

**CITY OF WASHINGTON, MISSOURI
PLANNING & ZONING COMMISSION MEETING
405 JEFFERSON STREET, WASHINGTON, MISSOURI
COUNCIL CHAMBERS -- GROUND LEVEL
Monday, March 13, 2023 @ 7:00 P.M.**

- 1) Announcement of Meeting / Call to Order/ Roll Call / Pledge of Allegiance.
- 2) Approval of Minutes from February 13, 2023
- 3) **File No. 23-0301**-Preliminary Plat-WW Industrial Park Plat 3
- 4) **Code Revision**-Noise Ordinance
- 5) **Other Business**-Discussion on Moratorium on Short Term Rentals
- 6) **Adjournment**

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

**CITY OF WASHINGTON, MISSOURI
PLANNING & ZONING COMMISSION MEETING MINUTES
Monday, February 13, 2023 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, Mark Piontek, Tom Holdmeier, Mayor Hagedorn, John Borgmann, Chuck Watson, Samantha C. Wacker, Carolyn Witt, Sal Maniaci

Absent: Mike Wood

- 2) **Approval of the Minutes from the January 9, 2023 meeting-** Motion made by John Borgmann, seconded by Mark Hidritch, passed without dissent.

- 3) **File No. 23-0201-BFA, Inc.-Tracey & Christine Comely-Preliminary Plat-**
Sal Maniaci-So yes, so this is a pretty simple plat. I'm sure many of you are aware with this area. Actually I believe it's probably the first phase of Stone Crest. There was a piece of land here that was originally platted as one lot in between the developed the land to the west and English Crest. We've had signage there before that this roadwork to be continued at some point until this property to the west were actually to sell and potentially have that road connect and so now we have had a preliminary plat to have that road come through and so you can see here it is zoned R-1A, single family residential, which means it does have 10,000 square foot lot minimums and the plat that was submitted as well above that you can see a lot two A and three A is what's proposed and lot one A is existing in Stone Crest it's just getting slightly larger than moving that property line to the west you can see here. Both of these are still plenty buildable. There is an existing gas line easement. That's what you see here, it's called out but that these lots being large enough are still plenty buildable. Meet the setbacks and everything and then for the right of way dedication you can see they have 50 ft. of right of way which would fit a 35-foot wide streets so it meets our requirements. It's got room for utilities as well. So we are recommending approval of the preliminary plat.
Tom Holdmeier-Any questions or comments by Board members Now, is there anyone in the audience that would like to speak on this? There is not I'll entertain a motion.
Carolyn Witt-First.
Chuck Watson-Second.
Tom Holdmeier-All those in favor?
All-Aye.
Tom Holdmeier-Any opposed? So moved.

- 4) **File No. 23-0202-BFA, Inc.-Gregg & Brittany Gross-Special Use Permit-1399 W. Main Street-to operate an RV Park**
Sal Maniaci-Yes. So, this is an application or a use that I think has been a long time coming. As we've had discussions with the Chamber of Commerce on separate projects not related to this,

but for the potential need and development of an RV park in the city limits. And through those conversations between the city and the chamber and now this private developer has stepped up and put a proposal in to develop themselves actually without the city or chamber participation. We have not actually had an RV park be proposed since our new code in 2017. It does require a special use permit in every zoning definition just because I think it is going to be such a case by case, unique use that it has to be reviewed no matter where it goes. The proposed location is here just on the corner of West Link Drive and West Main Street. And so this property here is adjacent to, you do have industrial zoning on two sides of it, so on the north side and west side, that's M-2, heavy industrial. The subject property itself is zoned agricultural and then the property the south is actually owned by the city and that is our Miller Post Nature Reserve. There is a portion of our Miller Post Nature Reserve, I don't know if everyone's aware but our trail actually does connect to West Main there and so you can see in between there that's kind of a buffer piece, it's about 30 ft wide. And it does kind of create that buffer in between this proposed use and and these R-1A zoning to the east and then also has, I'll show on the site plan access to that trail is proposed as well. As for the site plan itself, there was a number of different plans in the packet. I have three of them in your presentation tonight just for the ease of actually being able to read on the screen. But this was the easiest one I think to show they're proposing 35 pads on this location with a main access here that's wide enough for entry and exit on Westlink and then a secondary access on West Main. They do show a one way in one way out around here. For the most densely populated section of it. We did send this to site plan already actually twice. Um So our engineering, fire, water, sewer were all able to review this. Our fire department was in favor of this plan. At one point it had 90 degree bays. They were able to change those to 45 degrees for better circulation and they're okay with the 20 ft. fire lanes because they are one way and have no parking actually on here. So these will be signed as no parking sign and striped in this location which is why we're okay with the 20 ft wide and then it does get to 26 ft wide in these locations where you could have traffic passing on each side. This is kind of crowded here, but you can see a grading plan, it's probably easier on the one that's printed out in your packet. You can see really the main crux of the grading plan is going to be in what's actually open, so you can see in the aerial they're going to try and disturb as little as possible in the sense of taking away existing vegetation. And so the grading, will have a lot of that you can see it already slopes down significantly towards the creek. They are going to, in the long term, proposed kind of recreational access to the creek. I think that was an attractive aspect of this property that it will have recreational access to not only a city facility but our trail connecting to the fairgrounds is where that trail heads to and then also with their own private connection to the creek there they can have their own recreational activities for visitors as well. And with this use, the real reason I want to show the grading plan as you can see with them not disturbing outside of that as much trying to keep a lot of those trees and vegetation intact as possible outside of that clearing area. And they have also already had the preliminary site plan and utility work scoped out. They again met with our water and sewer to figure out where the best connection points would be and each pad will have connections to water and sewer as well. And so when I actually get into the proposed use of it, our special use permits have, you know those 10 categories those 10 criteria really that for it to be approved to see if they meet. So, here's what the factors for consideration that we go over for all of our special use permits. But really running through these one through ten, you know the compatibility of the proposal in terms of both use and appearance with the surrounding neighborhood. We think the fact that it is adjacent to industrial and recreational this does act as kind of a good buffer and transition between those two uses. Really the only other

alternative than as it is currently would probably be industrial and so we think this is a less intensive use than what the neighboring properties have and what this property I think could realistically be requested for in the future. The frequency and duration of various indoor and outdoor activities and special events and the impact these activities have on surrounding area. Obviously, there will be some indoor outdoor activities of people pulling in and out and kind of RV campground, but again, given the intensity of it having adjacent to the industrial park, we don't think it poses a significant issue for the area, the capacity of adjacent streets to handle the increased traffic in terms of traffic volume including hourly and daily levels. This one was important because per our city code actually West Main and Westlink are designated as industrial truck routes. And so what better place to have something that's going to have large vehicles coming in and out than on one of our industrial truck routes rather than this being tucked in closer to a residential neighborhood where they wouldn't be those streets wouldn't be so used to having a large vehicles. So again we think this is an appropriate area for that. The added noise level creative activities associated with the proposed use, getting a lot of our industrial factories can be significantly more loud than what we anticipated. RV Park and campground it will still have to follow all nuisance laws and noise ordinances of any other property. So after 10 pm if there is an issue with noise from a visitor, we already have the capacity to be able to issue that a noise ordinance and a nuisance violation already. The requirements for public services where the demands of the proposed uses are in excess of individual demands of adjacent land uses in terms of police and fire. So again, we don't think there this area, this isn't going to increase the demand for fire or police that can't already be handled in the area, especially with the increased risk of what industrial, heavy industrial uses already bring. Whether the general appearance of the neighborhood will adversely be affected by the location of the proposed use on the parcel. Again, I think this is more of a subjective one, but I don't think the general appearance is proposed to be anything out of the ordinary that's adversely affecting the neighborhood. The impact of night lighting and the intensity of duration. Their plan does not have a specific proposed lighting plan on there and so we have not seen any evidence of that. If they do plan to have some taller lights to illuminate some of the paths or driveways, they would have to show that on their final site plan and verify that those lights would be directed on site and not to neighboring properties. But the current plan did not propose any of that. The impact of landscaping the proposed use. Again, nothing out there, They're going to keep a lot of the major vegetation on the outskirts and really clear the the internal. And then lastly the impact of significant amount of hard service areas for the buildings, sidewalks, drives, and parking areas. And that's really for the noise transfer, water runoff, heat generation. A industrial area could have a lot more hard surface than what is proposed in this location. So we don't think it's a significant amount that's going to detriment the area. They obviously will have an increased runoff but we already have stormwater regulations that require them to submit the calculations on that that it's not going to have an increase to any neighboring properties. I think they're in a pretty good position with having direct access to the creek. And the fact that this leg of the creek is so close to the river, they can have pretty light retention area to then release that into the creek which then goes into the river. The closer you are, I think that gets a little bit easier that there's not as much properties that you're affecting between you in the in the main body of water that you're dumping the water into. So, with all that being said, I'll go back to the site plan. Again, looking at this specific type of use when staff and the applicant had a number of meetings with us before they even submitted. And in reality our recommendation is that this is probably one of the better locations for an RV park in the city limits when you start looking at all of our

parcels that are available and large enough. It'd be tough to find one that is walkable to downtown. I mean it's walkable and has access to recreational facilities. It's on an industrial truck route and it's a transition between that heavy industrial and that single family and so we think this is actually a pretty decent proposal and location for this. So we are recommending approval and at this time I don't have any specific conditions of approval. I think our zoning code and site plan requirements as we dive into their plans and more detail, I think our current code will be able to handle it and regulate it as needed.

Tom Holdmeier-So questions, comments by Board members of Sal?

John Borgmann-Of course. I always have questions. Sal, first of all, do you know what type of road and pad surfaces are going to be in the park? Is it going to be gravel? Is it going to be hard surface?

Sal Maniaci-It won't be gravel. I can let the applicant answer that.

John Borgmann-So that's one of the questions. Do you know where the dumpster is going to be located? Because when we talk about access, that's one thing, when you have camping going on, you sometimes have that a little bit more frequent. I didn't see that on the site plan anywhere. And then stormwater. Do you know, do we know where that's going to run to?

Sal Maniaci-It will run southwest towards the creek and they will have to do some type of slowdown retention. And our engineering offices already have those early conversations with them. They have the room, the capacity here with them not really using this area to have any needed retention be done in that area.

John Borgmann-Okay. And then you mentioned that it already had been through fire review. But my only question with that is we have no other hydrants other than the one at West Main and Westlink?

Sal Maniaci-I apologize we did have a fire hydrant map so we went through the counts with them and let them know they will have to be adding hydrants. So, yes that was part of the review.

John Borgmann-Okay, very good. Thank you. That's all I have.

Carolyn Witt-I have a question. I wondered about if somebody on site again this is probably to the person, but on site check in, is there going to be employee somewhere, a responsible person there? I am not an RV person. So there's totally greek to me but and I also wondered I've driven by RV parks that look like there's some permanent housing and is this temporary? I mean I'm not, it's just if it turns into a trailer park, I mean not a trailer park, but as I said, I've seen our RV parks where it's more permanent and I had a concern about that.

Sal Maniaci-So they will not be allowed to do permanent. I believe because at that point it becomes a different use, it's a mobile home park that they'd be asking for not an RV park and so there is I believe it's 60 days and they may have put in the application, well they're going to do 30 days I think by ours it's 60 days but they have 30 days and then for check in again I'll let them answer it but I believe and this is not some more conditionalizing but I think a lot of it it's you check online, it's got a gate and you can come in and out. So I think I believe you get like a code.

Mayor Hagedorn-Sal, I know you talked about it, I missed it. What are the hookups at each location? Sewer, water and electricity?

Sal Maniaci-At all of them.

Mayor Hagedorn-Wow, okay.

Mark Kluesner-Will all the our vehicles that come into the park, will they all be sufficient to operate in that fashion? Have septic and water hookup and all that?

Sal Maniaci-Like the actual utility system?

Mark Kluesner-Yes.

Samantha Wacker-I think are you asking like is this an RV park or is this a campground because I think that would be different.

Mark Kluesner-Right, are they nice enough to be in there?

Samantha Wacker-Because it's I mean there's a difference, I mean I'm not an RV person either, but I know like some people just haven't like a pop up camper that's more like just a tent on wheels versus an RV I think. Is that the question?

Mark Kluesner-Part of that? Yes. So will that be inspected as they come into the park?

Sal Maniaci-So not for each individual guest. I mean they'll have to get when they actually put the utilities in that'll all be inspected, they have to get hook up permits to actually extend our mains but I mean it's not a public main that's running through there is a private main so they'll have a connection and it's basically one lateral that'll run through just like instead of a lateral from the street to the house it'll have a lateral that loops through that is their private main.

Mark Kluesner-Thank you.

Tom Holdmeier-Any other questions, comments.

John Borgmann-One other thing I think I heard you say is this going to be a gated entrance.

Sal Maniaci-I believe so. I'll let them answer that. I think they mentioned in one of our meetings that they did some homework on how they were going to book it.

John Borgmann-Because that's a different aspect from emergency services standpoint.

Sal Maniaci-I'll let them answer that.

John Borgmann-Okay, thank you.

Tom Holdmeier-Any other questions or comments of Sal.

Samantha Wacker-Sounds like we need to hear from the applicant.

Tom Holdmeier-Would the applicant come up please. Please introduce yourself.

Gregg Gross-How you doing?

Tom Holdmeier-Did you get some of the answers for the questions? The pads are they paved?

Gregg Gross-I'm trying to go for everything concrete. That's what my goal is. Everything concrete. Everything really nice to keep, you know, I want it to look nice. I don't want to look like crap.

Tom Holdmeier-And I think there's a question on the trash location.

Gregg Gross-That's one thing I noticed that we didn't see on there, but I don't know. We'll have to look into that a little bit more to see where they can fit it if they had to take out a spot or they got to accommodate it.

John Borgmann-The reason I'm asking that is, that's a large truck on the, on the material that's on the roads and things like that. They tend to break down roads, but if you're going concrete, that solves that as opposed to asphalt.

Gregg Gross-Yeah, that's what I'm aiming for is all concrete.

Samantha Wacker-So, what is your target market? What's your target market for this business?

Tom Holdmeier-Who you trying to bring in what type of business?

Gregg Gross-A little tourists and then people's families that all live around here too that want to come in and visit through the holidays and stuff like that too, you know, come and visit through our programs that we have. It's just not for tourists. It's for family too that, you know, that don't live around here. I mean, that opens it up for a lot of people, you know.

Carolyn Witt-That there's something you should target is we always heard that Purina Farms, they're dog people, we're always looking for something close and so those are people you need to remember when you get up and going target that because if they have an activity, that'll be a good turnout for people.

Gregg Gross-Washington has a lot of activities. So I think we'll be able to keep it good if we get it going.

Carolyn Witt-Purina Farms, they were always very interested in pet friendly.

Gregg Gross-It has the dog park and then they can walk their dogs all through that nice trail back there and enjoy their walks and then fairgoers.

Tom Holdmeier-You're going to have that gated?

Gregg Gross-Yes, I want to put a fence around to where the tree lines are because I want to still try to keep, you know, I don't want people just walking in off the street.

Chuck Watson-Is the entrance way going to be a gate there?

Gregg Gross-I'm hoping so if I can get it to fit right in that spot because they still will have to come off because I mean before they can do it on their phone, check in on their phone, they can just push a keypad and the gate can open, they can pull right on it just in case if you're checking in at night and there's nobody there at the check in office to help you out so you can still check in at night if I do it automated too.

John Borgmann-That's going to have to be something that gets addressed in sight review. So I'll make sure that make sure that emergency services know about that because that's going to have to be figured out. Right now we don't have anything like that in town and we need to have access. Police need to have access. So we got to get that.

Sal Maniaci-We have there's an equipment that you can put on there that the police can have access to the gate, police or fire if needed.

Samantha Wacker-Sal had mentioned, I just want to make sure that we're clear on this. What is your time limit that you're proposing for people to stay to? What for how long people? How long is your occupancy?

Gregg Gross-I don't really I don't want them in there but 30 days really, because I don't want nobody living there. That isn't for living, that's for people to come and spend a little time and leave. So I don't want it to be a permanent resident.

Sal Maniaci- And I believe by definition because when we did the homework on this, when the Chamber was looking at it. It was I think at the time it was 60 days, but you could have technically one permanent because sometimes like in state parks they'll pay someone or they'll accommodate them to kind of manage it. And so if they wanted to do that, we would allow that one basically one full time occupant and then the rest would have 60 day limits.

Samantha Wacker-And then what is your plan, as far as you mentioned that whether there would be somebody at your office or what is your staffing plan for this?

Gregg Gross-Try to at least have two people, just in case one goes sick and then want to cut grass and maintenance and help with the check in. But with that automated one check in that, I'm hoping that will take off and that'll be a lot less on one person if there will be there two people.

Samantha Wacker-Okay, I mean are you proposing, it sounds like what I'm hearing is you're not proposing to have someone on site staffing at 24/7.

Gregg Gross-No, I am not going to have a 24/7. Nine to five or eight four.

Samantha Wacker-So somebody will be on site during regular business hours, but not the overnight.

Gregg Gross-Not overnight.

Samantha Wacker-So you're not proposing a resident manager at this time?

Gregg Gross- No.

John Borgmann-I notice you have two permanent buildings on the site. One that's 2 x 45 and one that's 60 by 40 for a shop. What will those buildings look like?

Gregg Gross-The shop is for maintenance to put like a snowplow in like a golf cart and then just like lawnmowers and stuff. And then the building up top is for bathrooms and showers, trying to do three unisex bathrooms.

John Borgmann-So are they going to be masonry buildings?

Gregg Gross-Yes, that one will be a block building. The other one will be like a, I don't know yet, I haven't really thought of the material I was going to use to make for the look but I wanted to look nice.

John Borgmann-I'm just trying to blend it in with residential neighborhood that's just to the east of that. That's why I was asking.

Gregg Gross-Yes, I wanted to all look real nice because I don't want any complaints.

John Borgmann-Have you talked to the neighbors?

Gregg Gross-No, I have not.

Sal Maniaci-We did send out the letter to everyone within 185 ft. and I have not gotten any phone calls.

Mayor Hagedorn-For those in the room who don't know I own a small RV it is absolutely wonderful. We never stay in it enough. Every place that we go and we've had it, we haven't had it out of state yet. But if you take it down to Meramac State Park, there's 99% of the people who stay there are grandparents like us with their grandkids or young families that just want to have fun. It's like a traveling community and it's so if there are any concerns about riffraff coming in that won't happen. You know, not to say there's one tenth of 1% of any group that may cause problems, but it has been my experience exclusively that those folks that do RV are fun and people we want to attract to our town.

Sal Maniaci-I maybe I didn't drive it home enough. This has been an amenity that's kind of been on our goal, list of goals for a while.

Carolyn Witt-It's really nice that you're willing to step up and do it because I know the Chamber and the City have both looked into this in the past and it's, I think it's much better if it's an independent.

Gregg Gross-Thank you.

Tom Holdmeier-Any other questions or comments? Thank you. We may have more later. Anyone else that would like to speak? Please come on up, introduce yourself, your name, address.

Kevin Klein-I live at 105 Caramel Lane. So we did get the brochure, which I appreciate. Naturally concerned. Little concern that you spoke mostly about industrial issues around there. Just be aware that the residences are there. One question which is mainly for council probably is what happens to the park if it goes out of business? Concern there is now you have the infrastructure there with concrete pads and concrete roadway and it gets reverted, how does it revert back to agricultural at that point or does it become industrial at that point?

Tom Holdmeier-I mean like any type of business that they would build a building or and they leave it's the same type of facility or are you know it'll still have the pads until somebody comes in and removes them.

Sal Maniaci-The only thing I can say even if they go out of business we do have a property maintenance waw that they'll have to make sure it doesn't have weeds, grass, all those type of things.

Samantha Wacker-To clarify, this is a special use permit not a rezoning. So the zoning itself is not changing, its just a special use within the zoning.

Kevin Klein-Right, so it'll still be zoned agricultural but be allowed to be an RV park. And the concern is just what's it go back to if it doesn't work. Because I am an RV'er and I've been in many RV parks throughout the country. I've not been in many that have been that close to residences.

Samantha Wacker-Which residence is yours?

Kevin Klein-105 Mount Carmel. So where the where the trail would come up to our backyard.

Samantha Wacker-Do you have trouble from the trail?

Kevin Klein-No, no very few people use the trail actually. And it's great having it there. When we bought the property three years ago seeing that that was zoned agricultural was one of the reasons we bought there because I figured agricultural meant nothing would go in except farmer's field or a pig farm. You know that that I don't want to have. It is a beautiful open space. We love the reserve. We walk back there probably five times a week and that's a beautiful property back there. So I don't want this impairing that either, which I don't think it will. One of the concerns on the plan is that there are campfire pits at each of the 35 or 38 I thought it was in the original plan that I saw. And if there's 38 campfires or 35 campfires going back there there's going to be a lot of smoke rolling up into our neighborhood because we're above. That's a concern. I don't know being an RV park, you do have fire pits but I don't know how to remedy that. The lights are definitely an issue. If they're putting light posts in at the corners of the intersections or anywhere along the roads there or at the utility building to make sure they don't come up towards the residences.

Tom Holdmeier-That's our ordinance. Lights are not supposed to flow over the line.

Kevin Klein-I understand.

Tom Holdmeier-You still see light.

Kevin Klein-And we see the lights from the industrial park which are actually quite beautiful in many respects. I didn't hear anything about entertainment activities. So it's not going to be like a K. O. A campground where they're going to have to have a pool or any of that thing. So I don't think that's an issue. The sidewalk on Main Street, it would be really good to have the sidewalk extended all the way out, Main to get to there to be able to because walking up that hill is not the safest place to walk.

Sal Maniaci-Right. I believe we've already applied for a grant through East West Gateway to extend that because we got funding up to Catawba and for it to finish all the way to Westlink is in our in our long range plan.

Kevin Klein-Those are my main concerns. Thank you.

Tom Holdmeier-Anyone else that would like to come up?

Gavin Wooly-1443 Rock Lane. Good evening. I'm also a member of the Miller Post Nature Reserve Board. Sal, you mentioned several times the tree line along the entryway from Main Street. Do we have enough teeth in the ordinance, you say here in the council chambers that we're going to try to keep all the trees we can. When the bulldozer starts pushing, how much can you protect those trees?

Sal Maniaci-Well without having to go out and mark every single one, you can see they have a tree line shown on here still on the final plan. So, but I guess that would be a question for the applicant. We didn't conditionalize a certain percentage of vegetation to remain.

Gavin Wooley-Can that be done?

Sal Maniaci-Yes.

Gavin Wooley-Just to comment on your drainage, won't you have drainage headed toward the ditch there at Westlink as well?

Sal Maniaci-Yes, so they have to come up with a drainage plan for it to collect and kind of come into this area and then drop off into the creek.

Gavin Wooley-Okay thank you for your time.

Sal Maniaci-And one thing I do want to point out the connection to the trail that they show on there, we have not brought this to the Parks Commission that is proposed by them. It seems like a great amenity addition rather than go up on Main Street and then come back down. But that will be something the Parks Board will have a say in before it's finalized but they were willing to add a trail themselves. I just wanted to point that out.

Tom Holdmeier-Anybody else that would like to come up and speak? Come on up.

Tony Keeven-Speaking on behalf of Wash MO on the Go tonight. I just want to tell you I have 2 to 3 inquiries a week asking where the closest RV park is. There is a major need for an RV park preferably within walking distance of downtown so they can make use of all of our businesses and restaurants but being an avid RV'er myself camped in 49 states. Thank you. I will tell you the biggest problems that happen in RV parks are ATV's and as long as they keep those under control they keep quiet hours after 10 o'clock at night and make sure people maintain the cleanliness of the site I don't see any problem with this particular site. I think it's a great location for an RV park.

Mark Kluesner-Are there campfires at each location?

Tony Keeven-No, usually there's a shared campfire between two sites. That's the most common thing. I have rarely seen more than one or two ever used at the same time. I can too, but I've never seen it happen. Thank you.

Tom Holdmeier-Anyone else that would like to speak?

Robert Snow- and I live at 109 Carmel which is at the bottom of the picture. The only question I really have is again, I'm not an RV'er but I see people with RVs where they're towing a car and you're saying the RVs will park on the lot on their space. Where do they park their cars? If there's no parking on their streets?

Tom Holdmeier-It's usually on the same space.

Robert Snow-So that would be large enough for that?

Sal Maniaci-Let me zoom in here. So, this is a typical layout of each pad. So the RV would be here and then this is asphalt parking.

Robert Snow-So they actually have like room for two cars? So if they had guests whatever, they wouldn't be, I'm really concerned about that coming around the corner and parking along the street are trying to park on Main Street, which is not a smart idea.

Sal Maniaci-They will have two parking spaces available as well as the RV.

Robert Snow-And the only other comment I just wanted to make it had to do with the lighting that I know we don't know about. Just keep in mind that our homes set high, we kind of looked down on these areas so long as their lights shoot west and they don't shoot east there's probably not going to be a big issue.

Sal Maniaci-And like I said, we do have current lighting standards that if there is an issue, we've done this before where someone called and said, hey, that parking lot light is tilted up right at us. We can call them and make sure that's fixed. That's all. Thank you.

Tom Holdmeier-All right. Thanks. Anyone else that would like to speak on this issue? There's nothing further. Questions by the Board.

John Borgmann-I have another question for the applicant in looking at lot 19 and going off the scale it appears that that's probably 15 ft. from the property line. We don't have any type and I know that's not a structure, but theoretically an RV could back all the way back into that space

and be within 15 ft. of the property line. And I noticed then down along uh the main drive coming in on the east side of the development, those are a little bit further away. But on the scale of one inch equals 40 ft., that's still going to be less than 20 ft. on those corners.

Sal Maniaci-Eighteen and 19 are the closest. We don't because it's not a structure. We talked about not having technical setbacks and the fact that that was not adjacent to residential but to our reserve we didn't have as much of a concern about it.

John Borgmann-But that's what brought that to my attention was Gavin's comments. I don't know if that was something that we could have just moved that away from the reserve a little bit more to have more of that buffer zone.

Sal Maniaci-You could.

Tom Holdmeier-Could the applicant please come back up.

Samantha Wacker-So two questions that members of the public had brought up someone being, do you have a plan for quiet hours?

Gregg Gross-Just normal what it should be 10 p.m. like you guys were saying I'm just going to go by city rules. That's all I can do.

Samantha Wacker-So you're willing to work with the city on quiet hours? I mean what do we have a recommendation?

Sal Maniaci-There are certain typically it's 10 p.m. to 6:00 a.m. I don't know if there's a actually in the nuisance.

Samantha Wacker-I mean I think being that it is you know in somewhat proximity to residential, I think it would be reasonable to impose some quiet hours in the park and sounds like you're willing to do that. Are you also willing to work with the city as far as preserving as many trees as possible?

Gregg Gross-Well, I mean yeah I don't I don't care about the trees but I mean there's just some that are just some are going to come down for construction. It's going to happen. It's construction. I mean am I going to plant trees maybe later in other spots? Yeah maybe I just wait until it's all laid out and then we'll have to dress all that up. You know because I don't like it all bare. I want some plant life in there to myself.

Samantha Wacker-Okay that doesn't exactly answer my question.

Sal Maniaci-Without a percentage, I mean I don't know how we could really conditionalize that. I kind of lean on Mark on that. But I mean I think that's what you can see they have the existing tree line shown here so obviously it's going to cut into it here and then here as well but that's where we were happy that we kept this 30 ft buffer because we would have commercial to residential would have had a 30 ft buffer anyway and so we're willing to say okay the city trail can act as a buffer in between. And they obviously won't be able to touch any of the trees in that area.

Mark Kluesner-So you know there may be some big you know nice trees in there that you might want to look at.

Gregg Gross-Yes, I know I drove by there the other day and I've seen a few big ones fell I got to go address those next.

I mean just that one little spot right up there on West Main that corner that will be because of the pads. Some pads got to go right there. But other than that I am not trying to take them all out. No, I like having some trees and privacy myself.

Samantha Wacker-Mark, I mean what generally would be the appropriate way to deal with a concern about trees?

Mark Piontek-You would require a certain percentage of the lot to be left in its vegetated state whatever that number would be.

Tom Holdmeier-I think that would be tough. And I think there is a buffer there.

Samantha Wacker-Part of it, I mean obviously you can't remove trees that aren't on your property.

Gregg Gross-Yeah I know that.

Mark Piontek-Sal, I didn't see anything in the code on quiet hours.

Sal Maniaci-Okay so I wrote down two maybe actual conditions to add to the ordinance would be designate quiet hours. So I just wrote down 10 p.m. to 6:00 a.m. seven days a week and then 60 days maximum on guests. That way it can't turn into storage or mobile home park.

Samantha Wacker-Okay I think the owner wanted 30 so I don't know that it's necessary to go to 60.

John Borgmann-I guess. Mr Chairman, my only concern with this is there seems to be quite a few unanswered questions yet. I heard that he was hoping to do concrete drives and pads but the drawings says asphalt, we don't know where the dumpster is, we don't know what the lighting is going to be like. I would like to see where the stormwater retention if that's going to be required where that's going to be on the site because that's going to take out trees. And to me if we're going to be asked to make a decision tonight on something that hasn't been finalized and I'm not, trust me I agree we need it, but I think there's some unanswered questions yet that I would be uncomfortable approving it based on the information that we've been given tonight.

Sal Maniaci-Trees is a good point. I was going to say with the storm water. We often don't require that at this point because we only make them come back if the stormwater plans changes the plan significantly enough, but you're right in this case, if they do need significant stormwater will have to go into that wooded area. So I understand that. Dumpster location, I understand, I think staff could review that.

John Borgmann-And the hydrant you said that's been working, which doesn't show on here either.

Sal Maniaci-We did, we sent the hydrant requirements to B.F.A.

Mark Piontek-Sal, because it's an Ag district, you're going to have to specify that parking is some hard surface.

Sal Maniaci-Okay, well since it was called out on the plan, we just we're going to have it match the plan.

John Borgmann-And I guess the concern I have, if it's going to go pavement, asphalt is then we have to have it meeting the weight requirements for the fire apparatus, the utility, the trash trucks, things like that coming in and out of there.

Sal Maniaci-Okay, so things you'd like to see, the specified dumpster.

John Borgmann-And really I would still like to see you know what they're going to be putting on those two buildings that are going to be permanent structures there, you know, is it just going to be a concrete block, grey block building that gets thrown up. You know, you got some nice homes on the backside of Carmel Lane that building material, you know, just give us this is a special use, you know, so we need the information, I think in order to make the right decision.

Samantha Wacker-And I, I mean, I think it's a lovely idea too. And I echo what John is saying that I just going back to being, I guess the tree advocate this evening. Given that it is in terms of compatibility with surrounding uses, the significant surrounding use being one of the significant ones being the nature reserve, I think maybe a more specific tree plan would be more compatible with the nature reserve just even knowing what is the proposal. Because I do, I think that the

applicant is coming to us in good faith. I am sure that he is, but I think we could just kind of going on as you know, John said a lot of this is very vague, you know that I hope to keep the trees if there's absolutely nothing about the trees, there's nothing to stop him from removing every single one of them.

Tom Holdmeier-It's just unusual.

Samantha Wacker-I don't disagree with you Tom at all, but it is unusual. I mean, this is the first special use that we've had next to the nature reserve.

John Borgmann-I just want to see it succeed because I know it's we definitely need it, but I just want to make sure it's going to succeed the right way in five years from now, we're not wishing we had never approved putting it in there.

Samantha Wacker-When would be the Council meeting about this?

Sal Maniaci-It is scheduled for Tuesday the 21st. But you know you guys can table.

Samantha Wacker-I understand. I was just going to say, I mean it's important but I mean if there was a time crunch that the applicant was working under, I mean I'm willing to come back and look at this again if he can get answers quickly, I don't know and I don't want to commit everybody else.

Tom Holdmeier-Any other comments by Board.

Mark Kluesner-I agree with that.

Sal Maniaci- So, I have a list that I think dumpster location, asphalt versus concrete, building material, fire hydrant and gate details. And then specifics on lighting and then we can talk about if there's a percentage, I can work with engineering on trying like drawing up percentage of open space that we can work with the applicant on.

John Borgmann-And we don't need a formalized site.

Samantha Wacker-Not like for a planned development, but we need more specific details.

Sal Maniaci-I think a lot of this maybe stuff that they can get us answers to without going back to an engineer really. Because even on building material, you don't need architectural plans and maybe just like examples of what it's going to look like and we can put building material in the in the special use ordinance. \

Tom Holdmeier-Other comments by Board members? If not, we'll entertain a motion.

Tracy Comely-I have no skin in the game, but as a landowner, I think we sometimes Samantha, we get caught up on the finite details of things. As a landowner, keep in mind he could come in tomorrow, higher a logging firm and cut down every tree that's there. So he's operating in and I have planted 10 trees in my yard the last five years. So I'm not an opponent of trees but not to get hung up in the details. He's operating in good faith and I don't, you know, he could cut down every tree and then you guys wouldn't even have that to discuss because he'd say guess what? I've got a big field now.

Samantha Wacker-So I mean, you heard me earlier make the point about the pig farm Tracy. I'm not blind to it.

Tom Holdmeier-If there's no other comments or questions. I'll entertain a motion.

John Borgmann-Make a motion to table.

Samantha Wacker-Second.

Tom Holdmeier- All those in favor?

Roll call. **Mark Hidritch**-no, **Mark Kluesner**, yes, **Tom Holdmeier**, no, **Mayor Hagedorn**, no, **John Borgmann**, yes, **Chuck Watson**, No, **Samantha Wacker**, yes, **Carolyn Witt**, no. No's have it five to three.

Sal Maniaci-So you need another motion to conditionalize.

Tom Holdmeier-Or make a motion to approve.

Chuck Watson-Making a motion to approve with the conditions that you've got there Sal, everything for staff to review.

Sal Maniaci-Okay, well then I'm going to read those. I'm going to have what staff is going to have approved and then the two automatic conditions. So motion to approve with staff working with the applicant on dumpster location, I can just say it has to be hard surface, asphalt or concrete that meets our design guidelines, building material of the buildings, the gate and fire hydrant map for access for emergency services, lighting which would meet our current code. I don't have anything on percent of trees and then the two ordinances would be quiet hour are the two conditions will be quiet hours from 10 PM to six AM seven days a week in a 30 day maximum guests.

Samantha Wacker-Can you, can you add to that and I'm not trying to hijack your motion but add to it that just the applicant would work with the city to preserve trees to the extent possible. I mean something of that. I don't know if that's appropriate or if that's.

Tom Holdmeier-It's so broad. I don't know. I know I think they would do that. I don't think we need to add it but if that's right. Chuck, it's actually you're very long motion on the floor.

Carolyn Witt-I'll second it.

Tom Holdmeier-First Chuck, second. All those in favor?

All-Aye.

Tom Holdmeier-Any opposed? So moved.

Sal Maniaci-So this is still scheduled now for Tuesday the 21st at 7:00 p.m. to go to Council. So we will work with the applicant between now and then to get as many of these answered as possible.

5) File No. 23-0303-Clover Valley-Preliminary Plat and Final Plat

Sal Maniaci-Okay so this is technically a revision addition to what we have is plat 18 in Stone Crest. When plat 18 was rezoned a couple of months back to have the R-3 and the R-2 duplexes added to this area. they only you can see here platted Fox Crest Drive to this area here and then had the lot created for the future firehouse. What they're proposing and here's the zoning that was approved. What they are proposing tonight is the extension of this drive here in the creation of two more lots. The only conditions that we had would have and I apologize I think we talked about this in site plan but not in my staff report that they have a cross access easement here just because it's one person this is the same owner. But if one of them were to sell, we want to make sure that they have this cross access easement in writing. But as for the lot size that meets the minimum requirements in R-3 and then it has the extension right of way access and everything. The only difference here typically for the final plat we would have some type of performance bond required for the completion of those improvements. This is specific case that the city currently has a development agreement with the developer for the extension of Fox Crest Drive over to Rabbit Trail. So it's just a little bit unique in this scenario that we wouldn't make the developer put up performance bond whenever it's something that we are actually constructing. And so that's why you don't see that requirement noted in the staff report. And then I know last month we talked about Fox Crest Drive remaining Earth Crest Drive, we had some discussions with that at site plan with administration and the applicant, they wish to keep it separate as a separate development from that. And we said okay, that's fine as long as this is a four way intersection which is planned anyway, so with this having four stops here, we are more

comfortable with having the street names change given that North Crest actually changed into Vernaci Drive already and then you have Earth Crest on the other side. And so now you'll have the firehouse and it's on its own address and then everything to the east will actually be Earth Crest, which is part of the traditional Stone Crest Subdivision. So given that it's not traditional single family anymore in that location we're okay with changing the street name.

Tom Holdmeier-Questions by Board?

John Borgmann-Then Fox Crest then would go ahead and continue into the new development?

Sal Maniaci-Fox Crest will now be the road that has the bridge to Rabbit Trail.

Tom Holdmeier-Questions or comments?

Sal Maniaci-All the way little curve down here and connect right here. And we're actually working on the design of that is out right now. So we are full steam ahead on that.

Tom Holdmeier-Any comments by board? Is there anyone in the audience that would like to speak on this? If not, I'll entertain a motion.

Mark Kluesner-Motion to approve.

Samantha Wacker-Second.

Tom Holdmeier-All those in favor?

All-Aye

Tom Holdmeier-Any opposed? So moved.

6) **File No. 23-0304**-Big Elm LLC-Preliminary Plat & Final Plat

Sal Maniaci-Alright and then I'm going to have some changes on the fly as well on this one because after my staff report went out to everyone, the applicant did make those amendments to meet our recommendations. And so this is the next plat of Highland Meadows. So this is just east of where the proposed Washington Terrace apartments are just west of the Casey's gas station. And so as we've had in our Comp Plan as well as working with a developer to have Don Avenue an outer road for Highway 100 all the way out to Pottery Road. And you can see here it's all zoned commercial in this area. They are wanting to add two more outlots to this lots nine and ten. And this one we do not have a development agreement for the city to do any of the construction but given that we had portions of it already platted to here but not to here we said this is now is the time that you're adding these subdivisions, adding these lots to get the right of way at least preliminary platted to there so we can get to that point. And so we added that in my staff report as a condition of approval to actually have that through. And the developer sent over the applicant sent over a revised plat today. So you can see here, lots nine and ten and then they can have this preliminary plat be proved tonight that connects right over to existing Don Avenue in that location where Washington Terrace will be. And it meets our requirements. And then the final plat we allow and this is common, we actually encourage people to do larger primary plats and then phase out your final plat. The final plat will just be this nine and ten with a very minor construction which is perfectly meets the code. There's no problem there. But that way we know we have as preliminary plat approved what the overall scope of the development will look like and then as they sell off lots they can get this platted here actually I apologize, it's just nine. So you can see here nine will be the only one on the final plat on this phase one and then they can keep adding as they go see nine and ten on the preliminary the final would just be for nine.

Tom Holdmeier-Questions, comments?

Samantha Wacker-Just to clarify, I think this was a typo but I just want to make sure in the recommendation, you're talking about Duncan Avenue and I assume you met Don.

Sal Maniaci-I do. And this says Toben way here and we've already addressed that, that will be Don Avenue. That will be Don Avenue all the way because that would be a four way stop. That was proposed before we had the outer road connected and everything.

Tom Holdmeier-So any other questions, comments? Is there anyone in the audience that would like to speak on this?

Kurt Unnerstall-Developer-I appreciate getting the comments back from city staff and we're going to do this in phases and lot nine we have a potential buyer. I'm not allowed to say but they make pretty good donuts and make good coffee so anyway, but we hope to get that done and then once we get the apartment complex under construction we'll tie that road and connect that. That's the plan. So just giving an update.

Tom Holdmeier-Any questions, comments of Kurt? There's no other comments or questions, I'll entertain a motion

John Borgmann-Motion to approve.

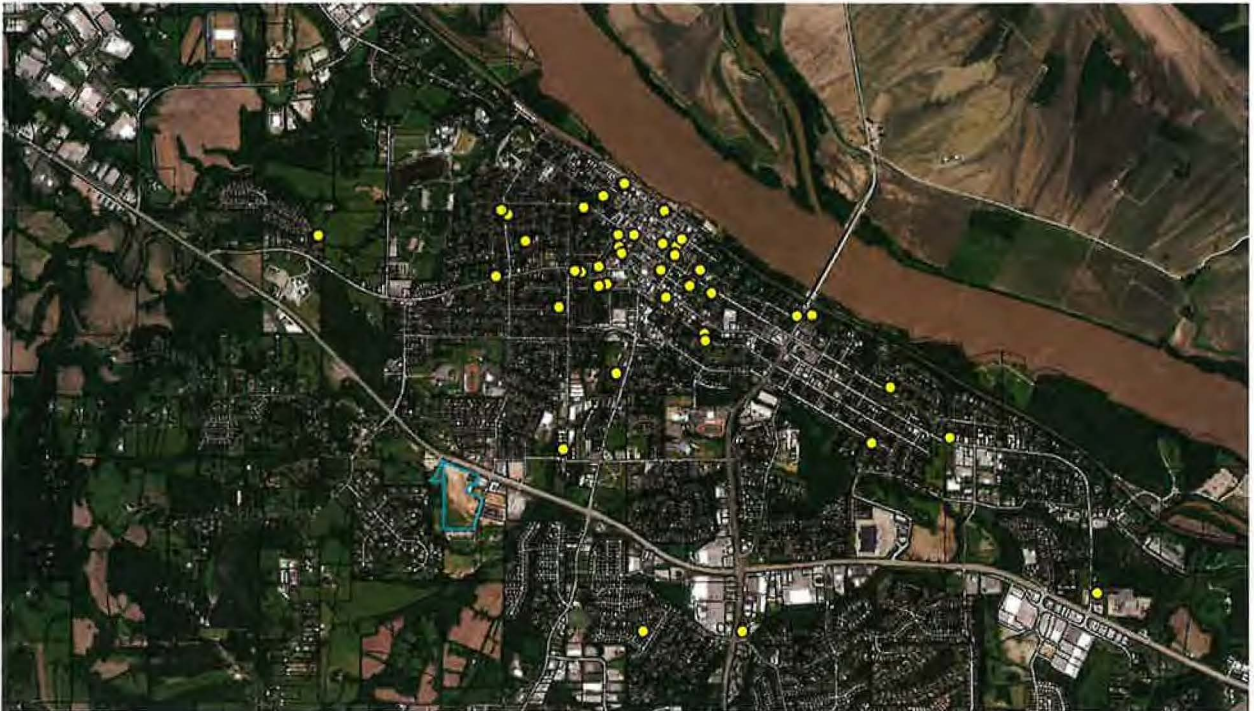
Chuck Watson-Second.

Tom Holdmeier-All those in favor?

All-Aye.

Tom Holdmeier-Any opposed? So moved.

7) **Other Business-Moratorium on Short Term Rentals**





Sal Maniaci-Yes. So last month, as you are all are aware, I'm sure, staff was directed to draft a moratorium for short term rentals until we have some revised codes. So I am going to run through some slides tonight. Keep in mind, the only thing that is on the agenda is actually a moratorium. What I'm going to throw out tonight, it's just some kind of early thoughts of what some code changes could look like and then we plan to do in the coming months is to bring in an official code revision for this. We have already reached out to H3. I know there was some discussion about waiting for our comp plan results. Talking internally, I don't necessarily think we need to wait until August. I think we can work with them and work internally and as a commission to come up with some proposals quicker than that. So I just kind of want to go over some of it overall this is a map of all the existing short term lodging that have been approved. So, this doesn't necessarily mean they're all active. And so we get, Emily and I, and I asked Emily to be here tonight as well, as well as Rob Vossbrink, who's the president of our Tourism Commission, just because obviously this does affect our tourism in general as an economy, but also our tourism budget with the bed tax that comes from this.

But we get a question, a lot of us, how many Airbnbs or short term lodging do we have? Well, we can tell you we have about 41, I think, now that have been approved. Four of those have been approved. But are they got it approved and they're still doing renovations so they're not active. And then we have at least four or five that have said in the last quarter, you know what, we're going to switch to long term rental. So it's not like it's a static number that this is how many we have. Once a quarter we reach as they haven't made a bed tax, we'll reach out to them and they'll say, oh, no, we switched to long term. And so I think we have 30 on here. There's 37, that's 37 units. I think we had 35 this last quarter pay that we know of. And so that kind of gives you a range of that. And so I'm going to get to the other part of this. But you can see here they do kind of naturally congregate into this downtown area. Obviously, we've improved some by the bridge that's on commercial and then some outliers over the past few years here. Keep in mind, this also puts dots on hotels because this is technically short term lodging. And so obviously, Super Eight

that's Best Western. So there's you know, those aren't all Airbnbs, but that's just how our computer system does it. And so here I zoomed in a little bit to get a better view of how it actually fits into our zoning map. And so again, largest majority of them in our C-3 zoning, that's that light blue that does not require a special use permit. They are allowed to just come to us, we verify their zoning, they get an occupancy inspection done and they sign up for the bed tax and they can go ahead and start operating. The same goes for our C-2 Overlay, which is our Fifth Street corridor. This is this dark blue. So this overlap, we call it a C-2 overlay district. This is kind of our historic Fifth Street corridor that allows for single family, two family and commercial mixed use. Most C-2 areas do not allow that, that does. They are also capable of putting short term lodging in that area as well. And then on our commercial districts in the red, you can see it's hard, but those two by the bridge, those are actually already zoned commercial. So they are able to do it there as well. And then you can see how there are some pockets. This is Locust Street and the R-2 overlay zoning and then obviously as you get to this area and so I'm going to come back to this of some areas that we've thought about.

So per our most recent census data, there's 6,048 residential units in the city limits. Of that they're 72% owner occupied and that is from the 2020 census. People filled out. So we can assume from that number 72% that we would have 1,693 rental units in the city limits. If they're not owner occupied, then they're rental occupied. So that's the number we pulled from because a census isn't going to give us here's how many rental units you have. It just gives you owner occupied versus renter occupied. And so we just pulled that number from there. Again, we had 35 active short term lodging establishments in this last quarter who are actually active and saying, yes, we are currently renting. And so that really isn't a big percentage of that. I know it feels like we have approved a whole bunch in the past. We have been, they've been coming in, I think, for a while. We kind of had our group that had been open and operating for a while. And then this is kind of had its recent upswing. And so I wanted to point out we currently have a contract with a company called Granicus, and I think we brought this up last year to you. And actually the Tourism Commission is paying for this. It's a short term lodging monitoring software. It is not up and running yet. The goal with them has been to have it up and running by Q2 of 23, which is March. And so we're anticipating next month having a better idea of what that looks like. And there's two big sticking points that we thought is important to enter in a contract with them. Number one, and most importantly, there are going to be a handful of these that are operating illegally, whether it's nefarious or not, There's many people who just say, oh, I want to turn my property into an Airbnb. They start renting it online and they're not paying the bed tax or not doing occupancy. It's really not fair level field or a level playing field. And so that's the first half of it we want to figure out. And Granicus runs a report and they thought we had up to 17 that were possibly operating illegally. That doesn't mean they're operating year round, but if you turn it on for the fair, say I'm going to go on vacation and I'm going to rent out my house the week of the fair and even that's the only week you do it, it still counts as you operating an illegal Airbnb. And so anyone who's had it on, they think there's about 17 properties who they don't think are possibly operating illegally. Again, we're waiting on that final number. We've been giving them a list of our ones we've approved, our exempt properties from downtown and then we're going to work with them to get that list, hopefully by our next meeting in March.

And then the second part of that is right now our bed tax is just the honor system. A property owner who does lodging, they once a quarter say, here's how many nights we rent it out. They fill out their bed tax form on that, their net income and they pay 5% of that quarterly. There's no way for us to check that. This software, again, it's still an honor system, but the software allows us to say, hey, according to this year you were booked up because the software runs it through like five or six different rental websites it has all the big ones. It'll go through and say according to this, you were booked up X amount of nights. So we are calculating that it should be there. So it's, it's a tool to help keep people honest and fair that they're paying what they should pay. So the idea of that was this software was going to pay for itself \$6,000 a year. We got even two or three of that 17 to come online that was going to pay for itself. So I just want to point out, I mean, not that we don't need to there's obviously something that needs to be done about this. And I'll get to some existing concerns that were brought up last month that I think are valid.

But it is I think it's worth pointing out the timing that if we put on a moratorium in this last six months or the rest of the year, whatever we end up doing, it will be that \$6,000 is, you know, not going to be paying for itself because, say, we catch these 17 property owners and we bring we say, hey, bring into compliance. Well, actually, no, we'd be saying, hey, sorry, you can't do it at all anymore. And so it's kind of catch in that thought process. We won't be bringing them into compliance to help pay for the program. So I just want to bring that up. That was kind of how we sold that the Council was we're going to spend the \$6,000 because the ones we catch and bring into compliance are going to pay for it.

But if we put a moratorium, then we're not going to add any more. So that's just, again, all the facts I want to point out.

Some existing concerns that got brought up over the last few meetings, specifically the last meeting in general. This is not all of them. I know we can talk about any additional ones. What's something that got brought up that I think concerns that we can actually address? There was a lot of comments. You know, I think that noise and you know, parcel nuisances that can all happen on long term rentals that can happen on owner occupied these are ones that we actually I think can address with this. So one is decent distance from one another. Obviously if one whether it's one investor or, seven different ones if someone comes up, if one street all of a sudden becomes all short term lodging, I think there's a valid concern that that is no longer a traditional neighborhood and that does take away some value of that neighborhood. And so I totally get that. I think that's something that we need to address. Affordable homes inventory, obviously, if we don't have any restrictions on this or we have if we don't address any restrictions there, I think an argument that could be made that any of your first time homebuyers are going to be kind of pushed out of the market by the possibility of more Airbnbs coming in. The distance from downtown. That gets brought up a lot. How far at what point is an appropriate area for this type of use? We've approved one off Steutermann. We have approved some by the bridge. So, at what point is what's walkable to who, it's just something to think about. And then that traditional neighborhood versus historic, obviously, that goes hand in hand with that distance from downtown.

And then that lastly, which I think is most important, is that current criteria for short term lodging is able to be met essentially in every case. Those ten criteria I read earlier for the RV park, that's the same criteria you have to meet for short term lodging. And with all due respect, the one that kind of brought this all to a head is River Place which could make an easy case for meeting all ten of those criteria.

Same if you are in Stonecrest or if you are in Lake Washington because we don't have any designation between are you downtown? Are you in a historic area or are you in a new construction south of town that just got built? We're just saying, are you meeting these ten criteria? It's pretty hard to say whether they're not apples and apples whether you're downtown or not. And so that was, again, concerns that we think we need to address. And again, this is all stuff that you can all sit on for the next month. I'm not asking for any recommendations, code amendments tonight, but I just want to think about what we're actually going to try to make recommendations on in the next few months. So can I just wrap it up and open it up for questions from you all. One thing and again, I'm calling this proposal, but also I want some direction, I think, from our commission. I think if we passed the moratorium tonight, which I don't think is necessarily a bad idea, because especially this has gotten so much press, if you leave it open ended by code, we have to respond to special use from request in so many days. And so I think given the attention this has gotten, it's not unreasonable to think that people may just be coming in, getting their applications in before it gets more restricted. And so I think it's reasonable to say, okay, pass moratorium until we review the code, but I would recommend an automatic expiration on that. I think Mark has in here making a recommendation and so many days in Section Three. So that's good. I just don't want it sitting out in perpetuity. And then I think we should allow us have time to propose these new guidelines. So right now it's permitted by right in C-1, C-2, C-2 Overlay and C-3 that's current actually that's a typo. It's permitted by Right and C-2, C-2 Overlay and C-3 not in C-1 and it's three commercial districts, not four. One possible solution or recommendation to this is that if we required special use permits to only be requested in the R-2 Overlay district. So and then I'll pull up the zoning map for that and then still impose a 500 foot rule from one another. And the reason I want to get into this, we looked at some other jurisdictions, what they did. St Charles passed one recently. Augusta did one and I think a lot of communities are going to have a certain percentage. The two big things they're adding is that there have to be so many feet from each other. Typically 500 is what I've been seeing and two a certain percentage of your total housing stock. So we have 6,000 houses with 0.05% is what Saint Charles does is does whatever percentage you want to choose. Then once you hit that, that's the maximum amount. Say in one year we, build a 100 homes. That's pretty typical. Or 100 residential units. Then you get to add on to it every time we build so many more residential units. The reason I'm skeptical of proposing just a kind of a copycat law like that is because that doesn't necessarily address the distance from downtown in the traditional neighborhood versus historic neighborhood, because, again, I mean, this commission voted unanimously against the one at 612 Riverview Place. If we just change the code to say we have a maximum amount allowed in the city limits and they have to be so far apart from one another that one would still meet all the criteria. And so obviously there's reasoning to why it wasn't appropriate in that area. So I'm trying to pinpoint what was that reasoning and how can we codify that in our recommendation is kind of the direction I'd be hoping to get some tonight.

Again, and I'll end it on this this map. But this proposal for permitted only as a special use permit in the R-2 overlay district is because if you look at our zoning map, that pretty much is this tan color. So it's High Street, but it's pretty much this area here. And so that it's consolidates a lot of what we have currently. There's actually only six outside of that that we've approved. Most of them do kind of end up in that area anyway now I think is that too small? I think you could make an argument that our fairgrounds are one of our biggest event venues. Why are you not allowing them in this area. Because if you just add R-2 overlay then this anything in R-1B here. But again, if you allow R-1B, that's going to open up every everything in R-1B and R-1A.

Samantha Wacker-I mean I, I think it needs more time obviously. I think there's lots of good ideas. I something that I would say sell as I was reviewing the ten things again I think number one is probably the biggest issue is the compatibility of the proposal in terms of use with the surrounding neighborhood. I think that's that, as I see it, is the basis for why things have been turned down is that the use itself is not necessarily compatible with the surrounding neighborhood. It's not I think we're glossing over that. I mean, I think Airbnbs are lovely and wonderful and I think we have some wonderful owners there. And I think they have a wonderful purpose for our community. I think they're very positive. I don't want to be misconstrued in any way as being anti Airbnb, because that's not the way I look at it at all. As I said, I think there are people doing a wonderful job with them and I think we probably do need more of them. I think we just need to have a better way to approach it that's not so random and that encourages the use but encourages neighborhoods as well. I mean, I this is going to sound like a terrible way say it, but I was thinking about how to express this. I am 100% in favor of garbage dumps. We need them. They're important in every community. We have to have them. Are they an appropriate use for every neighborhood? No, they are not. I mean, and I am not saying an Airbnb is a garbage dump, don't get me wrong, but we not in any way. Okay. But you have to look at it as that's why it's a that's why we have planning and zoning, because there are certain types of uses that are appropriate in certain places.

Sal Maniaci-Right. And I think that's where we were looking for some direction on codifying that is because staff gives a recommendation on all these applications. I think the great example is the one here off of and it got approved because no one in the neighborhood up for it quite frankly, but the one here off Steutermann and then one here on Locust, they both had to get the exact same application looking at those ten criteria, because I think it's tough for us to be more subjective and saying, well, it's a different type of neighborhood. I think I would rather get more specific in that and how we're going to make that recommendation, because when I'm looking at that, my recommendation is going to be the same on every single application because the requirements currently aren't different enough for that ten criteria. Lake Washington, Steutermann, Fair Street. Those are all single family residential zoning that currently I get an application, we're going to recommend approval of it based on those ten criteria because it's still residential in use.

I mean, until we change that definition.

Chuck Watson-And one big difference though, was the amount of pushback from each of those two from Riverview and Lake Washington.

Sal Maniaci-You got to think we make our recommendations not based on the neighborhood. So I know I write my recommendation before I even hear from a neighborhood.

Chuck Watson-I know.

Sal Maniaci-We strictly go off code.

Chuck Watson-Right

Darren Lamb-So what Sal is saying what you could do is you could look at the you could see the concentration of them there. They're close to downtown. Obviously, that's probably popular where want them. But just to make sure it would be clear, one of the proposals that you could do is you could just say, well, it's not going to be allowed in R-1A and it's not going to be allowed in R-1B and that the ones that are there are grandfathered and you let them go ahead and continue. I think you do have that thing what Sal said, you got an area of R-1B that's pushing out there towards the fairgrounds that you do have an issue with. So that was part of the proposal. The other question and Sal had it up there, we did mention it was do you want to continue have a special use permit in R-3. A lot of times we don't have a lot of pushback necessarily for those areas, but you may have somebody that you know wants to go ahead and do that for whatever reason, but that was what we had proposed to make it permitted by right. And all those zoning districts that you see up there and C-1 is not part of it, but we would we would add it and we would propose it and then you would have special use permit only and then you got to be 500 feet from another and then not really have a percentage of the number of units that you have within the community because one, you're nowhere near approaching any benchmark that we have seen. I mean, I know people feel we've gotten a lot of them, like Sal said, but if you look at the sheer numbers, it just it that's not there. But you could propose that at a later date. I mean, just another thing that you could go ahead and add to the code.

But we feel that if you if you do these simple steps, you're probably going to go ahead and take care of the bulk of your problems. We can continue as staff to go ahead and recommend it. And I would get back to your number one on that list of ten criteria. It's residential. Whether it's that's the use as a compatible with the neighborhood, whether it's short term, long term, it's not are you proposing to put in a garage shop or something that's a different use. What are saying as you look at it from the outside is that house still compatible or did they change anything to make it not compatible with the neighborhood.

Samantha Wacker-That's the appearance. Darren, with all due respect, we're talking about a business, okay? There's not one Airbnb that's not a business.

Darren Lamb-I guess so. As a long term rental, right that's what long term rental is a business. It's what people buy, buy homes and then then go ahead and run them.

Samantha Wacker-Different type of business.

Darren Lamb-It's a business.

Samantha Wacker-It's a different type of business. I mean, all due respect, Darren.

Darren Lamb-I just I don't think that number one criteria, though, means short term, long term owner occupied, as long as it looks from appearance from the neighborhood that it's still a resident, that's.

Samantha Wacker-Again, you your focus on appearance. You and I only you and I may have to agree to disagree about this, Darren, but the words matter.

Darren Lamb-What are those people doing in those units that's different than you and I living in our homes? They they're staying there. Right?

Samantha C. Wacker-They're paying basically to live in a hotel and the owner is running a hotel. It might be a one unit hotel.

Darren Lamb-And that's fine. That's true. But I don't think as far as I don't know that that could be held up. I would ask Mark, with regards to when we have to go ahead and sit there and defend that, that's an issue I. But the point is, I don't want to get into that. We're trying to take care of the problem, as you said by just saying

R-2 overlay you could let R-1A and R-1B that it's no it's no longer allowed.

Samantha Wacker-And Darren an idea that I thought of and I that might address something similar was just thinking about making it just flat out permissible on some of our mixed use corridors.

Darren Lamb-Right.

Samantha Wacker-Throughout Fifth Street, throughout Jefferson.

Darren Lamb-The problem is you don't have that R-2, I can go back to the zoning map. That map stops short, as you can see. See, the dark blue is so you're not really going any further west, like towards High Street. You're not going as far as you know where you can see where it ends on the map.

Samantha Wacker-Right. But you could I mean, theoretically you could designate it by street or by corridor, things of that nature.

Darren Lamb-We did we did talk about the idea that you could put another layer over your zoning map just for Airbnbs. That's another option.

Samantha Wacker-That was what we need to do with. So I just, I think we need to give it some careful thought. I just I don't want to, I don't want to rush in to suggesting something or recommending something. It just seems like we're at a, at a place where we've got to give it some thought before it gets away from us. And it's certainly not directed at any one applicant or one property or anything of that nature. It just seems that we need to think just approach this more thoughtfully and with, you know, a little bit clearer criteria.

Darren Lamb-We think we can bring you a good proposal next month.

Chuck Watson-Well, along the line of what she's saying, I mean, it's like, , when somebody goes to a hotel, when they're staying at a place like that, they always have a different attitude about where they're staying versus if they're going to be staying at a house that they're renting for a year. They're living in that neighborhood versus they don't feel like a weekend, a weekend. They just don't feel as responsible for taking care of the place as if they were going to be living there for an entire year.

Sal Maniaci-What I would like to see, especially just to protect the city and for us, we to have better recommendations of staff. What can we actually again codify and write in law that defines why 612 Riverview Place wasn't a good spot and why the one off Steutermann was.

Darren Lamb-That's key.

Sal Maniaci-Then what is the qualities of that area that we need to maintain, which is totally valid? I just think we need to find a way to quantify that.

Mark Hidritch-Mark, is there any legally anything legally you can put in that about about the amount of opposition?

Mark Piontek-No.

Jeff Patke-I love the conversation. I think it's right. We had this at council last week, and so I appreciate it coming back to you guys in discussing this. What I've thought about for the last few days is that just as you just said, how we approve the one on offer Steutermann Road, Cricket Creek, and we deny the one on Riverview Place instead of being Hey, three people came here and said, we don't like it in our neighborhood. Now that's a no. Or if we had no opposition, now that's a yes. We become judge and jury on how many people come up here and speak against it or for it every single time. And that's you put it the council in a difficult situation. I apologize to you guys for voting against your recommendation last month for that.

But that's how I seen that we approved the last 17 them under those conditions. How many people have to say no, there there's passionate neighbors here that were against it. And I appreciate that and I respect their opposition. But we can't be a judge and jury on a number of opposition, but rather a code that says what we expect, where it may be in the city or what the criteria be.

So I just I would suggest that we get to that point. So we you keep this board and the council away from how much opposition each individual to Airbnb.

Chuck Watson-And that's why we love to have to something on paper that we can sit there and just review and say, okay, these are the criteria. And so the next people that are in our position to understand where we came from and why we made that decision.

Jeff Patke-I agree. But we put ourselves in a hard spot by approving the one off Steutermann Road and denying the one on Riverview Place. We put ourselves in that situation, so we got to come up with a better plan, right. Appreciate the conversation. Thank you.

Sal Maniaci-And I think that's we really when we were looking at this internally, this GIS map really helped to see where they were naturally congregating. And I think that's really more the direction we can bring back next month. Are we comfortable with using this R-2 overlay commercial district as kind of a natural existing border, or do you want us to try and propose a different border based off different criteria. I mean, because again, I've already said just one example. I'm sure there's other areas, but if you're cutting just R-2, which again I think is a very fine proposal, there's about three and a half blocks here that you're cutting out that I don't know if they're such as such a bad idea or maybe it maybe it is too far removed just because it's next to the fairgrounds doesn't mean you need short term lodging. So, I think do we want to run with the R-2 as shown on this map, or do we want to try and propose a new short term lodging overlay that this is where special use permits can be applied in?

Samantha C. Wacker-For my part, I would be more in favor of a short term lodging overlay that maybe that we that we just approach thoughtfully. Where is that appropriate and perhaps make it a little bit bigger. And I mean, I'm not opposed to perhaps making it easier to do that. I mean, I'm not opposed to the idea of saying it's just a permitted use rather than necessarily a special use permit as long as they're complying with the bed tax and appropriate rules. But just so that again, so there's maybe clearer rules, clearer boundaries, because I do think the flip side of this, though, is that we do have, you know, property owners that make assumptions. I mean, you can't we've seen a lot of these come before us where the property isn't even purchased until they're sure whether special use permit is going to be approved. I think as an investor, as a business owner, you do have to think through I mean, we are not responsible for a business

owner that makes an assumption and purchases based on an assumption rather than, you know, knowing what the process is going to be. But again, aside from that, I like I said, I think I see the need, I see the value. I just think we need to approach it in a way more thoughtful manner than what is set forth current code.

Chuck Watson-I mean, the River Place one was I mean, the not only was it that she had purchased that one house and was remodeling, she had actually purchased the one across the street. So again.

Sal Maniaci- I would still recommend but outside of C-3 outside of our actual downtown recommended distance between them just because and I don't we can talk about what that distance is but I do think there's a validity in having them especially in R-2 overlay because it is still residential neighborhoods having them congregate. Like if you take over an entire block, you know what I mean?

So I would I mean, it's all up to you guys, but I would recommend, at a minimum, imposing that as part of the special use permit distance from one another.

Chuck Watson-But that's what I'm saying is like. You know, part of the reason you're seeing why we didn't turn or why we turn that one down versus Steutermann, but I think that had a part of the aspect into it too. You know here she's wanting to have the one on what was it, 524 and she was wanting 517 across the street or whatever, also whatever, you know. So it's like, you know, that was, I think part of the, you know, why to nod and then consider the moratorium.

Sal Maniaci-One thing I do want to bring up, I apologize. They would have put this on here. I got from Saint Charles that when they passed in August. Right now we just require two parking spaces for residential. They have additional parking condition for short term lodging that it's one off street per bedroom, which I think is valid to add because if someone's adding additional bedrooms and they may have guests, more guests than you'd see on a traditional home, I think that's a reason.

Chuck Watson-That is very reasonable.

Tom Holdmeier-How many, I don't know how we would know this, but I know there's people that like to rent BnB's, whatever the for business is, visiting nurses.

Sal Maniaci-Oh, absolutely. Well, so if it's traveling nurses, they're stay is typically longer. So that doesn't qualify. But we have since I've been here, businesses in our industrial park that have contracts with Airbnbs or short term lodging that they have repetitive stays. They say, Hey, I know I have a client coming in the third week of this month or whatever it is, and they automatically have it rented. So again, there's multiple tourism and industry. There's economic benefits to allowing these. I think again, our concern, which we agreed with last month, is every single application I was getting I was recommended approval of because I didn't have anything in the code to justify anything else. Right. That's where I thought we really need to have you help us nail this down.

John Borgmann-A couple of things I'm concerned about. I guess I'm not so sure I like the overlay concept. Because where do you stop and start the overlay? Right? You know, I don't think you want to do it based on the Town and Country Fair. That's not fair to the citizens by the hospital, you know. So, I would rather keep it in the R-2 overlay that we have currently that fits more of the central core area of the city and the walkability and everything else that we have offer with that. The other one that I'm not sure about is and it's because there's no data is the 500

spacing. What because somebody is 550 feet, we deny it. You know, I am just at another point, give me some information there and some statistical things that say if they're closer than 500 foot, there's a problem. You look at the lot sizes in our R-2 overlay and you have lot sizes that vary widely so I'm a little hard with numbers when it comes to that.

Sal Maniaci-That's a good point.

Darren Lamb-You know just so I can make sure we before the days of Airbnb in there used to be called Bed and Breakfast. We had that recognized in the code. We did have a number. We did have a specific distance that you had to be from one to another one before another one could come up. So we did have that.

And then in 2017 you had an overhaul of the zoning code and basically was we just turned it into short term lodging vacation. And then and like I said, and that distance was not included. So just so you know.

John Borgmann-What the basis of that distance was?.

Darren Lamb-I can't answer that question, John, without doing some more research. We'll see if there's something I think maybe you have 500 feet. So that you don't have a bunch of them popping up on a block. Like if you see that little over there on High Street, you see up there on the thing, you got two circles right there in between each other there within 500 feet. So the idea would be is that you just don't have a bunch of them taking up an entire block, I guess, and a blocks, typically 300 or 400 feet. So.

Chuck Watson-So what is the dark blue again? Is that mixed use?

Sal Maniaci-C-2 overlay. That is our Fifth Street mixed use corridor. And again, this something we're going to talk about, we have again another just well, we'll talk about this at council next week for the moratorium. This will all be back before all of you next month. We'll keep it on the agenda. We've already talked about maybe revising the mixed use corridor on Jefferson as well. So you know that. Because right now you can't necessarily do them on Jefferson. But we've talked about codifying the mixed use of Jefferson.

Mark Wessels-One of the issues that you folks have had to deal with and the council also we talked about. We let people know that we're going to do these things 185 ft. I believe it is they send out to everybody and those people who come and are allowed to make comments, which is wonderful. But if the code is what it is, you know, what do you do with those? You do nothing. You know, if the way it stands right now, the code says that's it. I don't care what your comments are, this fits the code. So that's an issue. I think we need to put something into that idea of public comment. I know we have another in our city code. If you're trying to rezone something and you send out that notice and what is it? If 30% of the people put together a written concern and they sign it and it's 30%. At least that forces, what, a two thirds vote, At least that has something. Whereas in the other case, it has no effect whatsoever. So I think when we look at this modification and this change, I'd like to see something like that considered also.

Sal Maniaci-Could we add that petition requirement on conditional use permits?

Mark Piontek-Yes.

Sal Maniaci-Okay.

Carolyn Witt-I think it's so important to encourage citizens to have a point of view. And that doesn't mean that we all agree. Believe me, I'm kind of out there going, Yes, go for it. Because

I've been on the other side where I was I came to this body to talk about zoning. And they need to know that they can come and speak to us. And it's not a done that we may or may not agree, but that feedback we get from the citizens, whether you're a councilman or on a board, any board or commission I've ever been on, the public has encouraged the library board.

Yeah, I want to come to the library board meeting and say this is, you know, good or bad, that is your right and it should be taken under consideration seriously, regardless of what, it's not a law. It's an ordinance. It's a special use. Okay. We use that as our guidance. But I'm still going to listen to what the neighbors say, which I don't agree, but I think that's important, too. Thank you, Mark. I like the idea of a petition. A petition because then you have something in writing saying we as a group didn't support or don't support something. And again, it doesn't it may not sway, but if it does, you've had your say. And thank you Mark.

Mark Hidritch-In which those residents did have a petition too.

Mark Kluesner-And also, you know, the councilman in our city, you know, they listen to the people in their ward. I would think they do.

Carolyn Witt-I know they do. I've seen them listen.

Mike McPhatter-1514 First Parkway-Yes, it's all right. I just thought I'd jump in before the whole conversation got away. I'm in favor of a moratorium. The one thing that I want to make sure that you talk about citizens having the opportunity to, you know, to speak, I think part of what the conversation that I've heard here between council people and city staff and the board, I would like to be able to review the this moratorium document. I think it should be promulgated so that citizens, you know, so that residents can see exactly what's being proposed with regard to what these ordinances associated with better defining what constitutes a short term rental and what those ordinances are. I think that's I think that's critically important because I'm you know, I love the banter, but, you know, I have no background from which to try and develop some sort of understanding of what you're trying to say. I know that from my perspective, I know that there is a concern for short term rentals and what that impact is. And I think it came up earlier on for the impact of first time homebuyers and housing inventory. And I think that's a very real issue here in Washington. I think that when you look at and I can cite statistics, but in terms of what the increase what a 10% increase in short term rentals might mean, and if you've got 44 or 28 or however many within the city limits, that gives an annual increase of about five percent in rent and about three quarters of a percent in terms of overall home prices. So, yes, short term rentals, they do impact home prices in a positive way. But that's a you know, that is a false flag because, you know, as people come in to purchase these short term rentals and convert them into Airbnbs or VRBO's it drives up home prices in the area. So that's that, you know, that's good. That's I guess if you're a current that I guess that would be good if you're borrowing against your house. But if you're trying to be able to as a first time home buyer to get a house in the current market with it, current interest rates as they are, it's it precludes your ability to become a property owner. So I think that that's an issue. You know, when you look at homes for rent, you know, renting you know, I just heard today that HUD says that Housing and Urban Development says that 30% of the renters are rent burdened in the United States. That means that they're carrying 40% of their income or more to pay for housing. So I think, you know, the cost of short term rentals in the current environment, as you as it's currently defined here in Washington. I think it out cost it

that way, the benefits because of the increased rental costs for people who are trying just to rent a house and making available housing for first time homebuyers.

So I'm all for moratorium to give us the opportunity mindfully review what we have before us and what the commission has before it. But I think that plan should be should be promulgated. One other thing that I think is important, I was just looking at the City of Washington Comprehensive Plan update, which I looked at from the survey that was done August, the promulgated on the 18th.

And there were a couple of things that stood out to me. In that survey there were 88% of those surveyed said that it was necessary to create provisions to encourage entry level residences within the community. That was question number one. Question six to evaluate, you know, it was important to evaluate commercial growth throughout the city and manage that growth to benefit the community and obviously, I don't think anybody would disagree. And in fact, everybody agreed with that statement. And this is an important one. I think it was important to elevate and determine the needs for life cycle housing, which means that the needs of young people or young adults and older people so that you can balance that and 88% of the respondents said that that was a necessary thing. So other than that, I mean, is there ever been any work done to determine whether we are over permitted? I think that if we are over permitting what is over permitting lead to, does it mean that if a person is investing in properties and that investor is using the cash flow of that property to pay for that investment, what happens if you know they can't the occupancy doesn't support that. What happens to that property? Certainly, I think that that's something that I think we need to understand. I think we really need to understand and know exactly how many permits are we over permitting? Are we actually capturing the taxes that are due? So there are a myriad of questions I think need to be answered. And I think that can best be done with a moratorium that allows us time to reflect and better organize our approach to short term rentals in Washington.

Dave Schmitz-Meadow Lake Drive-Recently annexed in the city limits. I've been in the business for 17 and a half years. I know one of the complaints by my mom when she would want to come with her husband is there's just not enough hotel rooms there. They're always booked. So I think we do still need short term rentals. I think it's great to give guidelines. How are you going to do that with the thing of disturbing different neighborhoods that's Sal and Darren's pay grade mine. But I think one of my concerns is what happened last week in terms of, well, we approved this one, but we didn't get pushback. So we got pushback from this one. So we're going to decline it. The problem I have with that is we should base our decision based on the current Missouri law and our current city code, not by how many pitchfork and torches show up to a meeting. Okay. Now, here's where it puts us. They could file a lawsuit, and then we use tax money on a lawsuit that would probably would be lost because the current code Sal mentioned, there was no real reason, code wise, to decline that permit. Correct.

Sal Maniaci-From my recommendation

Dave Schmitz-Been in the business for a while. And yes, I've had to do that. And yes, I have filed lawsuits and won because law's not based on again, how many pitchforks and torches show up. And I'm not saying that that invalidates what people say, you know what I mean? There's value. Like Carolyn said, there's value in getting the public's input. But there's, as I said, like there's a chance these people are going to come back with a lawsuit on this one and you might

want to reconsider that one. Now, putting something in place where we can say, okay, boom, boom, boom, boom, boom this is why yes. Boom, boom, boom, boom, boom this is why no. I think it's a why I think that's a wise thing to do.

You know, just it's just wisdom to do that, you know? So but figuring that out as far as well, this neighborhood would qualify, but this neighborhood wouldn't. I think that's where the tricky part is.

Tom Holdmeier-And that's what we're starting here. It's not the end. And we're not hiding anything. It all comes out in public meetings. We're trying to gather information. We're trying to get current on what we have and what we're doing. And we're aware it's always a balance with the city. Us, City Council, we need tourism. We need some of that. We need people that are visiting can stay.

Dave Schmitz-Yes, we do.

Tom Holdmeier-But we don't need to turn into a tourist town. We need to have affordable housing. And we've looked at all that. So I think we're all on the same page. We're just trying to find out right now the best way to go forward and get more information before we make decisions.

Dave Schmitz-Oh, I agree. I agree with that part. I guess the part about the what got me was a little bit was how much pushback we get. And I'm like, the pushback I'm not sure ss really relevant legally.

Tom Holdmeier-We hear you. Thanks.

Bonnie Martin #4 Riverview Court-Through all of this, I want to say I'm not opposed to short term rentals. I'm opposed to them in neighborhoods. And I'm not even opposed to all of them. And one of and I've been complaining a lot these last two months, and I admit it. But I did I do have a couple of ideas I would like to present. One of them is I don't think all short term rentals are the same. I think there are a couple of differences about them. For one, if it is a hosted rental, like a bed and breakfast where the owner lives in the property, that is a different kind of vacation rental than a short term rental where the host doesn't live in the property, a bed and breakfast where the owner lives there. That owner, if they live in our town, they're contributing to our community every day and they can easily mitigate any problem that may happen. They can enforce any rule. So when you're considering your rules it may be something to consider to let those if there's one of those in the mix, that they get priority over another, because that is not as I don't want to say offensive, but it's not as troublesome to me or maybe to some others as a different kind of vacation rental. Another level that I see is a vacation rental owner who lives in town. Again, can quickly address issues if there are any. They contribute to our community on a daily basis and I'm talking about buying tires here and grocery shopping here and going to the hardware store here every day. Things not just tourist things every day contributions. If someone lives here and owns a vacation rental, they're contributing daily. Now, if you've got an out of town vacation rent rental owner and the only thing they do is own a vacation rental here and give us 5% tax and don't contribute daily. I think that should be the most difficult permit to get. So that is just one idea I wanted to throw out. The other thing is pitchforks, angry, pitchforks and fire or whatever that was about. We were not the first or only group of neighbors who came to express opposition to one of these special use permits who got denied. There has been others. There's been at least one that I know of. And it was in Deer Run, and that one got denied for the

exact same reasons ours did because the neighbors opposed it. So you that one was denied. And that was an expensive neighborhood. Our neighborhood is an expensive I don't know if that had anything to do with it or not. I appreciate what you guys did for us. I am for a moratorium for sure. So you can come up with some rules that are less arbitrary so there's not these arguments all the time. There has to be. There just has to be. It's past time, I guess. I guess that's it. But the other the other idea I have for to maybe throw out to you is when we when we were talking about vacation rentals, I hear we say we've never had any issues or we don't have any issues. We went door to door and talked to neighbors of that lived next to vacation rentals. And we got a different story. Some of the neighbors had issues. So I would like to suggest maybe putting something on the city website, maybe a web portal where neighbors of these things have an easy method to report any issues and make that available to the owners. Because if there is an issue, an owner can't fix it if they don't about it and maybe the city would be able to understand that, too. So the only way you know now is if someone calls you, maybe nobody's going to call, but it might be easier for someone to put something out on the web. What else am I going to say? So not all are equal. The proximity and volume. When we talk about population, you know, I don't think anybody's going to want to put a Airbnb over in Weber Estates or over in the new subdivisions over there. They're going to want to put them in these cute little historic neighborhoods. So when you look at population, it maybe should be population in zones or areas of the city. So that may be something that you want to look at too. I guess that's all. I just wanted to offer some solutions and suggestions instead of just complaining all the time. So I think that's it. Thank you.

Samantha Wacker-And thank you. And Ms. Martin did raise a very, very significant difference between the last application and the one that is being compared to on Steutermann and that one is owner occupied. That was an extremely important distinction. And again, it takes us back to the compatibility of use with the surrounding neighborhood. I think we're getting bogged down in this idea that it's opposition and it's not. I can tell you, I personally I appreciate feedback from neighbors. I do not vote based on the volume of complaint. I vote based on the law and the good of the city. But you have to look at that word compatibility of use with the surrounding neighborhood. And that's I mean, that's the difference. But as I said, comparing the Steutermann situation or that neighborhood situation with the other one, it's apples and oranges. There simply isn't a comparison.

Tom Holdmeier-Do you need anything from us tonight?

Tyann Marcink Hammond-I have a Missouri Haus, vacation rentals. You should have all received an email forwarded to. Let me pull it up.

Samantha Wacker-I did not receive that unit.

Tyann Marcink Hammond-Okay, so it's Friday. I sent Sal an email with a nice pretty slide deck of 40 some slides and a cover sheet of the most important ones for you all to look at. And so he'll pull it up here. Okay. I also have a QR code. Anybody is welcome to pull it up and take it home too. I had pulled up some data because I know we need to make decisions on data and not just feelings. And then I also have a text from Gretchen Pettit, who is a neighbor, a longtime neighbor of vacation rentals as well. So we have this challenge. Short term rentals have been around for generations with Washington and or in the country, in the world. But Washington hasn't kept pace with the landscape. Previously ou all city council created a forward thinking fact

based ordinance solution that is very reasonable regulations. One of the things that stands from it, from other city regulations is the fact of the safety inspection that is required. That one is absolutely wonderful. And so this purpose of this data is to help you all spotlight ordinance and non-ordinance solutions that are effective in helping to balance the entire community. Now, I'll let you guys look through this later as well, because Sal and Darren, like took most of my argument. Okay they did well-done job. Thank you, guys. But what I do want to point out, if I come over here is I would love to see a good neighbor commitment of every owner host property, manager and affidavit to sign to make sure that their operators have specific short term rental insurance with a minimum \$1 million liability. They acknowledge and will adhere to local and county occupancy taxes and sales tax requirements and also have the noise, parking, and trash management guidelines adhere to your existing nuisance ordinances and then clearly communicated to guests prior to or at check in that I wanted to point out in addition I think is a really good idea. And the other notes that I wanted to talk about is I know it's a feeling of a lot of new listings have come on board and that's not just here in Washington. That is actually national data that I have learned about. A report came out over the weekend that two thirds of current listings across Airbnb has actually come online since 2020. Now, that's not properties, that's listings. As listings change ownership, they might go to a different manager or a different owner. So it's not properties is only gosh, I think 10% difference in properties, but the number has increased dramatically as far as new ones go. So it's not just here in Washington. The use in the neighborhood. To me how I read it as residential and I respectfully disagree with you. It is compatible because our guest, they come to be as a family and visit as a family. They sleep in beds, they brush their teeth, they make their meals, the kitchen. They do everything a regular family does, except it might be three nights instead of three years. That's the difference is the number of nights. You all have talked about assumption, I'm going to use that word assumption of locations. How many of you have actually hosted guest at your properties?

Samantha Wacker-No.

Mayor Hagedorn-Yes.

Tyann Marcink Hammond-All right, Mr. Hagedorn, thank you. So, you know, there's not all locations that guests want to come when they come to the area, do they? I would love for the city to look at talking to someone who has operated, I've operated since 2017, who knows where these guests are asking to stay? Where do they want to be? Because just arbitrarily looking at your zoning map and saying, oh, well, we think they'll be good here. We think they'll be good there. Well, you know what? You need to talk to somebody who knows where guests want to actually be. Ms. Witt had a very, very good comment earlier today about the RV park. Purina events. We get a massive amount of guests coming in for Purina events. Our properties are dog friendly and that's one of the reasons why we need more dog friendly properties because of that. So I was super excited to see the RV park coming in and dog friendly because that'll help with that tremendously. So assumption locations include the local hosts in your decision. The comment about hotel guests versus vacation rental guests was actually very backwards. Our guests are extremely respectful. They have money on the line. They treat these homes as homes, as very good property. They pay a lot of money to come, stay. a lot. We also have families that come in, I mean, just around numbers. We had a family come in from New Zealand this last summer because their family is in Colombia and they come to the states every year. They paid

\$15,000 to stay for ten nights here in Washington, and they loved it. They loved coming and spending their money here and being a family here. The other thing I want to just address real quick is the use of the word Airbnb. That is a marketing platform. I love to point out that do not do Airbnb. We do not own Airbnbs, we do not operate Airbnbs, we own and operate short term rental lodging or vacation rentals. Airbnb and VRBO both are marketing platforms. They are part of our marketing strategy, but we also do direct bookings as well.

Samantha Wacker-So you mentioned something that is important to me in terms of trying to figure out how to best address this. You mentioned asking where guest asking to stay. So tell us, where are they asking to stay within this community?

Tyann Marcink Hammond-Absolutely. So most of them do want to stay in that downtown area. They want to stay close in there. But we also have lots of guests who want to be along that High Street area. The High Street and towards the hospital because they want easy access to get across to the wineries. They want easy access to get to family those who live in the area and they come for medical reasons as well. So, they want to be able to get to the hospital. Beyond that, generally, that's not where they want to be. Thank you.

John Borgmann-Thanks, Sal. You're going to forward that to us?

Sal Maniaci-Yes, I do. And I apologize about that. I thought they had. I will forward.

Delisa Curran-#2 Riverview Court- Didn't plan to speak again, but I'm also a frequent guest of short term rentals of all sorts and types. And I love them. I've stayed there with my families. I have spent a lot of money on short term rentals in different locations. I haven't looked at one in Washington. Honestly, when our kids came home for Christmas. I pay for those times when I bring up the whole family. I also stay in short term rentals at times when I go to vacation places with a group of friends, large group of friends, I have rented rentals that cost over \$1,000 a night so I do know the cost of them, but I divided that cost between the eight people who are living in it. And guess what? It's not that expensive. So I would say that the concept of these cost a lot of money. Everybody's going to be respectful. And with all due respect, it's not always the case. I feel like I did. But I will tell you the number of beds and the number of people allowed, you can't enforce that. And I know also there's a lot of people who come and go during that time we've had friends come over and play cards for the evening. I'm try not to be disrespectful, but we may have been loud. We were laughing. So anyway, the number of people, the cost of it is, I think, something to consider that that's not really a point to me. Where did the residents want to live is a more important point to me also than where do the guests want to stay? This is our town. We want to welcome guests. I'm proud of this town. I love it. I'm happy to live here. But I think the people who live here and spend their money here and volunteer here should have a priority over the visitors. I also think that the people who live here volunteer here. I saw I think it was from one of the meetings that you all had talking to someone in Herman from the fire department. Did I read that today? But among other things. So but the idea of the the volunteer fire department, I mean, we're not just about volunteering to teach Sunday school. We all depend on a volunteer fire department. If we take up the houses that the volunteers could live in, we're hurting this town and we're going to care when the fire is at our house. So anyway, that's a point. Simple supply and demand is going to cost the houses the market to go up to these short term rentals, increase the value of homes. Maybe so, but that means people can't buy them. That's a supply and demand issue. So anyway, I do believe we need a moratorium. I stand behind that also. Does this over

permitting lead to idle properties? These are some the things that have been brought up, the Purina farms and things like that. The fair. Those are just a specific amount of time. That means are those short term rentals vacant for a large percentage of time? And in those neighborhoods where people are residing with an empty house. So I think that's important to consider. So we're standing behind the moratorium. I hope you do it. And our neighborhood is now on board. We'd love to participate and help you if you want our help. Thank you all for listening.

Nan Hammond-And I'm actually a property manager. Also work for Missouri Haus I live in Union, 68 Scenic View Drive, but I live in the area as far as I'm concerned. So just a couple of things I just wanted to mention. One of the things about what we do is we're property managers. We employ locally. We do pump money into the economy. Most of the people that come to visit our places love it. Some of these people, like my wife mentioned previously, they're coming to visit family. So, I mean, anytime, you know, you think of these vacation rentals that people don't respect or, you know, aren't pumping or aren't helping the local economy, a lot of these people are probably your friends, your neighbors, your relatives.

So, I mean, that's something to consider. The other thing is in support of vacation rentals, you have to consider the fact that it employs people locally and it does help the local economy in that fact, that it's giving people something to do, something to a job that they can earn a living with. But another thing I also want to mention as far as neighbors that have complained, we have a couple of instances here.

One instance here from somebody that wrote, I think it's Ryan Biggs at 488, Ridge Meadow Lane, Washington, Missouri. If you don't mind, I'll read this real quick:

“To counter the narrative of some of those supporting the moratorium. We thought it would be ansible to tell the story of Washington, The Washington Guesthouse. A story represents the typical owner of an Airbnb short term rental in Washington.

I grew up in Washington and I've lived there nearly all my life. My wife moved here five years ago and quickly fell in love with all Washington had to offer from restaurants, festivals and local wineries, riverfront, and numerous other attractions that other alternatives to typical fast paced vacations would offer. After deciding to invest in short term rentals, we began looking at potential properties. We did not rob a family of an opportunity for affordable housing. This home, the old KSLQ building at 511 West Fifth Street, was for sale for over a year with no other viable offers. We invested twice as much capital as we paid for the house we completely gut and rebuilt in ten months with a vision and a lot of demolition equipment.

We took a vacant, dilapidated eyesore, and transformed it into a truly unique home that we have shared with 140 guests in six months. The neighbors have not made us aware of a single problem and all seem to actually welcome the improvements we madet hat will only increase the value of their home. We have a business license with the City of Washington. We have generated over \$1,000 in bed tax for the city in just five months. We were open in 2022. Our guests stay primarily on weekends. We attract tourists who otherwise would not stay or possibly even visit Washington if the only available options were hotels. Girls weekends, couples weekends, spots for families to meet, etc.. Washington Guesthouse, the reason for staying, it's in town for an event weddings. Businesses selected Washington and sought through Airbnb. The average number of guests is 4.6. The average number of cars 2.5. The average number of nights three and

a half. Friday through Sunday is 83% of those people. Number of nights, Monday through Thursday, 17%. Number of complaints, zero, number of law enforcement calls, zero are we are very invested in Washington as a family. We with our five teenagers, all attending Washington schools are long and mid-term rentals. In my wife being an active Washington volunteer, we are going to put our money in short term rentals somewhere and we would prefer it be here in our own backyard. We aren't totally against a moratorium. We do believe we should get a handle on the city guidelines and expectations. We can also an issue with the lack of affordable housing. However, those aren't mutually exclusive. We hope that these conversations around the cities restrictions on builders to see why builders can't make any money developing affordable housing.”

That's from one of our colleagues. But again, I mean it does help the city to have this type of lodging because it employs people and, you know, it also brings families closer. So that's all I have to say thank you.

Kate Camper. I live at 615 East Third Street-Here in town. I just want to say a couple of quick things in response to some of the people that have spoken. The KSLQ building was not residential. It was formerly commercial, and I think a lot of people would be glad see anything that was defunct or abandoned, previously zoned commercial or like commercial or industrial or farming property in the middle of an industrial field put to good use. This is in a residential neighborhood that we're talking about restricting some things. I don't think anybody feels that short rentals Airbnbs, VRBO's, Flip Key, HomeAway the multitude of listings are a bad thing. We stay in Destin every year for a week it's gotten exponentially more expensive. Started out around \$5,000 a week sixteen years ago to \$15,000 a week. I have teenagers and they have cousins and they're up and they are loud for the whole week. I also stay up past my bedtime when I'm on vacation. Usually I'm in bed by now, so I'm going to make this real quick. When I'm on vacation, I'm up past my bedtime and sitting out by the pool and talking with friends rather loudly, like most people will when they're also on vacation. So all of the ideas you guys have had, I am 100% with you on almost everything you said I was just yes, except for when you said we needed more. I think the thing we really need more of that's been spoken evidently nobody else's family puts them up in their home anymore, is a hotel that maybe we should pursue some that since there was a study, I believe that you actually submitted to the Emissourian three years ago saying that Washington can 100% support a 100 room hotel. So that would alleviate a great deal of it because when we talked about codes and what people expect when I moved into a residential neighborhood, I actually expected people who lived there and not hotels there. So as long as we can keep those things in their little pockets and where they go, I think people will be happier. I do like Airbnbs, VRBO's and short term rentals and I do think there's a fantastic place in this system for them. But as far as reaching the tipping point where some people think we have 34, when I searched on the Airbnb specific website, it says we have 50. I'm sure that I did an overlay it would come up with different like you said, your little seek and find would find more. That is 1% of our housing mix and that's getting up there. I don't know any city that has a great deal. Of these where we're behind the curve that's happy with their curve. They're all unhappy with their curve when you read into them. Nobody is thrilled with the existence of these in their actual city. They fill a need. They're fantastic, but they do reach a tipping point. I don't

know if we're there. I think we're very close. And I think that things like rehabbing a building, putting it in the downtown area, those are phenomenal places for it. I think it's in the straight residential where it starts to be a specific issue.

Thank you.

Tom Holdmeier-We didn't want this to turn into a for and against we know there's need for both and we just want ideas so that we can start looking forward and have some decisions made that we can back, that we can make decisions and know this is what we're looking for. Here's why it doesn't work. Here's why it does so. So what are you looking for?

Sal Manaici-A motion to approve or I guess, table or deny the moratorium with the condition that you specify Section three. So it's got I guess there's two sections there on the second page. The Planning & Zoning commission should report its recommendations to City Council within X amount of months and then the ordinance shall officially expire in X amount of months as well. So obviously we already have some draft plans we were going to bring next month. I think it's reasonable to say give us March and April at P&Z to discuss this. And then so again, I would throw out maybe three months for the moratorium because that we have two P&Z's and two Council's because council meets twice a month.

Mark Piontek-I would suggest you go six months. You can always repeal it sooner If you don't do that and you run out of time, you got to go through this whole process all over again to re adopt it. So it's better to give yourself more than enough time because you can always repeal it early. Okay.

Samantha Wacker-And that clearly is stated in here that it could be terminated sooner or extended if necessary. I would make a motion that we approve the moratorium. I will recommend approval of the moratorium for six months from the time of its approval and then give you, I think, give you two months to report some recommendations, because I think we need to take our time. I just want to do this thoughtfully and get it right so we don't have to keep at it.

Mark Hidritch-So agreement is six months.

Samantha Wacker-Six months. Okay. Yes.

Tom Holdmeier-First and second.

Mayor Hagedorn-Can I say something? There's a lot of really talented people who know a lot about this in the room today. You guys, our staff has two city planners. We have three councilmen tonight. Four, actually, but three of them have at least 30 years experience between the three of them and with citizen input I'm for the moratorium but I have some concerns. This is quite frankly it's a good problem to have folks. Okay. We've got something special in Washington. The people from out of town want come experience. Okay. Call it a Norman Rockwell town if you want. Okay. That's something that's valued. Our town has something people want, okay. But it's a problem, and it's a good problem. But it's a problem.

So I personally think it has come to the straw breaking the camel's back point yet. But I am in favor of this process that we are going through. With your input. Okay. To get ahead of it. I don't want us to get behind the eight ball on this, but that would not be good for our town. It's also not good our town, if we get sued because we make a wrong decision and the taxpayers end up paying for it, that's another concern of mine. Okay, so.

Tom Holdmeier-There's a motion on the floor. And a second.

I have a question of the motion. Yes, clarification on the motion, I should say. So under section two, you say you want the Planning and Zoning Commission should report its recommendations to the City Council within two months.

Samantha Wacker-Oh, maybe we should report our recommendations within three months.

Yes. Okay. So three months for us. I thought I misread City to report us. I think we should go three months to give something to Council. Six months on the moratorium. I would amend my motion. Does that work for you, Mark?

Mark Hidritch-Yes.

Mayor Hagedorn-I have a question again. Okay. In my mind, talking about Section Two to me, this is a staff decision and the staff needs to direct this. Not you guys. Okay? We need to listen. Absolutely. Okay. But our staff needs to come up with the plan.

John Borgmann-We need the information.

Samantha Wacker-Right. We have to get information. And we can go faster. I mean, I don't know that. I think we can always speed it up. But as I agree with what Mark said in that it's better to give more time and, get it right than have to keep going back and amend.

Tom Holdmeier-Same motion is on the floor and second. All those in favor?

All-Aye

Tom Holdmeier-Any opposed? So moved.

Motion to adjourn the meeting at 9:30 p.m, first and second, passed without dissent.

Thomas R. Holdmeier

Chairperson

Planning & Zoning Commission

To: Planning and Zoning Commission

From: Planning and Engineering Department Staff

Date: March 13, 2023

Re: File # 23-0301

Synopsis: The applicant is requesting approval of a preliminary plat WW Industrial Park Plat 3

Adjacent Land Use /Zoning Matrix		
	Existing Land Use	Existing Zoning
North	Industrial	M-2
South	Apartments/ Highway	R-3
East	Gas Station	M-2
West	Industrial	M-2

Analysis:

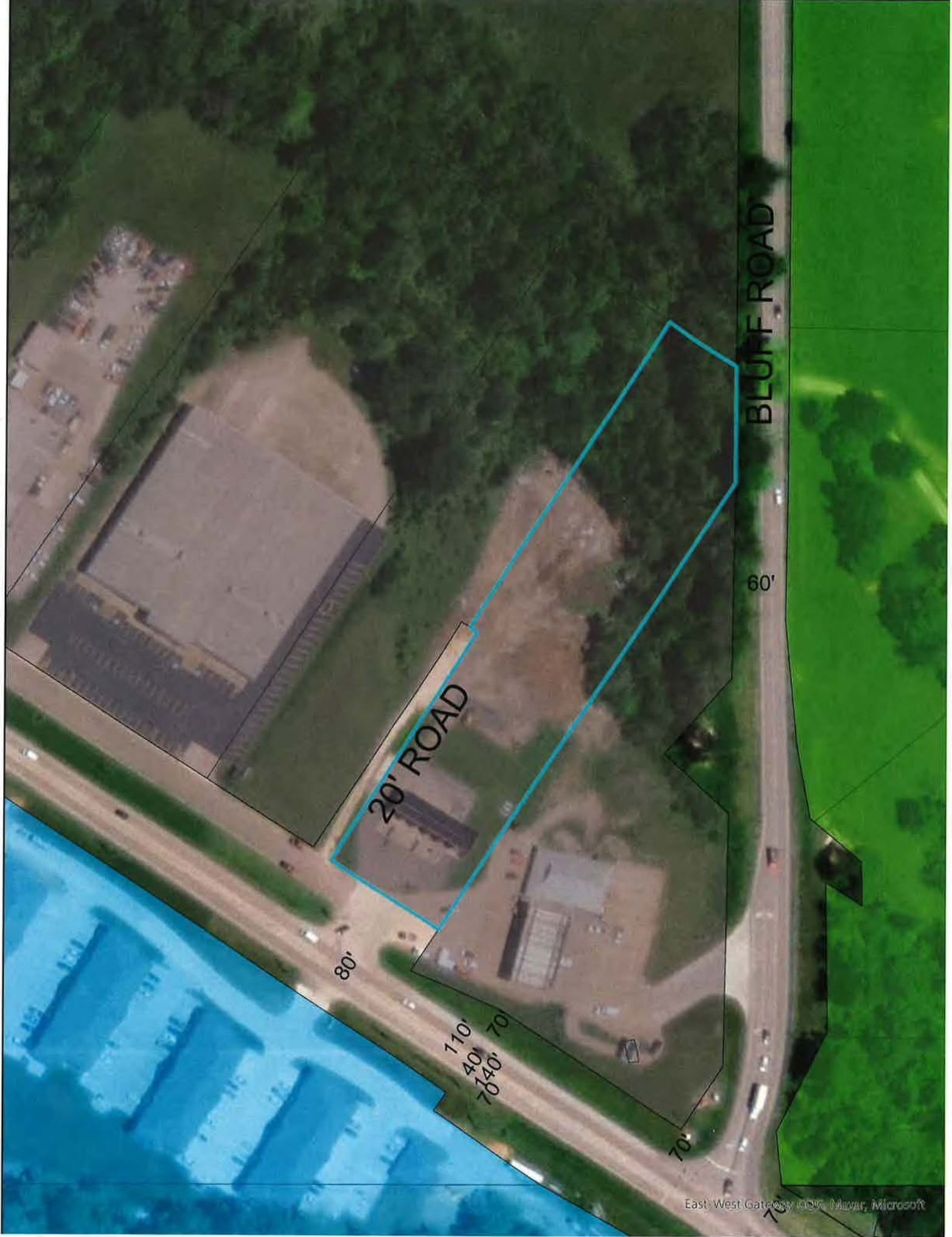
The applicant is requesting approval for a preliminary and final plat to create a new lot, Lot 2 of the WW Industrial Park Plat. The new lot is 1.79 acres in size and zoned M-2 Heavy Industrial. They meet the street frontage requirements by having 50 ft. of ROW access on Bluff Road, however they do not plan on utilizing that as access. The proposed access is through an easement from WW Industrial Park Drive through Lot 1.

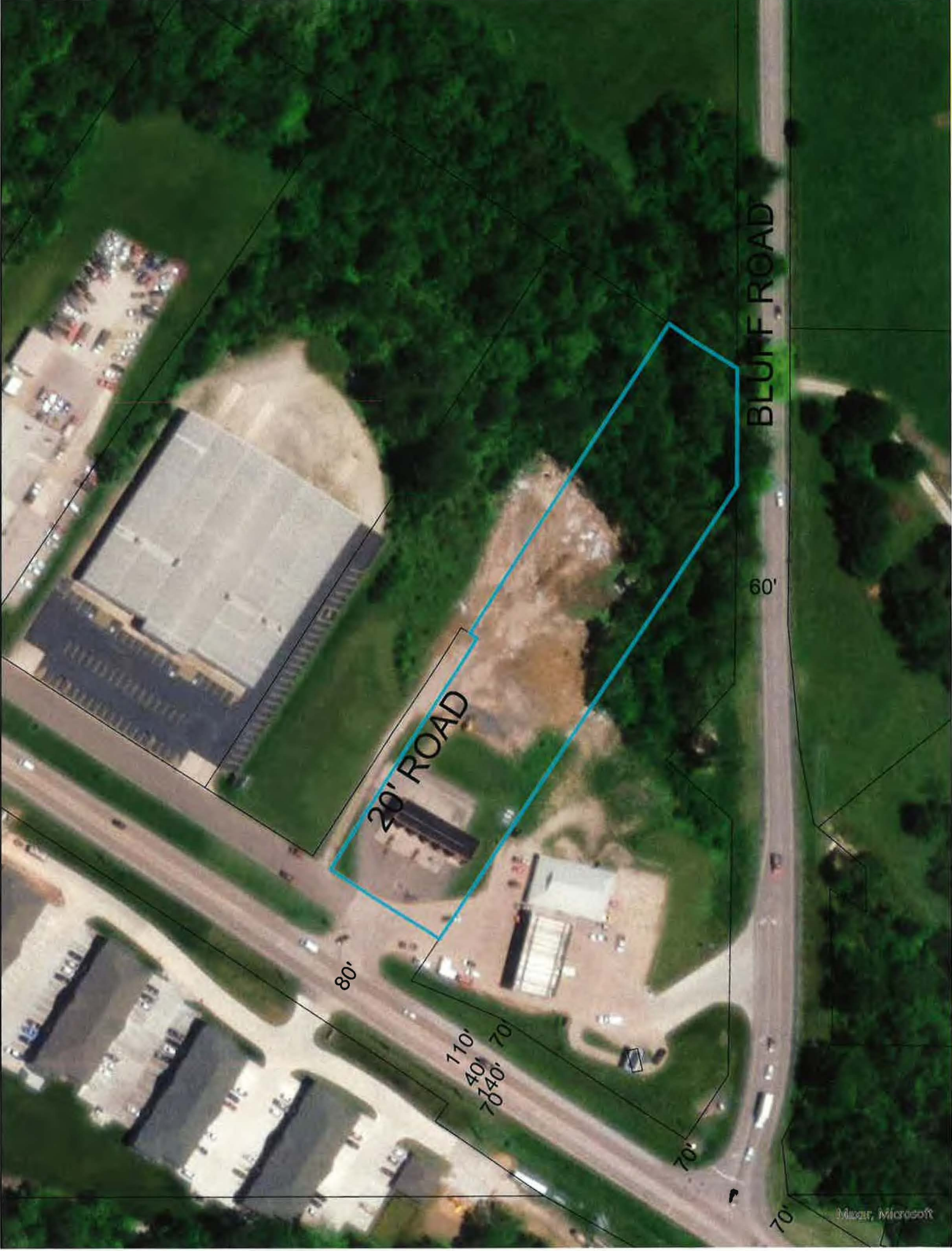
Staff recommends approval of the subdivision under the condition that the existing 20 ft. wide access easement be widened to 26 ft. to meet the current fire lane standards.

All other requirements set forth in City Code are met.

Recommendation:

Staff recommends approval of the WW Industrial Park Plat 3





20' ROAD

BLUFF ROAD

80'

60'

110'

40'

70'

70'

70'

W-W INDUSTRIAL PARK PLAT 3

A TRACT OF LAND BEING ALL LOT 2A OF THE RESUBDIVISION OF LOT 2 OF W-W INDUSTRIAL PARK PLAT 2 IN THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 44 NORTH, RANGE 1 WEST, CITY OF WASHINGTON, FRANKLIN COUNTY, MISSOURI AS RECORDED IN BOOK F, PAGE 270 OF THE FRANKLIN COUNTY RECORDS OF DEEDS OFFICE.

OVERALL DESCRIPTION

A TRACT OF LAND BEING ALL LOT 2A OF THE RESUBDIVISION OF LOT 2 OF W-W INDUSTRIAL PARK PLAT 2 IN THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 44 NORTH, RANGE 1 WEST, CITY OF WASHINGTON, FRANKLIN COUNTY, MISSOURI AS RECORDED IN BOOK F, PAGE 270 OF THE FRANKLIN COUNTY RECORDS OF DEEDS OFFICE.

CERTIFICATE OF SURVEY

WE, THE UNDERSIGNED ENGINEER OF SAID TRACT SHOWN HEREON, HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED IN THE MANNER SHOWN ON THIS PLAT, WHICH SHALL HEREINAFTER BE KNOWN AS "W-W INDUSTRIAL PARK PLAT 3".

UTILITY EASEMENTS AS SHOWN ON THIS PLAT ARE HEREBY GRANTED TO THE CITY OF WASHINGTON AND ALL PUBLIC SERVICE CONSUMERS REGULATOR UTILITIES AND THEIR SUCCESSORS AND ASSIGNS, FOR THE PURPOSE OF CONSTRUCTION, MAINTENANCE AND REPAIR OF PUBLIC UTILITIES, INTO A TRACT OF TEMPORARY EASEMENT OF ADJACENT EASEMENT NOT OCCUPIED BY IMPROVEMENTS FOR THE EASEMENT NEARLY NECESSARY DURING INSTALLATION, REPAIR, OR REPLACEMENT OF SAID UNDERGROUND UTILITIES.

IN WITNESS WHEREOF, WE HAVE EXECUTED THIS PLAT AS OF THIS _____ DAY OF _____, 2023.

JAP HOLDINGS LLC

(NAME)

(TITLE)

NOTARY PUBLIC CERTIFICATION

STATE OF MISSOURI
COUNTY OF _____

ON THIS _____ DAY OF _____, 2023, BEFORE ME PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE MEMBER OF WASHINGTON, MISSOURI REDEVELOPMENT CORPORATION AND THAT SAID INSTRUMENT WAS SIGNED AND IN FULLY BY SAID CORPORATION BY AUTHORITY OF ITS MEMBERS, AND SAID MEMBERS ACKNOWLEDGED SAID INSTRUMENT TO BE THE TRUE ACT AND DEED OF SAID CORPORATION.

IN WITNESS WHEREOF, I HAVE ASSUMED MY HAND AND AFFIXED MY NOTARIAL SEAL, THE DAY AND YEAR FIRST ABOVE WRITTEN.

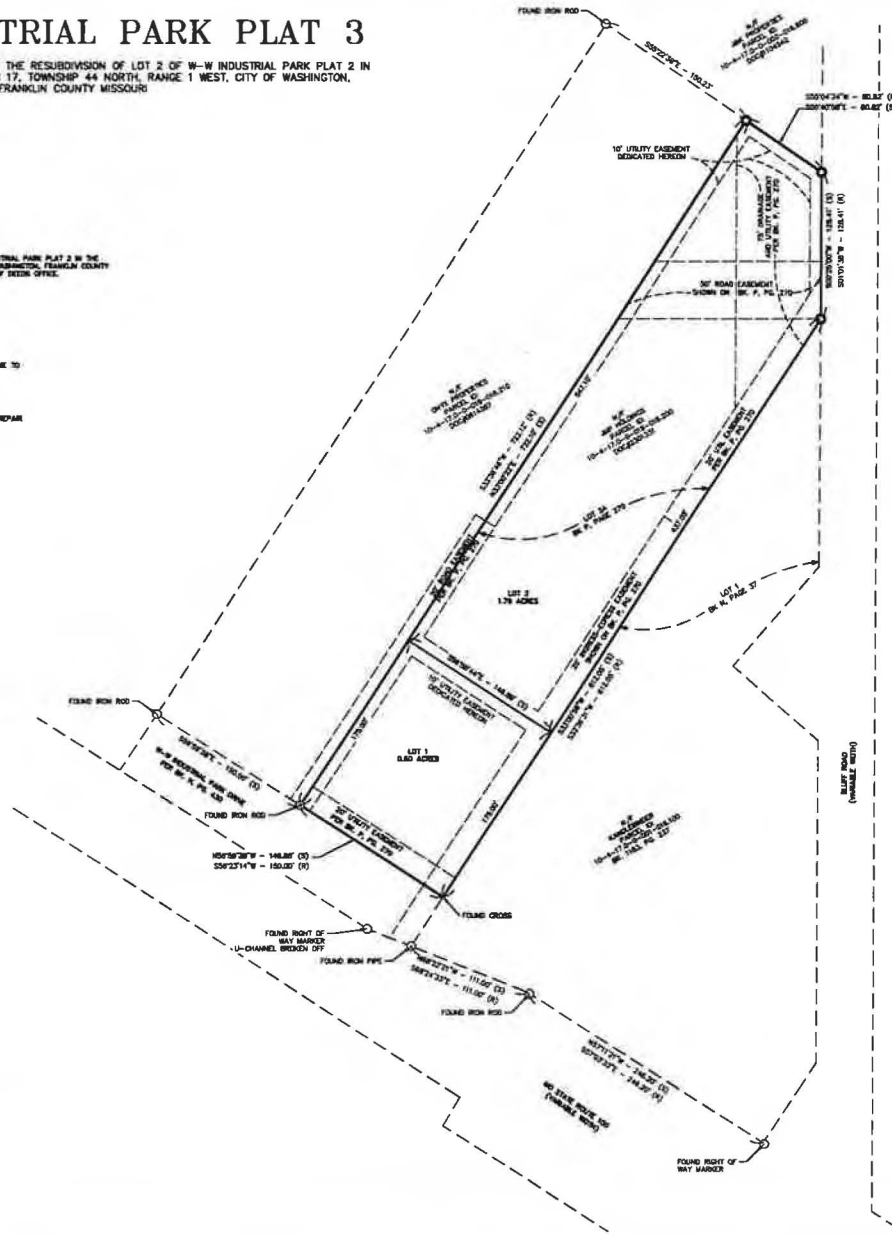
NOTARY PUBLIC

CITY CLERK'S CERTIFICATE

I, SHERRI KLEMP, CITY CLERK FOR AND WITHIN THE CITY OF WASHINGTON, MISSOURI, DO HEREBY CERTIFY THAT THE AERIAL PLAT OF "W-W INDUSTRIAL PARK PLAT 3" WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON, MISSOURI BY ORDINANCE NO. _____ PASSED AND APPROVED ON THE _____ DAY OF _____, 2023.

SHERRI KLEMP, CITY CLERK
CITY OF WASHINGTON, MISSOURI

VICINITY MAP
NO SCALE



LEGEND

PROPERTY LINE	---
EASEMENT LIMIT	---
BOUNDARY ADJACENT	---
CENTERLINE	---
FOUR	---
GAS LINE	---
SANITARY LINE	---
WATER LINE	---
FIBER OPTIC LINE	---
GAS LINE	---
STORM SEWER	---
WATER WELLS	---
WATER METER	---
HAZARDOUS WELLS	---
UTILITY POLE	---
PIPE VENTILATOR	---
STEEL RAILROAD	---
GRAVEL SURFACE	---
CONCRETE PAVEMENT	---
ASPHALT PAVEMENT	---

SURVEY NOTES

1. BEARINGS REFERENCED TO GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, EAST ZONE FOR SPHERICAL CORRECTIONS UTILIZING THE MOISTURE 876 NETWORK.
2. SOURCE OF GRID DATA: NAD83.
3. SURVEY INSTRUMENTS SHOWN HEREON ARE SURVEYED AND RECORDED, UNLESS OTHERWISE NOTED.
4. (C) - DENOTES SURVEYED INFORMATION OBTAINED BY COCHRAN DURING THE MONTH OF FEBRUARY 2023.
5. (D) - RECORD DATA.
6. (O) - DENOTES 8 1/4" DIAMETER 24" LONG IRON ROD WITH YELLOW CAP (COCHRAN LS-280), OR OTHER PERMANENT MONUMENT AS NOTED.
7. (X) - DENOTES FOUND MONUMENT AS NOTED.
8. ALTA/ARPS TABLE A ITEM 3 - PLACED ZONED PORTIONS OF THIS PROPERTY LINE WITHIN UNIMPROVED ZONE 17, AND ZONED 17 FOR FRANKLIN COUNTY, MISSOURI AND RECORDED AREAS, MAP NUMBER 2007101400 & 2007101400, MAP REVISED DATE OF OCTOBER 16, 2011.
9. ALTA/ARPS TABLE A ITEM 8A - THIS PROPERTY IS ZONED M-3 DISTRICT BY THE CITY OF WASHINGTON PLANNING AND ZONING DEPARTMENT.
10. RETAINED FOR 30-60 YEARS FROM THE DATE OF SURVEY.
11. THIS SURVEY MEETS THE ACCURACY FOR "URBAN" PROPERTY AS DEFINED BY THE MISSOURI STANDARDS OF PROPERTY SURVEYS.
12. NO INVESTIGATION HAS BEEN PERFORMED BY COCHRAN REGARDING HAZARDOUS WASTE, UNDERGROUND CONDITIONS OR UTILITIES AFFECTING THE TRACT OF LAND SHOWN HEREON.

SURVEYOR'S CERTIFICATE

AT THE REQUEST OF JAMES FORTNER, WE HAVE DURING THE MONTH OF FEBRUARY 2023, EXECUTED A PROPERTY BOUNDARY SURVEY AND REDEVELOPMENT FROM ACTUAL FIELD DATA AND RECORD INFORMATION ON A TRACT OF LAND SHOWN HEREON AND HAS BEEN EXECUTED IN ACCORDANCE WITH THE CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS AND THE RESULTS ARE SHOWN HEREON.

ON ENGINEERING NO.
001 COCHRAN
LS-300

BY: STEVEN A. LAUNE, P.L.S. 0007000070
STATE OF MISSOURI
PROFESSIONAL LAND SURVEYOR
FOR COCHRAN

	W-W INDUSTRIAL PARK PLAT 3 CITY OF WASHINGTON FRANKLIN COUNTY, MISSOURI	
	<p>• Civil Engineering • Land Surveying • Architecture • Site Development • General Consulting • Master Planning</p>	
	<p>COCHRAN 2000 E. WASHINGTON ST. SUITE 100 ST. LOUIS, MO 63104 (314) 444-4444 www.cochraneng.com</p>	
<p>BY: STEVEN A. LAUNE SURVEYOR PLS 0007000070</p>		<p>S.A.L. FEB 17, 2023 23-8456</p>
<p>517.144N, R1W</p>		<p>SCALE 1"=50' MISSOURI STATE LAND SURVEYING CERTIFICATE OF AUTHORITY 000000</p>
		<p>1 OF 1</p>

230301

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

PRELIMINARY PLAT APPLICATION

Date: 2-17-23

Applicant Information:

Name: Wortman-Fortner, LLC Phone: 636-234-6479

Address: 40 E. Fitzgerald Avenue, Gerald, MO 63037

Do you own the subject property? ☐ Yes ☒ No

If not, please provide ownership information here:

Name: JMP Holdings LLC Phone: 636 432 6109

Address: P.O. Box 1776 Washington MO

Name of Proposed Subdivision: W-W INDUSTRIAL PARK PLAT 3

Number of Lots Proposed: 2 Zoning District(s): M-2

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

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

APPLICANT'S SIGNATURE:

James J Fortner

APPLICANT/COMPANY NAME (Printed):

James Fortner, Wortman-Fortner, LLC

LANDOWNER SIGNATURE(s):

Matt Pauck

LANDOWNER NAME (Printed):

MATT PAUCK, JMP HOLDINGS, LLC

Section 215.075. Noise Regulations. [R.O. 1992 § 215.075; Ord. No. 04-9607 § 1, 6-21-2004]

A. It shall be a violation of this Section for any person to make, continue or cause to be made or continued any excessive, unnecessary or unusually loud noise or any noise which either annoys, disturbs, injures or endangers the comfort, health, peace or safety of others within the limits of the City.

~~B. The following acts, among others, are hereby declared to be loud, disturbing and unnecessary noises in violation of the provisions of this Section:~~

~~1. Horns, Signaling Devices, Etc. The sounding of any horn or signal device on a streetcar, motorbus, motorcycle, automobile or other vehicle while not in motion on a public street or highway, except as a danger signal if another is approaching apparently out of control; or if in motion, the excessive or prolonged sounding except only as a danger signal, after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any unreasonably loud or harsh sound and the sounding of such device for an unnecessary or unreasonable period of time;~~

~~2. Loud Speakers, Amplifiers. The use, operation or permitting to be played, used or operated any radio-receiving set, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound which is broadcast from the public streets;~~

~~3. Radios, Music Players, Etc. The playing of any radio, music player such as a boom box, tape cassette, disc player, television, audio system or musical instrument which causes frequent or long-continued noise, in a manner or at a volume which is plainly audible to persons fifty (50) feet or more away from the source of the noise. Nothing herein shall be construed to prohibit an otherwise lawful public concert or public performance;~~

Section 400.195. Performance Standards. [R.O. 1992 § 400.195; Ord. No. 16-11557, 8-15-2016, effective 3-1-2017]

A. Hazardous Conditions. Every use shall be so operated as to comply with the applicable standards and enforcement provisions contained in the most-current Building Code and Fire Prevention Code as adopted by the City of Washington.

B. Vibration. Every use shall be so operated that the maximum ground vibration generated is not perceptible without instruments at any point on the lot lines of the property on which the use is located.

C. Noise.

1. The sound-pressure level, to be measured as described below, shall not exceed the following decibels (dB) in the various octave bands when adjacent to the designated types of use districts:

Octave Band (cycles per second)	Sound Level in Decibels (dB)	
	All Dwelling District	All Business Districts
37.5 to 75	58	73
75 to 150	54	69
150 to 300	50	65
300 to 600	46	61
600 to 1,200	40	55
1,200 to 2,400	33	48
2,400 to 4,800	26	41
Over 4,800	20	35

2. Method Of Measurement. Measurements are to be made at the property line of the sound source that is adjacent to a dwelling or business property located within a dwelling or business district. The sound levels shall be measured with a sound level meter and associated octave band filter as prescribed by the American National Standards Institute, Inc. 3. Intermittent Sounds. Intermittent sounds that normally would be objectionable within residential areas (e.g., exterior paging system) shall be controlled so as not to become a nuisance to a residential area.

1. This section shall only apply to noise generated between the hours of 9 pm and 6 am.

2. Pressure level. Every use shall be operated such that the pressure level of sound, or noise generated, measured in "A" weighted decibels (dBA), shall not exceed the maximum decibel levels at the property line for the receiving property as set forth in the following table:

Receiving Zoning Category	Sound Level Limit (dBA)
R-1A	65
R-1B	65
R-1C	65
R-1D	65
R-2	65
R-3	70
C-1	80
C-2	80
C-3	80
M-1	80
M-2	80

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PDR	70
PDC	80
PDI	80
PDM	70

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3. The limits, as set forth, do not apply to Festival Districts as established by Chapter 250 Festival District Regulations.

4. Measurements shall be taken by a properly calibrated decibel meter.



Short Term Lodging Options

Scenario One

- a. Permitted in C-1, C-2, and C-3
- b. SUP Permitted in R-2 Overlay Only
 - i. 300 ft apart from each other

Scenario Two

- c. Permitted in C-1, C-2, C-3
 - i. Distance from one another – 100 ft.
- d. SUP Permitted in R-2 Overlay Only
 - i. 300 ft. from each other

Scenario Three

- e. Designate Short Term Lodging Overlay District
- f. One per block, on each side of the street

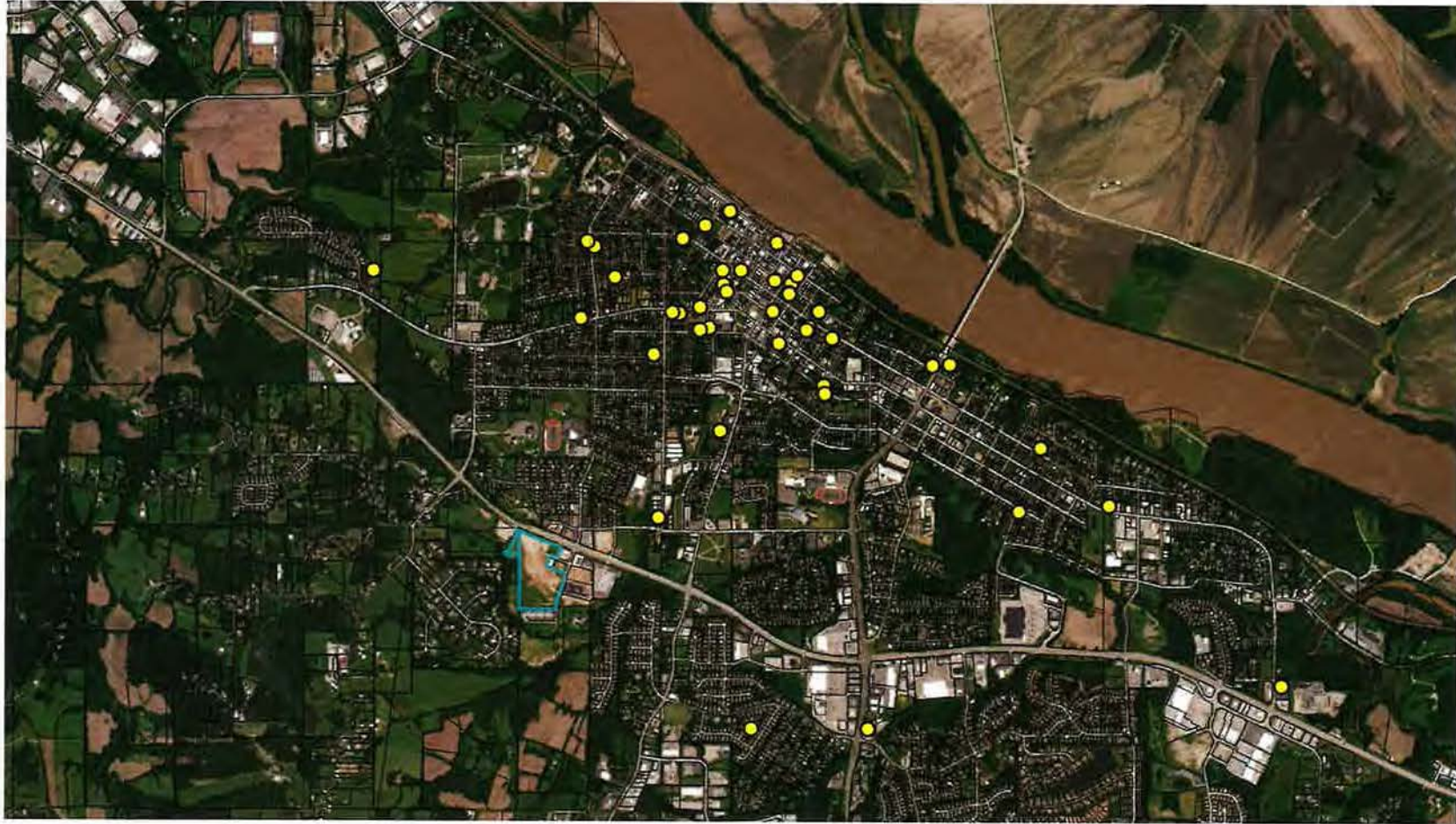
All Three Options could include some amendments to the way we define and regulate short term lodging.

- Clarify that is it for transient overnight guests occupying a residence for 30 days or less
- Non-owner occupied
- Require an additional registration application that states noise and parking requirements, proof of insurance of \$1m in liability. Application to be renewed annually with business license
- Require one parking space for each bedroom
- Define a “bed and breakfast” as an owner occupied facility for transient overnight guests less than 30 days, these are permitted in all residential districts with a special use permit



CITY OF WASHINGTON, MISSOURI

Short Term Lodging Discussion





-
- 6,048 residential units in City Limits
 - 72% owner occupied
 - Assume, 1,693 rental units
 - 35 active short term lodging establishments
 - The City currently has a contract with Granicus, a Short-Term Lodging Monitoring software
 - March – 14, have a list of all active establishments (legal and illegal)

EXISTING CONDITIONS



-
- Distance from one another
 - Affordable homes inventory
 - Distance from downtown
 - “Traditional” neighborhood vs historic neighborhood
 - Current criteria for Short Term Lodging is able to be met essentially in every case

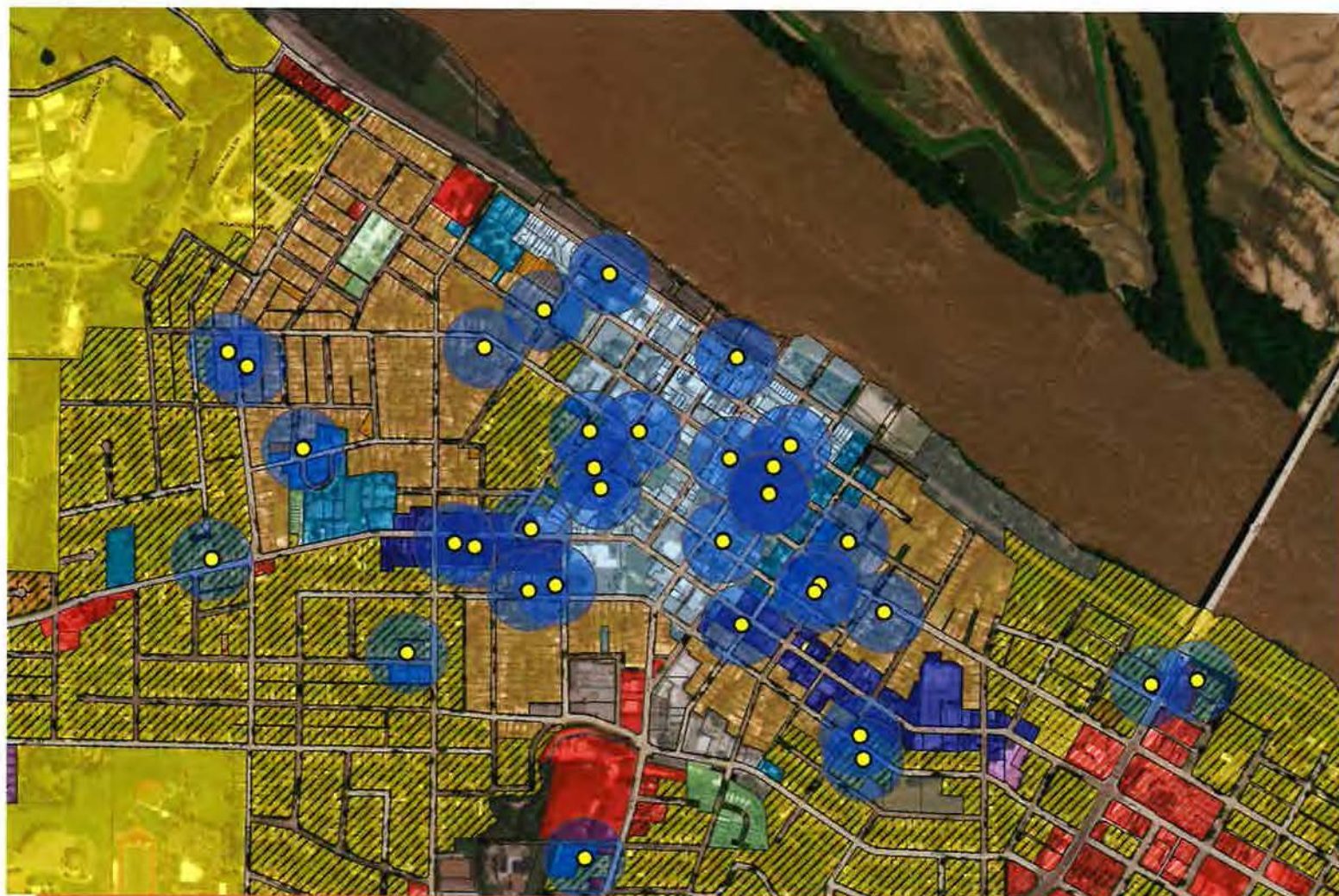
EXISTING CONCERNS



-
- Permitted in C-1, C-2, and C-3
 - SUP Permitted in R-2 Overlay Only
 - 300 ft apart from each other

SCENARIO ONE





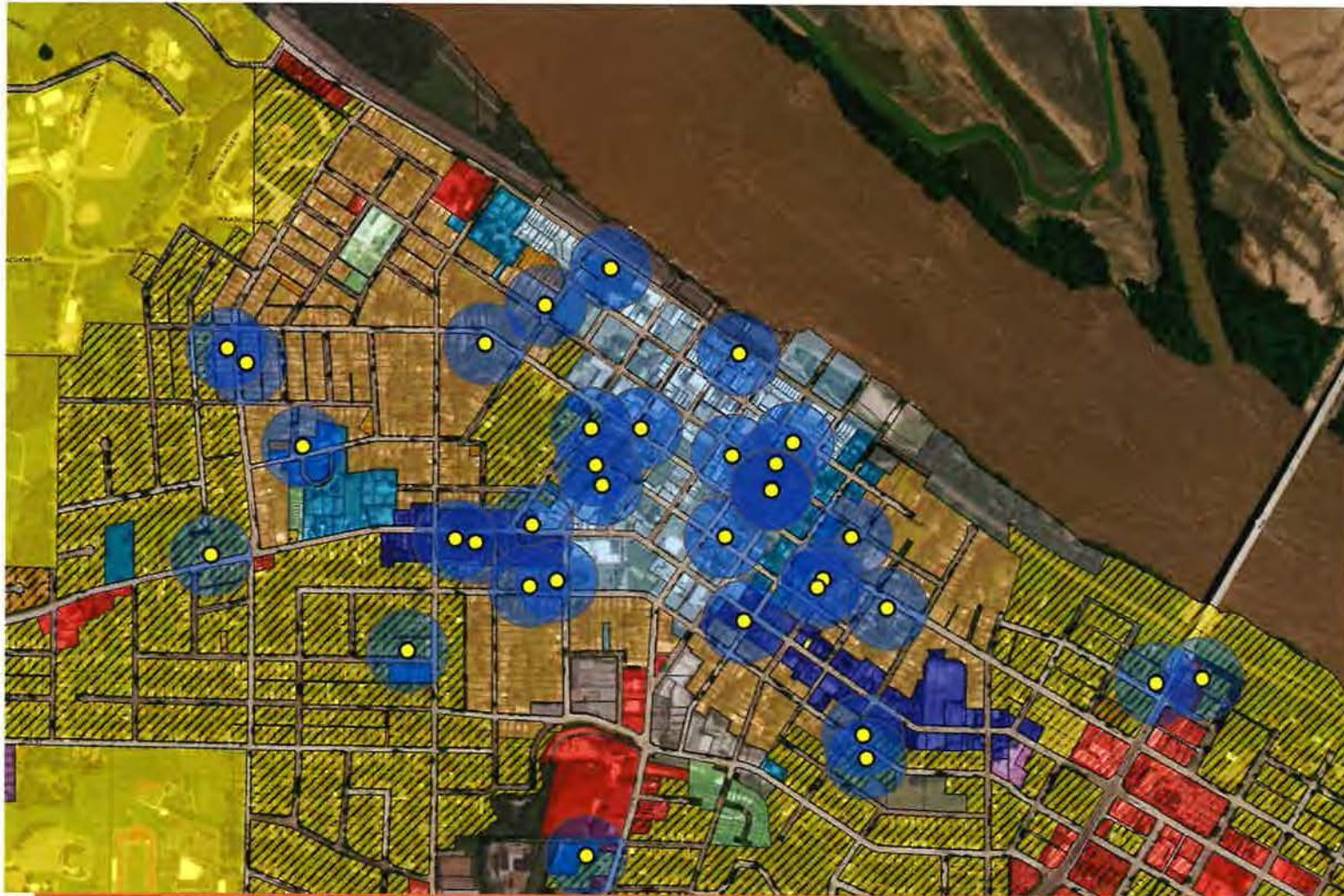
■ 300 ft.
buffer



-
- Permitted in C-1, C-2, and C-3
 - Distance from one another – 100 ft
 - Or one property per block
 - SUP Permitted in R-2 Overlay Only
 - 300 ft apart from each other

SCENARIO TWO





■ 300 ft.
buffer





■ 100 ft. buffer C-3



-
- Designate a Short-Term Lodging Overlay District
 - SUP in residential districts
 - One (property) Per Block, on each side of the street
 - This could apply to residential districts only or to the district as a whole

SCENARIO THREE





- Overlay District Example



Treat this as step one, when 10-year comp plan is finalized, new recommendations can be proposed

- All Three Options could include some amendments to the way we define and regulate short term lodging.
 - Clarify that is it for transient overnight guests occupying a residence for 30 days or less
 - Non-owner occupied
 - Require an additional registration application that states noise and parking requirements, proof of insurance of \$1m in liability. Application to be renewed annually with business license
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OVERALL CODE CHANGES





■ Overlay District
Example





THANK YOU



Suggestions for Short Term Rental guidelines

Submitted by John Borgmann

2-26-23

After spending a considerable amount of time looking through all the information from the minutes of our last meeting, and the WashMo STR data submitted by Tyann Marcink Hammond, here are my suggestions for consideration during the Short-Term Rental moratorium discussions.

1. We should include the industry definitions for short-term, mid-term, and long-term rentals listed below:

Short Term Rental (STR): Nightly rental of a residential dwelling unit or accessory structure on a site that is not used as a principal residence. The site is only used for stays less than 30 nights and usually requires a guest agreement.

Mid Term Rental (MTR): Rental of a residential dwelling unit or accessory structure on a site that may or may not be used as a principal residence. The site is only used for stays more than 30 nights but less than 1 year and usually requires either a guest agreement or a lease agreement.

Long Term Rental (LTR): Rental of a residential dwelling unit or accessory structure on a site and is used as a principal residence. The site is only used for stays of 1 year or longer and usually requires a long-term lease agreement.

2. We should develop an overlay district to encompass the areas where people want to rent property, specifically short-term and mid-term rentals. This should be areas close to the hospital, downtown area, and possibly parks. Get feedback from those in the industry or other online sources if available.

3. Limit the number of short-term and mid-term rentals to one per street side of a city block within the new overlay district. *I prefer this as opposed to stating a distance. Distance is too defining! How do you measure the distance? From what points, the property lines or buildings? Who physically measures to ensure compliance?*

4. Require operators to register their property by obtaining a city business license and annual safety inspection. Require operators to pay for required license, safety inspection, lodging tax, and sales tax if applicable.

5. Provide the operators a copy of the City's nuisance ordinance explaining the quiet hours, parking, and trash requirements. Have the operators sign an affidavit confirming they will comply with the ordinance.

6. Require the operators to have specific rental insurance with a minimum \$1M liability.

7. Provide for at least 2 parking spaces off street for each rental unit.

8. Put a cap on the number of rental units allowed based on a percentage of the total number of housing units in the City. *I don't have a suggestion on what this number should be just yet. I need more information to decide.*

9. Allow a petition drive to be submitted of at least 30% of the neighborhood residents in opposition to the proposal to require a 2/3 majority vote of the P & Z Commission and City Council.