

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

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PUBLIC HEARING
FEBRUARY 18, 2020
(COMMENCING AT 7:00 P.M.)

Reported by:
Patsy A. Mayberry, C. R.
Alaris Litigation Services

1	I N D E X	
2	PROCEEDING	PAGE
3	CALL TO ORDER AND ROLL CALL	6
4	DISCLOSURES	7
5	MEETING PROCEDURES AND EXHIBITS	7
6	APPROVAL OF MINUTES DATED JANUARY 21, 2020	9
7	COMMUNICATIONS AND VISITOR COMMENTS	10
8	P U B L I C H E A R I N G S	
9	UNFINISHED BUSINESS - NONE	
10	NEW BUSINESS:	
11	FILE 200017 - PLANNING AND ZONING:	
12	PRESENTATION BY MS. EAGAN	10
13	MOVED TO UNFINISHED BUSINESS	12
14	PUBLIC COMMENTS - NONE	
15	DISCUSSION	14
16	VOTE	14
17	FILE 200018 - PLANNING AND ZONING:	
18	PRESENTATION BY MS. EAGAN	12
19	MOVED TO UNFINISHED BUSINESS	13
20	PUBLIC COMMENTS - NONE	
21	DISCUSSION	15
22	VOTE	15
23	PRELIMINARY PLATS - NONE	16
24	PLANNING AND ZONING COMMISSION FORUM	16
25		

1	I N D E X	
2	(CONTINUED)	
3	PLANNING DIRECTOR'S REPORT	16
4	DISCUSSION	18
5	ADJOURNMENT	26
6	CERTIFICATE OF REPORTER	28
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

IDENTIFICATION	DESCRIPTION	PAGE
EXHIBIT A	PLANNING AND ZONING REGULATIONS	8
EXHIBIT B	FRANKLIN COUNTY ZONING MAP	8
EXHIBIT C	FRANKLIN COUNTY MASTER PLAN	8
EXHIBIT D	ALL FILES FOR CASES HEARD	8

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

1 A P P E A R A N C E S
2 PLANNING AND ZONING COMMISSION:
3 BILL EVANS, CHAIRMAN
4 STANLEY VOSS, COMMISSIONER
5 JIM GRUTSCH, COMMISSIONER
6 DEBBIE WILLETTE, COMMISSIONER
7 MIKE KLENKE, COMMISSIONER
8 DENNIS HARTMANN, COMMISSIONER
9 MARK FRANKENBERGE, COMMISSIONER
10 PLANNING AND ZONING STAFF:
11 SCOTTIE EAGAN, DIRECTOR PLANNING AND ZONING
12 NICHOLE ZIELKE, COUNTY PLANNER
13 COUNTY LEGAL COUNSEL:
14 MARK PIONTEK, COUNTY ATTORNEY
15
16 ALARIS LITIGATION SERVICES:
17 PATSY A. MAYBERRY, C. R.
18 711 NORTH 11TH STREET
19 ST. LOUIS, MISSOURI 63101
20 (314) 644-2191
21
22
23
24
25

1 P R O C E E D I N G S
2 (FEBRUARY 18, 2020)
3 CHAIRMAN EVANS: I'd like to go
4 ahead and call to order the February 18th 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: Mark Frankenberg?
10 COMMISSIONER FRANKENBERG: (Not
11 present.)
12 MS. EAGAN: Jim Grutsch?
13 COMMISSIONER GRUTSCH: Here.
14 MS. EAGAN: Dan Haire?
15 COMMISSIONER HAIRE: (Not
16 present.)
17 MS. EAGAN: Dennis Hartmann?
18 COMMISSIONER HARTMANN: Here.
19 MS. EAGAN: Mike Klenke?
20 COMMISSIONER KLENKE: Here.
21 MS. EAGAN: Bill McLaren?
22 COMMISSIONER McLAREN: (Not
23 present.)
24 MS. EAGAN: Tim Reinhold?
25 COMMISSIONER REINHOLD: (Not

1 present.)

2 MS. EAGAN: Stan Voss?

3 COMMISSIONER VOSS: Here.

4 MS. EAGAN: And, Debbie

5 Willette?

6 COMMISSIONER WILLETTE: Here.

7 MS. EAGAN: Okay. We have a

8 quorum.

9 CHAIRMAN EVANS: Thank you.

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

15 (NONE)

16 If there are no declarations, Scottie,
17 will you please give us the presentation of the
18 meeting procedures and exhibits.

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

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

25 Other matters on the agenda require

1 public hearings under Missouri law. If a matter
2 involves a public hearing, all individuals who desire
3 to testify will be given an opportunity to do so.

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

10 (THEREUPON, EVIDENCE WAS
11 MARKED FOR IDENTIFICATION AND
12 SUBMITTED FOR THE RECORD AS
13 EXHIBITS A, B, C, AND D.)

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

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

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

1 CHAIRMAN EVANS: We have a
2 motion and second to approve the January 21st minutes.
3 All in favor signify by saying aye.

4 COMMISSIONER VOSS: Aye.

5 COMMISSIONER WILLETTE: Aye.

6 COMMISSIONER GRUTSCH: Aye.

7 CHAIRMAN EVANS: Aye.

8 COMMISSIONER KLENKE: Aye.

9 COMMISSIONER HARTMANN: Aye.

10 CHAIRMAN EVANS: Opposed?

11 (NONE)

12 The minutes are approved.

13 Communication and Visitor Comments.

14 Anyone present wishing to address the Commission?

15 (NONE)

16 If not, we'll move on to Unfinished
17 Business. We have none.

18 New Business File 200017, Planning and
19 Zoning. Scottie, will you please give us the details.

20 MS. EAGAN: This is File
21 200017, Planning and Zoning.

22 The applicant is seeking to amend the
23 2001 Unified Land Use Regulations of Franklin County.
24 The propose includes amendments to Article 2,
25 Definitions; Article 6, Non-Conforming Situations;

1 Article 8, Subdivision Regulations; Article 10,
2 Supplementary Use Regulations; Article 15, Residential
3 Cluster Development; Article 16, Sign Regulations; and
4 Article 19, Telecommunication Tower.

5 So what all of these changes are for the
6 most part is since the zoning got passed in January,
7 we now have to go through the entire Code and change
8 the districts from the old districts of NUA, CE, CA,
9 CA3 to the new zoning of W, B, R, A, all that stuff.

10 And then while doing that, I noticed in
11 Article 19 we still reference an IT Department, which
12 does not exist, as well as a Land Use administrator,
13 which doesn't exist anymore. So I changed everything
14 in Article 19 that said Land Use administration to
15 Planning Director, and then anything that said IT
16 Department to Addressing Authority.

17 So those are the changes to all of those
18 districts.

19 CHAIRMAN EVANS: Any discussion
20 from the Commission?

21 As I say, I went through it. It was
22 pretty much just changing one to the other, and 19
23 changing the titles. No substantive changes except
24 for that.

25 COMMISSIONER GRUTSCH: I would

1 make the motion to approve the changes as submitted by
2 the Planning and Zoning Department.

3 COMMISSIONER KLENKE: I'll
4 second.

5 CHAIRMAN EVANS: I think we
6 have to move these to Unfinished Business.

7 COMMISSIONER GRUTSCH: I make a
8 motion to move it to Unfinished Business.

9 COMMISSIONER KLENKE: I'll
10 second.

11 CHAIRMAN EVANS: We have a
12 motion and a second to move File 200017 to Unfinished
13 Business. All in favor signify by saying aye.

14 COMMISSIONER VOSS: Aye.

15 COMMISSIONER WILLETTE: Aye.

16 COMMISSIONER GRUTSCH: Aye.

17 CHAIRMAN EVANS: Aye.

18 COMMISSIONER KLENKE: Aye.

19 COMMISSIONER HARTMANN: Aye.

20 CHAIRMAN EVANS: Opposed?

21 (NONE)

22 The motion is carried.

23 Moving on to File 200018, Planning and
24 Zoning. Scottie, will you please give us the details.

25 MS. EAGAN: This is File

1 200018, Planning and Zoning.

2 The applicant is seeking to amend the
3 Unified Land Use Regulations of Franklin County.

4 The proposal includes a revised Article
5 11, Floodplain Management.

6 This is the FEMA mandated change that I
7 talked about last month. It's going to be under
8 Section 242(B)(3)(a). We have to change the date from
9 September 14, 2018 to June 5, 2020. And that was the
10 only change to Article 11.

11 CHAIRMAN EVANS: Any discussion
12 from the Commission?

13 (NONE)

14 COMMISSIONER GRUTSCH: I make
15 the motion to move File 200018 to Old Business.

16 COMMISSIONER KLENKE: I'll
17 second.

18 CHAIRMAN EVANS: We have a
19 motion and second to move File 200018 to Unfinished
20 Business. All in favor signify by saying aye.

21 COMMISSIONER VOSS: Aye.

22 COMMISSIONER WILLETTE: Aye.

23 COMMISSIONER GRUTSCH: Aye.

24 CHAIRMAN EVANS: Aye.

25 COMMISSIONER KLENKE: Aye.

1 COMMISSIONER HARTMANN: Aye.

2 CHAIRMAN EVANS: Opposed?

3 (NONE)

4 The motion is carried.

5 Moving back to Unfinished Business. I
6 should mention both of those were public hearings, so
7 anyone would be able to comment, but since there is no
8 one present, we can't ask for anyone to come up.

9 All right. Moving back to File 200017,
10 Planning and Zoning. Any additional comments or
11 discussion?

12 (NONE)

13 If not, the Chair would entertain a
14 motion.

15 COMMISSIONER GRUTSCH: I make a
16 motion to accept the changes as requested by the
17 Planning and Zoning Department for File 200017.

18 COMMISSIONER WILLETTE: I'll
19 second that.

20 CHAIRMAN EVANS: We have a
21 motion and second to approve File 200017 with the
22 changes as submitted by Planning and Zoning. All in
23 favor signify by saying aye.

24 COMMISSIONER VOSS: Aye.

25 COMMISSIONER WILLETTE: Aye.

1 COMMISSIONER GRUTSCH: Aye.

2 CHAIRMAN EVANS: Aye.

3 COMMISSIONER KLENKE: Aye.

4 COMMISSIONER HARTMANN: Aye.

5 CHAIRMAN EVANS: Opposed?

6 (NONE)

7 The motion is carried. The file was
8 approved.

9 Moving on to File 200018, Planning and
10 Zoning. Any further discussion?

11 (NONE)

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

14 COMMISSIONER GRUTSCH: I would
15 make a motion to approve the change of the date as
16 submitted by the Planning and Zoning Department for
17 File 200018.

18 COMMISSIONER WILLETTE: I'll
19 second that.

20 CHAIRMAN EVANS: We have a
21 motion and second to approve File 200018 as submitted.
22 All in favor signify by saying aye.

23 COMMISSIONER VOSS: Aye.

24 COMMISSIONER WILLETTE: Aye.

25 COMMISSIONER GRUTSCH: Aye.

1 CHAIRMAN EVANS: Aye.

2 COMMISSIONER KLENKE: Aye.

3 COMMISSIONER HARTMANN: Aye.

4 CHAIRMAN EVANS: Opposed?

5 (NONE)

6 The file is approved.

7 Preliminary Plats. We have none.

8 Planning and Zoning Commission Forum. Is
9 there anything that the Commissioners wish to discuss?

10 (NONE)

11 If not, we will move on to Planning
12 Director's Report.

13 MS. EAGAN: So the quarry that
14 you all approved in December has been appealed. So
15 it's going to go before the Board of Zoning Adjustment
16 next week, along with an appeal of my decision of the
17 Special Occasion Permit refusal or denial, which I
18 want to briefly talk to you guys about because next
19 month I'm going to have some proposed changes to
20 Article 10.

21 Currently the way the regulations read it
22 says:

23 "No special occasion shall
24 be allowed to exceed an attendance
25 level of 300 people. If any event

1 is expected to exceed 300 people,
2 a Conditional Use Permit is
3 required."

4 What we've done in the past is we've
5 given them conditional approval pending a Commercial
6 Building Permit, which is another requirement. Once
7 they turn in their Commercial Building Permit, we
8 check the occupancy on the building to ensure that it
9 doesn't go over that 300, and then we give them their
10 Special Occasion Permit.

11 Well, we had one come in that said they
12 have maximum of 300 people on the Special Occasion
13 Permit, but the maximum capacity on their building
14 permit was over 500 people. So that's the reason why
15 I was denying it.

16 They're appealing my decision to BOZA
17 saying there's nothing in our regulations that say
18 it's based on the capacity of the building.

19 So we need to think about that 300 number
20 and a way to enforce it. If we want to stick with
21 occupancy of the building, I want you guys to think
22 about it. Do you want to go a little higher than 300,
23 because if your max space is 300, you're probably
24 going to have less than that in that space.

25 If we want to have it at 300, do we want

1 the number to be higher? Do you guys like Special
2 Occasion Permits? Do you want to go back to
3 conditional use permits? These are all questions that
4 I kind of want to talk a little bit about now because
5 I don't want to amend Article 10 only to have to amend
6 Article 7 as well.

7 Any thoughts? I was hoping Bill McLaren
8 would be here so he could shed some light on it, but
9 he's not.

10 COMMISSIONER GRUTSCH: Scottie,
11 are there other venues in the county that would get
12 close to the 250 to 300 head count for special
13 occasions?

14 MS. EAGAN: We've had five
15 applications for a Special Occasion Permit. Two of
16 them were actually approved, and those numbers on the
17 Special Occasion Permit said a max of 300. The
18 capacity on their buildings range from 190 to 275.

19 So those were both under the 300 max, but
20 facilities that the P & Z has approved with
21 Conditional Use Permit I don't think any of them were
22 over 300, maybe Silver Oaks on Highway 100. But I
23 think the other ones are all under 300.

24 CHAIRMAN EVANS: A lot of those
25 were outside too, weren't they, that require a

1 building --

2 MS. EAGAN: Outside?

3 CHAIRMAN EVANS: Outside or
4 tent-wise that they require.

5 MS. EAGAN: I think there was
6 only one that was outside, which was the one off of
7 Mill Hill. I think so. All the other ones have a
8 structure, so you have Cedar Creek, Howell Valley,
9 Silver Oaks.

10 MS. ZIELKE: There's also the
11 Sunset Bluffs that is an outdoor.

12 MS. EAGAN: Oh, yeah, that is
13 an outdoor one. Yeah.

14 COMMISSIONER GRUTSCH: But the
15 application that you're referring to going to BOZA
16 next week, that's going to be an ongoing venue as
17 opposed to one where it's once or twice a year?

18 MS. EAGAN: Correct. It's a
19 structure.

20 COMMISSIONER GRUTSCH: So
21 that's one of the --

22 MS. EAGAN: Going to be year
23 round.

24 COMMISSIONER GRUTSCH: -- uses
25 that we need to really look at that to decide if we

1 need to make changes.

2 CHAIRMAN EVANS: I just would
3 agree because you have a problem if you're going to
4 have 300 attendees but build a building for 500. Why
5 are you building a building for 500 and only allowing
6 300 people in?

7 So probably something we do need to
8 address.

9 MS. EAGAN: Yeah, so we can do
10 it. I talked with Mark a little bit about it. We can
11 do it based on occupancy of the building permit and
12 what that can hold. Are you guys comfortable with
13 that 300 number, or do you want to bump it up a little
14 bit? That would be the biggest question that would
15 probably come next month when we talk about it.

16 CHAIRMAN EVANS: Right. I
17 think then the occupancy and the number of people
18 attending has to be pretty much the same. So you just
19 said the question really is do we want to bump that
20 number up.

21 I know we had lots of discussions to even
22 come up with that number, and so that would be the
23 issue I guess to think about for next meeting.
24 Otherwise, you come up, as you said, with the option
25 then it would become the CUPs again.

1 MS. EAGAN: Right.

2 COMMISSIONER GRUTSCH: And,
3 Scottie, real quick. Is the occupancy, is that
4 determined by the Building Department based on the
5 square footage of the building, the conditions and
6 heated space that is under roof?

7 MS. EAGAN: Yeah, they base it
8 -- there's a chart for A2, so in that it's 1 per I
9 think it's 5 square feet for standing only, 1 per 7
10 square feet for just chairs, and then 1 per 15 square
11 feet for tables and chairs.

12 The number I look at is just the banquet
13 space that's being used. I don't look at the
14 kitchens, the office, the storage buildings or
15 anything like that. So yeah, the banquet space alone
16 was 521, not including the kitchen, the storage, the
17 upstairs, everything of that nature for the one in
18 question.

19 What I found with the two that were
20 approved is the maximum capacity versus what they were
21 actually fitting in with their table setup that they
22 submitted with the building code was about 100 people
23 difference. So the maximum capacity was, you know,
24 290, but they were only going to get 190 with the
25 table and chairs.

1 But again, it's all based on how you lay
2 it out for each event. So...

3 COMMISSIONER GRUTSCH: And
4 there may be 190 for this event, but the one next week
5 or the week after --

6 MS. EAGAN: Right.

7 COMMISSIONER GRUTSCH: -- it
8 might be 490.

9 MS. EAGAN: Right. So instead
10 round tables, they might do rectangular tables, you
11 know, so --

12 COMMISSIONER GRUTSCH: Or just
13 you have a standing buffet --

14 MS. EAGAN: Right.

15 COMMISSIONER GRUTSCH: --
16 cocktail kind o buffet.

17 MS. EAGAN: Yeah.

18 So I'll play with this for next month,
19 but it's all open to conversation, it's open to
20 suggestions. Just be thinking about it a little bit
21 because this is one I'm struggling with.

22 So you'll have two files for sure next
23 one month. One is a rezoning, and one will be Article
24 10 again.

25 But that's all I have.

1 COMMISSIONER KLENKE: Scottie,
2 can I clarify. You said you talked to Mark a little
3 bit about it and --

4 MS. EAGAN: Uh-huh.

5 COMMISSIONER KLENKE: -- you
6 were kind of leaning towards the building size
7 dictating the number versus us just picking the
8 number, or did I miss something?

9 MS. EAGAN: Well, that would --
10 you would have to put in there, you know, based on
11 maximum capacity of the building permit, like you
12 would actually need to say it in our Code of what
13 we're basing that number off of. Because right now
14 it's a gray area of do we go with what the applicant
15 is saying, or do we go with what's being shown on the
16 building permit.

17 COMMISSIONER KLENKE: The
18 building occupancy is set by who?

19 MS. EAGAN: The Building Code.

20 COMMISSIONER KLENKE: The
21 Building Code?

22 MS. EAGAN: Uh-huh.

23 COMMISSIONER KLENKE: So that's
24 where you come up with the 15 square feet --

25 MS. EAGAN: Right.

1 COMMISSIONER KLENKE: -- per
2 tables and chairs and --

3 MS. EAGAN: Yeah.

4 COMMISSIONER KLENKE: Yeah.

5 MS. EAGAN: So it's worked
6 every other time in the past. It's just this one it
7 did not work.

8 CHAIRMAN EVANS: All right.
9 Now this particular one came up with maximum they gave
10 you the 300 because that's what's allowed permitted,
11 but now have a building that seats 521. And that's
12 why Scottie rejected it.

13 MS. EAGAN: Right.

14 COMMISSIONER KLENKE: That was
15 the process.

16 MS. EAGAN: See that's what the
17 Code says.

18 CHAIRMAN EVANS: Yeah. And
19 that's -- could come up I guess again. It seems like
20 we need to come up with a solution if you're going to
21 a building that has a certain capacity seems like the
22 number of attendees should be the same. But then we
23 have that 300 number that we would have to -- that we
24 had a little bit of an issue coming up with to begin
25 with. So that's I think we -- I think we'll agree

1 that they ought to be about the same, but it's really
2 -- that number changing that number or altering it to
3 go back to CUPs, which we were trying to not do.

4 MS. EAGAN: Yeah, I mean, our
5 Special Occasion Permit, it's getting popular. I have
6 one in my office right now and another one coming. So
7 they're not going away any time soon.

8 CHAIRMAN EVANS: It's a very
9 popular county.

10 COMMISSIONER GRUTSCH: Okay,
11 Scottie, just let me ask just for clarification. The
12 applicant is building a building, and it's designed
13 for 500 people. What is their reluctance for not -- I
14 mean, they've got a building permit and they're
15 building the building.

16 Why don't they just go ahead and apply
17 for the Conditional Use Permit and say yeah, we're
18 going to have up t 500 people sometimes.

19 MS. EAGAN: It's the million
20 dollar question.

21 COMMISSIONER GRUTSCH: Is that
22 an economic issue for them, or are they going to save
23 a lot of money if we just do a special event for them
24 or...

25 MS. EAGAN: One of the reasons

1 was that economically their clients have already spent
2 a lot of money going the special occasion route. I
3 don't know why. We've recommended Conditional Use
4 Permit since day one for anything over 300 people.

5 So it's a messy, messy file.

6 COMMISSIONER GRUTSCH: Would it
7 then throw it into a public hearing --

8 MS. EAGAN: It would.

9 COMMISSIONER GRUTSCH: --
10 versus --

11 MS. EAGAN: And it's possible
12 they want to avoid that.

13 COMMISSIONER GRUTSCH: Okay.

14 CHAIRMAN EVANS: Yeah, right
15 now if they were going over 300 just administrative
16 side --

17 COMMISSIONER GRUTSCH: Yeah.

18 CHAIRMAN EVANS: -- side on it,
19 once they get over that number, they get into a
20 permit, and they have to come before us.

21 MS. EAGAN: So they'll just go
22 to BOZA and have a public hearing.

23 CHAIRMAN EVANS: Anything else?

24 (NONE)

25 If not, the Chair would entertain a

1 motion to adjourn.

2 COMMISSIONER KLENKE: I'll

3 motion to adjourn.

4 COMMISSIONER GRUTSCH: I'll

5 second.

6 CHAIRMAN EVANS: A motion and a

7 second to adjourn. All in favor signify by saying

8 aye.

9 COMMISSIONER VOSS: Aye.

10 COMMISSIONER WILLETTE: Aye.

11 COMMISSIONER GRUTSCH: Aye.

12 CHAIRMAN EVANS: Aye.

13 COMMISSIONER KLENKE: Aye.

14 COMMISSIONER HARTMANN: Aye.

15 CHAIRMAN EVANS: Opposed?

16 (NONE)

17 We are adjourned.

18 (THEREUPON, THE PROCEEDINGS

19 CONCLUDED AT 7:23 P.M.)

20 o8o

21

22

23

24

25

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 s
13 my hand.

Patsy A. Mayberry



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

17 My Commission Expires:
18 August 26, 2022

19
20
21
22
23
24
25

PUBLIC HEARING 2/18/2020

A	<p>appealed 9:12 16:14</p> <p>appealing 17:16</p> <p>applicant 10:22 13:2 23:14 25:12</p> <p>application 19:15</p> <p>applications 9:14 18:15</p> <p>apply 25:16</p> <p>approval 2:6 17:5</p> <p>approve 9:21 9:23 10:2 12:1 14:21 15:15,21</p> <p>approved 10:12 15:8 16:6,14 18:16,20 21:20</p> <p>area 23:14</p> <p>Article 10:24,25 11:1,1,2,3,4,11 11:14 13:4,10 16:20 18:5,6 22:23</p> <p>ATTACHED 4:10</p> <p>attendance 16:24</p> <p>attendees 20:4 24:22</p> <p>attending 20:18</p> <p>ATTORNEY 5:14</p> <p>audience 8:21 9:4</p> <p>August 28:18</p> <p>Authority 11:16</p> <p>avoid 26:12</p> <p>aye 10:3,4,5,6,7 10:8,9 12:13,14 12:15,16,17,18 12:19 13:20,21 13:22,23,24 13:25 14:1,2,3 14:24,25 15:1 15:2,3,4,22,23</p>	B	<p>15:24,25 16:1 16:2,3 27:8,9 27:10,11,12,13 27:14</p> <hr/> <p>B 2:8 4:1,4 8:6 8:13 11:9</p> <p>back 14:5,9 18:2 25:3</p> <p>banquet 21:12 21:15</p> <p>base 21:7</p> <p>based 17:18 20:11 21:4 22:1 23:10</p> <p>basing 23:13</p> <p>best 28:9</p> <p>biggest 20:14</p> <p>Bill 5:3 6:7,21 18:7</p> <p>bit 18:4 20:10,14 22:20 23:3 24:24</p> <p>Bluffs 19:11</p> <p>Board 9:12 16:15</p> <p>BOZA 17:16 19:15 26:22</p> <p>briefly 16:18</p> <p>buffet 22:13,16</p> <p>build 20:4</p> <p>building 17:6,7 17:8,13,18,21 19:1 20:4,5,5 20:11 21:4,5 21:22 23:6,11 23:16,18,19,21 24:11,21 25:12 25:12,14,15,15</p> <p>buildings 18:18 21:14</p> <p>bump 20:13,19</p> <p>business 2:9,10 2:13,19 8:14,16 8:17 9:6,7,16 10:17,18 12:6,8</p>	C	<p>12:13 13:15,20 14:5</p> <hr/> <p>C 1:19 2:8 4:5 5:1,17 6:1 8:7 8:13</p> <p>CA 11:8</p> <p>CA3 11:9</p> <p>call 2:3,3 6:4</p> <p>capacity 17:13 17:18 18:18 21:20,23 23:11 24:21</p> <p>care 8:16</p> <p>carried 12:22 14:4 15:7</p> <p>case 8:7,7,18 9:9</p> <p>cases 4:6 8:8</p> <p>CE 11:8</p> <p>Cedar 19:8</p> <p>CENTER 1:2</p> <p>certain 24:21</p> <p>CERTIFICATE 3:6 28:1</p> <p>Chair 9:20 14:13 15:12 26:25</p> <p>Chairman 5:3 6:3,8 7:9 8:25 9:17 10:1,7,10 11:19 12:5,11,17 12:20 13:11,18 13:24 14:2,20 15:2,5,20 16:1 16:4 18:24 19:3 20:2,16 24:8,18 25:8 26:14,18,23 27:6,12,15</p> <p>chairs 21:10,11 21:25 24:2</p> <p>CHAMBERS 1:3</p> <p>change 11:7 13:6 13:8,10 15:15</p> <p>changed 11:13</p> <p>changes 11:5,17</p>	<p>11:23 12:1 14:16 14:22 16:19 20:1</p> <p>changing 11:22 11:23 25:2</p> <p>chart 21:8</p> <p>check 17:8</p> <p>clarification 25:11</p> <p>clarify 23:2</p> <p>clients 26:1</p> <p>close 18:12</p> <p>Cluster 11:3</p> <p>cocktail 22:16</p> <p>code 11:7 21:22 23:12,19,21 24:17</p> <p>come 9:2 14:8 17:11 20:15,22 20:24 23:24 24:19,20 26:20</p> <p>comfortable 20:12</p> <p>coming 24:24 25:6</p> <p>COMMENCING 1:11</p> <p>comment 8:22 14:7</p> <p>comments 2:7 2:14,20 9:4,9 10:13 14:10</p> <p>Commercial 17:5,7</p> <p>Commission 1:1 1:3 2:24 5:2 6:5 7:20,23 8:19 9:3,3,6 9:10,11 10:14 11:20 13:12 16:8 28:17</p> <p>COMMISSIO... 5:4,5,6,7,8,9 6:10,13,15,18 6:20,22,25 7:3,6 9:22,24</p>
----------	--	----------	--	----------	--	---

PUBLIC HEARING 2/18/2020

10:4,5,6,8,9 11:25 12:3,7,9 12:14,15,16,18 12:19 13:14,16 13:21,22,23 13:25 14:1,15 14:18,24,25 15:1,3,4,14,18 15:23,24,25 16:2,3 18:10 19:14,20,24 21:2 22:3,7,12 22:15 23:1,5 23:17,20,23 24:1,4,14 25:10,21 26:6 26:9,13,17 27:2,4,9,10,11 27:13,14 Commissioners 7:11 9:18 16:9 communication 7:12 10:13 COMMUNICA... 2:7 concerning 9:9 9:11 CONCLUDED 27:19 conclusion 9:8 conditional 9:12 17:2,5 18:3,21 25:17 26:3 conditions 21:5 conflict 7:12 consider 7:14 CONTINUED 3:2 conversation 22:19 copy 9:19 Correct 19:18 corrections 9:20 COUNSEL 5:13 count 18:12 county 1:1,2 4:4	4:5 5:12,13,14 6:5 7:20 10:23 13:3 18:11 25:9 Court 28:2,15 Creek 19:8 CUPs 20:25 25:3 Currently 16:21 <hr/> D D 2:1 3:1 4:6 6:1 8:8,13 Dan 6:14 date 13:8 15:15 DATED 2:6 day 26:4 days 9:13 dealt 8:15 Debbie 5:6 7:4 December 16:14 decide 9:6 19:25 decision 9:10 16:16 17:16 declarations 7:16 declare 7:11 Definitions 10:25 denial 16:17 Dennis 5:8 6:17 denying 17:15 Department 9:15 11:11,16 12:2 14:17 15:16 21:4 described 28:7 DESCRIPTION 4:2 designed 25:12 desire 8:2 details 10:19 12:24 determined 21:4 Development	11:3 dictating 23:7 difference 21:23 Director 5:11 11:15 Director's 3:3 16:12 DISCLOSURES 2:4 discuss 16:9 discussion 2:15 2:21 3:4 9:9 11:19 13:11 14:11 15:10 discussions 20:21 districts 11:8,8 11:18 doing 11:10 dollar 25:20 <hr/> E E 2:1,8 3:1 4:1 5:1,1 6:1,1 EAGAN 2:12,18 5:11 6:7,9,12 6:14,17,19,21 6:24 7:2,4,7 7:19 10:20 12:25 16:13 18:14 19:2,5,12 19:18,22 20:9 21:1,7 22:6,9 22:14,17 23:4 23:9,19,22,25 24:3,5,13,16 25:4,19,25 26:8,11,21 EAST 1:4 economic 25:22 economically 26:1 enforce 17:20 ensure 17:8 entertain 9:20	14:13 15:12 26:25 entire 11:7 Evans 5:3 6:3,7 6:8 7:9 9:17 10:1,7,10 11:19 12:5,11,17,20 13:11,18,24 14:2,20 15:2,5 15:20 16:1,4 18:24 19:3 20:2,16 24:8 24:18 25:8 26:14,18,23 27:6,12,15 event 16:25 22:2,4 25:23 EVIDENCE 8:10 exceed 16:24 17:1 Exhibit 4:3,4,5 4:6 8:5,6,7,8 exhibits 2:5 4:9 7:18 8:13 exist 11:13 exists 11:12 expected 17:1 Expires 28:17 <hr/> F facilities 18:20 favor 10:3 12:13 13:20 14:23 15:22 27:7 February 1:10 6:2,4 feet 21:9,10,11 23:24 FEMA 13:6 file 2:11,17 8:7 8:22 10:18,20 12:12,23,25 13:15,19 14:9 14:17,21 15:7,9 15:17,21 16:6 26:5 files 4:6 22:22	final 9:10 first 8:15,19,23 fitting 21:21 five 18:14 Floodplain 13:5 FLOOR 1:3 followed 8:19 footage 21:5 foregoing 28:4 Forum 2:24 16:8 found 21:19 Frankenberg 6:9,10 FRANKENBE... 5:9 Franklin 1:1,2 4:4,5 6:5 7:20 10:23 13:3 front 9:2 further 15:10 <hr/> G G 2:8 6:1 getting 25:5 give 7:10,17 10:19 12:24 17:9 given 8:3 17:5 go 6:3 11:7 16:15 17:9,22 18:2 23:14,15 25:3 25:16 26:21 going 13:7 16:15 16:19 17:24 19:15,16,22 20:3 21:24 24:20 25:7,18 25:22 26:2,15 governed 7:20 GOVERNMENT 1:2 gray 23:14 Grutsch 5:5 6:12,13 9:22 10:6 11:25 12:7 12:16 13:14,23
---	--	--	---	---

PUBLIC HEARING 2/18/2020

<p>14:15 15:1,14 15:25 18:10 19:14,20,24 21:2 22:3,7,12 22:15 25:10,21 26:6,9,13,17 27:4,11 guess 20:23 24:19 guys 16:18 17:21 18:1 20:12</p> <hr/> <p style="text-align: center;">H</p> <p>H 2:8 4:1 Haire 6:14,15 hand 28:13 Hartmann 5:8 6:17,18 10:9 12:19 14:1 15:4 16:3 27:14 head 18:12 heard 4:6 8:8 hearing 1:9 8:2 8:23 26:7,22 hearings 7:24 8:1 14:6 heated 21:6 held 28:6 HERETO 4:10 hereunto 28:12 higher 17:22 18:1 Highway 18:22 Hill 19:7 hold 20:12 hoping 18:7 hours 9:16 Howell 19:8</p> <hr/> <p style="text-align: center;">I</p> <p>IDENTIFICATI... 4:2 8:11 impartially 7:14 includes 10:24 13:4 including 21:16 individuals 8:2</p>	<p>influence 7:13 involve 7:24 involves 8:2 issue 9:6 20:23 24:24 25:22 issues 7:14 8:16 item 8:16 items 8:14</p> <hr/> <p style="text-align: center;">J</p> <p>January 2:6 9:19 10:2 11:6 Jim 5:5 6:12 June 13:9</p> <hr/> <p style="text-align: center;">K</p> <p>kind 18:4 22:16 23:6 kitchen 21:16 kitchens 21:14 Klenke 5:7 6:19 6:20 10:8 12:3 12:9,18 13:16 13:25 15:3 16:2 23:1,5,17 23:20,23 24:1 24:4,14 27:2 27:13 know 20:21 21:23 22:11 23:10 26:3</p> <hr/> <p style="text-align: center;">L</p> <p>L 2:8 Land 7:21 10:23 11:12,14 13:3 law 8:1 lay 22:1 leaning 23:6 LEGAL 5:13 level 16:25 light 18:8 Litigation 1:20 5:16 little 17:22 18:4 20:10,13 22:20 23:2</p>	<p>24:24 LOCUST 1:4 look 19:25 21:12 21:13 lot 18:24 25:23 26:2 lots 20:21 LOUIS 5:19</p> <hr/> <p style="text-align: center;">M</p> <p>Management 13:5 mandated 13:6 Map 4:4 8:6 Mark 5:9,14 6:9 20:10 23:2 MARKED 8:11 Master 4:5 8:6 matter 8:1 matters 7:22,24 7:25 max 17:23 18:17 18:19 maximum 17:12 17:13 21:20,23 23:11 24:9 Mayberry 1:19 5:17 28:2,15 McLaren 6:21 6:22 18:7 mean 25:4,14 meeting 2:5 6:4 7:18,20 8:9 20:23 mention 14:6 messy 26:5,5 Mike 5:7 6:19 Mill 19:7 million 25:19 minutes 2:6 9:19,23 10:2 10:12 Missouri 1:5 5:19 8:1 28:4 28:16 money 25:23 26:2</p>	<p>month 13:7 16:19 20:15 22:18,23 motion 9:21,23 10:2 12:1,8,12 12:22 13:15,19 14:4,14,16,21 15:7,13,15,21 27:1,3,6 move 9:6 10:16 12:6,8,12 13:15 13:19 16:11 MOVED 2:13,19 Moving 12:23 14:5,9 15:9</p> <hr/> <p style="text-align: center;">N</p> <p>N 2:1,8 3:1 5:1 6:1 name 8:23 nature 21:17 need 17:19 19:25 20:1,7 23:12 24:20 new 2:10 8:17 9:6 10:18 11:9 NICHOLE 5:12 night 9:7 Non-Conform... 10:25 normal 9:15 NORTH 5:18 Notary 28:3,16 NOTE 4:9 notes 28:8 noticed 11:10 NUA 11:8 number 17:19 18:1 20:13,17 20:20,22 21:12 23:7,8 23:13 24:22 24:23 25:2,2 26:19 numbers 18:16</p> <hr/> <p style="text-align: center;">O</p>	<p>o 6:1 22:16 o8o 27:20 Oaks 18:22 19:9 occasion 16:17 16:23 17:10,12 18:2,15,17 25:5 26:2 occasions 18:13 occupancy 17:8 17:21 20:11,17 21:3 23:18 office 21:14 25:6 offices 9:15 official 8:6,6 Oh 19:12 Okay 7:7 25:10 26:13 old 11:8 13:15 once 8:15 17:6 19:17 26:19 ones 18:23 19:7 ongoing 19:16 open 22:19,19 opened 8:17,18 opportunity 7:11 8:3 opposed 10:10 12:20 14:2 15:5 16:4 19:17 27:15 option 20:24 order 2:3 6:4 ought 25:1 outdoor 19:11,13 outside 18:25 19:2,3,6</p> <hr/> <p style="text-align: center;">P</p> <p>P 2:8 5:1,1 6:1 18:20 P.M 1:11 27:19 PAGE 2:2 4:2 part 8:22 11:6 particular 24:9 PARTIES 4:10 passed 11:6</p>
---	---	--	--	--

PUBLIC HEARING 2/18/2020

<p>Patsy 1:19 5:17 28:2,15 pending 17:5 people 16:25 17:1,12,14 20:6 20:17 21:22 25:13,18 26:4 permit 16:17 17:2,6,7,10,13 17:14 18:15,17 18:21 20:11 23:11,16 25:5 25:14,17 26:4 26:20 permits 9:12 18:2,3 permitted 24:10 picking 23:7 PIONTEK 5:14 place 8:4 28:6 Plan 4:5 8:7 PLANNER 5:12 Planning 1:1 2:11 2:17,24 3:3 4:3 5:2,10,11 6:5 7:10,19,23 9:5,10,11 10:18 10:21 11:15 12:2,23 13:1 14:10,17,22 15:9,16 16:8,11 Plats 2:23 16:7 play 22:18 please 6:6 7:17 10:19 12:24 popular 25:5,9 possible 9:5 26:11 Preliminary 2:23 16:7 present 6:11,16 6:23 7:1 10:14 14:8 presentation 2:12,18 7:17 pretty 11:22 20:18</p>	<p>previously 28:6 print 8:23 probably 17:23 20:7,15 problem 20:3 procedures 2:5 7:18 proceed 9:10 proceeding 2:2 28:4 proceedings 27:18 28:7,11 process 24:15 Professional 28:2 proposal 13:4 propose 10:24 proposed 16:19 provided 8:24 public 1:9 2:14 2:20 7:24 8:1 8:2,9,23 14:6 26:7,22 28:3 28:16 put 23:10</p> <hr/> <p>Q</p> <p>quarry 16:13 question 20:14 20:19 21:18 25:20 questions 8:20 9:8 18:3 quick 21:3 quorum 7:8</p> <hr/> <p>R</p> <p>R 1:19 2:8 5:1,17 6:1 11:9 range 18:18 read 8:19 16:21 real 21:3 really 19:25 20:19 25:1 reason 17:14 reasons 25:25 received 9:18</p>	<p>recommended 26:3 record 8:5,12 rectangular 22:10 reference 11:11 referring 19:15 refusal 16:17 regulations 4:3 7:21 8:5 10:23 11:1,2,3 13:3 16:21 17:17 Reinhold 6:24 6:25 rejected 24:12 relationship 7:12 reluctance 25:13 report 3:3 8:18 16:12 Reported 1:18 Reporter 3:6 28:1,3,15 represents 28:10 requested 14:16 require 7:25 18:25 19:4 required 17:3 requirement 17:6 Residential 11:2 RETAINED 4:9 revised 13:4 rezoning 22:23 right 14:9 20:16 21:1 22:6,9,14 23:13,25 24:8 24:13 25:6 26:14 roll 2:3 6:6 roof 21:6 room 9:2 round 19:23 22:10 route 26:2</p>	<p>S</p> <p>S 2:8 4:1 5:1 6:1 save 25:22 saying 10:3 12:13 13:20 14:23 15:22 17:17 23:15 27:7 says 16:22 24:17 Scottie 5:11 6:6 7:16 10:19 12:24 18:10 21:3 23:1 24:12 25:11 seats 24:11 second 1:3 9:25 10:2 12:4,10,12 13:17,19 14:19 14:21 15:19,21 27:5,7 Section 13:8 See 24:16 seeking 10:22 13:2 September 13:9 Services 1:20 5:16 set 23:18 28:12 setup 21:21 shed 18:8 sheet 8:24 shown 23:15 side 26:16,18 Sign 11:3 sign-in 8:24 signify 10:3 12:13 13:20 14:23 15:22 27:7 Silver 18:22 19:9 Situations 10:25 size 23:6 solution 24:20 soon 25:7</p>	<p>space 17:23,24 21:6,13,15 speak 8:22 9:1 special 16:17,23 17:10,12 18:1,12 18:15,17 25:5 25:23 26:2 spent 26:1 square 21:5,9 21:10,10 23:24 ST 5:19 staff 5:10 8:18 8:20 Stan 7:2 standing 21:9 22:13 STANLEY 5:4 State 28:3,16 stenographic 28:8 stick 17:20 storage 21:14,16 STREET 1:4 5:18 structure 19:8 19:19 struggling 22:21 stuff 11:9 Subdivision 11:1 submitted 8:12 9:23 12:1 14:22 15:16,21 21:22 substantive 11:23 suggestions 22:20 Sunset 19:11 supervision 28:9 Supplementary 11:2 sure 22:22 swear 28:5 sworn 8:24</p> <hr/> <p>T</p>
---	---	---	--	---

