

CITY OF LAKE SAINT LOUIS
BOARD OF ALDERMEN
PLANNING AND ZONING COMMISSION
ADMINISTRATIVE/FINANCE/
PUBLIC WORKS
JOINT WORK SESSION

OCTOBER 5, 2020

The Board of Aldermen for the City of Lake Saint Louis, Missouri met with the Planning and Zoning Commission in an Administrative/Finance/Public Works Joint Work Session via teleconference on Monday, October 5, 2020 at 5 p.m.

Due to the outbreak of COVID-19, public attendance was through virtual presence. The meeting is available live on the City's YouTube Channel at <https://www.youtube.com/channel/UCjStvkwU6KG6PbcNLuT9VLg>.

ROLL CALL:

Mayor Kathy Schweikert was present and presided over the meeting. Aldermen present were: Mike Potter, Ward II; Gary Torlina, Ward I; Gary Turner, Ward I; John Pellerito, Ward III; Jason Law, Ward III; and Karen Vennard, Ward II. Commissioners present were: Pearson Buell, Rhonda Ferrett, and Ken Spoden. Also present were: Paul Markworth, City Administrator; Donna Daniel, City Clerk; Louis Clayton, Community Development Director; Chris DiGiuseppi, Police Chief; Derek Koestel, Public Works Director; Adam Cole, IT Administrator; Renee Camp, Finance Director; and George Ertle, Assistant City Administrator.

Development Code and Zoning Map Update and Public Comment

Louis Clayton, Community Development Director, gave a power point presentation, attached hereto and made a part hereof, and answered questions about the Development Code and Zoning Map Update.

The Board and Commission members held a general discussion about the Development Code and Zoning Map Update. A significant concern expressed by several members, and a main topic of the discussion, related to the City's percentage of undeveloped property that would allow multi-family housing (with and/or without a special use permit).

Mr. Clayton shared comments that he received from the public about the proposed Code and Zoning Map update. The Board held a general discussion about the public's comments regarding proposed zoning changes.

The Board and Commission members agreed with staff's recommendations to revise or keep the proposed zoning designations the same for the

CITY OF LAKE SAINT LOUIS
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properties identified in the power point presentation, with one exception. They directed staff to revise the proposed R5 (Residential 5) zoning designation for the property identified as "Michael & Cara Daniel" on Technology Drive. The Board and Commission members agreed that the property should be zoned C1 (Commercial 1).

General Discussion

ADJOURNMENT:

There being no further business to come before the Board in the Joint Work Session, the meeting adjourned at approximately 6:58 p.m.

Donna F. Daniel, City Clerk



DEVELOPMENT CODE AND ZONING MAP UPDATE

Planning and Zoning Commission – Board of Aldermen – October 5, 2020

PRESENTATION OUTLINE



1. Project Background
2. Multi-Family Housing
3. Requested/Proposed Zoning Map Changes
4. Requested/Proposed Development Code Changes
5. Next Steps

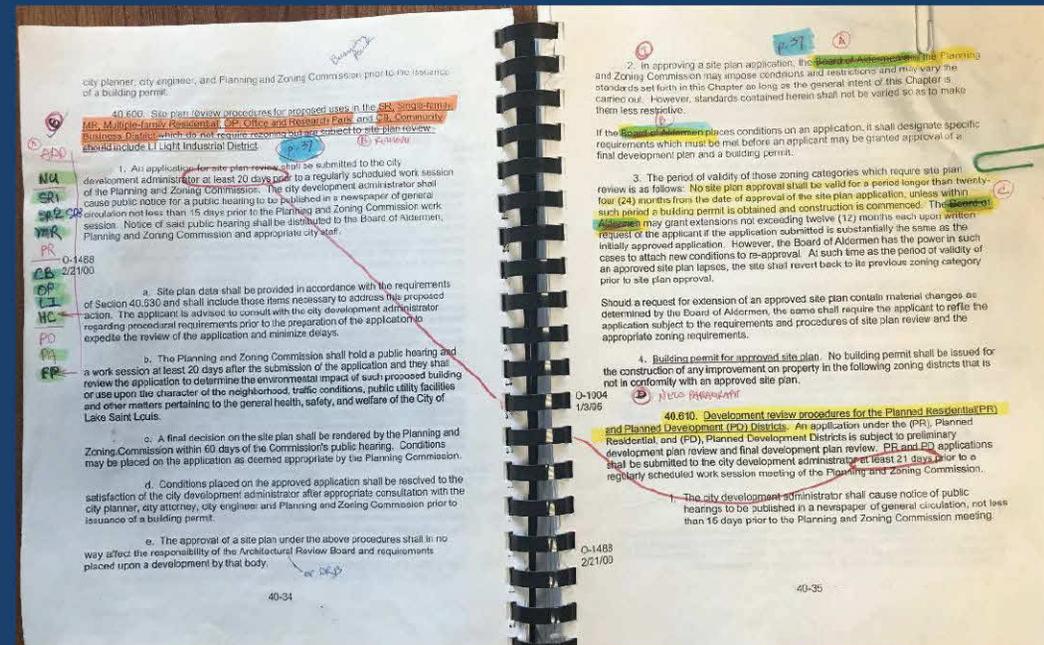


PROJECT BACKGROUND

PROJECT NEED



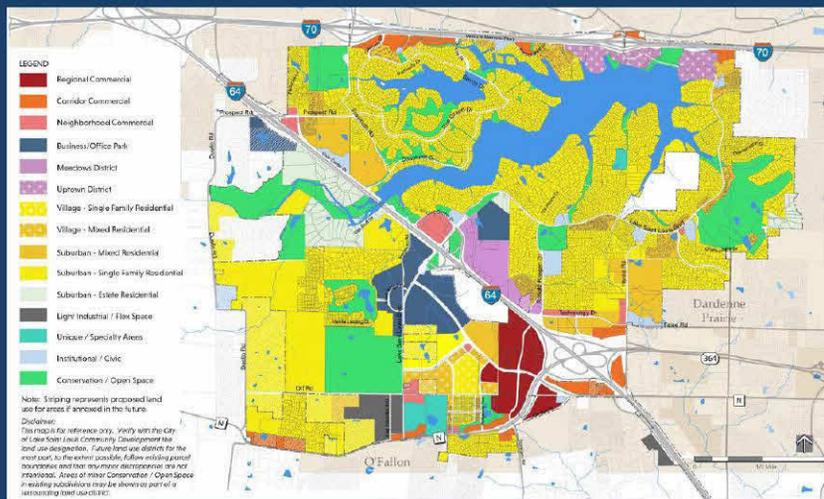
- The current land use regulations were adopted in 1988 and have been amended approximately 180 times.
- Many of the requirements and processes outlined in the Code are not clearly defined, are onerous, overly complex, contradictory, unenforceable, or have become obsolete.
- This has lead to:
 - Inconsistent application of code requirements
 - Delays in plan review and application processing
 - Risk for legal challenges
 - Confusion and frustration for staff and public



PROJECT NEED



- Two of the top priorities of the Comprehensive Plan (2017) include updating the City's land use regulations to ensure conformity with the plan's goals, and to update the zoning map to align with the future land use plan.



- An Outdoor Lifestyle
- Neighborhood Vitality
- Community Character
- A Prosperous Local Economy
- Fiscal Responsibility
- Community Cohesion

PROJECT GOALS



**Make the Code
user friendly**

**Implement the
Comprehensive
Plan**

**Establish
predictable and
transparent
development
review
procedures**

**Modernize and
standardize
requirements**

TIMELINE



RFP / Consultant Selection (August – December 2018)

Phase 1 – Information & Fact Finding (January – July 2019)

- Project Website
- Kickoff Meeting with City Staff
- Community Survey (ongoing)
- Builder/Developer Stakeholder Meeting
- Code Review and Recommendations Report
- Presentation to P&Z, Board of Aldermen, and Open House

Phase 2 – Drafting, Internal Review and Editing (July 2019 – June 2020)

Phase 3 – Public Engagement and Adoption (July 2020 - TBD)

- Presentation to P&Z, Board of Aldermen (July 20)
- Public Comment Period (August 7 – September 18)
- Presentation to P&Z, Board of Aldermen (October 5)
- Public Hearings and Adoption (November-December)

DEVELOPMENT CODE CHANGES



- In order to achieve the project goals, the existing Code was rewritten.
- Existing code language, requirements and standards were retained where applicable.
- The rewriting of the Code was guided by:
 - Past code interpretations and issues.
 - The Comprehensive Plan policies, recommendations, and future land use map.
 - Recommendations of the Code Review and Recommendations Report.
 - State and federal statutes and court cases.
 - Local and national best practices.
- Due to the amount and scope of changes proposed, not all changes can be easily identified.

ZONING MAP CHANGES



- In order to implement the new Code, the City must apply the new zoning districts to all properties in the City.
- Zoning Map Update Guidelines
 - Zoning District Transition Table
 - Future Land Use Map
 - Lot and Development Characteristics
 - Development Potential
- In most circumstances, properties will only experience very minor changes to their zoning.

7/20/20 MEETING RECAP



- Joint meeting of the Board of Aldermen and Planning and Zoning Commission
- Recommended development code changes:
 - Mailed Public Hearing Notice
 - Notification distance increased from 200 to 500 feet for all application types that require a public hearing.
 - Parkland Dedication
 - The parkland dedication requirements will be added to Chapter 430: Subdivision and Improvement Standards.
- No recommended zoning map changes

PUBLIC REVIEW & COMMENTS



- The first drafts of the development code and zoning map (dated August 4, 2020) were available for public review and comment from August 7 until September 18.
- Outreach Efforts
 - Announcements on the City website, Facebook, Twitter and Newstime
 - Email to 30 local developers, builders (including HBA) and design professionals
 - Letter to 53 affected property owners
- Public Comment Received
 - Received one written comment regarding the draft development code.
 - City staff spoke with 20 property owners and/or agents and received 10 written requests for changes to the draft zoning map.



MULTI FAMILY HOUSING

MULTI-FAMILY HOUSING



- Moratorium on new multi-family housing until 12/7/20
- Defined as “one or more residential buildings, excluding townhouses, located on a single lot and designed to accommodate three or more dwelling units each.”
- Questions:
 - How many multi-family units does the City have and how do we compare to other cities?
 - What does the Comprehensive Plan recommend?
 - Where will multi-family be permitted?
 - How much undeveloped land will be zoned for multi-family?
 - What are the proposed dimensional and development standards?



MULTI-FAMILY HOUSING

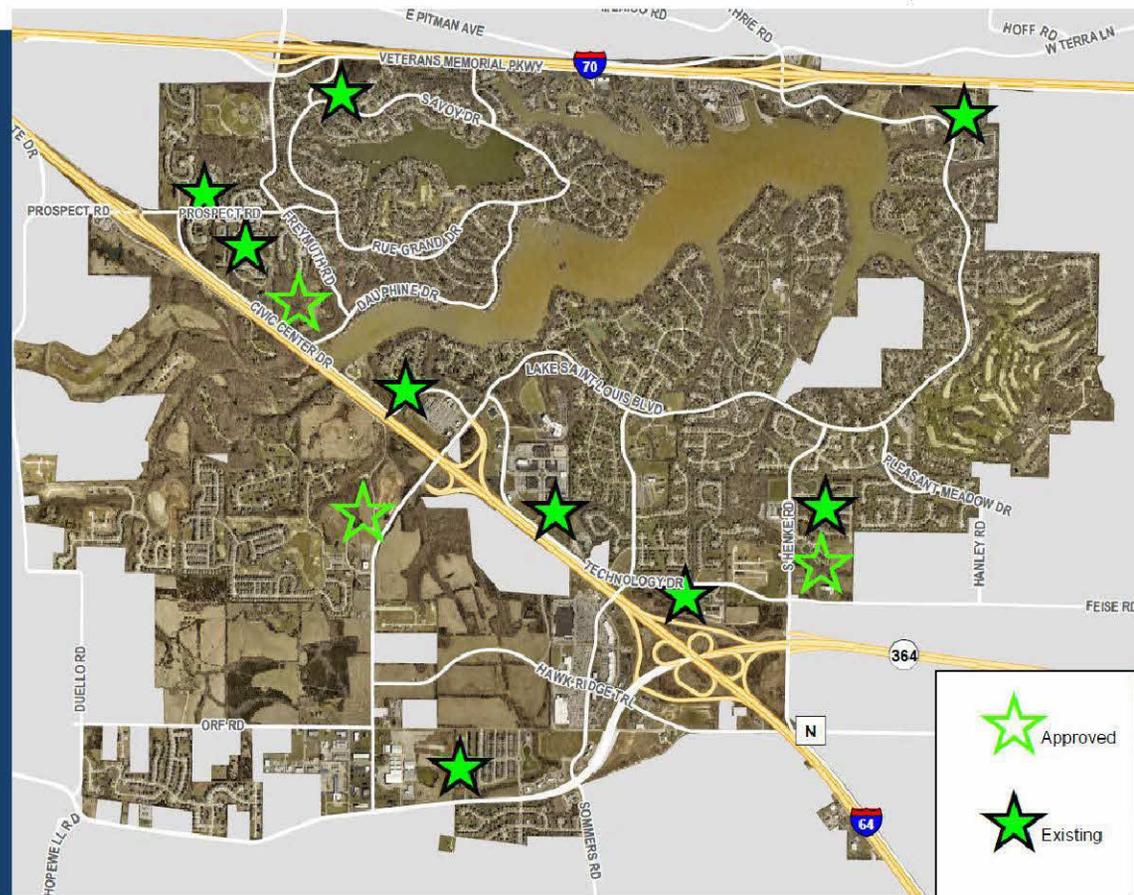


Existing

Name	Units	Type
Waterways	480	Apartments
Cedar Lakes	420	Apartments
Synergy at the Meadows	220	Apartments
Bent Oak	144	Apartments
Saratoga (part)	108	Condomium
Mystic Village (part)	84	Condomium
Lake Ridge	52	Apartments - Age-restricted
Woodlake Village (part)	32	Condomium
Lake Knoll	22	Condomium
Total	1,562	

Approved

Name	Units	Type
Waterways	184	Apartments
Lake Pointe	176	Apartments - Age-restricted
Hawk Ridge Senior Living	120	Apartments - Age-restricted
Total	480	



MULTI-FAMILY HOUSING



Name	% Single-Family			
	Detached	% Townhomes	% 2 units	% 3+ units
St. Charles	57.2	8.6	2.4	26.7
Lake St. Louis	67.9	8.5	0.5	21.8
Cottleville	71.6	7.8	1.4	19.1
St. Peters	71.6	8.9	1.1	16.6
St. Charles County	75.3	7	1.1	13.6
O'Fallon	76.3	7.9	0.9	12.2
Weldon Spring	80.4	11	0	8.6
Wentzville	82.7	8	0.5	8.4
Dardenne Prairie	89.5	8	1.2	1.3

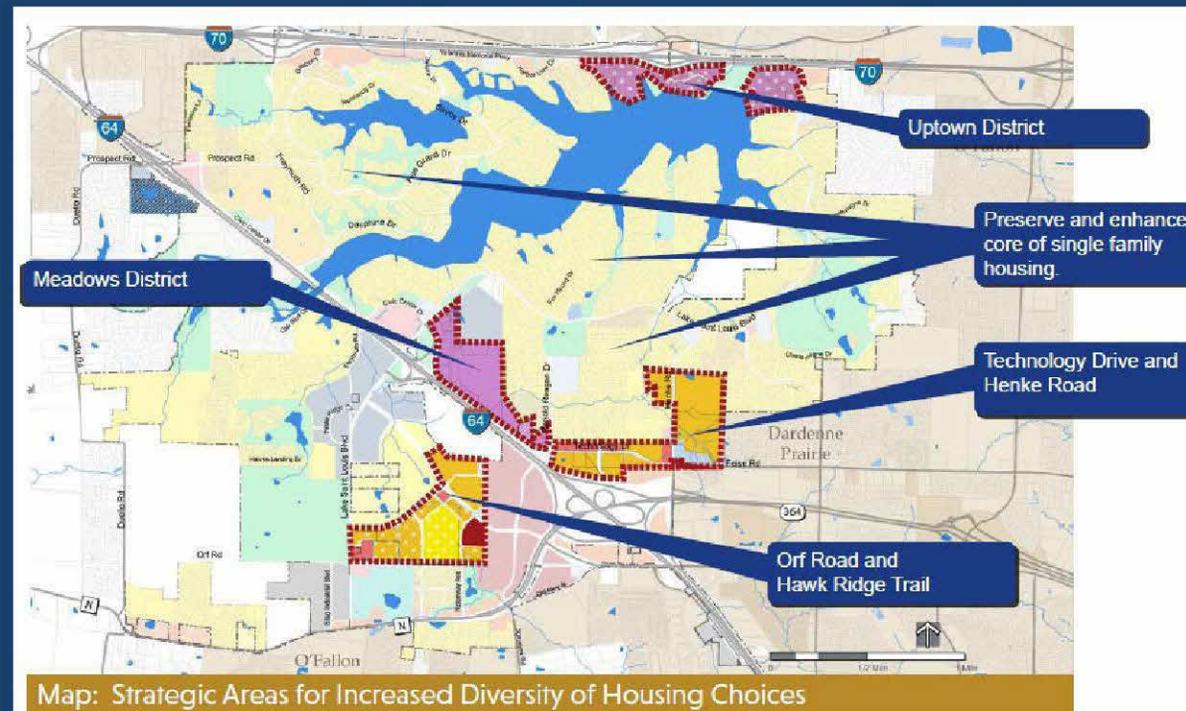
Source: 2018 ACS 5-Year Estimates

MULTI-FAMILY HOUSING



Comprehensive Plan

- Goal 2.2: Housing choices that help ensure a diverse spectrum of residents (families, retirees, college grads, singles, etc.)
 - 2.2A: Support a diversity of housing choices in strategic locations in the City based on the future land use plan.
- Goal 2.3: Attract a younger spectrum of residents (recent graduates, millennials, young families).
 - 2.3A: Support mixed-use development at the Meadows and Uptown Districts.



MULTI-FAMILY HOUSING



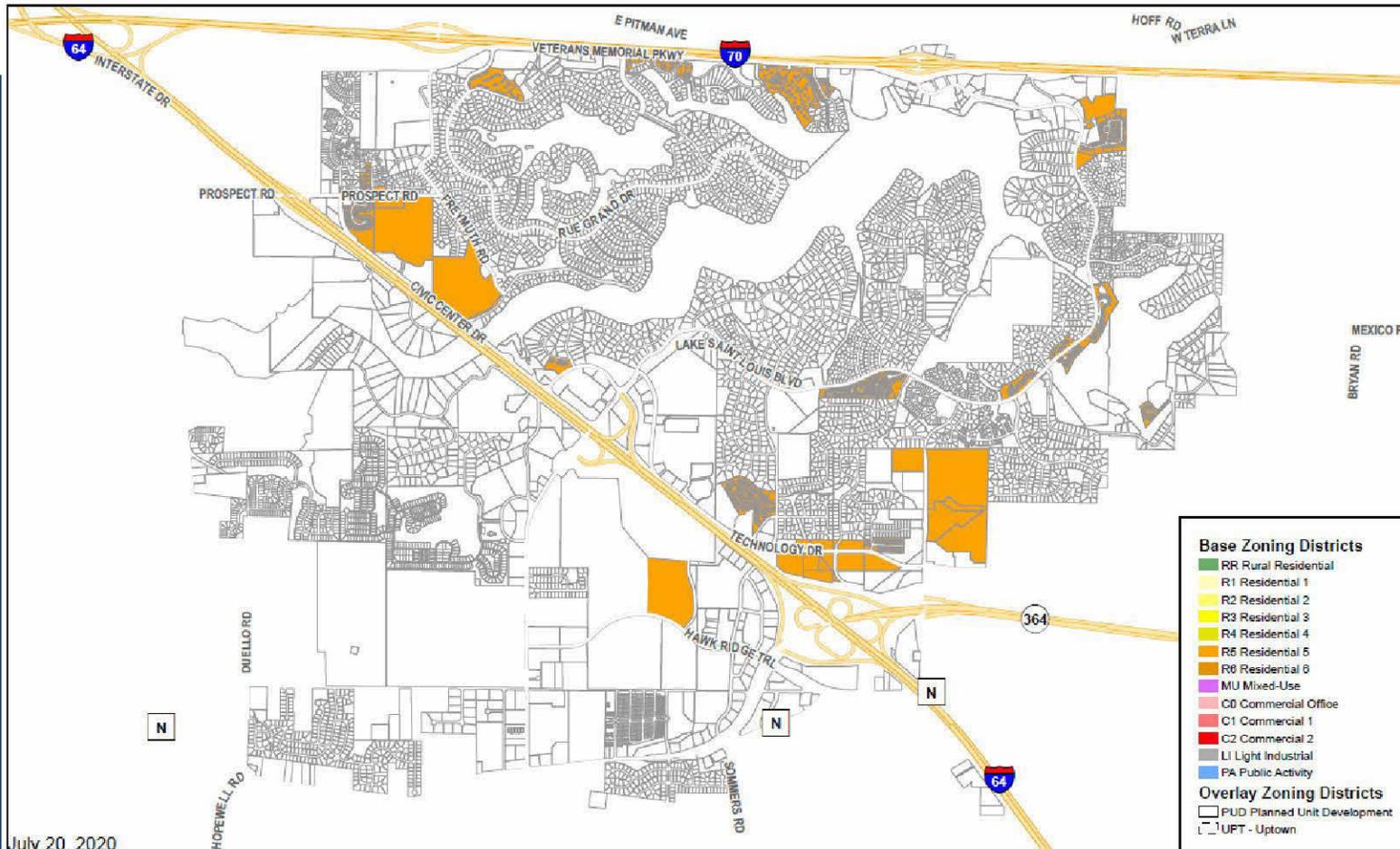
- Yellow = New uses
- Green = Changes to existing uses that are more permissive (i.e. from prohibited to permitted/special use or from special use to permitted)
- Red = Changes to existing uses that are less permissive (i.e. from permitted to special use or from permitted/special use to prohibited)

Table 420.040: Table of Allowed Uses

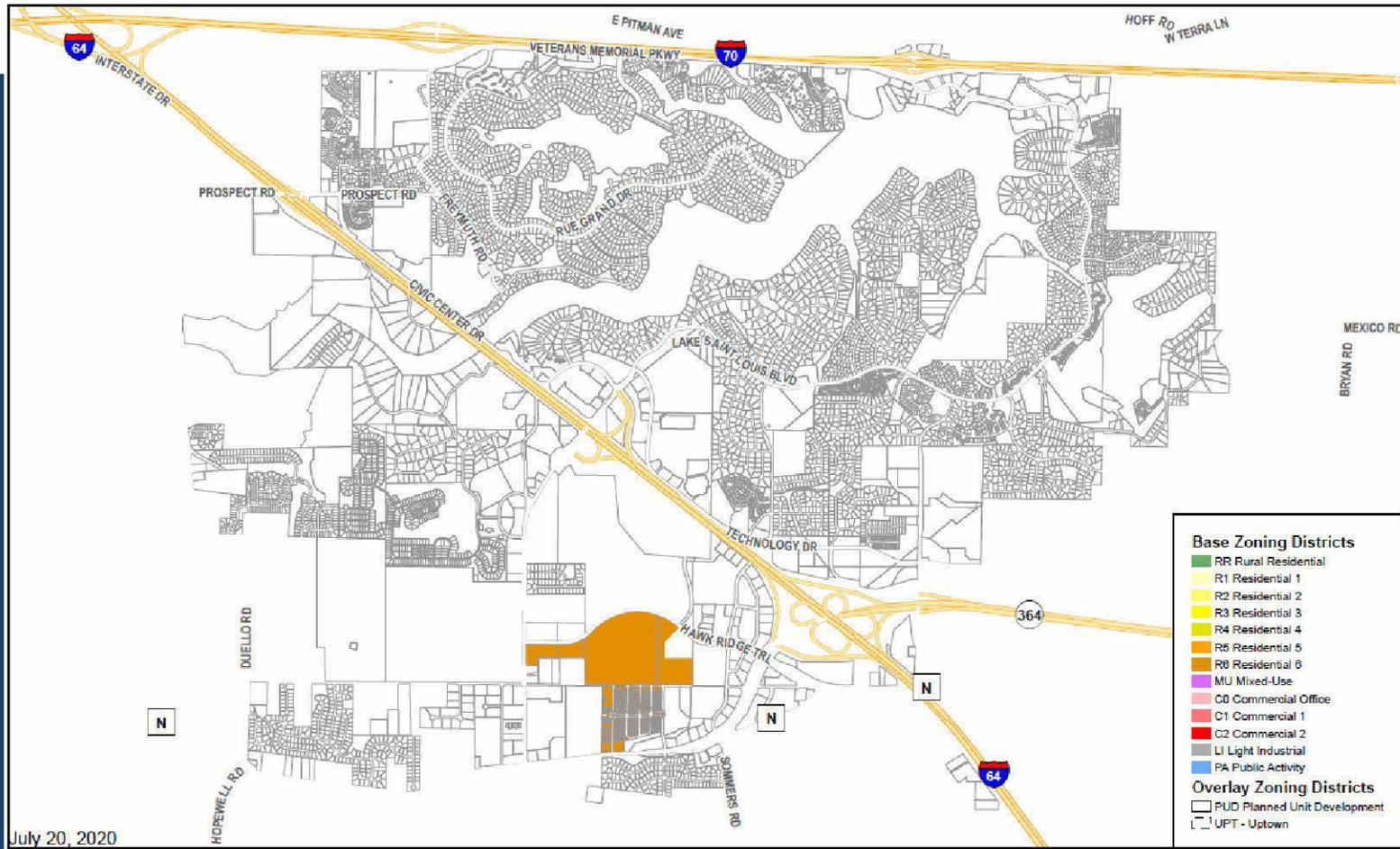
Key: P = Permitted, S = Special Use, A=Accessory Use, T=Temporary Use, Blank = Prohibited Use

Use	RR	R1	R2	R3	R4	R5	R6	MU	CO	C1	C2	LI	PA	Use Standard Code Section
Residential Uses														
Household Living														
Detached house	P	P	P	P	P		P							
Duplex						P	P							
Townhouse						P	P							
Multi-Unit Building						P	P	P						
Multi-Unit Building, Age-Restricted						P	P	P	P		S			420.070.A
Group Living														
Congregate Care Facility						S	S	S	S		S			420.070.B
Group Home	P	P	P	P	P	P	P							420.070.C

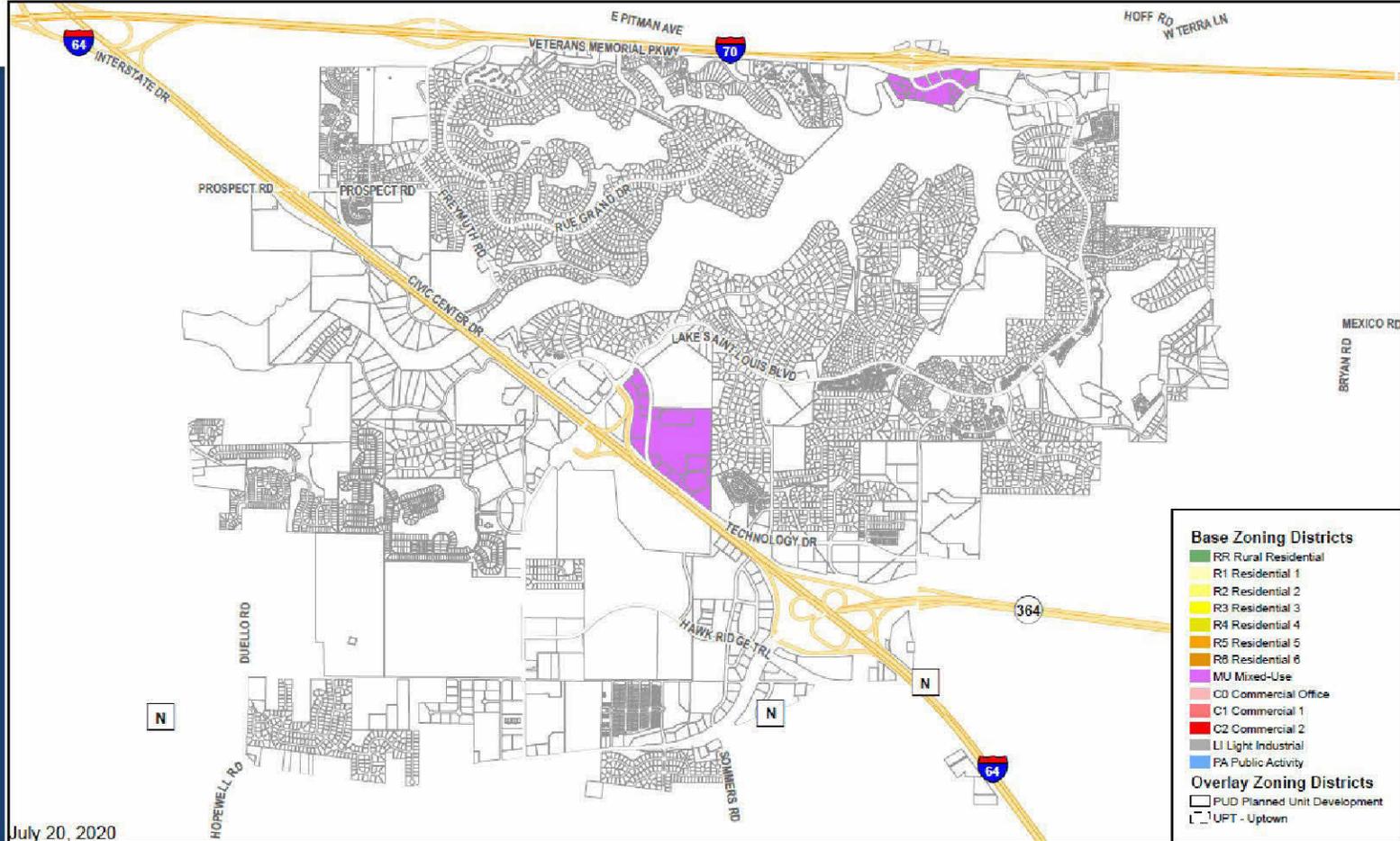
R5 – RESIDENTIAL 5 FORMERLY "MR – MULTIPLE-FAMILY RESIDENTIAL"



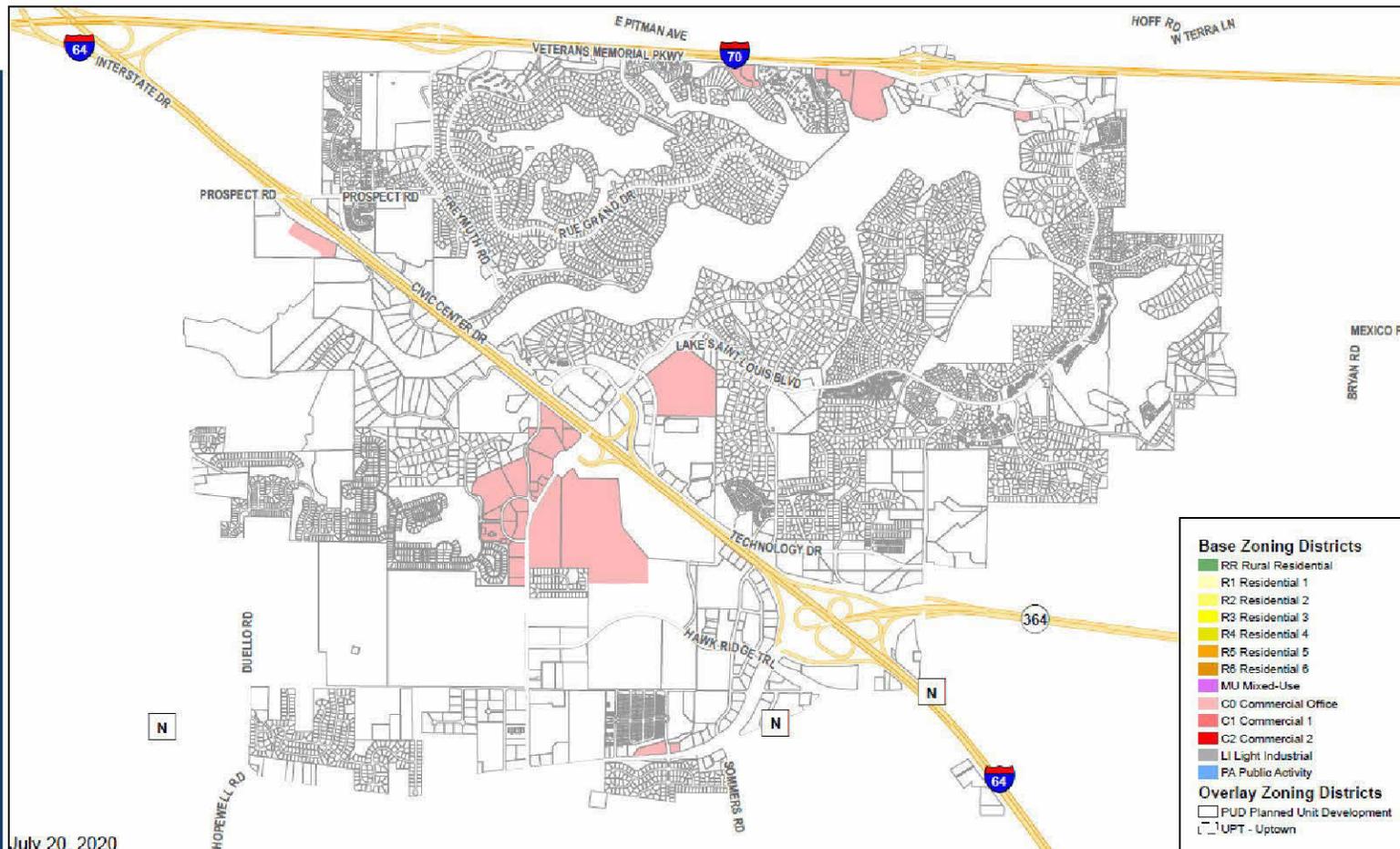
R6 – RESIDENTIAL 6 NEW



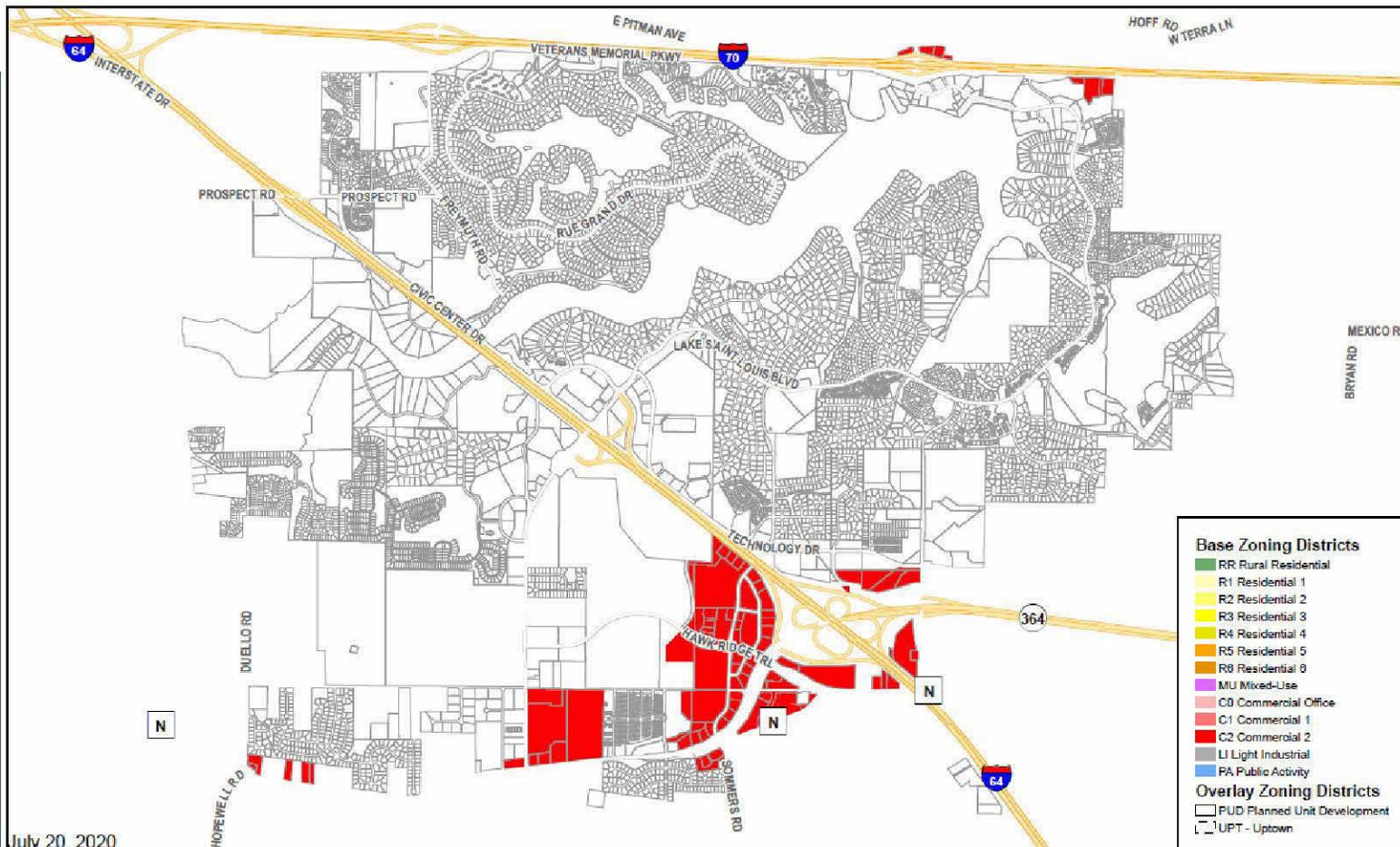
MU – MIXED-USE NEW



CO – COMMERCIAL OFFICE FORMERLY "BP – BUSINESS PARK"



C2 – COMMERCIAL 2 FORMERLY "HC – HIGHWAY COMMERCIAL"

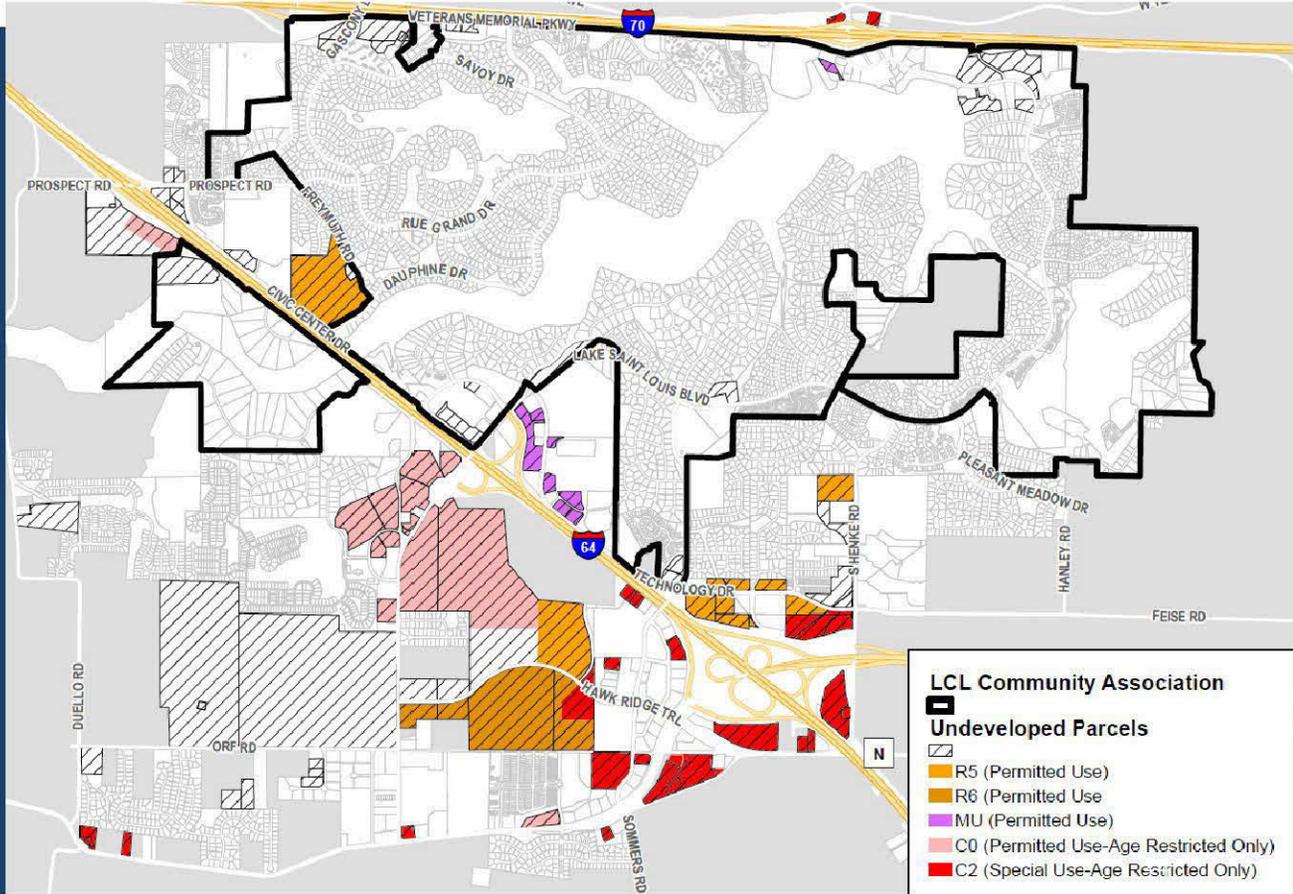


MULTI-FAMILY HOUSING



Undeveloped Properties

MULTI-FAMILY HOUSING



9/30/2020 *All numbers represent acres of undeveloped land

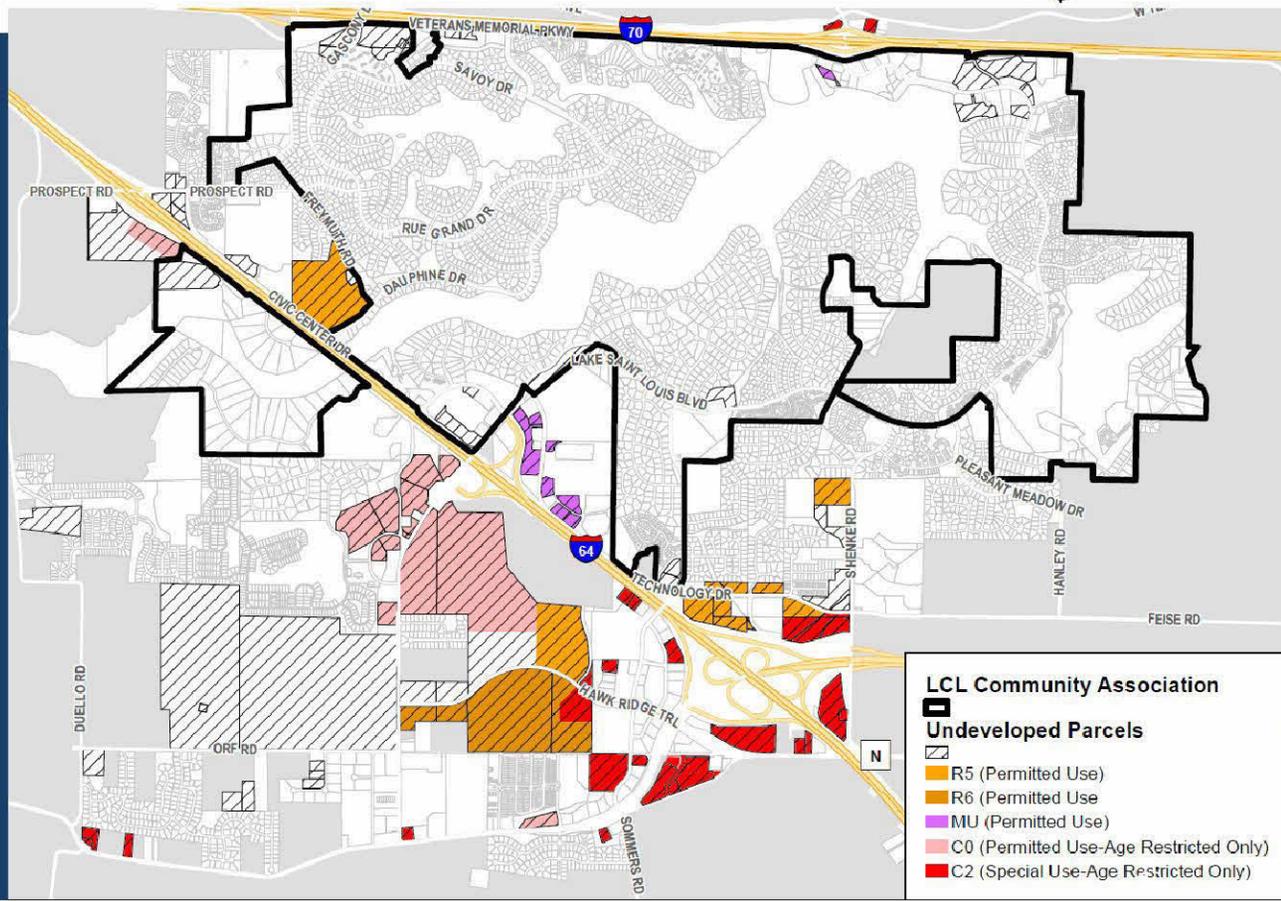
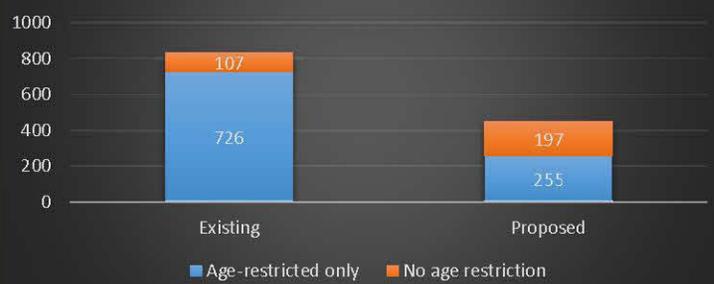
MULTI-FAMILY HOUSING



Multi-Family Permitted By-Right or Special Use



Multi-Family Permitted with Age-Restrictions



9/30/2020 *All numbers represent acres of undeveloped land

MULTI-FAMILY HOUSING



- Proposed Dimensional Standards
 - No significant changes to lot standards, setbacks, and building height.
 - Density (maximum units per net acre)

	Existing Code	Comprehensive Plan	Proposed Code
Residential Districts	6 units/net acre*	6-12 units/net acre (Suburban) 4-18 units/net acre (Village)	12 units/net acre (R5) 18 units/net acre (R6)
Age-Restricted Buildings	18 units/net acre	Not specified	18 units/net acre
Mixed-Use Districts	6 units/net acre*	No limit	30 units/net acre (MU)

**May be increased for projects in the PD and PR Districts*

MULTI-FAMILY HOUSING



Building Height Transitions (Section 425.280)

- Proposed: A new building with a height that exceeds that of an adjacent residential building within 50 feet by one story or more shall provide a transition using at least one of the following techniques:
 - “Stepping down” building height and mass along the shared property line to meet the height of the existing neighboring home;
 - Providing variations in the side building wall and/or roof form so that new structures have a comparable scale as neighboring homes;
 - Utilizing a roof pitch and overhang similar to that of the neighboring structures; and
 - Utilizing dormers and sloping roofs to accommodate upper stories.
- Existing: No requirement.



MULTI-FAMILY HOUSING



Architectural Variety (Section 425.290.A)

- Proposed:
 - For each multi-unit building, a minimum of five different architectural features must be provided.
 - Examples include covered porches; balconies; prominent entry features; bay windows; door openings; variations in color, materials, building height, or roof form; dormers; projected or recessed building walls.
- Existing: No requirement.
- Building Materials and Colors (Section 425.300)
 - No substantive changes from current requirements.

DISCUSSION





REQUESTED ZONING MAP CHANGES

Since August 4, 2020

ZONING CHANGE TYPES

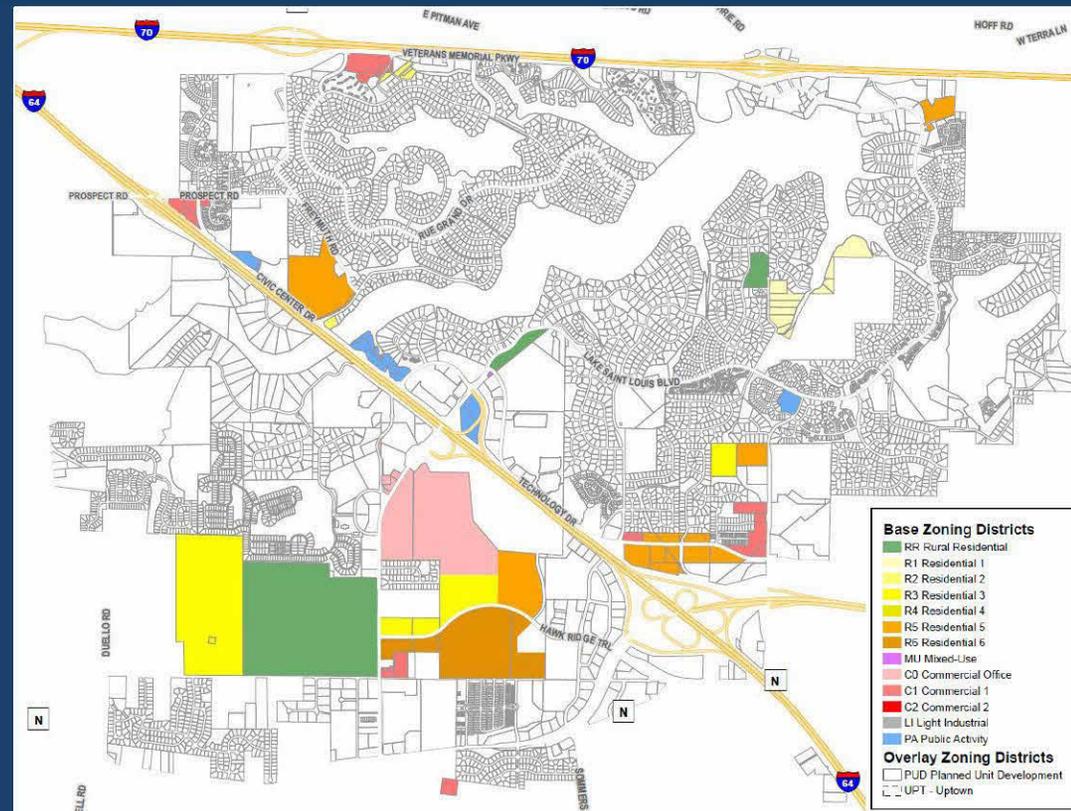


More Restrictive Zoning Change

- Results in fewer permitted uses and/or more restrictive dimensional standards.
- 85 parcels (55 property owners)

Examples

- A change in zoning from PD–Planned Development (undeveloped properties only) to any zoning district.
- A change in zoning from a nonresidential district to another nonresidential district with fewer permitted uses and/or more restrictive dimensional standards (i.e. from HC–Highway Commercial to C1–Commercial 1).
- A change in zoning from one nonresidential district to any residential district (i.e. from CB – Community Business to R5–Residential 5).
- A change in zoning from one residential district to another residential district with fewer permitted uses and/or more restrictive dimensional standards (i.e. from SR2–Single-Family to R1–Residential 1).



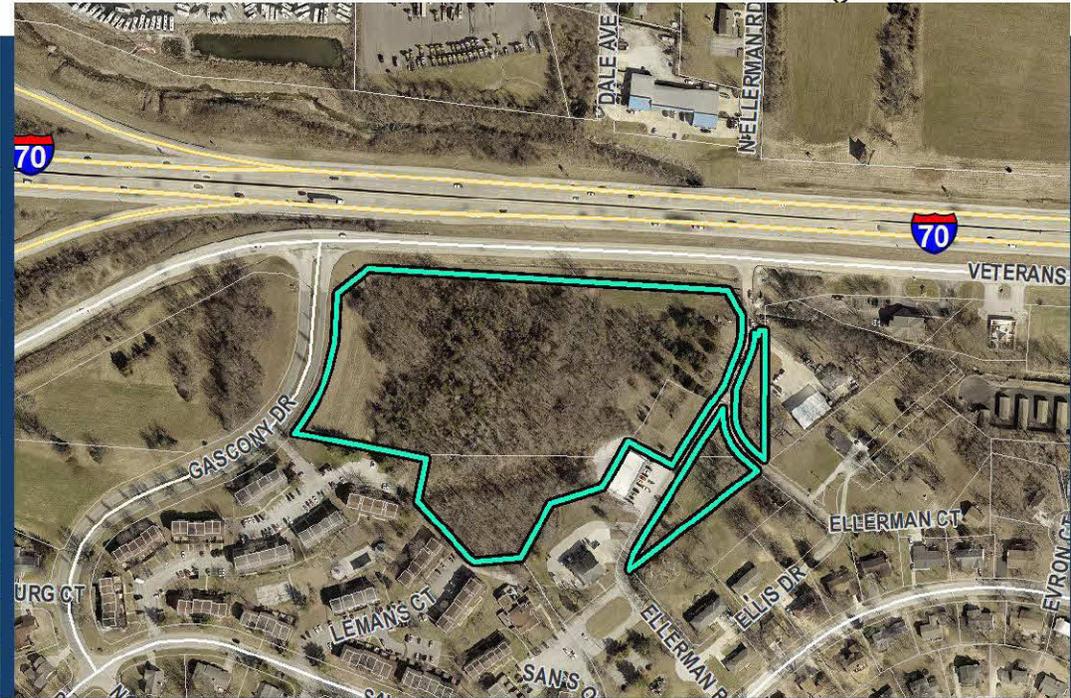
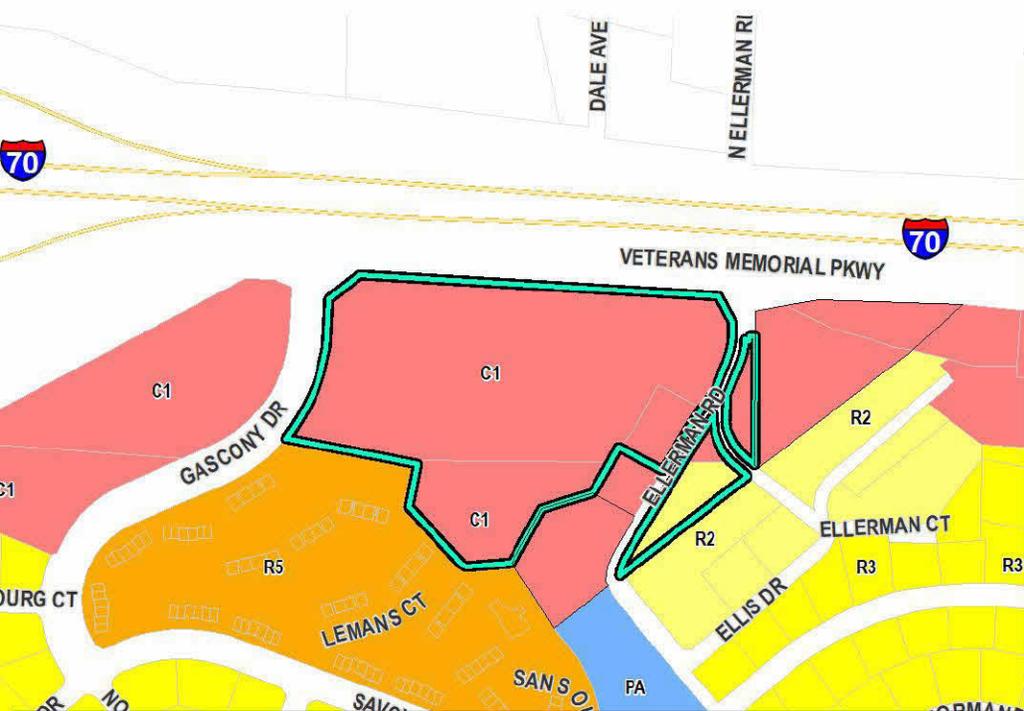
REQUESTED ZONING MAP CHANGES



Staff recommends revising the proposed zoning designations of the following properties.

GASCONY PARK

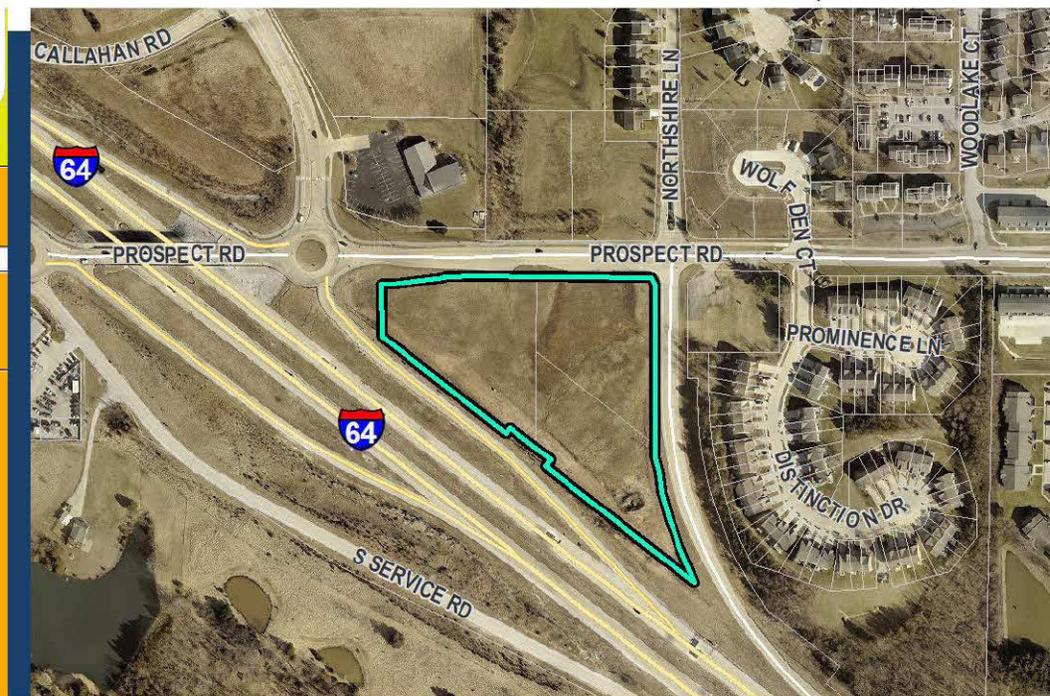
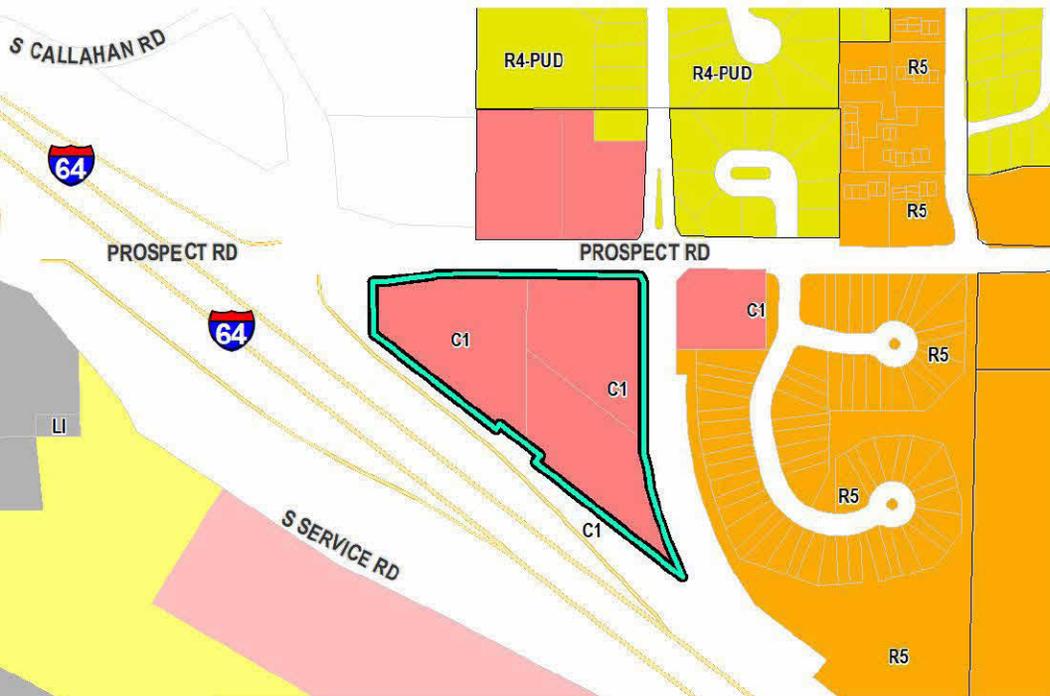
KELLERMAN TRUST



LOT SIZE	LAND USE - EXISTING	LAND USE - FUTURE	ZONING - EXISTING	ZONING - PROPOSED	ZONING - REQUESTED	ZONING - RECOMMENDED
11.2 acres	Vacant	Corridor Commercial	PD - Planned Development	C1 - Commercial 1 R2 - Residential 2	C2 - Commercial 2	C1-PUD - Commercial 1- Planned Unit Development

PROSPECT ROAD

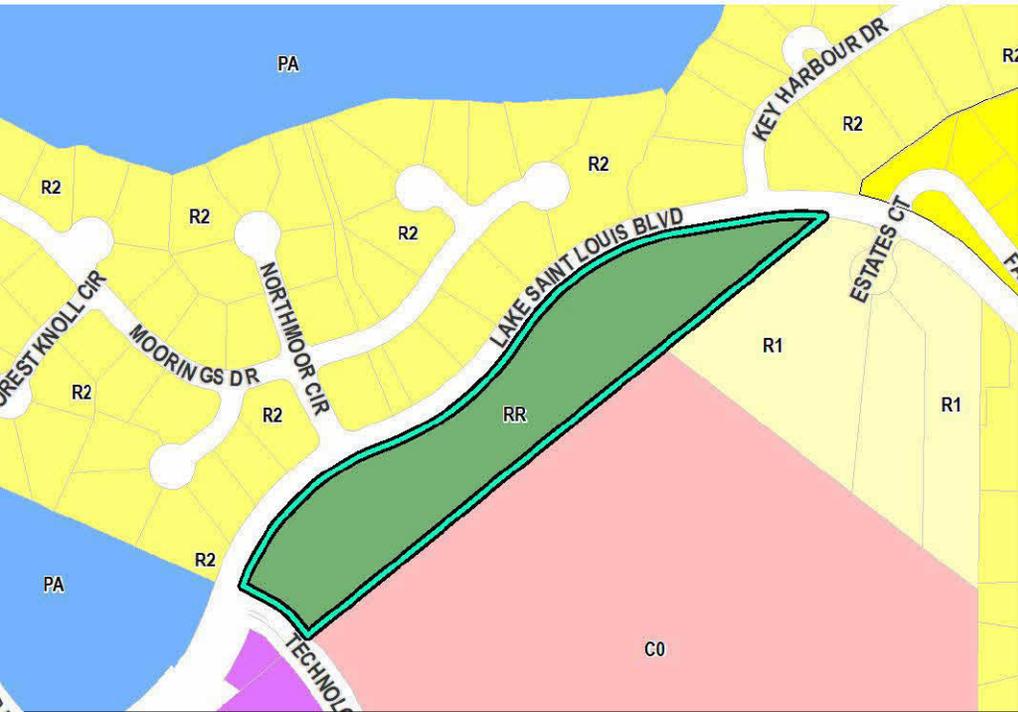
CONWAY CENTRE LLC



LOT SIZE	LAND USE - EXISTING	LAND USE - FUTURE	ZONING - EXISTING	ZONING - PROPOSED	ZONING - REQUESTED	ZONING - RECOMMENDED
5.7	Vacant	Neighborhood Commercial	PD - Planned Development	C1 - Commercial 1	C2 - Commercial 2	C1-PUD - Commercial 1-Planned Unit Development

LSL PLAT 189 (PART)

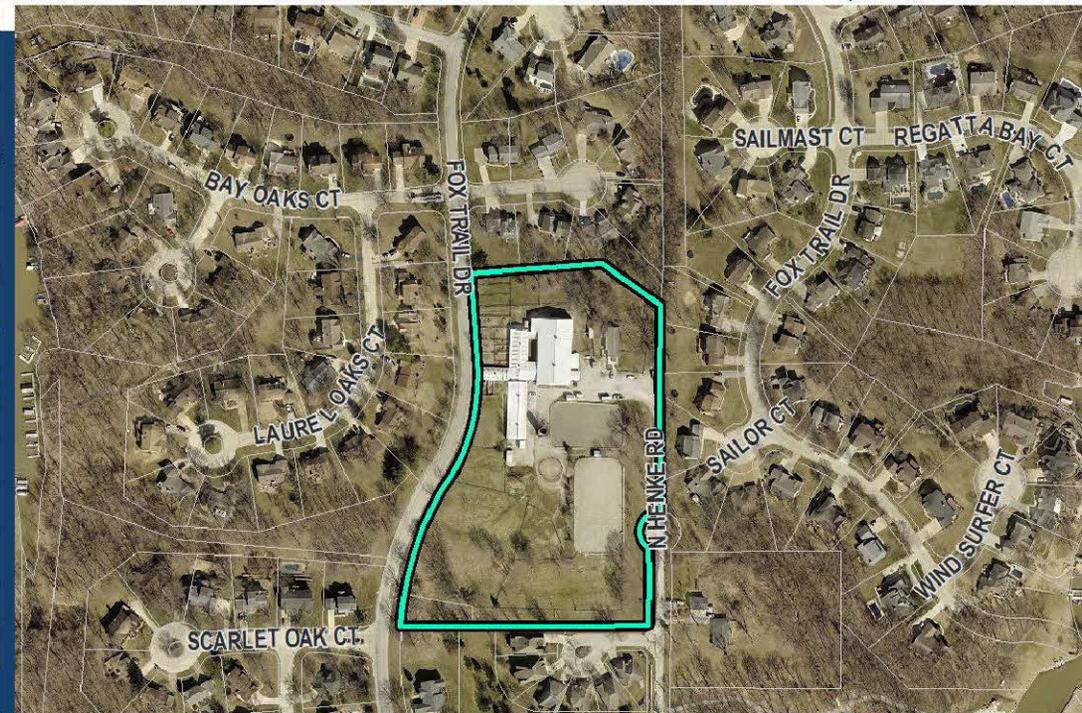
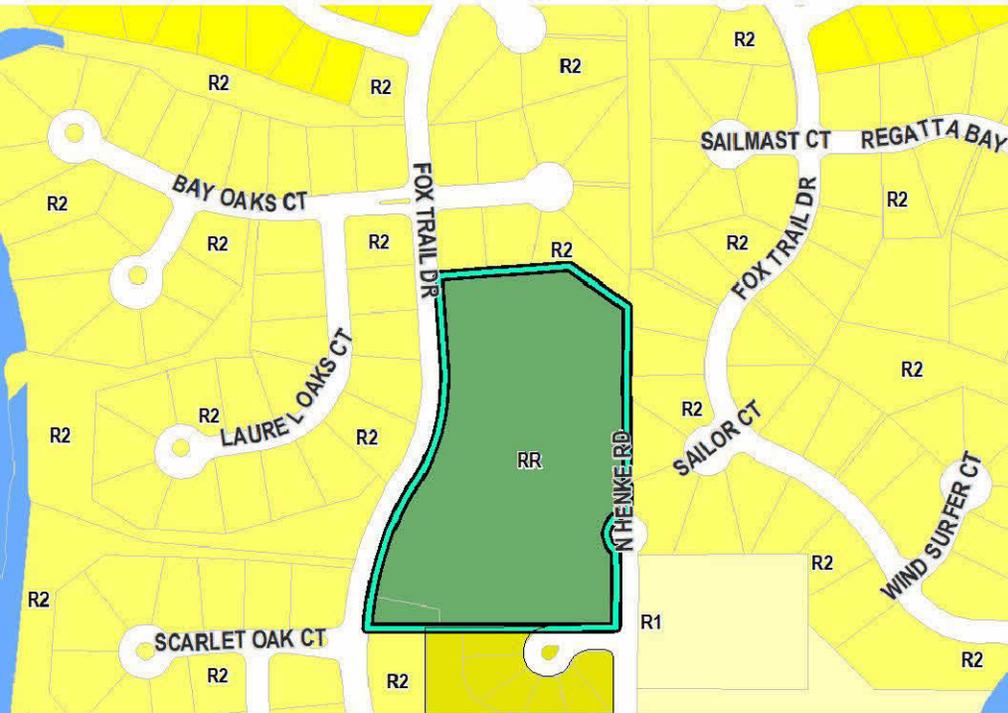
RICHARD & MARIA HILL



LOT SIZE	LAND USE - EXISTING	LAND USE - FUTURE	ZONING - EXISTING	ZONING - PROPOSED	ZONING - REQUESTED	ZONING - RECOMMENDED
7.3 acres	Vacant	Conservation/Open Space	PD - Planned Development	RR - Rural Residential	MU - Mixed-Use	R1-PUD - Residential 1-Planned Unit Development

1253 N HENKE ROAD

DELL & MIDGE WATTS



LOT SIZE	LAND USE - EXISTING	LAND USE - FUTURE	ZONING - EXISTING	ZONING - PROPOSED	ZONING - REQUESTED	ZONING - RECOMMENDED
8.1 acres	Commercial Horse Stables	Unique/Specialty Areas	SR1 - Single Family Residential	RR - Rural Residential	R2 - Residential 2	R2 - Residential 2

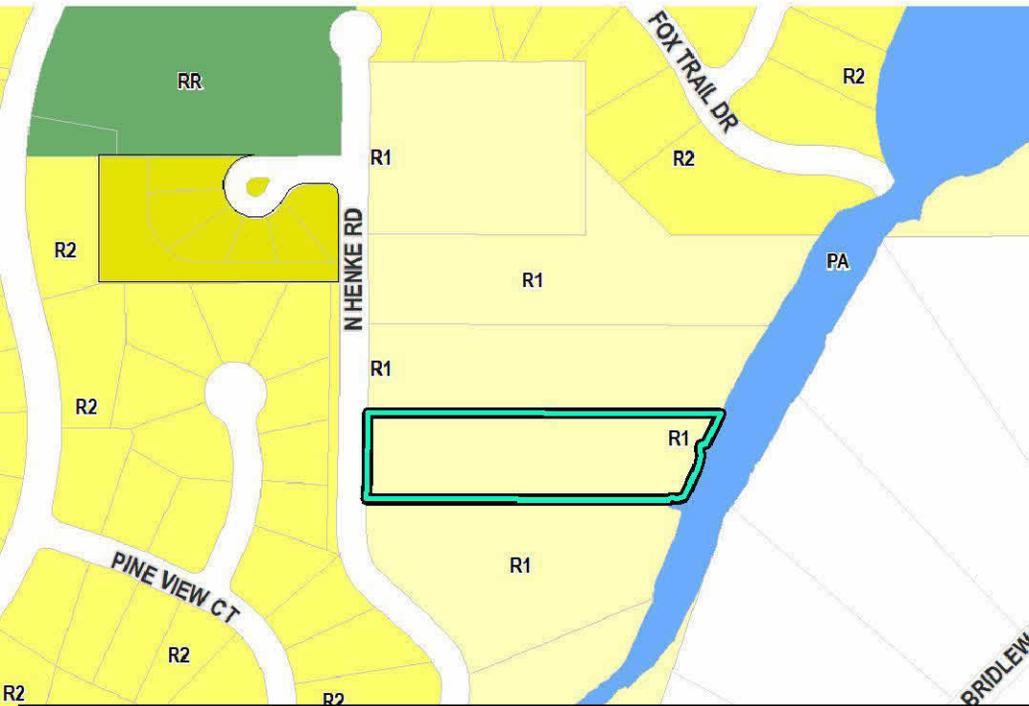
REQUESTED ZONING MAP CHANGES



- In staff's opinion, the proposed zoning designations for the following properties are in accordance with the City's Comprehensive Plan and no additional changes are recommended.

1320 N HENKE ROAD

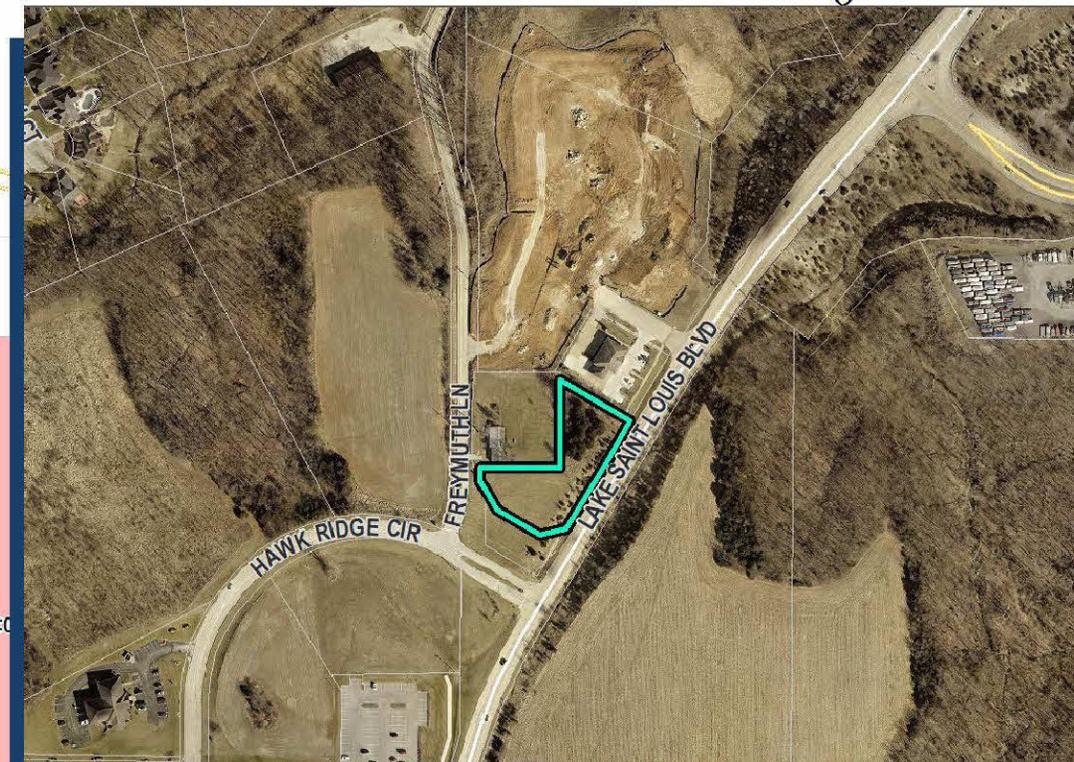
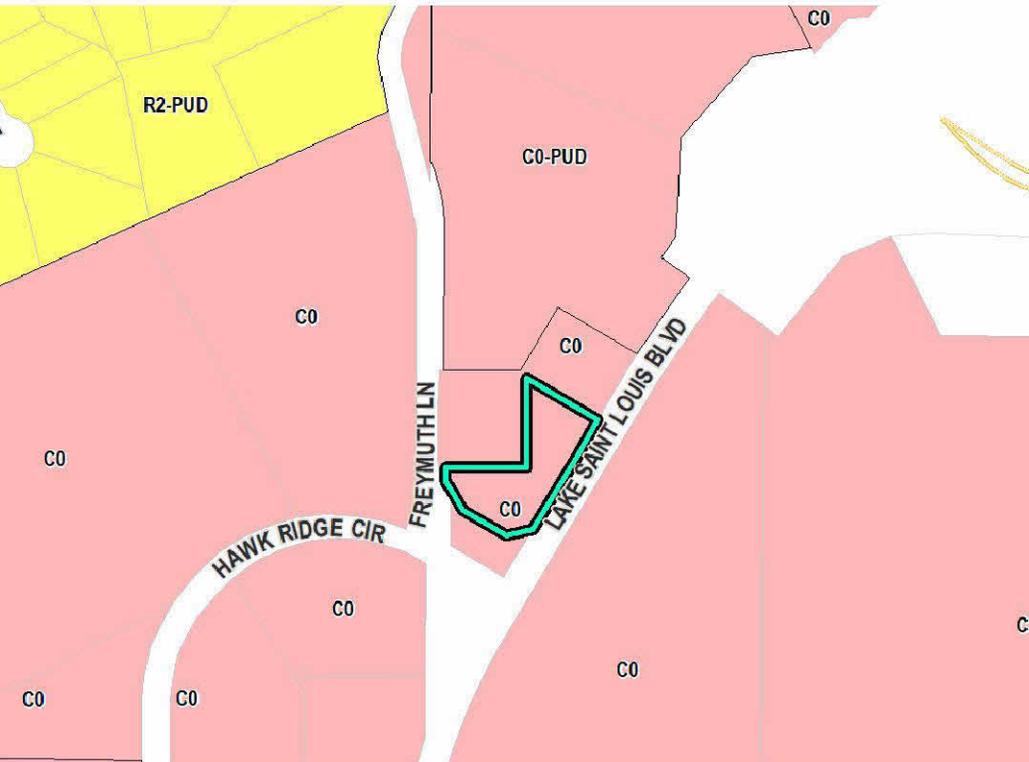
BARBARA GERDES IRREVOCABLE TRUST



LOT SIZE	LAND USE - EXISTING	LAND USE - FUTURE	ZONING - EXISTING	ZONING - PROPOSED	ZONING - REQUESTED	ZONING - RECOMMENDED
2.0 acres	Single-Family Residential	Suburban-Single Family Residential	SR1 - Single Family Residential	R1 - Residential 1	R2 - Residential 2	R1 - Residential 1

TESZARS SUBDIVISION, LOT 3

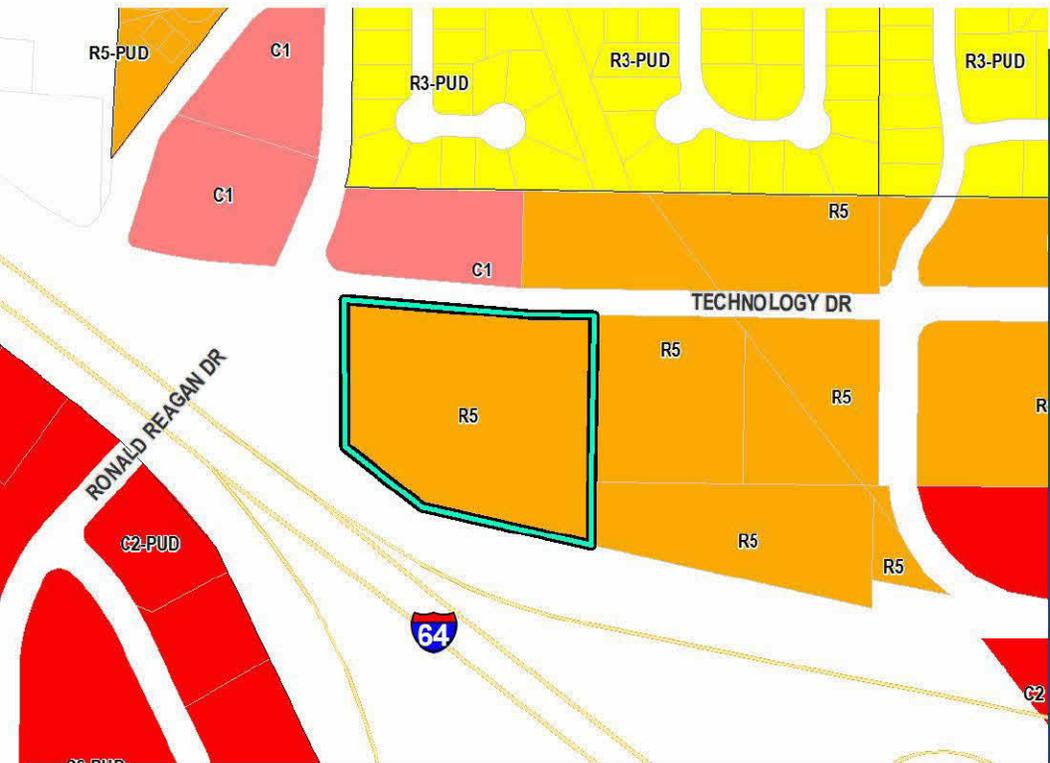
HAWK RIDGE CROSSING LLC



LOT SIZE	LAND USE - EXISTING	LAND USE - FUTURE	ZONING - EXISTING	ZONING - PROPOSED	ZONING - REQUESTED	ZONING - RECOMMENDED
1.1 acres	Vacant	Business/Office Park	HC - Highway Commercial	C0 - Commercial Office	C2 - Commercial 2	C0 - Commercial Office

TECHNOLOGY DRIVE

MICHAEL & CARA DANIEL

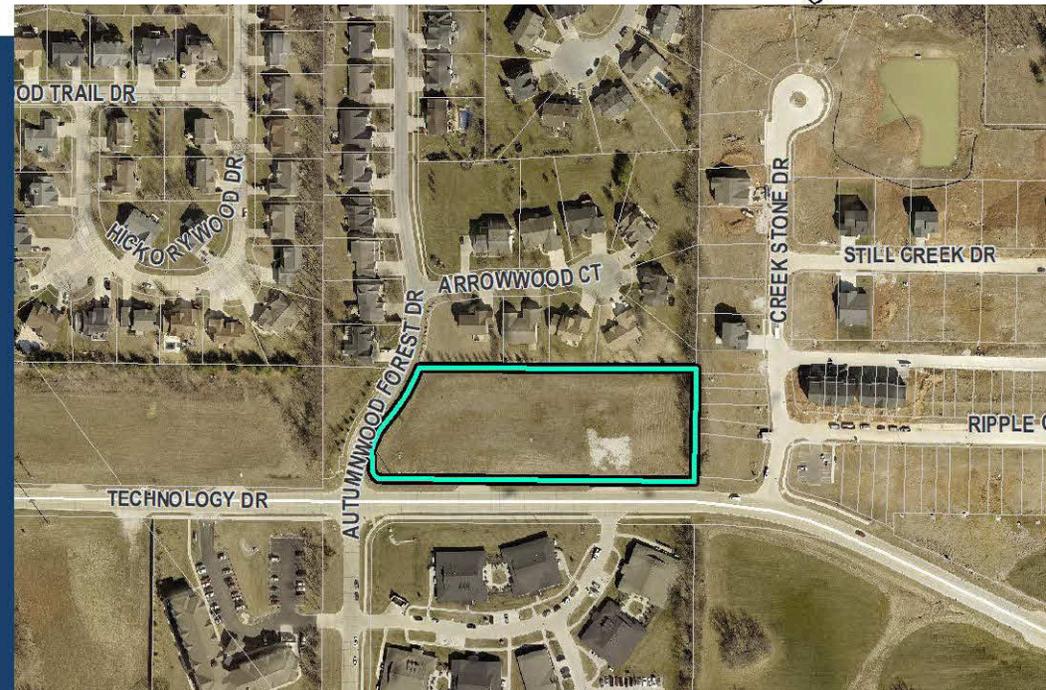


LOT SIZE	LAND USE - EXISTING	LAND USE - FUTURE	ZONING - EXISTING	ZONING - PROPOSED	ZONING - REQUESTED	ZONING - RECOMMENDED
6.2	Vacant	PRIMARY: Suburban-Mixed Residential SECONDARY: Neighborhood Commercial	HC - Highway Commercial	R5 - Residential 5	C2 - Commercial 2	R5 - Residential 5

9/30/2020

TECHNOLOGY DRIVE

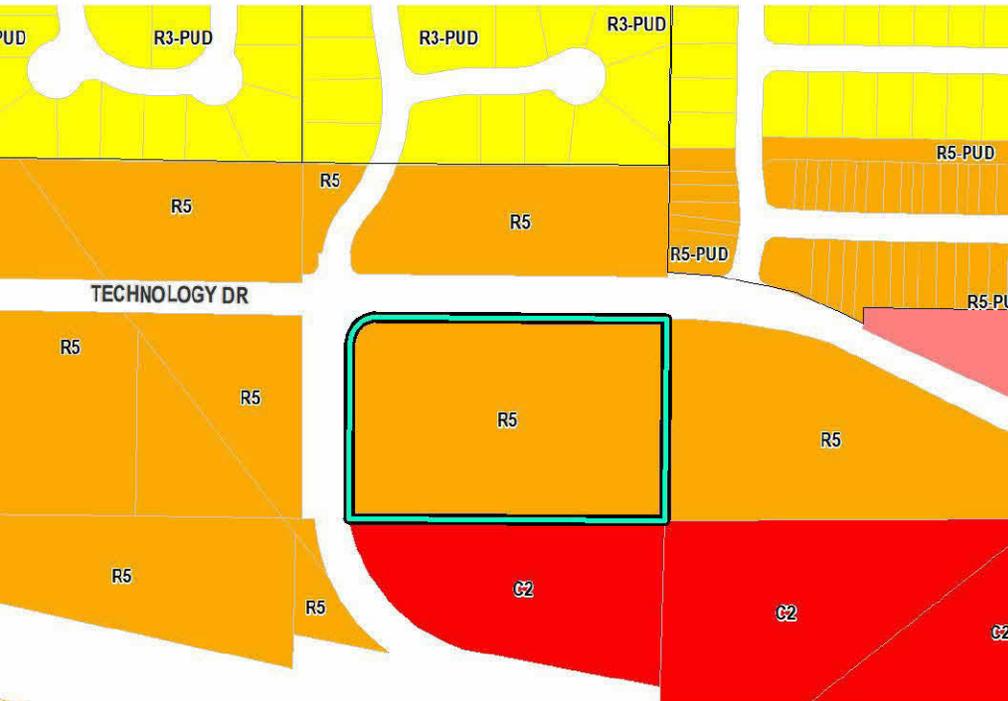
FUTURE FOCUS REAL ESTATE GROUP LLC



LOT SIZE	LAND USE - EXISTING	LAND USE - FUTURE	ZONING - EXISTING	ZONING - PROPOSED	ZONING - REQUESTED	ZONING - RECOMMENDED
2.7	Vacant	PRIMARY: Neighborhood Commercial SECONDARY: Suburban Mixed-Residential	HC - Highway Commercial	R5 - Residential 5	C2 - Commercial 2	R5 - Residential 5

2885 TECHNOLOGY DRIVE

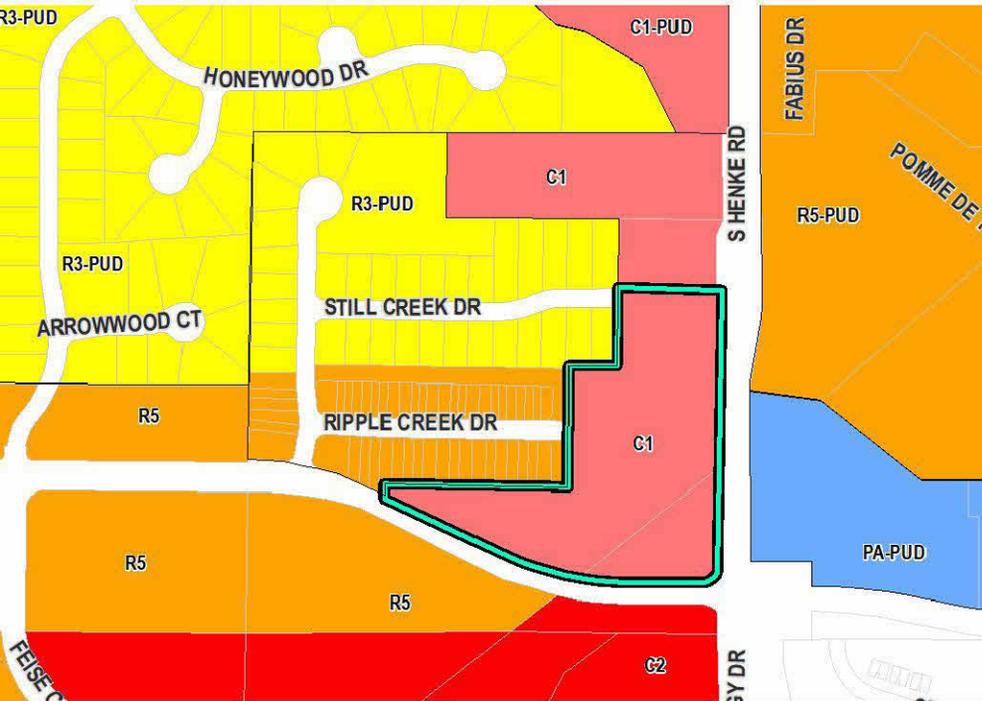
SENIORS WEST LLC



LOT SIZE	LAND USE - EXISTING	LAND USE - FUTURE	ZONING - EXISTING	ZONING - PROPOSED	ZONING - REQUESTED	ZONING - RECOMMENDED
5.2 acres	Congregate Care Facility	PRIMARY: Suburban-Mixed Residential SECONDARY: Neighborhood Commercial	HC - Highway Commercial	R5 - Residential 5	C2 - Commercial 2	R5 - Residential 5

1849 HENKE ROAD

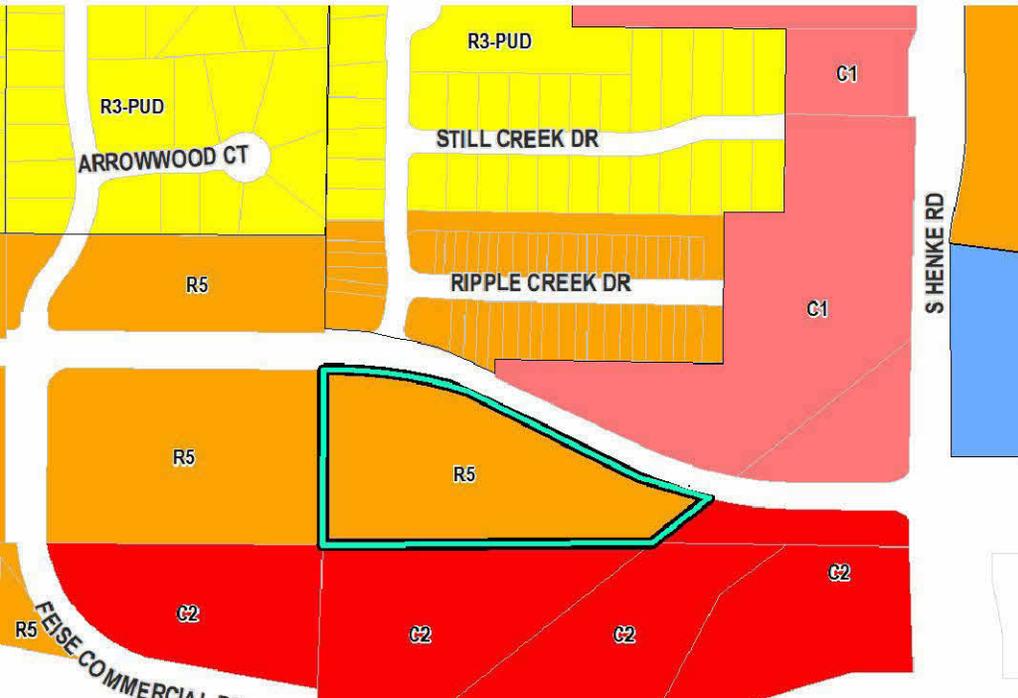
ANDREA MERZ, MARY ROGERS, DAVID MERZ, JACQUELINE HENSON



LOT SIZE	LAND USE - EXISTING	LAND USE - FUTURE	ZONING - EXISTING	ZONING - PROPOSED	ZONING - REQUESTED	ZONING - RECOMMENDED
8.5 acres	Vacant	PRIMARY/SECONDARY: Neighborhood Commercial & Suburban Mixed-Residential	HC - Highway Commercial	C1 - Commercial 1	C2 - Commercial 2	C1 - Commercial 1

TECHNOLOGY DRIVE

ANDREA MERZ, MARY ROGERS, DAVID MERZ, JACQUELINE HENSON, DALE MERZ



LOT SIZE	LAND USE - EXISTING	LAND USE - FUTURE	ZONING - EXISTING	ZONING - PROPOSED	ZONING - REQUESTED	ZONING - RECOMMENDED
4.9 acres	Vacant	PRIMARY: Suburban-Mixed Residential SECONDARY: Neighborhood Commercial	HC - Highway Commercial	R5 - Residential 5	C2 - Commercial 2	R5 - Residential 5

DISCUSSION





DEVELOPMENT CODE CHANGES

Since August 4, 2020



TABLE OF ALLOWED USES

- Table 420.040 Table of Allowed Uses
 - Remove "Commercial Horse Stable" as an allowable special use in RR.
 - Aldermen Turner requests that the following uses be prohibited in CO:

Key: P = Permitted, S = Special Use, A=Accessory Use, T=Temporary Use, Blank = Prohibited Use

Use	RR	R1	R2	R3	R4	R5	R6	MU	CO	C1	C2	LI	PA	Use Standard Code Section
Residential Uses														
Multi-Unit Building, Age-Restricted						P	P	P	P		S			420.070.A
Congregate Care Facility						S	S	S	S		S			420.070.B
Public, Institutional, and Civic Uses														
Meeting, Banquet, Event, or Conference Facility								P	P	P	P			
School, Post-Secondary and Vocational								P	P	P	P		P	
School, Primary and Secondary		S	S	S	S	S	S	P	P	P	P		P	
Hospital									S					
Cemetery, Mausoleum, and Columbaria	S												P	
Commercial Uses														
Restaurant								P	P	P	P			
Hotel								P	P	P	P			
Medical Marijuana Testing									P				P	420.090.B
Recreation Facility, Indoor								P	P	P	P	P	S	
Recreation Facility, Outdoor								S	S	S	S	S	S	
Industrial Uses														
Research and Development									P				P	

GASOLINE STATION SIGNS



- Signs for Gasoline Stations
 - Table 425.540.A: Summary of Permanent Sign Standards
 - Signs on gasoline station canopies are considered wall signs not canopy signs.
 - Section 410.090 General Terms
 - Signs displaying gasoline prices are not considered changeable message signs or electronic message center signs.



RESIDENTIAL DIMENSIONAL STANDARDS



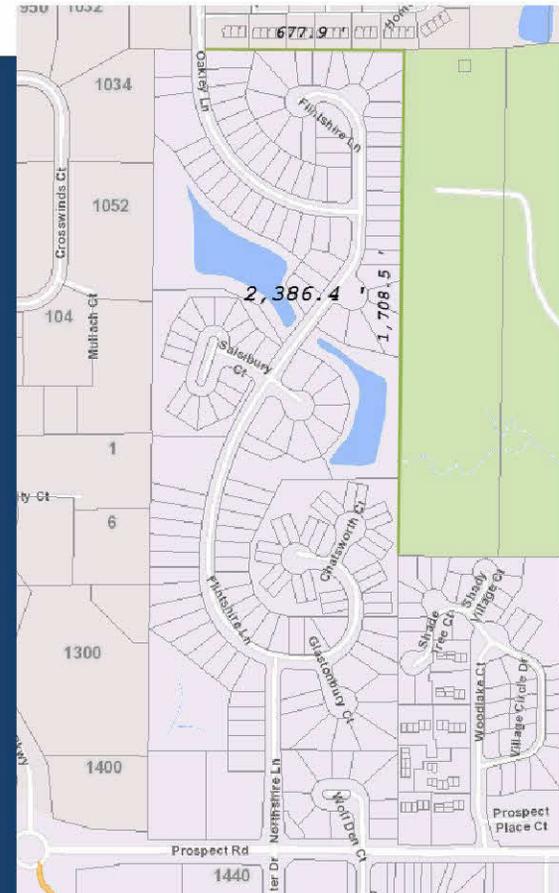
- Table 415.030 Residential Dimensional Standards
 - The minimum lot width for rear-loaded duplexes and townhouses in R5 is reduced from 35 feet to 20 feet.



PERIMETER FENCES



- Section 425.110 Fences
 - Corporate Limit Fences
 - Rear and side property lines abutting the City's corporate limits may have a 6-foot privacy fence (similar to what Sommers Landing has). The height, design and material shall be consistent throughout the same subdivision.
 - Perimeter Fences
 - A decorative fence constructed to a maximum height of six feet may be erected along an arterial, collector or local road as an integrated feature of an overall residential subdivision or development design. Said fence may enclose the entire perimeter of the subdivision.



DISCUSSION





NEXT STEPS

NEXT STEPS



- Make revisions based on input from the Board of Aldermen and Planning and Zoning Commission.
- Update project website
 - Draft development code and summary of changes
 - Draft zoning map and summary of changes
- Public Hearings and Adoption
 - Potential upcoming meeting dates (specific dates to be determined)
 - November 3 – Planning & Zoning Commission
 - November 16 – Board of Aldermen
 - December 3 – Planning & Zoning Commission
 - December 7 – Board of Aldermen
 - December 21 – Board of Aldermen

CONTACT INFORMATION



Louis Clayton, AICP

Director of Community Development

City of Lake Saint Louis

200 Civic Center Dr.

Lake Saint Louis, MO 63367

Office: 636-625-7935

lclayton@lakesaintlouis.com

www.lakesaintlouis.com/landuse

A screenshot of the City of Lake Saint Louis website page titled 'Land Use Regulations & Zoning Map Update'. The page features a blue header with navigation links for 'GOVERNMENT', 'BUSINESS', 'COMMUNITY', and 'HOW DO I...'. Below the header is a search bar and a large image of a blue sky with clouds. The main content area is divided into three columns. The left column contains a sidebar with links to 'Applications', 'Comprehensive Plan', 'Land Use Regulations & Zoning Map Update', 'Map Center', 'Public Hearing Notices', 'Zoning Districts & Regulations', and 'Medical Marijuana Facilities'. The middle column contains the main article text, including a breadcrumb trail, a 'Take a brief community survey' link, a 'What's The Project?' section, and a 'What Are Land Use Regulations?' section. The right column contains a 'Contact Us' section with the name 'Louis Clayton, AICP', his title 'Director of Community Development', and an 'Email Louis Clayton' link. The page footer includes the date '9/30/2020' on the left and the page number '54' on the right.



THE END



PUBLIC COMMENT

August 7 – September 18

Louis Clayton

From: Don Kellerman <drkellermansr@gmail.com>
Sent: Friday, September 04, 2020 11:14 AM
To: Louis Clayton
Subject: Re: New comprehensive zoning.

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Yes the property listed CB to C1 the property listed PD to C2 and includes the .5 acres lot zone Residential. ?

On Fri, Sep 4, 2020, 10:56 AM Louis Clayton <lclayton@lakesaintlouis.com> wrote:

Don,

Can you be more specific? Which parcels do you prefer be zoned C1, and which do you prefer be zoned C2?

Louis

From: Don Kellerman [mailto:drkellermansr@gmail.com]
Sent: Friday, September 04, 2020 10:39 AM
To: Louis Clayton
Subject: Re: New comprehensive zoning.

LOUIS We think that a lot of straight C1 we would prefer a mixture of C1 an C2 for marketability.

On Fri, Sep 4, 2020, 10:06 AM Louis Clayton <lclayton@lakesaintlouis.com> wrote:

Don,

The attached table lists the permitted uses by zoning district. If you have any questions let me know.

Louis

From: Don Kellerman [mailto:drkellermansr@gmail.com]
Sent: Friday, September 04, 2020 9:45 AM
To: Louis Clayton <lclayton@LakeSaintLouis.com>
Subject: Re: New comprehensive zoning.

CB to Corridor commercial an PD to PUD.?

On Fri, Sep 4, 2020, 8:42 AM Louis Clayton <lclayton@lakesaintlouis.com> wrote:

Don,

Thanks for the comments. Your properties are currently zoned PD Planned Development and this zoning district is being eliminated

Citywide. Please let me know which of the following proposed zoning districts you prefer these properties be zoned:

Abbreviation	District Name
Residential Zoning Districts	
RR	Rural Residential
R1	Residential 1
R2	Residential 2
R3	Residential 3
R4	Residential 4
R5	Residential 5
R6	Residential 6
Nonresidential and Mixed-Use Zoning Districts	
MU	Mixed-Use
CO	Commercial-Office
C1	Commercial 1
C2	Commercial 2
LI	Light Industrial
PA	Public Activity

For more information on each zoning district, please refer to the following sections of the [proposed development code](#):

- Section 415.070 Purpose Statements (p. 131)
- Table 415.080 Nonresidential and Mixed-Use Dimensional Standards (p. 132)
- Table 420.040 Table of Allowed Uses (p. 143)

If you have any questions let me know.

Louis Clayton, AICP

Director of Community Development

City of Lake Saint Louis

200 Civic Center Dr.

Lake Saint Louis, MO 63367

Office: 636-625-7935

lclayton@lakesaintlouis.com

From: Don Kellerman [mailto:drkellermansr@gmail.com]

Sent: Friday, September 04, 2020 8:32 AM

To: Louis Clayton <lclayton@LakeSaintLouis.com>

Subject: New comprehensive zoning.

Louis I'm sorry that i was not able to send you a written letter in regards to zoning changes. After thinking about it we would like to keep the same existing zoning . Please call me if you have any questions or concerns 636 219 3277.



September 1, 2020

Mr. Louis Clayton
Director of Community Development
200 Civic Center Drive
Lake Saint Louis, MO 63367

RE: 1440 Prospect Road – Lake St. Louis Missouri – Zoning Classification Change

Dear Mr. Clayton,

Our company owns the 5.72 acre site at 1440 Prospect Road, which is located in the SE corner of the Prospect Road and the Interstate 64 interchange. The purpose of this letter is to communicate our disagreement with the proposed zoning modifications currently being proposed which we believe are to the property's detriment and further restrict our ability to develop the land as originally contemplated when we purchased it approximately 12 years ago.

Our property is currently zoned Planned Development with Highway Commercial uses approved in this PD district. Highway Commercial is defined by the City as "intended to provide for a variety of retail, service, office, recreation and entertainment facilities that are intended to serve local residents, highway travelers, and metro residents outside the City. Its designation on land within the City shall be limited to areas along state and interstate highways and those areas easily serviced by those highways."

Highway Commercial zoning fits this site perfectly and we believe it reflects the highest and best use of this land for the following reasons.

- 1) This site is extremely visible and accessible to highway 40, a major travel route,
- 2) Can quickly and conveniently service the needs of highway motorists and nearby residents,
- 3) Neighboring community of Wentzville has the opposite side of the same intersection (catty corner from the subject property) zoned highway commercial
- 4) The property located directly across Prospect Road to our north is currently zoned with a highway overlay district.

The suggested change to C1 is a downgrading as far as zoning goes and further restricts the uses that we believe will be most compatible with this site, such as a gas station and fast, convenient food options. We believe this is an inaccurate classification for our property for the reasons spelled out above.

We are available to further discuss our concerns and plans with you at any time.

Regards,
Tom Schenk
White Company

Louis Clayton

From: Richard Hill <hillpartnership@msn.com>
Sent: Thursday, September 17, 2020 10:30 AM
To: Louis Clayton
Cc: Paul Markworth
Subject: Re: Lake Saint Louis Plat 189

Follow Up Flag: Follow up
Flag Status: Completed

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Good morning, Louis.

After discussing the options for new zoning classifications with our company's Civil Engineers and my attorney, they are suggesting that a Mixed Use classification is the most consistent with the surrounding zoning classifications, and the most consistent with the Comprehensive Plans for Lake Saint Louis over the last 30 years. They also suggested that it would be the most consistent with the uses we had intended from the beginning. I still prefer the Planned Development classification that was previously agreed to. However, our engineers assure me that we can still develop the referenced property as we originally intended with a Mixed Use classification. As such, I would accept that zoning classification if that is the way the City decides to proceed.

Thank you, Louis. I appreciate your assistance with this.

Richard Hill
30 Lake Forest Circle
Lake Saint Louis, Missouri 63367

On 9/4/2020 4:04 PM, Louis Clayton wrote:

Rick,
We extended the public comment period until September 18, so you have some time to get back to me.
Have a nice weekend.
Louis

From: Richard Hill [<mailto:hillpartnership@msn.com>]
Sent: Friday, September 04, 2020 3:25 PM
To: Louis Clayton
Cc: Paul Markworth
Subject: Re: Lake Saint Louis Plat 189

Thank you, Louis.

I would like to discuss this with our company's Civil Engineers and my attorney before making a decision on the preferred zoning classification, and unfortunately they are already gone for the Holiday weekend. Can I get back to you next week with which zoning classification I would prefer? I want something that

will remain consistent with what we had intended from beginning, as I truly felt then, as I do now, that that is what would best fit into the Comprehensive Plan? This is a bridge property, spanning between residential and commercial. As such, we need a zoning classification that would allow us (or a future developer) to be address the needs of both. I am thinking that would be Mixed Use, but I want to verify that with the Civil Engineers and attorney before finalizing that.

Thanks Louis. I appreciate your assistance with this.

Richard Hill
30 Lake Forest Circle
Lake Saint Louis, Missouri 63367

On 9/4/2020 11:54 AM, Louis Clayton wrote:

Rick,

Thanks for the comments. I understand that you wish the zoning of your property remain as it is (PD Planned Development); however, the PD zoning district is being eliminated

Citywide. Please let me know which of the following proposed zoning districts you prefer your property be zoned and we will discuss this with the Board of Aldermen:

Abbreviation	District Name
Residential Zoning Districts	
RR	Rural Residential
R1	Residential 1
R2	Residential 2
R3	Residential 3
R4	Residential 4
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For more information on each zoning district, please refer to the following sections of the [proposed development code](#):

- Section 415.070 Purpose Statements (p. 131)
- Table 415.080 Nonresidential and Mixed-Use Dimensional Standards (p. 132)
- Table 420.040 Table of Allowed Uses (p. 143)

If you have any questions let me know.

Louis Clayton, AICP

Director of Community Development
City of Lake Saint Louis
200 Civic Center Dr.
Lake Saint Louis, MO 63367

Office: 636-625-7935
lclayton@lakesaintlouis.com

From: Richard Hill [<mailto:hillpartnership@msn.com>]

Sent: Friday, September 04, 2020 11:41 AM

To: Louis Clayton

Cc: Paul Markworth

Subject: Re: Lake Saint Louis Plat 189

Good morning, Louis.

Per our discussions, attached are my comments regarding the rezoning request suggested in your letter to me and my wife dated August 7, 2020. Let me know if you have any questions, or need additional information.

Thanks, Louis. Have a great Holiday weekend!

Richard Hill
30 Lake Forest Circle
Lake Saint Louis, Missouri 63367

On 8/25/2020 10:23 AM, Louis Clayton wrote:

Rick,

Attached are the approved ordinances for the subdivision and zoning of the property, and the minutes from the August 15, 1994 Board of Aldermen meeting when the ordinances were approved. The minutes don't reference an agreement between you and the Board of Aldermen regarding the property.

As I mentioned on the phone, we are taking public comments on the draft zoning map and development code until September 4. If you have any comments, please submit them in writing. Once the public comment period is over, we will discuss the comments with the Board of Aldermen, and make any applicable revisions prior to starting the public hearing and adoption process. If you have any questions let me know.

Louis Clayton, AICP

Director of Community Development
City of Lake Saint Louis
200 Civic Center Dr.
Lake Saint Louis, MO 63367
Office: 636-625-7935
lclayton@lakesaintlouis.com

From the Desk of Richard E. Hill

30 Lake Forest Circle
Lake St. Louis, Missouri 63367

September 4, 2020

Louis Clayton, AICP
Director of Community Development
City of Lake Saint Louis
200 Civic Center Drive
Lake Saint Louis, Missouri 63367

Subject: The proposed rezoning of Parcel ID. 4-0056-7187-00-000A.0000000

Dear Mr. Clayton,

I am writing you in regards to your letter dated August 7, 2020 in which you informed me that it was the intent of the City to change the zoning classification on a property owned by me and my wife (Parcel I.D. 4-0056-7187-00-000A.0000000). Per our discussions, we are in opposition to the proposed rezoning for several reasons.

1.) Prior to purchasing the property in 1994, we requested of the City of Lake Saint Louis a rezoning of the property to Planned Development. Our intent was to have commercial/office on the South end of the property since this was the developing commercial area for Lake Saint Louis, and to have residential on the North end of the property since the adjoining properties were more residential in nature. City's staff concurred with our assessment, and recommended it for approval stating, "*The proposed Planned Development (PD) appears to be a logical choice to accomplish both the wishes of the applicant and the Land Use goals of the City. **The City's comprehensive plan calls for both commercial and multi-family uses on this property, and the proposed uses are largely consistent with this plan.***" None of the noted surrounding land uses have changed to date. As a matter of fact, they have developed exactly as foreseen and planned for, particularly noting the significant completion of commercial development on the South end.

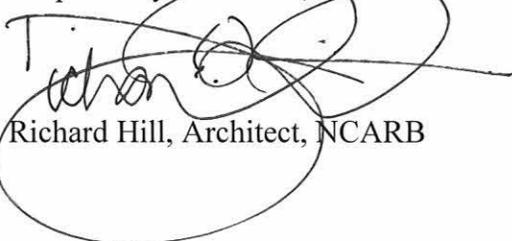
2) At the time of our request for the re-zoning, the Planned Development zoning was only being granted for a period of (5) years. Per the City's requirements at the time, if the parcel was not developed within the (5) year period, it would revert back to it's previous zoning. At the time of the rezoning, during the discussion with the Board of Alderman, I requested that this stipulation be waived, and a permanent rezoning to Planned Development be granted, unless a change to that zoning was requested by me and my wife, or a future land-owner of the property. Since this area was about to undergo significant commercial development on the South end, we wanted the flexibility to see how that developed, and adjust the development plan accordingly. The Board of Alderman approved the rezoning, along with this request to waive the (5) year limitation. You brought up in your conversation with me that this agreement was not included in the City's minutes of the meeting or the re-zoning Ordinance. Due to the time limitations to respond to your letter, I have not had a chance to go through my files for the re-zoning of this property to verify or dispute this assessment. However, as I noted to you in our phone conversation, the very fact that the Planned Development zoning on this property has survived for 26 years - far more than the specified (5) year limitation - is evidence, not only that the topic was discussed, but that the Board accepted and approved my request. I am not requesting a new zoning classification at this time, and see no reason that the agreement that was forged 26 years ago is now attempting to be breached.

3) Regarding the proposed new zoning classification, this is clearly a case of “spot zoning”. I am a licensed Professional Architect, nationally certified to practice architecture in all 50 states. I served on the Saint Charles County Comprehensive Master Plan Committee resulting in the development of the Comprehensive Master Plan (including Zoning Map) for Saint Charles County. I founded, and have owned my own architectural practice for 30 years, and have been involved in planning, zoning, and rezoning issues for nearly 40 years. That stated, the proposed Rural Residential rezoning is completely inconsistent with the surrounding properties and their existing uses. Note page 6 of the City’s Zoning Map Changes [Appendix 1]; the overwhelming majority of Rural Residential properties are on the South side of Highway 40. They are existing, are Rural Residential in nature, and are largely grouped together as one would expect in a properly designed comprehensive plan. Then note the property in question, owned by me and my wife. It stands alone, secluded, without a single Rural Residential property anywhere in proximity to it. When you examine page 21, the Proposed Zoning Map [Appendix 2], you notice that it is surrounded by Commercial and Mixed Use (Commercial in nature) to the South, East, and West; and residential to the North – separated by Lake Saint Louis Blvd. The vast majority of the property is directly abutting a Mixed Use classification. A Rural Residential zoning is being proposed where it clearly is unprecedented in nature, unwarranted in the surrounding context, and clearly does not belong. The proposed change is unreasonable, is not cohesive with the surrounding context, and denies my wife and I all reasonably beneficial and economically viable use of the property.

4) The proposed re-zoning of the property would have a severe economic impact on me and my wife. As a result of this change in zoning, the value of the property would be depreciated by millions of dollars. When we purchased this property, we went through the time, effort, and expense to secure the proper zoning classification. We received assurance that we could rely on that classification. As a result of that assurance, we invested in having a sewer line run to the property. We had the sewer line properly sized to accommodate commercial development. Installing the sewer line was not inexpensive, as they had to bore under the boulevard to connect on the West side of Lake Saint Louis Blvd. Over the years, we have paid for the taxes and maintenance on the property in anticipation of the development of this property as planned. For the City to come in now and propose such a dramatic change (from the LEAST restrictive of all zoning classifications to the MOST restrictive), is unconscionable – particularly under the circumstances noted hereinbefore.

In summary, the proposed rezoning of the subject property is unacceptable. The economic impact of the proposed rezoning on me and my wife, as well as the extent to which the proposed change would interfere with my distinct, investment-backed expectations is unreasonable. The private detriment to me and my wife far exceeds the benefit the general public would enjoy in making the change. It is an attempt at spot zoning, which clearly makes me question the motivation behind such a proposal. It is my desire that the zoning remain as it is, as it was committed and has been upheld for the last 26 years, such that my wife and I can develop it as planned. However, if it is still the City’s intent to rezone this property, then I will expect further discussions regarding compensation to be paid to compensate for the severe economic impact the proposed rezoning will have on the value of this property.

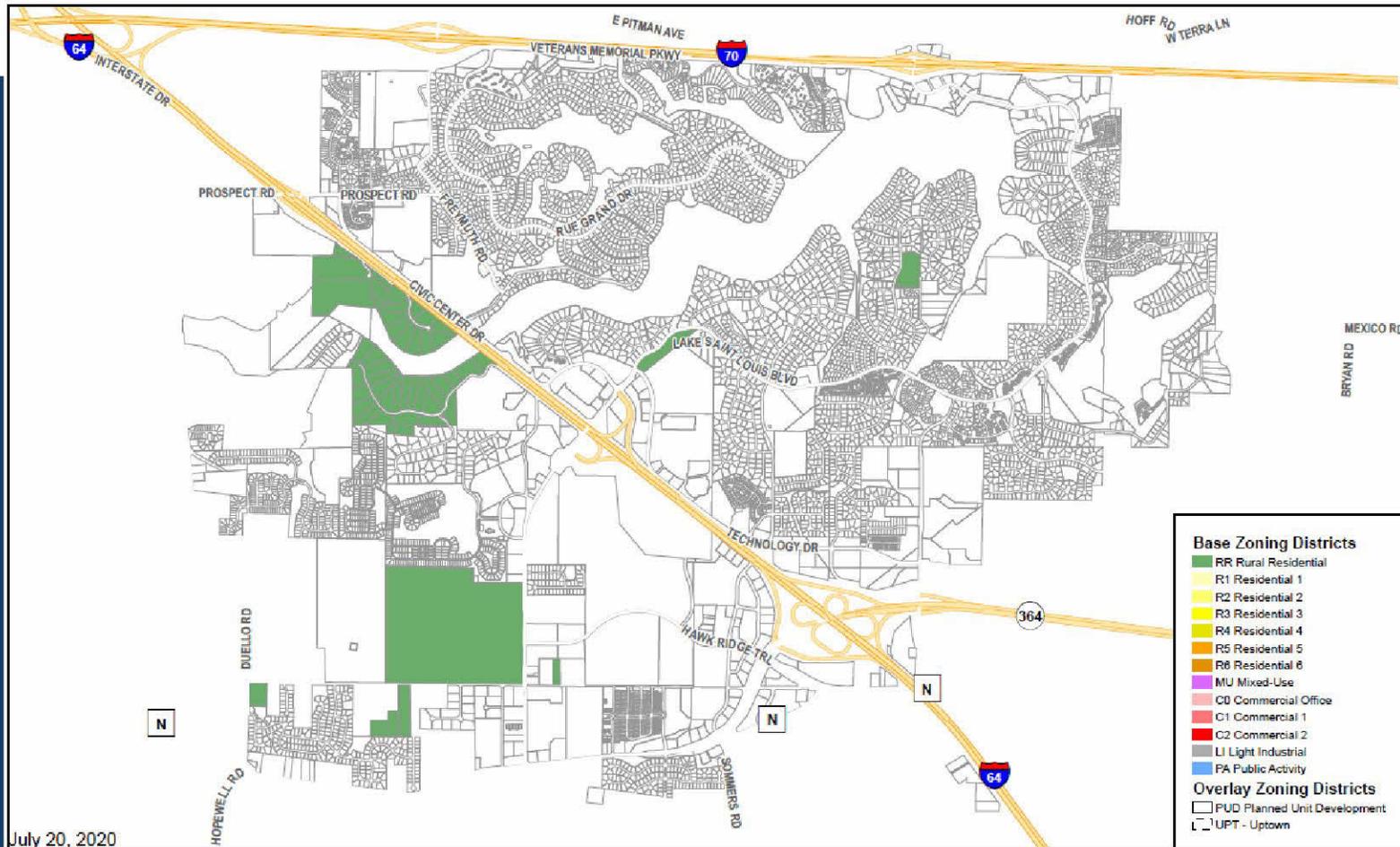
Respectfully submitted,



Richard Hill, Architect, NCARB

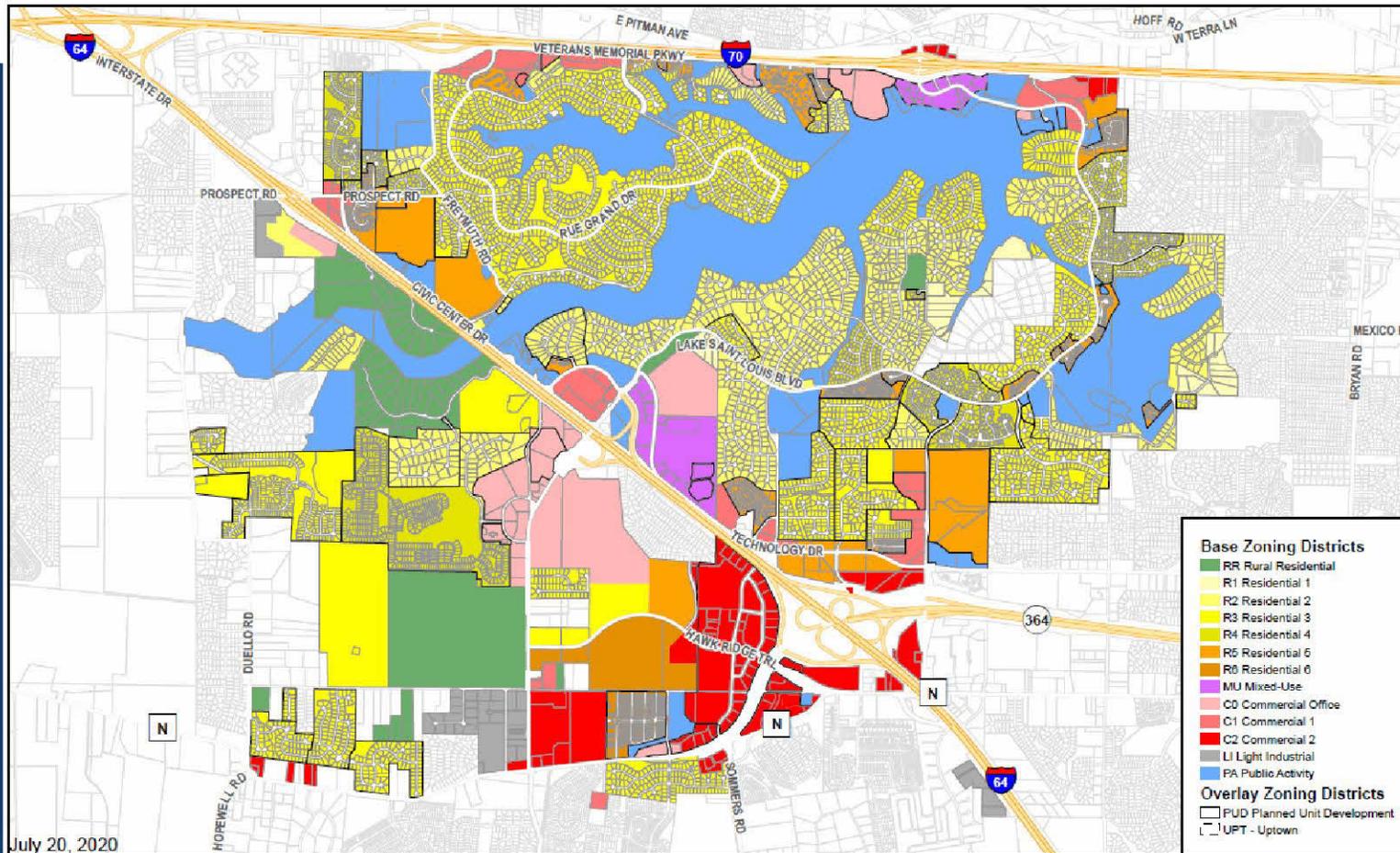
cc: Paul Markworth, City Administrator

RR – RURAL RESIDENTIAL FORMERLY "NU – NON URBAN"



July 20, 2020

PROPOSED ZONING MAP





**DOSTER ULLOM
& BOYLE, LLC**
ATTORNEYS AT LAW

St. Louis
16150 Main Circle Drive
Suite 250
Chesterfield, MO 63017
(636) 532-0042
(636) 532.1082 Fax

Michael J. Doster
mdoster@dubllc.com

September 3, 2020

VIA REGULAR MAIL AND EMAIL

Mr. Louis Clayton
Director of Community Development
City of Lake St. Louis
200 Civic Center Drive
Lake St. Louis, MO 63367

Re: Your letter of August 7, 2020
1253 N. Henke Road (the "Property")

Dear Mr. Clayton:

We are counsel to Midge and Dell Watts ("our clients"), and they have engaged us to represent their interests with respect to the Property and the subject matter of your letter. Please be advised that our clients object to a change of zoning of the Property from SR1 to RR. Enclosed is a copy of a letter from our clients that more fully expresses their objection. We are in the process of gathering and reviewing additional information and may have more information to provide to you at a later date, but we wanted to go on record before the comment period expires.

In the meantime, if you have any questions, please contact the undersigned. Thank you.

Very truly yours,

Michael J. Doster

MJD/ad
Enclosure

cc Midge and Dell Watts

August 15, 2020

Attention Louis Clayton

Director of Community Development

Re: 1253 North Henke Road

August 15, 2020

Since receiving your letter on August 12, 2020 notifying us of the intent of the City of Lake Saint Louis to change our property zoning classification, our expectation of financial security has been drastically reduced. We acquired our property almost thirty- one years ago and for all thirty-one years have enjoyed the comfort of knowing that our investment in our property was secure due to its location in the City. We have watched the City grow have seen construction all around us be approved for 10,000 square foot lots and possibly smaller. A few years ago we were told that our property , unlike the neighbors, would support 15,000 square foot lots. This was not great news for us, but neither was it devastating.

Our goal has been to keep the Stable operational as long as possible, but we also believed that we had the option of selling the property for development if our age or health dictated that we could no longer manage the property. Being forced by the City to sell this land for two lots with three acre zoning would end any hope of the future that we have planned. Your proposed zoning change can and will leave us with little financial security. We have been proud to have made what we thought were good decisions investing our money, our work and thirty-one years of our lives believing that no one could take away the value of our ground. We believed that we had made responsible decisions and would never have to ask our children to be financially liable for our care.

If this proposal is adopted, it will punish us in every avenue of our lives for being residents of Lake Saint Louis for thirty-one years.

Sincerely

Dell & Midge Watts



+1 (636) 293-5512 >

1320 N. Henke Road the proposal for rezoning we oppose that property we are we oppose that rezoning and the property was purchased with the distinct reason to subdivide it and put a home down the hill closer to the lake that would cause us a financial problem because we could not now appreciate the sale of that I believe that property is grandfathered because it was not the original Lake St. Louis property it was originally St Charles County I been told by some real estate people that it has some kind of distinction



Text Message

15





Brad Goss
(314) 719-3702 (Direct Line)
(314) 719-3703 (Direct Facsimile)
bgoss@salawus.com

September 14, 2020

VIA EMAIL: lclayton@lakesaintlouis.com

Louis Clayton, AICP
Director of Community Development
City of Lake Saint Louis
200 Civic Center Dr.
Lake Saint Louis, MO 63367

Re: *Hawk Ridge Crossing LLC*
Parcel ID: 4-0060-7247-00-0003.2200000
Address: Lake St. Louis Blvd.
Existing Zoning: HC – Highway Commercial
Proposed Zoning: CO – Commercial Office

Dear Mr. Clayton:

This firm and I represent Hawk Ridge Crossing, LLC (“Hawk Ridge”), the owner of Parcel No. 4-0060-7247-00-0003.2200000 (the “Parcel”) that the City is proposing to rezone as part of a zoning map revision process. For the reasons set forth below Hawk Ridge strenuously objects to the proposed rezoning and requests that the property remain zoned HC-Highway Commercial (“HC District”). I understand the changes to the Zoning Code as contemplated in the draft Development Code will change the HC District designation to C2-Commercial 2 (“C2 District”). As the C2 District classification does not exist, I will also refer to HC District in this letter. If the C2 District classification is adopted, Hawk Ridge respectfully requests that the Parcel be so zoned as the C2 District classification is intended as the successor to the HC District classification and, as set out below, this is an appropriate zoning classification for the Parcel.

At present, there is no CO-Commercial-Office (“CO District”) classification in the City Zoning Code. I understand the intent is to apply this zoning classification as described in the Development Code (which is only in draft form and not adopted) to the Parcel. I also understand the CO District classification is designed as the successor classification to the BP Business Park classification (“BP District”). However, given the Development Code is not adopted, Hawk Ridge respectfully objects to the application of this zoning classification because it does not know what restrictions will be in the final version of the Code and reserves its rights to further comment as changes are made to the Development Code.

Hawk Ridge has been in discussions with the City of Lake Saint Louis (the “City”) during 2019 regarding this parcel of property, parcels of property with Parcel ID Nos. 4-0060-7247-00-0003.2000000 and 4-0060-0825-00-0014.1000000 (the “Neighboring Parcels”) and a relocation of Freymuth Road. I understand the relocation of Freymuth Road is called for in the City’s thoroughfare plan and long-term capital improvements plan. Based upon these discussions, Hawk Ridge took certain actions, including dedicating right of way to the City to facilitate improvements desired by the City on Lake Saint Louis Boulevard. The contemplated rezoning action is contrary to the discussions with the City which Hawk Ridge was relying on in proceeding with its development of the Parcel along with the Neighboring Parcels.

Even if Hawk Ridge had not engaged in these discussions, Hawk Ridge would still oppose this proposed rezoning which effectively deprives the Parcel of any economic value. The notice to Hawk Ridge states that in making this recommendation to change the Parcel zoning from the HC District to CO District, the City took into consideration the Existing Zoning Map, the Future Land Use Map, Lot and Development Characteristics, and Development Potential. For the reasons set out below, these factors do not support this rezoning.

Existing Zoning Map

The existing zoning map for the Parcel identifies the zoning for the Parcel as being zoned HC District. The Statements of Intent for the HC District classification and C2 District under the City Code and the Development Code are as follows:

Zoning Code: “The "HC" (Highway Commercial) District is intended to provide for a variety of retail, service, office, recreation and entertainment facilities that are intended to serve local residents, highway travelers, and metro residents outside the City. It's (sic) designation on land within the City shall be limited to areas along state and interstate highways, and those areas easily served by those highways.”

Development Code: “The C2 District provides a wide range of retail, service and office uses along commercial corridors and major arterials that draw patrons from the City, surrounding communities and the broader region.”

The Parcel fits the description of HC District and C2 District under either Code as it is immediately adjacent to the exit and entrance of Interstate 64 and thus easily served by that highway. A service station adjacent to Interstate 64 and located on Lake Saint Louis Blvd., the City’s major arterial, is appropriately situated to draw patrons from the City, highway travelers and metro residents.

Consistent with this zoning classification, Hawk Ridge has been in the process of developing the Parcel for a gas service station/convenience mart with a national retailer. Gas service station and a convenience store are both permitted uses in the HC District classification and C2 District classification but both uses are prohibited in the CO District classification. The

Parcel is ideal for the gasoline service station use given its proximity to I-64 but also because of its small size, which will work for a gasoline service station under the HC District classification in contrast to the CO District classification.

In contrast to the statements of intent for the HC District/C2 District that permit and call for uses consistent with the small size and location of the Parcel, the statements of intent for the BP District and CO District do not fit the Parcel. The Zoning Code and Development Code contain substantially identical statements of the general intent of the CO District/BP District which are as follows:

Current Zoning Code: “The purpose and intent of the Business Park District is to provide an area in the community within which office, commercial and industrial firms can locate with an assurance of a high permanent level of design quality, extensive site amenities, open space and environmental protection. The restrictions and conditions applied to this zone shall be designed to promote the development of a park like atmosphere which will be conducive to the construction of buildings and parking lots which are pleasing in appearance and which harmonize with the surrounding built and natural environments.”

Development Code: “The CO District provides service and office uses in a campus setting, where larger institutional and office complexes are arranged around internal streets and open spaces, along with other similar and supporting use and businesses.”

The Parcel is tiny. It does not support more than one building, much less a campus setting with larger institutional and office complexes arranged around internal streets and open spaces. The permitted uses in the BP District and CO District are intended for parcels with size and scope that can afford the addition of “extensive site amenities and open space and environmental protection” which cannot be said of the Parcel given its extremely small footprint.

The setbacks are similarly challenging under the proposed CO District. While the setbacks of the HC District and C2 District will work with the area contained in the Parcel, the setbacks in the BP District and CO District are significantly greater: (i) the front yard setback is 19% greater, (ii) the side yard setback is 67% greater, and (iii) the rear yard setback is 50% greater. In other words, the requirements of the CO District significantly reduce the developable area of the Parcel and given the small size of the Parcel make it unbuildable.

Future Land Use Map

The Future Land Use Map broadly labels an enormous area south of Interstate 64 as CO Commercial which is presently zoned HC District. The development of a large part of this area east of Lake Saint Louis Boulevard as commercial office is dependent upon the development and installation of an extension of Hawk Ridge Trail to northwestwardly to Lake Saint Louis Boulevard. The Map does not provide any details with respect to particular parcels of property but as an advisory guide shows large land mass areas. When one applies the criteria of the CO District to the Parcel, it is clear that the Parcel cannot meet the other requirements set out in the

Comprehensive Plan for CO District property. The Parcel is too small for development under the CO District Classification. Other parts of the Comprehensive Plan set out the concepts desired in a CO District development, including “buildings grouped in campus-like layouts” with “plazas and open space” with buildings set in a “natural setting with extensive landscaping.” This vision simply is not achievable on the Parcel and thus the Comprehensive Plan, being a guide, must yield to the fact that the Parcel simply is not developable under the CO District classification nor the BP District classification which under the current Zoning Code also contemplates this campus development.

Lot and Development Characteristics

The BP District and CO District contain Development Standards that are intended to create the large business campus look set out in their Statements of Intent. Thus, in Section 410.690 of the Zoning Code governing the BP District, the building siting and design requires “open, landscaped front yards” and large setbacks. In contrast, Section 410.600 of the Zoning Code governing the HC District no such requirements are present and the setbacks are much less. The CO District requires that 40% of the site be retained for open space, requires extensive landscaping, internal drives, and encourages shared parking. Given the small land area contained in the Parcel, it clearly cannot be developed with the requirements set out in the BP District or CO District. Applying these criteria to this Parcel makes it undevelopable.

Development Potential

The development potential of the Parcel is as a gas station and convenience store. The Parcel is located immediately off the I-64 interchange for Lake Saint Louis Blvd. Virtually all gas stations in the City are located in HC Districts, which is logical because they are serving the traveling public who are on main thoroughfares of the City. The location will provide a convenient source of fuel for customers in the nearby neighborhoods, office parks and citizens located south of the I-64 interchange.

The Parcel has no development potential as an office location, much less the office campus contemplated by the BP District and CO District. The configuration of the Parcel, the setback requirements and the area of the Parcel will not allow development of an office on the Parcel. Assuming an office building could be fit on the Parcel in the narrow area permitted, its size would be so small as to be uneconomical for a single user to own and maintain it as an island separated from other offices in the neighborhood. The office campuses being developed and already existing will be much more desirable, providing shared maintenance costs, common areas and density that will attract office users and their clients. In short, zoning the Parcel as CO District will deprive the Parcel of any economic value.

Thank you for allowing us to comment on the contemplated rezoning of the Parcel. For the reasons set out above, we respectfully request that the City not rezone the Parcel to a BP District or CO-Commercial-Office classification but either retain the HC District zoning classification or, if the new Zoning Code is adopted, zone the Parcel for the only use that allows

Louis Clayton, AICP

September 14, 2020

Page 5

development of the Parcel, namely C2-Commercial 2 classification. If the City intends to proceed with the rezoning of the Parcel, representatives of Hawk Ridge Crossing, LLC respectfully request that the City officials meet with them to discuss this further. Thank you again for your attention to this matter.

Sincerely,

SmithAmundsen LLC

By: 

Brad Goss

cc: Michael T. Steiniger
Kevin Keenoy

Louis Clayton

From: Mike Daniel <mikedaniel2003@yahoo.com>
Sent: Monday, August 31, 2020 9:32 AM
To: Louis Clayton
Subject: Future zoning
Attachments: 6.26 acre Hwy 64, LSL EXHIBIT A for Zoning.pdf

Follow Up Flag: Follow up
Flag Status: Completed

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We are writing this letter to view our concerns on the proposed zoning change on a parcel of property we purchased for investment back in 2012. The parcel ID is 4-0032-S003-00-00011.0000000. At the time of purchase the property was zoned Hwy Commercial. We purchased this property to be able to develop or sell the property as commercial property.

We do not understand the need to rezone this property at this time. After 8 years of having this property listed for sale, we finally got a contract from a local home builder to put their offices and showroom on this property because of the Highway visibility. Then, the Covid virus hit in February and they withdrew the contract. According to the proposed rezoning, this same home builder that wanted to purchase this parcel could not have put their offices and showroom on this property. Rezoning this property R5 really limits the potential development of this piece of ground.

This parcel is different from all the other parcels listed in the proposed rezoning. It is the only one that has clear Highway visibility. It is directly across from a C1 commercial property. It is bordered by the overpass (Ronald Reagan Blvd) on the west, Hwy 40-61 on the south and a vacant lot on the east from what we understand can only be used for parking as it has power lines running across the middle of it. We have been told no permanent structure can be put under these power lines.

We are requesting that our property be exempt from this rezoning. If exemption is not available we request that this parcel be listed as C2 commercial. This allows more uses for this parcel and does not decrease the value of the property that rezoning it R5 would have.

We have been a residents of Lake St. Louis for over 25 years and would appreciate your consideration of our request.

Please see Exhibit A attachment with this email.

We can be reached by email at

mikedaniel2003@yahoo.com

caradaniel2003@yahoo.com

Mike Cell # 314-749-4111

Cara Cell # 636-385-4569

Address: 715 High Point Drive, Lake Saint Louis Missouri 63367

Sincerely,

Michael and Cara Daniel



192 N. Lincoln Drive
Troy, MO 63379

T: 1-636-462-5555
F: 1-636-528-2855
www.meyerlistings.com

September 3, 2020

City of Lake Saint Louis
Louis Clayton, AICP
Director of Community Development
200 Civic Center Drive
Lake Saint Louis, MO 63367

Dear Mr. Clayton,

I am writing you on behalf of Mike & Cara Daniel regarding the proposed rezoning of their property in Lake Saint Louis. I am with Meyer & Company Real Estate and I have their Commercial Property listed. Their 6.2+/- Acres is located with great visibility to I-64 (see attached map). The property is currently zoned as highway commercial, and we have been marketing the property as commercial. The property was under contract in February for corporate offices and showroom for a large homebuilder. They were planning a 20,000+ Sq. ft facility. This buyer dropped the contract in April due to the uncertainty of COVID.

The proposed rezoning of this parcel to R5 will limit the potential uses and lower the value of the property for the Daniels. We would ask that the zoning for this parcel be C2. The property has good visibility for commercial and is separated from any residential properties. It is located with frontage on I-64 and Technology Drive. Directly across the street is a day care with commercial zoning. On one side of the property is the overpass for Ronald Reagan Blvd. and the other side is a parcel with high voltage transmission lines that cannot be developed.

We ask that this property not be rezoned to R-5 at this time and continue to be marketed for development of commercial. This will be the highest and best use and value for Mr. & Mrs. Daniel and the city. Please contact me with any questions.

Sincerely,

Rick Meyer
Meyer & Company Real Estate

EXHIBIT A



- Subject Property is currently Zoned Highway Commercial
- Highly visible Highway frontage on I-64
- ABC Daycare across the street from the property has C1 Zoning
- Residential Zoning is separated from the subject property by Streets and High Transmission Power Lines



2885 Technology Drive
Lake St. Louis, MO 63367

PHONE (636) 614-3510

FAX (636) 614-3511

September 1, 2020

Mr. Louis Clayton
Director of Community Development
City of Lake St. Louis
200 Civic Center Drive
Lake St. Louis, MO 63367

Re: Objection to Proposed Zoning Change

Mr. Clayton:

As part of the ownership and management of the Cottages of Lake St. Louis skilled nursing community and Lot A, across Technology Drive from Cottages, we object to the proposed zoning change of our two properties.

We believe that we have been a responsible business and property owner and have enjoyed an exceptionally good working relationship with City staff and management. We want to continue that great relationship.

Please advise us of the schedule for public hearings on this proposed zoning change. If you would like to discuss this matter, please call.

Very truly yours,

A handwritten signature in black ink that reads "Al Beamer". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Al Beamer
CEO
Cottages of Lake St. Louis
Cell: 314-422-5956

Louis Clayton

From: Rosanne Twellman <rostwe@gmail.com>
Sent: Friday, August 28, 2020 3:15 PM
To: Louis Clayton
Cc: Debbie Haley; Daryl Merz
Subject: Merz Property Zoning

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Louis Clayton
Director of Community Development
Lake St. Louis, Missouri
Mr. Clayton,

We are responding to the notice sent to us on August 7, 2020 about the rezoning of our property.

4-0059-0053-00-0005.3000000 Technology Drive
4-0059-0053-00-0005.0000000 at 1849 Henke Road
4-0033-S002-00-0005.1000000 on Technology Drive

The current zoning is HC. The city is proposing a rezoning to R5. We have the property listed for sale, and have had some interest in the properties. We have been told by our realtor that the proposed zoning could deter some of those interested in bidding for the property. By leaving the parcels at HC would allow interested parties the flexibility that we believe we need to promote the property. I understand from our realtor that leaving the property at HC also allows the city flexibility in any rezoning needs that may arise with potential buyers.

We would therefore request that the parcels above to stay zoned as HC.

Thank you for your consideration in this matter.

Rosanne Twellman
Daryl Merz

Trustees of Dolores Merz Rev. Trust

Louis Clayton

From: Thomas Longeway <irish1963thomas@aol.com>
Sent: Tuesday, September 22, 2020 1:32 PM
To: Louis Clayton
Subject: Fwd: Introduction

Follow Up Flag: Follow up
Flag Status: Completed

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Louis

2nd sending as I mistyped the address in the 1st sending, sorry

Tom

-----Original Message-----

From: Thomas Longeway
To: Lclayton@lakesaitlouis.com
Sent: Tue, Sep 22, 2020 12:52 pm
Subject: Introduction

Louis,

Thank you for taking my call this morning. I am Tom Longeway, Managing Member for the Chateau at Lake Saint Louis senior housing project which has been approved for Lot #7 of the Hawk Ridge Business Park. Back in 1998 my associates and I offered to buy lot #7 from the City subject to a couple of conditions. 1) that senior housing be listed as an approved use in the PUD 2) that we would be granted a 70' height availability for our building and 3) that we be granted a .60 FAR for building size. These were agreed upon by the City on December 21, 1998. Subsequently we bought the lot with these approvals. Over the course of the next few years we worked with the City staff and our architects and local residents to design a building that would conform to these approvals and on January 20, 2006 the City approved the building plans and site location for the Chateau at Lake Saint Louis.

We recognize that this plan approval has expired because we did not begin construction of the building within the two year grace period and anticipate that to begin again we would have to restart the process over again. The issue that is the cornerstone of the restart is the underlying approvals that were agreed upon when we bought the property.

It has always been our policy to "play nice" and work with the City staff to design a building that met the requirements that both we and the City agreed to at the time we bought the land and it is our intent to do so when we restart the project. I understand that the City has put a moratorium on apartment housing in the District to sort out issues at hand and it would be our intent to cooperate in these discussions for our mutual benefit. While we concur with the expiration of our plans approved in 2006 we do not feel that our underlying approvals granted at the time we purchased the land should now be denied as we have expended almost \$6,000,000 to bring the project forward and the loss of those building rights would result in the loss of those funds.

I do not know what steps to take next but in the spirit of cooperation will call upon you as the Director of Community Development to help us and the City deal with this issue.

Please feel free to call upon me for any help you may need .

Please confirm receipt of this email

Thomas F Longeway
Managing Member
Lake Saint louis Senior Housing LLC
21324 W Long Grove Rd
Kildeer, Illinois 60047
irish1963thomas@aol.com
cell phone 847-471-8265

Louis Clayton

From: Louis Clayton
Sent: Thursday, September 03, 2020 2:14 PM
To: 'cms400@aol.com'
Subject: RE: Public comment on updates

Carol,

Thank you for submitting comments.

The building “step-down” requirements would only apply to the construction of new homes or large additions. It is not mandatory, but rather one of four options that a builder can choose from to provide a transition in height from a two-story to a one-story home.

The City has to be cautious in the way it regulates billboards and other signage. The Supreme Court has ruled in the past that regulations that are overly restrictive can infringe upon peoples’ first amendment (free speech) rights. That is why we are proposing to change the current spacing requirement from 5 miles to 2,000 feet. I don’t anticipate that this will allow any additional billboards in the City since they would still have to comply with other locational requirements which significantly limits the number of possible locations.

Once the public comment period is over, we will discuss the comments with the Board of Aldermen, and make any applicable revisions prior to starting the public hearing and adoption process. Please visit <http://www.lakesaintlouis.com/landuse> for project updates and additional opportunities to provide feedback. If you have any questions let me know.

Louis Clayton, AICP

Director of Community Development
City of Lake Saint Louis
200 Civic Center Dr.
Lake Saint Louis, MO 63367
Office: 636-625-7935
lclayton@lakesaintlouis.com

From: cms400@aol.com [mailto:cms400@aol.com]
Sent: Thursday, September 03, 2020 11:58 AM
To: Louis Clayton
Subject: Public comment on updates

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Just trying to make sense of all the updating done on the Development code and Zoning map update.

Two areas seemed like poor choices:

The height variances of homes to have to make it look like it “steps down”.. Seems like an over-the-top regulation.

Also, the changes in billboard spacing. I have lived in states where billboards are not allowed at all and you wouldn’t believe the difference in the overall appeal in not having them. And to change the spacing to so small will just “junk up” the look of a community that always acts like it wants to be very particular in how it looks and is perceived. We are definitely against that change if we are understanding the proposal correctly.

Thank you

Carol Sproat
Lake St Louis