

MINUTES OF REGULAR MEETING

ST. CHARLES COUNTY PLANNING AND ZONING COMMISSION

DATE: FEBRUARY 17, 2021

TIME: 7:00 PM

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

MEMBERS PRESENT: Tracy Boehmer (attended virtually); Diane Saale (attended virtually); Jamaal Jackson; Kevin Cleary; Roger Ellis (attended virtually); Craig Frahm; Chad Cornwell; Jennifer Bahr; and Terry Hollander, County Councilman

MEMBERS ABSENT: None

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

SPEAKERS: **RZ20-13:** Drew Weber, Applicant's Representative, 200 N. Third Street, St. Charles, MO 63301; Mark Atchley, 4388 Westhampton Place Ct., St. Charles, MO 63304; Richard Brooks, 4028 Emerald Dr., St. Charles, MO 63304; Allan Dillon, 4568 Clearbrook Dr., St. Charles, MO; Debbie Ferreira, 1108 Dingledine, St. Charles, MO 63304; Jean Lane, 4379 Westhampton Place Ct., St. Charles, MO 63304; Arnie C. Dienoff, PO Box 1535, O'Fallon, MO 63366

CUP20-14: Jason Vahle, Applicant, 249 Bellemeade Dr. St. Peters, MO 63376; Danny Kluesner, 6402 Phillips Road, St. Charles, MO 63301; Jerry Kohrs, 1139 Crystal Dr. St. Charles, MO 63304; Mark Miles, 1125 Crystal Dr., St. Charles, MO 63304; Arnie C. Dienoff, PO Box 1535, O'Fallon, MO 63366

RZ20-16: Gerald Keeven, Owner, 760 Hillenkamp Dr., Weldon Spring, MO 63304, Arnie C. Dienoff, PO Box 1535, O'Fallon, MO 63366

CUP20-15: Gerald Keeven, Owner, 760 Hillenkamp Dr., Weldon Spring, MO 63304; Arnie C. Dienoff, PO Box 1535, O'Fallon, MO 63366

- RZ20-17:** Arthur Denkemann, Owner, 1072 Briarhurst, Ballwin, MO 63021; Arnie C. Dienoff, PO Box 1535, O'Fallon, MO 63366
- RZ21-01:** Daniel Kern, Applicant, 3 Saint Malo Ct., Lake St. Louis, MO 63367; Diana Ferner, 24 Country Pines, Ct., Lake St. Louis, MO 63367; Arnie C. Dienoff, PO Box 1535, O'Fallon, MO 63366
- RZ21-03:** Brian Ringling, Applicant, 30914 Bonnie Bell, Warrenton, MO 63383; Arnie C. Dienoff, PO Box 1535, O'Fallon, MO 63366
- RZ21-02:** Dale Bax, Applicant's Representative, 221 Point West Blvd., St. Charles, MO 63301; Joshua Klaas, 49 Klaas Lane, Foristell, MO 63348; Vince Klaas, Foristell, MO 63348; Arnie C. Dienoff, PO Box 1535, O'Fallon, MO 63366
- RZ20-15:** Dale Bax, Applicant's Representative 221 Point West Blvd., St. Charles, MO 63301; Arnie C. Dienoff, PO Box 1535, O'Fallon, MO 63366
- PRE20-30:** Dale Bax, Applicant's Representative, 221 Point West Blvd., St. Charles, MO 63301; Arnie C. Dienoff, PO Box 1535, O'Fallon, MO 63366
- PRE21-01:** Dale Bax, Applicant's Representative, 221 Point West Blvd., St. Charles, MO 63301; Joshua Klaas, 49 Klaas Lane, Foristell, MO 63348; Arnie C. Dienoff, PO Box 1535, O'Fallon, MO 63366
- PRE21-02:** Daniel Westerfeld, 2790 Orchard Farm Road, St. Charles, MO 63301

CALL TO ORDER

Vice-Chairman Kevin Cleary called the meeting to order at 7:00 PM. Following the Pledge of Allegiance, Mr. Cleary 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 applications heard during the meeting, which will then be submitted to the St. Charles County Council for their final decision.

Vice-Chairman Cleary 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.

ELECTION OF OFFICERS

Vice-Chairman Kevin Cleary called for a motion to nominate a Chairman for 2021. Craig Frahm made a motion to nominate Roger Ellis as Chairman, and the motion was seconded by Terry Hollander. The motion was approved by unanimous voice acclamation and Roger Ellis was re-elected as Chairman of the Planning & Zoning Commission.

Vice-Chairman Kevin Cleary Called for a motion to nominate a Vice-Chair for 2021. Terry Hollander made a motion to nominate Kevin Cleary as Vice-Chairman, and the motion was seconded by Craig Frahm. The motion was approved by unanimous voice acclamation and Kevin Cleary was re-elected as Vice-Chairman of the Planning & Zoning Commission.

Vice-Chairman Kevin Cleary called for a motion to nominate a Secretary for 2021. Diane Saale made a motion to nominate Tracy Boehmer as Secretary, and the motion was seconded by Terry Hollander. The motion was approved by unanimous voice acclamation and Tracy Boehmer was elected as Secretary of the Planning & Zoning Commission.

CHANGES TO THE AGENDA

NONE

PUBLIC HEARINGS

I. REZONING REQUEST - 1101 DINGLEDINE ROAD (REVISED APPLICATION)

Application No: RZ20-13
Property Owner: Marlene C. Loeffler Trust
Developer: Rowles Company
Current Zoning: R1B, Single-Family Residential District (20,000 square foot minimum lot size), with Floodway Fringe Overlay District
Requested Zoning: Requesting to rezone 12.20 acres to R3B, Multi-Family Residential District, and 28.60 acres to R1E, Single-Family Residential District (7,000 square foot minimum lot size)
2030 Master Plan: Recommends Low-Density Residential Uses (0.25 to 1 acre minimum lot sizes)
Parcel Size: 40.80 acres
Location: On the west side of Dingledine Road, approximately 125 feet south of Pine Bluff Drive; near the Cities of St. Peters and Weldon Spring
County Council District: 7
Account No.: 534750A000

Robert Myers, Division Director of Planning and Zoning, stated that this application (RZ20 -13) was reviewed at the December 16, 2020 Planning and Zoning Commission meeting, after which the Commission forwarded the application to the County Council with a recommendation. The same application has been rescheduled for the February 17, 2021 Planning and Zoning Commission meeting for a new public hearing. The applicant has made no changes to the rezoning request reviewed at the December 16 meeting. The reason for holding a new public hearing is that property

owner notification for the December 16 public hearing has been determined to have been insufficient. This was due to use of new mapping software which exported addresses incorrectly. The problem has been identified and is being addressed by the County's Information Systems Department.

The preliminary plat for this development was approved by the Planning and Zoning Commission on December 16, 2020 and the status of that plat remains approved, subject to County Council approval of the rezoning application. The related preliminary plat for this property proposes single-family residential development for the entire tract. Although 12 acres of Multi-Family District zoning is proposed, single-family lots would be developed with some lots narrower than what would be allowed in the R1E District. All proposed platted lots would be at least 7,000 square feet in area which is the minimum lot size permitted in R1E Districts.

This 40-acre tract is an island of undeveloped land within a large area of single-family residential subdivisions and so area land uses and zoning should be considered. The prevailing zoning to the east, south, and west is R1E, Single Family Residential District. To the north is zoned R3B, Multifamily Residential District. The area proposed to be rezoned to R3B borders the existing R3B District to the north where the Pine Bluff Villas was developed. Emerald Woods Subdivision, on the opposite side of Dingedine Road, is similarly zoned R1E, Single Family Residential District, but has larger lot sizes than the minimum required in that District. Stafford Place Subdivision, bordering the subject tract to the south, has larger lots than Pine Bluff Villas but would border the proposed R1E, Single Family Residential District zoning. Consequently, lots in Stafford Place would adjoin lots of compatible sizes. A natural watercourse bordering the property along its western border must under County standards be left undisturbed with a vegetative buffer to border the stream bank, meaning that the Shenandoah Park Subdivision to the west will border undisturbed common ground. The 2030 Master Plan recommends Low Density Residential land uses for the entire area with 1 to 4 dwellings per acre. The subject preliminary plat shows that the applicant proposes to develop approximately 119 single-family homes on this 40-acre tract, yielding a gross density of 2.92 dwellings per acre when streets and common ground are included. Such a development would conform to the Master Plan's recommended density range. Although the 2030 Master Plan indicates that applicable zoning districts for Low Density Residential land uses are R1A through R1D, R1D zoning would be inconsistent with prevailing zoning patterns. County staff recommends that the Planning and Zoning Commission recommend approval of this zoning map amendment.

Robert Myers stated that County staff reviewed the notification list for the plat for this property and it was correct. Additionally, following up on Commissioner comments from the last meeting, County staff has begun adding a map in Commission packets showing the area of notification.

Vice-Chairman Cleary asked if the Commission had any questions for the Planning and Zoning staff.

There being no questions for staff, Vice-Chairman Cleary opened the public hearing and asked if the applicant's representative or property owner wished to come forward.

Drew Weber, the applicant's representative, was sworn in. As previously indicated, the Commission has already recommended approval for this application, but it's on the agenda again to correct improper public notice. Commissioners will notice repetition from his previous presentation, but it is necessary for the record. Mr. Weber stated that the proposal is to split the zoning for the 40.8-acre tract between R3B and R1E zoning. They are requesting to rezone 12.2 acres to R3B primarily on the northern portion of the property and 28.6 acres to R1E primarily to the south and western portions of the property. The proposal is to build all detached, single-family homes with no multi-family dwellings, no apartments, or attached townhomes. All proposed lots, in both the R1E and R3B portions of the tract, would be a minimum of 7,000 square feet in area. He stated the 2030 Master

Plan recommends Low Density Residential land uses for the entire area with 1 to 4 dwellings per acre. Mr. Weber compared the proposed project with surrounding neighborhoods in terms of lot size, price range and density comparisons. He presented school enrollment data for area elementary and middle schools since 1991 and showed that they are well below their peak enrollments and have declined in the past 10 years. Additional children living in this subdivision will not burden schools.

Vice-Chairman Cleary asked if there were any questions for the applicant's representative.

There being no questions for the applicant, Vice-Chairman Cleary asked if anyone in the audience wished to speak regarding this application.

Richard Brooks was sworn in. Mr. Brooks stated he is not opposed to rezoning or new home construction here, but his concern is that a loophole is being used to rezone part of the property to multi-family residential to decrease lot sizes and using a zoning law that does not normally appeal to single-family homes. This will allow them to build more homes than if they followed the R1E lot size requirements. Mr. Brook found in Section 405.590.C of the County Code that if a project could not conform to zoning, a variance application could be submitted. But the developers are not doing so because they could not comply with the variance criteria. Instead, they're using a zoning loophole to develop narrower lots without a variance. St. Charles County's zoning laws are adopted from the International Building Code which states in Section 310.4 that R3-type occupancies include convents, care facilities, dormitories, fraternities, sororities and monasteries. R3B zoning would be inappropriate for single-family housing. At both previous meetings when Mr. Cleary asked Mr. Weber how many fewer homes could be constructed if the entire tract was zoned R1E, Mr. Weber did not answer the question. The answer is 5% fewer homes if the entire tract were zoned R1E. Zoning laws are made to regulate, conserve and protect and until this loophole gets closed, he expects to see more builders exploiting this. Mr. Brooks is speaking from the standpoint of a concerned citizen and has no financial interest in the outcome like the development company which is based outside of Saint Charles County.

Debbie Ferreira was sworn in. Mrs. Ferreira stated she lives across Dingledine Road from the proposed Kreder Farms Subdivision. Even though Mr. Weber has stated that this R3B District would never be more than single-family homes, by rezoning to R3B, does that not ensure that the property could be sold and multifamily homes developed? Some letters were sent late in the day from subdivision trustees who wanted to attend but could not. They are concerned about R3B zoning and reduced side yard setbacks. Traffic safety is a concern at the intersection of Emerald Drive and Dingledine Road. The neighborhood wants a traffic study because the poor line of sight there already is dangerous. Drivers leaving Emerald Woods Subdivision can barely see people coming from the left, and the line of sight to the right could be blocked with backed up traffic. Stafford Court neighbors spoken to believe that motorists leaving the new subdivision will turn right on Dingledine and take Stafford to Kisker Road. Stafford residents are already concerned because of speeding cars and stop sign violations. Mrs. Ferreira questions why Mr. Weber never mentions Francis Howell High School, which is currently overcrowded. Another concern is the uptick in crime in the area. Many cars are being stolen and homes being broken into. Adding a few hundred homes won't improve that. Neighbors on Pine Bluff are concerned about possible flooding of their area in addition to water and sewer issues with increased use. Houses backing up to Dingledine will not be aesthetically pleasing. She wishes the Commission would take into consideration that many concerned neighbors are older and with health issues who are afraid to come to this meeting.

Vice-Chairman Cleary asked if anyone else in the audience wished to speak about this application.

Alan J. Dillon was sworn in. Mr. Dillon stated he was one of the homeowners that was notified late. He expressed his desire that the rezoning would be denied. His property backs to the floodplain area on the northwest side. A creek bed flows through there which makes him concerned about flood control and sewage. He has lived in his home for approximately 15 years and the reason he moved there was because of the wooded area with the creek behind his home. An abundance of wildlife lives there which he fears would be lost if developed. And crime will increase. Mr. Dillon urged the Commission to reconsider this, but if approved to be developed under current zoning.

Jean Lane was sworn in. Ms. Lane resides in the court that backs up to the Southwest side in West Hampton Place. She stated that the image displayed by Mr. Weber is inaccurate because it shows the woods that will remain is actually in Shenandoah. Also, she doesn't think the lot sizes were accurate in the presentation. The applicant (Rowles) completed her neighborhood after the first builder went bankrupt. And they finished West Hampton Place with nice large homes with good lot sizes. She doesn't like congested houses which could be built under R3B multi-family zoning. They can say they're not going to build it, but what prevents them from going under or selling it to someone else doing so? No one can predict the housing market, and if it happened before it could happen again. For these reasons, Ms. Lane requests that the Commission recommend denial.

Craig Frahm asked Ms. Lane whether her subdivision changed after the first builder declared bankruptcy.

Ms. Lane answered in the affirmative. The developer Rowles bought up the rest of the land and completed the subdivision.

Craig Frahm asked Ms. Lane if the plats and zoning were already in place.

Ms. Lane said answered in the affirmative again.

Craig Frahm stated that is what is in place now and she has that same protection. With the preliminary plat already in place, the builder can't change it without coming back to Planning and Zoning Commission.

Ms. Lane stated she does not understand why going that route is necessary and why can't it be kept in larger lot zoning. There is no need for multi-family zoning. The current neighborhood has nice lot sizes and she doesn't want to see 119 homes crammed into that 40 acres and the traffic on Dingledine has already increased. The neighborhood is a "cut through" with stop signs at every intersection which are ignored. She asked that the current zoning be kept in place.

Mark Atchley was sworn in. Mr. Atchley stated he is a Trustee of Westhampton Place Neighborhood. Mr. Atchley said he did not receive notification of the previous public hearing but saw the sign posted on that property. Some residents have angst about R3B zoning, but he believes it really boils to traffic concerns. It will be easier for those driving out of the subdivision to turn right on Dingledine Road and then right again and cut through their local street. The neighborhood is concerned as just last week there was an accident at 7:30 AM. Performing a traffic study has been mentioned several times but doesn't appear to be getting any traction. Residents understand that it will be developed, and that Rowles can build good homes. The concern is the number of homes and the narrowness of the lots. Mr. Weber said something to the affect that R3B zoning is necessary, but by Mr. Atchley's count they would lose just four homes. There is a desire to have narrower lots which means less infrastructure, roads, and cost per house. Also, R3B zoning requires a 10-foot side yard set back while they want approval for 7-foot setbacks. In Mr. Atchley's search for examples of 60-foot wide lots in this part of the County he has only found trailer parks. In previous meetings, there has been

discussion about Kreder Farm metaphorically being an island but when it comes to the style of buildings and lot widths, the multi-family zoning to the north at Pine Bluff Estates is actually the anomaly. All of the other area neighborhoods are platted with 75-to-85-foot lot widths and have a consistent look and feel. This is a suburban area, not urban.

Jennifer Bahr asked Mr. Atchley if he is a trustee of a homeowner's association. She stated one of the letters received suggested he could put a gate in his neighborhood to mitigate the cross through traffic. She asked him if that is something that his homeowners association is considering.

Mr. Atchley said it is being looked into and there are restrictions regarding if the street has to be privately owned to install gates. At the moment, we don't know the answer to that. The HOA has looked into speed humps and speed bumps and have received resounding "no's" from the fire department and ambulance district.

Arnie C. Dienoff was sworn in. Mr. Dienoff asked that his previous comments for the application made at the December 2020 public hearing be made part of the record. Mr. Dienoff stated that he does not oppose this development, but he would like to ensure that property values and neighborhood are ensured. The notification list is important and is glad staff looked into whether or not proper notice was made. He has found that municipalities in St. Charles County such as the City of O'Fallon provide a notification list in their meeting packets with a list of addresses letters were mailed. In December, he asked the Commission to look at that policy of adding that notification list to the County's packet materials. Regarding this application, there are over 20 opposition letters made and four letters of concern or comment. He asked for the Commission to recognize that low public turnout at the meeting is due to the pandemic and cold temperatures. Mr. Dienoff asked if notification letters were sent to Francis Howell School District, Cottleville Fire District, Duckett Creek Sanitary District, Public Water District #2, Spire Energy, St. Charles County Ambulance District, and Missouri American Water Company. The proposed R3 Multi-Family Residential District opens the door for dense multi-family buildings, and as was heard tonight from residents that if this property is sold for some reason, a different developer could change the development plan. Mr. Dienoff would like to know where the guarantees for adjoining neighborhoods and the traffic impact study are. Mr. Dienoff asked the Commission to deny the application, have the applicant return and submit a plat under the existing R1A, Single Family District.

Vice-Chairman Cleary asked if there was anyone else in the audience who wished to speak regarding this application. There being no additional speakers, Vice-Chairman Cleary closed the public hearing and asked for the applicant to return to the podium. Vice-Chairman Cleary stated there are quite a few issues raised and that he would like for them to be addressed.

Mr. Weber stated that many of the questions related to the appropriateness of R3B, Multi-Family Residential District, which was the case during the prior hearing. Mr. Weber stated that as a preliminary matter if single-family homes were not proper in R3B in the County zoning code would not allow single-family homes in R3B and the County zoning code does. As mentioned there are two subdivisions to the northeast and the northwest that are R3B single-family-home subdivisions, so the application is not an aberration. This is allowed under the code. In fact, it has been used for hundreds of other houses to the northwest and northeast of this property. People said they were concerned that if the development company went away then apartments might instead be built, and he understands that concern. But there are tremendous practical difficulties and impediments to that. First, there is already an approved preliminary plat that defines the development. And once a development gets going and is underway and the infrastructure is the first thing built, if the streets and the sewers and the waterline are compromised, the County would hold money in escrow to make sure that it is completed as a single-family development.

Vice-Chairman Cleary said there was also questions about the types of homes Rowles builds which are smaller than 1,500 square feet. A gentleman asked if they can guarantee that those smaller homes will not be built.

Mr. Weber said the proposal has always been 1,500 to 3,600 square foot homes. Every developer has a range of homes. The original proposal had 52-foot-wide lots and so maybe the smaller 1,200 square foot homes would fit on those lots but when you're up to a 62-foot minimum lot width, which is the smallest width lot proposed here, building homes smaller than 1,500 square feet would not make economic sense.

Vice-Chairman Cleary asked if the Commission had any other questions for the applicant.

Chad Cornwell stated that assuming this is a phased development, he asked Mr. Weber what will be done first and the timing of developing the first streets. He asked if they would develop the R1E areas of the property before doing the higher zones.

Mr. Weber responded that it's basically going to be done all at the same time. The process begins with the preliminary plat, then submit improvement plans and then the final plat. The County holds escrow to make sure that all improvements have been completed. That's the first thing that will be done after all these approvals are obtained. The streets, sidewalks, stormwater, sewer and regular water will be done in the first half.

Chad Cornwell asked if not developed in phases, will the infrastructure be done all at one time?

Mr. Weber answered in the affirmative and stated that the homes will not be built sequentially but will be built in different parts of the subdivision at different times.

Vice-Chairman Cleary asked if they will have all of the infrastructure and all utilities in place before they begin building the homes.

Mr. Weber responded that if they don't, the County holds escrow to force us to complete that.

Chad Cornwell stated that since a traffic study comment has been brought up, he would like to know if there a threshold in the County codes that would trigger the need for traffic study.

Robert Myers answered in the affirmative. He stated that the plat was reviewed by multiple County Divisions and Departments, and under the County's Subdivision Regulations either the Highway Department Director or the Development Review Division Director, who are both engineers, can require that a traffic study be performed if they deem it to be necessary. Both reviewed this plat and neither require that a traffic study. Instead the developers are to perform a traffic analysis to ensure proper sight distance for drivers along Dingedine Road and to ensure that large vehicles such as school buses and moving vans can access subdivision streets.

Vice-Chairman Cleary stated that several people mentioned the circulatory problem of people making a right and cutting through the subdivisions. He asked if the traffic analysis will look at this possible issue.

Robert Myers responded that he does not know the scope of the traffic analysis. Stonecroft Drive is a public street, so there would no opportunity to install a gate there because gates are not allowed on public streets. Collector streets or arterial streets like Towers Road and Stonecroft Drive are

intended to distribute traffic to arterial roadways, so he believes that it would be a mistake to block public through roads.

Mr. Weber wanted to address a few more concerns regarding school enrollment. Francis Howell High School reached its peak enrollment in 2014 with 1,993 students and in 2020 it had 1,815 students. The school could certainly absorb students living in this subdivision. Concerning lot sizes, all of the information was taken from recorded plats and County Assessor records which can easily be confirmed. His last comment is this is an area with which he is familiar as he has lived in the area in the past 25 years. He asked that the Commission recommend approval for County Council.

Jennifer Bahr read from a letter from Debbie Ferreira stating that R1E Single Family Residential zoning has a minimum seven-foot side yards, and R3B Multi-Family Residential zoning must have a minimum 10-foot side yards. But the development would only provide seven-foot side yards in the R3B District. Can you explain this?

Mr. Weber replied that this issue was raised at the last meeting, and that County staff has advised that 10 foot doesn't apply to single family.

Robert Myers stated that the 10-foot required setback in the R3B District is from outer limits of the R3B development. Internal to an R3B District, a zero side yard setback would be possible when platted – for instance to build zero lot line homes or a row of townhomes with each on its own lot. The R3B District could have traditional single-family homes, attached townhomes, and lower density apartment buildings. And the 10-foot minimum setback is from the edge of the R3B development.

Mr. Weber stated this is not an attempt to seek some special loophole to go from 10 to 7 feet.

Vice-Chairman Cleary said he had questions about stormwater runoff and tree removal.

Mr. Weber stated those were addressed in the preliminary plat which meets the County's tree preservation requirement. Trees to be preserved are predominantly along the perimeters. An existing watercourse extends along the western border along where trees will be preserved. Also, electrical power transmission lines extend along the western and northern property lines in 70-foot wide easements which prevent development against those property lines, so there will be open space underneath the power lines but not trees. The green space as a percentage of this property is more than most of these other subdivisions except for Pine Bluff to the North. In fact, because the ample green space the number of units per acre in this subdivision is lower than everyone except Westhampton and Emerald Green.

Vice-Chairman Cleary asked how stormwater runoff would be managed.

Mr. Weber responded that the County is upgrading its stormwater runoff standards and the detention basins shown on the plat are complying with the new stricter standards. At the time this plat was submitted those new standards weren't yet in effect. The development will comply with the new standards and which are more stringent than other area subdivisions. Multiple detention basins will help control the release of water into that creek.

Vice-Chairman Cleary asked Robert Myers if he would like to add anything to that.

Robert Myers stated the County has adopted new stormwater standards to additionally address stormwater quality, so now the County's standards address both the quantity of water to prevent flooding and the quality of water. The development will need to comply with both.

Vice-Chairman Cleary asked the Commission if anyone had other questions for the applicant.

Terry Hollander stated that what really catches people's attention is the multi-family zoning. Mr. Weber has explained again and again that these would not be multi-family homes. They have submitted this plat for single-family homes which has been approved, so Mr. Hollander would like for the property owners in attendance to feel certain that what they say they will do what they say they will. Mr. Hollander also stated that he believes that the statement implying that they are trying to jam a large number of homes into a small area is a little bit misleading. According to figures from both sides of the issue, there is a difference of only four to six homes if the zoning were uniform rather than what they propose here. He does not consider that to be "jamming in" additional homes.

There being no further discussion, Vice-Chairman Cleary entertained a motion to recommend approval of Application No. RZ20-13.

Terry Hollander made a motion to recommend approval, and Chad Cornwell seconded the motion.

The vote on the motion was as follows:

Tracy Boehmer	- Yes	Kevin Cleary	- Yes	Jennifer Bahr	- Yes
Roger Ellis	- Yes	Diane Saale	- Yes	Craig Frahm	- Yes
Chad Cornwell	- Yes	Terry Hollander	-Yes	Jamaal Jackson	-Yes

Application No RZ20-13 was recommended for Approval.

The vote count was 9 Yeas, 0 Nays and 0 Abstentions.

II. CONDITIONAL USE REQUEST - 5395 WESTWOOD DRIVE

Application No: CUP20-14
 Applicant: Green Thumb LawnCare 'N' Landscape, LLC, Jason Vahle, owner and organizer
 Property Owner: Robert Matulewic
 Property Zoning: R1B, Single-Family Residential District
 Conditional Use Request: Lawn care service (indoor storage of equipment and vehicles required)
 Parcel Size: 3.01 acres
 Location: On the corner of Westwood Drive and Crystal Drive, approximately 375 feet west of Motherhead Road; adjacent to the City of Weldon Spring
 County Council District: 3
 Account No.: 555630A000

Ellie Marr, Senior Planner, stated that this property is located at the corner of Westwood Drive and Crystal Drive. Crystal Drive is a private drive serving a residential subdivision. It is adjacent to the

City of Weldon Spring right across the street. C2 General Commercial District zoning is also nearby. The applicant is requesting approval to operate a lawncare service in residential zoning. By County Code, a minimum of one-acre lot is required and this is 3 acres. If the Commission recommends approval, a formal site plan must be approved which complies with the approved concept plan. Any major changes would need to return to the Planning and Zoning Commission for another hearing. Access to the lawncare business would be from Westwood Drive, a street with commercial traffic. The existing residence would be converted to an office, and a pole barn-type structure would be built to store all equipment indoors. No landscape materials or stock would be stored on site. All vehicles, trailers, and equipment must be parked and stored inside. Staff recommends that the Planning & Zoning Commission recommend approval of this conditional use permit request with the following conditions:

1. A site plan substantially complying with the attached concept plan and Section 405.525 of the County Code shall be submitted to and approved by St. Charles County prior to the conditional use becoming active.
2. No conditional use shall be in active use until such time all conditions of approval have been met.
3. All lawn care materials and any related equipment or vehicles shall be stored within an accessory structure, including, but not limited to, work vehicles, trailers, lawnmowers, fertilizer, or fuel tanks.
4. A Type 2 landscape buffer, as defined by Section 405.435 of the County Code, and of sufficient length to visually screen the proposed uses from the residential uses to the north, shall be installed and maintained along the northern property line.

Vice-Chairman Cleary asked if the Commission had any questions for the Planning and Zoning staff.

Vice-Chairman Cleary asked Ellie Marr if the storage building and landscape buffer must be installed prior to the business opening.

Ellie Marr answered in the affirmative. The site plan will have to be formally completed and staff does periodic site inspections.

Vice-Chairman Cleary asked if they could be doing it in process.

Ellie Marr answered in the negative. Everything has to be completed before the start of business.

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

Vice-Chairman Cleary asked if the applicant would please come forward.

Jason Vahle, applicant, was sworn in. Mr. Vahle stated that he will have 25 employees and utilize 20 vehicles, 10 of which are typically stored at the business with the remaining 10 taken home. Employee parking will be utilized during the day Monday through Friday, and Saturdays if need be. The business will be closed Sundays. Hours of operation will be 7 a.m. to 6 p.m. As far as lighting around the business, motion activated lighting will be used. It will be dusk to dawn lighting, so it's not lit all the time. A privacy fence will be installed along Crystal Lake Drive. A landscape buffer will extend along the northern property line. Also, a tree line extending across the back of the property will provide additional screening.

Vice-Chairman Cleary asked if the entire lot would be fenced with a privacy fence.

Mr. Vahle responded that only the Crystal Drive frontage would be fenced.

Vice-Chairman Cleary asked if there were any other questions for the applicant.

Jamaal Jackson stated that the hours of operation would be 7am to 6pm but asked if there would be any seasonality where hours of operation might change.

Mr. Vahle responded that those would be the extreme situations.

Jennifer Bahr asked if they ever started before 7:00 AM.

Mr. Vahle responded that only during the occurrence of snow.

There being no further questions for the applicant, Vice-Chairman Cleary opened the public hearing and asked if anyone in the audience wished to speak regarding this application.

Danny Kluesner was sworn in. He stated he is attending on behalf of Robert Matulewic, property owner, and wanted to express his appreciation for presenting his application to the Commission and asked for their support. He fully backs the application and the applicant.

Jerry Kohrs was sworn in. The proposed gate on Westwood Drive should not be installed because the applicant has no access to Crystal Drive. Crystal Drive is a private street which Mr. Kohrs owns personally. He has two deeds, one to his property and a deed to Crystal Drive. He pays the taxes on the street and maintains it. Mr. Vahle has no legal right to use Crystal Drive. The only reason he can park at his house is because last year the County lowered Crystal Drive five feet because they said it was hazard. You still can't see because its 5 foot above when you come out. In the meantime, they eliminated their eight-foot driveway. So, they can come in just for their office because he bought the house and has no legal access down Crystal Drive past where that parking is for that office.

Vice-Chairman Cleary asked Mr. Kohrs to confirm his statement that he owns Crystal Lake Drive.

Mr. Kohrs answered in the affirmative and stated he has the deed to prove it.

Vice-Chairman Cleary asked if homeowners in the subdivision have recorded road easements to their homes.

Mr. Kohrs stated they all have an easement off his road except for the subject property which was not part of the Bergermeister Farm development. The proposed fence along Crystal Lake Drive will have a gate, according to their plans. Mr. Kohrs stated that the lawncare business cannot use Crystal Lake Drive.

Craig Frahm asked how the applicant accesses his property now.

Mr. Kohrs responded they had a little 8-foot-wide drive off of Westwood Drive

Craig Frahm stated Mr. Vahle is installing a landscape buffer instead of fencing because the County prefers it.

Mr. Kohrs stated the concept plan doesn't state the size of trees to be planted or what kind.

Craig Frahm confirmed that it is on the concept plan and said that driveway access will be from Westwood Drive.

Mr. Kohrs asked why he has a gate going into that new building.

Craig Frahm stated he did not know why.

Mr. Kohrs asked how he can be zoned commercial when there is no sewage.

Craig Frahm explained that the applicant is requesting a Conditional Use Permit rather than being rezoned. A Conditional Use Permit is not a zoning change.

Mr. Kohrs asked Craig Frahm what a Conditional Use Permit is.

Craig Frahm explained that a conditional use would be specific approval to operate a specific use.

Mr. Kohrs asked Craig Frahm if that means he can do anything he wants.

Craig Frahm said that it would have to abide by the application submitted and approved.

Mr. Kohrs asked how tall a door is going to be on that building.

Craig Frahm responded that the Commission will ask the applicant that question.

Mr. Kohrs asked how many vehicles Mr. Vahle has.

Craig Frahm stated that Mr. Vahle told the Commission that he has 15 vehicles.

Mr. Kohrs said that it will be time consuming to every evening park every piece of equipment indoors and in the morning back them all out. After a while they would eventually begin leaving equipment outdoors.

Vice-Chairman Cleary stated that Mr. Vahle stated that half of the vehicles would be going home.

Craig Frahm read the third condition, "All lawn care materials and any related equipment or vehicles shall be stored within an accessory structure, including, but not limited to, work vehicles, trailers, lawnmowers, fertilizer, or fuel tanks." All of that will have to be stored indoors and if he doesn't do that, he can be cited.

Vice-Chairman Cleary asked if there were any additional comments from the audience.

Arnie C. Dienoff was sworn in. Mr. Dienoff stated that he would like the Commission to add additional conditions. He would like for a Type 3 berm to be installed; add that no work or starting of engines may occur before 7:00 AM; no working on equipment should be permitted outside; accumulation of non-working equipment should not be permitted outside; yard waste and debris should not be permitted outside of the property; and tighter restrictions should be made for the storage of salt, chemicals, and pesticides on the property.

Mark Miles was sworn in. Mr. Miles stated this is a lawn mower business and that everyone is being deceived by the applicant's statements. They say they're going to keep all the equipment inside. The proposed storage building is 90 foot by 45 foot plus an existing accessory building to repair lawnmowers. His top concern is noise as he lives in a very peaceful neighborhood. They will have

10 employees on site with five working inside and five outside. No one is addressing the staff coming to work to take that equipment out. 20 employees will be going out to the field plus five additional -- where will these employees park? No one knows how many people will be there at one time and how many will really show up. The house has one septic tank built for one family, and 10 people are going to be working there with 20 or more showing up. He's never seen any lawn care company with just one person in a truck as they usually have 2 to 4 workers per vehicle. The statement about the number of cars there is incorrect, and it clearly states in staff recommendations that parking areas will be installed for employees. Condition #2 states that no conditional use shall be in active use until such time all conditions of approval have been met. He stated that employees have already started reporting to work there and they have placed a dumpster out in front of the house. They are conducting business here already. The County's memo states that low density residential land uses should be on the north side of Westwood Drive and commercial land uses on the south side. Mr. Miles requests that this Conditional Use Permit be denied.

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

Regarding the number of employees, Vice-Chairman Cleary asked Mr. Vahle what will be done in terms of sewage since there will be 20 to 30 people for a single-family home. Will there be any kind of upgrade to the sewage disposal system?

Mr. Vahle stated that he plans to upgrade the septic system.

Vice-Chairman Cleary asked how is going to do that.

Mr. Vahle stated he plans to contract with a plumbing contractor to install two 1,000-gallon septic tanks. He spoke to Duckett Creek Sanitary District but there is no feasible way to connect to public sewer.

Vice-Chairman Cleary asked if Duckett Creek indicated that that amount of storage would be sufficient for the number of employees.

Mr. Vahle stated he did not ask them that. He said he has 25 employees in peak season in spring, summer and fall. On site there will be most days be four employees 9AM to 4PM, including one mechanic and three office workers. Other employees do arrive, get in vehicles, and leave. Box trucks are utilized so there isn't a need for trailers. They don't load material or equipment in the morning. It all stays on their trucks overnight. They don't start equipment motors in the morning or load and unload. And ten of their trucks go home at night with our employees.

Vice-Chairman Cleary asked where the 25 employees will park their cars.

Mr. Vahle responded that he has a couple of vans that the employees ride in, and those usually take 4 to 5 parking spots.

Vice-Chairman Cleary stated that the employees are going to need 20 parking spaces.

Mr. Vahle responded that they will not need 20 parking spaces. Ten of the employees take their trucks home every day. They will just be parked there temporarily, and they will be driving into the property in the mornings if they drive in at all. Everything is so digital now their routes are loaded to their tablets.

Vice-Chairman Cleary asked if the employees take the equipment home with them.

Mr. Vahle responded that some of the employees do take the equipment home with them.

Tracy Boehmer stated that Mr. Vahle stated that ten of the employees will never need to come to the property. She asked if those employees were using the box trucks and if those trucks were loaded with the equipment they need.

Mr. Vahle responded that four of the trucks to be stored on site are box trucks.

Tracy Boehmer asked about the trucks that are not coming to the site every day.

Mr. Vahle stated that those are pickup trucks.

Tracy Boehmer asked if those trucks have trailers.

Mr. Vahle answered in the negative. He said he has two dump trailers that he will store on site.

Craig Frahm stated that there is some confusion on the vehicles that will be stored on the site. The application states that the new warehouse building will store 15 vehicles, including two enclosed trailers, two dump trucks, and two utility trailers. He asked Mr. Vahle if that was correct.

Mr. Vahle stated that the vehicles listed on the application would be the maximum number of vehicles that would be on the site. He stated that there are currently four box trucks on the site, along with two medium-duty trucks, one of which has a dump bed.

Craig Frahm asked if those just come and go and if they have any equipment on them.

Mr. Vahle responded that the two medium-duty trucks haul the dump trailer.

Craig Frahm asked Mr. Vahle about access to the property and the gate along Crystal Drive.

Mr. Vahle responded that the gate is for aesthetics because a gravel driveway exists there now.

Craig Frahm asked Mr. Vahle if he still plans to install a gate at Crystal Drive since Mr. Kohrs has stated that he is not going to grant him access to that private road.

Mr. Vahle responded that he never planned to use that road for access to the property.

Craig Frahm asked why is putting in a gate.

Mr. Vahle responded that the gate was for aesthetic reasons and the engineering company recommended that he gate that driveway entrance.

Craig Frahm stated that when you put a gate in, people will use it. He stated that he would recommend that Mr. Vahle not put that gate there.

Mr. Vahle responded that he could remove it.

Craig Frahm stated that there is still is a concern with the existing metal garages. He asked where the work is going to be performed when repairing vehicles.

Mr. Vahle responded that any major mechanical repairs are done off site, as he is not equipped to handle those.

Craig Frahm asked if he has a maintenance company that maintains his vehicles or if he has on site mechanics.

Mr. Vahle responded that he has a mechanic who mostly sharpens blades and changes oil.

Craig Frahm asked if he would actually be repairing engines and replacing transmissions.

Mr. Vahle stated that they may be replacing lawn mower engines.

Craig Frahm stated that the Commission can recommend conditions on this CUP to make sure that they would not repair vehicles on the property. He asked Mr. Vahle if he would be opposed to a condition stating that he cannot repair trucks or trailers in order to maintain the peace in this quiet neighborhood.

Mr. Vahle asked how broad the term "repairing trucks and trailers" is.

Craig Frahm stated that he would be able to repair lawnmowers but not be allowed to work on trucks or trailers or replace engines or transmissions. That is what the neighbors are really concerned about as far as noise levels.

Roger Ellis asked if he could make the suggestion that the Commission add a condition stating that they cannot repair any *licensed vehicles* on the property, which would cover trucks, vans, and trailers.

Craig Frahm asked Mr. Vahle if he felt comfortable with that suggestion.

Mr. Vahle asked if that would cover routine maintenance of those vehicles.

Craig Frahm responded that he wouldn't consider changing oil as being a repair, just routine maintenance. Other repairs such as replacing tires, brakes and engine parts, and tune-ups are repairs but could be considered maintenance too. He asked Roger Ellis how he felt about that.

Roger Ellis responded that there should be a definition for "repairs" versus "routine maintenance". He could consider replacing brakes as a repair. He would consider maintenance to include changing oil and windshield wiper fluid.

Craig Frahm asked if the Commission should also add a condition regarding abandoned vehicles not being allowed to be parked outside for any length of time. He asked Mr. Vahle if he would guarantee that all vehicles would be parked inside of the proposed garage. The staff recommended condition number three states that all lawn care materials and any related equipment or vehicles shall be stored within an accessory structure, including, but not limited to, work vehicles, trailers, lawnmowers, fertilizer, or fuel tanks.

Roger Ellis responded that he would state that no *inoperable* vehicles or equipment should be stored on the exterior of the property.

Jennifer Bahr stated that since it appears that the neighbors have an issue with noise level, she wonders if there is a way to put a limit on the decibel levels.

Craig Frahm stated that the Commission has tried that with wedding venues to little avail.

Mr. Vahle responded that any repairs or maintenance would take place within normal business hours and not overnight. These are mainly scheduled, routine maintenance.

Craig Frahm stated that neighbor would now be hearing work on vehicles during the daytime when they didn't have to deal with that before. The Commission is trying to mitigate for the neighborhood what they haven't had to put up with in the past, and since there is an existing building that is backing up to Lots 7, 8 and 9 those neighbors are going to be hearing noise unless that metal building is going to keep the noise level from permeating to the other lots. He stated that he was a mechanic for five years and it's noisy in a building when you are working on equipment.

Robert Myers stated that the County Ordinances already require that vehicles have to be stored indoors for lawncare conditional use permits. A condition could be modified to explicitly state that all work on equipment, vehicles, or maintenance of vehicles shall be done indoors only.

Tracy Boehmer asked if the Commission can condition the time that maintenance can be performed.

Robert Myers responded that the Commission can add a condition for that. If it's indoors it's probably covered, except that sometimes these operations leave the doors open in the summertime when it's hot which allows the noise to carry. He stated that the applicant suggested that his business hours will be from 7:00 AM to 6:00 PM.

Craig Frahm said he is still concerned about any major repairs that might be done to any of the vehicles. If "maintenance" is not specified he could be doing bodywork.

Vice-Chairman Cleary clarified that the Commission is adding the language "for maintenance purposes only and not repairs" to Condition 3, and "No inoperable vehicles stored on the premises" to Condition 5. He also stated that the Commission has motioned to add a sixth condition that the gate fronting Crystal Lake Drive be removed.

Tracy Boehmer asked Mr. Vahle what he will be doing with landscape waste such as timbers, trees, and brush.

Mr. Vahle responded that those items usually go into recyclable containers. Those are hauled away or picked up from the work site.

Jennifer Bahr stated starting earlier than 7:00 AM was generally the earliest start time except in the case of snow removal. She is concerned that if a condition imposed a 7:00 AM start time they couldn't do snow removal in winter when roads need to be cleared earlier than that. She wants to ensure that they can do that within the scope of any recommended conditions.

Craig Frahm stated that they would either have to make provisions to have their vehicles at home during snow removal times, or not come to the property to pick them up until 7:00 AM. If Mr. Vahle knows what the forecast is, he is going to have those vehicles out on the roads. The Commission is making the Condition that he cannot have employees come in and take equipment off of the property unless it is during the hours of 7:00 AM and 6:00 PM.

Terry Hollander asked Robert Myers since this is a conditional use permit to explain what the next process is with the County Council.

Robert Myers stated that the Commission is a recommending body that holds the public hearing and makes a recommendation to the County Council. The Commission will either recommend approval as presented, approval with conditions, or denial of the application. The County Council would then take up the review of a bill for consideration. The County Council does that in two meetings. Any ordinance can include conditions specifying under what circumstances such a business can be

operated at that location. If there are conditions in the ordinance that is approved by the Council, those become part of the rules that dictate how the business can legally operate.

Jennifer Bahr asked if the conditions recommended will preclude the use of his property on Saturdays.

Robert Myers stated that the applicant did state earlier that the business would be open Monday through Saturday, so the Commission may want to ask the applicant if those hours would work for him as the Commission earlier stated that the business would only be permitted to operate Monday through Friday.

Craig Frahm stated that he does not recall the hours of operation being put into the recommended conditions. They just stated no repairs.

Roger Ellis suggested that the word "equipment" should be added to the Condition regarding inoperable vehicles being stored on the property.

There being no further discussion from the Commission, Vice-Chairman Cleary asked for a motion to approve CUP20-14 subject to the staff recommended conditions, with the revisions that "for maintenance purposes only and not repairs" be added to Condition 3, "No inoperable vehicles stored on the premises" be added to Condition 5, and a sixth condition be added that states that the gate along Crystal Lake Drive be removed from the proposed fence.

Craig Frahm made a motion of approval with conditions, and Roger Ellis seconded the motion.

The vote on the motion to approve the revised Conditions was as follows:

Tracy Boehmer	- Yes	Kevin Cleary	- Yes	Jennifer Bahr	- Yes
Roger Ellis	- Yes	Diane Saale	- Yes	Craig Frahm	- Yes
Chad Cornwell	- Yes	Terry Hollander	-Yes	Jamaal Jackson	-Yes

The Vote Count was 9 Yeas, 0 Nays and 0 Abstentions.

Craig Frahm made a motion to approve CUP20-14 with the revised conditions, and Roger Ellis seconded that motion.

The vote on the motion was as follows:

Tracy Boehmer	- Yes	Kevin Cleary	- Yes	Jennifer Bahr	- Yes
Roger Ellis	- Yes	Diane Saale	- Yes	Craig Frahm	- No
Chad Cornwell	- Yes	Terry Hollander	-Yes	Jamaal Jackson	-Yes

Application CUP20-14 was recommended for **APPROVAL**, subject to conditions.

The Vote Count was 8 Yeas, 1 Nay, and 0 Abstentions.

III. REZONING REQUEST - HIGHWAY Z

Application No:	RZ20-16
Property Owners/Applicants:	Gerald A. Keeven Revocable Trust and Glennon J. Keeven Revocable Trust
Current Zoning:	A, Agricultural District
Requested Zoning:	C2, General Commercial District
2030 Master Plan:	Recommends commercial uses
Parcel Size:	10.50 acres
Location:	On the west side of Highway Z, approximately 300 feet south of Highway N; near the City of Wentzville
County Council District:	2
Account Nos.:	747810A000 and 747960A000

Robert Myers stated that the applicant is proposing to construct and operate an outdoor storage yard for automobiles, boats, trucks, and recreational vehicles on this property. In order to do so, the applicants propose both a zoning map amendment and a conditional use permit according to their specific plan. The 2030 Future Land Use plan envisions a commercial node clustered around the intersection of Highway N and Highway Z and extending south to Buckner Road. The two subject parcels are located within this commercial land use node. Lower intensity commercial uses are currently clustered at this intersection, including a Walgreens pharmacy, two convenience stores, and an animal feed store. Additionally, just to the south, at Buckner Road, two outdoor storage yards are currently operated by the applicants. More intensive commercial usage is now limited by a lack of public sewer service at this location, but that is likely to change once public sewer becomes available. The Master Plan identifies Highway N as a major growth corridor for St. Charles County, and the Missouri Department of Transportation (MoDOT) and the County Road Board are working cooperatively to widen this State highway. According to the latest draft of the Environmental Impact Statement, this intersection will be upgraded and the roadways reoriented. Based on these plans, future Highway N will border the subject property rather than extending through it. Future access to these parcels will remain from the east (Highway Z) with no direct access permitted to the rerouted Highway N. Given projected growth in the Highway N corridor, and existing and anticipated commercial uses at this specific intersection, future commercial land uses can be viewed as generally compatible and appropriate for this property. County staff recommends that the Planning and Zoning Commission recommend approval of this zoning map amendment.

Vice-Chairman Cleary asked Robert Myers how this corridor along Highway Z would be upgraded. He stated that it looks to him like the future upgrades will be more to the east of this property and that small portion of Old Highway Z going to remain intact.

Robert Myers responded that is correct. His understanding is that Highway Z in front of this property will likely become a cul-de-sac, so the property will continue to take access off of Highway Z instead of Highway N.

Vice-Chairman Cleary asked if the Commission had any other questions for staff.

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

Gerald Keeven, the property owner and applicant, was sworn in.

Mr. Keeven stated that the subject property includes two parcels totaling 10.50 acres. The new David Hoekel Parkway as shown on the tentative alternative route for Highway N is roughly 320 feet wide, but they don't need 320 feet and he believes the actual route will be further north within this defined study area corridor. He believes the ultimate design will avoid taking out two fairly large buildings such that the new Hwy N might clip the northwest corner of his property, if that. Mr. Keeven does operate two other outdoor storage facilities in this area, one of which would adjoin to this facility, and one that is located south of Buckner Road. Each time that he has applied for a CUP to open one of these storage facilities and it seems to have been the same story that subdivisions do not allow the parking of recreational vehicles. He runs eight storage facilities with seven in St. Charles County and one in Jefferson County. At this time, they have zero spaces left to rent. The pandemic has significantly pushed people outdoors and recreational vehicle sales are extremely high right now. That means there is a shortage of RV parking areas, and he feels like they really need to be able to help people by providing storage for their possessions. Storage is definitely not a "highest and best use" for this ground, but it is a good use for now.

Vice-Chairman Cleary asked Mr. Keeven how many recreational vehicles he plans to store there.

Mr. Keeven responded this lot will hold roughly around 385 RV's.

Vice-Chairman Cleary asked Mr. Keeven what type of surface the parking area will have.

Mr. Keeven responded that he is asking for gravel parking surface and has never had any other type of surface. He has never had any complaints about dust from any of his storage lots. Generally, the longest roads in these facilities is about 200 feet long, so people aren't driving very fast and getting the dust moving very much. He also feels that a gravel surface will be more user and environmentally friendly should this property be used for something else at some point in the future.

Vice-Chairman Cleary stated that these are heavy vehicles. He asked the thickness of the rock he uses.

Mr. Keeven responded that he generally lays 14 to 16 inches of gravel.

Vice-Chairman Cleary asked if the Commission had any other questions for the applicant.

Seeing none, Vice-Chairman Cleary asked if anyone in the audience wished to speak regarding this application.

Arnie C. Dienoff was sworn in. He stated that Mr. Keeven is an outstanding corporate citizen. Mr. Keeven will do what he promises. Mr. Dienoff can attest that he is a man of his word. It is true that subdivisions do not allow RV parking and that people are buying boats, RV's, and campers more due to the pandemic. However, he requests additional stipulations regarding this rezoning. He asked if the City of Wentzville was notified regarding this rezoning as a State Statute allows municipalities within one mile of properties requesting to be rezoned that allows them to pass a remonstrance to oppose the rezoning. He does not see comments regarding this rezoning request from the City of Wentzville in the packet, and he asked County staff if they were notified.

Robert Myers responded that if a rezoning request is within 1.5 miles of a municipality, that municipality is always notified.

There being no further audience speakers, Vice-Chairman Cleary closed the public hearing and called for discussion from the Commission.

There being no further discussion, Vice-Chairman Cleary entertained a motion to recommend approval of Application No. RZ20-16.

Terry Hollander made a motion of approval, and Craig Frahm seconded the motion.

The vote on the motion was as follows:

Tracy Boehmer	- Yes	Kevin Cleary	- Yes	Jennifer Bahr	- Yes
Roger Ellis	- Yes	Diane Saale	- Yes	Craig Frahm	- Yes
Chad Cornwell	- Yes	Terry Hollander	- Yes	Jamaal Jackson	- Yes

Application No RZ20-16 was recommended for Approval.

The Vote Count was 9 Yeas, 0 Nays and 0 Abstentions.

IV. CONDITIONAL USE PERMIT – HIGHWAY Z

Application No: CUP20-15
 Property Owner/Applicants: Gerald A. Keeven Revocable Trust and Glennon J. Keeven Revocable Trust
 Current Zoning: A, Agricultural District
 Requested Zoning: C2, General Commercial District
 Conditional Use Request: Outdoor storage yard for automobiles, boats, trucks trailers and recreational vehicles
 Parcel Size: 10.50 acres
 Location: On the west side of Highway Z, approximately 300 feet south of Highway N; near the City of Wentzville
 County Council District: 2
 Account Nos: 747810A000 and 747960A000

Robert Myers stated that the previous item on the agenda was a zoning map amendment which addressed the question of whether or not this was the right place for commercial land uses. This application addresses whether or not this the right place for specifically an outdoor storage yard for automobiles, boats, trucks, trailers and recreational vehicles. The applicant has provided specifics on how they would operate such a conditional use permit, including a concept plan which has been made part of the record. The applicant operates two similar vehicle storage yards immediately to the south running along Highway Z and Buckner Road. Highway Z will likely remain the point of access for the facility and likely become a cul-de-sac.

Highway N will curve around the northwest corner of this property. The applicant proposes 52 trees along the Highway Z frontage, and if it would be acceptable to the applicant, Mr. Myers recommended moving 20 of those trees to the western boundary line because that is where the property will be visible from Highway N. The Highway Z frontage is going to be a cul-de-sac at some point and so that frontage will be less visibility from the public. But the storage lot will be quite visible from the rear. County staff recommends that the Planning and Zoning Commission recommend approval of this conditional use permit request with conditions as provided in the staff memorandum.

Craig Frahm asked if Mr. Myers is suggesting that the Commission add a condition for moving the 20 trees to the western boundary line of the property.

Robert Myers replied in the affirmative, if that would be acceptable to the applicant. That wording is already included in staff's recommended conditions.

Vice-Chairman Cleary asked if the Commission had any additional questions for staff.

Chad Cornwell stated that although the exact road alignment of Highway N is unknown, it sounds like it could possibly require that some right-of-way be taken from this property in the future which would then require the trees to be removed from western side of the property.

Robert Myers responded that the road alignment would be somewhere within the corridor study area as indicated by the blue lines on the map. And Mr. Keeven stated that he believes that the actual route will be towards the north of the "blue line" study area corridor.

Vice-Chairman Cleary asked the applicant to come to the podium to speak.

Gerald Keeven stated that he has no issue with placing 20 of the 52 trees on the western side of the property. Regarding the concern that some of the property within the blue line area may be purchased for the realignment of Hwy N, he has no issues with that as he is pro-business and pro-growth. If the road needs to take a corner of his property that would not be a problem. And if he would need to put in more trees in the future because of that, he would have no issue with doing so. During the public hearing for the last storage lot off Highway D and Highway DD, Planning and Zoning Commissioner Gary Griffin had asked if he would plant Norway Spruce trees as a visual screen. Mr. Keeven had proposed White Pine trees, but he now agrees that the Norway Spruce was a better option. Once planted he definitely agrees with the suggestion to plant the Norway Spruce trees there. In another area they put in a lot more trees than they were required to put in, but he would prefer to go beyond what is required as opposed to coming up short.

Vice-Chairman Cleary asked if the Commission had any questions for the applicant. There were no questions.

Vice-Chairman Cleary asked if there was anyone in the audience who wished to speak regarding this application.

Arnie C. Dienoff was sworn in. Mr. Dienoff stated that Mr. Keeven is a good neighbor and operates his storage facilities well. Mr. Dienoff wants to protect the County's future and the adjoining properties with their property values. This corridor will see the highest population growth in our County for the next 10 to 20 years and he would like County staff to negotiate now with the property owner to acquire necessary right-of-way as part of this conditional use permit. Additionally, he recommends a Type 3 berm instead of Type 2 berm, recommends that the gate be closed and accessed with some type of keypad or security system. Security cameras should be installed to guard customers' assets. No derelict vehicles should remain on the property, and repairs of vehicles should not be allowed. The

sales of autos, boats, campers or RVs should not be permitted on the property. As part of the staff report, he stated that he did not see any mention of stormwater compliance with the new and stricter codes. He stated that he also agrees with many of the issues listed in the January 8, 2021 letter from the City of Wentzville regarding this conditional use request and asked that this application be approved with those conditions. He also asked if there are restricted hours of operation to be placed on this application or if it would be a 24-hour access facility.

Vice-Chairman Cleary asked if anyone else in the audience wished to speak regarding this application.

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

Gerald Keeven returned to the podium and Craig Frahm asked him if he plans to install a stormwater detention facility on the property.

Mr. Keeven answered in the affirmative and stated that stormwater detention on the property will meet the County's new stormwater regulations.

Vice-Chairman Cleary stated that there was also a question what the hours of operation would be.

Mr. Keeven stated that the hours of operation will be the same as the other storage lots: seven days a week and 24 hours per day. He added that the electrical lines on the property are all buried, and all of the County's light standards will be met. There will be no maintenance allowed on any of the vehicles on the property, and this is stated in all lease agreement.

Vice-Chairman Cleary asked if there would be anything in the lease to address derelict vehicles.

Mr. Keeven responded that he does not accept any derelict vehicles. If there is ever going to be a storage bill unpaid it would be on a derelict vehicle. With all of these storage lots always being full, it allows his business to be very selective.

Vice-Chairman Cleary asked the Commission if they had any questions for the applicant.

Craig Frahm asked Mr. Keeven if he had seen the comment letter from the City of Wentzville.

Mr. Keeven responded that he had not seen that letter.

Craig Frahm stated that Wentzville's letter had detailed recommendations.

Chad Cornwell stated that the City of Wentzville doesn't have any jurisdiction as far as regulating the design of this unincorporated lot.

Craig Frahm stated that is correct, but as a neighbor the Commission likes to take their comments into consideration.

Robert Myers stated that the comments that the City of Wentzville made are standard and typical comments that they provide for all outdoor storage yards. In terms of dust, staff places a condition on the site plan that if dust from gravel surfaces becomes a problem that the County will contact the entity operating the storage lot and have them treat it with calcium chloride. Regarding light standards, the County has a 20-foot maximum height on light standards and 0.5-foot candles maximum at the property line. Staff does have light meters but not decibel meters and when

necessary goes out at night to check for compliance. In terms of wrecked or damaged vehicles, a County inspector can inspect for compliance with property maintenance codes when necessary.

Vice-Chairman Cleary asked if the Commission has the authority to impose a dedication of right-of-way for this property.

Robert Myers responded that doing so would be premature as the specific right-of-way location has not yet been identified.

Vice-Chairman Cleary stated that this will likely be an interim use for this property at this time anyway.

There being no further discussion, Vice-Chairman Cleary entertained a motion to recommend approval of CUP20-15.

Craig Frahm made a motion of approval with conditions, and Terry Hollander seconded the motion.

The vote on the motion was as follows:

Tracy Boehmer	- Yes	Kevin Cleary	- Yes	Jennifer Bahr	- Yes
Roger Ellis	- Yes	Diane Saale	- Yes	Craig Frahm	- Yes
Chad Cornwell	- Yes	Terry Hollander	- Yes	Jamaal Jackson	- Yes

Application No CUP20-15 was recommended for Approval.

The Vote Count was 9 Yeas, 0 Nays and 0 Abstentions.

V. REZONING REQUEST – NORTH SHORE DRIVE

Application No:	RZ20-17
Property Owner:	222 Yacht Club, LLC, Arthur F. Denkmann III, Registered Agent
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 Parks and Open Space
Parcel Size:	29.90 acres
Location:	On the north side of the terminus of North Shore Drive
County Council District:	6
Account No.:	905670A000

Ellie Marr, Senior Planner, stated that the property is currently zoned A, Agricultural District, and does include Floodway and Floodway Fringe Overlay designations. Nearby marinas have already been rezoned to Riverfront District with the reasoning that many recreational uses in the Agricultural District require a conditional use permit with every expansion. In this case the owner would like to expand the RV campground. Under Agricultural District zoning that would require a conditional use

permit. By rezoning to Riverfront District, such recreational uses would be permitted with an approved site plan. The site plan review would include wastewater requirements. The County would also ensure floodplain compliances on the site plan including protecting electrical meters.

Vice-Chairman Cleary asked if the Commission had any questions for staff. Seeing none, Vice-Chairman Cleary opened the public hearing and asked the applicant to come forward.

Art Denkmann was sworn in. Mr. Denkmann stated that this request is to bring the current use of the property in compliance with zoning for the area. Most of the marinas to the north, west, and south are already rezoned RF, Riverfront District and he is requesting to have his property rezoned to that also.

Vice-Chairman Cleary asked if the Commission had any questions for the applicant. There were no questions.

Vice-Chairman Cleary asked if anyone from the audience wished to make public comments on this application.

Arnie C. Dienoff was sworn in. Mr. Dienoff is opposed to this rezoning request because he thinks it is a bad move for this Commission to give up County control provided by the conditional use permit process.

Vice-Chairman Cleary asked if there was anyone else in the audience who wished to speak regarding this application.

There being no further audience speakers, Vice-Chairman Cleary closed the public hearing and called for discussion from the Commission.

There being no discussion, Vice-Chairman Cleary entertained a motion to recommend approval of application RZ20-17.

Terry Hollander made a motion of approval, and Tracy Boehmer seconded the motion.

The vote on the motion was as follows:

Tracy Boehmer	- Yes	Kevin Cleary	- Yes	Jennifer Bahr	- Yes
Roger Ellis	- Yes	Dianne Saale	- Yes	Craig Frahm	- Yes
Chad Cornwell	- Yes	Terry Hollander	-Yes	Jamaal Jackson	- Yes

Application RZ20-17 was **APPROVED**.

The vote count was 9 Yeas, 0 Nays, and 0 Abstentions.

VI. REZONING REQUEST - 2366 SOMMERS ROAD

Application No: RZ21-01

Property Owners: Daniel and Jacqueline Kern

Current Zoning:	A, Agricultural District (5 acre minimum lot size)
Requested Zoning:	R1B, Single-Family Residential District (20,000 square foot minimum lot size)
2030 Master Plan:	Recommends low density residential uses (1 to 4 dwellings per acre)
Parcel Size:	1.85 acres
Location:	On the northeast corner of Sommers Road and Oak Drive, near the Cities of O'Fallon, Lake St. Louis, and Dardenne Prairie
County Council District:	2
Account No.:	787950A000

Ellie Marr, County Planner, stated that this property is located on the corner of Oak Drive and Sommers Road. A large portion of the unincorporated properties in this area are still zoned Agricultural District. The cities of Lake Saint Louis and O'Fallon are expanding southward and southwestward nearby with residential zoning. Consequently, this rezoning from Agricultural District to a Residential District fits in with the surrounding land uses. The applicant is asking for R1B zoning which is a 20,000-square foot lot size so these are fairly large lots. There is no plat to present tonight however the applicant has mentioned that they are looking to build three homes on this property. A natural water course crosses the property that would be addressed with the plat. Staff is recommending that the Planning and Zoning Commission recommend approval of this rezoning.

Vice-Chairman Cleary asked Elli Marr if she knows if the side street is a public or a private road.

Ellie Marr responded that she is not certain whether that road is public or private.

Vice-Chairman Cleary asked if the Commission had any other questions for staff.

Seeing none, Vice-Chairman Cleary opened the public hearing and asked the applicant to come forward.

Daniel Kern was sworn in. Mr. Kern stated that he would like to divide the property into two half-acre lots and build houses on them. He stated that the side street is public.

Vice-Chairman Cleary asked if there is enough width on this property for three homes.

Mr. Kern responded that he is planning to divide the lots into 95-foot widths.

Vice-Chairman Cleary asked what size homes he is planning to build there.

Mr. Kern responded that the homes will probably be around 1,800 square feet.

Vice-Chairman Cleary asked if the Commission had any other questions for the applicant.

Terry Hollander asked if he owns or rents out the existing home on the property.

Mr. Kern responded that he owns that house.

Vice-Chairman Cleary asked if anyone from the audience wished to make public comments on this application.

Diana Ferner was sworn in. Ms. Ferner stated that Mr. Kern owns the home on the property, and he rents it out to his daughter. She would like to know the price range of the homes because that will affect her home value.

Craig Frahm asked her where her home is located.

Ms. Ferner responded that her house backs up to Liberty High School next to the football field in the second cul-de-sac off Paul Renaud. She stated that a few houses down the street just built are worth over a million dollars. If Mr. Kern will subdivide this property into three lots, she wants to know what the price range of the homes will be because it could adversely affect the price of her home.

Craig Frahm stated that he respectfully disagrees with Ms. Ferner. Seeing the subdivision where her home is located he does not believe that she will lose any property value.

Ms. Ferner responded that she lives in a 4,600 square foot house, and Mr. Kern has indicated that his homes would be about 1,800 square feet.

Craig Frahm stated that he does not believe that Mr. Kern will build cheap homes on these lots, and 4,600 square foot homes can't be built everywhere.

Vice-Chairman Cleary stated an 1,800 square foot home is not a small home.

Mr. Ferner stated that she just wants to know the price range of homes Mr. Kern plans to build.

Craig Frahm stated that this application is a request for a zoning change only. If this rezoning request is approved, the applicant will come back before the Commission with a preliminary plat and the Commission will decide at that time whether the lot sizes and potential home sizes should be approved.

Arnie C. Dienoff was sworn in. Mr. Dienoff stated that there is a lot of mixed zoning in this area, and in addition to the million-dollar homes, there are also two subdivisions by Payne Homes with 126 homes in one and 100 homes in the other which is a great mix of homes in terms of density. He stated that he imagines that Mr. Kern is going to ensure that the homes he builds will be a good investment and a good compromise will be made. He recommends approval of this rezoning request. He asked County staff if the Cities of Dardenne Prairie, O'Fallon and Lake St. Louis were notified regarding this request.

Robert Myers stated that if the property is within a mile and a half of the municipalities, the municipalities are notified.

Vice-Chairman Cleary asked for the applicant to come back to the podium.

Vice-Chairman Cleary asked Mr. Kern what he anticipates the price range will be on the homes he is planning to build on this property.

Mr. Kern responded that he expects to sell the homes for \$250,000 or more.

Craig Frahm asked what size the home is that is currently on the property.

Mr. Kern responded that home is approximately 1,000 square feet.

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

Jennifer Bahr stated that as a realtor in the County and that homes are currently going for \$200 a square foot with half-acre lots. If Mr. Kern builds 1,800 square foot homes on this property, that's equal to about \$350,000 per home.

There being no further discussion, Vice-Chairman entertained a motion to recommend approval of application RZ221-01.

Terry Hollander made a motion of approval; and Jamaal Jackson seconded the motion.

The vote on the motion was as follows:

Tracy Boehmer	- Yes	Kevin Cleary	- Yes	Jennifer Bahr	- Yes
Roger Ellis	- Yes	Dianne Saale	- Yes	Craig Frahm	- Yes
Chad Cornwell	-Yes	Terry Hollander	- Yes	Jamaal Jackson	- Yes

Application RZ21-01 was recommended for **APPROVAL**.

The vote count was 9 Yeas, 0 Nays, and 0 Abstentions.

VII. REZONING REQUEST - 2431 SOUTH POINT PRAIRIE ROAD

Application No: RZ21-03
Property Owner: Brian Ringling and Shari Ringling
Current Zoning: R1A, Single-Family Residential District, with PUD Overlay District
Requested Zoning: A, Agricultural District
2030 Master Plan: Recommends low density residential uses (1 to 4 dwellings per acre)
Parcel Size: 5.25 acres
Location: On the west side of South Point Prairie Road, approximately 1,600 feet south of Buckner Road, near the City of Wentzville
County Council District: 2

Account No.: 752670A000

Robert Myers, Director of Planning & Zoning, stated this property was part of a much larger Planned Unit Development (PUD) proposed many years ago and which is now defunct. The PUD plan for this parcel included five lots and a small lake. The existing zoning is somewhat of a relic. The applicant would like to remove the Planned Unit Development, return the zoning back to A, Agricultural District, and build one house.

Vice-Chairman Cleary asked if the Commission had any questions for the Planning and Zoning staff.

Seeing none, Vice-Chairman Cleary asked for the applicant to come forward.

Brian Ringling was sworn in. Mr. Ringling said he would like to build a house with a pole barn.

Vice-Chairman Cleary asked if the property had any public sewers.

Mr. Ringling answered in the negative.

Vice-Chairman Cleary asked if anyone from the audience wished to make public comments on this application.

There being no further discussion, Vice-Chairman Cleary entertained a motion to recommend approval of RZ221-03.

Craig Frahm made a motion of approval; and Chad Cornwell seconded the motion.

The vote on the motion was as follows:

Tracy Boehmer	- Yes	Kevin Cleary	- Yes	Jennifer Bahr	- Yes
Roger Ellis	- Yes	Dianne Saale	- Yes	Craig Frahm	- Yes
Chad Cornwell	-Yes	Terry Hollander	- Yes	Jamaal Jackson	- Yes

Application RZ21-03 was **APPROVED**.

The vote count was 9 Yeas, 0 Nays, and 0 Abstentions.

VIII. REZONING REQUEST – HIGHWAY N

Application No: RZ21-02
Property Owners: Carol J. Glass, Kathryn Barclay-Glass, and Thomas E. Glass
Developer: DCM Development, LLC
Current Zoning: A, Agricultural District (5 acre minimum lot size)
Requested Zoning: RR, Single-Family Residential District (3 acre minimum lot size)
2030 Master Plan: Recommends low density residential uses (1 to 4 dwellings per acre)

Parcel Size: 120.318 acres
Location: On the north side of Highway N,
approximately 1,100 feet east of Ellerman
Oaks Drive; near the City of Wentzville
County Council District: 2
Account No.: 745470A000

Ellie Marr stated this property is 120 acres and currently zoned A, Agricultural District. The applicant is asking for RR Single-Family Residential District zoning. RR District zoning would allow the development of three acre lots instead of five acre lots. The 2030 Future Land Use Plan for the area calls for Low Density Residential uses at a residential density of 1 to 4 dwellings per acre. The proposed would be less dense than that. A preliminary plat would be presented later. Currently under Agricultural District zoning the subdivision could have up to 21 or 22 lots but with the rezoning would allow for 32 lots. Development under Agricultural District zoning could be accomplished by a minor subdivision plat with no County street standards. Development under RR District zoning would require paved streets, tree preservation, and some other County subdivision requirements.

Vice-Chairman Cleary asked if the Commission had any questions for the Planning and Zoning staff.

Craig Frahm noted two letters of opposition.

Ellie Marr confirmed that.

Dale Bax, Bax Engineering, was sworn in. Mr. Bax said he is representing DCM Development, LLC. Mr. Jeff Cole, a member of that company, is attending. The rezoning includes 120 acres on the north side of Highway N, west of South Point Prairie Road, and east of Morrison Lane. The tract has 100-foot wide frontage along Highway N, and Bax Engineering has already reviewed site distance for a potential street intersection at Highway N. Under RR District zoning 32 lots could be platted.

Mr. Bax provided an overview of the proposed 32-lot development with lots averaging 3.35 acres. Streets would be paved public streets 20 feet in width. All County tree preservation and natural watercourse requirements would be followed. They only intend to cut down the minimum number of trees to construct the road. Other tree removal could take place when houses are constructed on each lot. All homes would be custom designed and built. All homes would be served on private sanitary sewer systems as there is no sanitary system out here. Public Water Sewer District #2 has a water main line on Hwy N which would be extended throughout the subdivision. A homeowner's association would own and maintain common ground and entryway features, if any.

Vice-Chairman Cleary asked if there would be multiple builders on this project.

Mr. Bax stated typically three-acre lot developments have multiple builders. In this case Fischer and Frichtel would purchase all 32 lots. Homes would range from \$750,000 to \$1 million. Fischer and Frichtel is building very similar beautiful homes in The Woodlands in the Cottleville area, and they'd like to build that same type of product here.

Roger Ellis asked if the streets would be public or private.

Mr. Bax stated they will be public streets.

Vice-Chairman Cleary asked if the Commission had any more questions for the applicant.

Seeing none, Vice-Chairman Cleary asked if anyone in the audience wished to speak regarding this application.

Josh Klaas was sworn in. Mr. Klaas stated that he lives on Klaas Lane bordering this property to the east. Property owners along Klaas Lane have had surveyors come down their private road multiple times to set up surveying equipment on their properties. On one occasion the surveyors even brought an ATV and appeared to be prepping for activity. We had to ask them what they were doing there at 7:30 AM. When questioned, they informed us they were surveying the neighboring property. They said there was no other way to complete their tasks without coming down our road and entering our property. My point is that if a small surveying crew has to enter their private property in order to complete task, how will bulldozers and heavy equipment work without using Klaas Lane? He asked why the surveyors aren't now using the strip of land fronting Hwy N to access the back of the land.

Vince Klaas was sworn in. Mr. Klaas lives on Klaas Lane. He expressed concern for the 2030 Master plan to rezone this land for Low Density Residential uses. His family has lived on this land for over 70 years and have watched generations of farmers prosper, suffer, and divide their land. Families have divided this land to allow more families to work on the same. Light pollution, degradation of wildlife, increased traffic on the two-lane Hwy N, and quickly growing school districts are all immediate concerns. He requests the Commission not to approve Application RZ21-02.

Arnie C. Dienoff was sworn in. Concerning the 2030 Land Use Plan, which was controversial two years ago when it was adopted, Hwy N is somewhat of a border for platting 3 and 5 acre lots. Mr. Dienoff can sympathize with the two speakers and understand their concern, but he feels this is a good compromise. The County's future growth extends down Hwy N. He would rather have 3 acre lots than a dense development. He is glad to hear the builder will be Fischer and Frichtel and asks the Commission to approve this application.

Kevin Bahr was sworn in. Mr. Bahr said his property borders this property. He is fine with the development plan, but the County zoned the area for 5 acres lots. Why should the zoning be revised just to get nine more houses? Just to make more money is not the right reason to change the zoning.

Vice-Chairman Cleary asked for the applicant to come back to the podium.

Mr. Bax said that as a co-owner of Bax Engineering, to hear comments about his surveyors is concerning. Surveying a parcel also requires the survey of all adjoining parcels. He apologized for using Klaas Lane. State law gives surveyors the ability to access other people's property to locate their boundary corners and any encroachments, but we certainly don't want to abuse that right. The access to this development will be the hundred-foot-wide strip extending from Highway N. Bax Engineering will no longer need to survey other people's property. As mentioned, the development design intends to maintain and keep as many trees as possible. Trees sell houses. We want them to have the same privacy that we have. Concerning light pollution, the builder only wants to install nine streetlights. That may not meet the County's spacing requirements for street light standards. I don't believe we will be decreasing anybody's property values with the size of the houses in the lots that would be proposing on this.

Vice-Chairman Cleary stated the biggest issue was tree preservation, but Mr. Bax stated earlier that you plan to keep as many trees as possible.

Vice-Chairman Cleary asked if there were any other questions for the applicant.

Craig Frahm asked why not stay with 5 acres.

Mr. Bax responded that three-acre lot is in more demand than a five-acre lot.

Craig Frahm asked if a \$2 million house would have to be built on a five-acre lot.

Mr. Bax said that would be up to the discretion of the buyer. A good starting range for a home on a three-acre lot is \$500,000.

There being no further audience speakers, Vice-Chairman Cleary closed the public hearing and called for discussion from the Commission.

There being no further discussion, Vice-Chairman Cleary entertained a motion to recommend approval of RZ221-02.

Terry Hollander made a motion to approve Application RZ21-02; and Chad Cornwell seconded the motion.

The vote on the motion was as follows:

Tracy Boehmer	- Yes	Kevin Cleary	- Yes	Jennifer Bahr	- Yes
Roger Ellis	- Yes	Dianne Saale	- Yes	Craig Frahm	- Yes
Chad Cornwell	-Yes	Terry Hollander	-Yes	Jamaal Jackson	-Yes

Application RZ21-02 was **APPROVED**;

The vote count was 9 Yeas, 0 Nays, and 0 Abstentions.

IX. REZONING REQUEST – 2632 EISENBATH ROAD

Application No: RZ20-15
Property Owner: Mildred T. Conroy
Developer: T J and B, LLC, Tim Tobin, managing member
Current Zoning: A, Agricultural District (5-acre minimum lot size)
Requested Zoning: RR, Single-Family Residential District (3 acre minimum lot size)
2030 Master Plan: Recommends rural residential land uses
Parcel Size: 26.26 acres
Location: On the south side of Eisenbath Road, approximately 1,800 feet west of Freymuth Road; near the Cities

County Council District: of St. Paul and Josephville
1
Account No.: 288990B000

Ellie Marr, County Planner, stated that this application involves two parcels totaling 26.26 acres. The applicant proposes to construct six residences on the acreage with lot sizes less than the five-acre requirement for the current Agricultural District zoning but greater than the three-acre minimum for the Rural Residential District. The 2030 Future Land Use Plan for the area south of Eisenbath Road recommends Rural Residential land uses and Agricultural land uses to the north of Eisenbath Road. RR District zoning requires a minimum of 3-acre lot sizes. This request meets this 2030 Land Use recommendation. The Planning and Zoning Division recommends that the Planning and Zoning Commission recommend approval of this rezoning request.

Vice-Chairman Cleary asked for the applicant to come forward.

Dale Bax was sworn in. Mr. Bax is representing TJ&B LLC, the company formed to develop this tract. Tim Tobin with the company is also present. Lone Wolf Subdivision would include 26.2 acres tract and were asking for rezoning and preliminary plat approval. Three-acre lot developments already exist around this parcel. The proposed six lots would range from 3.32 to 4.9 acres with an average lot size of 4.14 acres. The plat would include a 10-foot wide right-of-way dedication along Eisenbath to provide a future 60-foot wide right-of-way. The subdivision would be served by one cul-de-sac street. Sightlines along Eisenbath for motorists would meet the County's requirement for the posted speed limit of 35 MPH. A public street is proposed within a 42-foot wide right-of-way and 20-foot-wide pavement. This street ends at a cul-de-sac approved by the Fire District. A drainage channel crosses Eisenbath Road through a box culvert. The natural watercourse will impact 4 of 6 lots. There will still be ample room for future homes and no reason to disturb vegetative buffers along the watercourse. Minimal grading will be required to install the street. No tree removal will be performed to do so. All the proposed houses would be custom homes built to customer specifications. A builder has not been selected. All homes will be served by private sanitary sewer system and water wells as there is no water or sanitary sewer service there. There will be a privately maintained by the individual homeowners. There will be a homeowner's association established for this development to maintain the entrance monument, landscaping, mailbox, and kiosk of the development. Mr. Bax asked for a favorable vote for this rezoning application.

With no Commissioner questions for the presenter, Vice-Chairman Cleary asked if anyone in the audience wished to speak on the application.

Arnie C. Dienoff was sworn in. Mr. Dienoff likes the layout of the plan because it is spacious and meets within the 2030 Master Plan.

Vice-Chairman Cleary closed the public hearing and called for discussion from the Commission.

There being no discussion, Vice-Chairman Cleary entertained a motion to recommend approval of application RZ20-15.

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

The vote on the motion was as follows:

Tracy Boehmer	- Yes	Kevin Cleary	- Yes	Jennifer Bahr	- Yes
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Roger Ellis	- Yes	Diane Saale	- Yes	Craig Frahm	- Yes
Chad Cornwell	- Yes	Terry Hollander	-Yes	Jamaal Jackson	-Yes

Application RZ20-15 was recommended for **APPROVAL**.

The vote count was 9 Yeas, 0 Nays, and 0 Abstentions.

PLATS

I. PRELIMINARY PLAT FOR LONE WOLF ACRES – 2632 EISENBATH ROAD

Application No: PRE20-30
 Property Owner: Mildred T. Conroy
 Developer: T J and B, LLC, Tim Tobin, managing member
 Engineer/Surveyor: Bax Engineering Company
 Current Zoning: A, Agricultural District (5 acre minimum lot size)
 Requested Zoning: RR, Single-Family Residential District (3 acre minimum lot size)

 2030 Master Plan: Recommends rural residential land uses
 Proposed Lots: 6
 Parcel Size: 26.26 acres
 Location: On the south side of Eisenbath Road, approximately 1,800 feet west of Freymuth Road; near the Cities of St. Paul and Josephville

 County Council District: 1
 Account No.: 288990B000 and 288990A000

Ellie Marr stated that developing 3-acre lots would require a paved street and tree preservation and stormwater runoff requirements. Approval of this plat would be subject to the County Council approving the related rezoning application. Staff finds that the proposed preliminary plat meets the technical requirements of Chapter 410 (Subdivision Regulations) of the County Code.

Dale Bax was sworn in. Mr. Bax stated he has already presented on this topic would answer any questions.

Vice-Chairman Cleary asked the Commission if anybody had questions for the applicant.

Jamaal Jackson stated there was an objection that centered around the creek bed and asked for details.

Mr. Bax stated that natural watercourses are defined by Saint Charles County. To disrupt or cross such watercourses would require County approval. In this particular case they would not disrupt the watercourse whatsoever. It would be protected by an easement.

There being no further discussion, Vice-Chairman Cleary entertained a motion to approve the plat.

Chad Cornwell made a motion to approve Application PRE20-30; and the motion was seconded by Terry Hollander.

The vote on the motion was as follows:

Tracy Boehmer	- Yes	Kevin Cleary	- Yes	Jennifer Bahr	- Yes
Roger Ellis	- Yes	Diane Saale	- Yes	Craig Frahm	- Yes
Chad Cornwell	-Yes	Terry Hollander	-Yes	Jamaal Jackson	-Yes

Application PRE20-30 was **APPROVED**.

The vote count was 9 Yeas, 0 Nays, and 0 Abstentions.

II. PRELIMINARY PLAT FOR THE GLASS TRACT

Application No: PRE21-01
 Property Owner: Carol J. Glass, Kathryn Barclay-Glass, and Thomas E. Glass
 Developer: DCM Development, LLC
 Engineer/Surveyor: Bax Engineering Company
 Current Zoning: A, Agricultural District (5-acre minimum lot size)
 Requested Zoning: RR, Single-Family Residential District (3 acre minimum lot size)
 2030 Master Plan: Recommends low density residential uses (1 to 4 dwellings per acre)
 Proposed Lots: 32
 Parcel Size: 120.318 acres
 Location: On the north side of Highway N, approximately 1,100 feet east of Ellerman Oaks Drive; near the City of Wentzville
 County Council District: 2
 Account No.: 745470A000

Ellie Marr stated this plat proposes 32 lots on 120 acres. Mr. Bax has mentioned that it's going to be a public street, and this again would be subject to approval of the rezoning request that would be considered by the County Council in March. The plat meets the technical requirements of Chapter 410 (Subdivision Regulations) of the County Code.

Vice-Chairman Cleary asked the applicant to come forward to the podium.

Dale Bax was sworn in. Mr. Bax stated that he provided background information on the plat as part of the earlier rezoning presentation. The proposed roads would cross some natural watercourses. A full set of construction plans has been submitted to Saint Charles County for review and approval. They would also apply for Federal permits to cross natural water courses. Tree removal would be as minimal as possible to install the roads. As previously mentioned, tree sell houses.

Vice-Chairman Cleary asked what kind of steps the developer typically takes try to preserve as much natural water course as possible.

Mr. Bax stated it mostly involves how the designer or engineer designs the subdivision. It's just sometimes unavoidable when designing streets but crossing as few creeks as possible is the goal.

Jeff Cole, a representative of DCM Development, LLC, was sworn in. He stated that he desired to request a variance on the street lighting as he only wanted to light the cul-de-sac areas and in the street intersections to minimize light pollution.

Vice-Chairman Cleary asked Robert Myers for any comments.

Robert Myers said street lighting is not required by St. Charles County.

Mr. Bax asked if that included public street.

Robert Myers said that is his understanding.

Vice-Chairman Cleary asked if anyone in the audience wished to speak about the application.

Arnie C. Dienoff was sworn in. Mr. Dienoff stated the development is a good compromise however he's not convinced that stormwater runoff will comply with County codes. Septic tanks are of concern as there are 32 lots and another is the flooding of Sams Creek. The creek will put an additional burden on the watershed and wasn't addressed by the applicant. The overcrowding in schools should be addressed and he does not see a letter from the school district or other partner agencies.

Mr. Bax responded all the cul-de-sacs in this subdivision do meet the requirements of a 48-foot radius for fire district approval. The County's requirement is 42 feet and the fire district's requirement is 48 feet. The school district has reviewed the plat which includes one 55-foot radius cul-de-sac for school bus turnarounds. Extensive calculations of three-acre lot developments show that the increase of stormwater runoff is minimal. The plat will comply with all Saint Charles County codes for stormwater and water quality.

Vice-Chairman Cleary stated that with the size of these homes, there is going to be a fair amount of impervious type of surface area. He asked Mr. Bax how he sees that affecting water runoff.

Mr. Bax said these are going to be large lots which leave very large open areas. The open spaces allow stormwater absorption. They would use all new storm water management best practices too.

Vice-Chairman Cleary asked if it was decided it needed some retention or detention, would that go into the plat.

Robert Myers answered in the affirmative. Robert commented that his first impression in reviewing the plat was that it would preserve a surprisingly large acreage of trees and require truly minimal grading. That level of tree preservation is quite uncommon.

Mr. Bax said that his goal in designing streets is to follow the natural terrain of the property as much as possible to minimize grading.

Vice-Chairman Cleary brought back the discussion to the Commission for comments.

Vice-Chairman Cleary entertained a motion to approve Application PRE21-01.

Terry Hollander made a motion to approve Application PRE21-01; and the motion was seconded by Chad Cornwell.

The vote on the motion was as follows:

Tracy Boehmer	- Yes	Kevin Cleary	- Yes	Jennifer Bahr	- Yes
Roger Ellis	- Yes	Dianne Saale	- Yes	Craig Frahm	- Yes
Chad Cornwell	-Yes	Terry Hollander	-Yes	Jamaal Jackson	-Yes

Application PRE21-01 was **APPROVED**.

The vote count was 9 Yeas, 0 Nays, and 0 Abstentions.

III. PRELIMINARY PLAT WESTERFELD HOMEPLACE

Application No: PRE21-02
 Property Owner: Scott A. Westerfeld Revocable Trust and Daniel R. Westerfeld Revocable Trust
 Developer: DCM Development, LLC
 Engineer/Surveyor: Bax Engineering Company
 Current Zoning: R1E
 Requested Zoning: RR, Single-Family Residential District (3 acre minimum lot size)
 2030 Master Plan: Recommends low density residential uses (1 to 4 dwellings per acre)
 Proposed Lots: 32
 Parcel Size: 120.318 acres
 Location: On the north side of Highway N, approximately 1,100 feet east of Ellerman Oaks Drive; near the City of Wentzville
 County Council District: 6
 Account No.: 898450A001

Ellie Marr stated that this is a one-lot subdivision and that the size of the parcel will be increasing from 1.36 acres to 3 acres. The reason for the lot size increase is that a minimum three acres will be necessary due to this parcel using a well for water and an onsite sewage disposal system. So even though it's zoned R1E, Single-Family Residential District, which only requires 7,000 square foot lots, three acres would be the minimum parcel size. The proposed preliminary plat meets the technical requirements of Chapter 410 (Subdivision Regulations) of the County Code.

Vice-Chairman Cleary asked if the Commission is voting on a 3-acre lot size.

Ellie Marr answered in the affirmative.

Vice-Chairman Cleary asked if the Commission had questions for Planning and Zoning staff.

Seeing none. Vice-Chairman Cleary asked the applicant to come forward.

Daniel Westerfeld was sworn in. Mr. Westerfeld stated his purpose for the plat is to create a parcel around the home place built by his parents and sell it to a family member.

Vice-Chairman Cleary asked if anyone in the audience wished to speak about his application.

Vice-Chairman Cleary brought it back to the Commission for comment.

Vice-Chairman Cleary entertained a motion to approve Application PRE21-02.

Terry Hollander made a motion to approve Application PRE21-02; and the motion was seconded by Tracy Boehmer.

The vote on the motion was as follows:

Tracy Boehmer	- Yes	Kevin Cleary	- Yes	Jennifer Bahr	- Yes
Roger Ellis	- Yes	Dianne Saale	- Yes	Craig Frahm	- Yes
Chad Cornwell	-Yes	Terry Hollander	-Yes	Jamaal Jackson	-Yes

Application PRE21-02 was **APPROVED**.

The vote count was 9 Yeas, 0 Nays, and 0 Abstentions.

TABLED ITEMS

NONE

APPROVAL OF THE MINUTES FROM THE DECEMBER 16, 2020 REGULAR MEETING

Vice-Chairman Kevin Cleary asked for a motion to approve the minutes from the December 16, 2020 regular meeting.

Diane Saale stated that a correction needs to be made the minutes regarding the Marlene C. Loeffler Trust application, the acreage is stated wrong in the application details.

Craig Frahm made a motion to approve the minutes with the amendment requested by Diane Saale, and the motion was seconded by Tracy Boehmer.

The minutes were approved as amended by unanimous voice acclamation.

OTHER BUSINESS

I. PLANNING AND ZONING DIVISION UPDATES

There were no updates.

ADJOURNMENT OF MEETING

Craig Frahm made a motion to adjourn the meeting. The motion was seconded by Terry Hollander and was approved by unanimous acclamation. The meeting adjourned at 11:46 PM.

Respectfully submitted by:

Roger Ellis, Chairman

DRAFT