

**CITY OF LAKE SAINT LOUIS
PLANNING AND ZONING COMMISSION
REGULAR MEETING
MAY 2, 2019**

The City of Lake Saint Louis Planning and Zoning Commission met on May 2, 2019, 7:00 p.m. at Lake Saint Louis Civic Center in Board Chambers, 200 Civic Center Drive, Lake Saint Louis, Missouri.

ROLL CALL:

Chairman Pearson Buell called the meeting to order. Present: Commissioners Rhonda Ferrett, Glen Heiman, Tom Mispagel, Tom O'Connor, and Mayor Kathy Schweikert. Absent: Commissioners William Fridley, Dominique Stoddard and Alderman Jason Law. Also present: Louis Clayton, Director of Community Development, and Brenda Cueller, acting as recording secretary.

PUBLIC COMMENT:

There were no comments made, the meeting continued.

APPROVAL OF AGENDA:

MOTION TO APPROVE AGENDA:

Vice Chairman Mispagel made a motion to approve the May 2, 2019 regular meeting agenda. The motion was seconded by Commissioner Ferrett and the motion carries.

MOTION TO APPROVE THE MAY 2, 2019 REGULAR MEETING AGENDA IS HEREBY APPROVED, AS NOTED ABOVE.

APPROVAL OF MINUTES: April 4, 2019

MOTION TO APPROVE MINUTES:

Vice Chairman Mispagel made a motion to waive the reading of the minutes from the April 4, 2019 Planning and Zoning Commission regular meeting and approve as submitted. The motion was seconded by Commissioner Ferrett and the motion carries.

THE MINUTES FROM THE APRIL 4, 2019 PLANNING AND ZONING

COMMISSION REGULAR MEETING ARE HEREBY APPROVED, AS NOTED ABOVE.

PUBLIC COMMENT:

There were no comments, the meeting continued.

PUBLIC HEARING – TABLED BUSINESS:

PUBLIC HEARING – NEW BUSINESS:

1. 607 Royal Pine Court & 703 Pine View Court & (Lots 4 and 2 of The Pines of Lake Saint Louis Plat 2 Subdivision)

Preliminary Subdivision Plat and Final Subdivision Plat: Consideration of a request by Christina Anderson, applicant and property owner, to increase the size of Lot 4 to 16,447 square feet and to decrease the size of Lot 2 to 14,086 square feet by adjusting the location of the shared rear property line.

Chairman Buell opened the meeting to a public hearing as duly advertised in a legal publication on the above noted topic.

Christina Anderson, applicant, stated they needed additional property in order to build a pool. The neighbor behind their home offered the additional property which would expand the rear yard.

Louis Clayton, Director of Community Development, stated this item went before the Board of Adjustment this past Monday, April 29th, for a variance request of minimum lot area for 703 Pine View Court. The owners of 703 Pine View Court agreed to transfer approximately 1,085 square feet of their property to 607 Royal Pine Court. Mr. Clayton stated because of this transfer the minimum lot area is less than the required amount therefore requiring a variance. The variance was approved and staff recommends approval of the requested Preliminary Subdivision Plat and Final Subdivision Plat to the Board of Aldermen as submitted.

Public Hearing closed.

MOTION TO RECOMMEND APPROVAL:

Commissioner Ferrett made a motion to recommend approval of the Preliminary Subdivision Plat and Final Subdivision Plat to the Board of Aldermen as submitted. The motion was seconded by Commissioner Heiman and the motion passes.

MOTION TO RECOMMEND APPROVAL OF THE PRELIMINARY SUBDIVISION PLAT AND FINAL SUBDIVISION PLAT TO THE BOARD OF ALDERMEN AS SUBMITTED IS HEREBY APPROVED, AS NOTED ABOVE.

- 2. 100 Big River Drive – The Waterways of Lake Saint Louis Phase Two-B**
Amended Preliminary Development Plan, Site Plan Review and Special Use Permit: Consideration of a request by Joe Scott III, Scott Brothers Investment Corporation, applicant, for the construction of 112 multi-family dwelling units in 14 buildings and related site improvements to be known as The Waterways of Lake Saint Louis Phase Two-B.

Chairman Buell stated staff requested this item be tabled until the next meeting.

Doug Tiemann with Pickett, Ray & Silver stated the applicant was asking approval of an Amended Preliminary Development Plan, Site Plan Review and Special Use Permit for 14 additional buildings in Phase 2B. He noted there will be 112 units with 1 bedroom, 2 bedroom, and 3 bedroom units. Mr. Tiemann discussed the additional landscaping to the eastern line, the proposed pool and pool house, and detention area for the new additions. The site plan and landscape plan were displayed. It was noted that these buildings will have similar brick exterior.

Louis Clayton, Director of Community Development, stated the applicant is no longer proposing to connect the new north south drive to the existing street to the north to discourage traffic. Additional evergreen shrubs will be placed along the eastern property line to shield headlights from adjacent residential properties. Staff's recommendation is to recommend approval of the Amended Preliminary Development Plan, Site Plan Review and Special Use Permit to the Board of Aldermen as submitted.

David Miller, 1058 Dardenne Woods Drive, stated his concern with the

distance of parking to the property line, the maturity of evergreens to be planted, and water runoff from property.

Public Hearing closed.

MOTION TO RECOMMEND APPROVAL:

Commissioner Ferrett made a motion to recommend approval of the Amended Preliminary Development Plan, Site Plan Review and Special Use Permit to the Board of Aldermen as submitted. The motion was seconded by Commissioner O'Connor and the motion passes.

MOTION TO RECOMMEND APPROVAL OF THE AMENDED PRELIMINARY DEVELOPMENT PLAN, SITE PLAN REVIEW AND SPECIAL USE PERMIT TO THE BOARD OF ALDERMEN AS SUBMITTED IS HEREBY APPROVED, AS NOTED ABOVE.

3. Medical Marijuana Facilities

Textual Amendments: Consideration of a request by the City of Lake Saint Louis for textual amendments to Municipal Code Title IV: Land Use, regarding medical marijuana facilities.

Chairman Buell stated staff requested this item be tabled until the next meeting.

Louis Clayton, Director of Community Development, stated there was a discussion of the draft regulations at last month's meeting. He stated these proposed regulations are crafted on the model legislation provided by the Missouri Municipal League, regulations recently adopted by other municipalities, feedback received by the Board of Aldermen and Planning and Zoning Commission. Cities can enact regulations for time, place and manner of operation of medical marijuana facilities without being unduly burdensome. Medical marijuana facilities will be considered permitted uses in the following zoning districts:

Cultivation – Light Industrial

Manufacturing – Light Industrial

Testing – Business Park, Office and Research Park, Light Industrial

Dispensary – Community Business, Highway Commercial

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Mr. Clayton said a City license is required for all uses. The location requirements of medical marijuana facilities will be at least 1,000 feet from churches, schools, daycares and other marijuana related uses and 500 feet from residential zoning districts, public parks or a public recreational facility. It was noted that these distances may be reduced with a Special Use Permit approved by the Board of Aldermen. Hours of operation for a dispensary facility may be 8:00 a.m. until 10:00 p.m. seven days a week with no limit on hours of operation of other medical marijuana facilities. Mr. Clayton said the City will rely on Chapter 220 of the Municipal Code regarding nuisances of marijuana-related use, activity or facility that emit odor or cause a public nuisance. Appropriate ventilation systems can be required to prevent any odor of marijuana or fumes from leaving the premises or other changes to the facilities if a public nuisance violation occurs. Consumption, inhalation or other personal use of marijuana or medical marijuana-infused products on or within the premises of a medical marijuana facility is prohibited, except testing facilities. Mr. Clayton said staff believes the proposed text amendments are consistent with requirements of Amendment 2, adequately restrict the time, place and manner of operation of medical marijuana facilities, and are not unduly burdensome.

The Commission discussed the location requirements and hours of operation.

Public Hearing closed.

MOTION TO RECOMMEND APPROVAL:

Vice Chairman Mispagel made a motion to recommend approval to the Board of Aldermen of the proposed Text Amendments except change location requirement to 1,000 feet for public parks and public recreational facilities. The motion was seconded by Commissioner Ferrett and the motion passes.

MOTION TO RECOMMEND APPROVAL TO THE BOARD OF ALDERMEN OF THE PROPOSED TEXT AMENDMENTS EXCEPT CHANGE LOCATION REQUIREMENT TO 1,000 FEET FOR PUBLIC PARKS AND PUBLIC RECREATIONAL FACILITIES IS HEREBY APPROVED, AS NOTED ABOVE.

OTHER BUSINESS:

There being no Other Business, the meeting continued.

COMMISSION DISCUSSION & COMMENTS FROM STAFF:

Mr. Clayton stated the Board of Adjustment has two vacancies and asked the Planning and Zoning Commission if they knew of anyone who might be interested in serving.

Mr. Clayton stated there are two amended site plan applications for the June meeting.

ADJOURNMENT:

There being no further business to come before the Planning and Zoning Commission, the meeting was, on motion duly made, seconded and unanimously voted on, adjourned at 7:30 p.m.

Approved

Brenda Cueller
Serving as recording secretary of the meeting