

MINUTES OF REGULAR MEETING

ST. CHARLES COUNTY PLANNING AND ZONING COMMISSION

DATE: AUGUST 19, 2020

TIME: 7:00 PM

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

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

MEMBERS ABSENT: Craig Frahm

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

SPEAKERS:

CUP20-07: Bryan McMurray, Manager of Boone Valley Golf Club, 1319 Schluersburg Road, Augusta, MO 63362

CUP20-09: Charles Ruedebusch II, applicant/contract purchaser, 20 Harbor Point Court, Lake St. Louis, MO 63367; Charles Ruedebusch Sr., 2041 Hawks Landing Drive, Lake St. Louis, MO 63367

RZ20-10: Alison Gauch, engineer/applicant's representative; Craig Mackfessel, property manager for St. Charles County Ambulance District, 9746 Traverse Lane, St. Louis, MO, 63134; Christine Zika, 201 Caulks Hill Road, St. Charles, MO 63304; David Zika, 201 Caulks Hill Road, St. Charles, MO 63304

RZ20-11: Charles Ruedebusch II, applicant/contract purchaser, 20 Harbor Point Court, Lake St. Louis, MO 63367

CALL TO ORDER

Chairman Roger Ellis called the meeting to order at 7:00 PM. Following the Pledge of Allegiance, Chairman Ellis welcomed the audience; explained the procedures for speakers; and explained the functions of the Planning and Zoning Division, the Planning and Zoning Commission and the County Council. He explained to the audience that the Planning & Zoning Commission will make a recommendation on rezoning and conditional use applications heard during the meeting, which will

then be submitted to the St. Charles County Council for their final decision. He stated that public comment on conditional use permit applications will be taken only during the first reading and will not be taken at any meeting of the County Council held thereafter.

Chairman Ellis introduced the following documents into the record: The Unified Development Ordinance of St. Charles County (UDO), including zoning maps; and the 2030 Master Plan for St. Charles County, which includes the 2030 Future Land Use Plan Map.

CHANGES TO THE AGENDA

NONE

PUBLIC HEARING FOR CONDITIONAL USE PERMITS

I. CONDITIONAL USE REQUEST - 1319 SCHLUERSBURG RD

| | |
|-----------------------------|---|
| Application No: | CUP20-07 |
| Applicant / Property Owner: | Boone Valley Golf Club, Incorporated |
| Property Zoning: | A, Agricultural District |
| Conditional Use Request: | Amending CUP #496 to add a new golf training and lodging facility |
| Parcel Size: | 417.40 acres |
| Location: | On the west side of Moll Road west of the intersection of Moll Road and Schluersburg Road |
| Council District: | 2 |
| Account No.: | A911000003 |

Robert Myers, Planning and Zoning Division Director, described the subject property, the zoning, and the surrounding land uses. He stated that the purpose of this application is to amend existing conditional use permit CUP #496 to allow the owner to add a new golf training and lodging facility to the property. The property has been used as a golf course for many years. Golf courses are allowed by right for properties within the Agricultural Zoning District, but private clubs require a conditional use permit. The addition of this building on the property will allow transient lodging (overnight lodging) for members and guests of the golf club only, and it will not serve as a hotel. When the applicant presented the idea to build a second facility on the property to the Planning & Zoning Division, they were told it would be necessary to amend their existing conditional use permit in order to allow for this. The proposed second facility will be located within the golf course on the practice green, and is not near any homes. The County has no record of any complaints regarding the existing lodging facility on this property. The Planning and Zoning Division recommends that the Planning and Zoning Commission recommend approval of the proposed amendment to the existing CUP to add one additional structure to the property.

For the record, staff did not receive any communications regarding this conditional use permit request.

Chairman Ellis asked if the Commission had any questions for the Planning & Zoning staff. There were none.

Chairman Ellis opened the public hearing and asked the applicant, or their representative to come forward.

Brian McMurray, General Manager of the Boone Valley Golf Club, was sworn in. Mr. McMurray stated that they are requesting this amendment to the original conditional use permit in order to be allowed to build a new 4,000 square foot building on the property, which will offer a golf simulator and guest lodging units on the second floor for club members only.

Chairman Ellis asked if there were any questions for the applicant. There were none.

Chairman Ellis asked if there was anyone in the audience who wished to speak regarding this application. There were no speakers.

Chairman Ellis closed the public hearing and called for discussion from the Commission.

There being no discussion, Terry Hollander made a motion to recommend approval of Application No. CUP20-07, with conditions as recommended by staff. Tracy Boehmer seconded the motion.

The vote on the motion was as follows:

| | | | | | |
|-----------------|-------|-----------------|-------|--------------|-------|
| Diane Saale | - Yes | Tom Kuhn | - Yes | Roger Ellis | - Yes |
| Tracy Boehmer | - Yes | Terry Hollander | - Yes | Kevin Cleary | - Yes |
| Robert McDonald | - Yes | | | | |

Application No CUP20-07 was recommended for **APPROVAL** with conditions.

The Vote Count was 7 Yeas, 0 Nays and 0 Abstentions.

II. CONDITIONAL USE REQUEST - 102 HIGH RIDGE DR

Application No: CUP20-09
 Applicant/Contract Purchaser: Charles A. Ruedebusch II and Mary Ruedebusch
 Property Owner: Missouri Highways and Transportation Commission
 Current Zoning: R1E, Single-Family Residential District (7,000 square foot minimum lot size)
 Requested Zoning: C2, General Commercial District
 Conditional Use Request: Boat and Recreational Vehicle Storage Yard
 Parcel Size: 0.37 acres
 Location: Bordering Interstate 64 on the northeast side of High Ridge Drive in the Fieldcrest Subdivision, near the cities of Lake St. Louis, O'Fallon, and Dardenne Prairie
 Council District: 2

Ellie Marr, Senior Planner, described the subject property, the current zoning, and the surrounding land uses. The applicant has submitted this conditional use permit request in order to be allowed to operate a storage lot for boats, trailers, and recreational vehicles on this property. The applicant has also submitted a related application (Application RZ20-11) requesting to rezone this property from R1E, Single-Family Residential District to C2, General Commercial District. The property is currently owned by the Missouri Highways and Transportation Commission and was previously used during the expansion and improvement of Highway 40-61 to the current Interstate 64. A historical map from 2003 shows that a shed was located on the subject property. Historical aerial maps over the last 10 years shows the property as a vacant lot. The applicant's concept plan shows the location of commercial outdoor storage adjacent to Interstate 64 and residential structures in the Fieldcrest Subdivision. Regarding the proposed location adjacent to 2 residences, the applicant has addressed concerns by providing a setback of 40 feet from residential structures, installation of a sight proof fence, and landscaping adjacent to the residential properties. This proposed setback also allows the continued use and access of a road that goes across the property to the CenturyLink building, which is currently located to the east of the property. In addition to the setback from the residences, privacy fencing is proposed on all sides of the area to be used for storage. The property previously had access directly from Highway 40-61 via High Ridge Drive. The adjacent commercially zoned properties located to the west of this property also previously had access directly to Highway 40-61 via Fieldcrest Drive. All of the commercial properties located along Interstate 64 must now be accessed via streets located within the Fieldcrest Subdivision which is not an ideal manner of accessing commercially zoned properties. The Master Plan envisions that the sites along Interstate 64 as being developed for sites for Class A office uses, and technology-driven industrial uses. This site is unsuitable for such uses based on the small parcel size and inaccessibility to arterial streets.

The Planning & Zoning staff finds that development on this lot for residential use would have limited viability due to noise from Interstate 64, however, bringing RV's, boats, and trailers into the neighborhood would affect the existing residential properties due to the access route going through a residential subdivision. In addition, an outdoor, storage facility would not add to the aesthetic and scenic value of the land located along Interstate 64. The location is not conducive to commercial development and consequently is not conducive to a conditional use permit for outdoor storage of RV's, boats, and trailers. Therefore, staff recommends that the Planning & Zoning Commission recommend denial of this conditional use permit request.

For the record, staff received one communication in opposition of this conditional use permit request.

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

Tom Kuhn asked Ellie Marr if there is currently a fence around the subject property.

Ellie Marr responded that there is not a fence on the property now and it is currently vacant. She stated that there is a storage lot further to the northwest of this property and the zoning of that property is C2, General Commercial District, but that zoning was put into place when that property had access to Interstate 64.

Kevin Cleary asked how the property would be accessed.

Ellie Marr responded that they would have to come through the Fieldcrest Subdivision to access the property, but the applicant could speak more about that to the Commission.

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

Charles Ruedebusch II, the applicant and contract purchaser, was sworn in. Mr. Ruedebusch II stated that he is the owner of C&J Boat Docks. He purchased the property right next to the subject property 20 years ago. When he purchased that property, he was aware that MoDOT would close off his access to I-64 within one-year and access would then have to be taken through the Fieldcrest Subdivision. He stated that his customers now have to go behind Walmart, Lowes, and the Fieldcrest Subdivision in order to get to the front gate of his property. He has been trying to purchase more property for the last few years to use as a storage yard, but it has been difficult to obtain approval because it has all been either residential or industrial zoning. He would like to purchase this adjacent property in order to extend the use of his existing property. St. Charles County has told him that they would close off the road so that he could fence in the area making it the main entrance to the property. Mr. Ruedebusch stated that most of his customers come in once or twice a year so there is not a lot of boat traffic. He stated there is an existing fence along the highway at the rear of the property, so he would just need to install additional fencing on the remaining three sides of the property.

Chairman Ellis asked Charles Ruedebusch II if anyone entering this property at the far end would still have to come through the subdivision.

Mr. Ruedebusch answered in the affirmative, but he added that this is how it has been for the last 19 years.

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

Charles Ruedebusch Sr. was sworn in. Mr. Ruedebusch Sr. stated that there seems to be a lot of concern about the extra traffic going through the subdivision. He noted the adjacent property stores about 103 boats and about 80 percent of the people who visit come in to pick up their boat in the spring and put it in the lake, then bring the trailer back to the lot and come back in the fall to pick it up. Another 10 percent pick up their boat on a holiday weekend, and less than 5 percent use the lot daily. He presented two pictures that he took of bushes and trees from the access road, what the site-proof fence would look like facing the adjacent homeowners. He stated that the Planning and Zoning Division would like to leave this property zoned residential, but he does not believe that is possible as there is only 80 feet of buildable property available which would not permit the construction of a home.

Chairman Ellis asked if the Commission had any questions for Mr. Ruedebusch Sr. There were no questions.

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

Chairman Ellis asked Robert Myers what the process would be for the County to abandon that small stretch of roadway.

Robert Myers responded that it would take County Council action, but he said the applicant has been speaking with the County Highway Department about it and the Highway Department indicated that they would recommend approval for that.

Tom Kuhn asked what the lot would look like from the highway, and what kind of fencing would be constructed around it.

Chairman Ellis asked the applicant to come back to the podium to respond.

Charles Ruedebusch II came back to the podium and stated that currently St. Charles County or MoDOT already has a 6-foot fence up along the highway side of the property. He would connect to the fencing that is already there. He stated that in the 20 years that he has owned the adjacent property, he has never been asked by St. Charles Planning and Zoning Division to put up a site-proof fence on the residential side.

Tom Kuhn asked if there would be an electronic access gate installed.

Charles Ruedebusch II responded that his plan is to buy the parcel next to it and further extend his property. Access would be taken through his main entrance which does require a code to enter. If the sale of the neighboring property doesn't go through, he will have to put up an open gate (2 gates that would swing open).

Terry Hollander stated that he doesn't really see any other type of viable use for this property.

Tracy Boehmer asked if approved, would it be subject to conditions.

Robert Myers responded that the Planning & Zoning Commission can recommend approval, approval with conditions, or denial for this application. The County Council will make a final decision.

There being no further discussion, Chairman Ellis entertained a motion to approve Application CUP20-09.

Terry Hollander made a motion to approve CUP20-09 with the staff recommended conditions. The motion was seconded by Tracy Boehmer.

The vote on the motion was as follows:

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|-----------------|-------|-----------------|-------|--------------|-------|
| Diane Saale | - Yes | Tom Kuhn | - No | Roger Ellis | - Yes |
| Tracy Boehmer | - Yes | Terry Hollander | - Yes | Kevin Cleary | - No |
| Robert McDonald | - No | | | | |

Application No. CUP20-09 was recommended for **APPROVAL** with conditions.

The Vote Count was 4 Yeas, 3 Nays, and 0 Abstentions.

PUBLIC HEARING FOR REZONING REQUESTS

I. REZONING REQUEST - 3807 TOWERS ROAD

Application No: RZ20-10
 Applicant: St. Charles County Ambulance District
 Property Owners: Terry and Janet Hackmann
 Current Zoning: R1A, Single-Family Residential District (1-acre minimum lot size)
 Requested Zoning: Rezoning approximately 0.96 acres of a 1.82-acre tract 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: | Approximately 0.96 acres |
| Location: | On the southwest corner of Towers Road and Caulks Hill Road |
| Council District: | 7 |
| Account No.: | A870001586 |

Robert Myers, Director of Planning & Zoning, stated that this is a request to rezone 0.96 acres of a 1.83-acre parcel which is currently divided by two zoning districts (R1A, Single-Family Residential District and R1E, Single-Family Residential District). The request is to rezone the R1A zoned portion to R1E, making the entire 1.83-acre parcel R1E, Single Family Residential District. The property is currently vacant. Under the R1E, Single-Family Residential District zoning, a public facility such as the proposed St. Charles County Ambulance District Base House (SCCAD) is a permissive use. The applicant plans to split this parcel into two separate properties and build a house on the southern portion of the property. The property has access to public sanitary sewer and water service connections which allows for redevelopment of the property. The Planning and Zoning Division recommends that this application from R1A, Single Family Residential District (1-acre minimum lot size) to R1E, Single-Family Residential District, (7,000 square foot minimum lot size) be approved. In recommending approval, staff finds the proposed zoning to be consistent with both the other properties in the immediate area and the 2030 Master Plan's Future Land Use Map.

For the record, staff received one communication in opposition of this rezoning request, and one email with traffic videos taken in this area.

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

Chairman Ellis asked the applicant or their representative to come forward.

Allison Gauch, the applicant's representative, was sworn in. Ms. Gauch stated that she is attending on behalf of the applicant, the St. Charles County Ambulance District. She stated that the applicant will also be submitting a preliminary plat to split this lot into two parcels that would be brought before the Planning & Zoning Commission during the September meeting. Ms. Gauch stated that the St. Charles County Ambulance District Base Station would be constructed on the northern portion of this property, and at this time there are no plans for the southern portion of the property. The owners of the subject property, Terry and Janet Hackmann, currently reside on the lot to the south. The property is currently 1.2 acres in size, and they are planning to split the property into two lots of 0.93 acres on the northern portion and 0.89 acres on the southern portion should this rezoning request be approved. The St. Charles County Ambulance District does not want to purchase a larger lot than what is needed in order to be responsible with taxpayer dollars. By splitting this lot into two lots, this gives them the acreage they need to build the ambulance base and preserves the remaining portion of the property for someone else to purchase.

Chairman Ellis asked if anyone had questions for the applicant.

Chairman Ellis asked Ms. Gauch what the operations of the base station would be.

Ms. Gauch suggested that Craig Meckfessel address operational questions.

Chairman Ellis asked Mr. Meckfessel to approach the podium.

Craig Meckfessel, property manager for St. Charles County Ambulance District, was sworn in. Mr. Meckfessel responded that this will be an EMS station operating 24 hours a day, with an average daily call volume of eight calls.

Chairman Ellis asked where the next closest base station is located.

Mr. Meckfessel responded that the Sycamore Drive Base Station located off of Old Highway 94 is the closest station to this property.

Chairman Ellis asked if this Base Station would reduce response time.

Mr. Meckfessel responded that it absolutely would reduce response time. He stated that this area is currently served by the Base Station on Sycamore Drive. Mr. Meckfessel added that the exit from the property would be located on Towers Road and the entrance would be located on Caulks Hill Road.

Chairman Ellis asked how many people will staffing this facility at one time.

Mr. Meckfessel responded that the initial plan is for a one-truck base station with a two-person crew.

There being no further questions for the applicant's representatives, Chairman Ellis opened the public hearing and asked if anyone from the audience wished to speak regarding this application.

Christine Zika, 201 Caulks Hill Road, was sworn in. Mrs. Zika stated that she sent an opposition letter to the Planning and Zoning Division on August 7, 2020, and an email with four videos this afternoon. She has lived on Caulks Hill Road for seven years and has watched people on a regular basis run through the four-way stop sign. The four videos that she emailed to the Commission show cars running through that stop sign with pedestrians and bicyclists around. She thought this property would be used to build a house or homes, and safety is her first concern. She stated that so far this year there has been one accident in this neighborhood and many near-misses. During the last storm there was a truck that turned left on Caulks Hills Road from Towers Road and gunned it in the rain, then hydroplaned and spun around 180 degrees facing Green Bottoms Road. Mrs. Zika requested that the Commission table this rezoning request until someone watches the videos that she submitted so they can see what happens at this intersection. She was not aware that an EMS station was going to be built there and she feels that this will compound the problem by adding to the traffic load at that intersection with emergency calls.

Robert Myers stated that the videos were received this afternoon and they were emailed to all of the Planning and Zoning Commissioners and are on the record.

Chairman Ellis asked if anyone else wished to speak regarding this rezoning request.

David Zika, 201 Caulks Hill Road, was sworn in. Regarding the videos that his wife sent to the Commissioners, he stated that drivers are running through stop signs. He stated that he also thought that this application for rezoning was to build a house or homes, and not for an ambulance station. Mr. Zika stated that he feels this property use would likely create more traffic. He asked how an EMS station could be zoned as residential. In closing, Mr. Zika suggested that a roundabout be installed at that intersection in order to manage traffic.

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

Ms. Gauch came back to the podium and stated that the SCAAD ambulance station would be a permitted use in either Zoning District, and they are not asking for any change in use. She added that the County has asked them to look at sight distance on Caulks Hill Road, and that will be included in the subdivision plat submittal.

Chairman Ellis asked Ms. Gauch if the exit from the property will be onto Caulks Hill Road or Towers Road.

Ms. Gauch responded that the ambulances will exit onto Caulks Hill Road.

Kevin Cleary asked if sirens will go off when the ambulances leave the property.

Mr. Meckfessel responded in the affirmative, and stated that State statutes mandate that sirens are turned on when the ambulance leaves the property.

Kevin Cleary asked if there are mandates on the speed of the ambulances.

Mr. Meckfessel responded that speeds are mandated by State Statutes, but he is not a paramedic and is not familiar with their limitations.

Tom Kuhn noted that if only eight calls on average are responded to daily, he doesn't think that would generate a lot of additional traffic.

Terry Hollander stated that one of the reasons that the applicant has submitted this application is to rezone 0.98 acres of the property so as not to purchase the entire property.

Ms. Gauch stated that any lot under 1-acre would not meet the minimum lot size requirement in the R1A Zoning District. When 0.98 acres for the St. Charles County Ambulance District is taken from the northern portion of the property, that will leave less than 1-acre on the southern portion of the property that the owners are retaining, which would not be allowed in the R1A Zoning District. This is the reason they are requesting to rezone the southern portion of the property.

Chairman Ellis asked how many shifts would run each day.

Mr. Meckfessel responded that one shift per day is currently running at their base houses. They operate with a two-person crew.

Tracy Boehmer asked if there is going to be any kind of lighting for visual notification to let people know when ambulances are exiting.

Mr. Meckfessel responded that there is no warning lighting at any of the base stations, but they do have signage to inform people about the type of entrance/exit it is.

Kevin Cleary stated that Caulks Hill Road slopes steeply towards Greens Bottom Road. He asked what kind of sight distance they would have exiting the driveway.

Ms. Gauch responded that sight distance is currently being studied and will be presented next month when the subdivision plat is brought before the Commission.

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

Kevin Cleary asked if this property division could be accomplished by requesting a subdivision variance rather than a rezoning.

Robert Myers responded that there are specific criteria that are required for Zoning Variances, and this property would not meet those criteria.

Kevin Cleary asked if they could possibly subdivide the property into three to five lots and have driveways coming onto Caulks Hill Road.

Robert Myers responded that the property could be further subdivided under the R1E Zoning District, but doing so would require an internal street for access.

Kevin Cleary asked if there will be sight distance parameters required for the entrance.

Robert Myers responded in the affirmative, and stated that the County Highway Department would review the applicant's sight distance calculations and ensure that it would be safe.

Tracy Boehmer asked if there any future plans for improvements at that intersection.

Robert Myers responded that the Master Plan does not show any major improvements for this roadway. He stated that he could forward any comments or concerns regarding this intersection to the Highway Department so they can take them into consideration.

Chairman Ellis suggested that the concerns regarding running stop signs should be reported to the Police Department.

Terry Hollander agreed with Chairman Ellis's suggestion. He stated that there is also a process that can be undertaken to ask the County Council to require a roundabout at intersection.

Christine Zika approached the podium to tell the Commission she has already spoken with both Councilman John White and P&Z Commissioner Craig Frahm about this dangerous intersection.

Terry Hollander stated that the process is to obtain signatures from the surrounding residents and bring them forth to the County Council. Once received, the County Highway Department would be required to examine the area and present their report back to the County Council.

Christine Zika again asked the Planning and Zoning Commission to table this rezoning request. She stated that no one was aware that an EMS Station would be built there, and neighbors were under the assumption that this rezoning request was for building homes.

Tom Kuhn agrees that there is a traffic issue at that intersection, but he does not see how an EMS station at this location would make the situation any worse.

There being no further discussion from the Commission, Chairman Ellis entertained a motion to approve Application RZ20-10.

Terry Hollander made a motion to recommend approval, and Tom Kuhn seconded the motion.

The vote on the motion was as follows:

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|-----------------|-------|-----------------|-------|--------------|-------|
| Diane Saale | - Yes | Tom Kuhn | - Yes | Roger Ellis | - Yes |
| Tracy Boehmer | - Yes | Terry Hollander | - Yes | Kevin Cleary | - Yes |
| Robert McDonald | - Yes | | | | |

Application No. RZ20-10 was recommended for **APPROVAL**.

The Vote Count was 7 Yeas, 0 Nays, and 0 Abstentions.

II. REZONING REQUEST - 102 HIGH RIDGE DR

Application No: RZ20-11
 Applicant/Contract Purchaser: Charles A. Ruedebusch II and Mary Ruedebusch
 Property Owner: Missouri Highways and Transportation Commission
 Current Zoning: R1E, Single-Family Residential District (7,000 square foot minimum lot size)
 Requested Zoning: C2, General Commercial District
 Parcel Size: 0.37 acres
 Location: Bordering Interstate 64 on the northeast side of High Ridge Drive in the Fieldcrest Subdivision, near the cities of Lake St. Louis, O'Fallon, and Dardenne Prairie
 Council District: 2

Ellie Marr, County Planner, stated that the Fieldcrest Subdivision was platted in 1957, prior to the adoption of County Zoning and Subdivision Regulations in 1959. Upon the County's adoption of Zoning in 1959, the property was zoned R1E, Single-Family Residential District. High Ridge Drive previously connected directly with Highway 40-61 before it was upgraded to an Interstate with limited access. The applicant currently has a contract with the Missouri Highways and Transportation Commission to purchase this property contingent upon approval of this rezoning request. In order for the related application for a conditional use permit (Application CUP20-09) to be allowed on the subject property, this application rezoning the property to C2, General Commercial District must be approved. Ms. Marr stated that approval of the rezoning application would allow any of the permissive commercial land uses within the C2 Zoning District to be developed by right on the property. The Planning and Zoning Division recommends denial of this rezoning request, and finds that the proposed zoning is inconsistent with the residential uses in the immediate area, and does not meet the 2030 Land Use Plan recommendation for low-density residential land uses.

For the record, staff received one communication in opposition of this rezoning request.

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

Kevin Cleary asked staff to confirm that any type of commercial use would be allowed on the property if this rezoning is approved.

Ellie Marr responded that approval of a site plan would be required, but any permissive commercial use of the property would be allowed by right should the property be rezoned to C2, General Commercial District.

Chairman Ellis asked if that is also the case for all of the properties along this corridor that are already zoned C2, General Commercial District.

Ellie Marr responded in the affirmative.

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

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

Charles Ruedebusch II, the applicant and contract purchaser, was sworn in.

Kevin Cleary asked Charles Ruedebusch II why he is requesting to rezone the property to C2, General Commercial District and not just requesting the conditional use permit for the storage yard.

Charles Ruedebusch II responded that he would like to utilize this property in order to expand his existing boat storage business that he operates on the adjacent property, which is already zoned C2. In order for the conditional use permit to be approved, this property must be zoned C2, General Commercial District. Mr. Ruedebusch II stated that he was not aware that the subject property was zoned residential when he contracted to purchase it. He assumed it was zoned commercial as the other properties along that corridor are.

There being no further questions for the applicant, Chairman Ellis opened the public hearing and asked if there was anyone in the audience who wished to speak regarding this application.

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

Kevin Cleary stated that he thinks rezoning this property to C2 would allow any and all other uses by right within this Zoning District. Since the conditional use permit has been recommended for approval, he does not think the property should be rezoned.

Chairman Ellis asked County staff if the conditional use permit request could still be approved under the existing residential zoning.

Ellie Marr responded that approval of the conditional use permit request is subject to approval of the rezoning request.

Robert Myers added that regardless of the recommendation made by the Planning & Zoning Commission, both of these applications will move forward to the County Council for a final determination.

Terry Hollander pointed out that it's purely a technicality that the subject property will have to revert back to the prior R1E, Single-Family Residential Zoning District at the time of sale. Mr. Hollander stated that it's obvious at this point that the property most likely can't be used for residential purposes, and he is not sure what else it could be used for other than C2, General Commercial District.

Tracy Boehmer stated that there is no way to access this property other than by going through the subdivision no matter how the property is zoned. Due to the surrounding commercial properties she doesn't see any other use for this property other than commercial uses.

Kevin Cleary stated that he has concerns regarding traffic within the residential area.

There being no further discussion from the commission, Chairman Ellis asked for a motion to approve Application RZ20-11.

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

The vote on the motion was as follows:

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|-----------------|-------|-----------------|-------|--------------|-------|
| Diane Saale | - No | Tom Kuhn | - No | Roger Ellis | - Yes |
| Tracy Boehmer | - Yes | Terry Hollander | - Yes | Kevin Cleary | - No |
| Robert McDonald | - No | | | | |

Application No. RZ20-11 was recommended for **Denial**.

The Vote count was 3 Yeas, 4 Nays and 0 Abstentions.

TABLED ITEMS

NONE

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

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

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

OTHER BUSINESS

I. PLANNING AND ZONING DIVISION UPDATES

- (1) Robert Myers stated that he sent an email to the Planning and Zoning Commission with a link about St. Charles County updating their stormwater standards. He stated that in conformance with the Federal Clean Water Act and Missouri Department of Natural Resources requirements, the County is now adding stormwater quality standards to the County's post-construction stormwater management requirements. The Community Development Department is currently seeking public comments, and proposed changes may move forward sometime this fall. He stated that any comments that the Planning and Zoning Commission may have would be appreciated.

ADJOURNMENT OF MEETING

Tom Kuhn made a motion to adjourn the meeting. The motion was seconded by Terry Hollander and was approved by unanimous acclamation. The meeting adjourned at 8:13 PM.

Respectfully submitted by:



Roger Ellis, Chairman



Tom Kuhn, Secretary