

**ST. CHARLES COUNTY
PLANNING & ZONING COMMISSION
REGULAR MEETING
JUNE 15, 2022
7:00 PM**

COUNTY EXECUTIVE BUILDING
THIRD FLOOR COUNCIL CHAMBERS
100 NORTH THIRD STREET
SAINT CHARLES, MO 63301

This meeting is open to the public.
The meeting will also be available live online via YouTube at youtube.com/SCCMOTV.

Please note: This agenda may be modified and additional items or documents may be added through 5:00 p.m. on Tuesday, June 14, 2022

Tentative Agenda

CALL TO ORDER

PLEDGE OF ALLEGIANCE

CHANGES AND/OR ADDITIONS TO THE AGENDA

PUBLIC HEARINGS

PLATS

NONE

TABLED / CONTINUED ITEMS

NONE

APPROVAL OF MINUTES FROM THE MAY 18, 2022 MEETING

Documents:

[05-18-2022 PZ MTG MINUTES - DRAFT.PDF](#)

OTHER BUSINESS

I. PLANNING AND ZONING DIVISION UPDATES

ADJOURNMENT

MINUTES OF REGULAR MEETING

ST. CHARLES COUNTY PLANNING AND ZONING COMMISSION

DATE: MAY 18, 2022

TIME: 7:00 PM

PLACE: COUNTY EXECUTIVE BUILDING
300 N. THIRD ST.
THIRD FLOOR COUNCIL CHAMBERS
ST CHARLES, MO 63301

MEMBERS PRESENT: Jennifer Bahr, Tracy Boehmer, Kevin Cleary, Chad Cornwell, Roger Ellis, Craig Frahm, Terry Hollander; Jamaal Jackson; and Kyle Shell

MEMBERS ABSENT: None

STAFF PRESENT: Robert Myers, Director of Planning & Zoning; Bryan Wise, Associate County Counselor; Mark Price, Senior Planner; and Mariza Almstedt, Recording Secretary

CALL TO ORDER

Chairman 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.

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.

Chairman Ellis noted that a quorum was present and entertained a motion to open the meeting. Commissioner Boehmer made such motion, and Commissioner Jackson seconded the motion. The motion passed by unanimous voice vote.

Chairman Ellis provided instructions for those wishing to speak at the meeting.

CHANGES TO THE AGENDA

There were no changes to the Agenda.

APPLICATIONS FOR TEMPORARY FIREWORKS STAND CUP PERMITS

I. TEMPORARY FIREWORKS STAND CONDITIONAL USE PERMIT- 3494 HIGHWAY 94 N

Application: FWK22-12
Applicant: Dennis Thebeau
Property Owner: Frederick T. Dyer Trust
Zoning: I2, Heavy Industrial District, with Floodway and Floodway Fringe Overlay Districts
Location: On the east side of North Highway 94 approximately 880 feet north of Joyce Drive, near the City of St. Charles
Council District: 6
Account No.: 885270A000

Mark Price, Senior Planner, provided a verbal report for Application No. FWK22-12.

Mark Price said County staff did receive two letters in opposition from the community regarding this temporary firework stand.

With no questions for County staff, Chairman Ellis asked the applicant to come forward.

Dennis Thebeau, 3127 Elm St., St. Charles, MO 63301 was sworn in. Mr. Thebeau said he is planning to have a firework stand comparable to the one he’s had in the city for 30 years. He stated all of the trailers will be moved.

Commissioner Frahm asked if all of the trailers would be moved out. Mr. Thebeau answered in the negative. Commissioner Frahm said that staff said the trailers would be moved to the south but that’s where all of the trailers are. Mr. Thebeau said about six trailers will be moved. Commissioner Frahm asked how much of that land does he occupy. Mr. Thebeau said it’s about 120 ft wide. Commissioner Frahm asked if there would be an additional entrance. Mr. Thebeau answered in the negative and the current one will be used.

Chairman Ellis asked the Commission if they had questions for the applicant.

With no further questions by Commissioners Chairman Ellis opened the public hearing and asked if anyone from the audience wished to comment on FWK 22-12.

Arnie C. Dienoff, PO Box 1535, O’Fallon, Mo 63366 was sworn in. Mr. Dienoff said he has reservations about this new firework stand application. He has several concerns about traffic as it is in a busy intersection and ADA compliance concerns related to restroom availability and accessibility to parking. He stated that the property should be restored by September 1, 2022.

There being no other speakers, Chairman Ellis closed the public hearing and called for discussion from the Commission.

There being no discussion from the Commission, Commissioner Hollander made a motion to approve Application No. FWK 22-12. Commissioner Boehmer seconded the motion.

The vote on the motion was as follows:

Tracy Boehmer	Yes	Kevin Cleary	Yes	Jennifer Bahr	Yes
Roger Ellis	Yes	Kyle Shell	Yes	Craig Frahm	Yes
Chad Cornwell	Yes	Jamaal Jackson	Yes	Terry Hollander	Yes

Application No. FWK22-12 was **Approved**.

PUBLIC HEARINGS

I. REZONING REQUEST - 3200 GREENS BOTTOM ROAD

Application No:	RZ22-10
Property Owner:	Allen B. McCoy III
Applicant:	Drew Weber, for Hamilton Weber, LLC
Current Zoning:	A, Agricultural District, with Floodway Fringe Overlay District
Requested Zoning:	PR, Park Recreational District, with Floodway Fringe Overlay District
2030 Master Plan:	Recommends agricultural land uses
Rezoning Area:	10.29 acres
Location:	Thies Farm Nursery, located approximately 1,500 feet northeast of the intersection of Caulks Hill Road and Greens Bottom Road
County Council District:	7
Account No.:	585780A000

Robert Myers, Director of Planning and Zoning, provided a verbal report for Application No. RZ22-10. Robert Myers said originally the entire parcel was going to be rezoned, but it has been recently amended to rezone only 4.75 acres on the western side of the parcel. Thies Farm Nursery located on the eastern side of the property would not be included and will still be zoned Agricultural.

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

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

Drew Weber, the applicant's representative, 200 North Third St., St. Charles, MO 63301 and Allen McCoy, property owner, 625 Laven Del Ln, Kirkwood, MO 63122 were sworn in. Mr. Weber did a presentation for the Planning & Zoning Commission regarding Application No. RZ22-10 of the rezoning of 3200 Greens Bottom Road and reiterated that the entire parcel is not up for rezoning just approximately half of it is. Mr. Drew provided an overview of the property, the inspiration for the project and the proposed goals of the concept plan. He also compared the differences between Agricultural Zoning and Park Recreational Zoning and permissible uses allowed in both zoning districts. He referenced a map on the screen that pointed out the line of demarcation showing where the rezoning would be of the new development, leaving Thies Farm unchanged. He also explained the reason for the change based on a consultation with Dave and Fran Thies. Mr. Weber outlined the history of Greens Bottom Road as it has been owned by the McCoy family for decades. He stated the majority of the property has been raised up out of the floodway and is in the floodplain, but not in the floodway. Mr. Weber stated the development's proposed rezoning of the western 4.75 acres to Park Recreational District with a recreational amenity is to get a bicycle shop. The hope is the development will create enough capital to help extend a water line to the property. Mr. Weber also defined what a Park Recreational District is and stated the majority of its uses are already allowed in the Agricultural District and are intended to be outdoor recreational uses, not intense or commercial district. Mr. Weber said

the primary reason for the requested rezoning is for the bicycle shop which is not allowed in the Agricultural District. He presented a revised Concept Plan to the Planning & Zoning Commission that was also shared with residents at a meeting. He noted after listening to concerns of residents about the gazebo and rooftop bar, several changes were made, and some ideas were withdrawn citing safety, traffic, noise and lighting concerns. He reviewed the allowed uses in the Park Recreational District and Agricultural Districts, benefits of each and the impact it would have to the neighborhood. Mr. Weber summarized he feels the proposed use of this property would complement the area and be of good use.

Chairman Ellis asked the Commission if they had questions for the applicant.

Chairman Ellis asked if this area will be gated after 10 p.m..

Mr. Weber responded that they have not discussed proposing a gate but there could be, and there is nothing that would prohibit them from doing so. He said there is a potential that there could be some potential cross connectivity with the other property requiring gating on both properties.

Chairman Ellis said that he asked about gating, as it would be a great place to have teenagers congregate without adult supervision which could be an issue.

Chairman Ellis asked if there will be any walking paths.

Mr. Weber responded that any of those recreational uses would be fair game, as what is being presented tonight is only a concept plan and is subject to change once the final plan is proposed. He stated that the owner would have nothing against walking paths.

With no further questions by Commissioners, Chairman Ellis opened the public hearing and asked if anyone from the audience wished to comment on Application No. RZ22-10.

Rich Arns, 3515 Bluff View Dr, St. Charles, MO 63303 was sworn in. Mr. Arns stated that the major concern of the residents in the Bluff View subdivision regarding this application is the noise. He would like to know what type of events will be held at this property. He asked if music would be played, and weddings would be scheduled on weekends. He asked if the property would have a liquor license. He stated that none of these questions have been addressed. Traffic, floodplain, and license issues are all notable concerns.

Bev Lofton, 3 Bluff View Court, St. Charles, MO 63303 was sworn in. Ms. Lofton stated that she is a 30-year tax paying resident of the Bluff Subdivision and lives on 4.5 acres that run along Greens Bottom Bluff directly across from the applicant's property. She stated that she opposes the rezoning of this property and finds Mr. McCoy's plan to provide family recreation opportunities and a bicycle shop disingenuous. She added that there was not enough information given about the concept plan at the neighborhood meetings to alleviate her concerns. Other neighbors are concerned about noise and light pollution, the dangerous two-lane access road, and lack of adequate parking. She feels that the revised concept plan is not any better than the original plan, and she does not feel that a bicycle shop is necessary. Overall, neighbors have not been convinced and oppose this rezoning request as it would change the peaceful rural setting, decrease property values, and it's in a floodplain.

Amy Stancy, 3538 Bluff View Dr., St. Charles, MO 63303 was sworn in. Ms. Stancy stated that she completely agrees with Ms. Lofton's comments. She did not receive a letter about the neighbor meeting, otherwise she would have attended it. She is concerned about security issues at night, vandalism, increased drug use, and drug dealing without proper security on the property. She stated that if the property is rezoned to Park Recreational District, the neighbors would have no control over any changes Mr. McCoy could make later, such as converting the property into an RV park. Road conditions and

traffic with three other new subdivisions is another issue. People from other areas will be attracted to this proposal, bringing in more traffic. She asked what will happen to this area when it floods?

Ron Heyduck, 3517 Bluff View Dr., St. Charles, MO 63303 was sworn in. Mr. Heyduck stated that he is concerned about safety issues, noise levels, and odor control from grilling. The proposed concept plan will invite more traffic with a gazebo, restaurant, and sports courts. Safety issues for bicyclists on the Katy Trail is also concern. He expressed concern for property value impacts from the proposed development.

Georgia Greene, 19 Oak Forest Dr. St. Charles, MO 63303 was sworn in. Ms. Greene stated that she has lived in her house since 1968. She stated that the County was sued by parents whose kids were killed on Greens Bottom Road because of drag racing. Ms. Greene stated that the neighborhood does not need another attraction to bring in additional kids into the area to race and mix with loud music and alcohol.

David Mulawa, 3513 Bluff View Dr., St. Charles, MO 63303 was sworn in. Mr. Mulawa stated that the State of Missouri owns a park right near here and he asked if a letter or opinion has been received from them regarding this application. Chairman Ellis stated he will ask staff about it. Mr. Mulawa also asked why there are no bike racks on the conceptual plan.

Jo Ann Smith, 13 Spring Lake Ct., St. Charles, MO 63303 was sworn in. Ms. Smith stated that she is a Trustee on the Board for the Bluffs Subdivision. She agrees with Ms. Lofton's comments made earlier during the meeting. She is speaking on behalf of residents who attended a meeting regarding the first representation of the concept plan for the proposed development. She asked if the zoning is changed, does that mean that they can change their mind later and implement other changes? Chairman Ellis said that the Commission will bring that up later for discussion.

Cliff Fairbanks, 11 Woods Hill Dr., St. Charles, MO was sworn in. Mr. Fairbanks stated that he has agreed with what everyone has already stated. He stated that he called Planning and Zoning last week and spoke to someone who told him that the letter that he received from the attorney's office that stated a restaurant could be put in an Agricultural District is not correct. He stated that that letter is misleading and has caused a lot of doubt.

Arnie C. Dienoff, PO Box 1535, O'Fallon, MO 63366 was sworn in. Mr. Dienoff stated that he would like to go on the record in support of this application and added that this type of development is what the County needs. He stated that the property has already been elevated to be raised above the floodplain. He added this is an urban collar county in the metropolitan area and the County needs to promote tourism and open our doors to visitors. He stated that the bicycle shop is the stumbling block of this development and if they remove it, they could have all of the other components of their plan without the approval of the Planning & Zoning Commission. Mr. Dienoff believes that this is a well thought out plan proposed by Mr. McCoy and asked that the Commission recommend approval to the County Council.

Chairman Ellis asked if anyone else from the audience wished to comment on Application No. RZ22-10.

There being no further audience speaker, Chairman Ellis asked the applicant's representative to come back to the podium.

Commissioner Bahr stated that her comments say nothing to the merit of the plan, but some of comments have been misleading and perhaps not intentionally. She stated that it was said that everything could be done in Agricultural District except for the bicycle shop but according to the Unified

Development Ordinance, that is true under a conditional use and not a permissive use which is an important distinction. If it was presented under a conditional use, it would need to be heard by the Planning & Zoning Commission and the County Council in order for that particular use be allowed. Conditions could be placed upon that particular use whereas with the Parks Recreational District zoning, many of the items fall under permissive use and would not be subject to conditions. By changing the zoning from Agricultural to Park Recreational District, there would be a large number of permissive uses available that would be conditional use under Agricultural.

Mr. Weber responded that would be true for the restaurant use.

Commissioner Bahr agreed that that is one of the uses, but there were others that were listed that would be conditional use.

Mr. Weber stated that the only other use proposed in the Agricultural District that would be allowed is the sports fields.

Commissioner Bahr stated that she just wants to be clear about the differences in the two districts.

Mr. Weber stated that under the Agricultural District more intense uses are allowed.

Commissioner Bahr responded that is true under conditional uses.

Mr. Weber said that they are still allowed under the law.

Commissioner Bahr agreed, and added that it would have to be presented to the Commission and be approved by the County Council.

Mr. Weber stated that none of those things would be allowed in the Park Recreational District.

Commissioner Bahr asked if the restaurant is going to have any outdoor seating or if it's going to be indoors to contain the noise level as there are legitimate concerns with decibel levels for nearby residents.

Mr. Weber agreed that those are legitimate concerns and stated that this was the purpose of having the resident meeting, and changes were made to accommodate those concerns. A significant purpose of this development is to have outdoor uses and it would have outdoor seating.

Commissioner Bahr asked if these are all permissive uses, would a site plan have to be submitted to County staff for approval?

Mr. Weber responded that without an end use being identified, it is unknown what would go in there, but a site plan would be required to construct any type building. Regarding the process for this proposed use, the next step after the rezoning would be subdividing the property and finding an end use, which will then require approval of a concept plan.

Commissioner Bahr asked if the concept plan will be approved by County staff.

Mr. Weber responded that the plan will be presented to the Planning & Zoning Commission and the County Council for approval.

Commissioner Boehmer asked Mr. McCoy if he is planning to develop this by himself.

Mr. McCoy responded that he is doing things a little at a time, as he has limited capital resources. The development will likely be built in blocks and not all at once. He added that he is very interested in the bicycle shop, as that this was the first thing he was planning to build, and he is offended that people feel he is disingenuous. He explained that his inspiration came from another bicycle shop that was positioned in a residential area that did very good business. Mr. McCoy stated that he is developing this himself and he will likely expend all of his cash flow over time. He explained that he inherited the property from his dad in 2018 and would like to develop this property into something nice over time that will also bring people to the Thies business. He would also like to have something that would generate enough revenue to justify a water pipeline from Caulks Hill Road to the Katy Trail and would welcome any partnership in that effort. He would also welcome a partnership to help with fencing to avoid people congregating in parking lots that currently exists at Pitman Hill and Greens Bottom Rd. Mr. McCoy said his property is raised at least 10 feet above the 1995 flood if not more and it is raised on a lot of concrete that debris is not going anywhere. The Theis family built at least a million-dollar building on top of that property on that fill and have had no issues with it in almost 10 years.

Chairman Ellis asked the Commission if they had any further questions for the applicant.

Commissioner Frahm explained to Mr. McCoy that the residents are apprehensive about this development because the conceptual plan is not finalized, and this is scaring them.

Mr. McCoy said that he is not trying to do that, and Commissioner Frahm said that he knows that.

Commissioner Frahm explained that the purpose of these hearings is to find out an applicant's plans, but once changes were made to this plan, that instilled weariness. He recommended that Mr. McCoy go back to the neighbors again before this gets this plan voted on, because he doesn't know how this is going to go.

Mr. McCoy stated that he does not know how to eliminate their fears. He simply wants a property to be a place where he is proud to take his kids and right now his property is just a lot of grass. He added that he is an individual property owner, and he doesn't have Clayco kind of money, so he is not going to build a venue like the Riverport Amphitheater here.

Commissioner Boehmer stated that she has surmised that his intention is family oriented and the two things that threw it off were associating a rooftop bar and family oriented, because they don't go hand in hand.

Mr. McCoy said that he may have used the wrong words in describing his vision.

Commissioner Boehmer stated that there seems to be concerns about an acoustic guitar playing until 9 p.m. and that is being met with resistance.

Mr. Weber stated that they removed the stage from the concept plan, and if they are not going to be believed then he doesn't know what to do.

Commissioner Bahr stated that theoretically, Mr. McCoy could sell the property to someone who could then build something different.

Commissioner Frahm stated that is not true, they would still have to come to the Planning & Zoning Commission with a concept plan for approval.

Commissioner Bahr said that if the Commission was simply voting on the application under a conditional use within the Park Recreational Zoning District, that would be different as the bicycle shop is not a conditional use under the Agricultural District regulations.

Mr. McCoy said that he spent \$5,000 last year to have this plan drawn up and his architect couldn't even remember to put bike racks on the plans. He then went to a lawyer and spent big bucks for his assistance to him to get him through this process. He stated that this is why he chose to request Park Recreational District zoning to justify the additional investment in a more specific architectural detailed plan.

Commissioner Bahr asked how he is planning on recouping this investment, as many of the things on his list are not revenue oriented.

Mr. McCoy said that he is looking for ways to draw people in to make money but.

There being no further questions for the applicant, Chairman Ellis closed the public hearing and asked the Commission if they had any further discussion about Application No. RZ22-10.

Commissioner Cornwell asked staff if this is rezoned and it's a permitted use and it becomes a restaurant, would this plan have to come back before the Commission as approved by staff.

Robert Myers responded that the thing that would have to come back before this board would be the subdivision plat to subdivide the property from one to two parcels. A site plan would not come before this body, as it would be reviewed and approved by County staff. Mr. Myers explained that there would still be a number of permits they would have to obtain from the County should this rezoning request be approved, including a special use permit from the County Highway Department.

Commissioner Bahr asked if the applicant could basically build anything that falls within that permissive range without having to come back before the Commission.

Mr. Myers responded that they could build with building permits any of the permissive uses allowed within the Park Recreation Zoning District. They would have to meet all of the standard requirements such as setbacks and height restrictions. He added that there are limitations on definitions for restaurants, so sales would have to be primarily come from food rather than drinks and they could have an outside patio.

Commissioner Bahr asked if there are County regulations regarding decibel levels, of limitations would need to be placed for those with a conditional use permit.

Mr. Myers responded that decibel level restrictions are not in the Zoning Ordinance, but there is an Ordinance that deals with amplified sound that has limitations and is typically enforced by the police department. The Building and Code Enforcement division could enforce sound provisions, but that would revolve around amplified sound. If it's not amplified sound it would fall under the Police Department.

Commissioner Hollander stated that this is a difficult application, and he would feel more comfortable if this was coming to the Commission as conditional use permit request because conditions could be added to that in order to help appease the neighbors but that cannot be done on a rezoning request. He said that if they go back to Agricultural Zoning, it won't help their cause because they want the bicycle shop. He stated that he is caught in the middle on this one.

Commissioner Cleary stated that his concern is that his concept plan could take years to come to fruition and if it doesn't become feasible, changing the zoning opens it up to potentially a lot of higher uses. He has concerns about a long-term zoning change.

Commissioner Bahr asked if just a small portion of the property that could accommodate the bike shop could be rezoned to Park Recreational District, and the rest of the property remain Agricultural so that everything else could be done under a conditional use permit.

Robert Myers responded that typically the entire parcel is rezoned. He stated that they are currently proposing to rezone half of the parcel, which they subdivide from the main parcel. If small portions of a parcel are rezoned, it would be categorized as 'spot zoning' which generally frowned upon. It's not prohibited but it's a planning principle.

Commissioner Jackson stated that overall, the general consensus is the better option is to get rid of the bicycle shop and do this under a conditional use permit, which seems to be a better course of action that would allow the Commission to put conditions in place.

Commissioner Ellis asked Bryan Wise if he should abstain from voting on this application, as he knows Mr. Arns and his brother has worked for him 27 years at Lindenwood college.

Bryan Wise responded that if there isn't a conflict of interest, then Commissioner Ellis should not have to abstain from the vote.

There being no further discussion, Chairman Ellis entertained a motion to recommend approval of Application No RZ22-10. Commissioner Frahm made such motion, and Commissioner Hollander seconded the motion.

The vote on the motion was as follows:

Tracy Boehmer	No	Kevin Cleary	No	Jennifer Bahr	No
Roger Ellis	No	Kyle Shell	No	Craig Frahm	Yes
Chad Cornwell	No	Jamaal Jackson	No	Terry Hollander	No

Application No. RZ22-10 was recommended for **DENIAL**.

II. CONDITIONAL USE PERMIT REQUEST - 215 JOSEPHVILLE RD

Application No: CUP22-04
 Property Owner: Lake St. Louis Boat & RV Storage, LLC
 Applicant: Ben Moliter for Lake St Louis Boat & RV Storage, LLC
 Property Zoning: II, Light Industrial District
 Conditional Use Requests: (A) An outdoor storage lot for automobiles, boats, trailers, and recreational vehicles; and
 (B) An outdoor storage area/yard for contractor's heavy construction equipment; and
 (C) Landscaping and contracting services

Parcel Size: 8.67 acres
Location: Approximately 800 feet north of Gilmore Access Road on the west side of Josephville Road, Adjacent to the General Motors plant and the City of Wentzville
County Council District: 1

Mark Price, Senior Planner provided a verbal report for Application No. CUP22-04 discussing each of the three conditional use requests separately.

Mr. Price stated that for the first conditional use request, CUP22-04(A), the applicant is requesting to construct an outdoor storage lot for automobiles, boats, trailer, and recreational vehicles.

For the second conditional use request, CUP22-04(B), the applicant is requesting to construct an outdoor storage area/yard for contractor's heavy construction equipment.

For the third conditional use request, CUP22-04(C), the applicant is requesting to operate a landscaping and contracting services business on the property.

Mark Price referenced the concept plan on the screen and pointed to the boat, automobile, and trailer storage yards which will act as a screen from agricultural uses to the south. He stated that the two heavier property uses for the landscaping contracting services, and the construction equipment and heavy machinery storage will be on the northwest corner of the property, towards the existing concrete plant. He stated that staff recommends that the Planning & Zoning Commission recommend that the County Council approve all three of the requested uses, subject to specific conditions which are listed in the staff recommendation report.

Mark Price noted that staff has received one comment letter regarding this application from the City of Wentzville.

Commissioner Boehmer asked what the letter from the City of Wentzville stated.

Mark Price responded that the City of Wentzville stated in their comment letter what their requirements would be for this use if the property were going to be developed within the City limits.

Commissioner Boehmer asked if the comments from the City of Wentzville line up with the conditions that are recommended by staff.

Mark Price answered in the affirmative.

Chairman Ellis asked the Commission if they had any other questions for staff.

Commissioner Jackson said that this property address seems to be similar to a conditional use permit request that the Commission reviewed last year, and he asked if this request is related to that one.

Mark Price replied that this request is not related to the previous request. He stated that there was a preliminary plat that was submitted last year which divided this area into three different lots, and another preliminary plat that divided the lot to the north of into two separate lots. This is a separate lot and a continuation of the development in this area.

With no further questions for County staff, Chairman Ellis asked the applicant to come forward.

Mark Struckhoff, of Bax Engineering Co, 221 Point West Blvd, St. Charles, MO 63301 was sworn in. Mr. Struckhoff stated that he is here on behalf of the applicant, Ben Moliter. He stated that he is asking for approval for three different conditional use requests from the Planning & Zoning Commission and the County Council. He noted that the 'heavy equipment' that will be stored on the property will actually be smaller equipment such as mini excavators, small skids, and bobcats He stated that regarding the buffer on the side facing the agricultural area, the 'Type 3' buffer that is required by County Ordinance is the thickest and most intrusive type of buffer and will provide maximum noise protection and dust protection for the agricultural properties. He stated that the landscaping business will have minimal outside storage, mainly just trucks and trailers. They do not have lawn mowers, weed eaters, or any of those types of power equipment. Their focus is on the health of the landscaping.

Chairman Ellis said each CUP request will be looked at individually and voted on separately. He asked the Commission if they had any questions for the applicant's representative regarding CUP22-04(A), for outdoor vehicle storage. There were no questions.

Chairman Ellis asked the Commission if they had any questions for the applicant's representative regarding CUP22-04(B), for contractor's heavy construction equipment storage. There were no questions.

Chairman Ellis asked the Commission if they had any questions for the applicant's representative regarding CUP22-04(C), for landscaping and contracting services. There were no questions.

Chairman Ellis opened the public hearing for all three portions of this conditional use request and asked if anyone from the audience wished to comment on Application CUP22-04.

Arnie C. Dienoff, PO Box, O'Fallon, MO 63366 was sworn in. Mr. Dienoff stated that that for the record, his comments will apply to all three CUP requests. He stated that he is neutral on these three conditional use requests, and he thanked staff for notifying the City of Wentzville. Mr. Dienoff stated that he would like to go on the record as being in favor of the Type 3 buffer being recommended for screening, and he stated that he would also like to see spruce trees added. He would like to see additional conditions be added to the conditional use permit for the safety and security of the surrounding properties.

Chairman Ellis asked if anyone else from the audience wished to comment on Application No. CUP22-04.

There being no further audience speakers, he asked the applicant to come back to the podium.

Chairman Ellis asked that since the vehicle storage area is going to be an open lot, will people be coming in and out at any time of day or night? He also asked if the property will be gated.

Mr. Struckhoff responded that there will be an automatic gate at the entrance further up the drive that has been shown on the concept plan that was submitted. Also, the entire perimeter will be fenced with an eight-foot-high chain link fence.

Chairman Ellis asked if the entrance will be coming off of Highway A or off of Josephville Road.

Mr. Struckhoff responded that it will be off of Josephville Road. He added that they will utilize the existing entrance that is there now and will continue that back into the development.

Chairman Ellis asked if the Commission had any further questions for staff. There were no further questions.

Chairman Ellis entertained a motion to recommend approval of CUP22-04(A), subject to the recommendations proposed by staff.

Commissioner Cornwell made a motion to recommend approval and Commissioner Jackson seconded the motion.

The vote on the motion was as follows:

Tracy Boehmer	Yes	Kevin Cleary	Yes	Jennifer Bahr	Yes
Roger Ellis	Yes	Kyle Shell	Yes	Craig Frahm	Yes
Chad Cornwell	Yes	Jamaal Jackson	Yes	Terry Hollander	Yes

Application No. CUP22-04(A) was recommended for **Approval**.

Chairman Ellis entertained a motion to recommend approval of CUP22-04(B), subject to the recommendations proposed by staff.

Commissioner Boehmer made such motion, and Commissioner Shell seconded the motion.

The vote on the motion was as follows:

Tracy Boehmer	Yes	Kevin Cleary	Yes	Jennifer Bahr	Yes
Roger Ellis	Yes	Kyle Shell	Yes	Craig Frahm	Yes
Chad Cornwell	Yes	Jamaal Jackson	Yes	Terry Hollander	Yes

Application No. CUP22-04(B) was recommended for **Approval**.

Chairman Ellis entertained a motion to recommend approval of CUP22-04(C), subject to the recommendations proposed by staff.

Commissioner Hollander made such motion, and Commissioner Bahr seconded the motion

The vote on the motion was as follows:

Tracy Boehmer	Yes	Kevin Cleary	Yes	Jennifer Bahr	Yes
Roger Ellis	Yes	Kyle Shell	Yes	Craig Frahm	Yes
Chad Cornwell	Yes	Jamaal Jackson	Yes	Terry Hollander	Yes

Application No. CUP22-04(C) was recommended for **Approval**.

6. TABLED AND/OR CONTINUED ITEMS

NONE

7. APPROVAL OF THE MINUTES FROM THE April 20, 2022 REGULAR MEETING

Chairman Ellis asked for a motion to approve the minutes from the April 20, 2022 regular meeting. Commissioner Hollander made such motion, and the motion was seconded by Commissioner Boehmer. The minutes were approved by unanimous voice acclamation.

8. OTHER BUSINESS

I. PLANNING & ZONING DIVISION UPDATES

Robert Myers thanked the Commission for their patience while the Planning and Zoning Department has been short staffed but two new Planners and a Grant Administrator have been hired.

- II. A public hearing will be held on Tuesday, May 31 at the County Council meeting on the proposed use of disaster funds as the State of Missouri is now ready to take applications for disaster recovery funding. Application process will begin mid-June for approximately 15 million dollars for long term recovery which is a voluntary buyout program. The application can be viewed online at sccmo.org 203
 - III. Chairman Ellis stated that the St. Charles Port Authority created two AIM Zones last month in advanced industrial manufacturing zones, which were created by the State legislature years ago, that identifies an area of potential development from an employment perspective. The two AIM Zones are located in Wentzville around the GM Plant and the other is the Riverfront project with the City of St. Charles. By participating in the program, the Port Authority can capture 50% of the State withholding tax of any new business owner or any owner with expansion plans within the Zone. It is a voluntary program.
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9. ADJOURNMENT OF MEETING

Commissioner Boehmer made a motion to adjourn the meeting. The motion was seconded by Commissioner Bahr and was approved by unanimous acclamation. The meeting adjourned at 9:05 p.m.

Respectfully submitted by:

DRAFT