



**MINUTES  
PLANNING & ZONING COMMISSION  
ST. PETERS JUSTICE CENTER, 1020 GRAND TETON DR, ST PETERS, MO 63376  
MEETING OF AUGUST 7, 2013  
6:30 P.M.**

**CALL TO ORDER:**

Chairman Keith McNames called the meeting to order at approximately 6:30 p.m.

**INVOCATION:**

A moment of silent prayer was observed.

**PLEDGE OF ALLEGIANCE:**

All in attendance said the Pledge of Allegiance.

**ATTENDANCE:**

Those in attendance were: Chairman Keith McNames; Marilyn Shaikewitz; Bill Rupp; John Durajczyk; Pat Kelley; Gary Westhoff; Larry Sachse; Chris Winslow; Steven Bailey; Bill Yoffie; Alderman Judy Bateman; Julie Powers, Director of Planning, Community and Economic Development; Liane Sargent, City Engineer; and Melissa Vollmer, Recording Secretary. Ms. Janet Shetterly, Roger Stewart, Building Commissioner and Ken Braunfeld, Planning Coordinator, were absent.

**MINUTES:**

A motion was made by Mr. Kelley and seconded by Mr. Rupp to approve the minutes of the regular July 10, 2013 Planning and Zoning Commission meeting as presented. The motion carried unanimously. A motion was made by Mr. Kelley and seconded by Mr. Westhoff to approve the minutes of the Executive Session of July 10, 2013 with a change made to attendance. The motion carried unanimously.

**COMMUNICATIONS AND REPORTS OF OFFICERS:**

Alderman Bateman thanked and congratulated Chairman McNames for his 15 years of service on the Planning and Zoning Commission.

Chairman Keith McNames explained procedures for this evening's meeting. Ms. Powers noted that the items requiring Board of Alderman action would be on the August 22nd Board of Alderman Meeting.

**NEW BUSINESS**

**1. Home Occupations:**

- a. Tax-to-go (tax preparation, audit & collection services): Donald Bilyeu, 121 St. James Court.

Mr. Donald Bilyeu presented this application to the Commission for approval. A motion was made by

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Mr. Westhoff and seconded by Mr. Rupp to approve this item with no contingencies. The motion carried unanimously.

- b. UR Virtual Office (office work – clerical): Christina Fisher, 18 Country Hill Road.

Ms. Christina Fisher presented this application to the Commission for approval. A motion was made by Mr. Winslow and seconded by Mr. Rupp to approve this item with no contingencies. The motion carried unanimously.

- c. International Protective Services, Inc. (contract provider of security personnel): Ronald Gimbel, 14 Sylvia Lane.

A motion was made by Chairman McNames and seconded by Mr. Westhoff to move this item to the end of the agenda. The motion carried unanimously.

**2. Other:**

- a. Sprit Halloween: South side of Suemandy Drive, east of Mid Rivers Mall Drive – former JoAnn Fabrics – 190 Mid Rivers Center (use approval – temporary Halloween store).

Ms. Dawn Svoboda, Sprit Halloween, presented this application to the Commission. Ms. Svoboda explained that the proposed temporary use will be a Halloween store that will be open between August 28<sup>th</sup> and November 3<sup>rd</sup>. The sales activity will be located completely within a portion of the vacant stores in Mid Rivers Center near Value City Furniture. A motion was made by Mr. Westhoff and seconded by Mr. Yoffie to approve this temporary use with the following contingencies:

1. No outside storage or display of any merchandise shall be permitted.
2. All exterior signage shall be removed by November 3, 2013.

The motion carried unanimously.

- b. Spirit Halloween: South side of South St. Peters Parkway, east of Harvester Road – former Ace Hardware – 32 Harvester Square (use approval – temporary Halloween Store).

Ms. Dawn Svoboda, Sprit Halloween, presented this application to the Commission. Ms. Svoboda explained that the proposed temporary use will be a Halloween store that will be open between August 28<sup>th</sup> and November 3<sup>rd</sup>. The sales activity will be located completely within a portion of the vacant stores in Harvester Square near Shop N Save. A motion was made by Mr. Yoffie and seconded by Mr. Winslow to approve this temporary use with the following contingencies:

1. No outside storage or display of any merchandise shall be permitted.
2. All exterior signage shall be removed by November 3, 2013.

The motion carried unanimously.

- c. Play it Again Sports: South side of Suemandy Drive, east of Mid Rivers Mall Drive – 230-234 Mid Rivers Center (use approval – sale of new and used sports and fitness equipment).

Mr. John Moore presented this application to the Commission for approval. Mr. Moore explained that he wants to open a new and used sports and fitness equipment store in Mid Rivers Center. Currently, he and his wife own and operate Plato's Closet, which is also located within this shopping center. A motion was made by Mr. Kelley and seconded by Mr. Durajczyk to approve this use with the following contingency:

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1. All outside display of merchandise shall be subject to standard licensing rules; no permanent outside display shall be permitted.

The motion carried with one abstention.

- d. Townes at Belleau Creek: North side of Mexico Road, west of Belleau Creek Road – Planned Urban Development (PUD) amendment.

Mr. Jerry Duepner, Payne Family Homes, presented this PUD Amendment to the Commission for approval. Mr. Duepner explained that Payne Family Homes is planning on completing the development by developing the final area of the project. Mr. Duepner noted that during the review of a minor amendment to the Preliminary Plat/Site Plan, it was determined that setbacks for the multiple family condominium buildings remains in the PUD Agreement even though the concept has shifted to single family units. Therefore, minor modifications to the PUD agreement are needed to ensure the lots can be developed with single family homes. A motion was made by Mr. Westhoff and seconded by Mr. Winslow to approve the minor PUD amendments as follows:

12. Residential building setbacks shall be as follows:

- c. A minimum of five (5) feet for side yards within the development.
- d. Single family units require a minimum rear yard setback of fifteen (15) feet, except deck, porches, and swimming pools may be within six (6) feet of the rear property line.

The motion carried unanimously.

- e. Scott Savory: East side of Spencer Road, north of Mexico Road – Menard's, 151 Spencer Road (use approval – temporary kettle corn sales).

Mr. Scotty Savory presented this application to the Commission for approval. Mr. Savory explained that he is seeking approval to have a kettle corn sales tent near the main entrance of Menard's. The business would have a small portable tent, tables for the display of merchandise and a cooking kettle. Mr. Savory noted he is seeking approval for a time period between August 8, 2013 and October 31, 2013. He would utilize his two, two-week business licenses during this time period, based on weather/and or to tie in with special events at Menard's. A motion was made by Mr. Winslow and seconded by Mr. Bailey to approve this temporary use with the following contingencies:

1. The operator shall advise the Planning Department of the specific dates of operation.
2. The location of the tent will be as approved by the Planning Department.

The motion carried unanimously.

- f. M&M Guns: South side of Main Street, east of Gatty Street – 16 Main Street – Special Use Permit amendment.

Mr. Mike Almstedt, M&M Guns, presented this to the Commission for approval. Mr. Almstedt noted that M&M Guns received approval for a firearms sale and service business on April 22, 2010. As part of the initial special use, the front façade of the building was updated and improved. At this time they are proposing a small expansion and a modification to the parking lot paving timeline. The proposed expansion will be to the rear of the firearms side of the building and will be sixteen feet long by twelve feet deep. Mr. Almstedt indicated that he has postponed the paving of the gravel due to the desire to expand the building. Now that the size and location of the expansion has been determined, the paving will proceed. However, a change to the paving schedule will require a Special Use Permit amendment. The proposed changes would be as follows:

Terms and Conditions: B. General Requirements:

22. The gravel parking lot and driveway shall be paved as shown on amended

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Exhibit B as follows:

- a. Phase 1 shall be paved prior to the issuance of an occupancy permit of the building addition.
- b. If the building addition is not constructed, then Phase 1 shall be paved by August 1, 2014.
- c. Phase 2 shall be paved by August 1, 2014.
- d. Phase 3 shall be paved by August 1, 2015.

A motion was made by Mr. Winslow and seconded by Mr. Rupp to recommend approval to the Board of Aldermen. The motion carried unanimously.

- g. Neptune Court: North side of Didion Drive, west of Mid Rivers Mall Drive (former Iffrig Road) – street name change.

Ms. Julie Powers presented this to the Commission for approval. Ms. Powers explained that the extension of Salt River Road, which opened in 2011/2012, has created a north and a south section of Iffrig Road that is no longer connected to nor is accessible to the new Salt River Road. Therefore, in the best interest of public safety the remaining southern portion of Iffrig Road between Didion Drive and the new Salt River Road must be renamed. The City has reviewed multiple names with the property owners in the area. The name which was arrived at is Neptune Court. A motion was made by Mr. Westhoff and seconded by Mr. Rupp to recommend approval of this street name change to the Board of Aldermen. The motion carried unanimously.

- h. Ridge Drive: South of West Drive, west of Peach Street – street name change.

Ms. Julie Powers presented this to the Commission for approval. Ms. Powers explained that Ridge Drive is a small street located in the Hi-Pointe neighborhood. After doing some research of recorded plats, staff determined that the street was originally named and platted as Ridge Avenue, but over time has commonly become referenced as Ridge Drive. A field check found the street sign displayed as Ridge Avenue. A check of the St. Charles County Assessor's records, white pages, 911 system, and United States Post Office find the street name as Ridge Drive. Based on this, staff is recommending the name change of Ridge Avenue to Ridge Drive. A motion was made by Mr. Kelley and seconded by Mr. Bailey to recommend approval of this street name change to the Board of Aldermen. The motion carried unanimously.

**3. Public Hearings:**

- a. Petition 13-11 – Swier Chiropractic, LLC: A request for a Special Use Permit in the R-1 Single Family Residential District to permit a single user professional office on a 0.3 acre parcel. The subject site is located on the south side of Grand Teton Drive, west of Mid Rivers Mall Drive – 129 Grand Teton Drive.

Mr. Ryan Swier, Swier Chiropractic, LLC, presented this petition to the Commission for approval. Mr. Swier explained that he wants to open a single user chiropractic office at 129 Grand Teton Drive. Mr. Swier indicated that he would be the only practitioner and sees only one client at a time. His client load is approximately two per hour. He anticipates there would be very little overlap of clients and his client load is likely to generate less traffic, on average, than a single-family home. Mr. Swier noted that the appearance of the home will change minimally. He will remove the old wooden fence on the creek side of the property and will work with the neighbors regarding the installation of a vinyl fence and/or landscaping. The driveway will be converted to accommodate three parking spaces plus one disabled

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parking space. Vehicles will park facing Mid Rivers Mall Drive or towards the backyard to further buffer the neighboring property. Mr. Swier also noted that he would be replacing the garage door and installing a ground sign in the front of the home, facing Mid Rivers Mall Drive. Chairman McNames opened the public hearing at 7:15 p.m. and asked anyone wishing to speak on this item to please come forward. Mr. Mark Keenan, 111 Grand Teton Drive spoke in opposition to this petition citing issues with increased traffic and the sign in front of the home potentially being an eyesore. Ms. Shirley Dennigmann, 127 Grand Teton Drive, spoke in opposition to this petition citing issues with the change from a residential use to a more commercial use. Mr. Chris Piel, 43 Glenwood Lane, spoke in opposition to this petition citing issues with increased traffic. Mrs. Barbara Piel, 43 Glenwood Lane, spoke in opposition to this petition citing issues with the appearance of the proposed sign. Mr. John Schaumann, 2 Parkdale Lane, spoke in opposition to this petition citing issues with the appearance of the sign. Seeing no one else present to comment, Chairman McNames closed the public hearing at 7:24 p.m. Mr. Swier addressed the issues raised during the public hearing. A motion was made by Mr. Winslow and seconded by Mr. Rupp to adopt staff's Findings of Fact as the Commission's Findings of Fact. The motion carried. Mr. Durajczyk made a motion and Mr. Winslow seconded the motion to recommend approval to the Board of Aldermen. The motion carried unanimously.

**1. Home Occupations (continued):**

- c. International Protective Services, Inc. (contract provider of security personnel): Ronald Gimbel, 14 Sylvia Lane.

A motion was made by Chairman McNames and seconded by Mr. Westhoff to postpone this item until the September 4<sup>th</sup> Planning and Zoning Commission meeting. The motion carried unanimously.

A motion was made by Mr. Bailey and seconded by Mr. Rupp to adjourn the meeting. The motion carried unanimously and the meeting was adjourned at 7:40 p.m.

Respectfully submitted:

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Melissa M. Vollmer, Recording Secretary

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Chairman Keith McNames  
Planning and Zoning Commission