

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, Siebenman, Kee, Austermann, Kiefer, Smith and Scheer. Mr. Holloway was absent.

Also in attendance was City Administrator Craig Sabo and City Attorney Kathy Butler.

On motion by Alderman Sir, seconded by Mr. Smith and unanimously passed by those members in attendance, Item A was to receive consideration immediately after the Public Hearing for such.

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.

Notice of the Public Hearing was published in The Countian on Monday, April 11, 2016 and in The Current on Wednesday, April 13, 2016.

Speaking on behalf of the petitioner was Mr. Dudley McCarter. Mr. McCarter stated that he was the attorney representing Mr. Szapiro. He stated that Mr. Szapiro was requesting a Special Use Permit to operate Car Credit City which has been in operation in Eureka since 2007. He stated that Mr. Szapiro's corporation had acquired the assets for Car Credit City and it would be essentially the same operation that is presently located on the property.

Mr. Joe Burris who is an officer of Car Credit City stated that the transition to the new owner would be seamless, as essentially, it was a transfer of ownership of the assets of the company.

Mr. Scheer inquired as to if there would be a name change.

Mr. McCarter stated that it would be operating under the same name of Car Credit City.

Mr. Burris stated that the new owner had acquired the license to the name.

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

The public hearing was closed at 7:05 p.m.

The regular meeting was opened at 7:05 p.m.

A. Consideration of 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.

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 Alderman Sir, seconded by Mr. Smith and unanimously passed by those members in attendance, approval was recommended for 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.

The regular meeting was closed at 7:07 p.m.

The public hearing was reopened at 7:07 p.m.

B. A petition from Phoenix Real Estate Services, LLC for rezoning of approximately 4.44 acres from PC (Planned Commercial) to R-5C (Multiple-family Residential) located at 119 and 121 Hilltop Village Center Drive and legally described as a tract of land in Parcel 1 and part of Parcel 2 of Hilltop Village Center Addition No. 2 Plat Book 236, Page 40, Township 44 North, Range 3 East of the Fifth Principal Meridian in the City of Eureka, St. Louis County, Missouri (Locator Nos. 29V420345 and 29V420323).

Notice of the Public Hearing was published in The Countian on Monday, April 11, 2016 and in The Current on Wednesday, April 13, 2016.

The transcript prepared by court reporter Mr. William DeVries of Midwest Litigation shall serve as the minutes for this public hearing.

There being no further matters for discussion, the public hearing was adjourned at 9:11 p.m.

Respectfully submitted,

(Original with signature on file)

Barb Griffin, Acting Secretary

The meeting was called to order at 9:11 p.m. by Chairman Knapp.

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

On motion by Mr. Smith and seconded by Mr. Kiefer, the Minutes of April 13, 2016 were approved with 7 "YES" votes and 1 "ABSTENTION" (cast by Member Kee).

GUESTS:

Mr. John O'Brien. See transcript of record submitted by Mr. William DeVries, a court reporter with Midwest Litigation.

OLD BUSINESS:

There was no old business to be discussed.

NEW BUSINESS:

B. Consideration of a petition from Phoenix Real Estate Services, LLC for rezoning of approximately 4.44 acres from PC (Planned Commercial) to R-5C (Multiple-family Residential) located at 119 and 121 Hilltop Village Center Drive with the following conditions:

Please see the transcript of record submitted by Mr. William DeVries, a court reporter with Midwest Litigation.

Mr. Scheer moved and Mr. Smith seconded to recommend approval for a petition from Phoenix Real Estate Services, LLC for rezoning of approximately 4.44 acres from PC (Planned Commercial) to R-5C (Multiple-family Residential) located at 119 and 121 Hilltop Village Center Drive with the following ten (10) conditions:

1. Payment of a \$10,000.00 allowance to the Beard Village Condominium Association for fencing and landscaping on the northern edge of the Avonlea site.
2. A pedestrian easement with a gate for the residents of the Beard Village Condominiums for passage to the retail establishments south of the Avonlea site.
3. Relocation of Avonlea's dumpsters away from Beard Village.
4. Nighttime security cameras.
5. Creation of a community garden near the clubhouse for the use of the Beard Village and Rockwood Parc residents.
6. Conversion of the detention basin fore bay into an ice rink for neighbors, subject to approval by the City.
7. An agreement, subject to City approval, to reimburse the Eureka Police Department for the costs to provide criminal background checks on Avonlea residents.
8. An easement to the adjacent Rockwood Parc property owners and the Rockwood Parc Homeowners Association to exclusively use Avonlea's property on the west side of the Avonlea tree line.
9. Payment of a \$15,000.00 allowance to the Rockwood Parc Subdivision for fencing and landscaping where the subdivision treeline abuts the Avonlea parcel.
10. Additional landscaping around the west side dumpster enclosure to obscure the enclosure's view from the Rockwood Parc Subdivision.

The roll call vote was as follows: Scheer - NO; Alderman Sir - NO; Knapp - NO; Siebenman - NO; Kee - NO; Austermann - NO; Kiefer - NO; Smith - NO.

The motion received a unanimous negative recommendation.

ADDITIONAL BUSINESS:

There was no additional business to be discussed.

There being no further matters for discussion, on motion by Alderman Sir, seconded by Mr. Austermann and unanimously passed, the meeting was adjourned at 9:20 p.m.

UPCOMING MEETINGS:

- May 11, 2016

A petition from Arthur and Meeghan Kociela, representing Midwest Motors, for an amended Special Use Permit for a lot expansion for the display of pre-owned vehicles, truck bodies and trailers on property located at 1400 South Outer Road.

- May 25, 2016

Respectfully submitted,

(Original with signature on file)

Barb Griffin, Acting Secretary