

MONDAY, OCTOBER 17, 2022 7:00 P.M.
BOARD OF ALDERMEN
MINUTES

MAYOR MIKE WILCOX
ALDERMAN PAUL ROETTGER
ALDERMAN LISA CAPSHAW CUSHING
ALDERMAN SARAH VITALE
ALDERMAN AARON NAUMAN
ALDERMAN BERRY LANE

CITY ATTORNEY, JIM HETLAGE
CITY ADMINISTRATOR, BENJAMIN DECLUE
DEPUTY CITY CLERK, JOANNE CARR

MEETING CALLED TO ORDER

The meeting was called to order at 7:00 PM by Mayor Wilcox

ROLL CALL

Present: Alderman Roettger, President Alderman Lane, Alderman Nauman,
Alderman Capshaw Cushing, Alderman Vitale

Absent: None

Present: Chief Jeff Beaton, Chief Jim Silvernail

APPROVAL OF TENTATIVE AGENDA

Mayor Wilcox asked if there were any changes or corrections to the Agenda for the October 17, 2022 meeting. Alderman Roettger motioned that the agenda be changed as follows: a public hearing will be held following Citizen Comments for the public discussion of Ordinance B14-22. Alderman Nauman seconded the motion which was unanimously approved.

APPROVAL OF THE MINUTES FROM OCTOBER 3, 2022 MEETING

Mayor Wilcox asked if there were any changes or corrections to the Board minutes from October 3, 2022 meeting. Alderman Lane moved approval of the minutes. Alderman Capshaw Cushing seconded the motion, which was unanimously approved.

CITIZEN COMMENTS

None

PUBLIC HEARING

AN ORDINANCE AMENDING SECTIONS 400.010, 605.010, 605.020, AND 605.030 OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF GLENDALE, MISSOURI, REGARDING NO IMPACT HOME BASED BUSINESSES

The public hearing was opened at 7:05 pm.

Mr. DeClue reported that this new Ordinance amendment was precipitated by the new State of Missouri law which concerned a new classification of “No Impact Home Based Businesses” which exempted many home-based businesses from municipality licensing. Mr. DeClue reported that the new law went into effect at the end of August, 2022. Mr. DeClue stated that

no impact home-based business meant that home businesses that are not visible from the street, does not exceed the required home occupancy of the home and will not impact traffic in the neighborhood. Mr. DeClue noted that some examples of No Impact Home-based Businesses included CPA's, Architects, etc., and added that it would take several years of enactment before the law will be better understood.

Mr. DeClue asked if there were any comments. There were none.

The Public Hearing closed at 7:07 pm.

ORDINANCES FOR THE SECOND AND FINAL READING

B14-22 AN ORDINANCE AMENDING SECTIONS 400.010, 605.010, 605.020, AND 605.030 OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF GLENDALE, MISSOURI, REGARDING NO IMPACT HOME BASED BUSINESSES

Alderman Lane moved approval of the second reading of Ordinance B14-22. Alderman Nauman seconded the motion.

Mayor Wilcox asked for a report.

Mr. DeClue reported that this Ordinance is a result of a change made to the Missouri State law not related to changes made by the city.

Mayor Wilcox asked if there were any questions or comments. There were none.

Mayor Wilcox called for a voice vote which was unanimously approved.

Mr. DeClue read the Ordinance by caption only.

Alderman Nauman moved approval of the final reading of Ordinance B14-22. Alderman Capshaw Cushing seconded the motion.

Mayor Wilcox asked if there were any questions or comments and there were none.

Mr. DeClue read the Ordinance by caption only.

Mayor Wilcox called for a vote.

Ayes: Alderman Roettger, Alderman Nauman, Alderman Vitale
Alderman Lane, Alderman Capshaw Cushing

Nays: None

The Ordinance was approved.

ORDINANCE FOR FIRST AND SECOND READING AND FINAL APPROVAL

B15-22 AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF GLENDALE AND ST/ LOUIS COUNTY FOR THE INSTALLATION OF LICENSE PLATE

RECOGNITION CAMERAS WITHIN ST. LOUIS COUNTY
MAINTAINED RIGHT OF WAY

Alderman Lane moved approval of the first reading of Ordinance B15-22. Alderman Nauman seconded the motion.

Mr. DeClue reported that St. Louis County required an agreement for the installation adding the City bears the cost of installation. Mr. DeClue stated that the camera was an automated license reading device and in use in many municipalities and subdivisions within the County adding that the device would read license plates for reported thefts, car clotting situations, etc.,

Mayor Wilcox asked if there were any questions or comments. There were none.

Mayor Wilcox called for a voice vote which was unanimously approved.

Mr. DeClue read the Ordinance by caption only.

Alderman Lane moved approval of the second reading of Ordinance B15-22. Alderman Capshaw Cushing seconded the motion.

Mayor Wilcox asked if there were any questions or comments and there were none.

Mr. DeClue read the Ordinance by caption only.

Alderman Roettger moved approval of the final reading of Ordinance B15-22. Alderman Nauman seconded the motion.

Mayor Wilcox asked if there were any questions or comments and there were none.

Mr. DeClue read the Ordinance by caption only.

Mayor Wilcox called for a vote.

Ayes: Alderman Roettger, Alderman Nauman, Alderman Vitale
Alderman Lane, Alderman Capshaw Cushing

Nays: None

The Ordinance passed.

RESOLUTIONS

R34-22 A RESOLUTION AUTHORIZING A CONTRACT FOR THE
PURCHASE OF 12 SETS OF TURN-OUT GEAR FOR THE FIRE
DEPARTMENT FROM FELD FIRE

Alderman Lane moved approval of the of Resolution R34-22. Alderman Capshaw Cushing seconded the motion.

Mayor Wilcox asked for a report.

Mr. DeClue stated that the City needed to comply with NFPA standards which required new turnout gear to be issued within a 10-year window. Mr. DeClue stated that the City wanted to authorize a contract with Feld Fire, a new vendor in the St. Louis area, who bid \$29,000 for 12 sets of turn-out gear. Mr. DeClue reported that the Fire Department had budgeted \$45,000.00 and with this contract each firefighter will receive two new sets each.

Mayor Wilcox asked if there were any comments or questions.

Mayor Wilcox called for a voice vote which was unanimously approved.

R35-22 A RESOLUTION AUTHORIZING A CONTRACT FOR THE PURCHASE OF TWO 2023 DODGE DURANGO AWD POLICE PURSUIT RATED VEHICLES FROM GLENDALE CHRYSLER JEEP DODGE.

Alderman Nauman moved approval of the of Resolution R35-22. Alderman Capshaw Cushing seconded the motion.

Mayor Wilcox asked for a report.

Chief Beaton reported that the State informed all departments that there would be no bidding contracts and that dealerships pulled out of the program due to the lack of any contracts this year. Chief Beaton stated that the City received a list of preferred vendors and from the list, three returned bids with Glendale Chrysler coming in with the lowest bid. Chief Beaton stated that Glendale Chrysler offered a \$15,000 return with a per vehicle price of approximately \$31,000 including full police pursuit package.

Mayor Wilcox noted that the City purchased one vehicle per year.

Chief Beaton agreed but noted that during the construction year, the purchase was pushed back and due to COVID, two years passed without the purchase of a new vehicle. Chief Beaton stated that the department had three vehicles with mileage above 100,000 and needed to catch up. Chief Beaton stated that vendor prices were higher this year due to higher demand, chip issues and overall staffing problems. Chief Beaton noted that the prices had elevated approximately \$3,000 adding that this purchase of two vehicles would put the department in a good spot with the trade in.

Mayor Wilcox asked if the department was able to lock in a price. Chief Beaton stated they were able to lock in a price based on the bid. Chief Beaton also stated that because of the 4-to-8-month delay, he was coming in earlier than January or the new fiscal year, with the Resolution to get the bid process started. Chief Beaton also noted that some manufacturers have already closed orders for the year. Mayor Wilcox thanked Chief Beaton for his report.

Mayor Wilcox asked if there were any comments or questions.

Mayor Wilcox called for a voice vote which was unanimously approved.

ARCHITECTURAL REVIEW BOARD APPEALS

Mayor Wilcox opened the appeal process by laying out the ground rules:

The applicant would appeal the denial of their submission to the Architectural Review Board;

Members of the Architecture Review Board would offer their reasoning for the denial;

Neighboring residents at the meeting would have 3 minutes each to voice their opinion about the denial;

The applicant would receive a second opportunity to rebut the residents and the ARB.

Only the Board of Aldermen has the opportunity to ask questions and the speakers will only present their information to the Board of Aldermen.

The Board of Aldermen may approve, modify, or disapprove the appeal or may defer their decision to the next Board of Aldermen meeting. The Board of Aldermen will have the opportunity to discuss or ask questions and may or may not vote depending on a motion offered by the Board of Aldermen. The Board will not need a second for a vote.

ARCHITECTURAL REVIEW BOARD APPEAL: 813 EAST ESSEX

Mr. James and Lauren Ott, 813 E. Essex Avenue

Mr. Ott reported that this appeal is for the denial of a third car front facing garage. Mr. Ott stated that they had previously be approved to build a third bay carport next to their two-car garage. Mr. Ott noted that this request related to enclosing the carport with a door and walls.

Mr. Ott stated that the original plans including a second story addition was submitted to the ARB but had been postponed for a resubmittal of modified plans. Mr. Ott stated that the re-submitted plans reviewed by the Arb in August, 2022, were denied due to the third car garage adding three doors facing the street and the prominence of the garage facing the street.

Mr. Ott stated that there were many three car garages in Glendale, adding that precedent had already been set throughout the city. Mr. Ott also stated that another mitigating factor was moving the third car garage back and added that there was no other feasible way to move it back due to a retaining wall and noted that they could not turn the garage door sideways due to grading. Mr. Ott stated that a front facing garage was the only solution adding that they were already planning to build an additional bay structure which had been approved and would appear as if there was a third door. Mr. Ott stated that they would like to enclose the bay noting

that none of his neighbors objected to the plan and only received positive feedback regarding enclosing the third car garage. Mr. Ott restated that there were many three-car front facing garages in the city, they were already planning to build a third bay carport and although the ARB was concerned about excessive concrete, they were only going to be adding a pad at the entrance to the third garage and not expanding the overall width of the driveway.

Mr. Voorhees, ARB member, stated that the city had an ordinance for front facing garages, adding that the garages Mr. Ott spoke about were side entry garages. Mr. Voorhees stated that the original application added a third car garage which would be 4 feet in front of projected addition which the accentuated the garage adding that he did approve of the third bay if it had been pushed back. Mr. Voorhees noted that the three-car garage would be 44% of the front elevation adding that the requirement was 35%. Mr. Voorhees stated that the carport was acceptable adding that it did reduce the mass without the garage door or walls. Mr. Voorhees

asked the Board to keep in mind that mass was relevant. Mayor Wilcox asked if the Board suggested that the garage be recessed. Mr. Voorhees stated that the Board did make the recommendation. Mr. Voorhees stated that the further back the garage would go, the grade would become affected, noting that there was a minimal wall in the back but with the change, would limit the presence of the front entry garage.

Mayor Wilcox asked if there were any citizens present to comment on this appeal. There were none.

Mr. Ott stated that they looked at moving the garage back adding that there would have been more impact to the back yard in doing so noting that the way the garage was designed was how we addressed the situation.

Alderman Lane stated as clarification that the addition over the garage was underway which may mitigate the look of the three-car garage and asked when the house was built. Mr. Ott stated that it was built in 1990. Alderman Lane stated that the ARB suggested pushing the garage back, adding that topography was not unique to Glendale, noting that a retaining wall would be an option on the side or rear of the house. Alderman Lane stated that the suggestion made by the ARB was reasonable adding that the articulation would offset the look and work to reduce the percentage.

It was noted that the ARB was not unanimous in their opinion but concluded that there would be more impact.

Mr. Ott stated that there would be more impact to the wall in the backyard and with runoff in the rear adding that they would need to submit new drawings and noted that the two properties next to theirs would need to sit squarely facing the house to see the impact of the garages.

Alderman Nauman stated that there were a few views that make the design come to light.

Alderman Roettger stated that with the third door, there would be 44% garage on the front elevation. Mr. Ott stated that it would include the second story addition. Alderman Roettger asked if the carport would allow a view to the rear yard. Mr. Ott stated that it would adding that the carport had been approved without a wall or door, and open from three sides.

Mr. Voorhees stated that the ARB had not reviewed the carport, adding that Mr. DeClue administratively approved the carport. Mr. Ott stated that the carport did not require ARB approval adding that the ARB had seen the drawings and Mr. DeClue felt comfortable approving the plans based on their positive reactions and his ability to do so as Building Commissioner.

Alderman Roettger stated that the open three-sided carport had less mass adding that visually there is some relief not having the walls and door. Mr. Ott stated that the side wall would have no bearing on the decision.

Alderman Nauman stated that 35% was not a hard, fast rule for a front entry garage noting that the prevailing guidelines of today's code allowed extraordinary design details to leave the percentage flexible.

Alderman Roettger asked if cars, bikes, and other equipment would be visible from the road within the carport. Mr. Ott stated that they would.

Alderman Nauman stated that there was nothing about this design that bothered him and noted that he was not highly concerned about the 35% noting that there was possible runoff.

Alderman Nauman also stated that he was not an architect but would not want his vehicle or other things viewed by others adding that he was not familiar with many carports in Glendale.

Mayor Wilcox stated that there was a two-car garage there already adding that in terms of encroachment, there was no argument about the width adding that he understood the loss of privacy related to a carport.

Alderman Roettger asked if there would be a three-car width driveway. Mr. Ott stated that the drive would be narrowed to mitigate the width. Alderman Roettger asked if the architect contemplated storm water drainage. Mr. Ott stated that they did adding that it would drain to the back yard storm drain adding that the carport had been approved by the City Administrator and had been submitted to St. Louis County. It was noted that an enclosed garage could be approved by the ARB if the homeowner moved the structure back 48".

Alderman Lane stated that the ARB voted 2-3 to deny the project.

Alderman Vitale noted that it seemed that the addition located above the garage was approved and the carport was approved. Mr. Ott stated that was the case adding that this appeal was asking to enclose the carport as a garage following the denial by the ARB.

Alderman Capshaw Cushing had no questions.

Alderman Nauman moved to approve a new attached single car garage adjoining a two-car attached garage. Alderman Roettger seconded the motion

It was noted that a Yes vote would approve an enclosed garage and a No vote would disapprove an enclosed garage.

Ayes: Alderman Roettger, Alderman Nauman, Alderman Vitale

Nays: Alderman Lane, Alderman Capshaw Cushing.

The motion passed.

ARCHITECTURAL REVIEW BOARD APPEAL: 993 GLENBROOK

Andy Bramman, attorney for Korus Property, LLC.

Mr. Bramman asked for approval to record the meeting. It was approved.

Mr. Bramman stated that he would run through the relevant project with the following notes related to the ARB guidelines adding that Mr. Bettlach was here to speak to other issues. Mr. Bramman noted that the new house would be a boon to the neighborhood.

- General remarks
 - o Purpose of ARB is to "assure that new construction is of high-quality design and

materials and generally compatible with the style and design of surrounding structures" (Section 535.010).

- o ARB guidelines and criteria:
 - Context, style, scale, and proportion (FAR); type and quality of materials; neighborhood compatibility
 - Consideration of garage, site plan, size of structure, architectural and neighborhood concerns
- Site work
 - o Drainage and topography
 - Over the course of six submissions, all issues raised by ARB have been resolved to ARB's satisfaction, as reflected in the June minutes
- Garage
 - o Front entry garage makes up 50% of facade
 - Total frontage: 43'
 - Garage: 21'6"
 - Brickwork adds bulk to the garage's appearance
 - o 1.A.2: front garage shall not exceed 35% unless applicant can demonstrate extraordinary design measures to ensure neighborhood compatibility-Mr. Bramman noted that this was completed.
 - Garage is set back 3' from front of house, 8' from front of porch
 - Garage is set back to the neighbor's front set back line, will not protrude beyond front of neighbor's house- Mr. Bramman stated that the eastern neighbor would not be visible.
 - Brick veneer added to blend with existing style
 - Similar measures have been accepted by ARB (412 Luther) It was noted that the purpose of the ARB related to the uniqueness of parcel and neighborhood.
 - o Lot dimensions require front entry
 - Lot width: 60.67'
 - Side entry not feasible- Mr. Bramman noted front entry was only feasible design.
 - Rear entry would require removal of oak tree and substantially more impervious surface
 - Would increase drainage to neighboring
 - o properties o One car garage not practical
 - Market conditions not favorable to one car garage
 - Overnight street parking is prohibited per
 - 355.110 o Proposal is similar to other properties
 - 1002 Glenbrook has a 2-car front entry garage without similar setback
 - 836 Albert, recently approved by ARB, has garage which makes up 50% of facade, situated in a neighborhood with homes of similar style to Glenbrook, on a similarly sized lot

- Size of structure
 - o 111.C.1: for lots under 10,000 sq. ft., maximum FAR of .35
 - Per ARB guidelines, FAR calculation *only* considers areas with heat and/or AC, attached garages are included at 50% of square footage, *excludes* basements and unenclosed porches
 - Lot's square footage: 8,039'
 - FAR = .346
 - o V.A: height
 - 35' maximum per 400.180
 - Proposal: 26'11"
 - Proposal achieves a layered "wedding cake" design by bringing in the second story sides {eliminating bulk over the garage}
 - Sloped roof integrates second floor into layered design, and avoids sheer vertical face
 - Eave lines lowered by lowering foundation, which also addresses concerns regarding overall height and elevated grade)
 - Foundation lowered through "reverse ledge" design
 - Existing house is on slab, would be taller if on a foundation
 - 2d rendering can't depict 3d with complete accuracy, causing house to appear bulkier than it actually would be
 - o Other code requirements
 - 6' sidelines (400.190(B){2})
 - Proposal will reduce overall width compared to existing structure, improving neighborhood density and lot drainage
 - First floor porch projects 5' from house, maintains 30' setback from curb (400.070{A}{7})
- Cohesiveness with neighborhood
 - o Brick veneer on front and sides
 - o Existing house is stucco
 - Proposal would integrate into neighborhood better than existing house
 - o New build increases desirability of neighborhood and promotes owner occupancy
 - Existing house only suitable for rental

Mr. Bramman stated that brick work adds in helping this property remain cohesive to the neighborhood.

Reed Voorhees, ARB

Mr. Voorhees stated that this project clearly was an interesting one and was under review for a long time, noting that there were comments about conforming, and misunderstandings. Mr. Voorhees stated that the setbacks of this design do not relate to the character of the neighborhood adding that Glenbrook was horizontal in nature. Mr. Voorhees stated that there was a need for care and finesse when designing a home in this neighborhood due to the unique

nature of the neighborhood. Mr. Voorhees stated that the first presentation did not work adding that the end submission received mixed voting results with some members voting for and the majority voting no.

Mr. Voorhees stated that the garage covered 50% of the front façade and protruded beyond the building line in the neighborhood, added that the elevation was a problem, there was too much concrete in the front yard noting that in general, the neighborhood had more front yard green space. Mr. Voorhees stated that another issue related to the height of the building, noting that the elevation in comparison to the neighboring homes was too tall and required more reduction in massing adding that the builder did not want to change the 9' ceiling height which may have helped the height issue. Mr. Voorhees stated that the house on the left was below the elevation adding that the elevation door was the size of the house to the left and noted that the verticality created a problem in finessing the design. Mr. Voorhees stated that more brick was used which created more mass and added that a design needed to work three-dimensionally. Mr. Voorhees stated that the property was wide enough to put rear entry garage and added that there are ways to work with the challenge of a detached garage. Mr. Voorhees stated that the porch was projecting forward, pushing the garage door back which also looked unusual. Mr. Voorhees noted that front entry garages was brought up related to Albert Ave which is a different neighborhood adding that the property in question was a challenge due to grading making it impossible to build a rear garage. Mr. Voorhees stated that the Glenbrook property and the Albert property were not apple to apple and added that the context of a neighborhood and adjoining homes is always necessary for comparisons. Mr. Voorhees stated that the Board liked it when neighbors came out to speak adding that the Board often knows what works and what does not work. Mr. Voorhees stated that all the Board members voted, with some voting yes and some voting no noting that ultimately, with design changes, the plans did not make it through.

It was noted that 1002 Glenbrook, which is a 2-story home with a two-car garage was built before the ARB was formed. It was also noted that the second home on Glenbrook with a second story addition was added on to but with no changes to the existing garage.

Mr. Voorhees stated that the big concern for the neighborhood is the precedent the garage will set in a neighborhood with predominantly one-car garages adding that the ARB would not like this to happen.

Alderman Nauman asked why this submission was revised so often or approved straight away. Mr. Voorhees stated that the first submission was totally different and postponed adding that the new submission was dramatically changed, out of context and steadily redesigned based on advice given from the ARB related to acceptable design suggestions. Mr. Voorhees stated that the architect was never at the meeting adding that through suggestions to the builder the changes we see in the final submission are what came about noting that it was a 'start from scratch' sort of thing. Mr. Voorhees stated that it was hard to say why it went through review six times.

Alderman Vitale asked about the house across the street, 1002 Glenbrook, with the two-car garage and wondered why they were able to obtain a two-car garage. It was noted that the garage was original to the house and was a 1.5 car garage taking up 33% of the façade.

Mayor Wilcox asked if there was anyone in the audience who wanted to speak.

Jennifer Grimmer, 1017 Glenbrook Ave , 3 doors to the east.

Our comments this evening will be in response to the Memorandum submitted by Korus Properties, LLC, dated September 26, 2022, regarding the proposal for 993 Glenbrook Avenue.

While it is true the builder submitted several different proposals throughout this past year, we contend that the revisions are not substantial. There were slight improvements to the design from time to time, but clearly, the builder did not make a good faith effort to make this property harmonious with nor congruous to the neighboring homes on Glenbrook Avenue.

Mr. Bramman contends that Korus Properties listened to the concerns of the neighbors. Our recollection of the ARB meetings that we attended; we all spoke to the back of the builder. The only time the builder faced the public was in the June meeting where he was angry and threatened that the ARB's decision was dangerous for the city. We will add that the builder did not even attend one of the meetings in which he had submitted a proposal.

During this past year, we have not witnessed a good faith effort from Korus Properties; Korus did not listen to the concerns of the ARB or the neighbors and did not amend their proposal to address these concerns.

Korus Properties, themselves, delayed the process by their lack of cooperation in providing the required information. Often times this information, once finally received, was inaccurate and/or incomplete. Meeting after meeting, our concerns were not addressed.

We wish to stress to the Board of Aldermen that the community of Glenbrook Avenue is not against a new build for 993 Glenbrook. We are in full support of a design that complies with our ordinances and fits in our community. As it happens, the design proposed by Korus Properties does not comply with our ordinances nor fits on our street, our neighborhood, and our community.

Each of us here this evening will briefly touch on the various topics in the appeal, and we ask that the Board of Aldermen support the decision of the Architectural Review Board and the people of this community in denying the appeal of Korus Properties, LLC.

Katherine Bozoian , 994 Glenbrook Ave

Mr. Bramman's memorandum states that a single car garage home is not marketable nor feasible. That may be true elsewhere, but not on Glenbrook. In 2021, when Brittany and Chris purchased their home at 953 Glenbrook, they were bidding against 15 – 16 others that wanted that property. It has a one-car garage. 978 just sold and sold fast. It has a one-car garage. Our one-car garages on Glenbrook sell fast.

While we're addressing inaccuracies in his memorandum, Glendale does allow overnight street parking. Here is a copy of the application. Ms. Bozoian showed a 2 am to 6 am parking variance request form.

The fact remains that the garage in the Korus Property proposal exceeds the 35% maximum frontage allowed by our ordinances. In doing so, Korus Properties has not taken any "extraordinary design measures to ensure neighborhood compatibility".

In his memorandum, the attorney cites the home at 1002 Glenbrook. It was originally built with a 1 .5 car garage in 1950 on one of the widest lots on the street. Contrary to his memorandum, the existing garage

was not enlarged during the renovation. And, that garage complies with our ordinances. It is no more than 35% of the front of the home.

The attorney also cites 1017 and that home has a 1-car garage. We fail to recognize any similarities between it and his proposed design.

During the last year, the homeowners on Glenbrook have consistently objected to this violation, no effort has been made or presented by Korus that incorporates a two-car garage that is either detached or in the back of the proposed home.

The existing property at 993 Glenbrook is an ideal site; it is essentially level and entirely manageable to incorporate a two-car detached garage or rear garage using pervious materials to access that garage.

In closing, I would like to note that it was the entire Glendale community that came together and demanded that the City of Glendale develop ordinances to stop the construction of homes that don't fit in our neighborhoods; be it the size or the style.

Our neighborhood wants the City to enforce our ordinances. If our city's ordinances are followed, there would be no objection to this proposed design. We ask that the Board of Aldermen uphold the Architectural Review Board's findings and deny the appeal of Korus Properties.

Carol Bader, 1001 Glenbrook Ave, next door.

My name is Carol Bader and I reside at 1001 Glenbrook Ave. immediately east of 993 Glenbrook which I happily purchased one year ago. In his appeal, the attorney for Korus Properties states that preserving the large shingle oak in the backyard is a "boon" to the neighborhood. In fact, this tree is in serious decline. During the permit process, the builder presented an evaluation of the tree by Davey Tree, indicating that the tree is healthy. I, too, obtained and paid for and submitted to the ARB, an evaluation from a certified arborist indicating that the tree "has visual signs and symptoms of decline" and that "root disturbances to this tree will more than likely accelerate the decline of the tree." Undoubtedly, the heavy construction equipment and the disturbance of the soil by construction of a basement will accelerate the destruction of the tree's root system and its ultimate demise. This property would be better served by having the declining oak tree removed and planting a healthy new tree in the backyard. This will also allow Korus to comply with the city's ordinance regarding the garage size, by building a 2-car garage that is either detached or located at the rear of the property accessed by a permeable surface driveway.

As the homeowner directly east of 993 Glenbrook and the one sharing the results of the dying tree, I am providing today notice to Korus and its attorney that I intend to hold the owner of 993 Glenbrook responsible for any damage to my property or person of anyone on my property caused by this tree due to the fact that Korus has been notified of the poor condition of the tree and has been negligent in failing to correct the condition. A copy of this notice will be provided to my insurance company so that it is informed that this notice has been given to the owner. This notice must be provided to future purchasers of the property if the condition of the tree is not corrected prior to the sale.

Amy Clark, 937 Glenbrook Ave

Mr. Bramman refers to Section V of our guidelines in his memorandum. In it, he mentions that the primary concern of the neighbors is the height and density of the proposed structure.

Although the eave line was eventually lowered from the builder's original proposal, the builder has rejected lowering the finished floor elevation of the first floor. Doing so would allow for his 90-foot ceilings and will maintain the stepped exterior eave lines between neighboring homes. This revision was rejected by Korus Properties, solely because it is more expensive to construct. The exterior eave lines on all homes on Glenbrook step down from each other; the exterior eave line of the proposed design should be below the house uphill from it and above the house downhill from it to be congruous with the neighborhood and comply with our ordinances.

Mr. Bramman goes on to state that the eave line is in line with the house at 1017. This house is 4 houses away from 993 Glenbrook. If this were true, the eave line for his proposed design would only be a few feet off the ground. We fail to see the relevance of comparison.

Mr. Bramman's appeal indicates that if anything other than Korus' proposed design is built, it is unmarketable. This is false. The house across the street at 1002 Glenbrook has 8-foot ceilings and sold for \$639,000 in 2016; with a ceiling height which proved very marketable. Today, that 8-foot ceiling house is valued over \$810,000 according to St. Louis County records.

Mr. Bramman's memorandum goes on to state that "The exterior façade and other architectural features are congruous with the neighborhood." They are not. The 993 proposal looks nothing like the houses at 1002 or 1017. And, to reiterate, the ARB's approval of 1002 Glenbrook was not for a newly constructed 2-car garage home. The design of that home utilized the existing footprint, retained the 8-foot ceiling height, and retained the original size of the garage.

Wendy Haffner – 1009 Glenbrook Ave

The appeal cites the approvals of 836 Albert and 412 Luther and claims the 993 Glenbrook proposal is "substantially similar." However, they do not merit a comparison. 836 Albert is 9,450sf lot with a FAR of .30, while 993 Glenbrook's lot is 8,039sf with a FAR of .346. The Albert lot is also on a street with many different styles and sizes of homes, unlike the consistent homes on Glenbrook.

412 Luther is a 2-car garage addition to an existing 3118sf home, not a new build, and is on a 13,504sf lot compared to 993's 8,039sf lot. No homes on Glenbrook have a 2-car garage – 1002 has a 1.5 car garage which was part of the 1950 build and adheres to the 35% guideline. It is 19' wide with a 17' opening, so two cars would not be able to fit. (bare minimum 2 car garage is 20' wide)

Ordinance Section 400.070, Paragraph A, Item 7 allows for R-2 and R-3 homes to have front porches extending into the front yard setback area. This ordinance was developed for homes that have neighboring homes with front yard porch encroachments, of which there are none on Glenbrook Avenue, yet the Korus proposal includes one.

In his memorandum, Mr. Bramman skipped over section V of the ARB Guidelines which includes sections relating to size, density, and architectural features that will be harmonious and congruent to the neighborhood.

The Korus Properties proposals have ignored the fact that the homes on Glenbrook Avenue are one story Mid-Century bungalow homes, aside from 1002 and 1017 which were expanded but kept the same footprint of the original home and were designed to not stand out as significantly different from the other homes, showing that a tasteful 1.5 or 2 story can be built.

Instead, the Korus proposals are for an outsized spec house in a contemporary/craftsman/cottage-style mashup that is in no way harmonious to our street. At an early ARB meeting, Korus Properties was urged to walk up and down Glenbrook with his architect and return with a design that fit the street. None of the revised design submissions have addressed this request in a significant and meaningful way.

I've lived on Glenbrook for 12 years and every home has sold within a few weeks, some in mere days, so the argument that an oversized home on a small lot with 9' ceilings and a 2-car garage is necessary for a sale is simply not true.

Laurie Harper, 1018 Glenbrook Ave

Ms. Harper stated that she took offense to Mr. Bramman's claims that the neighborhood's FAR comments were factually inaccurate and added that he had misconstrued the information tonight noting that he had not heard the neighborhood. Glendale's FAR calculations are liberal compared to other municipalities. If the appellants FAR was calculated to **exclude** the Easement-on the lot, his structure would exceed the allowable .35. The same is true if the attic square footage, which is part of the mass of the structure, is added in.

The memorandum compares the 993 proposals to the two 2-story properties on Glenbrook - both of which have FARs around .25. You also compare the proposal to 2 other Glendale properties whose FARs are around .30. The proposal, with an FAR of .346, is **38% larger** than the structures you're comparing it to on Glenbrook.

But I would like to mention storm-water run-off – something neighbors have repeatedly expressed concern about for months now. The solution for managing excess storm water run-off has been to drain much of it to the street. Since the rejection of the proposal – excess stormwater on Glenbrook has become an even bigger problem. Twelve homes to the WEST sustained extensive flood damage in the July, 7 of them sustained sewage damage, and 4 yards have sinkholes or sinkage's. At least three homes at the EAST end of Glenbrook sustained flood damage due to excess water overwhelming the storm drains. Draining even more stormwater from 993 is not a good plan.

The City of Glendale engages the engineering services of Lochmueller Group, and they are working on Glendale's Stormwater Management Master Plan – a plan projected to cost around \$21 million dollars. The issue remains that large homes, equal more impervious surface on a lot, which results in increased stormwater run-off. One of Lochmueller's suggested means of mitigating stormwater run-off in Glendale is to limit infill home building. To approve these 993 proposals is counter intuitive to what the City of Glendale is spending money on to research and ultimately to fix within this community.

Marjorie Dileo, 1023 Glenbrook Ave

I want to address the last part of Korus Properties LLC's appeal. The point has been made that each property and every proposal are unique and should be evaluated according to their individual merits while pertaining to some general guidelines. The appeal continues to state that where proposals are substantially similar, a decision to deny one and approve another is arbitrary unless the Architectural Review Board can articulate the specific reason why a different decision is justified. The Architectural Review Board has done that. With the two proposals on Albert Avenue and Luther Court that are cited, the only similarity with the 993 Glenbrook Avenue proposal is that they are all three lots in Glendale. For reasons already mentioned this evening, that is the only basis these properties should be considered similar.

Now three minutes is just not enough to address Korus Properties LLC's egregious claim that our complaints were continuously, factually, inaccurate. Clearly a large number of the residents of Glenbrook

Avenue are passionate about wanting a new home built on lot 993 that is fitting with the neighborhood and one that will not negatively impact its homeowners.

I agree with the statement that the purpose of the Architectural Review Board is to assure that new construction is of high quality and compatible with the style and design of surrounding structures. Korus Properties LLC's continuous disregard for this compatibility over the past many months is what has led to the denial of the Architectural Review Board and to this evening's hearing. This is not and repeat not as is stated in the appeal and I quote, "A gathering of concerned neighbors who just want to quash something they do not like." Our concerns are legitimate and real. For the reasons we have brought and stated before you this evening, the Board of Aldermen should uphold the Architectural Review Board's denial of Korus Properties, LLC's proposed build on lot 993 Glenbrook Avenue.

Brittney Makufka, 953 Glenbrook Avenue

Ms. Makufka stated that she would like to echo what the neighbors have said, how far back this building goes is an issue adding that it could have room for a garden. Ms. Kapka stated that this house would set a precedent on Glenbrook, would not like this house to be built and asks that the Board of Aldermen accept the decision made by the Architectural Review Board to deny this project.

Karen Schlueter, 985 Glenbrook Ave

Ms. Schlueter stated that her neighbors articulated the issues well and appreciated everyone on the street adding that we are a neighborhood. Ms. Schlueter stated that we all like where we live and added that it was why she moved into the neighborhood 20 years ago. Ms. Schlueter thanked the Board of Aldermen for their time.

Nichole Durel, 962 Glenbrook Ave

Ms. Durel stated that he was a homeowner and wanted to voice his opinion in favor of the Architectural Review Board's decision, appreciated the discussions concerning the water runoff problems and did not want to Honda next to a Semi-trailer.

Mr. Greg Poniewaz, 923 Dwyer Ave

Mr. Poniewaz stated that people supported him when Dwyer was changing, well before the current footprints in the neighborhood changed. Mr. Poniewaz stated that one thing that he did not understand was how an architect could say this home submittal fit into the Glenbrook neighborhood adding that in his opinion, it did not fit. Mr. Poniewaz also stated that the Attorney was good about selling the design adding that in this neighborhood and others, most residents lived in mixed neighborhoods noting that taking a \$200,000 to 250,000 home and turning it into an \$800,000 house was out of bounds. Mr. Poniewaz also noted that with the change, would other homes become teardowns which would change the nature of the mixed neighborhood as others followed. Mr. Poniewaz stated that he had worked with Mayor Magee who walked the block with Mr. Poniewaz prior to the ARB tightening up its guidelines. Mr. Poniewaz stated that the ARB had a tough job but added that the progress was good. Mr. Poniewaz stated that he did not think the house should be placed on the street and hoped that the best decision would be made noting that the design could be smarter.

Mr. Bramman stated he practiced Municipal Law and noted that citizens' comments was one criterion for the ARB, liked that opinions were known, and understood the neighborhood concerns. Mr. Bramman stated that in light of this, construction concerns should not outweigh this project or quash a project based on what is set out in the guidelines. Mr. Bramman stated that the garage did take up 50% of the front façade but added that the guidelines do allow this. Mr. Bramman noted that it was their contention that the front façade design met the extraordinary measures laid out in the guidelines. Mr. Bramman also stated that regarding

marketability this house is not like most of the homes in the neighborhood adding that it is a run-down stucco home in need of change. Mr. Bramman noted that he misspoke about the drainage issues.

Mr. Bettlach stated that drainage on the property was an issue adding that the engineer did a thorough study, reviewing the present drainage situation and the new drainage recommendations. Mr. Bettlach stated that there was improvement on the lot noting that the existing house was a stucco house on slab. Mr. Bettlach stated there was mitigation of height but needed grades of 531 and 533 which allowed gravity to improve stormwater flow. Mr. Bettlach stated that regarding a rear garage, the drainage could not be brought forward adding that the top front of the street at the southwest corner to back was on an angle to the northeast. Mr. Bettlach stated that the engineer determined that a raised house was better, and improved drainage. Mr. Bettlach stated that he went through every meeting but one and took care to listen to the ARB who eventually voted 3 to 2 to deny the project. Mr. Bettlach stated that his group listened, designed the house with brick, sloped it with a gable with a wedding cake look. Mr. Bettlach stated that they made a significant change on the second floor which sloped up on all four sides. Mr. Bettlach stated that 9 foot a first floor was standard also adding that a one car garage was not a solution. Mr. Bettlach stated that 50 to 60 years ago, this would have been considered a homogenous street, but in the current market houses will be bigger but it will meet zoning. Mr. Bettlach stated that his group met the concerns and brought the water forward and added brick. Mr. Bettlach stated that he did everything he was asked to do by all the parties and tried to listen, tried to take care for the street adding that the home would blend in with the brick type houses in the neighborhood. Mr. Bettlach stated that people come in from other cities to purchase homes such as this adding that it would be an enhancement to the community.

Alderman Lane stated that the builder insisted on the 9-foot ceilings and raised the house to move the water forward.

Alderman Nauman asked if Mr. Bettlach met with anyone in person on Glenbrook adding that the attorney was saying that the neighborhood was not objective. Alderman Nauman stated that maybe this design was not compatible with the design of the period but rather than redesigning 5 times, speak to residents on street and prepare in advance. Alderman Nauman stated that the ARB reviewed plans that have been approved the first time, who have built in Glendale before, and who knew what Glendale residents wanted. Alderman Nauman stated that knowing the guidelines, attempting to collect feedback, neighbors talking to neighbors and to Aldermen was important adding that it took much energy to conserve this neighborhood. Alderman Nauman commented about the style of this design, not knowing what to call it stated that he did not know about hipped roofs or if a lot of brick incorporated into the design would be helpful and added that the architect should start from scratch and follow guidelines.

Alderman Nauman stated that he lived in the Ward, did not know there were 42 homes on Glenbrook adding that the average age of the homes was 70 years old, built in 1950, post-world war II, two bedrooms, two bath bungalows with 40% of the homes built with 1,000 sq. ft. of living space. Alderman Nauman noted that this home would double the average sq. ft. and would be three times larger than 40% of the homes. Alderman Nauman stated that ranch style was the context with 79% following the style adding that the materials are appropriate and

compatible with the neighborhood but added that the design did not fit the period or context of the street. Alderman Nauman asked if Mr. Bettlach met with any of the neighbors. Mr. Bettlach stated that he had not. Alderman Nauman suggested walking the street, talking to neighbors about context adding that it was just his opinion and noted that incorporating feedback may not be the same as engaging with the neighborhood. Alderman Nauman asked if Mr. Bettlach could make the design smaller.

Mr. Bettlach stated that he saw some of the direction the Alderman noted but added that he was not sure about what could be done and would ask for actionable suggestions. Mr. Bettlach stated that the ARB gave input, then the neighbors gave comments, adding that with the zoning and building codes there was a direction as well as the consumer market. Mr. Bettlach stated that statistics were great and understood what the Board was saying. A one-story house with a wedding cake on top was designed because we could not go vertical.

Alderman Nauman stated that it is important to collect data before the architect is set to design adding that there have been builders who receive approval the first time appearing at an ARB meeting and generally understood what the ARB looked for and what the neighborhood wanted. Alderman Nauman stated that it felt like you as the builder were beholden to this design.

Mayor Wilcox asked if there was consideration for rear entry garage or a ranch style or for the removal of the rear tree. Mayor Wilcox suggested that the architect go back and attain sq. ft.

Mr. Bettlach stated that Davey Tree evaluated the tree and determined it was in good condition, adding that there was always maintenance. The rear entry garage would increase impervious coverage adding that a bigger house could be designed by removing the garage.

It was noted that the site plan indicated that the southwest corner sloped to the east, was generally a flat surface and that residents on Nancy Carol were concerned about the water, asking that water be held on site.

Alderman Nauman suggested draining to daylight, install pervious brick, create a storm water retention basin, or rain garden to keep water on site and added that there were lots in Glendale poised for a detach in Glendale. Mr. Bettlach stated the engineer who took extraordinary measures to control storm water and added that most developers removed trees.

Mr. Bettlach stated that a different design could be chosen to arrive at a general size house that would be compatible in the neighborhood adding that if water was going north, it could be held in a basin of some sort adding that when it rains, it could come out of the overflow and need to dissipate. Mr. Bettlach stated that his engineer would have recommended that type of system it was workable and added that there was a flow well in the front yard.

Alderman Roettger thanked Mr. Poniewaz for attending the meeting and speaking out and added that there were water issues on Dwyer which was no longer a cohesive street in any way. Alderman Roettger stated that with regard to Glenbrook, the city needed infill homes where appropriate and asked where the architect was at the beginning of this project. Alderman

Roettger stated this design was not what the Glenbrook neighborhood was looking for adding that Glenbrook may not be a neighborhood for the builder's buyers.

Alderman Capshaw Cushing stated that simply put, she read all the documents and noted that the design it overtakes that street especially in relation to the neighboring homes. Alderman Capshaw Cushing stated that the design would not work and asked if the builder would consider building a garage in the back and build a retaining wall adding that there would not be a problem with the garage taking up half the front of the house.

Alderman Vitale stated that she was thinking about what the builder, Mr. Bettlach, said adding that it had merits noting that the house was raised up to the stormwater would move forward adding that as a builder there were many concerns related to the garage as it relates to the home. Alderman Vitale stated that after seeing the house after driving by, she wondered if a rear garage would work better adding that she did not want to walk on the property and was not sure of tree in back. Alderman Vitale stated that she was not an architect and was not suggesting anything but asked if a detached garage was an option or a consideration.

Alderman Nauman moved to approve the design as submitted. Alderman Lane seconded the motion.

Mayor Wilcox called for a vote on the motion.

Ayes: None

Nays: Alderman Roettger, Alderman Nauman, Alderman Vitale
Alderman Lane, Alderman Capshaw Cushing

The Motion Failed.

REPORTS

Mr. DeClue

Mr. DeClue reported that the ARB was advised about the Board of Aldermen comments regarding guidelines and are eager for another workshop. Mr. DeClue stated that he would set up a meeting based on everyone's calendar and forward an invitation in the future.

Alderman Roettger

None

Alderman Vitale

None

Alderman Lane

Alderman Lane reported that she heard Jazzfest was great this year and thanked everyone involved.

Alderman Capshaw Cushing
None

Alderman Nauman
None

Mayor Wilcox
None

ADJOURNMENT

Alderman Lane moved to adjourn the meeting, seconded by Alderman Vitale . The motion was unanimously approved.

These minutes are approved as submitted this 7th day of November, 2022.

Joanne Carr
Deputy City Clerk