Sean Brinker-Yes.

Mike Wood-The difference of anybody else in downtown Washington.

Sean Brinker-Well I can understand that but you know there's all the other businesses that bring in people and they do the same thing and they get the C-3 downtown zoning and that that's our feeling on it. But also if you're basing your decision on what you may have heard a year ago or rumors you may have heard I would really kindly asked to keep an open mind because those plans, I don't like I said I want to.

Sandy Lucy-You have mentioned that numerous times. So why don't we hear what the new plans are.

Sean Brinker-They will speak to it.

Sandy Lucy-Okay. But I mean you keep talking about that so I'd like to know what the new plans are. I visited with Sean briefly on Friday night and he was sharing with me but I think publicly we, for us to be keep talking about new plans well then maybe we should hear what they are.

Chuck Watson-Because based on what we've dealt with in the past with, you know the requirements and what they were wanting to put up at that time is based on what we're still thinking about now. And if you're going to want to come up with something different, maybe it's time to say that what what's your plan and what is it.

Sean Brinker-They will I believe speak to that. But I want to be real clear that they are not going to share those plans with the idea that okay, we're then going to go get a plan commercial district or C.U.P. or anything because right now it's just in the brainstorming stage and they don't want to be handcuffed into something even so I don't think it has to go that far as, okay well what are your plans? What may or may not happen? I think you look at Elijah and 600 West Front Street as it sits today for its zoning purposes. When you're talking about rezoning it here today.

Chuck Watson-So when you put up a tent that's requiring and you're wanting to now put it up a much longer time frame and now you're continually going to be encroaching on to the neighboring property, I mean the neighboring neighborhood that is still a single family area. That still doesn't sit well.

Sean Brinker-Well I think it's a single family to one side and it's not to the other side. You know, it is in that sort of unique side but the whole western boundary of this touches on residential in some form, shape, manner.

Chuck Watson-I don't understand that.

Sean Brinker-Okay. And none of those businesses were being held to any greater standard.

Tom Holdmeier-They're not an event center though.

Sean Brinker-It doesn't really matter what they are.

Tom Holdmeier-That's why we look at it that way. I mean you asked what and that's what boils down to and that's what Mike was saying. It is different than what we have downtown and yes, there is parking downtown that's been going on for years. But this we're reaching out a little bit more and they don't have the parking right now. Maybe we will in the future as a city. But that's the reason it is different because we allowed a six month temporary tent to go up by permit. And there you have it, it is different and I think most of us, for me personally it is it's a different beast and we want to make sure we asked for plans, let us see what's going to happen, what's going to be there because once we do that, there's no going back, it's out, it's out the barn door, it's C-3, it's over.

Mike Wood-Why did you not come to this board or this commission when the original design was done three or 4 months ago and request that you go in at that point in time, because I know there was changes that were made to the original boundaries when it came to this commission, when was that August, September somewhere in that timeline, there was some changes that were made to the boundaries that were originally proposed and you could have come in at that point in time and requested to be included in there when that and I, my understanding is you didn't do it at that point in time.

Sean Brinker-Just for clarity, when you say you do you mean me personally?

Mike Wood-Your clients.

Sean Brinker-Because I was going to say me personally, I wasn't retained, I understand the project, so that's why I was just clarifying.

Mike Wood-Okay. My understanding and I could be wrong is that they were, one of the parties, was having discussions with city officials throughout the course of this, how formal those were, I can't speak to that.

Sal Maniaci-We did get a letter after Planning and Zoning reviewed the boundary, we got a letter from the property owner that owned Elijah's and some properties in it requesting that and it was put in Council's packet. But it was after Planning and Zoning had already voted on this. So that request had kind of come through after the fact because if you remember, we only sent the letters to the people that were in the boundary we created and so obviously they weren't in it. Once the audio got put in the paper, the owners reached out to us and at that point P&Z had already approved their recommendation, they sent that letter to Council and I think that's the whole conversation came up at Council, why not include them? We got this request and said, well P&Z didn't make their recommendation to include it at the time. So I got kicked back to P&Z. From our recommendation we didn't want to postpone approving the district, just approve the district as is if you want to add to it, you can because we did have permits waiting to be moved on in the proposal district. So that is why it went forward without Elijah and the apartment. And then this amendment got kicked back to P&Z last month.

Tom Holdmeier-And I can see, I think the board overall, we want that to be viable up there. Everybody here loves that building and wants to keep it in Washington and keep it going. But we just, I know in the past when it plans, what's going to go on there, what's happening. So I believe, right,

Mark Kluesner-We're certainly not trying to be unfair. We're trying to be fair to everyone. Trying to be fair to the neighbors as well as you guys.

Mark Piontek-Sean, I just have a kind of quick question to clarify. There is no use that's being that's either existing or is being proposed that's not already allowed in the C-2 district. Now I'm not talking

about the intensity of the use but there is no particular use that's being that's occurring today are being proposed that's not allowed in C-2. Is that?

Sean Brinker-I want to say I believe that is accurate but obviously I don't have the code in front of me.

Mark Piontek-So really the only difference between the C-2 and the C-3 is with your current zoning, C-2 you have to have on site parking and with the C-3 zoning you don't have to have on site parking. So really all you're trying to do is eliminate the on site parking requirements. That's what I've what I'm getting out of your request.

Sean Brinker-Well I would respectfully disagree with you. There's a little more to it than that and some of it I'm don't have permission to divulge tonight. But I can understand your view on that.

Mark Piontek-Well I don't understand then if you can allow the same uses in C-2 that are allowed in C-3 and you're asking to be C-3, how is that going to change anything other than it eliminates the off street parking requirements. So what and I don't know what their proposed uses are and it doesn't really matter to me. If the uses are identical in C-2 and C-3 are virtually identical. The only difference is you're gaining, you eliminate the off street parking requirement really has nothing to do with whether it's C-3 or C-2. You could continue, I suspect if you got C-2 zoning like you have today and we eliminated the off street parking requirement in C-2, you wouldn't be asking for rezoning or supporting a rezoning.

Sean Brinker- I respectfully disagree.

Mark Piontek-Tell me how that's wrong.

Sean Brinker-Well, like I said, I don't have it.

Mark Piontek-I'd like to understand.

Tom Holdmeier-It's not your plan, but just any.

Sean Brinker-I don't have the code in front of me, but I believe there are differences in development. What you're able to do and what you're not able to do as far as everything from setbacks to what you can construct? One of the big ones that's been talked about is the tent versus the pavilion.

Mark Piontek-And that was my point about the use is not going to change. The intensity of the use may change. You don't have to have a lot of side yards and off street parking. Well, you may have a more intense use, you may cover up more of the surface area, that lot with buildings, but if you have an event center today, you can have an event center under C-3. If you've got a bar today, you can have a bar under C-3. Those uses are not changing. The intensity of the use may change. Okay then knowledge that.

Sean Brinker-Then then I apologize when you when you categorize it as the intense of the use, I think of something different. I think of the tent versus a pavilion as development, but I get if you're calling it intensity of use then yes, then I would agree with you that there are differences. Does that make sense?

Mark Piontek-Yes, I think so.

Tom Holdmeier-Okay, thanks any other questions or comments? All right, thank you.

Sean Brinker-thank you all for your time.

Sal Maniaci-I just want to point out a similar are an example I know has brought up the shoe factory and now that I have this zoomed out, I didn't bring it up before. And that is fairly new section of code from 2017, so that was only the second planned that was planned residential, but that's kind of the same recommendation we had here. The circumstances for that were they could not have enough parking on off street parking to meet the code. However, they had an amount that was maybe two thirds, it was close to it. And so in lieu of going to

C-3 your asking for a variance, they submitted a development plan that said, we're not going to have the exact amount that we need, but we're going to have as many as we can show it on this plan and then we're going to add striped parking on the street and Council approved that plan in lieu of requiring the full parking requirements and that is just something we said, is that pink color there can be requested here. Now there is risk that to the property owner because they have to pay for those engineering plans upfront before they know they get approved and I understand that risk, but that when the shoe factory's brought up, I meant to mention that earlier is that that would be our recommendation is you can go that route, that is exactly what was done at the shoe factory.

Chuck Watson-But again, the developer paid for all that?

Sal Maniaci-Correct.

Chuck Watson-The city did not pay for that.

Sal Maniaci-It was painting the stripes, correct.

Chuck Watson-Correct.

Mark Piontek-Sal, under planned development commercial, that's the minimum lot size of five acres.

Sal Maniaci-Well, I guess the residential is an acre and a half.

Mark Piontek-Residential is an acre and a half. Planned commercial is five acres.

Sal Maniaci-So the variance should be required regardless.

Mark Piontek-Yes. So this wouldn't meet that requirement.

Sal Maniaci-Got you.

Sean Brinker-And just be clear, I only brought up the shoe factory because every time there's a development going up, we hear about parking, parking is always the issue and then after things calm down, parking really doesn't seem to be an issue anymore.

Chuck Watson-But this has been an ongoing issue. It's not like this is something new that all of a sudden they're proposing like the shoe factory was, this was a whole brand new development and nobody had any idea what it was going to exactly look like. Whereas Elijah's has been an ongoing issue with parking when they've held these events.

Sean Brinker-Well, Mr. Mayall all will give you some numbers that I think will bring a lot of perspective to the events and parking. Thank you.

Steve Sullentrop-Can you repeat that commercial and planned development? I couldn't hear it.

Mark Piontek-Under the code planned development commercial has to be a five acre minimum lot size. But the code also says that the City Council can waive that requirement on recommendation from the Planning and Zoning Commission. So it's not a hard and fast five acres, you can, as Sal said, that you call it a variance. But essentially the Council can agree to a site that's less than five acres on recommendation of Planning and Zoning. One and a half for residential. It's five for commercial but it doesn't have to be five. Council can improve something less.

Tom Holdmeier-Anyone else that would like to speak.

Sean Mayall-Good evening Sean Mayall, 2205 Windcrest Court, Washington. I guess I'm the guy that has been waiting to hear from tonight. Seems like it might be the popular guy. , I'm going to be, just, just to clarify is, I'm going to be purchasing the property in the spring. So Tony Bequette owns the property now and I have contracted with Tony and me and my wife are going to be purchasing the property in the spring. So I just wanted to make sure everybody's aware of kind of the status and where we're headed. Got a lot of great ideas, a lot of exciting things for the Elijah's Estate. I would encourage anybody to reiterate and look at the history of the Doctor Elijah McClean's estate. He moved in there in 1839 and operated his medical practice out of that building in 1839. So, a lot of history there. I wasn't even aware a lot of history until he got into it and interesting and it's, you know, he bought that property from Lucinda Owens husband and about 80 acres. So there's a, there's a lot of history there. , I know we want to separate the history. Along with the zoning. But I wanted to kind of go over talk a little bit about the history the last year, 2021. I keep hearing a lot of people ongoing about the complaints and this has been ongoing and ongoing and if everybody would kindly remember or write these numbers down, the number two is very important. We had to outdoor music events in 2021 on the west patio, two events that we held outdoor music on our patio that were permitted to do. In 2021 entire year we've had four events in the tent, four events in 2021. That's total of 98% of the time that facility is not being used 98%. So I want to be very clear about any complaints, I want to be very clear that, as far as any issues goes, this is not an ongoing every weekend every month. Yes, Tom.

Tom Holdmeier-Sorry, I will interrupt. I think the last two years have been kind of unique in the amount of events that have been taking place because of Covid.

Sean Mayall-I would say that, but the last several months have done this summer was not, I mean everything was rolling again. So, anyway, I just want to kind of point out that, depending on what

everybody says is that the complaints have not been near what, what we hear and, and complaints all the time. So, with that being said, we have tried to be a very good neighbor. We are permitted to do if we want to do live music outside Thursday, Friday, Saturday like other establishments were permitted to do that. But we have been an extremely good neighbor and conscious that we are in the neighborhood, we are next to homes and you know, we chose to do most of our music inside and try to be a very respected neighbor. And that being said so you know the city, you know, did kick this back and you know what I want to talk about is the parking situation that everybody has talked about. It's been already mentioned this evening and the most important thing in the room tonight is that this property, whether it be me Tony is that that this property does get treated fairly and what I mean by fairly is that we do look at with along with city and staff and work together on creating more parking. The city and staff have worked together with other builders and individuals in this town and businesses to create this parking and I don't think that the property and the owner should be singled out and basically you get your own parking. And what we're asking for is we're right at the edge. I don't know how there's any argument that Elijah McLean's cannot be in the Downtown District and what we are asking for is to work together, but I don't feel like that I need to submit a set of plans when it's very clear, it is very clear that this needs to be in the Downtown District and is very clear and evident that the city, along with the staff has worked with many developers and individuals before to create parking where I want to develop this downtown together and do good for everybody. And so what I'm asking for is to consideration to rezone this and that we work together, but I shouldn't be restricted to be able to do this zoning. What I'm wanting to do and my wife are going to do is we want to propose to put together a three story hotel right down on front street. It would be on the east side, so it doesn't block the view if you're up on the balcony, up on the estate of the river And we don't want to do a large venue. We want to do a small venue where we have small gatherings, about under 75 people which we have plenty of parking there for now for those events. And you know, we're not headed towards the large venues, large venues needs to be at the elks and at the at the KC halls and those types of events is where the, you know, the hundreds of parking needs to be. And I just, we want to be, we want to be treated fairly and we want to work with the city and come up with a plan. And I would have to wonder, you know we've heard different coordinates in downtown and I don't know that there's any that the building was built in 1839. So yeah, we are up against some residential. But the argument is there's that's all the way through downtown. So we want to do we want to do different use. But I don't feel like we should have to submit a plan and be restricted and be backed up into a corner before we take a look at look at rezoning this property.

Sandy Lucy-So I will ask you talked about how many venues you had in the large in the tent, which is very nice. My first time out this past weekend. Are you will that go away then if you're doing all this other stuff.

Sean Mayall-Yeah that would be a smaller, it would be a smaller, either a smaller tent or a smaller pavilion. If I even did that. But if I build a hotel and if I will do everything you know 75 and under for like small weddings or small gatherings or class reunions, that type of thing. We're going to be a small venue. And so we're not going to need tons of parking. Do we need more parking. Yes. But again, I would like to I guess what I'm asking for also is you know, we're the ones on our side that have to be asking the city for parking options and parking. I guess I'd like to hear on your side is yeah, that's right Sean we did, we have worked with other developers and builders in the city and we have worked with them. It's always on our side for asking. But I think that's something that we need to discuss this evening. And you know, we extend I mean I've looked at the property on Front Street and I'm assuming it is tough to work with the railroad but it was done before. It was done for other individuals. It was not paid by individuals. And we can work on Stafford if I need to pay for some striping and we worked together on that plan. That is definitely something that I would be open to.

Tom Holdmeier-We really don't I mean Sandy or Mark or Sal we really don't do the negotiation for parking and everything we have no funds we have available. We base it on what we have there. The Council may want to do that. I think you can speak to that but I'm sure they're not opposed to working with you on it.

Sean Mayall-But I know but I need what the most important thing though you Tom is for you to understand because you guys are going to be voting on that this evening. So I need for everybody in the room to understand that we want to work together when we work together with the municipality and work together. Sandy, we talked about that the other night is working together and that is what the city has done for other developers in this town. And we want to be treated fairly and the property needs to be treated fairly and we want to work together. We're not trying to do something slip some zoning in so we can do something else. We want to work together, but we shouldn't have to have, it's evident what the zoning should be and we shouldn't have to come up with a plan. We should work together on coming up with the parking problem.

Carolyn Witt-I have a question, is there anybody? I was I was trying to think, I remember recently we've just put signage on public parking, which is terrific. You know, the people now know, but I cannot remember the city except for on Front Street, put in a parking lot with a developer for a developer. I mean, we've had a lot of developers and as mentioned an International Shoe Factory that was not included. And I can't think of any myself and the other question I had was which of course I now have lost, but when it comes back, I'll let you know. But anyway, I can't I do not. I mean, I think it's great and I think the city is more than willing to help to work with a project, but I don't.

Sandy Lucy-No, the parking lot like that. I mean I'm just from my history of downtown, the parking lot at Front and Oak is a city parking lot. And the developer that was not with the developer and that was back in the day. And those parking lots were purchased and developed from merchants. Quite honestly, they would all contribute money to buy a lot or to pay for a piece of property. And that was how a lot of buildings were torn down. You know, the mill was back there, I'm showing my, you know, the mill was down there and then they tore it down and made that a parking lot. A lot of those lots were purchased by downtown merchants as a group and then given to the city and the city took care of them. The one behind the landing is a city parking lot. The one at Maine and Elm is a city parking lot. The Bank of Washington has their own parking lots over on 2nd Street. I mean that was kind of the history of how it slots. Now, I would agree with you, Carolyn, the most recent lot is the one that was down there along front street where the, when they pulled out the railroad tracks. Is that is that the one?

Sean Mayall-Yeah, that's what that's what I'm talking about.

Sandy Lucy-Okay, so now we know what you're talking about.

Carolyn Witt-That was great because that was tied in with the team track. That with them moving then we had access to that but it wasn't you know and when that started all of that Main Street development, Rhine River.

Sandy Lucy-And all of that was just for the Front Street was very infancy.

Carolyn Witt-and right it was not even there and we only had one restaurant. We had that bar that was in the old electric company. But I mean we didn't have a lot of the development that we have now was not it was not part of it.

Sandy Lucy-Well and that all of that development, I mean it's a certified TIFF District down there and as someone reminded me one time because the TIFF District did what it was supposed to do, spurred on additional development. You had some big developments.

Carolyn Witt-and the question is a hotel included in the C-2?

Sal Maniaci-It is, yes it is. Then the setback, they'd have to be 25ft off Front Street.

Sean Mayall-To answer you Carolyn. I want to be very clear that I'm not asking for the city to put in parking that's for Elijah McLean's. I realized that that will be 100% city public parking. And if 30 people from Union want to come over and park there that they can park there. I'm very I'm very clear about it would be public parking and I think Mark to answer your question is right now I would love to put in some outdoor restrooms because we're a little limited on restrooms and under C-2 zoning, I cannot add anything to my building without going back and asking for more parking. So the issue is there is a big difference between C-2 and C-3. Big difference. I can't add storage, I can't add anything to that property without going back and be restricted and adding parking. And that's why we shouldn't have to ask or come up with plans is I am we are basically landlocked with what we can do up there as far as

any kind of structures. And our intent is as you guys know that estate, there's been a lot of years at that estate is set there and been run down and run down and sit vacant, which is sad for all of us to look at. And we had a guy that's put millions of dollars in that property and as far as the neighborhood goes where that where that beautiful hotel sets now was an old ragged rundown garage with weeds and everything growing up and the current owner has done nothing but increase the value of those property owners up there by cleaning that property because it was an eyesore. I know if you all remember, but it has been an eyesore over the years and it's just it's sad to see the way that thing is set. And we've had somebody that that spent millions of dollars. I want to put millions of dollars in development there with the hotel and and better this Downtown District in this community. And right now I can't build a restroom. And so that's why I want you guys to take a hard look at the overlay the Downtown District and consider this because we can't do anything.

Sandy Lucy-Okay Mark does the zoning say no restrooms?

Sean Mayall-I'm talking about, let's use the word shed or garage. I cannot build any other structure right now without going back and talking about parking. So forget the word restroom. I thought I was using that, for example, as Mark stated to Sean that there's no difference between C2 and C3. There's basically why are we asking this because there's no difference. That is not true at all. There's a there's a huge difference there and that's what we're asking for is for the proper zoning district in downtown Washington. We want we want growth, we want to do this, we want to be together, we want to be contiguous with everything else. Well that is extremely contiguous with everything else. And historically I don't know if you can go back any farther on other areas in downtown Washington. So I just unless you tell me something else Mark, I hope that I've clarified that there is a difference.

Mark Piontek-There is none Sean. In terms of the use you can put a hotel in C-3, you can put a hotel in C-2. You can build the same uses in C-2 that you can build in C-3. You may not be able to build them on that property because the property has reached or has nearly reached its density that's allowable. But the use itself is the same.

Mark Kluesner-It all boils down just to the parking.

Mark Piontek-You're going to run a hotel in C-2 or C-3. The use is no different. What I said was the intensity of the use is greater in C-3. You can virtually cover that entire property with structures and meet the C-3 zoning. Where you can't do that with C-2 because you have to provide some setbacks and off street parking. That's the difference.

Sean Mayall-So how do I add and expand right now? In my current district? I cannot do it.

Mark Piontek-You may have reached the limits of what you can do there.

Sean Mayall-But everybody else in the district can do that. And the city will provide parking. That's my argument this evening. That's my argument is we have to be treated fairly like every other developer in downtown Washington. That is my argument.

Tom Holdmeier-Well you can use the downtown parking lots.

Mark Piontek-Yes

Sean Mayall-They provide them right outside their business Tom.

Tom Holdmeier-I think the parking lot was there before the business. We didn't do it in unison with the business.

Mark Piontek-There are parking lots about a half a block away according to that photo. And you were talking about running a shuttle service from the from the parking lot at the pool. So what's the difference? Why the need for a parking on your site or why the need for the city to provide additional parking when you're talking about using parking that's already there.

Sean Mayall-Should I have to shuttle?

Mark Piontek-If you want to create that intensive use on that property you may have to.

Sean Mayall-But I'm not going to have an intensive use. And again if I was 100 ft. from that, the city would provide parking. But that's very clear.

Tom Holdmeier-Not just for yours for downtown. And you can I was clear about that, you can still use that parking. So it's there for everybody. And usually what happens though with development, and you

know this Sean, you come in with a plan and show us what's going to happen with the parking and with everything going on. If we pass C-3 it could not work out for some reason with you, you sell it to somebody else. You know intensity goes up and it may be harmful as opposed to being good for the downtown. So we just I think we want to kind of make sure before we would approve. I'm not speaking for everyone but before I would approve it, what's going to happen as far as intensity and yes maybe the city can work with you with parking somehow, but I don't know of one part, I can't think of one parking that was just done for an individual. It's done for downtown. I can remember went in, they wanted more events downtown you know for overall there wasn't enough parking up above and that's why they put those in. Well I can't remember it being for just one individual business that they were doing it.

Sal Maniaci-Well and I just want to clear with the possible expansion. Currently we don't know if it's at capacity because it's based on current use, if the event center is going to be significantly less. If our code says so many parking spaces per your occupancy load. If it's a 300 person venue then your parking obviously goes up. If it's 75, you may not have the parking issue, that's where it's like when if Sean were to come in with a building permit for just a bathroom that we actually wouldn't increase the parking at all if it was dependent on the use if it's bathroom storage and it's going to have maybe a place for rehearsal dinner, well then obviously we determine it at the building permit stage, we still review that in C-3, we just don't count any parking towards it. So I don't know if it's a capacity because if it is a 75 person venue, we'd have to go back and reevaluate square footage, you may be able to add hotels, hotels are one parking space per room. So, you know, there is a chance it's not a capacity. We don't know until, you know, plans and obviously it's early, so he may not have plans to share yet, but and that's what we're saying is that you go through the variance, you could say, hey, we don't have the exact amount, but we're adding them on Stafford by striping it in lieu of and that could be maybe enough. Now that goes to the Board of Adjustment, doesn't go to City Council but it is an avenue that we thought could protect the property owners to the west. So what with the tent and counting those spaces, I agree that it's at capacity because there's not parking for that now, technically, but it's considered temporary. If the tent, it gets smaller and it's not, it is truly 75 people, you may be able to fit it on there, but it all depends.

Tom Holdmeier-Let me repeat. We're not against improvements were not at all against this, but I would like to see a plan at some time as to what's going to happen and we've never seen a plan of what's going to happen on that property. I know it's hard sometimes, but when it gets down to it, the old shoe factory, they had a show a plan what was going to happen before we approved it. Most of the businesses, if it's downtown, they had a show a plan before they're going to do and they had their, most of those have their own off street parking attached. Yeah.

Sean Mayall-So it would be fair Sal, to say that we sit down and work together and you and I, me and the city submit a plan to the Planning & Zoning, parking issue. Not not just me or the owner of Elijah's that the city of Washington and the developer present a parking and a plan because I feel like I'm singled out if you're asking from a plan for me.

Sal Maniaci-I think the first step honestly would be submitting it and working with us in our office to determine if there is a parking issue because if the occupancy load truly does go down significantly. We may be able to figure it out with fitting it on site with what you have because again you beforehand, I think when that first parking plan was approved, it was for that everything all the square footage interior being a restaurant that was and that is high, high count. You have to provide more parking that has changed. It's not a public restaurant anymore. Right. No, I mean it could be it's set up so that could we could sit down and look at a plan. If you can't meet those calculations, then the next step would be decided to we go to Board of Adjustment with working on a compromise on parking alternatives or a planned development where Council waves that decision. I think there's two paths there. If I'm correct.

Sean Mayall-So do we sit down we work out though on because I want to make the neighbors happy. I'm not here. I mean I respect them here this evening to voice their opinion. Everybody gets to voice their opinion and I'm fine that are here. I want to work together with the city. I want to work together with the neighbors. And I think it's important though in those meetings if we can agree that we work on adding public parking and again working with Stafford Street, you know the sad thing about Stafford

Street, if you guys are familiar that streets dead that whole block, its trees growing in. There's nobody parks down there. They parked up by the apartment there, there's I don't know how many hundreds of feet there, that that part that street is just dead, nobody hardly uses it and how do we use that together and that's paid for already there. So that might be something that we could work out. But again, I want to work at it with the city, not me presenting everything and me footing the bill for everything when we work to get the city worked with other people. That's what I'm asking. But I want to leave this podium tonight with a clear answer and a clear direction so there's not confusion on where we're all headed and you know, we're all at the same time, the same goal, you know, we're all after the same thing.

Sal Maniaci-I would recommend that honestly submitting that plan to staff first to determine, we can't even tell you how many parking spaces you need and C-2 until we see the plan. And then like I said, we maybe if you're really just a little bit shy, we go to the board, in my opinion, we go to the Board of Adjustment and say, hey, they don't have them on site, but they can, we can stripe Stafford and they meet the count. I would recommend approval that all day long because you're supporting it right there. So I think that would be the first step of us sitting down and seeing because that was the first I heard on Friday was a hotel and maybe a smaller venue that completely changes the parking calculations.

Chuck Watson-And that is what we can't go on anything until we see a plan. You know, it's like Tom said, I mean until we have any idea of some type of plan so that we know whatever density is going to be, then that's the only way we know whether it's going to fit into the code and what, whether we can pass anything to go on to the city or not, City Council or not.

Sean Mayall-You can work off of a general either a general sketch because I don't, what I don't want to do is spend \$100,000 on plans.

Sandy Lucy-I think that this is the idea that we would work together, we would work with you, you would work with us, you would come in, you would talk about what you were planning to do. This could be this, this could be that we could get some calculations going to see and then you know, it's going to be a back and forth a little bit, but it is not our attempt to treat you unfairly. But this board as you can tell tonight is going to be kind of be interested in what you're doing. I mean, and so I mean when, when you and I talked, it was first, I'd heard of that and quite honestly I got here this morning and said this out, wait a minute. I think there might be some different plans going on with Elijah McLean's, we need to take another look at this. I mean here we are taking another look, but we could go on and on but you could solve a lot of this with just coming to city hall and having a meeting and get those calculations going and then figure out what the answer is. We want to work with you.

Mark Kluesner-We'd love to work with you. We'd like to see what's going on over at Elijah McLean's. I think it's a good thing. I think everybody be happy in this whole room to work with you on that.

John Borgmann-And I would much rather do that than to just do a blanket C-3 and not know any other options that we've looked at everything.

Carolyn Witt-Well as Tom said, if we make that decision it's going to be here forever. And so were very leery about, especially since we haven't heard from anybody else this evening so we need to hear both sides.

Sean Mayall-Alright well I'm going to head back, thank you.

Sandy Lucy-Thank you.

Jackie Hollowich- And I'm here with my husband John and my daughter Christy who we live on West Main and she also bought a property on West Main. We are opposed to the rezoning of Elijah McLean's because it not only affects them it infects our entire neighborhood and I'd like to address one of these impacts and that's parking. Many times. Last Friday for instance. I think it was on Friday. We came home at eight o'clock and there were cars parked on Second Street, on Rand on Johnson and on West Main. And so what are we supposed to do? Park a couple blocks away? My husband has Parkinson's it's not easy. Our neighbor has M.S., walking can be difficult. All right and it's dangerous for them to have to walk that far. It's just really important that we're able to park in front of our homes. Some of us don't even have driveways. We deserve no less than a safe place to park. Many of these things you've already

addressed. I'm just asking to please protect the integrity of our neighborhood and vote no on C-3. That's it. thank you.

Tom Holdmeier-Thank you.

Tim Unnerstall-I live at 701 West main. Which is actually we share a property line with the Elijah's property. And I want to start out by saying how much I admire Sean and people generally developers. I think that's what keeps Washington vibrant. I'm not opposed you know to the concept of development. But Sean if you could put the slide back up with the colored parcels. I think the one before I guess the small. Yeah. The it's been Sean and several of the people have spoken so far said well it's you know it's obvious that the Elijah McLean's property is part of downtown. Well if you look at what's there now I think that's a fair argument. I think if you were to ask Dr. McClean he might look at it differently. I think he probably built there in order to get out of downtown. But that's just my opinion. I mean everybody's definition of downtown develops over the years. But I think what you need and from the, from what I've been hearing some of the comments from up here, I think maybe you're coming to the same conclusion that I want to ask you to espouse is I think what you need to look at on this parcel is not what's there today because you know, God forbid anything whatever happened to that building or are that property, but you know, tornadoes happen, fires happen, earthquakes happen. The property has been in disrepair before. Who knows what can happen and same way with the developer, you know, I wish him a long and healthy life but you know, he may not be able to finish with his plans. We all have a limited time here. So what I'm asking you to look at is if that lot were bear, would it fit better with what's to the west or what's down the street three blocks to the East on Front Street. And then I think you're going to come to the conclusion that I have it belongs with the residential properties, my neighbors here and my home. And so what again, I don't know that I'm opposed to anything that Sean wants to do, but I think he needs to be held to a plan and I think the planned commercial development, which the last meeting I was at the attorney speaking for the then owners was just vehemently opposed to even considering and I to this day, I mean frankly that opposition causes me to be suspect and you know, again, I like Sean, I trust Sean, but I don't know that Sean is going to see the end of his dream. I mean nobody knows I could be gone tomorrow, but I think your job is to protect the integrity and yes, zoning, I get it zoning ties hands, that's the purpose of zoning if you get right down to it. So I think you guys need to keep that under consideration. So that's all I have.

Aaron Wessels-I'm August and August has lots of little friends on our playground, we live on West Main Street and we like to play a lot outside. And one thing we've noticed especially with the event that happened on Friday, there were a lot of cars flying through there, maybe they we're late to the event and we're speeding to get there into park and it made it a really dangerous place for August and his friends to play, so we just want to let you know maybe from the parent perspective that we want to keep our streets safe. And so the less cars, the less parking, the less outdoor strangers and outside members coming to that would make it a safe place for August. Thank you.

Curtis Ozee-I actually wasn't planning to come up and speak tonight. I just came to watch, but I heard a couple of things that caused me to have some questions in my mind. And so I don't know if this is a format where I can ask you a question, but I'm going to just throw it out there, we can think about it and you can tell me Curtis, you have no idea what you're talking about, go sit down and I'm okay with that too. But a lot of what I heard so far tonight was talking about the premise of fairness and what I heard this group, not everybody, but everybody latched onto what's your plan, what's your plan, what's your plan? No one else in the Downtown District has to have a plan. And I think that's the fairness peace. If you look hold on just a second. If you let me finish and then you tell me, Okay. So if you look at that red square up there, where's the nearest red square on that map? At least a mile away. Are there any other red squares on Front Street? There are no other red squares on Front Street, So here's the example I'm going to put out there and if I'm wrong, tell me I'm wrong, I'll go sit back down. So let's look at the corn cob pipe factory, for example, the owner of the corncob pipe factory says you know what we are done making corncob pipes were doing weddings, can they do that? Do they have to come see you? Do they have to get more parking? They would not have to provide off street parking.

Tom Holdmeier-Okay, so that's an old business that has never had parking correct?

Carolyn Witt-For their employees, They didn't even have parking.

Curtis Ozee-I understand that. But what my point is that there's only one commercial business on Front Street that you're holding to that standard. So when we talk about fairness, everybody latches onto what are you going to use it for? I'm just saying from my perspective, whenever I look at it, and you talk about fairness, the fairness piece to me is why is there only one business on Front Street that's held to that standard? If you look at the other end of the street and this isn't a knock on the business on the other end of the street, I love the new brewery. They make fantastic beer. But whenever they went in there I thought oh my gosh, there is no parking down here, this is going to be a mess. And I'm just again, the fairness piece. That's my only point. That's all I have to say is just whenever I look at that and we talk about fairness, everybody says well what are you going to do with it? How are you going to use it? And to me that seems unfair.

Tom Holdmeier-Yes, I guess when did zoning start in Washington? And how old is the buildings that are there? Because we didn't have zoning you know before time and those buildings were already on a plot of land that's so we definitely we deal with those. Every other development down there has had plans brought before us and we approved them are we had some changes forms sometimes. So all those residential units, everything that's new built, like if they tear something down building back, it would be looked at again and parking may be some of it. In the future depends on the lot that's but you have an acre and a half if there's somebody else like the old shoe factory, we look at it, you know and we worked with them and got some street parking. So to think that you're being singled out is not necessarily the case. Almost all the time in downtown area we try to look at the parking off street parking if possible, and if they've never had it, we can't say you got to get it now because the buildings there, there's no room for them to put park like on Main Street, none of those businesses.

Curtis Ozee-That I understand, I mean, that's part of that's just right, that's part of your downtown before zoning and before all part of the deal. But I guess just to go back to my original question, because it was a little bit of answer.

Chuck Watson-A little bit more of your original question is, I mean, before you can sit there and say how much parking a person is going to need, you need to have a plan and until we have any idea of what they're wanting to do.

Curtis Ozee-I understand that piece of it.

Chuck Watson-To the fairness of the whole thing, because in fairness to us, we need to understand what's going to happen before we can sit there and approve anything as far as any type of change

Curtis Ozee-Understood but my original question that I got a mixed answer, because you kind of answered and you kind of answered So in that hypothetical situation, I said, if the corncob pipe factory quits making corncob pipes and they become a event venue, do they have to come before this group and figure out how to make that work.

John Borgmann-It's already zoned.

Tom Holdmeier-It's zoned, they can do what like we said, you guys can in that zoning.

Carolyn Witt-There's no residential near it either.

Curtis Ozee-Not too far away.

Carolyn Witt-Not too far away. It's not in a neighborhood, it's in a new development. Rhine River is a block away, two blocks away. But I mean there isn't a neighborhood there. I mean if it turned that tomorrow and became something else, it still is in a situation like this where you have an established neighborhood.

Tom Holdmeier-And that's what we're trying to do is be fair to everybody, not just to you our development and also to the property owners. And it's not that we're singling out a person because you're not in the Downtown District yet, Special District. So we're trying to be fair to both to make it work and we're not singling you out, but we are because you're the only one there with that piece of parcel of land. If there was another one similar to it, downtown would be held to the same standards.

Curtis Ozee-Understood. And I will sit down quietly disagreeing and go back to my original point where that's the only red square, the only commercial business that doesn't get that benefit and everybody's super worried about what there will be. So if we come if Sean comes up with a plan and everybody says I love it. Does he still get excluded from the Downtown District forever? Is that what we're saying or you're saying maybe you'll allow it at that point once you know what the plan is. But then whenever he's gone and somebody else buys that property and does something different with it, then you run the same risk you have today.

Tom Holdmeier-If we do a C-3 now. Well yeah, if you do a C-3. If he takes some of the events center activity away and it's going to be a different use, we may not have a problem with it then.

Curtis Ozee-Understood. But then the next person who buys it?

Chuck Watson-They come through the same channels and the same process as it is now.

Curtis Ozee-Not if you make it C-3. That's why we set there and debate it now is because once, once the property is rezoned, that zoning stays with the property forever.

Curtis Ozee-But I understand. All right, thank you for your time.

Sean Brinker-Again to help clarify Curtis's point. , I think what he was getting at was when you guys decided to switch all these downtown businesses to C-3 and create the Downtown District, how many of those did you make come here and tell you what they're doing what their future plans are. I suspect, but I won't swear to this that the answer is as whopping zero because you guys just decided to do it. That's the problem. That's what we're getting at is why are we being treated differently? Why do we have to come and ask for it instead of being put into it? **Sandy Lucy**-Most of those businesses in that district already were in C-3. It's not a new use.

Sal Maniaci-I mean the pipe factory got changed to C-3. There were a handful. I think that was the whole point is our recommendation was that they're not nestled into historically residential area. They already don't have parking. It's just allowing them future uses.

Sean Brinker-Well I can give you a prime example and it's the property that I own that does border the residential area. We were not C3. You guys switched our zoning to C-3. Now we don't really care it's fine. But I could build an event center on my back lot and I am right up against a residential area. You guys didn't stop me from doing that.

Sandy Lucy-What is your property?

Sean Brinker-Zick, Voss, Richardson and Brinker right down on Front Street, 38 West Front Street. And we on the back lot behind it as well and you guys switch those in there and my back lot borders whole start of residential. So I just want to be clear that when you guys say oh well this property is different. No it's not really, you're just singling it out. So let's just be honest about it.

Chuck Watson-So in reality you're going to sit there and put an event center on your little property and sit there and have how many 100 people there. And we're going to park?

Sean Brinker-No I'm not but that's my point is.

Chuck Watson-You're not comparing apples to apples.

Sean Brinker-Yes we are. I have a C-3 that you just zoned right next to a residential. Alright well respectfully agree to disagree.

Tom Holdmeier-Thank you.

Sarah Marquart-701 W. Second Street-Probably live the furthest away. So I have a couple questions when you talk about having a hotel or building a hotel and how many rooms and I appreciate you saying it's one parking place per hotel room. But then he also wants to have events, 75 people. So then we're talking about 75 parking places plus enough parking for a hotel. And then we all keep referring to Friday night's event. So I don't know how many people attended Friday night's event. I worked I didn't get home until 8:10. I have a parking driveway so I'm okay but I took some pictures. Just because my neighbors across the street were who I know where they typically park. They were not parked in their place. They were parked in front of what there's a garage, but it's a storage garage, but they had to park there because they couldn't park in front of their house. And then there was cars parked all the way to Second and Johnson like to the corner of Second and Johnson, whereas if I turned from second on to

Johnson and there was a car coming down Johnson, somebody had to stop to let somebody else go by. So zoning to C-3 creates a parking problem and that's it. I love what the development has done. It is definitely looks nice. No complaints there. But if you're going to have a plan and you're the developer, you've got to come with a plan. You've got to come with a parking plan, an event plan, whatever it may be. I don't know how many people are, like, like I said, who knows how many people are there on Friday night. But at 8:10 on Friday evening, Johnson Street was packed. I had to go around the block. So I saw how many parked cars were parked on Main Street as well and it was packed as well. So not sure. But definitely opposed to C-3 zoning. Thank you.

Tom Holdmeier-Anyone else please feel free to come up.

Gerald Straatmann and Kathy and I moved to Washington and bought the House on Johnson's in 1980. We knew Allah Andrey who owned the old building. He sold it to a man named Deebbie and I don't know how to pronounce his last name, but he made the restaurant. He invited all the neighbors over and told us what he wanted to do. He also asked about a gate on Main and Johnson to be used for emergency vehicles and for busses that can't make it up to drive off a Front Street and we all agreed there, no problem. We got along with Deebbie, got along with Rolla and to the new owners, I don't know who you are, but you have been a good neighbor. You have taken a piece of property, you have fixed it up. You have cleaned up Calvin Lane, taken the riff raff out. You have done a good job. You are a good neighbor. I don't know if anybody here in this building who doesn't want anybody to succeed. We don't know anybody here who doesn't want anyone to succeed in Washington. We're all welcome here personally. Rollo was a good guy. Deebbie was a good guy. We talked about the gate. We got the job done. This is from the letter that I got on October 27. So in answer to that, rezone, however, you want play the rezoning game however you want, Johnson street and Main Street is still residential. We like to keep it that way. If that's going to require closing the gate for emergency use and for busses, then that's what's going to have to be done with no man gate or woman gate, whatever you want for right now no access off of Main and Johnson we still want you to succeed. You have a gem on Front Street called Elijah Mclean's. Someone has said before, it's too capacity probably and you need to utilize it for what it is. It is a good thing. So that The letter which is the meeting tonight, you had a few steps, add parking on existing property. I don't know how you're going to do that. Stripe Stafford street, yep, nobody parks there. Good idea. A staircase office Stafford good idea. Work with the city. Another good idea. He also have closed the gate to public use on Johnson Street so that only emergency personnel staff have access to the residential side. I have had a neighbor, my hearing is not all that great, but you tell me sometimes the music is so loud, it rattles the windows. I haven't heard it, but some of the neighbors did. So then you also have part of this page two of the letter, the intent and purpose. You say it's part of the historical downtown Washington. I wasn't at the meeting when the other family decided to do something with the international shoe building and they wanted to keep it a good thing. And so far they have, but now there was talk of making the Johnson family as a historical site. The Johnson brothers owned international shoe was going to build the new building into apartments and keep the residential area and make it into a historic center also. Now you have downtown Washington historic, conflicting with the international shoe historic and now Elijah wants to possibly expand. I don't know how they're going to do that. They can do that. Like I just said before, I think everybody wants everybody to succeed, draw up a plan, see how it can fit in and I think everybody will be happy. So the last closing, I have one more thing to read and it's the same thing rezone it however you want, make it work however you want. I think we're all welcome here. Elijah Mclean can be with the downtown along with the international shoe industry are not an industry, but the new historical site that the Johnson brothers had with the international shoe. So somehow we can make it all work. Deebbie made it work. The neighbors got along with Debbie and everything was to the new people who owned the place. You're doing a good job. I'm sure that we can make it better. Thank you.

Tom Holdmeier-Thank you.

Carolyn Witt-We're in the process of establishing an International Shoe Factory historic district, but it's not done yet. There's a lag time, but it is in the works, but it doesn't affect any zoning.

Clint Schneider-I live on Johnson Street. And I really, I guess I have a question first of all and that is this, the way I understand right now from the city codes that I've researched is that C2 commercial districts are subjected to some sound restrictions.

Tom Holdmeier-Just overall.

Sal Maniaci-Their sound just like any other nuisance. Anything that is considered a nuisance over this decibel level. The police can determine that by a visit during the, when they get a call.

Clint Schneider-But they don't ever do that.

Sal Maniaci-I can't answer that. I mean, so I guess whenever I first saw that this was becoming event center, I had the option of leaving moving, we had neighbors that did that. I saw this restriction. I downloaded the free app that gave me a decibel meter, turned it on to what it was supposed to sound like at their property line and thought that's not too bad. I don't think I'll move right. It's a lot more than that according to my free app. Now, that's a free app online, right? And it's a little bit upsetting on Wednesday nights when it's really loud and my kids have to go to sleep to go to school the next day. So I guess I was a little concerned. My question was, was it different from C-2 to C-3. I guess if there was any difference in that. And then I guess if they really like to be fair if they keep my kids awake can I like turn on my radio at 4:30 AM and wake their patrons up at their hotel? I like fairness too. Thank you.

Tom Holdmeier-Thank you. Anyone else that would like to speak?

Doug Hagedorn-719 W. Main Street-Hi guys. Thank you so much for doing this and you know you take a look at this and this seems like a big deal tonight and you guys it certainly is a big deal because I got lots of money in the bank. That's three doors west of Elijah's. If any of you guys are wondering. We bought the property 11 years ago and Elijah's was basically a put my brother was one of the caretakers involved in keeping the building up. And we always hope that something cool would happen to him. And I think this is cool but I also lived there and it is noisy at times and it is dangerous when like Friday night the parking was an issue and that's a big concern to me. So I do ask you guys to know two things. One is a statement, first and for most. I think you guys bend over backwards to be fair and I think you are continuing to do this in this respect. So for going to say it's not fair. I totally disagree with that. And I also disagree with the supposition that Elijah's is part of downtown. I, if I, I just don't see it, maybe I haven't talked to enough people. But when I was hanging out with some of you guys, when we were kids, downtown meant, Borgia and the surrounding three or 4 blocks. So normally expanding and that's good. That's really good. And so I guess I'll ask you guys just please keep a very skeptical and open minded to both parties, especially us. Thank you.

Tom Holdmeier- Thank you.

Karen Parham and I live directly across the street from large McLean's at 111 Johnson Street. I did everything that Doug Warren said and all my other neighbors, we're all in agreement. I lived in my house for 31 years when I bought the home. I knew it was a restaurant. As to most of my neighbors who have lived here 20-30 years plus. When it was vacant it was kind of sad to see that. And when the new owners came in, I was excited. I would often go across the street on the sidewalk and try to talk with Tony Bequette. And I was kind of surprised because all the other owners are the people who leased it from the owners were always welcoming us in the neighborhood. And we were part of, we're like a team together. We patronize the restaurant. They invited us over. They cared about us, we cared about them. We had no problems. It was always an indoor event which also helped him. It was a smarter than it was a restaurant. So you know, when a business comes into a neighborhood, it's not just a business about making money, it's about relationships and to have a good relationship you have to work together and communicate. We have tried to communicate to solve some of these issues various times by trying to set up a meeting with them, writing the City Council and the city administrators. I have all that documented. But anyway, when it was a restaurant, it was, the gate was always closed somewhere along the line when the new owners came through the previous owners somehow, they got, they were able to work around it. We're not sure why, but we're not going to argue about that. Okay, the parking is an issue. I do understand that. I don't know what the right word is if it's the code or what that when someone gets to occupying a place they have to have provides so many parking spaces for the number of occupancy. So

maybe if it's 200 people, they have to have 50 parking spots because it's four to a car. Well I watched for hours Friday evening. I watched as people came down Johnson Street and up Main to get into the parking lot. I watched as people came by and parked on our streets when there were empty spots on the lot of Elijah McLean's on the upper lot, there were still empty spots. They were parking directly on our streets. How many people got out the cars one most of the time sometimes two. Okay but I know we can't stay here and fight about like oh we can't change the ordinance right now about there has to be you know to to a car right now I think it's for but I'm just saying that's a problem. Okay so let's see here what else? One man actually parked in a no parking sign where it says no parking corner to here, he said he didn't care. There was also a sign and I know my Councilman Gretchen saw it and took a picture of and sent it to me that there was a sign on the corner of Stafford and Front Street that said for "FCBR park here" and she took a picture and stuff and there were only two cars parked on Stafford Street. And regarding Stafford Street, it is pretty well an empty street but there is an apartment there and there is a residential place across the street, Those people on that apartment that faces Stafford street their parking is Stafford Street. Now that apartment building also has apartments behind there park, they have assigned parking that they come into Calvin Lane to park. But the four units on Stafford Street, that's the parking, that's the only parking option that they have. So but I do think that you could utilize more of Stafford and make more parking. Okay. The other thing is I know this isn't the issue here but they're like Clint Schneider said the noise is regarding the events for 2021. I don't know they said they had four tent events. That could be, that's probably true, that's what they said. But they also have a social drinking club which has created quite a bit of a problem in the noise in the neighborhood, especially on school nights. Cinco De Mayo was one of them. I was not home that night until later in the evening when it was all pretty well over with but I do know talking with a certain neighbor that it was a problem trying to put their kids to bed And on September 9th there was another social drinking club event and it was very loud, I could not have a conversation in my home with the windows open right, I could not have a conversation with the person next to me, the music was that loud. Okay Friday night it was the same thing. My windows were closed Friday night when I soaked in the tub at 10:15 at night, I could clearly hear the music playing in my house and exactly what the words were of the music and that was coming from the tent with the flaps closed. So it is a problem when they have a large event. I have asked for if they could do something regarding the sound. Okay. So and like you guys did say we did have an unusual year. It was Covid. So, what else do you want to say about being treated fairly? We're residents, we pay taxes too, we live here, we work in the community, we are an asset to the community as residents and we raise our family here. So and we pay for our homes and we're hard workers. Home is something to be treasured. It is your train quality place. And we ask that you treat think about which I think you guys are thinking about us. And when Elijah McLean's bought the property, they knew when they bought it, they are nestled on all three sides by residential and residential. I'm including the apartments. Okay, because they live there, it is residential, it is not a commercial area. If they're going to have a commercial business, be a good neighbor. We all together are good neighbors. We all have been good neighbors together. We watch out for each other and we support each other. We would like to see that relationship with Elijah McLean's whoever owns it as it used to be in the past. As far as being historic. I'm a big antique person. I love old buildings. I love old homes alleged claims I understand cannot be considered history because there's been two main changes made to it. It just kind of sad, but it is still a beautiful facility and I'm glad to see that it's alive again. And I'm, I mean it's just too bad that they have isolated us as neighbors on how we have been treated. Let me go over my notes real quick. Earlier tonight was mentioned that Elijah McClean's said they could maybe do shuttles and things like that. It has never happened. Put your money where your mouth is, you know, walk the talk. So, I along with the neighbors and I urge you to please deny downtown commercial if they want to come back with planned commercial things, I think that that's probably like the best way to go about it. We as life while neighbors love our neighborhood and we want to keep it a place where we can enjoy the safety and the peace of this unique area. Thank you.

Tom Holdmeier-Thanks anyone else?

Angel Mitchell and I live in 3 Calvin Lane right behind Elijah McLean's . I've been there for about 10 years. My front door faces the back of the building. Yeah there were about six events this last year. It's one of the few things that I have to say thank God for Covid for. The six events were loud and caused problems with parking. I live in Calvin, I have my own spot and I have one other parking spot. So my husband owns a car. So if we have friends or family coming over to our house, they park on Johnson Street and walk up Calvin Lane to come visit us, you can't do that if the entirety of Johnson and Second and all of the streets downtown are packed with people for Elijah McLean's. The safety concern that was brought up earlier. I have an eight year old daughter and I also feel the same way when we're walking we take walks and if there's cars flying by trying to get in or out of Elijah McLean's, that poses a big problem for us and the slide is gone right now but with the red dot that has been up all night Somebody just outside for the first time when I wanted to clap my hands. I just want to point out the residential space around the red dot is all freaking three sides. It's not just a little strip where like four car or four people might live upstairs and I need a few parking spots. It's three sides of residential area. There's a lot of us that did not sign up for these late night parties on school nights with no parking and loud noises going well past 10 o'clock at night. I'm not being a mother who owns small children and lives in this residential area. I know that a lot of us feel this frustration level rising. So again we say thank God it was only six events in 2021. All right. If we're talking about doing something more permanent and bringing in more people and this being a more common issue that's going to be a big problem for all three sides of the residential area. Mr. Brinker was mentioned in the beginning when you first came up that Elijah McClean's has been a commercial business for 20 something years. And while that is true, it's also set quietly for most of those years and now Bam suddenly were suddenly now dealing with this issue. So that's the fact that it's been residential all these years doesn't have anything to do with the problem is that it's a now problem. So, let's see, oh and Stafford Street, someone said it's dead. It's not dead. It's beautiful. It's peaceful. It's one of the few streets in downtown Washington that's a nice quiet place. I sometimes park there before I go home from work. Just it's my transition spot. I just sit in park on Stafford roll the windows down and just have complete quiet for five or ten minutes before I go home and my mom again. I love Stafford but I could see how parking could be added down towards Front Street. We could easily put some stripes up there and call that good. Brinker mentioned his property that he has a C-3 and I just would like to point out again that his little property space has maybe one or two residential neighbors. We have lots of residents and none of us want this. Thank you.

Tom Holdmeier-Thank you. Just so we do know it really doesn't change the use going to C-3, it's going to be the same use as it was before so. And noise is not really I mean we're concerned with it but it's more of a city issue enforcement issues and we don't enforce. Anybody else please.

Jeff Wesselschmidt-807 West Main. You saw my wife and son come up here, he was more excited to talk into the mic than anything. So you mentioned that C-3 doesn't change anything but I thought before you said it did as far as you can add more structures, more buildings, you can take that whole lot and make it it's the parking.

Tom Holdmeier-It's the parking. So I yeah let me just say I guess they could put more on it without accounting for parking. Okay so it's the same use, it's just the intensity like Mark said, so they could put more on it without putting parking to counterbalance that now they have to put parking in unless they get a variance for it. If you have if he's going to decrease and take away the outside tent and just use the inside, He could have plenty of parking right now, you know? So that's what I was talking about, you know, it will limit what they can do up there if you don't go C-3 because of parking.

Jeff Wesselschmidt-Gotcha. And so with me and in my house it was my grandma's house, it was my dad's house and now it's my house, so it's three generations, you know, I have lived in this house and so my concern and my fear is the future portion of it is, you know, Shawn's doing you know, has great ideas, I'm assuming, and he's done some great stuff and but what does the future hold if he doesn't own it, someone else comes in and they change that intensity, then it's a whole different ballgame for our residential area at that point, you know? So he's he's talking about decreasing that intensity, which is fine and there may be, you know, tons of parking spot, but that doesn't tell us if it don't you've all mentioned

before if it goes C-3, that there's no going back, there's no looking back. So that's that's my concern and that's why I just wanted to let you all know that that for us as residential C-2 is the way it's zone now is what we like and what we're used to and scared of the future, you know, and how it can change. Thank you.

Tom Holdmeier- Thank you.

Christ Seewall-We bought 725 West Main Street right next to my parents and John and Jackie. Their home was owned by my mom's grandparents built and owned by my mom's grandparents. We really respect Elijah McLean's and the historical value that it brings to the neighborhood and the potential that it has and can add to Washington downtown as well as to our neighborhood. However, I think the real issue here is going back to the idea of equity and being treated equally I think their current zoning is what determines that if it's C-2 and they have to bring their plans forward to be considered in conjunction with everything else that's going on that's fair, that's equitable. When they bought the property, they knew how it was zoned when we bought our property, we knew what we were buying and what that residential area looked like, including Elijah McLean's being a wonderful part of that riverfront area. So I think keeping it zoned how it is so that they have to bring their plans forward to get them approved and to get special consideration regarding the use and the parking makes the most sense to me.

Tom Holdmeier-Thank you. Anyone else?

Bob Engemann-My wife Gail and I live at 119 Johnson Street next house from the corner house from Second. I don't really have anything new to say. I think everyone has covered it with the noise.

Everyone's covered our concerns about the traffic, about the parking overflow this past Friday night, the abrupt leaving and coming and going that we saw. I really don't have anything profound to say other than I came here tonight to see what kind of information I could find out and listening to you and listening to Mr. Mayall it sounds there's a lot more information that needs to be exchanged. And so I was glad to see that because make a good decision you have to have that information questions answered and I'm sure my neighbors and I will be concerned as to what happens there. And as we should. I can't help but think it's a residential. We moved back into town. My wife had owned that house for a couple of decades. We moved back into town, moved into a house again and because it's a great neighborhood and we hope it stays that way. Thanks guys.

Tom Holdmeier-Thank you. Anyone else any other comments questions by board?

John Borgmann-Well I don't think we have to make a decision tonight to approve or disapprove the C-3 extension. The way I see it. We've gotten a lot of information. This isn't like we normally get a rezoning request or an annexation request that we have to make a decision tonight. I think based on the new information we've gotten what we've heard from the residents. I think there needs to be more work done with the city staff and with planning portion of it talking to the neighbors. I would make a motion that we table this if that would be in order Mr. Chairman until further discussion and additional information is brought forth. **Mark Kluesner**-I'll second that motion.

Tom Holdmeier-Any other discussion, comments?

Chuck Watson-That one comment I guess is but the senior housing apartment, the only reason you're adding that is just so that that's continuous with the Elijah. **Sal Maniaci**-That was something staff added. That was the comment at the last Council meeting. So, it would be the rezoning of both again with just that particular capacity.

Chuck Watson-Just so it's contiguous across there is about it.

Sal Maniaci-I'm even more confident that it is at capacity if someone were to come in redevelop that they would have to do some demolition. Some major plans to submit to staff regardless just because there's not really any room there. So that was in my staff report with both. If someone were to redevelop that they could come in with whether rezoning to C-3 at that time or planned district. kind of basically keep our boundaries as is.

Chuck Watson-So basically that's really the only reason it was included because otherwise still with otherwise still it's, you know, it's an R-3, right

Sal Maniaci-Correct.

Steve Sullentrup-Yes. I'd like to address the Planning & Zoning for just a second. I want to appreciate all the people that showed up here tonight. I sit on the City Council. I live at 2317 East Fifth Street. I'm glad I came here to listen to these people and I'm glad I came here to listen to these people. It seems like it's divided that way. I wasn't here for Sean and I'm not here for you people either, but I'm here for the City of Washington. What I do want to say is it's a shame that C-3 is not going to take care of their problem, the noise and the parking. It's a shame that C-3 is not going to help him right now either because we're going to table it. But now I sit on the City Council, so I'm not going to hear anything for a long time. I just want to bring a couple of things to you guys that I heard at City Council meeting last week along with Sandy and Mark and whoever else is here. Mr. Bequette, is he still here? I had asked him at the last meeting. I said, hey, do you think this is where we first started talking about shuttling the people from the swimming pool down to Elijah's. And we also talked about closing the gate, putting a new gate in there with a lock on it for the Fire Department only. Well, if they run their shuttles, I was just asking a question, someone can answer it. How are you going to run the shuttles up that steep hill with a locked gate for one. And how are you going to keep the noise down for the people in the ward that deserve to be able to sleep at night. And those are the things that I hope that Planning and Zoning or whoever is going to look at this before it comes back to the City Council again.

Mark Kluesner-Yes, that's why I'm happy we're tabling it as well.

Chuck Watson-And that's why we're still wanting more information to find out exactly what's going on with this thing before we can make.

Steve Sullentrup-We all talk about getting along right Sean, right people, everybody wants to get along. Everybody wants to sleep. Well, let's see it happen. Let's get it done. Yeah, let's not stand here and argue about it all the time. So thanks.

Tom Holdmeier-I think we can get that done. Really. Staff has always been pretty amenable to trying to work it out. So it shouldn't be a problem.

Carolyn Witt-I personally have reservations about tabling it simply because I think it's all going to come back. I mean even if there's a plan, I don't see that anything I've heard tonight really changes my mind. But that's just me and I'm just one person.

Tom Holdmeier-So there is a motion and a second. So all those in favor?

All-Aye, with the exception Carolyn Witt- I opposed.

Tom Holdmeier-It is tabled for now and get together with Sal.

Sal Maniaci-Yes, I just have a question for Mark. Do we still have a public hearing next week or since that that is pulled?

Mark Piontek-No.

Sal Maniaci-Okay. So that way no one needs to come next week. I just want to make that clear.

Tom Holdmeier-Except we have some business yet. If you want to leave we'll pause for a minute for you guys to leave it. If you want to stay, you can stay so up to you.

Sandy Lucy-Thank you all for being here.

Tom Holdmeier-Yes. Thank you very much.

Greg Skornia-and ward three Councilman. I sat on this board Walt Larson appointed me like 2001. I sat on it to 2000 I think 19 prior to that in 2000 and 1972-1976 I was a subdivision designer. I did like I said subdivision design and plot developments for small restaurants and businesses so I have a little bit of background in this and I want to say you people are very well prepared. I want to warn you about some mistakes I made when I sat on the board. We only looked at the development that was on the agenda. I didn't look at the intersections leading up to that development. The city's now got some problems with some everybody wants Rabbit Trail Drive fixed. We should have put in another lane there going south and probably another lane going north. It should have been, as Bob Dobsch called a class a intersection. Nobody knew that the development was going to be like that. I mean it's that that's not the worst intersection in town. I think 5th street at South Point Road is much worse. Madison Avenue. When Wal-Mart went in, we were told Madison Avenue was going to be a right in right out after they put the Camp

Street bridge back in. It's still a dangerous intersection. I see people jumping four lanes of traffic to go west on 100. Well actually five if you consider the through lane six, if you consider the turn lane. MoDOT said they were going to make that right in right out. If MoDOT tells you something you better get it in writing. I think there's talk about another right in right out. I don't know what to name the streets going to be. It might be KJ Unnerstall Dr. or it might be Ron Avenue extension. But that new apartment complex or duplex complex, whatever it's going to be multi-family across the street from Kurt's house across Highway 100. If MoDOT tells you that's going to be right in right out, have it in writing. And I just don't let any more bad my summary, I don't want you to prove anymore bad intersections. That's all I got. Thank you.

Tom Holdmeier-Sal anything else?

Sal Maniaci-Yes. So the last item is our code amendments that we talked about last time. We've already looked at this language before and we never actually, finalized on it to send it on to Council so that will be happening next week. So there's two changes on this section 410. a is changing that definition to talk about the last sentence, the intent of this district of potential growth boundaries for historic district and to allow for mixed use and higher densities areas that are appropriate for the area and to be considered in downtown Washington. And then in the special uses we added number one the first one. Any proposed zero lot line on parcels adjacent to a four intersections, apply for a special use permit. Great example was right at Market and Main that all four of I guess three of the four corners we're able to get permits for zero lot line and then after the fact we had to reactively go to the traffic commission and add a stop sign after complaints were had. So hopefully this would give us a chance to review it to determines if the stop signs are needed before the building permits issued.

Tom Holdmeier-So you want a motion or any further discussion on Sal on the changes?

Carolyn Witt-I move that we approve it.

Mark Hidritch-2nd.

Tom Holdmeier-1st and 2nd to approve. All those in favor?

All-Aye.

Tom Holdmeier-Any opposed? So moved.

Sal Maniaci-The last thing is I am drafting our request for proposals for comp plan. I'm going to have a draft for just staff to have to look at this Friday and then I will be directly soliciting the language that is nothing that we need to look at as a group. It's really just comprehensive plan. What awards or what firms want to look at that. And then once I we typically will do it for three weeks that maybe one since we have the time, I'll stretch it out to try and get more people, more firms to submit on that. And then this commission will be one that will have interviews with those boards. Most likely I would say like a six o'clock before meeting will determine if you want to knock those out in an afternoon. We'll throw out some polls to people when that would be easiest. Especially if we're going to have multiple firms. We may need more than an hour before meeting. So that is in the works. The idea is that we would have that bid out in this budget year in 20 to do the entire interviews with the public and design of the 300 page docent and then '23 would be the start because it is a tenure docent and we did it and 2013.

John Borgmann-So you expect the interviews to start happening after the first of the year or.

Sal Maniaci-Yes, I wouldn't do anything earlier than that. Especially if we did a four week bid process.

John Borgmann-So just asking try to stay away from the holidays.

Sal Maniaci-Yes. The firm that we used last time is no longer around. They have either been bought out or retired and so I know PGAV has already showed some interest. But that's the only one that I've talked to the ST louis region. So I would like to find even maybe a wider scope if we can set up some digital or virtual interviews, that kind of thing.

Tom Holdmeier-Very good. One of our big items to do every 10 years.

Sal Maniaci-And we have some connections that we are working on internally city staff and developers to get that on the comp plan. We said we want to get those connections done before we do this. So we can say we can cross those off the list.

Tom Holdmeier-Anything else? If not, I'll entertain one last motion.

Mark Hidritch-I'll make a motion

John Borgmann-Second. All those favor?

All-Aye.

Tom Holdmeier-So moved. All right. Thank you.

Thomas R. Holdmeier

Chairman

Planning & Zoning Commission

To: Planning and Zoning Commission

From: Planning and Engineering Department Staff

Date: December 13, 2021

Re: File #1201 – Joe and Karen Faust – Vacation Rental at 921 W. 5th Street

Synopsis: The applicant is requesting approval Special Use Permit for a Vacation Rental Dwelling located at 921 W 5th Street

| Adjacent Land Use /Zoning Matrix | | |
|----------------------------------|-------------------|-----------------|
| | Existing Land Use | Existing Zoning |
| North | Single Family | R-1B |
| South | Single Family | R-1B |
| East | Single Family | R-1B |
| West | Single Family | R-1B |

Analysis:

The applicant is requesting a special use permit to utilize 921 W 5th Street for Vacation Rental Dwelling. The structure is currently a single-family home in an R-1B Single Family zoning district. The special use permit would allow the applicant to accept lodgers for periods of 30 days and less. The home will be required to receive a new occupancy inspection to meet the requirements for short-term lodging.

The proposed use is insignificant to the surrounding area and should not detriment the neighborhood. There is one other short-term lodging property in the area, a block and a half to the northeast on Horn and Mclean. The property has driveway parking and has street parking available as well. All noise ordinances that would apply to standard residential units still apply.

Recommendation:

Staff recommends approval of the Special Use Permit to operate a Vacation Rental Dwellings at 921 W 5th Street.

50 25 0 50 Feet

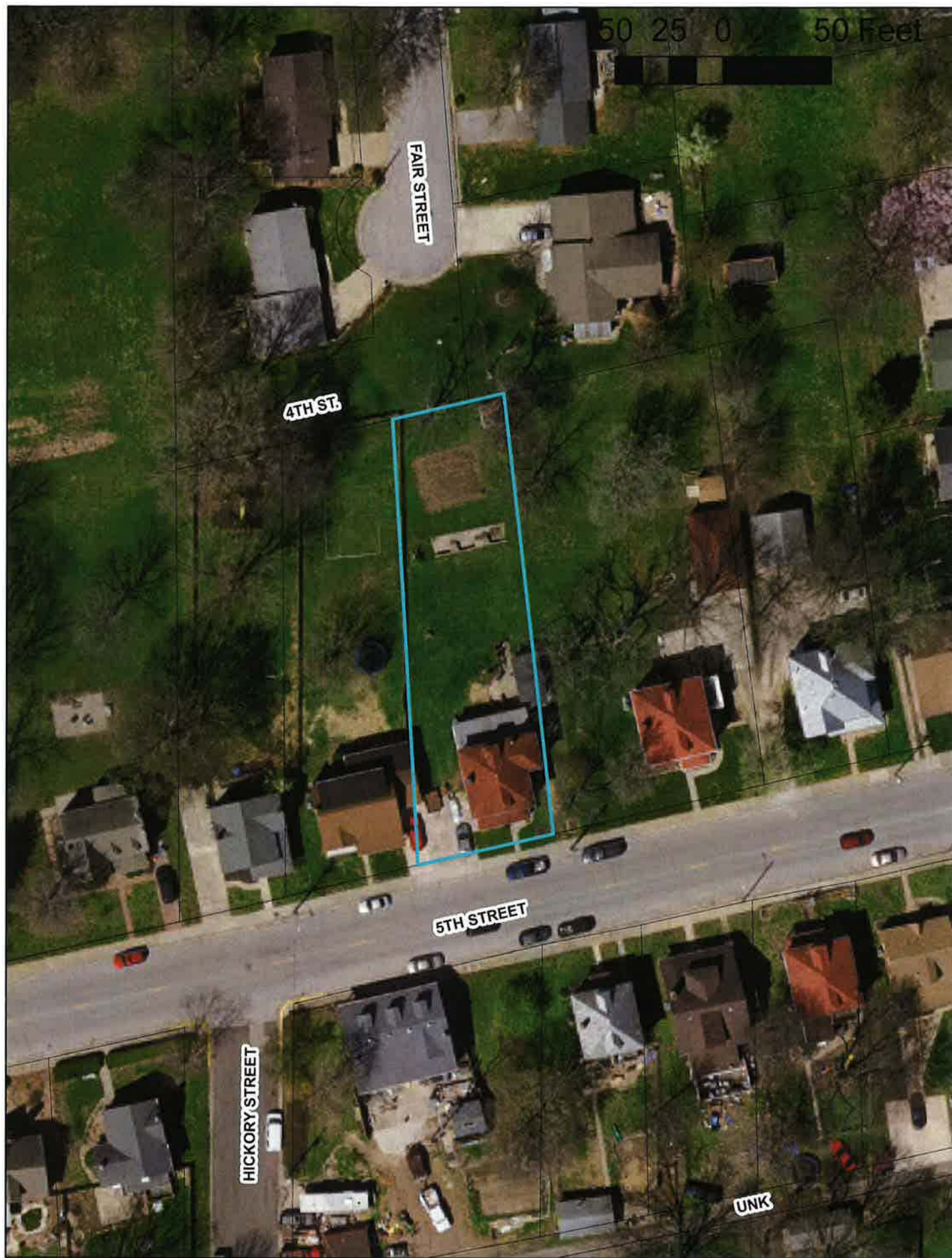
FAIR STREET

4TH ST.

5TH STREET

HICKORY STREET

UNK



50 25 0 50 Feet



Legend

R-1B

FAIR STREET

4TH ST.

5TH STREET

HICKORY STREET

UNK



CITY OF WASHINGTON, MISSOURI

Department of Planning and Engineering Services

405 Jefferson Street · Washington, MO 63090

636.390.1010 Phone · 636.239.4649 Fax

SPECIAL USE PERMIT APPLICATION

All applications for Special Use Permits must be submitted to the Engineering Department at least 15 working days prior to the second Monday of each month in order to be placed on the agenda for the Planning & Zoning Commission Meeting.

Please Print:

Street Address: 921 W 5th St.

Lot: N/A Subdivision: N/A PID# _____

Applicant Name: Joe & Karen Faust Phone: 636-699-2746

Address of Applicant: 725 Hawk Run Dr.

Owner: Joseph B & Karenlee Faust Family Phone: 636-699-2746
Joint & Revocable Trust

Owner's Address: 725 Hawk Run Dr., O'Fallon, MO 63368

Current Zoning: residential Proposed Zoning: same

It is proposed that the property be put to the following use: short term rental (VRBO)

Lot Size: Frontage 52 (feet) Depth 205 (feet) Number of Stories 2

Number of Units: 1 Number of Off-Street Parking Spaces: 2

Include with this Special Use Permit Application:

1. Application Fee of \$150.00 (make check payable to the 'City of Washington')
2. Completed Special Use Permit Application
3. Plot Plan
4. Legal Description of Property
5. Building Elevation Plan (for new construction only)

Joseph B. Faust / Karenlee Faust 11/7/21
Signature of Applicant Date

Joe Faust / Karenlee Faust
Applicant Name Printed

SPECIAL USE PERMIT EVALUATION CRITERIA

The following criteria are used in evaluating a Special Use Permit Application. It is recommended these criteria be addressed as to their applicability to the proposed Special Use Permit request:

1. The compatibility of the proposal, in terms of both use and appearance, with the surrounding neighborhood.

The home will be maintained in a pleasing + inviting appearance comparable to surrounding houses.

2. The comparative size, floor area, and mass of the proposed structure in relationship to adjacent structures and buildings in the surrounding properties and neighborhood.

No changes will be made to the size of the existing house.

3. The frequency and duration of various indoor and outdoor activities and special events, and the impact of these activities on the surrounding area.

Normal/typical family use.

4. The capacity of adjacent streets to handle increased traffic in terms of traffic volume, including hourly and daily levels.

No issues.

5. The added noise level created by activities associated with the proposed use.

Occupants will be instructed to abide by city ordinances for noise level.

6. The requirements for public services where the demands of the proposed use are in excess of the individual demands of the adjacent land uses, in terms of police and fire protection, and the presence of any potential or real fire hazards created by the proposed use.

no issues.

7. Whether the general appearance of the neighborhood will be adversely affected by the location of the proposed use on the parcel.

The general appearance of the neighborhood
will NOT be adversely affected.

8. The impact of night lighting in terms of intensity, duration and frequency of use, as it impacts adjacent properties, and in terms of presence in the neighborhood.

addition of any outdoor lighting will not
impact adjacent properties.

9. The impact of the landscaping of the proposed use, in terms of maintained landscaped areas, versus areas to remain in a natural state, as well as the openness of landscape versus the use of buffers and screens.

Any additions to the landscaping will only
enhance the property.

10. The impact of a significant amount of hard-surfaced areas for buildings, sidewalks, drives, parking areas and service areas, in terms of noise transfer, water run-off, and heat generation.

No significant changes.

To: Planning and Zoning Commission

From: Planning and Engineering Department Staff

Date: December 13, 2021

Re: File # 21-1202 – Best Box Washington – Rezoning of 4255 Highway 47

Synopsis: The applicant is requesting to rezone 4255 Highway 47 from R-1A to C-2 General Commercial

| Adjacent Land Use /Zoning Matrix | | |
|----------------------------------|--------------------------|-----------------|
| | Existing Land Use | Existing Zoning |
| North | School District Property | C-4 |
| South | Vacant Land | N/A |
| East | Mobile Home Park | C-2 |
| West | Single Family | R-1A |

Analysis:

The applicant is requesting to rezone 7.46 acres located at 4255 Highway 47 from R-1A Single Family Residential to C-2 General Commercial.

The property currently has a single family home on it and has a shared access to the school district property to the north. Both properties utilize a driveway on Highway 47.

The Future Use Map of the City's Comprehensive Plan shows this property has commercial, given its location along Highway 47. When building permits are submitted in the future, the applicant will have to obtain permits from MODOT to improve the access to the property to a commercial access point. All other zoning code requirements protecting the integrity of surrounding properties will also have to be met. Staff sees no issue with approving the rezoning.

Recommendation:

Staff recommends approval of the request to rezone 4255 Highway 47 from R-1A Single Family Residential to C-2 General Commercial.

340170 0 340 Feet



WASHINGTON C

Legend

No Match

C-1

C-2

C-4

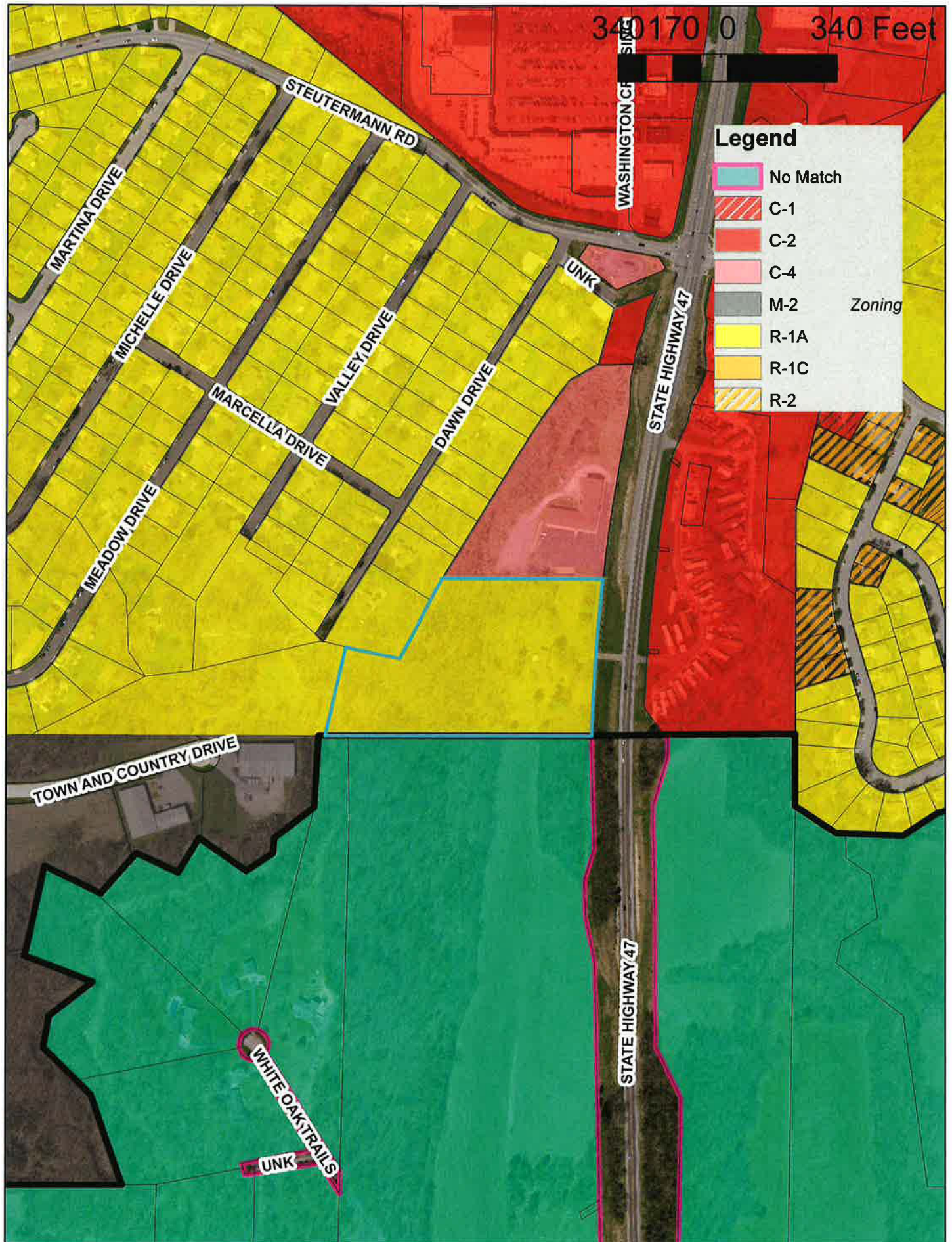
M-2

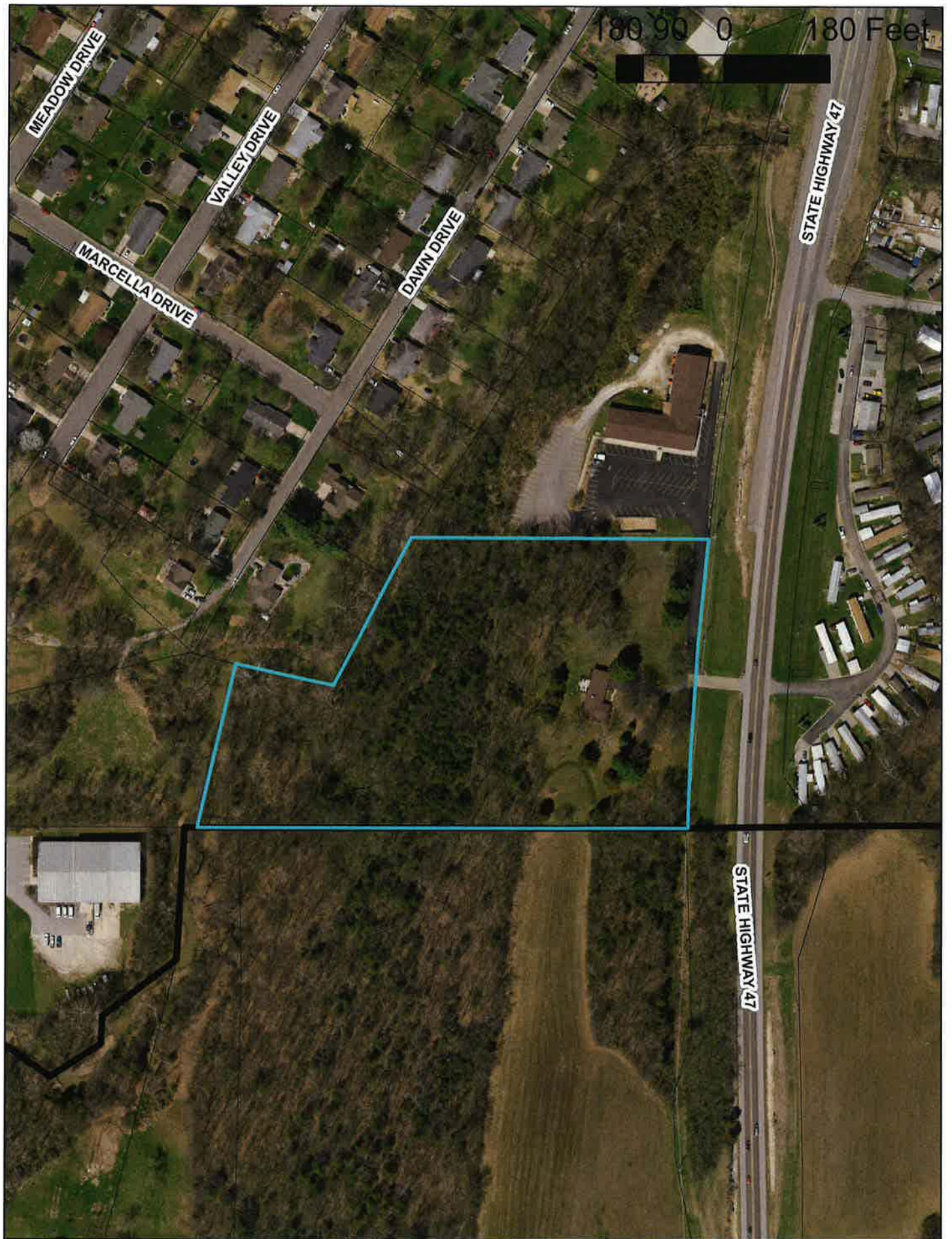
R-1A

R-1C

R-2

Zoning



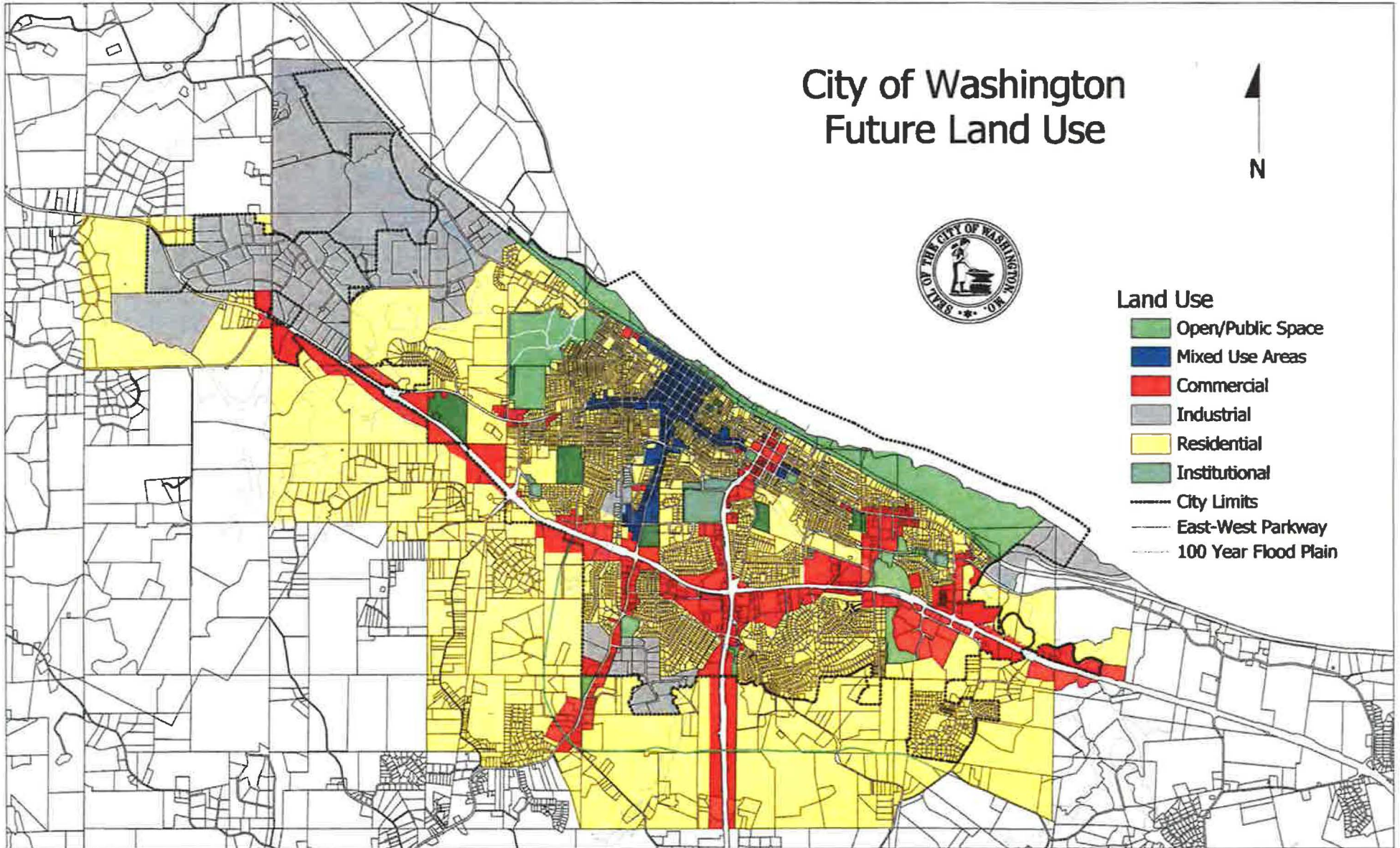


City of Washington Future Land Use



Land Use

- Open/Public Space
- Mixed Use Areas
- Commercial
- Industrial
- Residential
- Institutional
- City Limits
- East-West Parkway
- 100 Year Flood Plain



Department of Planning and Engineering Services
405 JEFFERSON STREET • WASHINGTON, MO 63090
636.390.1010 phone • 636.239-4649 fax

Please print:

Address of Owner (if different from Applicant) 4255 Highway 47, Washington, MO

Proposed Zoning and Intended Use of Property: Self Storage

To the best of my knowledge and belief, the data in this application and all attachments thereto are true and correct.

| | |
|---------------------------------------|------|
| Signature of Landowner (if different) | Date |
|---------------------------------------|------|

To: Planning and Zoning Commission

From: Planning and Engineering Department Staff

Date: December 13, 2021

Re: File # 21-1203

Synopsis: The applicant is requesting approval of a Special Use Permit for Self Storage Units at 4255 Highway 47

| Adjacent Land Use /Zoning Matrix | | |
|----------------------------------|--------------------------|-----------------|
| | Existing Land Use | Existing Zoning |
| North | School District Property | C-4 |
| South | N/A | Vacant Property |
| East | Mobile Home Park | C-2 |
| West | Single Family | R-1A |

Analysis:

The Applicant is requesting to construct a self-storage facility located at 4255 Highway 47. The applicant is also requesting to rezone this property to C-2 General Commercial in order to apply for this SUP. The property is located in a commercial area, per the City's Future Use Map, has access to Highway 47, and has topographical features that naturally buffer the residential area to the West.

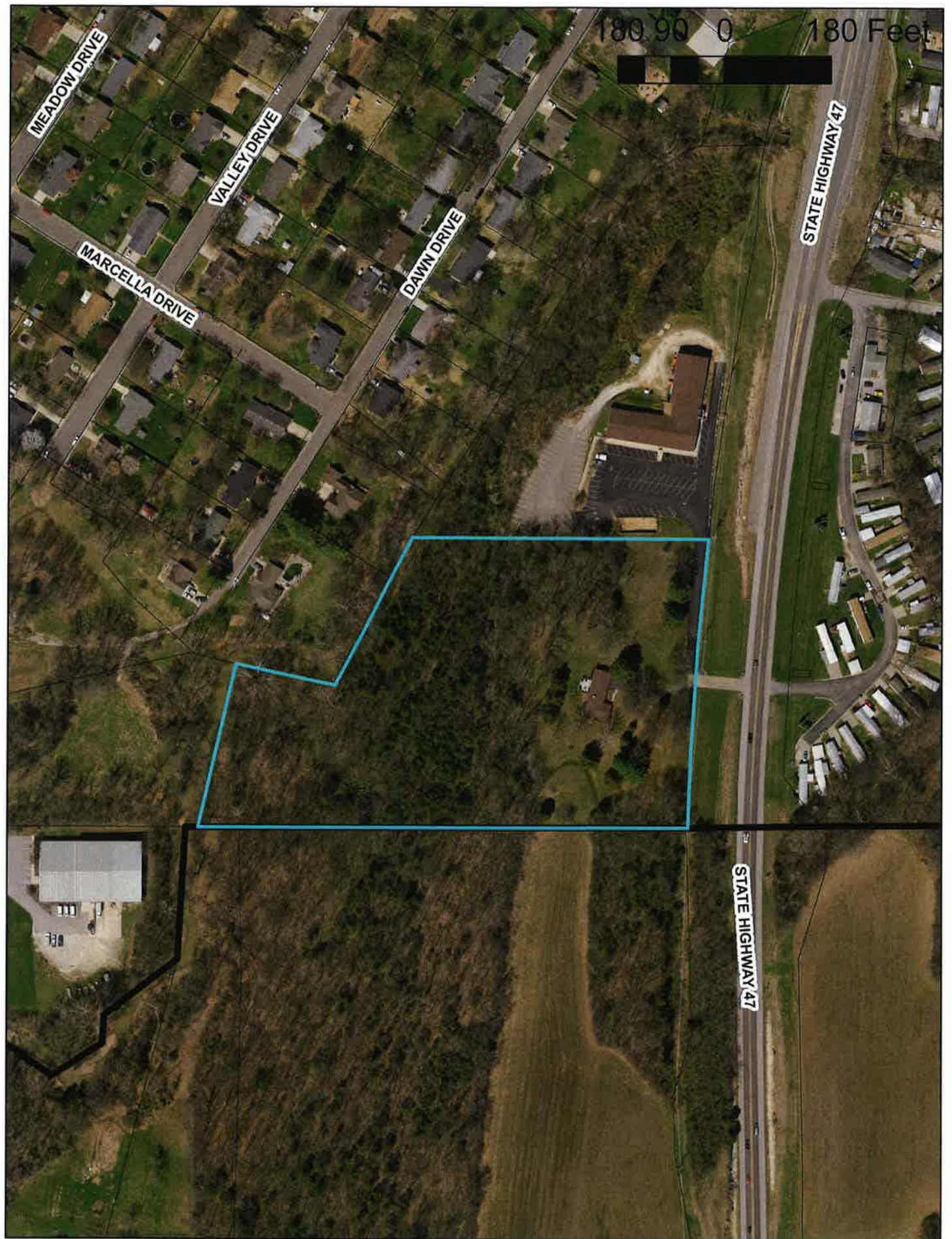
The site plan submitted shows 6 self-storage buildings and one office/warehouse. There are 15 parking spaces proposed, meeting the minimum requirements set forth in the code. The site plan also shows the appropriate screening to the residential zoning to the west and an adequate buffer. The proposed special use on this site, in staff's opinion, does not detriment the surrounding area nor is it out of character for the Highway 47 Corridor.

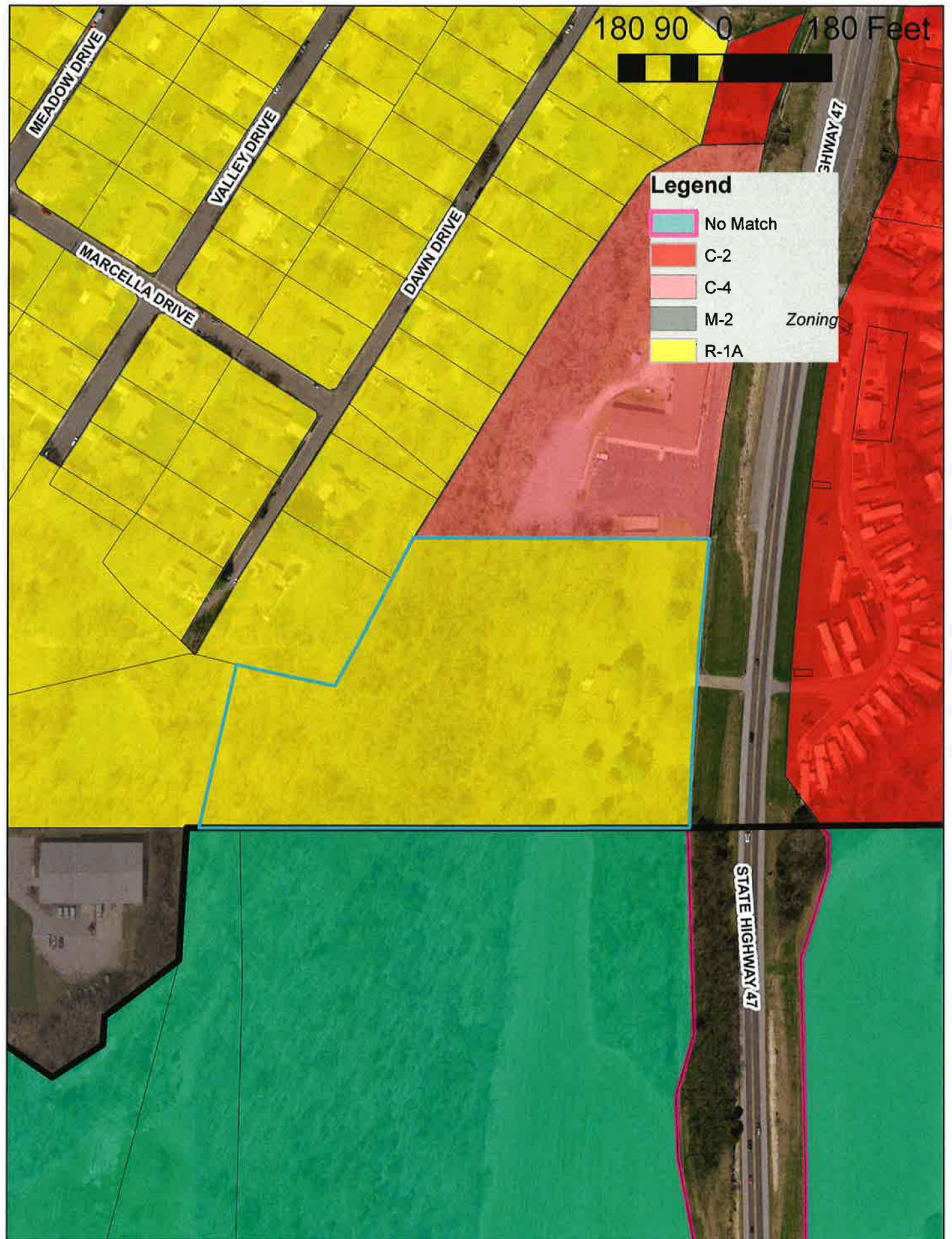
The proposed use does not raise concerns to staff; however, some modifications/clarifications on the site plan will need to be submitted to staff prior to any building permits being issued. The Highway access was never upgraded when the Church and then school district moved in to the north. The applicant will be required to obtain approval from MODOT to utilize or update the current access. Fire access to the site itself will also have to be verified. The final site plan reviewed by staff will need to demonstrate appropriate fire hydrant spacing, water line extension, and a 26 ft. fire lane within 150 ft. of each building. Lastly, stormwater retention will also have to be verified on the final site plat. Staff is confident that these requirements can be reviewed in house by the Site Plan Committee prior to any building permit being issued, as they do for every commercial development in the City limits.

Recommendation:

Staff recommends approval of the proposed Self Storage Units at 4255 Highway 47 under the following conditions:

1. Approval from MODOT for utilization or upgrade of the current access.
2. Final site plan layout and fire hydrant location approval from Washington Fire Department.
3. Stormwater detention, water, and sewer plans all to be approved by Public Works Department.





CITY OF WASHINGTON, MISSOURI

Department of Planning and Engineering Services

405 Jefferson Street · Washington, MO 63090

636.390.1010 Phone · 636.239.4649 Fax

SPECIAL USE PERMIT APPLICATION

All applications for Special Use Permits must be submitted to the Engineering Department at least 15 working days prior to the second Monday of each month in order to be placed on the agenda for the Planning & Zoning Commission Meeting.

Please Print:

Street Address: 4255 Highway 47

Lot: _____ Subdivision: _____ PID# 10-8-27.0-4-099-150.000

Applicant Name: Best Box Washington Mo 47, LLC Phone: 573-673-1191

Address of Applicant: 3167 Fee Fee Road, Bridgeton, MO. 63044

Owner: Pamela Hacker and Glenn Meyer

Phone: _____

Owner's Address: 4255 Highway 47, Washington, MO

Current Zoning: R-1A Proposed Zoning: C-2


It is proposed that the property be put to the following use: Self Storage Facility

Lot Size: Frontage 447 (feet) Depth 757 (feet) Number of Stories 1

Number of Units: 647 (+/-) in Number of Off-Street Parking Spaces: 15
74,000 sqft

Include with this Special Use Permit Application:

1. Application Fee of \$150.00 (make check payable to the 'City of Washington')
2. Completed Special Use Permit Application
3. Plot Plan
4. Legal Description of Property
5. Building Elevation Plan (for new construction only)


Signature of Applicant

11/21/21
Date

GLENN MILLER
Applicant Name Printed

SPECIAL USE PERMIT EVALUATION CRITERIA

The following criteria are used in evaluating a Special Use Permit Application. It is recommended these criteria be addressed as to their applicability to the proposed Special Use Permit request:

1. The compatibility of the proposal, in terms of both use and appearance, with the surrounding neighborhood.

This project is compatible with businesses that front highways, and provides a less intense use buffer for residential neighborhoods. Property lining the highway in this location is zoned C and this zoning aligns with those uses.

2. The comparative size, floor area, and mass of the proposed structure in relationship to adjacent structures and buildings in the surrounding properties and neighborhood.

Proposed buildings are single story, scaled in mass comparable to the adjacent technical school building. Materials are brick, glass panels, metal panel siding and roofing. A substantial buffer is provided to shield the residential properties from the project.

3. The frequency and duration of various indoor and outdoor activities and special events, and the impact of these activities on the surrounding area.

Expected in / out traffic is expected to be 15 cars per day. Operation hours are limited from 6 am to 11 pm. No noise, manufacturing or industrial process are permitted.

4. The capacity of adjacent streets to handle increased traffic in terms of traffic volume, including hourly and daily levels.

The self storage use is very low traffic use. There will be no increase in traffic or congestion.

5. The added noise level created by activities associated with the proposed use.

No noise will be created by the activities permitted on site.

6. The requirements for public services where the demands of the proposed use are in excess of the individual demands of the adjacent land uses, in terms of police and fire protection, and the presence of any potential or real fire hazards created by the proposed use.

No increase in water demand or sewerage demand beyond what is currently on site. Storm water discharge will be controlled to pre-development levels.

7. Whether the general appearance of the neighborhood will be adversely affected by the location of the proposed use on the parcel.

The adjacent properties will not be adversely affected by the proposed work.

8. The impact of night lighting in terms of intensity, duration and frequency of use, as it impacts adjacent properties, and in terms of presence in the neighborhood.

Night lighting will be limited to high cut off, shielded fixtures that are on motion detection.

9. The impact of the landscaping of the proposed use, in terms of maintained landscaped areas, versus areas to remain in a natural state, as well as the openness of landscape versus the use of buffers and screens.

A substantial buffer will be established on the west side of the property to provide visual protection to the residences to the west.

10. The impact of a significant amount of hard-surfaced areas for buildings, sidewalks, drives, parking areas and service areas, in terms of noise transfer, water run-off, and heat generation.

All water runoff will be contained and retained to pre-development levels.
Currently, no storm water is retained on site.



PARKING:
Office: 1 Employee = 1 space
5 Guest Spaces
2 ADA Spaces
8 Surplus Spaces (1 for maintenance employee and 7 for customer spaces)
15 total Spaces (14 required)
Building area = 74,051 sqft



1 SITE PLAN



CONCEPT RENDERING (FRONT BUILDING)
MATERIALS - BRICK, METAL, GLASS PANELS

| | | |
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| MARK | DATE | DESCRIPTION |
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| PROJECT NO: | 01269 |
| MODEL FILE: | ma219P.jm |
| DRAWN BY: | GM |
| CHECK BY: | Goren Miller |
| COPYRIGHT | 2021 : AGM, Inc. All rights reserved |

SHEET TITLE:

SITE PLAN

A01

SHEET 1

To: Planning and Zoning Commission

From: Planning and Engineering Department Staff

Date: December 13, 2021

Re: File # 21-1204 – Voluntary Annexation – Vic Hoerstkamp

Synopsis: The applicant is requesting to annex 10.15 acres off Bieker Road. Legal Description attached.

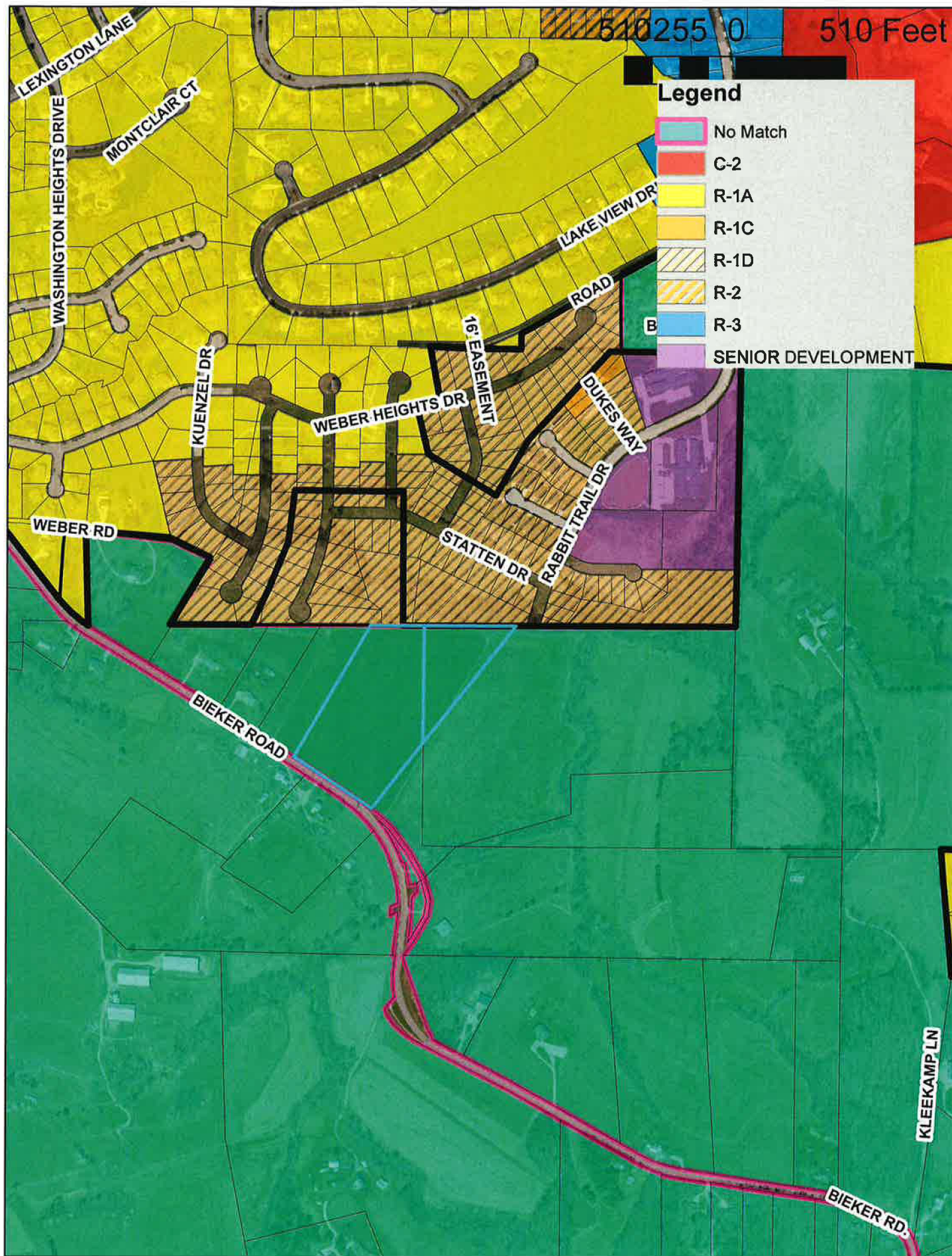
| Adjacent Land Use /Zoning Matrix | | |
|----------------------------------|-------------------|-----------------|
| | Existing Land Use | Existing Zoning |
| North | Single Family | R1-D |
| South | Farm Land | N/A |
| East | Vacant Land | N/A |
| West | Vacant Land | N/A |

Analysis:

The applicant has submitted an application to annex 10.15 acres as shown with an attached survey and legal description. The application requests that the newly annexed property be zoned R1-D Single Family Residential. The future land use map of this specific area proposes single family residential uses as it develops. The proposed zoning of R1-D matches the vision of the comprehensive plan and the density requirements of this district are compatible with the surrounding area. The property to the north has developed as single family lots approximately 7,500 square feet in size under the R1-D zone district.

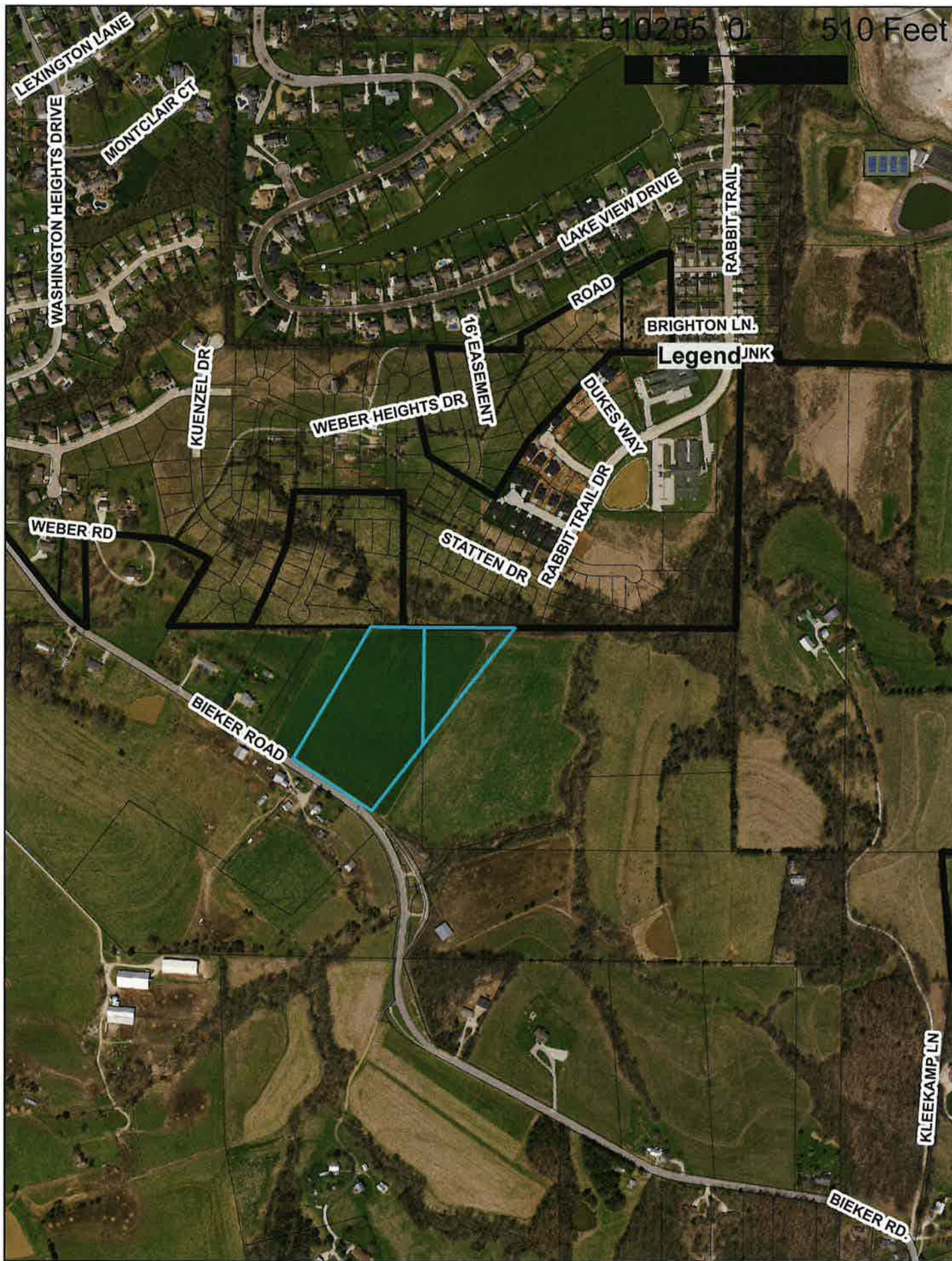
Recommendation:

Staff recommends approval of the proposed annexation as well as the proposed zoning designation of R1-D Single Family Residential.



510255 0

510 Feet



LEXINGTON LANE

MONTCLAIR CT

WASHINGTON HEIGHTS DRIVE

KUENZEL DR

WEBER HEIGHTS DR

16 EASEMENT

LAKE VIEW DRIVE

RABBIT TRAIL

BRIGHTON LN.

Legend JNK

WEBER RD

DUKES WAY

STATTEN DR

RABBIT TRAIL DR

BIEKER ROAD

KLEEKAMP LN

BIEKER RD.

CITY OF WASHINGTON, MISSOURI
Department of Planning and Engineering Services
405 Jefferson Street • Washington, Missouri 63090
636.390.1010 phone • 636.239.4649 fax

VERIFIED PETITION FOR ANNEXATION

By completing this document, the undersigned is verifying the following:

1. The undersigned is the owner of all fee interest in that real property described in Exhibit "A", a copy of which is attached hereto and incorporated herein by reference.
2. Said property described in Exhibit "A" is contiguous and compact to the existing corporate limits of the City of Washington, Missouri.
3. The undersigned hereby petitions the City Council of the City of Washington, Missouri, for voluntary annexation of the real property described in Exhibit "A".
4. The undersigned hereby requests the City Council of the City of Washington, Missouri, zone the real property described in Exhibit "A" as R1D

The following describes the fee involved with a voluntary annexation request, and the conditions of a refund, as called out in the City of Washington Codes:

SECTION 400.170: VOLUNTARY ANNEXATION PETITIONS FEES & PROCEDURES

A. Any request for voluntary annexation submitted to the City of Washington, Missouri, pursuant to Section 71.012 of the Revised Statutes of Missouri shall be accompanied by a cost deposit of two hundred dollars (\$200.00) for processing said request. Please make check payable to the City of Washington.

B. If the request for voluntary annexation is not approved by the City Council, the cost deposit shall be refunded to the applicant. If the request for voluntary annexation is withdrawn by the applicant, the cost deposit shall be forfeited to the City. If the request for voluntary annexation is contingent on the occurrence of one (1) or more events and these events do not transpire due to action or inaction by others than the City Council and the voluntary annexation is not approved by the City Council, then the cost deposit shall be forfeited to the City. (Ord. No. 00-8783 §1, 43-00)

VMH LLC
VIC HOERSTKAMP

Applicant Name (print)

Applicant signature

Address & Phone P.O BOX 1654, WASHINGTON, MO 63090 PHONE 636-390-2111 EXT. 23

STATE OF MISSOURI)
) SS
COUNTY OF FRANKLIN)

On this 22nd day of November, 2021, before me appeared Vic Hoerstkamp, to me personally known to be the person described in and who executed the foregoing instrument and acknowledged that they executed the same as their own free act and deed.

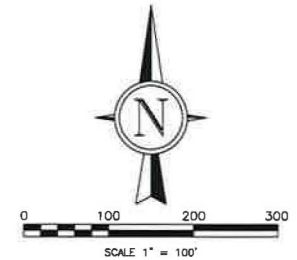
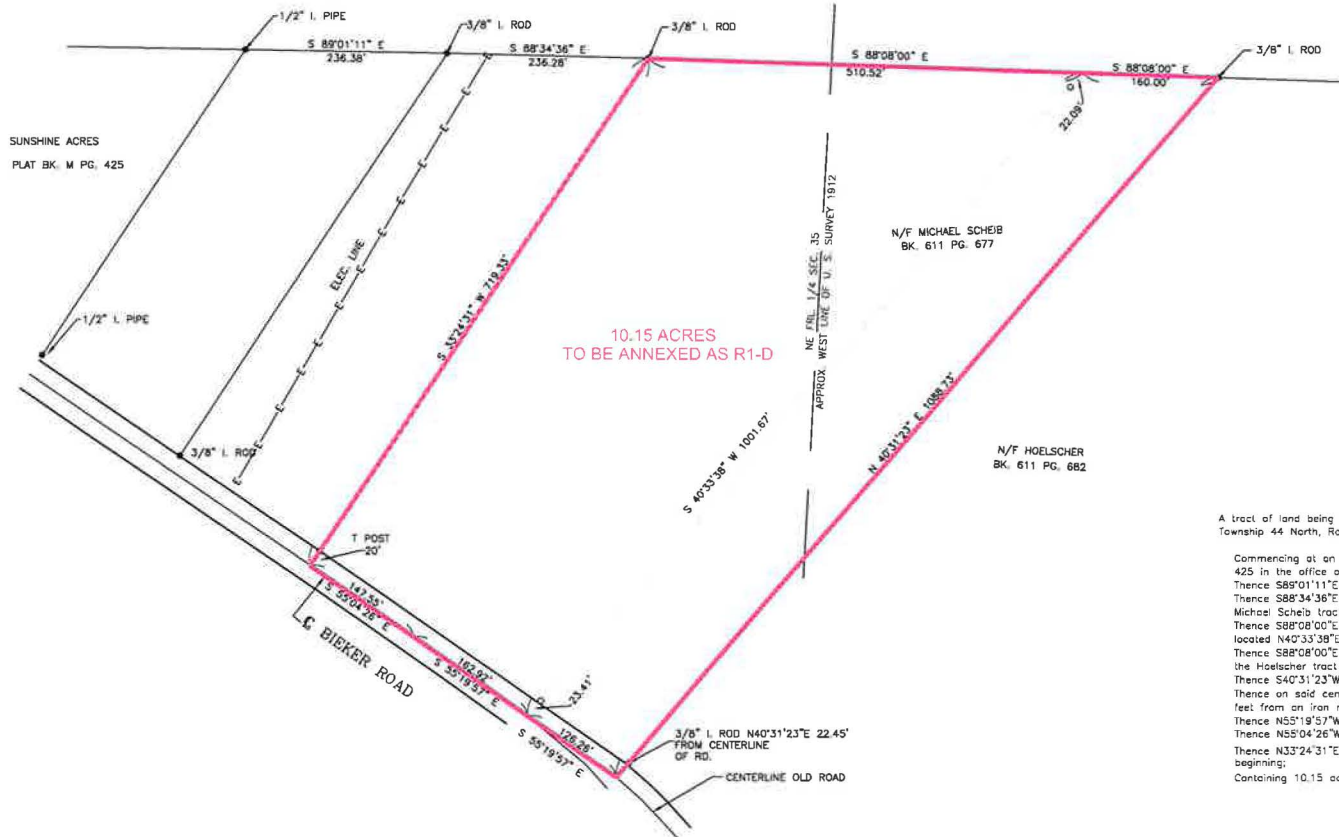
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, in the County and State aforesaid, the day and year last above written.

Lorie A. Freitag
Notary Public



LORIE A. FREITAG
My Commission Expires
March 16, 2022
Franklin County
Commission #14854781

ANNEXATION EXHIBIT A



• = FOUND MONUMENT
 ○ = SET 5/8" IRON ROD
 CLASS "B" SURVEY
 BEARINGS BASED ON DECL. 2'E


Schedule B of a current title report has not been furnished to the Land Surveyor by the Client and no investigation has been conducted as to the present status of easements or other restrictive conditions affecting the subject land.

DESCRIPTION OF 10.15 ACRE TRACT

A tract of land being part of U. S. Survey 1912 and part Northeast Fractional Quarter of Section 35, Township 44 North, Range 1 West of the 5th P.M., being more fully described as follows:

Commencing at an iron pipe at the Northeast corner of Sunshine Acres recorded in Plat Bk. M page 425 in the office of the Franklin County Recorder of Deeds;
 Thence S89°01'11"E on the property line 236.38 feet to an iron rod;
 Thence S88°34'36"E on the property line 236.28 feet to an iron rod at the northwest corner of the Michael Scheib tract recorded in Bk. 611 Pg. 677 and the point of beginning;
 Thence S88°08'00"E on the property line 510.52 feet, same being located N40°33'38"E 22.09 feet from an iron rod;
 Thence S88°08'00"E on the property line 160.00 feet to an iron rod at the Northwest corner of the Hoelscher tract recorded in Bk. 611 Page 682;
 Thence S40°31'23"W on the property line 1088.73 feet to the centerline of Bieker Road;
 Thence on said centerline N55°19'57"W 126.26 feet to a point located S40°33'38"W 23.41 feet from an iron rod;
 Thence N55°19'57"W along Bieker Road 162.92 feet;
 Thence N55°04'26"W 147.55 feet to a point located S33°24'31"W 20.00 feet from a T Post;
 Thence N33°24'31"E on the west line of the Scheib tract for 719.33 feet to the point of beginning;
 Containing 10.15 acres more or less.

THIS IS NOT A SURVEY

| | | | | |
|--|--|--|----------------------|--|
|  WUNDERLICH SURVEYING & ENGINEERING INC. 512 EAST MAIN STREET UNION, MO 63084 (636) 583-8400 | ANNEXATION EXHIBIT A KOCH FARM | | SHEET AN-1 | |
| | A TRACT OF LAND BEING PART OF U.S.S. #1912, AND PART NORTHEAST FRACTIONAL 1/4 SECTION 35, TOWNSHIP 44 NORTH, RANGE 1 WEST OF 5TH P.M. IN FRANKLIN COUNTY, MO | | | |
| | SCALE: 100 JOB: 7782 DATE: 11-2021 SC: SC REV. REVISION REV. REVISION | PRELIMINARY NOT FOR CONSTRUCTION | | |
| | | | | |

DESCRIPTION OF 10.15 ACRE TRACT

A tract of land being part of U. S. Survey 1912 and part Northeast Fractional Quarter of Section 35, Township 44 North, Range 1 West of the 5th P.M., being more fully described as follows:

Commencing at an iron pipe at the Northeast corner of Sunshine Acres recorded in Plat Bk. M page 425 in the office of the Franklin County Recorder of Deeds;
Thence S89°01'11"E on the property line 236.38 feet to an iron rod;
Thence S88°34'36"E on the property line 236.28 feet to an iron rod at the northwest corner of the Michael Scheib tract recorded in Bk. 611 Pg. 677 and the point of beginning;
Thence S88°08'00"E on the property line 510.52 feet, same being located N40°33'38"E 22.09 feet from an iron rod;
Thence S88°08'00"E on the property line 160.00 feet to an iron rod at the Northwest corner of the Hoelscher tract recorded in Bk. 611 Page 682;
Thence S40°31'23"W on the property line 1088.73 feet to the centerline of Bieker Road;
Thence on said centerline N55°19'57"W 126.26 feet to a point located S40°33'38"W 23.41 feet from an iron rod;
Thence N55°19'57"W along Bieker Road 162.92 feet;
Thence N55°04'26"W 147.55 feet to a point located S33°24'31"W 20.00 feet from a T Post;
Thence N33°24'31"E on the west line of the Scheib tract for 719.33 feet to the point of beginning;
Containing 10.15 acres more or less.

To: Planning and Zoning Commission

From: Planning and Engineering Department Staff

Date: December 13, 2021

Re: File # 21-1204 – Voluntary Annexation – Watermann Farms

Synopsis: The applicant is requesting to annex 115 Acres of the Watermann Farms

| Adjacent Land Use /Zoning Matrix | | |
|----------------------------------|-------------------|-----------------|
| | Existing Land Use | Existing Zoning |
| North | Industrial Land | M-2 |
| South | Farm Land | N/A |
| East | Vacant Land | N/A |
| West | Industrial Land | M-2 |

Analysis:

The Washington 353 Redevelopment Corporation is requesting to annex 115 acres of the Watermann Farm as M-2 Heavy Industrial for the Richard Oldenburg Industrial Park. The future land use map of this specific area proposes industrial uses as it develops. The proposed zoning of M-2 Heavy Industrial matches the vision of the comprehensive plan.

Recommendation:

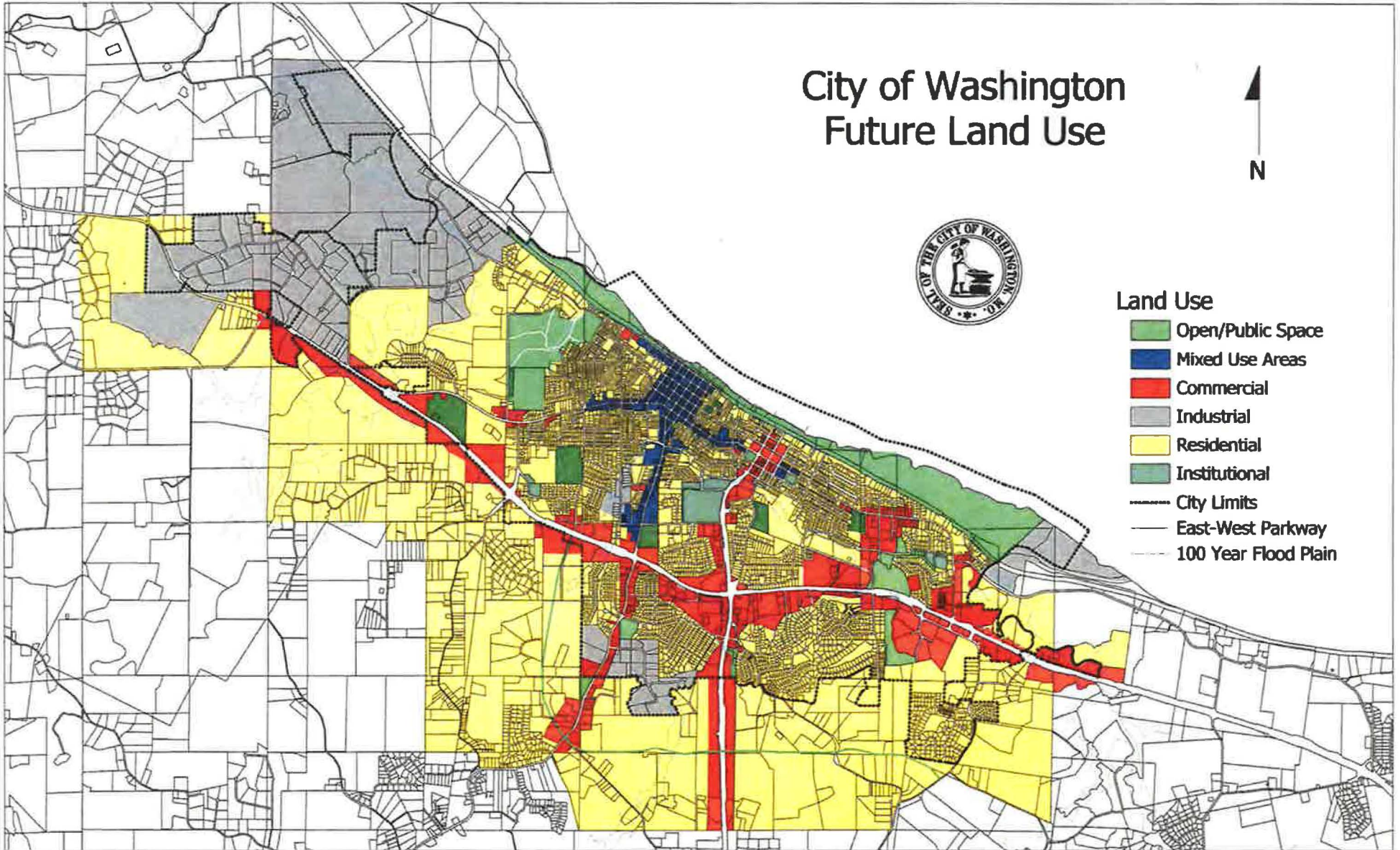
Staff recommends approval of the proposed annexation as well as the proposed zoning designation of M-2 Heavy Industrial.

City of Washington Future Land Use



Land Use

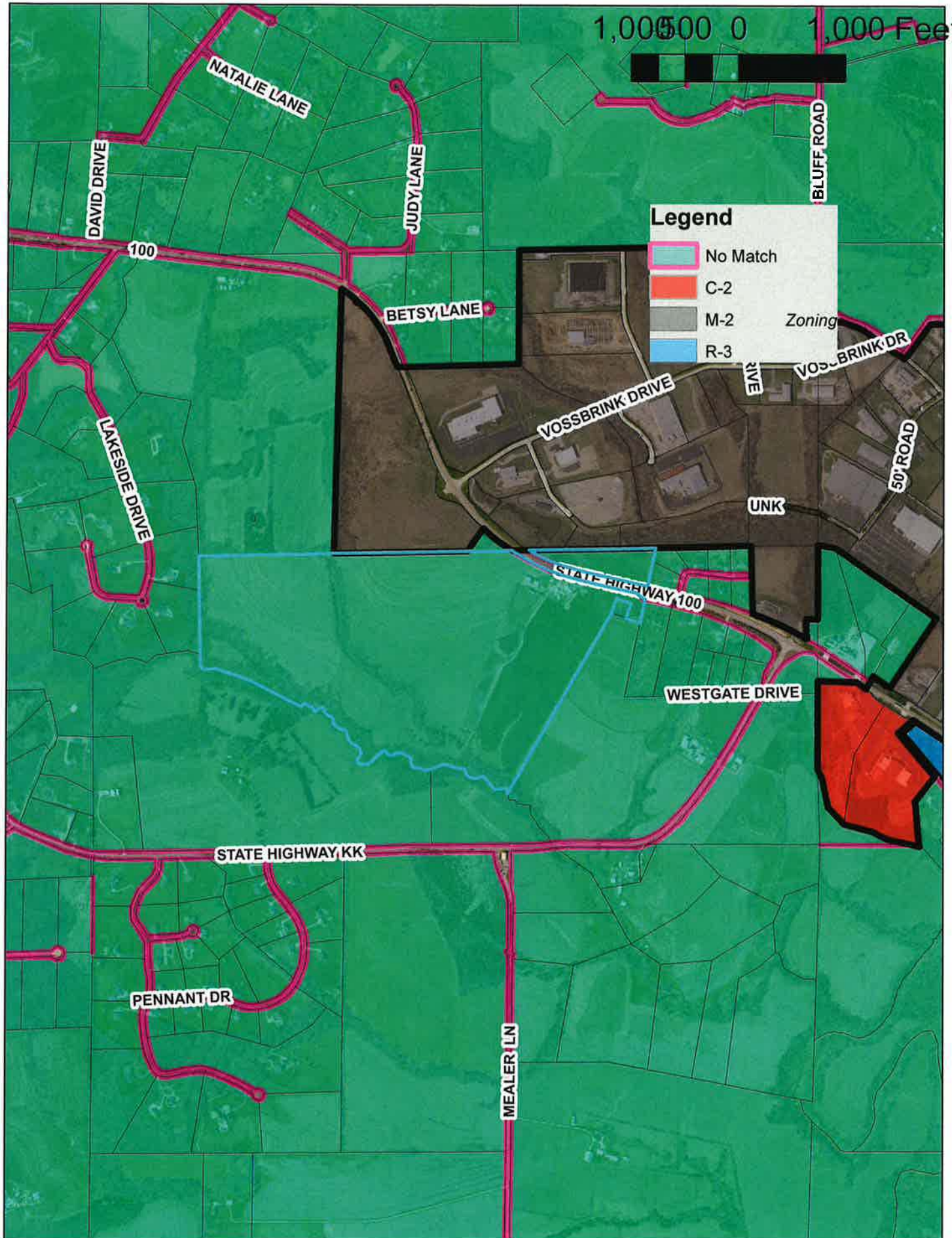
- Open/Public Space
- Mixed Use Areas
- Commercial
- Industrial
- Residential
- Institutional
- City Limits
- East-West Parkway
- 100 Year Flood Plain

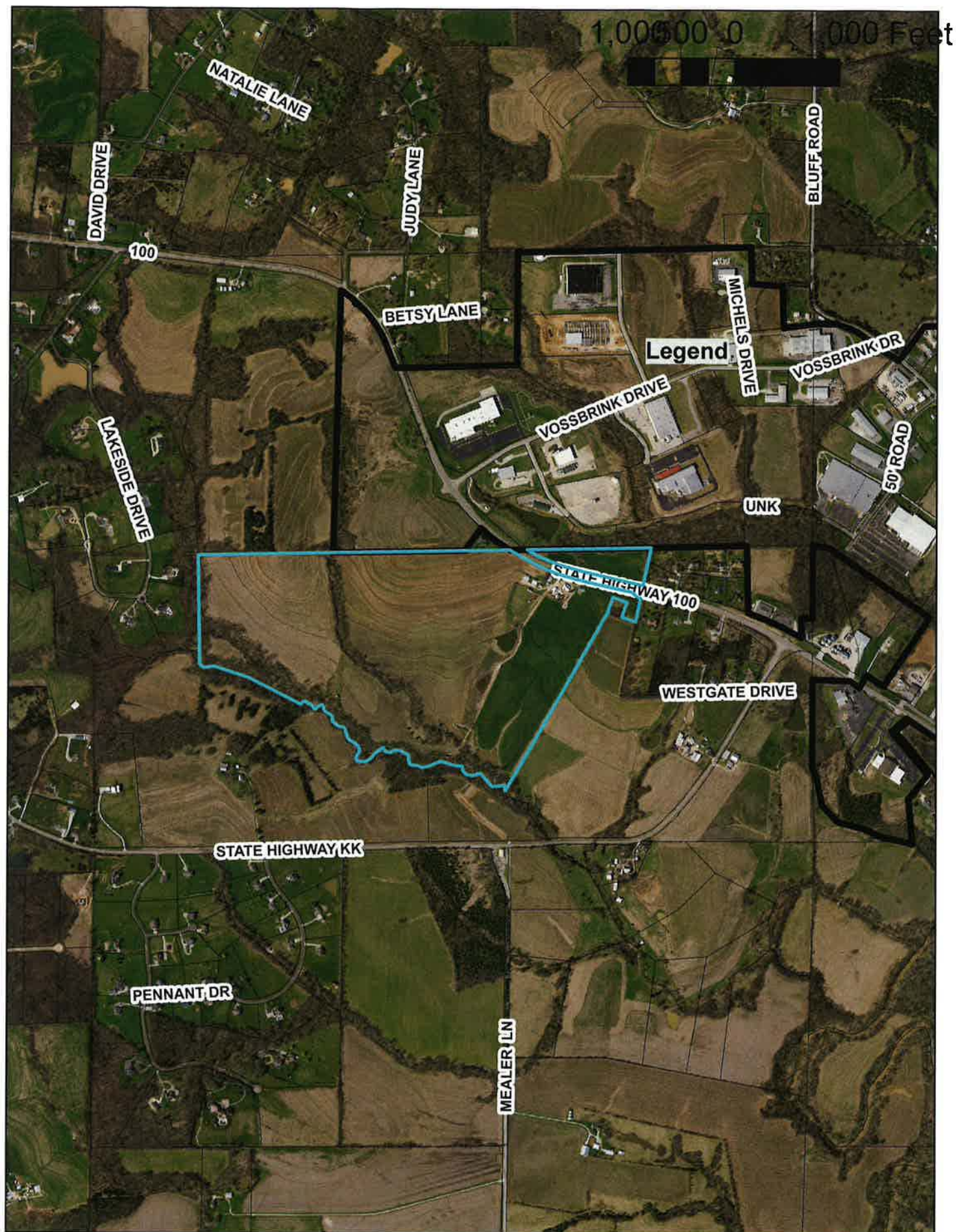


1,000 500 0 1,000 Feet

Legend

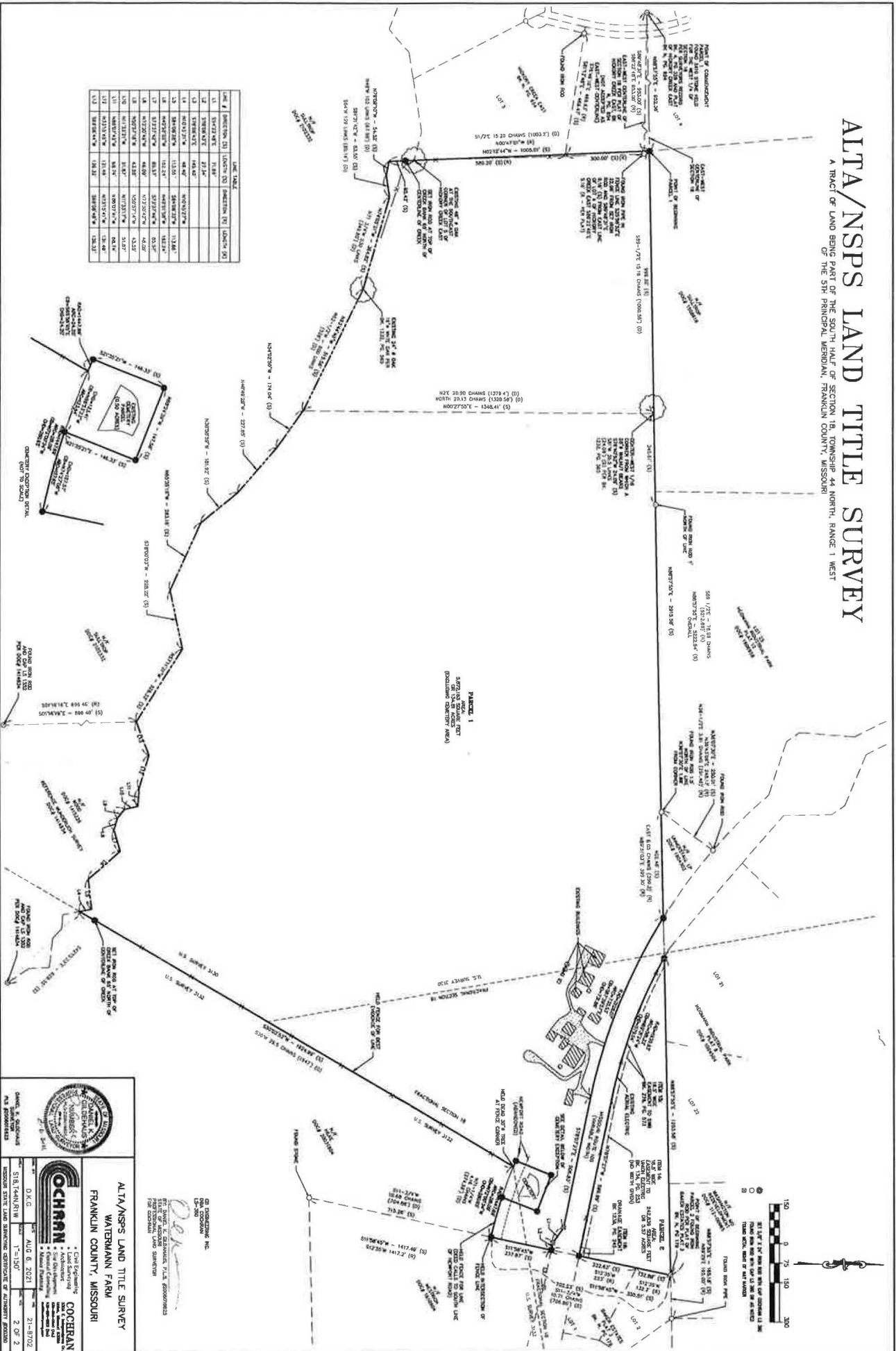
- No Match
 - C-2
 - M-2
 - R-3
- Zoning





ALTA/NSPS LAND TITLE SURVEY

A TRACT OF LAND BEING PART OF THE SOUTH HALF OF SECTION 18, TOWNSHIP 44 NORTH, RANGE 1 WEST OF THE 5TH PRINCIPAL MERIDIAN, FRANKLIN COUNTY, MISSOURI



| LINE | THICKNESS | LENGTH | AREA |
|------|-----------|---------|------|
| 1 | 1/2" | 11.44' | |
| 2 | 1/2" | 27.24' | |
| 3 | 1/2" | 104.42' | |
| 4 | 1/2" | 104.42' | |
| 5 | 1/2" | 104.42' | |
| 6 | 1/2" | 104.42' | |
| 7 | 1/2" | 104.42' | |
| 8 | 1/2" | 104.42' | |
| 9 | 1/2" | 104.42' | |
| 10 | 1/2" | 104.42' | |
| 11 | 1/2" | 104.42' | |
| 12 | 1/2" | 104.42' | |
| 13 | 1/2" | 104.42' | |
| 14 | 1/2" | 104.42' | |
| 15 | 1/2" | 104.42' | |
| 16 | 1/2" | 104.42' | |
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| 18 | 1/2" | 104.42' | |
| 19 | 1/2" | 104.42' | |
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| 31 | 1/2" | 104.42' | |
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| 87 | 1/2" | 104.42' | |
| 88 | 1/2" | 104.42' | |
| 89 | 1/2" | 104.42' | |
| 90 | 1/2" | 104.42' | |
| 91 | 1/2" | 104.42' | |
| 92 | 1/2" | 104.42' | |
| 93 | 1/2" | 104.42' | |
| 94 | 1/2" | 104.42' | |
| 95 | 1/2" | 104.42' | |
| 96 | 1/2" | 104.42' | |
| 97 | 1/2" | 104.42' | |
| 98 | 1/2" | 104.42' | |
| 99 | 1/2" | 104.42' | |
| 100 | 1/2" | 104.42' | |

COCHRAN & ASSOCIATES, L.L.C.
1111 S. MAIN ST., SUITE 100
ST. LOUIS, MO 63103
TEL: 314.433.1111
FAX: 314.433.1112
WWW.COCHRAN-LLC.COM

ALTA/NSPS LAND TITLE SURVEY
WATERSHED FARM
FRANKLIN COUNTY, MISSOURI

DATE: 11/11/2021
BY: J. COCHRAN
FOR: PROGRESSIVE

SCALE: 1" = 200'
DATE: 11/11/2021
BY: J. COCHRAN
FOR: PROGRESSIVE

MISSOURI STATE LAND SURVEYING CERTIFICATE OF AUTHORITY EXHIBIT

2 OF 2

To: Planning and Zoning Commission

From: Planning and Engineering Department Staff

Date: December 13, 2021

Re: File # 21-1206

Synopsis: The applicant is requesting approval of the preliminary plat for Winters Brothers Subdivision

| Adjacent Land Use /Zoning Matrix | | |
|----------------------------------|-----------------------|-----------------|
| | Existing Land Use | Existing Zoning |
| North | Two Family | R-2 Overlay |
| South | Single and Two Family | R-2 Overlay |
| East | Single and Two Family | R-2 Overlay |
| West | Single and Two Family | R-2 Overlay |

Analysis:

The applicant has submitted a preliminary plat for Winters Brothers Subdivision, a 2.7-acre piece of property that accesses both West 2nd and 3rd Streets just west of Olive Street. The property is zoned R-2 Overlay, a zone district that allows for single family homes on lots 6,000 square ft. and up, and two-family homes on lots 12,000 square ft. and up. The plat proposes 5 lots, two of which access 3rd Street and three access 2nd Street.

Lots 1 and 2 access 3rd Street and are both larger than 6,000 square ft. allowing for single family residential to be constructed on the lots. Lots 3, 4, and 5 all access 2nd Street and are over 12,000 square ft. According City Code, these lots could be utilized for 2-family structures in the current zoning.

All of the proposed lots have access to roads, water, and sewer removing the need for a performance agreement. Building plans on each lot will have to demonstrate proper stormwater detention and Lot 5 will be required to obtain a floodplain development permit.

Recommendation:

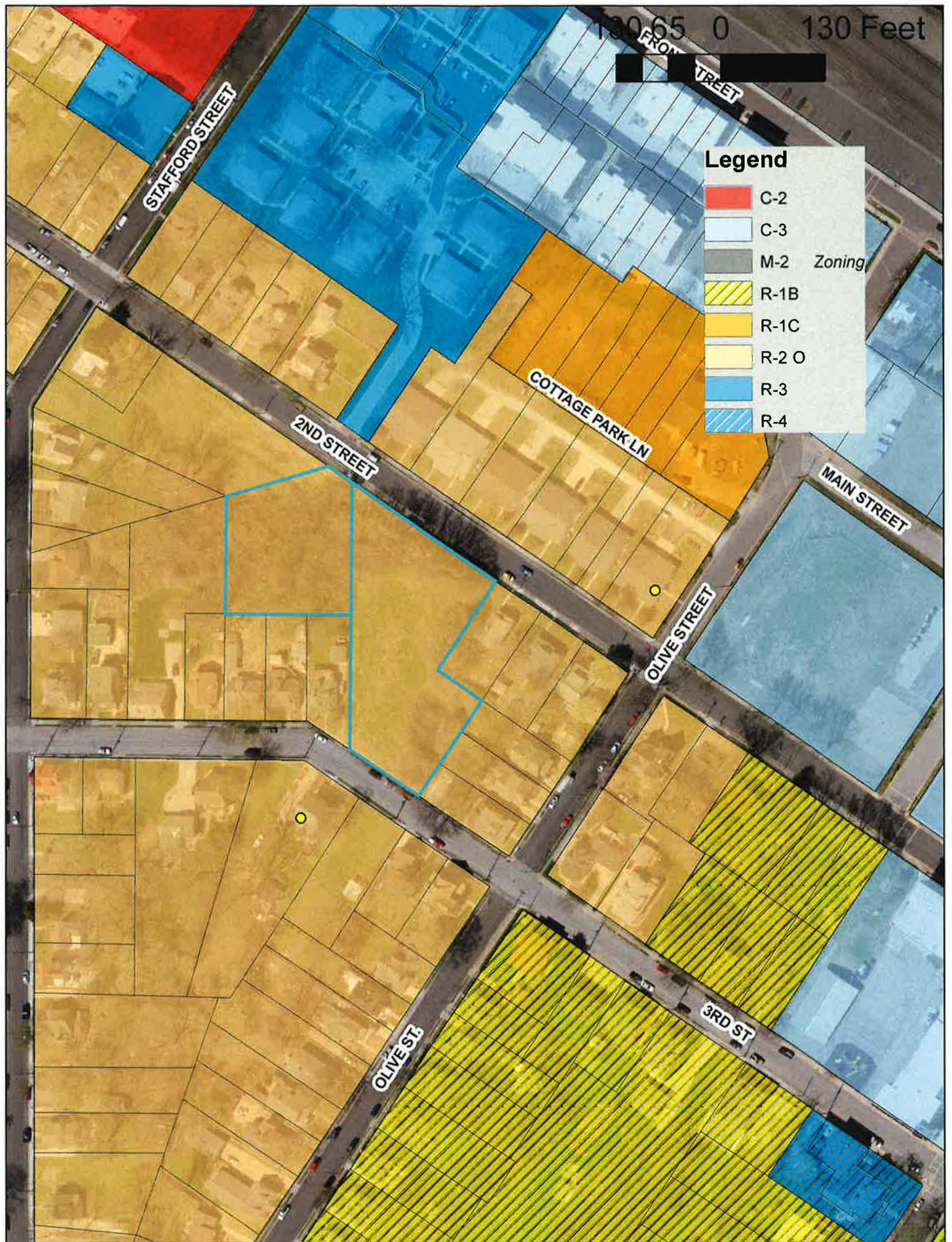
Staff recommends approval of the preliminary plat for Winters Brothers Subdivision

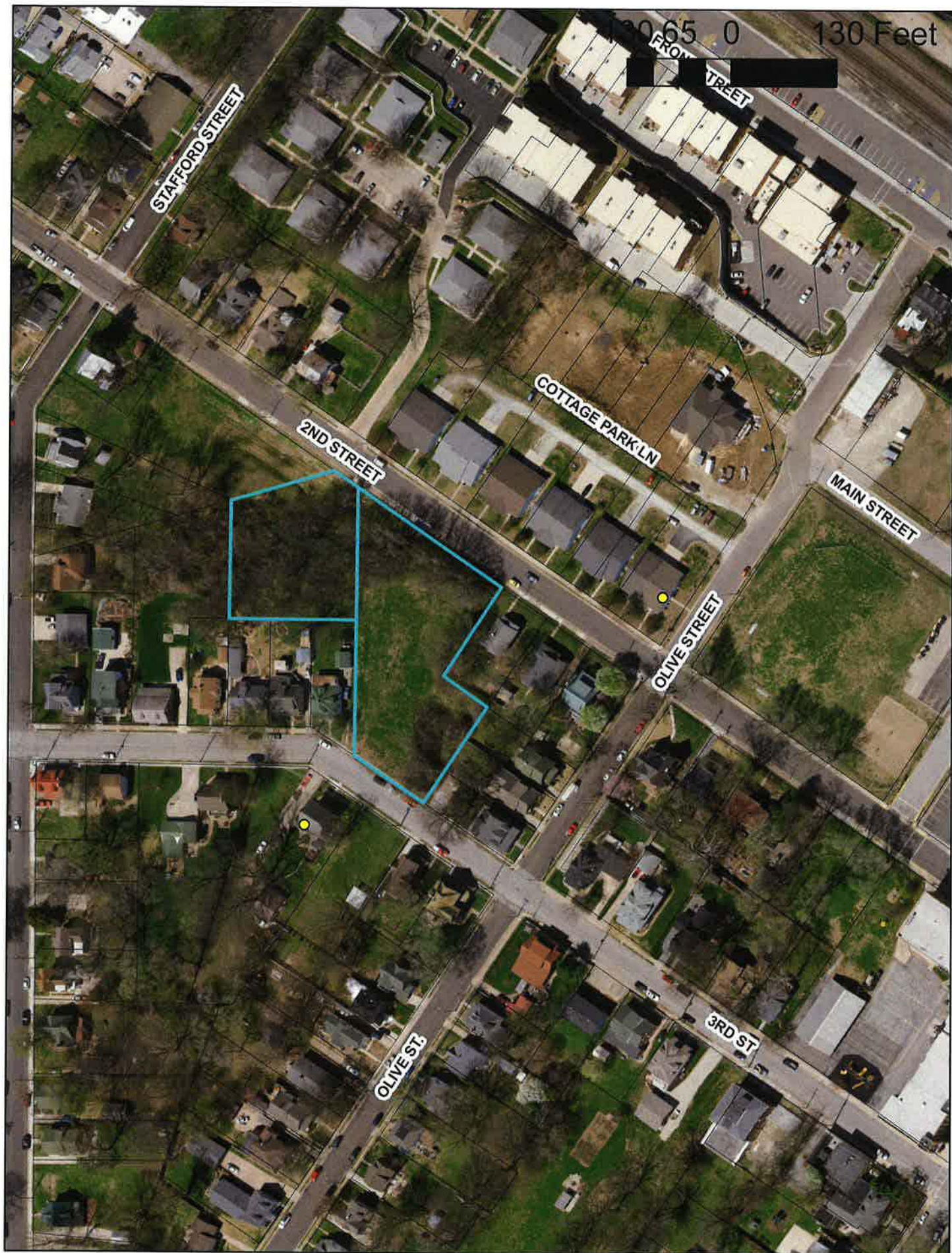
130 65 0 130 Feet



Legend

- | Zoning | |
|--------|-------|
| | C-2 |
| | C-3 |
| | M-2 |
| | R-1B |
| | R-1C |
| | R-2 O |
| | R-3 |
| | R-4 |

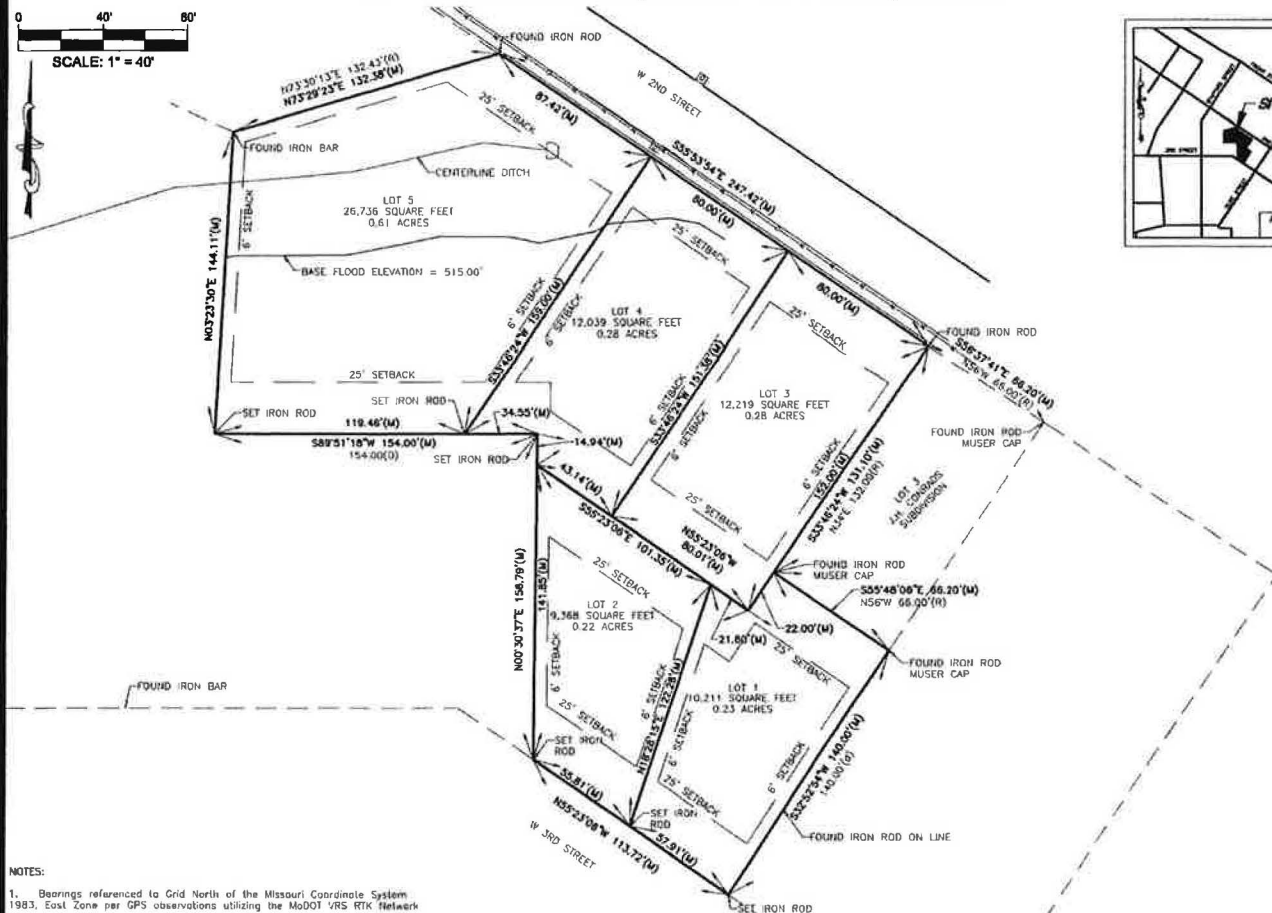
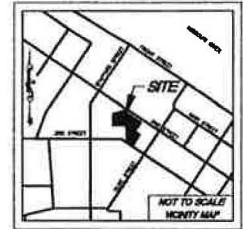




WINTERS BROTHERS SUBDIVISION

PART OF SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 44 NORTH,
RANGE 1 WEST, OF THE 5TH P.M.,
CITY OF WASHINGTON, FRANKLIN COUNTY, MISSOURI

0 40' 80'
SCALE: 1" = 40'



NOTES:

- Bearings referenced to Grid North of the Missouri Coordinate System 1983, East Zone per GPS observations utilizing the MoDOT VRS RTK Network.
- Field work was completed on this site by Buescher Frankenberg Associates, Inc. on September 17, 2021.
- M = Indicates measured outboundary information obtained by Buescher Frankenberg Associates, Inc.
- R = Recorded outboundary information as per "J.H. Canaday Subdivision" recorded on January 21, 1924 in Book C, Page 56 of the Franklin County Recorder of Deeds Office.
- D = Recorded outboundary information as per General Warranty Deed recorded on December 20, 2001 in Book 1383, Page 00251 of the Franklin County Recorder of Deeds Office.
- A = Recorded outboundary information as per Title Commitment, Exhibit A, File No. 211700023.
- Missouri General Warranty Deed recorded on March 11, 2021 as Document No. 2104540 of the Franklin County Recorder of Deeds Office.
- Zoning ID - R-2 0
- Setbacks: per City of Washington Zoning Code
Front: 25 feet
Side: 6 feet
Rear: 25 feet
- Minimum Lot width: 50 feet
- Minimum Lot Area
R-2 Overlay - 6,000 square feet
R-2 Single-family - 10,000 square feet
R-2 2-family - 12,000 square feet

STATE OF MISSOURI)
COUNTY OF FRANKLIN) SS

This is to certify to Winters Bros, LLC, that during the month of October, 2021, we executed a Property Boundary Survey and Subdivision Plat on part of the Southeast Quarter of Section 15, Township 44 North, Range 1 West, of the 5th P.M., Franklin County, Missouri. To the best of my knowledge and belief, this map or plat and the survey on which it is based were made in accordance with the current Missouri Standards for Property Boundary Surveys of the Missouri Department of Commerce and Insurance, Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects and meets the accuracy requirement of a Urban Survey as defined therein.

Date _____

Mark R. Frankenberg, PLS #2365
State of Missouri
Registered Land Surveyor
for Buescher Frankenberg Associates, Inc.
Corporate #00096

CERTIFICATE OF OWNERSHIP:

I, Walt Winters, Managing Partner of Winters Bros, LLC, hereby certify that I am the Managing Partner of the property shown and described hereon, and have caused the same to be surveyed and subdivided in the manner shown on this plat, and I hereby freely agree this plan of subdivision.

The subdivision shall be known as "Winters Brothers Subdivision".

The utility easements as shown hereon are hereby dedicated to the various utility companies for utility purposes.

IN WITNESS WHEREOF, we have executed this plat as of

this ____ day of _____, 20____.

Walt Winters, Managing Partner

STATE OF MISSOURI)
COUNTY OF FRANKLIN) SS

On this ____ day of _____, 20____, before me personally appeared Walt Winters, Managing Partner of Winters Bros, LLC, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

My term expires: _____

CERTIFICATE OF APPROVAL:

I hereby certify that the minor subdivision shown on this plat does not involve the creation of new public streets or any change in existing public streets, that the subdivision shown is in all respects in compliance with the Unified Land Use Regulations of Franklin County, Missouri, and that therefore this plat has been approved by the Planning Director, subject to its being recorded in the Office of the Recorder of Deeds within 60 days of the date below.

Scottie C. Eagan, Planning and Zoning Director

Date _____

Walt Winters
2nd Street
Washington, MO 63090
Franklin County

DRAWN
B.L.P.
DATE
11-10-21
JOB No.
6602
SHEET NAME
WINTERS BROS.
SUBDIVISION

Winters.com

TELEPHONE: (636) 239-4751

BFA
Engineering • Surveying

103 ELM STREET

WASHINGTON, MISSOURI 63090

CITY OF WASHINGTON, MISSOURI
Department of Planning and Engineering Services
405 Jefferson Street • Washington, Missouri 63090
636.390.1010 phone • 636.239.4649 fax

PRELIMINARY PLAT APPLICATION

Date: 11-22-21

Applicant Information:

Name: Brandon Panhorst Phone: 636-231-4323

Address: 103 Elm Street Washington MO 63090

Do you own the subject property? ☐ Yes ☒ No

If not, please provide ownership information here:

Name: Walt Winters Phone: 314-749-0024

Address: 2nd Street Washington MO 63090

Name of Proposed Subdivision: Winters Brothers Subdivision

Number of Lots Proposed: 5 Zoning District(s): R-2.0

Two copies of a detailed plat of the subject property must accompany this request.

Fee: Seventy-five dollars (\$75.00) for the first two lots, plus seven dollars (\$7.00) for each lot in excess of two. This fee must be paid to the City of Washington at the time this application is filed.

APPLICANT'S SIGNATURE:



APPLICANT/COMPANY NAME (Printed):

Brandon Panhorst

LANDOWNER SIGNATURE(s):



LANDOWNER NAME (Printed):

WALT WINTERS

To: Planning and Zoning Commission

From: Planning and Engineering Department Staff

Date: December 13, 2021

Re: File # 21-1206

Synopsis: The applicant is requesting approval of the preliminary plat for River Place Subdivision Plat II

| Adjacent Land Use /Zoning Matrix | | |
|----------------------------------|-------------------|-----------------|
| | Existing Land Use | Existing Zoning |
| North | Law Office | C-3 |
| South | Athletic Field | C-3 |
| East | Bleckmen's | C-3 |
| West | Townhomes | C-3 |

Analysis:

The applicant has submitted a preliminary plat for River Place Subdivision Plat II on property located on West Main and Olive Streets. The plat consists of a 6-lot town-home subdivision in the C-3 Downtown Zoning District. This district allows for no minimum lot size and zero setbacks in certain circumstances. The proposed plat meets the minimum requirements of the zone district.

The proposed plat also shows common area and a fire lane to the rear allowing for proper fire access without having to revise a future plat. Water and Sewer will need to be extended to access every lot for a final plat. Stormwater retention will also have to be addressed. Once building plans are submitted, staff will determine if a Special Use Permit will be required for Lot 1 if they intend to utilize a zero setback.

The plat meets the minimum requirements set forth in City Code and the proposed density and layout meets the requirements and intent of the C-3 Downtown District.

Recommendation:

Staff recommends approval of the preliminary plat for River Place Subdivision Plat II.

CITY OF WASHINGTON, MISSOURI
Department of Planning and Engineering Services
405 Jefferson Street • Washington, Missouri 63090
636.390.1010 phone • 636.239.4649 fax

PRELIMINARY PLAT APPLICATION

Date: 11/30/21

Applicant Information:

Name: Brandon Panhorst Phone: 636-231-4323

Address: 103 Elm Street Washington MO 63090

Do you own the subject property? ☐ Yes ☒ No

If not, please provide ownership information here:

Name: Main & Olive LLC, Robert Z, Kurt V, David P, Kevin R, Sean B Phone: 636-239-1616

Address: W. Main Street and Olive Street

Name of Proposed Subdivision: River Place Subdivision Plat II

Number of Lots Proposed: 8 Zoning District(s): C-3

Two copies of a detailed plat of the subject property must accompany this request.

Fee: Seventy-five dollars (\$75.00) for the first two lots, plus seven dollars (\$7.00) for each lot in excess of two. This fee must be paid to the City of Washington at the time this application is filed.

APPLICANT'S SIGNATURE:

Brandon Panhorst

APPLICANT/COMPANY NAME (Printed):

Brandon Panhorst, BFA

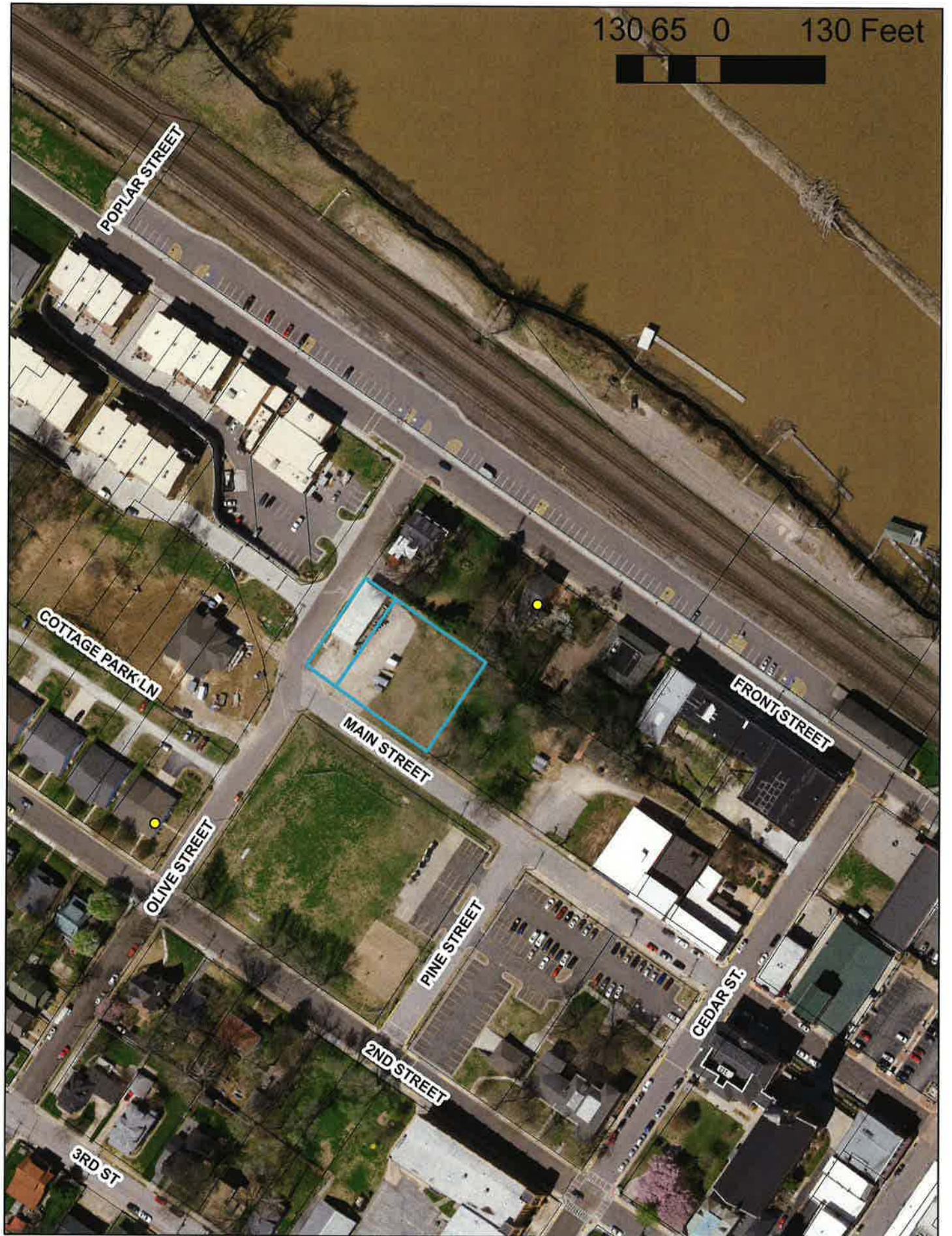
LANDOWNER SIGNATURE(s):

Robert Z
Kurt V
David P
Kevin R
Sean B

LANDOWNER NAME (Printed):

Robert Z, Kurt V, David P, Kevin R, Sean B

130 65 0 130 Feet



POPLAR STREET

COTTAGE PARK LN

OLIVE STREET

MAIN STREET

PINE STREET

2ND STREET

3RD ST

FRONT STREET

CEDAR ST

130 65 0 130 Feet

Legend

| | |
|---|-------|
|  | C-3 |
|  | M-2 |
|  | R-1B |
|  | R-1C |
|  | R-2 O |
|  | R-3 |

Zoning

