

1 FRANKLIN COUNTY PLANNING AND ZONING
2 PLANNING AND ZONING COMMISSION
3 FRANKLIN COUNTY GOVERNMENT CENTER
4 SECOND FLOOR COMMISSION CHAMBERS
5 400 EAST LOCUST STREET
6 UNION, MISSOURI 63084

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9 TRANSCRIPT OF PROCEEDINGS
10 JANUARY 15, 2019
11 (COMMENCING AT 7:00 P.M.)

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Reported by:
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(NOTE: ALL EXHIBITS, IF ANY, WERE RETAINED BY THE PARTIES AND ARE NOT ATTACHED HERETO.)

1 P R O C E E D I N G S

2 (JANUARY 15, 2019)

3 CHAIRMAN EVANS: I'd like to go
4 ahead and call to order the January 15th meeting of
5 the Franklin County Planning and Zoning Commission.

6 Scottie, will you please take roll.

7 MS. EAGAN: Bill Evans?

8 CHAIRMAN EVANS: Here.

9 MS. EAGAN: Kyle Dubbert?

10 COMMISSIONER DUBBERT: Here.

11 MS. EAGAN: Dan Haire?

12 COMMISSIONER HAIRE: Here.

13 MS. EAGAN: Mike Klenke?

14 COMMISSIONER KLENKE: Here.

15 MS. EAGAN: Bill McLaren?

16 COMMISSIONER McLAREN: Here.

17 MS. EAGAN: Tim Reinhold?

18 COMMISSIONER REINHOLD: Here.

19 MS. EAGAN: Jay Schulteheinrich?

20 COMMISSIONER SCHULTEHENRICH:

21 Here.

22 MS. EAGAN: Tom Tobben?

23 COMMISSIONER TOBBEN: Here.

24 MS. EAGAN: Stan Voss?

25 COMMISSIONER VOSS: Here.

1 MS. EAGAN: Debbie Willette?

2 COMMISSIONER WILLETTE: Here.

3 MS. EAGAN: And, Ron Williams?

4 COMMISSIONER WILLIAMS: Here.

5 MS. EAGAN: Okay. We have a
6 full Board.

7 CHAIRMAN EVANS: Thank you.

8 At this time, I will give the Planning
9 and Zoning Commissioners the opportunity to declare
10 any conflict, communication or relationship they may
11 have had that might influence their ability to
12 consider today's issues impartially.

13 (NONE)

14 If there are no declaration, Scottie,
15 would you please give us a presentation of the meeting
16 procedures and exhibits.

17 MS. EAGAN: Tonight's Planning
18 Commission meeting is governed by the Franklin County
19 Unified Land Use Regulations.

20 Some matters on the agenda may be for
21 action by the Planning and Zoning Commission. These
22 matters do not involve public hearings.

23 Other matters on the agenda require
24 public hearings under Missouri law. If a matter
25 involves a public hearing, all individuals who desire

1 to testify will be given an opportunity to do so.

2 At this time, I would like to place into
3 the record these regulations as Exhibit A, the
4 official Zoning Map as Exhibit B, the official Master
5 Plan as Exhibit C, and the case file for each case as
6 Exhibit D for all the cases to be heard during the
7 meeting.

8 (Thereupon, evidence was
9 marked for identification and
10 submitted for the record as
11 Exhibits A, B, C, and D.)

12 All Old Business items on the agenda will
13 be dealt with first. Once the Old Business issues
14 have been taken care of, each item of New Business
15 will be opened.

16 As each case is opened, a staff report
17 will first be read to the Commission, followed by any
18 questions for the staff.

19 Then if anyone in the audience would like
20 to speak or comment on a file that is part of the
21 public hearing, they must first print their name on
22 the sign-in sheet provided, and then be sworn in by
23 the Chairman.

24 When it is your turn to speak, you will
25 come to the front of the room, you will come to the

1 front of the room to address the Commission and only
2 the Commission, not anyone in the audience, with your
3 comments.

4 It is possible for the Planning
5 Commission to decide to move a New Business issue to
6 Old Business and vote on it the same night.

7 At the conclusion of all questions,
8 comments, and discussion concerning each case, the
9 Planning Commission will proceed. Any final decision
10 by the Planning and Zoning Commission concerning
11 Conditional Use Permits may be appealed to the Board
12 of Zoning Adjustment any time within 90 days.

13 Applications for such an appeal may be
14 acquired from the Department offices during normal
15 business hours.

16 CHAIRMAN EVANS: Thank you.

17 All Commissioners should have received a
18 copy of the minutes, which I know we just got this
19 evening, and we also received them, I think, via
20 e-mail.

21 I personally haven't had a chance to read
22 the minutes. I don't know if anyone else is in that
23 same predicament, and if they are, I would suggest
24 possibly that we postpone approving the minutes until
25 next meeting unless everyone else has had a chance to

1 read them.

2 Any comments on that?

3 COMMISSIONER DUBBERT: I read
4 them.

5 COMMISSIONER WILLETTE: I read
6 them.

7 COMMISSIONER WILLIAMS: I read
8 them.

9 CHAIRMAN EVANS: Okay.

10 COMMISSIONER WILLIAMS: It was
11 tough, but I did read them.

12 CHAIRMAN EVANS: I did not get
13 all the way through them. So we'll abstain from
14 voting on them, but if everyone else has read them,
15 the Chair would entertain a motion to approve them.

16 COMMISSIONER WILLIAMS: So
17 moved.

18 COMMISSIONER WILLETTE: I'll
19 second that.

20 CHAIRMAN EVANS: We have a
21 motion and a second to approve the December 18th
22 minutes. All in favor signify by saying aye.

23 COMMISSIONER REINHOLD: Aye.

24 COMMISSIONER VOSS: Aye.

25 COMMISSIONER McLAREN: Aye.

1 COMMISSIONER WILLETTE: Aye.

2 COMMISSIONER WILLIAMS: Aye.

3 CHAIRMAN EVANS: Aye.

4 COMMISSIONER KLENKE: Aye.

5 COMMISSIONER HAIRE: Aye.

6 COMMISSIONER TOBBEN: Aye.

7 COMMISSIONER SCHULTEHENRICH:

8 Aye.

9 COMMISSIONER DUBBERT: Aye.

10 CHAIRMAN EVANS: The motion

11 carried. The minutes are approved.

12 Communications and Visitors Comments. Is

13 there anyone present wishing to address the

14 Commission?

15 (NONE)

16 If not, we'll move on to Old Business

17 File 180- -- I'm sorry. Did you wish to address the

18 Commission? If you'd state your name and address and

19 sign in, please.

20 MS. SAMANTHA WILLIFORD:

21 Samantha Williford, and 783 Lost Hill Lake Road, St.

22 Clair, Missouri.

23 CHAIRMAN EVANS: Go ahead.

24 MS. ZIELKE: I think there was

25 a misunderstanding.

1 MS. WILLIFORD: Yeah.

2 MS. ZIELKE: The lady behind
3 you raised her hand, and he was pointing at her to
4 come up.

5 MS. WILLIFORD: Oh, I'm sorry.
6 I thought I was Old Business.

7 MS. EAGAN: You will be.
8 You're the second Old Business.

9 MS. WILLIFORD: Okay, okay.
10 I'm sorry.

11 MS. KRISTIN BINFORD: I think
12 my question or response is about Old Business too.

13 CHAIRMAN EVANS: Well, under
14 Old Business, there won't be any public comment.

15 MS. BINFORD: So to comment I
16 have to do it now.

17 CHAIRMAN EVANS: Yeah. This is
18 general information, so this -- the public hearings on
19 the Old Business has already been held last meeting.
20 So you can make general comments, but you're not sworn
21 in and this is not testimony.

22 MS. BINFORD: Okay.

23 CHAIRMAN EVANS: But if you'd
24 like to make comments, you may.

25 MS. BINFORD: My name is

1 Kristin Binford. I understand last month that the
2 County talked about the CUP process for weddings and
3 event venues in Franklin County.

4 I am managing partner at Hall Valley. We
5 are a wedding venue in Franklin County, and as a
6 business owner in Franklin County, I believe it's
7 important that wedding venues operate under the same
8 rules and regulations, that the County doesn't create
9 any competitive advantages or disadvantages for any of
10 us operating here in the county.

11 And that I believe that it's important
12 that we as wedding venues in the county and also there
13 is a requirement of wedding venues in the county for
14 public safety to be important. So things like fire
15 suppression, ADA accessibility and commercial access.

16 Additionally as a resident of Franklin
17 County, I believe that the Planning and Zoning
18 Commission has made a mistake by not requiring wedding
19 venues to gain a CUP. So I believe that neighbors
20 should have the chance to be notified. At a minimum,
21 if the CUP requirement is based on occupancy, that
22 occupancy should be applied or assigned uniformly
23 based on square footage.

24 The County just doesn't have the
25 resources to county how many people show up to events,

1 right? And I understand and I recognize that, but I
2 think that it would make sense that if the occupancy
3 is over or under 300, that there would be some uniform
4 way that that gets applied so that it's fair to
5 venues.

6 And then finally, as a venue owner, I
7 know that venues have the opportunity to bring crowds,
8 to bring music, but also to bring commerce to the
9 local area, and I believe that the County should and
10 will consider all applicants who want to open a venue
11 fairly, but that residents should also have a voice in
12 bigger venues or big venues opening nearby.

13 So it's my opinion to do this effectively
14 that all wedding venues should be required to become
15 -- to come before this Committee and to request a CUP.

16 So thank you.

17 CHAIRMAN EVANS: All right.

18 Thank you.

19 Anyone else wishing to speak?

20 (NONE)

21 If not, we will move on to Old Business
22 File 180272, Planning and Zoning.

23 Scottie.

24 MS. EAGAN: So this is in
25 relation to our Special Occasion permits. One of the

1 reasons why it's still on our agenda for this month is
2 some ideas were brought up last month for the ability
3 for people to apply for a conditional use permit if
4 they can't meet our general requirements. A lot of
5 you have issues with that because then that's pretty
6 much allowing them to vary from any part of the Code.

7 So I talked with Cameron afterwards. He's
8 the one that brought the idea up, and we went through
9 each of the general requirements. And the only one
10 that kept coming back of people having an --
11 potentially having an issue with it is that setback
12 with the situations he brought up at the last meeting.

13 So now we had him, he kind of generalizes
14 it in his e-mail that was handed out to you guys
15 today. The idea that we -- he and I bring before you
16 to accomplish would be under Number 10 on setbacks add
17 a letter D that would say something to the extent of
18 in unique circumstances, with the layout of the
19 property, if the applicant cannot meet the setback
20 requirements, they have a right to apply for a
21 conditional use permit. And that would only be for
22 the setback portion of our Code.

23 But obviously, other ideas you guys have,
24 we can talk about, discuss.

25 CHAIRMAN EVANS: Jay?

1 COMMISSIONER SCHULTEHENRICH:
2 Scottie, could you sort of go through as to how you
3 would envision this actually working. On one you're
4 going to have a conditional use permit, and the other
5 one it's just by permit, the way I understand it in
6 here.

7 MS. EAGAN: Well, for example,
8 we have one that wants to apply and with the lay of
9 the land and its topography, they can't meet our
10 parking code.

11 In Cameron's mind, he would rather have
12 them have the ability to come before you all, which is
13 the Board that created the setback, than to have to go
14 to BOZA as the first step. So he wants the ability
15 for them to apply for the conditional use permit, and
16 potentially vary those setback requirements because of
17 something with the land, or he brought up that there
18 might a 100-year-old farm that is within the setback
19 already that you can't move, but they want to use as
20 part of the wedding venue.

21 COMMISSIONER SCHULTEHENRICH:
22 So they come back here, not to BOZA first.

23 MS. EAGAN: Right. The first
24 step would be to come to you guys with a conditional
25 use permit. You can go through the same process that

1 we used to. So on and so forth.

2 COMMISSIONER SCHULTEHENRICH:

3 Because when I read this, that's what come to my mind,
4 was if there's a request for a variance, then is that
5 going to be made to BOZA as opposed to coming to us
6 when we haven't heard of any concerns in regards to --
7 by either -- by the applicant on any type of a
8 modification to the existing regulations.

9 So -- so I guess your answer to that is
10 that we'll come back to this Commission.

11 MS. EAGAN: You would be the
12 first stop before they would go to BOZA.

13 COMMISSIONER SCHULTEHENRICH:
14 So -- but is that stated in here somewhere?

15 MS. EAGAN: Not yet. That's
16 what we're discussing tonight. The option is to add a
17 little letter D under Number 10 to talk about any
18 unique circumstances where they can't meet that
19 setback. They could then apply for a conditional use
20 permit.

21 And only that time. And then if they're
22 over 300, would they be allowed to get a conditional
23 use permit. Otherwise, it would fall under permitted
24 use.

25 COMMISSIONER SCHULTEHENRICH:

1 And can I just inquire as to what the -- what the
2 thinking was as to why there wouldn't be any type of a
3 hearing on this or anything in regards to hearing from
4 adjoining property owners and potentially having a
5 concern that could be in fact brought in front of the
6 Commission here?

7 MS. EAGAN: Are you talking
8 about just in general for our Code?

9 COMMISSIONER SCHULTEHENRICH:
10 I'm talking about the Special Occasion permit, but I
11 don't think I am the way I -- again, if I'm reading
12 this wrong, I don't believe where I see where under
13 the one if there's less than 300 --

14 MS. EAGAN: Right.

15 COMMISSIONER SCHULTEHENRICH:
16 -- attendees, --

17 MS. EAGAN: Uh-huh.

18 COMMISSIONER SCHULTEHENRICH:
19 -- that there's no -- there's no public comment
20 basically on that.

21 MS. EAGAN: Correct.

22 COMMISSIONER SCHULTEHENRICH:
23 It's just a permit is issued by the office, and
24 there's no -- no hearing from any of the property
25 owners about any concerns that they may have.

1 MS. EAGAN: Yeah.

2 COMMISSIONER SCHULTEHENRICH:

3 Is that correct?

4 MS. EAGAN: When we first
5 brought this before you guys, I think it was in 2016
6 maybe, the idea was to have a uniform code that
7 everybody has to meet. Rather than everybody come
8 through for a conditional use permit and this person
9 gets to stay open till 1:00 a.m., but this person has
10 to close at 10:00, and this person can have 300
11 people, and this person can have 150 people.

12 We just wanted to keep it uniform unless
13 you were over that 300, then there might be more
14 conditions you guys would want to see on it.

15 So when I originally wrote this code, I
16 looked at all the 13 Special Occasions that came
17 before us in the past, and looked at the typical
18 conditions you guys put on it, and put that as part of
19 the code that they have to follow.

20 COMMISSIONER SCHULTEHENRICH:

21 And I must say I commend you on what you put together
22 because I think that was the intent of what the
23 Commission had been requesting of you. Okay. Because
24 I think these guidelines are, at least I look at them,
25 I think they're potentially workable if somebody wants

1 a modification. Setbacks certainly is what stood out
2 to me in what I read here.

3 And this should be the guidelines then
4 that would be made there to each of the applicants on
5 requesting a special use or special occupation --
6 special -- special occurrence, occasion -- Special
7 Occasion -- let me get the word right.

8 But it basically misses that one feature,
9 and that one feature is, is that when we have
10 potential concerns on a piece of property that's
11 asking for this permit, and we all are not in the
12 given location of that piece of property, that
13 sometimes the best individuals that can come forward
14 to express what potential concerns there could be of
15 -- of these guidelines, okay, or regulations is to
16 express them and see if we believe that there is
17 potentially an issue there or saying no, we don't
18 consider it to be that important. Okay.

19 But I think this to be used as a fairness
20 issue for all who apply I think is good. I think
21 that's a good approach to utilize. It just comes over
22 to the matter of I think we ought to hear from any
23 concerns that may still be there regarding surrounding
24 property.

25 When I look at what you have on purposes

1 and it says on here one of the purposes is in regards
2 to traffic patterns, okay, but I don't see anything in
3 the guidelines that address potentially any traffic
4 issues potentially or anything on there.

5 MS. EAGAN: I mean, the only
6 thing I can regulate would be the access on a state or
7 county road. I can't regulate traffic.

8 COMMISSIONER SCHULTEHENRICH: I
9 understand, but let me finish what I was going to
10 potentially finish with on there.

11 We have on some occasions under
12 conditional use permits in the past, if they're
13 wanting to put an entranceway at this spot on a piece
14 of property to be used for the occasional activity or
15 facility, then because there may in fact be a
16 concerning having to do with bus stop that's come up
17 before, school children in a given area, we have in
18 fact modified it to where we've said let's have this
19 entranceway down here or the exit down here. And but
20 we've done that because we've heard some concerns of
21 those who are surrounding property owners.

22 With us not having the benefit of hearing
23 from surrounding property owners, would we potentially
24 be missing that concern and missing our responsibility
25 of being here to see again that we're here for the

1 purpose of -- as it says very clearly, for the
2 citizens of Franklin County. Okay.

3 Because I try to put myself into their
4 position and say, you know, if I've been on a piece of
5 property for 30 years and all of a sudden here comes
6 somebody requesting a permit and if that permit can
7 just be issued without me being allowed to give any
8 potential concern of a modification to one of these
9 provisions, I do think that's a pretty -- I would take
10 exception to that. Okay, let's just say.

11 MS. EAGAN: Can I --

12 COMMISSIONER SCHULTEHENRICH:
13 So I think that's my concern, is -- is you've got the
14 guidelines. I think that's good they established
15 these guidelines, but I think, you know, if we're
16 going to -- if we're going to allow the applicant can
17 potentially come in and say I really believe this
18 setback may in fact be needing a little bit of a
19 change, well, I think the property owners adjoining it
20 should also be given an opportunity to potentially
21 express their concerns as well. Okay.

22 MS. EAGAN: My argument to you
23 would be the areas we have this permitted, if that's
24 Non-Urban and Agricultural, all allowed for
25 restaurants, bars, nightclubs. So in my opinion, this

1 is not much different than having a bar that's open
2 till 1:00 a.m. or a nightclub that's open till
3 midnight.

4 So I personally don't think having a
5 conditional use permit is better than having specific
6 requirements that have to be met. And I think it --
7 for me, it all goes back to fairness across the board.
8 Now, obviously if we add this provision in here for
9 setbacks, then that does open the door to not
10 necessarily be fair across the board if there are
11 unique circumstances.

12 But I don't -- in terms of, you know,
13 making sure an access is in one place or the other,
14 that's -- that's when I look at Ron for the Highway
15 Department, and I look to Jeff at MoDOT. And they
16 have to have approved entrances that are signed off
17 and turned into my department before we will even sign
18 off on the Special Occasion permit.

19 It's not an easy process with my office.
20 They don't just give me a slip of paper that they drew
21 and say here you go. I mean, it's engineered
22 drawings. They have to have a lighting plan. They
23 have to be in contact with those agencies who are then
24 in contact with me, and we talk back and forth.

25 I mean, the two that we've issued under

1 these regulations that are up in the air now, it was
2 -- it was well over a month that we went back and
3 forth with things we needed between the Highway
4 Department, the applicant, the engineer, and
5 everything.

6 COMMISSIONER SCHULTEHENRICH:
7 And again, I take it the guidelines you got in here
8 are very good. Okay. I think that's what we have to
9 encourage. But what I'm missing is why in the past --
10 I've served on this Commission for a number of years.
11 What seems to bring out a significant number of people
12 is conditional use permits, okay, particularly when it
13 comes to the Special Occasions, and what we're
14 basically now saying is that an area that is obviously
15 of significant concerns to property owners in this
16 county we're going to say we don't want to hear your
17 voice on your concerns that may be there.

18 And I think -- I don't think that's the
19 appropriate way to basically go. Again, I don't think
20 -- I think we ought to have these other guidelines,
21 and therefore, you stick with those guidelines unless
22 there's something that basically really is there that
23 truly presents a concern that we can make potentially
24 a modification to.

25 MS. EAGAN: Okay.

1 COMMISSIONER SCHULTEHENRICH:
2 But again, if we're not going to allow them to have
3 it, I think that's one of the -- I think that's the
4 concern that other -- I'll speak on my behalf, but I
5 think it's also others that say where's the
6 transparency in government anymore. Okay.

7 Why -- why doesn't government allow us to
8 have a voice or something in there, and I think we're
9 taking that away from the general public by not
10 allowing them to do that. Okay.

11 MS. EAGAN: Yeah, I understand
12 what you're saying, but on the flip side, when it was
13 a conditional use permit, it was a conditional use
14 permit in every single zoning district. So we greatly
15 restricted where you can even have these facilities
16 at. I understand what you're saying, that you
17 like these guidelines, but you still want to have
18 public input. Unfortunately, it's one or the other.
19 If you want public input, it's going to have to be a
20 conditional use permit where all of these guidelines
21 go away. It's on a case-by-case basis.

22 You can't -- I can't have regulations
23 that say this is what you have to meet, but you can
24 get a conditional use permit and we can vary from it
25 at any time.

1 It just doesn't work that way. It's one
2 or the other.

3 COMMISSIONER SCHULTEHENRICH:
4 So we -- I'm still unclear on why -- why if you have
5 these guidelines, they're still not wanting to have
6 any of the residents to be informed of the -- of
7 potentially a permitted issue out there to adjoining
8 their property?

9 Is that what the concern is or something?
10 I mean, I --

11 MS. EAGAN: From my
12 understanding and Mark can correct me if I'm wrong, if
13 it's in the Code as a public hearing, it would then be
14 a conditional permit. It couldn't be these are what
15 you have to meet, but we can vary from them as well.

16 So the only way to get a public hearing,
17 from my understanding, is make it a conditional use
18 permit, and not have guidelines in our code then.
19 That is a case-by-case basis.

20 COMMISSIONER SCHULTEHENRICH:
21 Okay. But if the applicant wants to make some type of
22 a suggested change to one of these provisions, they're
23 in the position of saying we're the party to make that
24 modification?

25 MS. EAGAN: Or a certain one,

1 yes, for the setbacks is what we're talking about.

2 COMMISSIONER DUBBERT: Just the
3 setbacks?

4 MS. EAGAN: Right.

5 COMMISSIONER DUBBERT: I just
6 wanted to make sure I understand fully. We're just
7 talking about adding language for the setbacks,
8 correct?

9 MS. EAGAN: Correct.

10 COMMISSIONER DUBBERT: That's
11 it?

12 MS. EAGAN: Yes.

13 COMMISSIONER DUBBERT: Okay.

14 MS. EAGAN: To make it be able
15 to be a conditional use permit.

16 CHAIRMAN EVANS: Ron?

17 COMMISSIONER WILLIAMS: Let's
18 start with the basics. These are not guidelines.
19 These are regulations. So if this stays as proposed,
20 as regulations, they have to meet them or exceed them.
21 Period, exclamation point.

22 I remember as we went down this road we
23 looked at conditional use permits and we looked at
24 regulations, and it was decided the regulatory route
25 was the best because you put it into certain

1 districts. And if they met or exceeded those, then it
2 would be an administrative function for them to move
3 forward with what they wanted to do.

4 That is no different than a lot of other
5 uses that are found in any permitted use in our code
6 that we have an allowed use. If you have that allowed
7 use and you meet any other aspects of the building
8 code, the Planning and Zoning Commission, BOZA, the
9 County Commission, nobody has the right to say no.

10 And as far as I'm concerned, I don't like
11 the addition of a CUP for the setbacks. If you can't
12 meet them, there is relief from that aspect of it by
13 going to BOZA, and they make the decision whether to
14 vary that aspect of the code. Anybody can come in if
15 they want a Special Occasional permit if they can't
16 meet any aspect. Let's say they can't meet parking.

17 They can say I can't meet it. I want to
18 -- they can apply to BOZA and plead their case.

19 So if we're talking about a conditional
20 use permit, I'm not for that. We've got regulations.
21 We got an aspect where they can go in and get relief
22 from those regulations if they -- if they so desire to
23 pursue that aspect of it. And we don't make them jump
24 through any more hoops other than come in and get a
25 permit. Go through the administrative process and get

1 it done.

2 Now, I think that was the aspect that we
3 looked at this when we discussed it two years ago. I
4 was going to say hey, how do we make this so that
5 people don't have to come in and we're bating these
6 and talking about it, but we're not doing
7 transparency. Transparency is here's the code.
8 Follow it.

9 COMMISSIONER SCHULTEHENRICH:
10 Well, I thought I'm going to -- I thought what we were
11 working on, Ron, and maybe it took a turn toward what
12 you said, but I thought what we were working on was to
13 make sure that there was a fairness issue in regards
14 to anybody who wanted to have and apply for a permit
15 or apply for, at that time, a conditional use permit
16 on either -- well, on any number of attendees, okay,
17 at that time.

18 And therefore, we said, you know, it
19 would be better to establish guidelines to say here's
20 what -- here's what everybody is going to have to
21 adhere to. Okay. It's a fairness issue. We're not
22 going to show more favoritism to this one versus this
23 one over here. Okay. So here's the guidelines.

24 But I never thought that we would not
25 allow or let's say take away the means that we've

1 provided in the past, which was adjoining property
2 owners from having an opportunity to speak some
3 concerns to this Commission.

4 I didn't envision that all of a sudden
5 that is what -- that's where we're heading to. I
6 thought we were establishing here's the parameter that
7 everybody's going to work under. Okay. But now if
8 there's some concerns there, then come to us and we'll
9 listen to those concerns.

10 Okay. At least the people would have a
11 right then -- the citizens have a right to at least
12 listen -- we can listen to them at least in that
13 regard. That's what I was -- that's what I was
14 envisioning, and so okay.

15 COMMISSIONER WILLIAMS: Yeah.

16 CHAIRMAN EVANS: I think I have
17 to, you know, agree with Ron to the extent that you
18 have regulations, and if you have an exception to
19 regulations, then you don't have regulations anymore.

20 MS. EAGAN: Just to clarify
21 also, these regulations have -- were you guys read
22 them, voted on them, and recommended on them. The
23 County Commission read them, had a public hearing,
24 voted on them.

25 We're back here now because we were

1 challenged in court that we didn't have a public
2 hearing before Planning and Zoning Commission.

3 So these are the same exact codes that
4 you heard two years ago that was voted to recommend
5 approval for the County Commission. I'm not
6 recommending to change anything else with this code
7 except what Cameron is suggesting.

8 So these codes are in place. We're just
9 fixing the process of how we did it.

10 COMMISSIONER SCHULTEHENRICH:

11 Well, what are we saying then? Are we saying that
12 because this is something already discussed four years
13 ago, that we don't have a right to basically now as a
14 commission to bring up a discussion on this issue and
15 express any concerns?

16 MS. EAGAN: I just wanted to
17 make sure that everybody knew that I wasn't proposing
18 anything new and different.

19 COMMISSIONER SCHULTEHENRICH:

20 Oh, okay.

21 MS. EAGAN: Like I just wanted
22 you to all know that this isn't like here. This is
23 all brand new.

24 COMMISSIONER SCHULTEHENRICH:

25 Okay.

1 COMMISSIONER HAIRE: This is
2 like a permitted use just like everything else so we
3 don't have to go around, instead make it an
4 administrative function. And so if it was a permitted
5 use, there's no reason.

6 I have to agree that doing the setbacks
7 just opens a can of worms because now we're basically
8 saying anybody can go back and adjust anything, which
9 was part of the reason we made the direction two years
10 ago.

11 So...

12 COMMISSIONER REINHOLD: The way
13 I understand this is permitted to go in this area, and
14 all we're doing is adjusting the regulations, what the
15 basic regulations of what it has to be in this place.

16 It ain't likely they're going to go in a
17 subdivision and put this in. This is -- it wouldn't
18 be regulated for that.

19 COMMISSIONER HAIRE: Yeah.

20 COMMISSIONER DUBBERT: We're
21 just simply permitting a remedy for people that can't
22 meet the setback requirements, correct? I mean,
23 that's all we're doing here?

24 MS. EAGAN: Well, in theory,
25 you're repassing Section 237. At December's meeting,

1 we had Cameron, who came here is suggesting to put
2 something else in the code allowing people to get a
3 conditional use permit that can't meet setbacks.

4 So he is --

5 COMMISSIONER DUBBERT: If they
6 can't. If they can meet the setbacks, then they're
7 not going to come before us --

8 MS. EAGAN: Right.

9 COMMISSIONER DUBBERT: -- to
10 begin with.

11 MS. EAGAN: Right.

12 CHAIRMAN EVANS: Bill?

13 COMMISSIONER McLAREN: Mr.

14 Chairman, I've got a couple of questions, and the
15 first one I want to ask is we're working under a
16 little bit different situation than we were last year
17 because of the fact that we've done away with the
18 Review Committee, correct?

19 So was this a tabled item, or was this --
20 did we have -- I thought it was tabled. Or was it
21 continued? There's a difference, isn't there?

22 COMMISSIONER WILLIAMS: I think
23 we tabled it.

24 CHAIRMAN EVANS: I believe it
25 was tabled.

1 COMMISSIONER McLAREN: Okay. so
2 if we tabled it, we've decided to bring it back on the
3 table and discuss it, --

4 CHAIRMAN EVANS: Yeah.

5 COMMISSIONER McLAREN: --
6 correct?

7 CHAIRMAN EVANS: Scottie, give
8 the history of this again because I --

9 MS. EAGAN: I don't remember if
10 it was --

11 CHAIRMAN EVANS: -- I say
12 tabled.

13 MS. EAGAN: I don't remember if
14 it was tabled or continued.

15 CHAIRMAN EVANS: Yeah.

16 MS. EAGAN: I thought we just
17 continued it, but I got to get to the by-laws for the
18 minutes.

19 COMMISSIONER McLAREN: Well,
20 the first question going in -- along with that is --
21 and this is just a learning process for me. Does that
22 mean that anybody in the audience, once again, if we
23 pulled it off the tabled or continued it, we didn't
24 set a guideline, is this all open for public comment
25 again?

1 That's my first question.

2 CHAIRMAN EVANS: That's what
3 Scottie is looking at because this thing has gone here
4 to the Commission and around and it's back again. And
5 that's, I guess, hopefully Scottie can answer that
6 question because I can't.

7 COMMISSIONER McLAREN: Well,
8 I've got -- I've got a couple more for Scottie too.

9 MS. EAGAN: Well, Nichole, can
10 you read and see what they did and then he can ask his
11 other questions.

12 COMMISSIONER McLAREN: Okay.
13 That's great. And I'm somewhere between Jay and Ron
14 on my understanding of what we were trying to do when
15 we did this. So I'm kind of in between the two.

16 But if we're readdressing this, I guess
17 my second question is, when we originally did this, CD
18 did not have the required SOP. Did we add the SOP to
19 CD when we did that, or is that nonapplicable because
20 you did not -- it was what you explained to Jay
21 basically? You could have a bar in CDs, and it was a
22 permitted use.

23 Did we take that away from being a
24 permitted use?

25 MS. EAGAN: No. Before they

1 were called Special Events, Periodic, and I believe
2 they were conditioned --

3 COMMISSIONER McLAREN: Would
4 that --

5 MS. EAGAN: -- in all
6 districts.

7 COMMISSIONER McLAREN: Well,
8 they were and then they went away where it was a
9 permitted use in CD. I'm sure of that.

10 MS. EAGAN: Yes, Special
11 Occasion, Periodic were permitted --

12 COMMISSIONER McLAREN: Okay.

13 MS. EAGAN: -- in CD and CA.

14 COMMISSIONER McLAREN: So did
15 -- in that process, did we change that -- those zoning
16 districts to where it requires an SOP now?

17 MS. EAGAN: Yes, we -- we
18 revised Article 7 to where it -- instead of saying
19 Special Occasions, Periodic, it says Special Occasions
20 Permits per Article 10.

21 COMMISSIONER McLAREN: On -- on
22 all?

23 MS. EAGAN: On an NUA, CD, CA,
24 and CA3.

25 COMMISSIONER McLAREN: Okay.

1 MS. EAGAN: Yeah.

2 COMMISSIONER McLAREN: Can you
3 tell me again on NUA and what?

4 MS. EAGAN: Non-Urban and
5 Agricultural, Community Development, Commercial
6 Activity and Commercial Activity 3, Community
7 Business.

8 COMMISSIONER McLAREN: Okay.
9 So in any of those now, there -- there has to be a
10 review from you in order to have that. I didn't
11 realize that we had done that. I --

12 MS. EAGAN: Yes.

13 COMMISSIONER McLAREN: I didn't
14 know that we had changed. I thought we were just
15 doing it to where it was -- required a CUP, but I
16 didn't know that.

17 MS. EAGAN: Yeah, two -- about
18 two years ago when we originally passed these
19 regulations, they were Special Occasion permits in
20 those four districts.

21 COMMISSIONER McLAREN: Okay.
22 I'm confused. I apologize because I thought it was
23 just in the districts that required a CUP, not in
24 districts that was already permitted. Okay.

25 MS. EAGAN: Yeah.

1 COMMISSIONER McLAREN: So then
2 my next two, as long as we're talking about this.

3 CHAIRMAN EVANS: Bill, I hate
4 to interrupt you.

5 COMMISSIONER McLAREN: Okay.

6 CHAIRMAN EVANS: But it's -- we
7 have basically a point of order. It was tabled. So
8 we would need a motion to take it off the table.

9 COMMISSIONER WILLIAMS: I move
10 we take File Number 180272 off the table for further
11 discussion.

12 COMMISSIONER McLAREN: Second.

13 CHAIRMAN EVANS: We have a
14 motion and a second to take File 180272 off the table
15 for further discussion. All in favor signify by
16 saying aye.

17 COMMISSIONER REINHOLD: Aye.

18 COMMISSIONER VOSS: Aye.

19 COMMISSIONER McLAREN: Aye.

20 COMMISSIONER WILLETTE: Aye.

21 COMMISSIONER WILLIAMS: Aye.

22 CHAIRMAN EVANS: Aye.

23 COMMISSIONER KLENKE: Aye.

24 COMMISSIONER HAIRE: Aye.

25 COMMISSIONER TOBBEN: Aye.

1 COMMISSIONER SCHULTEHENRICH:

2 Aye.

3 COMMISSIONER DUBBERT: Aye.

4 CHAIRMAN EVANS: Opposed?

5 (NONE)

6 COMMISSIONER SCHULTEHENRICH:

7 Point of order.

8 CHAIRMAN EVANS: Jay?

9 COMMISSIONER SCHULTEHENRICH:

10 Why do you need to have a motion to take it off -- out
11 of the table when we're not following Roberts' Rules
12 of Order?

13 Mr. Chairman, you have the authority with
14 the doing away with Roberts' Rules, which we did here
15 at this Commission sometime ago. So you have the
16 authority to basically allow the discussion to occur
17 without removing it as a motion to remove it from the
18 table. I'm just clarification -- ask for
19 clarification on that.

20 CHAIRMAN EVANS: Well, and
21 you're right. And actually, Jay, then if we're not
22 following Roberts' Rules of Order, then you can't have
23 a point of order. But I think --

24 COMMISSIONER SCHULTEHENRICH:

25 Only upon your consideration.

1 CHAIRMAN EVANS: Right, and I
2 think, again, Jay, what we've been doing is keeping
3 main motions with Roberts' Rules of Order. And again,
4 you're right. It's exactly what's up to my
5 discretion, but I try to and keep generally the main
6 motions so that we have some order rather than be
7 autocratic about it, I guess.

8 COMMISSIONER SCHULTEHENRICH: I
9 appreciate that. Thank you.

10 CHAIRMAN EVANS: But you're
11 correct.

12 COMMISSIONER McLAREN: So, Mr.
13 Chairman, I'm going to ask on my first thing again
14 because I suspect that we're going to have a lot of
15 tabled motions going forward since we don't have a
16 Review Committee anymore, that we want time to look at
17 and kind of find more stuff.

18 So that being the case, my first question
19 was this is once again a public hearing and anybody
20 that wants to speak on it can speak on it?

21 CHAIRMAN EVANS: I don't know
22 because the way this has come down to us again because
23 it was passed by us, gone to the Commission, passed.
24 Is that right, Scottie?

25 COMMISSIONER McLAREN: I don't

1 know that that piece of the puzzle matters. I'm kind
2 of wanting to know in generalities how we've moving
3 forward.

4 MS. EAGAN: It would be a
5 question for Mark.

6 COUNTY ATTORNEY PIONTEK: I'm
7 sorry. Can you restate your question.

8 COMMISSIONER McLAREN: My
9 question is if we -- moving forward since we don't
10 have a Review Committee, --

11 COUNTY ATTORNEY PIONTEK:
12 Correct.

13 COMMISSIONER McLAREN: -- I
14 think we're going to have a lot more tabled items to
15 vote on the second month. I feel personally that I'll
16 vote to table stuff to be able to think more about it
17 or do whatever as opposed since we're not sending it
18 to the Review Committee.

19 So if we do that in practice moving
20 forward, when we take something off of the table or
21 when the Chairman and we're going to speak about this
22 again, does the public have the right to comment
23 again? Is it once again a public...

24 COUNTY ATTORNEY PIONTEK: No.
25 It's not. Once you've concluded the public hearing,

1 whether you take action on it or you move to table it,
2 that public hearing is over.

3 COMMISSIONER McLAREN: Okay.

4 COUNTY ATTORNEY PIONTEK:

5 Unless you make a specific motion to continue the
6 public hearing to another date to take additional
7 testimony, additional evidence. But once you've made
8 a motion to table that item, the public hearing is
9 closed.

10 At that point, the only discussion is
11 from the Commission members.

12 COMMISSIONER McLAREN: So if
13 moving forward, if we want, we used to be able to
14 leave something open to get more information. We're
15 going to have to continue it to be able to get more
16 information. Is that correct?

17 COUNTY ATTORNEY PIONTEK:

18 Correct.

19 CHAIRMAN EVANS: And we've done
20 that when we were -- even with the Review Committee,
21 to leave the file open.

22 COMMISSIONER McLAREN: Right.

23 I'm just trying to understand how we're doing this
24 moving forward.

25 CHAIRMAN EVANS: Right.

1 COUNTY ATTORNEY PIONTEK:
2 Right. You would need to make a motion to -- if you
3 wanted to continue the public hearing, you would need
4 to make a motion to continue the public hearing until
5 whatever the next date would be. And then you would
6 be able to take additional public comment at that
7 time.

8 COMMISSIONER McLAREN: Okay.

9 COMMISSIONER HAIRE: So once we
10 end the public hearing and we moved on an action at
11 that time, we don't -- we're not required to have any
12 more --

13 COUNTY ATTORNEY PIONTEK: No.

14 COMMISSIONER HAIRE: -- public
15 hearing?

16 COUNTY ATTORNEY PIONTEK: No.

17 COMMISSIONER HAIRE: It's
18 closed. So we can just contain it within --

19 COUNTY ATTORNEY PIONTEK: At
20 that point, it's discussion among the Commission and
21 staff.

22 CHAIRMAN EVANS: So basically
23 when we ask who's for it and who's against and they're
24 done talking, --

25 COUNTY ATTORNEY PIONTEK:

1 Right.

2 CHAIRMAN EVANS: -- the public
3 hearing is ended.

4 COUNTY ATTORNEY PIONTEK:
5 That's right.

6 CHAIRMAN EVANS: And that's it.

7 COUNTY ATTORNEY PIONTEK:
8 Right.

9 COMMISSIONER McLAREN: But
10 Scottie and Nichole or whomever can still go out and
11 solicit information from somebody else to present to
12 us? I'm asking if what Cameron sent in is something
13 that we can consider, realistic or not.

14 COUNTY ATTORNEY PIONTEK: The
15 only -- I would suggest to you that you not do that
16 because essentially you're giving somebody another
17 bite at the apple beyond the original public hearing.

18 What I understood -- and I haven't seen
19 this, but what I understood coming forward was a
20 recommendation from Scottie based on a conversation
21 she had had with Cameron.

22 But if it was just here's an e-mail from
23 Cameron, here's what he wants, at that point, I
24 wouldn't consider that because it wasn't presented at
25 the public hearing. If that makes any sense to you.

1 COMMISSIONER McLAREN: I think
2 it's important we understand that, this kind of stuff
3 now as opposed to later.

4 COUNTY ATTORNEY PIONTEK: Yeah.

5 CHAIRMAN EVANS: All right.

6 And there's a little bit of difference I think in your
7 keeping the file open versus public hearing.

8 COUNTY ATTORNEY PIONTEK: I
9 would construe them to be the same.

10 CHAIRMAN EVANS: To be the
11 same?

12 COUNTY ATTORNEY PIONTEK:
13 Right.

14 CHAIRMAN EVANS: Okay. So in
15 that case, if you would keep the file open for a
16 public hearing till the next meeting, then it would be
17 the same thing.

18 COUNTY ATTORNEY PIONTEK:
19 Correct.

20 CHAIRMAN EVANS: So we use
21 those terms synonymously --

22 COUNTY ATTORNEY PIONTEK:
23 Right.

24 CHAIRMAN EVANS: -- going
25 forward.

1 COMMISSIONER McLAREN: All
2 right. Thank you, Mr. Chairman. If you'd let me ask
3 Scottie two more things, please.

4 CHAIRMAN EVANS: Sure.

5 COMMISSIONER McLAREN: You
6 know, I -- I think that the parking requirements, if
7 we're going to look at something else, are probably
8 not as adequate for these kind of events as they
9 potentially should be. And I -- you know, it was
10 brought up in public comment about the occupancy. How
11 do you -- you know, I know that you're not going to go
12 out on Friday night and count people.

13 And so do -- is that through the Building
14 Department that --

15 MS. EAGAN: Well, we have a
16 spot on our application that they tell us what their
17 maximum number is. That way if we find out that you
18 have more or they're building a building that has not
19 -- can seat a lot mor than what they're telling us,
20 then that's something we could potentially put them in
21 violation for.

22 As far as the parking, my only concern
23 with changing that at this point is you guys did
24 already make a recommendation on Article 12, which was
25 parking. And this matches that.

1 So if you want to change it now, I'll
2 have to go through the whole public hearing with the
3 County Commission and re-bring it up before you guys.
4 Which is fine. I can do that. But they have to hear
5 it first.

6 COMMISSIONER McLAREN: I
7 understand. I'm just saying from personal experience,
8 you know, four people don't come to an event together.

9 Thank you for allowing me.

10 CHAIRMAN EVANS: Any other
11 comments, discussion?

12 (NONE)

13 So, Scottie, go over again one more time
14 what we're looking at and what you want done.

15 MS. EAGAN: I mean, what I'm
16 presenting to you guys is Article 2 -- or Section 237,
17 Special Occasion Permits, the same thing that's been
18 in place for two years.

19 These would be Special Occasion Permits
20 in our NUA district, CD, CA, CA3. We have general
21 requirements. There are ten different things they
22 have to meet. If they have 300 people, they would be
23 required to get a conditional use permit. Otherwise,
24 everything is done in the office.

25 For indoor facilities, we have three-acre

1 minimums. Outdoor facilities we have ten-acre
2 minimums. We have hours of operation. We have times
3 that music can be played, whether they're amplified or
4 unamplified. There are parking requirements.

5 They're required to turn in the approved
6 access permit prior to us even issuing the permit.
7 And then along with their application, they're
8 required to turn in a detailed site plan drawn up by
9 an engineer.

10 And that shows the location and size of
11 all permanent or temporary structures, property lines,
12 distance to the nearest residences, location of
13 parking, number of parking, parking surface material,
14 any buffers, driveways, ingress and egress locations,
15 and the required setbacks.

16 The only change that was proposed last
17 month was potentially requiring -- or allowing an
18 applicant to apply for a conditional use permit if
19 they couldn't meet the general requirements.

20 After talking with Cameron, we kind of
21 narrowed it down to only putting that as a part of
22 setbacks. So if there's a unique circumstance with
23 the land with the property that they can't meet these
24 setbacks of a hundred feet or two hundred feet, then
25 allow them the ability to apply for a conditional use

1 permit.

2 That is potentially the only change that
3 is being offered up for discussion. Otherwise,
4 everything else was already discussed or talked about.

5 CHAIRMAN EVANS: And once the
6 -- if you look at those setbacks, and we would include
7 that possible exception, then you're into the CUP
8 process which then -- because it is a CUP, we can use
9 whatever conditions we wanted to.

10 So it would throw in from a permitted use
11 then back into the CUP if you have that one exception.

12 COMMISSIONER WILLIAMS: Well, I
13 have to reiterate, you can get the exception back by
14 going to BOZA.

15 I mean, to me if we're worried about the
16 residents and the abutting residences and where the
17 abutting property owners are, that's why those
18 setbacks are in place the way they are.

19 COMMISSIONER HAIRE: Yeah.

20 COMMISSIONER WILLIAMS: If you
21 can't meet them because of some constraint on the
22 property, if you look at why people go for --

23 COMMISSIONER REINHOLD: Come
24 back to --

25 COMMISSIONER WILLIAMS: -- to

1 BOZA, that's why they go. They have a hardship. They
2 can't meet those. That's exactly why they're there.

3 So as far as I'm concerned, we adopt --
4 to me we should -- the way I feel we should adopt what
5 we have and move forward. It's worked. I -- it looks
6 like it has worked for the last almost two years.

7 So I don't see why we should change
8 anything, I personally.

9 COMMISSIONER REINHOLD: I'll
10 second that, what you just said. Make a motion. I'll
11 second it.

12 COMMISSIONER WILLIAMS: I'll
13 wait for the Chairman to be ready.

14 CHAIRMAN EVANS: Any other
15 discussion?

16 COMMISSIONER SCHULTEHENRICH:
17 Well, just one other thing, and that is that I'm not
18 sure we've practiced it for the last two years, Ron,
19 because I think we have allowed these to come under
20 conditional use permits. I think we have allowed
21 property owners and others to come in and testify.
22 Okay. So...

23 MS. EAGAN: We have had three
24 applications under these regulations that have come
25 through and been -- two of them have been approved,

1 and one of them is in limbo because of this.

2 COMMISSIONER DUBBERT: Because
3 they couldn't satisfy a particular requirement of
4 this, Scottie?

5 MS. EAGAN: They were having
6 trouble with a requirement, and then this lawsuit
7 happened to now we had to re-approve the code. So
8 we're just waiting for everything to get it finalized
9 and approved before we move forward on their
10 application.

11 COMMISSIONER DUBBERT: Okay.
12 But the process for those three applicants were that
13 it was kicked up to us because they couldn't satisfy a
14 requirement --

15 MS. EAGAN: No, no. They
16 followed the code that's in place.

17 COMMISSIONER DUBBERT: Okay.

18 MS. EAGAN: So they got a
19 Special Occasion permit, met the general requirements,
20 did the site plan. We issued them a Special Occasion
21 permit.

22 COMMISSIONER DUBBERT:
23 Understood. Thank you.

24 COMMISSIONER REINHOLD: They
25 still got to go to the Building Department to make all

1 the requirements for their buildings and all that
2 stuff.

3 COMMISSIONER DUBBERT: Got you.

4 COMMISSIONER REINHOLD: But
5 we're not changing it. This is exactly what we
6 approved two years ago. We're just making it
7 official. Is that right?

8 MS. EAGAN: Uh-huh.

9 COMMISSIONER DUBBERT: With the
10 one exception?

11 COMMISSIONER REINHOLD: Which I
12 say no to that.

13 COMMISSIONER HAIRE: If we put
14 it in.

15 CHAIRMAN EVANS: If we would --

16 MS. EAGAN: The option to put
17 it in or not.

18 COMMISSIONER DUBBERT: Got it.

19 MS. EAGAN: Uh-huh.

20 CHAIRMAN EVANS: Any other
21 discussion?

22 (NONE)

23 And then, Jay, I understand you're
24 concerned about being as transparent as we can, but I
25 think that we put a lot of work in on this to try and

1 get this as -- as you said, Scottie, in those zoning
2 districts where it is workable. And looking back at
3 taking everything on the different CUPs and coming up
4 with standards what would be acceptable to everyone.

5 And again, not saying that there would
6 never be someone that would be want to make a comment.
7 But I think that this is workable considering the --
8 what we're trying to achieve for the County.

9 Any other discussion?

10 (NONE)

11 If not, the Chair would entertain a
12 motion.

13 COMMISSIONER WILLIAMS: Mr.
14 Chairman, I'll motion to recommend for approval File
15 Number 180272.

16 COMMISSIONER REINHOLD: With no
17 changes.

18 COMMISSIONER WILLIAMS: With no
19 changes.

20 COMMISSIONER REINHOLD: And
21 I'll second that.

22 CHAIRMAN EVANS: All right. We
23 have a motion and a second to approve File 180272.
24 All in favor signify by saying aye.

25

1 COMMISSIONER REINHOLD: Aye.

2 COMMISSIONER VOSS: Aye.

3 COMMISSIONER McLAREN: Aye.

4 COMMISSIONER WILLETTE: Aye.

5 COMMISSIONER WILLIAMS: Aye.

6 CHAIRMAN EVANS: Aye.

7 COMMISSIONER KLENKE: Aye.

8 COMMISSIONER HAIRE: Aye.

9 COMMISSIONER TOBBEN: Aye.

10 COMMISSIONER DUBBERT: Aye.

11 CHAIRMAN EVANS: Opposed?

12 COMMISSIONER SCHULTEHENRICH:

13 Nay.

14 CHAIRMAN EVANS: The motion is
15 carried.

16 Moving on to File 180257, Samantha
17 Williford.

18 Scottie.

19 MS. EAGAN: This is File 180257,
20 Samantha Williford.

21 The applicant is requesting to host
22 special events, occasional in the Non-Urban and
23 Agricultural zoning district.

24 The property is located on Mill Hill
25 Road, approximately one mile southwest of Highway TT

1 in Central Township.

2 THE FACTS: The total area for the
3 property is approximately 184 acres.

4 The zoning of this property is Non-Urban
5 and Agricultural. In this district, special events,
6 occasional require a condition use permit.

7 The applicant wishes to use this property
8 to host special events, occasional including workshops,
9 vendors, music, et cetera.

10 The surrounding properties are zoned
11 Non-Urban and Agricultural.

12 This property has access to Mill Hill
13 Road. This is a county-road with a right-of-width of
14 approximately 50 feet.

15 This property is surrounded primarily by
16 undeveloped land and the river to the south.

17 This property is located within Public
18 Water Supply District Number 3 boundaries.

19 A large portion of the properties are
20 located within the floodplain.

21 The applicant received a conditional use
22 permit in 2003 to host special events, periodic.

23 STAFF COMMENTS: Any buildings used in
24 connection with this CUP will need to be approved by
25 the Franklin County Building Department for a

1 commercial building.

2 All new and/or existing entrances on the
3 Mill Hill Road will need to be examined by the
4 Franklin County Highway Department for a commercial
5 entrance. Planning and Zoning shall receive a copy of
6 the permit prior to the applicant commencing any
7 activities on the property.

8 Any activity in the floodplain will
9 require a floodplain development permit.

10 Any building in the floodplain may
11 require an elevation certificate as well as a
12 floodplain development permit.

13 All conditions shall be completed within
14 one year of approval, unless otherwise stated. Failure
15 to meet all conditions may result in the application
16 expiring.

17 All activities shall run April through
18 October.

19 All formal activities shall end by 1:00
20 a.m.

21 All activities associated with the CUP
22 shall be limited to the portion of the property
23 approximately 3.5 acres south of Mill Hill Road.

24 The number of parking spaces needs to be
25 addressed. Current regulations only require 20 spots

1 unless otherwise stated in the CUP.

2 CHAIRMAN EVANS: Thank you,
3 Scottie. I should have stopped you before when you
4 read the entire file because this is also tabled. So
5 we need to take it off the table, but the Chair will
6 just say is there any dissent?

7 If there is no dissent, then we'll take
8 it off the table.

9 (NONE)

10 All right. The file is open for
11 discussion.

12 COMMISSIONER TOBBEN: At our
13 last Review Committee, we had talked about some
14 additional items. We had talked about sanitary sewer
15 services, which Mrs. Williford had presented in her
16 public hearing last month.

17 If you have that all in front of you,
18 let's see here. It's Item 4 in our handout. She
19 talks about using for every 50 guests having one
20 Port-A-Potty and one hand-washing station.

21 And then we also discussed security,
22 which is Item 5 on our handout. Which discusses
23 they're going to have in-house security from 8:00 a.m.
24 to 8:00 p.m., and then overnight from 8:01 p.m. to
25 7:59 a.m. there will be security provided by a

1 security company.

2 So those were additional items that we
3 discussed at our last Review Committee that are in
4 addition to the staff comments.

5 CHAIRMAN EVANS: I believe that
6 most of those mirror what was in her other CUP that
7 she has.

8 COMMISSIONER TOBBEN: Okay.

9 CHAIRMAN EVANS: And again, the
10 big thing I think was the requirement that all
11 activities take part on that three and a half acres.
12 I recognize in addition we'll have those fields and
13 the log camping or whatever which are a permitted use.
14 So we were all only concerned with the activities on
15 that three and a half acres.

16 MS. EAGAN: I have a question.
17 In relation to that security, was there a number you
18 guys were talking about, or...

19 COMMISSIONER TOBBEN: We didn't
20 really discuss a number --

21 MS. EAGAN: Okay.

22 COMMISSIONER TOBBEN: -- that
23 time.

24 CHAIRMAN EVANS: I think from
25 when we -- because we always -- we always had put the

1 same thing as to how do we determine what security
2 they have, how many they'll have, and who would police
3 that.

4 Bill?

5 COMMISSIONER McLAREN: You
6 know, I think that I have two questions about this.
7 And when Samantha was here, I think, in November, she
8 -- we mentioned something. I mentioned something.
9 She mentioned something about if the CUP possibly
10 following just the property ownership, that if it
11 changed hands, the CUP would go away. We had that
12 discussion.

13 I think that that would maybe still be a
14 discussion that we should have that, you know, we have
15 more faith in the people we know right now than
16 potentially the people we don't know and with what
17 their activities may come.

18 And my second thing is the comment that
19 Scottie -- the staff's got in here about parking, and
20 I think that we would need to discuss parking because
21 I think there could be -- if it's very successful.
22 You know, you don't want like the same thing across
23 the river that they stack them on the road for a half
24 a mile waiting to get in.

25 CHAIRMAN EVANS: Yeah, with the

1 conditional use process, we can place conditions on
2 whether or not the CUP goes with the property or with
3 the owner. We could also put time limits on it. So
4 we could, if we want to, on this one, we can say five
5 years or whatever. We do have a lot of latitude in
6 the conditions we put on it.

7 COMMISSIONER McLAREN: I'm very
8 comfortable with this operator. I don't know that I'm
9 always going to be comfortable with everybody that's
10 going to operate it.

11 CHAIRMAN EVANS: Any other
12 discussion?

13 (NONE)

14 Comments?

15 (NONE)

16 We're really looking at the staff
17 comments and additions that would be made, Tom,
18 security?

19 COMMISSIONER TOBBEN: And the
20 sanitary sewer services is what we discussed that day
21 at the Review Committee.

22 CHAIRMAN EVANS: Yeah, the
23 sanitary services and --

24 COMMISSIONER TOBBEN: What she
25 proposed in her public hearing last month.

1 CHAIRMAN EVANS: And then also
2 I think we had count the hours of operation and the --
3 also the months that she would operate, which was I
4 believe what, May or April through October.

5 MS. EAGAN: Bill. One thing
6 that was brought up and I didn't realize it was we may
7 not be able to limit her to the three and a half acres
8 south of Mill Hill Road because the parking does
9 extend potentially beyond that.

10 So we might just want to say she's
11 limited to the property south of Mill Hill Road.

12 CHAIRMAN EVANS: Okay. Take
13 out the three and a half acres and just say property
14 south of Mill Hill Road?

15 MS. EAGAN: Or even specify the
16 parcel -- all activities besides the parking are
17 except- -- you know, or whatever. I don't know if
18 that would work, but...

19 CHAIRMAN EVANS: That would I
20 think because of all the electric and everything else
21 is on that three and a half acres.

22 Ron, do you have a comment?

23 COMMISSIONER WILLIAMS: Yes.
24 As I recall, only activities were going to be on that
25 three and a half acres according to the CUP, and the

1 parking was going to be outside those three and a half
2 acres, if I recall right.

3 But the question I would have is parking
4 allowed outside of the CUP, that they park there
5 and...

6 MS. EAGAN: In the past, we
7 have made them make it a part of their CUP because
8 it's associated with the activity that's happening on
9 the property.

10 COMMISSIONER WILLIAMS: Okay.

11 MS. EAGAN: But Mark Piontek
12 might have a different view.

13 CHAIRMAN EVANS: But saying
14 south of Mill Hill Road would supply enough property
15 to meet the parking requirements?

16 MS. EAGAN: From what I can
17 tell, yes.

18 COMMISSIONER WILLIAMS: To me
19 -- sorry. To me, it would behoove them having enough
20 parking because of the fact that they're not going to
21 park on Mill Hill Road or anything like that. I
22 think, Bill, you were looking a number. I don't know
23 if ever come up with that or how you come up with
24 that.

25 COMMISSIONER McLAREN: Well,

1 I'm looking at the staff comments that 20 spaces are
2 required. Isn't that what it says? And we know that
3 20 spaces is not going to be adequate.

4 COMMISSIONER WILLIAMS: And I
5 agree with that. At the same time, that's the
6 regulation there. Let me point out the regulation
7 that requires the minimum amount. So I'm turning to
8 you and asking how you going to determine how much
9 parking to say they need?

10 COMMISSIONER McLAREN: It says
11 that we need to address it. So I think that it needs
12 to be addressed. I think that 20 spots, if they --
13 you know, if they're going to average 500 people, you
14 know, that's 125 cars. Now, some of them are going to
15 be in the campground. Some of them are going to be
16 day travelers. And I think it needs to be addressed.

17 I don't know what else to say. If
18 there's not adequate parking, it is going to stack up
19 on Mill Hill Road, you know, because it's going to be
20 a problem.

21 COMMISSIONER WILLIAMS: I'm not
22 disagreeing with you. I'm trying to figure out how to
23 get to that number.

24 COMMISSIONER McLAREN: All
25 right.

1 COMMISSIONER WILLIAMS: Because
2 parking regulations are basically one of three ways.
3 You either say you got a set number for what you're
4 doing. Or it's based off of so many cars or so many
5 parking spaces per employee or person or whatever you
6 have. Or it's based off the square footage of the
7 venue; i.e., if you got a retail store.

8 You say hey, you got a 20,000 square foot
9 Walmart store, you need so much parking.

10 COMMISSIONER McLAREN: Okay.

11 COMMISSIONER WILLIAMS: To me,
12 you want to probably look at -- okay, you're looking
13 at a venue with so many people, and it'd be one for
14 every umpteen people, realizing some may be in the
15 campsite.

16 COMMISSIONER McLAREN: Okay.

17 COMMISSIONER WILLIAMS: And try
18 to get to a number. Something that can be dealt with
19 and can be quantified, for lack of a better term.

20 COMMISSIONER McLAREN: Well, if
21 there's going to be a concert on Friday night or
22 Saturday night -- Friday night's a better example,
23 then everybody who starts coming in at 4:30 to 5:30
24 and 500 cars come in in that hour's time. It's going
25 to create a problem on, you know, not the best roads

1 if there's not adequate parking.

2 So I agree with you that -- I guess I'm
3 talking in a circle here, but the circle keeps on
4 leading back to 20 spaces is not adequate. And I
5 would think that parking -- I'm just being
6 argumentative time. But I know that you can -- at
7 different venues, and I'm not talking about a wedding
8 venue right now. I'm just talking about a business.

9 Different businesses can lease parking
10 from another business that's closed later in the day.
11 So I wouldn't think that we have a precedent here that
12 the CUP has to follow the parking personally.

13 I can think of a lot of places that a
14 business closes at five o'clock, and they let another
15 business use their parking lot the rest of the night.

16 MS. EAGAN: Bill, I will say
17 with her previous conditional use permit, she had
18 parking, and I believe at that time it was one space
19 per two and a half based on maximum attendees or
20 something of the event, and she met that requirement.
21 And she has her conditional use permit she is
22 operating for that.

23 They have the space there for people to
24 park. If you remember -- you were here in November,
25 tight? Her plan showed it where if you see where Mill

1 Hill comes kind of straight, there's a driveway that
2 goes in. And then there is like a loop with a --
3 there are two other lines, and that's where all the
4 cars would go.

5 So -- and she talked about, you know, if
6 they're just -- it's a small event, the check in will
7 be closer to Mill Hill. If it's a larger event,
8 they're going to put that check in differently so
9 people do get off the county road onto their property.

10 And we've done it in the past where
11 you've made conditions of, you know, no stacking on
12 the county road and stuff of that nature if that's
13 something you are worried about.

14 But she does have adequate parking there
15 for her wedding event, and I assume she'll have
16 adequate parking for her other events as well. She
17 has all that property south of Mill Hill Road.

18 CHAIRMAN EVANS: Well, on the
19 other CUP, if she has the parking in there, was that
20 all on the three and a half acres, or what are we
21 looking at?

22 MS. EAGAN: I don't remember,
23 to be honest with you.

24 CHAIRMAN EVANS: Because I
25 mean, that's --

1 COMMISSIONER McLAREN: It was
2 because they didn't own other property when the CUP
3 was issued, I don't believe.

4 MS. EAGAN: They owned all that
5 property the whole time. It consists of three
6 separate parcels. There's a large parcel north of
7 Mill Hill Road, and then two parcels south of Mill
8 Hill Road that they all own.

9 COMMISSIONER McLAREN: I don't
10 think they did at the time.

11 CHAIRMAN EVANS: What we're
12 really discussing is we have the three and a half
13 acres, and nobody is saying that all activities
14 associated with it, are we saying parking or do we
15 need to include say south of Mill Hill for parking? I
16 mean, that's what we're talking about, the parking
17 issue here.

18 And obviously, if you say -- just say
19 south of Mill Hill Road, then you got three and a half
20 acres. Theoretically, they could have any activity
21 south of Mill Hill Road.

22 COMMISSIONER REINHOLD: Can we
23 not put -- just put all parking on premises, no
24 parking allowed on Mill Hill Road?

25 CHAIRMAN EVANS: Well, I meant

1 I think the issue is -- only thing we're talking about
2 is how to determine adequate parking, and do we want
3 to include a number.

4 I mean, obviously there's adequate
5 parking there, but how -- how do we want to put it in
6 the CUP. I think we all want the same thing, but how
7 do we want to address it here.

8 COMMISSIONER REINHOLD: I think
9 putting the parking on the premises. It's their
10 problem if they're going to have events that need 500
11 parking spots, they're going to have to have it.

12 CHAIRMAN EVANS: Can we get
13 away with something as abstract as adequate parking
14 would be provided?

15 COMMISSIONER DUBBERT: I think
16 so, and not only that, couldn't we just carry the
17 standard that they were already operating under
18 forward, that two and a half whatever?

19 MS. EAGAN: You could do it
20 either way. I think if you say all activities, you
21 know, take place south of Mill Hill Road, I don't
22 think you're opening it up for all these crazy events
23 to be taken so far south. All of their electric,
24 everything, is up on that three and a half acres.

25 The only thing that's going to be taken

1 on that bottom parcel would be check in for people
2 coming in, and then parking. And a lot of it, they're
3 going to be -- if they're camping there and that's the
4 campsite, they're going to be parked by their campsite
5 anyway.

6 We have regulations for campsite parking.
7 So that is something completely different that we
8 would enforce. So it's hard to put a number on it
9 because each event is going to be different.

10 COMMISSIONER DUBBERT: And she
11 did demonstrate that she had adequate parking in
12 November. I do recall that.

13 MS. EAGAN: Yeah.

14 CHAIRMAN EVANS: So the best
15 option may be parking south of Mill Hill Road?

16 COMMISSIONER HAIRE: Uh-huh.

17 MS. EAGAN: I think I would
18 just leave it at -- let me find my paper back.

19 COMMISSIONER HAIRE: Take the
20 approximate three and a half acres out of there, and
21 then it reads okay.

22 MS. EAGAN: All right. And
23 then if you wanted me to put something like we've done
24 in the past that say all parking shall be located on
25 premise, we can add something like that or add

1 something about no stacking on the county road. We
2 can add something like that. We've done that in the
3 past.

4 COMMISSIONER REINHOLD: Then we
5 need to put in there no parking on Mill Hill Road to
6 protect the people there.

7 CHAIRMAN EVANS: On county
8 roads, is there a parking that's sight restricted?

9 COMMISSIONER WILLIAMS: You
10 have to have a no-parking zone marked, but my comment
11 is there's a lot of parking along a lot of our county
12 roads. I'm not saying that it can't be done, but it
13 will be very difficult in some aspects to get out of
14 there.

15 Knowing that site, there's only one tiny
16 little section down there right where that's at where
17 anybody would have any success parking along side the
18 road, especially when there is rock ledges on the
19 other side.

20 CHAIRMAN EVANS: All right. So
21 where do we want to leave this, south of Mill Hill
22 with adding in what you were saying about the -- since
23 we have requirements on the parking for tents?

24 COMMISSIONER DUBBERT: Can I
25 take a crack at a motion?

1 CHAIRMAN EVANS: All right.

2 COMMISSIONER DUBBERT: All
3 right. I'm going to try this here.

4 Motion to approve with recommendations
5 from the Review Committee and staff, limited to the
6 parcel south of Mill Hill Road, with no stacking or
7 parking on Mill Hill Road.

8 COMMISSIONER SCHULTEHENRICH:
9 Sounds adequate.

10 CHAIRMAN EVANS: Do we have a
11 motion?

12 COMMISSIONER DUBBERT: That's
13 my motion.

14 COMMISSIONER WILLETTE: Do we
15 want to include the language about the Review
16 Committee since we technically don't have them
17 anymore?

18 CHAIRMAN EVANS: That would be
19 the security and sanitary services. Would that be the
20 only two, Tom?

21 COMMISSIONER TOBBEN: That's
22 correct, yeah. That's what we discussed that day,
23 those two, and then the other ones were addressed.

24 CHAIRMAN EVANS: And the other
25 ones were addressed.

1 Again, security and sanitary services, we
2 can't really put -- you know, that we could put
3 specific restrictions on that. Obviously they have
4 sanitary services for -- they're adequate for their
5 other CUP.

6 COMMISSIONER McLAREN: Well,
7 once again, I think they're -- I think they're doing a
8 great job. My followup would be that, you know, I
9 still like the idea that we -- the CUP follows the
10 property -- no follows the property, follows the
11 current ownership.

12 COMMISSIONER DUBBERT: Would we
13 have to add that to the motion?

14 COMMISSIONER McLAREN: You just
15 added --

16 CHAIRMAN EVANS: It's your
17 motion. So you can add to your motion.

18 COMMISSIONER DUBBERT: Then can
19 I add to my motion to include language that the CUP
20 follows the owners, the current owners. Should I make
21 the whole thing over again?

22 CHAIRMAN EVANS: And would
23 include -- do we want to say adequate security and
24 sanitary services? I mean, I hate the ambiguity of
25 that.

1 MS. EAGAN: Well, Tom did say
2 in her presentation, they provide one Port-A-Potty and
3 hand-washing station for every 50 guests. So that one
4 could be specific and/or just say provide -- applicant
5 shall provide sanitary services, and then applicant
6 shall provide either in-house or security through a
7 company at all events. Unless you want me to give the
8 8:00 a.m. to 8:00 p.m.; 8:01 to 7:59 timeframe.

9 CHAIRMAN EVANS: Yes. Let's
10 include those in there I would think because that's
11 what's on her existing CUP.

12 MS. EAGAN: So you want me to
13 be specific, not general?

14 COMMISSIONER WILLIAMS: I would
15 like that because that was testimony she gave.

16 MS. EAGAN: Okay.

17 CHAIRMAN EVANS: Right.

18 COMMISSIONER WILLIAMS: So that
19 she gave that said we're going to do this.

20 COMMISSIONER HAIRE: Right.

21 COMMISSIONER WILLIAMS: So I
22 think we ought to be specific in our conditions that
23 that's what we're going to have.

24 COMMISSIONER HAIRE: I agree.

25 So use her language and then add the CUP

1 forward, and I think then we have...

2 COMMISSIONER DUBBERT: I'll
3 withdraw my previous motion, and I can take a crack at
4 the next one, but I have a feeling I'm on to something
5 else. So somebody more seasoned may want to take a
6 stab at it.

7 CHAIRMAN EVANS: Anyone want to
8 make a motion?

9 COMMISSIONER DUBBERT: If not,
10 I'll try again.

11 I will make the motion to approve with
12 the recommendations from the Review Committee and
13 staff, limiting it to the parcel south of Mill Hill
14 Road with no stacking or parking Mill Hill Road, and
15 with the motion following -- or the approval following
16 the ownership of the -- the current ownership of the
17 parcel.

18 COMMISSIONER McLAREN: Second.

19 CHAIRMAN EVANS: All right. We
20 have a...

21 MS. EAGAN: That was the Review
22 Committee.

23 COMMISSIONER DUBBERT: The
24 sanitary was part of the Review Committee, so I just
25 kind of lumped it in with that.

1 CHAIRMAN EVANS: Right.

2 COMMISSIONER TOBBEN: It was
3 what she presented in her public hearing.

4 COMMISSIONER HAIRE: Right.

5 CHAIRMAN EVANS: Scottie, has
6 that been included as specific language, that it was
7 included in her testimony. All right. We have a
8 motion.

9 Do we have a second?

10 COMMISSIONER McLAREN: I
11 seconded it.

12 CHAIRMAN EVANS: I'm sorry. We
13 have a motion and a second to approve File 180257.
14 All in favor signify by saying aye.

15 COMMISSIONER REINHOLD: Aye.

16 COMMISSIONER VOSS: Aye.

17 COMMISSIONER McLAREN: Aye.

18 COMMISSIONER WILLETTE: Aye.

19 COMMISSIONER WILLIAMS: Aye.

20 CHAIRMAN EVANS: Aye.

21 COMMISSIONER KLENKE: Aye.

22 COMMISSIONER HAIRE: Aye.

23 COMMISSIONER TOBBEN: Aye.

24 COMMISSIONER SCHULTEHENRICH:
25 Aye.

1 COMMISSIONER DUBBERT: Aye.

2 CHAIRMAN EVANS: Opposed?

3 (NONE)

4 The motion is carried.

5 Moving on to New Business. File 180225,

6 Villa Ridge Investments, L. L. C.

7 Scottie?

8 MS. EAGAN: This is File

9 180225, the final development plan.

10 The applicant is Villa Ridge Investment.

11 The applicant wishes to create a Planned

12 Unit Development in the Commercial Activity 3,

13 Community Business zoning district.

14 The property is located off of Osage

15 Villa Court, approximately 300 feet north of Highway

16 AT, Boles Township.

17 THE FACTS: The property is approximately

18 10.03 acres in size.

19 This property is located in the

20 Commercial Activity 3, Community Business zoning

21 district.

22 The minimum lot size is 22,000 square

23 feet with a maximum density of 1 dwelling unit per

24 5,000 square feet.

25 This request involves 35 single-family

1 detached villas and 4 attached villas, zero lot line.
2 The whole development consists of a total of 39
3 dwellings.

4 Originally this development was approved
5 as a zero lot line development with attached villas in
6 2016,

7 The density of this development is
8 approximately 1 dwelling unit per 11,000 square feet.

9 The applicant states that water service
10 will be provided by Water District 3, and sewer
11 service will be privately maintained.

12 With a development of this size, the
13 applicant is supposed to offer 10 percent open space
14 dedication. This development does meet the County's
15 open space requirement.

16 The land disturbance permit from DNR is
17 required to disturb more than one acre of land, as
18 well as erosion controls during development.

19 Because of the size of the development,
20 the applicant shall provide fire protection in
21 accordance with Article 8, Section 175. Because this
22 development is located within Boles Fire Protection
23 district, they will be required to meet the standards
24 of that district.

25 This development is proposing 22-foot

1 asphalt pavement with 5-foot gravel shoulders on each
2 side for a total of 32 feet.

3 We have received an e-mail from Chief
4 Casey with the Boles Fire District that with the okay
5 of the proposed road.

6 STAFF COMMENTS: Without approval of a
7 PUD, this development would not be allowed based on
8 the lot sizes in this development. The applicant does
9 not exceed the density requirement allowed in the CA3
10 zoning district, but the lot sizes do fall below the
11 minimum for that district.

12 Any improvements will need to be
13 completed or escrowed prior to recording the final
14 plat.

15 And all required documentation has been
16 submitted at this time.

17 CHAIRMAN EVANS: Thank you.

18 I will add that we did give the
19 preliminary approval to this, and the final
20 development plan is rather detailed in Section 9 of
21 our regulations, and Scottie has stated that she has
22 everything she requires.

23 Given that, I will still ask if there's
24 anyone present who wants to speak in favor of this
25 file.

1 (NONE)

2 If not, anyone willing to -- wishing to
3 speak in opposition?

4 (NONE)

5 No? All right.

6 Any discussion?

7 COMMISSIONER WILLIAMS: I'm
8 just going to point out one thing that we very rarely
9 see. All required documentation has been submitted at
10 this time. Thank you.

11 CHAIRMAN EVANS: If there is no
12 further discussion and all the requirements are met
13 and that Scottie has all the information, the Chairman
14 would entertain a motion.

15 MS. ZIELKE: Mr. Chairman, I'm
16 sorry. Just for the record, this was not a public
17 hearing. So asking for the public to come forward,
18 they wouldn't have been able to speak anyway.

19 MS. EAGAN: We talked about it.

20 MS. ZIELKE: Okay.

21 CHAIRMAN EVANS: We talked
22 about that. I asked the same question of Scottie --

23 MS. ZIELKE: Okay.

24 CHAIRMAN EVANS: -- that you
25 did.

1 MS. ZIELKE: Well, he just
2 asked for anyone --

3 MS. EAGAN: I'll talk to him.

4 MS. ZIELKE: Okay.

5 CHAIRMAN EVANS: Okay. Yeah,
6 we discussed those before. So...

7 MS. ZIELKE: Okay.

8 COMMISSIONER HAIRE: I'll make
9 a motion to approve File 180225.

10 CHAIRMAN EVANS: Okay. And I
11 apologize. We have to move this to Old Business.

12 COMMISSIONER HAIRE: Okay. My
13 motion to move it to Old Business, File 180225.

14 COMMISSIONER McLAREN: Second.

15 CHAIRMAN EVANS: We have a
16 motion and a second to move File 180225 to Old
17 Business. All in favor signify by saying aye.

18 COMMISSIONER REINHOLD: Aye.

19 COMMISSIONER VOSS: Aye.

20 COMMISSIONER McLAREN: Aye.

21 COMMISSIONER WILLETTE: Aye.

22 COMMISSIONER WILLIAMS: Aye.

23 CHAIRMAN EVANS: Aye.

24 COMMISSIONER KLENKE: Aye.

25 COMMISSIONER HAIRE: Aye.

1 COMMISSIONER TOBBEN: Aye.

2 COMMISSIONER SCHULTEHENRICH:

3 Aye.

4 COMMISSIONER DUBBERT: Aye.

5 CHAIRMAN EVANS: Opposition?

6 (NONE)

7 The motion is carried.

8 Moving back to Old Business. We have

9 File 180225. Any further discussion?

10 (NONE)

11 If not, the Chair would entertain a

12 motion to approve.

13 COMMISSIONER HAIRE: I'll move
14 to approve File 180225.

15 COMMISSIONER McLAREN: Second.

16 CHAIRMAN EVANS: We have a
17 motion and a second to approve File 180225. All in
18 favor signify by saying aye.

19 COMMISSIONER REINHOLD: Aye.

20 COMMISSIONER VOSS: Aye.

21 COMMISSIONER McLAREN: Aye.

22 COMMISSIONER WILLETTE: Aye.

23 COMMISSIONER WILLIAMS: Aye.

24 CHAIRMAN EVANS: Aye.

25 COMMISSIONER KLENKE: Aye.

1 COMMISSIONER HAIRE: Aye.

2 COMMISSIONER TOBBEN: Aye.

3 COMMISSIONER SCHULTEHENRICH:

4 Aye.

5 COMMISSIONER DUBBERT: Aye.

6 CHAIRMAN EVANS: Opposed?

7 (NONE)

8 The motion is carried.

9 Moving on to Preliminary Plats. We have
10 none.

11 Planning and Zoning Commission Forum.
12 Anything the Commissioners wish to discuss? Bill?

13 COMMISSIONER McLAREN: I have a
14 question, and I've spoken to Scottie about this.

15 We approved a CUP for the pumpkin thing a
16 year ago, and those people have left the property.
17 They're not there anymore. The property is for sale.
18 It's been a year and nothing has been done as far as
19 activating that CUP. And I would like to consider it
20 be -- have Scottie look into the dates and see if it's
21 time for that CUP to go away.

22 CHAIRMAN EVANS: Okay.

23 COMMISSIONER McLAREN: I don't
24 know if I'm saying that right, but I'm conveying the
25 message to you.

1 MS. EAGAN: You want me to look
2 and see if we can start the expiration process?

3 COMMISSIONER McLAREN: Yes.
4 The property is for sale now. So I don't think we
5 should have a CUP on it that was never...

6 COMMISSIONER HAIRE: Yeah.

7 CHAIRMAN EVANS: Agreed.

8 Anything else to discuss?

9 (NONE)

10 If not, Planning Director's Report.

11 MS. EAGAN: Just still coloring
12 maps. So that will be a minute. But no, I don't have
13 anything for you guys. That's pretty much all I do
14 now. So...

15 CHAIRMAN EVANS: All right.

16 If there is nothing else, the Chair would
17 entertain a motion to adjourn.

18 COMMISSIONER McLAREN: Motion
19 to adjourn.

20 COMMISSIONER SCHULTEHENRICH:
21 Second.

22 CHAIRMAN EVANS: We have a
23 motion and a second to adjourn. All in favor signify
24 by saying aye.

25 COMMISSIONER REINHOLD: Aye.

1 COMMISSIONER VOSS: Aye.
2 COMMISSIONER McLAREN: Aye.
3 COMMISSIONER WILLETTE: Aye.
4 COMMISSIONER WILLIAMS: Aye.
5 CHAIRMAN EVANS: Aye.
6 COMMISSIONER KLENKE: Aye.
7 COMMISSIONER HAIRE: Aye.
8 COMMISSIONER TOBBEN: Aye.
9 COMMISSIONER SCHULTEHENRICH:
10 Aye.
11 COMMISSIONER DUBBERT: Aye.
12 CHAIRMAN EVANS: Opposed?
13 (NONE)
14 We are adjourned.
15 (Thereupon, the proceedings
16 concluded at 8:26 p.m.)
17 o8o
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1 CERTIFICATE OF REPORTER
2 I, PATSY A. MAYBERRY, Professional Court
3 Reporter and Notary Public within and for the State of
4 Missouri, before whom the foregoing proceeding was
5 taken, do hereby swear that: the aforementioned was
6 held at the time and in the place previously
7 described; the proceedings were taken down in
8 stenographic notes by me and transcribed by me, or
9 under my supervision, to the best of my ability; and
10 that the aforementioned represents a true and accurate
11 transcript of said proceedings.

12 IN WITNESS WHEREOF, I have hereunto set
13 my hand.

14 _____
15 Patsy A. Mayberry, Court Reporter
16 Notary Public, State of Missouri

17 My Commission Expires:
18 August 26, 2022

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