

CITY OF WEBSTER GROVES

January 2, 2018

The City Council met this date in a regular session in the Council Chambers at City Hall at #4 E. Lockwood at 7:31 p.m.

Present at Roll Call: Mayor Gerry Welch
Councilmember Toni Hunt
Councilmember Greg Mueller
Councilmember Ken Burns
Councilmember Matt Armstrong
Councilmember Frank Janoski
Councilmember Bud Bellomo

A quorum was present.

Also present: Mr. Steve Wylie, City Manager
Nathan Nickolaus, Acting City Attorney
Ms. Katie Nakazono, City Clerk

PUBLIC HEARINGS

Designation of the Structure and Surrounding Property Located at 322 Clark Avenue as a City-Designated Historic Landmark

Mayor Gerry Welch opened the public hearing. Mara Perry, Director of Planning and Development, gave a presentation on the proposed designation (**See Exhibit A, pages 1-5, in the City Clerk's Office**). She stated, just as a reminder, when we designate a historic landmark, it has been to the Historic Preservation Commission (HPC) for a public hearing, they have moved it forward to the City Council with a recommendation. At that public hearing they have had a chance for public comment, both for, or against. As it comes forward to the Council it comes forward with a recommendation from Historic Preservation for the designation. We have two this evening. The first one is a single property historic designation, and then after this closes, we will be doing another one for a larger district. Going into this one, this is for the designation of the property and structure at 322 Clark Avenue. It is being recommended for a historic landmark for both the property and structure. The red star identifies where it is located within the City (**See Exhibit A, page 1**). There is a series of historic criteria reviewed when it goes before the HPC (**See Exhibit A, page 2**). It is very important that we note all of these items reviewed. Some of them apply, or do not apply, based on the age of the structure or the architecture. She reviewed the Description of Important Features (**See Exhibit A, page 3**). The wraparound porch, I will note, was enclosed and as part of the restoration was reopened. During the renovation additional features were found. She reviewed the history and significance of the house (**See Exhibit A, page 4**). She reviewed the description of the environment and outbuildings (**See Exhibit A, page 4-5**). Again, this was brought before the HPC. They recommended unanimously to move this forward for designation, as well as the property owners were behind this in moving forward. Staff continues to recommend that this does move forward as a City designated landmark.

Councilmember Armstrong asked what the designation does to the future property owner's ability to modify the property. Ms. Perry stated that it still gives them the ability to modify the property. It does require them to go before the Architectural Review Board to look at the elements. It went before the ARB to do what it did today. It gives the ability to potentially get additional tax credits some time in the

January 2, 2018

future potentially through the state. At this point it is mostly just a designation to help promote the house overall. I think it also helps promote additional renovations in the City.

Councilmember Burns asked if the origins of this action are voluntary on the residents. Ms. Perry stated that they were.

Councilmember Janoski stated that the HPC approaches homeowners after doing research. Unless the homeowner agrees to it -- they don't move forward.

Mayor Welch congratulated the homeowner on the renovation. Ms. Perry stated that it was in St. Louis At Home Magazine. There are a number of photos of the interior.

Greg Strothkamp, homeowner, stated that he found this project on Zillow. I saw the good bones and pursued it. It was a very big undertaking. I was the project manager with our family company, Strothkamp Restoration, LLC. It was a slow start but eventually we were able to renovate the property. At that time we thought it was a 1900 Victorian home, but we found out it was actually an 1897 Queen Anne Victorian. Anne Tolan used to live across the street from the property. In the early 90s that whole area of Glen, Lafayette, Newport, Marshall, and the northern part of Brentwood Boulevard was, I guess going to be torn down and developed with condos, and I guess it got stopped. She found out that her house was built in 1898 and our house was built in 1897, and the house behind us in 1899. So on the west side of the railroad tracks, we were the oldest house of that part of Tuxedo Park. So in the 90s she ended up purchasing and getting the plaque for the century house. So she had the plaque and had kept it for 20 years. The people who used to have the house couldn't afford the plaque, so she went home and found out she still had the plaque and presented us with the information -- it was built in 1897. So I had that information and used that to do my research. That's how I found out that the wife got divorced and married Cowden because I guess he had a lot more money than her first husband. Her father was a renowned poet who was Ambrose Bierce who worked along Mark Twain and Jack London. They used to write for the San Francisco Examiner, which was owned by the Hearst Family. George Hearst was born and raised in Sullivan, Missouri, which is in Franklin County, Missouri, where we are from. He was a miner who went off to California during the Gold Rush and made his money on the Gold Rush. He acquired the San Francisco Examiner and gave it to his son, William Randolph Hearst who used it for political clout when he ran for senator of California. He wanted the top people to write for him and reached out to Ambrose Bierce, Helen Bierce was his daughter and she was married to Harry D. Cowden. Harry D. Cowden was personal friends with Samuel Clemens and Samuel Clemens and Ambrose Bierce used to sit on that porch. There is documentation and I have that but I lost it. I am going to find it again.

Mr. Nathan Nickolaus, Acting City Attorney, entered the following into the public record:

1. Ownership/legal information as listed in the St. Louis County Department of Revenue records
2. Letter to the owners of the properties, notifying of the intent to nominate dated November 1, 2017
3. Letter of notice of public hearing before the Historic Preservation Commission sent to the owners of the properties dated November 8, 2017
4. Copy of the Notice of Public Hearing that was posted on the properties on November 8, 2017
5. Information provided by Greg Strothkamp d.b.a. Strothkamp Restoration LLC
6. A series of four (4) photographs showing the condition of the house when it was purchased
7. A series of eight (8) photographs showing the condition of the house after removing the siding
8. A series of fifteen (15) photographs showing the condition of the house after the restoration

January 2, 2018

9. Copy of the Historic Preservation Ordinance of the City of Webster Groves, Missouri (on file with the City)
10. Copy of The Secretary of Interior Standards for the Treatment of Historic Properties - Standard for Preservation (on file with the City)
11. Finding of Fact of the HPC dated December 22, 2017 that was mailed to Harry Strothkamp on December 22, 2017
12. Copy of the Notice of Public Hearing that was run in a newspaper having a general circulation on Friday December 15 and Friday December 22, 2017
13. Copy of the Power Point Presentation that was shown at the January 2, 2018 meeting of the City Council
14. Chapter 52 of the Code of Webster Groves

Mayor Welch closed the public hearing.

BILL #9009 – FIRST AND SECOND READING

Councilmember Bellomo introduced **BILL #9009 - ENTITLED AN ORDINANCE DESIGNATING THE PROPERTY AND STRUCTURE LOCATED AT 322 CLARK AVENUE AS A HISTORIC LANDMARK AND MATTERS RELATED THERETO**, and at the Councilmember's request, the Bill was read twice, first and second times by title only, and placed on the agenda for future consideration of the Council.

Designation of the Structures and Surrounding Property Located at 733, 735, 737, 739, 741, 743, 745, 747, 749, 753, and 755 Marshall Avenue as a City-Designated Historic District

Mayor Gerry Welch opened the public hearing. Mara Perry, Director of Planning and Development, gave a presentation on the proposed designation (**See Exhibit A, pages 6-10, in the City Clerk's Office**). Very similar to the hearing just held this was also a public hearing before the HPC. The recommendation in this case is for a series of structures which would create a new Marshall Avenue Historic District. You can see them outlined in red (**See Exhibit A, page 6**). Again, the historic criteria was reviewed through this (**See Exhibit A, page 6-7**). This one was a little more complex because it was the history and architecture of each of the individual properties then brought together as a whole for the historic district. The property is looked at as a series of commercial storefront structures. Each of those storefronts and each of those buildings has a historic nature to the architecture of it as well as a history for each of the structures. Many of the structures have retail below with residential/office uses above. She reviewed the history of each (**See Exhibit A, page 8-9**). She showed an aerial photograph of the district (**See Exhibit A, page 9**). As you can see, this is pretty encompassing the commercial property which also matches with the commercial zoning which is underneath that area. It does not include property both to the south across the street and it also does not include the commercial property to the east. There is one vacant property that is also encompassed within this. The properties compose a small walkable commercial area with quite wide sidewalks fronting the retail storefronts. The buildings are between one and two-story structures. Most of the two-story structures have an apartment use up above. It did go before the HPC, and there were some comments both for and against the designation of this district. It was recommended to move forward with a unanimous vote

Councilmember Hunt asked if this was brought to HPC because a group came together. Ms. Perry stated that in this case, the HPC had been looking at this district overall and ways it could be enhanced. They sent letters out initially to the various property owners and talked with them about it and it moved forward to a public hearing. The HPC has been looking at a couple of different smaller districts, as well as designations of some specialty types of structures, like the Lustron homes, as a couple of their projects the last couple of years.

January 2, 2018

Councilmember Janoski stated that they started this several years ago.

Councilmember Hunt asked if all of the owners eventually agreed to it. Ms. Perry stated that according to the minutes, I was not at the meeting, there was at least one property owner that was concerned about it. Many of the other property owners were in favor.

Councilmember Burns asked if they could get a verification of that. Ms. Perry stated that it is in the minutes in the packet. It does specifically state the one owner that was concerned. Many of the concerns, a lot of times, come of what are the additional things that maybe they cannot do with the property. They can continue to do everything they were doing before in terms of uses, no changes are happening to uses, it can continue as mixed use. I know there has been some questions or concerns, someone thought they needed to put in parking if they wanted to renovate, that is not true. If they wanted to completely change something over to a new use group, we would need to have some conversations about what parking might be needed. If it was changing from a use group that was so vastly different that it now needed large amounts of parking. Right now they use on-street parking, primarily, because there really is no parking for most of the buildings. It would require it to go before the ARB, but it would have, if there were changes being made, have to go before the ARB anyway. So that is not a change. It really again just helps promote the designation, tries to encourage enhancing and continuing to preserve the little commercial area we do have. We have a couple of these in the city. It is trying not to put too many additional restrictions, but to make sure we don't lose this history.

William Plumpe, owner of 743 and 749 Marshall, which no longer has a building, it has been gone for 30 years (749). It is listed in here as a building that doesn't exist, it is that wooded area you see there. I have been using it for a parking lot until last August when I sold it to a gentleman named Robert O'Dell, and he has it up for sale. My concerns about the historic designation is that it seems to me it is just putting on another layer of bureaucracy for no real purpose. As far as the lot is concerned, I think the best use of it would be to make it into public parking because I have been there now 40 years come January 13, and parking has been a continuous battleground. Threats and screaming and calling the police and on and on and on. The problem is there are more addresses there than there are parking spaces on the street. So if each occupant has one car, you can't fit them all in there. I turned that lot into a parking lot for my own use and took five cars off the street and everybody hated me for having my own parking. I would have thought they'd be grateful. That's all I have to say about it. You aren't really preserving the past, you are just preserving what is there now, which is largely changed.

Mayor Welch asked if he still owns a building here. He stated that he owns 743, the one with the orange roof on it. Until last August I owned the vacant lot.

Councilmember Burns asked if he doesn't want his building to be part of this package. Mr. Plumpe stated that he doesn't see a lot of point in it. I guess it probably wouldn't make a lot of difference.

Councilmember Burns stated that typically you don't get on this list unless the homeowner wants to be on it. I am just trying to establish what your position is. Mr. Plumpe stated that he doesn't suppose it is that big a deal, I just don't see a lot of reason for it.

Mr. Nathan Nickolaus, Acting City Attorney, entered the following into the public record:

1. Ownership/legal information as listed in the St. Louis County Department of Revenue records
2. Historic Inventory data as prepared by A Morris, St Louis County Parks dated October 1983

January 2, 2018

3. Letter to the owners of the properties, notifying of the intent to nominate dated August 24, 2017
4. Letter of notice of public hearing before the Historic Preservation Commission sent to the owners of the properties dated September 11, 2017
5. Copy of the Notice of Public Hearing that was posted on the properties on September 13, 2017
6. Copy of the plat map showing the outlines of the properties in question
7. Copy of the Historic Preservation Ordinance of the City of Webster Groves, Missouri (on file with the City)
8. Copy of The Secretary of Interior Standards for the Treatment of Historic Properties - Standard for Preservation (on file with the City)
9. Finding of Fact of the HPC dated September 20, 2017 that was mailed to Caersws Properties, LLC (Tim and/or Chris Cosby); William Plumpe, Jr.; Philibert Investment Co (Benjamin Philibert); Richard Wagner; Robert M. Frayne Trustee et al on September 26, 2017
10. Copy of the Notice of Public Hearing that was run in a newspaper having a general circulation on Friday December 15 and Friday December 22, 2017
11. Copy of the Power Point Presentation that was shown at the January 2, 2018 meeting of the City Council
12. Chapter 52 of the Code of Webster Groves

Mayor Welch closed the public hearing.

BILL #9010 – FIRST AND SECOND READING

Councilmember Armstrong introduced **BILL #9010 - ENTITLED AN ORDINANCE DESIGNATING THE STRUCTURES AND SURROUNDING PROPERTY LOCATED AT 733, 735, 737, 739, 741, 743, 745, 747, 749, 753, AND 755 MARSHALL AVENUE AS A HISTORIC DISTRICT OF THE CITY AND MATTERS RELATED THERETO**, and at the Councilmember's request, the Bill was read twice, first and second times by title only, and placed on the agenda for future consideration of the Council.

REMARKS OF VISITORS

Rand Rosenthal, 625 W. Kirkham, stated that he lives across the street from 624 Kirkham. I am very against the planned daycare, Nurtured Beginnings, in a residentially zoned area where I reside. This is not a commercial area, this is a residential area, and I don't know how it has gotten this far to where we have to vote on a commercial business in a residential area. The business changes the character of my neighborhood. It used to be quiet, now it is noisy. It poses very dangerous traffic problems, the way people back out of the street onto Kirkham as they go into the driveway to the daycare. It is a very horrible turn and you can't see it very well to get into the driveway. The business does not provide adequate barriers or screening from the street or homes within close proximity. I see swing sets, I see sliding boards, I see toys all over the yard, so there is no barrier to block out the noise or the children playing. There is no back yard for the children, so all the children are in the front yard on Kirkham right maybe ten feet from the street. My front yard is about 60 feet from the front yard of 624 Kirkham. Noise is a major problem since my property elevation is much lower than 624 Kirkham, all the noise seems to be going down. Noise is a big problem. Lastly, the business should be in a commercially zoned area, not in a residentially zoned area. I think my property values will go down because of this daycare right across the street. I am very very against it. I said it before, how would all of you like to live across the street from a KinderCare?

Margaret Maness, 28 Clara Ave., stated that she has been a Webster Groves resident for 38 years. My granddaughter cannot currently go see Michelle as a babysitter, and I want to speak on her behalf. She is wonderful. She has taught my granddaughter who is 14 months old sign language so she can tell me

January 2, 2018

when she's all done and when she wants more food. She can't really even talk yet but she can sign and I think that is pretty incredible that you have someone teaching our children. Children who when we get older will be sitting on the Council. We need people who think and learn. I am in favor of Michelle and I think she does a great job.

Mark Maness, 28 Clara, stated that he has been a Webster resident for 40 years. My granddaughter was at Nurtured Beginnings. The whole principal of approving daycare in residential areas I think is important for Webster Groves because we want young families to move into Webster Groves and they want local daycare. They want daycare close to their homes. That is my daughter and her husband and my grandchild. I think that is an important thing. I can't think of anything more beautiful than looking out my window to see kids playing in the yard and to hear them playing. I just want to encourage you to promote home daycare in Webster.

Councilmember Armstrong asked if their daughter lives in Webster Groves. Mr. Maness stated that she is also a Webster Groves resident.

Ralph Hoffsten, 629 W. Kirkham stated that in regard to what I just heard, the consideration should also be for those who are directly in front of this property. I can see what Michelle is doing, she is very qualified, she has gone to a great deal of expense and trouble. She talked with me about limiting the noise and so on. I think it is a good thing. Personally, I have no objection to a small operation like the city permit for up to four. There are the two problems I mentioned last time. The traffic problem Mr. Rosenthal referred to and the intrusive amount of sound and sights that we get when all the kids are out there which was during the spring and summer this last year. Those are the two things that concern me. I don't think they obviate against approval directly but they should be dealt with somehow. I felt also that if this were to be approved it would seem like the Council has the power to set conditions of some kind. I mentioned limiting the number of children outside at any one time so it is staggered during the day, which is much more acceptable. Creating, and I know this is difficult, some kind of visible barrier. Staggering the pickups in a very exact way so we don't get this situation where three cars are in the driveway and one is trying to get in there at the same time. Also the use of the parking spaces on Iola would probably help a lot. Just removing one car from that potential traffic situation would certainly help a lot.

NEW BUSINESS – MAYOR, COUNCILMEMBERS, CITY ATTORNEY, CITY MANAGER

None.

UNFINISHED BUSINESS

BILL #9008 – THIRD READING

On motion of Councilmember Mueller, seconded by Councilmember Janoski, **BILL #9008 - ENTITLED AN ORDINANCE APPROVING THE APPLICATION BY NURTURED BEGINNINGS, LLC (MICHELLE DEVINE-EDMONDSON) FOR A CONDITIONAL USE PERMIT TO ALLOW THE OPERATION OF A CHILD DAY CARE HOME USE LOCATED AT 624 W. KIRKHAM AVENUE ZONED "A4" SEVENTY-FIVE HUNDRED SQUARE FOOT RESIDENCE DISTRICT**, having been introduced and read twice on December 19, 2017, was taken up its title read a third time and placed upon its passage to become Ordinance #9008.

Councilmember Bellomo stated that he read through the transcript of the Plan Commission that took place before this. I also asked for a copy of the recording so I could listen to it. And reading through the staff report here, the thing that keeps coming back over and over is too many kids and traffic. Staff

January 2, 2018

actually recommends not approving this. Plan Commission did approve it 4-3. But reading and listening to their comments I had the same concerns. I took a little bit of time and went up there last week and did a turnaround in the driveway just to see if it is possible, and it is possible. But coming out of that driveway is a problem. On the other hand we have a great need for daycare. I could support this if we took a reduction in children. That would also mitigate the car situation. My recommendation would be a maximum of six children.

Councilmember Hunt stated she agrees. Reducing the number of children would reduce the number of cars going in and out of the driveway. It is difficult for a resident to come in and out, much less a business use. The other thing the last speaker brought up is some sort of screening to mitigate some of the noise. I also would be in favor of that as some sort of condition.

Councilmember Burns stated that he also has concerns about ten children. I think the six recommendation is fair and reasonable. I would leave the door open, and if you operate with six and want to come back a couple of years later and demonstrate that everything is working and want to broaden a little bit, we would be willing to listen. But it is a residence, and to commit to ten children requires staff and you get a little bit outside the realm of a home daycare.

Councilmember Janoski stated that he likes the idea of home daycare in Webster Groves. I agree that ten is too much for this particular property. I believe it is a traffic and safety issue. I do think a business of that size would affect the character of the neighborhood. Obviously four or less is allowed. I could go with six but I couldn't go with ten.

Mayor Welch stated that if we look at what we need to evaluate a Conditional Use Permit, which is increasing traffic hazards and congestion, when I have been by there, that driveway has been full of cars and backing out on that corner does increase traffic hazards. Not only on the people backing out, but the people coming around the corner. I believe it affects the character of the neighborhood. We have had daycares approved here. They tend to be in back yards where people have rather substantial green space. I believe this is quite different in a front yard in a small space. I also question the fact, and it is not something for us to consider here, but this has been operating illegally for some time now. You can operate with four without a license and we have exceeded the four for quite some time.

Councilmember Burns clarified that four or fewer kids doesn't need a city license or a state license.

A motion was made by Councilmember Bellomo, seconded by Councilmember Janoski, to amend Bill #9008, Section 1, Paragraph 2, to read, "Total enrollment shall not exceed six (6) children..."

Mayor Welch called for the vote on the amendment.

MEMBERS VOTING:

AYES: HUNT, BURNS, ARMSTRONG, JANOSKI, BELLOMO

NOES: MUELLER, WELCH

Mayor Welch stated that the amendment was approved.

A motion was made by Councilmember Hunt, seconded by Councilmember Bellomo, to amend Bill #9008, Section 1, to add Paragraph 8, to read, "A landscape plan is required to address screening along the Kirkham frontage as approved by the Department of Planning."

Mayor Welch called for the vote on the amendment.

MEMBERS VOTING:

AYES: MUELLER, BURNS, ARMSTRONG, JANOSKI, BELLOMO, WELCH, HUNT

January 2, 2018

NOES: NONE

Mayor Welch stated that the amendment was approved.

It was agreed that these changes are not substantial enough to require an additional reading.

Mayor Welch called for the vote on Bill #9008.

MEMBERS VOTING:

AYES: BURNS, JANOSKI, BELLOMO, HUNT

NOES: ARMSTRONG, WELCH, MUELLER

Mayor Welch stated that Bill #9008 was approved.

CONSENT AGENDA

A motion was made by Councilmember Hunt, seconded by Councilmember Janoski, to approve the Consent Agenda.

Mayor Welch called for the vote on the Consent Agenda.

MEMBERS VOTING:

AYES: ARMSTRONG, JANOSKI, BELLOMO, WELCH, HUNT, MUELLER, BURNS

NOES: NONE

Mayor Welch stated that the Consent Agenda was approved.

The following consent agenda was approved:

- **Approval of Minutes** – December 19, 2017
- **Resolution #2018-01** – A Resolution Providing for the Holding of a Regular Biennial Election on Tuesday, April 3, 2018, for One Mayor (For 4-Year Term) and Three Members of the Council (For 4-Year Terms), in Accordance With the Rules Promulgated and Adopted as Provided by State Statute, and By the Board of Election Commissioners of St. Louis County

APPOINTMENTS TO BOARDS AND COMMISSIONS

- Kimmy Sauer was appointed to the Personnel Board.

EXECUTIVE (CLOSED) SESSION

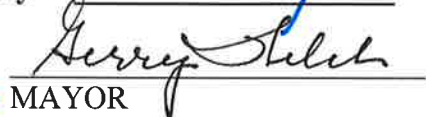
No Executive (Closed) Session followed the meeting.

ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 8:27 p.m. on motion of the Mayor, duly seconded.

PASSED AND APPROVED this 16th day of JANUARY 2018.


CITY CLERK


MAYOR