

**CITY OF LAKE SAINT LOUIS
PLANNING AND ZONING COMMISSION
REGULAR MEETING
FEBRUARY 10, 2022**

The City of Lake Saint Louis Planning and Zoning Commission met on Thursday, February 10, 2022, 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, Brian McKinney, Tom O'Connor, Ken Spoden, Judith Westermann, Alderman Tom Mispagel, and Mayor Jason Law. Absent: Commissioner Glen Heiman. Also present: Louis Clayton, Director of Community Development, and Brian Schanuel, Senior Project Manager.

APPROVAL OF AGENDA:

MOTION TO APPROVE AGENDA:

Commissioner Ferrett made a motion to approve the February 10, 2022, regular meeting agenda. The motion was seconded by Vice Chairman O'Connor and the motion passes.

MOTION TO APPROVE THE FEBRUARY 10, 2022, REGULAR MEETING AGENDA IS HEREBY APPROVED, AS NOTED ABOVE.

APPROVAL OF MINUTES: December 2, 2021

MOTION TO APPROVE MINUTES:

Commissioner Ferrett made a motion to approve the minutes from the December 2, 2021, Planning and Zoning Commission regular meeting as submitted. The motion was seconded by Vice Chairman O'Connor and the motion passes.

THE MINUTES FROM THE DECEMBER 2, 2021, PLANNING AND ZONING COMMISSION REGULAR MEETING ARE HEREBY APPROVED, AS NOTED ABOVE.

PUBLIC COMMENT:

There were no comments, the meeting continued.

PUBLIC HEARING – NEW BUSINESS:

1. 31 Raven's Pointe Drive – Cynthia Justice-Beache
Special Use Permit

Consideration of a request by Marc Jones Construction LLC, dba Sunpro Solar, applicant, on behalf of Cynthia Justice-Beache, property owner, to retain a building-mounted solar energy system that was incorrectly installed on a front-facing roof.

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

John Ingraham, with Sunpro Solar, stated the installation was a mistake because the wrong set of plans were given to the installer. Mr. Ingraham gave his presentation showing pictures of the home at different angles explaining the difference between primary and secondary frontages. In his experience, he noted other cities allow solar panels on the secondary frontage for corner lots. Mr. Ingraham read from his email dated February 9, 2022 (attached).

Cordell Beache, owner, asked if solar panels were common in Lake Saint Louis and if so, who approves them? Mr. Beache stated his neighbors did not even notice the solar panels. He said the electrical is not connected so the panels are not operational yet.

Alderman Mispagel questioned what would be involved with the removal of the panels, if the homeowner knew the panels on the north side would be a reduction in efficiency, and were revised plans submitted without notifying the homeowner?

Mr. Beache stated he was not aware there would be a reduction in efficiency if the panels were installed on the north side.

Mr. Ingraham stated if the panels were removed, they would have to re-roof the home which would be at considerable cost. He noted it was a

gross error on their part and they would take responsibility.

Craig Lowder, 25 Ravens Pointe Drive, stated he was in favor and believed the City should change the ordinance.

Louis Clayton, Director of Community Development, explained the Lake Saint Louis Community Association's approval per their email.

The Commission discussed the solar panels and Code.

Public Hearing closed.

MOTION TO RECOMMEND APPROVAL:

Commissioner Ferrett made a motion to recommend approval of the application for a Special Use Permit to the Board of Aldermen as submitted. The motion was seconded by Commissioner Spoden. A roll call vote was taken. Ayes: Commissioner Ferrett, Commissioner Spoden, Commissioner Westermann, Mayor Law, and Chairman Buell; Nays: Commissioner McKinney, Alderman Mispagel, and Vice Chairman O'Connor. The votes were 5 ayes and 3 nays, the motion passes.

MOTION TO RECOMMEND APPROVAL OF THE APPLICATION FOR A SPECIAL USE PERMIT TO THE BOARD OF ALDERMEN AS SUBMITTED IS HEREBY APPROVED, AS NOTED ABOVE.

2. 8031 and 8057 Hawk Ridge Trail – No Leash Needed

Minor Site Plan and Special Use Permit

Consideration of a request by Deb Stosz, Premier Design Group, applicant, on behalf of Bank of Missouri, property owner, for the construction of a 9,820-square-foot kennel and animal grooming facility and related site improvements to be known as No Leash Needed.

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

Matt Fogarty, Premier Design Group, gave a presentation of the development. He explained the facility will provide daycare, grooming, boarding, and training.

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The Commission discussed the development questioning the number of dogs at the facility and if there were any road plans for Hawk Ridge Trail.

Mr. Fogerty said the capacity is approximately 75 kennels.

Brian Schanuel stated there were no road plans for Hawk Ridge Trail.

Gilbert Phillips, 10 Mingo Lane, stated he was against the proposal noting concerns with property value being reduced and barking dogs.

Mr. Fogerty said noise should not be an issue. The outdoor areas are fenced and adjacent to the highway. He noted a landscape buffer and fence are proposed adjacent to the single-family homes.

Public Hearing Closed.

MOTION TO RECOMMEND APPROVAL:

Commissioner Ferrett made a motion to approve the minor site plan with the condition listed in the Community Development Director's staff report; and recommend approval of the special use permit with the condition listed in the Community Development Director's staff report to the Board of Aldermen:

1. Prior to the issuance of a building permit, a minor preliminary plat combining the existing lots into one shall be approved by the City and recorded with St. Charles County.

The motion was seconded by Vice Chairman O'Connor and approved.

MOTION TO APPROVE THE MINOR SITE PLAN WITH THE CONDITION LISTED IN THE COMMUNITY DEVELOPMENT DIRECTOR'S STAFF REPORT; AND RECOMMEND APPROVAL OF THE SPECIAL USE PERMIT WITH THE CONDITION LISTED IN THE COMMUNITY DEVELOPMENT DIRECTOR'S STAFF REPORT TO THE BOARD OF ALDERMEN IS HEREBY APPROVED, AS NOTED ABOVE.

3. 1746 and 1752 Duello Road – Creek Stone Subdivision

Major Preliminary Plat

Consideration of a request by Katherine Moore, McBride Homes, applicant, on behalf of Hassan Jadali, Waterside Crossing, LLC, property owner, for the development of a 40-lot subdivision for detached houses and related improvements to be known as Creek Stone Subdivision.

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

Katherine Moore, with McBride Homes, gave a presentation of the proposed development of a 40-lot subdivision for detached single-family homes to be known as Creek Stone Subdivision.

Mayor Law asked if there would be blasting.

Chris Cutler with McBride stated it could be possible but not likely.

Alderman Mispagel asked if there would be separation between the homes and school.

Ms. Moore said a landscape buffer and fencing are proposed.

Patrick Logel, 308 Hidden Bluffs Court, stated his lot backs up to the proposed subdivision and would like to know what will happen to the trees between his lot and the new subdivision.

Ms. Moore stated they are preserving mature trees but the landscape buffer doesn't extend to his lot. His lot is 16-feet higher than the new lots.

David Logel, 1703 Prospect Village Drive, stated he thinks the landscape buffer should be extended further to the east. He has questions about the stormwater runoff and the retaining wall.

Louis Clayton, Community Development Director, explained that the Code does not require the landscape buffer to be located between sing-family residential uses.

Public Hearing Closed.

MOTION TO RECOMMEND APPROVAL:

Commissioner Ferrett made a motion to recommend to the Board of Aldermen approval of the application for major preliminary plat with the following condition listed in the Community Development Director's staff report:

1. The applicant shall make a payment in lieu of park land dedication in the amount of \$36,000 (40 lots x \$900 per unit) in accordance with [Chapter 430, Article X of the Municipal Code](#), prior to the issuance of a building permit or filing of the record plat, whichever occurs first.

The motion was seconded by Vice Chairman O'Connor and approved.

MOTION TO RECOMMEND APPROVAL TO THE BOARD OF ALDERMEN ON THE APPLICATION FOR MAJOR PRELIMINARY PLAT WITH THE CONDITION LISTED IN THE COMMUNITY DEVELOPMENT DIRECTOR'S STAFF REPORT, IS HEREBY APPROVED, AS NOTED ABOVE.

4. Text Amendment

Text amendments to Municipal Code Title IV: Land Use related to snow removal.

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

Louis Clayton, Community Development Director, stated when the current Code was rewritten and adopted in February 2021, it stated that snow removal is the developer's responsibility until the streets are dedicated to the City. The previous Code stated the City will provide snow removal to residences on streets that have not yet, but are intended to be, dedicated to the City. This language was inadvertently omitted. The Public Works Director requested a text amendment to Section 430.640, Maintenance Guarantees, to add the language back clarifying the City will provide snow removal to residences on streets that have not yet, but are intended to be, dedicated to the City.

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Public Hearing Closed.

MOTION TO RECOMMEND APPROVAL:

Vice Chairman O'Connor made a motion to recommend approval of the application for text amendment to the Board of Aldermen as submitted. The motion was seconded by Commissioner Westermann and approved.

MOTION TO RECOMMEND APPROVAL OF THE APPLICATION FOR TEXT AMENDMENT TO THE BOARD OF ALDERMEN AS SUBMITTED IS HEREBY APPROVED, AS NOTED ABOVE.

OTHER BUSINESS:

There being no other business, the meeting continued.

COMMISSION DISCUSSION & COMMENTS FROM STAFF:

There being no discussion or comments, the meeting continued.

ADJOURNMENT:

There was 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 8:30 p.m.

Approved

Louis Clayton
Serving as recording secretary of the meeting