

**BRIDGETON PLANNING AND ZONING COMMISSION  
MINUTES OF THE MEETING OF JULY 27, 2020**

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The regular meeting of the Planning and Zoning Commission of the City of Bridgeton, Missouri, was called to order on July 27, 2020 at 7:00 p.m. in the Council Chambers at the Bridgeton Government Center, 12355 Natural Bridge Road, by Chairman Claude Buchheit.

Members present: Kerstin Adelt, Joy Bush, Keith Gillming, Joe Holtsnider, Chris Peoples, Bob Teahan, Lyle Woodruff, Chairman Claude Buchheit

Members absent: Jim Gaston

Also present: Jerry Grimmer, Ex-officio  
Zach Greatens, Planning & Zoning Officer  
Sue Glazer, Recording Secretary

**1. APPROVAL OF MINUTES**

Mr. Woodruff moved, and it was seconded by Mr. Holtsnider, to approve the minutes of June 22, 2020. **On a voice vote the motion carried and the minutes were approved.**

**2. APPROVAL OF AGENDA**

Mr. Teahan moved, and it was seconded by Mr. Woodruff, to approve the agenda. **On a voice vote the motion carried and the agenda was approved.**

**3. PUBLIC HEARINGS**

**#20-PZ-07 Request for rezoning approximately 2.252 acres of land located at 3145 Smiley Road (Rear) from "R-1" Single Family Dwelling District to "R-3" Single Family Dwelling District. Submitted by AJM Properties, LLC, c/o John C. Gross.**

Chairman Buchheit opened the public hearing. Mr. Greatens said this is a rezoning request to rezone 3145 Smiley Road (Rear) from "R-1" to "R-3" Single Family Dwelling District. Mr. Greatens gave a brief summary of the procedures for rezoning. He showed a map on the screen showing the surrounding property owners that were sent notification by certified mail for this public hearing. Mr. Greatens said he received some emails and phone calls from residents wanting to know why they were not notified. He said that Missouri Revised Statutes require that for rezoning petitions surrounding property owners be notified within 185 feet of the property. Staff sent out certified letters to surrounding property owners within 200 feet, as is done for all rezoning applications in Bridgeton. Mr. Greatens said the surrounding property is predominantly residential. He referred to the zoning map showing the surrounding zoning districts. The zoning districts to the east are zoned R-1. The properties in Maryland Heights to the west, north and south are zoned R-5. Mr. Greatens gave background information regarding the property, which was included in the Board's packet. The subject property was subdivided into Lots 1 and 2. Lot 1 was further subdivided into Lot 1A and Lot 1B. Lots 1A and 1B are not part of the rezoning request. The applicant included a conceptual subdivision layout to show what could potentially be developed on this site. Mr. Greatens said it is staff's opinion that the proposed rezoning is consistent with the goals and objectives of the Comprehensive Plan and consistent with the future land use map. Mr. Greatens explained the difference between the R-1 and R-3 Districts. Both districts have the same permitted uses. The R-1 District requires a minimum lot size of one acre and a minimum lot width of 100 feet. The R-3 District requires a minimum lot size of 9,000 s.f. and minimum lot width of 75 feet. The R-5 District in Maryland Heights requires a minimum lot size of 7,500 s.f. and 60 feet minimum lot width. The proposed R-3 District would be consistent and compatible with those surrounding lot sizes. The rezoning itself, if approved, would not have any immediate impact on adjacent properties since any development proposal would require going through the subdivision process first. If a development did move forward, it is staff's opinion that traffic would be minimal. If this is approved for R-3 zoning, they could get a maximum of six

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lots on it. MSD has more stringent requirements than they did years ago. MSD would require all stormwater to be captured on site with no impact to surrounding properties. This lot would be difficult to develop if it is left as R-1 district. Mr. Greatens said in discussions with Maryland Heights city staff, the only way they would approve access onto their right-of-way on Onondaga would be if a full cul-de-sac was constructed. Mr. Greatens referred to the screen showing photographs of the site, the site plan and a conceptual subdivision layout that would show what the R-3 district would allow. The conceptual plan was provided by the applicant, but is not under review with the rezoning request.

Mr. Gillming asked who will maintain the street. Mr. Greatens said there is a subdivision to the north of this site where you have to go through Maryland Heights to access it, but the subdivision is located in Bridgeton. There is a verbal agreement with Maryland Heights that they plow the snow on that road. Mr. Greatens spoke with the Public Works Director and if this development is approved, they would do the same thing for this. Any maintenance, trash pick-up, etc. would be handled by the City of Bridgeton.

The applicant, John Gross, 3120 Smiley Road, came forward. Mr. Gross said he is a resident of Bridgeton and has lived on Smiley Road since 2005. He said he knows what some people might be feeling because he had similar feelings when a different proposal came before the Board when someone else owned the property before him. They wanted to put 19 homes on the property. He was against it. He said there is a certain atmosphere on Smiley Road and he enjoys it. Everyone likes the acreage on the lots. He said he bought the property. There is a house at 3145 Smiley that was there when he bought it. There is a family living there and Mr. Gross said he has committed to sell them that piece of property. It is 1.08 acres. This lot backs to Lot 1B and is 1¼ acres. It is up for sale and it will be one house with one additional driveway onto Smiley. If someone would stand in front of 3145/3149 Smiley Road, they would never see the property in the back. There will be no access to Smiley and they would access through Maryland Heights. There will be no traffic, no water run-off, no sewer, no construction onto Smiley. If someone buys Lot 1B, then there will be construction on that lot. Mr. Gross said he is hoping the City and the neighbors approve this. He wants nothing but what is best for the City and the neighborhood. He said he does not know what anyone could do with this property if this is not approved. Maryland Heights will not grant access to the property with a single driveway. He said it will not change the traffic, the feel and the look on Smiley Road.

Mr. Greatens said staff received the standard comments from MSD. He said MSD requires that any homes developed on this site would be required to tie into the existing sewer line on Onondaga. Mr. Greatens said he received two written comments. There was a letter from Mary Schultz, 11612 Breezeway Lane which was distributed to the Board. She expressed some opposition to the proposal. In her letter she mentioned the City Charter and the number of affirmative votes from the Planning Commission required for a positive recommendation. Mr. Greatens stated her information was incorrect and said any petition that comes to the Planning Commission, in order to go to City Council with a positive recommendation, would require a minimum of seven votes in favor. The second letter was from Stan Hall, 3239 Smiley Road, opposing the zoning change. He was not happy that he did not receive a letter regarding the public hearing. Mr. Greatens said both property owners are located well beyond the required 185 feet that the City is required to notify property owners about the public hearing. The two letters are attached to the Minutes.

The following came forward to speak:

Susan Nelson, 3107 Smiley Road. Ms. Nelson said she is outside the 200 ft. and was not notified about the meeting. She was distressed about not being notified because she is a voting member of the City. She appreciates the City letting them attend the meeting to talk about it. She does not have a pro or con on this. She does have some concern about the Onondaga. She walks it many times and if this development is approved, it is going to be a busy street. She has the name and addresses of people that live on Smiley Road that would like to be contacted whenever the City has something concerning Smiley Road. Chairman Buchheit said to give the list to the Ex-officio, Jerry Grimmer.

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Sherry Schmidle, 3074 Smiley Road. Ms. Schmidle said her concern is if they are going to build on these lots, that it will open it up to build on more lots on Smiley. She asked if there is an easement between Lot 1B and Lot 1A to go back to that rear lot. Chairman Buchheit said there is an easement on the north side of Lot 1B to get back to the lot. She would like Smiley Road to stay like it is.

Geri Grisham, 11820 Old St. Charles Road. Ms. Grisham said her concern is basically the same. She has lived there for over 35 years. She said it would have been courteous to let all the people on Smiley Road know about this. She is concerned about other developments happening on Smiley.

Robert Limbaugh, 11650 Breezeway Lane. Mr. Limbaugh said he is upset about not being notified about this. He said the public hearing should be posted on signs to notify the public. He said this property is not all flat and are they going to have to cut that out to build on it. A problem they had before is that MSD said that they will not let them tie into the Maryland Heights sewer line because it was not sufficient enough to handle it. He is not sure he agrees with developing six lots. He would like it to stay bigger lots.

Chairman Buchheit suggested that they write a letter to the Mayor and the City Councilmembers about notifying more property owners for public hearings.

Latisha Hull, 3081 Smiley Road. Ms. Hull said her concern is about not being notified. Her main concern that going forward all of Smiley will become R-3.

Alycia Tarsi, 3080 Smiley Road. Ms. Tarsi said she bought this house about a year ago. She is opposed because it will densify the neighborhood. She said she would prefer it stay a larger lot.

Robert Webb, 3105 Onondaga Drive. Mr. Webb said he is three doors up from this proposed subdivision. He said Onondaga is a very narrow street. He said this will change things for their neighborhood and have more wear and tear on the streets.

Kenneth Morrow, 3110 Onondaga Drive. Mr. Morrow said he has lived on Onondaga for nearly 42 years. He is concerned about water problems and more traffic.

Eric Anderson, 3200 Smiley Road. Mr. Anderson said Mr. Greatens showed the picture of the properties in Maryland Heights and Bridgeton. That is where he got the argument that changing from R-1 is OK. If you look down the Bridgeton side, it is all very consistent. It is R-1 development. The only way to increase density that makes sense is when you include the Maryland Heights side on the map. He said his concern is if this development is approved what precedent is set going forward. This is Bridgeton property and not Maryland Heights. A conceptual layout of what could happen was submitted. It may be the plan, but they do not know. There may be a different concept coming later. Any one of the properties up and down Smiley given the correct situation could be developed and densified. He said that is probably part of the reason they are seeing all the interest from residents on Smiley Road. He said that is not the precedent they want to set.

Mr. Peoples asked about the procedure if this rezoning to R-3 is approved by Council. Mr. Greatens said there would be a public hearing at Planning Commission and another public hearing at City Council to review the Preliminary Plan. If approved, it would go back to Planning Commission and City Council for Final Plat approval. Mr. Peoples asked if the new cul-de-sac would be public right-of-way for Bridgeton and what are the standards. Mr. Greatens said it would be required to follow Bridgeton's guidelines and Bridgeton follows St. Louis County regulations.

Chairman Buchheit closed the public hearing.

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**Mr. Teahan moved, seconded by Mr. Holtsnider, to approve Application #20-PZ-07.**

Roll Call Vote:

Ayes: Kerstin Adelt, Joy Bush, Keith Gillming, Chris Peoples, Bob Teahan, Lyle Woodruff

Nays: Joe Holtsnider, Chairman Claude Buchheit

Members absent: Jim Gaston

The motion to approve **did not carry**, by a vote of (6 for – 2 against), and Application #20-PZ-07 will be forwarded to the City Council for public hearing and further action.

**4. PENDING MATTERS**

**#20-PZ-06 Request to amend multiple sections of the Bridgeton Zoning Ordinance to modify definitions and regulations related to short-term rental of residential dwellings. Submitted by the City of Bridgeton.**

Mr. Greatens said on the June 22 Planning Commission meeting there was a zoning text amendment request to consider a draft ordinance to prohibit short-term rentals. This came about after discussion at the April and May Council meetings. On June 22 the Planning Commission approved a motion to postpone any recommendation until more information is presented by staff. He said among the discussion was the possibility to permit short-term rentals in Bridgeton and how to regulate it. Mr. Greatens reviewed the process for text amendment review. Mr. Greatens included in the staff report different options the Planning Commission could pursue. The Commission could leave the Zoning Ordinance unchanged. Any matters or complaints that would come up regarding short-term rentals could be handled on a case-by-case basis. Another option is to prohibit short-term rentals. This would involve taking action on the draft ordinance that was prepared by the City Attorney. Mr. Greatens prepared a draft text amendment that addresses the option to permit and regulate short-term rentals, which was included in the staff report. He also included an attachment with similar regulations from other area municipalities. He reviewed that information and put together a draft amendment. Mr. Greatens gave a summary of what would be included in the draft amendment that was included in the staff report. Mr. Greatens said there could be positive impact and negative impact regarding any of the options. He said it is up to City Council to make the final decision.

The Commission discussed the various options and making changes to the draft ordinance.

**Chairman Buchheit moved, seconded by Mr. Teahan, to make the following changes to the draft text amendment, "Attachment A": Definition for Short-Term Rental shall read "The letting or offering for let of a dwelling or portion thereof to one (1) or more transient guests for a period of fourteen (14) consecutive calendar days or less." Add: "i. There shall be a minimum two (2) day period between all rentals." Add: "j. No short-term rental property shall be rented more than one (1) time between the hours of 6:00 p.m. and 6:00 a.m." On a voice vote the motion carried.**

**Mr. Peoples moved, seconded by Ms. Adelt, to modify the draft ordinance from the June 22 meeting to the modified draft text amendment, "Attachment A," as proposed.**

Roll Call Vote:

Ayes: Kerstin Adelt, Keith Gillming, Joe Holtsnider, Chris Peoples, Bob Teahan, Chairman Claude Buchheit

Nays: Joy Bush, Lyle Woodruff

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Members absent: Jim Gaston

The motion to approve **did not carry**, by a vote of (6 for – 2 against), and Application #20-PZ-06 will be forwarded to the City Council for public hearing and further action.

**5. OTHER BUSINESS**

There was no "Other Business."

**6. STAFF UPDATE**

Staff updated the Commission on upcoming projects. The next meeting is scheduled for August 10, 2020.

**7. EX-OFFICIO REPORT**

Mr. Grimmer gave an update on current business.

**8. ADJOURNMENT**

It was moved by Mr. Teahan and seconded by Ms. Bush, to adjourn. **On a voice vote the motion carried** and the meeting was adjourned at 9:10 p.m.



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Claude Buchheit, Chairman

Attached to July 27, 2020 Minutes

MARY B. SCHULTZ  
11612 BREEZEWAY LANE  
BRIDGETON, MISSOURI 63044

[marybrigidschultz@outlook.com](mailto:marybrigidschultz@outlook.com)

(314) 503-5030

July 27, 2020

VIA EMAIL ONLY ([ZGREATENS@BRIDGETONMO.COM](mailto:ZGREATENS@BRIDGETONMO.COM))

Mr. Zach Greatens  
Planning & Zoning Officer, City of Bridgeton  
12355 Natural Bridge Road  
Bridgeton, Missouri 63044

Re: # 20-PZ-07

*Application to rezone from R-1 to R-3 2.252 acres at 3145 Smiley Road*

Dear Mr. Greatens:

Thank you for your prompt accessibility both by telephone and email today. I am also grateful for your professionalism. While we disagree on the proper land use designation for the Subject Property, you have been very cordial, responsive, and professional. I am proud that my City has been fortunate to have you.

I ask that this letter be included in record of the public hearing on # 20-PZ-07. I only learned of this public hearing late yesterday, and am in quarantine prior to surgery later this week. As I have a rare neurological disease called HS<sup>2</sup> (Hereditary Spastic Paraplegia), I have both a compromised immune system and a pre-existing condition. Although I am able to walk with the assistance of a cane, it is imperative that I limit my exposure, particularly prior to my upcoming surgery.

My family moved to Bridgeton (Ward 4) more than two decades ago, after having made the biggest investment of our lives – the investment in our home, our community, and the City of Bridgeton. We relied on the very unique character of the area along Smiley Road – large lots (minimum one-acre zoning) and a “country” atmosphere even though close to St. Charles Rock Road, east of I-270, and south of I-70. Like the Subject Property, our property does not itself front on Smiley Road. Rather, it is “tucked away” from direct frontage on Smiley Road – rendering it even more attractive and unique.

Because the current application does not itself contain a development plan, we are confined to the “four-corners” of Bridgeton’s Zoning Ordinance -- what is permitted in the R-1 zoning district, compared to what is permitted in the R-3 zoning district. Generally, the density of development permitted in the R-3 zoning district is far greater than the density permitted in the R-1 zoning district.

- The minimum lot size in the R-1 zoning district is one-acre or 43,560 SF. In dire contrast, the minimum lot size in the R-3 zoning district is 9000 SF. In other words, one house per acre is permitted in the R-1 zoning district. 4.85 houses per acre would be permitted under R-3 zoning.
- The minimum lot width in the R-1 zoning district is 100 feet. The minimum lot width in the R-3 district is 75 feet, or 25% LESS than the required minimum in R-1.

**MARY B. SCHULTZ**  
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- The minimum front yard setback in the R-1 zoning district is 50 feet. In contrast, the minimum front yard setback in the R-3 zoning district is 30 feet, or 40% LESS than that required in R-1.
- The minimum side yard setback in the R-1 zoning district is 15 feet. In contrast, the minimum side yard setback in the R-3 zoning is 7 feet, 47% LESS than that required in R-1.

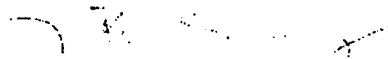
One of the enumerated purposes of the Zoning Ordinance is to "...protect the character...of the residential areas within the City of Bridgeton..."

There are 16 members of the Planning Commission, 13 filled positions and 3 vacancies. By application of Article IX of Bridgeton's Charter, an affirmative vote of a majority of its members would be necessary for a favorable recommendation to the Council. In other words, the affirmative vote of at least 9 members of this Commission would be necessary for a favorable recommendation from the Planning Commission to the Council. Without a favorable recommendation from the Planning Commission, a super-majority of the Council would be necessary to approve the requested rezoning, not just a super-majority of a quorum present at a particular meeting but  $\frac{7}{8}$  of all the members of the Council – 11.

I regret not being able to be physically present during the Planning Commission's public hearing on this application for rezoning. Nonetheless, I hope and am confident that the Commission will protect our investment and to preserve the unique character of one-acre zoning near Smiley Road.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,



Mary B. Schultz

MS

Attached to July 27, 2020 Minutes

Zach Greatens

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**From:** Stan Hall <stanleyrhall@gmail.com>  
**Sent:** Monday, July 27, 2020 6:26 PM  
**To:** Zach Greatens  
**Cc:** kmovwebsite@kmov.com; kmoxnews@kmox.com  
**Subject:** Application #20-PZ-07

Dear Zach Graetens,

I live at 3239 Smiley Road. I am completely opposed to changing the zoning on the Application #20-PZ-07. This will completely change the character for the neighborhood on Smiley Road. We bought on this street because of the size of the lots. Changing it will lower property values and change a unique street with minimal of one acre lots. Why does this issue come up every year?

In addition, I do not understand why I was not contacted concerning the public hearing. Instead, I had a neighbor come by my house today (three hours before the meeting) with a letter dated July 17, 2020, "Via Certified Mail." I did not receive anything by certified mail. Nor was I given any information about the "public" hearing.

Sincerely,

Pastor Stan Hall, Ph.D.  
Gateway Church of the Nazarene  
[stanleyrhall@gmail.com](mailto:stanleyrhall@gmail.com); [G8waynaz.org](http://G8waynaz.org)  
314-291-1763; 314-914-3232 (cell)  
Executive Director, NILI; [gonili.com](http://gonili.com)



"When they saw the courage of Peter and John and realized that they were unschooled, ordinary men, they were astonished and they took note that these men had been with Jesus." Acts 4:13