

The public hearing was called to order at 7:00 p.m. by Chairman Smith.

Present at roll call were: Chairman Smith, Alderman Sir and members Scheer, Wilton, Soll, Barry and Bieg (Members Gianino and Knapp were absent). Also in attendance was City Administrator Craig Sabo.

Item B was presented first, as the petitioner for Item A was not yet in attendance.

- B. A petition from Genesis Church to amend Planned Commercial zoning at 18401 and 18343 U.S. Highway 66 for the construction of a church.

Notice of the Public Hearing was published in the Countian on and posted on March 24, 2023 on the City's website.

City Administrator Sabo stated the petitioner addressed landscaping issues City staff had identified. He added that they have also received final Phillips Pipeline approval, and anticipate soon having an executed encroachment agreement.

Mr. Mike Vorwerk, the engineer on the project, stated that a 16,000 square foot building was being proposed to be constructed, noting that they are provided more than the required number of parking spaces. He said the proposed site plan provided for forty percent (40%) greenspace, and the stormwater management requirements have been met. He said that as the City Administrator had previously stated, they were in the process of finalizing the encroachment agreement with the pipeline owner.

Mr. Scheer inquired as to if the depth of the pipelines were identified.

Mr. Vorwerk stated there were presently three (3) pipelines on the property and they would meet the requirements as to what could be placed in the pipeline easement. He added that a representative from the pipeline company would be onsite during the construction.

Speaking in support of the petition was Mr. Kurt Mathews, a Church Elder. He stated that Genesis Church had been holding worship services in Eureka for the past sixteen (16) years. He said they had been holding worship services at a local school, but were prohibited from doing so during the pandemic, and at that time members determined they needed to build a church.

No one spoke in opposition to the petition.

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

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

- A. A petition from Admira Osmanovic for a Special Use Permit for a daycare facility at 602 Rockwood Arbor Drive.

Notice of the Public Hearing was published in the Countian on and posted on March 24, 2023 on the City's website.

Ms. Osmanovic stated that she was seeking permission to operate a daycare on the property owned by St. Francis Episcopal Church. She said the church had previously been operating a daycare at the location, but it was closed due to the COVID pandemic. She stated that she would be leasing the space from the church and there would be no changes to the daycare operation.

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

The public hearing was closed at 7:09 p.m.
The public hearing was opened at 7:09 p.m.

C. A petition from the City of Eureka to amend the Zoning Chapter of the Municipal Code to establish provisions relating to the dispensing of adult use Marijuana.

The City Administrator stated that the zoning regulations pertaining to recreational adult use Marijuana needed to be adopted to provide a framework for giving consideration to such dispensary sales in light of adult use Marijuana being legalized. He said that there are no proposed changes to the consideration criteria.

Mr. Soll inquired as to if the City would reconsider the requirement that the operation be located within three hundred (300) feet from schools or daycare facilities, and if City staff had researched what other municipalities require with respect to distance from such facilities. City Administrator Sabo replied that he did not know the proximity requirements in other cities, but the Board of Aldermen was comfortable with giving consideration to the three hundred (300) foot requirement.

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

The public hearing was closed at 7:12 p.m.

Respectfully submitted,

(Original with signature on file)

Barb Griffin, Acting Secretary

The meeting was called to order at 7:12 p.m. by Chairman Smith.

Present at roll call were: Chairman Smith, Alderman Sir and members Scheer, Wilton, Soll, Barry and Bieg. (Members Gianino and Knapp were absent.) Also in attendance was City Administrator Craig Sabo.

On motion by Mr. Barry, seconded by Mr. Wilton and unanimously passed by those members in attendance, the Minutes from December 14, 2022 were approved.

GUESTS:

OLD BUSINESS:

NEW BUSINESS:

- A. A petition from Admira Osmanovic for a Special Use Permit for a daycare facility at 602 Rockwood Arbor Drive.

Chairman Smith went over the six (6) points of factual determination as required in Municipal Code Section 23-182(d).

The consensus was unanimously favorable on all points.

On motion by Mr. Barry, seconded by Mr. Wilton and unanimously passed by those members in attendance, approval was recommended for a petition from Admira Osmanovic for a Special Use Permit for a daycare facility at 602 Rockwood Arbor Drive.

- B. A petition from Genesis Church to amend Planned Commercial zoning at 18401 and 18343 U.S. Highway 66 for the construction of a church.

On motion by Mr. Wilton, seconded by Mr. Soll and unanimously passed by those members in attendance, approval was recommended for a petition from Genesis Church to amend Planned Commercial zoning at 18401 and 18343 U.S. Highway 66 for the construction of a church, with the condition that the church enter into an encroachment agreement with Phillips Pipeline.

- C. A petition from the City of Eureka to amend the Zoning Chapter of the Municipal Code to establish provisions relating to the dispensing of recreational adult use Marijuana.

On motion by Mr. Barry, seconded by Mr. Bieg and passed with six (6) "YES" votes and one (1) "NO" vote (cast by Alderman Sir), approval was recommended for a petition from the City of Eureka to amend the Zoning Chapter of the Municipal Code to establish provisions relating to the dispensing of recreational adult use Marijuana.

There being no further matters for discussion, on motion by Mr. Soll, seconded by Alderman Sir and unanimously passed by those members in attendance, the meeting was adjourned at 7:18 p.m.

UPCOMING MEETINGS:

- April 26, 2023
- May 10, 2023

Respectfully submitted,

(Original with signature on file)

Barb Griffin, Acting Secretary