

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, Leistner, Austermann, Kiefer, Holloway, Smith and Scheer. Mr. Siebenman was absent.
Also in attendance was City Administrator Craig Sabo.

Chairman Knapp requested that the Regular Meeting be opened after the Public Hearing on Item A, so that the Commission could make its recommendation immediately following the public hearing. On motion by Alderman Sir, seconded by Mr. Smith and unanimously passed by those members in attendance, Item A would be considered as requested by Chairman Knapp.

A. A petition from Richard Kremer, representing Eureka Auto Collision, for an amended Special Use Permit for a paint booth addition on property located at 1023 West Fifth Street.

Notice of the Public Hearing was published in The Countian on Monday, March 28, 2016 and in The Current on Wednesday, March 30, 2016.

Mr. Kremer stated that he was seeking authority to add a freestanding paint booth in the rear of his property. He stated that once the new booth is completed, he will remove the paint booth on the inside of his building which would give him more room to operate his business.

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

The public hearing was closed at 7:02 p.m.
The regular meeting was opened at 7:02 p.m.

A. Consideration of a petition from Richard Kremer, representing Eureka Auto Collision, for an amended Special Use Permit for a paint booth addition on property located at 1023 West Fifth Street.

Chairman Knapp stated that Mr. Kremer was a good business owner in Eureka and he was glad to see he was expanding his business.

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 Ms. Leistner, seconded by Alderman Sir and unanimously passed by those members in attendance, approval was recommended for a petition from Richard Kremer, representing Eureka Auto Collision, for an amended Special Use Permit for a paint booth addition on property located at 1023 West Fifth Street.

The regular meeting was closed at 7:03 p.m.
The public hearing for Item B was opened at 7:03 p.m.

B. A petition from Dale Hicks and Associates for rezoning of approximately 6.26 acres from R-1 (Single-family Residential) and R-5B (Multi-family Residential) to R-5B (Multi-family Residential) located at 119 W. North Street (Unit A), 119 W. North Street, 125 W. North Street (Unit A), 125 W. North Street (Unit B), 125 and 243 W. North Street, 311, 321 and 329 Forby Road and legally described as a tract of land in U.S. Survey 2071 Township 43 North and part of U.S. Survey 3206 in Township 44 North both in Range 3 East of the City of Eureka, St. Louis County, Missouri (Locator Numbers 28V310355, 28V310344, 28V310311, 28V310322, 28V310333, 28V310377, 28V310135, 28V310168 and 28V220188).

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Mr. Hicks stated that this project had actually started in 2002. He stated that at that time he started purchasing houses in the area that were not in the best condition and had them torn down. He stated

that by purchasing the properties, he was able to assemble a proposed community of attached and detached single family homes. Mr. Hicks stated that he was requesting variances for some items and that the first item had to do with the right-of-way width. He stated that the standard right-of-way is fifty (50) feet in width, but he would like the right-of-way to be forty (40) feet wide. He stated that he would have the required twenty-six (26) foot wide street and a twenty (20) foot easement would be provided on each side of the street, which would effectively make the public access eighty (80) feet wide, so it would be more than the required fifty (50) feet. He stated that the street to be named Daisy Downs is approximately a one hundred twenty (120) foot street which will serve a handful of homes and would have no turnaround at the end. He stated that he had met with City staff regarding the plan and that he would need a variance for offering no turnaround at the end of the street. He stated the street is not that long, it only serves the driveways for the homes on the street, there is a cul-de-sac right before the street and most people would be able to see the road goes nowhere so there would be no reason to drive down the street to turn around. He stated he has provided the City with a letter from the Eureka Fire Protection District stating that they have no issues with the street. He said their regulations do not require a turnaround on a street less than one hundred fifty (150) feet. He stated that he would like a variance for the back-to-back buffer on Lots 1-14, but he would construct a retaining wall which would provide a vertical buffer. Mr. Hicks said that he proposes there be no parking on the streets, noting that there would be parking spaces provided for guests who visit the homes. He said Roberta Weber Lane and Daisy Downs would be constructed to City standards and proposed to be dedicated to the City as public streets. He stated that after meeting with City staff, it was their determination that Lot 14 was not a legal lot due to the lot frontage. Mr. Hicks said it was his understanding that on cul-de-sacs the frontage is determined at the building line, and the building line is twenty-five (25) feet which would scale out to ninety (90) feet which meets the requirements, so he would like Lot 14 to be deemed a buildable lot.

Chairman Knapp inquired as to how vehicles such as snowplows would turnaround on Daisy Downs. Mr. Hicks stated that he is proposing to install most of the driveway into an easement on Lot 14 and it would be constructed to public street standards. He said that City staff's concern was damage being done to the driveway serving Lot 14 when people turn around, and added that he will explain to the purchaser of the lot that it may be used by people to turn around.

Chairman Knapp inquired about people turning around in other lots on the street.

Mr. Hicks stated that the street was only one hundred twenty (120) feet long, a snowplow could easily back up the street and push the snow into the cul-de-sac.

Chairman Knapp stated that a snowplow is not going to back up the street.

Mr. Hicks said there is a catch inlet between Lots 14 and 13 and with the twenty-six (26) foot wide street, with no parking, a snowplow driver would have no problem depositing the snow in that space.

Mr. Holloway inquired as to if there would be two (2) parking spaces for each of the twenty-nine (29) units.

Mr. Hicks replied that this was correct.

Mr. Holloway inquired as to if there would be no overnight parking on the streets.

Mr. Hicks stated that he is proposing that there be no parking on the streets at all times, adding that each unit would have garages and driveways for parking and then there would be twelve (12) parking spaces in the subdivision for guests.

Ms. Leistner stated that after reviewing the plan she agreed with City staff that Lot 14 should be designated for a cul-de-sac.

Mr. Hicks stated that the street is only one hundred twenty (120) feet long and there was no room for a cul-de-sac. He stated that he had met with the Park Board and he proposed offering cash in lieu of park dedication, but one (1) of the things mentioned was to designate Lot 14 as a private pocket park which would meet all Park Board requirements instead of designating it as a buildable lot, so the snowplow driver would be able to drive straight into the park and deposit the snow in the catch inlet in the park.

Chairman Knapp inquired as to how the snowplow driver would turn around.

He stated the street was only one hundred twenty (120) feet long and the Eureka Fire Protection District had no problem with backing a fire truck up the street.

Speaking in opposition to the petition was Mr. Ken Kozak who resides at 504 Forby Estates Drive. He inquired as to if the multi-family zoning would allow for the construction of apartments. Chairman Knapp stated there would not be any apartments.

Mr. Kozak inquired as to if that designation would allow for villas to be constructed. Chairman Knapp stated that was correct.

Speaking in opposition to the petition was Mr. Nathan Graves of 16806 Enderbush Lane. Mr. Graves inquired as to if there was any type of plan he could look at as he would like to see how the development will impact the surrounding area. He said he had concerns with the increased amount of traffic congestion and that the proposed number of lots is not compatible with the area. Mr. Graves inquired as to if the plan was available for review online.

Chairman Knapp inquired as to if it was available on the City's website. City Administrator Sabo stated that it was not and he thought Mr. Hicks would have brought a presentation board to the meeting. He stated that Mr. Graves could review his copy of the plan that he brought with him to the meeting.

Mr. Graves inquired as to the approval process for the petition. Chairman Knapp stated that the Commission would vote to make a recommendation at this meeting and then it would be considered at the Board of Aldermen meeting next Tuesday, April 19th at 7:00 P.M. for final consideration.

There being no further matters for discussion, the public hearing was adjourned at 7:22 p.m.

Respectfully submitted,

(Original with signature on file)

Barb Griffin, Acting Secretary

The meeting was called to order at 7:22 p.m. by Chairman Knapp.

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

On motion by Mr. Smith, seconded by Mr. Kiefer and unanimously passed, the Minutes of March 9, 2016 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:

B. Consideration of a petition from Dale Hicks and Associates for rezoning of approximately 6.26 acres from R-1 (Single-family Residential) and R-5B (Multi-family Residential) to R-5B (Multi-family Residential) located at 119 W. North Street (Unit A), 119 W. North Street, 125 W. North Street (Unit A), 125 W. North Street (Unit B), 125 and 243 W. North Street, 311, 321 and 329 Forby Road.

Chairman Knapp inquired as to if the City Administrator would clarify the problem with the lot frontage requirement on Lot 14.

City Administrator Sabo stated that Mr. Hick's assessment of frontage was based on the building line being the point of the frontage, as is the case with a cul-de-sac or a curvilinear street. He stated that as Daisy Downs has been determined to be a stub street, the lot width is measured at the property line, not at the building line.

Alderman Sir inquired as to if Fire Inspector Pallarito, who was in attendance, would explain why the Eureka Fire Protection District had given approval of the stub street with no cul-de-sac.

Fire Inspector Pallarito stated that the Fire Code states that any street one hundred fifty (150) feet or longer requires a turnaround and this street is only one hundred twenty (120) feet long, so no turnaround would be required. He stated that Mr. Hicks would install a hydrant between Lots 22 and 23, which would be a straight shot to Lot 14, and that Mr. Hicks would be proposing no parking on the streets. He stated that fire trucks are equipped with back-up cameras, so exiting the street would not be a problem.

City Administrator Sabo stated that there is a considerable difference between the very rare, and hopefully never, need for emergency equipment to access the street as opposed to people who would be regularly driving on it and snowplowing it.

Alderman Sir stated that he sees the difference of emergency equipment and the drivers of trucks servicing the area such as trash and mail trucks who will need regular access to the road.

City Administrator Sabo said Mr. Hicks stated during the presentation that there was not room for a cul-de-sac. He stated that he had asked the Building Commissioner to measure the area, and his determination was that there was room for a compliant cul-de-sac.

Mr. Holloway inquired as to if that meant there would be room for a cul-de-sac if Lot 14 is deleted from the plan.

City Administrator Sabo stated that was correct.

Alderman Sir inquired as to if Mr. Hicks could add the pocket park that was discussed at the Park Board meeting if he removed Lot 14 and add the cul-de-sac.

City Administrator Sabo stated that he could not do both.

Mr. Scheer stated that he thinks Mr. Hicks has done a commendable job with Lot 1, which is currently under construction and Lots 6 and 7 which are finished in regards to the placement of those homes as they fit with the property and the road. He said that is how he envisioned the entire development. He stated that he does not believe the multiple-family will fit in with the neighborhood and that it should be developed as single family residential.

Chairman Knapp said it appeared the requested variance for the forty (40) foot wide right-of-way would be for the ability to construct more lots on the property which is not needed in that area.

Mr. Scheer stated that generally with multiple-family homes there are more vehicles. He stated there would be two (2) vehicles per family, so that would mean four (4) cars per building along with people driving up and down the street.

Chairman Knapp stated that he was not certain that people would not park on the street.

Mr. Scheer stated that if he remembered correctly, only the Board of Aldermen could prohibit parking on streets.

Mr. Hicks stated the development was considered single-family attached homes with a common wall.

City Administrator Sabo stated that attached single-family homes are a type of multiple-family. He stated that it has been made clear that these are not apartments, however, they are still a form of multiple-family homes.

Mr. Hicks stated that they are individual lots with a zero lot line where the two (2) lots connect. He stated that he has tried to make his homes attractive and different and it will not be a cookie-cutter subdivision. He stated that the single-family homes will not look like they are two (2) homes together. He stated that there may be a door on the front of one (1) and the other would have a side door.

Mr. Scheer stated the homes will still share the same roof with two (2) families living under that roof.

Chairman Knapp stated that he did not think anyone was questioning the quality of the product that Mr. Hicks constructs, but that this plan was not appealing due to the issues raised at the meeting.

Mr. Smith stated that he agreed with Chairman Knapp and that this plan was not correct for that area.

Mr. Scheer stated that he would like to make the recommendation that Lot 14 not be used as a buildable lot, but as a cul-de-sac.

City Administrator Sabo stated that a recommendation could be made for such, but that the Commission was to vote on the project as presented.

On motion by Mr. Scheer, seconded by Mr. Smith approval was recommended for rezoning of approximately 6.26 acres from R-1 (Single-family Residential) and R-5B (Multi-family Residential) to R-5B (Multi-family Residential) located at 119 W. North Street (Unit A), 119 W. North Street, 125 W. North Street (Unit A), 125 W. North Street (Unit B), 125 and 243 W. North Street, 311, 321 and 329 Forby Road.

The roll call vote was as follows: Knapp - NO; Scheer - NO; Holloway - NO; Smith - NO; Austermann - YES; Sir - NO; Kiefer - NO; Leistner - NO.

This petition received a negative recommendation with 1 "YES" vote and 7 "NO" votes.

ADDITIONAL BUSINESS:

There was no additional business to be discussed.

There being no further matters for discussion on motion by Ms. Leistner, seconded by Mr. Smith and unanimously passed, the meeting was adjourned at 7:32 p.m.

UPCOMING MEETINGS:

- April 27, 2016
- A. A petition from Dov Szapiro, representing CCC2, LLC, for a Special Use Permit for a motor vehicle display lot and activities incidental to this use located at 1721 West Fifth Street.
- B. A petition from Phoenix Real Estate Services, LLC for rezoning of 4.44 acres from PC to R-5C located at 119 and 121 Hilltop Village Center Drive.
- May 11, 2016

Respectfully submitted,

(Original with signature on file)

Barb Griffin, Acting Secretary