

**CITY OF ELLISVILLE  
COUNCIL MEETING**

**March 4, 2020**

Mayor Roemerman opened this Regular Meeting at 7:00 p.m. In attendance were Council Members Chismarich, McGrath, Reel, Cahill, Duffy, and Pool.

Also present were: City Manager Schwer, City Attorney Restovich, City Planner Hood, Chief Steve Lewis, Park Director Lisa Blumer, and City Clerk Dohack.

All those in attendance recited the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Mayor Roemerman moved to approve the evening's agenda, seconded by Council Member Duffy. The votes were all "AYES".

**APPROVAL OF MINUTES**

Mayor Roemerman moved to approve the minutes from the February 19, 2020 Regular Council Meeting. The motion was seconded by Council Member Pool. The votes were: Pool "AYE", Duffy "AYE", Roemerman "AYE", Chismarich "AYE", McGrath "AYE", Reel "AYE", and Cahill "AYE".

**PUBLIC COMMENTS I**

Anthony Bretz, 2329 Crimson View Court, spoke in opposition of the proposed apartment complex noting concerns about safety and traffic.

Jamie Bretz, 2329 Crimson View Court, also spoke in opposition of the proposed development siting traffic, safety, noise and light pollution and ruined landscape.

Kevin Cook 16315 Autumn View Terrace Drive, noted his concern with the development and the increased traffic and safety issues.

Marilyn Niebling, 531 Triton Way Drive, noted her concerns with the comments made at previous meetings about the crime that is happening in the complexes in other areas and that deer preservation should not be taken into consideration.

**PUBLIC HEARING**

16216 Autumn View Terrace Dr. (Autumn View Apartments), rezoning and site development plan  
Mayor Roemerman opened the public hearing regarding the petitions of Autumn View Apartments, LLC for approval of (1) Rezoning from PRD Planned Residential District (an obsolete zoning designation to (2) C-5 Planned District Commercial with (3) Associated Site Development Plan, to allow the construction and operation of a multi-family residential apartment complex at the location known and numbered as 16216 Autumn View Terrace Drive, within the PRD (now an obsolete zoning designation) Zoning District of the City of Ellisville. City Attorney Restovich entered the following exhibits for purposes of this hearing: Exhibit 1-18, entered at public hearing before the Planning and Zoning Commission January 8, 2020; Exhibit 19, Planning and Zoning Commission negative recommendation dated January 9, 2020; Exhibit 20, E-mail from Police Chief Lewis to City Planner dated January 8, 2020; Exhibit 21, Letter from Bernard Raemy to city

Council dated February 6, 2020; Exhibit 23, Letter mailed to abutting property owners within 185 feet on February 12, 2020; Exhibit 24, Letter from Anthony and Jamie Bretz to the Mayor dated February 20, 2020 with attached photos; Exhibit 25, Overall Site Plan dated September 25, 2019 and received February 27, 2020; and Exhibit 26, City Planner's Memo dated February 27, 2020.

Bernard Raemy with Autumn View Apartments, City Manager Schwer, City Planner Hood and Traffic Engineer Julie Nolfo was sworn in. Mr. Raemy provided a presentation for the proposed development noting the investment in the community and answering concerns that were brought up during the Planning and Zoning Commission public hearing. Mr. Raemy also provided some information from the traffic analysis.

Mayor Roerman commented that Mr. Raemy provided some valid points and noted that in the past that some developers have a way to compromise with the density of the development. Mayor Roerman asked if the amount of apartment could be reduced to 96 units. Mr. Raemy commented that for the project to be viable it would need to be 144 units. Discussion took place pertaining to the property's zoning district and that PRD designation not being valid and the need for this property to be rezoned.

Police Chief Steve Lewis was sworn in.

Council Member Duffy commented on some of the concerns. Discussion took place crime and public nuisance and staff noted that these concern can be addressed through the Police Department and Code Enforcement. Mr. Raemy noted that tenants can be evicted if illegal activities are found within their complexes due non-compliance of the lease.

Julie Nolfo, Traffic Consultant, answered questions of the Council Members pertaining to the analysis of the traffic associated with the proposed development noting the outer road system and two signalized intersections near the development.

Council Members also discussed the property ownership and previously proposed villa development of the property from 2006. Council Members then continued discussing the amount of green space that would be provided with the development and number of bedrooms within the apartments, and the retention basins associated with the complex.

Leonard Meer with Grimes Consulting was sworn in and answered questions pertaining to the five new retention basins included on the proposed plan. Mr. Meers noted that these basins would follow MSD requirements and would distribute the runoff that is now going to the one existing basin.

#### *Public Comments*

Diane Holbrook, 2261 Crimson View Drive, spoke in opposition of the proposed development noting concerns with additional traffic.

John Butler, 2299 Downey Terrace Drive, spoke in opposition of the proposed development noting traffic concerns and quality of life.

Kevin Cook, 16316 Autumn View Terrace, opposed the proposed development noting the concerns with additional traffic.

Ken Aston, 101 South Hanley, land owner representative, expressed support for the propose project and noted that this would be a good transition from commercial area along Manchester to the residential properties. Mr. Aston also addressed the need for additional apartment units in the community.

Ryan Payne, 2290 Downey Terrace Drive, noted his concerns for the safety of the children in the area with the additional traffic that will be added with the proposed apartment complex.

Dean Voigt, 16302 Autumn Crest Court, representing the Autumn View HOA, stated his opposition to the proposed complex and expressed that the neighbors would be more interested in a villa development that would have individual owners with a vested interested in the community.

Mike Hamilton, 16264 Autumn View Terrace Drive, opposed the development due to traffic and safety issues.

Lynn Gupta, 2328 Crimson View Terrace Drive, noted opposition with the apartment complex and asked the Council to listen to the residents.

Karen Carrico, 16308 Autumn View Terrace Drive, noted her opposition of the development and stating that traffic would increase.

Ann Niles, 16312 Autumn View Terraces Drive, agreed with the other comments and opposed the development.

Pam Edmonds, 2416 Westglen Farms, spoke in opposition of the proposed development noting traffic and safety concerns.

Ryan Olsen, 16303 Autumn View Terrace, opposed the development as a commercial rezoning and the additional traffic concerns.

Stephen Manning, 2271 Downey Terrace Drive, opposed the proposed development and the additional traffic caused by the complex.

Wayne Chauncey, 16289 Autumn View Terrace Drive, opposed the proposed apartment complex.

Catherine Worley, 2317 Crimson View Court, noted the density issue and opposed the development on such a small piece of land and stated that villas would be a better fit for the neighborhood.

Brian Reed, 16274 Autumn View, opposes the development expressing his concerns with additional traffic.

Rick Erdtmann, 16202 Maple Crossing Court, opposes the proposed apartment complex as there are enough complexes in the area.

Bestsabe Montilla, 16281 Autumn View Terrace, voiced her opposition to the proposed apartment complex.

Amy Abbott, 2285 Crimson View Drive, stated her opposition to the proposed development and agreement with those who have spoken against the complex.

Mayor Roemerma polled the Ellisville residents and property owners regarding proposed development as presented: One (1) residents was in favor and 42 residents were in opposition.

Mayor Roemerma closed the public hearing.

## **LEGISLATION**

Bill #3674, 16216 Autumn View Terrace Drive (Autumn View Apartments), rezoning to C-5 Planned Commercial Zoning District and Associated Site Development Plan to allow for construction and operation of an apartment complex

Council Member Duffy introduced Bill #3674, AN ORDINANCE APPROVING A CHANGE IN ZONING TO THE “C-5” PLANNED COMMERCIAL ZONING DISTRICT AND ASSOCIATED SITE DEVELOPMENT PLAN TO ALLOW THE CONSTRUCTION AND OPERATION OF A MULTI-FAMILY RESIDENTIAL APARTMENT COMPLEX AT THE LOCATION KNOWN AND NUMBERED AS 16216 AUTUMN VIEW TERRACE DRIVE, WITHIN THE “PRD” PLANNED RESIDENTIAL DISTRICT OF THE CITY OF ELLISVILLE, MISSOURI.

Mayor Roemerma appreciated the presentation on the development and explained why he could not support the proposed complex stating that it is in wrong area and agreed with the residents about the density issues. Mayor Roemerma also noted his concern for the height of the project. Council Member Duffy noted is support for the project and commented his respect for the residents’ opinions but feels that this project is important for commercial business. Council Members continued their discussion pertaining to the project. Council Member Chismarich commented about the options for the development of this property and if villas would be economical they would have been built. Council Member Chismarich also noted his concerns about parking on Autumn View Terrace Drive.

Council Member Chismarich moved to amend Bill #3674 to have parking prohibited adjacent to the proposed development frontage on the west side of Autumn View Terrace. The motion was seconded Council Member Duffy. The votes on the amendment to Bill #3674 were: Pool “AYE”, Duffy “AYE”, Roemerma “AYE”, Chismarich “AYE”, McGrath “AYE”, Reel “AYE”, and Cahill “AYE”.

Discussion continued and it was noted that there were some clarifications needed on Bill #3674.

Council Member Duffy moved to suspend rules for open discussion with Mr. Raemy. Council Member Chismarich seconded the motion. The votes were: Pool “NAY”, Duffy “AYE”, Roemerma “NAY”, Chismarich “AYE”, McGrath “AYE”, Reel “AYE”, and Cahill “AYE”.

Mr. Raemy noted that there were some clarifications to the language pertaining to the retaining wall and the building property line.

City Attorney Restovich outlined the suggested the incorporated changes be made by motion.

Council Member McGrath moved to amend Bill #3674 with the following language (in red) to read as follows:

### **SECTION 3: Planned District General Regulations.**

- A. The Property shall be developed in accordance with the Site Development Plan.

B. *Permitted Uses.* The following land uses are permitted in this district:

Dwelling, multi-family

C. *Area Requirements.*

1. *Minimum yard requirements:*

a. Retaining Wall:

- i. 40 feet from the west property line;
- ii. 270 feet from the north property line;
- iii. 15 feet from the south property line; and
- iv. 5 feet from the east property line;

b. Buildings/Structures (other than retaining wall):

- i. 65 feet from the east property line;
- ii. 290 feet from the north property line;
- iii. 150 feet from the south property line; and
- iv. 60 feet from the west property line;

c. Parking shall be located between the retaining wall and buildings/structures setbacks.

Council Member Duffy seconded they motion to amend Bill #3674. The votes on the amendment were: Pool "AYE", Duffy "AYE", Roemerman "AYE", Chismarich "AYE", McGrath "AYE", Reel "AYE", and Cahill "AYE".

Council Member Duffy moved for consideration and perfection of Bill #3674, as amended, seconded by Council Member Cahill. The votes on the first reading of Bill #3674, as amended, were: Pool "NAY", Duffy "AYE", Roemerman "NAY", Chismarich "AYE", McGrath "AYE", Reel "AYE", and Cahill "AYE".

Mayor Roemerman objected to a second reading of the amended Bill #3674. This legislation will be continued to the next Council meeting for final consideration.

Res. #03-04-20A, Older Adult Programming Shuttle Bus Cooperative Program

Council Member Reel introduced Res. #03-04-20A for approval, A RESOLUTION SUPPORTING A COOPERATIVE PROGRAM BETWEEN THE CITIES OF BALLWIN, CHESTERFIELD, MANCHESTER, WILDWOOD AND ELLISVILLE FOR LEASING A PASSENGER SHUTTLE BUS, WITH AN OPTION TO PURCHASE, TO ENHANCE OLDER ADULT PROGRAMMING. Council Member Reel moved for passage of Res. #03-04-20A, Council Member Duffy seconded this motion. Discussion took place on this new program. Park Director Blumer noted that this is a pilot program that will be evaluated after two years in service. The votes were: Pool "AYE", Duffy "AYE", Roemerman "AYE", Chismarich "AYE", McGrath "AYE", Reel "AYE", and Cahill "AYE".

Res. #03-04-20B, MoDOT Highway Safety Division Grant Application – Hazardous Moving Violations Enforcement

Mayor Roemerman introduced Res. #03-04-20B for approval, A RESOLUTION AUTHORIZING THE COUNCIL TO EXECUTE A GRANT APPLICATION ON BEHALF OF THE CITY OF ELLISVILLE WITH THE MISSOURI DEPARTMENT OF TRANSPORTATION HIGHWAY SAFETY DIVISION FOR HAZARDOUS MOVING VIOLATIONS ENFORCMENT. Mayor Roemerman moved for passage of Res. #03-04-20B, Council Member Pool seconded this motion. The votes were: Pool "AYE", Duffy "AYE", Roemerman "AYE", Chismarich "AYE", McGrath "AYE", Reel "AYE", and Cahill "AYE".

Res. #03-04-20C, MoDOT Highway Safety Division Grant Application – Hazardous Moving Violations Enforcement

Council Member Pool introduced Res. #03-04-20C for approval, A RESOLUTION AUTHORIZING THE COUNCIL TO EXECUTE A GRANT APPLICATION ON BEHALF OF THE CITY OF ELLISVILLE WITH THE MISSOURI DEPARTMENT OF TRANSPORTATION HIGHWAY SAFETY DIVISION FOR DWI ENFORCMENT. Council member Pool moved for passage of Res. #03-04-20C, Council Member Duffy seconded this motion. The votes were: Pool “AYE”, Duffy “AYE”, Roerman “AYE”, Chismarich “AYE”, McGrath “AYE”, Reel “AYE”, and Cahill “AYE”.

**PUBLIC COMMENTS**

There were no public comments at this time.

**MAYOR/COUNCIL BUSINESS/REPORTS**

Mayor Roerman moved to appointment Beau Reinberg to the Police Foundation Board to fill an unexpired term. Seconded by Council Member Pool. The votes were: Pool “AYE”, Dufy “AYE”, Roerman “AYE”, Chismarich “AYE”, McGrath “AYE”, Reel “AYE”, and Cahill “AYE”.

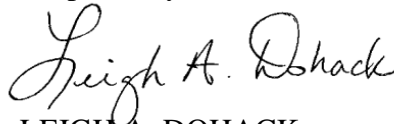
**ACTIVE COMMITTEE STATUS/UDPATES**

Council Member Reel gave updates pertaining to the new art work within City Hall and the new sculpture that will be coming to Bluebird Park. Council Member Reel also noted that some of the cities in area will working together to create a memorial for the City of Maryland Heights employee that was killed during her shift at the recreation facility.

Council Member McGrath commended the Chief and Corp. Corless on the work that they did to clean up a property on Mar El Drive. Chief provided an update on the issue.

Mayor Roerman adjourned the meeting at 10:03 p.m.

Respectfully submitted,



LEIGH A. DOHACK  
City Clerk