

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
CITY OF WASHINGTON, FRANKLIN COUNTY, MISSOURI
MONDAY, OCTOBER 17, 2022**

INTRODUCTORY ITEMS:

The Regular Meeting of the City of Washington, Missouri, City Council was held on Monday, October 17, 2022, at 7:05 p.m. in the Council Chamber. Mayor Doug Hagedorn opened the meeting with roll call and Pledge of Allegiance.

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|-------------------------|---------------|---------|
| Mayor: | Doug Hagedorn | Present |
| Council Members: | | |
| Ward I | Al Behr | Present |
| | Duane Reed | Present |
| Ward II | Mark Hidritch | Present |
| | Mark Wessels | Present |
| Ward III | Chad Briggs | Present |
| | Jeff Patke | Present |
| Ward IV | Mike Coulter | Present |
| | Joe Holtmeier | Present |

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|----------------------|-------------------------------|-----------------|
| Also Present: | City Attorney | Mark Piontek |
| | City Administrator | Darren Lamb |
| | City Clerk | Sherri Klekamp |
| | Public Works Director | John Nilges |
| | Police Chief | Jim Armstrong |
| | Economic Development Director | Sal Maniaci |
| | Parks Director | Wayne Dunker |
| | Finance Director | Mary Sprung |
| | Communications Director | Jennifer Brune |
| | Fire Chief | Tim Frankenberg |
| | Street Superintendent | Tony Bonastia |
| | Emergency Management Director | Mark Skornia |

Originals and/or copies of agenda items of the meeting, including recorded votes are available on record in the office of the City Clerk. Each ordinance is read a minimum of twice by title, unless otherwise noted.

Approval of Minutes:

* Approval of the Minutes from the October 3, 2022 Council Meeting

A motion to accept the minutes as presented made by Councilmember Behr, seconded by Councilmember Patke, passed without dissent.

Approval and Adjustment of Agenda including Consent Agenda:

- * Change Order #1 & Final Payment Request – Manhole Lining
- * Final Payment Request – West Link Lift Station
- * Item 7a - Tabled

A motion to accept and approve the agenda including the consent agenda accordingly made by Councilmember Patke, seconded by Councilmember Holtmeier, passed without dissent.

PRIORITY ITEMS:

Mayor’s Presentations, Appointments & Re-Appointments:

- * Recognition of Jennifer Brune Communications Director for the TQC Leadership Apprenticeship Program

Mayor Doug Hagedorn recognized Communications Director Jennifer Brune for successfully completing The TQC Leadership Apprenticeship Program from The Quality Coach.

- * Recognition of Sal Maniaci Community and Economic Development Director for the Missouri Certified Economic Developer Designation

Mayor Doug Hagedorn recognized Community and Economic Development Director Sal Maniaci for receiving the Missouri Certified Economic Developer (MoCED) Designation from the Missouri Economic Development Council.

- * Police Department Reappointments

October 6, 2022

City Council

City of Washington

Washington, Missouri

Dear Council Members:

I herewith submit for your approval the following for reappointment to the Police Department:

| <i>NAME</i> | <i>DATE EFFECTIVE</i> | <i>DATE EXPIRES</i> |
|---|-------------------------|-------------------------|
| <i>Nolan Crawford Police Officer</i> | <i>October 28, 2022</i> | <i>October 28, 2023</i> |
| <i>Gregory Garrett Police Officer</i> | <i>November 3, 2022</i> | <i>November 3, 2023</i> |
| <i>Paul Pfeiffer Police Officer</i> | <i>November 7, 2022</i> | <i>November 7, 2023</i> |

A motion to accept and approve the reappointments made by Councilmember Holtmeier, seconded by Councilmember Hidritch, passed without dissent.

PUBLIC HEARINGS

- * Rezoning – Plat 18 Stone Crest

October 10, 2022

Mayor & City Council

City of Washington

Washington, MO 63090

RE: File No. 22-0906-Rezoning Plat 18 Stone Crest

Mayor & City Council,

At the regular meeting of the Planning & Zoning Commission held on Monday, October 10, 2022 the above mentioned rezoning was approved with a 6-3 vote in favor.

Sincerely,

Thomas R. Holdmeier

Chairman

Planning & Zoning Commission

Hagedorn: Folks a little bit before Sal starts here, we're going to try and set some ground rules. There's six of you who have asked to speak. So we're going to limit our public comments to three minutes and at the beginning, we'll let the applicant go for five. So I will try and cut you off as gently as I can at the three minute point. We would like to be here at a, we'd like to be out of here a lot quicker than P and Z was the other night if you guys were here for that, so thanks. Go ahead Sal, sorry about that.

Maniaci: All right, good evening Council. So on your agenda tonight, there's actually two applications. So in this presentation, I'm going to go through kind of the basics of both, but the first one for what you have on your agenda for 3A and 3B is just for the rezoning. Later in your agenda, there is a request for the approval of the final plat. These are not related. You can get a final plat approved without getting the different zoning approved. They just happen to be going through both at the same time. So and now I'll explain that when we get to the vote that P and Z had for because there was different votes for each one.

This request is essentially a rezoning of approximately 16 acres on the northwestern side of the Stone Crest subdivision, just south of the Phoenix Center Development and again just west or just east of Rabbit Trail here.

You can see it's currently zoned R-1A Single-Family Residential. We have a variety of zonings in this area. You can see this red is all C-2 General Commercial. This lighter blue is R-3 Multi-Family that allows for actually single two-family and then up to traditional multi-family. There's some four plexes, six plexes down here and then duplexes as you get to the southern side of it.

In Stone Crest you have majority of R-1A Single-Family Residential. There is a couple different zonings you can see. Just one small portion that is adjacent to this is R-1D, which is a denser single-family, it gets down to 7,500 square foot lots. They do have off of Andrea Crest and off that first entrance into Stone Crest, you can see there is some existing R-3 zoning.

So this specific request and again a little background here, this goes a little bit off of the subject property, but as I'm sure all of you are aware, we had already been, the City has already been in negotiations with the developer on getting this connection done so getting Earth Crest to connect from Phoenix Center west towards Rabbit Trail and this is a connection that has long been in our comp plan so that's when I talk about the plat being separate from our, from the requested rezoning the plat is more related to actually getting this right-of-way dedicated for us to be able to build this connection. So that is the agreed upon location of the road that our City staff and the developer has looked at. Obviously, this bridge to the south is off the subject property, but it does connect to where you see the right-of-way and on the requested plat.

As for the request itself, I kind of zoomed in here because you can see on this piece it goes as what we call a flag lot back in 2001 when this was first subdivided and Stone Crest kind of

took off, none of this had been annexed into the City and so this was the only way they could get contiguous to the existing City limits, so that's why you see the shape of this property look that way, there's no actual proposed development here; that's just the remnant piece of that parcel. But when I zoom in here, you can see the request. They're asking for rezoning this portion here, about 11 acres to R-3 Multi-Family Residential and they do have about six, I'm sorry about four acres here. Let me make sure I get that right. 2.55 acres here, that is two-family R-2 Two-Family that's more traditional duplexes and this is existing single-family. So whenever you look at that and how it compares to the surrounding, you have you know, they're requesting to put the R-3 adjacent to existing R-3 and commercial, have a buffer of R-2 and then back leave this R-1A so you kind of have that transition now. You do have the transitional R-1, R-2, R-3 zoning that we always try and encourage.

So again, this is just here zoomed out so you can see the request for the rezoning does go to the parent parcel. But again, that's not any developable piece of property that just shows that remnant piece. And then again, here is the plat that actually shows the six acres north of the proposed road, four acres south and then the 2.44 acres for the R-2, so you can kind of see how you'd have a multi-family kind of row housing here possible and then that circle drive here for some more development and then duplexes in this location, and then again the single-family existing off of that.

So at P and Z, I was asked to show kind of how this fits into our longer range plan of where these connections are. So I wanted to point out in red are the proposed connections that are on your agenda tonight on for multiple not just this development but another one you can see there's Rabbit Trail extension to the south to Bieker Road that's on the agenda later tonight, and then you have this east-west connection between Rabbit Trail and Phoenix Center and that's obviously part of this development. In yellow, we obviously have some other connections that are shown on our long-range comp plan. Obviously, there's a stub at English Crest that goes to the what used to be the Klekamp Farm, now it is owned by the Hoerstkamps, and then you have East West Parkway to the south here. So you can kind see how this all will interact with each other as this development continues south.

I'll get into the Planning and Zoning vote. So staff's recommendation was approval of the rezoning and the plat given that they are transitioning the zoning from existing R-3 to adjacent to commercial zoning R-2 and then R-1, it kind of allows for a natural buffer along the creek being adjacent to commercial and like I said, an existing multi-family and then bringing that slowly back to the single-family. Any time someone requests multi-family zoning, we always try and encourage that transition type of housing, transitional type of zoning, which is what they're doing

For the P and Z vote, the Planning Zoning Commission last week voted 6 to 3 to approve the rezoning and then they voted 9 to 0 to approve the preliminary plat. So I'll be happy to answer any questions you have of staff.

Hagedorn: Any questions from the Council?

Maniaci: I will say there's been there was a lot of questions last week as to why we don't have a site plan of what this is going to look like. And just to clear that up, there are two options when you are requesting a rezoning, you can go to a planned district or an unplanned district and all R-2 and R-3 are considered unplanned districts and this in the sense that we have existing code that they have to meet after the fact to make sure, you know, it meets all life safety and zoning

requirements. They don't have to show that upfront. That's something that they get the zoning approved and then they work with staff in house after the fact on the actual site plan and getting access. The planned district is where they'd actually submit the plans completely upfront, those are just two paths in this request, they obviously wanted to go to the unplanned route which is not uncommon. Actually, planned developments are actually pretty rare. We've only done two, I think since 2017.

Maniaci: All right.

Hagedorn: Questions?

Maniaci: Thank you.

Hagedorn: Okay, I'd like to give five applicants, five minutes to the applicant please.

Kurt Unnerstall: My name, excuse me, my name is Kurt Unnerstall, I'm the applicant and developer of this property. For those that you don't know the history, and I think most of you guys have been here since 1999, we started this in 1999. The land that's all in red that's now Phoenix Center that was an active hog farm. All the land from the lake back was undeveloped. In fact, I guess in a down economy, the Weber family sold off a piece and put that assisted living center back there. You know, they started developing in a bad time and had had a tough time selling and now Vic's taken over and finished it out. So basically my point is we have developed this land in reverse in that we didn't have access in 1999 off of Rabbit Trail Drive.

So we started at the back of the farm. We made larger lots, put the lake in, put all the detention in and as we went closer to the north, was when we started transitioning smaller lots and we were always going to do some sort of townhomes, multi-family configuration. We had a remnant piece of land behind the dam. We put in R-2, R-3 units there. We put multi-family duplexes in. In the time we did that, we had all kinds of people concerned. Now everybody says they love them. In fact, we had grandmas moving in and living with her parents. You know, the parents are in Stone Crest and that's they found a spot for mom and dad to live or, you know, the father died and the mom's living there. We feel like we provide living access for all walks of life. We keep the quality of the home and the quality of construction at the high end and that'll be no different in this development.

As I mentioned at P and Z, a lot of people say, why don't you have all R-1, with R-1 with the flood of the tennis court lights and all the commercial, my concern is that we're going to be able to sell R-1 product back there. So again, a multi-family product, it lends itself to senior housing, which we've got a lot of demand for that right now. As all the baby boomers grow older, they're looking for a place to downsize. Townhomes is another of things that allowed in an R-3 district very similar to what's down on the riverfront. Those are townhomes side-by-side-by-side, so again, that allows us to do that.

So at this time, we just feel this is the right zoning for what we're trying to do. And again, we but up to R-3 to the west, we but up to commercial to the north and that's kind of where we're at with it. So you got any questions while I'm here? I don't want to take up any more time than I'm allowed.

Hagedorn: Any questions for Kurt you guys?

Coulter: Well Kurt, I think most people's concerns is there's going to be a bunch of apartments there.

Kurt Unnerstall: No, no there's not Mike. In fact, the layout right now, if it was purely on and I mentioned this at P and Z, I had St. Louis developers wanting to buy that out and I wouldn't sell it to them because they were wanting to put small, small, single family homes and I think there's a place for that in Washington, I just don't think that's the place for it. The quality wasn't there, so I wasn't interested in that, and then as far as what we're building here, we're building high end, nice stuff, retirement stuff, young professionals, schoolteachers, they need a place to live. So that's what we're looking to do there on that back corner back there. But the whole land Mike, we went from R-1 up against North Crest that butts to everybody in Stone Crest. We put that R-1 in September, then we went to R-2, R3. So this is as textbook as it gets for zoning to take and transition to what I'm up against back here. So it's not going to be a lot of units.

Reed: What a lot of people are upset about is the word R-3. We don't see your drawings. We know you don't have to present them yet, but you know, people want to know, are you thinking a three story structure? Are you thinking, you know, I mean, just heading off to pass here a little bit, what are you thinking? How many units in one building?

Kurt Unnerstall: Well, you know the units that were built down next to Our Lady of Lourdes Church? I think those are eight and 12 plexes. One of them might even be in a 16 plex. So again, it's all about the quality of the build. You know, I've got a sketch plan and that's submitted to the City because we're working on getting that road through there.

Maniaci: *Inaudible*

Kurt Unnerstall: You know, again, it's a one-pass deal that we didn't name and go through and design utilities, didn't design services but we have a sketch plan, kind of what we're thinking. I mean, if you want to show that, we can show that. But again, that doesn't, I don't want to I don't want to lock you or me into that because we're still trying to get the road figured out. We're still trying to figure out what it would look like. But right there, that's all single-family, swimming pool, tennis courts, R-2 duplexes and then the apartments would be over in a corner.

Reed: Okay, I'm just saying, there's a lot of people here concerned about it and we don't know.

Kurt Unnerstall: Yeah, I mean, that's a one-time pass deal. And as you see, everything's buffered by single-family. Everybody in Stone Crest is to the right and to the south. This land actually hooks around to the north of the former Klekamp Farm and then to the south of Phoenix Park. So we feel like this would be an excellent place for retirees to live and again, young professionals.

Wessels: Kurt, are those multi-family, are those shared wall type units?

Kurt Unnerstall: Yes very similar, Mark. The ones in pink would be very similar look to what's over there at Willow Twist across from Hillermann's where everybody's got like a 1,400 square foot retirement, two bedroom, two bath with their own garage, and then they're hooked together. It's kind of a single-story townhome look, again it would be brick. It wouldn't, I'm trying to think another one in town, the one up on Fifth Street by the Chiropractor there. But that's kind of on an angle that's kind of their stepped. Again, one of the thing I point out in the P and Z Meeting, this land lays flat and it lays nice for senior housing back in here. So everything you see in blue and pink would be single-story and then as you go further down, the red would be more of a two-story structure.

Patke: Kurt, according to this drawing, I don't if it's quite the scale or what, but the Rabbit Trail houses are there. I mean, you're looking at a pretty good buffer of trees there.

Kurt Unnerstall: Yeah, actually that is distance on there, 248 feet to the closest structure and all that green space that shown up there would remain on the left side of that. So basically, we have no intention of removing any of the green space that's there along the creek. Obviously, we've got to take some of the green space out to connect the road to go over, the just I don't want to overstep my time but right below Rabbit Trail, there is a bunch of trees that are going to have to come out when that road connects. Those trees will have to come out just because the road's got to go through there. That's where the bridge crosses.

Wessels: Would you track that road over John for us? Put the cursor track that road over.

Nilges: Yeah, unfortunately with this drawing it cannot. It's....

Kurt Unnerstall: Or the other one you had.

Wessels: There you go. Okay.

Nilges: Yeah, here I can, here, I can show you. Sorry, I thought I had it pulled up. Here.

Lamb: There you go.

Nilges: *Inaudible*

Kurt Unnerstall: Under this plan, this would have a more of a buffering than most apartment buildings in Washington. A lot of buffer space here. So again, our goal is to make a quality product that everybody can live in and can enjoy the area.

Reed: How many of those structures in the red are going to be ground level and two-story?

Kurt Unnerstall: The red ones will be two-story.

Reed: All the red ones will be two-story?

Kurt Unnerstall: Red ones will be two-story. Correct.

Reed: Okay.

Kurt Unnerstall: Everything else will be the blue and pink will be single-story.

Coulter: So there's nothing higher than a two-story in that?

Kurt Unnerstall: Right. Now when I say two-story, I want a caveat that in a way the parking is right now Mike, it all has to stay two-story, but if those buildings were to be turned, you could obviously go to two-stories to the front, three to the back and step your parking in the back. If the developer wanted to put some garages in the basement, but that would be it would be the same look just turned 90 degrees.

Maniaci: By our code, we don't consider walk outs...*inaudible*. So if you have a walk out basement it's still considered two-story.

Coulter: Right.

Patke: Sal while you're there, the buffer to Rabbit Trail, I guess is my biggest thing there. I mean, we don't even require, what is it, 50 feet now, right? But if it was R-3 to R-3, we wouldn't require any.

Maniaci: No, that's correct.

Patke: So if you live in Rabbit Trail right now, you're zoned R-3 whether they're for it or against it, whatever, we wouldn't require any. You could actually take the trees out and put it in there, but in this case, we're leaving them there.

Unknown: That's correct.

Patke: Am I true by saying that, yeah.

Maniaci: R-3 to R-3 does not require any buffer.

Patke: Okay, but that's staying there so it'd be what we would normally do with 1-A or whatever. Yeah, okay.

Kurt Unnerstall: Where's a, two-20 foot buffer?

Maniaci: *Inaudible*

Kurt Unnerstall: In the interest of time, I just want to explain what's going on here and I will yield to the other folks in the room. If you got questions, I'd like to have a chance to answer those. Thank you.

Hagedorn: Thanks Kurt. Okay folks, first one on the list is Steve Richardson.

Steve Richardson: Mr. Mayor, members of City Council...

Klekamp: I'm sorry, can you state your name and address please?

Steve Richardson: My name is Steve Richardson; I live at 2404 Rabbit Trail. I am the President of the Lake Washington Condo Association, and I'm here representing 56 homeowners who will be directly impacted by changing the zoning of Stone Crest Plat 18 to R-3. I'm here tonight not to ask you to kill this request, although that would be nice, but to table the request until people of who are impacted see some plans tonight we've seen some plans.

Our neighborhood for the last six years has been nothing but cement trucks, builders and of course, some speeders along Rabbit Trail as all of this has been developed. This past weekend, the neighborhood's fourth brick mailbox was knocked over and we have daily traffic circus at the corner of Highway 100 and Rabbit Trail, and yet we continue to try to be good neighbors. Enough said. We know and we understand progress is coming to Washington. If you continue to build condos and villas, which we did see some in there in keeping with the neighborhoods, that's fine but don't ask us to accept changes to our neighborhood without telling us what the changes may be. I understand that he's not required to do that.

What if the current owner of the property sells? The changes can be the R-3 changes can become multi-story buildings and they can be changed. We have plenty of examples of parking lot, parking of apartment buildings in town with noise, light, traffic and possible crime that we don't want in our backyards. Once they're built, they're not going to go away.

All we're asking is to see the plans and have some input. Example: the property is in a FEMA Floodplain. How will that be handled and how will it impact the neighbors? It's evident that the project is not supported by the people of Stone Crest or the Lake Washington Condo Association. These are the project's neighbors. We don't want these to be pushed down our throat. Please table this and meet with the people from the condo association in Stone Crest. Show them the plans and get some input.

Let me also point out that this is not about the developer who has done plenty of good things in this community. This is about the development itself. It is about what happens if the property is sold and a new developer has different views. We are asking not to have our neighborhood disrupted anymore. We're asking the Council not to progress with blind faith. Don't put the surrounding neighborhoods in a position they have no recourse and a plan should the property be sold or to another developer. Thank you. Any questions?

Hagedorn: Thank you Steve. Todd Hendricks, please.

Todd Hendricks: I'm Todd Hendricks here from Stone Crest, 3310 Deutsch Crest Drive. So I'm representing a number of the members from Stone Crest. I guess I'd like to start off with times are tough right now with the downturn in the economy, and if this gets turned around to R-3 it's

going to lower values; that's the biggest concern for the residents in Stone Crest right now. We're going to big chance of lowering values of our property and that's going to be a harder impact on us.

One of the things that's been floated around in the previous P and Z Meeting and article in the Missourian is affordable housing. Mr. Mayor, as you know, at a previous board meeting that both of you and I serve on, the question and that I had asked, what's affordable housing? That's a definition that nobody has clarified or answered for me. So what is affordable housing? Is it a cost, size? If I ask all eight members of the City Council, probably get eight different answers. Affordable housing, I understand is needed but out on Highway 100 west we have a number of units that are built out there and are continuing to be built and Mr. Unnerstall, is indicated that to me personally, that he's planning and putting in affordable housing behind Casey's, that's what's going in there and Mr. Mayor, you had indicated that also. Now we're going to put in more affordable housing off of Stone Crest in Rabbit Trail Drive. How much do we need? I know it's been stated that we have teachers that can't afford housing. Well, what percentage of teachers need affordable housing? I mean, we probably got a small percentage of teachers that can't afford the housing because they're, you know, early on in their careers.

Kurt, Mr. Unnerstall, has thrown out a sketch plan here and a number of times he said he doesn't want to be locked into that sketch. My question is in the residence of Stone Crest, is Kurt going to be the builder, developer or is he selling the land? I'd like to know that and so would a number of the residents.

Biggest question that a number of us have, which again, I started out with talking about the impact, if this is sold and it does get rezoned to R-3, is how do you turn around set restrictions in a development such as Stone Crest? People have built, purchased homes with the intent of what was set out when they first moved in there and now you want to rezone it to R-3 at 80% of the way through? Is that really fair to those residents that moved in there?

So that is, I guess, one of the things that's hitting a lot of the residents in Stone Crest right in the face. They're not very happy with that. How do you change the game 80% of the way through? That's all I have. Any questions?

Hagedorn: Questions? Thank you Todd. Brandon Rodriguez, no thanks, okay. Baker, Gary or Gary Baker. Sorry if I mispronounced.

Gary Baker: Gary Baker, 2520 Rabbit Trail and I back up directly to this development. My only question is to Mr. Unnerstall, is will he give his word to this Council that he will not sell that property if he gets it rezoned to R-3? That's the only question I have.

Patke: Gary, can just ask, is that, I mean I know that's not prevalent to a rezoning request or is it?

Gary Baker: Well, with his history of developing in this area and his history of living here for all these years as his family's name's everywhere, it would mean more to me that he would be attuned to keeping the project more contingent to the neighborhood, as opposed to some outside developer that could come in and given it doesn't have a care for this the City as much as he does and would just run amok and put in whatever he wanted.

I had a question early on in this process, which was what is the height risk restrictions in this area R-3 three-stories, if they put three-stories building on, the other part of that is also Mr. Unnerstall said that he would put in this 200-foot barrier. Another developer is going to say to heck with that, I don't have any restriction in R-3 so I will just build as much property as I can, and then that just puts in the wintertime there'll be apartments, sorry, parking lights in lights in the parking lots as well as, you know, churning in the mornings of cars, going in and out during the night. I mean, I worked for 38 years to have a peaceful morning and I didn't expect to buy my house last year then all of a sudden be backyard neighbors to you know, a couple 100 unit housing units.

So I feel that if it does get rezoned R-3 which I hope it doesn't, that at least if Mr. Unnerstall was in charge of it developer that I have confidence that it will be a decent and respect the area.

Patke: I guess I was going to make a statement that you guys who live at Rabbit Trail are zoned R-3 now, you do realize that you could sell yours or buy the one next door and build a three-story complex right there tomorrow and don't even have to come to us?

Gary Baker: Well, that's part of my concern is that the person that developed our neighborhood had the respect for the neighbor and the community in large Lake Washington estates and just in general keeping the like housing in the like areas, as opposed to all of a sudden in a radius of basically one and two-family homes, about a mile radius, you're going to plop in high density housing, which is incongruent with what the neighborhood is.

Patke: So back to your point, you're not against R-3, you're just would like to see Mr. Unnerstall do it or have plans that it does look good and fits with the neighborhood.

Gary Baker: Exactly.

Patke: Thank you.

Gary Baker: Thanks.

Hagedorn: Thank you, Gary. Ed Menefee.

Patke: Can we refuse him to talk?...*laughter*

Ed Menefee: Ed Menefee.

Lamb: A citizen of the City of Washington.

Ed Menefee: Steutermann Road.

Hagedorn: Do you know who this is Sherri, I guess? Okay. Go ahead, sorry.

Ed Menefee: I'll keep it short for you. My tenure in working with the City, I have been all throughout the City and been involved in planning on various things. It's great to see the connection between Rabbit Trail, Stone Crest and Rabbit Trail and Bieker Road for traffic reasons. I look at the zoning plan and I had a mother-in-law that lived in Quail Run or Rabbit Trail housing right there. At two stories, the back to back, I don't see much difference between what's zoned there and what's here. As far as it affecting the other homes further south, this is way up in the north, right next to Rabbit Trail; they're buy each other. I mean, if you're talking about impact on homes and what they're worth, Rabbit Trail should have made an impact already.

I would say that you send all this to Planning and Zoning and you rely on them to have hearings and talk to people and take information in and look at ordinances and zoning and give you an opinion. I think they gave you what they feel and I think you have to trust in those people that you put forward and consider what they have to say.

I'm glad to see some from the one diagram, some plotting and where housing will be. I will tell you that if we were going to grow as a community and Sal can back that up, we need homes to have youth. Young people come and work in the industry and to draw industry and to work in the businesses and to keep them, keep a vibrant community, keep a great base for our tax base. I agree. Washington's a great place to live. Why wouldn't you want to come here? So thank you.

Hagedorn: Thanks, Ed. Last speaker tonight, Mike Edler.

Mike Edler: Good Evening, Gentlemen. Mike Edler, 5 Rebecca Court. I'm just going to get the white elephant out into the room. At the P and Z Meeting last week, Michelle Unnerstall came to the podium and read rather quickly and people in the audience and on Planning and Zoning were not clear what she was talking about. So I'm referring to it's called Indenture of Trust and Restrictions of Stone Crest Subdivision Plat 11. These restrictions were recorded at the Recorder of Deeds on July 6th of 2017. So. Well, let me let me just read it because it was rapidly and I, I mean, she kind of she brought it up so. Page 10, all owners of lots and subdivision hereby understand that undeveloped lands adjacent to such subdivision may be developed for residential use and do hereby agree not to object or interfere with such future development or rezoning of undeveloped land, owned or controlled or of future owned or controlled by the developer. So long said future development complies with applicable City regulations and laws.

So there was confusion. Talked to several people. It is recorded and last week the word apartments came up a lot. Actually, if you go back and listen to the meeting, that word was used a lot. In fact, Kurt said and at the meeting that his intention is to get the R-3 and to sell it. So if that happens and God forbid, I mean, my best friend just four years ago just fell over dead very shockingly. So bad things happen to good people. I think Kurt is a good person, but the new person has R-3. They can run amuck, and I just don't think that's the way to go.

Also at P and Z, it was said that there's going to be 120 units including a mix of two-family and single-family attached homes which means that the homes would share a common wall.

So it would seem to me to be, to be fair, that some people that bought lots in Stone Crest had deed restrictions. Why would it not be appropriate for this R-3 zoning which is you know, it's a big deal. Why not have those restrictions upfront? Just like when you bought a lot in Stone Crest? It's out there. So...

Hagedorn: Mike, can you wrap it up a little?

Mike Edler: Yeah.

Hagedorn: Three minutes are up.

Mike Edler: I mean, am I the only one who ran over? Are you just timing me?

Lamb: *Inaudible*

Mike Edler: Okay. Well, one of the thing I want to say about connecting the subdivisions. So first of all, to wrap up, I mean, I've heard so many things that he's going to do. He's going to sell it, it's going to look like this or like that. Last week it was talk about apartments. Tonight, not so much.

So and the last thing I'll say and probably the only people here that can answer this is Mark Piontek and Darren Lamb and I think was in the 90's under Mayor Hillermann when we talked about an outer road. I don't remember what happened to that. Maybe these guys do. But essentially what you're doing is you're putting in and you can call it a thoroughfare, you can call it an outer road, you can call it cutting through subdivisions. So you can enter Stone Crest and

you can go all the way to High Street eventually when this is and go through two lights rather than using the highway and go through 14 lights.

So I think rather than people living in subdivisions for a reason, you know, so I would think the City should go back and look at that outer road because you're going to be dumping, Washington is going to continue to grow and there's we went from two lanes to four lanes to, you know, now this other road or thoroughfare, whatever you want to call it and I don't think that's you're going down the right road just my opinion. Thank you.

Hagedorn: Thank you, Mike. Questions anybody? Any questions or answers from the applicant? Kurt, did you want to respond?

Kurt Unnerstall: I tried to take some notes here in. So let me just go through here. One of the concerns and fears, obviously, every time you look at rezoning is I've heard, you know, just so you know, I've been doing this since 1993. Next year, I will be, I think, the oldest developer in Washington as far as years of doing it. Every time, we always have a fear of change. The minute we have a fear change, we start thinking of what's the worst thing can happen. Okay. I didn't run and I didn't sell when the next door neighbor decided to put a shopping center next to my subdivision. I had no say in it. It was done. It was built and I think it worked out because obviously it makes it a great place for the people in Stone Crest to get their groceries and get their supplies. So and again, every time something changes, people have a fear of loss of property value. In 2005, we put 199 lots on the ground. We put all of Phase 3 in Stone Crest and we put Fairfield across the street on South Point Road. The sky was the limit in 2005. Everybody was developing just like we are now and boom, 2008 shows up and nothing sold for four years. We could not sell a lot in Stone Crest for four years and I had the best subdivision, still had the best subdivision in town.

So again, we try to meet the price point and a target point as we went. The key and I've been preaching this for 30 years, single-family doesn't mean quality, as we all know. I could put a thousand square foot homes back there four walls, four-12 pitch roof, vinyl siding, and that would be considered single-family, I would not do that. I would not do that because that would be a travesty to the folks that have concern about property values. The quality of construction that's going to go on here is going to be of a similar quality that's going on right now in Stone Crest.

As far as questioning my business plan. Right now, I am working with a developer who is looking at purchasing this property, but again, he will purchase it with requirements to meet the requirements of the subdivision. I'm not going to just give him a carte blanche deal. So in Mike's concern about hey Kurt gets run over by the beer truck, obviously those are all be documented prior to me signing over the property if I sell. Okay.

As I mentioned last week, I had a guy approach me about building a assisted living home that's very similar to what is built down there on Ninth Street. He tried to get me to sell him ground three years ago and I turned him down. Well, when I seen his product or what he did down here, I think, well, you know what, assisted living center, a daycare, the residents in Stone Crest are getting older. Maybe that makes sense for some of the residents to have that. Again, that would but right to the commercial, right to the north.

So there's a lot of things that can be done. And again, for me to sit here and tell you this is the exact plan, that's why I shared you that sketch, trying to make that work with the road. And I

mentioned last week, if a developer was truly out to rip and skip, as some of these folks are concerned, that I'm going to do, which I'm not, I wouldn't put that much road network in there. I put that road neck work in there to show you how it's all going to flow, that the folks aren't going to have to pull out on to the main road that's going to connect. It'll be a good living space for everybody.

The other question I think came up, somebody said something about restrictions. I think I covered that, you know, we would we would restrict the property.

And again, I just want to point out to you that this this was 151 acre development and it was purchased in 1999, long before all this other stuff was there, and what we're just now getting to the back of the property and we're trying to do transitional zoning and try to make a good living environment for everybody.

Reed: Kurt, one question. If you do sell to another developer, something like that. I mean, we're talking about rental units. Yes?

Kurt Unnerstall: Well, the developer apartments are rentals, and you talk about affordable housing. Oh, I was glad you brought that up, Duane. There was a question about affordable housing. You know, not everybody can afford an \$800,000 home. Okay. Not even buying for \$350,000 home and with the cost of materials a price point in Stone Crest, you know, we went from fours, then we jumped up to sixes and sevens around the lake, eights, hell, who knows, some of them could be \$1,000,000 homes in there and then we put the villas in. Those villas are selling; I think there were two something, now they're selling for three something. All the single-family homes, alot of these folks here built it along the woods in the back, back there. Nice homes, but in the woods. I think they're fours and fives, but one thing is, as we all know, property values go up, go down. One thing about Stone Crest is it's held it's value. Good point.

I again, I've mentioned his name last week. Yeah, last week. You know, Allen Whitworth built those apartments down here and there's good today as the day he built them and there rentals and there right across from Our Lady of Lourdes Church.

So if apartments are bad or townhomes are bad, then if in and if it doesn't work here, where will it work in town? That's my point is this is an ideal spot for it and you got to give everybody a place to live, that's all I'm trying to do as a developer. Just provide that place to live.

Hagedorn: Other questions.

Kurt Unnerstall: Thank you.

Hagedorn: Thanks, Kurt. Any comments, anything else guys?

Wessels: Yes. One thing I've talked to a lot of the folks that are here. They gave me a call and I want to thank them because every one of them was very civil and pleasant and everything else. I was kind of expecting, you know, maybe not so, but they were. Every one of them.

One of the things that I pointed out to some of you and that I still feel strongly about we I feel like we have to have a system in place. We have to and we have a plan, a long-term comprehensive plan and that plan, as you've heard a couple of times now, calls for setting up buffers, etc., etc.,. So things aren't on top of one another. About two years ago, this Council approved a similar zoning request and it was set up the same way. There were some people from from 1-A areas who were concerned about it. But what they were shown was that there was going to be a R-2 buffer and then the R-3's would come next. Okay. So and that's the system.

That was the plan that was put in place. That was an example that came to us and we followed that plan.

I think it's really important that we stay consistent to an accepted plan. I don't think we can jump around back and forth. You know, it's okay there, but it's not okay here. I think doing that is going to be more trouble than what we want. So I like the idea of a system and then trying to be as consistent as we can. Okay. Thank you.

Patke: Mark, and when you say your system, the transitional zoning is what you're referring to?

Wessels: Yes.

Patke: 1-A, 2-A, 3-A but up to commercial, other 3-A, etc., that's why when I looked at it, it makes sense in that aspect that it was done right. I mean, I think we can go so far as that, what the City would suggest to a developer that we would want. So that when you say system, I think it is in place and for the right reasons. Hopefully.

Hidritch: Now Sal, is that correct like this R-3 has no deed restrictions like the rest of Stone Crest, or can it be...

Maniaci: Like covenants and restrictions? We don't review those so they can neighborhoods can impose those as they see fit. We don't ever review covenants, restrictions or enforce them. That's up for the neighborhood association to do that.

Lamb: The only thing the City can enforce is what's within the zoning district.

One other comment I would make, just as a follow up to Mike's comment about the East-West Parkway, which I assume you're talking about with the outer road, that is shown that is still within probably the last two comprehensive plans that I mean, that's been on the books since 84 followed up, we still have it. As a matter of fact, Sal showed it earlier tonight when we looked at the connection, the connectivity, that yellow line that he saw on that one, is, are you going to pull it back?

Maniaci: It's in the presentation.

Nilges: Oh, I'm sorry.

Lamb: But anyway, to answer the question, yes, it's very much reviewed. As a matter of fact, I talked with the property owner along there actually Friday afternoon after seeing some of the movement going towards and the direction of Bieker Road and the fact that, yes, it's still relevant. Yes, we still use it as a matter of fact, we anticipate is Highway 47, for example, if funding becomes available, the opportunity for us to go ahead and increase that from two to four lanes, just like what's been talked about all the way from Washington to Union, but that would be a first phase, and also to incorporate that East-West Parkway connection to the four lanes at that time. So very much part of our planning process.

Hagedorn: Guys, this red lines that you see there, those are important. That's what we're addressing tonight, but we need to look at those yellow lines too. Keep our focus on that, because that's where our kids are going to be driving. That's where our grandkids are going to be driving. And as much as audience participation, if you will, citizens input, that all happens with at the comprehensive plan. We're going through that right now. So if you have concerns like this, where do those lines get drawn? What kind of restrictions do you want in transitional zoning? That's where we talk about that stuff right now. So I know just outside the door here, there's this little QR code and for those of us who don't know what the heck that is, usually just take a picture of it with your phone and click on that link and that will take you at least to give

some input and there'll be more meetings. So I ask you all please to participate in that. Other comments?

With no further discussion, a motion to accept this item into the minutes made by Councilmember Patke, seconded by Councilmember Holtmeier, passed without dissent.

Bill No. 22-12671, Ordinance No. 22-13631, an ordinance rezoning 11.99 acres from R-1A Single Family Residential to R-3 Multi Family Residential and 2.55 acres from R-1A Single Family to R-2 Two Family Residential in the City of Washington, Franklin County, Missouri.

The ordinance was introduced by Councilmember Patke.

After discussion, the ordinance was read a second time and approved on the following 5 to 4 vote; Wessels-aye, Hidritch-nay, Briggs-nay, Behr-aye, Reed-nay, Coulter-nay, Holtmeier-aye, Patke-aye, Hagedorn-aye.

* Special Use Permit – 309 High Street

October 10, 2022

Mayor & City Council

City of Washington

Washington, MO 63090

RE: File No. 22-1002-Special Use Permit-309 High Street-Short Term Rental

Mayor & City Council,

At the regular meeting of the Planning & Zoning Commission held on Monday, October 10, 2022 the above mentioned Special Use Permit was approved with a unanimous 9-0 vote in favor.

Sincerely,

Thomas R. Holdmeier

Chairman

Planning & Zoning Commission

Maniaci: All right, your next request tonight is a Special Use Permit for 309 High Street in order for it to be used as short-term lodging or more commonly known as an Airbnb. You can see here it's just south of Third and High on the west side of the street. There is one directly cattycorner that we actually approved about two years ago.

On the zoning, it is R-2 Overlay, which does allow for single and two-family. It's right on the border, you can kind of see everything west of there is out of the overlay district into single-family but it does allow single and two-family in this location.

They do have access to an alley in the back so there's ample off-street parking, and again, since these are typically residential, fairly residential in nature and we haven't had any issues with the ones that we have approved in the past. Staff recommends approval. Planning and Zoning did vote unanimously to approve this last week as well.

Patke: Egress to the alley, but is there off-street parking too Sal, or is it not required?

Hidritch: Yes, yes there is.

Maniaci: Yes.

Hidritch: There is.

Patke: *Inaudible...* on the map.

Hidritch: *Inaudible*...drive goes up, Jeff, been there.

Patke: Okay.

Hidritch: And unlike the one before this, this was not contested at P and Z.

Patke: Oh, okay.

Hidritch: Nobody.

Hagedorn: Discussions, questions?

Lamb: Yeah, you got to have it. Open up the floor.

Hagedorn: Any comments from the floor? Folks?

With no further discussion, a motion to accept this item into the minutes made by Councilmember Patke, seconded by Councilmember Holtmeier, passed without dissent.

Bill No. 22-12672, Ordinance No. 22-13632, an ordinance granting a Special Use Permit to utilize 309 High Street as a Vacation Rental in the City of Washington, Franklin County, Missouri.

The ordinance was introduced by Councilmember Holtmeier.

With no further discussion, the ordinance was read a second time and approved on the following vote; Wessels-aye, Hidritch-aye, Briggs-aye, Behr-aye, Reed-aye, Coulter-aye, Holtmeier-aye, Patke-aye.

* Special Use Permit – 527 Elm Street

October 10, 2022

Mayor & City Council

City of Washington

Washington, MO 63090

RE: File No. 22-1004-Special Use Permit-527 Elm Street-Short Term Rental

Mayor & City Council,

At the regular meeting of the Planning & Zoning Commission held on Monday, October 10, 2022 the above mentioned Special Use Permit was approved with a unanimous 9-0 vote in favor.

Sincerely,

Thomas R. Holdmeier

Chairman

Planning & Zoning Commission

Maniaci: All right, the next request is another Special Use Permit for short-term lodging at 527 Elm. So this one is actually just outside of our downtown district. If you all remember earlier this year, we changed our downtown zoning to extend it to any properties that touch Fifth Street so this is directly across the street from downtown zoning that would actually allow it by right. Because they are outside the district, they do need to get a Special Use Permit. You can actually see here these yellow dots where there's existing short-term lodging so obviously the closer we get to downtown there's more of these in the vicinity.

This one is also zoned R-2 Overlay which allows for single-family and two-family and this one does actually have some off-street parking. It's hard to tell in this ariel. It does not have alley access but they do have a driveway.

Last week at P and Z, they did also unanimously vote to approve this as well. We did not hear from any opposition that night.

Holtmeier: That's across from Immanuel Lutheran isn't it?

Maniaci: It is, yes. There's actually a single-family house across the street, but Immanuel's wrapping around that building there.

Hagedorn: Sal, is there access around the back of it through the alleyway?

Maniaci: No, so they do not have access to the alley but they do have off-street parking.

Hagedorn: Okay.

Maniaci: We don't require off-street parking. It's just always a bonus. All of these existing homes, two parking spaces on the street is all we require anyway.

Patke: Any idea on what we're up to now?

Maniaci: We were at 35 when we hired Granicus so this would be 37. 35 active, I think we've approved more than that throughout the years but some of them just went off-line.

Wessels: We're getting taxes on 35?

Maniaci: Yes, we're getting taxes 35. Actually we have our first meeting with that new company Wednesday to get that on-line.

Patke: Okay.

Hagedorn: Other questions?

With no further discussion, a motion to accept this item into the minutes made by Councilmember Holtmeier, seconded by Councilmember Wessels, passed without dissent.

Bill No. 22-12673, Ordinance No. 22-13633, an ordinance granting a Special Use Permit to utilize 527 Elm Street as a Vacation Rental in the City of Washington, Franklin County, Missouri.

The ordinance was introduced by Councilmember Patke.

With no further discussion, the ordinance was read a second time and approved on the following vote; Wessels-aye, Hidritch-aye, Briggs-aye, Behr-aye, Reed-aye, Coulter-aye, Holtmeier-aye, Patke-aye.

CITIZENS COMMENTS

- * Rob and Gretchin Burton 101 East Main Street and owners of 527 Elm Street introduced themselves to Council.

UNFINISHED BUSINESS

- * None

REPORT OF DEPARTMENT HEADS

- * None

ORDINANCES/RESOLUTIONS

TABLED - An ordinance approving the issuance of a Special Use Permit for a Temporary Shelter located at 2132 Highway A in the City of Washington, Missouri.

Bill No. 22-12674, Ordinance No. 22-13634, an ordinance authorizing and directing the acceptance of a proposal by and between the City of Washington, Missouri and Sikich LLP to conduct the annual audit.

The ordinance was introduced by Councilmember Patke.

After a brief discussion, the ordinance was read a second time and approved on the following vote; Wessels-aye, Hidritch-aye, Briggs-aye, Behr-aye, Reed-aye, Coulter-aye, Holtmeier-aye, Patke-aye.

Bill No. 22-12675, Ordinance No. 22-13635, an ordinance authorizing and directing the City of Washington, Missouri to accept the contract with Landscape Structures for the purchase of a playground at Riverfront Park.

The ordinance was introduced by Councilmember Holtmeier.

After a brief discussion, the ordinance was read a second time and approved on the following vote; Wessels-aye, Hidritch-aye, Briggs-aye, Behr-aye, Reed-aye, Coulter-aye, Holtmeier-aye, Patke-aye.

Bill No. 22-12676, Ordinance No. 22-13636, an ordinance authorizing and directing the City of Washington, Missouri to accept the sales contract from Joe Machens Ford, Columbia, Missouri, for a 2023 Ford F550 Truck with Snow Plow and Spreader.

The ordinance was introduced by Councilmember Patke.

After a brief discussion, the ordinance was read a second time and approved on the following vote; Wessels-aye, Hidritch-aye, Briggs-aye, Behr-aye, Reed-aye, Coulter-aye, Holtmeier-aye, Patke-aye.

Bill No. 22-12677, Ordinance No. 22-13637, an ordinance authorizing and directing the execution of an agreement by and between the City of Washington, Missouri and Control Technology & Solutions, LLC and VEREGY LLC, dba VEREGY.

The ordinance was introduced by Councilmember Hidritch.

After a brief discussion, the ordinance was read a second time and approved on the following vote; Wessels-aye, Hidritch-aye, Briggs-aye, Behr-aye, Reed-aye, Coulter-aye, Holtmeier-aye, Patke-aye.

Bill No. 22-12678, Ordinance No. 22-13638, an ordinance authorizing and directing the execution of a Show Me Zero Program Agreement by and between the City of Washington, Missouri and the Missouri Highways and Transportation Commission.

The ordinance was introduced by Councilmember Patke.

After a brief discussion, the ordinance was read a second time and approved on the following vote; Wessels-aye, Hidritch-aye, Briggs-aye, Behr-aye, Reed-aye, Coulter-aye, Holtmeier-aye, Patke-aye.

Bill No. 22-12679, Ordinance No. 22-13639, an ordinance approving the final plat of the Right-of-Way Dedication of Rabbit Trail Drive including Permanent Utility Easements/Storm Drainage Easements.

The ordinance was introduced by Councilmember Patke.

After a brief discussion, the ordinance was read a second time and approved on the following vote; Wessels-aye, Hidritch-aye, Briggs-aye, Behr-aye, Reed-aye, Coulter-aye, Holtmeier-aye, Patke-aye.

Bill No. 22-12680, Ordinance No. 22-13640, an ordinance authorizing and directing the execution of a contract agreement by and between the City of Washington, Missouri and Northern Star Homes for the 2022 Rabbit Trail Project and amend the 2022/2023 Budget.

The ordinance was introduced by Councilmember Patke.

After a brief discussion, the ordinance was read a second time and approved on the following vote; Wessels-aye, Hidritch-aye, Briggs-aye, Behr-aye, Reed-aye, Coulter-aye, Holtmeier-aye, Patke-aye.

Bill No. 22-12681, Ordinance No. 22-13641, an ordinance amending Schedule I Speed Limits, Table I-A Speed Limits-Generally, of the Code of the City of Washington, Missouri.

The ordinance was introduced by Councilmember Holtmeier.

After a brief discussion, the ordinance was read a second time and approved on the following vote; Wessels-aye, Hidritch-aye, Briggs-aye, Behr-aye, Reed-aye, Coulter-aye, Holtmeier-aye, Patke-aye.

Bill No. 22-12682, Ordinance No. 22-13642, an ordinance amending Schedule I Speed Limits, Table I-B Speed Limits In Safety Or School Zones, of the Code of the City of Washington, Missouri.

The ordinance was introduced by Councilmember Behr.

After a brief discussion, the ordinance was read a second time and approved on the following vote; Wessels-aye, Hidritch-aye, Briggs-aye, Behr-aye, Reed-aye, Coulter-aye, Holtmeier-aye, Patke-aye.

COMMISSION, COMMITTEE AND BOARD REPORTS

* Preliminary Plat Approval – The Creek at Koch Farm

October 10, 2022

Mayor & City Council

City of Washington

Washington, MO 63090

RE: File No. 22-1006-Preliminary Plat-The Creek at Koch Farm

Mayor & City Council,

At the regular meeting of the Planning & Zoning Commission held on Monday, October 10, 2022 the above mentioned preliminary plat was approved with a unanimous 9-0 vote in favor.

Sincerely,

Thomas R. Holdmeier

Chairman

Planning & Zoning Commission

After a brief discussion, a motion to accept and approve this item made by Councilmember Patke, seconded by Councilmember Holtmeier, passed without dissent.

* Preliminary Plat Approval – 18 Stone Crest

October 10, 2022

Mayor & City Council

City of Washington

Washington, MO 63090

RE: File No. 22-1007-Preliminary Plat 18 Stone Crest

Mayor & City Council,

At the regular meeting of the Planning & Zoning Commission held on Monday, October 10, 2022 the above mentioned preliminary plat was approved with a unanimous 9-0 vote in favor.

Sincerely,

Thomas R. Holdmeier

Chairman

Planning & Zoning Commission

After a brief discussion, a motion to accept and approve this item made by Councilmember Patke, seconded by Councilmember Holtmeier, passed without dissent.

MAYOR'S REPORT

- * Reflected over the past six months of being in office.

CITY ADMINISTRATOR'S REPORT

- * Discussion on the Franklin County Commission terminating the agreements with the Cities of Pacific, Sullivan and Washington for emergency 9-1-1 telephone service.

COUNCIL COMMENTS

- * Councilmember Patke thanked the Franklin County Backstoppers for their work in hosting the Annual Dinner Auction.

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ADJOURNMENT

With no further business to discuss, a motion to adjourn made at 8:52 p.m. by Councilmember Patke, seconded by Councilmember Holtmeier passed without dissent.

Adopted: _____

Attest: _____
City Clerk

President of City Council

Passed: _____

Attest: _____
City Clerk

Mayor of Washington, Missouri