CITY OF WASHINGTON, MISSOURI PLANNING & ZONING COMMISSION MEETING 405 JEFFERSON STREET, WASHINGTON, MISSOURI COUNCIL CHAMBERS -- GROUND LEVEL Monday, May 8th, 2023 @ 7:00 P.M.

- 1) Announcement of Meeting / Call to Order/Roll Call / Pledge of Allegiance.
- 2) Approval of Minutes from April 12, 2023
- 3) File No. 23-0501-Annexation-Stone Bridge Development
- 4) File No. 23-0502-Preliminary Plat-Stone Bridge Development
- 5) An ordinance Repealing Section 400.235-Special Use Permits-See attached Ordinance
- 6) Other Business-Discussion Short Term Rentals
- 7) 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 Wednesday, April 12, 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 Piontek, Tom Holdmeier, John Borgmann, Chuck Watson, Samantha C. Wacker, Carolyn Witt, Mike Wood, Jeff Patke, Sal Maniaci

Absent: Mark Hidritch, Mark Kluesner, Mayor Hagedorn

2) Approval of the Minutes from the March 13, 2023 meeting- Motion made by John Borgmann, seconded by Chuck Watson, passed without dissent.

3) File No. 23-0401-1322 E. Fifth Street-Rezoning-

Sal Maniaci-The applicant has requested to rezone a corner lot at the southwestern intersection of East Fifth Street and Penn Street from R-1B Single Family Residential to C-1 Light Commercial. The subject property is approximately 0.5 acres in size with 18,000 sq. ft and has access from 5th Street, Penn Street, and an existing alley to the rear. The property currently has a vacant home on it.

The 5th Street corridor is often mixed use; however, this portion is primarily residential. Directly across the street there is a grandfathered office building but even that is zoned R-1B Single Family Residential. In 2021, the property owner across the street at 5th and Penn requested to have their lot rezoned from R-3 Multi Family Residential to C-1 Light Commercial. At the time, Staff recommended denial of the rezoning, however it was approved by City Council.

Staff's recommendation remains that same that the existing zoning is more appropriate given the surrounding uses, however, it is worth noting that since the previous rezoning was granted across the street, this intersection could become commercial. Staff believes highest and best use would be for the property on the other side of the street to revert back to Multi-Family Residential and this property remain single family, with the acknowledgement that the existing and proposed zoning could potentially be properly developed to not detriment the surrounding properties.

Staff recommends denial of a request to rezone 1322 East 5th Street from R-1B Single Family Residential to C-1 Light Commercial.

After a short discussion motion made by Mike Wood to deny, seconded by Carolyn Witt. Second vote: Motion made Samantha C. Wacker, seconded by Chuck Watson, to approve and passed with a 5-2 vote in favor.

4) File No. 23-0402-309 Coulter Court-Rezoning - The applicant is requesting to rezone 309 and 313 Coulter Court in the Meriwether Estates Subdivision from R-3 Multi-Family Residential to R-1C Single Family Attached.

Sal Maniaci-The applicant is wishing to rezone the subject property from R-3 Multi-Family Residential to R-1C Single Family attached. The neighborhood was constructed prior to the existence of the R-1C Single Family Attached zone district and the owners would like to rezone the properties in order to subdivide them for possible individual sale. The surrounding properties are all either single family or two family structures, and a number of duplexes in Meriwether Estates have already had R-1C rezoning approved. Granting the request would not detriment the surrounding properties and would place the properties in the correct district.

Staff recommends approval to rezone 309 and 312 Coulter Court from R-3 to R-1C Single Family Attached.

After a short discussion motion was made by John Borgmann and seconded by Chuck Watson, passed without dissent.

5) File No. 23-0403-Annexation-Jasper Farm-

Sal Maniaci-The applicant has submitted an application to annex 4.09 acres of the Jasper farm south of Highway 100 and east of High Street. An exhibit is attached demonstrating the area to be annexed. The applicant is requesting the property to come in as C-2 General Commercial, even though there is an existing farm and farmhouse on the property. The way the property sits in conjunction to the Highland Meadows commercial development, staff agrees that this property, in the long term is appropriate for commercial development. The existing uses of livestock and single family residential will be lawfully non-conforming (grandfathered in). This closes a "donut" in the City limits and cleans up the boundaries in this area. This makes it much easier for emergency services to access and creates a uniform city limit.

Staff recommends approval of the proposed annexation as well as the proposed zoning designation C-2 General Commercial.

After a short discussion a motion was made by Mike Wood and seconded by Carolyn Witt, passed without dissent.

6) File No. 23-0404-Vacation request-Henry Street-Proposed Vacation of Henry Street

Sal Maniaci-The City received a request to vacate Henry Street. Staff reviewed at site plan and had the following comments to send on to the Commission and City Council.

Planning and Zoning:

- Henry Street from the existing First Street ROW to the Union Pacific
 Property could be vacated. The topography in this area and its limitation
 from the railroad make it unlikely that a road would ever be built here,
 even if the block is redeveloped. Henry Street from First south to Third
 should remain as public ROW. It is not unreasonable that this area could
 be redeveloped and improvements on First and Henry could be built.
- Existing landlocked parcels should be consolidated with the Smith parcel to the west to come into conformance with City Code.

Engineering Department

A public utility easement over the entire ROW shall be retained.

Water/Wastewater

• There is a private sanitary lateral that traverses the ROW to the Hummingbird Club. An easement must be shown for it.

The property owner must also have a survey drawn up demonstrating the above and calling out what to be vacated.

Motion made by Samantha C. Wacker, seconded by Chuck Watson, approved without dissent.

7) Other Business-Public Discussion-Short Term Rentals-Due to the malfunction of the microphones the meeting was not recorded. The summary of short term rentals is below:

Commission members discussed the need for additional data. John Borgmann requested City Staff to collect additional data pertaining to vacancy rates and existing tax amounts. They also requested that the submitted map be split into two separate maps, one of which for the 150 ft. buffer, the other for a 300 ft buffer. They also requested that the C-3 zoning be removed from the buffer area on the maps and that a maximum amount of future units be demonstrated based on ach buffer area.

8) 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:

May 8, 2023

Re:

File # 23-0501 – Voluntary Annexation – Vic Hoerstkamp

Synopsis:

The applicant is requesting to annex approximately 19 acres off

Bieker Road. Exhibit attached

Adjacent Land Use /Zoning Matrix			
	Existing Land Use	Existing Zoning	
North	Single Family Under Construction	R-1S	
South	Vacant Land	N/A	
East	Vacant Land	N/A	
West	Single Family under construction	R-1D	

Analysis:

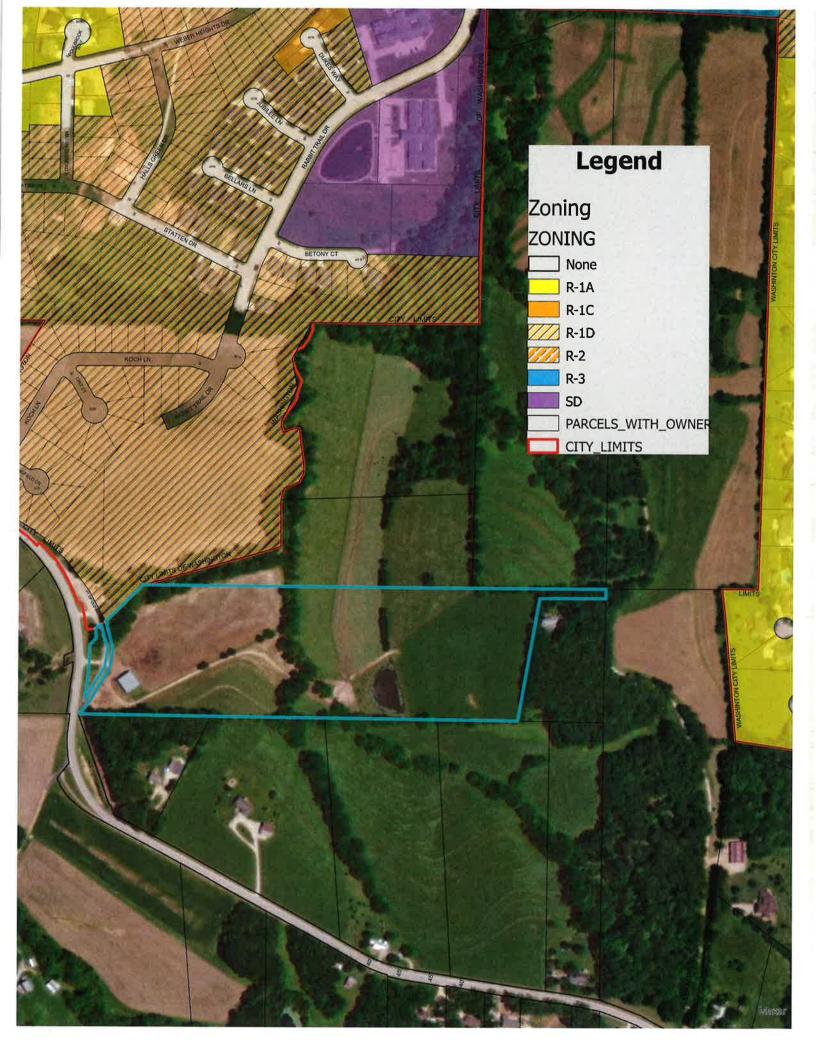
The applicant has submitted an application to annex 19.7 acres as shown with an attached survey and legal description. The application requests that the newly annexed property be zoned R1-D Single Family Residential. The future land use map of this specific area proposes residential uses as it develops. The proposed zoning of R1-D matches the vision of the comprehensive plan and the density requirements of this district are compatible with the surrounding area. The property to the north has developed as single family lots approximately 7,500 square feet in size under the R1-D zone district. This also allows for the first phase of the East-West Parkway to be built.

The City has entered into a development agreement with the owner and the applicant to annex the land and the City will build the street. This application is in accordance with the development agreement.

Recommendation:

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





CITY OF WASHINGTON, MISSOURI

Department of Planning and Engineering Services 405 Jefferson Street • Washington, Missouri 63090 636.390.1010 phone • 636.239,4649 fax

VERIFIED PETITION FOR ANNEXATION

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

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

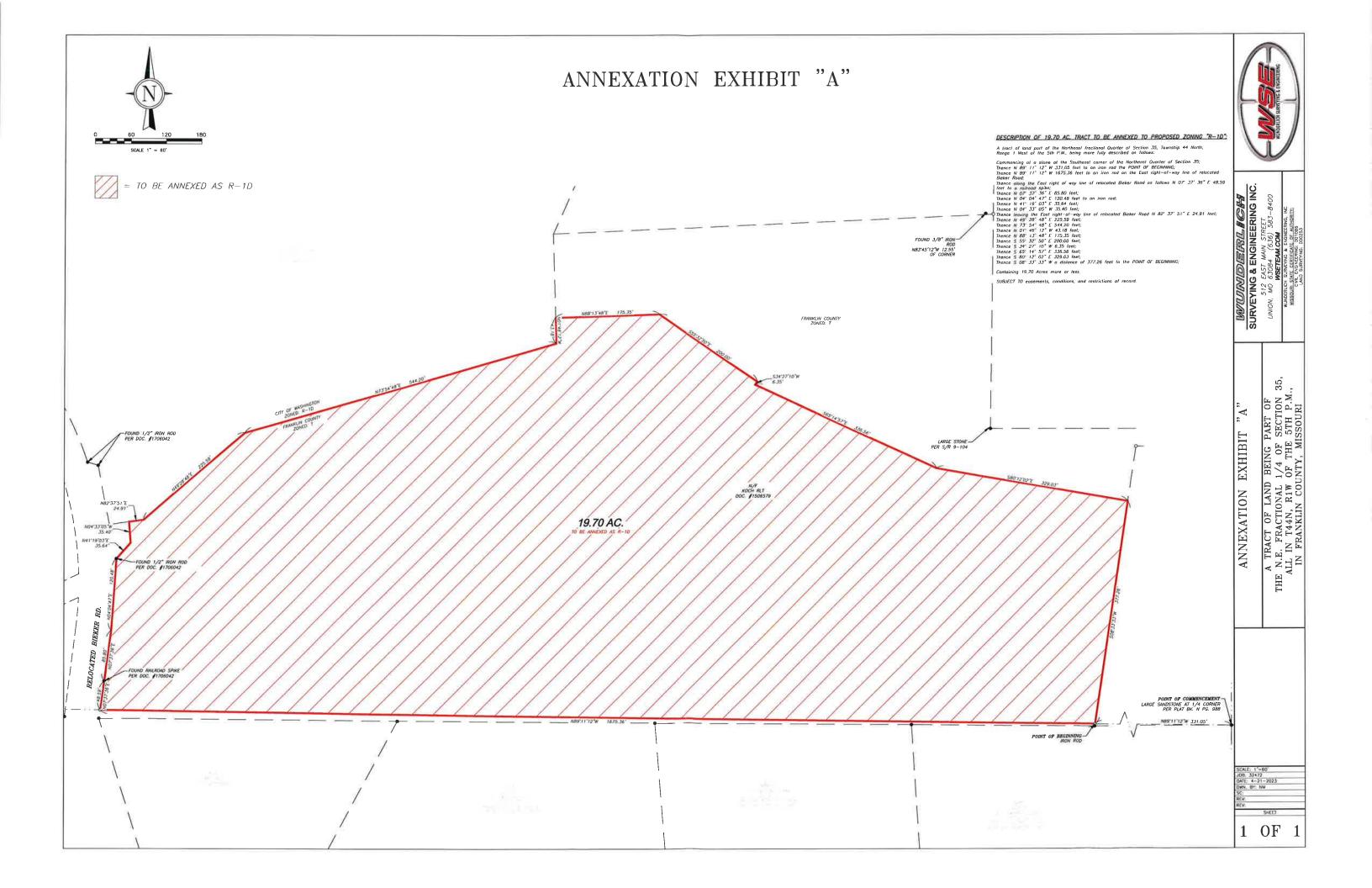
The following describes the fee involved with a voluntary annexation request, and the conditions of a refund, as called out in the City of Washington Codes:

SECTION 400.170: VOLUNTARY ANNEXATION PETITIONS FEES & PROCEDURES

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

B. If the request for voluntary annexation is not approved by the City Council, the cost deposit shall be refunded to the applicant. If the request for voluntary annexation is withdrawn by the applicant, the cost deposit shall be forfeited to the

City. If the request for voluntary annexation is contingent on the occurrence of one (1) or more events and these events do
not transpire due to action or inaction by others than the City Council and the voluntary annexation is not approved by
the City Council, then the cost deposit shall be forfeited to the City. (Ord. No. 00,6783 §1,43.00) NORTHERN STAR HOMES, L.L.C. VIC HOERSTKAMP
Applicant Name (print) Applicant signature
Address & Phone P.O BOX 1654, WASHINGTON, MO 63090 PHONE 636-390-2111 EXT. 23
STATE OF MISSOURI) SS
COUNTY OF FRANKLIN)
On this 24th day of
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, in the County and State aforesaid, the day and year last above written.
Notary Public



To: Planning and Zoning Commission

From: Planning and Engineering Department Staff

Date: May 8, 2023

Re: File # 23-0502- Preliminary Plat - Stone Bridge Plat 1

Synopsis: The applicant is requesting approval of Stone Bridge Plat 1 - a 35 lot subdivision

Adjacent Land Use /Zoning Matrix		
	Existing Land Use	Existing Zoning
North	Single Family	R-1D
South	Farm Land	N/A
East	Single Family/ Vacant	N/A
West	Single Family	R-1D

Analysis:

The applicant has submitted a preliminary plat on newly annexed 19.7 acres that was previously the Koch Farm. The plat consists of 35 single-family lots, the first phase of The East-West Parkway of and 3 proposed streets.

The plat shows East-West Parkway in the same location and general design as the City's comprehensive plan. This consists of a 40 ft. road within an 80 ft. ROW for future widening and expansions. This particular plat also includes two access points to the new subdivision from East-West Parkway. The first street is Stone Bridge Court, a cul-de-sac street with 10 homes on it. Since it has no more than 10 homes, the code allows it to be 30 ft. wide, which is proposed.

The second access point shows the main entrance into the subdivision with Koch Cattle Drive as well as another cul-de-sac street of Matthias Close. Both streets either have or will have more than 10 homes accessing them so they are shown as 35 ft. streets within a 50 ft. ROW.

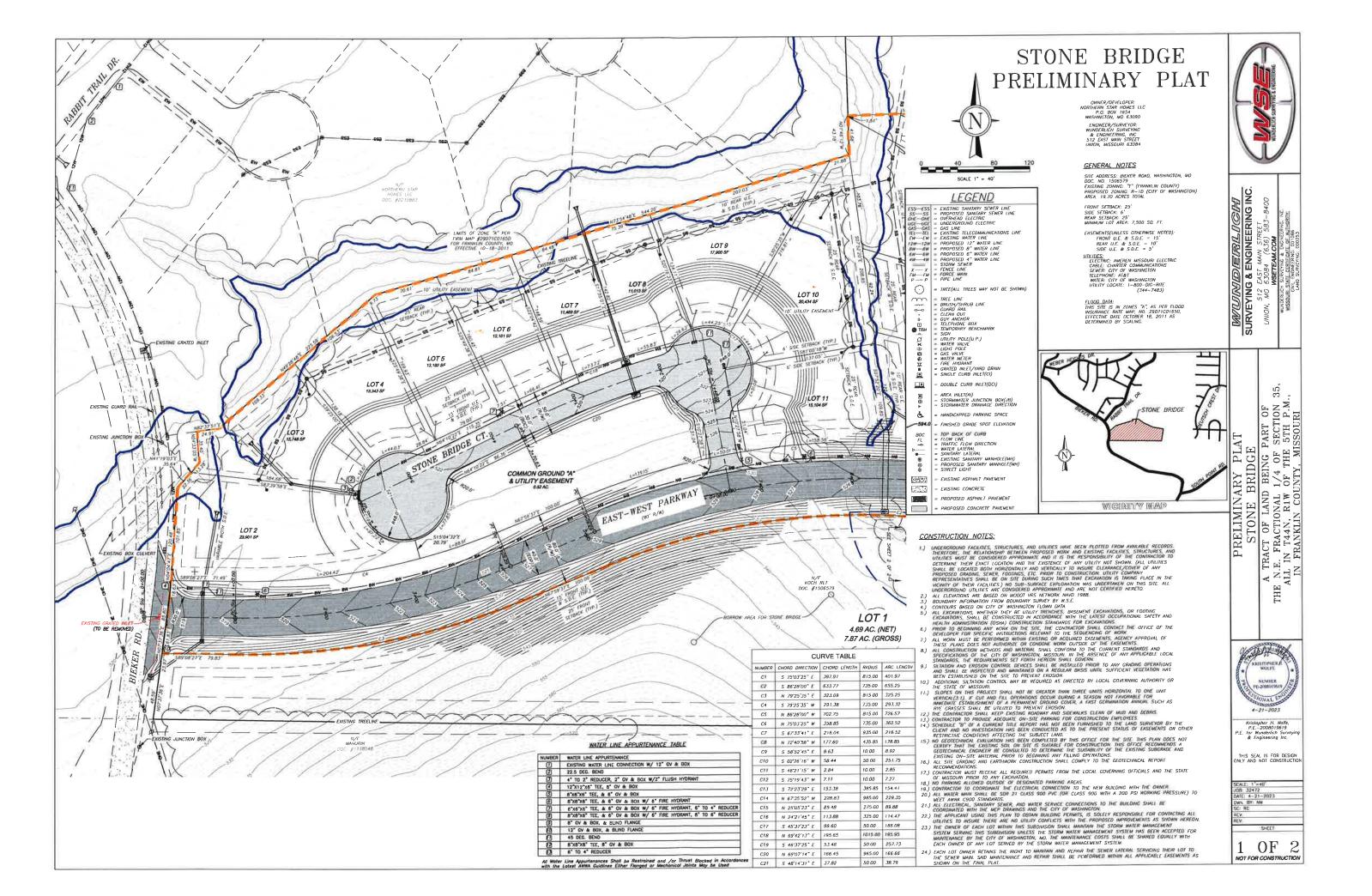
The plat meets all easement, lot size and access requirements set forth in the City Code. The property is zoned R-1D Single Family Residential allowing for lots down to 7,500 sq. ft. There are no stormwater detention easements shown. Stormwater calculations will need to be submitted proving that prior to a final plat being approved. If they end up needing to place stormwater on site, a revised plat will have to be approved by Planning and Zoning.

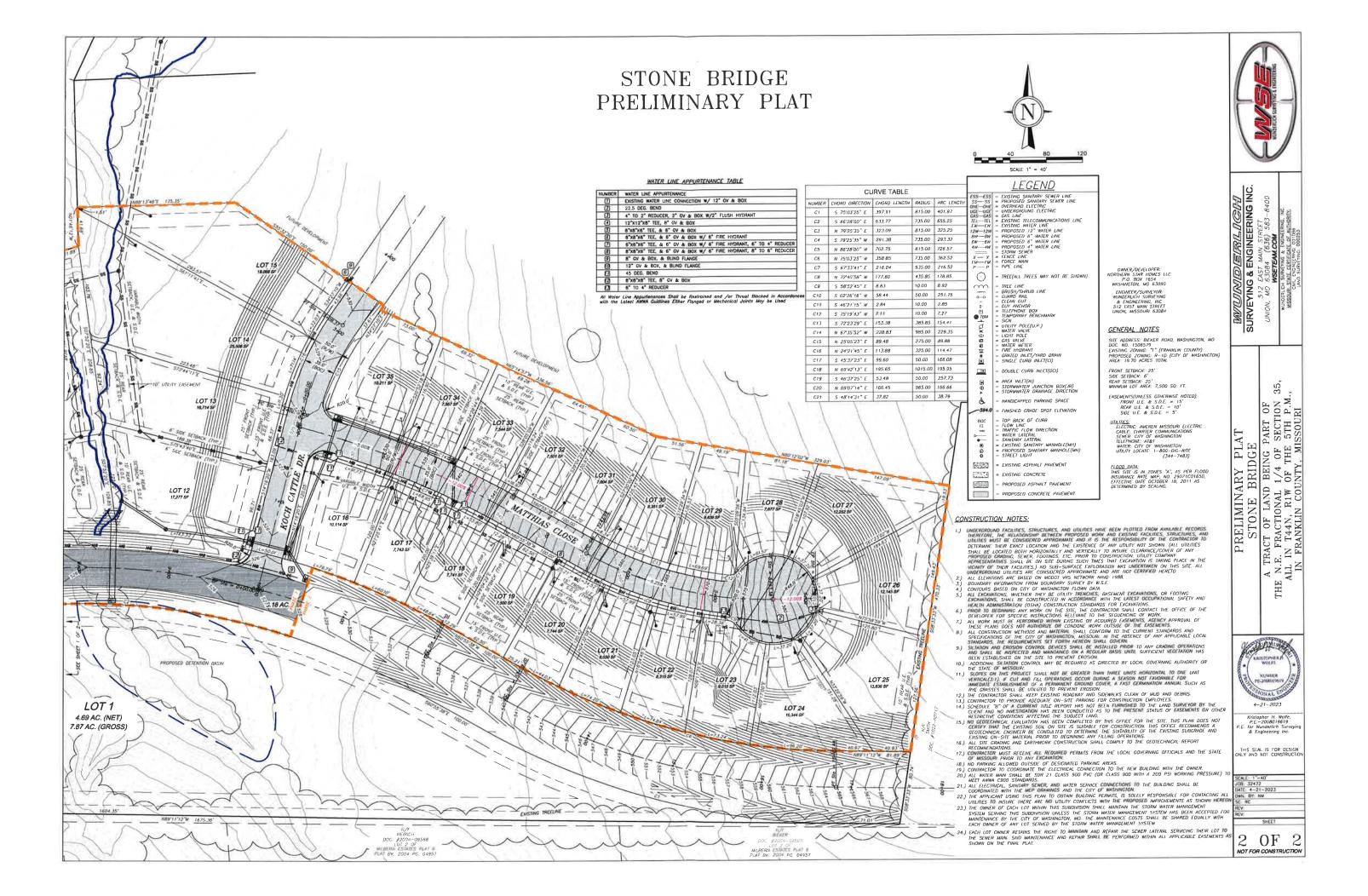
Per a previous development agreement, the City is constructing The East-West Parkway portion under the condition that no driveways access it. The City is currently in the design process to determine if either a trail or sidewalk will fit better into the existing ROW. Construction plans will finalize the pedestrian access the parkway has.

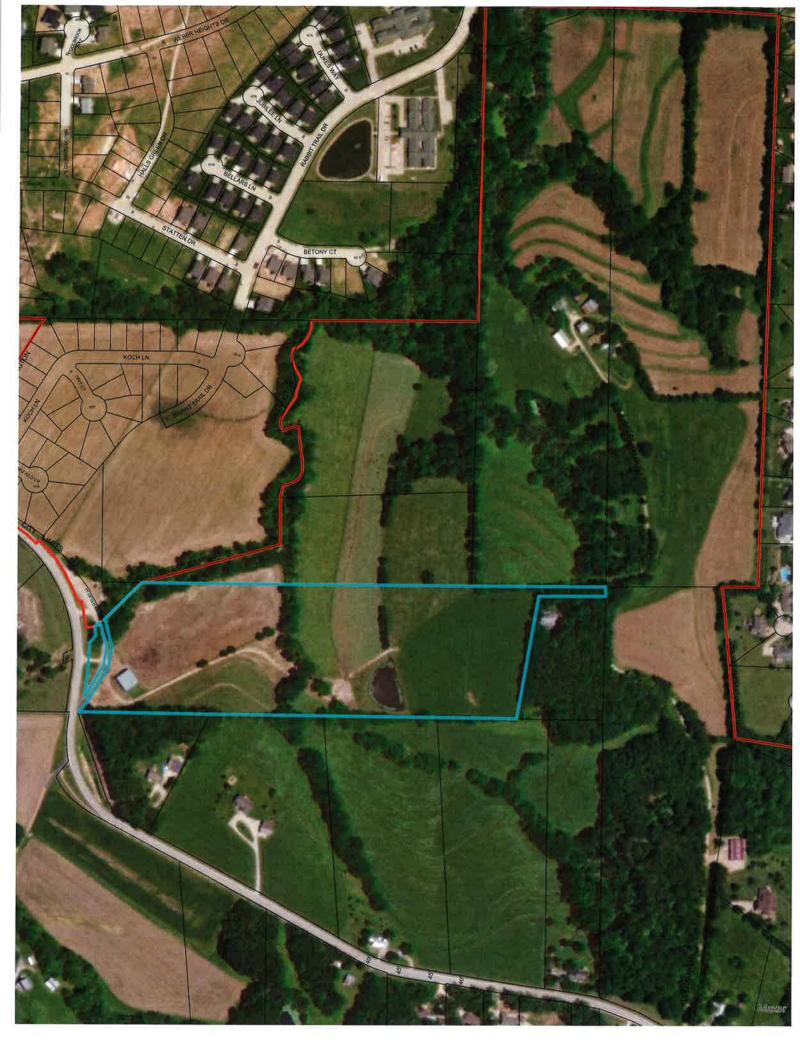
Recommendation:

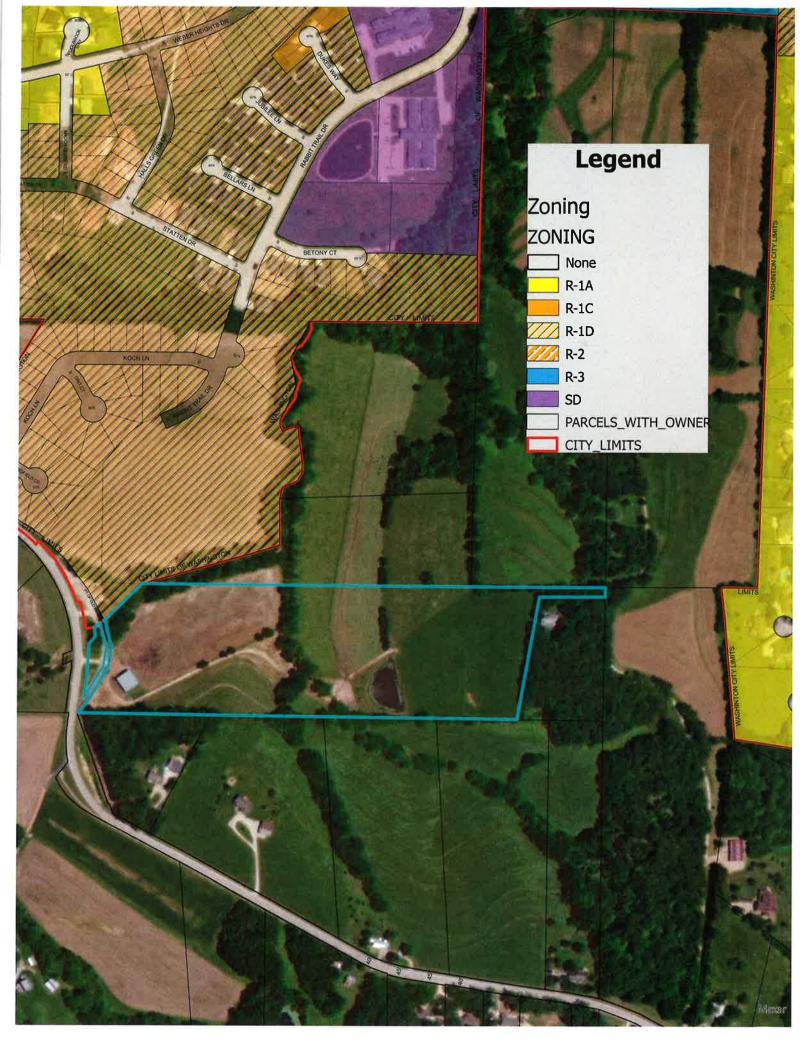
Staff recommends approval of preliminary plat for Stone Bridge Plat 1 under the following conditions:

- 1. Stormwater calculations allowing the now on site detention must be submitted and verified by the engineering department.
- 2. Improvements must be completed per approved construction plans prior to a final plat being approved or a performance guarantee must be approved accompanied by a letter of credit or escrow.









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: 4-21-2023			
Applicant Information:			
Name: Northern Star Homes, LLC.	Phone: 314-544-6331		
Address: P.O. Box 1654 Washington, MO 63090			
Do you own the subject property? Yes If not, please provide ownership information heres	l No		
Name: Northern Star Homes, LLC. (owner by contract) Phone: <u>314-544-6331</u>		
Address: P.O. Box 1654 Washington, MO 63090			
Name of Proposed Subdivision: Stone Bridge			
Number of Lots Proposed: 35 Zoning District(s): R1D			
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 SIGNATURE:	APPLICANT/COMPANY NAME (Printed):		
he Hoessey pur	Northern Star Homes, LLC		
LANDOWNER SIGNATURE():	LANDOWNER NAME (Printed):		
Unifred fle	Northern Star Homes, LLC. (owner by contract)		

BILL NO.	INTRODUCED BY COUNCILMAN	
	ORDINANCE NO.	

AN ORDINANCE REPEALING SECTION 400.235 OF THE CODE OF THE CITY OF WASHINGTON MISSOURI AND ENACTING IN LIEU THEREOF A NEW SECTION 400.235

BE IT ORDAINED by the Council of the City of Washington, Missouri, as follows:

SECTION 1: Section 400.235 of the Code of the City of Washington, Missouri is hereby repealed and a new Section 400.235 is hereby enacted to read as follows:

- A. Any special use permit granted by the City Council and not exercised and put to use within one (1) year of the date of the approval of said special use permit shall be vacated and such special use permit shall become null and void, unless extended by the Council.
- B. Suspension or revocation of any special use permit shall be in addition to any other penalty or penalties available to the City by law. Any special use permit approved under this Article may be suspended or revoked for good cause, including, but not limited to, any of the following reasons:
- 1. Any failure to comply or any violation of any provision of this Chapter or the regulations promulgated under the authority of this Chapter applicable to the permittee;
- 2. Violation of the terms, conditions, safeguards or restrictions upon the special use permit;
 - 3. Violation of any ordinance of the City regulating the permittee;
- 4. Violation of any other Federal, State or local law or regulation pertaining to the permittee or the activities associated with the particular business, establishment or land use;
- 5. Failure of the permittee to pay any tax, fee, fine or other governmental charge required by law;
- 6. Any misrepresentation or false statement in the application for such permit;
- 7. Causing, maintaining or assisting in the cause or maintenance of a nuisance, whether public or private; or
- 8. Failure to obtain other necessary governmental permits associated with such land use, business or activities.

- C. In any case in which there is reason to believe a special use permit approved pursuant to this Article may be subject to suspension or revocation, the following procedure shall govern:
- 1. The City Council shall decide whether to refer the matter first to the Planning and Zoning Commission for its recommendation. If the matter is referred to the Commission, the Commission shall follow the same procedure for hearing as set forth herein.
- 2. The City Council or its designee shall set a hearing to consider the matter. At least ten (10) days prior to such hearing, written notice shall be mailed to the permittee at the last known address as shown in the records of the City Clerk advising the permittee of the time and place of the hearing and of the reason for considering the suspension or revocation of the special use permit.
- 3. During the pendency of this hearing the permittee shall be permitted to continue the operation of the business or land use, provided however, that the pendency of such hearing shall not preclude prosecution for violation of the ordinances of the City occurring during such period.
- 4. A hearing officer may be appointed to preside at the hearing. At the hearing, the hearing officer shall hear all relevant evidence justifying the suspension or revocation of the special use permit and all relevant evidence justifying the retention of the permit.
 - 5. The permittee shall be notified of the results of the hearing in writing.
- 6. In the event that a permittee whose special use permit has been revoked pursuant to this Section, or a related entity of a permittee whose special use permit has been revoked pursuant to this Section, shall thereafter apply for a substantially similar permit, the Planning and Zoning Commission and the City Council may take into account the act(s) and circumstances which lead to the revocation in considering the new application.
- 7. Any person aggrieved by the determination of the hearing aforesaid may appeal such determination in accordance with this Article. The filing of an appeal shall not stay the outcome of the administrative determination unless the City Council shall suspend the effect of the determination upon request of the aggrieved party.
- 8. Any person aggrieved by the decision of the City Council may seek judicial review by filing a petition for same with the Circuit Court of Franklin County within fifteen (15) days of the date of the Council's decision.
- <u>SECTION 2</u>: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

be in full force and effect from and after its passage
President of City Council
Mayor of Washington, Missouri

Commission,

Per the request from last month's meeting here are the updated map links separated for each buffer and with the Downtown District excluded:

150 ft Buffer - https://arcg.is/0bfXLm 300 ft Buffer - https://arcg.is/10XL5b0

Also, here is a link to third party occupancy data → Free Airbnb Data for Washington, MO | Instant Projections (rabbu.com)

- Two tabs, one for future projects and one for historical performance. Average occupancy is 43%
- Two things of note I believe the commission wanted,
 - There are 31 active hosts with 52 listings (could be multiple apartments in one building)
 - o Average occupancy over the next 30 days is 40%

Let me know if you have any questions!