

MINUTES OF REGULAR MEETING

ST. CHARLES COUNTY PLANNING AND ZONING COMMISSION

DATE: JUNE 21, 2023

TIME: 7:00 PM

PLACE: THE FAMILY ARENA
2002 ARENA PARKWAY
ST CHARLES, MO 63303

MEMBERS PRESENT: Tim Baker; Tracy Boehmer; Chad Cornwell; Kevin Cleary; Roger Ellis; Craig Frahm; Jeanette Koechner; and Kyle Shell

MEMBERS ABSENT: Jennifer Bahr

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

CALL TO ORDER

Chairman Ellis called the meeting to order at 7:00 PM. Following the Pledge of Allegiance, Chairman Ellis welcomed the audience; explained the procedures for speakers; and explained the functions of the Planning and Zoning Division, the Planning and Zoning Commission and the County Council. Chairman Ellis introduced the following documents into the record: The Unified Development Ordinance of St. Charles County (UDO), including zoning maps; and the 2030 Master Plan for St. Charles County, which includes the 2030 Future Land Use Plan Map, the Rules of Order and Procedure for the Planning and Zoning Commission as adopted by Resolution 21-01.

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

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

CHANGES TO THE AGENDA

None

ACTION ITEMS

A. RESUBDIVISION PLAT FOR SAINT CHARLES HILLS LOT 1130 – 3012 LYME ST

Application No.: PRE23-06
Property Owners: Devishiva Inc.
Engineer: Bax Engineering
Current zoning: R2, Two Family Residential District
Proposed lots: 2
Location: 3012 Lyme Street; east of Harry S. Truman Blvd and south of Ehlmann Rd, near the City of St. Charles
Council District: 6
Parcel Account No: 144511A000

Jared Young, County Planner, provided a verbal report for Application No. PRE23-06.

Chairman Ellis asked the Commission if they had any questions for staff. With no questions for County staff, Chairman Ellis asked the applicant to come forward.

Jeff Simmons with Bax Engineering (221 Point west Boulevard, St. Charles, 63301) was sworn in. Mr. Simmons said they would like to conform with the neighborhood and subdivide two lots so they can be individually owned.

With no questions for the applicant, Chairman Ellis opened the public hearing and asked if anyone from the audience wished to comment on Application No. PRE23-06.

Arnie Dienoff (PO Box 1535, O'Fallon, MO63366) was sworn in. Mr. Dienoff said he would be in favor of dividing this plat so it could be sold individually.

With no one else from the audience wishing to comment on this application, Chairman Ellis closed public comment and brought back the application to the Commission for consideration.

Commissioner Cornwell made a motion to approve Application No. PRE23-06 and was seconded by Commissioner Frahm.

The vote on the motion was as follows:

Roger Ellis	Yes	Kevin Cleary	Yes	Tracy Boehmer	Yes
Craig Frahm	Yes	Kyle Shell	Yes	Chad Cornwell	Yes
Jeanette Koechner	Yes	Tim Baker	Yes		

Application PRE23-06 was **Approved**.

B. CONDITIONAL USE PERMIT REQUEST – 4520 CENTRAL SCHOOL ROAD

Application No.: CUP22-16
Property Owners: JAB Real Estate Services, LLC
Applicant: BAX Engineering Planning and Surveying
Current Zoning: C2, General Commercial District
CUP Request: Landscaping contracting service
CUP area: 1.71 acres
Location: 4520 Central School Rd; on the north side of St. Peters Parkway,
adjacent to Hwy 364 and the City of Saint Peters
Council District: 7
Parcel Account No.: T232700001

Jared Young, County Planner, provided a verbal report for Application No. CUP22-16. Jared Young said that this conditional use permit request was evaluated based on the criteria established in Section 405.510.B of the Unified Development Ordinance and which were read aloud.

Chairman Ellis asked the Commission if they had any questions for staff. With no questions for County Staff, Chairman Ellis asked the applicant to come forward.

Jeff Simmons with Bax Engineering (221 Point West Boulevard, St. Charles, 63301) was sworn in. Mr. Simmons said staff did a great job of explaining the project and have no objection to six conditions imposed by staff.

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

Arnie Dienoff (PO Box 1535, O'Fallon, MO 63366) was sworn in. Mr. Dienoff said he is not taking a stand on the conditional use permit but does not oppose it. He would like to see additional conditions be added to help protect the neighborhood.

Dell Smith (4538 Central School Road, St. Charles, MO 63304) was sworn in. Mr. Smith said he is concerned about the water that comes off this property as he resides next to it.

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

Chairman Ellis asked what is the plan for water discharge.

Mr. Simmons said detention and water quality will be put in place according to County rules and regulations.

Commissioner Baker asked if there is landscaping along Missouri Route 364 because the plans indicate that and asked could that be made into a condition.

Jared Young said generally there are landscape frontage requirements at the site plan approval stage which depends on the length of roadway frontage.

Commissioner Frahm asked how are people going to park.

Mr. Simmons said that it would be a hard surface parking lot with 58 parking spaces on three inch asphalt.

Commissioner Cleary asked if an application to the Missouri Department of Transportation has been made for the commercial entrance.

Mr. Simmons said the driveway will comply, but the site currently has an entrance.

There being no further discussion, Chairman Ellis entertained a motion to recommend approval of Application No CUP22-16 to include the recommendations set forth by County staff. Commissioner Boehmer made such motion, and Commissioner Cornwell seconded the motion.

The vote on the motion was as follows:

Roger Ellis	Yes	Kevin Cleary	Yes	Tracy Boehmer	Yes
Craig Frahm	Yes	Kyle Shell	Yes	Chad Cornwell	Yes
Jeanette Koechner	Yes	Tim Baker	Yes		

Application No. CUP22-16 was recommended for **Approval with conditions.**

C. ZONING MAP AMENDMENT REQUEST – 3866 SOUTH POINT PRAIRIE ROAD

Application No.: RZ23-09
Property Owners: Grapenthin Family, LP; and Kenneth Baker and Michelle Baker
Developer: Lombardo Homes
Current Zoning: A, Agriculture District
Proposed Zoning: RR, Rural Residential District (3 acre minimum lot size)
2030 Master Plan: recommends Rural Residential land uses (less than 1 dwelling per acre)
Rezoning Area: 95.86 acres of 102.86 acres (two parcels)
Location: 3866 South Point Prairie Rd; 500 feet west of Highway Z on the north side of South Point Prairie Road, near the City of New Melle
Council District: 2
Parcel Account Nos.: 606570A000 and T032100001

Mark Price, Senior Planner, provided a verbal report for Application No. RZ23-09.

Chairman Ellis asked the Commission if they had any questions for staff. With no questions for County Staff, Chairman Ellis asked the applicant to come forward.

Doug Tiemann (3000 Little Hills Expressway, St. Charles, MO 63301) was sworn in. Mr. Tiemann said he is representing Lombardo Homes. Mr. Tiemann made a visual presentation highlighting the location of the Saxony Ridge development, the reason for the request to rezone to "RR" Single Family Residential, surrounding properties, the proposed plan with swales and a natural watercourse running down the center of the property, tree cover, and the proposed roadway entrance onto South Point Prairie Road.

Commissioner Shell asked if this is the exact plan that was presented previously.

Mr. Tiemann said it is very similar to what was presented over a year ago.

Commissioner Cleary asked if there would be restrictions for homeowners for tree removal.

Mr. Tiemann said there are no restrictions other than along the natural watercourse along which a 100-foot buffer must be preserved.

Commissioner Cornwell asked if the New Melle Fire District has been contacted regarding the layout.

Mr. Tiemann answered in the affirmative and stated the plan has been approved.

Chairman Ellis asked if there will be a homeowner's association.

The applicant responded affirmatively.

Chairman Cleary asked if the covenants would state the square footages of homes and how much area could be developed.

Steve Valentine (136 Oakhurst Drive, O'Fallon, MO 63366) was sworn in. Mr. Valentine said there will be a square footage minimum requirement.

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

Brad Buescher (256 Kerstyn Drive, Wentzville, MO 63385) was sworn in. Mr. Buescher requested that this application be tabled until all roads and utilities in the area have been upgraded to current standards and meet the needs of the area.

Ann Thomas-Smith (50 Sprock Road, Wentzville, MO 63385) was sworn in. Ms. Thomas-Smith said she adjoins this property on two sides. She stated that this is the highest and best use of this property because she would rather have three acre lots than four homes to an acre.

Arnie Dienoff (PO Box 1535, O'Fallon, MO 63366) was sworn in. Mr. Dienoff stated since there are no changes to the plan from the previous year, he has reservations about it. He stated that this area is not ready for this type of development due to lack of resources that effect water, traffic and sewer issues. He asked the Commission to deny this application.

Chris Eaker (3836 South Point Prairie Road, St. Charles, MO) was sworn in. Mr. Eaker said he has an adjoining property to the east of the proposed lots. He stated the County Council sent it back last year for five acre lots in order to preserve the character in the area.

Jeremy Eagen (1509 Highway DD, Defiance, MO) was sworn in. Mr. Eagen said the area is zoned for five acre lots to preserve the area. He said the only person that benefits from this proposal is the

developer.

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

Commissioner Frahm asked what has changed.

Mr. Tiemann said the entrance has changed. Mr. Tiemann added that New Melle has given them approval and the water has been tested. Mr. Valentine added that the development team has returned better prepared to address water management issues.

Commissioner Baker asked staff if a subdivision would be platted with five-acre lots could it be served by a gravel road or driveway.

Robert Myers answered in the affirmative.

Commissioner Frahm asked what did the County Council object to last year when the zoning was denied.

Robert Myers said he believes it was minimum lot size.

There being no further discussion, Chairman Ellis entertained a motion to recommend approval of Application No RZ23-09. Commissioner Boehmer made such motion, and Commissioner Cleary seconded the motion.

The vote on the motion was as follows:

Roger Ellis	Yes	Kevin Cleary	No	Tracy Boehmer	No
Craig Frahm	No	Kyle Shell	Yes	Chad Cornwell	Yes
Jeanette Koechner	Yes	Tim Baker	Yes		

Application No. RZ23-09 was recommended for **Approval**.

D. PRELIMINARY PLAT FOR SAXONY RIDGE – 3866 SOUTH POINT PRAIRIE ROAD

Application No.: PRE23-04
Property Owners: Grapenthin Family, LP; and Kenneth Baker and Michelle Baker
Developer: Lombardo Homes
Engineer: Civil and Environmental Consultants, Inc.
Current Zoning: A, Agriculture District
Proposed Zoning: RR, Rural Residential District (3 acre minimum lot size)
2030 Master Plan: recommends Rural Residential land uses (less than 1 dwelling per acre)
Plat Area: 95.86 acres of 102.86 acres (two parcels)
Proposed lots: 28 lots (0.29 dwellings per acre gross)

Location: 3866 South Point Prairie Rd; 500 feet west of Highway Z on the north side of South Point Prairie Road, near the City of New Melle
Council District: 2
Parcel Account Nos.: 606570A000 and T032100001

Mark Price, Senior County Planner, provided a verbal report for Application No. PRE23-04.

Chairman Ellis asked the Commission if they had any questions for staff. With no questions for County Staff, Chairman Ellis asked the applicant to come forward.

Doug Tiemann (3000 Little Hills Expressway, St. Charles, MO 63301) was sworn in. Mr. Tiemann noted that the long cul-de-sac serving all lots would include several "eyebrows" for vehicles to turnaround midblock and an enlarged cul-de-sac at the end. There will be 28 lots on this property.

Commissioner Cleary asked what will be done to alleviate the limitation of septic tank absorption as noted in the soils report.

Mr. Tiemann said each lot will be reviewed independently and septic drain fields will be selected based on the site-specific soils.

Commissioner Boehmer stated regarding the 20-foot road width, with the Fire District requiring no-parking signs to be posted, where will visitors park when attending a party or event?

Mr. Tiemann said each home will have a lengthy driveway to accommodate cars.

Commissioner Boehmer asked how many cars would it accommodate.

Mr. Tiemann said it depends on the house and the driveway and there will likely be an outbuilding for parking.

Commissioner Cleary asked if the driveways would be paved.

Mr. Tiemann answered in the affirmative.

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

Ellie Kelly (1700 Highway F, Defiance, MO) was sworn in. Ms. Kelly stated that the septic issue should be addressed first rather than granting the rezoning request.

Michelle Huelsman (263 Oakhurst Circle, O'Fallon, MO 63366) was sworn in. Ms. Huelsman said she lives in a Lombardo home where there are two ponds: a regular and a drainage pond. She added that her homeowner association will be going to the city to request that the pond be drained properly. Ms. Huelsman said the neighborhood has been dealing with this for six years.

Chris Eaker (3836 South Point Prairie Road, St. Charles, MO) was sworn in. Mr. Eaker said that since the rezoning application was approved, he asked that the plan for septic service be planned out per lot and identify the system that will be used. A plan that can be trusted should be a priority.

Ann Thomas-Smith (50 Sprock Road, Wentzville, MO 63385) was sworn in. Ms. Thomas-Smith said that not everyone is aware of the procedures required by the County before a plat is approved. She asked that the Commission approve this application because she would hate to see a higher density

subdivision developed here.

Gil Cattoor (3465 Highway Z, Wentzville, MO 63385) was sworn in. Mr. Cattoor said this property backs up to his property. Mr. Cattoor asked why this could not be developed as a five-acre subdivision similar to the one Highway 94. He added that traffic on Highway Z is terrible.

Arnie Dienoff (PO Box 1535, O'Fallon, MO 63366) was sworn in. Mr. Dienoff stated he is going to County Council meeting to reverse the rezoning decision and he hopes that a remonstrance is filed. Mr. Dienoff opposes the 20-foot roadway. He is tired of developers getting free passes and not meeting the County's Codified Code and asked the Commission to deny this application.

Doug Tiemann responded to public comments that the 20-foot street would be constructed to County standards.

Mr. Valentine said he lives in Oakhurst and there are two water quality basins; one is a detention and the other is a retention that was approved by the City of O'Fallon.

Commissioner Baker said he knows that the County and MoDOT are working together to improve Highway Z. He added that a septic study will have to determine that septic systems can work here before a permit is issued.

There being no further discussion, Chairman Ellis entertained a motion to approve Application No PRE23-04. Commissioner Frahm made such motion, and Commissioner Cornwell seconded the motion.

The vote on the motion was as follows:

Roger Ellis	Yes	Kevin Cleary	No	Tracy Boehmer	No
Craig Frahm	Yes	Kyle Shell	Yes	Chad Cornwell	Yes
Jeanette Koechner	Yes	Tim Baker	Yes		

Application No. PRE23-04 was **Approved**.

E. ZONING MAP AMENDMENT REQUEST – 9260 & 10102 HIGHWAY DD

Application No.: RZ23-06
Property Owners: Tall Tree Farm, LP; and Canine Country Kennel and Farm, LLC
Developer: KM Investment Group IV, LLC
Current Zoning: A, Agriculture District
Proposed Zoning: R1A, Single Family Residential (1-acre min lot size); and
R1E, Single Family Residential Districts (7,000 square feet min lot size)
2030 Master Plan: recommends Low Density Residential and Rural Residential land uses
Rezoning Area: 356.14 acres (23.86 acres to R1A and 329.28 acres to R1E)
Location: 11 parcels fronting on Hwy DD between Wild Turkey Run and Schwede Rd; adjacent to the City of O'Fallon and Busch Wildlife Area
Council Districts: 2 (north and west of Hwy DD) and 3 (south and east of Hwy DD)

Parcel Account Nos.:781080A000, T061200169, A870004275, T062000013, 763980A000, T072000006, T072000005, 760470A000, 594420A000, T031200003, and T032000055

Robert Myers, Director of Planning and Zoning Division, provided a verbal report for Application No. RZ23-06.

Chairman Ellis asked the Commission if they had any questions for staff. With no questions for County Staff, Chairman Ellis asked the applicant to come forward.

Brad Goss (120 South Central, Suite 700, St. Louis, MO 63105) was sworn in. Mr. Goss asked Chairman Ellis if he could make one presentation for the rezoning, conditional use permit and plat applications.

Chairman Ellis said yes.

Mr. Goss said he is representing KM Investment Group IV, LLC as is Shawn White from CBB Transportation who will also speak tonight about a traffic study. Mr. Goss provided a presentation to the Commission highlighting the northern, middle, and southern portions of the Tall tree development which will have different lot sizes for different buyers. He provided a description of homes in the southern section where 287 homes will be built. He stated the homebuilder in the northern area will be Fischer and the homebuilder in the south will be Lombardo Homes.

Mr. Goss stated that would comment on the potential for annexation into the City of O'Fallon because that is a frequently asked question. He stated that State law provides several methods and processes to do so. Although the land could be annexed into and developed in O'Fallon that is not what they want to do. Mr. Goss provided a comparison of the recent annexation of Harvest at Hopewell where they had one point of connection, but Tall Tree will have three points of connection. Also discussed was the Urban Service Area Boundary that was established in 2008. He added that The Duckett Creek Sanitary District's service area is growing with a new sewer plant that should be ready in 2024. Mr. Goss said that in terms of the 2030 Master Plan, the goals and strategies of Chapter 5, Natural Resources, and Chapter 6, Land Use, would be implemented and development of riparian corridors in the floodplain would be avoided. A trail system to connect to the County parks will be provided.

Mr. Goss said a conditional use permit is also being sought to permit a lot width reduction that is allowed under County Code. Mr. Goss read aloud the five criteria established by Section 405.510.B of the Unified Development Ordinance and responses to each criteria.

Mr. Goss continued his presentation with the preliminary plat that has 356 acres overall and providing 126 acres of common ground. The development will have covenants and restrictions and a homeowner's association that will manage the common ground. He added that 84 acres of trees will be preserved and will have 11 acres of lakes. A description of home sizes according to the builder, price points and construction phases was mentioned. Mr. Goss said that the two areas of floodplain that cross the property to the north and through the center will not be claimed and be left alone with a large buffer in place. Images of homes built by Fischer and Lombardo were presented.

Shawn White (12400 Olive Blvd, Suite 420, St. Louis, MO 63141) was sworn in. Ms. White said she is an associate at CBD and has 25 years of experience in traffic engineering. She provided a presentation defining what a traffic impact study and has coordinated with St. Charles County and the Missouri Department of Transportation (MoDOT). She stated a traffic study was submitted to the County and MoDOT on May 1 for review. She shows images indicating the proposed intersections that were studied, existing traffic volumes, and scenarios evaluated. She talked about the

improvement recommendations that were made for right-turn and left-turn lanes. She added there is a continued study of the Route DD Corridor. Ms. White identified current roadway projects underway in O'Fallon.

Commissioner Cleary asked if the number of cars generated by the development was generated.

Ms. White said in the morning peak hour, there would be 95 new vehicles entering and 290 vehicles exiting for a total of 390. In the afternoon there would 330 vehicles entering and 195 exiting for a total of 525 vehicles.

Commissioner Cleary asked if that was based on a typical number of trips per household per day.

Ms. White said that is based on The Institute of Transportation Engineers which is used by every single traffic engineer in the United States.

Commissioner Cornwell asked if the density calculation was looked at for Avondale Meadows and Avondale Hills as they are a lot less dense than what is seen in the City of O'Fallon.

Mr. Goss responded that those subdivisions would be less dense as they are on septic, and they do not have sanitary sewers.

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

Chairman Ellis reminded the public that only the rezoning application is being considered and the primary issue is density.

Ashley Salazar (619 Glen Cove Terrace, Lake St. Louis, MO 63367) was sworn in. Ashley Salazar said she was married at Busch Wildlife and feels that this space needs to be preserved and be treated as a sanctuary.

Katie Leonard (3 Country Acres Ct, St. Peters, MO 63376) was sworn in. Ms. Leonard said that the County's conditions under Section 405.510.B do not make any sense because the proposed zoning and development do not conform with the plan.

Helen Proctor-Tu (2 Chabanel Dr., Defiance, MO 63341) was sworn in. Ms. Proctor-Tu said she lives right by Brommelsiek Astronomy Park and is thankful that her uncle did not sell his property to developers. She said land makes property better and not sewers. She added that talk of annexation seems like a threat. She asked that the Commission take a look at the County's Plans before making a decision.

Shane Grasser (907 Jackrabbit Ct, St. Peters, MO 63376) was sworn in. Mr. Grasser said a lot of people will have new homes because of this development and an input of good construction jobs that will be generated. He requests that the Commission approve this application.

Jose S. Lardizabal (631 N 5th St, Apt. 5, St. Charles, MO 63301) was sworn in. Mr. Lardizabal said if this property is bulldozed it will be turned into a suburb.

Chaye Sever (1069 Highway DD, Defiance, MO 63341) was sworn in. Mr. Sever said the 2030 Master Plan closed down his mother's business and asked if that was the purpose of the Plan. He added he does a lot of work repairing the mishaps of other company's work. He requested that the roads be updated for safety reasons.

Tom Regan (306 Quail Hollow Dr., O'Fallon, MO 63366) was sworn in. Mr. Regan made a recommendation to modify the 2030 Master Plan and change this development to five acre lots and preserve the rural area that will impact Busch Wildlife Area. He stated traffic is horrible and schools are crowded. He added that this development belongs on Highway K or N, not on Highway DD. He stated that the developer will be only person to benefit from this development and not anyone else.

Nate DeLuca (9 Foxwood Dr, Lake St. Louis, MO 63367) was sworn in. Mr. DeLuca said is the President of the Foxwood Estates Homeowner Association and represents 60 residents and 21 homes that border the proposed subdivision. He said that he would like for the owners to show the same mutual respect for them and build a subdivision similar to theirs. He said that 98 homes will have a side yard of six feet and 12 feet between houses. Mr. DeLuca questioned whether the proposed development would actually touch the current City of O'Fallon in three places as stated by Mr. Goss.

Eric Fields (11 Wild Turkey Run, O'Fallon, MO 63366) was sworn in. Mr. Fields said that his home borders the far eastern edge of the northernmost development here where the highest density homes are going. He said there is a massive watershed that was not included in the studies for the eastern side of this development that will be heavily impacted by water runoff coming from homes.

Belinda Edwards (17 Wilderness, Defiance, MO) was sworn in. Ms. Edwards said she came to this area four years ago from a community that did exactly to what is being done to this community and saw an explosion of population in schools and an increase in crime. Ms. Edwards stated that the infrastructure on Highway DD is not ready for this development.

Richard West (4542 Highway Z, New Melle, MO 63385) was sworn in. Mr. West said he is the State Representative for this area. He stated that the zoning was planned with residents and County input but asked whether the applicant or current landowner was involved in the planning and zoning at the time. Mr. West said developers now want to make changes to zoning to benefit themselves instead of the community. Mr. West stated that 40% of the drinking water for St. Charles County comes from St. Louis because we cannot supply our own water due to contamination issues. Last, he said that he is working with Trisha Burns from Wentzville on legislation about the radiation, TNT, and DNT issues lingering in this area with their connection to higher cancer rates. He said the land should be thoroughly tested.

Jeremy Egan (1509 Highway DD, Defiance, MO 63341) was sworn in. Mr. Egan asked why not build houses on three- to five-acre lots and to make everyone happy. He said a lot of people in the City of O'Fallon are tired of looking at apartments and car washes. He said in the military he worked traffic pattern analysis for Special Operations to get a basic idea of traffic and based on his experience the statistics presented tonight by the developer's engineer are just best guess numbers.

Robert Reiter (135 Westleigh Manor Dr, Wentzville, MO 63385) was sworn in. Mr. Reiter said he represents the homeowners in the Westleigh area which is close to Highway DD. He said this is a special area and it really shouldn't be rezoned and shouldn't have the density that is being proposed. He would like to see responsible growth and is thankful for the opportunity to have this conversation and express how we feel about this proposal. He recommends that the Commission vote against it.

Amy White, (10 Wolf Ridge Ct, St. Charles, MO 63303) was sworn in. Ms. White has been a volunteer at Brommelsiek Park since 2009 and the astronomy site has been visited by thousands of school children, Scout troops, and church groups. She said the problem with the development is lighting and light pollution. Rezoning is a bad idea.

Renee Henke (25 Rouse Court in Wentzville, MO 63385) was sworn in. Ms. Henke said she is a member of the Wentzville School District Board. She asked if the developers have spoken with the

School District about this development. Also, have the developers thought about donating 30 acres or more to the School District so that the District can house additional students that will come from this development?

Greg Killian (420 Wyatt Drive, St. Peters, MO 63376) was sworn in. Mr. Killian said he is the Senior Class President at Francis Howell North High School and would like to one day retire here. He said it would be great if the plan remained with three or five acres.

William Carrier (4310 Dianna Lane, Wentzville, MO 63385) was sworn in. Mr. Carrier said he is a member and trustee for the Lexington Park Subdivision which is adjacent to Brommelsiek Park off Wilson Road. He opposes the KM Investment Group development based on the negative impact it will have on St. Charles County finances, the quality of life, and long-term nature of this portion of St. Charles County. Mr. Carrier stated this development will cost the County more in infrastructure investments in the near future and years ahead. He added that the development will destroy the natural beauty of Busch Wildlife and Brommelsiek Park. He asks that the development use the three-acre lot size or turn it into an Innsbrook development because that it is the perfect balance. He asks that the Commission deny this application.

Kevin Hales (867 Highway DD, Defiance, MO 63341) was sworn in. Mr. Hales he has lived at this property since 1977 and the only improvements he has seen to the highways is a stop sign at Highway D and Highway DD and the widening of the road at Dardenne Creek. He doesn't see the state improving these roads in keeping with this development.

Stephen Farber (1345 Schwede Road, Wentzville, MO 63385) was sworn in. Mr. Farber said the KM Investment Group is stating that the development fits the Master Plan because of the "overall density". Mr. Farber said the community is interested in the lot size and the developers should redo their plan to fit the Master Plan.

Alan Raymond (4115 Spring Branch Drive, Wentzville, MO 63385) was sworn in. Mr. Raymond said he has lived there for 27 years and it's God's country because it is beautiful. He has been an environmental engineer for 40 years. He said the property was deemed contaminated because the land was covered with lead from when the Canine Country property was used as a firing range and now it's being planned for residential development. Mr. Raymond said that Department of Natural Resources deemed the canine kennel property to be contaminated and couldn't be developed as residential.

Larry Campbell (3655 Bluff Valley Court, St. Charles, MO) was sworn in. Mr. Campbell said he does not think the people in St. Charles County know what a jewel it has with the Brommelsiek Astronomy Park. He said he opposes this application because the development will not be able to stop the light pollution and destroy use of the astronomy site.

Anthony Frisella (1512 Highway DD, Defiance, MO 63341) was sworn in. Mr. Frisella said that it's cool that St. Charles County is the fastest growing county in the State, but police officers already feel that there is not enough of them to keep up with the development and growing population. He said there are plenty of issues that have to be addressed before bringing another development to the area.

Arnie Dienoff (P.O. Box 1535, O'Fallon, MO 63366) was sworn in. Mr. Dienoff said this is a tough zoning application with a threat of annexation to the City of O'Fallon. Mr. Dienoff stated that Mr. Goss met with City officials and worked out a contingency plan for annexation in a closed session meeting. He talked about how the development would look like in O'Fallon and how many homes would be permitted per acre. Mr. Dienoff stated he would rather have the development stay in St. Charles County than in O'Fallon.

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

Mr. Goss said he would give Mr. Dienoff an opportunity to retract what he said about holding a closed door meeting with City of O'Fallon officials if he wishes to do so. Mr. Dienoff did not approach the podium or retract his statement.

Mr. Goss said he would address concerns that he heard from the public. Regarding comments made about the development not being consistent with the area, Mr. Goss said the area has changed and is why it is going through the urban service area as Duckett Creek Sanitary District and sanitary sewers can now service the area. Thirty-five percent of trees are not being touched from the 126 acres and KM Investment is preserving twice as much wooded area as County ordinances require. He said all of the trees adjacent to Brommelsiek Park are going to be preserved and there will be zero light spillage at the boundary of the site. There will be a dark skies covenant as part of the subdivision. Mr. Goss said the developer wants to put in a development that is responsible to the Master Plan by preserving floodway and flood plain and leaving them untouched. He explained why he brought up the topic of annexation and it wasn't intended as a threat. Concerning the statement that the Caine Country Kennel site is contaminated by lead, all of the lead has been hauled off to an appropriate facility for disposal and the land is now clean. Mr. Goss said in summary, he believes that the rezoning request meets the Master Plan and requests approval of rezoning these properties.

Commissioner Baker asked if he had spoken with the City of O'Fallon about annexing into the city if this application would fail.

Mr. Goss answered in the negative. There was no secret meeting that had him violating the Sunshine Act.

Commissioner Baker asked if this proposal is turned down by the Planning & Zoning Commission and the County Council, would annexation to the City of O'Fallon be pursued?

Mr. Goss answered in the affirmative.

Commissioner Boehmer asked what the density of housing is closest to the astronomy club.

Mr. Goss pointed it out on the map and the proposed 1-acre lot size along the Park's border. He added there will be tree buffers that will remain there undisturbed.

Commissioner Bahr asked if they have talked to representatives from any of schools that will be affected by this development.

Mr. Goss answered in the negative nor has anyone contacted them but said he would be happy to speak to them.

Commissioner Boehmer asked if any part of the property is contaminated or in a cancer cluster, as implied by one speaker.

Mr. Goss said he is unaware of any health problems from people who spoke against the development but there had been environmental study conducted to address the lead concern.

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

Commissioner Baker said as a member of the County Council he would like to see 5-acre lots on this site but if this is voted down by County Council the developers will go to the City of O’Fallon where they will get higher density. If it is kept in the County, it will keep the city from expanding further south.

Commissioner Cleary commented that it does not make any sense to vote on it as a whole citing difference between northern and southern parts of the development.

Commissioner Shell said it is not the job of the Commission to figure out what the City of O’Fallon is going to do but is the job of representing the people that are here this evening.

There being no further discussion, Chairman Ellis entertained a motion to recommend approval of Application No RZ23-06. Commissioner Baker made such motion, and Commissioner Koechner seconded the motion.

The vote on the motion was as follows:

Roger Ellis	Yes	Kevin Cleary	No	Tracy Boehmer	No
Craig Frahm	No	Kyle Shell	No	Chad Cornwell	No
Jeanette Koechner	No	Tim Baker	Yes		

Application No. RZ23-06 was recommended for **Denial**.

Chairman Ellis announced a 10-minute break at 10:30 PM and that the meeting would reconvene at 10:40 PM. Chairman Ellis called the meeting to order at 10:40 PM.

F. CONDITIONAL USE PERMIT REQUEST – 9260 & 10102 HIGHWAY DD

Application No.: CUP23-07
 Property Owners: Tall Tree Farm, LP; and Canine Country Kennel and Farm, LLC
 Developer: KM Investment Group IV, LLC
 Current Zoning: A, Agriculture District
 Proposed Zoning: R1A, Single Family Residential (1-acre min lot size); and R1E, Single Family Residential Districts (7,000 square feet min lot size)
 2030 Master Plan: recommends Low Density Residential and Rural Residential land uses
 CUP request: Housing units in the R1E District with a minimum lot size of 6,000 square feet, a minimum lot width of 60 feet, and a minimum side yard setback of 6 feet
 CUP Area: 329.28 acres of 356.14 acres
 Location: 11 parcels fronting on Hwy DD between Wild Turkey Run and Schwede Rd; adjacent to the City of O’Fallon and Busch Wildlife Area
 Council Districts: 2 (north and west of Hwy DD) and 3 (south and east of Hwy DD)
 Parcel Account Nos.: 781080A000, T061200169, A870004275, T062000013, 763980A000, T072000006, T072000005, 760470A000, 594420A000, T031200003,

and T032000055

Robert Myers, Planning & Zoning Division Director, provided a verbal report for Application No. CUP23-07. Robert Myers said that in the interest of time, he referred the Commissioners to the County staff report and analysis. County staff recommends that the Planning & Zoning Commission recommend approval as complying with the criteria of Section 405.510.B of the County code with two specific recommended conditions.

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

Brad Goss (120 South Central, Suite 700, St. Louis, MO 63105) was sworn in. Mr. Goss requested that his conditional use permit comments he made in his prior presentation be made part of the record at this time.

Chairman Ellis said that we would make that part of his conditional use permit presentation be part of this record.

Mr. Goss said a conditional use permit is also being sought to permit a lot-width reduction that is allowed under County Code. Mr. Goss read aloud the five criteria established by Section 405.510.B of the Unified Development Ordinance and responses to each criterion. Mr. Goss said the 20 additional lots will allow for a range of home buyers to purchase homes in the subdivision. He added the impact of the request is not external to the development. It is internal.

With no questions by Commissioners, Chairman Ellis opened the public hearing and asked if anyone from the audience wished to comment on Application No. CUP23-07.

Dan Ladwig (26 Tremaine Ct, St Charles, MO) was sworn in. Mr. Ladwig said he is pleased to hear about the international dark sky lighting but it's not only the type of lights but the location, and the intensity will matter too. He asked if this permit is approved to make it contingent on dark sky lighting, and if that condition is not followed then the CUP should be yanked. With the number of homes going into the area this will create a huge light pollution problem.

Chairman Ellis stated that the only thing we are talking about in the conditional use permit is the proposed lot width reduction.

Richard Orr, (3312 Woods View Dr, St. Charles, MO) was sworn in. Mr. Orr said with the number of dwellings coming into the area will be detrimental to the wildlife and the character of the 7,000-acre Busch Wildlife Area. He added that the size of the development will adversely impact Brommelsiek Park.

Eric Fields (11 Wild Turkey Run, O'Fallon, MO 63366) was sworn in. Mr. Fields read the second conditional use permit criteria asking if this conditional use injure the enjoyment of other property. He said smaller lots and homes would certainly injure his enjoyment of the property.

Helen Proctor-Tu (2 Chabanel Dr., Defiance, MO 63341) was sworn in. Ms. Proctor-Tu would like to be a voice of compromise. She said the development can be done properly if they would consider putting in fewer houses and still make money and have a nice subdivision.

Belinda Edwards (17 Wilderness Lane, Defiance, MO) was sworn in. Ms. Edwards asked for the Commission to say no until they say 3 or 5 acres because who will stop them once they have access.

Jay Kingswell (140 Westleigh Manor Drive, O'Fallon, MO 63385) was sworn in. Mr. Kingswell said it is obvious that they are in it for the money based on the density of the homes and does not fit the nature of the neighborhood past the Dyer Road area. He asked what the benefit is of packing more homes into the same space.

Commissioner Frahm said it becomes more affordable for homeowners.

Mike Plisky (11025 Stonebridge Lane, Wentzville, MO 63385) was sworn in. Mr. Plisky questioned why the Commission would consider this when they just voted against the zoning map amendment application.

Chairman Ellis said that this has to be voted on as a recommendation to the County Council.

Arnie Dienoff (PO Box 1535,O'Fallon, MO 63366) was sworn in. Mr. Dienoff said he would like to address the challenge Mr. Goss made earlier.

Chairman Ellis said that this is not the issue for that because we are talking about the conditional use permit.

Mr. Dienoff said he would like to correct the record.

Chairman Ellis informed Mr. Dienoff that he should either address the CUP or step down.

Mr. Dienoff said there should be no free pass in the setbacks and the applicant needs to follow the County Codified Code. He asked that there be no lot adjustments and they must follow the minimum standards and vote down this conditional use permit.

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

There being no further discussion, Chairman Ellis entertained a motion to recommend approval of Application No CUP23-07. Commissioner Frahm made such motion, and Commissioner Boehmer seconded the motion.

The vote on the motion was as follows:

Roger Ellis	Yes	Kevin Cleary	No	Tracy Boehmer	No
Craig Frahm	Yes	Kyle Shell	No	Chad Cornwell	No
Jeanette Koechner	No	Tim Baker	Yes		

Application No. CUP23-07 was recommended for **Denial**.

G. PRELIMINARY PLAT FOR TALL TREE – 9260 & 10102 HIGHWAY DD

Application No.: PRE23-02
Property Owners: Tall Tree Farm, LP; and Canine Country Kennel and Farm, LLC
Developer: KM Investment Group IV, LLC
Engineer: Bax Engineering
Current Zoning: A, Agriculture District
Proposed Zoning: R1A, Single Family Residential (1-acre min lot size); and
R1E, Single Family Residential Districts (7,000 square feet min lot size)
Plat area: 356.14 acres
Proposed lots: 556 lots (1.56 dwellings per acre gross)
Common ground: 126.9 acres
Location: 11 parcels fronting on Hwy DD between Wild Turkey Run and Schwede Rd; adjacent to the City of O'Fallon and Busch Wildlife Area
Council Districts: 2 (north and west of Hwy DD) and 3 (south and east of Hwy DD)
Parcel Account Nos.: 781080A000, T061200169, A870004275, T062000013, 763980A000, T072000006, T072000005, 760470A000, 594420A000, T031200003, and T032000055

Chairman Ellis announced that at the applicant's request the preliminary plat for Tall Tree Farm, Application No. PRE23-02 has been continued to the July 19, 2023, Planning & Zoning Commission meeting.

H. ZONING MAP AMENDMENT REQUEST – 2320 SOMMERS ROAD

Application No.: RZ23-08
Property Owners: Mary E. Blankenship, Ted L. Gouge, Laura J. Ruesch, Gail A. Wilmes, Joan M. Grelle, and Richard F. Gouge
Applicant: Payne Family Homes (Jeffrey L. Thoele)
Current Zoning: A, Agriculture District
Proposed Zoning: R1E, Single Family Residential District (7,000 square foot minimum lot size)
2030 Master Plan: Recommends Low Density Residential land uses (1 to 4 units per acre)
Rezoning Area: 14.81 acres
Location: 2320 Sommers Road; across Sommers Road from Liberty High School, adjacent to the City of O'Fallon and near the City of Lake Saint Louis
Council District: 2
Parcel Account No.: 788130A000

Mark Price, Senior County Planner, provided a verbal report about Application No. RZ23-08.

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

David Volz with Volz Engineering (10849 Indian Head Ind. Blvd, St. Louis, MO 63132) was sworn in. Mr. Volz said that Jeff Thoele with Payne Family Homes, the owner of the contract is here this evening too. Mr. Volz stated he will provide a visual presentation encompassing all three applications (RZ23-08, CUP23-09 and PRE23-03) for 2320 Sommers Road. Mr. Volz said he is requesting a rezoning change from A, Agricultural District to R1E, Single Family Residential, a conditional use permit to allow flexibility in the lot design, and a preliminary plat approval.

In his slide presentation, he pointed out the site location and its surrounding properties, the access point from Liberty High School and the proposed site plan with 45 lots. Regarding drainage, Mr. Volz said everything will run from north to south. He added 25% is covered in common ground, and a 50-foot buffer is being provided instead of the 25-foot the County required. A lake will provide storm water management and water quality improvements. Mr. Volz said in the conditional use permit request, they are seeking relief in the side yard setback from 7 feet to 6 feet and the lot width from 70 feet to 60 feet. No reduction in lot size is being requested. Mr. Volz summarized a Stub Street Report he wrote, explaining its purpose, why the County is requesting it, and why he feels it is not necessary. The Wentzville Fire Protection District will not require a stub street as the subdivision is less than 100 lots.

Chairman Ellis asked if the streets and cul-de-sac turnarounds meet County standards.

Mr. Volz answered in the affirmative and added that the one on the right is a larger one for bus turn around.

Commissioner Boehmer asked if the subdivision entrance on Sommers Road will align with the entrance to Liberty High School. She asked why because so much traffic is generated by the School.

Mr. Volz said that is the best place to have it because people that are coming out from there will be turning right or left from that point.

Commissioner Cleary asked how many linear feet are the paved surfaces of the streets.

Mr. Volz said it's about 1,200 feet and the length of the street is about 1,100 feet.

Commissioner Baker asked staff if they are asking for 6,000 square foot minimum but they are not going to be 6,000.

Robert Myers said they are not asking for 6,000 square foot minimum. All of their lots will comply with the 7,000 square foot R1E District minimum.

Commissioner Cornwell asked if Sommers Road is a County Road or is it the City of O'Fallon at that section.

Mr. Volz said it is a County road.

Commissioner Cornwell asked if engineering has verified that the alignment works with the school and there are no concerns.

Commissioner Baker said the development is asking for 6,000 square foot.

Assistant County Counselor Bryan Wise clarified that the conditional use statement in the Unified Development Ordinance includes all those things in one paragraph. That does not mean that the developer will use all of them.

Commissioner Baker asked that if this is approved, could the developer redesign the subdivision with 6,000 square foot lots?

Assistant County Counselor Bryan Wise said then that plat would have to be approved.

Mark Price stated in the conditional use permit, there is a condition that prevents them from doing that.

With no further questions by Commissioners, Chairman Ellis opened the public hearing and asked if anyone from the audience wished to comment on RZ23-08.

John Amery (2227 Circle Dr., O'Fallon, MO 63368) was sworn in. Mr. Amery said is a neighbor to the east side of Sommers Road. He said that the developer said that the water goes around the development, then asked how does it go around and whose property does it go around. He added that there is not a creek to the east because that is his property. Mr. Amery said the property to the north of 2280 Sommers Road will likely be a subdivision but it does not have access to sewer but they could run it through his property and the would not be in favor of that. Last, he asked if they have discussed their plans with the schools.

Jasmine Amery (2227 Circle Dr., O'Fallon, Mo 63368) was sworn in. Ms. Amery said her property is directly behind the proposed development. She said her biggest concern is traffic especially those related to the street entrance opposite at Liberty High School. Ms. Amery added if she had this much trouble getting a stop light for 2,300 students, how difficult will it be to get one for 45 homes?

Chris Ludwig (2211 Circle Drive, O'Fallon, MO 63368) was sworn in. Mr. Ludwig emphasized that traffic is really bad because in the morning coming from Highway N and to the High School is backed up all the way to the end by QuikTrip and when they leave becomes more dangerous. Mr. Ludwig said the creek on the south side runs the whole length of his property and doesn't know if it will be able to take this extra water that will be coming from both directions. He recommended looking into this before rezoning is approved.

Leroy Dickherber (2280 Sommers Road, Lake St. Louis, MO 63367) was sworn in. Mr. Dickherber said he wants the subdivision to include a stub street to his property line. He said that if he doesn't sell his home, he would like a 6-foot privacy fence like he got with Belmont Landing.

Arnie Dienoff (PO Box 1535, O'Fallon, MO 63366) was sworn in. Mr. Dienoff said this is another example of unincorporated versus annexation into City of O'Fallon. He cited concerns with overcrowded classrooms, traffic and ability to handle extra sewage capacity.

Tiffany Ludwig (2211 Circle Drive, O'Fallon, MO 63366) was sworn in. Ms. Ludwig said the Wentzville School District does not allow cars to make a left turn onto Sommers Road because of traffic. She also discussed water runoff issues off Oak Drive. She asked if the School District has been contacted about this proposed development as all schools are at capacity.

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

Mr. Volz said the creek that was talked about earlier is not directly adjacent to the east side of the property and is actually in between Circle Drive and runs through the middle of Circle Drive on the south property line. He also described how to control storm water by letting the existing water go where it goes now and then detain and treat the additional storm water that would be generated on site.

Commissioner Frahm said he need to make it more clear to the audience what happens to the water that is discharged. He added there are rules and regulations about discharging water and you can't increase the amount of flow onto other people's property by building.

Mr. Volz provided a more detailed explanation of how this system works including how detention basins work.

Chairman Ellis asked if there would be a homeowner's association.

Mr. Volz answered in the affirmative.

Commissioner Cornwell asked if he is tying into the existing sanitary and not into someone else's property.

Mr. Volz answered in the negative and added the existing sanitary sewer line is on their site and runs along the creek. No easements will be needed across other properties to connect to this sewer.

Commissioner Koechner asked with the expected increase of population in the area, what is the chance of increasing the size of those lots. She said she would like to see larger lots.

Mr. Volz said the lots in this development will be less dense then those of neighboring subdivisions and developments.

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

Commissioner Cornwell said that the proposed zoning is consistent with what has been seen along Sommers Road.

Chairman Ellis entertained a motion to recommend approval of Application No RZ23-08. Commissioner Boehmer made such motion, and Commissioner Cornwell seconded the motion.

The vote on the motion was as follows:

Roger Ellis	Yes	Kevin Cleary	Yes	Tracy Boehmer	Yes
Craig Frahm	Yes	Kyle Shell	No	Chad Cornwell	Yes
Jeanette Koechner	No	Tim Baker	Yes		

Application No. RZ23-08 was recommended for **Approval**.

I. CONDITIONAL USE PERMIT REQUEST – 2320 SOMMERS ROAD

Application No.: CUP23-09
Property Owners: Mary E. Blankenship, Ted L. Gouge, Laura J. Ruesch, Gail A. Wilmes, Joan M. Grelle, and Richard F. Gouge
Applicant: Payne Family Homes (Jeffrey L. Thoele)
Current Zoning: A, Agriculture District
Proposed Zoning: R1E, Single Family Residential District (7,000 square foot minimum lot size)
2030 Master Plan: Recommends Low Density Residential land uses (1 to 4 units per acre)
CUP request: Housing units in the R1E District with a minimum lot size of 6,000 square feet, a minimum lot width of 60 feet, and a minimum side yard setback of 6 feet
CUP Area: 14.81 acres
Location: 2320 Sommers Road; across Sommers Road from Liberty High School, adjacent to the City of O’Fallon and near the City of Lake Saint Louis
Council District: 2
Parcel Account No.: 788130A000

Mark Price provided a verbal report for Application No. CUP23-09. He added that conditional use permits are evaluated based on criteria established by Section 405.501.B of the Unified Development Ordinance. The five factors are discussed in the Planning and Zoning staff report.

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

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

David Volz with Volz Engineering (10849 Indian Head Ind. Blvd, St. Louis, MO 63132) was sworn in. Mr. Volz said he heard the staff report and agrees with everything in it and his previous conditional use permit presentation stands and has nothing else to add.

Chairman Ellis asked if the conditional use is only for the minimum side yard.

Mr. Volz said it’s the minimum side yard and lot width.

Chairman Ellis asked if the actual square footage would meet the standard.

Mr. Volz answered in the affirmative and added the average lot on the preliminary plat is quite a bit larger than with the minimum would be.

With no further questions by Commissioners, Chairman Ellis opened the public hearing and asked if anyone from the audience wished to comment on CUP23-09.

Leroy Dickherber (2280 Sommers Rod, Lake St. Louis, MO 63367) was sworn in. Mr. Dickherber asked if the stub road will happen because it would be great for his property. He thinks it would be great for school buses and fire trucks. Arnie Dienoff (PO Box 1535, O’Fallon, MO 63366) was sworn in.

Mr. Dienoff said he is in favor of the stub street as it is really needed here and agrees with the staff recommendation. Mr. Dienoff opposes the request to reduce the side yard setback and front lot width and stated they need to live within the minimum requirements.

Chairman Ellis asked if anyone else from the audience wished to comment on this application. There being no other speakers, he asked the Commission if they had any questions for the applicant.

There being no further discussion, Chairman Ellis entertained a motion to recommend approval of Application No CUP23-09 with conditions. Commissioner Boehmer made such motion, and Commissioner Cleary seconded the motion.

The vote on the motion was as follows:

Roger Ellis	Yes	Kevin Cleary	Yes	Tracy Boehmer	Yes
Craig Frahm	Yes	Kyle Shell	No	Chad Cornwell	Yes
Jeanette Koechner	Yes	Tim Baker	Yes		

Application No. CUP23-09 was recommended for **Approval with conditions.**

J. PRELIMINARY PLAT FOR CREEKSIDE AT SOMMERS – 2320 SOMMERS

Application No.: PRE23-03
 Property Owners: Mary E. Blankenship, Ted L. Gouge, Laura J. Ruesch, Gail A. Wilmes, Joan M. Grelle, and Richard F. Gouge
 Applicant: Payne Family Homes (Jeffrey L. Thoele)
 Engineer: Volz, Inc.
 Requested Zoning: R1E, Single Family Residential District (7,000 square foot minimum lot size)
 Plat area: 14.81 acres
 Proposed Lots: 45 lots (3.0 dwellings per acre gross)
 Location: 2320 Sommers Road; across Sommers Road from Liberty High School, adjacent to the City of O’Fallon and near the City of Lake Saint Louis
 Council District: 2
 Parcel Account No.: 788130A000

Robert Myers, Planning & Zoning Division Director provided the verbal report for Application No. PRE23-03.

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

Chairman Ellis asked if the property between the proposed development and Belmont is O’Fallon or the County.

Robert Myers said Belmont Circle is in the City O’Fallon, and the intervening tract is unincorporated St. Charles County.

Chairman Ellis asked if a stub street was placed in the proposed project, would that create any issues as two different jurisdictions would be involved?

Robert Myers said someday the roads will connect and it wouldn't necessarily be dependent upon jurisdictions.

Commissioner Cleary asked where on the plat would the street be stubbed.

Robert Myers said that the subdivision regulations state that they must in general be the reasonable projection of streets in adjacent tracts. He thinks a reasonable location would be Lots 12 or 13. Robert Myers said he would like for the Commission to determine if an unusual case actually exists which would prevent a future connection.

Commissioner Cornwell asked if grading would be an unusual case in this circumstance because it looks like it drops off significantly.

Robert Myers said topography would not prevent a street connection but stated that the engineer is proposes a retaining wall along the north property line to route stormwater along the border of the property.

David Volz with Volz Engineering (10849 Indian Head Industrial, St. Louis, MO 63132) was sworn in. Mr. Volz pointed out the site on the map where Belmont is the subdivision to the north that has a stub street pointed down to the proposed development. He asked what is the benefit of doing this just to follow a rule that won't provide access to any neighboring properties. He said this will provide a way for high school students to go straight across and drive through this subdivision when they leave. Mr. Volz said this would not be providing better circulation and doesn't see any benefit from it.

With no further questions by Commissioners, Chairman Ellis opened the public hearing and asked if anyone from the audience wished to comment on Application No. PRE23-03.

Leroy Dickherber (2280 Sommers Road, Lake St. Louis, MO) was sworn in. Mr. Dickherber said he agrees with County staff and would like a stub street to be built to his property line.

Chairman Ellis told him he already has a stub street connected to his property and Mr. Dickherber said it is in the City of O'Fallon.

Chris Ludwig (2211 Circle Drive, O'Fallon, MO 63368) was sworn in. Mr. Ludwig said he wants to go on the record that he really wants a stub street to be constructed because Mr. Volz doesn't.

Tiffany Ludwig (2211 Circle Drive, O'Fallon, MO 63368) was sworn in. Ms. Ludwig said since it looks like all of the applications are going through, she asked how many trees will be left. She added all of the houses that hit this property they are developing are all over once acre and there is a demand for larger lots. She asked how will the runoff be managed.

Chairman Ellis said all of those issues will be addressed in the final plat.

John Amery (2227 Circle Drive, O'Fallon, MO 63368) was sworn in. Mr. Amery stated that the developer did not think a stub street offered any advantages because it was just a cut through. He said it would provide one less road emptying onto Sommers Road which would be a benefit.

There being no further questions for the applicant, Chairman Ellis closed the public hearing and asked the Commission if they had any further discussion.

There being no further discussion, Chairman Ellis entertained a motion to approve Application No. PRE23-03 finding that no unusual case exists to justify the building of a stubbed street and that the preliminary plat meets all the technical requirements of the County. Commissioner Cleary made such motion, and Commissioner Boehmer seconded the motion.

The vote on the motion was as follows:

Roger Ellis	Yes	Kevin Cleary	Yes	Tracy Boehmer	Yes
Craig Frahm	Yes	Kyle Shell	Yes	Chad Cornwell	Yes
Jeanette Koechner	Yes	Tim Baker	Yes		

Application No. PRE23-03 was **Approved** contingent upon zoning approval by the County Council.

K. ZONING MAP AMENDMENT REQUEST – 4639 CENTRAL SCHOOL ROAD

Application Number: RZ23-10
 Property Owners: Natalie A. Fields and Amy L. Pulido
 Current Zoning: R1E, Single Family Residential District (7,000 square foot minimum size)
 Proposed Zoning: R3A, Medium Density Residential District (maximum 10 dwellings per acre)
 2030 Master Plan: Low Density Residential (1-4 units per acre)
 Rezoning Area: 2.1 acres
 Location: 4639 Central School Rd; on the north side of Central School Road across from Triad South Drive, adjacent to the City of St. Peters
 Council District: 7
 Parcel Account No.: 546150A000

Robert Myers, Planning & Zoning Division Director, provided a verbal report for Application No. RZ23-10.

Tim Green (7253 Watson, St. Louis, MO) was sworn in. Mr. Green said that his team had attempted to design a traditional single-family neighborhood in conformance with the existing R1E District zoning but due to the parcel size and depth it was not possible. He explained the purpose of the rezoning request is to provide flexibility to achieve the intended proposed density that would be technically allowed under the current zoning. Mr. Green said that the proposed units would be single-story, for-sale homes that will enhance the community by filling the need for a desirable missing housing type.

He said the development would consist of 12 homes. In terms of land uses, the surrounding properties are not strictly single family residential. The area to the south is Industrial Park Triad South with about 15 businesses. Mr. Green said that the concept he is proposing is not out of character for the neighborhood. The development would have ample green space and minimal tree disturbance. Last, he said that owners who will live there will create a stronger community than a traditional neighborhood. He discussed this project with the neighbors and spoke to approximately 35 residents.

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

Commissioner Cleary asked what is the square footage and price point of these homes.

Mr. Green said up to 1,200 square feet and hopefully start in the low \$200,000s.

Commissioner Cleary asked if there would be covenants and restrictions and Mr. Green responded that that is the plan.

Chairman Ellis asked if there will be basements and Mr. Green said that is yet to be decided.

Commissioner Baker said that he didn't understand Mr. Green's statement that his proposal would meet current zoning.

Mr. Green said he said he is proposing a density that would potentially fit the current zoning in terms of number of dwellings overall.

Commissioner Boehmer said there are at least 50 letters of protest from neighboring subdivisions who are concerned about their home values going down.

Mr. Green said he saw them and was surprised based on the conversations he had with neighbors.

With no further questions by Commissioners, Chairman Ellis opened the public hearing and asked if anyone from the audience wished to comment on Application No. RZ23-10.

Josh Hall (130 Hunters Pointe Dr, St Charles, MO 63304) was sworn in. Mr. Hall said he has been a resident of Cottleville and St Charles most of his life and does not want to see this community become an overdeveloped and overpopulated region. He added he does not want to see a push of selling as many single small family dwellings for sale in the future as there are plenty of opportunities for people to live in smaller family housing now.

Chuck Fisher (547 Fox Pointe Drive, St. Charles, MO 63304) was sworn in. Mr. Fischer said he has lived in Hunters Point Subdivision for about 35 years and thinks it looks like a plan you would see in California and doesn't fit in with the area.

Amy Pulido, co-owner (4639 Central School Road, St. Charles, MO 63304), said that her parents had for 47 years owned the existing house on property and she feels that they would like this proposal. She said it is a great opportunity for young people to buy rather than rent a home.

Arnie Dienoff (PO Box 1535, O'Fallon, MO 63366) was sworn in. Mr. Dienoff said the setbacks depicted in the concept plan are ridiculous, especially to the north. He indicated there is too much crammed into the two acre lot and he asks the Commission to deny it.

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

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

Commissioner Baker said this feels like an apartment complex and believes that the County already has enough of that.

Chairman Ellis entertained a motion to recommend approval of Application No. RZ23-10. Commissioner Boehmer made such motion, and Commissioner Cleary seconded the motion.

The vote on the motion was as follows:

Roger Ellis	Yes	Kevin Cleary	Yes	Tracy Boehmer	No
Craig Frahm	Yes	Kyle Shell	No	Chad Cornwell	No
Jeanette Koechner	Yes	Tim Baker	No		

Application No. RZ23-10 was recommended for **Denial** as the vote did not reach an affirmative majority.

L. ZONING MAP AMENDMENT REQUEST – 210 WEST HIGHWAY

Application No.: RZ23-07
 Property Owner: DHKS Investments, LLC
 Current Zoning: A, Agricultural District
 Proposed Zoning: C2, General Commercial District
 2030 Master Plan: recommends Low Density Residential (1-4 units per acre)
 Rezoning Area: 11.72 acres (2 parcels)
 Location: 210 West Highway N; on the south side of Hwy N, approximately 2,400 feet west of Highway Z, near the City of Wentzville
 Council District: 2
 Parcel Account No.: T052100006, 750240A000

Jared Young, County Planner, provided a verbal report for Application No. RZ23-07.

Mike Boerding with Sterling Company (5055 Baumgartner Rd, St. Louis, MO 63129) was sworn in. Mr. Birding made a presentation for the Planning and Zoning Commission regarding Application No. RZ23-07. Mr. Birding provided a description of the property, its location, current zoning and why a change of zoning to C2, General Commercial District, and a conditional use request (CUP23-08) for outdoor storage of recreational vehicles, boats, and trailers is being requested. Mr. Boerding described the proposed storage facility, the number of spaces it would have, the landscaping buffers on Highway N, security and where the entrance would be. He said the location site would be close to several of the

surrounding subdivisions that need to park their boat or recreational vehicle. He explained why this rezoning request should not be considered spot zoning.

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

Commissioner Frahm asked if he has seen the letter from the City of Wentzville and if he is proposing to use gravel parking surfaces.

Mr. Boerding said that the other storage lots are gravel too and is using it because it is permeable.

With no further questions by Commissioners, Chairman Ellis opened the public hearing and asked if anyone from the audience wished to comment on Application No. RZ23-07.

Glenn Keeven (5 Oakside Ct, O'Fallon, MO) was sworn in. Mr. Keeven said he and his brother own several vehicular storage yards in St. Charles County and do not oppose additional storage lots. Mr. Keeven said he was led to believe from the County that in order to fit into the 2030 Master Plan you had to be in an area zoned in a Commercial District. He said he was told that the County was not into spot zoning areas. He would like to know if the County is now considering it because, if so, he would like to apply for commercial zoning in other places for more storage yards.

Arnie Dienoff (PO Box 1535, O'Fallon, MO 63366) was sworn in. Mr. Dienoff said he is going along with staff's recommendation of denial because this is not the best and use of the land.

There being no further questions for the applicant, Chairman Ellis closed the public hearing and asked the Commission if they had any further discussion.

Chairman Ellis asked if the intersection of Highway Z and Highway N to going to be upgraded.

Robert Myers said the intersection is being redesigned and reconfigured, and Highway N will be rerouted. He said the County and MoDOT are working together for upgrading Highway N and the preferred route is to move Highway N here to the Buckner Road corridor.

Commissioner Cleary said the City of Wentzville and the County said it does not fit the long range plan and the idea of permitting spot zoning on commercial zoning sets a bad precedent.

There being no further discussion, Chairman Ellis entertained a motion to recommend approval of Application No RZ23-07. Commissioner Koechner made such motion, and Commissioner Cornwell seconded the motion.

The vote on the motion was as follows:

Roger Ellis	Abstain	Kevin Cleary	No	Tracy Boehmer	No
Craig Frahm	No	Kyle Shell	No	Chad Cornwell	No
Jeanette Koechner	No	Tim Baker	Abstain		

Application No. RZ23-07 was recommended for **Denial**.

M. CONDITIONAL USE PERMIT REQUEST – 210 WEST HIGHWAY N

Application No.: CUP23-08
 Property Owner: DHKS Investments, LLC
 Current Zoning: A, Agricultural District
 Proposed Zoning: C2, General Commercial District
 2030 Master Plan: recommends Low Density Residential (1-4 units per acre)
 CUP request: storage yard for recreational vehicles, boats, trailers, and trucks (274 spaces)
 CUP Area: 11.72 acres (2 parcels)
 Location: 210 West Highway N; on the south side of Hwy N, approximately 2,400 feet west of Highway Z, near the City of Wentzville
 Council District: 2
 Parcel Account Nos.: T052100006 and 750240A000

Jared Young provided a verbal report for Application No. CUP23-08.

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

Chairman Ellis stated that the applicant had left the meeting.

Chairman Ellis opened the public hearing and asked if anyone from the audience wished to comment on CP23-08.

Arnie Dienoff (PO Box 1535, O’Fallon, MO 63366) was sworn in. Mr. Dienoff would like for the Commission to follow staff’s recommendation of denial because this is not the place for this type of zoning. He said if the Commissions approved this application, he would like to see a few additional conditions be added to protect the community.

There being no further questions for the applicant, Chairman Ellis closed the public hearing and asked the Commission if they had any further discussion.

There being no further discussion, Chairman Ellis entertained a motion to recommend approval of Application No CUP23-08. Commissioner Shell made such motion, and Commissioner Boehmer seconded the motion.

The vote on the motion was as follows:

Roger Ellis	Abstain	Kevin Cleary	No	Tracy Boehmer	No
Craig Frahm	Yes	Kyle Shell	No	Chad Cornwell	Yes
Jeanette Koechner	No	Tim Baker	Abstain		

Application No. CUP23-08 was recommended for **Denial**.

TABLED AND/OR CONTINUED ITEMS

I. ZONING MAP AMENDMENT REQUEST – 24 MAIN STREET

Application No: RZ23-05
Property Owner: David A. Wilke Trust
Applicants: Boschert Brothers Storage LLC
Current Zoning District: R1E, Single Family Residential District
Proposed Zoning District: I1, Light Industrial
2030 Master Plan: recommends Agricultural land uses
Rezoning Area: 4.32 acres of a 11.87-acre parcel
Location: Western terminus of Main Street in Orchard Farm
County Council District: 6
Parcel Account No.: 876180A000

II. CONDITIONAL USE PERMIT AMENDMENT REQUEST – 24 MAIN STREET

Application No: CUP23-04
Property Owners: Boschert Brothers Storage, LLC, and David A Wilke Trust
Applicant: Boschert Brothers Storage, LLC
Current Zoning: I1, Light Industrial and R1E, Single Family Residential District
Proposed Zoning: I1, Light Industrial District
Conditional Use Request: Amend the conditions of Ordinance 21-060 to expand a storage lot for boats, trailers, autos, trucks, and recreational vehicles
Location: Western terminus of Main Street in Orchard Farm
County Council District: 6
Parcel Account Nos.: 876180A000, T010500083, T020500006, T150500003, A965000451, 876600A000, 876480B

ADJOURNMENT OF MEETING

Commissioner Baker made a motion to adjourn the meeting. The motion was seconded by Commissioner Shell and was approved by unanimous voice acclamation. The meeting adjourned at 1:00 AM.

Respectfully submitted by:

Roger Ellis, Chairman

Jennifer Bahr, Secretary