

## MINUTES OF REGULAR MEETING

### ST. CHARLES COUNTY PLANNING AND ZONING COMMISSION

**DATE:** SEPTEMBER 21, 2022

**TIME:** 7:00 PM

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

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**MEMBERS PRESENT:** Jennifer Bahr (attended virtually); Tracy Boehmer; Kevin Cleary; Chad Cornwell; Roger Ellis; Craig Frahm (attended virtually); Terry Hollander; Jeanette Koechner, and Kyle Shell

**STAFF PRESENT:** Robert Myers, Director of Planning & Zoning; Doug Moslehi, County Planner; Bryan Wise, Associate County Counselor; and Mariza Almstedt, Recording Secretary

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#### 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 Cleary seconded the motion. The motion passed by unanimous voice vote.

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

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## CHANGES TO THE AGENDA

At the request of the applicant, applications RZ22-14 (rezoning request for 3866 South Point Prairie Road) and PRE22-11 (preliminary plat for Saxony Ridge) have been postponed until the October 19, 2022, Planning & Zoning Commission meeting.

Chairman Ellis entertained a motion to continue RZ22-14 and PRE22-11 for 3866 South Point Prairie Road to the October 19, 2022, Planning & Zoning Commission meeting. Commissioner Hollander made such motion, and Commissioner Shell seconded the motion. The motion was carried by unanimous voice acclamation.

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## PUBLIC HEARINGS

### I. REZONING REQUEST - HIGHWAY B

Application No: RZ22-12  
Property Owner/Applicant: John C. Bohnert  
Current Zoning: A, Agricultural District, with Floodway and Floodway Fringe Overlay Districts  
Requested Zoning: RF, Riverfront District, with Floodway and Floodway Fringe Overlay Districts  
2030 Master Plan: Recommends agricultural and floodplain uses  
Rezoning Area: 12.732 acres  
Location: Bordering the Mississippi River and north of the Burlington Northern and Santa Fe Railroad tracks  
County Council District: 1  
Account No.: T160400008 and 274260A000

Doug Moslehi, County Planner, provided a verbal report for Application No. RZ22-12. Mr. Moslehi stated that prior to final approval of the building permit for this project, a no rise certificate from an engineer would be required to confirm that there is nothing impeding the water flow and causing water to move off of the property going elsewhere causing flood issues.

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

There being no questions for County staff, Chairman Ellis asked the applicant or their representative to come forward.

The property owner, John Bohnert (1596 Autumn Lane, Osage Beach, MO 65065) was sworn in. Mr. Bohnert stated that he contacted the Planning and Zoning Department to discuss adding a few more campgrounds to this existing RV park and was told that he would need to pull a building permit for that, which he did. He was then told by County staff that it would be better for him to request the rezoning of his property from A, Agricultural District to RF, Riverfront District for this

project so that is what he did. He stated that he plans to put a gravel road in the existing field and will lay rocks for the RV pads to impede any water flow. He has spoken with Ameren, and they have written up a plan to provide electricity to the area for the RV's.

Commissioner Cleary asked if there would be any bathroom facilities on the property.

Mr. Bohnert responded that the campers are all self-contained and people bring fresh water from their homes and fill their holding tanks. A truck comes through and services the campers on Sundays.

Commissioner Cleary asked if there would be electric hook-ups.

Mr. Bohnert answered in the affirmative. He stated that there is a mound on the property that Ameren will run electric on top of. He added that a storage shed might be built in the future for the electrical equipment.

Chairman Ellis asked who would provide trash disposal.

Mr. Bohnert responded that renters are responsible for removing their own trash per their contract. He added that there will not be any water or sewer hookups but there will be electric hookups available.

Commissioner Koechner asked Mr. Bohnert if people typically rent his lots for the entire summer.

Mr. Bohnert responded that he rents his lots by the year.

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. RZ22-12.

James Ploudre (4123 Golden Wheat Dr, St. Charles, MO 63304) was sworn in. Mr. Ploudre asked how the black and gray water is disposed of.

Chairman Ellis responded that he would ask the applicant to answer that question when he returns to the podium.

Arnie Dienoff, (PO Box 1535, O'Fallon, MO 63366) was sworn in. Mr. Dienoff stated that he is not opposed to this application, but he would like to see additional conditions be added to protect the property. He also questioned what is being done with the black and gray water, and he suggested having an available emergency contact through St. Charles County Emergency Operations Center as other municipalities do.

Chairman Ellis asked if anyone else from the audience wished to comment on this application.

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

Commissioner Boehmer asked if there are any buildings on the site.

Mr. Bohnert stated that picnic tables and barbeque pits are brought in by the renters. He added that people staying out here closely watch the river stages and when the river is coming up, they take all of their possessions and move out immediately.

Commission Boehmer asked what is done with the gray and black water.

Mr. Bohnert responded that the water is pumped out every Sunday.

Mr. Bohnert asked if he would have to attend the County Council meeting on October 11, 2022 regarding this application.

Chairman Ellis explained that the vote taken by the Planning and Zoning Commission this evening is for a recommendation to the County Council. He stated that the County Council will hear this application at their meeting on October 11, 2022, anyone wishing to speak on this application can voice their opinion to accept or reject the recommendation of this Commission at that time. Mr. Bohnert should be in attendance at that meeting to answer any questions that the County Council may have for him.

There being no further discussion, Chairman Ellis entertained a motion to recommend approval of Application No RZ22-12.

Commissioner Cornwell made such motion and 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	Jeanette Koechner	Yes	Terry Hollander	Yes

Application No. RZ22-12 was unanimously recommended for **Approval**.

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## II. REZONING REQUEST - 4112 TOWERS ROAD

Application No: RZ22-13  
Property Owner: Huster Holdings, LLC  
Applicant: Matt Schlichter for Network Real Estate, LLC  
Current Zoning: R1E, Single-Family Residential District  
Requested Zoning: C1, Neighborhood Commercial District  
2030 Master Plan: Recommends low density residential uses  
Rezoning Area: 2.91 acres  
Location: On the northwest corner of Towers Road and Wellsmont Drive  
County Council District: 7  
Account No.: A963001134

Robert Myers, Director of Planning and Zoning, provided a verbal report for Application No. RZ22-13. He stated that the County Council approved a conditional use permit to operate a kennel on this property which has been in place since 1977. The applicant's goal would be to allow a short cell tower to be erected on this property should it be zoned commercial. He stated that this evening's discussion should not be on the merits of a cell tower, but rather to determine if this is the right place for commercial zoning.

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 or their representative to come forward.

The applicant, Matt Schlichter (5055 Highway N, Suite 200, St. Charles) was sworn in. Mr. Schlichter stated that his company, Network Real Estate, represents AT&T Mobility and is tasked with finding new sites for AT & T in the area which is the reason for this rezoning request. He provided a packet to the Commission summarizing who they are and what their mission entails. He presented statistics on how wireless data is used, including how many homes are currently wireless. He stated that AT& T has been providing cell service on a cell tower site in this area for over twenty years, but the existing agreement and the equipment on that site has expired and the property owner does not wish to renew. Mr. Schlichter stated that the new long-term solution for AT&T is to maintain service in this area, otherwise cell coverage will be lost including for the County's ALERT me emergency notification system. He stated that he is aware of the neighbor's concerns including noise, and traffic issues. Mr. Schlichter said that there are some commercial properties in this area within a mile that have mixed C1 and C2 zoned properties with cell sites, even though they are in a predominantly residential area. Continuing coverage is consistent with the Master Plan even though the staff report states differently, and with the current population growth in the area this will demand the need for more devices. Mr. Schlichter stated that he feels the rezoning in this area would only fall in line with what the Master Plan supports.

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

Commissioner Cleary asked for the location of the current cell tower.

Mr. Schlichter responded that it is on a water tower located across the street and is about 1,000 feet from the subject property.

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. RZ22-13. He reminded the audience that the Commission is only considering the rezoning of the property, and not if this is a good location for a cell tower.

Mary Alice Wright and Sam Wright (219 Wellsmont Court, St. Charles, MO 63304) were sworn in. Mrs. Wright stated that she and her husband are both Air Force veterans and cancer survivors. They moved St. Charles and bought their current home as their forever home until they received their notification letter from Planning and Zoning. She is against the rezoning request, as she wants her neighborhood to remain residential and peaceful. Mrs. Wright stated that she is also concerned about the health risk from to cell towers.

Emma Ernst (419 Wellsmont Drive, St. Charles, MO 63304) was sworn in. Mrs. Ernst stated that she and her fiancé recently bought this home with a future family in mind. She said this is a spacious and safe area where neighbors look out for each other. She was not aware that this area was going to be rezoned when they purchased their home. She presented a picture of her home, which shares a lot line with the property in question, to the Commission. Ms. Ernst cited health concerns regarding living next to cell towers. She is also concerned about the effects of rezoning this property and how it would devalue her home and if it is commercialized, that could allow for a number of businesses to operate on the property. She asked that the Commission deny this application to protect the health, families and children of this community.

Dan Fechter (211 Wellsmont Ct, St. Charles, MO 63304) was sworn in. Mr. Fechter stated that he is in opposition of this rezoning request for the use of a cell tower because of the negative impact it would have on the neighboring properties that back up to the site. He is concerned about the amount of radiation a cell tower emits, which is more than a cell phone, and how that would affect his autoimmune disorder. He stated that he has spent thousands of dollars making his backyard into an oasis, and he does not want a cell tower in his back yard.

James Ploudre (4123 Golden Wheat Dr. St. Charles, MO 63304) was sworn in. Mr. Ploudre stated that he lives 86 feet from the property in question and has lived there all of his life. He stated that the kennel that is currently operating on the property was never meant to be a commercial kennel but was granted a conditional use permit so that the owners could have their own dogs on that property for hunting and training purposes. He stated that the owners purchased the property in 2014 and have been providing commercial services on the property without coming before the County Council for approval of a rezoning. He stated that the owner now provides services comparable to a PetSmart, and he feels that the owner has been gaming the system without County Council's permission. The conditional use permit was granted for a residence with a kennel, and the operations no longer conform that because they do not meet the definition of a residential business and the house has not been occupied for 8 years. He stated that the cell tower that is being proposed is much less than a thousand feet from the closest existing tower, and the County does not allow cell phone towers within a thousand feet of each other. He asked the County to revoke the conditional use permit for a kennel that was granted 45 years ago and cite the owner for the commercial dumpster and the trailer that is parked on the grass. Mr. Ploudre asked why this property owner is being treated differently than the rest of the neighborhood residents. He concluded that Ms. Huster does not reside at or lease this property and he is not capable of having a residence on the property either.

Jomo Castro (15 South Rock Hill Rd, St. Louis, MO 63119) was sworn in. Mr. Castro stated that he is the Regional Director of External Affairs for AT&T and has worked there for 22 years. He stated that he was present this evening because he cares about the community and serving it. The rezoning request is consistent with the future land use plan as it will provide key services to the community including wireless coverage, broadband, and emergency communication services. He stated that he plans to keep the green space intact on the property, and as the previous speaker stated the property is currently being operated as commercial use. He added that the rezoning is a reasonable request.

Bradley Stribling (412 Wellsmont Dr., St. Charles, MO 63304) was sworn in. Mr. Stribling stated that he is an adjacent property owner, and he lives across the street from this property. When he walks out of his home he will see the cell tower if it is approved. He stated that he would like to see a vision of growth that is consistent with this area. He wants his neighborhood to remain

residential and doesn't want to walk outside to noise and light pollution, a trash dumpster, and trailers parked on this property. He believes that there will be a devaluation of property if this rezoning request is approved. The significant number of letters that have been submitted opposing this rezoning should mean something.

Andrew J. Ortyn (416 Wellsmont Dr, St. Charles, MO 63304) was sworn in. Mr. Ortyn stated that he is concerned about the potential for crime to arise from a commercial property. If the rezoning is approved then it will increase the chance for crime, and this is not in line with the 2030 Master Plan.

Arnie Dienoff (PO Box 1535, O'Fallon, MO 63366) was sworn in. Mr. Dienoff stated that the County's 2030 Master Plan Land Use Plan speaks for itself. No commercial property in residential zoning districts is permitted. He agrees with the recommendation of denial of this request from County staff. Mr. Dienoff also provided contact information for relevant property owners in the audience that may have a code enforcement complaint regarding this property, and he also provided the procedure for filing a remonstrance against this rezoning request. He asked that the Planning & Zoning Commission recommend denial of this application.

Marie Suzanne Pea (626 Glen Summit, St. Charles, MO 63304) was sworn in. Ms. Pea stated that she agrees with all of her neighbors and although she lives outside of this area she also sent an email in opposition of this rezoning request. She is concerned about marketability, as she would not purchase a home across the street from a commercial property. She stated that it is not acceptable to her to have a commercial property in this area, as it currently has a park-like atmosphere. She noted that the subdivision that she lives in is one of three subdivisions located down a dead-end road which leads to the Katy Trail, and there is no way out. If she has to turn left in order to get onto Towers Road to cross a commercial property, this will only add traffic and is not the nature of this area. She is aware of areas that are mixed use areas but those are in a different environment than where she lives, and to have that jeopardized for one person is unacceptable. She asked if any other options have been pursued by the company in the way of preserving cell service in this area.

Chairman Ellis asked the Commission if they had further questions for the applicant's representative. There were no further questions.

Chairman Ellis brought back the application to the Commission for consideration.

Chairman Ellis asked County staff to have code enforcement visit this property and check on the status of the existing kennel to see if it is in compliance with the conditional use permit.

There being no further discussion, Chairman Ellis entertained a motion to recommend approval of Application No RZ22-13. Commissioner Boehmer made such motion, and Commissioner Shell 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	No

Chad Cornwell	No	Jeanette Koechner	No	Terry Hollander	No
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Application No. RZ22-13 was unanimously recommended for **Denial**.

**III. CONDITIONAL USE PERMIT REQUEST - 2896 HIGHWAY K**

Application No: CUP22-10  
Property Owner: Martha A. Keeven Revocable Living Trust  
Developer: Louis Berra for Bestbox Storage  
Property Zoning: C2, General Commercial District  
Conditional Use Request: Self-storage/mini warehouses  
Parcel Size: 3.94 acres  
Location: On the east side of Highway K, approximately 500 feet south of Royall Springs Parkway, adjacent to the City of O'Fallon  
County Council District: 3  
Account No.: 410610D001

Doug Moslehi, County Planner, provided a verbal report for Application No. CUP22-10. Mr. Moslehi stated that the applicant is requesting a conditional use permit for a self-storage facility, which will be in the form of a 3-story warehouse building. He discussed the review criteria established within Section 405.510.B of the Unified Development Ordinance, which specify the factors to be considered for conditional use permit applications. He stated that the Planning and Zoning staff has recommended approval of this conditional use permit, subject to specific conditions which are stated in the staff recommendation report.

Commissioner Cleary asked if this application includes the building plans, or that is something that would be approved internally by County staff.

Doug Moslehi responded that the preliminary plat for the subdividing of this property next on the agenda, but building plans are not yet available and would be submitted to and approved by the Building Department at a later time pending approval of the CUP and subdivision plat applications.

Commissioner Cornwell asked how far it the buildings would be located from the northeast corner of the property line.

Doug Moslehi responded that he is unsure.

Commissioner Koechner asked if a temporary firework stand will still be allowed on that property as they have been in the past if these storage buildings are developed there.

Robert Myers responded that this property is zoned commercially so they could come back and request that a conditional use permit for a temporary fireworks stand be approved each year.



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

Beau Reinberg (7018 Maryland Ave, St. Louis, MO 63130), and Mike Hackmeister from Cochran Engineering (8 East Main St., Wentzville, MO 63385) were sworn in. Mr. Reinberg stated that he is one of the owners of Bestbox Storage, and he has been in the self-storage development and ownership business for 15 years. He stated that he prides himself on having the best-in-class product for residents and small businesses. This specific market within a three-mile radius from this site lacks a "Class A" self-storage facility. He defined a "Class A" storage facility as climate controlled and having secure access with a state-of-the-art security system. He stated that this is an undersupplied market with consumers and residents in this area that have to travel outside of their own area in order to accommodate their storage needs. He has developed a number of projects in residential areas which buffer a commercial area. It has been shown multiple times that a low impact amenity such as self-storage, with low noise and traffic, is a great buffer between higher intense uses and residential uses. He stated that residential residents are their primary customers, and they would be good neighbors.

Chairman Ellis asked if this property would be purchased or leased.

Beau Reinberg responded that it will be purchased.

Chairman Ellis asked what the restrictions are as to what can be stored in the individual facilities.

Beau Reinberg responded that no hazardous or flammable materials will be allowed.

Robert Myers stated that staff recommendation number 5 states that "No doors for storage units shall be located on the eastern side of the building." He stated that the purpose of this recommendation is to help protect the residents to the east of the property. He asked if the applicant had any comments or concerns regarding that proposed restriction.

Beau Reinberg responded that he has no problem with that restriction. He stated that the current elevation shows doors there, but they have no problem eliminating them. The need for the additional driveway is really driven by the fire department's need to have that hammerhead access. Seventy percent of the unloading and loading area is facing the commercial area of the vicinity. The rear exterior portion of the property would be left as landscaping and green space.

Chairman Ellis asked if the existing home would be removed from the property.

Mr. Reinberg answered in the affirmative.

Commissioner Cornwell asked where the building site will be located in relation to the property located to the east, which has a residence on it.

Mr. Hackmeister responded that he is not sure, as they have not gotten too far into the engineering aspect at this stage.

Commissioner Cornwell stated that he is trying to understand the grade of the property in consideration as to what the surrounding residents will be looking at.

Mr. Reinberg stated that there is a thick tree line between the town home community in that area, and there will be a landscaping requirement for maintaining this buffer.

With no further questions from the Commission, Chairman Ellis opened the public hearing and asked if anyone from the audience wished to comment on Application No. CUP22-10.

Lisa Gleason (117 Fallon Villa Ct, O'Fallon, MO 63368) was sworn in. Ms. Gleason stated that she is the President of the homeowner's association, and her home backs up to this property and sits below where this building will be. She said that at first she thought that a storage unit would be great until she found out that it would be three stories high. On her deck she will be looking at a brick wall and there are no trees there. She stated that ten to twelve villas, which are one story tall, will also be looking straight at this building and will affect the property value of the entire street. She stated that she would be fine if this were only a one-story building. Ms. Gleason also stated that there was a spring in that area at one time, and any runoff from this would also be a concern.

Carolyn Stewart (113 Fallon Villa Ct, O'Fallon MO 63368) was sworn in. Ms. Stewart stated that the hill behind her house has about a 12-foot drop off and adding a three-story building to that would be a problem. She is concerned about the lighting on the third floor of the proposed building which will affect the one-story villas down below.

Arnie Dienoff (PO Box 1535, O'Fallon, MO 63366) was sworn in. Mr. Dienoff stated that he is in opposition to this application because this corridor on Highway K is one of the largest commercial corridors in the County and he believes that this is the wrong place for a storage facility. He stated that the O'Fallon area is being overwhelmed by storage facilities and they do not pay any sales tax. He stated that he does not believe that this is a good use for property along Highway K and is a terrible use of the land. He believes there are better uses for this property that would generate positive revenue streams. He added that if Planning and Zoning Commission votes to recommend approval of this application, he would like to see additional conditions be added to help protect the neighborhood as a whole

With no one else from the audience wishing to comment on this application, Chairman Ellis asked the applicant to come back to the podium.

Commissioner Cleary asked about the lighting for this three-story building that will back to the surrounding homes.

Mr. Reinberg responded that the lighting will be an easy solution. He stated that a landscaping buffer and a fence (depending on the elevation) could eliminate some of those concerns.

Commissioner Boehmer stated that it appears to her that this property sits roughly 12 feet above those homes already without anything being built on it. She asked Mr. Reinberg if that was true.

Mr. Reinberg responded that he would have to look at the distance between the rear yard and the back of the building in order to determine that.

Mr. Reinberg asked Mr. Hackmeister if he knew what the distance from those rear yards to the back of the proposed building is.

Mr. Hackmeister responded that he doesn't know either, but the closest point to the back of this building is 15 feet from that property line.

Commissioner Boehmer stated that 15 feet is very close.

Commissioner Cornwell asked Mr. Reinberg if he would be open to adding a wider buffer yard, maybe even double the width of the proposed buffer.

Mr. Reinberg responded that this could be accommodated. He stated that part of that area at the rear of the property is to accommodate the driveway for the fire department. The buffers can work in either direction.

To address the sales tax issue, Mr. Reinberg stated that an \$8 million to \$9 million dollar building will have a much higher property tax than the vacant land that is currently there now.

There being no further questions for the applicant, Chairman Ellis brought the application back to the Commission for discussion.

Commissioner Cleary stated that he has some concerns about whether or not this is the highest and best use for this property with it being right by a residential area.

Commissioner Hollander stated that there have been a lot of storage units added to the County within the past two to three years. He stated that some of these units are better suited for a rural area, but this one is quite different. These storage units are in demand, otherwise Mr. Reinberg wouldn't be proposing it. A better use as far as generating tax revenue may possibly be found, but then the neighbors may be opposed to that type of business.

Commissioner Cleary stated that he is concerned about the site view of the residential area. He added that if you have that 12-foot elevation increase, and anywhere between 1 and 3 story buildings behind it, it creates a negative impact on the value of the surrounding properties.

Commissioner Hollander stated that this conditional use permit request does not pertain to the size of the building or the site lines. Those items should be addressed during the preliminary plat presentation.

Commissioner Shell asked if the motion for approval of this application automatically includes the conditions recommended by County staff.

Chairman Ellis responded that he would address those conditions when he asks for a motion.

There being no further discussion, Chairman Ellis entertained a motion to recommend approval of Application No. CUP22-10, subject to the conditions proposed by staff.

Commissioner Hollander made such motion, and Commissioner Frahm seconded the motion.

The vote on the motion was as follows:

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

Application No. CUP22-10 was recommended for **Approval**.

**PLATS**

**I. PRELIMINARY PLAT FOR KEEVEN CENTER ON K - 2896 HIGHWAY K**

Application No: PRE22-10  
Property Owner: Martha A. Keeven Revocable Living Trust  
Developer: Louis Berra for Bestbox Storage  
Engineer: Cochran Engineering  
Property Zoning: C2, General Commercial District  
Proposed Lots: 2  
Parcel Size: 3.94 acres  
Location: On the east side of Highway K, approximately 500 feet south of Royall Springs Parkway, adjacent to the City of O'Fallon  
County Council District: 3  
Account No.: 410610D001

Doug Moslehi, County Planner, provided a verbal report for Application No. PRE22-10.

Robert Myers stated that County Ordinance requires that any parcels which are created as part of the subdivision land must front to an internal street. The applicant is requesting that this requirement be waived, and the Planning and Zoning Commission has the power to do so. The reason the applicant is requesting this waiver is that they are proposing two lots, one behind the other, and there is not enough room on this property for an internal street with a cul-de-sac turnaround. Robert Myers stated that if the Planning & Zoning Commission chooses to approve this plat, staff would ask that the plat be approved with a waiver to allow access to be taken from an easement rather than from an internal street.

Chairman Ellis asked if the Commissioners had any questions for County staff.

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

Beau Reinberg (7018 Maryland Ave, St. Louis, MO 63130), and Mike Hackmeister from Cochran Engineering (8 East Main St., Wentzville, MO 63385) were sworn in.

Commissioner Boehmer asked if the rain runoff will be directed towards the existing detention pond

on the property.

Mr. Hackmeister responded that he would assume that it will, but they are not to that point yet in the engineering process.

Beau Reinberg stated that the County's standards for storm water retention are no small task for new developments. He added that it is incumbent upon them to design something that will improve the existing runoff on the property.

Chairman Ellis asked what the size will be for Lot 1.

Mr. Hackmeister responded that Lot 1 is over 1.04 acres.

Commissioner Cornwell asked if the detention basin would be serving both Lot 1 and the lot behind it.

Mr. Hackmeister responded that to his knowledge Lot 1 would have its own separate detention requirements.

Chairman Ellis asked if there is currently a usage proposal for Lot 1.

Mr. Hackmeister answered in the negative.

Chairman Ellis asked Mr. Reinberg if is only purchasing Lot 2.

Mr. Reinberg answered in the affirmative.

Commissioner Cleary asked how this use is going to impact the front portion of the property since that parcel has been approved for a different use.

Chairman Ellis stated that the front part will remain zoned as C2, General Commercial District.

Robert Myers stated that the existing conditional use permit pertains to the lot behind this particular lot.

With no further questions by Commissioners, Chairman Ellis asked if anyone from the audience wished to comment on this preliminary plat.

Arnie Dienoff (PO Box 1535, O'Fallon, MO 63366) was sworn in. Mr. Dienoff stated that he concerned about the set back being less than 30 feet, but his biggest issue is residential versus a three-story building which will dwarf their investment. He again presented additional conditions that he thought should be added in order to improve the neighborhood and its residents.

Commissioner Boehmer stated that the Commission is not voting on how many stories the building is. They are voting on the splitting of this lot.

Commissioner Cornwell stated that the Commission's recommendation on the conditional use permit request for this property will still go before the County Council for final approval, and the preliminary plat has to do with the splitting of the lot.

Mr. Dienoff asked that the Commission not waive the construction of the internal street if the land is subdivided into two lots. He stated that staff incorrectly notified the City of Cottleville when they should have notified the City of O'Fallon regarding this application. He asked that Commission approve this application with the requirement of the internal street and not waive that requirement.

Commissioner Shell clarified that County staff notified the Cities of Cottleville, Dardenne Prairie and O'Fallon, and only the City of Cottleville responded.

There being no further discussion, Chairman Ellis entertained a motion to approve Application No PRE22-10, with the waiver to allow access to be taken from an easement rather than from an internal street.

Commissioner Cornwell made such motion, and Commissioner Hollander 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	Jeanette Koechner	Yes	Terry Hollander	Yes

Application No. PRE22-10 was **Approved**.

## **II. PRELIMINARY PLAT FOR THE GROVE AT RIVERDALE - DYER ROAD**

Application No: PRE22-09  
 Property Owners: Thomas J. McMenemy and Julie A. McMenemy  
 Developer: Charlestowne Crossing, LLC  
 Engineer: Cole & Associates  
 Property Zoning: R1E, Single-Family Residential District (10,000 square foot minimum lot size)  
 Proposed Lots: 101  
 Parcel Size: 59.90 acres  
 Location: On the west side of Dyer Road, approximately 750 feet north of Riverdale Park Drive, adjacent to the City of St. Paul  
 County Council District: 1  
 Account No.: 284760A000

Robert Myers, Director of Planning and Zoning, provided a verbal report for Application No. PRE22-09.

Chairman Ellis asked if this subdivision will require two entrances since it contains 101 lots.

Robert Myers responded that the entrance requirements are currently being reviewed by the O'Fallon Fire Protection District. The developer will be required to obtain plat approval from both St. Charles County and the O'Fallon Fire Protection District. If the O'Fallon Fire Protection District requires two entrances for developments over 100 lots, the developer could then either apply for a variance or remove one of the lots and build 100 lots instead of 101 lots. They may also be granted credit from the Fire Protection District for providing sprinklers in some of the homes.

Commissioner Boehmer asked if the second entrance would have to come off of Dyer Road.

Robert Myers answered in the affirmative.

Chairman Ellis asked if this is a TR Hughes project.

Robert Myers responded in the affirmative and stated that Shawn Luesse was in the audience and could explain the nature of the development and answer any questions the Commission may have.

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

Shawn Luesse (239 Fox Hill Rd, St. Charles, MO 63301) was sworn in. Mr. Luesse stated that he is representing the property owner, Charlestowne Crossing LLC and he is employed by TR Hughes.

Chairman Ellis asked the Commission if they had questions for the applicant's representative. There were no questions.

With no further questions by Commissioners, Chairman Ellis asked if anyone from the audience wished to comment on this preliminary plat.

Arnie Dienoff, (PO Box 1535, O'Fallon, MO 63366) was sworn in. Mr. Dienoff stated that he is concerned about the radius of the proposed cul-de-sacs. He stated that Dr. Dubray, Superintendent of the Fort Zumwalt School District, stated that the requirement for bus pickup within the subdivision needs to be a minimum radius of 110 feet. He asked the Commission to require the developer to put in a turning radius of a minimum of 115 feet in order to accommodate school buses from the Fort Zumwalt School District and fire trucks from the O'Fallon Fire Protection District.

Chairman Ellis asked if anyone else from the audience wished to comment on this preliminary plat.

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

Commissioner Boehmer stated that she agrees with Mr. Dienoff that the radius on these turns is rather small and tight.

Chairman Ellis asked what is the turning radius on the proposed cul-de-sacs.

Mr. Luesse responded that the cul-de-sacs for this development have been designed to meet the County's requirements regarding turn radius. If there are concerns regarding the turning radius for school buses or fire trucks, there are creative ways in which those turning radius can be accommodated but the turning radius in this plan meet the County's requirements.

Commissioner Hollander stated that when the application to rezone this property came before the County Council, there was a lot of discussion about this development. The Councilman and residents from that Council District all got together and came up with this particular plat, which meets the needs of what the County requires.

There being no further discussion, Chairman Ellis entertained a motion to recommend approval of Application No. PRE22-09.

Commissioner Shell made such motion, and 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	Jeanette Koechner	Yes	Terry Hollander	Yes

Application No. PRE22-09 was **Approved**.

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#### **TABLED AND/OR CONTINUED ITEMS**

**NONE**

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#### **6. APPROVAL OF THE MINUTES FROM THE AUGUST 17, 2022, REGULAR MEETING**

Chairman Ellis asked for a motion to approve the minutes from the August 17, 2022, regular meeting. Commissioner Hollander made such motion, and the motion was seconded by Commissioner Cleary.

The minutes were approved by unanimous voice acclamation.

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#### **7. OTHER BUSINESS**



## **I. PLANNING & ZONING DIVISION UPDATES**

- Robert Myers thanked Jeanette Koechner for serving once again on the Commission.
  - Robert Myers announced that Mike Hurlbert, Director of Community Development is currently out on medical leave undergoing physical rehabilitation and he is improving quite well. In the interim, he stated that he has been appointed to serve as the Acting Director of the Community Development Department.
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## **ADJOURNMENT OF MEETING**

Commissioner Boehmer made a motion to adjourn the meeting. The motion was seconded by Commissioner Cleary and was approved by unanimous acclamation. The meeting adjourned at 9:26 p.m.

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Respectfully submitted by:

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Roger Ellis, Chairman

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Tracy Boehmer, Secretary