

AGENDA

Regular Session of the City Council of the City of Saint Charles, Missouri
Council Chambers – 4th Floor – City Hall – 200 North Second Street
Tuesday, September 2, 2025
7:00 p.m.

**All persons who desire to provide public comment
Must complete a Speaker's Card in its entirety and present it to the City Clerk
Prior to the 7:00 p.m. start of the City Council meeting to be eligible to speak**

1. ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

3. PRESENTATIONS/AWARDS/PROCLAMATIONS

A. Recognition of Sergeant Russell Hendricks Recent Promotion (*referred by Police Chief Ray Juengst*)

4. PUBLIC COMMENTS - 3 Minute Limit Per Person

The Public Comment portion of the meeting is an opportunity for the City Council to listen to comments from the public. It is not a question and answer session and the Mayor and City Council will not respond to comments or answer questions during this period. The Mayor or the City Council may refer any matter brought up to the Director of Administration or City Clerk if action is needed. A buzzer or notification will sound when three minutes have elapsed. All persons who desire to provide Public Comment shall complete a Speaker's Card in its entirety and present it to the City Clerk prior to the scheduled start of the City Council Meeting.

5. REPORT OF THE MAYOR

6. ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

7. PUBLIC HEARING – 5 Minute Limit per Person

Public Hearings are an opportunity for the City Council to listen to input about a particular topic or item being considered by the Council. It is not a question and answer session and the City Council will not respond to comments or answer questions during this period. A buzzer or notification will sound when five minutes have elapsed. All persons speaking at a Public Hearing shall complete a Speaker's Card in its entirety and present it to the City Clerk prior to the scheduled start of the City Council meeting.

A. Case No. CU-2025-17. (Life Couriers) An application for a Conditional Use Permit per §400.320(C)(1)(a) for the handling/storage of hazardous substances accessory to an office/warehouse establishment within the "I-2/WHP" Heavy Industrial District and within the Wellhead Protection District. The subject property is located at 3891 Fountain Lakes Parkway East. The subject properties will be located in Ward 8. (*RCA Attached*)

B. Case No. CU-2025-18. (Naked Spirits LLC – Brandon Eckardt) An application for Conditional Use Permit per §400.290(C)(2) for Liquor Sales and §400.290(C)(6) Craft Distillery use within the "FD/FPD" Frenchtown District within the

Frenchtown Preservation District located at 1116 N 2nd Street. The subject property is located in Ward 1. (***RCA Attached***)

- C. LL-2025-13 Approval of a Liquor License Application for Brandon Eckardt d/b/a Naked Spirits LLC located at 1116 North 2nd Street located in Ward 1. (***RCA Attached***)
- D. Case No. CU-2025-19. (Naked Spirits LLC – Brandon Eckardt) An application for Conditional Use Permit per 400.290(C)(2) for Liquor Sales and §400.290(C)(6) Craft Distillery use within the “FD/FPD” Frenchtown District within the Frenchtown Preservation District located on the east side of N 2nd Street, approximately 740 feet north of the intersection of Clark and 2nd Street, also known as 691 N. Main Street. The subject property is located in Ward 1. (***RCA Attached***)
- E. LL-2025-14 Approval of a Liquor License Application for Brandon Eckardt d/b/a Naked Spirits LLC located at 755 North Main Center located in Ward 1. (***RCA Attached***)
- F. Case No. Z-2025-07. (Charles Gilbert) An application to rezone 12,600 square feet (more or less) tract of land, located at 975 Lindenwood Avenue, from “R-1E” Single Family Residential District to “R-2” Two Family Residential District to convert an existing structure into a duplex. The subject property is located in Ward 1. (***Council Bill 14007***)
- G. Case No. Z-2025-08. (CRG Cumulus, LLC) An application to annex and establish the zoning for 1.26-acre (more or less) tract of land from St. Charles County “A” Agricultural District to the City of St. Charles “I-1/WHP” Light Industrial District and within the Wellhead Protection District. The subject property is generally located on the west side of Hayford Road and approximately 1,450 feet north of Elm Point Road. The subject property will be located in Wards 6 upon annexation. (***Council Bill 14009***)

8. CONSENT AGENDA

- A. Approval of Council Minutes and Reports
 - 1. Special Council Work Session of August 12, 2025
 - 2. Council Work Session of August 12, 2025
 - 3. Regular City Council Meeting of August 19, 2025
 - 4. Public Hearing of August 19, 2025
 - 5. Special City Council Meeting of August 22, 2025
- B. Receipt of Reports from Boards, Commissions and Committees
 - 1. Board of Adjustment Meeting of April 7, 2025
 - 2. Board of Adjustment Meeting of May 5, 2025
 - 3. Board of Adjustment Meeting of July 9, 2025
 - 4. The Housing Authority of the City of St. Charles Meeting of May 28, 2025
 - 5. The Housing Authority of the City of St. Charles Meeting of June 25, 2025
 - 6. Audit Committee Meeting of June 17, 2025
 - 7. Senior Citizen Advisory Committee Meeting of July 8, 2025

8. Frenchtown Special Business District Advisory Board Meeting of July 10, 2025
9. Landmarks Board Meeting of July 21, 2025

C. Receipt of Director of Administration Reports

D. Approval of Contracts and Easements

E. Preliminary Plats

F. Miscellaneous

1. Report of the City Clerk Relative to Disposal of Various Records Pursuant to the Missouri Records Manual and State Records Retention Law (*Finance Department*)

9. ITEMS REMOVED FROM THE CONSENT AGENDA

10. RESOLUTIONS

11. BILLS FOR FINAL PASSAGE

12. BILLS FOR INTRODUCTION

BILL 14006

AN ORDINANCE FIXING AND ESTABLISHING THE RATE AND LEVYING THE TAXES FOR THE GENERAL REVENUE FUNDS AND FOR THE VARIOUS SPECIAL FUNDS OF AND FOR THE CITY OF SAINT CHARLES, MISSOURI, FOR THE YEAR TWO THOUSAND AND TWENTY-FIVE. (*SPONSOR: MICHAEL GALBA*)

BILL 14007

AN ORDINANCE REZONING TO ST. CHARLES CITY ZONING DISTRICT “R-2” TWO-FAMILY RESIDENTIAL DISTRICT FROM ST. CHARLES CITY ZONING DISTRICT “R-1E” SINGLE-FAMILY RESIDENTIAL DISTRICT AN APPROXIMATE 12,600 SQUARE FOOT TRACT OF LAND LOCATED AT 975 LINDENWOOD AVENUE. (*SPONSOR: BILL OTTO*)

BILL 14008

AN ORDINANCE ANNEXING CERTAIN ADJACENT CONTIGUOUS LAND INTO THE CITY OF SAINT CHARLES, MISSOURI, AND ASSIGNING THE LAND TO A DESIGNATED WARD OF THE CITY BEING PETITIONED FOR ANNEXATION BY CRG CUMULUS, LLC, APPROXIMATELY 1.26 ACRES OF LAND GENERALLY LOCATED ON THE WEST SIDE OF HAYFORD ROAD AND APPROXIMATELY 1,450 FEET NORTH OF ELM POINT ROAD. (*SPONSOR: JUSTIN FOUST*)

BILL 14009

AN ORDINANCE REZONING TO ST. CHARLES CITY ZONING DISTRICT “I-1/WHP” LIGHT INDUSTRIAL DISTRICT AND WITHIN THE WELLHEAD PROTECTION DISTRICT FROM ST. CHARLES COUNTY ZONING DISTRICT “A” AGRICULTURAL DISTRICT AN APPROXIMATE 1.26 ACRE TRACT OF LAND GENERALLY LOCATED ON THE WEST SIDE OF HAYFORD ROAD AND

APPROXIMATELY 1,450 FEET NORTH OF ELM POINT ROAD. (SPONSOR: JUSTIN FOUST)

BILL 14010

AN ORDINANCE AMENDING SECTION 135.050 OF THE CODE OF ORDINANCES PERTAINING TO THE POWERS AND DUTIES OF THE MUNICIPAL JUDGE AND, SPECIFICALLY, WITH RESPECT TO THE APPOINTMENT OF COUNSEL FOR AN INDIGENT DEFENDANT. (SPONSOR: JUSTIN FOUST)

13. EMERGENCY ORDINANCES

14. TABLED BILLS

15. ITEMS FOR COUNCIL ACTION

A. Appointment to Board of Adjustment

16. CLOSED SESSION

A. Legal actions, causes of action, or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body and its attorneys (RSMo 610.021(1))

B. Leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration therefor (RSMo 610.021(2))

C. Hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021(3))

D. Preparation, including any discussions or work product, on behalf of the Council or its representatives for negotiations with employee groups (RSMo 610.021(9))

E. Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected (RSMo 610.021(12))

F. Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment (RSMo 610.021(13))

17. ADJOURNMENT

The City of St. Charles offers all interested citizens the opportunity to attend public meetings and comment on public matters. If you wish to attend this public meeting and require an accommodation due to a disability, please contact the Office of the City Clerk to coordinate an accommodation at least two (2) business days in advance of the scheduled meeting at 636-949-3282.

The City of St. Charles, Missouri, fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information, or to obtain a Title VI Complaint Form, please call the City Clerk's Office at (636)949-3282 or visit City Hall located at 200 North Second Street, St. Charles, Missouri, 63301.

Posted: Thursday, August 28, 2025 – 5:00 p.m.

RCA FORM (OFFICE USE ONLY)

Bill # N/A

MEETING/DATE: 9/2/2025

Regular Special Work Session

ATTACHMENT: YES NO

Report Resolution Ordinance

Request for Council Action

Ward(s): 8

Sponsor(s): N/A

Description:

Case No. CU-2025-17. (Life Couriers) An application for a Conditional Use Permit per §400.320(C)(1)(a) for the handling/storage of hazardous substances accessory to an office/warehouse establishment within the "I-2/WHP" Heavy Industrial District and within the Wellhead Protection District. The subject property is located at 3891 Fountain Lakes Parkway East. The subject properties will be located in Ward 8.

Contract Extension/Renewal: Yes No

Information Paper Attached: Yes No

Staff Recommendation: Approve Disapprove

Board/Committee/Commission Recommendation: Approve Disapprove

Summary:

This request is for a Conditional Use Permit for the handling/storage of any hazardous substance. The proposed tenant, Life Couriers, is a specialized logistics provider focused on the secure and time-sensitive transfer of radiopharmaceuticals used in cancer treatment. The above-mentioned land use is required to be approved via a conditional use within the Wellhead Protection District. Per the applicant's narrative, no pharmaceutical manufacturing, compounding, repackaging, or direct handling of raw chemical agents occurs at this facility. The pharmaceutical shipments remain sealed in Dept. of Transportation-compliant containers and are never opened, processed, or altered on-site. Ancillary to the handling of these pharmaceuticals, the applicant intends to use their space in this existing building for the storage of non-hazardous paper and plastic packaging. The Planning and Zoning Commission held a public hearing on this item at their August 11, 2025 meeting. There were 5 speakers from the public. Generally, the speakers' comments pertained to site development, not applicable to this conditional use request since it is located in an existing building. The application was forwarded with a recommendation of approval (10 in favor, 0 opposed) with the attached list of conditions.

Budget Impact: (revenue generated, estimated cost, CIP item, etc.)

Fiscal Impact: N/A

Account #: N/A

Project #: N/A

RCA prepared by: LAB Dept. Dir. [Signature] Finance Dir. [Signature] Dir. of Admin. [Signature]

CU-2025-17 RECOMMENDED CONDITIONS

1. This conditional use permit for the handling and short-term storage (as described in the business plan provided to staff) of sealed radiopharmaceutical shipments is issued to the business (Life Couriers), only for the property of 3891 Fountain Lakes Parkway E, and is non-transferable to another tenant or location.
2. Should the planned use materially change or expand from the attached submittal documents (including additional regulated materials/liquids not reviewed associated with this submittal and the Wellhead Protection District), additional approvals may be required by the City.
3. Before the issuance of an occupancy permit for the facility, the applicant shall maintain a self-insurance program that meets the City's required coverages and limits for the duration of operations under this Conditional Use Permit, shall execute and submit a Self-Insurance Affidavit in a form approved by the City Attorney prior to commencing operations, and shall comply at all times with all terms of that affidavit.
4. The City and/or its environmental auditing designee shall be authorized to conduct an inspection of the facility for compliance with Section 400.320 (WHP), upon 24-hour advance notice to the site manager.
5. Non-compliance with any building code, property maintenance codes, fire codes, zoning codes, any other local, state, or federal regulations or laws, or conditions of this approval is grounds for revocation of the conditional use approval.



COMMUNITY DEVELOPMENT DEPARTMENT

www.stcharlescitymo.gov

August 21, 2025

To Whom It May Concern:

Per Section 400.320.C.2, which regulates land use approvals in the WHP: Wellhead Protection District, "[i]n order to receive approval from the City Council, each facility which handles or uses regulated substances must fulfill the following requirements:

- a. Provide for the installation and maintenance of devices for secondary containment in case of inadvertent discharge from primary containers. Ensure the proper storage of regulated substances to ensure the integrity and proper functionality of impervious floor surface.
- b. Submission of an emergency contingency plan for each facility to respond to unauthorized discharges.
- c. Carrying of insurance which would pay for the cost of cleanup incurred as the result of inadvertent discharge.
- d. The three (3) previous requirements must be approved in writing by both the Fire Chief and the Community Development Director or their designees."

As provided in the application materials and conditioned by draft condition number 3, CU-2025-17 (Life Couriers) meets and fulfills the three requirements of 400.320.C.2(a) through (c) and is therefore approved as required in Section 400.32.C.2(d).

Sincerely,

Zach Tusinger
Community Development
Director

Ray Juengst
Public Safety
Director

Joe Gragnani
Fire Department
Deputy Chief

Attachments

Lara Berry

From: Karen Maresca <hrim@att.net>
Sent: Thursday, August 7, 2025 12:55 PM
To: St Charles Planning and Zoning Commission
Subject: Concerns for our drinking water

CAUTION: This email originated from outside of the City of Saint Charles. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello.

I am reaching out to voice my objections and concerns over:

Case No. Z-2025-08

Case No. CU 2025-17

I ask that you deny these applications as both projects present huge risks to our well field

Thank You

Karen Maresca
2975 Zumbahl Rd



AGENDA ITEM #8

**STAFF REPORT
CONDITIONAL USE PERMIT CASE NO. CU-2025-17
3891 FOUNTAIN LAKES PARKWAY EAST**

**AUGUST 11, 2025
BY LARA BERRY**

<i>APPLICANT:</i>	Life Couriers 4806 Trade Access Blvd, Suite 100 Hazelwood, MO 63042
<i>OWNER:</i>	Big Box 9-19 Commerce LLC 100 Mastonford Road, Suite 250 Radnor, PA 19087
<i>ADDRESS/LOCATION:</i>	3891 Fountain Lakes Parkway East Ward 8
<i>TENANT SPACE:</i>	19,560 square feet
<i>EXISTING ZONING:</i>	I-2/WHP Heavy Industrial District within the Wellhead Protection District
<i>PROPOSED USE:</i>	Handling/storage of hazardous substances (radiopharmaceuticals) accessory to an office/warehouse establishment.

SUMMARY OF THE REQUEST

In June 2025, the City received a building permit application for interior warehouse alterations at 3891 Fountain Lakes Parkway E. During the Planning staff's review, it was identified that the the proposed tenant, Life Couriers, is a specialized logistics provider focused on the secure and time-sensitive transfer of radiopharmaceuticals used in cancer treatment, such as Pluvicto and Lutether. Upon further review, this handling of medical radiopharmaceuticals falls under the provisions of the WHP, Wellhead Protection District requiring a conditional use.

The company operates globally with approximately 15 locations nationwide and is relocating its local warehouse operations from Hazelwood to this site, while its corporate offices are moving to Fenton. Per the business, the subject facility serves two (2) primary functions:

1. Time-sensitive pharmaceutical logistics: The site functions as a secure transfer point for radiopharmaceutical cargo between delivery legs. Shipments are held on-site for only a

brief, transient period (2–4 hours) before being dispatched to patient destinations. Given the nature of these cancer therapies, delivery windows are extremely tight (24 to 48 hours from manufacture to patient), and the company operates to ensure compliance with medical protocols and regulatory standards.

While the pharmaceuticals are not stored long-term at this location; due to the handling and storage of the radiopharmaceuticals listed above, they are required to obtain a Conditional Use Permit within the Wellhead Protection District.

2. Storage of non-pharmaceutical packaging materials: The site also contains a temperature-controlled storage area for paper and plastic packaging used by pharmaceutical manufacturers. These materials are non-hazardous and stored under FDA-recommended conditions but do not contain pharmaceuticals and are not used on-site for manufacturing, repackaging, or formulation.

Operational Information

Per the applicant's business plan narrative, **no** pharmaceutical manufacturing, compounding, repackaging, or direct handling of raw chemical agents occurs at this facility. Radiopharmaceutical shipments remain sealed in DOT-compliant containers and are never opened, processed, or altered on-site. This limited scope of activity helps reduce the potential for incidental exposure or material release and aligns with the intent of the Wellhead Protection Overlay District.

On a typical day, operations include:

- Delivery of sealed radiopharmaceutical shipments by cargo vans, box trucks, or semis to the facility's loading dock.
- Temporary staging of cargo indoors for sorting and outbound dispatch (typically within 2–4 hours).
- Outbound transport by Life Couriers drivers, who use primarily cargo vans to complete final-mile deliveries.
- Loading or unloading of packaging materials for off-site delivery to the manufacturer's production facilities.

The site employs four full-time staff and is visited by approximately ten drivers, who stop in briefly to collect or drop off deliveries but do not remain on site. All vehicle maintenance is performed off-site by Enterprise; no maintenance, fueling, or related activity occurs at this facility. There is no on-site storage of spare fuel.

Vehicle Movement Estimates:

- Inbound deliveries: Approximately 30 per week, primarily cargo vans, with 5–6 deliveries arriving via box truck or semi-trailer.
- Outbound deliveries: Approximately 50 per week, nearly all via cargo vans. Box truck use is infrequent (about once every two weeks).

Public Notice Clarification

Staff would like to make a clarification regarding the Public Hearing Notice that was mailed to property owners within 300 feet of the subject parcel. The aerial image included in the notice incorrectly highlighted the southern end of the building at 3891 Fountain Lakes Parkway E. The proposed tenant space is actually located on the northern end of the building. While the image was incorrect, the written notice accurately identified the subject property and address. **This clarification does not affect the legal sufficiency of the notice provided as letter were provided within 300 feet of the entire property.** The corrected image is below in Figure 1.

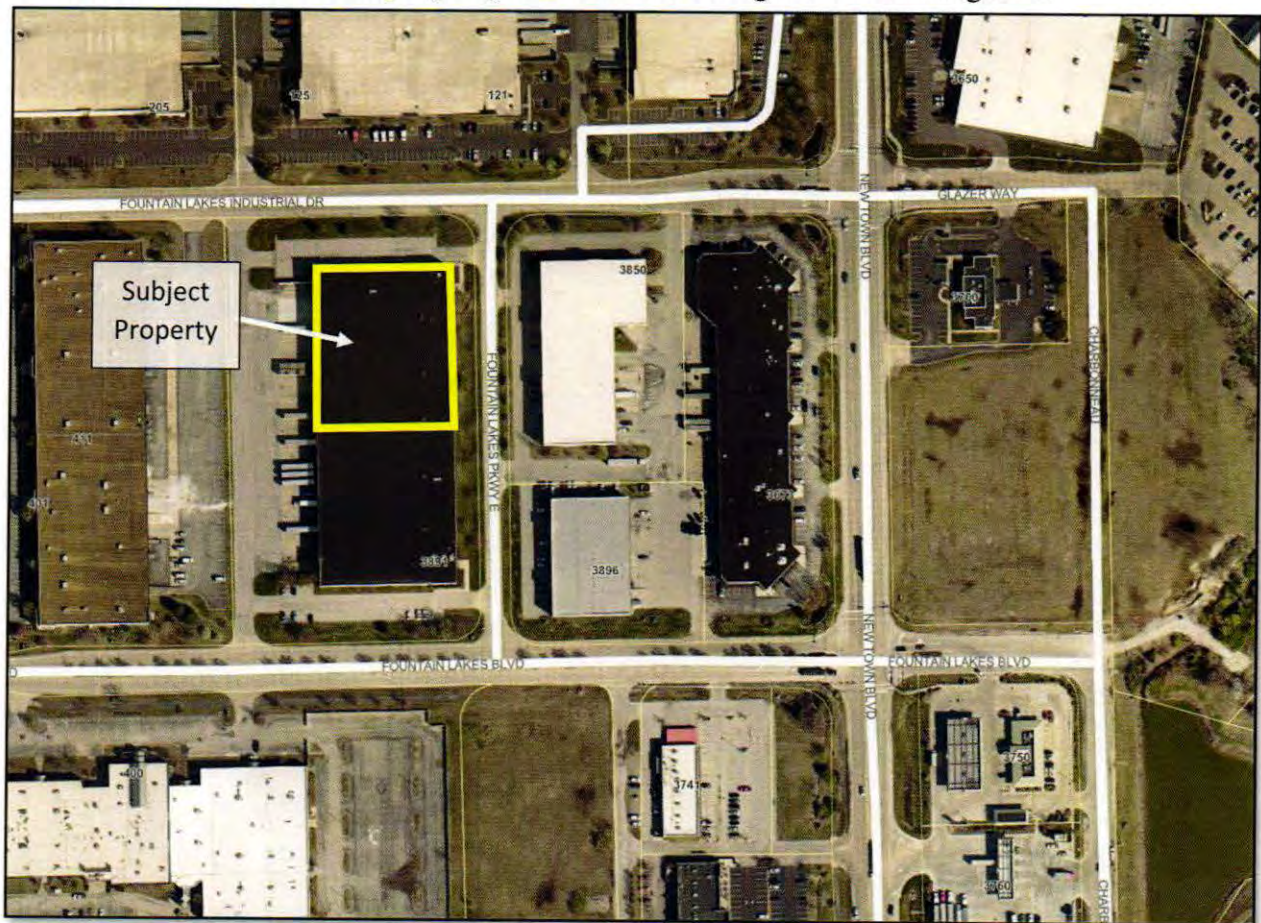


Figure 1: Corrected Aerial Image of the Subject Property.

ANALYSIS

The purpose of the Wellhead Protection District is to safeguard the public health, safety, and general welfare through the protection of groundwater used as a public water supply; therefore, there may be some land uses that are permitted “by right” in the underlying zoning district but because of certain activities of that business, the land use needs a Conditional Use Permit. For example, this manufacturing use is permitted by right within the I-2 Heavy Industrial District; however, because of the regulated substance (radiopharmaceuticals) handling and storage, it is a conditional use in the Wellhead Protection District. In order for the applicant to receive approval from the City Council for this proposal, there are four (4) additional requirements to fulfill, as required by the Wellhead Protection District (with staff analysis in *italics*):

1. Provide for the installation and maintenance of devices for secondary containment in case

of inadvertent discharge from primary containers. Ensure the proper storage of regulated substances to ensure the integrity and proper functionality of impervious floor surface.

- *Pharmaceuticals handled at this facility arrive and depart in sealed, Department of Transportation (DOT)-compliant containers that are not opened or repackaged on-site. This sealed packaging serves as a passive form of secondary containment, limiting the risk of incidental spills or exposure. In addition, the facility includes interior containment measures and impervious flooring within designated staging areas.*
 - *The applicant has submitted documentation describing these procedures. The City's environmental consultant reviewed the material and advised that the proposed measures are consistent with WHP best practices. Final verification of physical conditions will occur during the tenant finish building permit phase.*
2. Submission of an emergency contingency plan for each facility to respond to unauthorized discharges.
 - *An emergency response plan has been submitted and reviewed by the City's environmental consultant, who found the plan to be consistent with WHP emergency response expectations. Staff will maintain this plan as part of the ongoing compliance file. Additionally, the plan will be reviewed again upon completion of construction and via annual inspections, if approved.*
 3. Carrying of insurance which would pay for the cost of cleanup incurred as the result of inadvertent discharge.
 - *The applicant has indicated the business is self-insured. The City's environmental consultant has recommended that designated funds be verified to ensure sufficient coverage in the event of a release. The City Attorney has advised that this verification should be documented through an affidavit provided by the applicant.*
 4. The three (3) previous requirements must be approved in writing by both the Fire Chief and the Community Development Director or their designees.
 - *Final documentation and written approvals from both the Fire Chief and Community Development Director (or their designees) will be required prior to the issuance of an occupancy permit.*

Consistency with Comprehensive Plan

The St. Charles Comprehensive Plan adopted in 2002, and updated in 2012, recommends that land use decisions be based on a project's location and compatibility with surrounding development. The Comprehensive Plan identifies 15 activity centers in the city, locations characterized by elevated levels of development, density and activity. The activity centers are the most prominent, visible and intensely developed locations in the city. The plan recommends that development should gradually decrease in density as distance from an activity center increases. The activity centers should be surrounded by land uses that gradually decrease in levels of activity, traffic and density. Proposed new uses should be judged based upon its distance from the nearest activity center, its compatibility with what surrounds it, and whether the level of development it will generate contributes to a gradual decline in density or acts counter to that goal. This property is located nearest to Activity Center #14 (370 Corridor- East). While this land use is considered

permitted by right outside the Wellhead superimposed district and would not require a conditional use in a straight I-2 Heavy Industrial District, this use is appropriate in its current location.

STAFF RECOMMENDATION

Upon review of the documents provided and given the facility's specialized logistics role, the sealed nature of all regulated materials, and the absence of active pharmaceutical handling or hazardous material processing, staff finds the proposed use consistent with the intent of the WHP Overlay District, and therefore staff recommends **approval** of the Conditional Use Permit, subject to the following conditions:

1. This conditional use permit for the handling and short-term storage (as described in the business plan provided to staff) of sealed radiopharmaceutical shipments is issued to the business (Life Couriers), only for the property of 3891 Fountain Lakes Parkway E, and is non-transferable to another tenant or location.
2. Should the planned use materially change or expand from the attached submittal documents (including additional regulated materials/liquids not reviewed associated with this submittal and the Wellhead Protection District), additional approvals may be required by the City.
3. Before the issuance of an occupancy permit for the facility, the applicant shall maintain a self-insurance program that meets the City's required coverages and limits for the duration of operations under this Conditional Use Permit, shall execute and submit a Self-Insurance Affidavit in a form approved by the City Attorney prior to commencing operations, and shall comply at all times with all terms of that affidavit.
4. The City and/or its environmental auditing designee shall be authorized to conduct an inspection of the facility for compliance with Section 400.320 (WHP), upon 24-hour advance notice to the site manager.
5. Non-compliance with any building code, property maintenance codes, fire codes, zoning codes, any other local, state, or federal regulations or laws, or conditions of this approval is grounds for revocation of the conditional use approval.

Recommended Motions:

Motion to forward application CU-2025-17, to the City Council with a favorable recommendation subject to the conditions recommended by staff.



Figure 2: Street View of the Subject Property.

Radiopharma Logistics

No. 1 in radiopharmaceutical deliveries in the USA and Europe. We are the experts in transporting nuclear medicine.



Our global network

Scale is not a challenge. It's our playground.

Our network covers all of the United States and Europe. Wherever your ambition takes you, we'll be at your side. Because like you, we don't follow a path. We create it – setting the standard, clearing traffic and leading the way.

So dream big – you're in good company.

Full end-to-end solutions for Radiopharma shippers

-  Type A & B radioactive packages
-  Dedicated charter flights
-  Certified to transport White I, Yellow II & III packages
-  Commercial air bookings (NFO)
-  Source material transport
-  Cold Chain
-  International customs clearance
-  Clinical Trials to commercialization



Logistics for Life

We deliver hope.

At Life Couriers, we confront the greatest challenges in life science logistics, delivering the most time-critical diagnostics and therapies worldwide. Wherever logistics can make the biggest difference to a patient's life, you'll find us first.

We are uniquely built to serve patients with urgent needs: those who rely on lifesaving radiopharmaceuticals, immunotherapies – including cell and gene therapies – and clinical trials.


Over 45 years
of radiopharma
expertise


99.6%
on-time


2 million+
radiopharma
shipments
per year

7 reasons to choose us as your Radiopharma partner



Speed of delivery

24/7/365 operation. Solutions designed based on the isotope and patient requirements. NFO, charter flights and customs clearance.



Trained drivers who care

Qualified with in-depth training, our drivers have hazmat endorsed CDL licenses and are trained with a biohazard exposure control plan.



Real-time tracking, full documentation

We emphasize correct labelling and accurate documentation, combined with real-time GPS tracking for full traceability.



Regulatory frameworks and compliance

We work in strict compliance with DOT, NRC, ADR, TSA, IATA, AFCN, ASN and Customs authorities.



Experience and trust

With over 45 years of experience, we are the global experts in radiopharma logistics. Trusted by world leaders.



Contingency plans

We respond immediately to incidents and have plans for unforeseen events, such as flight delays or accidents.



Security

End-to-end security to prevent theft, loss, or unauthorized access. Our drivers are STA, and our facilities are TSA approved.

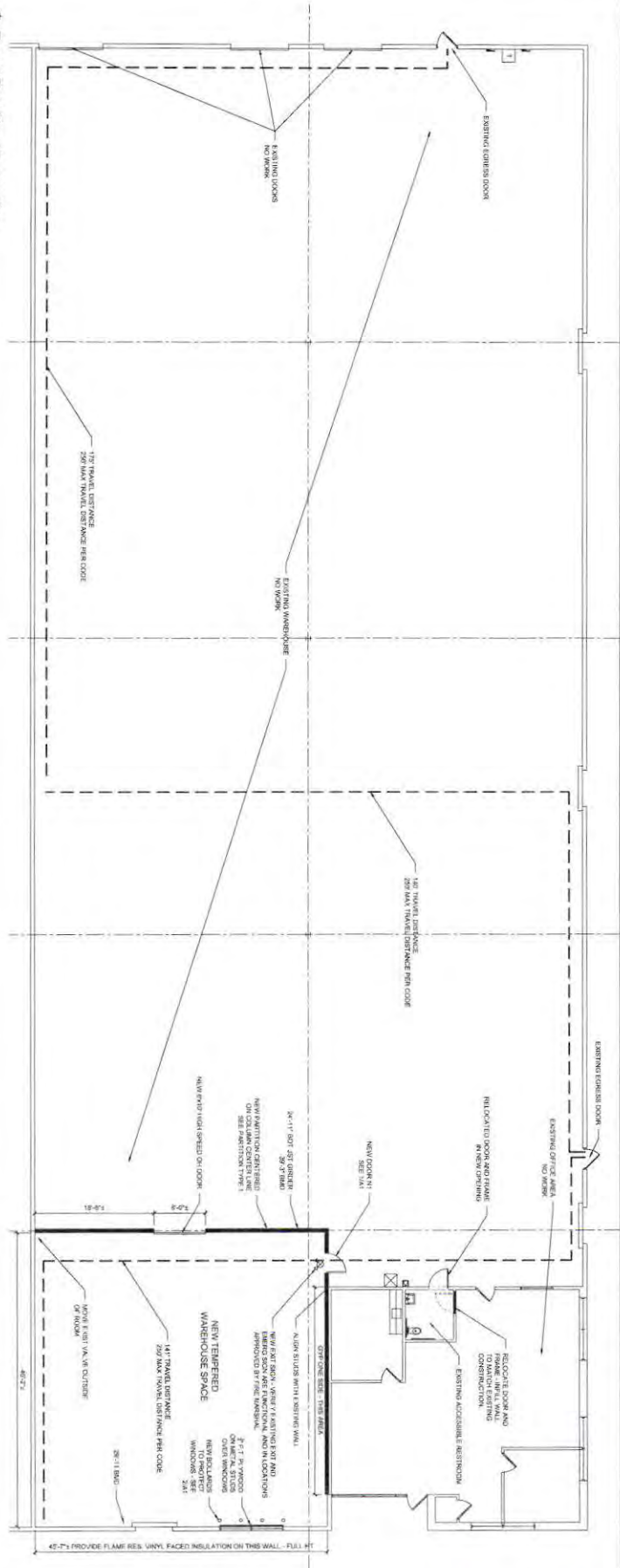
Certificates and qualifications



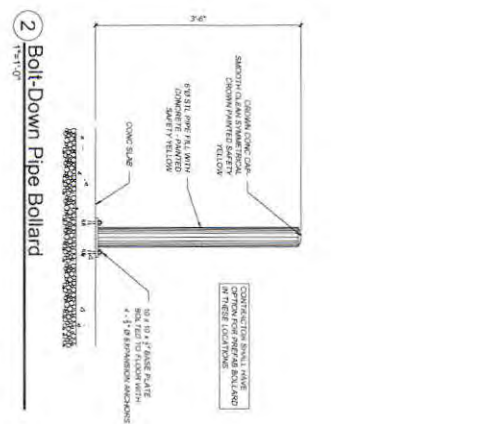
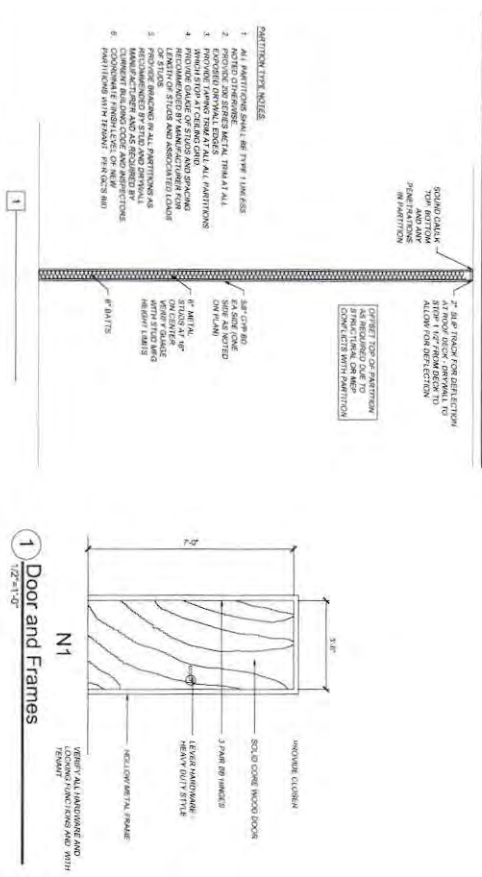
Contact us

www.lifecouriers.com | contact@lifecouriers.com

Tenant Floor Plan / Egress Plan



Partition Types



RCA FORM (OFFICE USE ONLY)

Bill # N/A

MEETING/DATE: 9/2/2025
Regular Special Work Session
ATTACHMENT: YES NO
Report Resolution Ordinance

Request for Council Action

Ward(s): 1 Sponsor(s): N/A

Description:

Case No. CU-2025-18. (Naked Spirits LLC – Brandon Eckardt) An application for Conditional Use Permit per §400.290(C)(2) for Liquor Sales and §400.290(C)(6) Craft Distillery use within the "FD/FPD" Frenchtown District within the Frenchtown Preservation District located at 1116 N 2nd Street. The subject property is located in Ward 1.

Contract Extension/Renewal: Yes No
Information Paper Attached: Yes No

Staff Recommendation: Approve Disapprove
Board/Committee/Commission Recommendation: Approve Disapprove

Summary:

This request is for a new Conditional Use Permit for Liquor Sales and a Craft Distillery use for the proposed business, Naked Spirits. This request is located at 1116 N 2nd Street and within the FD/FPD Frenchtown District within the Frenchtown Preservation District. City Ordinance requires approval of a Conditional Use Permit for the sale of liquor and a Craft Distillery use. The site plan for the project has been approved by the Landmarks Board (August 18, 2025).

The Planning and Zoning Commission considered this item at their August 11, 2025 meeting where a representative of the applicant was present and there were no public speakers. The Commission forwarded a recommendation for approval to the City Council (10 in favor, 0 opposed) subject to the attached conditions.

Budget Impact: (revenue generated, estimated cost, CIP item, etc.)

Fiscal Impact: N/A

Account #: N/A

Project #: N/A

RCA prepared by: MPB Dept. Dir. [Signature] Finance Dir. N/A Dir. of Admin. [Signature]

CU-2025-18: 1116 N 2nd Street– Recommended Conditions

1. This conditional use permit for a liquor sales and craft distillery use is issued to the applicant (Brandon Eckardt) and business (Naked Spirits LLC) only for the property located at 1116 N 2nd Street and is not transferable to another location and/or tenant/business.
2. Approval of this Conditional Use Permit is not approval of a liquor license. A liquor license shall be approved by the City Council prior to any liquor sales.
3. This establishment shall maintain the occupancy limitation as established by the Fire Marshal.
4. Any change to the submitted proposal, including but not limited to hours of operation, expansion of use, etc. may require additional City approval.
5. Non-compliance with any of the building codes, property maintenance codes, fire codes, noise control regulations or conditions of this approval is grounds for revocation of the conditional use approval.
6. Violations of Chapter 600 dealing with Liquor/Alcoholic Beverages may be grounds for revocation of this Conditional Use.



AGENDA ITEM #5

**STAFF REPORT
CASE NO. CU-2025-18
LIQUOR SALES
& CRAFT DISTILLERY
1116 N 2ND STREET**

**AUGUST 11, 2025
BY MADELYN P. BROWN**

<i>APPLICANT:</i>	Brandon Eckardt Naked Spirits LLC 3235 Reed Crossing Place St. Charles, Missouri 63301
<i>PROPERTY OWNER:</i>	City of St. Charles 200 N 2 nd Street St. Charles, Missouri 63301
<i>ADDRESS/LOCATION:</i>	1116 N 2 nd Street Ward 1
<i>ACREAGE:</i>	0.43 Acres approximately (overall)
<i>EXISTING ZONING:</i>	FD/FPD Frenchtown District within the Frenchtown Preservation District
<i>PROPOSED USE:</i>	Liquor Sales and Craft Distillery

SUMMARY/ANALYSIS

This Conditional Use request is for liquor sales and a craft distillery use for a new business, Naked Spirits, located at 1116 N 2nd Street. The property is zoned FD/FPD Frenchtown District within the Frenchtown Preservation District, which requires a conditional use approval for a craft distillery and liquor sales use. The applicant has provided a business plan which details the operations of the proposed business. Naked Spirits will distill small batch Rum, which will be sold on site in addition to a selection of beer, wine, and cocktails. Also associated with the craft distillery is a restaurant use, providing food items including pizza, appetizers, salad, etc. The proposed hours of operations are 4:00 p.m. to 10:00 p.m. Wednesday and Thursday, 2:00 p.m. to 11:00 p.m. Fridays, and 11:00 a.m. to 11:00 p.m. Saturday and Sunday. The establishment will be closed Monday and Tuesday. The proposed hours are in full compliance with Frenchtown District standards for businesses holding a liquor license (11:00 pm required closing time).

Also associated with the operations of the proposed business is a production and storage site (also on the agenda for approval this evening via application CU-2025-19). This is to take place at 691 N Main Street, more commonly known as the Sawtooth Building.

The site will include a renovation of the existing building to include the distilling space, kitchen, and public restaurant area. The exterior of the building will also be altered for the new establishment. Because this property is located within the Frenchtown Preservation District, the review of the elevation changes falls under the purview of the Landmarks Board and not the Planning and Zoning Commission. This item is slated for review of the elevation at the Landmarks August 18, 2025 meeting. The proposed exterior alterations has been included as an attachment for reference.

Consistency with Comprehensive Plan

The St. Charles Comprehensive Plan adopted in 2002, and updated in 2012, recommends that land use decisions be based on a project's location and compatibility with surrounding development. The Comprehensive Plan identifies 15 activity centers in the city, locations characterized by elevated levels of development, density and activity. The activity centers are the most prominent, visible and intensely developed locations in the city. The plan recommends that development should gradually decrease in density as distance from an activity center increases. The activity centers should be surrounded by land uses that gradually decrease in levels of activity, traffic and density. Proposed new uses should be judged based upon its distance from the nearest activity center, its compatibility with what surrounds it, and whether the level of development it will generate contributes to a gradual decline in density or acts counter to that goal. This property is located within Activity Center #6 (Historic Downtown). The proposed uses at this location can be compatible with its broader surroundings and neighboring uses along the corridor.

Consistency with Conditional Use standards

Section 400.980 of the City Code outlines standards of review for the conditional use application. The standards are as follows:

- a) How the proposed conditional use (the use in general) is in harmony with the purposes, goals, objectives, policies and standards of the Comprehensive Plan, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the city.
- b) Whether the proposed conditional use (in its proposed location) is in harmony with the purposes, goals, objectives, policies and standards of the Comprehensive Plan, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the city.

Regarding a) and b), Conditional Uses are not allowed by-right as they can be problematic if not located and/or conditioned properly. In this case, the proposals are located on N 2nd Street nearest to Activity Center #6. This intensity pattern is consistent with the goals of the Comprehensive Plan, and the proposed use at this location could operate in conformance with the density, intensity, and activity guidelines provided above.

- c) Whether the proposed conditional use, in its proposed location and as depicted on the required site plan, results in a substantial or undue adverse impact on the adjacent

property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions and policies of the Zoning Ordinance, Comprehensive Plan, or any other plan, program, or ordinance adopted or under consideration pursuant to official notice by the city.

Based upon a review of the proposed land uses, if conditioned properly and operated in compliance with the Zoning Ordinance, the proposal should not have an adverse impact on the character of the neighborhood, public safety and general welfare of the city.

- d) Whether the proposed conditional use maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property as directed by the Comprehensive Plan.

Staff believes the proposed uses can be compatible within its commercial/residential surroundings. Staff believes this use, if conditioned properly, can operate in a manner that is consistent with the area and as directed by the Comprehensive Plan

- e) Whether the proposed conditional use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.

Staff believes the proposed conditional uses in this location will not have an undue burden on public services as this proposal has been reviewed by Community Development, Finance, Engineering and Fire Departments with no outstanding comments.

- f) Whether the public benefits of the proposed conditional use outweigh the potential adverse impacts of the proposed conditional use as identified above, after taking into consideration any proposal by the petitioner and any requirements recommended by the petitioner and/or City Staff to ameliorate such impacts.

After review of the proposal, and the above standards for evaluating Conditional Uses, staff believes the proposed uses if conditioned properly would prevent any potential adverse impacts and the public benefits would outweigh any potential adverse impacts.

Furthermore, the City Code allows the Planning and Zoning Commission to recommend conditions of approval to protect surrounding properties, as well as to give consideration with respect to location in the recommendations. The proposed use complies with the above standards.

Consistency with the Frenchtown Great Streets Plan

On July 21, 2020, the City Council formally accepted and approved the findings and the plan for the Frenchtown Great Streets Plan. This plan was a local effort with support from area residents, the City, St. Charles County and East-West Gateway Council of Governments to provide a framework for the revitalization effort of Frenchtown. The approved Great Street Plan outlines

its own set of goals, including four (4) sub-districts, aimed at fulfilling the mission of the plan. After review, the proposed land use is consistent with the goals and objectives of the Frenchtown Great Streets Plan, as outlined below:

Development Assets

- **Goal 2: Determine Potential Development Products**

Four (4) types of developments are defined under Goal 2 of Development Assets. Real estate strategies and market analysis are used to support a projected development program of diverse uses.

DA 02.02 Introduce New Retail Development – This goal incentives establishing new retail/businesses within the district. The plan also calls for more “destination” type uses such as restaurants and local shops to help attract tourists as well as local residents to the corridor.

- **Goal 3: Establish sub-districts within Frenchtown**

Six (6) districts are defined under Goal 3 of Development Assets. These districts identify and group unique characteristics within Frenchtown to better guide development. The subject property is located in the area identified as the “Old Frenchtown.”

DA 03.02 Establish the Old Frenchtown District – The plan identifies a strategic vision for the Old Frenchtown District that focuses on the small-scale redevelopment of existing historic spaces to attract local businesses and entrepreneurs with craft/boutique companies. A mix of adaptive reuse and progressive infill will create an eclectic and hip energy to transition the Sawtooth District and New Frenchtown Districts.



Figure 1: Frenchtown Sub-districts map.

- **Goal 4: Encourage New Development**

Encouraging New Development in Frenchtown is aided by concurrent efforts such as flood protection and a more walkable streetscape. Further guidance provides insight to bringing in establishments for new infill and adaptive reuse developments.

DA 04.07 Encourage a Diverse Tenant Mix – A broad mix of ground floor and destination uses are encouraged within the district to also help differentiate the corridor from Main Street. Destination type uses are identified as attracting visitors and encouraging additional spending while in the district. There are currently no other establishments similar to the proposed business in the district, which will help to diversify the mix of tenants along the corridor.

STAFF RECOMMENDATION

Staff believes the proposed liquor sale and craft distillery use conforms to all City standards. After review of this application against the City's Zoning Code, Comprehensive Plan and the Frenchtown Great Streets Plan, the Department of Community Development recommends approval of the conditional use permit for a liquor sales and craft distillery use, subject to the following conditions:

1. This conditional use permit for a liquor sales and craft distillery use is issued to the applicant (Brandon Eckardt) and business (Naked Spirits LLC) only for the property located at 1116 N 2nd Street and is not transferable to another location and/or tenant/business.
2. Approval of this Conditional Use Permit is not approval of a liquor license. A liquor license shall be approved by the City Council prior to any liquor sales.
3. This establishment shall maintain the occupancy limitation as established by the Fire Marshal.
4. Any change to the submitted proposal, including but not limited to hours of operation, expansion of use, etc. may require additional City approval.
5. Non-compliance with any of the building codes, property maintenance codes, fire codes, noise control regulations or conditions of this approval is grounds for revocation of the conditional use approval.
6. Violations of Chapter 600 dealing with Liquor/Alcoholic Beverages may be grounds for revocation of this Conditional Use.

Recommended Motion:

Motion to forward the Conditional Use Permit application for a Liquor Sales and a craft distillery use at 1116 N 2nd Street to the City Council with a favorable recommendation, subject to the conditions recommended by staff.



Figure 2: Street View Photo of Subject Property.

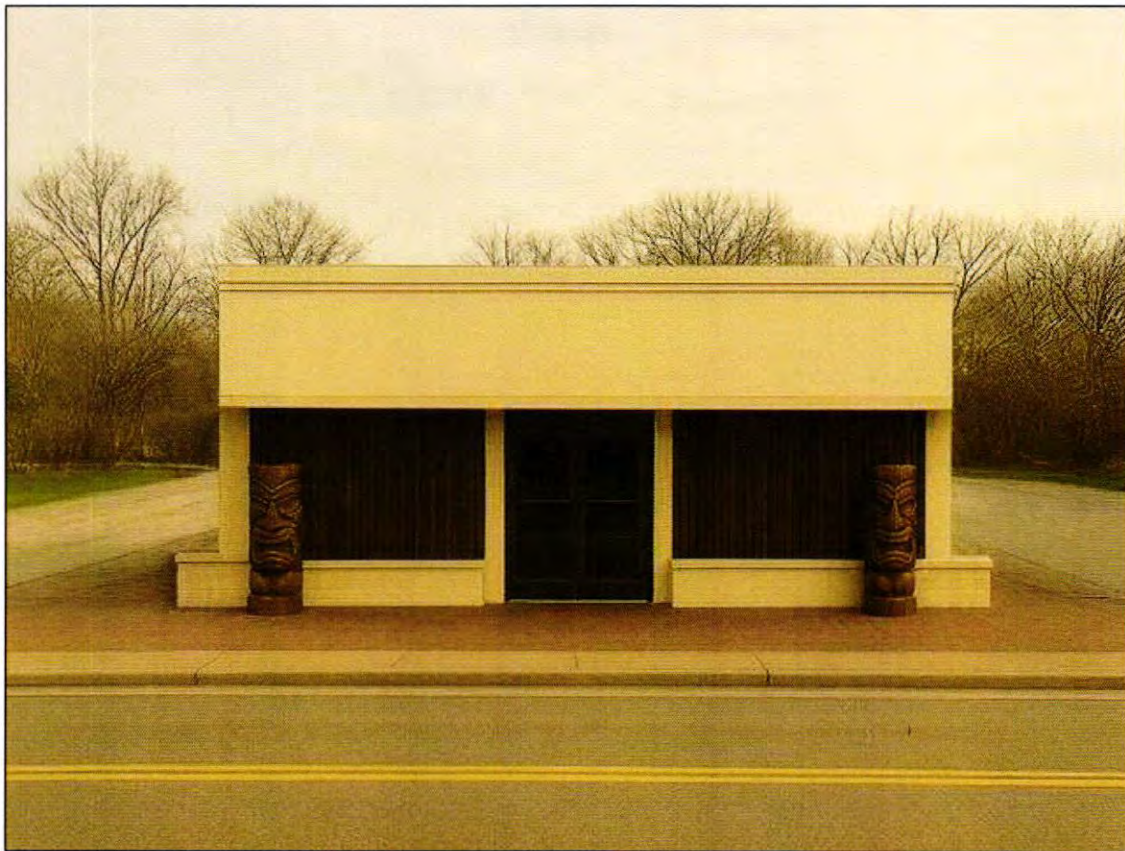


Figure 3: Rendering of proposed exterior alterations (Landmarks Review pending).



Madelyn Brown
Planner
Department of Community development
City of St. Charles

Re: CU-2025-19 and CU-2025-18

Madelyn,

Thank you for your review and comments. Please find our responses below, following the order of your original points:

1. Checks will be delivered to City Hall today.
2. The two locations serve very different production purposes. At 1116, production will be limited to small-scale experimentation with recipes and tinctures, totaling less than 50 gallons annually. The Sawtooth facility is our primary production site, where we currently produce under 5,000 gallons per year. At no time will we store more than 240 gallons in the Sawtooth facility.
3. Our spirit offerings are highly experimental and evolve based on ongoing recipe development and customer feedback. While the base ingredients and production process remain consistent, flavors rotate regularly. Our website reflects the most up-to-date information.
4. Attached is the current rendering of the cocktail lounge. We are actively working with the Preservation Committee to finalize the design.
5. We are under contract with Steve Hollander Architect, who is currently preparing the drawings. A sealed set of plans will be provided upon completion.

Sincerely,
Brandon S. Eckardt
Managing Partner
Naked Spirits, LLC

From: Brandon <brandon@nakedspirits.com>
Sent: Friday, July 18, 2025 11:08 AM
To: Madelyn P. Brown
Subject: Re: Naked Spirits CUP

Follow Up Flag: Follow up
Flag Status: Completed

CAUTION: This email originated from outside of the City of Saint Charles. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Madelyn,

I'm looking forward to working with you. Below is a breakdown of our business operations across both of our locations:

Saw-tooth Building

This facility will be used exclusively for production and storage. It will not be open to the public, and there will be no on-site consumption. The space will house our packaging materials, a still, and our bottling line. It will only be in use during production runs and will not maintain regular business hours.

1116 N 2nd Street

This location will serve as our cocktail lounge and tasting bar. We will operate with regular hours and staff. Our initial hours of operation are:

- **Wednesday & Thursday:** 4 PM – 10 PM
- **Friday:** 2 PM – 11 PM
- **Saturday & Sunday:** 11 AM – 11 PM

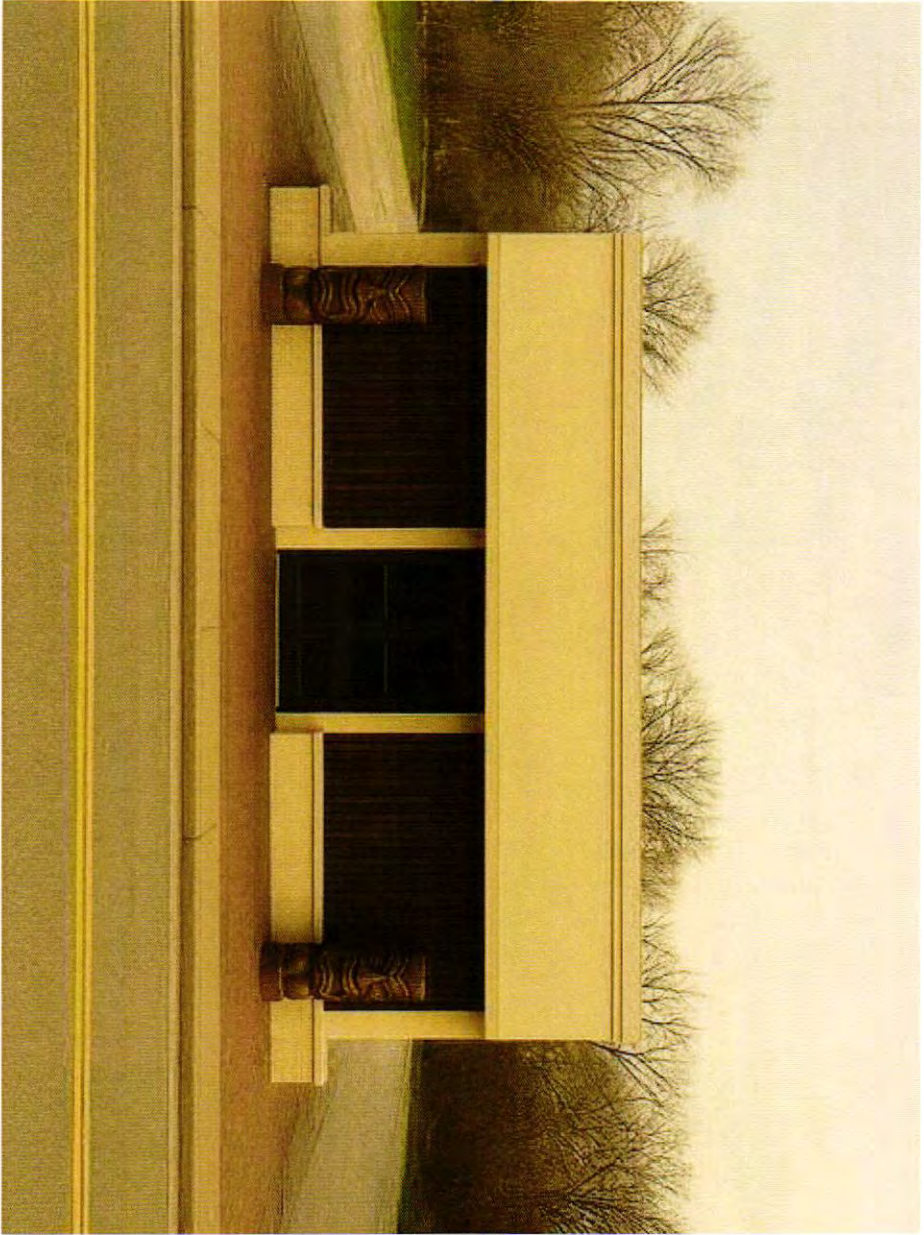
We may adjust hours or add additional days based on demand, but we are committed to not extending hours past 11 PM at any time.

The lounge will feature a tiki-themed atmosphere and a carefully curated cocktail menu. We'll also offer a selection of local craft beers and wines. Light bites will be available from a limited menu, which we are still finalizing. Potential offerings include appetizers, pizzas, salads, charcuterie, and themed desserts. Our primary focus will be on cocktails, with food available to complement the experience.

Additionally, we will operate a small 7.5-gallon still on-site for recipe development, tincture experimentation, and educational demonstrations during private tastings.

Our targeted opening date is **October 3rd**.

Please let me know if you need any further information.



RCA FORM (OFFICE USE ONLY)

Bill # N/A

MEETING/DATE: 9/2/2025

Regular Special Work Session

ATTACHMENT: YES NO

Report Resolution Ordinance



Ward(s): 1-Otto

Sponsor(s): _____

Description:

LIQUOR LICENSE APPLICATION PUBLIC HEARING NOTICE

Case No. LL-2025-13

Applicant: Brandon Eckardt d/b/a Naked Spirits, LLC at 1116 N Second Street.

License Type: Full By the Drink and Sunday

Contract Extension/Renewal: Yes No

Information Paper Attached: Yes No

Staff Recommendation: Approve Disapprove

Board/Committee/Commission Recommendation: Approve Disapprove

Summary:

Attached is a request from Brandon Eckardt for the grant of a liquor license for Naked Spirits, LLC located at 1116 N Second Street. The license applied for is the sale of alcoholic beverages at retail by the drink for consumption on the premises where sold, of all kinds of alcoholic beverages, including the sale of alcoholic beverages in the original package. Also to sell same on Sunday during hours allowed by the laws of the State of Missouri. This is a new liquor license application. There is no liquor license currently issued for the premises.

Staff Recommendation: Approved.

Form of Motion: I move to close the Public Hearing and to grant the liquor license as presented.

Budget Impact: (revenue generated, estimated cost, CIP item, etc.)

Fiscal Impact: _____ N/A

Account #: N/A

Project #: N/A

RCA prepared by: PMB Dept. Dir. Qao Finance Dir. Qao Dir. of Admin. Butler

08/23/2025

Liquor License Application Departmental Approval Form

Please Return to Patricia Bayes / Collection Dept. A.S.A.P.

Before the attached liquor license application submitted by:

Applicant name: Brandon Eckardt
d/b/a: Naked Spirits LLC
Location: 1116 N 2nd Street

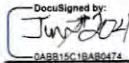
Will be submitted to the City Council for approval, the Department Head or his authorized Assistant or Deputy from each of the below listed departments must sign off indicating either that all inspections, fees, taxes, permits and record checks, zoning or any other City requirements have been met or the fees paid or that it be known that the issuance of any City requirements not met prior to the Liquor License Application being submitted to the City Council.

A signature below indicates compliance with any or contingency on all City requirements being met.

Police Department:

Approved

Signature: _____

DocuSigned by:

CA9915C1B80474

Date: 8/13/2025

Not Approved

Reason(s): _____

05/23/2025

Liquor License Application Departmental Approval Form

Please Return to Patricia Bayes / Collection Dept. A.S.A.P.

Before the attached liquor license application submitted by:

Applicant name: *Brandon Eckardt*
d/b/a: *Naked Spirits LLC*
Location: *1116 N 2nd Street*

Will be submitted to the City Council for approval, the Department Head or his authorized Assistant or Deputy from each of the below listed departments must sign off indicating either that all inspections, fees, taxes, permits and record checks, zoning or any other City requirements have been met or the fees paid or that it be known that the issuance of any City requirements not met prior to the Liquor License Application being submitted to the City Council.

A signature below indicates compliance with any or contingency on all City requirements being met.

Fire Department

Approved **Approved with Conditions** **Not Approved**

Conditions of Approval: _____

Reason(s) for denial: _____

Signature: Signed by: *Joe Gragnani* Date: 8/22/2025

05/23/2025

Liquor License Application Departmental Approval Form

Please Return to Patricia Bayes / Collection Dept. A.S.A.P.

Before the attached liquor license application submitted by:

Applicant name: Brandon Eckardt
d/b/a: Naked Spirits LLC
Location: 1116 N 2nd Street

Will be submitted to the City Council for approval, the Department Head or his authorized Assistant or Deputy from each of the below listed departments must sign off indicating either that all inspections, fees, taxes, permits and record checks, zoning or any other City requirements have been met or the fees paid or that it be known that the issuance of any City requirements not met prior to the Liquor License Application being submitted to the City Council.

A signature below indicates compliance with any or contingency on all City requirements being met.

Community Development

Zoning District FD Historic Preservation District FPD Occupancy Permit No

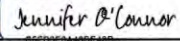
Approved **Approved with Conditions** **Not Approved**

Conditions of Approval _____

Reason(s) for denial: _____

Signature:  Date: 8/13/2025

Finance Department

Approved Signature:  Date: 8/25/2025

Not Approved Reason(s): _____

1116 N 2ND STREET



SUPPLEMENTAL RCA

RCA FORM (OFFICE USE ONLY)

Bill # N/A

MEETING/DATE: 9/2/2025

Regular Special Work Session

ATTACHMENT: YES NO

Report Resolution Ordinance

Request for Council Action

Ward(s): 1

Sponsor(s): N/A

Description:

Case No. CU-2025-19. (Naked Spirits LLC – Brandon Eckardt) An application for Conditional Use Permit per 400.290(C)(2) for Liquor Sales and §400.290(C)(6) Craft Distillery use within the "FD/FPD" Frenchtown District within the Frenchtown Preservation District located on the east side of N 2nd Street, approximately 740 feet north of the intersection of Clark and 2nd Street, also known as 691 N Main Street. The subject property is located in Ward 1.

Contract Extension/Renewal: Yes No

Information Paper Attached: Yes No

Staff Recommendation: Approve Disapprove

Board/Committee/Commission Recommendation: Approve Disapprove

Summary:

Since the public hearing notice was posted, the address on this property has changed from 691 N Main Street to 755 N Main Center. This change is necessary for consistency between the applicant's liquor license (also on this agenda LL-2025-14) through the City and State of Missouri. While this change is necessary for documentation purposes, this change does not impact the validity of the Conditional Use approval and does not require a revision or additional action.

Budget Impact: (revenue generated, estimated cost, CIP item, etc.)

Fiscal Impact: N/A

Account #: N/A

Project #: N/A

RCA prepared by: MPB Dept. Dir. [Signature] Finance Dir. N/A Dir. of Admin. [Signature]

RCA FORM (OFFICE USE ONLY)

Bill # N/A

MEETING/DATE: 9/2/2025
Regular Special Work Session
ATTACHMENT: YES NO
Report Resolution Ordinance

Request for Council Action

Ward(s): 1 Sponsor(s): N/A

Description:

Case No. CU-2025-19. (Naked Spirits LLC – Brandon Eckardt) An application for Conditional Use Permit per 400.290(C)(2) for Liquor Sales and §400.290(C)(6) Craft Distillery use within the “FD/FPD” Frenchtown District within the Frenchtown Preservation District located on the east side of N 2nd Street, approximately 740 feet north of the intersection of Clark and 2nd Street, also known as 691 N Main Street. The subject property is located in Ward 1.

Contract Extension/Renewal: Yes No
Information Paper Attached: Yes No

Staff Recommendation: Approve Disapprove
Board/Committee/Commission Recommendation: Approve Disapprove

Summary:

This request is for a new Conditional Use Permit for Liquor Sales and a Craft Distillery use for the proposed business, Naked Spirits. This request is located at 691 N Main Street, commonly known at the Sawtooth Building, and is a part of the future City Center Complex. The property is within the FD/FPD Frenchtown District within the Frenchtown Preservation District. City Ordinance requires approval of a Conditional Use Permit for the sale of liquor and a Craft Distillery use.

The Planning and Zoning Commission considered this item at their August 11, 2025 meeting where a representative of the applicant was present and there were no public speakers. The Commission forwarded a recommendation for approval to the City Council (10 in favor, 0 opposed) subject to the attached conditions.

Budget Impact: (revenue generated, estimated cost, CIP item, etc.)

Fiscal Impact: N/A

Account #: N/A

Project #: N/A

RCA prepared by: MPB Dept. Dir. [Signature] Finance Dir. N/A Dir. of Admin. [Signature]

CU-2025-19: 691 N Main Street– Recommended Conditions

1. This conditional use permit for a liquor sales and craft distillery use is issued to the applicant (Brandon Eckardt) and business (Naked Spirits LLC) only for the property located at 691 N Main Street and is not transferable to another location and/or tenant/business.
2. Approval of this Conditional Use Permit is not approval of a liquor license. A liquor license shall be approved by the City Council prior to any liquor sales.
3. This establishment shall maintain the occupancy limitation as established by the Fire Marshal.
4. Any change to the submitted proposal, including but not limited to hours of operation, expansion of use, etc. may require additional City approval.
5. Non-compliance with any of the building codes, property maintenance codes, fire codes, noise control regulations or conditions of this approval is grounds for revocation of the conditional use approval.
6. Violations of Chapter 600 dealing with Liquor/Alcoholic Beverages may be grounds for revocation of this Conditional Use.



AGENDA ITEM #6

**STAFF REPORT
CASE NO. CU-2025-19
LIQUOR SALES
& CRAFT DISTILLERY
691 N MAIN STREET**

**AUGUST 11, 2025
BY MADELYN P. BROWN**

APPLICANT: Brandon Eckardt
Naked Spirits LLC
3235 Reed Crossing Place
St. Charles, Missouri 63301

PROPERTY OWNER: City of St. Charles
200 N 2nd Street
St. Charles, Missouri 63301

ADDRESS/LOCATION: 691 N Main Street
Ward 1

ACREAGE: 3.36 acre parcel (overall)

EXISTING ZONING: FD/FPD Frenchtown District within the Frenchtown
Preservation District

PROPOSED USE: Liquor Sales and Craft Distillery

SUMMARY/ANALYSIS

This Conditional Use request is for liquor sales and a craft distillery use for a new business, Naked Spirits, located at 691 N Main Street. The subject property is commonly known as the Sawtooth Building, and is a part of the future City Center Complex, which will also contain the new St. Charles City Hall along with other municipal functions. The City has worked with the applicant to lease out a portion of the Sawtooth building for the distillery operations of Naked Spirits.

The property is zoned FD/FPD Frenchtown District within the Frenchtown Preservation District, which requires a conditional use approval for a craft distillery and liquor sales use. The applicant has provided a business plan which details the operations of the proposed business. This location will serve as a production and storage site only. Liquor will not be distributed from this location but not consumed on site. While the subject property is the primary production site for the business, no more than 5,000 gallons will be produced per year. Additionally, no more than 240 gallons will be stored at one time. The building will house packaging materials, a still, and the bottling line. Regular business hours will not be maintained, as the location is not open to the

public or be staffed on a daily basis. However, any operations will cease prior to 11:00 p.m. to be in full compliance with Frenchtown District standards for businesses holding a liquor license (11:00 pm required closing time).

Also associated with the operations of the proposed business is a location for a restaurant use and small batch distilling (also on the agenda for approval this evening via application CU-2025-18). This is to take place at 1116 N 2nd Street.

While the property falls within the Frenchtown Perseveration District, this application does not include a site plan requiring review by the Landmarks Board as there are no exterior improvements planned.

Consistency with Comprehensive Plan

The St. Charles Comprehensive Plan adopted in 2002, and updated in 2012, recommends that land use decisions be based on a project's location and compatibility with surrounding development. The Comprehensive Plan identifies 15 activity centers in the city, locations characterized by elevated levels of development, density and activity. The activity centers are the most prominent, visible and intensely developed locations in the city. The plan recommends that development should gradually decrease in density as distance from an activity center increases. The activity centers should be surrounded by land uses that gradually decrease in levels of activity, traffic and density. Proposed new uses should be judged based upon its distance from the nearest activity center, its compatibility with what surrounds it, and whether the level of development it will generate contributes to a gradual decline in density or acts counter to that goal. This property is located within Activity Center #6 (Historic Downtown). The proposed uses at this location can be compatible with its broader surroundings and neighboring uses along the corridor.

Consistency with Conditional Use standards

Section 400.980 of the City Code outlines standards of review for the conditional use application. The standards are as follows:

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Regarding a) and b), Conditional Uses are not allowed by-right as they can be problematic if not located and/or conditioned properly. In this case, the proposals are located on N Main Street nearest to Activity Center #6. This intensity pattern is consistent with the goals of the Comprehensive Plan, and the proposed use at this location could operate in conformance with the density, intensity, and activity guidelines provided above.

- c) Whether the proposed conditional use, in its proposed location and as depicted on the required site plan, results in a substantial or undue adverse impact on the adjacent property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions and policies of the Zoning Ordinance, Comprehensive Plan, or any other plan, program, or ordinance adopted or under consideration pursuant to official notice by the city.

Based upon a review of the proposed land uses, if conditioned properly and operated in compliance with the Zoning Ordinance, the proposal should not have an adverse impact on the character of the neighborhood, public safety and general welfare of the city.

- d) Whether the proposed conditional use maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property as directed by the Comprehensive Plan.

Staff believes the proposed uses can be compatible within its commercial/residential surroundings. Staff believes this use, if conditioned properly, can operate in a manner that is consistent with the area and as directed by the Comprehensive Plan

- e) Whether the proposed conditional use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.

Staff believes the proposed conditional uses in this location will not have an undue burden on public services as this proposal has been reviewed by Community Development, Finance, Engineering and Fire Departments with no outstanding comments.

- f) Whether the public benefits of the proposed conditional use outweigh the potential adverse impacts of the proposed conditional use as identified above, after taking into consideration any proposal by the petitioner and any requirements recommended by the petitioner and/or City Staff to ameliorate such impacts.

After review of the proposal, and the above standards for evaluating Conditional Uses, staff believes the proposed uses if conditioned properly would prevent any potential adverse impacts and the public benefits would outweigh any potential adverse impacts.

Furthermore, the City Code allows the Planning and Zoning Commission to recommend conditions of approval to protect surrounding properties, as well as to give consideration with respect to location in the recommendations. The proposed use complies with the above standards.

Consistency with the Frenchtown Great Streets Plan

On July 21, 2020, the City Council formally accepted and approved the findings and the plan for

the Frenchtown Great Streets Plan. This plan was a local effort with support from area residents, the City, St. Charles County and East-West Gateway Council of Governments to provide a framework for the revitalization effort of Frenchtown. The approved Great Street Plan outlines its own set of goals, including four (4) sub-districts, aimed at fulfilling the mission of the plan. After review, the proposed land use is consistent with the goals and objectives of the Frenchtown Great Streets Plan, as outlined below.

Connections and Mobility

- **Goal 1: Create a walkable and connected multi-modal street network**

This Goal under Connections and Mobility identify 11 goals to help better unite the Frenchtown into a walkable and unified district.

Complete a walkable street grid network in Frenchtown – This goal outlines the importance of connecting the Frenchtown network, into a walkable, cohesive district. One of these areas to be connected within this goal is the ACF property to the rest of N Second Street.

Development Assets

- **Goal 3: Establish sub-districts within Frenchtown**

Six (6) districts are defined under Goal 3 of Development Assets. These districts identify and group unique characteristics within Frenchtown to better guide development. The subject property is located in the area identified as the “Old Frenchtown.”

DA 03.02 Establish the Sawtooth District – The plan identifies a strategic vision for the Sawtooth District that focuses on adaptive reuse of the ACF property. The strategic vision includes creating a “unique experimental destination” with diverse uses within the ACF property. One of these uses identifies a microbrewery/craft distillery use.



- **Goal 4: Encourage New Development**

Encouraging New Development in Frenchtown is aided by concurrent efforts such as flood protection and a more walkable streetscape. Further guidance provides insight to bringing in establishments for new infill and adaptive reuse developments.

DA 04.07 Encourage a Diverse Tenant Mix – A broad mix of uses are encouraged within the district to also help differentiate the corridor from Main Street. There are currently no other establishments similar to the proposed business in the district, which will help to diversify the mix of tenants along the corridor.

STAFF RECOMMENDATION

Staff believes the proposed liquor sale and craft distillery use conforms to all City standards. After review of this application against the City's Zoning Code, Comprehensive Plan and the Frenchtown Great Streets Plan, the Department of Community Development recommends approval of the conditional use permit for a liquor sales and craft distillery use, subject to the following conditions:

1. This conditional use permit for a liquor sales and craft distillery use is issued to the applicant (Brandon Eckardt) and business (Naked Spirits LLC) only for the property located at 691 N Main Street and is not transferable to another location and/or tenant/business.
2. Approval of this Conditional Use Permit is not approval of a liquor license. A liquor license shall be approved by the City Council prior to any liquor sales.
3. This establishment shall maintain the occupancy limitation as established by the Fire Marshal.
4. Any change to the submitted proposal, including but not limited to hours of operation, expansion of use, etc. may require additional City approval.
5. Non-compliance with any of the building codes, property maintenance codes, fire codes, noise control regulations or conditions of this approval is grounds for revocation of the conditional use approval.
6. Violations of Chapter 600 dealing with Liquor/Alcoholic Beverages may be grounds for revocation of this Conditional Use.

Recommended Motion:

Motion to forward the Conditional Use Permit application for a Liquor Sales and a craft distillery use at 691 N Main Street to the City Council with a favorable recommendation, subject to the conditions recommended by staff.

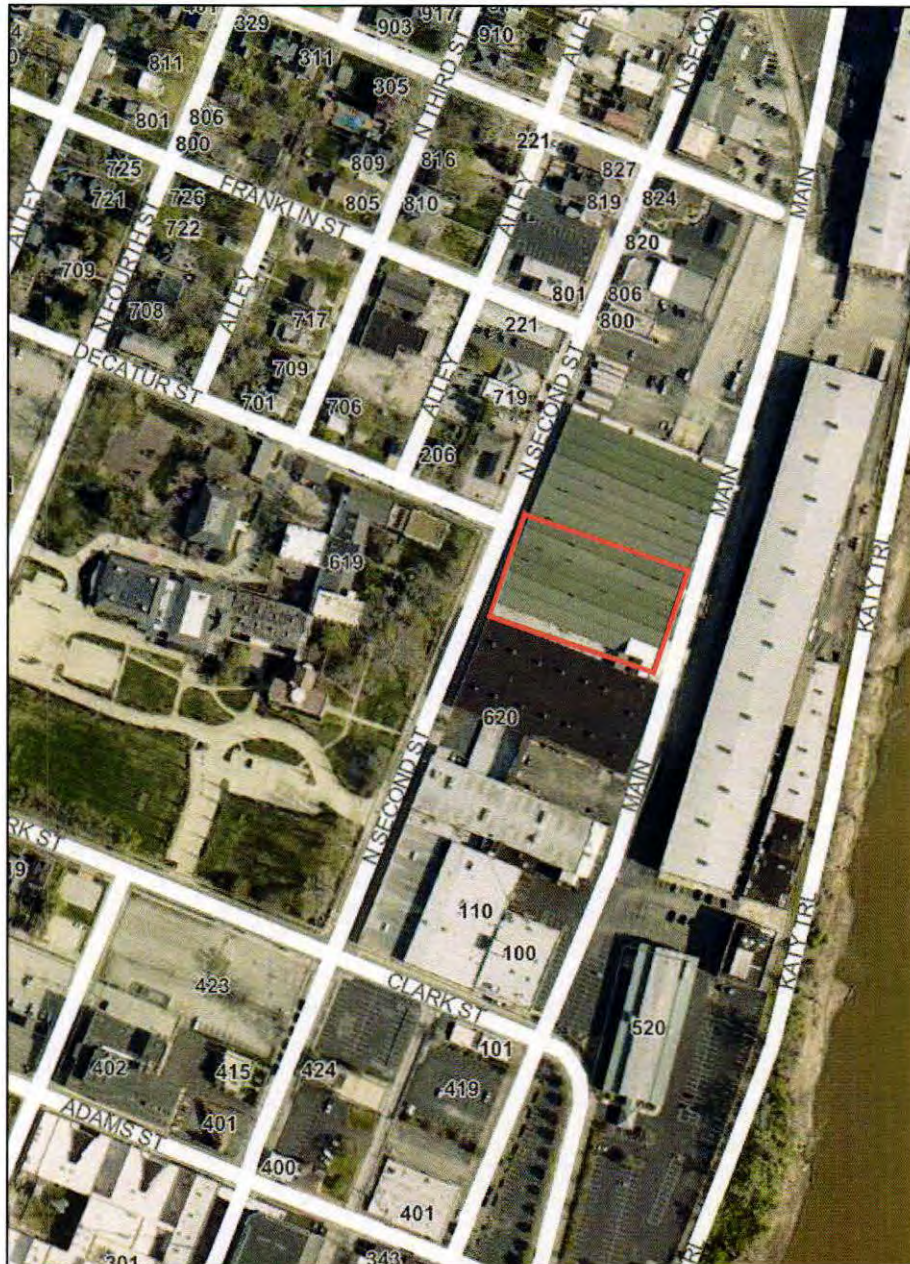


Figure 1: Aerial View of Subject Property.



Figure 2: Street View Photo of Subject Property from future Main Street extension.



Madelyn Brown
Planner
Department of Community development
City of St. Charles

Re: CU-2025-19 and CU-2025-18

Madelyn,

Thank you for your review and comments. Please find our responses below, following the order of your original points:

1. Checks will be delivered to City Hall today.
2. The two locations serve very different production purposes. At 1116, production will be limited to small-scale experimentation with recipes and tinctures, totaling less than 50 gallons annually. The Sawtooth facility is our primary production site, where we currently produce under 5,000 gallons per year. At no time will we store more than 240 gallons in the Sawtooth facility.
3. Our spirit offerings are highly experimental and evolve based on ongoing recipe development and customer feedback. While the base ingredients and production process remain consistent, flavors rotate regularly. Our website reflects the most up-to-date information.
4. Attached is the current rendering of the cocktail lounge. We are actively working with the Preservation Committee to finalize the design.
5. We are under contract with Steve Hollander Architect, who is currently preparing the drawings. A sealed set of plans will be provided upon completion.

Sincerely,
Brandon S. Eckardt
Managing Partner
Naked Spirits, LLC

From: Brandon <brandon@nakedspirits.com>
Sent: Friday, July 18, 2025 11:08 AM
To: Madelyn P. Brown
Subject: Re: Naked Spirits CUP

Follow Up Flag: Follow up
Flag Status: Completed

CAUTION: This email originated from outside of the City of Saint Charles. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Madelyn,

I'm looking forward to working with you. Below is a breakdown of our business operations across both of our locations:

Saw-tooth Building

This facility will be used exclusively for production and storage. It will not be open to the public, and there will be no on-site consumption. The space will house our packaging materials, a still, and our bottling line. It will only be in use during production runs and will not maintain regular business hours.

1116 N 2nd Street

This location will serve as our cocktail lounge and tasting bar. We will operate with regular hours and staff. Our initial hours of operation are:

- **Wednesday & Thursday:** 4 PM – 10 PM
- **Friday:** 2 PM – 11 PM
- **Saturday & Sunday:** 11 AM – 11 PM

We may adjust hours or add additional days based on demand, but we are committed to not extending hours past 11 PM at any time.

The lounge will feature a tiki-themed atmosphere and a carefully curated cocktail menu. We'll also offer a selection of local craft beers and wines. Light bites will be available from a limited menu, which we are still finalizing. Potential offerings include appetizers, pizzas, salads, charcuterie, and themed desserts. Our primary focus will be on cocktails, with food available to complement the experience.

Additionally, we will operate a small 7.5-gallon still on-site for recipe development, tincture experimentation, and educational demonstrations during private tastings.

Our targeted opening date is **October 3rd**.

Please let me know if you need any further information.

RCA FORM (OFFICE USE ONLY)

Bill # N/A

MEETING/DATE: 9/2/2025

Regular Special Work Session

ATTACHMENT: YES NO

Report Resolution Ordinance



Ward(s): 1-Otto

Sponsor(s): _____

Description:

LIQUOR LICENSE APPLICATION PUBLIC HEARING NOTICE

Case No. LL-2025-14

Applicant: Brandon Eckardt d/b/a Naked Spirits, LLC at 755 N Main Center.

License Type: Full Liquor Maker and Sunday

Contract Extension/Renewal: Yes No

Information Paper Attached: Yes No

Staff Recommendation: Approve Disapprove

Board/Committee/Commission Recommendation: Approve Disapprove

Summary:

Attached is a request from Brandon Eckardt for the grant of a liquor license for Naked Spirits, LLC located at 755 N Main Center. The license applied for is the manufacturing, distilling or blending, and for sale by the manufacturer, distiller or blender, of alcoholic beverages of all kinds. Also to sell same on Sunday during hours allowed by the laws of the State of Missouri. This is a new liquor license application. There is no liquor license currently issued for the premises.

Staff Recommendation: Approved.

Form of Motion: I move to close the Public Hearing and to grant the liquor license as presented.

Budget Impact: (revenue generated, estimated cost, CIP item, etc.)

Fiscal Impact: _____ N/A _____

Account #: N/A

Project #: N/A

RCA prepared by: PMB Dept. Dir. Jao Finance Dir. Jao Dir. of Admin. U

08/13/2025

Liquor License Application Departmental Approval Form

Please Return to Patricia Bayes / Collection Dept. A.S.A.P.

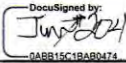
Before the attached liquor license application submitted by:

Applicant name: Brandon Eckardt
d/b/a: Naked Spirits LLC
Location: 755 N Main Center

Will be submitted to the City Council for approval, the Department Head or his authorized Assistant or Deputy from each of the below listed departments must sign off indicating either that all inspections, fees, taxes, permits and record checks, zoning or any other City requirements have been met or the fees paid or that it be known that the issuance of any City requirements not met prior to the Liquor License Application being submitted to the City Council.

A signature below indicates compliance with any or contingency on all City requirements being met.

Police Department:

Approved Signature:  _____ Date: 8/26/2025

Not Approved Reason(s): _____

08/13/2025

Liquor License Application Departmental Approval Form

Please Return to Patricia Bayes / Collection Dept. A.S.A.P.

Before the attached liquor license application submitted by:

Applicant name: *Brandon Eckardt*
d/b/a: *Naked Spirits LLC*
Location: *755 N Main Center*

Will be submitted to the City Council for approval, the Department Head or his authorized Assistant or Deputy from each of the below listed departments must sign off indicating either that all inspections, fees, taxes, permits and record checks, zoning or any other City requirements have been met or the fees paid or that it be known that the issuance of any City requirements not met prior to the Liquor License Application being submitted to the City Council.

A signature below indicates compliance with any or contingency on all City requirements being met.

Fire Department

Approved **Approved with Conditions** **Not Approved**

Conditions of Approval: _____

Reason(s) for denial: _____

Signature:  _____ Date: 8/26/2025

08/13/2025

Liquor License Application Departmental Approval Form

Please Return to Patricia Bayes / Collection Dept. A.S.A.P.

Before the attached liquor license application submitted by:

Applicant name: Brandon Eckardt
d/b/a: Naked Spirits LLC
Location: 755 N Main Center

Will be submitted to the City Council for approval, the Department Head or his authorized Assistant or Deputy from each of the below listed departments must sign off indicating either that all inspections, fees, taxes, permits and record checks, zoning or any other City requirements have been met or the fees paid or that it be known that the issuance of any City requirements not met prior to the Liquor License Application being submitted to the City Council.

A signature below indicates compliance with any or contingency on all City requirements being met.

Community Development

Zoning District FD Historic Preservation District FHD Occupancy Permit No

Approved **Approved with Conditions** **Not Approved**

Conditions of Approval _____

Reason(s) for denial: _____

Signature: DocuSigned by:
Zachary Twinger Date: 8/26/2025

Finance Department

Approved Signature: DocuSigned by:
Jennifer O'Connor Date: 8/26/2025

Not Approved Reason(s): _____

RCA FORM (OFFICE USE ONLY)

Bill # 14007

MEETING/DATE: 9/2/2025

Regular Special Work Session

ATTACHMENT: YES NO

Report Resolution Ordinance

Request for Council Action

Ward(s): 1

Sponsor(s): Bill Otto

Description:

Case No. Z-2025-07. (Charles Gilbert) An application to rezone 12,600 square feet (more or less) tract of land, located at 975 Lindenwood Avenue, from "R-1E" Single Family Residential District to "R-2" Two Family Residential District to convert an existing structure into a duplex. The subject property is located in Ward 1.

Contract Extension/Renewal: Yes No

Information Paper Attached: Yes No

Staff Recommendation: Approve Disapprove

Board/Committee/Commission Recommendation: Approve Disapprove

Summary:

The City has received a rezoning application from the property owner of 975 Lindenwood Avenue, Charles and Anna Gilbert, to rezone an approx. 12,600 square foot parcel from R-1E Single-Family Residential District to R-2 Two-Family Residential District, with the intent to convert the layout and use of the existing structure into a duplex (two-family dwelling).

The Planning and Zoning Commission held a public hearing on this item at their August 11, 2025 meeting where the applicant addressed the Commission and there was two (2) speakers from the public on this application. Generally, the speakers were in favor of the application. The Commission forwarded a recommendation for approval to the City Council (9 in favor, 0 opposed, 1 abstention).

Budget Impact: (revenue generated, estimated cost, CIP item, etc.)

Fiscal Impact: N/A

Account #: N/A

Project #: N/A

RCA prepared by: LAB Dept. Dir. [Signature] Finance Dir. [Signature] Dir. of Admin. [Signature]



AGENDA ITEM #7

**STAFF REPORT
REZONING CASE NO. Z-2025-07
975 LINDENWOOD AVENUE**

**AUGUST 11, 2025
BY LARA BERRY**

APPLICANT: Charles Gilbert
23 Eau Claire Drive
St. Charles, MO 63301

OWNER: Charles & Anna Gilbert
23 Eau Claire Drive
St. Charles, MO 63301

ADDRESS/LOCATION: 975 Lindenwood Avenue
Ward 1

LOT SIZE: 12,600 square feet

EXISTING ZONING: R-1E Single-Family Residential District

REQUESTED ZONING: R-2 Two-Family Residential District

SURROUNDING ZONING:

Direction	Zoning	Use
North	R-1E	Single-Family Residence
South	R-1E	Single-Family Residence
East	R-1E	Single-Family Residence
West	R-1E	Non-Conforming Use/Structure

SUMMARY / ANALYSIS

The City has received a rezoning application from the property owner of 975 Lindenwood Avenue, Charles and Anna Gilbert, to rezone a parcel from R-1E Single-Family Residential District to R-2 Two-Family Residential District. According to the County Assessor, there are two separate parcels associated with the address of 975 Lindenwood Avenue. One parcel is approximately 1.7 acres, while the other is approximately 12,600 square feet. The applicant is requesting to rezone only the smaller of the two parcels with the intent to convert the layout and use of the existing structure into a duplex (two-family dwelling).

Based on staff's review of limited City records, in 1953, this property was issued a Certificate of Occupancy for a Non-Conforming Use, because according to the 1954 Zoning District Map, the property was zoned "First Dwelling" which is equivalent to the current Single-Family Residential Districts (Figure 1, below). The use of the property at that time was for a hatchery, poultry dressing plant, feed sales, and poultry equipment sales in connection with poultry or live stock.

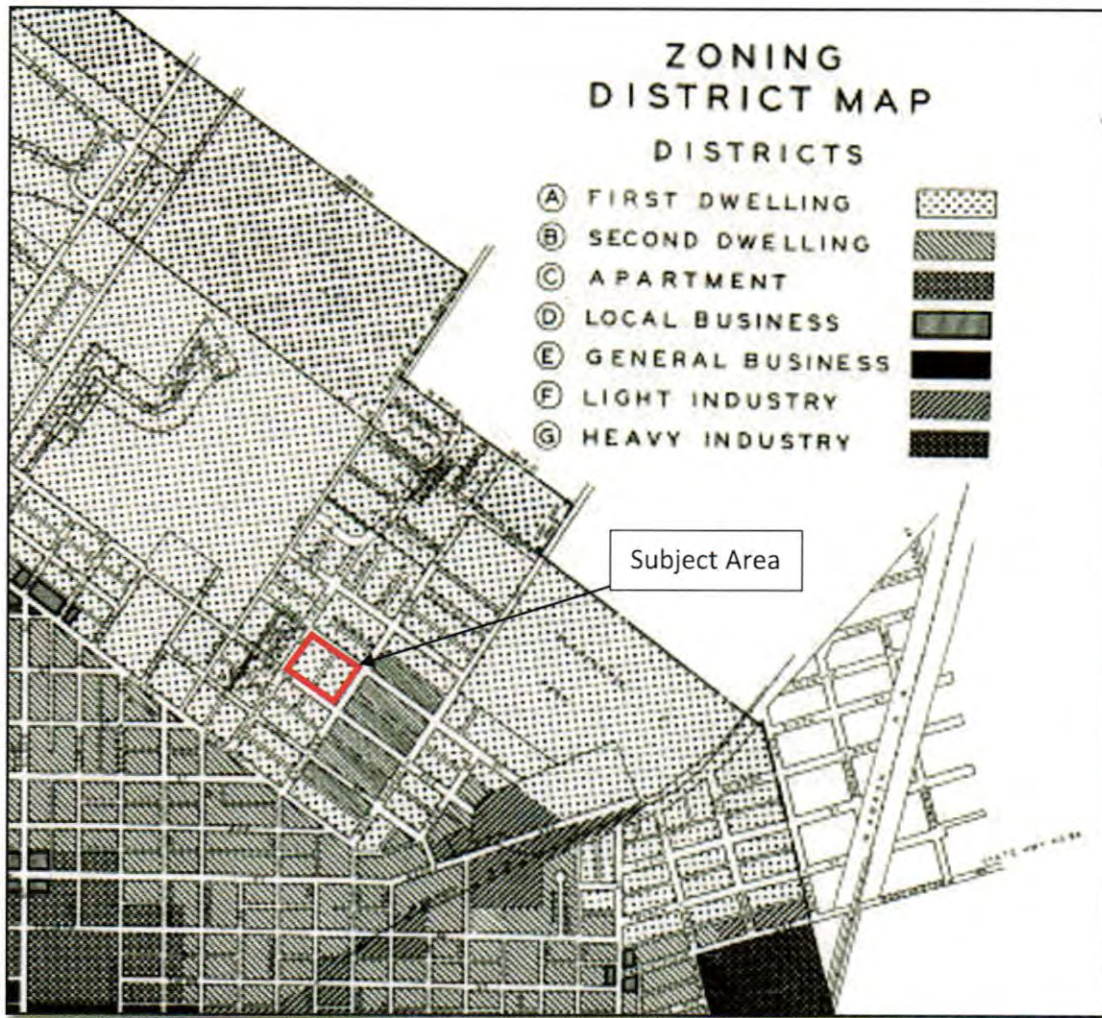


Figure 1: 1954 Zoning District Map

Most recently, the structure on the subject site was used as another non-conforming use, a commercial office for Res-Com Contractors LLC. This commercial use was also considered a non-conforming use under the existing R-1E zoning. However, as the business has not operated at this location for well over one year, the non-conforming status has lapsed, and the structure must now comply with the permitted uses of the R-1E District, more specifically in connection to this request, single-family residential use.

Although previously used as a business office, the building is residential in appearance (Figure 2, on the next page) and while records indicate the subject structure was used as an office (not a dwelling) under the most recent use, it is inconclusive whether this structure was previously used as a dwelling. However, based on the time period of the records mentioned above and architecture

of the structure, one could conclude that this was once used as a single-family residence at some point tied to the original non-conforming use (farm). The current property owners, who purchased the site in February 2024, wish to convert the existing structure into a two-family dwelling and maintain it as a rental property. Because the R-1E District does not allow duplexes, a rezoning to R-2 is necessary to accommodate the proposed use. It should be noted that the structure can be used as a rental unit; however, only as a single dwelling unit via the R-1E zoning standards (not the intended two unit dwelling).

Per the Zoning Code, “it is the intention that non-conforming uses and non-conforming structures will eventually be eliminated”. In this case, the previous non-conforming commercial use on the property has lapsed. Rather than move toward zoning conformity, the proposed rezoning would introduce a new, higher-density use that does not align with the surrounding lower-density residential zoning.



Figure 2: Street view of the Subject Property

Area Land Uses

Figure 3, below, illustrates the surrounding zoning of the subject parcel. Although the broader area includes some R-2 Two-Family and R-3A Multiple-Family Residential zoning districts and uses, the subject property and its immediately adjacent parcels remain zoned R-1E and have consistently been maintained for single-family residential dwelling uses.

There is one notable exception across the street from the subject site, 950–960 Lindenwood Avenue, that is currently used as a six (6) unit residential building, despite being zoned R-1E (also indicated on Figure 3). This structure is also considered non-conforming and is a remnant of former military housing, pre-dating zoning (which was enacted in 1947). Though it is platted as attached single-family or condominium-style units, it is treated functionally as multi-family under land use standards.

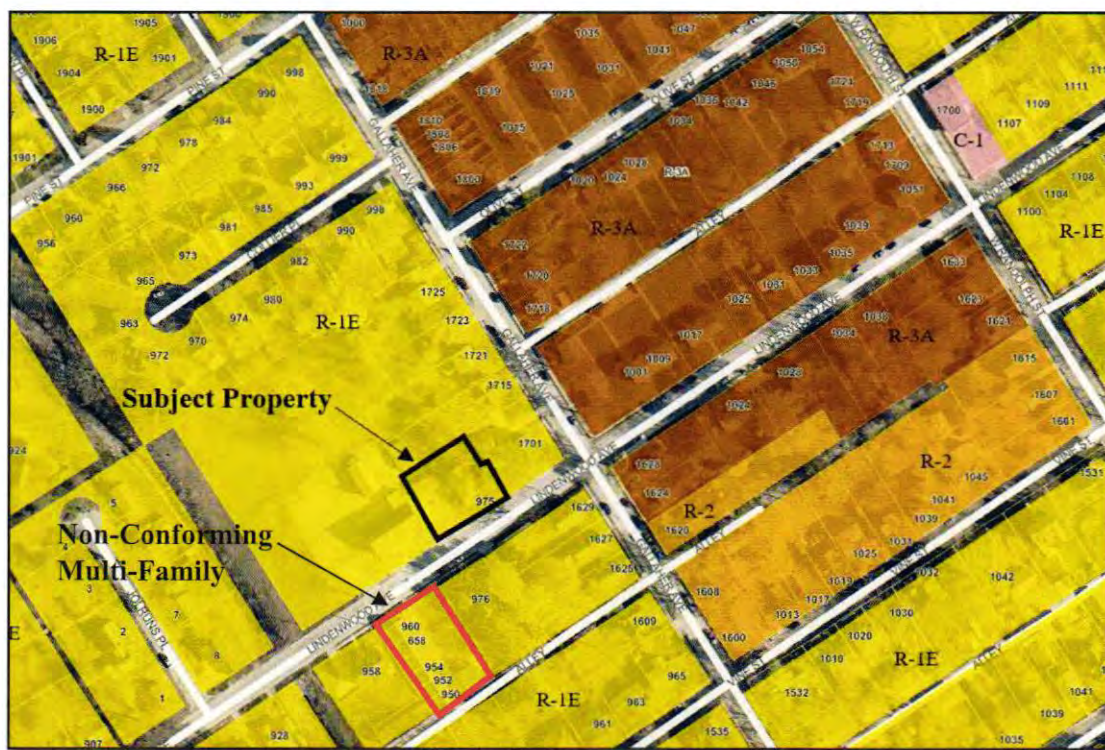


Figure 3: Area Zoning of the Subject Property

East of Gallaher Avenue, between Pine Street and Lindenwood Avenue, there is a large pocket of multi-family and two-family residential development. As the built environment moves south from Lindenwood Avenue, the zoning transitions gradually from R-3A to R-1E at Vine Street, with a continuous band of R-2 serving as a buffer between higher- and lower-density districts. This creates a logical and orderly progression in zoning intensity which is generally strived and encouraged in the City’s Comprehensive Plan. In contrast, the proposed rezoning west of this pocket of multi-family zoning would introduce a small pocket of R-2 west of Gallaher Avenue, where the area has remained consistently single-family. This would result in a fragmented pattern, moving west from Gallaher (R-3A to R-1E, then to R-2 per the proposal, and back again to R-1E),

disrupting the expected pattern of gradual, contiguous transitions in residential density. Furthermore, Gallaher Avenue itself has historically served in this area as a clear dividing line between higher-density residential uses to the east and single-family residential uses in this area.

It is staff's belief that the R-3A zoning on the east side of Gallaher is largely a product of initial zoning assignments that corresponded to existing buildings at the time zoning was first established in St. Charles and has remained so since that time. Many of the multi-family structures in that pocket were constructed around the same time the City adopted its first zoning regulations, and the zoning likely followed the built environment rather than signaling a long-range plan to expand higher-density residential further west.

In support of the rezoning request, the applicant submitted seven (7) letters or statements from area property owners, which are included in the staff report packet for reference. Of these, only two (2) are from properties that could be considered directly adjacent to the subject parcel (the smaller parcel), both located across the Lindenwood Avenue (see Figure 4, page 7 below).

While staff appreciates the applicant's efforts to gather support, it's important to note that neighborhood support alone should not determine the outcome of a rezoning request, especially when other planning considerations point in a different direction. Again, rezoning decisions must take into account the long-term goals for the area, consistency with the Comprehensive Plan, and how well the request fits within the existing zoning pattern.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The St. Charles Comprehensive Plan, adopted in 2002 and updated in 2012, recommends that land use decisions be guided by compatibility with surrounding development and proximity to designated Activity Centers. These centers are intended to support higher-density development, with intensity gradually decreasing as distance from the center increases.

The subject property lies approximately 1,000 feet southeast of Activity Center #2 (Blanchette Park). While proximity to an Activity Center can justify increased residential density in certain cases, the Comprehensive Plan notes that not all Activity Centers serve the same function. Unlike the Historic Downtown Activity Center, is centered within commercial activity and designed for walkable, mixed-use development. Blanchette Park functions as a neighborhood-serving amenity within a stable majority single-family area. The existing land use pattern surrounding the park reflects a desire to preserve lower-density character, not intensify it.

Although there are some examples of higher-density or non-conforming uses in the broader area, the subject parcel lacks direct zoning continuity with any other R-2 districts. Without a clear, contiguous connection to similar zoning, the proposed change does not appear to support the Comprehensive Plan's goals for coordinated land use transitions and cohesive neighborhood development.

STAFF RECOMMENDATION

After careful review of the rezoning request, applicable zoning regulations, the Comprehensive Plan, and surrounding development patterns, staff finds that this proposal raises concerns related to land use consistency, zoning contiguity, and long-term planning direction. While the applicant's intent to reuse the structure in a way that may support housing needs is understandable and while the applicant has submitted some documents of support from area property owners, staff must consider the broader policy implications of introducing a higher-density zoning district in the middle of an established single-family neighborhood.

As previously mentioned, Gallaher Avenue has historically served as a clear transition point between multi-family and single-family residential uses, and the surrounding area west of Gallaher has remained relatively unchanged over time. The requested R-2 zoning would represent a break in the established zoning pattern, lacks direct adjacency to other two-family/multi-family zoning districts, and may encourage a pattern of intensification in an area which has remained traditionally single-family (minus the multi-family pocket to the east).

Staff also notes that the Zoning Code supports the eventual elimination of non-conforming uses and encourages transitions that are gradual, contiguous, and consistent with neighborhood character.

For these reasons, staff hesitates to provide a favorable recommendation for the rezoning request. Although the proposed use may not appear incompatible with the area on the surface, the lack of zoning continuity, the potential for intensification of zoning, and the absence of clear support from the Comprehensive Plan lead staff to recommend against the application.

Recommended Motions:

Motion to forward application Z-2025-07, to the City Council with a favorable recommendation as submitted.

*(Note: Staff **does not** recommend this application be approved; however, the motion must be made in the form of a positive.)*



Figure 4: Aerial Photo of the Subject Property. Green stars indicate properties that are supportive of this request.

Property Owner(s) Larry Smith

Property Address 1628 Gallaher Ave.

I/We, the undersigned have no objection to the rezoning of 975 Lindenwood Avenue, St. Charles, MO 63301 and consent to the property becoming a multi-family/duplex.

Additional Comments: _____

Larry Smith
Property Owner Signature

Telephone Number: 3144774917

Dated: 8/5/25

Property Owner Signature

Telephone Number: _____

Dated: _____

Property Owner(s) Kevin & Tessa Beasley

Property Address 974 Collier Pl, St. Charles, MO 63301

I/We, the undersigned have no objection to the rezoning of 975 Lindenwood Avenue, St. Charles, MO 63301 and consent to the property becoming a multi-family/duplex.

Additional Comments: No objections!

Kevin Beasley
Property Owner Signature
Telephone Number: 731-363-4325
Dated: 8-5-2025

Tessa Beasley
Property Owner Signature
Telephone Number: 608-434-1278
Dated: 8-5-2025

Property Owner(s) Keith Robben MD and David Kullberg

Property Address 1429 Gallacher Ave St. Charles MO 63301

I/We, the undersigned have no objection to the rezoning of 975 Lindenwood Avenue, St. Charles, MO 63301 and consent to the property becoming a multi-family/duplex.

Additional Comments: _____

Dr. Keith Robben

Property Owner Signature

Telephone Number: 314-808-6511

Dated: 8/5/2025

David Kullberg

Property Owner Signature

Telephone Number: 314-461-3023

Dated: 8-5-25

Property Owner(s) Samuel Crosby
Property Address 998 Collier Pl. St. Charles, MO 63301

I/We, the undersigned have no objection to the rezoning of 975 Lindenwood Avenue, St. Charles, MO 63301 and consent to the property becoming a multi-family/duplex.

Additional Comments: _____

Sam Crosby
Property Owner Signature
Telephone Number: 636-317-8947
Dated: 8-5-25

Property Owner Signature
Telephone Number: _____
Dated: _____

Property Owner(s) ROSE HARRELL

Property Address 976 LINDENWOOD AVE.

I/We, the undersigned have no objection to the rezoning of 975 Lindenwood Avenue, St. Charles, MO 63301 and consent to the property becoming a multi-family/duplex.

Additional Comments: NO OBJECTION

Rose Harrell
Property Owner Signature
Telephone Number: 636-219-3184
Dated: 8/5/2025

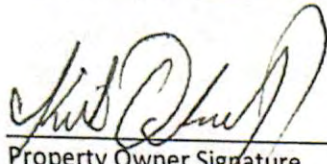
Property Owner Signature
Telephone Number: _____
Dated: _____

Property Owner(s) Kirk & Lisa Clenduff

Property Address 980 Collier Pl 63301

I/We, the undersigned have no objection to the rezoning of 975 Lindenwood Avenue, St. Charles, MO 63301 and consent to the property becoming a multi-family/duplex.

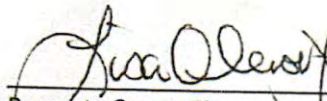
Additional Comments: NO Objections!



Property Owner Signature

Telephone Number: 636-288-7715

Dated: 8/5/25



Property Owner Signature

Telephone Number: 314-650-3291

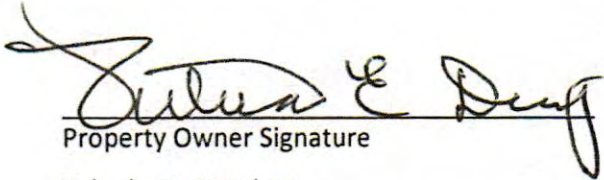
Dated: 8/5/25

Property Owner(s) Victoria Day

Property Address 1810 Gallaher

I/We, the undersigned have no objection to the rezoning of 975 Lindenwood Avenue, St. Charles, MO 63301 and consent to the property becoming a multi-family/duplex.

Additional Comments: No objection



Property Owner Signature

Telephone Number: _____

Dated: 8/5/25

Property Owner Signature

Telephone Number: _____

Dated: _____

APPLICATION FOR CERTIFICATE OF OCCUPANCY FOR A NON-CONFORMING
USE IN COMPLIANCE WITH SECTION 25 OF ORDINANCE

NO. 2529

(To be completed by owner or occupant.)

No. 30-A

Date August 24th, 1954

TO THE BUILDING COMMISSIONER
OF THE CITY OF ST. CHARLES, MISSOURI

1. We the undersigned owners of the premises hereinafter described, do hereby make application for a certificate of occupancy for a non-conforming use.

2. LOCATION OF PREMISES:-

(a) Street address: 975 Lindenwood Ave.
1 to 6 incl.

(b) Lot.No. _____ Block No. 6 Subdivision Mason F. Atkins
Parts of lots 7 to 12 incl.

(c) Legal description (including dimensions) of lot:

All of block 6 of Mason F. Atkins Addition to the City of St. Charles, Mo., as same is located, designated and described on the Plat of said Addition recorded in Plat Book No. 3, at page 6, of the Recorder's Office of St. Charles County, Missouri, except all or portions of lots 7 to 12 inclusive that have since been deeded to Henry C. Vogt, Francis W. Vogt, Ignatius Vogt & Mrs. Sophia Vogt or Della Dieckherber.

Lots 1 and 6 are shown on plat as 60 x 210'

Lots 7 and 12 are shown on plat as 60 x 200 ft.

Lots 2 to 5 inclusive are shown as 50 x 210'

Lots 8 to 11 inclusive are shown as 50 x 200'

3. Said premises are located within District A, as established by Ordinance No. 2529.

4. On December 22nd., 1953, said premises were being used as:

a Hatchery, poultry dressing plant, feed sales, poultry equipment sales and miscellaneous equipment in connection with poultry or live stock.

5. Said premises were non-conforming within the provisions of said Ordinance, as of December 22, 1953, and remain non-conforming as of this date, because of the following reasons, to-wit:

for reasons as above stated under item No. 4

6. Said non-conforming use was not established in violation of Ordinance No. 2529.

Henry C. Vogt
Francis W. Vogt
Sophia Vogt
(signatures of applicants)

State of Missouri }
County of _____ } ss.

_____ being
first duly sworn state upon _____ oath that the facts set forth in the foregoing application for certificate of occupancy are true and correct.

Henry C. Vogt
Francis W. Vogt
Sophia Vogt

Subscribed and sworn to before me this 3 day of Aug, 1954

Paul D. Dierker
Notary Public

My Commission expires Sept 11 '57.





CITY PLAN

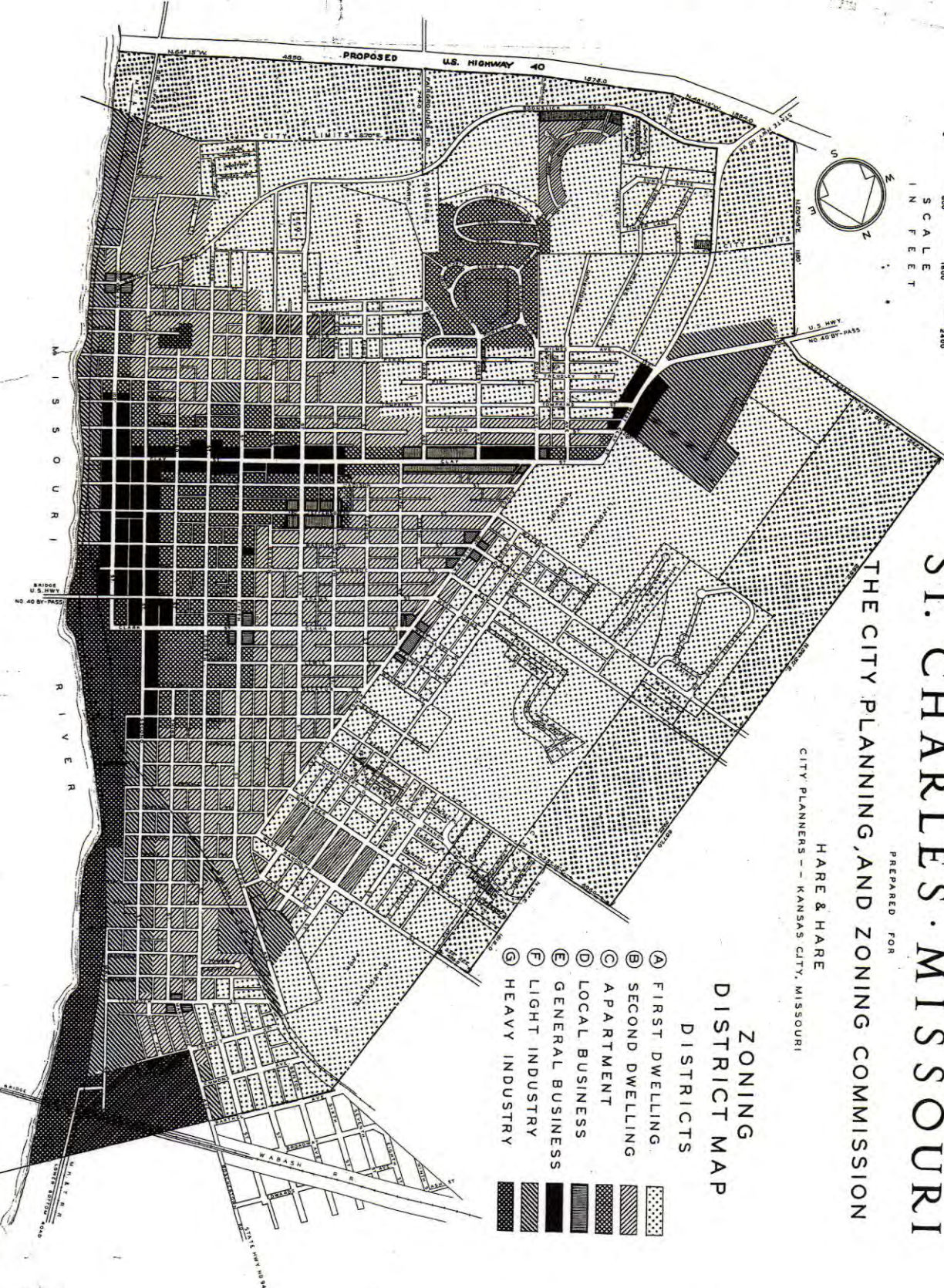
ST. CHARLES · MISSOURI

THE CITY PLANNING, AND ZONING COMMISSION

PREPARED FOR
HARE & HARE
CITY PLANNERS - KANSAS CITY, MISSOURI

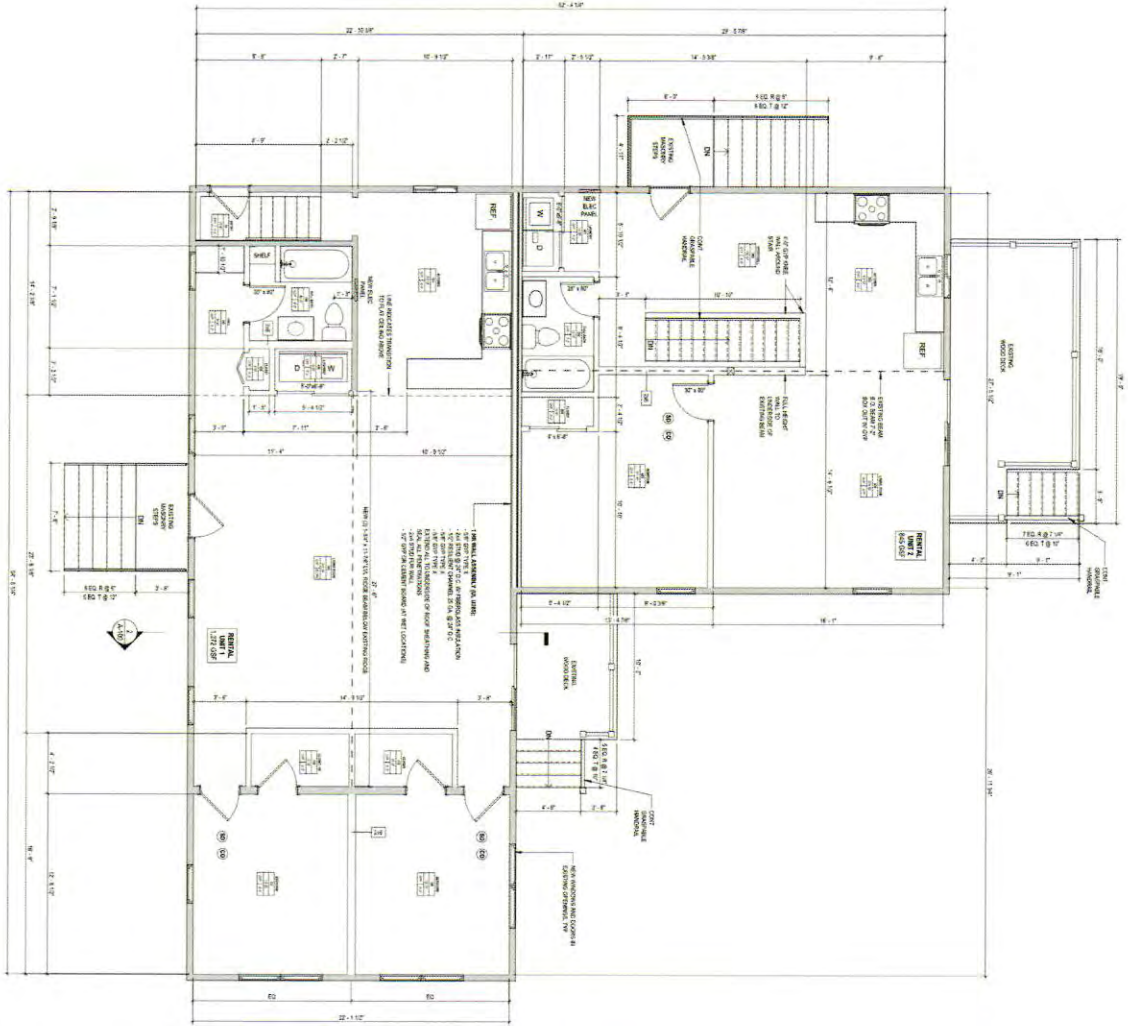
ZONING DISTRICT MAP

- (A) FIRST DWELLING
- (B) SECOND DWELLING
- (C) APARTMENT
- (D) LOCAL BUSINESS
- (E) GENERAL BUSINESS
- (F) LIGHT INDUSTRY
- (G) HEAVY INDUSTRY

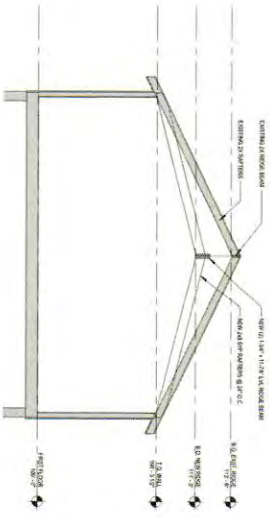


OFFICE CITY ENGINEER
ST. CHARLES, MO.
NOV. 1934
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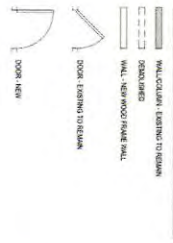
1 FIRST FLOOR PLAN



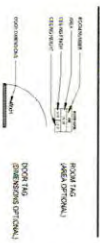
2 BUILDING SECTION



LEGEND



ANNOTATION LEGEND



FLOOR PLAN GENERAL NOTES

1. ALL NEW OR RECONSTRUCTION SHALL BE IN ACCORDANCE WITH THE 2018 INTERNATIONAL RESIDENTIAL CODE AND ALL APPLICABLE LOCAL ORDINANCES.
2. ALL DIMENSIONS ARE TO FINISH UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

ELECTRICAL GENERAL NOTES

1. ALL ELECTRICAL SHALL BE INSTALLED IN ACCORDANCE WITH THE 2018 NATIONAL ELECTRICAL CODE (NEC) AND ALL APPLICABLE LOCAL ORDINANCES.
2. ALL ELECTRICAL SHALL BE INSTALLED IN ACCORDANCE WITH THE 2018 NATIONAL ELECTRICAL CODE (NEC) AND ALL APPLICABLE LOCAL ORDINANCES.
3. ALL ELECTRICAL SHALL BE INSTALLED IN ACCORDANCE WITH THE 2018 NATIONAL ELECTRICAL CODE (NEC) AND ALL APPLICABLE LOCAL ORDINANCES.
4. ALL ELECTRICAL SHALL BE INSTALLED IN ACCORDANCE WITH THE 2018 NATIONAL ELECTRICAL CODE (NEC) AND ALL APPLICABLE LOCAL ORDINANCES.
5. ALL ELECTRICAL SHALL BE INSTALLED IN ACCORDANCE WITH THE 2018 NATIONAL ELECTRICAL CODE (NEC) AND ALL APPLICABLE LOCAL ORDINANCES.

Aug 5, 2025

To whom it may concern,
Case # Z-2025-07

We do not see a problem with rezoning 975 Lindenwood Ave from a single family residential district into a two family residential district.

The Gilberts have been conscientious property owners of other properties they have in both upkeep and tenants.

Thank you for your time.

Allen & Angela Gibbs
1609 Gallacher Ave.

Lara Berry

From: Anna Gilbert <anag12002@yahoo.com>
Sent: Monday, August 11, 2025 1:29 PM
To: Dan Borgmeyer; Michael Galba; Bill Otto; Laura Lynn Whitehead; Lara Berry
Subject: Re: Agenda Item 7. Case No. Z-2025-07 (Charles Gilbert)
Attachments: Lindenwood Permits.pdf; Lara Berry Email.pdf

CAUTION: This email originated from outside of the City of Saint Charles. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor Dan, Councilmember Galba and Councilmember Otto:

In regard to the rezoning application of 975 Lindenwood, we wanted to provide the following response to Staff's Recommendation prior to this evening's meeting and kindly ask that you review same.

- The subject property lies approximately 1,000 feet southeast of Activity Center #2 (Blanchette Park).
- The Comprehensive Plan states "Use the fifteen (15) activity centers identified in Section II as the foundation of a plan that evaluates proposed new land uses on the basis of their proximity to an activity center, rather than on a site-specific map"
- Staff states that the proximity to an Activity Center can justify increased residential density however staff suggests Blanchette Park does not function as other Activity Centers. The Comprehensive Plan however states that "Blanchette Park and Wapelhorst Park are both key components of the City of St. Charles parks system. Blanchette Park's Bum's Hollow area has become a destination for summertime outdoor concerts and Memorial Hall continues to host a variety of events." In addition, the Plan states Blanchette Park and Wapelhorst Park "provides a unique set of amenities and they are among the most frequented parks in the City"
- The Comprehensive Plan states the goal is to "Adopt a land use philosophy that recognizes the activity centers as points of greatest density and/or most intense use, with land uses that are less dense and intense located in proportion to their distance from the nearest activity center. "
- That the "Zoning Code encourages transitions that are gradual, contiguous, and consistent with neighborhood character"
- In regard to the R-3A zoning on the east side of Gallaher, many government housing/HUD/Section 8 complexes are located within that zone. And although those properties are not directly adjacent to 975 Lindenwood, they are directly adjacent to 1701 Gallaher, which is the home next to the subject property, located at the corner of Lindenwood and Gallaher.
- That the proposed use is compatible with the area.
- The proposed use is not to construct a new building but rather to use the existing structure to contain a one bedroom unit and a 2 bedroom unit.
- That, as evidenced by the attached, permits were issued by the City to establish new electrical service in Ste. A and Ste. B of the subject property. The permit for Ste. A was completed January 17, 2025 and the

permit for Ste. B was completed June 9, 2025. The City issued these permits with the knowledge that the subject property is zoned as R-1E and cannot contain multiple units.

- Also attached is the email received from Lara Berry which sets forth the required steps to convert the property into a two-family dwelling. Other than paving the driveway/parking spots, all were completed.

In addition, I have included Lara Berry in this email and request that she forward this email and attachments to the entire commission.

We are aware that you are extremely busy so we appreciate you taking the time to review the above. If you have any questions, feel free to call or email.

Regards,
Anna Gilbert
636-443-3782

On Friday, August 8, 2025 at 11:36:55 AM CDT, Laura Lynn Whitehead <lauralwhitehead7@gmail.com> wrote:

mo-stcharles2.civicplus.com

Good morning Mayor Dan, Councilmember Galba and Councilmember Otto.

The above case is listed on next Monday's P&Z agenda for the Commission's consideration. I have been contacted by the applicants, who are dear friends of mine, asking for guidance on the public hearing process at the meeting next Monday. Upon reviewing their application and staff's recommendation with the Gilberts, we discovered that staff is recommending to deny this rezoning request.

Therefore, I am kindly asking that you please review their application and consider supporting their request.

I have copied Mrs. Anna Gilbert on this email who can answer any questions you may have. I've also copied Mr. Otto who has communicated to Charlie Gilbert that he is in favor of the rezoning application.

Thank you for your time and I will see you on Monday night!

Sincerely,
Laura

<https://mo-stcharles2.civicplus.com/AgendaCenter/ViewFile/Agenda/08112025-1731>

Sent from my iPhone

Meters at 975 Lindenwood

From: T & R Electric (tandrelectric@sbcglobal.net)

To: anag12002@yahoo.com

Cc: tandrelectric@sbcglobal.net

Date: Monday, August 11, 2025 at 10:21 AM CDT

T & R Electric
1720 Scherer Pkwy
St Charles, MO 63385
636-946-1022 - office
tandrelectric@sbcglobal.net

Meter A and Meter B were issued separate permits by the city of St Charles. Meter B was removing and upgrading the current power to the house. Meter A was installed to separate the 2 interior spaces of the property. The first permit was 2025-00000191 Meter B. The 2nd permit was issued 2025-00000248 Meter A. Both permits were inspected and passed and completed.

Jim Podhorsky
President

636-946-1022 office
314-280-6863 cell
tandrelectric@sbcglobal.net



PermitDetailsmeterA.pdf
144.9 KB



PermitDetailsmeterB.pdf
146.6 KB



975 Lindenwood.jpg
238.7 KB

City of Saint Charles Permits

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Welcome, tandrelectric [Logout](#)

Permit Summary

Permit Type Electrical Charge - CD
Permit # 2025-00000248
Application #
Status **Permit Completed on**
06/09/2025
Issued To Contractor

Payment Summary

Total Charges \$50.00
Amount Collected \$50.00
Total Due \$0.00
Paid On 01/15/2025

Location

Primary Owner GILBERT CHARLES & GILBERT ANNA
Address 975 LINDENWOOD AVE STE A SAINT CHARLES MO, 63301
Parcel 6-006D-8222-00-0
Location Description
Lot Number 11
Subdivision Atkins

Permit Details

Description
 new service part a premise #739-031-101

Email tandrelectric@sbcglobal.net

Phone Number (314) 280-6863

EXT.

Current Property Value \$0.00

Est. Improvement Value \$0.00
Improvement Sq. Ft. 0
Printed
Master Permit
Comments
E-PERMIT APPLICATION INFORMATION
 * **Inspection Request - Weekday** Wednesday ▾
 * **Inspection Request - Day** 22 ▾
 * **Inspection Request - AM/PM** AM ▾
 * **Owner Address** 975 lindenwood ave
 * **On-Site Contact - Name/Number** jim podhorsky
 314-280-6863
SUBCONTRACTORS
ELECTRICAL ▾
GENERAL PERMIT INFORMATION
FLOOD ZONE ▾

Inspections

Date	Inspection Type	Request Inspection Comment	Status	Pass/Fail	Inspector Comment
01/17/2025	<u>225 - ELECTRICAL, FINAL</u>	<u>Add Comment</u>	Completed	Pass	REQUEST

Conditions
 There are no conditions available for this Permit

CheckLists

Completed	Sequence Number	Activity	Checklist Type	Reviewed By
	1	BUILDING	DEPARTMENT	

Notes
 There are no notes available for this Permit.

Documents (0)

Filename	Created Date
Select Files To Upload Download Selected Files	

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City of Saint Charles Permits

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Welcome, tandrelectric [Logout](#)

Permit Summary

Permit Type Electrical Charge - CD
Permit # 2025-00000191
Application #
Status **Permit Completed on**
01/17/2025
Issued To Contractor

Payment Summary

Total Charges \$50.00
Amount Collected \$50.00
Total Due \$0.00
Paid On 01/14/2025

Location

Primary Owner GILBERT CHARLES & GILBERT ANNA
Address 975 LINDENWOOD AVE STE B SAINT CHARLES MO, 63301
Parcel 6-006D-8222-00-0
Location Description suite B new service
Lot Number 11
Subdivision Atkins

Permit Details

Description
 add 200 amp meter and panel

Email tandrelectric@sbcglobal.net
Phone Number (314) 280-6863
EXT.

Current Property Value	\$0.00
Est. Improvement Value	\$0.00
Improvement Sq. Ft.	0
Printed	
Master Permit	
Comments	contact jim podhorsky 3142806863 with any questions

E-PERMIT APPLICATION INFORMATION

* **Inspection Request - Weekday** Wednesday ▾

* **Inspection Request - Day** 22 ▾

* **Inspection Request - AM/PM** AM ▾

* **Owner Address** 975 lindenwood ave

* **On-Site Contact - Name/ Number** jim podhorsky
314-280-6863

SUBCONTRACTORS

ELECTRICAL ▾

GENERAL PERMIT INFORMATION

FLOOD ZONE ▾

Inspections

Date	Inspection Type	Request Inspection Comment	Status	Pass/Fail	Inspector Comment
01/17/2025	225 - ELECTRICAL, FINAL	Add Comment	Completed	Pass	

Conditions

There are no conditions available for this Permit

CheckLists

Completed	Sequence Number	Activity	Checklist Type	Reviewed By
<input checked="" type="checkbox"/>	1	BUILDING	DEPARTMENT	

Notes

There are no notes available for this Permit.

Documents (0)

Filename	Created Date
----------	--------------

Select Files To Upload Download Selected Files

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Fwd: 975 Lindenwood Meeting

From: Charlie Gilbert (gilbertcharlie19@gmail.com)
To: anag12002@yahoo.com
Date: Sunday, July 13, 2025 at 04:51 PM CDT

----- Forwarded message -----
From: **Lara Berry** <Lara.Berry@stcharlescitymo.gov>
Date: Fri, Jul 11, 2025, 4:12 PM
Subject: RE: 975 Lindenwood Meeting
To: Charlie Gilbert <gilbertcharlie19@gmail.com>

Charlie,

Please see the attached Digital Submittal Directions, as discussed.

Thanks,



Lara Berry
Planner
Department of Community Development
City of Saint Charles

200 North Second Street
St. Charles, MO 63301
Phone 636.949.3230

From: Lara Berry
Sent: Thursday, June 26, 2025 4:39 PM
To: 'Charlie Gilbert' <gilbertcharlie19@gmail.com>
Subject: 975 Lindenwood Meeting

Charlie,

Following up on our Tuesday meeting, the following steps would be required to convert the former office structure into a two-family dwelling unit:

Rezone the property to R-2 Two-Family Residential

- Link to the rezoning application: <https://www.stcharlescitemo.gov/DocumentCenter/View/10966/Rezoning-Application>
- Link to the schedule of meeting dates and deadlines for the Planning & Zoning Commission: <https://www.stcharlescitemo.gov/DocumentCenter/View/13368>
 - o The next available deadline is July 14th for the August 11th Commission meeting. At the Planning & Zoning Commission meeting, the Commission only provides a recommendation (does not approve or deny the application) to City Council. Following the P&Z meeting, there would be two (2) City Council meetings. Given this meeting schedule, the property could potentially be approved for the rezoning by September 16th (the 2nd Council meeting date).
- As discussed, this process takes roughly 60 days from the submittal deadline to potential approval. Since this is a public hearing, staff recommends speaking with the neighboring properties and the Councilmember for that ward. Staff typically asks the Councilmember whose ward the property is located in if they are willing to sponsor the rezoning bill. Here is a link to Ward 1's Councilmember, Mr. Otto: <https://www.stcharlescitemo.gov/1292/Ward-1>

Additionally, here are some items to keep in mind for the request:

- Paved driveway/parking (2 spaces per dwelling) and making the property look more residential than commercial.
- Support from the neighbors (in person and/or letters)
- Remove all trailer, RV, etc. storage before the application deadline (July 14th). Using the property for this purpose violates the Zoning Code for R-1E Single-Family Residential.

Please let me know if you'd like to meet again or have any additional questions about this property.



Lara Berry

Planner

Department of Community Development

City of Saint Charles

200 North Second Street

St. Charles, MO 63301

Phone 636.949.3230



image001.jpg
966.1 KB



PZ Digital Submittal Directions.pdf
105.6 KB



image002.jpg
3.9 KB



image005.jpg
3.9 KB

Bill No. 14007

Ordinance No. _____

Sponsor: Bill Otto

AN ORDINANCE REZONING TO ST. CHARLES CITY ZONING DISTRICT “R-2” TWO-FAMILY RESIDENTIAL DISTRICT FROM ST. CHARLES CITY ZONING DISTRICT “R-1E” SINGLE-FAMILY RESIDENTIAL DISTRICT AN APPROXIMATE 12,600 SQUARE FOOT TRACT OF LAND LOCATED AT 975 LINDENWOOD AVENUE.

Whereas, an application for rezoning property was received from the owners of this land; and

Whereas, the Planning and Zoning Commission of the City of Saint Charles, Missouri, considered this application at its August 11, 2025 meeting and made a favorable recommendation (9 in favor, 0 opposed, 1 abstention) to the City Council; and

Whereas, the Council of the City of Saint Charles, Missouri, held a Public Hearing on this proposed zoning; and

Whereas, citizens were provided an opportunity to speak on this proposed zoning at the Public Hearing.

Now, Therefore, Be It Ordained by the Council of the City of Saint Charles, Missouri, as Follows:

SECTION 1. Chapter 400 of the Code of Ordinances of the City of Saint Charles, Missouri, is hereby amended by making the following change in the District Zoning map which is on file in the Office of the City Clerk:

An approximate 12,600 square foot tract of land located at 975 Lindenwood Avenue is rezoned from St. Charles City Zoning District “R-1E” Single-Family Residential District to St. Charles City Zoning District “R-2” Two-Family Residential District. The parcel of land is more particularly described in the attached Exhibit A and incorporated by this reference.

SECTION 2. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

Bill No. 14007

Date Passed

Michael Galba, Presiding Officer

Date Approved by Mayor

Daniel J. Borgmeyer, Mayor

Approved as to Legal Form:

Attest:

Holly Magdziarz 8/21/2025
Holly Magdziarz, City Attorney Date

Kimberly Hudson, City Clerk



EXHIBIT A

Adjusted Lot 11 of Mason F. Atkins Subdivision Boundary Adjustment Plat of Lots 11 and 12, Block 6 as recorded in Plat Book 36 page 26 in the St. Charles County, Missouri Recorder's Office.

Subject to building lines, conditions, easements, restrictions of record, and any zoning laws or ordinances affecting this property, if any.

Parcel ID: 6-006D-8222-00-0011.0000000

RCA FORM (OFFICE USE ONLY)

Bill # 14009

MEETING/DATE: 9/2/2025

Regular Special Work Session

ATTACHMENT: YES NO

Report Resolution Ordinance

Request for Council Action

Ward(s): 6 upon annex

Sponsor(s): Justin Foust

Description:

Case No. Z-2025-08. (CRG Cumulus, LLC) An application to annex and establish the zoning for 1.26-acre (more or less) tract of land from St. Charles County "A" Agricultural District to the City of St. Charles "I-1/WHP" Light Industrial District and within the Wellhead Protection District. The subject property is generally located on the west side of Hayford Road and approximately 1,450 feet north of Elm Point Road.

Contract Extension/Renewal: Yes No

Information Paper Attached: Yes No

Staff Recommendation: Approve Disapprove

Board/Committee/Commission Recommendation: Approve Disapprove

Summary:

The City has received an application to establish zoning for a 1.26 acre (more or less), upon annexation from St. Charles County "A" Agricultural District to the City of St. Charles "I-1/WHP" Light Industrial District, within the Wellhead Protection District. This annexation closes a gap in the municipal boundaries as well as brings the subject property under consistent zoning with adjoining properties, including the City's Wellhead Protection District (WHP) boundary. Under St. Charles County's jurisdiction, the subject property is located outside of their WHP District boundary.

The Planning and Zoning Commission held a public hearing on this item at their August 11, 2025 meeting where representatives of the applicant addressed the Commission and there was seven (7) speaker from the public. Generally, the speakers' comments pertained to a now WITHDRAWN application (CU-2025-10), not applicable to the zoning request. The zoning establishment request was forwarded with a recommendation for approval (8 in favor, 2 opposed). Also included with this packet are six (6) public comment letters.

Budget Impact: (revenue generated, estimated cost, CIP item, etc.)

Fiscal Impact: N/A

Account #: N/A

Project #: N/A

RCA prepared by: LAB Dept. Dir. [Signature] Finance Dir. [Signature] Dir. of Admin. [Signature]

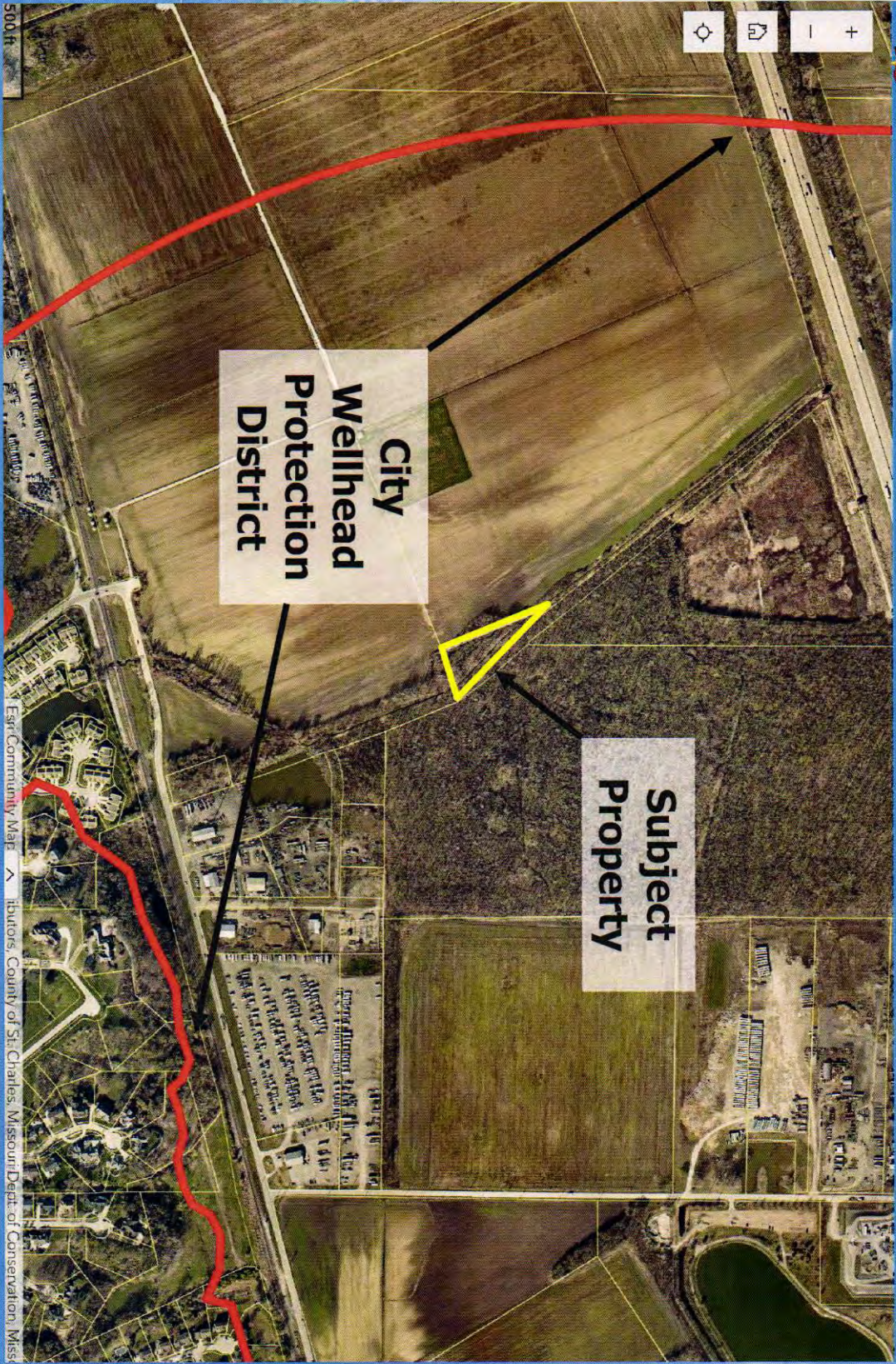


**Subject
Property**

**County
Wellhead
Protection
District**



Show Me Saint Charles



City Wellhead Protection District

Subject Property

500 ft

Esri Community Map | Contributors, County of St. Charles, Missouri Dept. of Conservation, Miss





AGENDA ITEM #4

**STAFF REPORT
CASE NO. Z-2025-08
ANNEXATION & ESTABLISHMENT OF ZONING
1.26 ACRES - HAYFORD ROAD**

**AUGUST 11, 2025
BY LARA BERRY**

APPLICANT/OWNER: CRG Cumulus, LLC
8640 Evans Avenue
St. Louis, Missouri 63134

ADDRESS/LOCATION: Hayford Road
(Generally located on the west side of Hayford Road and approximately 1,450 feet north of Elm Point Road.)
Wards 6 upon annexation

LOT SIZE: 1.26 acres (more or less)

EXISTING ZONING: St. Charles County “A” Agricultural District

REQUESTED ZONING: “I-1/WHP” Light Industrial District and within the Wellhead Protection District

SURROUNDING ZONING:

<i>Direction</i>	<i>Zoning</i>	<i>Use</i>
North	I-1/WHP	Vacant/Undeveloped
South	I-1/WHP	Vacant/Undeveloped
West	I-1/WHP	Vacant/Undeveloped
East	I-1/WHP	Vacant/Undeveloped

REQUEST

The applicant, CRG Cumulus, LLC, is requesting annexation and establishment of zoning for a 1.26-acre parcel currently located in unincorporated St. Charles County. The request proposes that the subject property be zoned I-1/WHP Light Industrial and within the City’s Wellhead Protection District upon annexation. The WHP overlay would be a required overlay/superimposed zoning attached to any base zoning as this subject property is located with the boundaries of the Wellhead Protection District.

This parcel directly adjoins properties included in the previously approved Case No. Z-2025-04. That case, which was unanimously recommended by the Planning & Zoning Commission (May 12, 2025) and unanimously approved by the City Council (June 17, 2025) earlier this year, involved the annexation and zoning of approximately 144 acres of adjacent land to the same I-

I/WHP classification. The subject parcel under consideration was not included in the prior request due to timing constraints, as the applicant was still in the process of purchasing the property. With the acquisition now complete, the applicant is moving forward with this annexation request. As a result, this annexation represents a continuation for the City to close a gap in the municipal boundaries as well as bringing the subject property under consistent zoning with adjoining properties.

SUMMARY/ANALYSIS

This annexation and establishment of a zoning district request is consistent with the City's established pattern of zoning in the area, which reflects the broader industrial development character of the 370 Corridor – West (Comprehensive Plan Activity Center #15). The parcel is one of the few remaining unincorporated "pockets" in this area, and its annexation would result in a more consistent jurisdictional control. Figure 1, below, illustrates the zoning designations in and around the subject area.

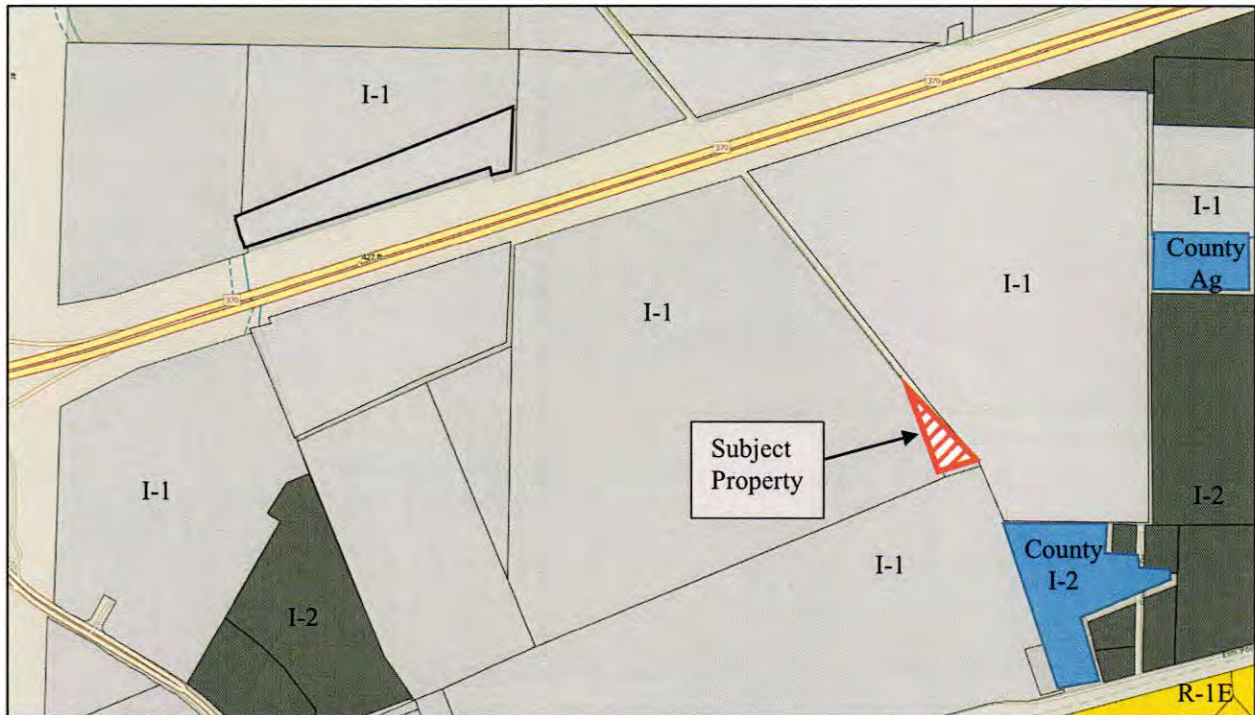


Figure 1: Area Zoning of the Subject Properties.

Along this corridor of Highway 370, the predominant zoning classifications are I-1 Light Industrial and I-2 Heavy Industrial. This reflects the corridor's continued evolution toward industrial-based uses near major transportation infrastructure. Residential uses begin to appear south of Elm Point Industrial Road and the railroad tracks which create a natural buffer between uses.

As with the previous case (Z-2025-04), the establishment of I-1 Light Industrial classification is consistent with the surrounding land use patterns and the City's long-range vision for the 370 Corridor – West, which can support higher-intensity development in this location. Additionally, this request is consistent with existing development patterns. Furthermore, from a planning perspective, it is in the City's interest to bring this tract into the municipal boundary, especially considering its location within the Wellhead Protection Area, where the City enforces heightened

standards for land use compatibility and environmental safety over that of St. Charles County as County wellhead district boundaries do not extend as far as the City's (City's wellhead boundaries are 1 mile from the wells versus a much shorter distance for the County).

It is important to clarify that this request is strictly for annexation and the establishment of zoning. While a related development proposal (CU-2025-10) that includes adjacent parcels which has already been reviewed by the Planning & Zoning Commission and is scheduled for City Council consideration on August 19, 2025, **the approved site plan does not show any use on this parcel that would trigger additional review under the City's Wellhead Protection Ordinance. As a result, a Conditional Use Permit is not required for the subject parcel at this time.** If uses or development proposal changes, additional review by the City would be required.

Although the broader project has generated public interest, this request should be considered based upon the appropriateness of the zoning request. The proposed I-1/WHP zoning is completely consistent with prior City actions and that of the surrounding development patterns. **The focus of this request should remain on whether the annexation and zoning are appropriate for this location based on land use compatibility and long-range planning goals NOT a review of the proposed development via previous requests.**

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The City of St. Charles Comprehensive Plan, originally adopted in 2002 and updated in 2012, emphasizes that land use decisions should be guided by a project's location and compatibility with surrounding development. This revision to the Comprehensive Plan was approved by the City Council and developed in collaboration with residents, elected officials, and City staff.

The Plan identifies fifteen (15) activity centers throughout the city; areas defined by higher levels of development intensity, visibility, and activity. These centers are intended to support the City's most prominent and active land uses, while surrounding areas should reflect a gradual reduction in density, traffic, and activity levels. Establishment of zoning and rezoning requests should be evaluated based on their proximity to these centers, how well they integrate with adjacent uses, and whether they support the goal of transitioning intensity away from activity nodes.

As previously mentioned, the subject property is located nearest to Activity Center #15 – 370 Corridor (West), a location designated for higher-intensity development, especially those suited for regional access and highway visibility. In this context, the proposed I-1 Light Industrial zoning is consistent with the Comprehensive Plan's guidance. The applicant's intent to align zoning with adjacent industrial properties supports the long-term land use vision for the corridor and reflects the area's evolving development pattern.

STAFF RECOMMENDATION

Approval of this request would extend the City's land use policies consistently across an area and would give the City jurisdictional oversight in a sensitive environmental area where no equivalent oversight is provided by Unincorporated St. Charles County. Establishing the I-1/WHP zoning for this parcel maintains consistency with the City's long-range land use vision, closes a remaining unincorporated gap in this corridor, and is consistent with past zoning approvals in this area.

After review of the proposed annexation and establishment of zoning request, anticipated land uses permitted under the City's Zoning Ordinance, applicable sections of the Comprehensive Plan, and surrounding development patterns and zoning designations, staff finds the request to be appropriate. Therefore, the Department of Community Development recommends that the application be forwarded to the City Council with a **favorable** recommendation, as submitted.

Recommended Motions:

- 1) *Motion to forward a recommendation of approval to the City Council for annexation of the subject property.*
- 2) *Motion to forward a recommendation of approval to the City Council for the establishment of zoning for the subject property, via Z-2025-08.*



Figure 2: Aerial Image of the Subject Property.



Lara Berry

From: Zachary Tusinger
Sent: Friday, August 8, 2025 7:58 AM
To: 'Aaron Groff'
Cc: Lara Berry; John Boyer
Subject: RE: Cumulus Project

Aaron, thank you for the email. We will pass it along to Planning & Zoning.

Zach

Zach Tusinger, JD AICP
Director of Community Development
200 North Second Street, Room 303
St. Charles, MO 63301
Office Phone 636.940.4605
zachary.tusinger@stcharlescitymo.gov

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

From: Aaron Groff <info@sucrosebakerystl.com>
Sent: Thursday, August 7, 2025 10:42 PM
To: Zachary Tusinger <Zachary.Tusinger@stcharlescitymo.gov>
Subject: Cumulus Project

CAUTION: This email originated from outside of the City of Saint Charles. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Zach,

As a concerned business owner and resident of the city I urge you to put on hold, table or pause any approval requested for August 11th's meeting. The lack of information available to the citizen about this project suggests more time is needed. As stated in the recent news letter the mayor admits the lack of utilities available currently available to its residents. If we already have a contaminated water field not producing for our own needs I shudder to think what demands and damage the proposed data center would cause. Please do the right thing and at the least pause this project to gather and share more information.

Thanks,
Aaron Groff

Lara Berry

From: Karen Maresca <hrim@att.net>
Sent: Thursday, August 7, 2025 12:55 PM
To: St Charles Planning and Zoning Commission
Subject: Concerns for our drinking water

CAUTION: This email originated from outside of the City of Saint Charles. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello.

I am reaching out to voice my objections and concerns over:

Case No. Z-2025-08

Case No. CU 2025-17

I ask that you deny these applications as both projects present huge risks to our well field

Thank You

Karen Maresca
2975 Zumbahl Rd

Lara Berry

From: Cynthia HENDERSON <cynthiahenderson946@gmail.com>
Sent: Thursday, August 7, 2025 2:58 PM
To: St Charles Planning and Zoning Commission
Subject: Case No Z-2025-08 CRG Cumulus LLC

CAUTION: This email originated from outside of the City of Saint Charles. Do not click links or open attachments unless you recognize the sender and know the content is safe.

As a resident of this district, I strongly oppose the approval of the below application to annex and establish the zoning of the 1.26 acres from St.Charles Co. Agriculture District o the City of St. Charles I-1/WHP light industrial district and within the wellhead protection district.

This would help pave the way for Cumulus to build. These Data Centers create high noise pollution, drain and contaminate water, create air pollution, and have huge hvac systems that continuously run. This land is on top of the Wellhead Protection District.

Furthermore, Cumulus has not been transparent with answering the citizens of St Charles' questions and should be out right denied or the very least until the townhall for the residents questions to be answered on Aug 14. It's no doubt this P & Z hearing was planned on purpose ahead of that meeting. Anyone who cares remotely about this city should give its people an opportunity to speak up before something like this is built.

Other cities have been devastated by data centers and you have an oppportunity to make the right call for the people who live here.

An application to annex and establish the zoning for 1.26-acre (more or less) tract of land from St. Charles County "A" Agricultural District to the City of St. Charles "I-1/WHP" Light Industrial District and within the Wellhead Protection District. The subject property is generally located on the west side of Hayford Road and approximately 1,450 feet north of Elm Point Road. The subject property will be located in Wards 6 upon annexation.

Thank you,
Cynthia Henderson
Ward 6 Resident

Lara Berry

From: David Riazid <riazid@yahoo.com>
Sent: Friday, August 8, 2025 10:43 AM
To: St Charles Planning and Zoning Commission
Subject: Concerns

CAUTION: This email originated from outside of the City of Saint Charles. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello-

I am writing to express my health, environmental and safety concerns regarding the proposed Project Cumulus activities and plans for development in St. Charles. I reside in the city, where my family has lived for decades, and I have read about the site plans. I have objections to this moving forward. Nothing similar should ever be considered acceptable, as well. I am requesting denial of all permissions and permits and approvals from the city and it's relevant commissions, including the currently considered CUP.

Thank you,

David Riazid

[Yahoo Mail: Search, Organize, Conquer](#)

Lara Berry

From: John Boyer
Sent: Friday, August 8, 2025 11:18 AM
To: Lara Berry; Zachary Tusinger
Subject: FW: Data Center

FYI

John Boyer, CFM

Assistant Dir. Community Development/Planning Manager
Community Development Department
City of St. Charles, Missouri
200 N. Second Street
St. Charles, MO 63301
PH: 636-949-3221

From: Olivia Cross <oecross@gmail.com>
Sent: Friday, August 8, 2025 10:47 AM
To: John Boyer <John.Boyer@stcharlescitemo.gov>
Subject: Data Center

CAUTION: This email originated from outside of the City of Saint Charles. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I'm reaching out to voice my concerns over the proposed data center being built near Elm Point Road. This project should not be fully approved or voted on until citizens have had more time to voice their opinions and concerns. This project is beginning to receive more local coverage, and this coverage is not going to stop. I, and many other folks who live in New Town, are strongly opposed to this project.

The Monday, August 11 meeting for annexation, hazardous materials, and site plan for "Cumulus" should be put on hold until the city has heard from concerned citizens and has offered more insights into what exactly will be built and how any hazardous materials will be handled. We want assurances that our air, water, noise levels, and utility bills will be unaffected by this project. We also want to know who will ultimately be occupying the space - currently, no one has made this public.

Please consider postponing a vote on this subject until the people who will have to live near this project have had a chance to make their thoughts known.

I will be attending the 8/14 open house.

Thank you,
Olivia Cross
314-915-6398

Lara Berry

From: Heather Bee <heatherbee826@gmail.com>
Sent: Friday, August 8, 2025 2:05 PM
To: St Charles Planning and Zoning Commission
Subject: Cumulus Project

CAUTION: This email originated from outside of the City of Saint Charles. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning & Zoning Commission -

I am writing as a deeply concerned St. Charles City resident. The Cumulus Project is a concern to the few residents who are made aware of this project. There are too many unanswered questions and not enough solutions. Please consider this in any future decisions regarding this project. Communities in other parts of the country are already feeling negative ramifications of similar projects. It would not be in the resident's best interest to pursue this project.

Thank you,

Heather Hinnah

Sponsor: Justin Foust

AN ORDINANCE REZONING TO ST. CHARLES CITY ZONING DISTRICT “I-1/WHP” LIGHT INDUSTRIAL DISTRICT AND WITHIN THE WELLHEAD PROTECTION DISTRICT FROM ST. CHARLES COUNTY ZONING DISTRICT “A” AGRICULTURAL DISTRICT AN APPROXIMATE 1.26 ACRE TRACT OF LAND GENERALLY LOCATED ON THE WEST SIDE OF HAYFORD ROAD AND APPROXIMATELY 1,450 FEET NORTH OF ELM POINT ROAD.

Whereas, an application for rezoning property was received from the owners of this land; and

Whereas, the Planning and Zoning Commission of the City of Saint Charles, Missouri, considered this application at its August 11, 2025 meeting and made a favorable recommendation (8 in favor, 2 opposed) to the City Council; and

Whereas, the Council of the City of Saint Charles, Missouri, held a Public Hearing on this proposed zoning; and

Whereas, citizens were provided an opportunity to speak on this proposed zoning at the Public Hearing.

Now, Therefore, Be It Ordained by the Council of the City of Saint Charles, Missouri, as Follows:

SECTION 1. Chapter 400 of the Code of Ordinances of the City of Saint Charles, Missouri, is hereby amended by making the following change in the District Zoning map which is on file in the Office of the City Clerk:

An approximate 1.26 acre tract of land generally located on the west side of Hayford Road and approximately 1,450 feet north of Elm Point Road is rezoned from St. Charles County Zoning District “A” Agricultural District to St. Charles City Zoning District “I-1/WHP” Light Industrial District and within the Wellhead Protection District. The parcel of land is more particularly described in the attached Exhibit A and incorporated by this reference.

SECTION 2. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

Bill No. 14009

Date Passed

Michael Galba, Presiding Officer

Date Approved by Mayor

Daniel J. Borgmeyer, Mayor

Approved as to Legal Form:

Attest:

Holly Magdziarz 8/21/2025

Holly Magdziarz, City Attorney Date

Kimberly Hudson, City Clerk



EXHIBIT A
LEGAL DESCRIPTION OF REAL ESTATE

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 47 NORTH, RANGE 4 EAST, ST. CHARLES COUNTY, MISSOURI, AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE CENTER LINE OF HAYFORD ROAD 50 FEET WIDE (SAID POINT BEING THE NORTHEAST CORNER OF U. S. SURVEY 291); THENCE LEAVING THE CENTER LINE OF SAID ROAD AND RUNNING THENCE SOUTH 67 DEGREES 29 MINUTES WEST 223.13 FEET TO A POINT; THENCE NORTH 22 DEGREES 31 MINUTES WEST 567.48 FEET TO A POINT IN THE CENTERLINE OF HAYFORD ROAD 50 FEET WIDE; THENCE ALONG THE CENTER LINE OF SAID ROAD SOUTH 38 DEGREES 9 MINUTES EAST 178.61 FEET TO A POINT; THENCE CONTINUING ALONG THE CENTER LINE OF SAID ROAD SOUTH 46 DEGREES 23 MINUTES EAST 432.45 FEET TO THE POINT OF BEGINNING, ACCORDING TO SURVEY BY ST. CHARLES COUNTY ENGINEERING & SURVEYING, INC., ON JULY 24, 1961.



LEGEND

- SURVEY PARCEL LINES
- GEO. DIMIGLIUS PROPERTY



HWY 370 & HARRY S TRUMAN BLVD. DEVELOPMENT SHEET NUMBER EX-1	A&R EXHIBIT	AREA PROJECT DATE DRAWN BY CHECKED BY APPROVED BY	Kimley»Horn <small>INCORPORATED</small> 800 FOUNTAINVIEW AVE. SUITE 100 PARKVILLE, MO 64150 WWW.KIMLEY-HORN.COM	REVISIONS NO. DATE
		NO. DATE		

**Special Council Work Session of the City Council
Of the City of Saint Charles, Missouri
August 12, 2025**

The City Council of the City of Saint Charles, Missouri convened in an open Special Work Session at 5:00 p.m. on Tuesday, August 12, 2025, at City Hall, Conference Room A, Fourth Floor, Saint Charles, Missouri. The following Councilmembers were in attendance: Justin Foust, Bart Haberstroh, Mark Hollander, Steve Hollander, Denise Mitchell, Bill Otto, Vince Ratchford, and Mary West. Absent: Michael Galba and Brian Gould. City Clerk Kimberly Hudson was present and performed the duties of that office.

Closed Session

A motion was made by MARK HOLLANDER to adjourn into closed session pursuant to RSMo 610.021(1) and RSMo 610.021 (12), as amended. STEVE HOLLANDER seconded the motion. A roll call vote was taken with the following results: “Aye”: Haberstroh, M. Hollander, S. Hollander, Mitchell, Otto, Ratchford, West and Foust “Nay”: None. Absent: Galba and Gould. Motion passed.

The closed portion of the Special Council Work Session adjourned at 6:21 p.m.

A motion was made by BART HABERSTROH to adjourn the open portion of the Council Work Session. DENISE MITCHELL seconded the motion. All voted in favor. Motion passed.

Date Approved

Kimberly Hudson, City Clerk

Michael Galba, Presiding Officer



**Council Work Session of the City Council
Of the City of Saint Charles, Missouri
August 12, 2025**

The City Council of the City of Saint Charles, Missouri convened in a Work Session at 6:27 p.m. on Tuesday, August 12, 2025, in the Council Chambers of City Hall, 200 North Second Street, Saint Charles, Missouri, with President of the Council Michael Galba presiding and the Members of the Council present as follows: Justin Foust, Brian Gould, Bart Haberstroh, Mark Hollander, Steve Hollander, Denise Mitchell, Bill Otto, Vince Ratchford, and Mary West. Absent: None. City Clerk Kimberly Hudson was present and performed the duties of that Office.

Presentation Relative to the Master Plan for the Fire Department

Deputy Fire Chief Joe Gragnani introduced Richard Curtis, Project Manager and Jeff Grote, Associate Consultant with ESCI who provided a PowerPoint presentation (attached) relative to the 2025 Master Plan for the Fire Department of the City of St. Charles, Missouri. Deputy Chief Gragnani noted the plan will address organizational restructuring, infrastructure investments and critical service delivery changes with short, mid and long term timelines.

Mr. Curtis reviewed the assessment process which included benchmark to national standards, general industry best practice and GIS modeling and scenario planning. Primary recommendations that were identified were:

- Ambulance Decommission
- Station 1 and Station 5 Remodel
- Construct Training Facility
- Hire Two Full Time Code Enforcement Inspectors

Mr. Curtis also reviewed incident and performance data, including dispatch times, fire and EMS turnout times, and travel time performance. Supporting maps and data included:

- Distribution/Concentration Map
- Incident Concentration Map
- First Due-Distribution Map

A brief discussion was held relative to the maps and data, current response times, land for Station 6 and a training facility. The presentation concluded with a review of future fire station deployment goals, scenario development scores, mutual aid considerations and potential optimum sites for maximizing coverage.

**Council Work Session of the City Council
Of the City of Saint Charles, Missouri
August 12, 2025**

Mayor Dan Borgmeyer arrived to the meeting at this time.

Presentation Relative to Reorganization of the Special Events and Communications
Department and Convention and Visitors Bureau (CVB) Department

Director of Administration Larry Dobrosky delivered a PowerPoint presentation (attached) outlining the proposed reorganization of the Special Events and Communications Department and the Convention and Visitors Bureau (CVB). He reviewed the department's evolution since the 2019 merger of Special Events and Communications and highlighted the significant growth that has occurred since that time. Mr. Dobrosky explained several challenges currently facing the department, including the increasing number and popularity of events, which require additional staffing to maintain the level of quality the community expects. Additionally, with greater emphasis on events, communication efforts have not consistently met the high standards set by the City. Finally, there is a lack of clarity between the roles and responsibilities of the Special Events and Tourism/CVB functions. To address these issues, Administration is proposing a reorganization that would create two distinct departments: the Department of Special Events and Tourism, and the Department of Communications. Mr. Dobrosky reported that the reorganization will create a cohesive approach to events, tourism, and City marketing. It will also support Special Events growth with appropriate staffing, advance plans for a year-round Farmers Market, and strengthen communication through social media, resident outreach, and internal updates.

Councilmember Mitchell expressed concerns about the CVB's marketing responsibilities extending beyond the City to the County, the retention of grant receipts, and the lack of stakeholder input regarding the proposed merger of the Special Events Department with the CVB. Councilmember Ratchford also opposed combining the departments, emphasizing that tourism promotion should remain with CVB professionals. Both Councilmembers Ratchford and Foust noted they were caught off guard by the proposal, prompting a brief discussion on transparency.

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
August 19, 2025

The City Council convened in a Regular City Council Meeting on Tuesday, August 19, 2025, at 7:00 p.m. in the Junior Ballroom, Lower Level of the Saint Charles Convention Center, One Convention Center Boulevard, St. Charles, Missouri with President of the Council Michael Galba presiding. The Honorable Mayor Daniel J. Borgmeyer and Members of the Council were present as follows: Justin Foust, Brian Gould, Bart Haberstroh, Mark Hollander, Steve Hollander, Denise Mitchell, Bill Otto, Vince Ratchford, and Mary West. Absent: None. City Clerk Kimberly Hudson and Assistant City Clerk Emily Galantowicz were present and performed the duties of that office.

File #49361

The meeting was opened with the Invocation, those present standing in a moment of silence, and the Pledge of Allegiance to the Flag.

PRESENTATIONS/AWARDS/PROCLAMATIONS

Water Department Recognition

Mayor Dan Borgmeyer recognized the Public Works Department for their excellent work in responding to the City's recent water main break.

Mayor Borgmeyer thanked residents for complying with the recent Boil Order and the Water Conservation Order.

PUBLIC COMMENT

Korb Maxwell, 7676 Forsyth Blvd., Suite 800, St. Louis, MO, spoke relative to Project Cumulus. Amy Senter, 136 S. Main St., St. Charles, MO, spoke relative to the proposed reorganization of the Convention and Visitors Bureau and Special Events and Communications Department.

John Henderson, 3419 Brookwood Circle, spoke relative to first responders and the proposed data center.

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
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Lynette Kline, 4250 Huster Road, spoke relative to the proposed use of land for the data center.

Dan Hrin, 2913 Marbach Ct., St. Charles, MO, spoke relative to the proposed data center.

Tim Kline, 4250 Huster Road, St. Charles, MO, spoke relative to the proposed data center.

Robert Burns, 30 Old Governor Place, spoke relative to the proposed data center.

John Bognar, 2916 Graham Road, Washington, MO, spoke relative to the proposed data center.

Leo Turek, 7012 Holly View Ct., St. Louis, MO, spoke relative to the proposed data center.

Patricia Semke, 17 Old Governor Place, spoke relative to the proposed data center.

John Baumann, 2912 Westover Place, spoke relative to the proposed data center.

Fred Semke, 17 Old Governor Place, spoke relative to the proposed data center.

Judy Burns, 30 Old Governor Place, spoke relative to the proposed data center.

Elkin Kistner, 1406 N. Broadway, St. Louis, MO spoke relative to the proposed data center.

Scott Stratton-Henderson, 3419 Brookwood Circle, spoke relative to the proposed data center.

Jake Jackson, 1404 St. Theresa Lane, St. Charles, MO spoke relative to the proposed data center.

R.J. Catizon, 550 Mexico Road, Flint Hill, MO, spoke on behalf of the Carpenters Union relative to the proposed data center.

Jake Hummel, 131 E. High Street, Jefferson City, MO, spoke on behalf of the Missouri AFL-CIO relative to the proposed data center.

Emily Stoinski spoke relative to the proposed reorganization of the Convention and Visitors Bureau and Special Events and Communications Department.

Sandy Garrett, 72 Walnut Way Court, spoke relative to the proposed reorganization of the Convention and Visitors Bureau and Special Events and Communications Department.

Caterina Clayton spoke relative to the proposed data center.

J.P. Vigil, 1360 W. Peachtree St. SW, Atlanta, GA, spoke on behalf of AECOM Environmental Consulting Firm spoke relative to the proposed data center.

Scott Shipman, 2095 Bayonne, spoke relative to the proposed data center and economic incentives.

State Representative Colin Wellenkamp, 20 Delacroix Place, spoke relative to the proposed data center and water security.

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
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Barb McCann, 3560 Barter Street, St., spoke relative to the proposed data center.

Mindy Robertson, 7465 Little Oaks Drive, spoke relative to tourism.

Aimee Robertson, 7465 Little Oaks Drive, spoke relative to tourism.

Mel Sherman, 1012 N. 6th Street, spoke relative to the proposed data center.

William Salter, 3313 LeChateaux Dr., St., spoke relative to the proposed data center.

Charles Dalton, 43 Lark Ave, spoke relative to the proposed data center.

John Schreiner, 60 Shimmering Lake Ct., spoke relative to the proposed data center.

Keegan Good spoke relative to the proposed data center.

Ashley Spearman spoke relative to community involvement.

Justin Wilkes, 3325 Highgale Lane, spoke relative to the data center.

Beth Fahnstock, 6 Trialridge Ct., spoke relative to the proposed data center.

Matthew McKie, 418 S. Pam Ave., St. Charles, spoke relative to the proposed data center.

Rhonda Briscoe, 137 Coppersmith Ct., spoke relative to the proposed data center.

Shelley Gowen, 728 Madison St., St. Charles, MO, spoke relative to proposed data center.

Venetia Powell, 1014 S. Main St., spoke relative to the proposed reorganization of the Convention and Visitors Bureau and Special Events and Communications Department.

Theresa Lintzenich, 229 Tompkins St., St. Charles, MO, spoke relative to prayer.

Constance Hall, 4 Hampton Place Court, spoke relative to the proposed data center.

Kara Elms, 4026 French Oak Lane, representing City of St. Charles Clean Water Advocates, spoke relative to the proposed data center.

Jackie Huebbe, 433 Jackson St., spoke relative to the proposed data center, the proposed reorganization of the Convention and Visitors Bureau and Special Events and Communications Department and traffic on Riverside Drive.

Colette Travers, 4021 Hempstead St., spoke relative to the proposed data center.

Jaron M. Coleman, 285 W. St. Anthony Lane, Florissant, MO, spoke relative to the proposed data center.

Rob Dixon, representing Ameren Missouri, 1901 Chouteau Ave., St. Louis, MO, spoke relative to the proposed data center.

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Maggie Kost, 1159 Wildhorse Meadows Dr., representing Greater St. Louis, Inc., spoke relative to the proposed data center.

Subash Alias, representing Missouri Partnerships, 120 S. Central, Suite 1275, spoke relative to the proposed data center.

Brenda Thrasher, 3220 LeChateaux, Dr., spoke relative to the proposed data center.

Peyton Pfanstiel, 633 Jacob Station Rd., spoke relative to the proposed data center.

Roman Buddemeyer, 837 First Capitol, St. Charles, MO, spoke relative to Mayor Dan Borgmeyer.

Arnie C. AC “Honest Abe” Dienoff, County/City Advocate, P.O. Box 1535, spoke relative to data center regulations and an E.P.A. Report.

Brandon Castle, 709 N. 3rd St., spoke relative to the proposed data center.

Laura Buddemeyer, 837 First Capitol, spoke relative to the proposed data center.

Anne Worth, 3012 Shady Oaks Dr., spoke relative to the proposed data center.

Tony Bethmann, 3201 Town and Country Lane, spoke relative to closed meetings.

Chris Coryell spoke relative to the proposed data center.

Meghan Wilkinson, 510 Misty Moss Lane, spoke relative to the proposed data center.

REPORT OF THE MAYOR

Mayor Dan Borgmeyer reported that he has listened to and responded to many of the complaints brought forward this evening. He reiterated his respect for the wellhead and clarified that he voted to advance the diesel component of the data center application at the July 14, 2025, Planning and Zoning Commission meeting. He thanked those in attendance, emphasized that this is how democracy works, and asked for patience as the process moves forward. He encouraged the community to treat one another with respect, listen to all perspectives—both for and against—and use that information to form well-considered opinions.

Regarding the proposed reorganization of the Convention and Visitors Bureau, Mayor Borgmeyer noted that no changes have been made. He explained that he is currently analyzing the potential synergies between the Special Events and Communications Department and the

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
August 19, 2025

Convention and Visitors Bureau to determine whether resources could be consolidated. At this time, he emphasized, the idea is only under consideration. He stated that he evaluates matters within the City and takes action to improve efficiencies and make sound decisions for the community. He added that good work is being done in the City and expressed concern about the tone of some recent discussions. He encouraged citizens to observe the City's actions, hold officials accountable, and communicate their priorities to elected representatives.

ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

Councilmember Justin Foust read the following statement:

“As someone born and raised in St. Charles, the turnout at tonight’s meeting is exactly what I expected from our residents. When transparency is lacking, this kind of response is no surprise. I want to thank everyone who came to speak, and I also want to thank our Communications team for making sure this meeting could be streamed for those at home. I know you all have many other things you could be doing, and your commitment to your neighborhoods, our City, and our future speaks volumes. Thank you for showing up, asking hard questions, and refusing to sit quietly on the sidelines.

I’ll be direct: I am deeply disappointed that CRG and the Cumulus Team chose to withdraw their application for tonight’s meeting. Because of that withdrawal, there will be no vote this evening. That decision was not made by the City Council—it was made solely by the applicant. I share your frustration. Residents deserve better. You deserve clear communication, transparency, and the opportunity to have your voices heard through a public vote. This last-minute withdrawal deprived you of accountability and denied me the chance to cast my vote openly.

Applicants have the right to go through the public process, but it is their responsibility to demonstrate how a project benefits the community. Last week’s town hall should have been held months ago. Instead of building trust, the applicant gave vague answers and limited details. That was not good enough for St. Charles.

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I have spoken to hundreds of residents—not just in Ward 6, but across the City. The message is consistent: you want thoughtful growth, honest dialogue, and leaders who put residents first. I can only speak for myself, but I am frustrated with how this process has played out. We asked for more information on your behalf and never received enough to share openly. My Ward 6 residents expect clear, timely communication. This project failed to meet that standard, and I am disappointed.

Let me be clear: St. Charles is open for business, but only for businesses that are transparent and willing to clearly demonstrate how their projects benefit our residents. As I said in a press release earlier this week, without clear benefits and public information for residents to review, supporting this proposal was nearly impossible.

To the unions and trades who came tonight: we want you to do business in St. Charles. Whether it's on the 440 acres in Ward 6 or elsewhere, I regret that the applicant failed to involve you earlier. Your input came too late in the process. We wanted you to have those jobs, and on behalf of the applicant, I apologize that you were not given a seat at the table from the beginning.

There's also a personal note I want to share. Four years ago, a young man asked me when I was going to run for office. That young man is my son, Keegan—who just started high school today and had his first football practice at St. Charles West. His question reminded me that sitting on the sidelines is not what we do. One day, he may be sitting in this chamber himself. I want him, and his generation, to be involved. Tonight, he asked me if he should come to support me. I told him that when transparency is missing in a community, you learn quickly how important accountability is. I'm proud of him, and I appreciate his support—even when he stays up late and gives me his honest 'rating' after these meetings.

To close, I encourage you to continue sharing your thoughts, just as you did tonight. Your voice matters—not only in this meeting, but in shaping what comes next. To those here and to those watching at home: my role is to represent the residents of Ward 6 and the City of St. Charles. As long as I hold this seat, I will fight for openness, accountability, and to ensure your voices are always heard.

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
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Thank you.”

Councilmember Denise Mitchell read the following statement:

Over the past few weeks, I’ve seen something truly powerful: a community coming together — asking questions, showing up, and refusing to be left in the dark. The proposed data center raised serious concerns about our water, our infrastructure, and our long-term growth. And instead of staying quiet, people made their voices heard. I want to thank everyone who sent an email, made a call, showed up at a meeting, or simply asked, “What’s really going on here?” That kind of civic engagement matters. It sends a clear message that “we care about how this city grows, and we won’t accept decisions made without transparency”.

We all understand that growth is important but, it must be managed carefully, with honesty, integrity and community input at the forefront.

Right now, this developer’s actions fell short of that standard. That was clear at the public meeting last Thursday and again at the Planning and Zoning meeting a few weeks ago.

We heard answers like: “We can’t answer that.”-“We can’t commit to that.”-“We don’t know.” And that — “that” — didn’t sit well with anyone...the public, the Council or the City.

So again, thank you to everyone who raised their voice and was committed to asking tough questions for the betterment of our City. You came together to form one loud, unified roar. And that roar was heard.

This experience has also made something else clear to me: we need to expect more from developers coming to our City — especially when they consume large amounts of water and electricity. Before any approval, we need full answers to key questions like:

- Will increased utilities use drive up costs for residents?
- What about the noise — from fans, from generators — and how long can they run each day and at what level?
- What are the appropriate levels for air and light emissions?
- What’s the plan for hazardous spills or natural disasters like tornadoes or earthquakes for example?
- Will this development bring in high-level jobs?

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-Will the developer commit to employing skilled local workers who are licensed and invested in our community, rather than relying on transient contractors with no local ties?

Developers need to openly show us the value they are bringing to our City, and get the community's buy-in. I will continue to ask these questions of those coming here and want you all to know that I am committed to the welfare and safety of the community.

Now, I'd like to shift to a couple items we discussed at last week's work session that are also incredibly important to me.

First — our Fire Department Strategic Plan. One of the major outcomes of a recent, extensive study confirmed what many of us already knew: Ward 5 needs a permanent fire station.

The administration has asked for a month to develop options for how we can make this happen. I look forward to hearing those ideas and moving toward a real solution for our residents.

The Second item I would like to address is the mayor's proposal to merge our Special Events Department with the CVB Department. I was vocal in that meeting last week, and I want to reiterate it here tonight: I do not support this merger.

While I understand the goal — to use the well-oiled CVB team to assist a department that's having some growing pains — we've seen in the past what happens when departments are merged without a long-term vision. We've seen it when Economic Development and CVB were combined, and also when Communications and IT were merged. It didn't work then and this will not work either...they are all different in themselves and should be treated as such.

St. Charles is a growing city, and our Convention and Visitors Bureau needs to stay laser-focused on promoting our city, attracting visitors, filling hotel rooms, and helping our local businesses thrive.

Instead of merging two departments we should explore other solutions. Possible ideas could be:

-Have 3 separate Directors over each department: one over Communications, one over Local Special Events/Farmer's Market, and one over the CVB — this would give each of these 3 departments a more clear and focused role.

-We could also really evaluate the economic impact of each local event to determine which are truly worth continuing and which should be abandoned. This will allow staff to focus on those

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
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that help stakeholders more and contribute to our economy. We could also ask our stakeholders (businesses, restaurants, residents) which events they find benefit in and which they do not. This may help us streamline our efforts and energy.

- We could also explore partnerships with Lindenwood University, where Marketing students could assist in planning and implementing weekend events.

I urge the Mayor to let the CVB continue doing what they do best — strengthening our tourism brand and keeping our city vibrant and thriving. Please don't overload them and blur the lines between tourism and local events...they are very much different from each other and should be treated as such.

In closing, I want to acknowledge that it's been a tough week for all of us, Councilmembers. We deeply care about this place we call home and about our neighbors. Our job is clear: to protect our resources, plan for smart growth, rebuild trust where it's been lost, and keep strong the relationships that make St. Charles what it is. The people of St. Charles have made their voices heard. Now, it's on us to show we're really listening — to ask the hard questions, and to lead with honesty, integrity, and genuine care for the people we serve.

I look forward to facing these challenges with you, Council, and working together to find solutions that will benefit our residents for years to come.

Thank you.

Councilmember Brian Gould delivered a message to Ward 7 residents. He emphasized his commitment to being as transparent as possible and explained that he now knows what it is like to be between a rock and a hard place. He stated that he has spoken with many residents, appreciates their willingness to listen, and values the opportunity to provide additional explanation. Councilmember Gould reiterated that he has heard residents' concerns from the beginning, and he thanked them for their patience and understanding.

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Councilmember Michael Galba thanked the public for attending and sharing their perspectives. In the spirit of moving forward, he suggested that the Mayor form a Task Force composed of subject-matter experts to review and evaluate future applications for projects of this nature.

PUBLIC HEARING

Council President Michael Galba announced the Public Hearing will now be held. At the conclusion of the Public Hearing, the regular order of business continued.

- A. Case No. CU-2025-10 (CRG Cumulus, LLC) An application for a Conditional Use Permit per §400.320(C) for the production/use/handling/storage of any hazardous substance including liquid petroleum products and electrical power generators/substations accessory to a planned industrial project within the “I-1/WHP” Light Industrial District and within the Wellhead Protection District. The subject property is approximately 440 –acres (more or less), generally located on the north and south sides of Highway 370 and between Huster Road and Harry S Truman Boulevard. The subject properties will be located in Wards 6 and 8. ***(SUPPLEMENTAL RCA Attached)***

Application WITHDRAWN by the Applicant. No Council Action Required.

CONSENT AGENDA

A motion was made by DENISE MITCHELL to approve the Consent Agenda. VINCE RATCHFORD seconded the motion. A roll call vote was taken with the following results: “Aye”: Galba, Gould, Haberstroh, M. Hollander, S. Hollander, Mitchell, Otto, Ratchford, West, and Foust. “Nay”: None. Absent: None. Motion passed.

- A. Approval of Council Minutes and Reports
1. Regular City Council Meeting of August 5, 2025
 2. Public Hearing of August 5, 2025

File #49361

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
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File #49403

B. Receipt of Reports from Boards, Commissions and Committees

1. Main Street Special Business District Advisory Board Meeting of July 3, 2025

File #49374

2. Veterans Commission Meeting of June 9, 2025

File #49386

C. Receipt of Director of Administration Reports

1. Notice of Emergency Purchase-Clearspan Fabric Structures International

File #49378

D. Approval of Contracts and Easements

1. Amendment No. 1 with Alobars, Incorporated in the Amount of \$75,875.00 for a Total Contract not to Exceed \$101,327.00

C25-077

E. Preliminary Plats

F. Miscellaneous

1. Report of the Court Administrator of Monies Collected and Deposited - July 2025

ITEMS REMOVED FROM THE CONSENT AGENDA

No items were removed from the Consent Agenda.

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Date Approved

Emily Galantowicz, Assistant City Clerk

Michael Galba, Presiding Officer



**Council Work Session of the City Council
Of the City of Saint Charles, Missouri
August 12, 2025**

Councilmember M. Hollander, as Council Liaison to the CVB Commission, stated the need to retain a trained professional at the CVB and supported moving forward to appoint one. He agreed with Mr. Dobrosky that City communication is currently lacking. It was the consensus of the Councilmembers present that staff begin drafting an ordinance for Council consideration regarding the reorganization of the Special Events/Communications Department and the CVB.

Presentation on Riverpointe

City-contracted real estate broker Adam Glosier provided a PowerPoint presentation updating the Councilmembers on the Riverpointe Development which included a history of the project, economic trends and current development conditions.

Phillip Colón, Vice President, Lodging Development with Marriott Hotels, and Andy Patel, Hotel Developer and Restaurateur, proposed a Marriott Brand AC and Element Hotels at the Riverpointe Development. The proposed hotels would share a lobby and amenities and include a banquet room, meeting rooms, a pool, rooftop bars and an attached restaurant.

Councilmember Mary West requested a copy of their presentation and inquired about the exteriors of the hotels. Mr. Patel noted he will do his best to get the exterior renderings sometime next week.

CLOSED SESSION

At 8:21 p.m., MARK HOLLANDER made a motion to adjourn into closed session pursuant to RSMo 610.021(1), RSMo 610.021(2), and RSMo 610.021(12), as amended. MICHAEL GALBA seconded the motion. A roll call vote was taken with the following results: “Aye”: Galba, Gould, M. Hollander, S. Hollander, Mitchell, Otto, Ratchford, West and Foust. “Nay”: None. Absent: None. Motion passed.

The closed portion of the Council Work Session adjourned at 10:52 p.m.
At 10:53 p.m., a motion was made by DENISE MITCHELL to adjourn the open portion of the

**Council Work Session of the City Council
Of the City of Saint Charles, Missouri
August 12, 2025**

Council Work Session. MARY WEST seconded the motion. All voted in favor. Motion passed.

Date Approved

Kimberly Hudson, City Clerk

Michael Galba, Presiding Officer

PUBLIC HEARING
Before the City Council of the City of Saint Charles, Missouri
August 19, 2025

The City Council convened in a Regular City Council Meeting on Tuesday, August 19, 2025, at 7:00 p.m. in the Junior Ballroom, Lower Level of the Saint Charles Convention Center, One Convention Center Boulevard, St. Charles, Missouri with President of the Council Michael Galba presiding. The Honorable Mayor Daniel J. Borgmeyer and Members of the Council were present as follows: Justin Foust, Brian Gould, Bart Haberstroh, Mark Hollander, Steve Hollander, Denise Mitchell, Bill Otto, Vince Ratchford, and Mary West. Absent: None. City Clerk Kimberly Hudson and Assistant City Clerk Emily Galantowicz were present and performed the duties of that office.

PUBLIC HEARING

- A. Case No. CU-2025-10 (CRG Cumulus, LLC) An application for a Conditional Use Permit per §400.320(C) for the production/use/handling/storage of any hazardous substance including liquid petroleum products and electrical power generators/substations accessory to a planned industrial project within the “I-1/WHP” Light Industrial District and within the Wellhead Protection District. The subject property is approximately 440 –acres (more or less), generally located on the north and south sides of Highway 370 and between Huster Road and Harry S Truman Boulevard. The subject properties will be located in Wards 6 and 8. ***Application WITHDRAWN by Applicant. No Council Action Required. (SUPPLEMENTAL RCA Attached)***

Withdrawn.

The Public Hearing adjourned at 10:22 p.m. and the Regular Session continued with the order of business.

PUBLIC HEARING
Before the City Council of the City of Saint Charles, Missouri
August 19, 2025

Date Approved

Emily Galantowicz, Assistant City Clerk

Michael Galba, Presiding Officer



RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
August 22, 2025

The City Council convened in a Special City Council Meeting on Friday, August 22, 2025 at 2:00 p.m. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, Saint Charles, Missouri with President of the Council Michael Galba, presiding and Members of the Council were present as follows: Justin Foust, Brian Gould, Bart Haberstroh, Mark Hollander, Steve Hollander, Denise Mitchell, Bill Otto, Vince Ratchford and Mary West. City Clerk Kimberly Hudson was present and performed the duties of that office.

File #49361

The meeting was opened with the Invocation, those present standing in a moment of silence, followed by the Pledge of Allegiance to the Flag.

PUBLIC COMMENTS

Mark Femmer, 34 Arbor Point Court, St. Charles, Missouri, representing Operators Local 513 spoke relative to Data Center and Resolution 4.A

Sally Coleman, 16 Hanover Hills Ct. St. Charles, Missouri, spoke against the Data Center

Rob Schneider, 830 St. Charles Ave., St. Charles, Missouri, spoke in favor of Resolution 4.A and protecting water supply

Dan Hrin, 2913 Marbach Ct., St. Charles, Missouri, spoke in favor of Resolution 4.A

Molly Schad, 3432 Mackey Wherry St., St. Charles, Missouri, spoke against the Data Center

Scott Tate, 3211 Cog Wheel Station, St. Charles, Missouri, representing St. Charles Regional Chamber, spoke against Resolution 4.A

Tom Sinopole, 416 Lindenwood Ave., St. Charles, Missouri, spoke against the Data Center

Theresa Lintzenich, 229 Tompkins St., St. Charles, Missouri, spoke against the Data Center

Arnie C. AC “Honest Abe” Dienoff, PO Box #1535, O’Fallon, Missouri, representing City/County Advocate, spoke in favor of Resolution 4.A

Nancy Delcour, 1758 Winding Glen Dr., St. Charles, Missouri, spoke in favor of Resolution 4.A

John Henderson, spoke in favor of Resolution 4.A

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
August 22, 2025

RESOLUTIONS

A RESOLUTION IMPOSING A ONE-YEAR MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS RELATING TO THE ESTABLISHMENT OR EXPANSION OF DATA CENTERS (*SPONSORS: BILL OTTO, MARK HOLLANDER, VINCE RATCHFORD, MARY WEST, DENISE MITCHELL, JUSTIN FOUST, BRIAN GOULD, MICHAEL GALBA, BART HABERSTROH AND STEVE HOLLANDER*)

Councilmember Denise Mitchell made the following comment:

The entire Council came together to sponsor this one year moratorium. This is a proactive, responsible step to protect the health, safety and character of our City and it speaks volumes about the Council's shared commitment to getting this right. We all understand that growth is important but, it must be managed carefully, with honesty, integrity and community input at the forefront. This moratorium gives us the time we need to work closely with staff to fully evaluate the potential effects of data centers on infrastructure, on neighborhoods, on the environment and to study best practices from other communities. It also allows us to make sure our Zoning Code and development standards are updated to reflect what is best for St. Charles, not just today, but for the future. Although it has been a challenging couple of weeks for all of us, I would like to take a moment to say how proud we are of our community. You've shown up. You've asked thoughtful questions. You've stayed informed and engaged. That's exactly what democracy should look like and I am honored to be a part of that process and represent you.

Councilmember Mark Hollander made the following comment:

I was quiet this past council meeting. I wanted to take in all the public comments. Over the past couple of weeks, we have become ten individual Councilmembers. We have all been working hard to listen to harsh words, pointed questions and to overcome frustrations. I was frustrated that we were not given the chance to vote on the Conditional Use Permit and be offered the opportunity to show our residents our stance. Now we have an opportunity to respond to our residents by our actions and our decisions. I personally have returned over two hundred emails,

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
August 22, 2025

voicemails and text messages over the last weeks and I have done my best to truly hear the voices of our citizens. I know that each of our Councilmembers have done the same. Although we don't always agree on every topic and frequently debate issues and vote accordingly, I know our shared passion is to make St. Charles better. Together that can be accomplished and I look forward to the diversity of our ward representation but with a singular focus on transparency, forward thinking and progress. I feel that today's action is a great first step towards bringing the ten of us back together.

Councilmember Michael Galba made the following comment:

I want to thank my fellow Councilmembers for coming together in unison to get this moratorium put in place as soon as possible and for taking time out to attend this special meeting. I would like to thank staff and legal for also making this a top priority in turning this around so quickly. This is the first step and I look forward to working with my fellow Councilmembers, staff and residents in the future.

Councilmember Justin Foust made the following comment:

I apologize if I look a little tired. I went on vacation yesterday and drove three hours today to make sure I made this meeting. Everyone showed up, it is important that everyone show up. You all show up, so it is our job to show up when votes count. After the applicant withdrew their application City Council requested staff to place a moratorium on any future applications related to data centers for one year. This action pauses any new development proposals for data centers. This will allow myself and other Councilmembers to review whether stricter protections are needed to safeguard the entire city. Yesterday while I travelled out of town, I was asked if we could make this Special Council meeting work and I said, absolutely, I think everyone needs to be there. I am proud of everyone for showing up. I know everybody has regular jobs and businesses, so it great to see you all. Over the past few months, I have spoken with hundreds of residents, including neighbors who live directly behind the property. I have assured my ward that they have the right representation to keep their community safe and thriving. I am proud of how

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
August 22, 2025

quickly, especially Zach Tusinger who was not able to be here now but was instrumental in getting this done quickly.

MARK HOLLANDER made a motion to adjourn. BILL OTTO seconded the motion. All voted in favor. Motion passed.

The Special Session of the City Council adjourned at 2:32 p.m.

Date Approved

Kimberly Hudson, City Clerk

Michael Galba, Presiding Officer

CITY OF ST CHARLES

STATE OF MISSOURI

BOARD OF ADJUSTMENT MEETING

April 7, 2025

THE HONORABLE RICHARD ALFERMAN, CHAIRMAN PRESIDING

TIME: 6:00 p.m.

MINUTES

By Madelyn Eversman

City of St. Charles, Missouri

200 N Second Street

St. Charles, Missouri 63301

(636) 949-3222

PROCEEDINGS

(WHEREUPON, at 6:00 p.m. o'clock, Monday April 7, 2025, at the Saint Charles City Hall Building, 200 North Second Street, Fourth Floor, Saint Charles, Missouri, and the following proceedings were held, to-wit: with the following persons being present.)

Richard Alferman, Chairman

Latonya Grotegeers

Marita Malone

John Morgan

Don Garrison, Alternate

John Boyer, Assistant Direct of Community Development

Madelyn Eversman, City Planner

Lara Berry, City Planner

AGENDA ITEM #1 – CLEMENT MANAGEMENT SERVICES

CASE NO. BOA-2025-04. ADDRESS: 3707 VETERANS MEMORIAL PARKWAY

MOTION WAS MADE BY LATONYA GROTEGEERS: I move to approve Three requests: 1) A request to decrease the minimum parking lot landscaping perimeter adjacent to a public right-of-way (to include plantings) from fifteen (15) feet to zero (0) feet as regulated in Section 400.700(J)(2)(a); 2.) A request to decrease the minimum parking lot landscaping perimeter not adjacent to a public right-of-way (to include plantings) from five (5) feet to zero (0) feet as regulated in Section 400.700(J)(3)(a); and 3.) A request to decrease the minimum front yard setback for parking in a required front yard from twenty-five (25) feet to six (6) feet as regulated in Section 400.220(D)(8)(a) of the City of St. Charles Code of Ordinances.

MOTION WAS SECONDED BY MARITA MALONE

ROLL-CALL VOTE 3 IN FAVOR 2 AGAINST: DENIED.

AGENDA ITEM #2

Administrative Item: Election of Chair, Vice-Chair, and Secretary for 2025

RICHARD ALFERMAN NOMINATED FOR CHAIRPERSON BY MARITA MALONE

NOMINATION WAS SECONDED BY: MARITA MALONE

ROLL-CALL VOTE 5 IN FAVOR 0 AGAINST: GRANTED.

LATONYA GROTEGEERS NOMINATED FOR VICE CHAIR BY MARITA MALONE

NOMINATION WAS SECONDED BY: RICHARD ALFERMAN

ROLL-CALL VOTE 5 IN FAVOR 0 AGAINST: GRANTED.

MAUREEN ROGERS-BOUXSEIN NOMINATED FOR SECRETARY BY RICHARD ALFERMAN

NOMINATION WAS SECONDED BY: JOHN MORGAN

ROLL-CALL VOTE 5 IN FAVOR 0 AGAINST: GRANTED.

Meeting adjourned at 6:35 p.m.

CITY OF ST CHARLES

STATE OF MISSOURI

BOARD OF ADJUSTMENT MEETING

May 5, 2025

THE HONORABLE RICHARD ALFERMAN, CHAIRMAN PRESIDING

TIME: 6:00 p.m.

MINUTES

By Madelyn Eversman

City of St. Charles, Missouri

200 N Second Street

St. Charles, Missouri 63301

(636) 949-3222

PROCEEDINGS

(WHEREUPON, at 6:00 p.m. o'clock, Monday May 5, 2025, at the Saint Charles City Hall Building, 200 North Second Street, Fourth Floor, Saint Charles, Missouri, and the following proceedings were held, to-wit: with the following persons being present.)

Richard Alferman, Chairman

Maureen Rogers-Boussein

Latonya Grotegeers

Marita Malone

John Morgan

Madelyn Eversman, City Planner

AGENDA ITEM #1 – ROSS SHERMAN

CASE NO. BOA-2025-05. ADDRESS: 3117 YALE BOULEVARD

MOTION WAS MADE BY MARITA MALONE: I move to approve a request to decrease the minimum setback for a six (6) foot tall fence on a corner lot, within a required front yard on the side of a property not used as a principal entrance, from ten (10) feet to eight (8) feet as regulated in Section 400.550(A)(2)(a)(2)(d) of the City of St. Charles Code of Ordinances. The property is zoned R-1E Single Family Residential District (Ward 10).Ordinances.

MOTION WAS SECONDED BY LATONYA GROTEGEERS

ROLL-CALL VOTE 5 IN FAVOR 0 AGAINST: APPROVED.

Meeting adjourned at 6:09 p.m.

CITY OF ST CHARLES

STATE OF MISSOURI

BOARD OF ADJUSTMENT MEETING

July 9, 2025

THE HONORABLE RICHARD ALFERMAN, CHAIRMAN PRESIDING

TIME: 6:00 p.m.

MINUTES

By Madelyn P. Brown

City of St. Charles, Missouri

200 N Second Street

St. Charles, Missouri 63301

(636) 949-3222

PROCEEDINGS

(WHEREUPON, at 6:00 p.m. o'clock, Monday May 5, 2025, at the Saint Charles City Hall Building, 200 North Second Street, Fourth Floor, Saint Charles, Missouri, and the following proceedings were held, to-wit: with the following persons being present.)

Richard Alferman, Chairman

Maureen Rogers-Bouxsein

Latonya Grotegeers

Marita Malone

Don Garrison

Madelyn Brown, City Planner

John Boyer, Assistant Director of Community Development

AGENDA ITEM #1 – THOMAS ALAN GROUP ARCHITECTS – CHRISTOPHER PIKE

CASE NO. BOA-2025-07. ADDRESS: 1028-1038 S MAIN STREET

MOTION WAS MADE BY LATONYA GROTEGEERS: I move to approve a request to decrease the minimum front yard building setback on the Barbour Street frontage from ten (10) feet to five (5) feet as regulated in Section 400.200(D)(5)(a) of the City of St. Charles Code of Ordinances.

MOTION WAS SECONDED BY MAUREEN ROGERS-BOUXSEIN

ROLL-CALL VOTE 4 IN FAVOR 1 AGAINST: APPROVED.

MOTION WAS MADE BY LATONYA GROTEGEERS: I move to approve a request to decrease the minimum rear yard building setback from thirty (30) feet to thirteen and a half (13.5) feet as regulated in Section 400.200(D)(5)(c) of the City of St. Charles Code of Ordinances.

MOTION WAS SECONDED BY MARITA MALONE

ROLL-CALL VOTE 5 IN FAVOR 0 AGAINST: APPROVED.

MOTION WAS MADE BY LATONYA GROTEGEERS: I move to approve a request to decrease the minimum sight distance triangle of a corner lot from thirty (30) feet to twenty (20) feet as regulated in Section 400.540 of the City of St. Charles Code of Ordinances.

MOTION WAS SECONDED BY MARITA MALONE

ROLL-CALL VOTE 5 IN FAVOR 0 AGAINST: APPROVED.

MOTION WAS MADE BY LATONYA GROTEGEERS: I move to approve a request to increase the maximum encroachment for a porch from six (6) feet to seven (7) feet for unit 5 only as regulated in section 400.620(A)(4) of the City of St. Charles Code of Ordinances.

MOTION WAS SECONDED BY MARITA MALONE

ROLL-CALL VOTE 5 IN FAVOR 0 AGAINST: APPROVED.

Meeting adjourned at 6:50 p.m.

MINUTES

THE HOUSING AUTHORITY OF THE CITY OF ST. CHARLES

Wednesday,
May 28, 2025
8:30 am

1041 Olive St., St Charles, Missouri 63301

Chairman Burke called the meeting to order at 8:30 a.m. in the Boardroom of the St. Charles Housing Authority

Present

Diane Burke, Chair
Anne Lersch, Vice Chair
Melanie McIlroy, Commissioner, Via Telephone
David Glidewell, Commissioner
Staff Bill Otto, City Council Liaison
Mary Clements, Secretary

Absent

Pat Pryor, Commissioner
Kathleen Thompson, City Liaison

Comments from Residents

There were no residents who attended the meeting.

Minutes from April 2025, Board meeting, were emailed earlier and discussed at this time. A motion was made by Commissioner Glidewell and seconded by Commissioner Lersch to approve the minutes. Motion carried.

Approval of List of Bills

The list of bills from April 2025, consisting of PH Check numbers 42903 to 42985 in the amount of \$89,142.67 and S8 Check numbers 51109 to 51245 in the amount of \$211,713.61 were reviewed and discussed. A motion was made by Commissioner Glidewell and seconded by Commissioner Lersch to approve the list of bills. Motion carried.

Vacancies

Regarding the Section 8 Program, we now have 220 units under lease as of May 1, 2025, and are at 80% leased up. We are spending 100% of our HAP for the month of May 2025.

We have 23 vouchers on the street searching, 2 VASH and 1 S8 vouchers and 20 port out vouchers. We have a total of 5 VASH vouchers that need to lease up, this is inclusive of the four vouchers that are outlooking currently and an additional VASH voucher that needs to be issued.

We have thirteen vacancies in Low Rent Housing, nine that are offline and in the process of modernization and two units in make ready status. We are not anticipating additional vacancies this month.

New Business

Old Business

Terminations and Court Hearings

Section 8 Termination of Assistance May 2025:

We have one termination for the Section 8 Program, for harboring a person with a person with violent criminal actions and charges.

Public Housing Termination of Lease May 2025

We have seven tenants for the Public Housing Program for non-payment of rent; three of them have come in and resolved the issue, one has stated that they will put the payment in the lock box on Friday, May 28, 2025, and the other three we have not heard from. There are no additional lease terminations currently.

Directors Report

June is right around the corner; our development is looking so much better. Two buildings on Lindenwood have had their landscaping redone and they look wonderful. Front screen doors are being removed, fresh paint is being put on the front doors and the rear screens are being replaced or repaired. By the end of summer, the development will be the talk of the town. Who knows maybe Mayor Dan will want to move in. All kidding aside, I am proud of our complex and the wonderful changes taking place.

Lloyd and Nate are busy trying to complete all the work orders and preparing for the HUD inspection we are anticipating this fall. Three units are ready for new counter tops. Three units will be newly occupied by the end of June and then at least three more by the end of July. We are hoping to complete all the current modernization units by the end of October 2025.

The 20 Moderate Rehab units are going smoothly, and we are learning as we go. We currently have 18 of the units occupied, the landlords are working diligently to fill the other 2 units.

Our Public Housing and Section 8 waitlists are closed currently. Public Housing Units that are newly empty now are being cleaned and painted and made ready for new tenants as quickly as possible. We are not issuing additional vouchers and the ones that are issued will not get additional extensions. Currently we are spending over 90 percent of our funding for the Section 8 program and using reserves to supplement if we need additional funds in any given month. We are proud that we can serve our community in such capacity, and that so many new people have received housing with the aid of our agency. We are striving to make 2025 our best year yet.

There continues to be a shortage of property owners. There are new property owners who have contacted us, and we are waiting to see if they have decided to house the tenants with our vouchers. We want to thank our board and community for being good ambassadors for the Section 8 program. If anyone knows of a property owner who may wish to rent to our tenants and needs information on the program, please send them our way.

The agency who does the senior residents food boxes monthly are having great turn out each Wednesday. We are servicing 23 clients at this time. If you know someone in need age 60 or older and they live in St. Charles, please let them know we have applications here. Also, there are applications on the credenza in the BOD room.

We are excited to get our programs up to 100 percent and increase our status with HUD from standard performer to High performer this year. Have a wonderful, we will see you next year. Thank you for all you do in supporting our agency.

Respectfully reported,

Mary Clements
Executive Director
St. Charles Housing Authority

OTHER BUSINESS

City Liaison, Bill Otto, gave a report on news around the city.

Future Meeting Dates and Times:

Wednesday, June 25, 2025, 8:30 AM

Adjournment

As there was no additional business to come before the Board, A motion was made by Commissioner Glidewell and seconded by Commissioner Lersch to adjourn the meeting. Motion carried. The meeting was adjourned at 8:44 am.



Diane Burke, Chairman



Mary Clements, Secretary

MINUTES

THE HOUSING AUTHORITY OF THE CITY OF ST. CHARLES

Wednesday,
June 25, 2025
8:30 am

1041 Olive St., St Charles, Missouri 63301

Chairman Burke called the meeting to order at 8:30 a.m. in the Boardroom of the St. Charles Housing Authority

Present

Diane Burke, Chair
Pat Pryor, Commissioner
Melanie McIlroy, Commissioner, Via Telephone
David Glidewell, Commissioner
Kathleen Thompson, City Liaison
Staff Bill Otto, City Council Liaison
Mary Clements, Secretary

Absent

Anne Lersch, Vice Chair

Comments from Residents

There were no residents who attended the meeting.

Brooklyn Holly, an intern, was in attendance with the City Liaison, Kathleen Thompson. Sarah Dennis, from Our Ladies Inn, was in attendance as well.

Minutes from May 2025, Board meeting, were emailed earlier and discussed at this time. A motion was made by Commissioner Pryor and seconded by Commissioner Glidewell to approve the minutes. Motion carried.

Approval of List of Bills

The list of bills from May 2025, consisting of PH Check numbers 42986 to 43050 in the amount of \$216,516.40 and S8 Check numbers 51246 to 51378 in the amount of \$223,673.23 were reviewed and discussed. A motion was made by Commissioner Pryor and seconded by Commissioner Glidewell to approve the list of bills. Motion carried.

Vacancies

Regarding the Section 8 Program, we now have 220 units under lease as of June 1, 2025, and are at 76% leased up. We are spending 100% of our HAP for the month of June 2025.

We have 33 vouchers on the street searching, 4 VASH and 10 S8 vouchers and 19 port out vouchers. We have a total of 4 VASH vouchers that need to lease up, this is inclusive of the four vouchers that are outlooking currently and an additional VASH voucher that needs to be issued.

We have eleven vacancies in Low Rent Housing, nine that are offline and in the process of modernization and two units in make ready status. We are not anticipating additional vacancies this month.

New Business

Our Checking Accounts have been compromised, and we have spoken with the bank in regard to this issue. They are suggesting a program called positive pay. After in depth discussion the board has approved of the positive pay program and the fees for this program.

The agency is having its annual audit on June 30, 2025

Old Business

Terminations and Court Hearings

Section 8 Termination of Assistance June 2025:

We have one termination for the Section 8 Program, for harboring a person with a person with violent criminal actions and charges.

Public Housing Termination of Lease June 2025

We have four tenants for the Public Housing Program for non-payment of rent; two will go to the attorney for additional legal action and the other two will have until July 17 to resolve their rent issues. There are no additional lease terminations currently.

Directors Report

July is upon us. It won't be long until summer is over, and fall comes upon us. We have already started working forward in anticipation of the months ahead. National Night Out Against Crime is being planned for, which falls in September, Halloween is in the planning stages, as well as Thanksgiving and Christmas.

Lloyd and Nate are busy trying to complete all the work orders and preparing for the HUD inspection we are anticipating this fall in the month of October. Two PH units were newly occupied in the first part of June; we are anticipating two to three more units to complete by the end of July. Our goal is to complete all the current modernization units by the end of October 2025.

The 20 Moderate Rehab units are going smoothly, and we are learning as we go. We currently have 19 of the units occupied, the landlords are working diligently to fill the other unit.

Our Public Housing and Section 8 waitlists are closed currently. Public Housing Units that are newly empty now are being cleaned and painted and made ready for new tenants as quickly as possible. We are not issuing additional vouchers and the ones that are issued will not get additional extensions. Currently we are spending over 90 percent of our funding for the Section 8 program and using reserves to supplement if we need additional funds in any given month. We are proud that we can serve our community in such capacity, and that so many new people have received housing with the aid of our agency. We are striving to make 2025 our best year yet.

There continues to be a shortage of property owners. There are new property owners who have contacted us, and we are waiting to see if they have decided to house the tenants with our vouchers. We want to thank our board and community for being good ambassadors for the Section 8 program. If anyone knows of a property owner who may wish to rent to our tenants and needs information on the program, please send them our way.

The agency who does the senior residents food boxes monthly are having great turn out each Wednesday. We are servicing 23 clients currently. If you know someone in need age 60 or older and they live in St. Charles, please let them know we have applications here. Also, there are applications on the credenza in the BOD room.

We are excited to get our programs up to 100 percent and increase our status with HUD from standard performer to High performer this year. Have a wonderful, we will see you next year. Thank you for all you do in supporting our agency.

Respectfully reported,

Mary Clements
Executive Director
St. Charles Housing Authority

OTHER BUSINESS

City Liaison, Bill Otto, gave a report on news around the city.

Future Meeting Dates and Times:

Wednesday July 23, 2025, at 8:30 am

Wednesday, August 20, 2025, at 8:30 am

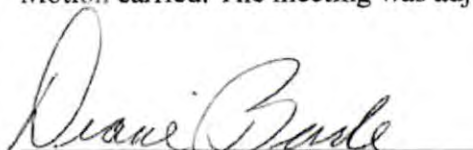
Wednesday, September 24, 2025. At 8:30 am

In a closed session, Interviews for the Executive Director were discussed, and a candidate was decided upon. The BOD has offered Lauren Burnett the opportunity to become the new Executive Director of the HA to commence on September 15, 2025.

The five bank accounts with Commerce Bank, for the Housing Authority will now have Diane Burke, Chairman of the Board, Anne Lersch, Vice Chairman of the Board, Pat Pryor, Commissioner, Melanic McIlroy, Commissioner, David Glidewell, Commissioner, Mary Clements, Current Executive Director, Lauren Burnett, Future Executive Director, and Madeleine Koch, Employee. Any additional names shall be removed from the accounts.

Adjournment

As there was no additional business to come before the Board, A motion was made by Commissioner Pryor and seconded by Commissioner Glidewell to adjourn the meeting. Motion carried. The meeting was adjourned at 9:30 am.


Diane Burke, Chairman


Mary Clements, Secretary

CITY OF ST. CHARLES, MISSOURI
AUDIT COMMITTEE MEETING MINUTES
TUESDAY, JUNE 17, 2025 @ 4:00 pm
CITY HALL @ 200 N. SECOND STREET - CONFERENCE ROOM A – 4th FLOOR

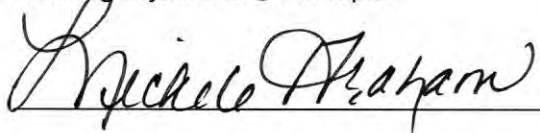
1. Roll Call: Bart Haberstroh (arrived at 4:06pm), Michelle Graham, Matt Johannesman, Luanne Cundiff

Others: Jennifer O'Connor, Jessica Steffen, Larry Dobrosky, William Hantack, Larry Perney, Mary Ann Ohms, Rick Gratza (KEB), Allison Weems (KEB)

Ms. Graham opened the meeting @ 4:01pm:

2. Discuss Agenda
 - All is OK.
3. Approval of the regular minutes of 01/24/2025 meeting
 - Motion by Matt Johannesman
 - 2nd by Luanne Cundiff
 - All approved (voice vote)
4. Meet with Kerber, Eck & Braeckel (KEB) – presentation of audit for year ended December 31, 2024
5. Approval of the 2024 ACFR Release
 - Motion by Michelle Graham
 - 2nd by Matt Johannesman
 - All approved (voice vote)
6. Establish next meeting date
 - Possibly September to review Request for Proposals from Audit Firms
7. Closed Session
 - None needed per Committee members

Meeting adjourned @ 04:46pm.



Michele Graham, Chairman



Date

MINUTES
Senior Citizen Advisory Commission
Tuesday, July 8, 2025
St. Charles City Hall, Conference Room A
200 North Second Street, 4th Floor
St. Charles, MO 63301

MEMBERS PRESENT

Sheila Eckstein
Shelly Roy
Judy Rhodes
Bill Wallace
Charlie Daniels

MEMBERS ABSENT

Althea West
Norm Fehl
Bridget Alderson
Mary West

OTHERS PRESENT

Carla Bray – City Staff Liaison
Beth Norviel – Director, Special Events

1. Call to Order

The meeting was called to order at 10:00 a.m. by Commission Vice Chairperson Sheila Eckstein.

2. Pledge of Allegiance

All present stood and recited the Pledge of Allegiance.

3. Roll Call

All members were present except those listed above under Members Absent.

4. Approval of June 10, 2025 meeting minutes

Bill Wallace made a motion to approve the June 10, 2025 minutes as noted. Shelly Roy made the second, all present were in favor, the motion passed.

5. Chairperson Report

- Vice Chairperson Sheila Eckstein led a discussion amongst the group regarding the Mayor attending the Commission meetings on a regular basis.
- The group discussed the Fashion Show held at Lindenwood.

6. Report from Council Liaison

None

7. Old Business

- Carla Bray provided information from a report (Senior Services) supplied by the Finance Department, funds collected through the City's utility billing.

- Meals on Wheels – YTD \$37,277.66
- Senior Services – YTD \$51,747.89
- Homelessness – YTD \$14,747.87

- The group discussed the following: *in relation to the Senior Fashion show*
 - Sister Cities
 - Jewish Festival

- Activities Fair
 - Resources
 - Rename the event? - *Senior Resource Fair*
- 501c opportunity? Carla shared the response from the City's Legal Department.
 - City Commission is not eligible to become a 501c.
 - Friends of...
 - City Website?
- Survey – Shelly to follow up.

8. New Business

- Senior Data Base (per Mayor Borgmeyer) is number one priority.
- Services for seniors – discount sources?
 - In resource guide?
- Senior night at Wapelhorst?

9. Commission Member Announcements

- Bill Wallace made a motion to make Sheila president/chairperson of the Commission since Sandy has resigned. Charlie Daniels made a second, all were in favor, motion passed.
- Carla to check on the Senior Center link on the City website.
- Carla to follow up with Katie to see why she has not been attending the Commission meetings.
- A request for a video walk through of the new Senior/Rec center was made, to be shown at the next meeting in August.

10. Public Comment

None

11. Adjourn

Bill Wallace made a motion to adjourn at 11:05 a.m., Charlie Daniels provided the second, and all present were in favor, motion passed.

Prepared by Carla Bray

Sheila Ekstein

MEETING SUMMARY

FRENCHTOWN SPECIAL BUSINESS DISTRICT ADVISORY BOARD

Thursday, July 10, 2025 1:00 PM

Conference Room A, City Hall

200 N. Second Street, Saint Charles, Missouri

Members Present:

Chris Kyle, Chair
Jeff Sams, Vice Chair
Bill Otto, Council Liaison
Melissa Hollander
Alyssa Houska
Keith Lutz

Staff Members Present:

Jessica Ferguson, Business Development Coordinator
Mayor Dan Borgmeyer
Lawrence Perney, Assistant Administrator
John Boyer, Com Dev Assist. Director
Beth Norviel, Special Events/Communications Director
Jennifer O'Connor
Kory Goodson, Economic Development Specialist
Officer David Fruits
Taylor Moore, Historic Preservation Planner
Madelyn Brown, Planner
Alanna Bilyeu, Planning Intern

ABSENT: Brandon Runk, Adam Tritz

Call to Order and Call the Roll – Chris Kyle called the meeting to order at 1:00pm. There were five (5) members present, enough for a quorum. Jessica Ferguson conducted roll call.

Pledge of Allegiance – Chris Kyle led the Pledge of Allegiance.

Approval of Minutes –Keith Lutz made a motion to approve the June 12, 2025 Minutes. Jeff Sams seconded the motion. All in favor (5-0).

Current Operating Budget – Discussion on watering the flowers. Bill Otto made a motion to approve the budget. Jeff Sams seconded the motion. All in favor (5-0).

Alyssa Houska arrives to the meeting at 1:07pm. Six (6) members are now present.

Future Operating Budget – Discussion on budget options. Bill Otto made a motion to approve budget option Two (2): \$33,400. Melissa Hollander seconded the motion. All in favor (6-0).

Update from City Staff – Jennifer O'Connor discusses the donation from the HFA (Historic Frenchtown Association), grants, and fund-raising. Jennifer O'Connor also informs the Board they will not be required to get additional watering bids this year since Main Street SBD already received the same bids. Melissa Hollander makes a motion to move \$1000 into Festival Contributions (769-003). Keith Lutz seconded the motion. All in favor (6-0). Discussion with Officer David Fruits and Mayor Dan about the unhoused. Beth Norviel gives an update on Frenchtown Construction Communication efforts and special events. Mayor Dan gives an update on Frenchtown projects. Lawrence Perney discussed digital signage and gives a Public Works update. Kory gives an update on Frenchtown projects and businesses.

Old Business –

- **Fundraising** – Discussed during updates from City Staff.
- **HFA Transfer Funds** – Discussed during updates from City Staff.
- **New Business Welcome Package** – Board discusses Welcome Packages for new businesses.
- **Event Support** – Discussed during updates from City Staff.

New Business – Review of Parkview Gardens proposal of plantings.

Watering of Frenchtown planters discussed. Keith Lutz made a motion to move \$5000 into the Repair and Maintenance line item (743-006), Melissa Hollander seconded the motion. All in favor (6-0).

Report from City Council Liaison – None. Councilmember Bill Otto dismisses himself from the meeting. There are now five (5) members present.

Other Information from Staff – Discussion on alleys. Next meeting is scheduled for Thursday, August 14 at 4:30pm.

Adjournment – Jeff Sams made the motion to adjourn at 2:26pm. Alyssa Melissa Hollander seconded the motion. All in favor (5-0).



Chris Kyle, Chair

8-14-25
Date

LANDMARKS BOARD - MINUTES
July 21, 2025
City Council Chambers, Fourth Floor City Hall
200 North Second Street
St. Charles, MO 63301

MEMBERS PRESENT

Steve Martin, Chair
Michelle Beucke
Dave Settle
Tom Smith
John Donnelly
Christi Tennyson
Steve Hollander, Council Liaison

STAFF PRESENT

Taylor Moore, Preservation Planner
John Boyer, Assistant Director of CD

Absent: Jill Ryan

On Monday, July 21, 2025, at 6:00 p.m., the City of St. Charles Landmarks Board held its regular monthly meeting in the Council Chambers on the fourth floor of City Hall.

1. Call to order and the roll.

The meeting was called to order by Steve Martin at 6p.m. Taylor Moore called the roll.

2. Pledge of Allegiance

3. Consent Agenda

- (A) Case No. EC-2025-030 423 Jackson Street. Caleigh McVey. The applicant is requesting approval to install new windows on the dwelling [Extended Historic Preservation District, Ward 2].
- (B) Case No. EC-2025-033 1400 North 2nd Street. Sheri Berg. The applicant is requesting approval to install new windows on the dwelling [Frenchtown Preservation District, Ward 1].
This item was removed from the consent agenda.
- (C) Case No. EC-2025-034 2308 Sibley Street. Laura Adams. The applicant is requesting approval to make alterations to the roof of an outbuilding [Extended Historic Preservation District, Ward 9].
- (D) Case No. EC-2025-036 801 North Benton Avenue. Melody Kehoe. The applicant is requesting approval to install a new fence on the property [Commons Preservation District, Ward 1].
- (E) Case No. EC-2025-037 809 Jefferson Street. Austin Knauff. The applicant is requesting approval to install three solar arrays on the roof of the dwelling [Extended Historic Preservation District, Ward 2].

John Donnelly made a motion to approve the remaining balance of the consent agenda. Steve Hollander seconded the motion. All were in favor (7-0).

4. Removed Consent Items

- (A) Case No. EC-2025-033 1400 North 2nd Street. Sheri Berg. The applicant is requesting approval to install new windows on the dwelling [Frenchtown Preservation District, Ward 1].
Sheri Berg was present to answer questions for the Board. Michelle Beucke made a motion to approve the application. Tom Smith seconded the motion. All were in favor (7-0).

5. Sign Permit Applications

6. Structure Review

- (A) Case No. EC-2025-029 330 North Main Street. Jeff Droste. The applicant is requesting approval to construct a new rear deck, replace windows, and make several exterior updates to the structure [Historic Downtown District, Ward 1]. ***Jeff Droste was present to answer questions for the Board. Tom Smith made motion to approve the application. John Donnelly seconded the motion. Six were in favor, none were opposed, one abstained (6-0-1).***
- (B) Case No. EC-2025-31 524 South Main Street. Jason Granger. The applicant is requesting approval to replace the existing two-tier rear deck on the structure with a new deck [South Main Preservation District, Ward 2] ***Jason Granger was present to answer questions for the Board. Steve Hollander made a motion to approve the application. Dave Settle seconded the motion. All were in favor (7-0).***
- (C) Case No. EC-2025-032 1228 North 5th Street. Marie Montgomery. The applicant is requesting approval to install new windows on the dwelling and to cover over two side windows [Frenchtown Preservation District, Ward 1]. ***Marie Montgomery was present to answer questions for the Board. Michelle Beucke made a motion to approve the application per Staff recommendations. Christi Tennyson seconded the motion. All were in favor (7-0).***
- (D) Case No. EC-2025-035 1114 Lindenwood Avenue. David Capp. The applicant is requesting approval to construct a dormer on the second floor [Extended Historic Preservation District, Ward 1]. ***The applicant was not present. Michelle Beucke made a motion to table the application. Tom Smith seconded the motion. All were in favor (7-0). The application was tabled to the August 18, 2025 meeting.***
- (E) Case No. SP-2025-06 225 Tompkins Street. Nancy Urnes. The applicant is requesting approval to construct a new detached garage in the rear of the property [Extended Historic Preservation District, Ward 2]. ***Nancy Urnes was present to answer questions for the Board. Tom Smith made a motion to approve the application. John Donnelly seconded the motion. All were in favor (7-0).***
- (F) Case No. SP-2025-07 1028-1038 South Main Street. Christopher Pike. The applicant is requesting approval to develop a fourteen townhome subdivision on the lots [South Main Preservation District, Ward 2] ***Christopher Pike was present to answer questions for the Board. Michelle Beucke made a motion to approve the new development subject to conditions 1 and 2 recommended by Staff. All were in favor (7-0).***

7. Announcements/Reports from Officers –

- ***Taylor Moore discussed the Missouri Main Street Conference later this week and the sessions the City of St. Charles will be presenting.***

8. Secretary

- ***Christi Tennyson was selected for the role of Secretary for the Board.***

9. Staff Reports – N/A

10. Approval of June 16, 2025 regular meeting minutes

- *Dave Settle made a motion to approve the minutes, Christi Tennyson seconded the motion. Four were in favor, none were opposed, and three abstained.*

11. Adjournment

Michelle Beucke made a motion to adjourn, Steve Hollander seconded. All were in favor (7-0). The meeting was adjourned at 6:28p.m.


SECRETARY

8 / 18 / 2025
DATE



RECORDS DESTRUCTION FORM

Purge Date: _____ (to be completed by City Clerk staff)

Department: FINANCE

DATE	SECTION USED TO DETERMINE RETENTION SCHEDULE	NAME OF RECORD	YEAR OF RECORD	RETENTION PERIOD
8/15/2025	GS-007	P/R PAYABLES	2023	COMPLETION OF AUDIT
8/15/2025	GS-010	BANK & INVESTMENTS	2022	AUDIT COMP + 1 YR
8/15/2025	GS-050	LIQUOR LICENSE APPLIC	2021	2YRS AFTER EXPIRED DEST SEC
8/15/2025	GS-050	BUSINESS LICENSE APPLIC	2021	2 YRS AFTER EXPIRED DEST SEC
8/15/2025	GS-008	A/R RECORDS	2023	COMPLETION OF AUDIT
8/15/2025	GS-007	UT REFUNDS	2023	COMPLETION OF AUDIT
8/15/2025	GS-004	CIP WORK PAGES	2023	COMPLETION OF AUDIT
8/15/2025	GS-007	SALES TAX RETURNS	2023	COMPLETION OF AUDIT
8/15/2025	GS-011	CASH RECEIPTS	2023	COMPLETION OF AUDIT
8/15/2025	GS-010	CUSTOMER NSF CHECK COPIES & BANK NOTICES	2022	COMPLETION OF AUDIT + 1 YR
8/15/2025	GS-008	CIG REPORTS FROM MO	2023	COMPLETION OF AUDIT
8/15/2025	GS-008	UB CREDIT CARD PMTS	2023	COMPLETION OF AUDIT
8/15/2025	GS-011	DAILY CHECK OUT SHEETS	2023	COMPLETION OF AUDIT
8/15/2025	GS-068	GARNISHMENTS	2019	5 YEARS DEST SEC

Submitted by: Patricia Bayes Date: 8/15/2025

Approved by: Jennifer O'Connor Date: 8-18-25

Approved by: Jennifer O'Connor
Printed Name
Signature



RECORDS DESTRUCTION FORM

Purge Date: _____ (to be completed by City Clerk staff)

Department: Finance

<i>DATE</i>	<i>SECTION USED TO DETERMINE RETENTION SCHEDULE</i>	<i>NAME OF RECORD</i>	<i>YEAR OF RECORD</i>	<i>RETENTION PERIOD</i>
8/15/2024	GS 008	Bank Draft Reports	2023	Completion of Audit
8/15/2024	GS 008	Water Bill Stubs	2023	Completion of Audit
8/15/2024	GS 007	Refund Reports	2023	Completion of Audit
8/15/2024	GS 008	Bad Debt Write-off Report	2023	Completion of Audit
8/15/2024	GS 007	Utility Rebate Backup	2023	Completion of Audit

Submitted by: Patricia Bayes Date: 8/15/2025

Approved by: Jennifer O'Connor Date: 8-18-25
Printed Name

Approved by: [Signature]
Signature

RCA FORM (OFFICE USE ONLY)

Bill # 14006

MEETING/DATE: 9/2/2025

Regular Special Comm. of Whole

ATTACHMENT: YES NO

Report Resolution Ordinance

Request for Council Action

Ward(s): All

Sponsor(s): MICHAEL GALBA

Description:

AN ORDINANCE FIXING AND ESTABLISHING THE RATE AND LEVYING THE TAXES FOR THE GENERAL REVENUE FUNDS AND FOR THE VARIOUS SPECIAL FUNDS OF AND FOR THE CITY OF SAINT CHARLES, MISSOURI, FOR THE YEAR TWO THOUSAND AND TWENTY-FIVE.

Contract Extension/Renewal: Yes No

Information Paper Attached: Yes No

Staff Recommendation: Approve Disapprove

Board/Committee/Commission Recommendation: Approve Disapprove

Summary:

Establishment of annual property tax rate as follows:

General	.4148
Public Park Maintenance	.1788
Debt Service	<u>.1613</u>
	<u>.7549</u>
Special Business District (1)	.2800
Special Business District (2)	.2800

Please see attached documentation for additional information.

Proforma for Mayor signature and Clerk certification with County Assessor will be forwarded once received from State Auditor.

State Law requires certification of tax rate to be delivered to County no later than Oct.1.

Budget Impact: (revenue generated, estimated cost, CIP item, etc.)

Fiscal Impact: N/A

Account #: various

Project #: N/A

RCA prepared by: JS Dept. Dir. Jaw Finance Dir. Jaw Dir. of Admin. D

Bill No. 14006

Ordinance No. _____

Sponsor: Michael Galba

AN ORDINANCE FIXING AND ESTABLISHING THE RATE AND LEVYING THE TAXES FOR THE GENERAL REVENUE FUNDS AND FOR THE VARIOUS SPECIAL FUNDS OF AND FOR THE CITY OF SAINT CHARLES, MISSOURI, FOR THE YEAR TWO THOUSAND AND TWENTY-FIVE.

WHEREAS, the City Council for the City of Saint Charles, Missouri, conducted a public hearing on September 16, 2025 on the proposed tax rate for the year 2025 in accordance with Sections 67.110 and 137.073 of the Revised Statutes of the State of Missouri; and

WHEREAS, in the year 2024 the tax rate for the General Fund was set and fixed at the rate of Forty-Two and 66/100 Cents (\$0.4266) on each One Hundred Dollars (\$100.00) of said assessment and valuation; the tax rate for the Public Park Fund was set and fixed at the rate of Eighteen and 39/100 Cents (\$0.1839) on each One Hundred Dollars (\$100.00) of said assessment and valuation; and the tax rate for the Bond Redemption Fund was set and fixed at the rate of Sixteen and 13/100 Cents (\$0.1613) on each One Hundred Dollars (\$100.00) of said assessment and valuation; and

WHEREAS, for the year 2025, the assessed valuation of property within the City has increased by approximately 6.6% and the City Council of the City of St. Charles, Missouri desires to set its tax rates for the General, Public Park and Bond Redemption Funds so as to produce approximately the same amount of taxes as produced in 2024; and

WHEREAS, the proposed 2025 tax rate for the General Fund is at the tax rate of Forty-One and 48/100 Cents (\$0.4148) and the proposed rate for the Public Park Fund is at the tax rate of Seventeen and 88/100 Cents (\$0.1788); and

Now, Therefore, Be it Ordained by the Council of the City of St. Charles, Missouri, as Follows:

SECTION 1. That there is hereby levied on all Class A property in the City of Saint Charles, State of Missouri, made taxable by law for state purposes, on the assessment and valuation therefore heretofore made and established, taxes for the year Two Thousand and Twenty-Five at the rates respectively, to and for the various funds and purposes, as follows, to-wit:

- A. For the General Revenue Fund of said City being for ordinary purposes, the rate is fixed at Forty-One and 48/100 Cents (\$0.4148) on each One Hundred Dollars (\$100.00) of said assessment and valuation.
- B. For the Public Park Fund of said City, the rate is fixed at Seventeen and 88/100 Cents (\$0.1788) on each One Hundred Dollars (\$100.00) of said assessment and valuation.

C. For the Bond Redemption Funds of said City, the rate is fixed at Sixteen and 13/100 Cents (\$0.1613) on each One Hundred Dollars (\$100.00) of said assessment and valuation.

SECTION 2. There is hereby levied on all Class B property in the City of Saint Charles, State of Missouri, made taxable by law for state purposes, on the assessment and valuation therefore heretofore made and established, taxes for the year Two Thousand and Twenty-Five at the rate of one-tenth (1/10) of the rates levied against Class A property.

SECTION 3. That there is hereby fixed and levied on all owners of real property within the Main Street Special Business District boundaries as set out in Section 610.010 of the Code of Ordinances of the City of Saint Charles, Missouri, excluding all properties used exclusively for residential purposes as defined in Section 610.020 of the Code of Ordinances of the City of Saint Charles, Missouri, on the assessment and valuation therefore heretofore made and established, Main Street Special Business District taxes for the year Two Thousand and Twenty-Five at the rate of Twenty-Eight Cents (\$0.28) on each One Hundred Dollars (\$100.00) of said assessment and valuation.

SECTION 4. That there is hereby fixed and levied on all owners of real property within the Frenchtown Special Business District boundaries as set out in Section 610.080 of the Code of Ordinances of the City of Saint Charles, Missouri, excluding all properties used exclusively for residential purposes as defined in Section 610.090 of the Code of Ordinances of the City of Saint Charles, Missouri, on the assessment and valuation therefore heretofore made and established, Frenchtown Special Business District taxes for the year Two Thousand and Twenty-Five at the rate of Twenty-Eight Cents (\$0.28) on each One Hundred Dollars (\$100.00) of said assessment and valuation, and with the amount of annual tax generated from the special business district property tax and business license tax for any one (1) business so taxed not to exceed Three Hundred Dollars (\$300.00) total annually.

SECTION 5. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

Date Passed

Michael Galba, Presiding Officer

Date Approved

Daniel J. Borgmeyer, Mayor

Approved as to Form:

Attest:

Holly Magdziarz 8/28/2025
Holly Magdziarz, City Attorney

City Clerk



September 2, 2025

TO: Honorable Mayor and
Members of City Council

FROM: Jennifer O'Connor, Director of Finance

SUBJECT: Ordinance Setting 2025 Property Tax Levies

Before you for reading at the September 2nd Council Meeting is the Ordinance Setting Property Tax Levies for General Revenue, Park Maintenance, General Obligation Debt Service and the Special Business Districts for the 2025 tax year.

The final assessed valuations are certified by the County Assessor and these rates will determine the amount of revenue to be generated from real and personal property in the City of St. Charles for the 2025 tax year.

The following present a comparison of assessed valuations by class for the current and prior tax years:

Certified Assessed Valuation	Current Tax Year – 2025	Current Tax Year - 2024
Real Estate	\$2,052,977,170	\$1,909,885,777
Personal Property	\$317,194,212	\$310,874,861
Railroad and Utility	\$29,885,311	\$30,058,700
Totals	\$2,400,056,693	\$2,250,819,338

State law requires us to determine the authorized property tax rate based on changes in assessed value every year. The current year assessed valuations reflect a net increase of \$149,237,355 or 6.6% from the prior year.

The following table illustrates the amount of revenue that could be generated by imposing the proposed 2025 tax rate vs. the amount charged for the previous year's tax rate for the General Fund and the Park Maintenance Fund. Decreasing the tax rate for these funds will allow for collection of approximately the same amount of revenue generated in the prior year due to the increase in assessed valuation.

The debt service property tax revenue can only be used to extinguish the outstanding debt. We currently have sufficient funds available for the debt service payments; therefore the rate will remain unchanged from the prior year.



	2024 Certified Tax Rate	2024 Revenue at Certified Tax Rate	2025 Certified Tax Rate	2025 Revenue at Certified Tax Rate
General	0.4266	\$9,500,109	0.4148	\$9,756,326
Public Parks Maintenance	0.1839	\$4,095,335	0.1788	\$4,205,475
Debt Service	0.1613	\$3,592,048	0.1613	\$3,793,866
	0.7718	\$17,187,492	0.7549	\$17,755,667

Special Business District (1)	0.28	\$40,000	0.28	\$40,000
Special Business District (2)	0.28	\$20,400	0.28	\$20,400

¹This special property tax applies only to commercial real estate in the area generally known as the historic main street area.

²This special property tax applies only to commercial real estate in the area generally known as the Frenchtown area.

	General	Public Parks Maintenance	Debt Service
Increase in tax revenue due to increase in assessed value due to new construction and improvements, if proposed rate is adopted:	\$0.00	\$0.00	\$0.00
Increase in tax revenue as a result of reassessment, if proposed tax rate is adopted:	\$256,217	\$110,140	\$201,818
	2.70%	2.69%	5.62%

For the reasons stated above, I recommend the 2025 property tax rates be set at the rate of .4148 for General Fund and .1788 for Parks. The rate for debt service is suggested to stay consistent at .1613.

Jennifer O'Connor
Director of Finance

Cc: Parks and Recreation Director
Community Development Director
Special Business District Boards

RCA FORM (OFFICE USE ONLY)

Bill # 14007

MEETING/DATE: 9/2/2025

Regular Special Work Session

ATTACHMENT: YES NO

Report Resolution Ordinance

Request for Council Action

Ward(s): 1

Sponsor(s): Bill Otto

Description:

Case No. Z-2025-07. (Charles Gilbert) An application to rezone 12,600 square feet (more or less) tract of land, located at 975 Lindenwood Avenue, from "R-1E" Single Family Residential District to "R-2" Two Family Residential District to convert an existing structure into a duplex. The subject property is located in Ward 1.

Contract Extension/Renewal: Yes No

Information Paper Attached: Yes No

Staff Recommendation: Approve Disapprove

Board/Committee/Commission Recommendation: Approve Disapprove

Summary:

The City has received a rezoning application from the property owner of 975 Lindenwood Avenue, Charles and Anna Gilbert, to rezone an approx. 12,600 square foot parcel from R-1E Single-Family Residential District to R-2 Two-Family Residential District, with the intent to convert the layout and use of the existing structure into a duplex (two-family dwelling).

The Planning and Zoning Commission held a public hearing on this item at their August 11, 2025 meeting where the applicant addressed the Commission and there was two (2) speakers from the public on this application. Generally, the speakers were in favor of the application. The Commission forwarded a recommendation for approval to the City Council (9 in favor, 0 opposed, 1 abstention).

Budget Impact: (revenue generated, estimated cost, CIP item, etc.)

Fiscal Impact: N/A

Account #: N/A

Project #: N/A

RCA prepared by: LAB Dept. Dir. [Signature] Finance Dir. [Signature] Dir. of Admin. [Signature]



AGENDA ITEM #7

**STAFF REPORT
REZONING CASE NO. Z-2025-07
975 LINDENWOOD AVENUE**

**AUGUST 11, 2025
BY LARA BERRY**

APPLICANT: Charles Gilbert
23 Eau Claire Drive
St. Charles, MO 63301

OWNER: Charles & Anna Gilbert
23 Eau Claire Drive
St. Charles, MO 63301

ADDRESS/LOCATION: 975 Lindenwood Avenue
Ward 1

LOT SIZE: 12,600 square feet

EXISTING ZONING: R-1E Single-Family Residential District

REQUESTED ZONING: R-2 Two-Family Residential District

SURROUNDING ZONING:

Direction	Zoning	Use
North	R-1E	Single-Family Residence
South	R-1E	Single-Family Residence
East	R-1E	Single-Family Residence
West	R-1E	Non-Conforming Use/Structure

SUMMARY / ANALYSIS

The City has received a rezoning application from the property owner of 975 Lindenwood Avenue, Charles and Anna Gilbert, to rezone a parcel from R-1E Single-Family Residential District to R-2 Two-Family Residential District. According to the County Assessor, there are two separate parcels associated with the address of 975 Lindenwood Avenue. One parcel is approximately 1.7 acres, while the other is approximately 12,600 square feet. The applicant is requesting to rezone only the smaller of the two parcels with the intent to convert the layout and use of the existing structure into a duplex (two-family dwelling).

Based on staff's review of limited City records, in 1953, this property was issued a Certificate of Occupancy for a Non-Conforming Use, because according to the 1954 Zoning District Map, the property was zoned "First Dwelling" which is equivalent to the current Single-Family Residential Districts (Figure 1, below). The use of the property at that time was for a hatchery, poultry dressing plant, feed sales, and poultry equipment sales in connection with poultry or live stock.

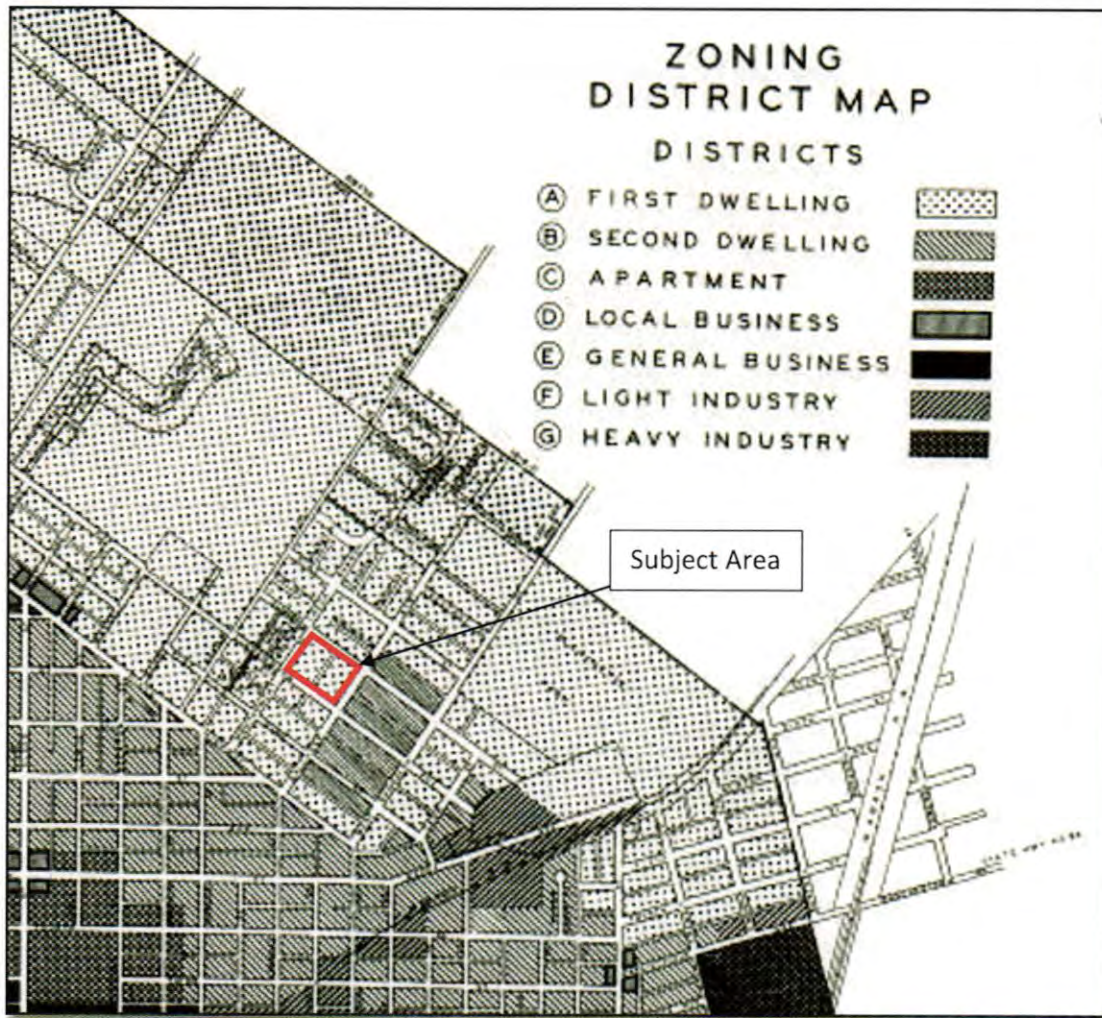


Figure 1: 1954 Zoning District Map

Most recently, the structure on the subject site was used as another non-conforming use, a commercial office for Res-Com Contractors LLC. This commercial use was also considered a non-conforming use under the existing R-1E zoning. However, as the business has not operated at this location for well over one year, the non-conforming status has lapsed, and the structure must now comply with the permitted uses of the R-1E District, more specifically in connection to this request, single-family residential use.

Although previously used as a business office, the building is residential in appearance (Figure 2, on the next page) and while records indicate the subject structure was used as an office (not a dwelling) under the most recent use, it is inconclusive whether this structure was previously used as a dwelling. However, based on the time period of the records mentioned above and architecture

of the structure, one could conclude that this was once used as a single-family residence at some point tied to the original non-conforming use (farm). The current property owners, who purchased the site in February 2024, wish to convert the existing structure into a two-family dwelling and maintain it as a rental property. Because the R-1E District does not allow duplexes, a rezoning to R-2 is necessary to accommodate the proposed use. It should be noted that the structure can be used as a rental unit; however, only as a single dwelling unit via the R-1E zoning standards (not the intended two unit dwelling).

Per the Zoning Code, “it is the intention that non-conforming uses and non-conforming structures will eventually be eliminated”. In this case, the previous non-conforming commercial use on the property has lapsed. Rather than move toward zoning conformity, the proposed rezoning would introduce a new, higher-density use that does not align with the surrounding lower-density residential zoning.



Figure 2: Street view of the Subject Property

Area Land Uses

Figure 3, below, illustrates the surrounding zoning of the subject parcel. Although the broader area includes some R-2 Two-Family and R-3A Multiple-Family Residential zoning districts and uses, the subject property and its immediately adjacent parcels remain zoned R-1E and have consistently been maintained for single-family residential dwelling uses.

There is one notable exception across the street from the subject site, 950–960 Lindenwood Avenue, that is currently used as a six (6) unit residential building, despite being zoned R-1E (also indicated on Figure 3). This structure is also considered non-conforming and is a remnant of former military housing, pre-dating zoning (which was enacted in 1947). Though it is platted as attached single-family or condominium-style units, it is treated functionally as multi-family under land use standards.

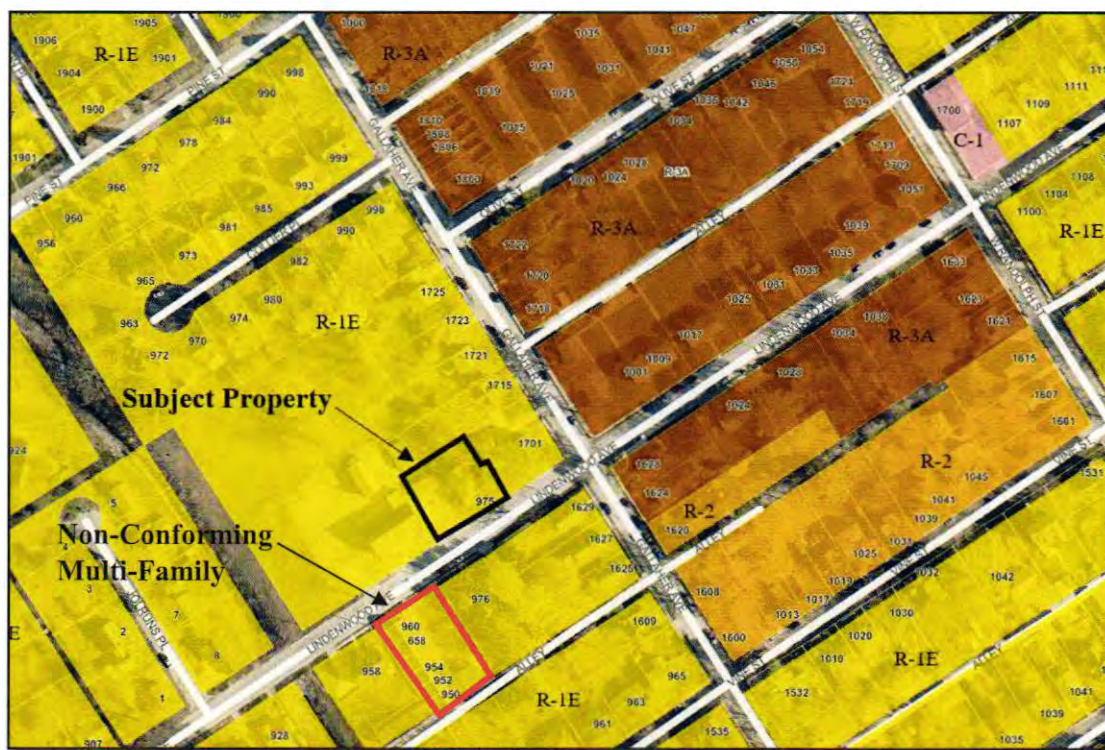


Figure 3: Area Zoning of the Subject Property

East of Gallaher Avenue, between Pine Street and Lindenwood Avenue, there is a large pocket of multi-family and two-family residential development. As the built environment moves south from Lindenwood Avenue, the zoning transitions gradually from R-3A to R-1E at Vine Street, with a continuous band of R-2 serving as a buffer between higher- and lower-density districts. This creates a logical and orderly progression in zoning intensity which is generally strived and encouraged in the City’s Comprehensive Plan. In contrast, the proposed rezoning west of this pocket of multi-family zoning would introduce a small pocket of R-2 west of Gallaher Avenue, where the area has remained consistently single-family. This would result in a fragmented pattern, moving west from Gallaher (R-3A to R-1E, then to R-2 per the proposal, and back again to R-1E),

disrupting the expected pattern of gradual, contiguous transitions in residential density. Furthermore, Gallaher Avenue itself has historically served in this area as a clear dividing line between higher-density residential uses to the east and single-family residential uses in this area.

It is staff's belief that the R-3A zoning on the east side of Gallaher is largely a product of initial zoning assignments that corresponded to existing buildings at the time zoning was first established in St. Charles and has remained so since that time. Many of the multi-family structures in that pocket were constructed around the same time the City adopted its first zoning regulations, and the zoning likely followed the built environment rather than signaling a long-range plan to expand higher-density residential further west.

In support of the rezoning request, the applicant submitted seven (7) letters or statements from area property owners, which are included in the staff report packet for reference. Of these, only two (2) are from properties that could be considered directly adjacent to the subject parcel (the smaller parcel), both located across the Lindenwood Avenue (see Figure 4, page 7 below).

While staff appreciates the applicant's efforts to gather support, it's important to note that neighborhood support alone should not determine the outcome of a rezoning request, especially when other planning considerations point in a different direction. Again, rezoning decisions must take into account the long-term goals for the area, consistency with the Comprehensive Plan, and how well the request fits within the existing zoning pattern.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The St. Charles Comprehensive Plan, adopted in 2002 and updated in 2012, recommends that land use decisions be guided by compatibility with surrounding development and proximity to designated Activity Centers. These centers are intended to support higher-density development, with intensity gradually decreasing as distance from the center increases.

The subject property lies approximately 1,000 feet southeast of Activity Center #2 (Blanchette Park). While proximity to an Activity Center can justify increased residential density in certain cases, the Comprehensive Plan notes that not all Activity Centers serve the same function. Unlike the Historic Downtown Activity Center, is centered within commercial activity and designed for walkable, mixed-use development. Blanchette Park functions as a neighborhood-serving amenity within a stable majority single-family area. The existing land use pattern surrounding the park reflects a desire to preserve lower-density character, not intensify it.

Although there are some examples of higher-density or non-conforming uses in the broader area, the subject parcel lacks direct zoning continuity with any other R-2 districts. Without a clear, contiguous connection to similar zoning, the proposed change does not appear to support the Comprehensive Plan's goals for coordinated land use transitions and cohesive neighborhood development.

STAFF RECOMMENDATION

After careful review of the rezoning request, applicable zoning regulations, the Comprehensive Plan, and surrounding development patterns, staff finds that this proposal raises concerns related to land use consistency, zoning contiguity, and long-term planning direction. While the applicant's intent to reuse the structure in a way that may support housing needs is understandable and while the applicant has submitted some documents of support from area property owners, staff must consider the broader policy implications of introducing a higher-density zoning district in the middle of an established single-family neighborhood.

As previously mentioned, Gallaher Avenue has historically served as a clear transition point between multi-family and single-family residential uses, and the surrounding area west of Gallaher has remained relatively unchanged over time. The requested R-2 zoning would represent a break in the established zoning pattern, lacks direct adjacency to other two-family/multi-family zoning districts, and may encourage a pattern of intensification in an area which has remained traditionally single-family (minus the multi-family pocket to the east).

Staff also notes that the Zoning Code supports the eventual elimination of non-conforming uses and encourages transitions that are gradual, contiguous, and consistent with neighborhood character.

For these reasons, staff hesitates to provide a favorable recommendation for the rezoning request. Although the proposed use may not appear incompatible with the area on the surface, the lack of zoning continuity, the potential for intensification of zoning, and the absence of clear support from the Comprehensive Plan lead staff to recommend against the application.

Recommended Motions:

Motion to forward application Z-2025-07, to the City Council with a favorable recommendation as submitted.

*(Note: Staff **does not** recommend this application be approved; however, the motion must be made in the form of a positive.)*

Property Owner(s) Larry Smith

Property Address 1628 Gallaher Ave.

I/We, the undersigned have no objection to the rezoning of 975 Lindenwood Avenue, St. Charles, MO 63301 and consent to the property becoming a multi-family/duplex.

Additional Comments: _____

Larry Smith
Property Owner Signature

Telephone Number: 3144774917

Dated: 8/5/25

Property Owner Signature

Telephone Number: _____

Dated: _____

Property Owner(s) Kevin & Tessa Beasley

Property Address 974 Collier Pl, St. Charles, MO 63301

I/We, the undersigned have no objection to the rezoning of 975 Lindenwood Avenue, St. Charles, MO 63301 and consent to the property becoming a multi-family/duplex.

Additional Comments: No objections!

Kevin Beasley
Property Owner Signature
Telephone Number: 731-363-4325
Dated: 8-5-2025

Tessa Beasley
Property Owner Signature
Telephone Number: 608-434-1278
Dated: 8-5-2025

Property Owner(s) Keith Robben MD and David Kullberg

Property Address 1429 Gallacher Ave St. Charles MO 63301

I/We, the undersigned have no objection to the rezoning of 975 Lindenwood Avenue, St. Charles, MO 63301 and consent to the property becoming a multi-family/duplex.

Additional Comments: _____

Dr. Keith Robben

Property Owner Signature

Telephone Number: 314-808-6511

Dated: 8/5/2025

David Kullberg

Property Owner Signature

Telephone Number: 314-461-3023

Dated: 8-5-25

Property Owner(s) Samuel Crosby

Property Address 998 Collier Pl. St. Charles, MO 63301

I/We, the undersigned have no objection to the rezoning of 975 Lindenwood Avenue, St. Charles, MO 63301 and consent to the property becoming a multi-family/duplex.

Additional Comments: _____

Sam Crosby
Property Owner Signature

Telephone Number: 636-317-8947

Dated: 8-5-25

Property Owner Signature

Telephone Number: _____

Dated: _____

Property Owner(s) ROSE HARRELL

Property Address 976 LINDENWOOD AVE.

I/We, the undersigned have no objection to the rezoning of 975 Lindenwood Avenue, St. Charles, MO 63301 and consent to the property becoming a multi-family/duplex.

Additional Comments: NO OBJECTION

Rose Harrell
Property Owner Signature
Telephone Number: 636-219-3184
Dated: 8/5/2025

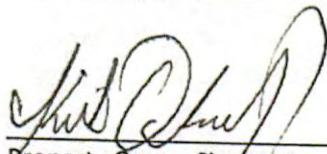
Property Owner Signature
Telephone Number: _____
Dated: _____

Property Owner(s) Kirk & Lisa Clenduff

Property Address 980 Collier Pl 63301

I/We, the undersigned have no objection to the rezoning of 975 Lindenwood Avenue, St. Charles, MO 63301 and consent to the property becoming a multi-family/duplex.

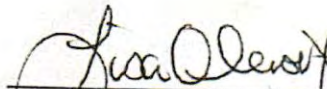
Additional Comments: NO Objections!



Property Owner Signature

Telephone Number: 636-288-7715

Dated: 8/5/25



Property Owner Signature

Telephone Number: 314-650-3291

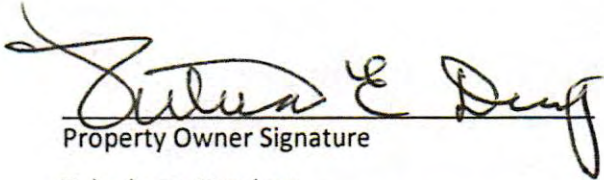
Dated: 8/5/25

Property Owner(s) Victoria Day

Property Address 1810 Gallaher

I/We, the undersigned have no objection to the rezoning of 975 Lindenwood Avenue, St. Charles, MO 63301 and consent to the property becoming a multi-family/duplex.

Additional Comments: No objection



Property Owner Signature

Telephone Number: _____

Dated: 8/5/25

Property Owner Signature

Telephone Number: _____

Dated: _____

APPLICATION FOR CERTIFICATE OF OCCUPANCY FOR A NON-CONFORMING
USE IN COMPLIANCE WITH SECTION 25 OF ORDINANCE

NO. 2529

(To be completed by owner or occupant.)

No. 30-A

Date August 24th, 1954

TO THE BUILDING COMMISSIONER
OF THE CITY OF ST. CHARLES, MISSOURI

1. We the undersigned owners of the premises hereinafter described, do hereby make application for a certificate of occupancy for a non-conforming use.

2. LOCATION OF PREMISES:-

(a) Street address: 975 Lindenwood Ave.
1 to 6 incl.

(b) Lot.No. _____ Block No. 6 Subdivision Mason F. Atkins
Parts of lots 7 to 12 incl.

(c) Legal description (including dimensions) of lot:

All of block 6 of Mason F. Atkins Addition to the City of St. Charles, Mo., as same is located, designated and described on the Plat of said Addition recorded in Plat Book No. 3, at page 6, of the Recorder's Office of St. Charles County, Missouri, except all or portions of lots 7 to 12 inclusive that have since been deeded to Henry C. Vogt, Francis W. Vogt, Ignatius Vogt & Mrs. Sophia Vogt or Della Dieckherber.

Lots 1 and 6 are shown on plat as 60 x 210'

Lots 7 and 12 are shown on plat as 60 x 200 ft.

Lots 2 to 5 inclusive are shown as 50 x 210'

Lots 8 to 11 inclusive are shown as 50 x 200'

3. Said premises are located within District A, as established by Ordinance No. 2529.

4. On December 22nd., 1953, said premises were being used as:

a Hatchery, poultry dressing plant, feed sales, poultry equipment sales and miscellaneous equipment in connection with poultry or live stock.

5. Said premises were non-conforming within the provisions of said Ordinance, as of December 22, 1953, and remain non-conforming as of this date, because of the following reasons, to-wit:

for reasons as above stated under item No. 4

6. Said non-conforming use was not established in violation of Ordinance No. 2529.

Henry C. Vogt
Francis W. Vogt
Sophia Vogt
(signatures of applicants)

State of Missouri }
County of _____ } ss.

_____ being
first duly sworn state upon _____ oath that the facts set
forth in the foregoing application for certificate of occupancy
are true and correct.

Henry C. Vogt
Francis W. Vogt
Sophia Vogt

Subscribed and sworn to before me this 3 day of Aug, 1954

Paul D. Dierker
Notary Public

My Commission expires Sept 11 '57.





CITY PLAN

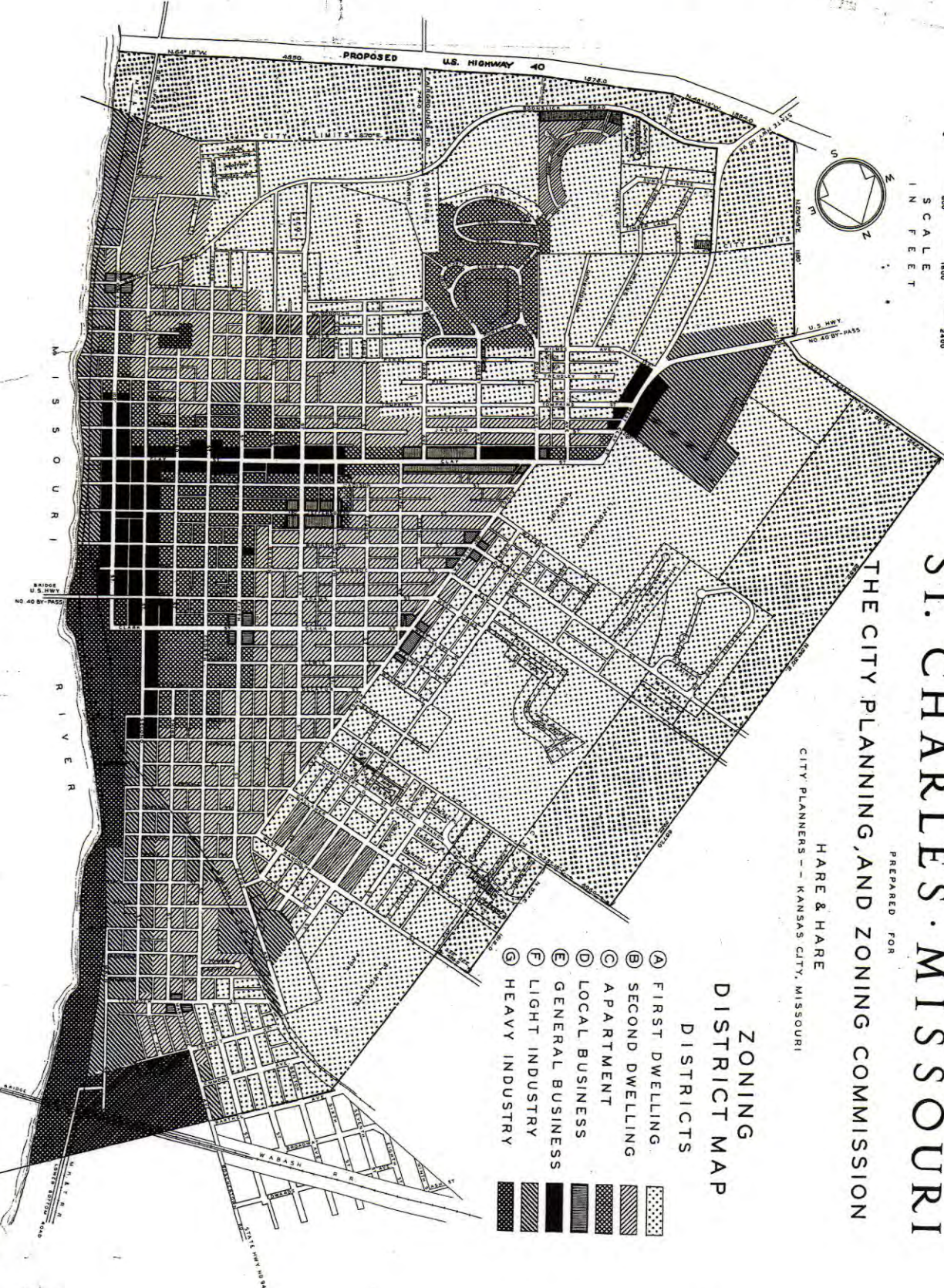
ST. CHARLES · MISSOURI

THE CITY PLANNING, AND ZONING COMMISSION

PREPARED FOR
 HARE & HARE
 CITY PLANNERS - KANSAS CITY, MISSOURI

ZONING DISTRICT MAP

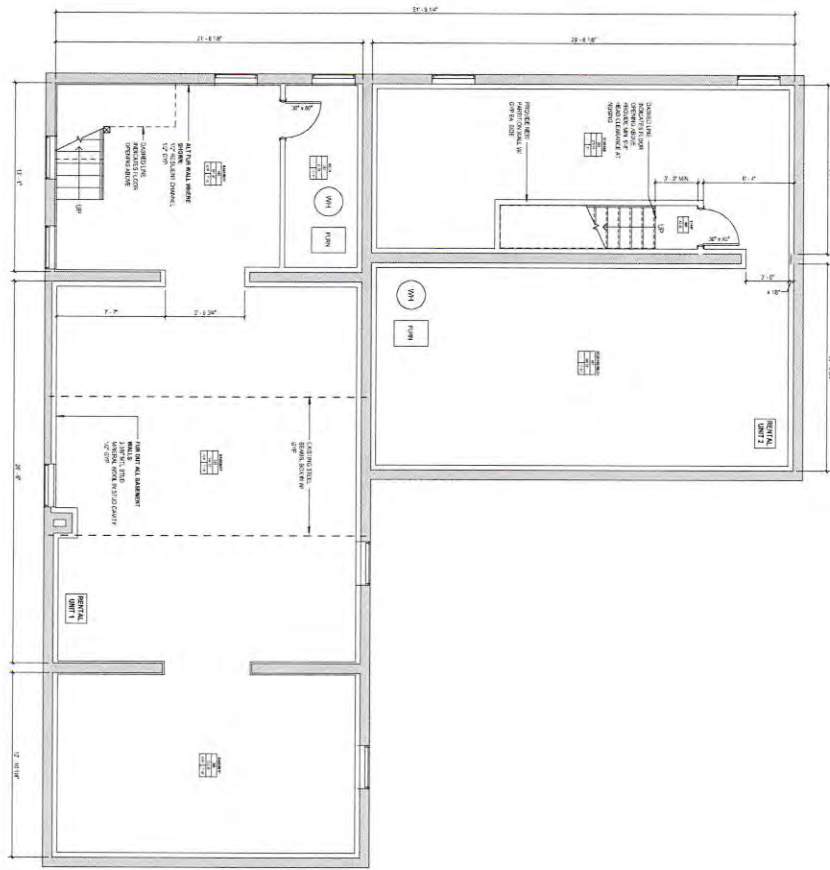
- ZONING DISTRICTS**
- (A) FIRST DWELLING
 - (B) SECOND DWELLING
 - (C) APARTMENT
 - (D) LOCAL BUSINESS
 - (E) GENERAL BUSINESS
 - (F) LIGHT INDUSTRY
 - (G) HEAVY INDUSTRY



OFFICE CITY ENGINEER
 ST. CHARLES, MO.
 NOV. 1934

Dug 4-15

1 LOWER LEVEL FLOOR PLAN



Aug 5, 2025

To whom it may concern,
Case # Z-2025-07

We do not see a problem with rezoning 975 Lindenwood Ave from a single family residential district into a two family residential district.

The Gilberts have been conscientious property owners of other properties they have in both upkeep and tenants.

Thank you for your time.

Allen & Angela Gibbs
1609 Gallacher Ave.

Lara Berry

From: Anna Gilbert <anag12002@yahoo.com>
Sent: Monday, August 11, 2025 1:29 PM
To: Dan Borgmeyer; Michael Galba; Bill Otto; Laura Lynn Whitehead; Lara Berry
Subject: Re: Agenda Item 7. Case No. Z-2025-07 (Charles Gilbert)
Attachments: Lindenwood Permits.pdf; Lara Berry Email.pdf

CAUTION: This email originated from outside of the City of Saint Charles. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor Dan, Councilmember Galba and Councilmember Otto:

In regard to the rezoning application of 975 Lindenwood, we wanted to provide the following response to Staff's Recommendation prior to this evening's meeting and kindly ask that you review same.

- The subject property lies approximately 1,000 feet southeast of Activity Center #2 (Blanchette Park).
- The Comprehensive Plan states "Use the fifteen (15) activity centers identified in Section II as the foundation of a plan that evaluates proposed new land uses on the basis of their proximity to an activity center, rather than on a site-specific map"
- Staff states that the proximity to an Activity Center can justify increased residential density however staff suggests Blanchette Park does not function as other Activity Centers. The Comprehensive Plan however states that "Blanchette Park and Wapelhorst Park are both key components of the City of St. Charles parks system. Blanchette Park's Bum's Hollow area has become a destination for summertime outdoor concerts and Memorial Hall continues to host a variety of events." In addition, the Plan states Blanchette Park and Wapelhorst Park "provides a unique set of amenities and they are among the most frequented parks in the City"
- The Comprehensive Plan states the goal is to "Adopt a land use philosophy that recognizes the activity centers as points of greatest density and/or most intense use, with land uses that are less dense and intense located in proportion to their distance from the nearest activity center. "
- That the "Zoning Code encourages transitions that are gradual, contiguous, and consistent with neighborhood character"
- In regard to the R-3A zoning on the east side of Gallaher, many government housing/HUD/Section 8 complexes are located within that zone. And although those properties are not directly adjacent to 975 Lindenwood, they are directly adjacent to 1701 Gallaher, which is the home next to the subject property, located at the corner of Lindenwood and Gallaher.
- That the proposed use is compatible with the area.
- The proposed use is not to construct a new building but rather to use the existing structure to contain a one bedroom unit and a 2 bedroom unit.
- That, as evidenced by the attached, permits were issued by the City to establish new electrical service in Ste. A and Ste. B of the subject property. The permit for Ste. A was completed January 17, 2025 and the

permit for Ste. B was completed June 9, 2025. The City issued these permits with the knowledge that the subject property is zoned as R-1E and cannot contain multiple units.

- Also attached is the email received from Lara Berry which sets forth the required steps to convert the property into a two-family dwelling. Other than paving the driveway/parking spots, all were completed.

In addition, I have included Lara Berry in this email and request that she forward this email and attachments to the entire commission.

We are aware that you are extremely busy so we appreciate you taking the time to review the above. If you have any questions, feel free to call or email.

Regards,
Anna Gilbert
636-443-3782

On Friday, August 8, 2025 at 11:36:55 AM CDT, Laura Lynn Whitehead <lauralwhitehead7@gmail.com> wrote:

mo-stcharles2.civicplus.com

Good morning Mayor Dan, Councilmember Galba and Councilmember Otto.

The above case is listed on next Monday's P&Z agenda for the Commission's consideration. I have been contacted by the applicants, who are dear friends of mine, asking for guidance on the public hearing process at the meeting next Monday. Upon reviewing their application and staff's recommendation with the Gilberts, we discovered that staff is recommending to deny this rezoning request.

Therefore, I am kindly asking that you please review their application and consider supporting their request.

I have copied Mrs. Anna Gilbert on this email who can answer any questions you may have. I've also copied Mr. Otto who has communicated to Charlie Gilbert that he is in favor of the rezoning application.

Thank you for your time and I will see you on Monday night!

Sincerely,
Laura

https://mo-stcharles2.civicplus.com/AgendaCenter/ViewFile/Agenda/_08112025-1731

Sent from my iPhone

Meters at 975 Lindenwood

From: T & R Electric (tandrelectric@sbcglobal.net)

To: anag12002@yahoo.com

Cc: tandrelectric@sbcglobal.net

Date: Monday, August 11, 2025 at 10:21 AM CDT

T & R Electric
1720 Scherer Pkwy
St Charles, MO 63385
636-946-1022 - office
tandrelectric@sbcglobal.net

Meter A and Meter B were issued separate permits by the city of St Charles. Meter B was removing and upgrading the current power to the house. Meter A was installed to separate the 2 interior spaces of the property. The first permit was 2025-00000191 Meter B. The 2nd permit was issued 2025-00000248 Meter A. Both permits were inspected and passed and completed.

Jim Podhorsky
President

636-946-1022 office
314-280-6863 cell
tandrelectric@sbcglobal.net



PermitDetailsmeterA.pdf
144.9 KB



PermitDetailsmeterB.pdf
146.6 KB



975 Lindenwood.jpg
238.7 KB

City of Saint Charles Permits

Powered by Tyler Technologies

[My Permits](#) [Request Permit](#) [Billing & Payment](#) [My Account](#)

Welcome, tandrelectric [Logout](#)

Permit Summary

Permit Type Electrical Charge - CD
Permit # 2025-00000248
Application #
Status Permit Completed on
06/09/2025
Issued To Contractor

Payment Summary

Total Charges \$50.00
Amount Collected \$50.00
Total Due \$0.00
Paid On 01/15/2025

Location

Primary Owner GILBERT CHARLES & GILBERT ANNA
Address 975 LINDENWOOD AVE STE A SAINT CHARLES MO, 63301
Parcel 6-006D-8222-00-0
Location Description
Lot Number 11
Subdivision Atkins

Permit Details

Description
 new service part a premise #739-031-101

Email tandrelectric@sbcglobal.net

Phone Number (314) 280-6863

EXT.

Current Property Value \$0.00

Est. Improvement Value \$0.00
Improvement Sq. Ft. 0
Printed
Master Permit
Comments
E-PERMIT APPLICATION INFORMATION
 * **Inspection Request - Weekday** Wednesday ▾
 * **Inspection Request - Day** 22 ▾
 * **Inspection Request - AM/PM** AM ▾
 * **Owner Address** 975 lindenwood ave
 * **On-Site Contact - Name/Number** jim podhorsky
 314-280-6863
SUBCONTRACTORS
ELECTRICAL ▾
GENERAL PERMIT INFORMATION
FLOOD ZONE ▾

Inspections

Date	Inspection Type	Request Inspection Comment	Status	Pass/Fail	Inspector Comment
01/17/2025	<u>225 - ELECTRICAL, FINAL</u>	<u>Add Comment</u>	Completed	Pass	REQUEST

Conditions
 There are no conditions available for this Permit

CheckLists

Completed	Sequence Number	Activity	Checklist Type	Reviewed By
	1	BUILDING	DEPARTMENT	

Notes
 There are no notes available for this Permit.

Documents (0)

Filename	Created Date
Select Files To Upload Download Selected Files	

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City of Saint Charles Permits

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Welcome, tandrelectric [Logout](#)

Permit Summary

Permit Type Electrical Charge - CD
Permit # 2025-00000191
Application #
Status **Permit Completed on**
01/17/2025
Issued To Contractor

Payment Summary

Total Charges \$50.00
Amount Collected \$50.00
Total Due \$0.00
Paid On 01/14/2025

Location

Primary Owner GILBERT CHARLES & GILBERT ANNA
Address 975 LINDENWOOD AVE STE B SAINT CHARLES MO, 63301
Parcel 6-006D-8222-00-0
Location Description suite B new service
Lot Number 11
Subdivision Atkins

Permit Details

Description
 add 200 amp meter and panel

Email tandrelectric@sbcglobal.net
Phone Number (314) 280-6863
EXT.

Current Property Value	\$0.00
Est. Improvement Value	\$0.00
Improvement Sq. Ft.	0
Printed	
Master Permit	
Comments	contact jim podhorsky 3142806863 with any questions

E-PERMIT APPLICATION INFORMATION

* **Inspection Request - Weekday** Wednesday ▾

* **Inspection Request - Day** 22 ▾

* **Inspection Request - AM/PM** AM ▾

* **Owner Address** 975 lindenwood ave

* **On-Site Contact - Name/ Number** jim podhorsky
314-280-6863

SUBCONTRACTORS

ELECTRICAL ▾

GENERAL PERMIT INFORMATION

FLOOD ZONE ▾

Inspections

Date	Inspection Type	Request Inspection Comment	Status	Pass/Fail	Inspector Comment
01/17/2025	225 - ELECTRICAL, FINAL	Add Comment	Completed	Pass	

Conditions

There are no conditions available for this Permit

CheckLists

Completed	Sequence Number	Activity	Checklist Type	Reviewed By
<input checked="" type="checkbox"/>	1	BUILDING	DEPARTMENT	

Notes

There are no notes available for this Permit.

Documents (0)

Filename	Created Date
----------	--------------

Select Files To Upload Download Selected Files

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Fwd: 975 Lindenwood Meeting

From: Charlie Gilbert (gilbertcharlie19@gmail.com)
To: anag12002@yahoo.com
Date: Sunday, July 13, 2025 at 04:51 PM CDT

----- Forwarded message -----
From: **Lara Berry** <Lara.Berry@stcharlescitemo.gov>
Date: Fri, Jul 11, 2025, 4:12 PM
Subject: RE: 975 Lindenwood Meeting
To: Charlie Gilbert <gilbertcharlie19@gmail.com>

Charlie,

Please see the attached Digital Submittal Directions, as discussed.

Thanks,



Lara Berry
Planner
Department of Community Development
City of Saint Charles

200 North Second Street
St. Charles, MO 63301
Phone 636.949.3230

From: Lara Berry
Sent: Thursday, June 26, 2025 4:39 PM
To: 'Charlie Gilbert' <gilbertcharlie19@gmail.com>
Subject: 975 Lindenwood Meeting

Charlie,

Following up on our Tuesday meeting, the following steps would be required to convert the former office structure into a two-family dwelling unit:

Rezone the property to R-2 Two-Family Residential

- Link to the rezoning application: <https://www.stcharlescitemo.gov/DocumentCenter/View/10966/Rezoning-Application>
- Link to the schedule of meeting dates and deadlines for the Planning & Zoning Commission: <https://www.stcharlescitemo.gov/DocumentCenter/View/13368>
 - o The next available deadline is July 14th for the August 11th Commission meeting. At the Planning & Zoning Commission meeting, the Commission only provides a recommendation (does not approve or deny the application) to City Council. Following the P&Z meeting, there would be two (2) City Council meetings. Given this meeting schedule, the property could potentially be approved for the rezoning by September 16th (the 2nd Council meeting date).
- As discussed, this process takes roughly 60 days from the submittal deadline to potential approval. Since this is a public hearing, staff recommends speaking with the neighboring properties and the Councilmember for that ward. Staff typically asks the Councilmember whose ward the property is located in if they are willing to sponsor the rezoning bill. Here is a link to Ward 1's Councilmember, Mr. Otto: <https://www.stcharlescitemo.gov/1292/Ward-1>

Additionally, here are some items to keep in mind for the request:

- Paved driveway/parking (2 spaces per dwelling) and making the property look more residential than commercial.
- Support from the neighbors (in person and/or letters)
- Remove all trailer, RV, etc. storage before the application deadline (July 14th). Using the property for this purpose violates the Zoning Code for R-1E Single-Family Residential.

Please let me know if you'd like to meet again or have any additional questions about this property.



Lara Berry

Planner

Department of Community Development

City of Saint Charles

200 North Second Street

St. Charles, MO 63301

Phone 636.949.3230



image001.jpg
966.1 KB



PZ Digital Submittal Directions.pdf
105.6 KB



image002.jpg
3.9 KB



image005.jpg
3.9 KB

Bill No. 14007

Ordinance No. _____

Sponsor: Bill Otto

AN ORDINANCE REZONING TO ST. CHARLES CITY ZONING DISTRICT “R-2” TWO-FAMILY RESIDENTIAL DISTRICT FROM ST. CHARLES CITY ZONING DISTRICT “R-1E” SINGLE-FAMILY RESIDENTIAL DISTRICT AN APPROXIMATE 12,600 SQUARE FOOT TRACT OF LAND LOCATED AT 975 LINDENWOOD AVENUE.

Whereas, an application for rezoning property was received from the owners of this land; and

Whereas, the Planning and Zoning Commission of the City of Saint Charles, Missouri, considered this application at its August 11, 2025 meeting and made a favorable recommendation (9 in favor, 0 opposed, 1 abstention) to the City Council; and

Whereas, the Council of the City of Saint Charles, Missouri, held a Public Hearing on this proposed zoning; and

Whereas, citizens were provided an opportunity to speak on this proposed zoning at the Public Hearing.

Now, Therefore, Be It Ordained by the Council of the City of Saint Charles, Missouri, as Follows:

SECTION 1. Chapter 400 of the Code of Ordinances of the City of Saint Charles, Missouri, is hereby amended by making the following change in the District Zoning map which is on file in the Office of the City Clerk:

An approximate 12,600 square foot tract of land located at 975 Lindenwood Avenue is rezoned from St. Charles City Zoning District “R-1E” Single-Family Residential District to St. Charles City Zoning District “R-2” Two-Family Residential District. The parcel of land is more particularly described in the attached Exhibit A and incorporated by this reference.

SECTION 2. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

Bill No. 14007

Date Passed

Michael Galba, Presiding Officer

Date Approved by Mayor

Daniel J. Borgmeyer, Mayor

Approved as to Legal Form:

Attest:

Holly Magdziarz 8/21/2025
Holly Magdziarz, City Attorney Date

Kimberly Hudson, City Clerk



EXHIBIT A

Adjusted Lot 11 of Mason F. Atkins Subdivision Boundary Adjustment Plat of Lots 11 and 12, Block 6 as recorded in Plat Book 36 page 26 in the St. Charles County, Missouri Recorder's Office.

Subject to building lines, conditions, easements, restrictions of record, and any zoning laws or ordinances affecting this property, if any.

Parcel ID: 6-006D-8222-00-0011.0000000

RCA FORM (OFFICE USE ONLY)

Bill # 14008

MEETING/DATE: 9/2/2025

Regular Special Work Session

ATTACHMENT: YES NO

Report Resolution Ordinance

Request for Council Action

Ward(s): 6 upon annex

Sponsor(s): Justin Foust

Description:

Approve an ordinance to annex a 1.26-acre (more or less) tract of land from St. Charles County to the City of St. Charles.

Contract Extension/Renewal: Yes No

Information Paper Attached: Yes No

Staff Recommendation: Approve Disapprove

Board/Committee/Commission Recommendation: Approve Disapprove

Summary:

This application involves a 1.26-acre (more or less) tract of land, which is currently under the jurisdiction of Unincorporated St. Charles County. Application Z-2025-08 (also on the Sept. 2, 2025 City Council agenda) would establish zoning for the subject parcel, should it be annexed.

The Planning and Zoning Commission held a public hearing on this item at their August 11, 2025 meeting where a representative of the applicant addressed the Commission and there was seven (7) speakers from the public. Generally, the speakers' comments pertained to a now WITHDRAWN application (CU-2025-10), not applicable to the annexation request. The annexation request was forwarded with a recommendation for approval (8 in favor, 2 opposed). Also included with this packet are six (6) public comment letters.

Budget Impact: (revenue generated, estimated cost, CIP item, etc.)

Fiscal Impact: N/A

Account #: N/A

Project #: N/A

RCA prepared by: LAB Dept. Dir. [Signature] Finance Dir. [Signature] Dir. of Admin. [Signature]

Lara Berry

From: Zachary Tusinger
Sent: Friday, August 8, 2025 7:58 AM
To: 'Aaron Groff'
Cc: Lara Berry; John Boyer
Subject: RE: Cumulus Project

Aaron, thank you for the email. We will pass it along to Planning & Zoning.

Zach

Zach Tusinger, JD AICP
Director of Community Development
200 North Second Street, Room 303
St. Charles, MO 63301
Office Phone 636.940.4605
zachary.tusinger@stcharlescitymo.gov

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

From: Aaron Groff <info@sucrosebakerystl.com>
Sent: Thursday, August 7, 2025 10:42 PM
To: Zachary Tusinger <Zachary.Tusinger@stcharlescitymo.gov>
Subject: Cumulus Project

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Zach,

As a concerned business owner and resident of the city I urge you to put on hold, table or pause any approval requested for August 11th's meeting. The lack of information available to the citizen about this project suggests more time is needed. As stated in the recent news letter the mayor admits the lack of utilities available currently available to its residents. If we already have a contaminated water field not producing for our own needs I shudder to think what demands and damage the proposed data center would cause. Please do the right thing and at the least pause this project to gather and share more information.

Thanks,
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Lara Berry

From: Karen Maresca <hrim@att.net>
Sent: Thursday, August 7, 2025 12:55 PM
To: St Charles Planning and Zoning Commission
Subject: Concerns for our drinking water

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Hello.

I am reaching out to voice my objections and concerns over:

Case No. Z-2025-08

Case No. CU 2025-17

I ask that you deny these applications as both projects present huge risks to our well field

Thank You

Karen Maresca
2975 Zumbahl Rd

Lara Berry

From: Cynthia HENDERSON <cynthiahenderson946@gmail.com>
Sent: Thursday, August 7, 2025 2:58 PM
To: St Charles Planning and Zoning Commission
Subject: Case No Z-2025-08 CRG Cumulus LLC

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As a resident of this district, I strongly oppose the approval of the below application to annex and establish the zoning of the 1.26 acres from St.Charles Co. Agriculture District o the City of St. Charles I-1/WHP light industrial district and within the wellhead protection district.

This would help pave the way for Cumulus to build. These Data Centers create high noise pollution, drain and contaminate water, create air pollution, and have huge hvac systems that continuously run. This land is on top of the Wellhead Protection District.

Furthermore, Cumulus has not been transparent with answering the citizens of St Charles' questions and should be out right denied or the very least until the townhall for the residents questions to be answered on Aug 14. It's no doubt this P & Z hearing was planned on purpose ahead of that meeting. Anyone who cares remotely about this city should give its people an opportunity to speak up before something like this is built.

Other cities have been devastated by data centers and you have an opportunity to make the right call for the people who live here.

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Thank you,
Cynthia Henderson
Ward 6 Resident

Lara Berry

From: David Riazi <riazid@yahoo.com>
Sent: Friday, August 8, 2025 10:43 AM
To: St Charles Planning and Zoning Commission
Subject: Concerns

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[Yahoo Mail: Search, Organize, Conquer](#)

Lara Berry

From: John Boyer
Sent: Friday, August 8, 2025 11:18 AM
To: Lara Berry; Zachary Tusinger
Subject: FW: Data Center

FYI

John Boyer, CFM

Assistant Dir. Community Development/Planning Manager
Community Development Department
City of St. Charles, Missouri
200 N. Second Street
St. Charles, MO 63301
PH: 636-949-3221

From: Olivia Cross <oecross@gmail.com>
Sent: Friday, August 8, 2025 10:47 AM
To: John Boyer <John.Boyer@stcharlescitemo.gov>
Subject: Data Center

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Please consider postponing a vote on this subject until the people who will have to live near this project have had a chance to make their thoughts known.

I will be attending the 8/14 open house.

Thank you,
Olivia Cross
314-915-6398

Lara Berry

From: Heather Bee <heatherbee826@gmail.com>
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To: St Charles Planning and Zoning Commission
Subject: Cumulus Project

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Dear Planning & Zoning Commission -

I am writing as a deeply concerned St. Charles City resident. The Cumulus Project is a concern to the few residents who are made aware of this project. There are too many unanswered questions and not enough solutions. Please consider this in any future decisions regarding this project. Communities in other parts of the country are already feeling negative ramifications of similar projects. It would not be in the resident's best interest to pursue this project.

Thank you,

Heather Hinnah

Sponsor: Justin Foust

AN ORDINANCE ANNEXING CERTAIN ADJACENT CONTIGUOUS LAND INTO THE CITY OF SAINT CHARLES, MISSOURI, AND ASSIGNING THE LAND TO A DESIGNATED WARD OF THE CITY BEING PETITIONED FOR ANNEXATION BY CRG CUMULUS, LLC, APPROXIMATELY 1.26 ACRES OF LAND GENERALLY LOCATED ON THE WEST SIDE OF HAYFORD ROAD AND APPROXIMATELY 1,450 FEET NORTH OF ELM POINT ROAD.

WHEREAS, a certain verified petition signed by the owner of the land hereinafter described requesting annexation of said land into the City of Saint Charles, Missouri, was filed with the City Clerk; and

WHEREAS, said land as hereinafter described is adjacent and contiguous to the present municipal boundaries of the City of Saint Charles, Missouri; and

WHEREAS, the City Council of the City of Saint Charles, Missouri, does find and determine that said annexation is reasonable and necessary to the proper development of the City; and

WHEREAS, the City is able to furnish normal municipal services to said area within a reasonable time after annexation.

NOW THEREFORE, Be it Ordained by the Council of the City of Saint Charles, Missouri, as Follows:

SECTION 1. Pursuant to the Revised Statutes of Missouri Section 71.014, the land, as more particularly described in the attached Exhibit A, which is incorporated herein by this reference, is annexed into the City of Saint Charles, Missouri.

SECTION 2. The boundaries of the City of Saint Charles, Missouri are altered so as to encompass the above described land lying adjacent and contiguous to the present municipal boundaries of the City.

SECTION 3. The City Clerk is directed to file three certified copies of this Ordinance with the County of St. Charles, Missouri.

SECTION 4. Severability. If any provision, clause, sentence, paragraph, section or part of this ordinance, or application thereof to any person, entity or political subdivision shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, or if any judgment shall find that a particular tract of land is not contiguous to the City of Saint Charles, said judgment shall not affect, impair or invalidate the remainder of this ordinance in the application of such

provision to other person, entities or political subdivision, and shall be confined in its operation to the provision, clause, sentence, paragraph, section or a part thereof directly involved in the controversy in which said judgment shall have been rendered and to the person, entity or political subdivision involved. It is hereby declared to be the legislative intent of the City Council that this ordinance would have been adopted had such unconstitutional, invalid provision or non-contiguous tract of land, clause, sentence, paragraph, section or part thereof not been included.

SECTION 5. The land annexed by this ordinance is designated as part of Ward Six of the City of Saint Charles, Missouri.

SECTION 6. This Ordinance shall be in full force and effect seven (7) days from the date of its passage and approval.

Date Passed

Michael Galba, Presiding Officer

Date Approved by Mayor

Daniel J. Borgmeyer, Mayor

Approved as to Legal Form:

Attest:

Holly Magdziarz
Holly Magdziarz, City Attorney

8/21/2025
Date

Kimberly Hudson, City Clerk



EXHIBIT A
LEGAL DESCRIPTION OF REAL ESTATE

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 47 NORTH, RANGE 4 EAST, ST. CHARLES COUNTY, MISSOURI, AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE CENTER LINE OF HAYFORD ROAD 50 FEET WIDE (SAID POINT BEING THE NORTHEAST CORNER OF U. S. SURVEY 291); THENCE LEAVING THE CENTER LINE OF SAID ROAD AND RUNNING THENCE SOUTH 67 DEGREES 29 MINUTES WEST 223.13 FEET TO A POINT; THENCE NORTH 22 DEGREES 31 MINUTES WEST 567.48 FEET TO A POINT IN THE CENTERLINE OF HAYFORD ROAD 50 FEET WIDE; THENCE ALONG THE CENTER LINE OF SAID ROAD SOUTH 38 DEGREES 9 MINUTES EAST 178.61 FEET TO A POINT; THENCE CONTINUING ALONG THE CENTER LINE OF SAID ROAD SOUTH 46 DEGREES 23 MINUTES EAST 432.45 FEET TO THE POINT OF BEGINNING, ACCORDING TO SURVEY BY ST. CHARLES COUNTY ENGINEERING & SURVEYING, INC., ON JULY 24, 1961.



LEGEND

- SURVEY PARCEL LINES
- CAG DUNNAGE PROPERTY



HWY 370 & HARRY S TRUMAN BLVD. DEVELOPMENT	A&R EXHIBIT	Kimley»Horn <small>800 PENNSYLVANIA AVE. SUITE 1000 ANNAPOLIS, MD 21403 WWW.KIMLEY-HORN.COM</small>	<small>DATE</small> _____
			<small>REVISIONS</small> _____
<small>SHEET NUMBER</small> EX-1	<small>PROJECT</small> HWY 370 & HARRY S TRUMAN BLVD. DEVELOPMENT	<small>DATE</small> _____	<small>BY</small> _____
<small>SCALE</small> AS SHOWN	<small>DATE</small> _____	<small>BY</small> _____	<small>DATE</small> _____

RCA FORM (OFFICE USE ONLY)

Bill # 14009

MEETING/DATE: 9/2/2025

Regular Special Work Session

ATTACHMENT: YES NO

Report Resolution Ordinance

Request for Council Action

Ward(s): 6 upon annex

Sponsor(s): Justin Foust

Description:

Case No. Z-2025-08. (CRG Cumulus, LLC) An application to annex and establish the zoning for 1.26-acre (more or less) tract of land from St. Charles County "A" Agricultural District to the City of St. Charles "I-1/WHP" Light Industrial District and within the Wellhead Protection District. The subject property is generally located on the west side of Hayford Road and approximately 1,450 feet north of Elm Point Road.

Contract Extension/Renewal: Yes No

Information Paper Attached: Yes No

Staff Recommendation: Approve Disapprove

Board/Committee/Commission Recommendation: Approve Disapprove

Summary:

The City has received an application to establish zoning for a 1.26 acre (more or less), upon annexation from St. Charles County "A" Agricultural District to the City of St. Charles "I-1/WHP" Light Industrial District, within the Wellhead Protection District. This annexation closes a gap in the municipal boundaries as well as brings the subject property under consistent zoning with adjoining properties, including the City's Wellhead Protection District (WHP) boundary. Under St. Charles County's jurisdiction, the subject property is located outside of their WHP District boundary.

The Planning and Zoning Commission held a public hearing on this item at their August 11, 2025 meeting where representatives of the applicant addressed the Commission and there was seven (7) speaker from the public. Generally, the speakers' comments pertained to a now WITHDRAWN application (CU-2025-10), not applicable to the zoning request. The zoning establishment request was forwarded with a recommendation for approval (8 in favor, 2 opposed). Also included with this packet are six (6) public comment letters.

Budget Impact: (revenue generated, estimated cost, CIP item, etc.)

Fiscal Impact: N/A

Account #: N/A

Project #: N/A

RCA prepared by: LAB Dept. Dir. [Signature] Finance Dir. [Signature] Dir. of Admin. [Signature]

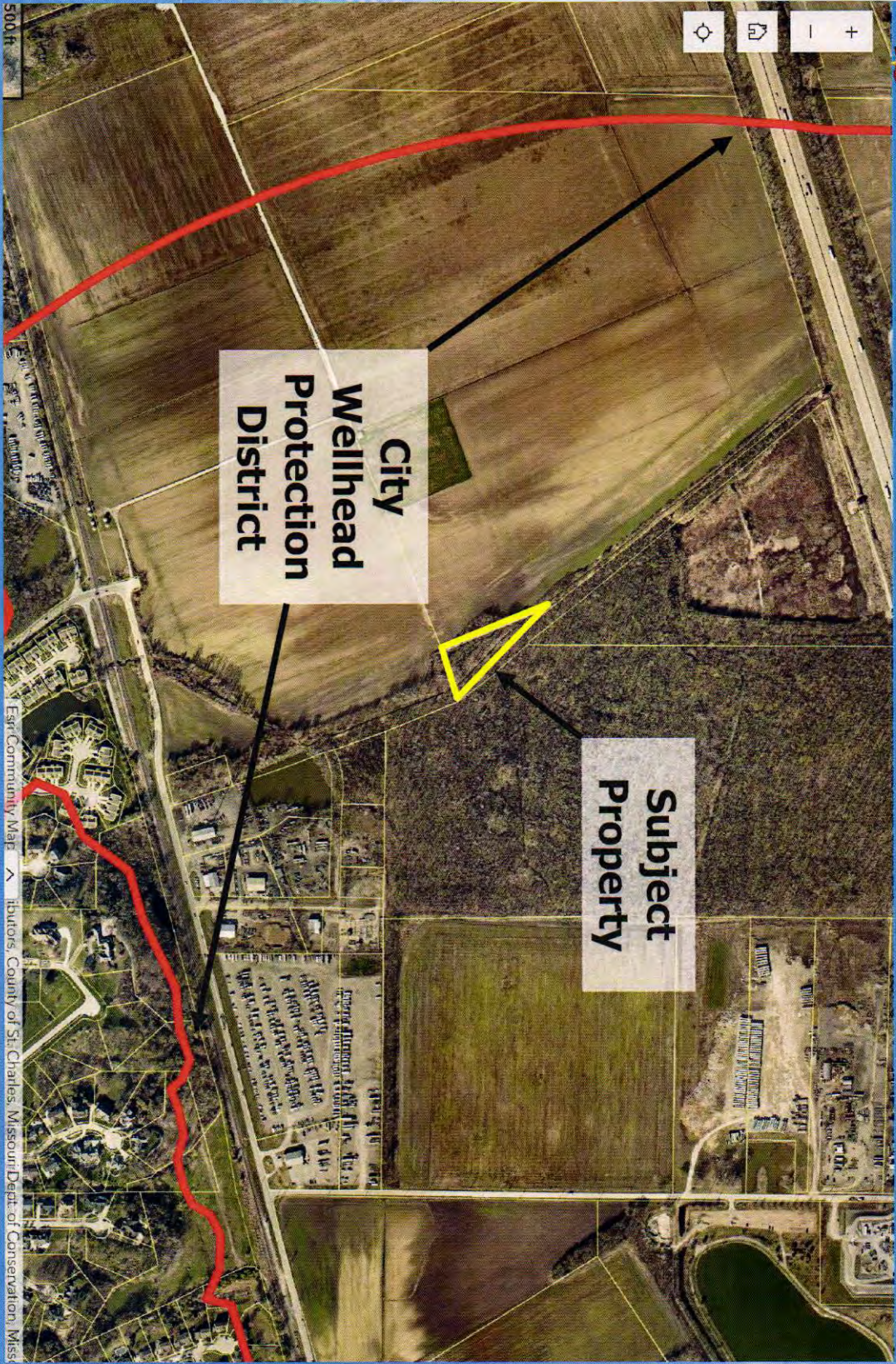


**Subject
Property**

**County
Wellhead
Protection
District**



Show Me Saint Charles



City Wellhead Protection District

Subject Property

500 ft

Esri Community Map | Contributors, County of St. Charles, Missouri Dept. of Conservation, Miss





AGENDA ITEM #4

**STAFF REPORT
CASE NO. Z-2025-08
ANNEXATION & ESTABLISHMENT OF ZONING
1.26 ACRES - HAYFORD ROAD**

**AUGUST 11, 2025
BY LARA BERRY**

APPLICANT/OWNER: CRG Cumulus, LLC
8640 Evans Avenue
St. Louis, Missouri 63134

ADDRESS/LOCATION: Hayford Road
(Generally located on the west side of Hayford Road and approximately 1,450 feet north of Elm Point Road.)
Wards 6 upon annexation

LOT SIZE: 1.26 acres (more or less)

EXISTING ZONING: St. Charles County “A” Agricultural District

REQUESTED ZONING: “I-1/WHP” Light Industrial District and within the Wellhead Protection District

SURROUNDING ZONING:

<i>Direction</i>	<i>Zoning</i>	<i>Use</i>
North	I-1/WHP	Vacant/Undeveloped
South	I-1/WHP	Vacant/Undeveloped
West	I-1/WHP	Vacant/Undeveloped
East	I-1/WHP	Vacant/Undeveloped

REQUEST

The applicant, CRG Cumulus, LLC, is requesting annexation and establishment of zoning for a 1.26-acre parcel currently located in unincorporated St. Charles County. The request proposes that the subject property be zoned I-1/WHP Light Industrial and within the City’s Wellhead Protection District upon annexation. The WHP overlay would be a required overlay/superimposed zoning attached to any base zoning as this subject property is located with the boundaries of the Wellhead Protection District.

This parcel directly adjoins properties included in the previously approved Case No. Z-2025-04. That case, which was unanimously recommended by the Planning & Zoning Commission (May 12, 2025) and unanimously approved by the City Council (June 17, 2025) earlier this year, involved the annexation and zoning of approximately 144 acres of adjacent land to the same I-

I/WHP classification. The subject parcel under consideration was not included in the prior request due to timing constraints, as the applicant was still in the process of purchasing the property. With the acquisition now complete, the applicant is moving forward with this annexation request. As a result, this annexation represents a continuation for the City to close a gap in the municipal boundaries as well as bringing the subject property under consistent zoning with adjoining properties.

SUMMARY/ANALYSIS

This annexation and establishment of a zoning district request is consistent with the City's established pattern of zoning in the area, which reflects the broader industrial development character of the 370 Corridor – West (Comprehensive Plan Activity Center #15). The parcel is one of the few remaining unincorporated "pockets" in this area, and its annexation would result in a more consistent jurisdictional control. Figure 1, below, illustrates the zoning designations in and around the subject area.

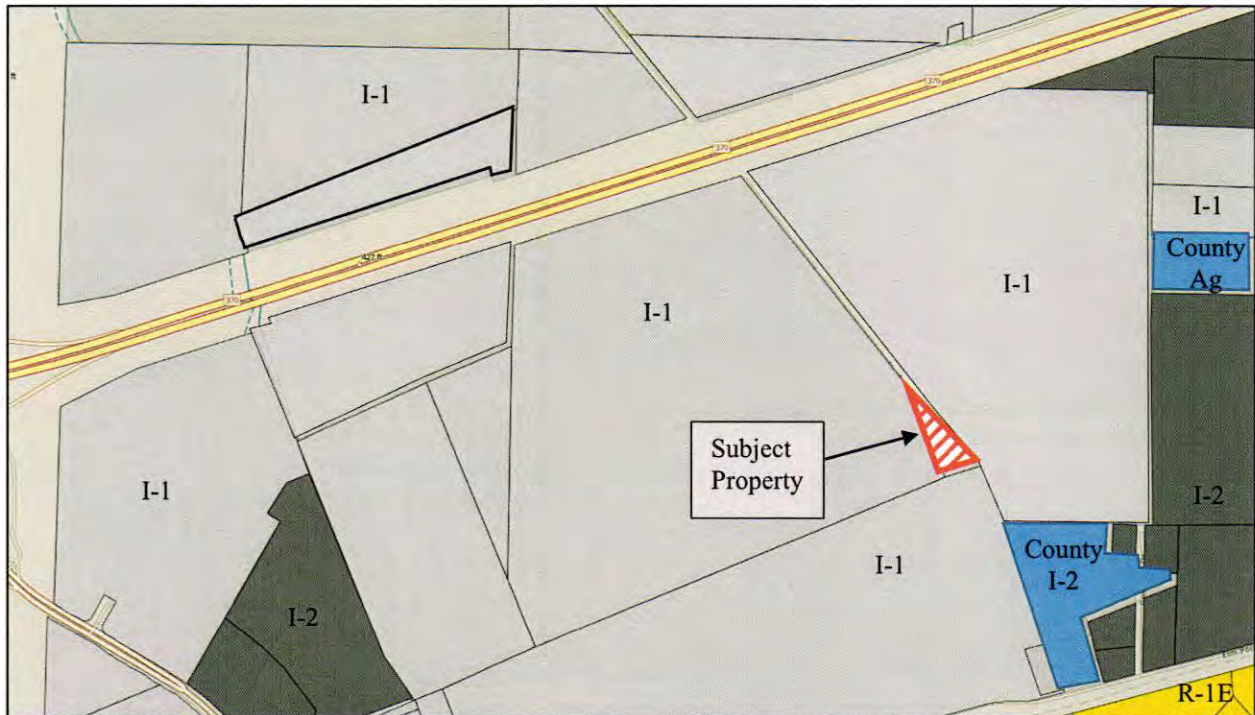


Figure 1: Area Zoning of the Subject Properties.

Along this corridor of Highway 370, the predominant zoning classifications are I-1 Light Industrial and I-2 Heavy Industrial. This reflects the corridor's continued evolution toward industrial-based uses near major transportation infrastructure. Residential uses begin to appear south of Elm Point Industrial Road and the railroad tracks which create a natural buffer between uses.

As with the previous case (Z-2025-04), the establishment of I-1 Light Industrial classification is consistent with the surrounding land use patterns and the City's long-range vision for the 370 Corridor – West, which can support higher-intensity development in this location. Additionally, this request is consistent with existing development patterns. Furthermore, from a planning perspective, it is in the City's interest to bring this tract into the municipal boundary, especially considering its location within the Wellhead Protection Area, where the City enforces heightened

standards for land use compatibility and environmental safety over that of St. Charles County as County wellhead district boundaries do not extend as far as the City's (City's wellhead boundaries are 1 mile from the wells versus a much shorter distance for the County).

It is important to clarify that this request is strictly for annexation and the establishment of zoning. While a related development proposal (CU-2025-10) that includes adjacent parcels which has already been reviewed by the Planning & Zoning Commission and is scheduled for City Council consideration on August 19, 2025, **the approved site plan does not show any use on this parcel that would trigger additional review under the City's Wellhead Protection Ordinance. As a result, a Conditional Use Permit is not required for the subject parcel at this time.** If uses or development proposal changes, additional review by the City would be required.

Although the broader project has generated public interest, this request should be considered based upon the appropriateness of the zoning request. The proposed I-1/WHP zoning is completely consistent with prior City actions and that of the surrounding development patterns. **The focus of this request should remain on whether the annexation and zoning are appropriate for this location based on land use compatibility and long-range planning goals NOT a review of the proposed development via previous requests.**

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The City of St. Charles Comprehensive Plan, originally adopted in 2002 and updated in 2012, emphasizes that land use decisions should be guided by a project's location and compatibility with surrounding development. This revision to the Comprehensive Plan was approved by the City Council and developed in collaboration with residents, elected officials, and City staff.

The Plan identifies fifteen (15) activity centers throughout the city; areas defined by higher levels of development intensity, visibility, and activity. These centers are intended to support the City's most prominent and active land uses, while surrounding areas should reflect a gradual reduction in density, traffic, and activity levels. Establishment of zoning and rezoning requests should be evaluated based on their proximity to these centers, how well they integrate with adjacent uses, and whether they support the goal of transitioning intensity away from activity nodes.

As previously mentioned, the subject property is located nearest to Activity Center #15 – 370 Corridor (West), a location designated for higher-intensity development, especially those suited for regional access and highway visibility. In this context, the proposed I-1 Light Industrial zoning is consistent with the Comprehensive Plan's guidance. The applicant's intent to align zoning with adjacent industrial properties supports the long-term land use vision for the corridor and reflects the area's evolving development pattern.

STAFF RECOMMENDATION

Approval of this request would extend the City's land use policies consistently across an area and would give the City jurisdictional oversight in a sensitive environmental area where no equivalent oversight is provided by Unincorporated St. Charles County. Establishing the I-1/WHP zoning for this parcel maintains consistency with the City's long-range land use vision, closes a remaining unincorporated gap in this corridor, and is consistent with past zoning approvals in this area.

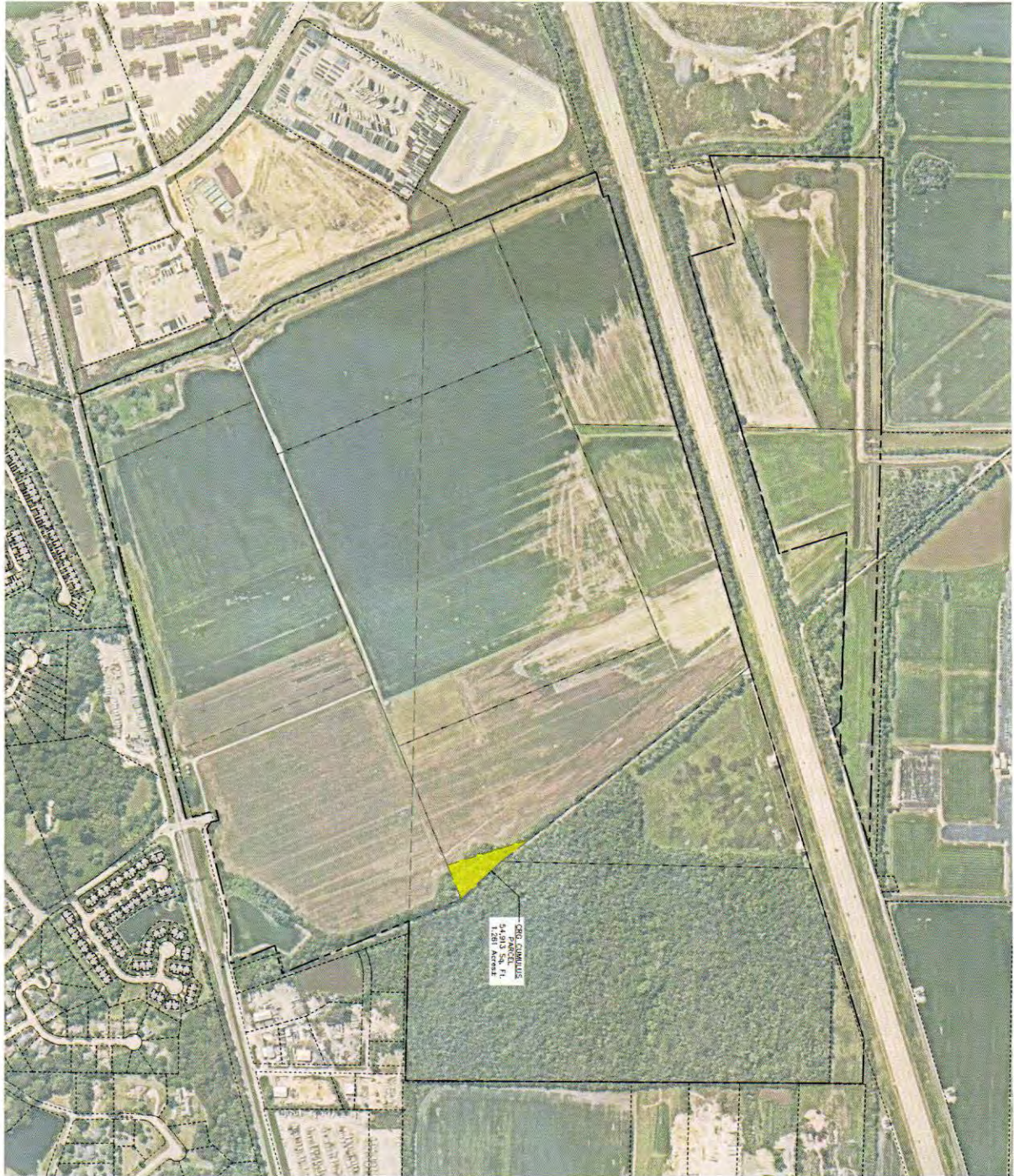
After review of the proposed annexation and establishment of zoning request, anticipated land uses permitted under the City's Zoning Ordinance, applicable sections of the Comprehensive Plan, and surrounding development patterns and zoning designations, staff finds the request to be appropriate. Therefore, the Department of Community Development recommends that the application be forwarded to the City Council with a **favorable** recommendation, as submitted.

Recommended Motions:

- 1) *Motion to forward a recommendation of approval to the City Council for annexation of the subject property.*
- 2) *Motion to forward a recommendation of approval to the City Council for the establishment of zoning for the subject property, via Z-2025-08.*



Figure 2: Aerial Image of the Subject Property.



HWY 370 & HARRY S TRUMAN BLVD. DEVELOPMENT

A&R EXHIBIT

KHA PROJECT
 DATE 07/08/2025
 SCALE AS SHOWN
 DESIGNED BY JGH
 DRAWN BY JGH
 CHECKED BY AWG

Kimley»Horn
 805 PENNSYLVANIA AVE., SUITE 100 KANSAS CITY, MO 64105
 PHONE: 816-452-6120
 WWW.KIMLEY-HORN.COM

No.	REVISIONS	DATE	BY

SHEET NUMBER
EX-1

Lara Berry

From: Zachary Tusinger
Sent: Friday, August 8, 2025 7:58 AM
To: 'Aaron Groff'
Cc: Lara Berry; John Boyer
Subject: RE: Cumulus Project

Aaron, thank you for the email. We will pass it along to Planning & Zoning.

Zach

Zach Tusinger, JD AICP
Director of Community Development
200 North Second Street, Room 303
St. Charles, MO 63301
Office Phone 636.940.4605
zachary.tusinger@stcharlescitymo.gov

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FYI

John Boyer, CFM

Assistant Dir. Community Development/Planning Manager
Community Development Department
City of St. Charles, Missouri
200 N. Second Street
St. Charles, MO 63301
PH: 636-949-3221

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Thank you,

Heather Hinnah

Sponsor: Justin Foust

AN ORDINANCE REZONING TO ST. CHARLES CITY ZONING DISTRICT “I-1/WHP” LIGHT INDUSTRIAL DISTRICT AND WITHIN THE WELLHEAD PROTECTION DISTRICT FROM ST. CHARLES COUNTY ZONING DISTRICT “A” AGRICULTURAL DISTRICT AN APPROXIMATE 1.26 ACRE TRACT OF LAND GENERALLY LOCATED ON THE WEST SIDE OF HAYFORD ROAD AND APPROXIMATELY 1,450 FEET NORTH OF ELM POINT ROAD.

Whereas, an application for rezoning property was received from the owners of this land; and

Whereas, the Planning and Zoning Commission of the City of Saint Charles, Missouri, considered this application at its August 11, 2025 meeting and made a favorable recommendation (8 in favor, 2 opposed) to the City Council; and

Whereas, the Council of the City of Saint Charles, Missouri, held a Public Hearing on this proposed zoning; and

Whereas, citizens were provided an opportunity to speak on this proposed zoning at the Public Hearing.

Now, Therefore, Be It Ordained by the Council of the City of Saint Charles, Missouri, as Follows:

SECTION 1. Chapter 400 of the Code of Ordinances of the City of Saint Charles, Missouri, is hereby amended by making the following change in the District Zoning map which is on file in the Office of the City Clerk:

An approximate 1.26 acre tract of land generally located on the west side of Hayford Road and approximately 1,450 feet north of Elm Point Road is rezoned from St. Charles County Zoning District “A” Agricultural District to St. Charles City Zoning District “I-1/WHP” Light Industrial District and within the Wellhead Protection District. The parcel of land is more particularly described in the attached Exhibit A and incorporated by this reference.

SECTION 2. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

Bill No. 14009

Date Passed

Michael Galba, Presiding Officer

Date Approved by Mayor

Daniel J. Borgmeyer, Mayor

Approved as to Legal Form:

Attest:

Holly Magdziarz 8/21/2025

Holly Magdziarz, City Attorney Date

Kimberly Hudson, City Clerk



EXHIBIT A
LEGAL DESCRIPTION OF REAL ESTATE

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 47 NORTH, RANGE 4 EAST, ST. CHARLES COUNTY, MISSOURI, AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE CENTER LINE OF HAYFORD ROAD 50 FEET WIDE (SAID POINT BEING THE NORTHEAST CORNER OF U. S. SURVEY 291); THENCE LEAVING THE CENTER LINE OF SAID ROAD AND RUNNING THENCE SOUTH 67 DEGREES 29 MINUTES WEST 223.13 FEET TO A POINT; THENCE NORTH 22 DEGREES 31 MINUTES WEST 567.48 FEET TO A POINT IN THE CENTERLINE OF HAYFORD ROAD 50 FEET WIDE; THENCE ALONG THE CENTER LINE OF SAID ROAD SOUTH 38 DEGREES 9 MINUTES EAST 178.61 FEET TO A POINT; THENCE CONTINUING ALONG THE CENTER LINE OF SAID ROAD SOUTH 46 DEGREES 23 MINUTES EAST 432.45 FEET TO THE POINT OF BEGINNING, ACCORDING TO SURVEY BY ST. CHARLES COUNTY ENGINEERING & SURVEYING, INC., ON JULY 24, 1961.



LEGEND

- SURVEY PARCEL LINES
- GEO. DIMIGLIUS PROPERTY



HWY 370 & HARRY S TRUMAN BLVD. DEVELOPMENT SHEET NUMBER EX-1	A&R EXHIBIT	AREA PROJECT DATE DRAWN BY CHECKED BY SCALE AS SHOWN DRAWING NO. REVISIONS APPROVED BY	Kimley»Horn <small>INCORPORATING LAND SURVEYING AND CIVIL ENGINEERING</small> <small>1000 PINEAPPLE AVENUE, SUITE 1000, FORT LAUDERDALE, FL 33304</small> <small>WWW.KIMLEY-HORN.COM</small>	NO.	DATE
				REVISIONS	DATE

RCA FORM (OFFICE USE ONLY)

Bill # 14010

MEETING/DATE: 9/2/2025

Regular Special Work Session

ATTACHMENT: YES NO

Report Resolution Ordinance

Request for Council Action

Ward(s): N/A

Sponsor(s): Justin Foust

Description:

An ordinance amending Section 135.050 of the Code of Ordinances pertaining to the powers and duties of the Municipal Judge and, specifically, with respect to the appointment of counsel for an indigent defendant.

Contract Extension/Renewal: Yes No

Information Paper Attached: Yes No

Staff Recommendation: Approve Disapprove

Board/Committee/Commission Recommendation: Approve Disapprove

Summary:

This proposed ordinance amends City Code Section 135.050 which sets out the powers and duties of the Municipal Judge. The amendment, if enacted, will change the compensation of an attorney who is appointed by the Municipal Judge to represent an indigent defendant when such person is facing the possibility of confinement. The current rate of compensation for such attorney cannot exceed \$250, which will be changed to an hourly rate.

Budget Impact: (revenue generated, estimated cost, CIP item, etc.)

Fiscal Impact: \$ 0.00 N/A

Account #: _____

Project #: _____

RCA prepared by: MuCourt Dept. Dir. MB/MB Finance Dir. gao Dir. of Admin. cj

Sponsor: Justin Foust

AN ORDINANCE AMENDING SECTION 135.050 OF THE CODE OF ORDINANCES PERTAINING TO THE POWERS AND DUTIES OF THE MUNICIPAL JUDGE AND, SPECIFICALLY, WITH RESPECT TO THE APPOINTMENT OF COUNSEL FOR AN INDIGENT DEFENDANT.

WHEREAS, the Municipal Court of the City of St. Charles, is a division of the Eleventh Judicial Circuit Court of St. Charles County, Missouri; and

WHEREAS, the Missouri Supreme Court Rules are applicable to the Municipal Court, and such Rules provide that, upon a showing of indigency of a defendant whose conviction would possibly result in his or her confinement, the Municipal Judge has the duty to appoint legal counsel to represent the defendant; and

WHEREAS, Section 135.050(A)(5) of the City's Code of Ordinances complies with the aforementioned rule, but limits the appointed attorney's compensation to not exceeding \$250.00 and, due to this limitation, the ability of the Municipal Judge to fulfill his duty to appoint experienced defense attorneys for indigent defendants is hampered; and

WHEREAS, this ordinance shall amend Section 135.050(A)(5) to an hourly rate to address the aforementioned concerns.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, AS FOLLOWS:

SECTION 1. Section 135.050 of the Code of Ordinances of the City of St. Charles, Missouri is hereby amended to read as follows:

Section 135.050. Powers And Duties.

A. The Municipal Judge shall be and is authorized to:

1. Establish a Violations Bureau as provided for in the Missouri Rules of Practice and Procedure in Municipal and Traffic Courts and Section 479.050, RSMo.
2. Administer oaths and enforce due obedience to all orders, rules and judgments made by him/her and may fine and imprison for contempt committed before him/her while holding Court in the same manner and to the same extent as a Circuit Judge.

Underlined text is inserted. ~~Struck through~~ text is deleted.

3. Commute the term of any sentence, stay execution of any fine or sentence, suspend any fine or sentence and make such other orders as the Municipal Judge deems necessary relative to any matter that may be pending in the Municipal Court.
4. Make and adopt such rules of practice and procedure as are necessary to implement and carry out the provisions of this Chapter and to make and adopt such rules of practice and procedure as are necessary to hear and decide matters pending before the Municipal Court and to implement and carry out the provisions of the Missouri Rules of Practice and Procedure in Municipal and Traffic Courts. Any and all rules made or adopted hereunder may be annulled or amended by an ordinance limited to such purpose; provided that such ordinance does not violate or conflict with the provisions of the Missouri Rules of Practice and Procedure in Municipal and Traffic Courts or State Statutes.
5. The Municipal Judge of the Municipal Court is authorized to appoint an attorney to represent an indigent defendant in Municipal Court when the Municipal Judge finds that the City Attorney has informed the Municipal Judge that he/she will recommend a jail sentence if the defendant is found guilty and if the defendant is found to be without sufficient funds or property with which to retain an attorney. The appointed attorney shall be entitled to reasonable compensation for his/her services at the hourly rate of two hundred dollars (\$200.00). ~~in an amount not exceeding the sum of two hundred fifty dollars (\$250.00). Such amount~~ The attorney's total compensation shall be determined by the Municipal Judge upon proof presented by the attorney of his/her services rendered.
6. The Municipal Judge shall have such other powers, duties and privileges as are or may be prescribed by the laws of this State, this Code of Ordinances or any other ordinance of the City.

SECTION 2. It is the intention of the City Council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of St. Charles, Missouri, and the sections of this ordinance may be renumbered to accomplish such intention.

SECTION 3. This ordinance shall be in full force and effect from and after the date of its passage and approval.

Underlined text is inserted. ~~Struck through~~ text is deleted.

Bill No. 14010

Date Passed

Michael Galba, Presiding Officer

Date Approved by Mayor

Daniel J. Borgmeyer, Mayor

Approved as to Legal Form:

Attest:

Holly Magdziarz 8/21/2025

Holly Magdziarz, City Attorney Date

Kimberly Hudson, City Clerk



RCA FORM (OFFICE USE ONLY)

MEETING/DATE: 09/2/2025

Regular (X) Special () Work Session ()

ATTACHMENT: YES () NO (X)

Application

Request for Council Action

Description: Appointment to Board of Adjustment

Summary:

Appointment of Keith Whittemore to fill the unexpired term of Regular Member John Morgan, who submitted his resignation effective June 18, 2025. Mr. Whittemore's term will expire January, 2030.

Current Board Membership:

- Latonya Grotegeers (term expires January, 2029)
- Marita Malone (term expires January, 2027)
- Maureen Rogers-Bouxsein (term expires January, 2028)
- Richard Alferman (term expires January, 2026)
- ~~John Morgan (term expires January, 2025)~~ Resigned effective June 18, 2025
- Brian Andrzejewski, Alternate
- Robert Kneemiller, Alternate
- Don Garrison, Alternate

Form of Motion:

I move to approve the appointment of Keith Whittemore, who is replacing Regular Member John Morgan who submitted his resignation, and Mr. Whittemore's term will expire in January 2030.

By: Kimberly Hudson, City Clerk

Date: 8/26/2025