AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE COUNTY OF ST. CHARLES, MISSOURI, BY REZONING LAND FROM R1A/FF, SINGLE-FAMILY RESIDENTIAL DISTRICT, WITH FLOODWAY FRINGE OVERLAY DISTRICT, TO R2/FF, TWO-FAMILY RESIDENTIAL DISTRICT, WITH FLOODWAY FRINGE OVERLAY DISTRICT, PER APPLICATION RZ20-05

WHEREAS, the St. Charles County Charter, Article II, Section 2.529, grants to the County Council legislative power pertaining to planning and zoning in the part of the County outside incorporated cities, towns and villages; and

WHEREAS, a change in zoning of land located at 5225 Gutermuth Road was requested by Variety Homes, LLC, property owner(s), through Application RZ20-05; and

WHEREAS, the tract to be rezoned is a 3.47-acre parcel currently zoned R1A/FF, Single-Family Residential District, with Floodway Fringe Overlay District; and

WHEREAS, the zoning sought for the tract to be rezoned is R2/FF, Two-Family Residential District, with Floodway Fringe Overlay District; and

WHEREAS, adjacent land to the north is within the City of Cottleville’s Zoning Category R1A/FF, Single Family Residential District with Floodway Fringe Overlay
District and is the site of single family residences and a church/school parking lot; adjacent land to the south and east is zoned R1A, Single Family Residential District and is the site of single-family residences; and adjacent land to the west is zoned R1A, Single Family Residential District and is the site of a residential accessory structure; and

WHEREAS, St. Charles County’s 2030 Master Plan recommends future Commercial land uses for this property, which land use category can secondarily include “multi-family housing (e.g. apartments and townhomes)”; and

WHEREAS, the Planning and Zoning Commission of the County of St. Charles, Missouri, considered this application and on a vote of 2 ayes to 5 nays recommended the matter for denial to the County Council. A simple majority of the County Council is required for passage of this bill.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. CHARLES COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The Zoning District Map of the County of St. Charles, Missouri, is hereby amended by making the following change:

A 3.47-acre tract of land located at 5225 Gutermuth Road is hereby rezoned from R1A/FF, Single-Family Residential District, with Floodway Fringe Overlay District, to R2/FF, Two-Family Residential District, with Floodway Fringe Overlay District. The tract of land is more particularly described on EXHIBIT A, attached hereto.
Section 2. The Director of the Planning and Zoning Division is hereby authorized to acknowledge approval on Application RZ20-05 as set forth in Section 1., above.

Section 3. The Council hereby receives the following documents into the record: the St. Charles County Master Plan Year 2030; the Unified Development Ordinance of St. Charles County, Missouri; and the documents attached hereto as EXHIBIT B, containing the plats and plans and any other documents relied on in reaching this determination of the Council.

Section 4. This ordinance will be in full force and effect from and after the date of its passage and approval.

DATE PASSED

DATE APPROVED BY COUNTY EXECUTIVE

CHAIR OF THE COUNCIL

COUNTY EXECUTIVE

ATTEST:

COUNTY REGISTRAR

Comm Dev.RZ20-05.Variety Homes LLC.5225 Gutermuth Rd.6-20.D
### Exhibit A

**Application RZ20-05**

**Amending the Zoning District Map of Saint Charles County Missouri**

<table>
<thead>
<tr>
<th>Application Number:</th>
<th>RZ20-05</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Property is Presently Zoned:</td>
<td>R1A/FF, Single-Family Residential District, with Floodway Fringe Overlay District</td>
</tr>
<tr>
<td>It is Requested that This Property Be Rezoned to District:</td>
<td>R2/FF, Two-Family Residential District, with Floodway Fringe Overlay District</td>
</tr>
<tr>
<td>Owner or Owners of Property to Be Rezoned:</td>
<td>Variety Homes, LLC</td>
</tr>
<tr>
<td>Location of Property:</td>
<td>The property is known as 5225 Gutermuth Road and is located on the north side of Gutermuth Road, approximately 950 feet southwest of Motherhead Road. The property consists of 3.47 acres, and is located in Council District 3.</td>
</tr>
</tbody>
</table>

**Legal Description of Property to Be Rezoned:**

A tract of land being part of U.S. Survey 1776, Township 46 North, Range 3 East, St. Charles County, Missouri, being part of property described in Deed to Norman and Ruby Thompson in Book 242 Page 262 of the St. Charles County Records and being more particularly described as follows:

Beginning at the most northeastern corner of a tract of land described in a deed recorded in Book 242 Page 262 of the St. Charles County Records, thence along northern line of said tract South 76 degrees 10 minutes 44 seconds west 307.61 feet to a point; thence leaving said line through the aforesaid tract of land South 12 degrees 35 minutes 19 seconds east 535.55 feet to a point on the northern line of Gutermuth Road; thence along the northern line of Gutermuth Road North 74 degrees 42 minutes 27 seconds east 260.65 feet to the southeastern corner of the aforesaid tract described in Book 242 Page 262; thence along the northern line of said tract North 7 degrees 30 minutes 00 seconds west 531.97 feet to the point of beginning.

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**Chairperson** P. Roger Ellis  
**Secretary** Thomas Kuhn  
ST. CHARLES COUNTY PLANNING AND ZONING COMMISSION
APPLICATION RZ20-05

REZONING REQUEST - 5225 GUTERMUTH ROAD

Application No: RZ20-05
Property Owner: Variety Homes, LLC
Current Zoning: R1A/FF, Single-Family Residential District, with Floodway Fringe Overlay District
Requested Zoning: R2/FF, Two-Family Residential District, with Floodway Fringe Overlay District
2030 Master Plan: Recommends Commercial Uses
Parcel Size: 3.47 acres
Location: On the north side of Gutermuth Road, approximately 950 feet southwest of Motherhead Road; adjacent to the City of Cottleville and near the City of St. Peters
Council District: 3
Account No.: 553800A000

CONTENTS:

➢ Synopsis
➢ Staff Recommendation
➢ Photo(s) of Site
➢ Aerial Photo
➢ Surrounding Zoning Map
➢ Future Land Use Map
➢ Letters received
  ♦ Opposition - Heather Geringer
  ♦ Opposition - Richard and Lynn Schmidt
  ♦ Opposition - Lynn Brook
  ♦ Opposition - John and Mary Parks
➢ Planning and Zoning Commission minutes from May 20, 2020 meeting
May 21, 2020

This communication summarizes the following bill to be introduced at the June 8, 2020 County Council meeting:

**REZONING REQUEST - 5225 GUTERMUTH ROAD**

<table>
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<tr>
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<th>RZ20-05</th>
</tr>
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<tr>
<td>Property Owner:</td>
<td>Variety Homes, LLC</td>
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<tr>
<td>Current Zoning:</td>
<td>R1A/FF, Single-Family Residential District, with Floodway Fringe Overlay District</td>
</tr>
<tr>
<td>Requested Zoning:</td>
<td>R2/FF, Two-Family Residential District, with Floodway Fringe Overlay District</td>
</tr>
<tr>
<td>2030 Master Plan:</td>
<td>Recommends Commercial land uses</td>
</tr>
<tr>
<td>Parcel Size:</td>
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</tr>
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<td>Location:</td>
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</tr>
<tr>
<td>Council District:</td>
<td>3</td>
</tr>
<tr>
<td>Account No.:</td>
<td>553800A000</td>
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</table>

This application is to rezone a 3.47-acre parcel adjoining the City of Cottleville, and now used for a single residence, to the County’s Two-Family Residential District. Under the current R1A, Single Family Zoning District, up to three homes could be built on this property. The proposed R2, Two-Family Residential District zoning could allow either single-family homes (detached or attached) or duplexes. The intent of the two-family residential zoning district is to allow for residential development of an urban character for one- and two-family homes on a minimum lot size of 7,000 square feet served by sanitary sewers and a public water supply. The applicant proposes to construct 18 attached single-family homes (“villas”) with each villa having a minimum of 3,500 square feet of lot area. A related subdivision plat has been submitted to the Planning and Zoning Commission for its consideration.

The developer’s plan is to provide new housing marketed to seniors and within walking distance of the nearby St. Joseph Catholic Church and School. Further east, and across Motherhead Road, a single-family residential subdivision (the Courtyards of Cottleville) is under construction with lot sizes ranging from 6,600 to 13,000 square feet in area. The plan proposed by the applicant would be to plat smaller lots – 3,500 square feet per home as allowed in the County’s R2, Two Family Residential District development standards.

St. Charles County’s 2030 Land Use Plan for this area recommends future commercial land uses on the north side of Gutermuth Road and low density residential uses on the south side of Gutermuth. The 2030 Land Use Plan’s Commercial land use category can secondarily include “multi-family housing (e.g. apartments and townhomes)”.

To improve traffic flow to a new highway interchange now under construction at Highway 364 and Gutermuth Road, Gutermuth Road will in 2021 be widened to three lanes with curbs/gutters, storm sewers, and sidewalks. Sidewalk construction will facilitate walking between the proposed residences at this location and destinations such as St. Joseph Catholic Church (a quarter mile) and downtown Cottleville (0.4 miles).

The Planning and Zoning Commission held a public hearing on this rezoning application on May 20, 2020, and received the following public input:

<table>
<thead>
<tr>
<th>Speakers:</th>
<th>2 Support</th>
<th>7 Opposed</th>
<th>0 Concerns</th>
</tr>
</thead>
<tbody>
<tr>
<td>Letters on file:</td>
<td>0 Support</td>
<td>4 Opposed</td>
<td>0 Concerns</td>
</tr>
</tbody>
</table>

Having conducted the public hearing, the Planning & Zoning Commission voted to recommend as follows:

| 2 Approval | 5 Denial | 0 Abstentions |
Recommendation:
The Planning & Zoning Commission recommends denial of this rezoning request. Discussion by Commissioners before voting included concerns about substantially increasing density given the relatively lower-density residential land use pattern prevailing in the vicinity.

Sincerely,

Robert Myers, AICP
Director of Planning & Zoning

cc:  Steve Ehlmann, County Executive
     Joann Leykam, Director of Administration
     John Watson, County Counselor
STAFF RECOMMENDATION

To: County Planning & Zoning Commission  
Prepared by: Ellie Marr CFM

Application No.: RZ20-05  
Date: May 11, 2020

BACKGROUND INFORMATION

Owner: Variety Homes, LLC

Applicant: Pickett, Ray, and Silver – Will Scheidt

Requested Action: A zoning map amendment to rezone 3.47 acres from R1A, Single Family Residential District (1-acre minimum lot size) with Floodway Fringe Overlay District, to R2, Two Family Residential District, with Floodway Fringe Overlay District

Location: 5225 Gutermuth Road; located on the north side of Gutermuth Road, approximately 950 feet southwest of Motherhead Road; adjacent to the City of Cottleville and near the City of St. Peters

Current Zoning: R1A, Single Family Residential District with Floodway Fringe Overlay (1-acre minimum lot size)

Current Land Use: Single Family Residential (one residence)

Adjacent Land Use and Zoning:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>R1A/FF, Single Family Residential District with Floodway Fringe Overlay and Incorporated, City of Cottleville</td>
<td>Single Family Residences and Church/School Parking Lot</td>
</tr>
<tr>
<td>South</td>
<td>R1A, Single Family Residential District</td>
<td>Single Family Residences</td>
</tr>
<tr>
<td>East</td>
<td>R1A, Single Family Residential District</td>
<td>Single Family Residence</td>
</tr>
<tr>
<td>West</td>
<td>R1A, Single Family Residential District</td>
<td>Residential Accessory Structure</td>
</tr>
</tbody>
</table>

2030 Master Plan: recommends Commercial land use

Public Services:  
County Council District 3 – Mike Elam  
School District – Francis Howell School District  
Fire District – Cottleville Fire District
**REZONING ANALYSIS**

This rezoning request is to rezone a 3.47-acre parcel, now used for a single residence, to a two-family residential zoning district. Under the current R1A, Single Family Zoning District, up to 3 homes could currently be built on this property. The applicant is requesting R2, Two-Family Residential District zoning which could allow either single-family homes (detached or attached) or duplexes. The intent of the two-family residential zoning district is to allow for residential development of an urban character for one- and two-family homes on a minimum lot size of 7,000 square feet served by sanitary sewers and a public water supply.

The applicant plans to construct 18 attached single-family homes ("villas") with each villa having a minimum of 3,500 square feet of lot area. A related subdivision plat has been submitted and is to be reviewed by the Planning and Zoning Commission on the same agenda.

The parcel is located within the City of Cottleville’s growth area and is adjacent to the city limits of Cottleville. While this parcel is located near the major intersection of Motherhead Road and Gutermuth Road, St. Joseph’s Catholic Church and School are already located on the northwest corner of this intersection with an overflow parking lot adjacent to the referenced parcel. On the opposite corner of this intersection, and within the city limits of Cottleville, a new subdivision, the Courtyards of Cottleville, is also located within the 2030 proposed commercial land use area.

St. Charles County’s 2030 Land Use Plan for this area recommends future commercial land uses on the north side of Gutermuth Road and low density residential uses on the south side of Gutermuth. Within the city, commercial land uses have tended to develop in the downtown area around the intersection of Hwy. N and Motherhead Road. There is also substantial commercial development eastward along Hwy. N to Mid Rivers Mall Drive and along the length of Mid Rivers Mall Drive within the city limits of Cottleville. Along Gutermuth itself, and southward along Motherhead Road, development has tended to be residential in nature.

Given development patterns and trends, the property’s location is more in keeping with residential than commercial development. First, development of attached villas could provide a graduated land use transition between downtown Cottleville and single-family homes to the south of Gutermuth Road, thereby preventing commercial development across the street from low-density residential land uses. Second, its location is within walking distance of downtown Cottleville and the adjoining St. Joseph Catholic Church and School. To provide a better traffic flow to a new highway interchange now under construction at Hwy 364 and Gutermuth Road, Gutermuth Road will in 2021 be widened to three lanes with curbs/gutters, storm sewers, and sidewalks. Sidewalk construction will facilitate walking between the proposed residences at this location and the abovementioned destinations.

The parcel has approximately 850 square feet of floodway fringe overlay and should this rezoning be approved, staff shall request during the platting process that the floodplain area be removed through the formal LOMR-F (Letter of Map Revision based on Fill) process with FEMA or a LOMA (Letter of Map Amendment) for the residential unit(s). This will assure that any lot or homeowner will not experience difficulty in obtaining a mortgage with federally backed funds.

**RECOMMENDATION:**

The Planning and Zoning Division recommends that the Planning and Zoning Commission recommend approval of this zoning amendment to the R2, Two-Family Residential District.
RZ20-05 - Aerial
RZ20-05 - Zoning
RZ20-05 Future Land Use
To whom it may concern,

Property owners adjacent to 5225 GUTERMUTH RD are currently in the process of formally protesting the rezoning of this property. I live directly across the street at 5234 Gutermuth Road. There is already too much traffic, congestion and noise in this area, adding duplexes will only add to the problem.

This area of unincorporated St Charles County is NOT Cottleville and that should be taken into consideration when considering status of this request.
Dear Mr. Kuhn,

We are neighbors to this currently residential property and very much oppose it being rezoned "commercial"; we also are opposed to the existence of a change to the status of a "multi-family" district ("2-family residential district"). We moved to this area nearly three years ago since Chesterfield had grown into a noisy place with strip malls and office building replacing green spaces. We very much do not want this to happen to us and our neighbors again.

We have looked into purchasing this property and were told by their real-estate agent that there was talk of a gas-station being put in there. We very much love the wonderful combination of living in a beautiful location with easy access to major highways. Please..... do not ruin our neighborhood by converting this area to anything other than a single-family location.

We are sorry that we cannot be at the hearing this Wednesday evening in person, but I am an ER doctor and working a shift during the meeting time and my wife must stay home with our daughter with special needs. Please treat this note with the same consideration we would have offered in person.

Respectfully submitted,

Dr. Richard Schmidt
Mrs. Lynn Schmidt

9 Wood Glen Dr.
St. Charles, MO  66304
Planning and Zoning Commission,

Please consider this my official protest for rezoning 5225 Gutermuth Road as a commercial property. I live directly across that street at 5230 Gutermuth and my family and neighbors will be adversely impacted by this decision.

Taking into account the new Gutermuth road project which will already dramatically increase the noise and traffic issues we currently experience, adding 15/18 duplexes will further degrade our area of Unincorporated St. Charles County.

Lynn Anne Brook, Director

314-395-9375

4100 Rider Trail South

Earth City, MO 63045
Dear Mr. Kuhn,

We regret that tonight’s hearing has been scheduled at this time as we feel it is still more appropriate and safer for us to social distance at home. We have been staying at home and receiving deliveries of food and other necessities since March 17, and are not comfortable changing that practice yet. As a result we are unable to attend the hearing scheduled for tonight.

Please note that we are not in favor of the changes that have been requested, and agree with the points made and position taken by our neighbors Richard and Lynn Schmidt in their message of May 18, 2020 included below.

In addition, we specifically do not think it is in the economic interest of St. Charles County to allow this change to the immediate area. We ask that all aspects of the request be denied, and the zoning remain as it currently stands.

Sincerely,
John and Mary Parks
10 Wood Glen Drive
St. Charles, Missouri 63304
MINUTES OF REGULAR MEETING

ST. CHARLES COUNTY PLANNING AND ZONING COMMISSION

DATE: MAY 20, 2020
TIME: 7:00 PM
PLACE: ST. PETERS JUSTICE CENTER AUDITORIUM
1020 GRAND TETON DRIVE
SAINT PETERS, MO 63376

MEMBERS PRESENT: Diane Saale; Roger Ellis; Craig Frahm; Tom Kuhn; Terry Hollander; Tracy Boehmer; and Kevin Cleary

MEMBERS ABSENT: Jim Leonhard; and Robert McDonald

STAFF PRESENT: Robert Myers, Director of Planning and Zoning; Megan Murray, Assistant County Counselor; Mariza Almstedt, Recording Secretary; and Sheila Weiss, Recording Secretary

SPEAKERS: RZ20-05: Douglas Tiemann, Engineer for Pickett, Ray & Silver, 22 Richmond Center Court, St Peters, MO 63376; Steve Giancola, property owner, 3811 Towers Road, St. Charles, MO 63304; Vickie Smith, 5218 Gutermuth Road, St. Charles, MO 63304; Amber Smith, 5236 Gutermuth Road, St. Charles, MO 63304; Charles Thompson, 5241 Gutermuth Road, St. Charles, MO 63304; Douglas Vitt, 10 Sunset Acres Drive, St. Charles, MO 63304; Arnie C. Dienoff, P.O. Box 1535, O’Fallon, MO 63366; Dennis Hubbartt, 5219 Gutermuth Road, St. Charles, MO 63304; and Gary Peel, 5224 Gutermuth Road, St. Charles, MO 63304

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 applications heard during the meeting, which will then be submitted to the St. Charles County Council for their final decision. The vote by the Commission on conditional use permits for temporary fireworks stands and preliminary plats is final. Only a recommendation for denial on those applications would be heard by 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.

**PUBLIC HEARINGS**

**REZONING REQUEST - 5225 GUTERMUTH ROAD**

Application No: RZ20-05  
Property Owner: Variety Homes, LLC  
Current Zoning: R1A/FF, Single-Family Residential District, with Floodway Fringe Overlay District  
Requested Zoning: R2/FF, Two-Family Residential District, with Floodway Fringe Overlay District  
2030 Master Plan: Recommends Commercial Uses  
Parcel Size: 3.47 acres  
Location: On the north side of Gutermuth Road, approximately 950 feet southwest of Motherhead Road; adjacent to the City of Cottleville and near the City of St. Peters  
Council District: 3  
Account No.: 553800A000

Robert Myers, Planning and Zoning Division Director, described the subject property and the surrounding land uses. This rezoning request to rezone a 3.47-acre parcel adjoining the City of Cottleville, and now used for a single residence, to the County’s Two-Family Residential District. Under the current R1A, Single Family Zoning District, up to three homes could be built on this property. The proposed R2, Two-Family Residential District zoning could allow either single-family homes (detached or attached) or duplexes. The intent of the two-family residential zoning district is to allow for residential development of an urban character for one- and two-family homes on a minimum lot size of 7,000 square feet served by sanitary sewers and a public water supply. The applicant proposes to construct 18 attached single-family homes (“villas”) with each villa having a minimum of 3,500 square feet of lot area. To improve traffic flow to a new highway interchange now under construction at Highway 364 and Gutermuth Road, Gutermuth Road will in 2021 be widened to three lanes with curbs/gutters, storm sewers, and sidewalks. Sidewalk construction will facilitate walking between the proposed residences at this location and destinations such as St. Joseph Catholic Church (a quarter mile) and downtown Cottleville (0.4 miles).

The developer’s plan is to provide new housing marketed to seniors and within walking distance of the nearby St. Joseph Catholic Church and School. Further east, and across Motherhead Road, a single-family residential subdivision (the Courtyards of Cottleville) is under construction with lot sizes ranging from 6,600 to 13,000 square feet in area. The plan proposed by the applicant would be to plat smaller lots – 3,500 square feet per home as allowed in the County’s R2, Two Family Residential District development standards.

St. Charles County’s 2030 Land Use Plan for this area recommends future commercial land uses on the north side of Gutermuth Road and low-density residential uses on the south side of Gutermuth Road. Within the City of Cottleville, commercial land uses have tended to develop in the downtown area around the intersection of Highway N and Motherhead Road. There is also substantial commercial
development eastward along Highway N to Mid Rivers Mall Drive, and along the length of Mid Rivers Mall Drive within the city limits of Cottleville. Along Gutermuth Road and southward along Motherhead Road, development has tended to be residential in nature. Given this area’s development patterns and trends, this property’s location is more suited to keeping with residential development than commercial development. The development of attached villas could provide a graduated land use transition between Downtown Cottleville and the single-family homes to the south of Gutermuth Road, thereby preventing commercial development across the street from low-density residential land uses. Also, its location is within walking distance of Downtown Cottleville and the adjoining St. Joseph Catholic Church and School.

The parcel has approximately 850 square feet of Floodway Fringe Overlay and should this rezoning be approved, staff shall request during the platting process that the floodplain area be removed through the formal LOMR-F (Letter of Map Revision based on Fill) process with FEMA or a LOMA (Letter of Map Amendment) for the residential unit(s).

County staff recommends that P&Z Commission recommend approval of this rezoning to R2, Two-Family Residential District, with Floodway Fringe Overlay District

For the record, staff received three letters in opposition of this rezoning request.

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

Tom Kuhn asked if Gutermuth Road is going to be widened to three lanes and have sidewalks on both sides during the upcoming construction project.

Robert Myers affirmed that Gutermuth Road will be widened to three lanes with sidewalks on both sides of the road. The road will also have a turn lane.

Tom Kuhn asked if Gutermuth Road would be widened all the way down to the end.

Robert Myers responded that it would be widened down to Motherhead Road.

Tom Kuhn asked if there may possibly be sight distance issue at the proposed entrance due to the hill going southward.

Robert Myers said that this would be a good question to ask the engineer or the applicant.

Chairman Ellis asked if anyone had any further questions for staff.

Tracy Boehmer asked if all the surrounding homes are single family residences.

Robert Myers responded in the affirmative.

There being no further questions for staff, Chairman Ellis opened the public hearing and asked if the property owner or their representative wished to come forward.

Douglas Tiemann, Engineer with Picket, Ray & Silver, was sworn in. Mr. Tiemann stated that the owner is requesting this rezoning in order to develop eighteen attached villas on nine lots. They sent copies of their plans to the City of Cottleville, even though the property is not in the City of Cottleville, because the northern portion of this property borders the City of Cottleville. The City of Cottleville does not object to this plan, and they stated that they could not envision this property being developed as a commercial
development. They have also submitted copies of their plans to the Cottleville Fire District and Duckett Creek and Sanitary District. The Cottleville Fire District stated that would like them to add another fire hydrant to the development plans, and Duckett Creek Sanitary District has no issues with serving the property. They will be dedicating 40 feet of right-of-way to accommodate the upcoming roadway improvements. The developer feels that single family villas will be a desirable use for this property due to its close proximity to Downtown Cottleville and the Church.

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

Kevin Cleary asked if there will be a Homeowner’s Association for this development to maintain common ground areas.

Douglas Tiemann responded that all of the details have not yet been determined, but there will be a Homeowner’s Association that will take care of the common ground and detention area.

Chairman Ellis asked if these homes would be similar to the Villas at Whitmoor.

Douglas Tiemann answered in the affirmative.

Kevin Cleary asked what the price point and the square footage of these homes will be.

Douglas Tiemann responded that he does not have that information and suggested that he may wish to ask the developer that question.

Tracy Boehmer asked if the vision for this development is for a retirement community.

Douglas Tiemann responded that it is likely to be elderly adults who desire to be close to the church that will purchase these homes.

Steve Giancola, owner/developer, was sworn in.

Chairman Ellis asked Mr. Giancola what the size and the projected price point for these homes would be.

Steve Giancola responded that the homes in this development would be between 1,250 and 1,400 square feet with a starting price of around $275,000. They will be Ranch homestyle homes, with 2-car garages and full basements.

Kevin Cleary asked if the purchasers of these homes would own the footprint.

Steve Giancola stated they would divide the lots down the center of the wall, and the buyer would own that portion of the land.

There being no further questions for Mr. Giancola, Chairman Ellis asked if there was anyone in the audience who wished to speak regarding this application.

Vickie Smith was sworn in. Ms. Smith stated that she would like to see this application continued since banks have been closed, papers have not been notarized, and all of the surrounding residents have not been given information about this rezoning request. Ms. Smith is opposed to this request due to increased traffic and noise. Adding 36 more cars to this area will make the existing traffic issues worse and will add more children to the local schools which are already overcrowded. The creek there floods already, and the street on Motherhead Road also floods.
Amber Smith, was sworn in. Ms. Smith stated that the schools are already overcrowded in this area. This property is next to her neighbor’s home and when they build up this property it will cause her neighbor’s property to flood. Also, the church is further than that what it appears, and it would be quite a long walk for an older person to make. This development would add more traffic to the area, which is already an issue. She also disagrees with St. Charles County’s 10-year plan designating this property as a commercial property.

Charles Thompson, was sworn in. His property is directly west of this property. He stated he sees problems already with the schools being overcrowded. He is also concerned about liability from children from this development coming onto his property. If this application is approved, he requests that a privacy fence be installed along the full length of the property. The entrance to this property is on a hill and will become a problem due to the increased traffic.

Douglas Vitt was sworn in. Mr. Vitt stated that he lives behind the subject property and he already has a water issue. The creek cannot handle any more water. He is concerned that the trees in the area will be bulldozed along the property line. He believes this is too many homes for this small tract of land. If this application is approved, they need to build a retaining wall along that creek because it already floods. He also has concerns with increased traffic and stated that it already takes about an hour to exit the church because of the traffic.

Arnie Dienoff was sworn in. Mr. Dienoff stated that he opposes this rezoning request. There are a lot of flooding issues in this area. He is concerned that have not been any plans presented for water detention. There are also no letters in the record from partners such as the fire district, the water district, the sewer district, and the school district.

Dennis Hubbartt was sworn in. Mr. Hubbartt has concerns about safety and adding more traffic to the area from the proposed development. He stated the developer is going to fill in that property and it will end up being taller than the roof of his house, which will cause both his home and the church parking lot to flood. He is opposed to this request.

Gary Peel was sworn in. Mr. Peel stated that he is opposed to this rezoning request.

There being no further audience speakers, Chairman Ellis closed public hearing and asked the applicant to return to the podium.

Douglas Tiemann returned to the podium.

Tracy Boehmer asked Mr. Tiemann if privacy fences are going to be built around the development.

Douglas Tiemann responded that the current plan does not show fencing, but the developer would be willing to provide a buffer or fencing along the property line. He stated that they will not be doing any grading on the property until their plans have been completed and approved by the County. The County has requirements that will have to be met for water detention and traffic control. This site is not very big, and the developer will not be making any significant grading changes to the site. As far as the traffic and noise concerns, those issues will be addressed by the County through the planned improvements to this area.

Tom Kuhn asked if the road improvements will be completed during same time frame as the proposed development. He stated that he would not be in favor of the property being developed prior to the planned road improvements being in place.
Robert Myers stated that the Highway Department has an expected completion date for these road improvements of 2021.

Tracy Boehmer asked if a traffic study has been done for this development.

Robert Myers responded that traffic studies are not typically done at this stage for rezoning requests.

There being no further questions for the developer’s representative, Chairman Ellis called for discussion from the Commission.

Terry Hollander asked Robert Myers what types of homes are allowed under the R2 Zoning District.

Robert Myers responded that under the R2 Zoning District, single family homes, villas, or duplexes would be allowed.

Tracy Boehmer stated that the property is currently being used for a single family home.

Chairman Ellis stated that is correct, but the 2030 Master plan for St. Charles County has this property slated for commercial use.

Tom Kuhn asked how many homes could be built on this property under the current zoning.

Robert Myers responded that under the current zoning, three homes could be built on this property.

There being no discussion, Chairman Ellis entertained a motion to recommend approval of Application No. RZ20-05.

Craig Frahm made a motion for approval, and Tracy Boehmer seconded the motion.

The vote on the motion was as follows:

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<th>- Yes</th>
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<tbody>
<tr>
<td>Kevin Cleary</td>
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<tr>
<td>Craig Frahm</td>
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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>Tracy Boehmer</td>
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<td>Terry Hollander</td>
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Application No RZ20-05 was recommended for Denial.

The Vote Count was 2 Yeas, 5 Nays and 0 Abstentions.