

CITY OF WASHINGTON, MISSOURI
PLANNING & ZONING COMMISSION MEETING MINUTES
Monday, October 10th, 2022 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.

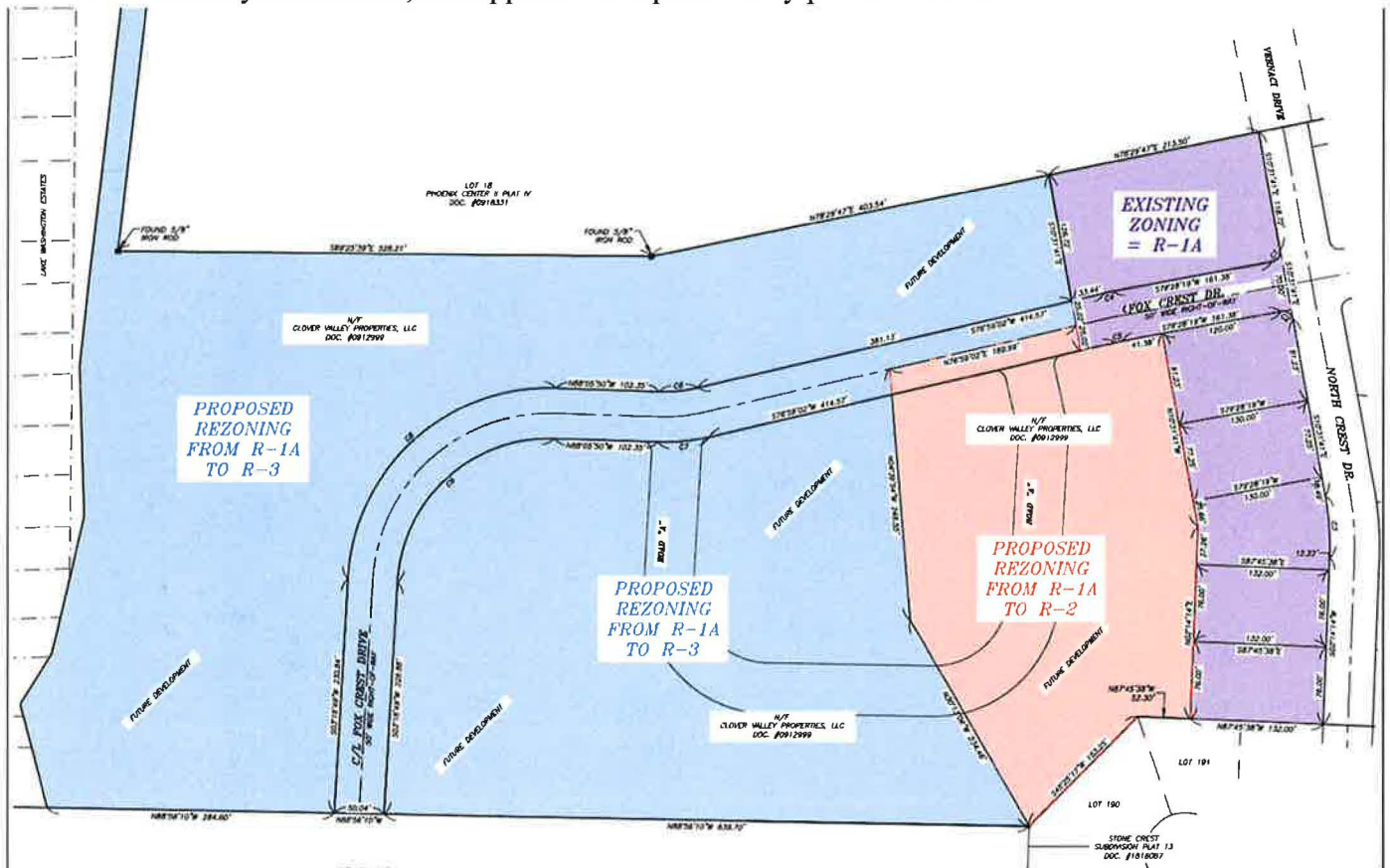
1) The meeting was called to order, Pledge of Allegiance, and the following roll call was taken:

Present: Mark Hidritch, Mark Kluesner, Tom Holdmeier, Mayor Hagedorn, John Borgmann, Chuck Watson, Samantha C. Wacker, Carolyn Witt, Mike Wood, Sal Maniaci

Absent: Mark Piontek

2) **Approval of Minutes from September 12, 2022**-Motion made to approve by Mark Kluesner, seconded by Mark Hidritch and passed without dissent.

3) **File No. 22-0906-Stone Crest Plat 18 Rezoning**-The applicant is requesting to rezone 11.99 acres from R-1A Single Family Residential to R-3 Multi Family Residential, 2.55 acres from R-1A Single Family to R-2 Two Family Residential, and approval of a preliminary plat for Plat 18.



The applicant is requesting to rezone approximately 12 acres to R-3 Multi Family Zoning, approximately 2.5 acres to R-2 Two Family zoning and then plat the new zoning districts into their own lots and extend Earth Crest Drive through the development.

The proposed area for the R-3 Multi Family Zoning is located on the western end of the development adjacent to existing R-3 Zoning to the West and C-2 zoning to the North. In city planning, it is often recommended to transition land uses from higher intensities to lower. In this particular case, the applicant is requesting to place the multi-family zoning adjacent to existing multi-family zoning as well as commercial zoning. They are then requesting to transition that zoning from R-3 to R-2 two-family zoning, creating a situation where the development starts at commercial, turns to multi-family, then two-family before meeting the existing single family zoning.

There is also a precedent of approving multi-family in the area with the development directly to the west being zoned R-3 Multi Family as well as a portion in Stonecrest also already being zoned R-3 Multi Family, where Andrea Crest is. The proposed R-3 Zoning, at 12 acres, could technically allow up to 260 residential units, however given that Earth Crest is proposed through the middle of the site, it is unlikely that the site could be developed to that density. The topography and road layout would not support it. Staff would review density and access to the site when construction plans are submitting making sure emergency access and density requirements are met.

As for the preliminary plat, Plat 18 proposes a 50 ft. right-of-way for the future Earth Crest Drive extension (the plat says Fox Crest, but last month P&Z and City Council voted to have it remain Earth Crest Drive). This proposed extension would allow a connection to Rabbit Trail and finalize a street connection that has long been identified in our comprehensive plan.

Staff has received comments from the neighborhood opposing the development, of which a letter is attached to this report. The concern is understood that they would prefer to keep it single family, but given the existing zoning in the area and the proposed transition in housing type, staff sees no reason why this proposal should be denied. The plat also meets requirements set forth in the Comprehensive Plan as well as the City Code.

Recommendation

Staff recommends approval of the both zoning requests as well as Plat 18.

Mike Wood-So if you go directly to the south with the rezoning in that undeveloped area how do you keep your layering of zoning going then?

Sal Maniaci-That's up to that developer. Or if they would like to come in with transition zoning. They could go straight to single family zoning. It's not unheard of to have R-3 next to R-1 but the importance of us to require transition zoning in this case is that it is existing single family. If single family were to come in second they know what they are building next to.

Mike Wood-Could they come in as R-3 then, then they would have existing single family just to the east of that?

Sal Maniaci-Are you saying the Kleekamp Farm bring in as R-3?

Mike Wood-Yes.

Sal Maniaci-Yes, but that would be a tougher for us because they wouldn't have the buffer and they are not creating another buffer.

John Borgmann-We are trying to get the buffer from commercial and the shopping center south, correct?

Sal Maniaci-Correct.

Carolyn Witt-I have a problem with that because C-2 is fine but what that is, is a park. That is an existing buffer between commercial and single family neighborhoods already and I am very

uncomfortable with the idea of referring to that as C-2 because that park is not ever going to be anything but a park. So I think qualifying it is commercial, it is and it isn't. I think when you look at this you can see it is surrounded by single family neighborhoods. I fought this battle years ago when they developed the Jasper Farm when they put High Street through and we came as neighbors and spoke against multi family apartments and the Planning and Zoning Commission went along with it and so did City Council. It's a terrific neighborhood that goes up the hill towards Wildey Cemetery and the Odd Fellows Cemetery and they have duplexes. It's a mix but it is also a very vibrant single family neighborhood. I look at this and the transition is fine but I don't see that you necessarily need a transition. I'm not comfortable with an apartment situation going into this single family established surrounded neighborhood.

John Borgmann-I know some of the comments I received too was about traffic flow. Sal, do we have any traffic counts on Rabbit Trail? What we currently have? Maybe as a comparison to Wenona and the other streets that run through there, current day?

Sal Maniaci-On Rabbit Trail Drive south of Lakeview Drive kind of where you get adjacent to where this area is you have about 477 cars/day, which is pretty light. And then once you get past Lakeview Drive obviously it is an another entire subdivision dumping in it goes up to about 880 cars/day. And then every street you pass obviously that dumps into it it starts getting more and more so you have about 1,000 when you get past Mike Alan, 1,077 past Millicent and then by the time you get past Wenona it's about 2,200. On Wenona you have 1,200.

John Borgmann-So there is more traffic on Wenona than there is in a residential area than there is on Rabbit Trail?

Sal Maniaci-Absolutely. Obviously, each of these neighborhoods is dumping onto Rabbit Trail so by the time you get close to Hwy 100 you get close to 5,000 cars. The idea of having this connection, which I know is not tied to the rezoning, but having the connection over to Earthcrest allows us to take some of the traffic off of Rabbit Trail Drive further south and the cross over here. Just another options to drivers.

Tom Holdmeier-Any other questions or comments? We will entertain people coming up. If you want to say I agree with the person ahead of me that is fine. And if you want to add something that is fine. Everybody is free to talk and please try to keep it short because we have a lot going on tonight. Please state your name and address.

Kurt Unnerstall-Developer of Record. I would like to give a little history on this property because I think a lot of people here need to hear it. I purchased this farm in 1999. The reason that strip of ground is out there is because that was a hog farm on the front of me and the existing land had hogs where we are at right now. All of Rabbit Trail Drive wasn't built up to the turn to go around the lake. The reason that flag place is there. I have no problem if you want to zone that to whatever. The only reason that was added at the time was that the zoning law required that any land that gets annexed into the City limits has to touch the City limits and be contiguous and not compact. So Mark Piontek ruled that it had to be 1500 ft. wide to be a legal annexation, 151 acres of land. That's the largest track of land annexed into the City limits to my knowledge. So that is why that little sliver is out there. The hog farmer that I purchased the bottom ground from again he took his hogs off and we farmed it for a long time. It is still being farmed, we take some hay off of it now and then. So let's back up and why didn't Kurt Unnersall develop this ground instead of where he started one. This is a unique subdivision as well, and that they developer that owned the land that is all in blue along Rabbit Trail, he would not sell access. In fact there is still a disputed piece of land at the very end of Rabbit Trail along the pink and blue that doesn't allow access. I think now the City is working with a future buyer worked out access to try and connect that future connection. So anyway, what we did Carolyn is we built this farm in reverse. We put all the water and sewer in this land from the beginning all the way to the back. And brought this farm

backwards. Half way through my development a local developer bought the hog farm up to the north and turned it into commercial. Gave land to the parks but it was donated and all C-2 Zoning. The land along Rabbit Trail was zone R-3. All I am asking to do is take my land that is R-1. Every time I have developed land in Stonecrest I have always let the neighbors have on one side of the road on the other. So last month I was here on Plat 17. We put that all in single family along Northcrest Drive. That acts as a buffer. If you bought into Stonecrest you look across the street you know what you are going to be looking at. The people that are here tonight on Rabbit Trail can't even see that land. There is a 50 to 60 ft. buffer of trees that we have no intention of taking down that are a natural buffer in that drainage path. So we have no intention of taking that down. I think the zoning code, is it still in there anything that changes from commercial to residential that is has to have a 10 to 20 ft. buffer on it.

Sal Maniaci-Commercial to residential is 20 ft.

Kurt Unnerstall-I would be to say that that is 50 ft. of vegetation buffer. I have no intention of taking that down. The City did approach me to tie that in so that is why I am here finalizing that last 16 acres of land of a 151 acre development. I have been doing this since 1999. I've done it right every time. Every development I have ever done in this town I've buffered and done it right. We have some concerns about apartments. I beg you to tell me that the apartments at Our Lady of Lourdes are something embarrassing to live by. They are not Carolyn. Everyone thinks apartments are bad. I want to get this clear right now. There is no shame in what is built down by Our Lady of Lourdes Church. If anything that has Kurt Unnerstall's name on it will be that quality. If you look what is built by Lourdes, there is no buffer. There are all those people looking right into those apartments. That wasn't done right but the builder built a quality product. I think my 21 plus years have shown all the people in this room that I have not built anything that is not satisfactory to the quality of what Washington expects.

Samantha C. Wacker-Kurt, what are you. What exactly is the plan?

Kurt Unnersall-The plan is. What I want to. The city wants a road through there. Okay. So I'm going to build our one against North Crest. The next pieces are two villas, very similar to what's behind like. So there we go.

Samantha C. Wacker-That's what I just want to clarify what exactly you're proposing to do, because.

Kurt Unnerstall-That this piece of land right here. Is a piece of land. And it's the bottom. Right there. This will be R-2 duplexes. Just like what's behind the lake at Stonecrest, which is right along the Rabbit Trail Drive. Right now, the folks that are in here living in duplexes and what's in behind the lake at Lake Washington. Okay. That buffers type of duplex. It's exactly right. They'll have brick. They'll have brick and stone fronts. Actually, Sal and I talked about that to explain to me, Sal, we were looking at doing single family or that R-1D you can do zero lot lines. It's the same thing.

Sal Maniaci-R1-C

Kurt Unnerstall-But the reason we did R-1 at this point is because the topography, the land, the grading, none of that's been planned. So to try to pinpoint exactly where the buildings are going to go is pretty tough at this point.

Samantha C. Wacker-Is there a plan for like what the target market or the price point is for what you're looking to build?

Kurt Unnerstall-Yeah, those those price points will be I think right now, those villas price points around 300,000 for a half of a duplex or, you know, a villa. That's the price point. So so then we move into this area. Okay. Townhomes have always been what Kurt Unnerstall envisioned for this area along the park. Okay. Townhomes can be four plex's, six plex is eight plex's. I'm not going to build no 24 plex or our 32 plex. That's not that's not our intent. Our intent is to have nice multifamily for those people who want to have a place at the lake but want to still live in Washington, want to live in a nice apartment. They want to have a little yard. That's what that's about. Okay. Let me tell you another thing,

that R-3 zoning is required for this tract. I've had a guy approach me who has built homes that are assisted living homes. Okay. Right next to that firehouse would make an ideal home that people who can't no longer take care of themselves. They call them day sitters .They take them there. They sit there. Okay. That's allowed use in an R-3 zoning district. Okay. So 151 acres land over 21 years. And to provide everybody living space I don't think is out of line here. In fact, I've had people come to me and say, Kurt, when you proposed our are two behind Lake, I thought that was crazy. They said not only was it good zoning. Five years later, my grandma or my mother in law's living there while I live in Stonecrest. So it allows multiple family functioning. So again, Kurt Unerstall doesn't build subdivision. Kurt Unerstall builds developments, builds communities. That's what I build. I can build communities. **Samantha C. Wacker**-So, Kurt, when you talk about the the four Plex's or the six plex is or whatever, are those are you talking about those are going to be owned units? Are those going to be rentals that you manage?

Kurt Unerstall-They'll be rentals or they'll be owned. Well, be owned either way.

Mike Wood-Is there another example of those in town that come to mind of a that you're talking about building? There is there another example that you can think of?

Kurt Unerstall-Well, I'll tell you another example where there's multifamily that everybody here, obviously, if they were so upset, Haase Acres is for four plexes. And you come in, Rabbit Trail drive. Everybody that drives in in parks, in their duplex drives past four plexes and six plexes. Okay. There's a prime example, Haase Acres been there, what, 25 years? Another great, great example is East Fifth Street, right for you before you to Patkes on the left. Those buildings that are right there I believe those are six plexes. Mark help me out or Alan built those as well so those six plexes and Sy Albers, God rest his soul. Sy owned thos I think he was a second owner. And so he told me, he said, You know, I could raise the rent on those people, but they're such great renters. And now some of those people live there 22 years. So again, I understand the fear when you get a letter in the mail on city letterhead and you're saying, what the heck is going on? So I, I this the American way, the right to free speech. I understand why they're here, but I just want to clarify one thing. You've got to look at who's building what, and you got to look at a track record. And lastly, what I want to educate the public is single family does not mean single family is going to be built in Stonecrest, single family. That ground could be sold to McBride. And they could build what they're built in town here. It doesn't have to be. There's nothing in the zoning code that says single family has to be this level. So again, I'm trying to do what I think is right for the property. What makes the most sense between what's owned around me and the history of that property. And again, been at this a long time and I'm just wanting to finish it out.

Samantha C. Wacker-So going back to you said you're talking about maybe four plex, six plex, eight plex, about how many of those buildings are you proposing to them?

Kurt Unerstall-I think we're only looking at about three or four of those, those bigger ones. Most of these are going to be smaller ones. Okay for. Senior housing. We're looking at we're looking at one builder wants to build smaller all and the other thing too is I brush hogged all of that property so they're welcome to walk it. But out of 151 acres of land, the topography at Stonecrest was challenging, to say the least. And in fact, that farm, the guy that I bought it from one of the local farmers said, you know, he wasn't a farmer, he was a miner because he just took from the land and the erosion and the ditches that were on there and the amount of earthwork we moved to level that land. But what we always do too is we don't mess with the topography of the land. We work with the land. Okay. On a on a residential development, obviously commercial you have to level ground. So what the developer did to the north is common. But this land lays nice and flat and it lays and rolls down in the creek. So again, single family, multifamily or duplex property and then multifamily where people can walk in at grade and have a nice place to live. I don't see this is going to hurt anybody's property values.

Tom Holdmeier-How are you going to handle the additional water?

Kurt Unnerstall-Actually, Tom, we handled that in 1998 when we built Stonecrest Lake. That's a nine acre lake. And all the hydraulic runoff is it's actually larger than it's needed, just kind of ended up that way. But the height, the low Stonecrest Lake actually stores more water than is required. So yeah, we're good there. In fact short little side story while we're on the history wagon. May 7th, 2000, it started raining. I went to bed. It was in a subdivision party off of Westridge Drive 8:00 that morning on a Sunday, my neighbor called up asking if he could borrow trash pump, pump out his grandpa's garage down on Steutermann. And 47. I said, Why are we doing that? He said, Haven't you watched the news? Unions on fire. We've had 13 inches of rain. Stonecrest Lake had one foot of water in it. We finished it December 28th, 1999, May 7th the water was going out the seven foot pipe, a foot and a half deep. It stayed in the lake. But hydrologists have said that if Stonecrest Lake would have been full South Point School would have probably had three foot of water. And so the amount of water that was saved by that lake being empty just happened to be right. The lake was at the right place at the right time, but I lake filled in one night and of course our shot up ran out because I thought my lake would been gone. But it filled it up one night.

John Borgmann-Kurt, do you know any of any of those apartment buildings? Are they going to be one story, two story?

Kurt Unnerstall-I think the ones that we're looking at over here on the side are two stories to the front, three to the back, and again. So can you flip to the topography? You've got that road on a topography, don't you? On an aerial? Yeah. You see right there. I wish we would have that to scale. But if you see, John, the distance from the buffer of trees behind Rrabbit Trail Drive and the curve in that road, that's a long ways cross there. In fact, we used to grow pumpkins down in here. And that was a, I think a six acre field down in that flat bottom.

Samantha C. Wacker-So you mentioned before that some of this is going to be senior housing. Is the rest of it, though, is I mean, what is the target market?

Kurt Unnerstall-Well, the target market is you know, when you start when you start trying to restrict people to say, well, you can live here and you can't live here, I think city Washington learned your lesson there. That's pretty hard to do. So, you know, it's not my goal. My goal is to build a quality product and let the market take care of itself. You know, nobody's over there questioning what's going on and Rabbit Trail Drive and in fact, you know, if there is a fire, God forbid, or a tornado and wiped out everything on Rabbit Trail Drive, the zoning allows them to all go back as apartments. So, you know, who's to say what's going to happen in the future?

Samantha C. Wacker-So, you mentioned that there was someone else that was maybe going to build the senior housing. Are you going to be building the other uildings?

Kurt Unnerstall-No, the gentleman that built down off of Ninth Street next to the daycare. Have you seen that nice building he built? He's looking for another spot to put another assisted living date they call their care. And again, right next to the city park, right next to the firehouse, to me, that's a that's a prime spot for something like that. And that looks like a \$500,000 home. I think that guy had 1.2 million in that building. And I'm not saying I'm not, you know, I don't want to lead you on. I got that sold or anything. But there's an example that you have to have R-2 zoning to build something like that.

Samantha C. Wacker- Right.Okay. So you mentioned that some of these, though, you intend to build and manage is that I understand that correctly.Or

Kurt Unnerstall- I'm going to make sure that the building is done correctly. Okay. And when I develop the land and sell off the land.

Samantha C. Wacker-Okay. So, I mean, can you really say like what would be the average rent? I mean, are you talking about like a size of these apartments or anything?

Kurt Unnerstall-They'll be all high end. There won't be no starter apartments. Let's say that they're going to be more like what you got at our Lady of Lourdes. I mean, what's what are they getting down there?

Tom Holdmeier-You don't know the square footage, approximately. You think on those units?

Kurt Unnerstall-Two bedroom, two bath, 800 square feet, I guess. I don't know. But again, you know, I think we're kind of getting the cart in front of the horse. What we've got to look at is what's this land best use to transition from heavy commercial to single family? And where have we done this in Washington? We've done this several places, and it was done not as much buffering as I'm doing.

You know, if this was in Saint Louis and Ballwin, they would slaughter all those trees down next to rabbit trail drive and pipe that creek, pay the Corps of Engineers to pipe that and build right up to the line. I have no intention of doing that or you know, and I'll put that in writing. I'm going to leave that buffer.

Samantha C. Wacker-Are you envisioning something kind of like because I like the Carriage Courts Condos that are right by Quail Run?

Kurt Unnerstall- I'm not familiar with that development, but. On 14th, yeah. I think those are senior units.

Samantha C. Wacker-They're not senior.

Kurt Unnerstall-But, you know, again, there's well, there's a good example. There's a good example of a apartment building. Again, the word apartment can be townhomes and it could be lofts. There's a lot of different terminology that people like to throw out when I use the word apartments. And I just want to be clear that you have to make sure that who's going to do what. Okay. And again, I think my track record of 21 years speaks for itself. Why would I do anything here to harm the value of what I built or do anything here to take away from anybody else's property? I've owned this land since 1999, long before probably anybody in this room was even living around here. And I had to develop the ground backwards and we made it work.

Mark Kluesner-Kurt, on that continuous buffer against it all the way. I mean, parallel with Rabbit Trail, what is the minimum worth on that? Probably about 50 feet, at least on.

Kurt Unnerstall-That little sliver, I think Mark is 21 or 22 feet deep because again, the history of why that little sliver was out there, Mark wanted for the annexation of Eli Farm to be legal. It had to be 20. They'd be 1500 feet along the property that touched Lake Washington. And at the time, D-John's farm was still in the country that wasn't in the city. So if you can envision that flag and that little sliver of land, that went around the hog farm had to go to that color map.

Mark Kluesner-So that sliver of land is 25 feet wide.

Kurt Unnersall-That sliver, I think.

Mark Kluesner-The buffer zone is much wider, maybe 50, 60.

Kurt Unnerstall-Yeah, that's I'm saying that that chunk of woods is a lot wider than that little sliver.

Mark Kluesner-And that will all stay?

Kurt Unnerstall-Yep. And I challenge anybody to, to tell me they can see what's in that field right now. Because I drove, I drove it Sunday and look down through there. That's that's thick. That vegetation is is a good buffer and there's no reason to take it down.

John Borgmann-So you won't have any apartments like most people associate South Winds?

Kurt Unnerstall-No, no.

John Borgmann-Just wanted to clarify that.

Kurt Unnerstall-No, in fact, you could go to Hanover. You know, John, we've had we had a pool house, and now those people are very happy. Neighbors are happy.

John Borgmann-That's another good example.

Kurt Unnerstall-And in fact, we're down to down to one villa lot left. So again. **Mike Wood**-How are you going to control because you said you're going to sell it off, right? How are you going to control what the developer puts on there?

Then you deed restricted, put restrictions on it. Yeah. Yeah. No, that's a guarantee. **Kurt Unnerstall**-I had actually I don't like to name names, but there was a big Saint Louis developer who wanted to just write me a check and buy it out. But he wanted he wanted total control. And I wouldn't sell it to him because I was afraid of what he would do to it, which, again, I've gotten 20 years of my life on this side of the road. So I almost feel like I got to finish it out and get it zoned right and do it right. And again, that flat bottomed down there is not conducive to single family down here. It's just the way the topography, the land, it wouldn't be wouldn't be a good layout.

Tom Holdmeier-Any other questions?

John Borgmann-You brought that up. And I think that's a good point, Kurt, is that it wouldn't be a good layout because the lots would have to be too big to be buildable, is that my understanding?

Kurt Unnerstall-Well, for one you're in a floodway down there. There's a flood zone and then floodway, right where those trees and that. There's a piece that's on the floodway map. So you got to you got to have to move a lot of dirt to get that up and out. Or if you do, say, a four plex or six plex and you put it up high, you know, you're good because you come in on the first floor and then down.

Tom Holdmeier-Questions, comments of Kurt, we may have more later. Thank you. anyone else that wants to talk? If you when you come up, please address the board and not other people in the audience. We'll get the answers to your questions.

Ron Crisco-Representing Lake Washington Condo Association.

Planning and Zoning Commission and I am here to discuss why you should not rezone Stonecrest plat 18 from R-1A to Single family to R-3 Multi-family. The people in both Stonecrest and Lake Washington Estates have spent hard earned funds to have subdivisions they are proud of. Many of those residents are here tonight and I believe they are overwhelmingly opposed to this change .Property owners are entitled to quiet enjoyment of their property.

This change will certainly not continue that enjoyment. Rabbit trail used to be dead end and shortly we'll have three roads with access. The increased traffic and speed have already disrupted ur quiet community, but was done in the name of progress we have. We can live with the single family homes being built. Now our proposal to change our quality of life even more. We don't want apartments with traffic at all times of the day and night. We don't want the backs of our homes to be lit up all night by the bright lights of the parking lots. We don't want the tire noise at night. We don't want the crime and drugs that often come from densely populated complexes. The majority of the people in both Stonecrest and Lake Washington estates are owners and have skin in the game. This is not true with rentals. Finally, don't use the argument that Lake Washington Estates is zoned R-3. Lake Washington Estates was developed many years ago for single families, we have no apartments. It's a moot point. Finally, don't wreck our wonderful neighborhoods and the quality of life of many people for one developer, that is not community progress. Thank you.

Tom Holdmeier-Any questions? Comments. Thanks.

Tom Miller-And I've lived in this beautiful city for almost two and a half years And I just have a few questions. I'm not sure on the new land that's going to be developed. You were mentioning earlier, which would be this parcel that's on the bottom of the screen. Is that yet committed to how that zone?

Sal Maniaci-No, it's not been annexed. It's not in the city limits.

Tom Miller-But we've already had a builder who's bought the land right there.

Sal Maniaci-I believe so, yes.

Tom Miller-Okay. And what is that builder's intention?

Sal Maniaci-I would assume. Single family. That's not on the agenda.

Tom Miller-And I know the builders. It's going to be single family as far as I can read between the lines. So we got single family, single family, single family. And you want to put multi-family in middle of that single family. Next question is you talk about four plex's and six plex's is on rabbit trail. Can I see those where they located?

Sal Maniaci-Probably out of view. Probably right here.

Tom Miller-Okay. And right behind the land is duplexes. Further down. So really, your buffer you're talking about is commercial to four plexes or six plexes, which doesn't make any sense to have all the way around. They're single and duplexes and then throw a multifamily that's currently zoned what right now.

Sal Maniaci-R-1A.

Tom Miller-So there is a contract between the builder back in 1999?

Sal Maniaci-I don't know what you're asking now.

Tom Miller-When one was a zoned single?

Tom Holdmeier- When it was annexed in. So, I guess 99. 2000.

Tom Miller-Okay. So everybody whose built in bought in that vicinity was under the impression or under a contract with the city that that was single.

Tom Holdmeier-It wasn't a contract with.

Tom Miller-Well it's not a contract but it's a contract.

Board-No, no, no.No, no.

Tom Holdmeier-It comes into the city at a zone. It can change. \

Tom Miller-Anything can change. Right.

Chuck Watson-But it's not a contract.

Tom Miller-Well, I think that we should be consistent. I think everybody here will walk away if you just said make those duplexes, I think it would be fine with that.

Tom Holdmeier-We kind of heard the same thing.

Tom Miller-And I think that's a nice transition. We have beautiful duplexes all up and down. Stonecrest.

Tom Holdmeier-When those villas went in, there was a lot of people up here not wanting them. They were upset because it was going to ruin their subdivision.

Tom Miller-Well, I don't think they're upset now.

Tom Holdmeier-No, it turned out well.

Tom Miller-That's why I'm saying why. Yeah, you just continue the pattern.

Tom Holdmeier-Well, because he's coming in with a proposal, obviously.

Tom Miller-Put something in writing that we're not going to get any more than a four plex or six plex or more than two stories. I mean, is that part of the zoning? So there's no. Guarantees? The only guarantee is if you don't change it to multifamily. That's the only guarantee we have. Outside of that, there is no guarantee contract can be broken because you basically said there's no such thing as contracts. W

Tom Holdmeier-Well, not with the city.

Tom Miller-You know what I'm saying? I'm reading between the lines. Dardeen Prairie had this problem about ten years ago, and the community fought it. They hired a lawyer and the community lost in the community won and the city lost. It's a famous case in Saint Charles County and it's a very similar situation. I just think that we ought to keep it nice single or duplexes, because we bought in with that condition and we expect that condition to stay. That was part of the contract when we bought the land or the house. I rest my piece.

Tom Holdmeier-Thank you. Anyone else? \

Carolyn Sellers-I'm the homeowner on Windcrest. I'd just like to say, with all due respect to the developer, that if his intent was to build apartment complexes when he started this, he should've zoned it that way originally. Now he didn't. And the homeowners, the voters of Stonecrest all purchased thinking we'd be living in a single family development. There is just to turn it around with completely vague. It could be anything. We'll have a senior center. I've heard apartments. Eight plexes. You know, duplexes. You have no idea. And you're going to take a vote and change the face of our neighborhood without any idea what you're putting us are going to turn our neighborhood into. It just seems like if he had a plan, you would see it. You would see what he is going to do with that property and you're about to change our neighborhood without knowing that. I think you should take the consideration of the taxpayers and the voters of Stonecrest into consideration when you make this decision. Thank you.

Jim Dotson-Yes. Good evening. My name is Jim Dotson. I'm a resident of Stonecrest. I live on Earth Crest Drive. I've got a question that's a little bit of a tangent, I guess, and you tell me if it's off limits. We went to a meeting over there by the tennis courts about six weeks ago about the new firehouse. I have not heard anything about that since.

Is that issue, as far as that negotiation resolved or not.

Sal Maniaci-That is still moving forward.

Jim Dotson-Moving forward, meaning there's progress being made.

Sal Maniaci-The city has not purchased a lot, but it's still under negotiation.

Jim Dotson-Okay. And I guess the question I have got and maybe the question is for the developer is the senior housing, would that go adjacent to the proposed firehouse location?

Tom Holdmeier--That's what he said. We'll get the answer to that. But that's what he said initially. Thank you.

Gwen Mauntel-2786 Earth Crest Drive-Thanks for all your good questions tonight. And thanks, Kurt, for the development you've done so far in Washington. It is hard for all of us who currently live there understanding that we are in an

R-1A Residential area to be talking about promises tonight and not have anything to look at to decide about. Right. So my heart goes out to you. And my heart goes out to all the residents who want quality. One small point I have to add to the discussion is I've heard connecting North Crest and Earth Crest over to Rabbit Trail is the point is to relieve congestion at Rabbit Trail and 100 and yes, that needs to be done. But if you zoned this area R-3, you're just adding more traffic and it's going to make the Earth Crest, North Crest Rabbit Trail Drive crazy, too. So I just think keep that and keep that in mind as we're talking about making this a more dense development, are we really relieving traffic or are we really achieving the goal of relieving the congestion? And we're just going to add more and 100 and Vernaci. So thank you all.

Samantha C. Wacker-I have a question for you that you would know the answer to. Yes, you will. You will. You lived in Quail Run, right? Correct. Because you know. Because I live there, too. And quail run is right by the Carriage Court. And that has four units, six units, eight unit things. Did being next to Carriage Courts in any manner harm your property value?

Gwen Mauntel-And I think it did. I mean it just the residents there I heard it said tonight they weren't owners so they didn't care for the property the same way that the property owners in Quail Run cared for their properties. So we lived across the street. I think the people who backed up to it were more affected to it were by it than that. Thanks.

Tim Mauntel-2786 Earth Crest Drive-We lived in Quail Run, like Gwen said, and we saw Carriage Courts, which were much nicer. And that's what's being talked about of putting here. But on right on the other side, that's the version of apartments we walked our dogs all the time. Blue Jay Drive and South

Winds or, whatever that is. That is a horrendous area as far as people renting no ownership of anything in the neighborhood. When we moved from Quail Run to Stonecrest, we like everybody else, it was all zoned R-1 and that's the assumption that we had. There was no contract. That is true. There's no contract unless you own the property. But we didn't. But we were under the assumption that it was all R-1 and I would also second the idea of zoning it R-2. I like the buffer of R-1 and R-2 makes complete sense to me because the R-2's that are in Stonecrest are fantastic. So anyway, not anything a whole lot new. But again, by zoning it R-3 we lose control. We don't have any control of it. The only thing we have is the zone.

And unless there's something in writing or a contract for square footage or something like that for building structures, I like it preferably stay R-1. But I think most people would agree that R-2 the way it's built in Stonecrest would be agreeable. Thank you.

Tracey Connelly 2338 English Crest- I have a question and this may be.

A Kurt question. Are you referring to that as Stonecrest plat something or another. That the part in yellow there.

Sal Maniaci-Yes. Plat 18.

Tracey Connelly-So is it affiliated with Stonecrest Subdivision or is it not? So will these people pay assessments to Stonecrest Subdivision Homeowners Association? **Tom Holdmeier-**We'll get the answers to it.

Tracey Connelly-Well, the reason why I asked that it's very important to know because if you zone that and it is part of Stonecrest Homeowners Association, we're possibly introducing 150, 200, 300 people that come to our lake use all the common grounds. I mean, this just hit me. Well, so now you've taken a small group of individuals and it may not be this may be a moot point, but I think it's very important to know. I did not think that this was part of Stonecrest the whole time. I thought this was an individually owned piece of property and there was a division there and it had nothing to do with Stonecrest Subdivision until somebody said that earlier. But if it does, then there's going to be more assessments, more people. The common ground is used by I don't know how many apartments we build. And I, I don't think anyone even thought that far ahead of that. So now instead of you have in your private swimming pool, there's 50 people using your private swimming pool. And I think you understand why I'm going there.

Tom Holdmeier-But it's a lake.

Tracey Connelly-But it's lake. But, you know, I'm saying their common ground and it may be a moot point, but I think that's something we need to check into an address and think about that maybe hasn't been thought about yet.

Tom Holdmeier-Any other questions? Comments?

Charlotte Tyree-2508 Andrea Crest Drive-And my concern is the buffer zone. I walk what I call the Target trail, but come fall, all those leaves fall off of the trees and you can see all of the condos on Rabbit Trail. So I really feel that, yes, there's trees there, but probably for 4 to 6 months, there's not going to be much privacy for those people on Rabbit Trail if you have apartments that have lights and noise because I can see right through the trees when I'm walking that trail. So I don't think too much about that. You know, the buffer zone is going to provide a lot of the privacy. So that was my comment. Thank you.

Jim Beckfeld-I live on Earth trust and I trust Kurt's going to do a good job from what you said. But I think there's some questions out there. Yes, R-3, what is R-3? What's the largest unit that can be made with R-3?

Sal Maniaci-We don't have unit sizes, we have density requirements.

Jim Beckfeld-When I pull up R-3 on the Washington Code it says that no.

larger than a four family dwelling shall be constructed.

Sal Maniaci-No, that's once you get over 4000 units, you have to have 2000 square feet per unit in the lot.

Jim Beckfield-What does that mean then.

Sal Maniaci-The density is. The density is for 2000 square foot per unit and that's not.

Jim Beckfield-But we're talking about construction. No more than four families in a dwelling shall be constructed. That would be a quadraplex. Right?

So that's the max is a quadra-plex.

Tom Holdmeier-Well, depending on your acreage. I think it's two here I think it's 2000.

Jim Beckfield-But but one structure can only have four families.

Tom Holdmeier-No, not in R-3. If you had a large lot, you could have a bigger complex.

Jim Beckfield-Why do you say four family shall be no larger than a four family dwelling shall be constructed.

Tom Holdmeier-And right now I wish our attorney was here because he could tell you verbatim. We can get that answer.

Jim Beckfield-Okay, looking at item seven.

Darren Lamb-That's where a lot of record on the date of passage of the ordinance. So it's prior to 1988. So that it says whenever there's a lot that has less area or with than required in zoning negotiation. So this is not a lot that's too small. It can only have four units but that is not the case in this scenario.

Jim Beckfield-Okay, gotcha. If there's going to be a rental or apartment there with that, not an apartment complex, wouldn't that have to be under some kind of management?

Tom Holdmeier-Somebody is going to rent those.

Jim Beckfield-So well, somebody's going to rent them, but they got to have a manager, right?

Tom Holdmeier-I mean, may be a person and not a management company. Right. But they'll be somebody.

Jim Beckfield-Somebody manages the complex. Right. So that's something you all would look to when you're working with Kurt.

Tom Holdmeier-Well, the city would look to them if they have problems with that unit.

Jim Beckfield-But to be determined, you would build in apartment complex which would have to have a manager, correct. And then that manager, I think this is where the previous question came up that probably needs to be addressed and you probably want to work with Kurt on that. Is that would that then be part of Stonecrest and with that managed apartment unit have to pay into the Stonecrest Association as part of their rental of the apartment?

Tom Holdmeier-We can find that out too.

Jim Beckfield-To be determined. I will point out something that happened with everybody knows at the entryway you've got villas, you've got duplexes to Stonecrest. One of the concerns that came up here was about rental other than an apartment complex. In the covenants, the Lakeshore Villas at Stonecrest is a association on itself. There in Stonecrest, and they do pay to the Stonecrest Owners Association, Property Owners Association. The thing that we did and Kurt worked with us on this is in our covenants we hear that you cannot rent a duplex or your side of a duplex. The owner cannot rent it unless they get permission from the association. The idea behind that was, is to keep a when you called a village association from being taken over by a developer and turn it into a rental property as opposed to owner occupied property. And I would assume that anything that happens at the other end that something like that could be put in the covenants. It's also in the covenants of Stonecrest that individual single family homes cannot

be rented without approval. Well, I don't know if that passed through Stonecrest three, four or five, six, seven, but it was in one, two, three, etc. But once Stonecrest would become an association, the association could make sure that's incorporated into the covenants just an FYI. But I would hope in this is where Kurt you could definitely help us is in the covenants that he's going to put for these duplexes or whatever is going to go in this rezoning area lot that those covenants could have that there's going to be an association. I think that's a state statute. You have to have an association and that in those covenants you would have the board and or the association itself would have to approve rentals. Hmm. I mean, the wordings in the existing covenants could easily be put in a new covenants. You take it right out. That's something just to look at. But I get it now. I would say it's a little confusing on your quadra-plex or sixplex, but I do understand what you're doing.

Darren Lamb-That was just, so you know, so that piece of property that didn't meet those density requirements that we have now and existed before 88, they were.

Jim Beckfield-Okay. So it was in the other way. Okay, I got you. All right, enough said. But I wanted to get the fyi's out and hope that, like I said, I think Kurt will do a good job. I hope he gets it done before something happens to him. And one of these unscrupulous developers take over.

Tom Holdmeier-Anyone else that would like to speak? I will say come on up.

Michelle Unnerstall-I'm not usually a talker. He does all the talking and he's way smarter than me and knows all the numbers. We do appreciate everybody coming here to say their peace I think when everybody leaves the meeting like this, they get a lot more information. It makes them feel better about what's going on. Just like the firehouse meetings, everybody was worked up about it, but I could see everybody's peace of mind after those meetings were over. But I don't think anybody that was in phase one ever even thought what might go on the other end of this farm in 20 years. And when we built phase two, people in phase one didn't like it. When we built phase three, people in phase two didn't like it when we built below the lake where Charlotte Tyree lives, they didn't like that either. That was single family didn't like that either. So we're wanting to connect R-3 to R-3. I don't think that's uncommon in town. And if people read their restrictions, we did add this to our restrictions early in the development. And it's just something that we just wanted to let people know. So when you said that if they bought a house and they had no idea that it wasn't always going to be R-1, we just in our in our restrictions, we just say all owners of lots and subdivision hereby understand that undeveloped lands adjacent to said subdivision may be developed for residential use. And we hereby agree not to object or interfere with such future development of rezoning of undeveloped land, owned or controlled or future owned or controlled by the developer so long as said, future development complies with applicable city regulations and laws. So if they look at their restrictions, they see this. It just says that, hey, phase four or five, six, seven, eight years from now, we can't tell you what's going to happen. We can't tell you that we're going to do R-1 all the way to the last, you know, six inches of property. We can't tell you that. We couldn't tell you 20 years ago, but we put in restriction just to say we're just letting you know that it could happen, something might happen. But like Kurt said, you know, when the guy that just talked to us now and said, I hope Kurt lives long enough before an unscrupulous developer comes in and Kurt has shown the city that, I mean, this is this is that song, "This is my town". That's not Kurt honest appeals. Okay. His name is on Stonecrest, his name is on Hanover. His name is on Fairfield. His name is on the Highlands. I mean, he does a great job and he's proud of Washington and he's proud of what he does. And I hope the people that live in Stonecrest just know that he's going to do a good job, whether it's R-1, R-2 or R-3.

Tom Holdmeier-Anyone else? I was going to say, as far as the lights, that's kind of the lights have to stay on your property. They cannot flood over to another property.

Sal Manaici-If a light is directed towards a neighboring property, regard the zone this by zoning law we can require them to be directed back towards the property.

Kurt Unnerstall-I wanted to address some of those comments and you stole my thunder Tom. Charlotte, you're probably worried about leaves off the trees again, the amount of light in the summertime when there's tennis courts playing okay, think about the people that are in a single family home that have the lights of the tennis court coming out. Now, I will say one thing. I think the Parks Department, Darren, has done an excellent job of getting down lighting in that in that tennis court. But you know, when you're playing tennis at the back of Phoenix Center, when there's a tennis league, I mean, that hole skies lit up and again, it yeah, it's a park, Carolyn, but it's, it's an intrusive park. Also, that won't happen on those apartment buildings. The nice thing with LED lighting and what they call downlighting. I have had that on my own property where I live. The developer, in fact, he happens to just be sitting in the audience probably here for something else. But he was nice enough to dial the intensity, the lights down because it was overshadowing in to the neighborhood. But the nice thing, they do make down lighting now. So any buildings that get built back there, the light will stay on there. The parking lot lighting won't cast out. That's old technology. John Feldman had Modern Auto, and I didn't even have one thing built on the Jasper form. And when Modern Auto got built, those lights lit up. And I mean flooded that farm. And I told him, I said, that is unacceptable. Just what you said, you got to keep your light on your land. And they fixed them, they got the lights. When you drive by Modern Auto now, now it only lights up the cars on the lot and that light doesn't scatter. So that's something that, you know, I would encourage this zoning board to really keep making sure that that that happens because that's good development.

That's being a good neighbor. So I'll make sure that that doesn't happen. There's no scattered light going across the creek through the trees. Yeah. Can you look down through a tree with no leaves. I don't see light. Yeah, you'll see light. But you won't have that glaring glowing like that. A lot of people are concerned of past developments. And again, you know what that being said, I can't stop what happened to the north. I own that land long before the guy to the north of me owned it. He bought a hog farm, turned it into a shopping center. I think all the folks in Stonecrest and Rabbit Trail Drive shop there, they're convenient. I'm sure when the Aldi store gets open, they're going to really have a great store right there. But that light cast towards the development and again we're trying to buffer that. We're trying to buffer all that. So the other thing was talked about was the restrictions. Tracy, appreciate your comment. Stonecrest Homeowners Association will have some authority as far as what was going on in there, but we're not going to get in the weeds and have a intermixing of the developments. Basically, where the R-1 stops is Stonecrest and this development would have its own rules, regulations at the same level that Stonecrest has. But we don't have to sit there and worry about people coming in from the apartments and fishing in the lake. That that was never my intent so that that would be rectified. And then somebody had asked about what, you know, who who's going to live here. You know, you're concerned about who's living here. If I had one phone call, Samantha, I've had ten phone calls from these traveling nurses and doctors asking if they could rent a house in Stonecrest. They wanted to buy a house in Stonecrest just to be able work at Mercy. And again I said, well, you know, that's really not the place for it because it only takes one doctor not cutting grass or one nurse not cutting your grass then I got to, you know, I got people upset, so we just told them no, here's a perfect place for that. Okay, build a nice eight-plex. A doctor can have an apartment. He can work two days a week at Mercy and it's all maintained and taken care of. Again, I don't build subdivisions, I build communities. And a lot of young executives traveling to Saint Louis and living in Saint Louis apartments because they don't have a nice apartment out here to live in. Okay. So we're going to address that need. We're going to have a nice apartment complex. It's going to have a fitness center. Its own swimming pool. So those are the

amenities that we're looking at that will be shared by the senior housing, the villas and the six and eight plexes. The one guy I talked about building pickleball, courts. I'm not a pickleball court guy, but supposedly that's the rage right now. And I said, Well, can't you play pickleball in a tennis court? You've got six tennis courts right across the road,

I thought they could play out across the road. So anyway, I just want to say that, you know, as far as concerns about light that would be addressed and there wouldn't be any co-mingling of the developments.

Tom Holdmeier-Would you be agreeable to a PDR?

Kurt Unnerstall-Well, you know, here's the thing about a PDR. Okay? You can go and come with a PDR, but then you got to try to figure it all out. And I'll tell you something, in 2009, I went that route. I spent \$25,000 of my own money. This board approved it and the city council was going to approve it and a lynch mob showed up and didn't approve it because of a bunch of lies and outright false stuff that was going to be going there. Okay. That same development got built across the town and it's a great development. So I'm not going to go down the path of spending a lot of money trying to say, well, this is how it's all going to look. You just have to at some point say that guy knows what he's doing, okay? Because that land can be sold. And again, one thing I want everybody to get educated about, they're talking to single family. There is nothing in the zoning code that requires a single family house to be more than 500, 800 square feet. It can be a four square box, vinyl siding, 412 pitch roof, and it can have a carport. It doesn't have to have a garage. So don't think that single family is the answer. The answer is to build a quality product that's going to be maintainable for the longevity of the development. And I'll tip my hat to Alan Whitworth. He's done an awesome job right down there in front of Our Lady of Lourdes Church. I went by there and looked at those buildings and I said, You know what? That's a that's a first class example of multifamily in conjunction with single family, in conjunction with church property. And so, again, I don't feel like what I'm asking for is, is out of line and more questions I'll be glad to answer.

Tom Holdmeier-Wat if something happens to you?

Kurt Unnerstall-That's a good question. What if what if something were to happen to me? What if something were to happen to me ten years ago? Yeah. Well, yeah, you know what? She's going to sell the highest bidder, I'll tell you that, right now. I've already had a Saint Louis builder that wanted to build Cracker Jacks on that and offered me more money than I'm going to get for what I'm trying to do. But I won't put my name on something like that, just won't do it. And I understand why the city did what they did down there off of Eighth Street that was a redevelopment and what it was to what it is now, it's a massive improvement. I'm not I'm not slamming what got built there, but that won't fly in Stonecrest and that's what could go in there. Okay. That's what could go on the end of Rabbit Trail Drive. Vic and I aren't getting any younger.

Tom Holdmeier-But I do think there's the highest and best use of a \$300,000 villa or duplex. If you rent it out, it's going to cost a lot.

Kurt Unnerstall-Yes.

Tom Holdmeier-The land's worth a lot of money.

Samantha C. Wacker-And I can tell you, I live in Quail Run right next to Carriage Court and I own property in Carriage Court as well. And my property values have not been harmed one bit, not even a little bit. Houses in Quail Run sell immediately for top dollar and they're right next to exactly what actually probably not as nice as what you're talking.

Kurt Unnerstall-And you know, again, I have, I think to go back on the record many years I've sat at this podium. What they do in Saint Charles County and they do in West County, as the gentleman Mr. Miller stated, you know, those developers raped the land and they'd have no care, whatever, other than

just making the ultimate dollar for what they have. And when they do, they slaughter every tree, fill in every ditch, and try to maximize the lots. And I have made a point to always work with Mother Nature, work with the land, put on the land, what the land will support. And again, leaving buffer. All the folks that live down along Earth Crest we had all that all buffered back through there so you know the commercial that's to the north to the east. That's all buffering to the folks there on the backside of Stonecrest.

Mike Wood-I was trying to look at both sides of this issue. If you went R-3 to the north of the proposed road, see what I'm saying. You had a strip of R-3 in there. And then when that road curves, if you made the rest of that R-2 so you could put your duplexes in there, you could put I think your senior housing. I'm not sure of that. I don't know what's in your head and I think that's the yeah I have if you're thinking about that north park because that's where you said you might do some type of you know the developer down on Ninth Street is looking to do another home there. You could do an apartment building, I'll say that, a six plex or eight plex or a couple I mean, I don't know how many you could get along in there. Yeah, right. I was just I was. Just trying to get you something in there. And and nobody seems to be real upset because they've seen what you've done with the duplexes and the senior housing. I think people are okay with that. I think the problem becomes what else could go in there and without a plan. So I was trying to say, okay, use that northern part then for your more dense and use the rest of the property which would be R-2.

Kurt Unnerstall-Well and you know, Mike, that's basically what we what we envision if you look at that road what they call road a we were originally going to bring that in as a cul-de-sac on the R-2. So what we decided is to loop the road back on itself. And then so you may have duplexes on the right. And then as you swing in, you may have a fourplex that's all ground level access. Trying to think of one example. Well, what you got down there at the end of a Rabbit Trail Drive right now, when you drive in Rabbit Trail, drive by Bank of Franklin County, those are old style, right? But again, I don't think anybody in Lake Washington's property values have went down by those fourplex's that are built there but in a cinema and they butt right to the cinema. So that's kind of what you know. But to answer your earlier question, I wouldn't be opposed to coming in with a plan, but I just don't think that I don't want to go down this path of our already got one partner and she's a very attractive apartment. But I don't need 50 more.

Mike Wood-I was just trying to get if that's where you're going to go with your density was going to be to the north and you were going to do more to the south. Why wouldn't we go R-2 to the south and R-3 to the north? But it sounds like that you're going to have some R-3.

Kurt Unnerstall-Just what they were talking about. It really is the city's density area thing. So like if you want to put a senior four-plex right there between Kleekamp and that in that loop road, you got to be R-3 you can't really do that in R-2 And a good example of another multi-family property that at the time it went in, it got zoned and got approved because it was butting some property. People were concerned about it. Help me out there. Next to the carwash. Willows at the Lake. Those are those are basically if you look at those, those are eight-plex's ten-plexes are all single family now those aren't that mean that guy a St Louis guy but he, I did the earth work on that and I said, man, this is a rough piece of ground to try to but, you know, the one piece was flat, but the others is up, down, up, down, up, down. And that's not really how you do villa housing. You know, multifamily housing is flat. The nice thing about that piece of land, it lays perfect to put, you know, a six-plex which will look like what you got here behind Hillermann Nursery. But it all lays flat.

John Borgmann-I know that we we're not talking about the design as much, but will there be garages, single or two car garages?

Kurt Unnerstall--Yes, there'll be some garages. In fact if you go down there and look at those ones that Alan put in there from Our Lady of Lourdes, they have like four garages on one side four on the other. So yeah, the garages, off street parking will be a part of it. Now again, we're not looking at 28 plexes where we have to build this massive chunk of asphalt and have it all lit up. That's what we're looking at. This is going to be landscaped. It's going to fit in. When all the trees grow up, it's going to it's going to blend in nice. There's another good example that when I and Sal were first talking about this. It was over at Saint Charles. I don't know if you can find that. That was a good example. We're right there by the convention center in Saint Charles. In Old Saint Charles, they did a good job of building in single family. They about Highway 70. So again, the developers trying to figure out, okay, you know, everybody want single family, but okay, if I build a single family, nobody wants to buy it because they don't want they don't want to have the lights at Target in their backyard, then what? You see them saying so that has to be looked at as well. So when we talk about transitioning, buffering, there's a reason for all that. But and I don't know if you can find it or not, but there's a real nice example of a townhome apartment building complex right there along the backside of Saint Charles, there's a convention center. It was to the west. Remember that going out that road. Further to the west. Southwest. Yeah. Right in there I think.

Yeah, right there. See those are, prime examples of well you know, again, I don't call those apartments, I call those townhomes, but to get the zoning that's got to be in R-3 zoning.

Samantha C. Wacker-Kurt, would there be the possibility with some of this stuff that you're talking about building I mean, could this be an owner occupied type of thing like you would sell them as condos?

Kurt Unnerstall-Yes, that's allowed in the zoning code to be owner sold. I struggle with that as well though. One gentleman asked about management making sure that it would be managed and maintained that that would be my concern is that again, it only takes one bad apple. And then you've got what Mr. Mauntel was concerned about on the north side of 14th Street. There's an example where too many owners, nobody was watching the company store and then, you know, well, prime example, Carriage Court well maintained.

Samantha C. Wacker-There is an association. Very strict.

Kurt Unnerstall-So it's how you set it up, how you develop it, to make sure that it's going to be done right. And again, the last thing I want to do is have something done not right on this particular tract of land.

Tom Holdmeier-Any other questions? Comments?

Carolyn Witt-I have a question and I want to go back a little ways. You came before us some time ago about the apartments here were being put out between High Street and Pottery, kind of out there where all the land is being moved and everything and you sold that to us? I had no problem with that, that it was going to have a clubhouse a pool upscale. It's going to be great. That was a good spot. The only neighbors involved necessarily were Meadowlake Farms, but they weren't in the city at that time. So that was not I mean, that was virgin territory. That was great. And it's my understanding I know it's in the process. Boy, it's earth moving city out there. You have sold that to someone else to develop.

Kurt Unnerstall-Yes.

Carolyn Witt-You're doing the work.

Kurt Unnerstall-I'm doing the work. Right.

Carolyn Witt-I have no problem with that. That was great. But my concern is, you your and I think it's great and there's no reason why we shouldn't have faith in you that you're able, that you have good things to point out and say, look what I've done, that's great. And Washington thrives on that. I mean, we really do.

But at the same time, I would hate to see you come to a situation with like that that you sell it. And once the zoning is passed, we got a whole new person with a whole new plan. And all they have to go on is what were the limitations of the zoning. And so I have a concern that, you know, this is great and if you're going to be there and be the man and run it. But at the same time, I had no idea that and I have no problem with that you sold it. And obviously it's developing and that's great. But in this situation, you've made verbally some real commitments to the neighbors to the area. And I'd hate to see that turn over to somebody else that all they would have, the only commitment they would have would be whatever the zoning that had been changed were the limitations with that. Do you see where I'm coming from? Not that I'm not casting aspersions on you at all because you're a businessman and that's what it's about. But at the same time, I just have a concern because this is a different set up in this physical area than that was out there. So I don't want you to think I hate you or anything. I'm thrilled with that. And I think that's the perfect place. And you had a plan and everything. But, you see, I have you know, I would hate to see that get to the point where what would you have told us that sounds, you know, like you're, you know, good. But at the same time, if something comes up and okay, you didn't sell to the crackerjack guy in Saint Louis. But there are tell me there's a lot of people out there ready to throw money because Washington is up and coming and make an investment. And I just I have a little concern about that because we've talked about this with other things that once the zoning is changed, it's a commitment that that's what it is. And whoever is the owner of that property is only limited by the rules around that zoning.

Samantha C. Wacker-So if I heard Kurt correctly and I don't know if I mean and Kurt can speak to this, but it sounded like that when you've transferred things in the past that you put restrictions into your transfer as far as we can get you done? Is that what we're talking about here?

Kurt Unnerstall-That's correct.

Samantha C. Wacker-So that's beyond the zoning. If a buyer were to buy something with deed restrictions and they have to comply with what's in the deed restriction, but not just the zoning.

Carolyn Witt-So that I just I remember other issues in the past that somebody makes that and you know the transfer of ownership the zoning is then up to them to what they choose to do within those limitations. And I just feel better sharing that with you because it's certainly not that I think, you know, but as I said, you're a businessman. That's what it's about. And while you have a commitment and a high commitment, I still have that, you know, worry.

John Borgmann-Mr. Chairman, one of the things that and I asked Mayor if he had better eyes and I did I don't know, Sal, if you can blow this up, but that strip of land above that above the new road, Fox Creek now is only 125 feet in depth.

Sal Maniaci-Correct.

John Borgmann-So that whole northern strip is really that's narrower than my lot is in Dawn Valley on Michelle Drive. So you can't get a big apartment building or anything like that, like you see higher, taller, bigger buildings and multifamily. There's no room there on that lot to build it because it's not deep enough. Right. And if you go across the other way, even between the peach and the blue, where that split, that's only I can't read it, I think 381 feet. Your space is not a big space that you're going to be able to put apartments in right to where the duplexes and the four-plex's which falls into the R-3 is really about the only thing you can build on stuff like that. I just wanted to make that point that, you know, when you're looking at a map, you think it's a big area. But in reality, as far as buildable space, it's not that expanse. That's all I have.

Mayor Hagedorn-I've been silent so far you guys. One of the reasons our forefathers put the Mayor position on this board is to give us a orientation of looking at things from 30,000 feet. And that's the way I'm going to look at this. First and foremost, my staff is recommending it. They're the experts. So for me

to vote no would be overriding their judgment. And I'm not ready to do that in this case, mostly because and Stonecrest residents, you guys don't hear this. Right now, our schoolteachers, they can't afford a place to live here, okay? We don't have enough housing for them. And Ed I don't want to put you on the spot, but what is your waiting list for shoe factory apartments? And 100 West is the same thing. You guys are worried about the riff raff, for lack of a better term moving into apartment building. You're going to see a lot of teachers, if you ask me, because they don't have any place to live. And there's a lot of professional folks in town that are working in our industrial park that can't find a place to live. And it's only going to get worse with the higher interest rates. Okay. I understand your concerns and the traffic concerns. We're trying to do that. This complies with our long range plan. And so just you guys, just so you guys know, and I feel like I need to give you guys an explanation. I'm going to vote yes.

Tom Holdmeier-Any other questions or comments by board members?

Carolyn Sellers-This is for you. How do you rezone something without seeing a plan? He knows who the tenants are. He knows what the lighting is. He knows they'll be garages. But there's no plan. We have no idea what it's going to be. So how do you rezone it without I mean, he could do anything with that property. I'm sure he's a great builder. I don't know him, but you have no plan.

Sal Maniaci-So in our zoning code, we have planned an unplanned district which a plan district would PDR Planned Residential Plan or commercial PDC. They require everything upfront. The developer has to pay for the architectural drawings, the renderings, know how many units they're going to be all everything in there. And that is one route that they can go. That's kind of a unique and peculiar and people only ask for that and in special circumstances. Every other zoning district. So all of Stonecrest, everything in Rabbit Trail is considered an unplanned residential district, which means they can request a rezoning without having to put all that up front.

Carolyn Sellers-I understand that. But since this is part of a neighborhood.

In R-1 neighborhood, why would you do it with nothing? Just his promises.

Why would you even consider it until you see something on paper? He can do anything he wants. And I guess you don't live there. But for those of us who've bought into the neighborhood, that's not appreciated, that you're just changing the zoning.

Tom Holdmeier-There are some limitations we're looking at with lot size.

Carolyn Sellers-Not if you put it in R-3.

Tom Holdmeier-There are. Yes, still, we have to get a road through there. That's one thing we're going to require. Okay. He has to make a connection. That's a big piece.

Carolyn Sellers-What about the sewers and stuff.?

Tom Holdmeier-Yes, that all goes in with it.

Carolyn Sellers-Who's paying for that?

Tom Holdmeier-Well, the developer does.

Carolyn Sellers-He'll pay for on the property, but up to the property. Who pays for that?

Sal Maniaci-Still the developer.

Tom Holdmeier-They have to make the connection with the mainline.

Carolyn Sellers-Right. And the mainline will handle an apartment complex that you don't know.

Tom Holdmeier-But we know how big it could be, possibly with the size of the lot of.

Carolyn Sellers-Okay. How many units are you talking about?

Sal Maniaci-We don't know.

Tom Holdmeier-We don't know for sure, but we know it won't be a huge development.

Carolyn Sellers-So you don't know you just you don't know how many units.

Tom Holdmeier-No, we don't know. We don't know exactly how many units. Right.

Carolyn Sellers-Yeah, but you're going to change the zoning.

Tom Holdmeier-Possibly we don't know yet. We'll see.

Carolyn Sellers-I just don't see why aren't you seeing a plan first.

Samantha C. Wacker-Well, it's not required. And that's what Sal was trying to explain to you. A plan is not required. See that a hearing is required, and that's why we're having a hearing. Okay. And I mean if a developer is going to choose to come in here and lie to this board, they're choosing to do so at their own peril.

Carolyn Sellers-What are you going to do?

Samantha C. Wacker-If they want to lie to us and then come to us and expect something else that's going to be very difficult.

Tom Holdmeier-Thank you. Any other questions? Comments? Otherwise we will wrap this up. The way it works is we're going to and I'll talk twice. We vote on this and then it goes to the City Council at the next meeting and they approve it or not approve it. So just wanted to make that clear.

Tom Miller-Spring Crest. So what I heard today was Kurt, you say you got to build six eight-plexes. That's what came out of your mouth the last time we were up here. But I heard earlier was that was contradiction is that you were planning on selling the land? So there's no commitment, there's no review board or what's going to go up there. You don't know. You're not going to know until after he sells the land. You're not even sure what can fit in there, how it's going to fit in there. Isn't that enough reason to make it a conditional approval? That's the least you could do.

Tom Holdmeier-Well, it cost a lot to develop a plan.

Tom Miller-It cost a lot of money for these people behind me to lose \$100,000 on their depreciation on their houses. But money is money, right? I'm a businessman, too.

Mayor Hagedorn-That's not a for certain.

Tom Miller-Either is what's going in there is for certain. We're the only way you can make it certain, is to make it conditional. And that's a nice, fair compromise. Otherwise, there's no guarantees. You can't guarantee us anything. We're just asking for something to be fair. This is a city that's built its reputation on extremely good zoning and common sense. That's why people want to live here. That's why I moved down here. I moved here to get out of the rat race up there. You don't want to lose that. You want to keep that. That's what makes everyone play nice in the sandbox.

Tom Holdmeier-And that's what we've done in the past with development.

Tom Miller-So why wouldn't we want to make it conditional?

Tom Holdmeier-Because we haven't always done that in the past. Some situations we have.

Tom Miller-Because of why?

Tom Holdmeier-Oh, various reasons. I mean everything from traffic to making sure how they're going to egress the property, ingress and egress, all those type of things that fit in.

Tom Miller-I believe Kurt would make a wonderful development out of it, but not when he told me he's going to sell the land and I guess they're townhouses. That means each one's going to have their own door. He mentioned six eight-plexes is that going to have one door per eight units or is that per front door for each unit? I don't know that. You don't know that. If it was in a plan, you would know that. And we would know that. And that's only fair. Thank you.

Tom Holdmeier-Kurt, would you like to come up and answer that? So not sure what the question was, but you said six or eight units.

Kurt Unnerstall-I said I said those would be either six plex or eight plex. But as Mr. Borgmann pointed out, basically those can only fit their on the western north side. And once you get neck down over there, then you've got to go with a smaller like at The Willows at the Lake. Where they're built all level. Senior access in similar again, not picking on Haase Acres, but those are four-plexes. They'll look a lot nicer than those. Those are dated, but they'll be similar those as well. Because of the road network I don't have

the ability and in fact, you inadvertently pointed out something that they should be happy about. If a big, bad developer was to maximize the build ability of that zoning with cart blocks. So give me what the thing which he's I understand comes from Saint Charles County that like I said, they rape and stripped the ground. I wouldn't put that second road in there. Road A wouldn't be there. I would just put one road in there, which is city wants and everything would be private and then I would stack them in here like cordwood. Okay. But I don't do stuff like that. I'm going to go on record here next year I will be developing in this town 30 years, 30 years. And most developers don't last. And God willing, the creek still will rise and a wonderful wife who supported me somehow we haven't bankrupt yet as a developer. All my guys before me have because they get forced into telling, everybody's telling them what to do with their land and I've always made this comment and I'll meet with anybody after this meeting. If they want to buy this land and develop it, it's for sale. But I have a right as an American to pursue my life for what I do. And my track record speaks for itself. I don't build as to borrow your words, riff raff housing, single family housing can be riff raff housing. And I don't again this is the public that the newspaper wouldn't put it in the paper I'd tell you where to go look in this town. But I can point out several single family developments that were built on a cheap and those are the ones I'd be concerned about. If I was a City Father because of what you just mentioned Mayor is we are under this pressure of providing good housing and when all this housing pressure comes, the growth comes, everybody leaves Saint Charles to come to Franklin County. Everybody leaves Ballwin to come to Franklin Count. You know, when I was a kid, everybody knew everybody's name. I knew everybody in Stonecrest in phase one, maybe phase two after that I couldn't tell you. I couldn't tell you who lives there and who doesn't live there. I'm fact I socially if people say, oh, I live in Stonecrest, they didn't even know I developed and that's why it should be if it's done right. It's a quality development no matter whose names on it.

Mark Kluesner-I agree, Kurt. And I think that, you know, you're saying a lot when you say that because, you know, we don't know how lucky we are in Washington to have good developers. So when that helps the planning and zoning commission as well, because we can make our decisions using that. And you're not the only one or two more right here in this room tonight.

Kurt Unnerstall-That's right. The guys that are in this room have done quality stuff. And, you know, I had mixed emotions, but I just think once the track builders come and they're not from here, they don't they're not vested in this town.

John Borgmann-Kurt, I have a question. When you did the first plat in Stonecrest, did you personally build those houses or did you have a contractor build those houses?

Kurt Unnerstall-I sold those to good quality custom builders.

John Borgmann-So you did that with every plat?

Kurt Unnerstall-You know, John, that's a good question. In the down economy, I helped out a builder who was in a bad way and I fronted him the money and he built two houses in phase one, and I backed him and we sold them, you know, but I put up the money. So technically I guess I bought the building permit. I was the builder of record, and then I did that back in 2012. So the same way I helped young some young builders get started, but I don't I don't drive nails. I'm not a hammer guy. I'm a dirt guy and a land guy.

John Borgmann-That's point is you're the developer and you've always had a builder build every house in Stonecrest.

Kurt Unnerstall-Right.

John Borgmann-You're the developer with selected builder that's going to build in the R-3.

Kurt Unnerstall-In phase one, I had a builder challenge me. We have restrictions. It's real clear. Brick and stone fronts, 8/12 pitch, two car garage minimum. Builder puts vinyl siding on the front of a house around the lake, and I went up to him politely said, you didn't follow the plans. You can either tear that

off and put it in stone or we can go to court. Your choice. But that ain't going to fly. And he admitted it. He screwed up, took care of it, put stone on the front of that house. So again, it's making sure that the guy who's doing it is going to do it right and put his name on it. And I've been doing this 29 years. I can show all the people in this room where I built the people that aren't from Washington don't know the Unnerstalls, they don't know me. I stand behind what I do. Thank you.

Tom Holdmeier-Thank you. Any other questions or comments? No. Is there a question or comment? Any other questions by board members? Comments. If not, I'll entertain a motion.

Samantha C. Wacker-Motion to approve.

Chuck Watson-Second.

Tom Holdmeier-First and second. All those in favor?

Mark Hidritch, Nay, Mark Kluesner, Aye, Tom Holdmeier-Aye, Doug Hagedorn, Aye, John Borgmann, Aye, Chuck Watson, Aye, Samantha C. Wacker, Aye, Carolyn Witt, Nay, Mike Wood, Nay.

Sal Maniaci-So that's just for the rezoning. And this will be heard next week, Monday, at City Council. All right.

4) **File No. 22-1007**-Stone Crest-Plat 18 Preliminary Plat

Sal Maniaci- And then we need a motion for the second one, which is just, again the preliminary plat just the plat for and there was no road A it's just this road and it's under the condition that it's Earth Crest, not Fox Crest. That was my recommendation.

Samantha C. Wacker-Motion to approve with the name change per city's recommendation.

Chuck Watson-Second.

Tom Holdmeier-All those in favor?

All-Aye.

Tom Holdmeier-Any opposed? So moved. Thank you very much. Appreciate how civil everybody was and did a great job. It's the 17th City Council meeting. Yes. So that would be the next step. We ask if you're going to leave, please try to leave quietly so we can continue on with the meeting. Thank you very much.

5) **File No. 22-1001**-15 Washington Avenue-Rezoning

Sal Maniaci-The second request tonight is a request for another rezoning. This one is a request for a planned development. So PDR planned residential. What I want to make clear at this point is that this is a different process than a typical rezoning. There is a sketch plan that is reviewed by City Council and I have the steps laid out in your staff report the order, but there is a sketch plan review by City staff and that sketch plan review is then reviewed by planning and zoning. A preliminary plan is then brought back to Planning and Zoning and then that preliminary plan is brought to City Council and then final plan brought to City Council. So basically it goes to city staff informally the first time, Planning and Zoning twice, City Council twice. So where we're at tonight or in this process, we've had the sketch plan review with City staff and they're just asking for the sketch plan review tonight. So with a motion to approve tonight, you're not approving, it's a motion to move forward on to the next step is essentially what you're doing and you're accepting the sketch plan, making comments or changes based on the public hearing or based on your own comments. And then they have to come back at another meeting either next month or they can come back in December. But so the subject property is on Washington Avenue between Washington Avenue and Madison Avenue, just south of American Legion here. It is about 3.3 acres and so just north of there. There's a bluff here. This is part of the original town of Bassora, which is hence the name of Bassora Bluffs. It is kind of on top of a hill overlooking the river.

So in this case, the property is currently zoned R-1B Single Family Residential. So that is a higher density single family that allows for 6,000 square foot lots. In this case, with 3.3 acres, they would be able to do 24 homes if they were just to come in today and not go to Planning and Zoning, just come in. Well, to plat it they would but just to get design a single family under the current zoning they could put 24 homes on there would obviously take a lot of grading because there is significant topographic change from Washington Avenue down to Madison.

Chuck Watson-How much difference is there?

Sal Maniaci-Like 50 foot in that. So it would I mean, I'm not saying it's impossible. So even if you were to try and put a street in there, it probably wouldn't meet grade. All right.

Chuck Watson-I know that. I'm just wondering how much difference there was.

Sal Maniaci-About 50 feet. And so in this case, because we talked about PDR is typically saved for kind of what we call unique and peculiar situations where there is something specific about the lot that they can't develop under the current zoning. And they're asking for some changes to what that typical underlying zoning would have. In this case, I think the argument can be made that it is the topography that they're not truly able to build to the full capacity of the zoning would allow because of that. And so again, R-1B you do have R-1B all the way around. So all single family in the vicinity except for to the south, you know, that's obviously a commercial use just zone that way and then the hospital complex is all zoned commercial. So the full plan was put in your packet. I'm not going to go through the entire sheet by sheet. And we did send the preliminary packet to the neighbors with everyone at the 185 feet as well after the sketch plan review with city staff they have revised it. So you guys in your packet did see the what I'm showing you tonight. But there has been a couple changes since we sent the letters out. So what they're proposing is essentially a duplex development. It's just not in the traditional duplex development we've seen in the city limits over the decades, but they are proposing 13 two family buildings. And so instead of a duplex where you just have a shared wall and a unit on each side, these are kind of stair step duplexes where one unit has three stories and the second one has two. And so they kind of stair step down. And you can see here, this is Washington Avenue existing. They have their private fire lane, driveway, whatever you want to call it. It does meet the fire lane requirements, 26 foot wide coming through here. You can actually see they have AutoCAD of a fire truck meeting that turn radius all the way through and there's a site plan layer that does show all the turning radii. But you can see there's 13 buildings, all of 12 of which do access this internal drive and then one of which does access Madison Avenue. They do have some amenities here with the pickleball court. Again, I guess it is more popular than we thought. And then each unit does have two parking spaces per our typical residential code, plus I believe there are eight or so guest parking, so they are over parked allowing them to not have to utilize any on street parking for this development. Not only every unit will have two spaces, but then they have additional guest parking as well. And you can see there is a landscape plan here. So our sketch plan does require a basic landscape plan to say what type of use, what type of landscaping you're going to have. And you can see they do have the majority of new trees planted. So anything that in color is existing, the majority of new trees planted is along Washington Avenue and then to the north here to create a buffer between the existing and the proposed, which is what we would recommend in this case anyway, because there's setbacks here you can see do get a little bit closer than what you would typically allow if it was to just go R-1A so when it's a planned district you set the setbacks per plan, but they are requesting minimum ten feet from Washington Avenue with building 12 down here being the closest. And then on Madison, there is a setback of 11 feet off of Madison down here. So you can see that's kind of the closest buildings and as you get further up here, they all have separate setbacks. As for the site plan here, you can just see this has kind of the full turning radius their engineer drew to show that it meets the fire lane requirements, that all sides can be accessed by a fire

truck and then they have some of the amenities. Here are some of the utility locates out on here. They do show an area for stormwater if needed, just kind of saying, hey, if the engineers decide that there does need to be a detention basin, they have an area designated at this early in the stage. We do not require them to have the complete stormwater calculations done. That all would be done before the final plan. When a development is this close to the river, there is a chance and this is all would be verified by our city engineer. There's a chance they may be able to get it directly into the river and not actually have to retain any of it on site because our stormwater code requires that everything to get into the river but if you're further away from it, you have to retain it and slowly release. So the closer you are, the less you have to retain. This is the utility plan we just wanted to point out currently there is that alley that an undeveloped alley we have right-of-way that runs between Madison Avenue and Washington Avenue. And there is a sewer line you can see here that runs in between there so that would have to be removed and replaced into a different location. They do show a new upsized waterline coming from First Street all the way down the development and actually looping through all the way through and then removing the sewer line and having a sewer line come up and loop through as well. And so at the sketch plan meeting our Public Works Director as well as our Public Works Superintendent with water and sewer reviewed this and had no comments or concerns with that, the current line on Washington Avenue would not be able to handle the water, but there is a big enough line at First Street that they can extend up from there, and that is the plan to get adequate water and sewer. This is the architectural drawings of the lot layout. And so you can kind of see our highlighted here in blue. So you have this is just the roof plan. You have your second floor, third floor, ground floor. So as you start at the ground floor here, you're blue is all one unit. So you got unit A and then your second you go upstairs and then your third story. And so it is all stacked and then your unit B, they actually have the entire more, more than half of the ground floor and then one floor up and then nothing on the third floor. And you'll get a better idea of kind of what that looks like here. And so you can see this is the Madison Avenue one where they're kind of stair stepped up. Again, this is a view looking in from the river. So these would be the ones with the river views. So this kind of L is one side of the duplex and here is the other side of the duplex. And again, here, in just another view, you can kind of see how the buildings are aligned so the you can't really see the road coming in, but it wraps around here and then you have your one off Madison Avenue and then these here. And they did have a note on there they're going to keep most of the landscaping here except for all the trees and then anything that's kind of overgrown and non native or whatever term they use in there. There will be some taken but not enough that the buffer is going to be completely removed and landscaping from there garden, just another view. So you can kind of see they have some of the buffer, the landscaping shown here. You can kind of get a better idea of the property line for the setbacks. So obviously this is a little bit the side yard here is a little bit closer to Washington Avenue, but that's why they have the buffer there. And then here on Madison, I assume that is pushed off a little bit because that way they can have driveways and have some additional off street parking off Madison. I will say that's not as much of a concern on Madison as it would be on Washington Avenue, because there's no other homes here that access that you'd be taking in. You wouldn't have an overflow of on street parking here. We would be concerned about them wanting to utilize on street parking on Washington Avenue, which is they do handle that with them having enough parking, but they do push kind of above and beyond Madison Avenue back to even allow driveway parking. And just another view that was in the site plan. And then here is some of the architectural styles as part of the sketch plan, they have to give some type of rendering or style of what it will look like and. that's why I think they call us a buff color brick and then kind of black or darker concrete metal lining, the kind of they call this modern architecture is how they describe it in this note here. So they do kind of give a style again at the sketch plan portion of this, we don't need full 3D renderings of exactly what it's

going to look like, but we need an idea for the neighborhood and for you all to see what it's going to look like. So this does meet the intent of our sketch plan at this point. And so I kind of leave it there. I just wanted to point out we did there is a list of items in our code that have to be shown on the sketch plan. We went through them item by item with our City staff to make sure they were all addressed and if they're not shown on the plan, they are mentioned in a note on that first page. So we believe that it meets the intent of the sketch plan. So we definitely recommend moving forward to the next step of the process and hearing more from the neighborhood and letting them kind of revise and continue to invest in the plans. But as for the plan itself and how it fits into the neighborhood, you know, like I mentioned before, this parcel can allow up to 24 homes if they were single family, they're asking for 26 with duplex. And so I think if you are to look at the intent of our PDR or plan residential definition, this pretty much hits the nail right on the head of the intent of that district. You have a planned residential, you have a lot that has some type of constraints to it that aren't any fault of the of the owner. In this case, the topography there would not allow for them to get the highest and best use that the zoning would allow. And so the PDR essentially allows them to take the density that where they would be permitted on that whole lot and just kind of group it together on a portion of it. And then obviously that's the point of the PDR as well, to have a sketch plan, have a chance for everyone to comment and see exactly what will be what they will look like, how many units will be the sizes they can talk on price points. At this point, it's not something that we would really get into discussions with on price points or obviously the desired market can be something that's conditionalized with the design, but so staff recommends approval of this for them to move forward. Again, it we think it fits in nicely with the kind of transitioning you have. Again residential zoning to the south, but you have a commercial use to directly the south. And so this allows you kind of that step up without getting too dense and transitioning directly into a multifamily development. I think it's a good compromise for the neighborhood, I guess is the best way to put it.

Tom Holdmeier-Questions or comments by board?

John Borgmann-I'll just let the board know I've talked to Tim Frankenberg, Fire Chief and I believe he's talked to the developer at site review and there is willingness to sprinkler the entire complex. So that's a huge plus for this. So moving forward, I think they've reached an agreement with the water department be able to do that net new six inch main around there's significant with it.

Samantha C. Wacker-So Sal to be clear tonight we are voting on the rezoning to the PD, the planned development. What are we what exactly voting on?

Sal Maniaci-So accepting the sketch plan and then making comments.

Samantha C. Wacker-Just the sketch plan review for tonight. I just want to be clear what we're doing exactly.

Sal Maniaci-Correct. It's essentially the opportunity to send them back with comments from not only you all, but also the public that they have to come back at the next Planning & Zoning Commission meeting or in two months. They can come whenever they're ready and submit the next set of plans. So the preliminary plans section of this in our checklist, it's everything that you just saw plus items. And so it gets a little more detailed each step. And so it's just a way to have the public involved at every step. And then just because everyone watched the last public hearing, the difference between the rezoning at Stonecrest and this is that this plan is submitted attached to the ordinance. If they wanted to change it we'd have to come back and do it.

Samantha C. Wacker-Exactly. Okay. Just wanted to make sure that we were clear on which step and how far we were getting tonight.

Tom Holdmeier-Any questions, comments by board?

Mayor Hagedorn-Is each individual unit for sale or for rent?

Sal Maniaci-That is a question for the applicant. I actually don't know the answer to that quite honestly.

Steve Hoard-Architect-Good evening. I'm the architect with the developer Florin and he's here. It is a for sale townhome project and unstacked project so they're side by side and there's a lot of reasons for that. The place to start is the location, the fact that this is available where it is with what we are considering now to be like a walkable distance from downtown and what's happening with downtown makes it perfect for Florin new development here. The idea of this project was to take advantage of the river and develop a product type a typology of building that allowed the most views from every place on the property. So 20 out of the 26 units has a real view. Not like there's an ocean view or there's a river view and there's just a little sliver. The design, so could you forward to some of the 3D, that one's pretty good. That's to the northwest. So what this illustrates is the stacking building is the reason that they're one, two, three and the reason they're stacked the way they are is that not only do they step at least ten feet between each other on the topography going up the hill, they shift 18 feet. So you get you get the three story to the side of the next two story. So you have a view quarter between them and then you have a view over the top. In addition to that, when you turn them sideways, if you notice building 13, that's all the way to the back of the property. There's also views from bedrooms over the top of the lower roofs. So no matter which way you turn the typology, you get views in all directions. And that works really well for development. When you're talking about a type five wood frame project. There's so much topography on the site without reducing the footprint of the building, and making them as small as possible. You can't put this many on the site and you also block views of people behind you. So this was quite an effort in trying to see how we could make it an affordable cost per square foot development so that the materials and the housing product could be very high quality. So the idea is to appeal to empty nesters, retirees, two income professionals at the higher end of the market. So if you've got kids in college or kids, kids out of the house and you're looking to downsize and live in a very high quality place with a river view, this is that that's the target market here. The other idea is that it's already wooded and it's got the natural landscape around it and the river trail and downtown Washington. So you've got all sorts of walkable amenities. So the idea was spend the least amount of money on the, you know, the internals of the project framing and the like. So we're doing standard heights, we're not cutting studs were being as sufficient as we can with infrastructure standard type five residential construction. And since they're stacked, we can use a sprinkler system called 13 D, which means that we can share the domestic water, which means that we're not bringing in \$50,000 worth of hydrants and bringing in six inch mains of backfill preventers and fancy fire alarm systems. So it's a it's a very reliable system that the fire marshal suggested to us, and we did research on it and worked with a local Washington company to make sure that was viable. So basically, the way they're sited is to eliminate as many retaining walls as possible and also to do the least amount of grading possible. So, for instance, the highest basement wall out of the ground, which may or may not be occupied, it's not detailed yet, is about 16 feet. And that is the worst case scenario. Most of them are in the 3 to 4 foot out of the ground as opposed to the other side where you're driving in a driveway. And they operate similar to the last project. The idea of the last project is that you're entering on grade at all of these and you also have outdoor space on grade for all of you. So every unit has a patio, every unit has a front door that's on grade, that's at the level of the garage. So they're also designed there's a little section they're designed to be adaptable. This column right here is a Juliet balcony. It's designed to have a door to open and to be able to go out there. Let's say you smoke, your wife doesn't go out there, you smoke a cigarette or you're just out there with a cup of coffee sitting on a chair. It's tiny, but it's four feet square. And the idea of that is that any one of these units, it's three stories or two stories is adaptable to an elevator. So let's say you have a medium to high income couple comes in here they can age out in this house, install an elevator in that location, and they would be designed that way so there's no structural members in that

four foot square so that they have the market value to that to that market group. So they are there an elevator building delivered without elevators unless they pre-sell and someone says they want an elevator. So I'm sure the developer I'm sure Flora was up for that. We've talked about this. So the idea is an efficiency of siting, small footprints, maximizing views, because, you know, who wants to be in the unit that's blocked by your other unit. They're also designed to have like a steel roof and no encapsulated roof areas like no parapets so that they have a ton of longevity. The outside of the buildings have been are thought of as brick veneer and concrete basements that you don't have paint flaking off and you have very low maintenance and everyone has a garage, everyone has space to put things inside. So, for instance, it will have an HOA, it will have restrictions and part of those restrictions and what we're proposing is no dumpsters, no trash and closures outside. All the trash is inside your garage and would be restricted that way in perpetuity for the project. So you put your cans out on the on trash day, trash comes and picks it up and you put it in, you're required to put it in and it's part of your garage and your situation just like it would be in a single family home. So that's the that's the idea. And if anybody has any questions, I'm happy to answer.

Mark Kluesner-Yes, I do. What is the section that does stick above the roof line? Is that a chimney?

Steve Hoard-Chimneys. So in each in each one, so for instance, right here, this is the living space of the B unit, this is the dining, this is the kitchen, there's a fireplace in every one of the living spaces. As you stack up the three story, this is a fireplace in an office or a bedroom. Whatever you want to make it, it's the entry level, fireplace in the living room, fireplace in the master. So you have like it's a fully amenities but inexpensive building type.

Chuck Watson-Gas fireplace or?

Steve Hoard-Gas I would think. We haven't talked about that but I thought the market is young timers in their fifties that are retired right. So someone that wants that doesn't want to have a big yard demo, someone just that's going to be traveling this type of thing and the intent is for sale. Now, whether they are rentable, I think that's a discussion that we can talk about, like if an owner buys one and rents it out, I mean, that is all really up to this group and what the city is looking for. Hopefully no one's renting these or AirBnB's and that they're owner occupied, that's the point quality.

Samantha C. Wacker-You can put that in your covenants, rental time or something of that nature.

Steve Hoard-And I understand that the covenants are required for the final approval of the PDR.

Sal Maniaci-So this is the only time that we asked for copies of current restrictions is whenever it's in a planned district.

Chuck Watson-And so that'll be a later on?

Sal Maniaci-After they get the final. Yes. The last step or actually so it's a good point. It may only go to City Council. We'll have to look at what portion of the sketch plan or they may not have to turn that into the final, which would not go to Planning & Zoning only would just go to City Council.

Tom Holdmeier-Any other questions or comments by board?

Chuck Watson-Looks nice.

Mark Kluesner-Neat design.

Tom Holdmeier-Anyone in the audience that would like to come up and speak.

Joanne Radetic- and I live at number two River Pilot Point, which is like right across the cul de sac from this proposed development. I have actually written up my talk so that you can look at it if you want. That's the same thing I'm going to say but I referenced portions of the plan development residential ordinance and so I'll go into that first. My comments are so far as I've seen and there's been some updates to it from, the packet that we were sent. So this may not all be valid, but they are existing. I want to first give you some points on our existing family neighborhood design character and it's a single family you noticed on the board that it's completely surrounded by single family residential. And

so our neighborhood has a grid pattern of streets and driveways. The houses for the most part, have brick veneer, but it's red brick veneer. And the proposal was buffed brick and the buff brick really is more like on the hospital or for or what was on like the marijuana dispensary or you know things like that the commercial areas. So to fit in better with the residential buffed brick would be better. Red brick would be better as opposed to the commercial and the institutional color that's associated with the buff brick in this community anyway. Also, like our neighborhood has a uniform low density and it's all traditional style single family homes. They aren't attached. So and I then I referenced the proposed plan design elements that are incompatible with the existing residential neighborhood, the streets and driveways in the proposed development are not in a grid pattern that align with the existing streets and driveways are proposed Buff brick color exterior veneer is incongruous the existing residential neighborhood and the historic character of the community. And like I said before, lighter colored brick has traditionally been used more for institutions and commercial buildings. And speaking of commercial, even though it might seem like it's a commercial business, the American Legion is really more of a park like area in our neighborhood. It's not really commercial. They have events and whatnot, but it's really more of a park like area and it's still the same zoning, The building styles that they presented in the plan do not appear to be visually compatible with the existing residential neighborhood. The density and the placement of the buildings on the south half of the proposed development are not compatible with the adjacent residential neighborhood on First Street and then in the planned development residential ordinance there were certain objectives and performance standards and these items then that are listed on the paper I gave you do not seem to conform to the performance standards. The site planning is not compatible with the adjacent residential neighborhood. Planned driveways do not create safe, efficient and effective traffic circulation. There's inadequate and unsafe vehicular access for the proposed density and the planned building placement does not meet the 30 foot wide perimeter buffer requirements for adjacent lower density, residential property. The plan shows buildings being built over a sewer line but supposedly that's been changed. Well, then I have my personal comments. So first I addressed how it looks like the proposal doesn't conform to the ordinance. And so then I have my personal comments and that's for 15 years all our neighborhoods been concerned about what would happen when the time came to face the development of this property with such an outstanding river view. The view is a resource that should be used to full advantage without destroying the residential character of the neighborhood are adversely affecting the perception of the historic character of the town as visitors and residents coming across the Missouri River bridge approach the community. So it should fit in with the character of our town. The development should be visually compatible with the existing residential neighborhood and with the character of this community, not the West Coast. The increased traffic and first responder access is a safety issue that concerns me. I have only one way in and out of my property off of Washington Avenue. All of the increased traffic from the planned development is planned to go on to Washington Avenue within a few feet of my driveway. The property is likely an archeological site. Various artifacts, such as prehistoric tools, flakes and arrowheads will be found. It's also quite possible that there are unmarked human burials, as have been discovered on most of the bluffs that overlook the river. The plan shows buildings being built over a sewer line. Now my property has a 30 foot wide utility, sewer and water easement on my driveway where I cannot build anything so the developers shouldn't build their proposed building seven and seven and number ten over a sewer line shown on the plan. Now, I if they move that around, I don't know where my sewer line is going because that's mine is going to zigzag around and get messed up. I don't know. The developer should put a driveway there over the sewer line instead of buildings. And then the final comment I have is on the plan, the building's number one, number 11, number 12 and number 13 do not show a 30 foot buffer as stipulated in the

PDR ordinance requirements. So that's my comments. And I have if anybody, I don't know who to get this to, but I did print out a copy of the state statutes regarding unmarked human burials.

If you can make sure that the statute, that copy of the statutes get to whoever is supposed to watch for bones. And that's all I have. Thank you very much.

Tom Holdmeier-Thank you.

Sal Maniaci-I just want to point out a couple of things. If you remember, and this is just because our website's not updated yet. Our city code is updated on our website by a third party, and it can take months for them to update it. Sometimes they only do it once a year. So that is an outdated code online. There is not a 30 foot buffer requirement on planned districts. Buffers are per approved plan.

Joanne Radetic-Well, on the one that I printed out said it was like as of April. Just this past April because it wasn't in with the codes. It was like at the top of page attached.

Sal Maniaci-But the buffer requirements in April were taken out there per approved plan. I mean I'm positive of it. I just want to let everyone know that we did go through it and it does meet the minimum requirements of the code. It does of the new code that's been updated.

Tom Holdmeier-Any other comments? Other obviously the water lines being moved and we'll be on an easement and it will not affect the neighbors.

Sal Maniaci-And since they are owner operator, we talked about them having to be a public line through there with individual taps because we don't allow individual taps to come off of a private line. So it'll be a public line in an easement through the driveway. And I just wanted to get the language right on what exactly you are voting on. So tonight, the Planning & Zoning Commission, so shall inform the prospective applicant that the sketch plan does or does not meet intent of the PD regulations. Any action of the Planning & Zoning Commission on the sketch plan does not constitute approval or endorsement of the proposed development. So it is just saying that it meets the minimum requirements and the intent of the code is your vote tonight. Just so we're clear, I wanted to get that right.

Tom Holdmeier-Any other comments? Come on up.

Unknown-I live at the dead end of Madison, so I am facing this development out of my front door. Now, currently, it's all that hillside is all overgrown trees. Now, I didn't get a real specific on what is planned for that or is that going to be a landscaped area? Is that they going to leave it the way it is?

Tom Holdmeier-We can find that out for you.

Unknown-The other thing I was wondering, and you may not know this, but I've lived there 31 years and right across from me, even to the south, a little bit, raw sewage comes of that hillside from behind the American Legion. It's in the tree area. I would walk over there with the chickens and I could hear this water like flushing and I found where that pipe was coming out of that hillside and could hear flushing and raw sewage. And then if my dogs got loose, there's a drainage area that comes down the hill and around the base of this property and then drains into a little creek and right into the river. And I mean, it is noxious, gray, stinky. If the dog ever got gets into that, it's just like it's horrendous. And I brought it up to my city councilman once before. But anyway, nothing ever became of that. I know. But anyway, they should. Maybe they want to address, know that that's a problem. It might not be that way anymore.

Sal Maniaci-With or without this plan. I'm glad you brought it up.

Unknown-It's been about ten years since I've been walking over there. The poison ivy got too thick. And then the third thing that I wanted to ask is that when I looked at my plat book, at the Recorder of Deeds of my property and this property was about 2000 or so, the property line for this property, their property encompassed the street and the street on in the Recorder of Deeds encompassed my front yard. There's three of our houses or so that our property line is ten foot from our house, and then the rest of that property out to the current street is listed as the street and it's not our property. So this property took

their property line encompassed the street. Now it was reconciled with the hospital when they did their parking lot, they got the city to vacate their part of that. But none of our houses were ever.

Sal Maniaci-It's really just probably an issue with the plat of how it looks on line and shown on here because this is from the original town of Bassora that street may have not been built in the exact same right spot. I don't think there's any concern. There's no plan to move the street.

Unknown-I know, but that property is not mine. It's the city's.

Tom Holdmeier--We will look into that.

Unknown-And I don't know about their property line was on the west side of the street.

Sal Maniaci-That would be a separate issue from this.

Unknown-Is there a square footage of these townhomes?

Tom Holdmeier-We'll find out. Thank you. Anyone else in the audience that would like to speak?

Gretchen Burton-And I'm actually here on a different issue number seven. But I feel like I can offer insight on this because I live in the townhomes that face the riverfront now that Andy Unerstall developed. And they were speaking of young professionals that's me and my husband, so I can actually speak to their market here. I would very much make them change buff brick. Do not let them do that. It does not match our town. I very much agree with the lady and I would not do anything veneer keep this high quality if you're going to do it. I think it's a great idea. The other thing that they sold that I heard in the notes was this is walkable to downtown. If you are doing, no offense to anyone, and in the panel here, but if you're doing your age walkable to downtown, no, it's not everyone that lives in my unit we are the youngest by 25 years and there's two couples out of our eight units and only us and one other couple walk so walkable to downtown is not something that you should be considering in that that part. But I do think it's a great idea. I just want to now that you guys have drones, look at the drone riverfront pictures, the newest development of Andy's. And I love Andy. Don't you know nothing bad to say about him. However, the newest development that he built does not match the riverfront of our town. And so if you're going for very consistent and you want it to look the same on the other side of the river, you really need to consider that.

So that's the only thing I want to say about that. Thank you.

Unknown-I have one more. If they're counting on this view of the river, how are the trees going to be handled? You know, they were illegally cut down previously to get this view.

Tom Holdmeier-They could only take care of trees on their property.

Unknown-So you can't really say that this is going to be.

Tom Holdmeier-I guess if they sell it, I guess if they sell it and it's a river view at that time, they can say yes, but yeah trees may grow.

Unknown-There's no plans to?

Tom Holdmeier-No, not that I'm aware of. Thanks. Anyone else in the audience?

Ron Williams-I live with my wife Kathy at 1115 E. First. We are two houses up from this proposed development. Been there for 37 years. What brought me here was to be the city engineer back in 1985, seven years I'm older and all that means is I'm old better. Weather seven plus years moved to Sunset Hills was there 11 plus years went over to Columbia, Illinois was there for eight plus years finished my career out at Franklin County, five plus years. The one thing I, I have in common, especially with the cities, I was a zoning administrator, so I feel your pain and also had to be a Franklin County Planning Zoning Commissioner with the county because that's a state statute. So to say I had to deal with codes is a little bit of an understatement. But I did that so naturally I dove into the codes. So some things I want to point out about your PDR district and I want you to consider, because that's what you're doing tonight, is considering things that you want the developer to take back and address in a preliminary plan. Okay. First of all, the intent what is the intent? It says it encourages a more imaginative and innovative

design of land development. Okay. Imaginative is defined as having or showing creative or inventiveness and innovative is defined as featuring new methods, advanced and original. Take that into account as we view this, because what they've done is taken the usual part of the property and slapped on 26 units. Tell me what imaginative and innovative in that design. Okay, I'm not asking you. Just consider it. Okay. Section A states these planned development regulations are not intended to allow excessive densities or develop of incompatible land uses either within the development as that or as a development relates to the general neighborhood, or even stated that density is greater than the surrounding neighborhood or the existing zoning. There are unit over but over is over. So sorry, but it applies if you just take the usable acreage on that site because that's been said, topography is tough. They've got a 50 foot drop off. So you're not going to be able to grade that. Sorry, I'm an engineer, so I can't see that happening. That cost way too much money. So you're going to use what's usable. So if you can put 24 units on there but if you look at the at the units on usable property, you're actually your density increases by close to 60%. Okay. Show me how that's compatible with that existing area, particularly to the east period exclamation point. By the way, this property is all around surrounded totally by residential zoning, not interested in the uses. It's residential zoning. The proposed development is out of character. What do you see? I just told you it's single family residential platted out that way and done that way. If they want to be creative, tell me how you get that type of arrangement on this lot with some, how can I say it with some ingenuity? Okay, no planned development shall be allowed which would result in other detrimental impact to the surrounding area, including but not limited to visual pollution. I'm not going to allow individual pollution. Their idea of architectural wonder is their idea. Okay. But I again I'd ask you to look at the surrounding neighborhood, particularly the area to the east of the wooded area there. That's a natural buffer always has been because of that that rivet and that drop off there, they've indicated will stay that way. We don't see up there anything to the west. They put in that parking lot. We don't see it. You know, we don't see light from it. Even when the leaves fall off of tree that's so dense, we don't see it. Okay. As far as the American Legion use is called, commercial might be a commercial use. I think it's rather docile. They're bars open three to 3 to 9. If they got ten cars going a lot, that's a big night. Unfortunately, if they got to shooting matches a year a barbecue, tasty barbecue every third Saturday and they got an occasional auction and outdoor pavilion usage, the busiest time it is when it's a polling place. There is like I indicated, it has been indicated there is commercial zoning over to the west. You know why that is? Because those properties touch Highway 47, which is a major thoroughfare through town. And as is noted along those thoroughfare, you're going to get commercial zoning, but it doesn't encroach any further over there in the Legion period, exclamation point. So we have seen the effects of that commercial zoning have been indicated. Okay, you got to find that the proposed density does not exceed what is necessary and appropriate. Again, that's a question for you, for you all to think about and answer. Is it necessary and appropriate. Monetary figures what they paid for land, whatever it takes to develop, it can't be considered. All right. They need 26 units. Don't care. My favorite saying to developers was, that's not my problem. The buffer zone. We've already discussed that. And that's interesting because over using the PDR regulations from that were amended in April, they read a such, for a PDR development proposal for residential development along the per owner of the site, which is higher in than that of an adjacent dwelling district there shall be a minimum of 30 foot wide buffer area so that all higher density buildings are effectively screen from the abutting lower density property. We know it's higher density. Everything around there is our residential zoning period. There should be a 30 foot buffer zone all around that property I contend. Those requirements can be waived by the City Council. You want to waive them? They're looking for a recommendation from you. But do you want to wave those requirements? What they've shown in this plan for their dinky buffer zones aren't going to do squat. I can bring in here five landscape architects

and talk about how to how to give you an appropriate buffer zone. I've dealt with this for 40 years. What's an appropriate a buffer zone? You can't effectively screen what they're going to do 30 foot tall buildings and 10 to 15 feet people. It can't be done. Sorry, the vegetation and some of the vegetation is going to die. It can't be done. It's got to be a bigger buffer zone. I can tell you, the smallest I've ever dealt with were 25.

Tom Holdmeier-I do believe the buffer zone was taken out of the PDR.

Sal Maniaci-Well, it does have that. I just pulled it up. So is it does say whenever it's to a lower density it can be it needs to be 30 foot unless waived by City Council

Ron Williams-I just read it. So all I'm saying is you can't do it in what they have proposed. Okay, period. I would say, look at that up there and look at the house, just the houses to the due east. And how where are they set in adjacent to Washington Avenue. That's all you got to look at to understand that you're going to see them if they don't put in an adequate buffer zone, make it something good. I know. Let's face it. I mean, that's a rather docile area. Washington Avenue, it's a cul de sac. We know we're going to a lot of traffic. But you do have problems at Third and Washington and Fifth and Washington. And that all occurred back when the hospital rearranged their parking lot. And guess what? They funneled all the traffic out to this to Washington Avenue instead up on Madison, which is where it went. So it's a problem for turning movements is the biggest thing, you know, and you're going to add more cars to this. So the city needs and as a general comment, the city needs to look at somehow improving sight distance. Because I can tell you every one of us that live there go out Fulton. It's mayhem trying to get out on Washington at certain times of the day. So we got to get that done. They talk about a nature trail that is going to connect to the riverfront trail. I would like to see that permit from the Union Pacific Railroad before you guys approve anything on a walking trail that are going to be tough to get for just a walking trail, but maybe they can achieve it. What guarantees this development will occur as shown? I know we got a plan if the architecture goes with it, then fine. If everything on that plan is going to be adhered to, that's fine. If I got to come back and amend it, that's fine. I just want to make sure that if this gets approved in whatever form that there's a guarantee that it gets done. The market targets retirees. Well, I'm a retiree, unfortunately. I probably won't be living there. Unfortunately We talk about transition zoning. Amazingly, it came up earlier. Where's that? Here, this development. Somebody show me that transition from single family residential to multifamily somebody show me that. It's not there. Mayor, just a question for you to think about. Are your teachers and factory workers going to be able to live in those.

Mayor Hagedorn-Heck no.

Ron Williams-Probably not. And with all due respect for the architect and those in downtown, Toto, we're not in downtown with this development. We're good old Bassora and we are in a residential single family development area, period. Exclamation point. Okay. I brought up some points. I'm a realist, though. We've all discussed in our neighborhood someday that property is going to develop. And I will be honest with you, whether anybody in my neighborhood agrees or not, the river bluff is the prime location on that lot period. That's there folks. There aren't too many of those views in Washington left. Okay. Those I could see being developed as townhomes overlooking the river, you know, just what you would envision even greater than downtown. But then away from there, maybe a single family residential development, maybe you got to go to a smaller lodge, maybe you got to go to some sort of a cluster development that would be innovative and imaginative. Now get the most bang for your bucks for it. I don't know, but I think you need to think about that. So I just hope you take all of my comments and information into account as you consider your actions because once they're done and this gets started, it would need to be completed in whatever form it's going to take. And I'm going to tell you a story. So during the history lessons tonight, just real quick, when I was city engineer here, a developer

came in from Saint Louis and he said and he had bought up all the lights on the north side of Sixth Street between Roosevelt and Wilson. That was all vacant at one time. In fact, that whole block was made at one time we went up to Fifth Street. But anyway, he came in and that was six single family residential lots. So he came in and talked to me and he said, I want to I want to develop those. Oh, great. You know, those are kind of small lots laid out in our old subdivision. You probably need to, you know, replat those and put them in all three or four so you can build halfway decent houses. Oh, no I'm going to use them as a whole. How? Well, I'm going to build what they're building in St. Louis, I'm going to go up. Oh really. Well I said, well you meet the setbacks, meet the height requirements. I said, I got to give you a building permit. So he built it. Did they come? No, it sat there. It sat there. Finally got somebody to buy it. Six, eight months later it was on the market again. Finally he sold the rest of the property and you got typical single family, more ranch style homes that fit that, neighborhood and that's what I want you to consider here is how does this fit in to the neighborhood, not is it fancy? Is it is it glitzy as far as the architecture? How does it fit in to that neighborhood? Because it is a single family residential neighborhood and that character needs to be kept, especially along Washington Avenue. Thank you. Appreciate it. Sorry I was so long.

Tom Holdmeier-Anyone else in the audience this evening?

Deaneal Macafoos-I live at 1104 East First Street and our property is kind of diagonal to the proposed development project and this part of town is kind of different than the other part of town, like this little tiny pocket that is available is kind of like right in the middle of where the east side of town starts. And the east side of town is different from downtown. It has a different look. We all have ranch style homes, story and a half story and a half type homes to where it is more conducive to people that are retired because they want everything on one level. That's why the you have residents in our neighborhoods that have lived there for well over 40 plus years. So and we value that. We value how it makes our residential area so unique because, you know, your neighbors for a very long time and there's not much turnover on First Street all the way along down to East First Parkway, that whole riverfront area, all of our homes, I'm a visual person, all of our homes look like this. You want me, I will pass it down. I think most of you know this house, but it looks different than the bank town. And this is where it seems like this proposal needs to be simple. This is completely different than what is in our neighborhood. The three stories they're trying to market to retired people. All of these the plans that I saw, all of them, yeah they might have the option to put an elevator in. All of them have steps to go up every single level. So I'd like to see what kind of retired people are going to want homes even, you know, that are going to need steps to get from, you know, your first level out of your car into, you know, your main level. So it's one of those I mean, all their living spaces and everything where they sleep, they still have to go all whole flight of stairs to get upstairs. So it's kind of like and the people who also would be these marketable to I mean working family. So you're going to have to have at least, you know, a set of It's just kind of like the marketing of these seems a little bit not, I don't know, just a little bit of false advertising a little bit, because I know that they can put an elevator in there, but let's put some elevators in there then. I mean, if you're going to be market it to retirees, market it to retirees. So I mean, that's my two cents. But I mean, this is our entrance of our how we get onto the 47. I mean, if you look to the left of First Street, you see a beautiful line of houses and residential. You'll look to the east side. You see First Street and then the buffer zone and then the rest of the beautiful First Street continues. So it's kind of like this is one little chunk in between a very iconic part of town and I really think that this would definitely take away from our character. I mean we just had this symposium and so many people from different cities just came and said how wonderful our town is and how unique it is.

Let's keep it that way. Let's keep our character, keep east side of the town, more residential instead of these multi level complexes that they're proposing. So that's my two cents. Thank you for listening to me and thank you for listening to my neighbors and taking our considerations. Thank you.

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

Joe Stieffermann-Ron did a great job technically explaining, you know, the zoning issues and so forth. And I, you know, I'm not into that. But just from a simple viewpoint of living there 34 years and what I've seen over the years was two houses, you know, to my left, which now we're talking about replacing two homes with 26 townhouses and just seems a little overdone, keeping in mind that the lady that I didn't know but she gave a nice presentation of the sewer going down through there. That ravine that runs through those trees is totally unusable property. So the three and a half acres that you know, they're talking about here is really whatever two and a half acres maybe have usable property. So we're putting 26 townhouses in two and a half acres. And so, you know, just want to throw my two cents in there. But on your drawing up there, if you see that blue dot there on the side of on the right side of Washington Avenue, that's my swimming pool. So you can see how close that is to the street. And it's not that close. The three of the townhouses that are proposed in that drawing are closer to the street than that swimming pool is. So you can just put that in perspective of three stories right off the street and what that probably would look like. So that's I just wanted to bring my two cents. Thank you.

Tom Holdmeier-Anyone else?

Dan Bushmann-1117 E. First Street-So I'm new to the neighborhood. I only been there about two years now. I pretty much agree with everything I heard here today and try to keep that neighborhood pretty much single family. I'm looking at the contours there that and everything and they would talk about 24 houses could possibly be that but it's just impossible if you look at those contours got there I was I don't even question how they got some of the buildings laid to fit the contours like they got on there. But I say it's pretty much all just right now. It's kind of bare bones is what is going to be done there. But like I say, I'd like to see that keep the neighborhood pretty much like it is like everybody's been saying. So that's all I've got to say.

Joseph Emke-I live at 1105 East Third Street. I actually like there one alley I think you showed on there is adjacent to my property ends up in that alley behind here. My biggest concern and this is something that nobody on here can probably address. But originally when I bought that house, I've been there 32 years one of the things is over by the American Legion. They have that helicopter pad. And one of the things is I've always noticed too, the way the helicopters were supposed to come in, and when they usually do, you take the river and they come up the river and there go right over top of that property because there is no other residential around there, because when those helicopters, they come on your house. I mean, it gets a little scary when you look up near the helicopter right above it. I don't know what they're going to do to address that situation, because that was probably an unwritten rule or whatever of how those helicopters came in when they land that they always follow the river coming through that property there and then landed over there instead of going over one of the other areas over the residential areas. That's just one thing I wanted to bring up to. Thanks a lot.

Steve Hoard-Maybe we go back to the colored type plan. Thanks very much for everybody's comments. And you know, you live there 30 years and here comes 26 units. It's ironic, though, as we work with the City and with Sal, I mean, we even sat here and I read the PDR, of course, studied it. We talked about it. Thirty foot buffer to the existing lower use was never discussed. So first of all, we would never bring a project intentionally that didn't meet the code. So Ron's comments were extremely good. I want to clarify a few of the things that Ron said. We do think it's an innovative project because it's a stepped project. It has the massing of a single family home. It goes from ten feet to twenty feet to thirty feet. Yes, there's a three story component, but that three story component is only 18 feet wide. So we're not

talking about blocking views or light. We're talking about a pretty minimal amount of volume when it comes to the size of it. Unfortunately, many of the neighbors saw the previous plan where buildings or this building here was four feet from Washington originally. Now it's 16 feet from Washington. In addition, it was nice to hear the gentleman that just spoke before that who's resident was here with his pool. There is some issues with this unit and his pool, but it basically reads like and lives like a single home. The details that we don't get to talk about here is in this unit where normally there was glass to a view on the river, on the river buildings. It's got a much higher sill. It's got a sill up at 36 inches so no one can see in and they can't see how they can look out. But that is an issue and that's something that we should discuss. Regarding the 30 foot buffer. It is not a single family proposal. So part of the decision we have to make as a community and as placemakers, as an architect myself and someone willing to invest millions of bucks in this property, in the community is to decide whether we want to stay in the same density that we are. I think the fear is that we're going to destroy the nature of our of our livelihood and our lifestyle right. The idea of this project is to appeal not to rich people. The idea of this project is to appeal to somebody that has the same mindset as you, that appreciates nature, that appreciates the river, that loves the character of that neighborhood that's going to walk hopefully to downtown, whether they can or not. It is one of the last radii. It's 1.6 miles out of town. So, you know, you got to be ready to walk. So maybe that's not for everybody. So the tree question over here in Madison, the idea is to keep as many of those trees as possible. If there's trees that are diseased, we're going to probably take them out. We're going to clear out the honeysuckle so that the nature corridor can stay. The idea is to keep the ravine as it is. So, I mean, part of the buffer here and, you know, Ron's comments were good and there's no reason that we can't look at this little bit more. Part of this road is this house here, this is a garage so there's not a direct front door. There's not a direct living room window staring on these properties. And there's not ten units adjacent to him. There's really there may be these four units, but these four units read as two single family houses. So, you know, you look at it, we call it multifamily or PDR. But I look at this project as a cooperative, single family type residential development. It is actually in the building code like a residential development because they're not stacked. So let's address a couple other. I just want to answer any of the others. The sewer line issue. Good question. Right now, the sewer line comes through straight across here. It's amazing because of this huge drop off that it does come through there because it's got to have a big invert at that point. The intent that we've worked through with a local civil engineer here, Rick, at BFA, who knows the property and has done many projects, successful projects in town is to reroute the sewer in an accessible area and grant the easements required to make it legal and right. So if you want to switch to that page. There it is. So right now the sewer goes here. And not only can we not build over it, we would never propose that that's existing. A sewer would come over and back. Part of our discussions with water is that we agreed to do a water loop all the way through the site with a six inch main and bring it back down into the street which the water which they head a water that was in the original sketch plan meeting said would improve the water quality of all the water all the way down because it's not a dead end anymore. So these are all things that we are open to talk about. But I want to make clear that we are not here to just put as many units as we can put here. If this were a single-family project we developed, we looked at an option for single family. And you can put 18 units on this as single family with a 30 foot high height restrictions. So we could not come to this meeting and we could just build 18-30 ft. high buildings. So it is legal for us to do that. Instead, what we did was we did what the PDR is looking to do and we tried to get innovative, tried to look at how you stack and move the buildings, how you move them up and down on the site. And one comment was made that the only good view is right at the top of the site. That's right here. The elevation is 560 msl over the river. So you've got about 100 feet and it drops. So we're about 3 to 4 feet down here. Well, because of the design of the building, you get river views from this

unit right here, from this bedroom that faces this direction past these houses, because these guys are all lower. They're not all on one level, and they're not designed to appeal to a person looking for a ranch. There are townhome vertical and that is just not for that market. And the market is not intended to be false advertising. The marketing or the idea the market that we're looking to appeal to is, is young or dual professionals, retirees looking to downsize and not have that yard. So regarding building styles, the building style red brick could be a consideration. You know, in the sketch plan, what's required of us is just to bring an idea about what we're talking about. This not a design. So the developer, unlike the last project we heard, the developers got to pay myself & civil engineers. He's got to pay all the design professionals, including and all the rest of this to do is due diligence to even understand if this is a viable project so he's got thousands of bucks invested. So for us to fully design the building and show you what going to look like before this meeting would be pretty risky. So red brick is absolutely an option. There are many buildings in this region that are made of the buff clinker and the buff smooth brick glazed terracotta in the buff color. But red could be a consideration. Although the buildings look different than what you're used to seeing in single family zones, the buildings do resonate with many of the buildings that were residential in Washington and at its creation. The idea is that if you look at the model and some of the images you'll notice that the that the fenestration, the window openings are very tall and thin. This is very typical turn of the century Washington architecture. So the architecture itself is derived directly from what you see mostly downtown. So that point is taken that it's not about the eastern single family residential. I agree with that. But it's not trying to be it's trying to be the next generation product that becomes something that is taken from and inspired by Washington, but not the same old thing. There was a comment about all the cars that are coming in on Washington. Well, just like the last project, you cannot guarantee who's going to live here. There's no way we know the project most likely will not have teenagers living. The project most likely will not have large families living here. These are two bedroom, two bathroom homes that don't have yards, don't have a play structure, don't have an adjacent park. These are not designed for families. Maybe there should be some. We've talked about this. We went back and forth. But the idea the person that's driving here is that's driving down Washington, which is the only ingress. You cannot get there's no way you can get a road that would work from Madison into the property. It's impossible because of the height differential we wish we could and, you know, one of the discussions we had was maybe we could approach American Legion and see if we could get an ingress here to the south. That would be great if. We didn't bring everybody up through through Washington, but really that's the only way to get in. And you're most likely going to have someone in there at least 30 or over who's not going to be racing down the street, probably going to be a married couple because they're going to be more expensive than someone might afford if they were a single professional. So those are those are all truisms. I don't think anybody's that wrong in their assumptions, but I think we need to think about who really would be coming here. It's not it's not a teenager coming home from high school. It's most likely somebody coming home from dinner when they went to downtown. The questions of human burials and other things and artifacts like that would be a big concern to us, and we'd love to know more. We did do quite a bit of due diligence and vetted the existing building on the property that it wasn't a historic resource. We were assured before we move forward with any development that, it didn't have any significant events happening that it wasn't listed in The Department of Interior, we did a ton of work making sure that it was not and it is not. So to propose demolishing that really cool house is sad and we looked at a way to incorporate it, but it just doesn't make sense with the age and quality of the house at this point. So I think that kind of covers it. Mostly the idea is that it is transitional type zoning, it's PDR, it's not and some people might call multifamily because you have two buildings connecting, but it really is single family type model. It's just connected. I mean, these are one and two story with narrow three story. So we're not talking about building big

three storey blocks, 50 feet wide by 30 foot deep. We're talking about 18 foot wide. So the idea, you know, you're talking about the same massing as in single family. I think I'm sure there's a few I missed, but we're also open to any messages back through Sal and I do I do want to understand I have not found the 30 foot buffer. That's pretty prohibitive. One of the comments was why doesn't the development follow the orthogonal grid of the rest of the neighborhood. It's because there is a huge drop in topography right here. So this is the edge of the hill. The hill goes around like this. And we worked with a civil engineer exhaustively here in town at BFA, down on Elm, to make sure that this was viable. And it does make sense from a drainage constructability and topography standpoint. So, you know, if we were to turn the buildings orthogonal and follow the city grid, we would have less buildings, which makes the project unviable for the developer. So that's the balance. Do you want someone to come in and bring quality products into the into the city? If you do, then there's going to be some compromises that we need to make on numbers. So like Sal said, 24 units could be built and the study we did was about 18. We thought 18 would fit. So it's not necessarily denser per square footage, it's denser per area.

Tom Holdmeier-So any other questions by board members?

Mike Wood-No .I'm okay with you moving forward. But I'm going to tell you, my biggest concern is that ten foot buffer at the beginning of that. I mean, I know, you get it up to 16 feet and you get.

Steve Hoard-The ten foot buffer?

Mike Wood-Well, that's what I'm showing by building 12 down there.

Steve Hoard-You're right. There's ten foot ten. That's the side of it.

Mike Wood-I mean, I'm just telling you my concern. I'm going to be okay with moving this forward.

Steve Hoard-But can we go back to the color real quick? Because the whole point of this is not to sugarcoat anything. We want everybody in the neighborhood to be excited about what's happening so that building is adjacent to the end of First. And what it has is it has a fireplace adjacent to a living room with a sliver window on the second floor and then has a building entrance and a brick wall. So this doesn't have views or really you can't really see into the building at this point. The building's orientation is this direction into the side yard. So I would agree this one is the worst case scenario of the whole site. It was tough with making these happen with this has to be 26 for fire. This has to be 24 for backup. And then once you get any deeper here you can't build them because the topography is just too steep. So we're trying to be conservative with the constructability. So this one doesn't affect anybody else because this is a garage and this is a street and there's no fenestration from bedrooms looking out there. So it's that one's not a big deal except for its proximity.

Mike Wood-And I think that's what concerns me is the proximity to Washington Avenue and to First Street. But it's one story. .One story, two stories, three stories. So it steps down to the street. So that's part of the design, is that you're trying to buffer ventures away. This one doesn't, though. This one's 30 feet tall right here and it's 16 or 17 feet from the street. So, you know, the I think these are all compromises and we're more than happy to adjust. But I think we have to look at the bigger picture of who's going to live here. And I mean, just imagine the demographic and how happy the people are that are going to be living here with the access. There also was the idea of a river trail, of a nature trail connecting to the river trail was abandoned early on because of. That's a really good point. I think Ron brought that up. That's not a proposal now and we're trying to do that.

Mark Kluesner-So Steve, you said you would work with rendering the drawings, but will not work with the density amount then.

Steve Hoard-Yes, well, I mean, we'll work with anything I think we're not up here saying it's this way or no way. This is the whole point of a public hearing. I think Florin and this would be the first development he's done in Washington. And, you know, he and I, I'm in an age I'm 55. I'm not going to

do projects that don't create a good legacy and a good quality product for me, I just don't take them anymore.

Mark Kluesner-I like a lot of your ideas. And so it just looks a little too tight to me

Chuck Watson-Well, the one thing, just like Mike was saying, even on that first unit, instead of maybe just having a duplex, just have it is, you know, a two step and then, you know, moving the thing.

Steve Hoard-A single unit.

Chuck Watson-A single unit instead of a duplex, you're dropping down just one person out of 26 and then you're gaining more space that everybody's really concerned about is my thought is all.

Steve Hoard-Not a bad idea.

Mike Wood- I thought the same thing I do. There's got to be something that without you losing too much, only a step.

Samantha C. Wacker-My thought is kind of similar to but a little different what about a somewhat of a stylistic buffer in terms of that unit that you're talking about that's right by Washington Avenue and then kind of the outlier unit the other way. Because it seems like there's some concern from the neighbors as far as is the style compatible with the style of the neighborhood. Not that I mean, I think it's really neat and I think it's innovative and I think it matches the intention. But since those are kind of not really part of your views necessarily or your concept, do they have to be exactly the same as everything else you're building, or could those be a little more kind of, you know, a just a maybe a little similar character.

Steve Hoard-It actually is similar style to the neighborhood except for the buff bricks. So what is not fair to the neighborhood constituency and people that aren't involved in the design is that we are at a very initial stage. So the developer has to balance how much money he's spending on me and civil engineers and others to get the point where we can get an approval. Right. So we also have to the project has to pencil. It has to be viable. He's going to spend all this money. And at the end, if it doesn't pencil, then it's a huge waste of money and an a loss for the city. So as we get further on, there will be more information to see. I know that doesn't help a lot of people now, but that facade on that side is basically like any brick. If it were red, we wouldn't even be having this discussion because it looks like every other single family from here to the Saint Louis City Line. So, you know, it does have a pitched roof. It's just rather low. It's not an 8 to 12. And it's that way on purpose to keep the buildings low so we don't block neighbors views. It's also so that you don't see them from the 47. If you're coming across the bridge with the existing trees that are there, you will barely see. You'll see these two units for sure. But you probably won't see everything over here and the rest of the property because this buffer is going to stay where it is.

Samantha C. Wacker-Okay. But if I heard you correctly, you're open to a red brick idea.

Steve Hoard-Absolutely. I mean, we're open to discussing that. The idea of the red brick is that it's part of a period vernacular, but it's more modern. It's intentionally supposed to be more modern to appeal to a slightly different demographic that lives in Washington than now. And that's that can be scary. But it also is going to bring some great people. Some professionals that may never thought that Washington was the place they live and they've been in Central West End their whole life. Right. So it could be brick. It could be just as beautiful brick, red brick. It's a possibility. It's all up to that guy.

Tom Holdmeier-I think you have some information from tonight that you need to take, right?

Mayor Hagedorn-Thank you, guys much. You guys have done a dynamite job. I really, really liked the design. Quite frankly, though, this pushes the envelope for our neighborhood and for our town. And are we ready for something like this, you guys. And I'm not talking, you know, a year or two and when it's complete and the day it's complete, you're going to be full, period. We all know that. But do we want the east side of town as those houses get old and are sold to developers. Is that what we want? That's what we need to look at. Not this one in particular, you know but besides that but long term, is this what we

want and how that relates to us as a code governed body. I don't know. You guys have been doing this a long time, so I would think you see where I'm coming from.

Samantha C. Wacker-I would think other thing that we want to see in the in your HOA regulations is going to be the restriction on that is these are not Airbnbs, that these are residential units, whether it be I know just by way of example like Carriage Court has a restriction that leases have to be a minimum of a six month lease of somebody out you know, some kind of something like to where because I could see this being becoming very attractive for Airbnb investors, but that's not really necessarily the character of the surrounding.

Steve Hoard-Right. Totally understand that. Absolutely. That's not the intent of the project. The intent of the project is owner occupied, high quality, cared for, revered. Right. I mean the idea would be and it's hard too because the intent here is to be completely respectful of the neighborhood but to push the boundaries a little bit. It's hard to balance the idea would be after this project is done that that Florin and his group is respected and you know asked come back to the table and do more of these right. That it's a project about Washington. It's not just a turn and burn projects. He's here for the long haul and so are we.

Tom Holdmeier-I think with more design that we can see visually would help.

Thank you.

Shawn Mayall-23 Town and Country Drive- and Tom I hate to do this because I see the clock. I'll be really fast, I promise. Sal, if you could go back to the overhead. Again, my name is Shawn Mayall. I currently own that property and maybe I probably should have come up here a little bit earlier. A couple of comments that I wanted to address the audience and the neighbors is I know they even said it that this day has been a long time coming and they waited for this day. Well, there's a reason I've owned that property for probably ten years, and I've had multiple offers, multiple people coming to me with ideas on what to put on that property. And it just wasn't fitting. It wasn't right. It wasn't going to be the project that needed to go there. So I have sacrificed. So in that property many times over the years there's been a for sale sign on that property the entire time that I've owned it, you know, none of the neighbors or anybody has ever approached me on it, but I have been overly selective. And when I sit down with Florin and his team, the first thing that I said before we wrote a contract was this has to be the right project, the right timing, and it needs to be a great project and needs to be done properly. It needs to be built right. We need to try to keep everybody happy. And that was my first thing we said before I ever agreed to a contract because my name a lot like what Kurt had said, there's a good chance that I'll be working with Florin on this project, doing some of the building, and my name is on that property. I've been on that property for a lot of years and I want to make sure that whatever is built on that property works out well, it fits with our community. And I'm going to probably agree disagree with you, Mayor, that we're pushing the envelope. There's no there's nothing here on this on this product, this project that's pushing the envelope compared to what's going on in the City of Washington. One thing I am extremely excited about board and people in the room is in Washington, Missouri there's about a handful of builders and developers. That's all that's left from '08. And I can tell you that there's about 75% of them in the room right now, and we go out on the line every day and risk our livelihood, our finances on making projects like this happen and making them look good. And what I'm really excited about is this developer is from out of town that's coming in. I welcomed him. We've sat down, we've had meetings and he's willing to invest a lot of time and effort and money in our community and make things look great. Him and I had that discussion right out the gate. That was the first thing we even talked about before we talked about price and where we were headed. And I'm excited that our community has another potential developer that will come in and develop a piece of property and work on hopefully on another property. And what I can assure this audience, I don't need to assure the board is that this this

board, this Council, this Planning & Zoning, along with Sal and the staff, have your back. And the number one reason for the planned unit development is to present all that stuff upfront. It's going to be spelled out and the developer definitely is going to want to work with the neighbors to a degree and make this project right. There'll be no water issues. There'll be no sewer issues. Everything will be, you know, as it may. So, again, I'm just I'm excited about the development and excited about what it brings to Washington. Our Washington is growing and that's some people like growth, some people don't. But I'm excited to have a new developer come in and work with us. A handful because we're it. Guys, this is it. There's a handful left since '08 and it's a struggle. Every day we fight, we fight a lot of battles, but we go out and we sign our name on millions and millions of dollars of loans and we try to help develop and make this town what it is. And we try to make different types of housing. And this is really no different than a lot of things as down on the riverfront and other parts of our town. So there's definitely not pushing the envelope. It's an exciting project. We have to work with the neighbors, but we want to work together as a team. And I think what they've presented is a good start tonight and I want to assure this crowd that the right thing will be done. And everybody, you know, everybody does have a lot to stake here. So anyway, if anybody has any questions for me, I'd be available afterwards. And I'm to get going here because it's late. But I waited a long time for this and made sure it was the right development and the right developer, because we have a lot at stake here. Thank you.

Ron Williams-First of all, PDR is very subjective for you all. You know, it's going to be governed this plan. So think very carefully. Think very carefully and review this very intently. So the architecture is innovative. Well, that's very nice, but show me anywhere in your code where you deal with architecture as a subject of zoning. It's not in there. I don't want to tell you that. Period, exclamation point. Talk about building being sixteen feet back. Still not adequate. Sorry not going to happen. You're not going to put a adequate buffer zone in 16 feet. Sorry, I'll bring landscape architects in here and tell you that. Okay, if this development goes in, we don't have to worry about the natural buffer there on the west side because it will be blocked by buildings. Okay. So that's not a concern. If this goes in, that will be blocked. Talk about well, this isn't really multifamily units or units. Yes, multifamily, sorry, can't help that. That's the way it was put in. If I can put 16 single family units in there and meet the code. Hey, have a great time. That's what it's called. Have fun. Talked about how it meets the 19th century. Last time I look, we're not in the 19th century. Talked about who's going to live there. Can't guarantee who's going to live there. Sorry. Talked about people looking out of the units for them to see out, it's for the adjoining property or not to see in or see the buildings. Don't care where they can see out or not. They want to argue this similar in a neighborhood. I think that's been addressed, folks it's not similar to the neighborhood. They're talking about that the setback off of Washington. Yeah that was a standard building, you know, single family unit. Guess what they'd have a 30 foot setback because that's what's required in that district. We've heard it from the developer. We've heard it from Mr. Mayall, who owns the property, heard It five times I counted all the costs. The cost, the cost, the cost, the cost. Oh, my God the cost. Show me anywhere in your code where cost is a factor. That is not your concern. It is not our concern, that's between the owner of the property and the guy who wants to develop it. Period. Exclamation point. I had that thing ingrained in my mind when I had developers come and talk to me. I don't care what it cost. That's your problem. Thank you.

Tom Holdmeier-Anyone else? Anyone on the board. We have to have a motion on it Sal for the information.

Sal Maniaci-Yes. Motion to to move forward to the next step and to let them submit the preliminary plan at a future meeting.

Mike Wood-So moved.

John Borgmann-Second.

Tom Holdmeier-All those in favor.

All-Aye

Tom Holdmeier-Any opposed?

Mark Kluesner-Nay.

Tom Holdmeier-So moved. Thank you very much.

6) **File No. 22-1002-309 High Street-Special Use Permit-Short Term Rental**

Sal Maniaci-This is a request for a Special Use Permit for short term lodging at 309 High Street. The property is zoned R-2 Overlay right on the border of the R-2 Overlay District. So just to the west is R-1B Single Family. But in this area is R-2 so it does allow single family and two family. You can see there is short term lodging in the vicinity just catty corner and then also down off Horn about two and a half blocks away. So again, these uses are primarily residential nature and have not posed a detriment to the residential uses of the of the neighborhood. And it does have access via alley in the back. So we do recommend approval.

Tom Holdmeier-Questions by board members comments.

John Borgmann-So I've got a question about we every month we have multiples of these. And in driving by looking at these two this time it seemed like the property isn't maybe in the best of shape. And I guess my concern is, is if we approve this, there's once it's approved, there's really nothing that can disapprove it or change it away from that. Is that correct? That once it gets approved as a vacation rental can we use that for the entire time the house is occupied. And then how are you tracking the inspections and what goes on with an inspection.

Sal Maniaci-Air BnB's have to have an inspection every year.

John Borgmann-I understand. And so if it goes and reverts back to where it isn't B&B anymore, when do we do we ever get notified of that or how is that being administered? I guess. as well.

Sal Maniaci-To be honest, that's why we hired that company.

John Borgmann-Did we do that?

Sal Maniaci-Yes, we just hired it about a month ago to do all that maintenance for us.

Samantha C. Wacker-Well and isn't H3 looking at this for the long term plan.

Because something that I was trying to figure out. I mean, I'm just looking at and again, I mean, I wish Mark Piontek was here. I mean the applicant is not a local person either. And I mean, that's something that I know is of concern. Is there really a vested interest in the community and in supervising this property.

I mean, that's just that's a concern that I have.

Sal Maniaci-Right. Which is why we wanted to include that in our long range comp plan.

Emily Solter-Applicant-It's the house we just bought for this. I'm from Washington. This is my hometown. And the reason we just sold a place in Branson so that we could go here because I invested and fully want to be in Washington. And part of the reason we also bought was because, like, on Christmas and stuff, my husband and I have nowhere to go because our whole our family's here and Washington is super expensive. We can't live here yet. So us as young family, we have nowhere to live. So I bought this so we can come here for holidays because that's the only way we can be near our family during the holidays. So that is why we've done this. I do have a very vested interest in. Okay. Thank you.

Samantha C. Wacker-Thank you. That's why we always want the applicant to be here so you can talk to us.

Emily Solter-The only reason we don't live in Washington is because we cannot yet afford to live in Washington.

John Borgmann-We're working on that.

Emily SolterAny other questions?

Samantha C. Wacker-Well, and I guess here's my question. I mean are you going to be managing this or some a local person going to be managing it? And you if there are problems or if the neighbors have concerns, how do they contact you and what is your plan to address those concerns? Let's assume that, you know, you have a bad person that comes in that's going to behave badly and cause trouble in the neighborhood. How do you, as a business owner intend to manage that with not being nearby?

Emily Solter-Yes. Like I said, we have homes that in Branson as well that we manage from afar. I manage them personally and in Washington s even better because I have family who live 2 minutes down the road that are already helping out, coming in, helping, doing things. And I've also spoken to most of our neighbors around and got phone numbers from all of them have spoken with them and they're all really okay with it.

Samantha C. Wacker-Okay. Very good.

Carolyn Witt-It's really nice to see there's off street parking.

Tom Holdmeier-Anything else? Thank you.

Carolyn Witt-Thank you for being here for sure. You had no idea what you were getting into.

Tom Holdmeier-I'll entertain the motion if there's no further discussion.

Carolyn Witt-I'll make a motion to move this forward.

John Borgmann-I'll second.

Tom Holdmeier-First and second. All those in favor?

All-Aye.

Tom Holdmeier-Any opposed? So moved.

7) **File No. 22-1004-527 Elm Street-Special Use Permit-Short Term Rental**

Sal Maniaci-Again, another request for short term rental. This one at 527 Elm Street, you can see here, is just south of the downtown district and on zoning wise, it's actually right across the street from the downtown district. So when we amended our downtown zoning or gave a determination Elm Street was kind of the the western barrier in this location. So you can see that's why this one needs to get a Special Use Permit in the vicinity you do have three within a block and a half along Fifth Street. Those, however, did not need to get approval because they were in the C-2 district. They didn't have to go through this process. However, with its proximity to downtown, it's walkable to downtown.

Mike Wood-We did that one on sixth Street.

Sal Maniaci-So again residential nature, we don't have any proof of detriment to the surrounding properties, nor have we gotten complaints from any of the ones in the area that have been approved, at least nothing that's been forwarded to our office. So we recommend approval this as well.

Tom Holdmeier-Questions or comments by board?

Chuck Watson-The only concern got and it's probably still not part of the Planning and Zoning thing was the front porch.

Rob & Gretchen Burton-Hi we're the owners of the property and we are residents here in Washington. So you had a question on the front porch?

Chuck Watson-I mean, you've got that door and there's no railing?

Gretchen Burton-Yes, that is correct. So we are putting a railing. That's the simple answer to that question. So it's done with a skeleton key now. It's not like an inside it's not a permanent solution, but a temporary solution. We actually purchased it. We love Washington and we love downtown charm of Washington. Rob has never had a home anywhere. I'm from Missouri, lived here all my life I'm from Bell, Missouri, and moved to Washington. Love the area. My kids go to school in Labadie and then our

other two year doesn't. But Rob came here for the first time and he was excited that I had asked him to call it home. So he proposed, you know, we got married and and we live downtown in the townhouses, but we saw an opportunity to have share our community with other people because we love adventures and going to Airbnbs and traveling to see things and taking our kids to see places. So we decided we wanted something for him to do. Once he retires, he's retiring from the Army in a year. So he needs something that, you know, allows him to be at home as a dad and a husband for a little bit. So before jumping into an, you know, another career field.

Mike Wood-So this one doesn't off street parking, correct?

Gretchen Burton It does have a driveway to nowhere.

Mike Wood-But how many how many bedrooms does the house have?

Gretchen Burton-So the house actually, if you are counting how many people sleep in that house, it's like an army. But you have to remember, there's only one bathroom that's so. So it is four bedroom in the house and, you know, we're not a heads and beds type, you know, Airbnb because we're local and we want it to be nice and it's ours and we don't want it to get damaged. We take that sort of approach to it. This is the first for us. We've done tons of research. We're actually going move into it while we fix it up because there's just a lot of things that you don't get return on your investment, like trim or like windowsills being chipped or, things like that. And I don't know if anyone knows anything about this home, but every thing in that home almost is original. The floors are original, the roof is original, the windows are original and work. The door that you were talking about is original and that's what excites us. But you can't charge money because you re stained the windowsills. You know, people don't care about that. So we're actually moving into it to kind of fix up as we go. And then Airbnb it. So a little bit of a change of plan from, from what we originally thought.

Tom Holdmeier-Questions, comments by board?

Mayor Hagedorn-Folks, you're the kind of folks we want here in town, okay. Period. So when you retire or when you feel the urge Gretchen, please volunteer and get involved in the community. Thank you for your service.

Mike Wood-First

Chuck Watson-Second.

Tom Holdmeier-All in favor?

All-Aye

Tom Holdmeier-Any apposed? So moved.

8) File No. 22-1006-The Creek at Koch Farm-Preliminary Plat

Sal Maniaci-It was last April. We approved a preliminary plat for the property just west of here, which the Meadows at Koch Farm. Now this in the next phase of this or different plat but it's connected to it as the Creek at Koch Farm so obviously it's connect still to Bieker Road. So this is the actual plat for this phase it does show Rabbit trail connection down to Bieker. It does have us in a different color here. This is actually part of the development agreement that the city is going to be building this portion of this. And it does meet the requirements that we had 50 foot right away, 35 foot street. They do not have any driveways on this so that was one of the stipulations if we were going to build it, they couldn't have driveways directly off of it. And so obviously this plat meets that with all of these driveways and an eyebrow. So these driveways do not come right off of there. It is a 32 lot subdivision. Almost all of them are off of the streets of Rabbit Trail, except because of the grouping that was available here. There's three lots that were added. So I'm going to switch over. This is what was approved as the final plat for the first phase. You can see there's a little gap here. And so that now you can see there's the three lots they added in the common ground shift of the common ground down here and then completed the

development here. So it meets all the requirements, it's got the appropriate easements, it's got it meets the minimum lot size of R1-D, almost most of them are over the 7500. There's a few of them that get a little bit smaller. The only street name change and we did talk to emergency services and it's not a name change. It's just that Peyton's Place Avenue, Avenues are reserved for through streets. And so we just recommended that be Peyton's And then the circle and way, those could be courts and ways and cul de sacs. So we recommend approval of this. You'll see there's no stormwater on here. With their submittal they were overcompensated with stormwater on the Overlook and that's how they submitted that here. When they come in with construction drawings, they'll have to the calculations proving that and if it for some reason requires the change of the plat it will be back in front of you but they could always do stormwater because they own, I mean, stormwater could also be done down here too. So when construction drawings are submitted, they'll have to show that to the city engineer. But we recommend approval of this plat and excited to get that connection done.

Tom Holdmeier-Questions comments by board of Sal?

Samantha C. Wacker-Motion to approve.

Carolyn Witt-Second

Tom Holdmeier-All in favor?

All-Aye.

Tom Holdmeier-Any opposed? So moved.

9) **Other Business**-Code Revision-Noise Ordinance

Sal Maniaci-Okay, so the last thing on the agenda tonight, we in 2017, the noise ordinance section was added in to our zoning code. For decades it's always just been a nuisance code where the police have their own opinion of something. This is deserving of being a nuisance violation. In 2017, when we added all this, there is performance standards on all zoning districts that require them to have our dwelling districts and our business districts have these very complicated octave band, sound level decibels and to be quite honest, we never have enforced this. We've never used this section since 2017. We don't even have the equipment to enforce it. We've since got a complaint about a business in town and we realized we couldn't even enforce this without the equipment. The equipment is like \$5,000. And this is obviously way too complicated for, you know, you have to be trained in it. Whenever we looked up at a lot of other communities, they have a standard decibel reader. And you have a receiving district versus a where the actual noise complaint is coming from. So we are just proposing to simplify this. Take that section out of an octave band from different cycles per second and different and just say here's the receiving zoning category. So if the complaint is coming from this zoning district, they can call, the police will go with a much simpler piece of equipment and they'll be able to read the sound level and it even if the noise is coming from commercial industrial, if the receiving zoning is residential, this is the category. So we didn't just throw these numbers out the wall. We did actually do a little bit of homework. We looked at some of our other communities. A lot of these numbers match like what, Wentzville, Warrenton. We kind of went down the 70 corridor zoning and looked at it. This matched it. We did go a little bit higher in our C-1, C-2 and C-3 because if you look at we just pulled this, I think John Nilges has actually found this from like a Yale study. A freight train from 100 feet away is 80 decibels. So we thought that was a realistic number to choose for downtown because if someone is choosing to live where freight trains are passing all the time, back that one back home, would you just swing it? So yeah, this is kind of the threshold of the typical sound level.

Samantha C. Wacker-So Sal, just in looking at this and I don't yeah. I mean, honestly, I would probably Do this when Mark Piontek is here since a lot of the enforcement is going to fall to him. And I

mean, I but I was just curious as far as the residential, you know, the PDR and the R-3 being higher, I don't why they would be treated differently than the other residential districts.

Sal Maniaci-Typically because they're just a little bit higher density and they're closer to that because we try to transition them closer to commercial higher intense uses. We wanted to give the higher density, uses a little bit more of a buffer because we put typically multi-family PDR closer to commercial that they didn't have to follow the commercial because really is on the commercial to do it. This gives the commercial the capability of going up to 70 instead of 65.

Samantha C. Wacker-Okay. So this is these sounds are you said that's the receiving. So like if I'm in R-3 and I'm mad about noise, I can mad at a 70 but not a 65. Is that what you're saying?

Sal Maniaci-Correct.

Samantha C. Wacker-But it's not but it's it doesn't hinge on where it comes from.

Sal Maniaci-If the noise not it does not hinge on where it comes from just on who's complaining.

Samantha C. Wacker-So it's the complaining person not okay. So if I am like in R-1A but I live in one of the places that's next to a commercial, then I can complain at 65 it's not the 80

Sal Maniaci-Correct.

Mark Hidritch-And the facility that the complaints come from, they bought their own. They bought one now.

Darren Lamb-I mean you've got other facilities. I guess the biggest thing that we want to make sure and we did try to make this as simple as possible. I think the biggest key that you're going to have is, like I said, we have a lot of festivals and you see number three, it just talks about the fact of this is not apply for or anything that's established as a festival district. So we don't want situations where the police department has to enforce somebody living on North Park Drive, a house on there. And then all of a sudden the fair comes along and they want us to enforce this. I mean, that's no right. Well, that's what I'm saying, but you don't have this stuff in place about festival districts. We throw a lot of parties. And so the idea is you don't want to sit there and have them running out there every single time that they've got it. But I we did look at this and I think this is going to be one of those things where we just if we have to tweak these numbers at a later date, we'll find out after we passed it.

Sal Maniaci-We've gotten one complaint that actually asked us to use it in five years. So I think it's right. If we decide it, the police get there and, says, hey, this this is really unrealistic for them to get and then then we can tweak it as we need to.

Darren Lamb-Right. We sat down with them, too, because this they're going to be the ones that are going to have to enforce. So, yes, the police have been over this, Mark has been over this, etc. This gets down to about as simple as a couple of hundred dollars for a device to go out and for the police department to go out there and stand based on a complaint.

Sal Maniaci-I copied this from an email that I got from Mark.

Chuck Watson-The only question I've got then actually has to do with the compression release engine breaking stuff on trucks and things like that.

Sal Maniaci-Someone's driving by, it's really not enforceable. Now, if a car is getting repeated complaints and the police can find that car and realize it, there is still the nuisance ordinance in place.

Chuck Watson-I understand that. But I mean, it's like, you know.

Darren Lamb-This does not cover jake brakes situation.

Mark Hidritch-And Chuck, we did put those signs up. Yeah. How many years ago that the police will have some backing, you know, especially for Quail Run Harley-Davidsons come down through there that jake brake down through there and that's why we put those signs. I have not.

Darren Lamb-I don't know that the council has received any complaints about that as much since we've had that in place.

John Borgmann-So the only other question I had was the time frame. And the only reason I bring this up is the new self-storage that we approved up on Highway 47. They mulched every one of those trees up there starting at 6:15 in the morning. And in my subdivision, on Michelle, which is the one farther to the west, woke me up every morning with, we had the windows open this fall quite a bit, but it was I called communications because I thought it was loud where I was at.

What time of year were they doing it? Just recently. September. There is a time. **Darren Lamb**-It's 6:00. It depends on what time of the year you might have still been in the summer hours where they start at 6:00 because it's the same thing with and that's. Just so you know those hours coincide with we look back at that section and the ordinance.

Sal Maniaci-It will take three weeks to get calibrated and they ordered it a while ago.

Darren Lamb-So by the time we get the ordinance passed, we will have it.

Carolyn Witt-You need a motion?

Sal Maniaci-Yes.

Carolyn Witt-I'd like to move we approve this.

John Borgmann-Second.

Tom Holdmeier-All those in favor?

All-Aye.

Tom Holdmeier-Any opposed? So moved.

Samantha C. Wacker-Motion to adjourn.

Motion to adjourn the meeting at 11:02 p.m, first and second, passed without dissent.



Thomas R. Holdmeier

Chairperson

Planning & Zoning Commission