



---

**MINUTES OF THE  
PLANNING AND ZONING COMMISSION MEETING  
300 PARK DR ♦ BALLWIN MO 63011  
FEBRUARY 4, 2019**

---

The meeting was called to order by Chairman Weaver at 7:00 p.m. Members in attendance were:

PRESENT

Chairman Mark Weaver  
Secretary Lisa Zimmerman  
Commissioner Grant Alexander  
Commissioner Tracy Bolte  
Commissioner Olivia Pieknik  
Commissioner Mike Utt  
Commissioner Victoria Winfrey  
Alderman Michael Finley  
Mayor Tim Pogue

Assistant City Administrator Andy Hixson  
City Attorney Robert E. Jones

ABSENT

Commissioner Chad Silker

***Due to problems with the audio recording, portions of the minutes have been condensed.***

**Approval of Minutes**

A motion was made by Mayor Pogue to accept the minutes as submitted. Alderman Finley seconded the motion, which received unanimous approval from the Commission members present.

**Swearing in of New Members**

Mr. Grant Alexander, 106 Hollyleaf Dr (Ward 1), and Ms. Victoria Winfrey, 906 Bitterfield Dr (Ward 3) were sworn in by Assistant City Administrator Andy Hixson. Mr. Alexander replaces Mr. Vern Young, and Ms. Winfrey replaces Mr. Lynn Goetz, both of whom resigned from the Commission.

**SUB 19 - 01 – Simple Lot Split**

**SUE 19 – 01 – Special Use Exception – Group Home**

15054 Clayton Road

*Petitioner: Barth Holohan, 12882 Manchester Rd Ste 20, St. Louis MO 63131*

Mr. Holohan addressed the Commission, requesting approval for the petitions. He said the main focus is to allow seniors to live as independently as possible in a home-like setting. The petitioner is proposing to build two single-family detached homes which from the exterior will appear to be like any other home in the neighborhood. None of the residents drive, so the only cars will belong to the caregivers. A licensed director and a nurse who will be present 24 hours a day, 7 days a week.

The homes are designed for the frail and elderly, and is licensed by the Missouri Department of Health and Senior Services. No one who is a danger to themselves or others is allowed to reside in the home. A licensed registered nurse will screen applicants and determine if an individual is capable of living in the home or needs a higher level of care.

Mr. Holohan said he contacted neighboring homes via mail and followed up with phone calls. He described and presented drawings for the proposed development.

Mayor Pogue said that there is information that is required under the County R-2 regulations that the petitioner has not provided. Assistant City Administrator Hixson said that it was his error that the information was not submitted. Mayor Pogue said he does not feel the Planning & Zoning Commission can review the petition without the required documentation. City Attorney Jones said that he doesn't know if the County requirements for submittal would apply for a City of Ballwin SUE. Mayor Pogue said he would like to give City Attorney Jones the opportunity to review this, because he feels that the information is pertinent. Mayor Pogue said he does not like flag lots or shared driveways because they are not good planning practice. He said a full-dimension site plan is needed.

Chairman Weaver asked how the petitioner plans to keep the residents safe. Mr. Holohan said the exits will have delayed-egress doors. Chairman Weaver said this is his area of expertise, and explained how delayed egress works. Mr. Holohan said the courtyards will also be fenced.

Commissioner Alexander asked about lighting for the parking areas. Mr. Holohan said it will be walkway lighting and uplighting on the houses. Chairman Weaver said that will need be shown on the plan as well.

Secretary Zimmerman asked if the petitioner anticipates offering additional services that will generate more traffic, such as physical therapists, etc. Mr. Holohan said that is possible, but it is more likely that the clients will be transported to another facility for those services.

Chairman Weaver opened the public hearing and asked if anyone wished to speak in favor of petitions SUB 19-01 and SUE 19-01. No one came forward, and Chairman Weaver asked if anyone wished to speak in opposition to the petitions. Seven residents spoke in opposition. No one else came forward and Chairman Weaver closed the public hearing.

A motion was made by Mayor Pogue to hold over petitions SUB 19-01 and SUE 19-01 to allow the petitioner time to provide the required documentation. Alderman Finley seconded the motion, which received unanimous approval from the Commission members present.

### **Z 19 - 01 – Zoning Ordinance Regulation Change**

City Attorney Jones described the changes to the Code, which are needed because the Missouri Legislature has enacted changes in related statutes (HB 1991 (2018)) and the FCC has issued new regulations.

Secretary Zimmerman asked if the changes are in preparation for 5G. Commissioner Utt said that is part of it. Secretary Zimmerman asked if there is any concern about EMF. Commissioner Bolte said it's a lower frequency than is what is currently used. Ms. Zimmerman said that may be, but there are health ramifications associated with 5G, which may be overlooked. Commissioner Bolte said that it will be comparable to Wi-Fi in a café.

Chairman Weaver opened the public hearing and asked if anyone wished to speak in favor of Petition Z 19-01. No one came forward, and Chairman Weaver asked if anyone wished to speak in opposition to the petition. No one came forward and Chairman Weaver closed the public hearing. Mayor Pogue stated that he would like to recognize Mayor Dalton for his lobbying efforts for the Municipal League in Jefferson City in regards to small cell concerns.

Commissioner Bolte made a motion to recommend approval of Z 19-01 to the Board of Aldermen. Mayor Pogue seconded the motion, which received unanimous approval from the Commission members present.

### **Comprehensive Plan Update**

The I-5 Group presented an update on Ballwin's Comprehensive Plan.

### **Other Business**

Discussion was held about the city-county merger, and Ballwin's position on the subject.

### **Adjournment**

Chairman Weaver made a motion to adjourn the meeting. Mayor Pogue seconded the motion, which received unanimous approval from the Commission members present. The meeting was adjourned at 9:06 p.m.

---

Mark Weaver, Chairman  
Planning & Zoning Commission