

The meeting was called to order at 7:00 p.m. by Chairman Knapp. The meeting was opened with the Pledge of Allegiance.

Present at roll call were: Chairman Knapp and members Alderman Sir, Smith, Siebenman, Holloway, Scheer and Kiefer. Members Leistner and Austermann were absent. Also in attendance was City Administrator Craig Sabo.

A. A petition from William Zielonko, representing Lighthouse Acquisitions, LLC, for an amended Special Use Permit for the inclusion of a carport for the storage of boats and recreational vehicles located at 1500 South Outer Road.

Notice of the Public Hearing was published in The Countian on Monday, December 7, 2015 and in The Current on Wednesday, December 9, 2015.

Mr. Zielonko stated that he was seeking approval to replace a carport that the previous owner had constructed on the property and he had left room in the area to add more carports in the future, if needed.

Mr. Scheer inquired as to if Mr. Zielonko was seeking approval for one (1) carport which was depicted on the submitted plan or for more.

City Administrator Sabo stated that what was before the Commission was one (1) and if Mr. Zielonko wished to construct additional carports he would have to seek supplemental authority to do so.

No one spoke in support of or in opposition to the petition.

The public hearing was closed at 7:04 p.m.

The public hearing was opened at 7:04 p.m.

B. A petition from Sean Flower, representing Flower and Fendler, Inc., for rezoning of approximately 13.57 acres from R-1 (Single-family Residential) and 1-A (One Acre Single-Family Residential) to R-1 CUP (Single-family Residential Community Unit Plan) located at 84 and 86 Augustine Road and 333 and 339 Cerny Avenue and legally described as a tract of land in U.S. Survey 2071 Township 43 North, Range 4 East of the 5th P.M., of the City of Eureka, St. Louis County, Missouri as filed for record in Plat Book 7677 Page 874 of the land records of said St. Louis County (Locator Nos. 30V640271, 30V640262, 30U430042 and 30U430060).

Notice of the Public Hearing was published in The Countian on Monday, December 7, 2015 and in The Current on Wednesday, December 9, 2015.

Mr. Flower stated that he had made some changes to the original plan submitted to the City as concerns about the original plan were voiced by residents and City representatives. He stated that he is a member of the community and wanted to address resident concerns with his development. He stated that the residents of Grace Hill had concerns with lot size and density, so he had increased the lot size to between 13,000 and 15,000 square feet. He stated in addition he removed one (1) lot from the development and was now seeking an R-1 CUP zoning classification instead of an R-2 CUP. He said he was seeking a rezoning of the portions of the Kovis and Creamer properties that were included in the plan so that the portions of those properties would be included in the requested zoning classification. Mr. Flower stated that two (2) lots were over 30,000 square feet which were well over the required 20,000 square feet required in an R-1 zoning area, and to address concerns by Autumn Glen residents, he removed some internal trails around the detention area which added depth to the lots to allow more trees between the development and Autumn Glen. He said that as requested by the City, he would not install the trails depicted on the plan, but would have the funds for such escrowed so the City may install them at a later date.

Chairman Knapp stated that he was glad to hear that Mr. Flower had met with area residents and listened to their concerns.

Mr. Scheer inquired as to the price range of the homes.

Mr. Flower replied that they would be between \$330,000.00 and \$400,000.00.

Mr. Scheer inquired as to if Mr. Flower would be custom building any of the homes.

Mr. Flower stated that he works off of model plans, but can customize off of those plans if the purchasers request him to do so.

Mr. Kiefer inquired as to where the exit points for stormwater runoff were located.

Mr. Flower stated that the plans had been reviewed by the City's and his engineers and both had approved his plan, as it meets Metropolitan Sewer District requirements. He stated the basin he is installing is above the floodplain and there is no detention in this area now.

Mr. Kiefer inquired as to if any water would flow on to Augustine Road as there are water problems there now.

Mr. Flower stated that no water would flow onto Augustine Road as he was not disturbing that area. He stated that his plan called for all the water to be detained and, in addition, he was installing piping and detention for potential development of the church area in the future. He said his plan meets and exceeds all required criteria for detention.

Speaking in opposition to the petition was Ms. Andrea Deane of 51 Grace Hill Court. She stated that she grew up in Eureka and her parent's property borders the development. She said she had concerns about water runoff and erosion. She stated she also had concerns about the density of the subdivision, and that the area being rezoned to R-1 CUP was not compatible with the City of Eureka's Comprehensive Plan. She stated the area was designated for low density development on the plan. She stated that if you read the City's Comprehensive Plan, the development does not fit the area. She stated that she purchased her home because it had an R-1 zoning designation which required larger lot sizes.

Speaking in opposition to the petition was Mr. John Carlson of 367 Cerny Avenue. Mr. Carlson inquired as to if the lots on Cerny would be rezoned to R-1 CUP as the area was currently zoned 1-A due to a previously failed development.

Mr. Flower stated that the lots on Cerny that were being incorporated into the development were being subdivided and that the portion of the lot that fronts Cerny will retain the 1-A zoning designation and the portion he was incorporating into the development would have the R-1 CUP zoning designation.

Speaking in opposition to the petition was Mr. Kevin Kilpatrick of 811 Williams Drive. Mr. Kilpatrick stated that the City should have posted "Public Hearing Notices" on the Cerny properties, as they were being rezoned to be included in the development. He stated that residents should have been made aware those properties were being rezoned. He stated he had an issue with the zoning change that Mr. Flower was seeking. Mr. Kilpatrick stated that another developer who had previously constructed homes and villas in the area drastically changed his plans so that he could comply with the present zoning in the area. He stated that more density would affect stormwater runoff and quality of life of area residents.

Speaking in opposition to the petition was Mr. Charles Couch of 334 Eureka Road. He stated that he was against Mr. Flower's zoning change request. He stated that it would allow for greater density of housing which was not compatible with the area. He stated that Mr. Flower should construct a development under the present zoning classification.

Speaking in opposition to the petition was Alderman Robert Kee of 95 Augustine Road. He stated that Mr. Flower purchased the property with an R-1 zoning classification and he should construct homes compatible with that zoning. He stated the CUP classification would allow him to construct more homes. He stated that areas zoned R-1 are required to have minimum lot sizes of 20,000 square feet and he should be required to construct the same. He stated that he is not against the development, but he was against the zoning change request to allow for more homes. Mr. Kee stated that in addition, he had concerns regarding the area that was designated for the entrance to the development as it was under three (3) to five (5) feet of water in 1982. He stated that Augustine Road has stormwater and flooding issues. Mr. Kee said that Mr. Flower should be required to construct homes under the zoning classification that existed when he purchased the property.

Speaking in opposition to the petition was Mr. Dan Janssen of 55 Grace Hill Court. He stated the he was not against the development, but was against the rezoning as it allowed for higher density housing and he did not think that it would set a good precedent for the area.

There being no further matters for discussion, the public hearing was adjourned at 7:25 p.m.

Respectfully submitted,

(Original with signature on file)

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Barb Griffin, Acting Secretary

The meeting was called to order at 7:25 p.m. by Chairman Knapp.

Present at roll call were: Chairman Knapp and members Alderman Sir, Smith, Siebenman, Scheer, Holloway and Kiefer. Members Leistner and Austermann were absent. Also in attendance was City Administrator Craig Sabo.

On motion by Mr. Smith, seconded by Mr. Scheer and unanimously passed, the Minutes of December 9, 2015 were approved.

**GUESTS:**

There were no guests present who wished to address the Commission.

**OLD BUSINESS:**

There was no old business to be discussed.

**NEW BUSINESS:**

- A. Consideration of a petition from William Zielonko, representing Lighthouse Acquisitions, LLC, for an amended Special Use Permit for the inclusion of a carport for the storage of boats and recreational vehicles located at 1500 South Outer Road.

Chairman Knapp stated that he had no problem with the request as long as the petitioner was aware he would have to return to the City for supplemental approval if he wished to construct more than one (1) carport.

Chairman Knapp went over the six (6) points of factual determination as required in Municipal Code Section 23-182(d).

The consensus was unanimously favorable on all points.

On motion by Mr. Scheer, seconded by Mr. Smith and unanimously passed by those members in attendance, approval was recommended for a petition from William Zielonko, representing Lighthouse Acquisitions, LLC, for an amended Special Use Permit for the inclusion of a carport for the storage of boats and recreational vehicles located at 1500 South Outer Road.

- B. Consideration of a petition from Sean Flower, representing Flower and Fendler, Inc., for rezoning of approximately 13.57 acres from R-1 (Single-family Residential) and 1-A (One Acre Single-Family Residential) to R-1 CUP (Single-family Residential Community Unit Plan) located at 84 and 86 Augustine Road and 333 and 339 Cerny Avenue.

Chairman Knapp stated that he was glad to see that Mr. Flower had done his due diligence regarding the stormwater runoff in the area. He stated that it appeared his engineer's plans had addressed any potential stormwater issues in the area.

Chairman Knapp inquired as to the age of the City's Comprehensive Plan. City Administrator Sabo stated that it was approximately a dozen years old.

Chairman Knapp stated that maybe it was time that the City looked into updating the plan. He said that things change, and when he was first appointed to the Commission the only thing they were approving were antique stores and gas stations.

Mr. Siebenman said he also thought the Comprehensive Plan should be updated.

Alderman Sir stated that this was the second or third Comprehensive Plan that the City has adopted, but as times change the plan should be updated.

City Administrator Sabo stated that the Comprehensive Plan is a planning tool, not an edict as to how property must develop.

Alderman Sir said that was why the Planning and Zoning Commission was in place.

Chairman Knapp stated that it appeared Mr. Flower had done his due diligence in making the necessary changes to the plan.

Alderman Sir stated that he commended Mr. Flower for addressing residents concerns. He said Mr. Flower had increased lot sizes bordering the Grace Hill subdivision and had increased the number of trees as a buffer between the development and Autumn Glen. He stated that the portion of the Cerny properties that face Cerny would maintain their present zoning classification, as the only the portion of the lots on the west side of the creek would change zoning.

Mr. Flower stated that he tried to match the zoning of the area, but to do that had to transition the lots as there were multiple different zoning classifications on neighboring properties, so he tried to make his development compatible for each area.

Chairman Knapp stated that it was a difficult piece of property due to the adjacent zoning.

On motion by Mr. Smith, seconded by Mr. Siebenman and passed with five (5) "YES" votes and two (2) "NO" votes (cast by members Scheer and Kiefer), approval was recommended for a petition from Sean Flower, representing Flower and Fendler, Inc., for rezoning of approximately 13.57 acres from R-1 (Single-family Residential) and 1-A (One Acre Single-Family Residential) to R-1 CUP (Single-family Residential Community Unit Plan) located at 84 and 86 Augustine Road and 333 and 339 Cerny Avenue.

**ADDITIONAL BUSINESS:**

There was no additional business to be discussed.

There being no further matters for discussion, on motion by Mr. Siebenman, seconded by Mr. Holloway and unanimously passed, the meeting was adjourned at 7:33 p.m.

**UPCOMING MEETINGS:**

- January 13, 2016
- January 27, 2016

Respectfully submitted,

(Original with signature on file)

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Barb Griffin, Acting Secretary