DUE TO THE OUTBREAK OF COVID-19, THE COUNTY EXECUTIVE BUILDING IS CURRENTLY CLOSED TO THE PUBLIC AND WILL BE UNTIL FURTHER NOTICE

"Tentative"

AGENDA

PUBLIC ATTENDANCE WILL ONLY BE PERMITTED THROUGH VIRTUAL PRESENCE LIVE VIA CHARTER SPECTRUM CHANNEL 993, THE COUNTY WEBSITE (https://tv.sccmo.org/CablecastPublicSite), OR OUR SCCMOTV YouTube CHANNEL

ADDITIONAL ITEMS MAY BE ADDED TO THIS AGENDA UP TO 3:00 P.M. TUESDAY, APRIL 14, 2020

PUBLIC COMMENTS: The Planning & Zoning Commission will be accepting comments by e-mail at Planning@sccmo.org or in writing up until 3:00 p.m. on Wednesday, April 15, 2020 and such comments will be included into the record of the meeting. In addition, those comments of no more than approximately 300 words received by subject matter and in a timely fashion will be read aloud during the meeting.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

CHANGES TO THE AGENDA

PUBLIC HEARINGS FOR REZONING REQUESTS

I. REZONING REQUEST - 6171 HIGHWAY V

Application No:  RZ20-03

Property Owners:  Tully Investments, Incorporated

Current Zoning:  A, Agricultural District, with Floodway and Floodway Fringe Overlay Districts

Requested Zoning:  Riverfront District, with Floodway and Floodway Fringe Overlay Districts

2030 Master Plan:  Recommends Agricultural uses

Parcel Size:  55.55 acres

Location:  On the west side of Highway V, approximately 1,300 feet north of North Shore Drive

Council District: 6

Account No.:  905790A000

Documents:

PZ AGENDA PACKET - RZ20-03.PDF

PLATS

I. PRELIMINARY PLAT FOR RESUBDIVISION OF CALLAWAY VALLEY PLAT ONE TRACT A – 2977 HIGHWAY F

Application No:  PRE20-01

Property Owners:  Robbie L. Johnson Revocable Living Trust

Surveyor:  Landmark Surveying Company

Property Zoning:  A, Agricultural District (5-acre minimum lot size)
Proposed lots: 3
Parcel Size: 40.05 acres
Location: On the northeast terminus of Highway F and Callaway Ridge Drive
Council District: 2
Account No.: 616500A001
Documents:

PZ AGENDA PACKET - PRE20-01.PDF

II. PRELIMINARY PLAT FOR GRONEFELD MANOR - 432 & 442 JUNGS STATION ROAD

Application No: PRE20-05

Property Owners: Donald A. Gronefeld, Darrell Lee Gronefeld Trust, Clarence William Roth Trust, and Amanda Verna Roth Trust

Developer: Rolwes Company
Engineer: St. Charles Engineering

Property Zoning: R1E/FF, Single-Family Residential District (7,000 square foot minimum lot size), with Floodway Fringe Overlay District

Proposed lots: 31
Parcel Size: 16.00 acres
Location: On the southeast corner of the intersection of Upper Bottom Road and Jungs Station Road

Council District: 7
Account Nos.: 513360A003, 513360A002, 513360A001, 513420A000

Documents:

PZ AGENDA PACKET - PRE20-05.PDF

TABLED / CONTINUED ITEMS
NONE

APPROVAL OF MINUTES FROM THE MARCH 18, 2020 REGULAR MEETING

Documents:

3-18-20 PZ MTG MINUTES - DRAFT.PDF

OTHER BUSINESS

II. PLANNING AND ZONING DIVISION UPDATES

ADJOURNMENT
REZONING RZ20-03

REZONING REQUEST - 6171 HIGHWAY V

Application No: RZ20-03
Property Owners: Tully Investments, Incorporated
Current Zoning: A, Agricultural District, with Floodway and Floodway Fringe Overlay Districts
Requested Zoning: Riverfront District, with Floodway and Floodway Fringe Overlay Districts
2030 Master Plan: Recommends Agricultural uses
Parcel Size: 55.55 acres
Location: On the west side of Highway V, approximately 1,300 feet north of North Shore Drive
Council District: 6
Account No.: 905790A000

CONTENTS:

➢ Staff Recommendation
➢ Photo(s) of Site
➢ Aerial Photo
➢ Surrounding Zoning Map
➢ Future Land Use Map
➢ Letters received
   ♦ Support - Arnie Dienoff
STAFF RECOMMENDATION

To: County Planning & Zoning Commission
Prepared by: Ellie Marr CFM
Application No.: RZ20-03
Date: March 9, 2020

BACKGROUND INFORMATION

Owner/Applicant: Tully Investments, Inc.
Requested Action: A zoning map amendment to rezone 55.55 acres from A/FF/FW, Agricultural District with Floodway Fringe and Floodway Overlay (5-acre minimum lot size) to RF, Riverfront District (no minimum lot size)
Location: 6171 Highway V; On the west side of Highway V, approximately 1,300 feet north of North Shore Drive
Current Zoning: A/FF/FW, Agricultural District with Floodway Fringe and Floodway Overlay (5-acre minimum lot size)
Current Land Use: Marina
Adjacent Land Use and Zoning:

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<tbody>
<tr>
<td>North</td>
<td>RF/FF/FW, Riverfront District with Floodway Fringe and Floodway Overlay</td>
<td>Port Charles Marina</td>
</tr>
<tr>
<td>South</td>
<td>A/FF/FW, Agricultural District with Floodway Fringe and Floodway Overlay</td>
<td>222 Yacht Club and farm field</td>
</tr>
<tr>
<td>East</td>
<td>A/FF/FW, Agricultural District with Floodway Fringe and Floodway Overlay</td>
<td>Farm field</td>
</tr>
<tr>
<td>West</td>
<td>Mississippi River</td>
<td>Mississippi River</td>
</tr>
</tbody>
</table>

2030 Master Plan: Recommends Agricultural (minimum lot size 5 acres) land use
Public Services: County Council District 6 – Nancy Schneider
School District – Orchard Farm School District
Fire District – Orchard Farm Fire District
REZONING ANALYSIS

The rezoning request is for a parcel of 55.55 acres in size with the current, primary use of the property as a marina. Under the current Agricultural Zoning District, a marina is considered to be a permissive use, however, services that are in conjunction with a marina such as boat brokerage, sales and storage of boats, marine gas services, and campgrounds are considered to be conditional uses. Currently, should any marina wish to add a service in conjunction with the marina use or change any of its original conditional uses under its current Agricultural zoning designation, it must apply for a conditional use permit and submit a subsequent site plan. Under the Riverfront zoning designation, these types of uses are considered permissive uses and would only require an update to their current site plan for review by Community Development Department staff.

The marina located directly to the north of this marina and the marina located approximately 2,000 feet to the south along the Mississippi River are currently zoned RF/FF/FW, Riverfront District with Floodway Fringe and Floodway.

The 2030 Land Use Plan for this area does recommend agricultural land use with 5-acre minimum lot size, however, the existing marinas that are zoned Riverfront, have a land use recommendation of Parks and Open Space which is supportive of the recreational use of the Mississippi River and its necessary marina facilities.

RECOMMENDATION:

The Planning and Zoning Division recommends that this zoning request from A/FF/FW, Agricultural District (5-acre minimum lot size) with Floodway Fringe and Floodway Overlay, to RF, Riverfront District, (no minimum lot size) be approved. In recommending approval to the RF zoning district, staff finds the proposed zoning to be consistent with the other marinas located in the immediate area and the use of the property as a marina with supporting services.
Property looking north from Hwy V
Wednesday, April 15th, 2020

County Planning and Zoning Members and County Planning Director County of Saint Charles County
Executive Office Building County Council Chambers 3rd Floor 100 North Third (3rd) Street Saint
Charles, Missouri 63301-2854

Reference: Public Written Testimony for the Wednesday, April 15th, 2020 at 7:00 p.m. County
Planning and Zoning Commission Meeting to be included in the Official Journal and Public
Record of the Saint Charles County Planning and Zoning Commission

Dear County Planning and Zoning Commissioners & County Planning Director:

I am highly opposed to the proposed conduct and proposed illegal violations of the Saint Charles
County Council, my Home-County in how it proposes to hold Public Meetings in Violations of Chapter 610
in its entirety of the Revised State Statues of Missouri. No Authority is granted to the Council in Section
610.021 of the Statue.

1. RZ-20-03: 55-Acres Marina Community

   1. Recommendation: Approve of New Zoning District.

Very Truly Yours,

//S//: Arnie C. AC Dienoff

Arnie C. AC Dienoff
Saint Charles County/State Civic &
Public Advocate
On behalf of OUR and my fellow 433,000 County
Residents
PRELIMINARY PLAT FOR RESUBDIVISION OF CALLAWAY VALLEY PLAT ONE TRACT
A – 2977 HIGHWAY F

Application No: PRE20-01
Property Owners: Robbie L. Johnson Revocable Living Trust
Surveyor: Landmark Surveying Company
Property Zoning: A, Agricultural District (5-acre minimum lot size)
Proposed lots: 3
Parcel Size: 40.05 acres
Location: On the northeast terminus of Highway F and Callaway Ridge Drive
Council District: 2
Account No.: 616500A001

CONTENTS:

- Staff Recommendation
- Site Photos
- Aerial Photo
- Surrounding Zoning Map
- Topography Map
- Preliminary Plat
- Letters received
  - Comments - Fred Weber Incorporated
  - Comments - Arnie Dienoff
STAFF RECOMMENDATION

To: County Planning & Zoning Commission  
Prepared by: Mark Price Jr, AICP, CFM

Application No.: PRE20-01  
Date: March 10, 2020

BACKGROUND INFORMATION

Owner: Robbie L Johnson Revocable Trust
Applicant: Landmark Surveying Company, Inc.
Requested Action: Approval of the re-subdivision of Callaway Valley Plat One Tract A (3 lots)
Location: 2977 Highway F, Located on the north side of Callaway Ridge Drive at the intersection of Callaway Ridge Drive and Highway F, Near New Melle.
Current Zoning: A, Agricultural District (5-acre minimum lot size)
Current Land Use: Vacant
Adjacent Land Use and Zoning:

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<tr>
<td>North</td>
<td>A, Agricultural District</td>
<td>Vacant</td>
</tr>
<tr>
<td>South</td>
<td>A, Agricultural District</td>
<td>Vacant and Single Family Homes</td>
</tr>
<tr>
<td>East</td>
<td>A, Agricultural District</td>
<td>Vacant and Single Family Homes</td>
</tr>
<tr>
<td>West</td>
<td>A, Agricultural District</td>
<td>Vacant and Single Family Homes</td>
</tr>
</tbody>
</table>

2030 Master Plan: Recommends Agricultural (minimum lot size 5 acres) land use

Public Services:
- County Council District 2 – Joe Brazil
- School District – Francis Howell School District
- Fire District – New Melle Fire District

Utilities:
- Water – Public Water District 2
- Sewer – Individual Wastewater Treatment System
PRELIMINARY PLAT ANALYSIS

The property owner had made a lot division on this property without the appropriate County approvals. As such, there are currently three parcels that make up this subdivision. They are account numbers T2013000025, T201300013, and 616500A001. These three parcels made up Tract A of Callaway Valley Plat 1.

The applicant requests approval of the previous division of the property into three parcels. The large parcel to the north will take access from Highway F using an existing driveway. There is currently a home under construction on this lot. The two remaining parcels will front on Callaway Ridge Drive and take access from Callaway Ridge Drive, meaning that no public improvements will be necessary or proposed.

Currently the submitted plat does not meet the technical standards of the subdivision ordinance, however, prior to recording, the plat would be required to meet all requirements. The resulting lots will meet the required five-acre minimum lot size for the agricultural zoning district.
Subject Property

PRE20-01 – Zoning
March 11, 2020

VIA UNITED STATES MAIL
AND ELECTRONIC MAIL (Planning@secmo.org)

Planning and Zoning Division
St. Charles County
201 N. Second St.
Suite 420
St. Charles, MO 63301
Attention: Ellie Marr and Thomas Kuhn

Re: Application No. PRE20-01
for Preliminary Plat for Resubdivision of
Callaway Valley Plat One Tract A – 2977 Highway F

Ladies and Gentlemen:

We are in receipt of a letter from the Commission dated March 2, 2020 regarding an application to approve a preliminary plat for subdivision for approximately 40 acres on the northeast terminus of Highway F and Callaway Ridge Drive, referenced as Resubdivision of Callaway Valley Plat One Tract A – 2977 Highway F.

As you may know, Fred Weber, Inc. ("FWI") owns and/or controls property along Highway F located to the northwest, west and south of such proposed subdivision as shown on the hand-marked county map attached. FWI controls the property labeled Pow Dun II under a mining lease agreement.

We are writing this letter to advise the Commission that since 1992, FWI has conducted surface and/or underground mining and surface crushing, screening and stockpiling operations on the property shown on the attached map, and that such operations include blasting 6 days a week. Prior to FWI operating the property, it had been operated as a quarry since 1954. FWI intends to continue such operations indefinitely and the underground mining operations are currently progressing northward.

We ask that the Commission consider such operations in reviewing and responding to the above referenced application and in issuing any conditions in connection with its recommendation. Without limiting the discretion of the Commission in requiring any conditions, we ask that it consider whether imposing reasonable conditions on the developer and the development (e.g., special notices to new residents of adjacent mining operations, larger building setbacks, creation of common areas closer to Highway F, etc.), is warranted.

2320 Creve Coeur Mill Road · P.O. Box 2501 · Maryland Heights, Missouri 63043-8501
314.344.0070 · 314.344.0970 Fax
www.fredweberinc.com
FWI values its relationship with St. Charles County and strives to be a good neighbor in the community. If you have any questions regarding FWI's operations, please do not hesitate to call me at (314) 344-0070.

Sincerely,

[Signature]

Print Name: Douglas K. Weible
Title: Chairman & CEO
Wednesday, April 15th, 2020

County Planning and Zoning Commissioners and County Planning Director
County of Saint Charles
County Executive Office Building
County Council Chambers 3\textsuperscript{rd} Floor
100 North Third (3\textsuperscript{rd}) Street
Saint Charles, Missouri 63301-2854

\textbf{Reference:} Wednesday, April 15\textsuperscript{th}, 2020 at 7:00 p.m. Regular County Planning and Zoning Commission Meeting. My Letter is to be included in the Official Journal and Public Record of the Saint Charles County Planning and Zoning Commission

Dear County Planning and Zoning Members & County Planning Director (Ellis, Saale, Kuhn, Frahm, Boehmer, Hollander, McDonald, Leonhard, Cleary and Director Myers:

I am highly opposed to the conduct and illegal violations of the Saint Charles County Planning and Zoning Commission, my Home-County in how it proposes to hold Public Meetings in Violations of Chapter 610 in its entirety of the Revised State Statutes of Missouri. The reason to exclude me and my fellow citizens is NOT one of 18 reasons as allowed by 610.021 of the Revised State Statue. The County Planning and Zoning Commission have any right to violate ANY State Law.
I am very opposed to your Illegal and Poor Decision of Governmental Policies in the County Planning and Zoning Meeting for Wednesday, April 15th, 2020 at 7:00 p.m. This Meeting in not allowing Members of the Public, by arbitrary decisions without a vote of the Commission, in Violation of Missouri State Law and Revised State Statues to deny access of Citizens to be in an important Governmental Meeting of the County Commission. You are denying the right of all citizens to Publicly Testify; make Public Comments to the Commission and to bring information, facts and grievances to the attention of Our Appointed Officials. This proposed behavior is flat out wrong and bad behavior! I disagree with the Course of Action and Legal Advice given by the County Counselor John Watson. This is selfish and keeping the Public At Bay from Participating in our Public Governmental Process. This Violates the Missouri State Constitution, the Saint Charles County Home-Rule Charter and each of your Oath’s of Public Office that you took!

Remember you are no different than I or any other of Our 433,000 County Residents!

We are NOT in ANY Military Zone and you have NO rights to Declare and Call for “Marshall-Law.” Our County will NOT turn into a Communist-County and Our County Government will abide by ALL Federal, State and County Home-Rule Charter, Laws, Ordinances, Rules, Promulgated Regulations and other. The Home-Rule County Charter, the Constitution of the State of Missouri and No Revised State Statue give you any Authority or Powers to deviate and create your own rules and regulations. This proposed way of governance will in NO way be tolerated by us the Citizens of Saint Charles County.

If the County Planning and Zoning Commission goes through with these illegal County Business and County Land Changes, then I will take extraordinary measures in the State Circuit Courts to deem these actions and Laws illegal, unenforceable and Unconstitutional. In addition, if I do not win the Office of Missouri Lieutenant Governor in this Election Cycle, I will run for the Office of County Executive to restore integrity, honesty, common-sense responsibility and transparency back to all of 433,000 Great County Residents!
I will be at the County Planning and Zoning Meeting this evening, ready to fully participate, take part in and Testify before the County Planning and Zoning during Public and Citizen Comments. If I am denied access, I will Protest and take action in the State Circuit Court of Saint Charles County, Missouri.

If I am met with interference or violations of the Missouri Revised State Statues by Law Enforcement or by any one of Authority, I will oppose with resistance loudly and vocally in a peaceful protest of not being allowed or admitted access to the County Council Chambers on the Third Floor of the County Executive Office Building.

Very Truly Yours,

//S//: Arnie C. AC Dienoff

Arnie C. AC Dienoff
Saint Charles County/State Civic & Public Advocate
On behalf of OUR and my fellow 433,000 County Residents
Wednesday, April 15th, 2020

County Planning and Zoning Members and County Planning Director
County of Saint Charles
County Executive Office Building
County Council Chambers 3rd Floor
100 North Third (3rd) Street
Saint Charles, Missouri 63301-2854

Reference: Public Written Testimony for the Wednesday, April 15th, 2020 at 7:00 p.m. County Planning and Zoning Commission Meeting to be included in the Official Journal and Public Record of the Saint Charles County Planning and Zoning Commission

RZ 20-30, PRE 20-01, PRE 20-05

Dear County Planning and Zoning Commissioners & County Planning Director:

I am highly opposed to the proposed conduct and proposed illegal violations of the Saint Charles County Council, my Home-County in how it proposes to hold Public Meetings in Violations of Chapter 610 in its entirety of the Revised State Statutes of Missouri. No Authority is granted to the Council in Section 610.021 of the Statue.

1. RZ-20-03: 55-Acres Marina Community
1. 

Recommendation: Approve of New Zoning District.

2. PRE-20-01:

1. Condition- that the Applicant meet all standards of the County Subdivision Ordinance
2. Condition- Deeper Set Back of Home from the Roadway

My Recommendation: To make all Amendments to this Approval

3. PRE-20-05

1. Flood Control
2. Retention/Detention
3. Cul-De-Sac Turning Radius for Emergency Vehicles
4. Traffic Study

My Recommendation: Approval with Conditions

Very Truly Yours,

//S//: Arnie C. AC Dienoff

Arnie C. AC Dienoff
Saint Charles County/State Civic & Public Advocate
On behalf of OUR and my fellow
433,000 County Residents
APPLICATION PRE20-05

PRELIMINARY PLAT FOR GRONEFELD ESTATES - 432 & 442 JUNGS STATION ROAD

Application No: PRE20-05
Property Owners: Donald A. Gronefeld, Darrell Lee Gronefeld Trust, Clarence William Roth Trust, and Amanda Verna Roth Trust
Developer: Rolwes Company
Engineer: St. Charles Engineering
Property Zoning: R1E/FF, Single-Family Residential District (7,000 square foot minimum lot size), with Floodway Fringe Overlay District
Proposed lots: 31
Parcel Size: 16.00 acres
Location: On the southeast corner of the intersection of Upper Bottom Road and Jungs Station Road
Council District: 7
Account Nos.: 513360A003, 513360A002, 513360A001, 513420A000

CONTENTS:

➢ Staff Recommendation
➢ Site Photos
➢ Aerial Photo
➢ Surrounding Zoning Map
➢ Topography Map
➢ Preliminary Plat
➢ Letters received

- Concerns: Bernard Martin / Response to Concerns
- Comments - Anne Baker/ Response to Concerns
- Comments - Betty Hildebrandt / Response to Concerns
- Comments - John and Karen Baker / Response to Concerns
- Comments - Karen and Kevin Beer/ Response to Concerns
- Concerns - Don and Maureen Curtis / Response to Concerns
- Concerns - Frank Dvorak / Response to Concerns
- Concerns - Lori Neuschwander / Response to Concerns
- Concerns - Russ and Dottie Freitag / Response to Concerns
- Opposition - Eunice Torretta / Response to Concerns
- Concerns - Lisa and Dave Woznicki
- Comments - Arnie Dienoff
COUNTY STAFF RECOMMENDATION

To: County Planning & Zoning Commission
Prepared by: Mark Price Jr, AICP, CFM
Application No.: PRE20-05
Date: April 7, 2020

BACKGROUND INFORMATION

Property Owners: Darrell Lee Gronefeld Trust (Parcel Account No. 513360A001) (Centralia, MO)
Donald A Gronefeld & Darrell Lee Gronefeld Trust (Parcel Account No. 513360A002) (Centralia, MO)
Donald A. Gronefeld (Parcel Account No. 513360A003) (St. Charles, MO)
Clarence William Roth Trust & Amanda Vern Roth Trust (Parcel Account No. 513420A000) (St. Charles, MO)

Applicant: Rolwes Company (St. Louis, MO)

Requested Actions: Approve a Preliminary Plat for Gronefeld Manor Subdivision (31 single-family lots)

Location: 432 Jungs Station Drive, located at the southeast corner of Jungs Station Road and Greens Bottom Road

Subdivision area: 16 Acres

Current Zoning: R1E, Single-Family Residential District, with Floodway Fringe Overlay District

Current Land Uses: three single-family dwellings, eight agricultural accessory buildings, and outdoor agricultural equipment storage

Adjacent Land Use and Zoning:

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<tr>
<td>East</td>
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<td>Single Family Residences</td>
</tr>
<tr>
<td>West</td>
<td>R1E, Single Family Residential</td>
<td>Single Family Residences</td>
</tr>
</tbody>
</table>

2030 Master Plan: Recommends Low Density Residential uses (1-4 dwellings per acre)

Public Services: County Council District 7 – John White
School District – Francis Howell School District
Fire District – Central County Fire and Rescue Fire District

Utilities:  Water – Public Water and Sewer District #2
Sewer – Public Water and Sewer District #2

ANALYSIS

The applicant is proposing to combine and redevelop five parcels as an infill residential subdivision with thirty-one lots. This density complies with the existing R-1E, Single-Family Residential Zoning, and is made possible by the availability of public water and sewer service.

Street access will be taken from Upper Bottom Road. As the proposed street connection at this location should present few issues for traffic queuing at the traffic light at the intersection of Upper Bottom Road and Jungs Station Road, the County will not require that the developer prepare a full traffic study for Preliminary Plat approval.

Internal to the subdivision, in order to comply with the County’s maximum street slope standards, a series of modular block retaining walls will be constructed at various locations, such as along the rear of Lots 25-31. Retaining walls will be located outside of public street rights-of-way and are to be owned and maintained by either the homeowner’s association or individual lot owners, as the case may be.

As a floodway fringe designation extends along the rear of the property, the proposed lots will be clustered toward Upper Bottom Road and Jungs Station Road. The rear portion of the development will be set aside as common ground under the ownership and management of a homeowners association. Common ground will include floodplain, a vegetative stream buffer, a retention basin, and some modular block retaining walls. Furthermore, the common ground will include a tree preservation area to insure conformance with the County’s tree preservation ordinance.

RECOMMENDATION:

County staff recommends that the Planning and Zoning Commission approve the Preliminary Plat for Gronefeld Manor Subdivision as submitted.
POSTED SPEED LIMIT = 35 MPH
DESIGN SPEED LIMIT = 40 MPH

RIGHT OUT SIGHT DISTANCE
SCALE: 1" = 10' VERTICAL
1" = 40' HORIZONTAL

LEFT IN SIGHT DISTANCE
SCALE: 1" = 10' VERTICAL
1" = 40' HORIZONTAL

LEFT OUT SIGHT DISTANCE
SCALE: 1" = 10' VERTICAL
1" = 40' HORIZONTAL

DESIGN SPEED LIMIT = 40 MPH
POSTED SPEED LIMIT = 35 MPH
DESIGN SPEED LIMIT = 40 MPH

LEFT IN SIGHT DISTANCE
SCALE: 1" = 10' VERTICAL
1" = 40' HORIZONTAL

LEFT OUT SIGHT DISTANCE
SCALE: 1" = 10' VERTICAL
1" = 40' HORIZONTAL

RIGHT OUT SIGHT DISTANCE
SCALE: 1" = 10' VERTICAL
1" = 40' HORIZONTAL
I live at 413 Jungs Station Road. With the heavy traffic coming up from the bottom in the morning and the heavy afternoon coming over the hill in the afternoon. Complicated by traffic in and out of Huntleigh Manor. It is sometimes almost impossible to get out of my driveway.

I would certainly hope that access and egress for the proposed subdivision somewhat parallels Crown Passage Drive on Upper Bottom.

Thank you

Bernard Martin
413 Jungs Station Road
St. Charles, Mo 63303

636-477-3263
First off I would like to point out that we have received several comments from other neighboring property owners with the opposite concerns of yours and none of those concerns have warranted us revising the proposed entrance as submitted for approval. In summary, most of the “traffic” comments from homeowners located to the Northeast of our site (crown passage) are that they don’t want a proposed entrance off of Upper Bottom, while people to the Southeast of our site (Huntleigh Manor) don’t want a proposed entrance off of Jungs Station.

We are selecting Jungs Station for an entrance for several reasons with the largest 2 reasons being; better vehicle sight distance to other vehicles, and to minimize the traffic traveling through the intersection. This proposed entrance does “somewhat parallel” Crown Passage Drive. We are not proposing any new egress onto Jungs Station south of the intersection (i.e. in from of 413). We are expecting the majority of increased traffic from this development will travel along Upper Bottom to the Northeast or through the intersection and along Jungs Station to the Northwest.

James R Piper Jr, PE
Project Engineer
I live at 308 Huntleigh Manor Dr.
We talked with Eric on Saturday and he answered many questions, but I am still concerned about the impact on the drainage issues. The environment impact is still a big concern.
Who will be cutting the common ground this spring, summer and fall?
Thank you
Anne Baker
308 Huntleigh Manor Dr.
314-6029836
This is our response to the attached citizen comments (from Anne Baker):

- I believe the drainage and environmental concerns voiced here have been answered in previous correspondence.
- The HOA will be responsible for all common ground maintenance once the community is established. Prior to that, the property owner at the time will be responsible for handling the maintenance.

Thanks,

Edward Zigarowicz III  
Land Manager  
Rolwes Company  

O: 314-821-9600  
C: 314-605-6121

Referrals are the highest compliment we can receive. We thank you for yours.
From: Betty Hildebrandt <bchilde@sbcglobal.net>
Sent: Monday, April 13, 2020 5:55 PM
To: Planning
Subject: Fwd: Planning Committee Letter

From: Betty Hildebrandt bchilde@sbcglobal.net
Sent: Monday, April 13, 2020
To: Planning@sccmo.org
Subject: Gronefeld Manor Plan

My name is Betty Hildebrandt and I live at 316 Huntleigh Manor Lot 5

First, I welcome the proposed plan with hope it will stabilize an area that has seen major erosion over the past 23+ years. My primary concerns are directed to the area behind the third cul-de-sac.

On the plat the backyard setback is marked 25 ft. but it measures about 20 ft. Which is right? I understood it was required to be 25’ to keep it at a 3-to-1 grade.

Given the erosion that was occurring on the adjoining property, I had a retaining wall installed to maintain my back yard. How close to it and to the location of the sway will you be working? For the protection of both parties I would like to meet with someone to confirm the condition of the wall before the project begins and after the grading is complete.

The plat states that a survey has not been done. After the survey, if there are changes, how and when will we be notified and given the opportunity to comment if needed?

Given the proximity of the old to the new, planting trees making a green space would indicate you have both parties in mind when reviewing the development. Also it would stabilize the value of all properties.

I appreciate this opportunity to provide comments to the Planning Committee. Hopefully you will consider my concerns. Again, I’m happy to meet in person with an appropriate representative to see firsthand the retaining wall and the area I’m addressing.

Thank you,

Mrs. Betty Hildebrandt
316 Huntleigh Manor Drive
St. Charles, MO 63303
636 939 2619
bchilde@sbcglobal.net
This is our response to the attached citizen comments (from Betty Hildebrandt):

1. This was an error on the submittal and will be corrected. All rear yards will be platted at 25’ rear yard setbacks.
2. While we are not certain exactly where your retaining wall is located, we are happy to work directly with the owner to review and discuss the condition of her wall and how to not impact her wall.
3. There is not an expectation that a new survey will substantially change anything that is currently proposed in the submittal.
4. Comments on the landscaping and home values have been provided in previous responses.

Thanks,

Edward Zigarowicz III
Land Manager
Rolwes Company

O: 314-821-9600
C: 314-605-6121

*Referrals are the highest compliment we can receive. We thank you for yours.*
My wife and I just purchased our home on Crown Passage Drive in November of 2019 specifically because of the view and privacy of the creek and tree line from our lot. The proposed plat map for Gronefeld Manor would remove nearly all of those trees up to the creek line and entirely eliminate the privacy, view, and ability to harbor wildlife which are the reasons that we chose to move to this area in the first place. We are concerned that the clearcutting of all the trees down the hillside will also drastically affect the sound barrier for the neighborhood as well as cause issues with erosion into the creek.

We are also concerned that with the uncertain economic times ahead, there is the potential for the clearcutting and construction to be started without completion and remain unsightly or cause a loss of property value to the surrounding neighborhoods.

At the least, we would like to request that the proposed disturbance limit be moved further up the hillside to include more space for the tree preservation area and add a privacy tree line at the back of the residential property. This would give all residents, old and new on both sides of the creek a more enjoyable view and that highly sought after privacy in the neighborhood. Ideally it would be nice to see the subject property utilized for something like a park.

Thank you for your consideration of our comments and concerns.

Sincerely,
John and Karen Baker
This is our response to the attached citizen comments (from John and Karen Baker):

In a previous response, we acknowledged that change is difficult, particularly when it effects what we see out of our front door or backyard. As a developer, we don’t like to remove trees. They are expensive to deal with and do provide aesthetic appeal to future homeowners. However, due to the topography of this site, there will be a fair amount of grading to create the area needed for streets and homes. This will necessitate the removal of the trees as shown on the preliminary grading plan.

As stated earlier as well, Rolwes Company has completed every project we have started and even finished up projects that were taken back by banks during the last downturn. It is never the intention of any developer to not complete a project.

While I cannot speak for the County, I do not believe that the asking price for the property is consistent with prices paid for recreational usage.

Thanks,

Edward Zigarowicz III
Land Manager
Rolwes Company

O: 314-821-9600
C: 314-605-6121

Referrals are the highest compliment we can receive. We thank you for yours.
From: Karen <kmbeer@charter.net>  
Sent: Tuesday, April 14, 2020 3:48 PM  
To: Planning; edz@rolwesco.com  
Subject: Comments for Application No. PRE20-05; Preliminary Plat for Gronefeld Manor - 432 & 442 Jungs Station Road

Good afternoon,

We reside on Huntleigh Manor Drive and our lot backs up to the proposed subdivision. We would like to share our input as follows:

1. We would like the new homes starting sale price to be no less than $300,000 in order to keep with current pricing in our neighborhood.
2. The Huntleigh Manor side of the subdivision is the only side that backs up to existing homes. Could a green barrier be put in place to help maintain privacy for all parties?
3. We are concerned about erosion that may occur if the new proposed lots are lower than those on Huntleigh Manor Drive. Also, will the creek be able to handle the additional water?
4. The developer, of course, would like to build and sell these 31 lots asap. Is there any type of assurance that this will be done within a certain timeframe? Two years, three years?

Thank you for your consideration.

Kevin & Karen Beer  
320 Huntleigh Manor Drive  
St. Charles, MO 63303

Sent from Mail for Windows 10
This is our response to the attached citizen comments (from Karen and Kevin Beer):

1. Previously answered on an earlier response
2. Previously answered on an earlier response
3. The stormwater will be handled in a manner consistent with St Charles County codes and ordinances to mitigate impact to the creek.
4. Unfortunately we cannot dictate the pace of market absorption. However, this market segment has performed very strongly over the past several years.

Thanks,

Edward Zigarowicz III
Land Manager
Rolwes Company

O: 314-821-9600
C: 314-605-6121

Referrals are the highest compliment we can receive. We thank you for yours.
My wife and I currently reside at 304 Huntleigh Manor Drive, next to a proposed Rolwes housing project. We do have some questions, specifically:

1. Our property value – Will the price range of the homes to be built be consistent with our current property value?
2. Distance from our home – How many feet are there between our home and the nearest home to be built by Rowles? Will there be any buffer zone?
3. Elevation and drainage – Will the development be built on grade with our subdivision or will the homes sit higher. If the latter, what will be done to mitigate drainage impacts on our property?
4. Disruption to our privacy – What is the construction duration? Assuming you’ll be using heavy machinery to do it, approximately how long will it take to grade the site?

We appreciate your time and your consideration in responding to our request for additional information.

Sincerely,

Don & Maureen Curtis
304 Huntleigh Manor Drive
St. Charles, MO  63303
(314) 606-6969 Maureen’s Cell
(913)226-2185 Don’s Cell
This is our response to the attached citizen comments (from Don and Maureen Curtis):

1. Previously answered on an earlier response.
2. Previously answered on an earlier response.
3. The site will be graded away from Huntleigh Manor Drive. There will be no drainage impacts on their property.
4. From start to finish it will take roughly 4 months until the site is graded, all utilities are installed and the streets are paved (this is assuming decent weather). After that portion is complete, we would expect to be built out in approximately 2 years, assuming the market stays relatively strong.

Thanks,

Edward Zigarowicz III  
Land Manager  
Rolwes Company  

O: 314-821-9600  
C: 314-605-6121

Referrals are the highest compliment we can receive. We thank you for yours.
From: Frank Dvorak  
Sent: Monday, April 13, 2020 12:21 PM  
To: Planning  
Subject: Concerns about Gronefeld Manor development

From: Frank Dvorak

Subject: Gronefeld Manor Development

I live at 551 Brendonberry Court, adjacent to the proposed Gronefeld Manor development. I have several concerns. Traffic will increase with the new subdivision. A second access point should be provided at Jungs Station to distribute the load and give residents the choice of using Upper Bottom or Jungs Station. A second entrance will also improve emergency access. A couple of years ago, a vehicle hit a parked car on Crown Passage in Huntleigh Meadows. Emergency vehicles blocked the street for about two hours during peak morning drive time. Residents were able to use the “back” entrance to go to work or school instead of being bottled up in the subdivision. Wider streets would help too.

I live on a court, and have experienced several issues with the configuration. There is inadequate space for street parking due to the narrow frontage, and the driveway occupies much of that. Lots 10, 11, 12, 18, 19 and 20 in Groenfeld with have this same issue. Snow plows push all the snow to a big pile at the end, which can encroach on my mailbox. Trash trucks jockey forward and back in the confines of the court. Increase the diameter of the court or delete the house at the end.

The stream along the edge of the development does experience flash floods, which must be taken into account. The stream spills over its’ bank on the Gronefeld side during heavy rains. Cumulative erosion caused Duckett Creek Sanitation to perform extensive bank stabilization work in 2018 to protect their lines. The topo maps may not reflect the current conditions along the creek. The flash flood area intrudes over the disturbance limit where grading for the stormwater management basin is shown. That area should not be disturbed.

Figure 1 Creek reworked Sept 2018
Figure 2 Creek flash flood Oct 2018
Thank you;

1st Paragraph
We do not plan on adding a second or revising the entrance as proposed.

2nd Paragraph
Proposed Lots and ROW will be designed, reviewed, approved, and permitted per St Charles County requirements.

3rd Paragraph
Floodplain Development will be designed, reviewed, approved, and permitted per St Charles County, FEMA, and MoDNR requirements.

James R Piper Jr, PE
Project Engineer

St. Charles Engineering & Surveying
801 S. Fifth Street, Suite 202
St. Charles, MO 63301
Phone: 636.947.0607 Ext. 321
Fax: 636.947.2448
jpiper@stcharleseng.com
www.stcharleseng.com

From: smweiss@sccmo.org <smweiss@sccmo.org>
Sent: Monday, April 13, 2020 4:22 PM
To: edz@rolwesco.com; Jim Piper <jpiper@stcharleseng.com>
Cc: rmyers@sccmo.org
Subject: E-mail (Permit / License) - St. Charles County

Mr. Piper,

Attached is another concern letter received today regarding the preliminary plat for Gronefeld Manor.

Thank you,
Sheila Weiss
Administrative Assistant
Good Morning:

In regards to the new Gronefeld Manor subdivision, I would like to voice my concern regarding the entrance to the subdivision. The proposed entrance location will most definitely cause grid lock and perhaps additional accidents on Upper Bottom Road. Living in the Huntleigh Meadows subdivision off of Upper Bottom Road, I often experience issues with turning left (West) out of the subdivision at certain times of the day with multiple cars backing up behind me. The back ups can be extremely long on school days during the bus cycles. (Unfortunately, a traffic flow study will not be able to be run on this concern until students return to class in late August.) In addition, the back ups to the traffic light are always lengthy during the rush hour times of the day. With the limited space between the new proposed entrance and the stop light, we will certainly see people trying to inch their way into the westbound line, thus blocking East bound traffic on Upper Bottom Road. Another entrance location must be designed to insure traffic flow is not impeded further than what already happens. An entrance closer to the Huntleigh Meadows entrance on Jungs Station would be a logical choice.

Thank you for your attention to this matter.

Lori Neuschwander
Huntleigh Meadows Subdivision Resident
We would like to submit the following response to the 4/13 community concern. Also, these responses are coming from the unique perspective of a Licensed Civil Engineer whom also happened to live within Unincorporated St Charles County within 1,500 ft of traveled roadways from this property and intersection, during the years of 2006 till 2016. I have personally traveled through this intersection at least twice a day, Monday through Friday for 10 years.

1. We have added an additional sheet to the Preliminary Plat (sheet 8) to help illustrate the negatives / cons of the Rockford Way intersection location. This sheet was added to the set dated, and resubmitted on Friday 4/10.
2. We acknowledge that any proposed entrance at any location along Upper Bottom and/or Jung Station will have a negative impact on traffic flow and an increase in accidents as their will be an increase in traffic. Per the ITE (210), the traffic increase we are proposing is equal to approx. 9.57 trips per unit = 9.57 x 31 = 297 trips added to either Jungs or Upper Bottom.
3. The 2019 Average Annual Daily Traffic Totals were obtained from the MoDOT website https://www.modot.org/traffic-volume-maps and are attached here. These existing totals are:
   a. U.B Rd. East = 3286 AADT
   b. U.B Rd. West = 3110 AADT
   c. J.S. Rd. North = 4656 AADT
   d. J.S. Rd. South = 5151 AADT
4. We recognized that regardless of the proposed entrance location the total increase in traffic on the roadways is approx;
   a. U.B Rd. East = (297+3283)/3283=1.09 = 9% increase max
   b. U.B Rd. West = (297+3110)/3110=1.09 = 9% increase max
   c. J.S. Rd. North = (297+4656)/4656=1.06 = 6% increase max
   d. J.S. Rd. South = (297+5151)/5151=1.09 = 6% increase max
5. We recognized that an entrance at Rockford Way would generate additional traffic that would be added to Jung Station AND to Upper Bottom ADTs, since there is no other convenient roadway to reach a Highway and because the majority of trips towards the highway are “to and from” St Louis County to the east, and the Upper Bottom path is shorter and move convenient when heading east. With this location, nearly every single trip generated will drive through the existing lighted intersection and the majority of those trips will also travel along Upper Bottom. We see this as additional travel along public roadways and an additional intersection for every trip. We believe the vast majority of travel through this intersection is from Jungs to Upper or vice versa and NOT from Jungs to Jungs. (i.e. most traffic goes along upper bottom anyway, not much traffic goes through intersection without turning)
6. We recognized that an entrance at Rockford Way would not have sufficient sight distance per requirements and every single trip in/out of that entrance will be a higher percentage of vehicle conflict for accidents.
7. We recognized that an entrance on Upper Bottom would have more than the required sight distance.
8. We evaluated the possible traffic conflicts at a proposed location at Rockford Way to be typical and with every trip in/out as traffic flows very freely along Jungs Station south of the intersection.
9. We recognize that daily traffic backs up along Upper Bottom westbound lane from the light and up to or past our proposed entrance. This traffic is stacking up from the existing intersection light timing and is typically less than 1-2 hour long. If we were to propose an entrance on Jungs, most of the new traffic would still travel along Upper Bottom, but would also add to the line to turn left at the light and add to the traffic on Jungs Station.

In Summary, we believe the higher percentage of trips will be on Upper Bottom regardless of the proposed entrance. The location we proposed has sight distance and is believed to collect the traffic off of the roadways in less distance and one less light/intersection, than Rockford Way. Also, with the lights, outer road, and highway configuration at Jung Station and Hwy 364. The majority of the increase ADTs will be on Upper Bottom regardless, because access to 364 is much easier and faster from Upper Bottom than Jungs.

Personally while I lived off of Jungs, I would drive through the intersection and up Upper Bottom to come to SCES offices and to Westport before that everyday, in lieu of, driving up Jungs to 364.

James R Piper Jr, PE
Project Engineer
St. Charles Engineering & Surveying
801 S. Fifth Street, Suite 202
St. Charles, MO 63301
Phone: 636.947.0607 Ext. 321
Fax: 636.947.2448
jpiper@stcharleseng.com
www.stcharleseng.com
Traffic Volume Maps
Interactive Average Annual Daily Traffic Map

Jungs Station Traffic North
Traffic Volume Maps
Interactive Average Annual Daily Traffic Map

Jungs Station Traffic South
Traffic Volume Maps
Interactive Average Annual Daily Traffic Map

Upper Bottom Traffic East
Traffic Volume Maps
Interactive Average Annual Daily Traffic Map

Upper Bottom Traffic West
From: Dorothy Freitag <dfreitag@charter.net>  
Sent: Monday, April 13, 2020 5:10 PM  
To: Planning  
Cc: White, John; edz@rolwesco.com  
Subject: Questions for Meeting on Wednesday, April 15: Application No. PRE20-05; Preliminary Plat for Gronefeld Manor - 432 & 442 Jungs Station Road  
Importance: High

My husband and I currently reside at the corner of Huntleigh Manor Drive and Jungs Station Road. Below are our main questions/concerns:

1. Value of our property: Will the homes that are planned complement our subdivision ~ comparable size and character? Comparable cost? Concerned about property values.  
2. Proximity of new homes to existing homes on Huntleigh Manor Drive; will you provide some kind of buffer (i.e. landscaping or some other sort of barrier) between the new homes and our existing homes? This is extremely important to those of us who live on Huntleigh Manor Drive because of the close proximity of the new homes. It is very important to us that some kind of buffer separate these two subdivisions.  
3. According to the grading map it looks like a berm might be built ~ what type of erosion control will be in place during grading and construction?  
4. COVID-19 has impacted a lot of businesses ~ what guarantees can be put in place to ensure completion of this new subdivision, regardless of sales.  
5. Has there been, or will there be, an environmental impact study.  

We really do want to be good neighbors and work with the developer to have the best outcome possible. We have researched Rowles and believe they have a high degree of integrity and produce quality homes. However, in order to be good neighbors, we need to have some assurances about our concerns listed above and those of others within our subdivision.

Thank you for reading our questions.

Sincerely,

Russ & Dottie Freitag  
300 Huntleigh Manor Drive  
St. Charles, MO 63303  
(314) 265-1175 Dottie Cell  
(314) 265-1178 Russ Cell  
(636) 441-1175 Home Phone
This is our response to the attached citizen comments (from Russ and Bettie Freitag):

1. The homes that Rowles Company plans to offer are consistent with the surrounding neighborhood. While we can’t state what our starting sales price will be until we have our development costs established on an approved project, we can state that with the rising cost of ground, development costs and home construction costs, we predict that our average sales price will not harm property values. Rarely, if ever, does new residential construction depress home values in surrounding neighborhoods. In fact it typically does the opposite.

2. There is no landscape buffer planned in that area. The proposed lots in that area are 120’ deep which after setbacks, average house depth and even consideration of a 10’ deck or patio would provide for 40’ of open yard to the property line. It is similar to their properties where no buffer was required or created.

3. The is no berm proposed in this area. There is a cut where the property would slope down from Huntleigh Manor Drive towards the proposed rear yards. During the development process, we will employ they typical erosion control measures of silt fence, mulch waddle and temporary seeding until the homes are built and sod can be established. However, due to the grading of the site, no storm water will enter onto the Huntleigh properties from our site.

4. Rolwes Company has never walked from a site that we have developed. Additionally, Rolwes Company worked with many banks during and after the downturn to complete projects that they were left with. With that being said, there is no way to fully guarantee that any company won’t fail during an economic downturn. We are a conservative company by nature, and don’t get too far ahead of ourselves on land purchases which helped us during the downturn of 2006-2010.

5. Rolwes Company will comply with all required studies during the approval process per Federal, State and Local codes.

Thanks,

Edward Zigarowicz III
Land Manager
Rolwes Company

O: 314-821-9600
C: 314-605-6121

Referrals are the highest compliment we can receive. We thank you for yours.
We are not in favor of this development and oppose it. We are home owners located very close to the intersection of Upper Bottom and Crown Passage Dr. We built where we did because of the countryside and wish to keep it that way. If the wildlife could vote, they would not be in favor of it either. This needs to be voted on by all surrounding homeowners.
Rolwes Company understands that change is difficult for everyone, particularly when the change involves what a person sees out their front door, or rear yard. However, the subject property is in an area that has and continues to experience growth in residential construction. Our proposed project is consistent with the surrounding properties and Rolwes Company will do our very best to be good neighbors during this process.

Thanks,

Edward Zigarewicz III  
Land Manager  
Rolwes Company

O: 314-821-9600  
C: 314-605-6121

*Referrals are the highest compliment we can receive. We thank you for yours.*
My husband and I reside on Huntleigh Manor Drive. Below are our main questions/concerns:

1. Value of our property: Will the homes that are planned complement our subdivision ~ comparable size and character? Comparable cost? Concerned about property values.

2. If possible, exterior of homes to be earthtone to complement our houses.

3. Erosion. There is an ongoing erosion problem with the creek and with houses backing to the new subdivision. Please try and mitigate anymore erosion from the construction of new houses.

Thank you

Lisa and Dave Woznicki
328 Huntleigh Manor Drive
Wednesday, April 15th, 2020

County Planning and Zoning Members and County Planning Director
County of Saint Charles
County Executive Office Building
County Council Chambers 3rd Floor
100 North Third (3rd) Street
Saint Charles, Missouri 63301-2854

Reference: Public Written Testimony for the Wednesday, April 15th, 2020 at 7:00 p.m. County Planning and Zoning Commission Meeting to be included in the Official Journal and Public Record of the Saint Charles County Planning and Zoning Commission

RZ 20-30, PRE 20-01, PRE 20-05

Dear County Planning and Zoning Commissioners & County Planning Director:

I am highly opposed to the proposed conduct and proposed illegal violations of the Saint Charles County Council, my Home-County in how it proposes to hold Public Meetings in Violations of Chapter 610 in its entirety of the Revised State Statues of Missouri. No Authority is granted to the Council in Section 610.021 of the Statue.

1. RZ-20-03: 55-Acres Marina Community
1.

**Recommendation:** *Approve of New Zoning District.*

2. **PRE-20-01:**
   1. Condition- that the Applicant meet all standards of the County Subdivision Ordinance
   2. Condition-Deeper Set Back of Home from the Roadway

   **My Recommendation:** *To make all Amendments to this Approval*

3. **PRE-20-05**
   1. Flood Control
   2. Retention/Detention
   3. Cul-De-Sac Turning Radius for Emergency Vehicles
   4. Traffic Study

   **My Recommendation:** *Approval with Conditions*

Very Truly Yours,

//S//: Arnie C. AC Dienoff

Arnie C. AC Dienoff
Saint Charles County/State Civic & Public Advocate
On behalf of OUR and my fellow
433,000 County Residents
MINUTES OF REGULAR MEETING

ST. CHARLES COUNTY PLANNING AND ZONING COMMISSION

DATE: MARCH 18, 2020
TIME: 7:00 PM
PLACE: COUNTY EXECUTIVE BUILDING
100 N. THIRD ST.
THIRD FLOOR COUNCIL CHAMBERS
ST. CHARLES, MO 63301

MEMBERS PRESENT: Diane Saale; Roger Ellis; Tom Kuhn; Craig Frahm; Tracy Boehmer; and Terry Hollander
MEMBERS ABSENT: Robert McDonald; Jim Leonhard; and Kevin Cleary
STAFF PRESENT: Robert Myers, Director of Planning and Zoning; Megan Murray, Assistant County Counselor; Sheila Weiss, Recording Secretary; Mariza Almstedt, Recording Secretary
SPEAKERS: CUP20-01: Steve Layne, 114 Stone Ridge, O’Fallon, MO 63366; and Arnie C. “AC” Dienoff, P.O. Box #1535, O’Fallon, MO 63366

CUP20-02: Edward Barrieau, 149 Sumac Ridge Drive, Foristell, MO 63348; and Arnie C. “AC” Dienoff, P.O. Box #1535, O’Fallon, MO 63366

RZ20-01: Thomas Dubray, 2949 West Meyer, Foristell, MO 63348; and Arnie C. “AC” Dienoff, P.O. Box #1535, O’Fallon, MO 63366

CALL TO ORDER

Chairman Roger Ellis called the meeting to order at 7:00 PM. Following the Pledge of Allegiance, Chairman Ellis welcomed the audience; explained the procedures for speakers; and explained the functions of the Planning and Zoning Division, the Planning and Zoning Commission and the County Council. He explained to the audience that the Planning & Zoning Commission will make a recommendation on rezoning and conditional use applications heard during the meeting, which will then be submitted to the St. Charles County Council for their final decision. He stated that public comment on conditional use permit applications will be taken only during the first reading and will not be taken at any meeting of the County Council held thereafter.
Chairman Ellis introduced the following documents into the record: The Unified Development Ordinance of St. Charles County (UDO), including zoning maps; and the 2030 Master Plan for St. Charles County, which includes the 2030 Future Land Use Plan Map.

CHANGES TO THE AGENDA

NONE

PUBLIC HEARINGS FOR CONDITIONAL USE PERMITS

I. CONDITIONAL USE REQUEST - 215 JOSEPHVILLE ROAD

Application No: CUP20-01
Property Owner/Applicant: Birdie, Incorporated
Property Zoning: I1, Light Industrial District
Conditional Use Requests: 1) Outdoor Storage of Boats, Recreational Vehicles, and
2) Storage of Construction Equipment and Heavy Machinery (New and Used)
2030 Master Plan: Recommends Industrial uses
Parcel Size: 23.44 acres
Location: On the west side of Josephville Road, approximately
1,000 feet south of Mexico Road; adjacent to General
Motors and the City of Wentzville
Council District: 1
Account No.: 685210A000

Robert Myers, Director of Planning and Zoning stated this is a conditional use permit and not a rezoning request. Robert Myers stated the parcel is already zoned industrial in the unincorporated County. Under the I1 Light Industrial District, one of the potential use is outdoor storage of boats, recreational vehicles and construction equipment.

The applicant is requesting two separate conditional use permits. The first is for boat and RV storage. The second request is for construction equipment and heavy machinery (new and used) storage. The applicant has submitted a concept plan depicting 123 boat and RV storage spaces and construction equipment storage with a planned future parking enclosure. The concept plan also indicates plans for two future building pads with the intent of potential leasing to building contractors. This planned future use would not require any additional conditional use permits, however, the site plan would be required to be updated. This use would be subject to placement of an individual wastewater system on the site or sewer service availability through the City of Wentzville. The concept plan also proposes a six foot tall chain link fence along the boundary lines on the south, north, and west sides of the property. On the east side, the applicant proposes a fence and gate to be located behind the future building pads, approximately 150 feet from the eastern boundary line. A front landscaping buffer area, as required by Section 405.435 of the Unified Development Ordinance for St. Charles County, is proposed in the front building setback area.
The Planning and Zoning Division recommends that the Planning and Zoning Commission recommend approval of the two conditional use requests as complying with the criteria of Section 405.510. B of the County Code with the following conditions on each request.

Should the Planning and Zoning Commission recommend approval, staff requests that the following conditions of approval be added:

1. A site plan substantially complying with the attached concept plan and Section 405.525 of the County Code shall be submitted to and approved by the St. Charles County Community Development Department prior to the conditional use becoming active.

2. No conditional use shall be in active use until such time all conditions of approval have been met.

For the record, one written communication was received regarding this application from the City of Wentzville.

Chairman Ellis asked if the Commission had any questions for the Planning & Zoning staff.

Craig Frahm asked Robert Myers if the letter from the City of Wentzville would impact this conditional use permit.

Robert Myers stated that the letter from the City of Wentzville states that the outdoor storage be paved rather than a gravel surface. He typically looks at each property on an individual basis at the time of site plan submittal, taking into consideration things such as whether the property is in a rural area or a suburban area, and makes a determination at that time per County Ordinance on whether or not to allow a dust-free gravel surface to be used rather than a paved surface. A statement would be added to the site plan that the surface would be treated periodically to control dust.

Craig Frahm asked if that determination would be made after the approval of this application.

Robert Myers answered in the affirmative, and stated that would be determined during the site plan process should this application be approved by the County Council.

There being no further questions for staff, Chairman Ellis asked the applicant to come forward.

The applicant, Steve Layne, was sworn in. Mr. Layne stated that the property will be used for outdoor storage of boats, RV’s, and travel trailers. Mr. Layne is in the construction business and plans to relocate his office to this location as part of his 5-year plan. He would like to get this storage business up and running in order to establish some additional income. There are 123 parking spaces planned for this facility, and he intends to use a graveled parking surface.

Chairman Ellis asked if this would be an open or a gated facility.

Steve Layne responded that the facility will be gated and the entire property will be surrounded by 6-foot high fencing.

Craig Frahm asked Steve Layne if he owns any storage lots.

Steve Layne responded he does not own any other storage lots.
There being no further questions for the applicant, Chairman Ellis asked if anyone from the audience wished to make public comments on this application.

Arnie C. "AC" Dienoff was sworn in. Mr. Dienoff stated there are many unkempt storage facilities within St. Charles County that affect property values and quality of life for County residents. He noted that some municipalities and subdivisions do not allow property owners to park trailers, boats, or RV's in their driveway, so it is necessary to have some of these storage lots in the County. Some owners maintain these storage lots, and some do not. If this application is recommended for approval, he would like to see the following conditions of approval added by the Commission:

1. No unlicensed or derelict vehicles allowed on the property
2. No broken down or inoperable vehicles allowed on the property.
3. No damaged or wrecked vehicles allowed to be stored on the property for more than 45 days.
4. No storage of parts or barrels allowed on the property.
5. A Type 3 berm should be required around the property.
6. The parking/driving surface adjoining the property in the adjacent City of Wentzville should be required to be paved, per their request in the letter to the County.
7. A site-proof fence should be required.

Chairman Ellis asked if there was anyone else in the audience that wanted to speak on this application.

Seeing none, Chairman Ellis asked the Commission if they had any further questions for the applicant.

There being no further questions, Chairman Ellis closed the public hearing asked for discussion from the Commission.

There being no discussion, Chairman Ellis entertained a motion to recommend approval of Application No. CUP20-01, subject to the conditions recommended by the Planning & Zoning staff.

Terry Hollander made such motion, and the motion was seconded by Craig Frahm.

The vote on the motion was as follows:

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<td>Diane Saale</td>
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<td>Tom Kuhn</td>
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<td>Roger Ellis</td>
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<td>Craig Frahm</td>
<td>- Yes</td>
<td>Tracy Boehmer</td>
<td>- Yes</td>
<td>Terry Hollander</td>
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Application No. CUP20-01 was recommended for **APPROVAL**.

The Vote Count was 6 yeas, 0 nays and 0 Abstentions.
II.  **CONDITIONAL USE REQUEST - 1125 DIETRICH ROAD**

Application No: CUP20-02  
Property Owner: Edward and Tami Barrieau  
Applicant: Valley Farms, LLC  
Property Zoning: A/FF, Agricultural District with Floodway Fringe Overlay District  
Conditional Use Request: A request to amend CUP17-06 to expand the hours of operation allowed, and the maximum number of guests allowed  
2030 Master Plan: Recommends Low Density Residential Uses (1 to 4 dwellings per acre)  
Parcel Size: 20.67 acres  
Location: On the west side of Dietrich Road, approximately 600 feet north of Wild Horse Drive

Robert Myers, Planning and Zoning Division Director, stated that that in 2017 the applicants applied for and received approval of a conditional use permit allowing them to hold weddings, receptions, and other events on the subject property. The applicants are requesting two revisions to the existing Conditional Use Permit (CUP17-06).

The applicant’s first request is that there not be a limit to the number of weddings allowed per calendar year, and that music be allowed to continue indoors until 11:00 p.m. rather than 10:30 p.m. Weddings would continue to be limited to Fridays, Saturdays, and Sundays. All other events would have an ending time of 11:00 p.m. on weekends and 10:00 p.m. on weekdays. The applicant has stated that ending both the music at 11:00 p.m. and closing the venue at 12:00 a.m. allows the wedding party to close the celebration and the guests to leave at more staggered times. Closing the venue earlier encourages guests to gather outside rather than to remain indoors and close out the gathering.

The applicant is also requesting to change the condition of limiting the number guests per Ordinance 17-070 from 200 to 250 guests. The applicant has indicated that wedding parties traditionally plan for 200 guests but invite more than 200 because not everyone will be able to attend. In the event that more than 200 guests do attend, the applicant wishes to be in compliance with the conditions of the Ordinance.

The concept plan submitted shows the recent addition of an upgraded individual wastewater treatment system and public restrooms to the venue that are ADA compliant.

The Community Development Department has not received any code enforcement complaints regarding this CUP since it was issued in 2017.

The Planning and Zoning Division recommends that the Planning and Zoning Commission recommend approval of the following two (2) conditional use conditions as complying with the criteria of Section 405.510. B of the County Code.

1. Amend Condition 2 of Ordinance 17-070 to: Wedding receptions will be offered on Fridays, Saturdays, and Sundays. Receptions will end no later than 12:00 a.m., except that music at such wedding receptions will end no later than 11:00 p.m. All other events will end at 11:00 p.m. on weekends and 10:00 p.m. on weekdays.
2. Amend Condition 6 of Ordinance 17-070 to: No more than two hundred fifty (250) guests allowed.

For the record, staff received three communication in support of this request, and two letters from the same resident in opposition of this request.

Chairman Roger Ellis asked if the Commission had any questions for the Planning & Zoning staff.

Diane Saale stated that in the March 17, 2020 letter from Daniel Pressman and Kathleen Walsh, it states that they have not filed any complaints because of a separate noise violation, for which the Barrieau’s and Valley Farms were found guilty in St. Charles County Circuit Court last year, but no further information was provided. She asked Robert Myers what that court case was about.

Robert Myers responded that he was not aware that the communication received from Daniel Pressman and Kathleen Walsh referred to a court case.

Diane Saale stated that the letter from Daniel Pressman and Kathleen Walsh also states that there are other parties besides wedding receptions being held on the property. She asked if the current conditional use permit allows for events other than weddings to be held on the property.

Chairman Roger Ellis responded that the current conditional use permit is for “rural recreational activity, and a facility for weddings, wedding receptions, and other events” to be held on the property.

Tracy Boehmer asked Robert Myers if all events held on the property would have to comply with same months and times, or only weddings and wedding receptions.

Robert Myers stated the applicant is requesting that the entire condition number 2 be stricken and replaced with the wording “Wedding receptions will be offered on Fridays, Saturdays and Sundays. Receptions will end no later than 12 a.m. except that music at receptions will end no later than 11 a.m. All other events will end at 11 p.m. on weekends and 10 p.m. on weekdays. He stated the applicant could explain what times will or will not work for them when they testify.

Tom Kuhn asked Robert Myers if there are any specific reasons that Ordinance 17-070 limits the number of guests to 200.

Robert Myers responded that in 2017 when this CUP was approved, there was a limitation placed on the number of guests for a couple of reasons. The original application in 2017 stated that guests would be limited to 200 or less. Also, when this business first got started they did not have public restrooms available, so they used portable restrooms. Since then they have made some investments to the property, and they now have public restroom facilities which would allow for the accommodation of 250-plus guests.

There being no further questions for staff, Chairman Ellis opened the public hearing and asked the applicant to come forward.

Edward Barrieau, the owner and applicant, was sworn in. Mr. Barrieau stated that he has been in operation for three years without any complaints to the Police Department. The Police have never visited his property for loud music complaints or any other complaints. The conditions placed on the number of guests allowed back in 2017 were due to the property not having permanent public restrooms, so the business had to be operated as a seasonal business at that time. The business now has a commercial business permit for full-time year-round business, and has heated and air-conditioned public restrooms. Therefore, he would like to expand the conditional use permit for
business operations to full-time, except for December, January, and February because he the building is not heated.

Tom Kuhn asked Mr. Barrieau if he has lost any business due to the 200-person limit.

Edward Barrieau responded that he built the facility to accommodate 200 persons, and they really can’t go much higher than 200, but he feels that he is being watched closely all the times and does not want to be cited with a violation if maybe 201 people were to attend an event.

Terry Hollander stated that he does not have a problem with the request to change the limit from 200 to 250 guests, but he asked Mr. Barrieau why he feels the need to expand the hours of operation.

Edward Barrieau responded that his website clearly states that music cannot go past 10:30 p.m. but he would like a little bit of a cushion in case the last song does not end exactly at 10:30 p.m. in case he is being watched.

Terry Hollander asked Mr. Barrieau who he believes is watching him so closely.

Edward Barrieau responded that he believes that can be surmised by looking at the written communications received regarding his request to modify this CUP.

Tom Kuhn stated that he has seen Mr. Barrieau’s website, and it does state that his policy is for all music to end by 10:30 p.m.

Terry Hollander he asked Mr. Barrieau if he feels like he needs an additional hour for other events as well as for wedding receptions.

Edward Barrieau responded that the last hour of each business day is used by his staff for cleanup purposes only.

Chairman Roger Ellis asked if he had 2,858 guests to a craft beer BBQ event on July 21, 2019, as stated in the letter from Daniel Pressman and Kathleen Walsh.

Edward Barrieau responded that about 200 people attended that event. He added that there would not have been nearly enough parking spaces available to accommodate that many people.

Chairman Roger Ellis asked if there were any further questions for the applicant.

There being no further questions, Chairman Ellis asked if anyone from the audience wished to make public comments on this application.

Arnie C. “AC” Dienoff, was sworn in. Mr. Dienoff stated that he is not in opposition to the request to increase the number of guests allowed to 250, as that falls in compliance with other with wedding venues that have been approved throughout the County. He does have concerns with extending the hours of operation allowed, and would like to make sure that both the Planning & Zoning Commission and the County Council are treating all applicants fairly and being consistent with these venues all having the same hours of operation allowed. He would urge the Planning & Zoning Division staff to do their due diligence and research what this case involves before a recommendation to change the existing conditions of this CUP is made. He would also like for the Planning & Zoning Commission to take notice of past applications of this type and treat each applicant fairly and keep venues to a
10:00 p.m. ending time for weddings, and 9:30 to 9:45 p.m. ending time for any other amplified indoor music events.

Chairman Roger Ellis asked if there were any questions from the Commission for Mr. Dienoff. There were no questions.

Chairman Ellis stated to Mr. Dienoff that some of the conditions in the existing CUP were added at the request of applicant in 2017.

Mr. Dienoff responded that some of those conditions were added by the Planning & Zoning Commission as well.

Chairman Roger Ellis asked if there was anyone else in the audience that wanted to speak on this application.

Seeing none, Chairman Ellis closed the public hearing and asked the applicant to come back to the podium.

Edward Barrieau came back up to the podium.

Chairman Ellis asked Edward Barrieau if he was involved in a lawsuit that is related to the operation of this venue.

Edward Barrieau responded in the negative.

There being no further questions for the applicant, Chairman Ellis closed the public hearing and called for discussion from the Commission.

Terry Hollander stated that he understands the request for additional months of operation and to increase the number of guests allowed, but is somewhat opposed to the request to extend the hours for amplified music.

Edward Barrieau responded that he would be fine with that, and he does not intend to change his policy regarding the hours of operation or the ending times for amplified music. He requested that the Commission at least recommend granting him a five-minute cushion on the 10:30 p.m. ending time for music, so that he doesn’t have to potentially stop the deejay during the final song.

Craig Frahm stated that he thinks this may always be a problem. He stated the policy is on Mr. Barrieau’s current website, and it states that there is a 10:30 p.m. ending time for music.

Edward Barrieau stated that his biggest fear is that a song will pass the 10:30 p.m. time limit, and that would become a violation of his CUP. He asked the Planning & Zoning Commission for ideas on how to prevent this from happening.

Tom Kuhn asked if the Planning & Zoning Commission would be amenable to splitting the difference and recommending an ending time of 10:45 p.m. for amplified music.

Chairman Roger Ellis asked Terry Hollander if he would be open to a 10:45 p.m. ending time.

Terry Hollander stated he would be open to having a 10:45 p.m. ending time for music, but not on weekdays.
Chairman Roger Ellis stated that the current CUP does not address music for events other than wedding and wedding receptions. He asked if other events held on the property are also required to end the music no later than 9:00 p.m. on weekdays and 10:00 p.m. on weekends.

Robert Myers responded that the current conditions of the CUP only limit the hours on music for wedding receptions. The wording on this condition allows for outdoor music for all other events.

Edward Barrieau stated that his biggest concern during the initial approval of this CUP was wedding receptions. He stated that he does not play any music or hold any other events outdoors on the property.

Tracy Boehmer asked Edward Barrieau if he would be amenable to changing just the weekend end time for music to 10:45 p.m., and leaving weekday ending time at 9:00 p.m.

Edward Barrieau responded in the affirmative.

There being no further questions for the applicant, Chairman Ellis closed the public hearing and called for discussion from the Commission.

There being no further discussion from the Commission, Chairman Ellis entertained a motion to recommend approval of CUP20-02, with two revisions.

Revision 1: Paragraph 2 of CUP17-06 would be replaced by the following paragraph: “Wedding receptions will be offered on Fridays, Saturdays and Sundays, and receptions will end no later than 12:00 a.m. except that music and such wedding receptions will end no later than 10:45 p.m. All other events will end at 9:00 p.m. on weekdays 10:00 p.m. on weekends.”

Revision 2: Paragraph 6 of CUP17-06 would change to “No more than 250 guests will be allowed.”

Tom Kuhn made a motion of approval, and Tracy Boehmer seconded the motion.

The vote on the motion was as follows:

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Application No. CUP20-02 was recommended for APPROVAL.

The Vote Count was 6 Yeas, 0 nays and 0 Abstentions.
Robert Myers, Planning and Zoning Division Director, described the subject property and surrounding land uses. The applicant is requesting a zoning change from A, Agricultural District (5-acre minimum lot size) to RR, Single-Family Residential District (3-acre minimum lot size). The Zoning in this immediate area is Agricultural but the Master Plan north of Meyer Road is solidly low density residential (1 - 4 dwellings per acre). Low density residential does not meet the minimum parcel size required for on sight sewage disposal system, and this parcel is outside of the sewer service area for both the City of Foristell and the City of Wentzville. For this reason, this property will not be able to be developed any time soon at a density less than one dwelling per three acres.

County staff recommends that P&Z Commission recommend approval of this rezoning to RR, Single-Family Residential District (3-acre minimum lot size).

For the record, staff received one written communication regarding this application from the U.S. Army Corp of Engineers.

Chairman Ellis asked if the Commission had any questions for the Planning & Zoning staff.

Chairman Ellis asked Robert Myers what impact the letter from the Army Corps of Engineers has on the proposed development.

Robert Myers explained that if this property is developed, it needs to be reviewed by the Army Corps of Engineers to confirm that no wetlands would be impacted.

Chairman Ellis asked Robert Myers what would happen if this rezoning was approved, and the Corps of Engineers finds out later there are issues with developing the property.

Robert Myers stated if wetlands are found on the back side of this property along McCoy Creek, given that the requested density is so low (3 acres per lot) the plat could easily incorporate wetland areas within the lots. He also stated that any floodplain area located on the property will be required to be set aside as common ground.
There being no further questions for staff, Chairman Ellis opened the public hearing and asked the applicant to come forward.

Thomas Dubray, the property owner, was sworn in. Mr. Dubray stated that he has lived on west side of the parcel adjacent to this property for 25 years. When he purchased this property, it was zoned Agricultural with a 3-acre minimum lot size. Then the County changed the minimum lot size for Agricultural zoning to 5 acres. He is requesting that the zoning go back the original 3-acre minimum lot size to allow more flexibility for buyers. Some buyers may want 5-acre lots, and some may want 3-acre lots. He stated that his son has an interest in building homes on the property periodically if this rezoning request is approved, and he would be happy to see it develop into a great community in west St. Charles County. Most of the properties to the south are all on 3-acre lots, so this would not be any different than the lots in that area.

Chairman Ellis asked if there were any questions for the applicant.

Tracy Boehmer asked Mr. Dubray how many homes he estimates will be built on the rear portion of the property.

Thomas Dubray responded that its only feasible to build about 6 homes, including the home that he lives in now due to the steep drop-off in that area around the McCoy Creek. There being no further questions, Chairman Ellis asked if anyone from the audience wished to make public comments on this application.

Arnie C. “AC” Dienoff, P.O. Box 1535 O’Fallon, MO was sworn in. Mr. Dienoff stated that the 2030 Master Plan does slate this area for 3-acre lots. He stated that retention or detention of water runoff needs to be address is the 3-acre zoning is approved, otherwise he is not opposed to this rezoning request.

Chairman Ellis asked if there was anyone else in the audience that wanted to speak on this application.

Seeing none, Chairman Ellis closed the public hearing and called for discussion from the Commission.

There being no discussion, Craig Frahm made a motion to recommend approval of Application No. RZ20-01. Diane Saale seconded the motion.

The vote on the motion was as follows:

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Application No RZ20-01 was recommended for APPROVAL.

The Vote Count was 6 Yeas, 0 Nays and Abstentions.
TABLED ITEMS

NONE

APPROVAL OF THE MINUTES FROM THE JANUARY 15, 2020 REGULAR MEETING

Chairman Ellis asked for a motion to approve the minutes from the January 15, 2020 regular meeting.

Craig Frahm made such motion, and the motion was seconded by Tom Kuhn. The minutes were approved by unanimous voice acclamation.

OTHER BUSINESS

I. PLANNING AND ZONING DIVISION UPDATES

1) Robert Myers announced that St. Charles County’s 2030 Master Plan will receive an award by the American Planning Association. He added that the online interactive Master Plan is a great resource for schools and residents.

2) Robert Myers stated that the State of Missouri issues the County a stormwater quality permit requiring the County through its laws and educational programs to addresses stormwater quality and quantity. The Missouri Department of Resources is currently stepping up its requirements under this permit, and would like to see St. Charles County take additional steps in terms of stormwater quality. The County has been soliciting feedback from stormwater professionals from St. Charles County, and they may request that the St. Charles County Council consider revising its stormwater ordinances to better address this.

3) Chairman Ellis congratulated Robert Myers for the Master Plan award.

ADJOURNMENT OF MEETING

Tom Kuhn made a motion to adjourn the meeting. The motion was seconded by Diane Saale and was approved by unanimous acclamation. The meeting adjourned at 8:04 p.m.

Respectfully submitted by:

__________________________  __________________________
Roger Ellis, Chairman          Tom Kuhn, Secretary