

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

FRANKLIN COUNTY PLANNING AND ZONING
PLANNING AND ZONING COMMISSION
FRANKLIN COUNTY GOVERNMENT CENTER
SECOND FLOOR COMMISSION CHAMBERS
400 EAST LOCUST STREET
UNION, MISSOURI 63084

TRANSCRIPT OF PROCEEDINGS
PLANNING AND ZONING COMMISSION
PUBLIC HEARINGS
APRIL 18, 2023
(COMMENCING AT 7:00 P.M.)

REPORTED BY:
PATSY A. MAYBERRY, C. R.
COMPLETE REPORTING SERVICES

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

FRANKLIN COUNTY PLANNING AND ZONING
PLANNING AND ZONING COMMISSION
FRANKLIN COUNTY GOVERNMENT CENTER
SECOND FLOOR COMMISSION CHAMBERS
400 EAST LOCUST STREET
UNION, MISSOURI 63084

TRANSCRIPT OF PROCEEDINGS
PLANNING AND ZONING COMMISSION
PUBLIC HEARINGS
APRIL 18, 2023
(COMMENCING AT 7:00 P.M.)

REPORTED BY:
PATSY A. MAYBERRY, C. R.
COMPLETE REPORTING SERVICES
19 BROOKMOORE DRIVE
UNION, MISSOURI 63084
(636)221-0418

1	I N D E X	
2	PROCEEDING	PAGE
3	CALL TO ORDER AND ROLL CALL	7
4	DISCLOSURES	8
5	MEETING PROCEDURES AND EXHIBITS	8
6	APPROVAL OF MINUTES DECEMBER 20, 2022	10
7	COMMUNICATIONS AND VISITOR COMMENTS	11
8	P U B L I C H E A R I N G S	
9	UNFINISHED BUSINESS - NONE	
10	FILE 220256 - AARON ASHER:	
11	PRESENTATION BY MR. ELLIS	13
12	PRESENTATION BY APPLICANT	14
13	PUBLIC COMMENTS	19
14	REBUTTAL BY APPLICANT	66
15	DISCUSSION	89
16	MOVED TO OLD BUSINESS	98
17	VOTE	133
18	NEW BUSINESS:	
19	FILE 230094 - DONNA LONG:	
20	PRESENTATION BY MR. ELLIS	99
21	PRESENTATION BY APPLICANT	101
22	MOVED TO OLD BUSINESS	132
23	VOTE	137
24		
25		

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

I N D E X

(CONTINUED)

PROCEEDING	PAGE
PLANNING AND ZONING COMMISSION FORUM	138
PLANNING DIRECTOR'S REPORTER	138
ADJOURNMENT	138
CERTIFICATE OF REPORTER	140

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

E X H I B I T S

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

(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

2 PLANNING AND ZONING COMMISSION:

3 BILL EVANS, CHAIRMAN

4 TIMOTHY REINHOLD, COMMISSIONER

5 STANLEY VOSS, COMMISSIONER

6 BILL McLAREN, COMMISSIONER

7 JIM GRUTSCH, COMMISSIONER

8 DAN HAIRE, COMMISSIONER

9 MIKE KLENKE, COMMISSIONER

10 DAVE LARAMORE, COMMISSIONER

11 DENNIS HARTMANN, COMMISSIONER

12 PLANNING AND ZONING STAFF:

13 CURTIS ELLIS, PLANNING AND ZONING

14 CRYSTAL HOLDMEIER, PLANNING ASSISTANT

15

16 COMPLETE REPORTING SERVICES:

17 PATSY A. MAYBERRY, C. R.

18 19 BROOKMOORE DRIVE

19 UNION, MISSOURI 63084

20 (636)221-0418/pamayberrygm1@gmail.com

21

22

23

24

25

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

2 (APRIL 18, 2023)

3 CHAIRMAN EVANS: I'd like to
4 call to order the April 18th meeting of the Franklin
5 County Planning and Zoning Commission.

6 Curtis, will you please take roll.

7 MR. ELLIS: William Evans?

8 CHAIRMAN EVANS: Here.

9 MR. ELLIS: Jim Grutsch?

10 COMMISSIONER GRUTSCH: Here.

11 MR. ELLIS: Dan Haire?

12 COMMISSIONER HAIRE: Here.

13 MR. ELLIS: Dennis Hartmann?

14 COMMISSIONER HARTMANN: Here.

15 MR. ELLIS: Mike Klenke?

16 COMMISSIONER KLENKE: Here.

17 MR. ELLIS: Dave Laramore?

18 COMMISSIONER LARAMORE: Here.

19 MR. ELLIS: Bill McLaren?

20 COMMISSIONER McLAREN: Here.

21 MR. ELLIS: Karl Mittler?

22 COMMISSIONER MITTLER: Here.

23 MR. ELLIS: Tim Reinhold?

24 COMMISSIONER REINHOLD: (Not

25 present.)

1 MR. ELLIS: Stanley Voss?

2 COMMISSIONER VOSS: Here.

3 MR. ELLIS: Debbie Willette?

4 COMMISSIONER WILLETTE: (Not
5 present.)

6 CHAIRMAN EVANS: We have a
7 quorum.

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 declarations, Curtis,
15 will you please give us the presentation of the
16 meeting procedures and exhibits.

17 MR. ELLIS: All right.

18 Tonight's Planning Commission hearing is
19 governed by the Franklin County Unified Land Use
20 Regulations.

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

24 Other matters on the agenda require
25 public hearings under Missouri law. If a matter

1 involves a public hearing, all individuals who desire
2 to testify will be given an opportunity to do so.

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

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

13 All Unfinished Business items on the
14 agenda will be dealt with first. The Planning
15 Commission will address each case, and may request
16 additional information from anyone prior to making a
17 decision. Once the Unfinished Business issues have
18 been taken care of, each item of New Business will be
19 opened for public hearing.

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

23 Then if anyone in the audience would
24 like to speak or comment during the public hearing,
25 they must first print their name

1 on the sign-in sheet provided, and then be sworn in
2 by the Chairman.

3 When it is your turn to speak, you will
4 come to the front of the room and address the
5 Commission and only the Commission, not anyone in the
6 audience, with any questions or comments.

7 It is possible for the Planning
8 Commission to decide to move the New Business issue
9 to Unfinished Business and vote on it the same night.

10 At the conclusion of all questions,
11 comments, and discussion concerning each case, the
12 public hearing for that case will conclude and the
13 Planning Commission will proceed.

14 Any decision by the Planning Commission
15 may be appealed to the Board of Zoning Adjustment any
16 time within 90 days.

17 Applications for such an appeal may be
18 acquired from the Department offices during normal
19 business hours.

20 CHAIRMAN EVANS: Thank you.

21 All the Commissioners should have
22 received a copy of the January 17, 2023 minutes.

23 If there are no corrections or
24 additions, the Chair would entertain a motion to
25 approve.

1 (NONE)

2 COMMISSIONER GRUTSCH: Mr.
3 Chairman, I would like to make a motion to approve
4 the minutes as submitted for the January 17th
5 meeting.

6 COMMISSIONER McLAREN: Second.

7 CHAIRMAN EVANS: We have a
8 motion and a second to approve the January 17th
9 minutes as submitted.

10 All in favor signify by saying aye.

11 COMMISSIONER VOSS: Aye.

12 COMMISSIONER McLAREN: Aye.

13 COMMISSIONER GRUTSCH: Aye.

14 CHAIRMAN EVANS: Aye.

15 COMMISSIONER KLENKE: Aye.

16 COMMISSIONER HAIRE: Aye.

17 COMMISSIONER MITTLER: Aye.

18 COMMISSIONER HARTMANN: Aye.

19 COMMISSIONER LARAMORE: Aye.

20 CHAIRMAN EVANS: Opposed?

21 (NONE)

22 The minutes are approved.

23 Communication and Visitors Comments.

24 Anyone present wishing to address the Commission?

25 (NONE)

1 If not, we'll move on to New Business.
2 File 220256, Aaron Asher. This file was
3 tabled.

4 COMMISSIONER McLAREN: So you
5 need a motion to take this off the table and discuss
6 it again?

7 CHAIRMAN EVANS: Yes.

8 COMMISSIONER McLAREN: I would
9 make that motion for File 220256.

10 COMMISSIONER HAIRE: I'll
11 second it.

12 CHAIRMAN EVANS: We have a
13 motion and a second to take File 220256 off the
14 table. All in favor signify by saying aye.

15 COMMISSIONER VOSS: Aye.

16 COMMISSIONER McLAREN: Aye.

17 COMMISSIONER GRUTSCH: Aye.

18 CHAIRMAN EVANS: Aye.

19 COMMISSIONER KLENKE: Aye.

20 COMMISSIONER HAIRE: Aye.

21 COMMISSIONER KLENKE: Aye.

22 COMMISSIONER MITTLER: Aye.

23 COMMISSIONER LARAMORE: Aye.

24 COMMISSIONER HARTMANN: Aye.

25 CHAIRMAN EVANS: Opposed?

1 (NONE)

2 All right. We will address File 220256.
3 Curtis, will you give us the details?

4 MR. ELLIS: Sure.

5 This is a Conditional Use request. The
6 applicant is Aaron Asher.

7 The applicant requests to operate an
8 Office: Professional in the W Zoning District.

9 The location of the property is located
10 at 123 Schoolhouse Road, approximately .22 miles
11 northwest of the intersection of St. Albans Road and
12 St. Albans Spring Road in Boles township.

13 THE FACTS: The total area for the
14 Conditional Use Permit is approximately 12.6 acres.

15 The zoning of this property is W. In
16 the W Zoning District, Office: Professional requires
17 a Conditional Use Permit.

18 The properties to the east and south of
19 the proposed site are in the W Zoning District.

20 The properties to the north and west of
21 the proposed site are in the Y Zoning District.

22 This property is surrounded primarily by
23 undeveloped land. Boles Fire Protection District has
24 a building directly east of the proposed site.

25 This property has access to St. Albans

1 Spring Road.

2 Mr. Asher is not the owner of the
3 property, but does have an operating agreement with
4 the owner.

5 A portion of this property, and this
6 building, is located within the floodplain. Any
7 future additions or modifications to the site may
8 require a floodplain development permit and elevation
9 certificate.

10 STAFF COMMENTS: Any building used or
11 built in connection with this CUP will need to be
12 approved by the Franklin County Building Department
13 for a commercial building.

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

18 Parking and parking surface shall be
19 provided in accordance with the Franklin County Land
20 Use Regulations.

21 No hours of operation have been
22 submitted.

23 The applicant did not mention the number
24 of employees at this location.

25 CHAIRMAN EVANS: Thank you.

1 When this file was originally addressed
2 in November, there was some discussion, but there
3 have been changes in some definitions and some of the
4 regulations so that if anyone went back to look at
5 those November discussions.

6 So it's best really just to begin again.
7 Is the applicant present?

8 If you'll come forward. State your name
9 and address, and tell us what you're proposing.

10 MR. ASHER: My name is Aaron
11 Asher. My address is 123 Schoolhouse Road, St.
12 Albans, Missouri 63073. I'm asking for --

13 (THEREUPON, THE WITNESS
14 WAS SWORN.)

15 CHAIRMAN EVANS: Go ahead.

16 MR. ASHER: I am asking for a
17 Conditional Use Permit to use the building as
18 professional office space.

19 CHAIRMAN EVANS: And would you
20 give us some detail about the type of business,
21 number of employees.

22 MR. ASHER: Yes. We're a
23 marketing company, and we currently have 43
24 employees, and we would like to move our employees to
25 this office.

1 We have an office in St. Charles right
2 now that currently runs. We have two locations, and
3 we would like to, you know, moving employees over to
4 this building as a permanent operating address.

5 CHAIRMAN EVANS: Do you have
6 normal hours of operation?

7 MR. ASHER: Yes, sir, 8:00
8 a.m. to 5:00 p.m.

9 CHAIRMAN EVANS: So all
10 employees would be arriving by 8:00 and leaving at
11 5:00?

12 MR. ASHER: They will show up
13 ready to work at 8:00. They would probably show up a
14 few minutes early, around 7:45, 7:50. They would use
15 the rest room, get coffee, and such.

16 CHAIRMAN EVANS: Any questions
17 from any Commissioners?

18 Commissioner McLaren.

19 COMMISSIONER McLAREN: Mr.
20 Chairman, when you presented this before, a couple
21 of things have come to mind since then.

22 So your business is marketing; is that
23 correct?

24 MR. ASHER: Correct.

25 COMMISSIONER McLAREN: So is

1 your business primarily marketing in the central
2 United States, and I'm going to your hours of
3 operation, so that there's nothing that's going to
4 take place at your marketing to California that's two
5 time zones away or the East Coast?

6 I mean, you feel pretty confident in
7 those hours?

8 MR. ASHER: Yes. We have
9 clients across the United States, and our schedules
10 when we work for our clients are such that we're able
11 to do the work during our regular hours regardless of
12 the state or time zone they occupy.

13 COMMISSIONER McLAREN: Okay.
14 And how many employees do you envision when this
15 comes to complete fruition would be there?

16 MR. ASHER: I don't want to
17 speculate, but I believe, you know, right now we have
18 43 employees. We would like to, you know, at least
19 add, you know, maybe double our company at some point
20 in the future.

21 COMMISSIONER McLAREN: Okay.

22 MR. ASHER: So approximately
23 80 or some odd, you know, but that time -- I have no
24 idea when that timeframe will be.

25 COMMISSIONER McLAREN: For a

1 Conditional Use Permit, we've always kind of wanted
2 to know and set how many employees -- hours of
3 operation and how many employees were going to
4 potentially be at the business.

5 So when it was operating as a school,
6 there was not school buses involved in that, correct,
7 it was people bringing their children and dropping
8 them off?

9 MR. ASHER: I'm not aware of
10 that.

11 COMMISSIONER McLAREN: Okay.
12 I was trying to get to how many -- what would be the
13 difference in traffic between operating it the way
14 you want to and operating it when the school was.

15 I understand that you probably don't
16 know that.

17 MR. ASHER: I don't.
18 I do believe that, you know, there are students and
19 parents that took their kids to school, and when I
20 went to look at the property, there was, you know, a
21 visiting team with other folks from other parts of
22 town, not necessarily in that community.

23 So it seems like there was various
24 people trafficking the property.

25 CHAIRMAN EVANS: On the

1 exterior of the building, would you make any changes
2 at all, signage, any changes to the exterior?

3 MR. ASHER: No, sir.

4 CHAIRMAN EVANS: Any other
5 questions from the Commissioners?

6 (NONE)

7 All right. Thank you.

8 MR. ASHER: Thank you for your
9 time. I very much appreciate it. Thank you.

10 CHAIRMAN EVANS: Is there
11 anyone else wishing to speak in favor of this file?

12 If you'd please step forward. State
13 your name and address and sign in, please.

14 I should mention anyone coming up to
15 speak has three minutes to do so.

16 MS. DEBBIE WEATMAN: My name
17 is Debbie Weatman, and I reside at 232 Timber Trace
18 Drive within the community of St. Albans, but I'm
19 here as a representative of --

20 COURT REPORTER: You need to
21 be sworn in.

22 (THEREUPON, THE WITNESS
23 WAS SWORN.)

24 MS. WEATMAN: I'm here on
25 behalf of St. Albans Properties, L. L. C. St. Albans

1 is the developer of the community, owns land
2 immediately adjacent to the subject property, and
3 still owns at least over a thousand acres within the
4 community that remain to be developed.

5 And I don't want to belabor things that
6 you may already know, but this was operated as the
7 Fulton School, and built as a school, including a
8 gymnasium. It consists, if you include the gym, of
9 approximately 70,000 square feet.

10 Unfortunately, the school merged with
11 the Chesterfield Day School, consolidated their
12 campus, and then put this building up for sale.

13 So we understand that it is zoned W,
14 which provides for small-scaled commercial uses to
15 mix with low-density residential uses for the
16 convenience of residents and travelers.

17 We do not oppose the Conditional Use
18 Permit. This property is within the community, is
19 subject to our covenants, conditions and
20 restrictions. With signage and gated monuments for
21 entrance and exit have recently been constructed by
22 Mr. Asher's company, he went through the proper
23 channels of getting the ARC approval, and did so.

24 We were very aware of his intentions.

25 We do -- however, we believe that the

1 proposed office use can co-exist with the surrounding
2 residents if the CUP is limited to what we believe is
3 actually being requested by Mr. Asher. And we
4 believe that request and we seek clarification in the
5 CUP, number one, that the permit be issued in the
6 name of Arsenal Business Group, L. L. C.

7 The proper applicant for the CUP would
8 be the entity that proposes to conduct business from
9 the premises, and that's Arsenal Business Group, L.
10 L. C.

11 Mr. Asher is the owner of Arsenal as he
12 testified in the November hearing, and that would be
13 the business to be conducted.

14 Number two, we'd ask that the permit be
15 issued conditioned upon the property and the existing
16 building being used by that business for professional
17 offices.

18 Three, that the permit be issued
19 conditioned upon limiting that number of employees to
20 an appropriate number. He says now he has 43
21 employees. He's indicated he'd like to grow the
22 business. Today he has 75 parking spaces, and we
23 would request that the maximum number of employees
24 that be permitted at this time be 75, and that would
25 be reflected in the Conditional Use Permit.

1 And I think that a sense also from a
2 standpoint of he would be required to build
3 additional parking based on the large square footage,
4 and to do so, he'd have to take green space. One,
5 there's cost of constructing those spaces if you
6 don't limit the number of people.

7 And two, there's no use to pave, take
8 down the trees to build a parking lot essentially if
9 it's not necessary.

10 We also ask that the permit be issued
11 conditioned upon them conducting business during
12 customary professional business hours, and I think
13 he's also indicated that that would be essentially
14 8:00 to 5:00. And we recognize that all businesses
15 have some employees that come early and some
16 employees stay late. I don't often leave my desk.

17 I also serve on the board of directors
18 of the Owners Association out at St. Albans. I've
19 lived out there for 25 years. I am the developer's
20 representative.

21 Another director, Tom Helm, is also here
22 tonight, and he's the current president of the Owners
23 Association.

24 The OA does not take an official
25 position of supporting or opposing the application.

1 We have not had an opportunity or chance to go out to
2 our residents and ask them if they want us to take a
3 position and, if they want us to take a position,
4 what would that position be.

5 We are here to understand what is being
6 applied for, and hopefully communicate it
7 appropriately to our residents. There are many
8 residents here. There are also people that received
9 the notice that own property within 600 feet, and we
10 respectfully request that you listen carefully and
11 consider the concerns of our residents that have
12 taken the time to appear here today.

13 There is one side issue that we're very
14 confused about, and that is we've been aware that
15 Aaron sold his home, I think, to make this work, and
16 he and his wife and the infant and toddler are living
17 within the premises right now. And I believe he
18 asked temporarily could he stay while he moved that
19 business in.

20 And on a temporary basis, we don't have
21 an objection to that, but we don't believe the
22 premises as constructed meet any definition of a
23 residential dwelling unit within the community, and
24 that it be temporarily allowed to accommodate Mr.
25 Asher's circumstances.

1 So if anyone has any questions,
2 otherwise...

3 CHAIRMAN EVANS: Does anyone
4 have any questions?

5 COMMISSIONER McLAREN: Mr.
6 Chairman, as always, I do.

7 So you represent the developer. You do
8 not -- you sit on the board, but you do not represent
9 the homeowners association?

10 MS. WEATMAN: What I --
11 correct. That's correct, and I don't mean to confuse
12 anyone other than we think it inappropriate. The
13 board seeks clarification, what the terms of the
14 Conditional Permit would be. But without going to
15 our residents and asking them do you want us to take
16 a position and what would that position be that you
17 want us to take, we've decided it's inappropriate,
18 and the residents are here to speak for themselves.

19 COMMISSIONER McLAREN: I
20 understand that, but you just said the board. Which
21 board are you talking about right now?

22 MS. WEATMAN: Okay.

23 COMMISSIONER McLAREN: Are you
24 talking about the homeowners board, or are you
25 talking about the board of the developer?

1 MS. WEATMAN: The homeowners
2 board.

3 COMMISSIONER McLAREN: Okay.
4 I just want to be clear on this.

5 MS. WEATMAN: And we call it an
6 owners association, and the only reason the
7 clarification is important is we have --

8 COMMISSIONER McLAREN: Well, I
9 think there's a lot of reasons.

10 MS. WEATMAN: We have what we
11 call members. We have commercial properties within
12 the development. We have a country club within the
13 development. We have a developer that is still
14 active within the development, and we have homeowners
15 within the development.

16 COMMISSIONER McLAREN: Okay.
17 And you probably used another term that I want
18 clarification on.

19 What is the ARC?

20 MS. WEATMAN: So the ARC is
21 the Architectural Review Committee, and when land is
22 subject to our covenants, conditions and restrictions
23 incorporated within that are the architectural
24 guidelines which must be complied with.

25 COMMISSIONER McLAREN: And are

1 those members all developers, or are those members
2 developers and homeowners?

3 MS. WEATMAN: Homeowners,
4 developer, and an architect.

5 COMMISSIONER McLAREN: Okay,
6 thank you.

7 MS. WEATMAN: Uh-huh.

8 CHAIRMAN EVANS: Any other
9 questions?

10 COMMISSIONER VOSS: I have a
11 question, and I hope I'm not out of line with this
12 question. But I'm looking at the -- what is
13 important for the County. Okay.

14 What do you see as a viable alternative
15 to Mr. Asher going into this building? I'm looking
16 at it as, is it vacant? Is it going to go to
17 something that -- it almost looks like do you see
18 another business would want to take a chance at that?

19 MS. WEATMAN: Well, ideally,
20 it would be another school. That's what it was built
21 for.

22 COMMISSIONER VOSS: I'm just
23 looking at the County's -- what we're going to do
24 with it if Mr. Asher decides, and we do strangle him
25 to not doing this. I just want to know, as your

1 community, would you want to see this vacant.

2 I'm just -- am I missing something? Am
3 I out of line with this, Commissioner?

4 CHAIRMAN EVANS: No. It's a
5 legitimate question.

6 MS. WEATMAN: I think that's a
7 fair question, and we've struggled with it ourselves,
8 do we want to see it vacant. We would not want to
9 see it vacant.

10 COMMISSIONER VOSS: Then why
11 would we want to start putting such restrictions on
12 such a big area that you couldn't allow any more
13 parking?

14 It looks like to me, if I'm not missing
15 something, the man, it looks like, is helping the
16 County more than he's trying to hurt us. So I'm just
17 not quite seeing maybe the whole picture.

18 If you could explain it to me better,
19 I'm -- that's fine.

20 It looks like a good thing for your
21 community.

22 MS. WEATMAN: Well, my thought
23 on limiting the number of employees that come and go
24 and occupy is to minimize disruption to the
25 community. I know in your report it said it was

1 surrounded by naked land, and it's really not.

2 It's surrounded by homes, and we can
3 enter and exit this property from a residential
4 street. And I was trying to ensure -- seek
5 clarification and ensure that the Conditional Use
6 Permit is actually structured to what they are asking
7 for.

8 He's not asking to put 250 employees
9 down there today, and he doesn't want to construct
10 the parking for 250 employees anyway. It would be an
11 unnecessary expense and a misuse of the green space
12 that exists down there today.

13 He's not asking to construct apartments
14 for employees, not the way I understood. Although, I
15 think there was confusion in the November testimony.

16 Anything that would be constructed on
17 that site would be subject to the CCRs and the
18 architectural guidelines. That land could not be
19 further subdivided without the approval of the
20 developer and the owners association.

21 There are some restrictions, but so far
22 we believe Mr. Asher and his company, although he has
23 yet to fully move in, has been a good neighbor, and
24 we believe we can co-exist as we co-exist with our
25 other commercial properties within the development.

1 COMMISSIONER VOSS: Very good.

2 Thank you.

3 MS. WEATMAN: Thank you.

4 COMMISSIONER McLAREN: Mr.

5 Chair. Excuse me. Don't go away yet, --

6 MS. WEATMAN: Oh, I'm sorry.

7 COMMISSIONER McLAREN: --

8 please. So you've been there 25 years as part of the
9 developer?

10 MS. WEATMAN: As a resident.

11 COMMISSIONER McLAREN: And as
12 a resident, both, correct? So you --

13 MS. WEATMAN: Yes, sir.

14 COMMISSIONER McLAREN: So
15 you're probably the most qualified here to tell me
16 how many kids were attending that school and what the
17 traffic was to go in and out of that school a day.

18 MS. WEATMAN: I think it's
19 high. It had approximately 180 students. The vast
20 majority of which would have been elementary
21 students.

22 COMMISSIONER McLAREN: So are
23 you -- could I assume there was two children per car
24 or three children per car that came in there? I
25 really would like to kind of know what the traffic

1 county historically was before.

2 Any -- just --

3 MS. WEATMAN: We have our land
4 planner here --

5 COMMISSIONER McLAREN: Okay.

6 MS. WEATMAN: -- who also
7 represents the developer. Were any specific traffic
8 analysis --

9 CHAIRMAN EVANS: They would
10 have to be sworn in.

11 COMMISSIONER McLAREN: Yeah.
12 Just asking your opinion right now.

13 MS. WEATMAN: As to what I
14 observed -- I'm on the other side of the development
15 -- do I think there were some traffic problems when
16 the school exists?

17 From a standpoint of mothers running
18 late and speeding throughout the community, yes.

19 COMMISSIONER McLAREN: But
20 those were your -- but you residents is what you're
21 telling me now?

22 MS. WEATMAN: H'm --

23 COMMISSIONER McLAREN: Well,
24 those --

25 MS. WEATMAN: Most attendees

1 of that school lived outside of the development.

2 COMMISSIONER McLAREN: Okay.

3 Because the building is at the very end. So I think
4 maybe it wasn't -- you wouldn't have said that it was
5 speeding through the community.

6 MS. WEATMAN: Well, you can
7 enter from two entrances.

8 COMMISSIONER McLAREN: I see.

9 MS. WEATMAN: There's the one
10 by the country club, and there's the one by the old
11 Spire house. You would think they would come off of
12 Highway T and enter, but that isn't the way it
13 happened often.

14 They'd speed by Head's store to get a
15 cup of coffee before that.

16 COMMISSIONER McLAREN: Thank
17 you.

18 MS. WEATMAN: Sorry. Okay.

19 CHAIRMAN EVANS: Any other
20 questions?

21 (NONE)

22 Thank you. We appreciate your comments
23 on the conditions.

24 Just for clarification, this is a
25 Conditional Use Permit. This particular use is

1 permitted where it is at.

2 We have the option of deciding what
3 conditions we may want to put on this use, but the
4 use of this property as Mr. Asher has requested it is
5 permitted. So everyone should understand that.

6 And we are looking at conditions.

7 And, Mark, I had a question for you.
8 Since he's operating it as a different company or the
9 LLC but has requested the CUP under his name, is that
10 an issue?

11 COUNTY ATTORNEY PIONTEK: No.
12 The -- I think the record reflects or will reflect
13 who the applicant is or who the applicant should be,
14 and that really doesn't change anything. The uses,
15 they're exactly the same.

16 The permit would be issued to the
17 appropriate party, whoever -- whomever that may be.

18 CHAIRMAN EVANS: All right.

19 And also I think under the CUP it's --
20 he can only operate that business in that property.

21 Anyone else wishing to speak in favor,
22 in favor, of this file?

23 Will you please state your name and
24 address and sign in, please.

25 MR. THOMAS HELM: My name is

1 Thomas Helm, H-E-L-M. I'm the president of the St.
2 Albans Owners Association, 316 Tavern Creek in St.
3 Albans.

4 I need to sign in here.

5 (THEREUPON, THE WITNESS WAS
6 SWORN.)

7 MR. HELM: Debbie pretty much
8 covered everything that we had talked about. We meet
9 every week. Every single week we meet, and Aaron has
10 been on our agenda many, many times. So we've
11 discussed this ad nauseam because it's such a
12 particular issue that we have because we had the
13 school, and all of a sudden we have an individual
14 living in there with two children. Now we have a
15 business.

16 So we're trying to wrap our arms around
17 how it affects our community.

18 Debbie very succinctly said we are not a
19 home owners association. We're a owners association.

20 So Aaron is a dues-paying member. So
21 with that, he gets everything. He gets all the
22 services that we offer to everyone else. You know,
23 he gets the security, he gets road care, he gets lawn
24 care, everything else that implies.

25 So we feel, as a board, we need to offer

1 him and give him every opportunity to fulfill his
2 dreams of when he purchased the building. We're all
3 for it.

4 Someone had asked the question what kind
5 of traffic could we have. Yeah, we had 160 kids at
6 its most, let's say times two twice a day because
7 it's morning and evening.

8 So that's the kind of traffic we had
9 before. Well, the country club has just as much if
10 not triple. So we're okay with that kind of traffic.
11 It's one on one side of the subdivision and one on
12 the other side. So it's not all together.

13 Is there a concern about, you know, fast
14 traffic, speeding traffic? Sure. There's a lot of
15 kids around there. So that's with any opportunity
16 you in a subdivision where you mix the usage. We
17 just have to make sure that Aaron tells his employees
18 what their restrictions are and what their
19 responsibilities are as far as being safe.

20 The issue that, if there is an issue,
21 that I want to make sure of is that we have approved
22 or are going to approve Arsenal Business Group as the
23 tenant and within that his employees, which are
24 responsible to Asher.

25 In Mr. Asher's Linked-In page, there's

1 another entity listed, and it says, "St. Albans
2 school coming soon."

3 And it says, "A unique office space for
4 growth-oriented companies."

5 I don't know what that is. Is that an
6 incubator type business? I don't know.

7 If that's the case, then it's not what
8 the portrayed view as far as having all employees
9 with marketing backgrounds. So that's a concern to
10 us. That's why we needed a little bit more hallmark,
11 because I'm not too sure that's the type of business
12 that we want in our community, because we don't know
13 who they are.

14 We know Aaron and we've vetted Aaron.
15 We feel a little uncomfortable with that. So I don't
16 have an answer for that. So for Debbie to say we're
17 not ready to make our decision, that we're fact
18 finding, that's exactly we're doing.

19 We have to go back to our residents, and
20 you can see them back here. They're very involved in
21 this, and some are very concerned, and some of them
22 want to hear more facts, as do all of us.

23 So this gives us the opportunity to vet
24 it, and I think that, at a glance, we're okay with
25 it. He's put a lot of money into it already. We're

1 fine with that. A little uncomfortable with having
2 his family live there. It's not my decision as long
3 as it's temporary.

4 But do we want to have it vacant? Mr.
5 Voss, no, we sure don't. I mean, it doesn't benefit
6 anybody, and that's why he bought it.

7 So we're okay with that with the
8 stipulations that it's underneath what he has
9 suggested.

10 Thank you for your time. If there's any
11 questions, let me know.

12 CHAIRMAN EVANS: Any
13 questions?

14 COMMISSIONER HAIRE: Mr. Helm.

15 MR. HELMS: Yes, sir.

16 COMMISSIONER HAIRE: What do
17 you define as temporary resident? What do you see as
18 that --

19 MR. HELMS: I'd love to know
20 what that means, because I've seen it in the minutes,
21 and I'd like to have a definition on that too.

22 Your definition of temporary is surely
23 different than mine.

24 I understand that he sold his house to
25 get equity in the company. That's bold. That's

1 aggressive. Is it something you'd do? Well, yours
2 is different than mine and different than Aaron's.

3 I don't know what temporary is. I'd
4 like to have more -- I think Debbie is the same way.
5 We would like to have more of a definition of what
6 temporary is, absolutely.

7 CHAIRMAN EVANS: Thank you.

8 Curtis or Mark, the way our regulations
9 read now, it is a mixed use property. So he can live
10 there permanently --

11 COUNTY ATTORNEY PIONTEK:
12 Correct.

13 CHAIRMAN EVANS: -- if he so
14 chooses.

15 COUNTY ATTORNEY PIONTEK: A
16 single-family residence is a permitted use.

17 CHAIRMAN EVANS: Okay. So I
18 hope that gives some clarification there.

19 MR. ELLIS: Yeah, we amended
20 the regulations in a prior session to clarify the
21 definitions, correct, Mark?

22 COUNTY ATTORNEY PIONTEK:
23 That's correct.

24 MR. ELLIS: Okay.

25 CHAIRMAN EVANS: Okay. So he

1 could live there permanently per our regulations.

2 Is there anyone else wishing to speak in
3 support?

4 If you'd come forward, state your name
5 and address, and sign in, please.

6 MR. RICHARD WILSON: Yes, I'm
7 Richard Wilson, 700 St. Albans Spring Road.

8 (THEREUPON, THE WITNESS WAS
9 SWORN.)

10 I could have tossed a coin to decide
11 whether I was going to speak in favor or against, but
12 I guess I'm standing here in favor because I don't
13 want to see that building stand vacant. I think
14 that's the most important thing for me in the
15 neighborhood, I don't want to see the building stand
16 vacant and be vandalized and so forth.

17 I should say also that I haven't even
18 moved in yet. My house is under construction. I'll
19 move in probably next week, and I moved out to that
20 are because of the quiet and so forth. So you know,
21 I am concerned about what might go on on this
22 property, but I keep going back to the fact that the
23 building has been sitting there for a long time, and
24 it concerns me when you see buildings in the
25 neighborhood sitting vacant.

1 So that's the most important point I
2 want to make, but I just found out about this today.
3 So I'm pretty ignorant about a lot of the facts.
4 It's just that I thought we were talking about
5 specifically a special use permit that was out -- or
6 a conditional use permit that's outside of the zoning
7 that would allow this use already.

8 So I'm a little confused as to what
9 we're really talking about. I understand now we're
10 talking about the conditions that might be applied in
11 a use that's already allowed. So again, I'm a little
12 confused as to why we're here.

13 It seems like to me he can already just
14 go in and do what he wants to do, based on what I
15 just heard.

16 I have quite a bit of experience in
17 local government, and I found that conditional or
18 special use permits are a nightmare, you know,
19 they're really hard to enforce. You know, if you're
20 talking about what I consider a real conditional use
21 permit, it almost becomes a change in zoning in fact,
22 because it is up to the people in the neighborhood or
23 the community to enforce and look at whether or not
24 the use is being followed as approved.

25 So on their working late hours every

1 night, working there till midnight, playing loud
2 music and so forth. It becomes a burden on the
3 people in the community to say hey, they're not
4 following the rules.

5 So I really am opposed in general to
6 special use or conditional use permits, but again,
7 I'd like to see the building be occupied.

8 Thanks.

9 CHAIRMAN EVANS: Okay. Thank
10 you.

11 And again, if those zoning districts
12 where we have conditional use permits is marked
13 districts where we think uses would be appropriate
14 but with conditions.

15 And every conditional use permit is
16 different, whether you could have one person, three
17 employees or in this case 75 employees

18 And so in order to give the Commission
19 latitude to assign conditions that are appropriate in
20 each individual case, that's why we have to use the
21 conditional use permit rather than going broadbrush.

22 Anyone else wishing to speak in favor?

23 If you would state your name and address
24 and sign in, please.

25 (THEREUPON, THE WITNESS WAS

1 SWORN.)

2 MR. BRIAN PHILLIPS: My name's
3 Brian Phillips. And you wanted me to give my
4 address?

5 CHAIRMAN EVANS: Yes.

6 MR. PHILLIPS: 515 Russel
7 Court, Union, Missouri 63084.

8 I wanted to clarify something that
9 somebody had mentioned about the St. Albans School,
10 L. L. C. That is his holding company and that the
11 only business that's going to be in this building is
12 Arsenal Business Group.

13 So the only reason I know that is I am
14 the gentleman who's working with him on his lending
15 piece of this, and those were some of the
16 stipulations with the SBA loan.

17 So I just wanted to make sure that was
18 made clear.

19 CHAIRMAN EVANS: That's
20 correct. It would be that business, --

21 MR. PHILLIPS: Yeah.

22 CHAIRMAN EVANS: -- that
23 company, --

24 MR. PHILLIPS: Yeah.

25 CHAIRMAN EVANS: -- that

1 operation?

2 MR. PHILLIPS: Yeah, and I
3 just wanted to make sure that -- that I clarified
4 because somebody was asking that question.

5 CHAIRMAN EVANS: Okay.

6 MR. PHILLIPS: The St. Albans
7 School is just his holding company. So...

8 CHAIRMAN EVANS: Thank you.

9 Anyone else wishing to speak in support?

10 If you'd come forward, please. If you
11 would, state your name and address and sign in,
12 please.

13 MS. LAUREN ASHER: Lauren
14 Asher, 123 School House Road, St. Albans, Missouri
15 63073.

16 (THEREUPON, THE WITNESS WAS
17 SWORN.)

18 Thank you for giving me the opportunity
19 to speak tonight.

20 First, I would just like to speak of
21 Aaron and his he is a very hard-working man, and he
22 works with honest and integrity.

23 And I wanted to say that I think that
24 what he's trying to do would bring good to not only
25 the community but also the employees. The employees

1 would provide tax benefits to the area, and that
2 employees would be provided with a great job.

3 He provides a great salary as well as
4 the benefits. He provides further health benefits.
5 He covers it in full. And I think that that would be
6 a positive thing for the community and employees.

7 And to address the concern of traffic,
8 his goal would be to pave the road that leads to the
9 school straight off of Highway T so people would not
10 have to drive through the community to get to the
11 school at that point.

12 And also he pays his association fees.
13 So that would be a benefit to the St. Albans
14 community.

15 CHAIRMAN EVANS: All right.
16 Any questions?

17 COMMISSIONER HAIRE: I do have
18 a question. You know that you can live there
19 permanently under the new zoning changes we have.
20 What is your perception, what would you like to see
21 long-term for yourself and your husband?

22 MS. ASHER: We do not want o
23 live her long term. It was a change that we made
24 because we did have to sell our house in order to get
25 the school. We are all in about this business, and

1 it's very important to us. We care about the
2 business and the people, and so we were willing to
3 make that sacrifice to see -- to pursue those goals.

4 And we would like to get a house. This
5 is not meant to be permanent. Although it could be
6 with the way it's written.

7 CHAIRMAN EVANS: To clarify,
8 you said you would pave a road directly off of
9 Highway T?

10 MS. ASHER: That is his goal,
11 yes.

12 CHAIRMAN EVANS: Is his goal?

13 MS. ASHER: Yeah, there's
14 already a road there. It's just not paved. It's
15 very rough. So he would like to get it paved.

16 CHAIRMAN EVANS: Jim, would you
17 have any issues with that?

18 COMMISSIONER GRUTSCH: I don't
19 have any issues. This is a MoDOT road, and with --
20 it would have to be approved by MoDOT. But that
21 would certainly relieve the traffic on the County
22 road. St. Albans Road is a County road that the
23 County maintains. So it would relieve the traffic
24 congestion if there wasn't as much congestion on St.
25 Albans.

1 So I would be in favor of that.

2 MS. ASHER: And it has been
3 approved by MoDOT.

4 CHAIRMAN EVANS: It has been
5 approved by MoDOT?

6 MS. ASHER: Yes.

7 CHAIRMAN EVANS: All right.
8 Any questions?

9 (NONE)

10 Thank you.

11 Curtis, do we have that in the file, the
12 approval?

13 MR. ELLIS: I do not.

14 CHAIRMAN EVANS: Okay.

15 Anyone else wishing to speak in support
16 of this file?

17 (NONE)

18 If not, anyone here speaking in
19 opposition to this file?

20 MS. GLENDA DEBRECT (PH.): I
21 am a homeowner. Name is Glenda Debrect. I live
22 further off of St. Albans Road, off of Little Tavern,
23 441 Fairfield Valley.

24 Having had a very --

25 (THEREUPON, THE WITNESS WAS

1 SWORN.)

2 Having had a car totaled on Highway T
3 years ago and major concussion, teeth cracked,
4 everything, Highway T is a horrible road to drive on.

5 It burdens me immensely to think that
6 where those massive beautiful new pillars are and
7 where that road paving is going to come out with
8 additional traffic, is a real nasty turn. And people
9 are going to get hurt.

10 People have been hurt coming out of the
11 main entrance off of St. Albans. There's not
12 anything we can do about it. People drive too fast,
13 and it's just a nasty turn.

14 If that entrance has been approved by
15 the Highway Department, great. Years ago I
16 commissioned and got the Highway Department to put
17 supplemental signs on Highway T showing that there
18 was, as you come down Highway T where Little Tavern
19 is, that there is a supplemental road to, you know,
20 maybe somebody is going to notice that people might
21 be coming in or out.

22 So I'm just quite aware of the traffic
23 situation there, and granted, not everybody is going
24 to be like Ameren. At 3:05, there's a 100 employees
25 that come out on Front Street in downtown Labadie,

1 and at 4:30, there's about 50 that come out. And
2 that is a massive nightmare on those stop signs.

3 So I'm sure that his business is not
4 going to be all clocking out and getting out. It'll
5 be even less traffic than the school where the folks
6 coming out.

7 I just wish that turn was going to be
8 broader. I'd hate to think that there's going to be
9 a stoplight needed there, but when there's a first
10 fatality, it might warrant one.

11 And that's all I have to say. Anybody
12 have any questions for me?

13 (NONE)

14 CHAIRMAN EVANS: Thank you.

15 Anyone else wishing to speak in
16 opposition?

17 Would you state your name and address
18 and sign in, please.

19 MR. AL HANNIBAL: My name is
20 Al Hannibal. I am an attorney, and I'm here today to
21 represent Fairfield Farms, L. L. C., which is a farm
22 that's been there for a hundred right across the
23 street from the development. The address is 10 South
24 Broadway, St. Louis, Missouri 63102.

25 (THEREUPON, THE WITNESS WAS

1 SWORN.)

2 Good evening. Glad to be here and to
3 get to say our piece. I'm not here to speak
4 necessarily in favor of the development or not.

5 I think the property owners will do
6 that. They have their strong feelings about it, and
7 are opposed to it.

8 What I'm here to do is to point out what
9 I feel are procedural weaknesses in this application
10 and why I think this application should be taken up
11 as a zoning change and not as a conditional use
12 permit application.

13 There were statements made today that
14 this use of professional office is a permitted use in
15 this district. Well, it's not.

16 A conditional use is defined as a use
17 that, because of special requirements or
18 characteristics, may be allowed -- may be, not shall
19 be, allowed -- in a particular zoning district only
20 after review and approval by the Planning and Zoning
21 Commission.

22 So if you determine that this use is
23 proper, then it will become a permitted use.

24 The other thing that I'd like to point
25 out is that I don't believe that the use that's being

1 applied for is a professional office use that falls
2 within your definition of professional office use.

3 And I'm reading from your Code.

4 Professional Office, an office occupied by a member
5 of a recognized profession and maintained for the
6 provision of professional services such as, but not
7 limited to, attorney, architect, engineer, painter,
8 landscape, architect, interior design, or accountant
9 and financial planner, or a bookkeeper or Realtor or
10 brokerage or securities or commodities, secretarial
11 services or a title company.

12 Well, I don't think what I've heard
13 today that these uses fall within that definition.
14 But again, it's sort of sketchy what the marketing
15 functions are actually going to consists of on this
16 property.

17 And the third item very clearly is that
18 the W Zoning District is a very special zoning
19 district, and it really is intended to allow for
20 small scale uses that can co-exist and combine in a
21 meaningful manner, residential and business uses.

22 But it's got to be a use when it's going
23 to be commercial that it is for the convenience of
24 the residents and for travelers.

25 Jobs for the entire community is not

1 something that's necessarily a convenience for the
2 residents or for travelers. I think it's something
3 that cities want, but you know, those jobs are going
4 to come from another area. They're not going to be
5 transferred to this area.

6 So we just feel that the application
7 that's currently presented to this Board is not
8 something that this Board should take up, and that
9 the applicant should be asked to follow the
10 procedures to get a zoning change and have this
11 property zoned so that it may be used in the manner
12 in which he desires to use it.

13 The other thing is, this conditional
14 uses, as stated earlier, have a tendency to be a foot
15 in the door and lead invariably to expansion of those
16 uses. And once a change of use like this takes
17 place, it's very difficult to go back and then say
18 well, we don't want to allow that type of use
19 anymore.

20 So those are just my comments as an
21 attorney on the legal procedures. I don't want to
22 tell you what you can and cannot do, but what I will
23 tell you is we will challenge any actions that are
24 taken in what we believe is a violation of the
25 process.

1 CHAIRMAN EVANS: Thank you.

2 I'll state one thing about the foot in
3 the door that we have put in conditions. Anything
4 done beyond those conditions would not be allowed.

5 And, Mark, I would ask you to comment,
6 because it's my understanding and the way I read it
7 differently that the way our regulations are written,
8 which are slightly broad, again to allow the
9 Commission a lot of latitude.

10 COUNTY ATTORNEY PIONTEK:

11 That's correct, Mr. Chairman. I did want to sort of
12 correct one thing that was just said about the
13 definition of office. I think he read the definition
14 for a professional office, but that conditional use
15 permit allows is -- let me see if I can pull it up
16 here.

17 Anyway, it's -- it allows for an office
18 with a conditional use permit, which is defined as
19 the use of any building or premises primarily for
20 conducting the affairs of a business, profession,
21 service, industry or government and generally
22 furnished with desks, tables, files, and
23 communications equipment.

24 And then there's a definition for
25 business office general. An office used primarily

1 for the administrative or legal affairs of a company.

2 It seems like that's what's going on
3 here. That's what the use is. Whether you decide to
4 grant it or not, it certainly meets the definitions
5 for an office.

6 So I just wanted to clear that the
7 record is clear on that issue.

8 CHAIRMAN EVANS: All right.
9 you.

10 So I think whatever this Commission
11 does, we have to, based on the information provided
12 by the County Attorney, follow that.

13 Anyone else wishing to speak in
14 opposition?

15 Will you please state your name and
16 address and sign in, please.

17 MS. LUCIE HUBER: My name is
18 Lucie Huber, and the address of our farm is 3495
19 Little Tavern Road, 63069.

20 (THEREUPON, THE WITNESS WAS
21 SWORN.)

22 Good evening, everybody. That light
23 green -- I'm glad it's shown in the picture -- across
24 the street from the parcel that we're discussing
25 tonight, that's our farm. My family came out here

1 about 75 years ago. We're very invested in this
2 community. My grandma, who I'm named after, she
3 wrote the book on St. Albans.

4 And we are conservationists, we care
5 very much about the land. We care about peace and
6 quiet. We care about safety, and you know, this
7 parcel where the former school is located, it is W.

8 We've talked about W before. It is an
9 island of W. The rest of St. Albans is not. We've
10 talked about the purpose, but I'm going to read it
11 again.

12 The intent of this district is to
13 provide for agricultural and small-scale commercial
14 uses, cultural uses, institutional uses, and
15 agricultural uses to mix with low-density residential
16 uses for the convenience of residents and travelers.

17 There is nothing about a call center or
18 a think tank or whatever we're going to call this
19 marketing lead company that is for the convenience of
20 residents.

21 The convenience would be some kind of
22 product or service that helps the community. Any
23 busy could employ any person in any place. That's
24 not out of convenience of the residents.

25 You know, and, Mr. McLaren, I read the

1 hearing transcript from November, and we cannot work
2 in a vacuum as if the information from that hearing
3 doesn't apply to this hearing. In that hearing, we
4 were talking about 250 employees, and in that hearing
5 it was mentioned we've never issued a conditional use
6 permit with such broad application.

7 What my concern is, is this is not a
8 conditional use permit because this permit should not
9 fit within this zone, and this conditional use permit
10 request is a back door to a rezoning.

11 That was also mentioned in the November
12 hearing.

13 I think that if the broader community
14 knew what was being requested, there'd be a whole lot
15 more people here tonight. The radius was 600 feet.
16 That's not a very -- that's not a very large area of
17 notice, and if it was actually done, it would be a
18 rezoning and we would work within those parameters
19 and people would have more notice than what they have
20 now.

21 And all I can say is I share Glenda's
22 concern. That's a very dangerous place on T. I'm
23 also concerned that one day there is going to be a
24 light there, and we have to be really careful with
25 how we use land, because once you re-purpose

1 something, it doesn't go back. And the idea of a
2 vacant building, who is to say there's not another
3 owner that's going to step up.

4 We're not strangling a project. What
5 we're trying to do is keep a project within the
6 parameters, and if those parameters don't fit, then
7 they need to be rezoned, and there needs to be a
8 proper procedure for that.

9 CHAIRMAN EVANS: Any
10 questions?

11 (NONE)

12 Thank you.

13 Anyone else wishing to speak in
14 opposition?

15 Could you please state your name and
16 address and sign in.

17 MR. PAUL KOPSKY, JR.: My
18 name's Paul Kopsky, Junior. I have a residence in St.
19 Albans, 1908 Wings Road. I also have a farm on
20 Highway T just down the road from St. Albans as well.

21 (THEREUPON, THE WITNESS WAS
22 SWORN.)

23 I want to thank the Commission for the
24 opportunity. I think a lot of the comments that have
25 brought up here are the concern of what we really are

1 getting ourself into.

2 We have conditional uses over here by
3 St. Albans and W as we intimated they're changing
4 what's being asked here. We have a situation we
5 don't know what this really is, and then we're
6 talking about what the right zone is. Is it zoned W?
7 Is it zoned D? What do we really have here,
8 gentlemen?

9 We have conditional uses that are really
10 hard to enforce, really hard, but -- all of you, no
11 pun intended, but it's tough. And this becomes
12 permanent.

13 We have a lot of lot the financial
14 situation here with borrowing money, people living in
15 the community temporarily. Now being told that it's
16 temporary. It's not permanent.

17 Well, what really is this firm they're
18 going to do here?

19 So my concern is that if he -- if this
20 gentleman wants to have 250 employees in this group,
21 putting my views aside that I think this is a bad
22 idea for the community, I'm concerned about what it
23 means for the residents.

24 These are not people that are going to
25 live in the St. Albans. This is a different type of

1 employee base. They're going to come from all over.

2 They're going to have to drive a lot.

3 You're going to have 250 cars out here on the lot
4 that has 75 spaces.

5 There are other people who have interest
6 in this property. It will be used. We'd love to see
7 you use it. No one wants to see you use it more than
8 I do as well in this community, but let's have it for
9 the right use.

10 If this gentleman wants to go through
11 that process and go to the committee and get it for
12 250 people, then have notices. Why are so few people
13 here tonight from the residents is they don't know
14 about it. Six cars came out to the community.
15 That's it. Because why? Zone W. That's all you had
16 to do. Not to the entire residents. That's why
17 they're not here, because they don't know about it.

18 Mr. Helm said there's not enough people
19 to know what the real vote's going to be is right.

20 That's all I'm asking. If he wants to
21 have that type of business here, let him go through
22 the right processes, the right venue that you all put
23 together. But I do caution you on being able to
24 enforce this. This is not easy.

25 Thank you for your time.

1 COMMISSIONER GRUTSCH: I have
2 a question.

3 CHAIRMAN EVANS: Jim.

4 COMMISSIONER GRUTSCH: It was
5 stated by one of the representatives from the owners
6 association that they have weekly meetings and that
7 this has been on the radar and been discussed at
8 length for months at their weekly meetings.

9 Have you not been apprized of that?

10 MR. KOPSKY : No. I have lived
11 there in the south end. Nobody has been apprized of
12 the residents. Very few people have. I think he
13 said -- Mr. Helm said that it has not been fully
14 vetted by the community.

15 Is that true?

16 UNIDENTIFIED FEMALE: Yes.

17 UNIDENTIFIED MALE: Weekly
18 board meetings.

19 CHAIRMAN EVANS: You have to
20 let --

21 UNIDENTIFIED FEMALE: No, I
22 was just going to answer the question. I will. I'm
23 sorry.

24 MR. KOPSKY: It's not been
25 vetted by the community. They do have weekly

1 meetings, but it's not been vetted because they don't
2 know about this, gentlemen.

3 They've not gotten the notices.

4 Let's follow the right process. If he
5 gets awarded, that's fine. But let's follow the
6 process right. That's why you have them.

7 CHAIRMAN EVANS: All right.

8 Thank you.

9 MR. KOPSKY: Thank you.

10 CHAIRMAN EVANS: Anyone else
11 wishing to speak in opposition?

12 (THEREUPON, THE WITNESS WAS
13 SWORN.)

14 MR. JEFF PARSONS: Jeff
15 Parsons, 688 --

16 CHAIRMAN EVANS: Did you sign
17 in?

18 MR. PARSONS: Yeah, well.

19 So Jeff Parsons, 688 St. Albans Spring
20 Road. I'm not here to approve or deny my notion for
21 anything, but I want to reiterate what the last two
22 comments were.

23 There is a process that's laid out, and
24 if it is a rezoning, it's a rezoning. Learning that,
25 you know, the W which it is zoned at right now and

1 the definition that you so eloquently described
2 defines what that school was built for.

3 To give you a little bit of context, you
4 know, we're from another city. We moved down here
5 because my kids were at that school. Okay. Part of
6 that was the allure of the community, to move into
7 that.

8 I have no problem with a person making a
9 business decision and seeing the County issues. Who
10 would argue that. That's not obviously up for
11 debate. I think the temporary usage is a problem.

12 To give a little bit of context as we
13 talked about with the school and the makeup of the
14 school, when that school was built, about 60 to 75
15 percent of the students who were children out of St.
16 Albans.

17 Okay. That has vastly changed, which is
18 also what led to their merger back with Chesterfield
19 Day School because they were drawing from outside of
20 St. Albans because the turnover within the community
21 obviously as children grew, the turnover wasn't
22 there.

23 I'd like to make a couple of comments
24 just on some things that I've observed in the time
25 that the transition has happened.

1 You know, we've said this is a
2 residential neighborhood, and there are people
3 walking dogs, kids, bikes all over the place. What
4 there's not is sidewalks. Okay.

5 Traffic is one thing obviously, but when
6 you influx -- you have an influx of traffic of people
7 that do not live there, you start to see more things
8 of concern, if you will. Okay.

9 I've already seen -- I look -- I manage
10 a team of 30 people. To think that my team operates
11 between the hours of 8:00 and 5:00 is not realistic.
12 Okay.

13 We've already seen traffic all
14 throughout hours of the day, and hearing that, you
15 know, the residents have taken up as residents. That
16 explains that. But it's concerning to think that
17 that obviously a school day is comprised of very set
18 hours. Okay. And again, the majority of the
19 children of that first -- when the school first
20 started were living there.

21 I think it's interesting the Highway T
22 access. I've seen that. I appreciate that. That is
23 the dangerous part of the road, but Highway T in
24 general has some sketchy areas that, you know, you
25 need to take your -- take it slow on.

1 In looking at the property map there,
2 I do find it interesting that School House Road is
3 actually managed by the association as opposed to the
4 owner of the property.

5 In my opinion, going through the proper
6 channels to actually rezone this for what he is
7 intending it to be is the actual channel that needs
8 to go through. A temporary thing is not a fix.

9 Band-Aids and paperclips do not solve
10 long term. If there is a process in place to get
11 this zoned as something other than the definition
12 that she so eloquently put, then that's the channel
13 we need to go through.

14 I have no problem with that building
15 being a tax-paying presence, all those things. That
16 makes sense. No one would want that building empty,
17 but let's go through proper channels. We have them
18 there for a reason.

19 Thank you.

20 CHAIRMAN EVANS: Thank you.

21 Anyone else wishing to speak in
22 opposition?

23 Will you please state your name and
24 address and sign in, please.

25 MR. PAUL SUMMER: Sure. My

1 name is Paul Sumner and the same property interest as
2 my sister-in-law Lucie there at 3495 Little Tavern
3 Road and 63069 right there on the map.

4 (THEREUPON, THE WITNESS WAS
5 SWORN.)

6 Thank you for letting me be heard. I
7 have -- I wanted to start with a question for
8 Chairman Evans.

9 Is this a conditional use permit for Mr.
10 Asher and his business, or is this a conditional use
11 permit for that property?

12 CHAIRMAN EVANS: No.

13 MR. SUMNER: If he sells the
14 property, does the permit travel with the property?

15 CHAIRMAN EVANS: No.

16 MR. SUMNER: It does not?

17 CHAIRMAN EVANS: Is that
18 correct?

19 MR. SUMNER: In Franklin
20 County, I thought it did.

21 MR. ELLIS: I think it travels
22 with the property.

23 MS. HOLDMEIER: It travels
24 with the property.

25 MR. SUMNER: So we're not

1 really approving a conditional use for Mr. Asher;
2 we're approving a conditional use for that piece of
3 land?

4 CHAIRMAN EVANS: For the same
5 uses with the same conditions.

6 MR. SUMNER: Okay. I just --
7 I wanted to make it clear because I wasn't actually
8 clear on that point.

9 CHAIRMAN EVANS: Yes, I
10 misunderstood you. Now, whoever has that land and
11 take it over, but it would have the same conditions.
12 You couldn't operate without those conditions.

13 MR. SUMNER: Okay.
14 Understood. Thank you.

15 So 70,000 square feet. Big piece of
16 property. Nobody buys a 70,000 square foot piece of
17 property without intending to fill the 70,000 square
18 foot piece of property.

19 I really appreciated some of the
20 testimony earlier. I was actually a little surprised
21 by it. I think Mr. Helm -- I don't think Mr. Asher
22 hiding well here. I looked it up because I wasn't --
23 I couldn't believe that it would be out there like
24 that.

25 He's clearly putting it out there that

1 this is office space up for grabs in the near future.
2 He's putting that out there.

3 Now, whether or not that's true, and
4 certainly this Commission can have an effect on that
5 and how far that can go. But I don't think there's
6 any secret to this being a foot in the door for
7 something much bigger, you know, and I agree with
8 everything that was said earlier about the, you know,
9 lack of sidewalks.

10 My children cross that street all the
11 time whether I like it or not. They don't really ask
12 me anymore, but so there is all that concern.

13 And the only minor traffic concern I
14 would also stress is it's not exactly the same as
15 having a school because yes, you have people coming,
16 and yes, you have people going at the end of the day,
17 but you also have people -- a lot of people going out
18 for lunch in the middle of the day as well.

19 So it's not exactly the same. It's
20 close, but not identical.

21 I know you'll all make the right
22 decision, but I agree with what was said right
23 before. There's precedence, and you know, I mean, if
24 you want to rezone this, let's have that discussion.

25 But this sure -- this sure feels like a

1 rezoning in the making. So I appreciate you taking
2 the opportunity to be her tonight away from your
3 families and joining us here.

4 So thank you very much.

5 CHAIRMAN EVANS: Thank you.

6 MR. SUMNER: You're welcome.

7 CHAIRMAN EVANS: Anyone else
8 wishing to speak in opposition? I'm sorry.

9 UNIDENTIFIED MALE: Do I have
10 another chance to speak?

11 CHAIRMAN EVANS: No, you
12 don't.

13 UNIDENTIFIED MALE: No.

14 CHAIRMAN EVANS: Anyone else
15 wishing to speak in opposition?

16 (NONE)

17 Mr. Asher, you have the opportunity to
18 respond.

19 MR. ASHER: I'm very nervous.

20 I'm very surprised. This is a completely different
21 meeting than the first time when I came in here.

22 I've been forthright and honest about what I want to
23 do, and so far, I feel like I have been very welcomed
24 by many of the people.

25 We have occupancy permits from the Fire

1 Department, Chief Casey, for both purposes.

2 We have put approximately north of half
3 a million dollars into fixing it up. It was falling
4 into disrepair.

5 We built a monument off of Highway T to
6 make an entrance to -- as a gesture to reduce or at
7 least gesture that we could come off of, you know,
8 our own entrance. I didn't mean -- his last name
9 escapes me, but I met with a representative with the
10 Missouri Department of Transportation. Jeff is I
11 believe his first name who came out.

12 There is a front cut into the road, and
13 from what everybody else is saying here, it was his
14 opinion that it was better view, a better angle, a
15 safer entrance than even the entrance to the school.
16 I'm sorry, I misspoke. The association.

17 I want to be a part of this community.
18 I purchased thousands of dollars of gift cards from
19 the Head store as a sign of good faith. I feel
20 terrible that my boys have not been able to patron
21 the establishment, you know. I've made -- I had a
22 couple of conversations with the staff there, and
23 then Mrs. Herzog talking about getting an employee
24 loyalty program or something of that nature.

25 I do not intend to operate any

1 businesses there. Part of the paperwork and the
2 process of getting this loan was to, you know, sign a
3 lease for Arsenal Business Group leased this building
4 and not for other businesses.

5 That paperwork, you know, is in effect
6 through the SBA with the Bank of Washington.

7 We have a great reputation. We would
8 like to grow. We do not want to be a burden on the
9 community. We've actively conveyed, someone brought
10 up that road that leads from the association to the
11 building. I believe it's St. Albans Spring Road.

12 I was in communication and asked if it
13 would be on the table to purchase that land so that I
14 could pave it and take care of it and maintain it,
15 but the association answer was they did not want to
16 sell it to me. But I did attempt hoping they'll be
17 open to doing that in the future.

18 I made a lot of sacrifices and my family
19 has made a lot of sacrifices in order to make this
20 happen, and I don't think it's a bad thing that I
21 sold my house.

22 I think it's a sign of confidence that
23 I'm going to put a lot of hard work in to make this
24 happen. We've put new floors in. We've put new
25 paint in. We have gotten rid of the bat infestation

1 that was in the school and the mice. There is so
2 much work that we have done and I have tried every
3 avenue to be forthright and do things the right way.

4 I would have much preferred to have my
5 business in before and the first time I came in here
6 to speak to you and address you. Thank you for
7 hearing me out.

8 There was nobody in this building except
9 me and my wife.

10 Since that time has passed, more and
11 more people have taken an interest in this property,
12 people who are involved in this community, and I'm
13 afraid to even mention some of the names. But
14 someone in particular with a lot of pull came to me
15 and told me that they were planning on buying the
16 building from me, that they had architects already
17 ready to go to put tennis courts and a swimming pool
18 and things of such nature.

19 Somebody walked into my property and
20 said that they would -- you know, they were planning
21 on buying this building from me.

22 So I think a combination with some of
23 the things you hear here, but really it seems like
24 somebody had an opportunity, a lot of people had an
25 opportunity, to do something with this building. And

1 now that all the hard work is done, they would like
2 to come acquire it.

3 That's my -- that is what it feels like
4 to me, but any kind of conditions regarding parking
5 or hours, reasonable business hours, I want to work
6 to bring jobs and tax revenue and fees to this
7 association. I want to be a member of the community.
8 I do not want to live in that basement.

9 I want to buy a house in St. Albans. I
10 would like to live down the road. I would like to be
11 a member of the community. There was very low
12 inventory when we were doing this. There was a lot
13 of uncertainty in the economy is, you know, going in
14 the wrong direction some would say.

15 I think a lot of these concerns that
16 have been brought up have been speculation and they
17 are not expert opinions. I'm just speaking in facts.
18 I would like to have a conditional use permit and
19 operate my company out of this building, and
20 temporary, whatever you think is a suitable time
21 period, I will occupy that building as a residence.
22 And that was to ensure the success of the transition,
23 to ensure the success.

24 I do not want to have a failed project.
25 I wanted to ensure that the building got in great

1 shape so that we could move our employees in after we
2 experienced some success and hopefully being welcomed
3 to the community.

4 I would then go try to purchase a home
5 in the community where we could have a long
6 prosperous relationship for many years.

7 I'm not trying to back door work my way
8 into anything other than what I'm telling you.

9 CHAIRMAN EVANS: A couple of
10 questions. It was mentioned 70,000 square feet, but
11 is it 40,000 square feet of usable office space?

12 MR. ASHER: I don't think it's
13 that much. There is an enormous gymnasium. There is
14 a very large foyer. There is a lot of very large
15 hallways and lockers. There's a lot of dead space.
16 Two -- 250 people, everybody talks about stuff. I
17 can go buy another building. I could go rent another
18 place if there is an outcry and the community does
19 not think it's right.

20 And I believe that there is
21 approximately 60,000 square feet of total square
22 footage at this. I'm not certain.

23 CHAIRMAN EVANS: And to go all
24 the way back, I guess we're -- Commissioner McLaren
25 started. How many people are initially in the

1 building?

2 MR. ASHER: Approximately 43.

3 I have an opening day ceremony scheduled for
4 tomorrow, and I plan to move everybody to have a nice
5 celebration and have out there for that weekend then
6 right at approximately 50 percent or 60 percent of
7 them will probably go work at St. Charles the
8 following weekend.

9 We'll have a split office as we try to
10 transfer. I want to give our employees time to
11 prepare to move out here.

12 CHAIRMAN EVANS: Okay. I
13 think the number seems to be a big thing. You toss
14 out 250 employees, but in your business plan, what do
15 you look at it in three years and five years?

16 MR. ASHER: I think by the end
17 of this year we will, if things go well, we'll have
18 approximately 55 people. You know, you could
19 probably count we've grown by 10 to 12 people a year.
20 Things certainly have been slower as of late. We are
21 still thriving and growing, but it's impossible to
22 keep up a trend of growing at the rate that we were
23 the larger that you get.

24 COMMISSIONER HAIRE: The
25 number of employees has come up, you know, several

1 times in the discussion this evening.

2 If someone put restrictions, since you
3 have to abide by the covenants of the association, if
4 a number was put on you, let's say 75, just put that
5 out what was mentioned, what would be your comment to
6 that, if we put that restriction on you?

7 MR. ASHER: I would be
8 extremely grateful for that, and if we grew past that
9 or plan to, I would come involve the proper channels
10 with a plan proposed to see if you find it acceptable
11 and seek -- what my understanding is, another
12 conditional process. Correct?

13 COMMISSIONER HAIRE: Uh-huh.

14 MR. ASHER: I could have moved
15 -- we've owned this place since, I believe, last
16 July, and we've not worked in there. We've been
17 following the rules. I'm trying to do things. I'm
18 not seeking a rezoning. I believe only the reason
19 rezoning was brought up as we sat here in the
20 previous meeting you guys very graciously talked me
21 through options.

22 Like one of those options was rezoning.
23 I do not want to do that. I do not want to cause
24 concern. I want to use the building for exactly what
25 I'm asking for. I have no intention of rezoning this

1 piece of property.

2 So a conditional use permit I would be
3 very grateful for.

4 CHAIRMAN EVANS: As far as the
5 road, are you agreeing that you would pave that road?

6 MR. ASHER: Yes, and I've
7 already built, you know, entrance signifying that,
8 you know, the road will be there. It's just a matter
9 of getting contractors lined up to come pave it.

10 CHAIRMAN EVANS: So within a
11 year or something this road would be paved?

12 MR. ASHER: Yes, if everything
13 could go according to plan, I would like to have that
14 paved, you know, next week.

15 CHAIRMAN EVANS: And do you
16 have --

17 MR. ASHER: But it'll be done
18 this summer.

19 CHAIRMAN EVANS: And you have
20 documentation for MoDOT approval?

21 MR. ASHER: I'm sorry, for
22 what approval?

23 CHAIRMAN EVANS: MoDOT
24 approval for the entrance.

25 MR. ASHER: I have -- I'll

1 have to do a check on the exact documentation. I met
2 with a Missouri Department of Transportation member.
3 He met me out where that apron is and said that is
4 approved, and we talked through where to build the
5 monuments. I could only build it past a certain, you
6 know, point, and I had to leave extra space.

7 COMMISSIONER GRUTSCH: Mr.
8 Chairman, I can speak from experience with MoDOT.
9 That is a standard process. They do an on-site
10 evaluation, and they give the developer an idea where
11 the road would go, and then before he would do his
12 paving, they would come out and inspect and make sure
13 that it is an acceptable location.

14 MR. ASHER: Again, those
15 monuments where that road was done in communication
16 with the association and the Architectural Review
17 Committee. They were approved.

18 COMMISSIONER McLAREN: Mr.
19 Chairman, I do have a question. And it's -- I don't
20 know that it's pertinent or not, but on here, it --
21 the facts of our conditional use permit number 7 says
22 you are not the property owner.

23 I'm assuming that that maybe that your
24 company is the property owner and you're -- I can't
25 imagine that you spent a half a million dollars

1 improving something without being the owner.

2 MR. ASHER: I'm not sure I
3 quite understand. I own the -- I own the company
4 that owns the property.

5 COMMISSIONER McLAREN: That's
6 what I'm trying to ask.

7 MR. ASHER: Yes.

8 COMMISSIONER McLAREN:
9 Specifically you own the company, the company owns
10 the property?

11 MR. ASHER: Yes, sir.

12 COMMISSIONER McLAREN: So I
13 don't really know where I'm going with this. So the
14 operating agreement is not really that important in
15 this situation because the company actually already
16 owns the property not you.

17 So we would be giving the company the
18 operating agreement; is that correct, Chairman? Or
19 not operating agreement, the CUP. I apologize.

20 CHAIRMAN EVANS: Correct.
21 Yeah, as Mark stated before.

22 MR. ELLIS: As Mark said
23 earlier --

24 CHAIRMAN EVANS: Yeah.

25 MR. ELLIS: He said it really

1 didn't matter.

2 MR. ASHER: It was done in
3 this manner, and it's a standard business practice to
4 try to separate assets in case there's a bank records
5 fined personally, you know, liable and responsible
6 for all financial commitments for all businesses
7 involved.

8 COMMISSIONER McLAREN: That's
9 fine. I just wanted to make sure that there wasn't
10 -- that you had actually been the purchaser of the
11 property, and that was done.

12 MR. ASHER: Yes.

13 COMMISSIONER McLAREN: Or your
14 business was the purchaser, and that's been done,
15 that's a completed process?

16 MR. ASHER: It is completed,
17 yes.

18 COMMISSIONER HARTMANN: I have
19 a question. Could you clarify. They mentioned
20 something. You kind of hit on it a little bit, but
21 they talked about you were going to maybe sublease
22 some of that office space out to other offices.

23 Is that what I heard, or can you clarify
24 on that?

25 MR. ASHER: No, I can -- that

1 was never in the plan, it's never been in the plan.
2 You know, I've sought advice from an attorney on how
3 to word things, you know, for this, but I had to make
4 the other company to rent, you know, the building.

5 And instead of calling it, you know, the
6 business that rents to Arsenal Business Group, you
7 could say it was, you know, and it rents to
8 businesses. From a public perspective, it just makes
9 sense that --

10 COMMISSIONER HARTMANN: Sure.

11 MR. ASHER: -- Arsenal
12 Business Group rents from this property.

13 COMMISSIONER HARTMANN: So
14 this office would be for your business only?

15 MR. ASHER: My business.

16 COMMISSIONER HARTMANN: Thank
17 you.

18 MR. ASHER: Thank you.

19 CHAIRMAN EVANS: Any other
20 questions?

21 (NONE)

22 Now would be the time because this will
23 be the last witness, and we won't be able to ask any
24 additional questions.

25 Before you sit down, Curtis, we have

1 marketing standards, right, for the number of
2 employees?

3 MR. ELLIS: We do.

4 CHAIRMAN EVANS: So that would
5 be determined based on our existing regulations.

6 MR. ELLIS: (Nodding
7 affirmatively.)

8 CHAIRMAN EVANS: And you've
9 agreed that the road would be paved within one year?

10 MR. ASHER: Yes, sir.

11 CHAIRMAN EVANS: Give or take,
12 hours of operation 8:00 to 5:00?

13 MR. ASHER: Yes.

14 CHAIRMAN EVANS: I think the
15 one thing which we always go back to is the number of
16 employees that would be permitted.

17 Are there any other conditions that
18 anyone can think of?

19 COMMISSIONER McLAREN: Well, I
20 think we need to put the condition on here that
21 there's no subletting to somebody else. I think the
22 testimony has been that he doesn't intend to do that,
23 but I think it needs to be very specific that there's
24 no possibility to sublet any of the space to another
25 entity, you know.

1 And that would based on the fact that if
2 the business changed, it doesn't become ability to be
3 sublet to tenants.

4 MR. ASHER: Yes, sir.

5 COMMISSIONER HARTMANN: And,
6 Mr. Chairman.

7 CHAIRMAN EVANS: Yes.

8 COMMISSIONER HARTMANN: Can
9 somebody build more residences on this property right
10 now as it stands?

11 CHAIRMAN EVANS: On his
12 property?

13 COMMISSIONER HARTMANN: Yes.

14 CHAIRMAN EVANS: Yes.

15 MR. ELLIS: Per our County
16 rules, yes.

17 CHAIRMAN EVANS: Per the
18 County rules, is there any --

19 COMMISSIONER HARTMANN: Where
20 I'm going with that is are they going to start
21 building houses for some workers to live there.

22 COMMISSIONER HAIRE: Wouldn't
23 the covenants have a say into that? I don't know how
24 those work. Yes.

25 MS. WEATMAN: Yes, sir.

1 COMMISSIONER HARTMANN: Thank
2 you.

3 CHAIRMAN EVANS: So you really
4 have your hours of operation 8:00 to 5:00. No
5 additional signage. Your parking stands according to
6 the Code. No subletting.

7 Anyone else think of anything that they
8 want to add?

9 COMMISSIONER KLENKE: Are you
10 sure you're okay with 8:00 to 5:00?

11 MR. ASHER: Yes, sir. Our
12 team members, you know, these are regular hours of
13 operations, --

14 COMMISSIONER KLENKE: Yeah.

15 MR. ASHER: -- correct?

16 If somebody is running late and leave at
17 5:30 or if somebody wants to get to work early at
18 7:30 or, you know, they want to get their coffee, you
19 know, I -- if it's recommended to extend them so
20 that, you know, it allows for showing up ready to
21 work at 8:00 a.m., you know, I'm agreeable to that.

22 COMMISSIONER KLENKE: I'm just
23 saying in the normal course of my business, someone
24 commented earlier. You get out there at 5:00 or get
25 there at 8:00, I mean, you've got something going on

1 that needs to be done today because you're not going
2 to be there tomorrow or the next day and you stay
3 there till 6:00 or 6:30.

4 MR. ASHER: I would lean and
5 ask her.

6 COMMISSIONER KLENKE: I'm not
7 trying to recommend. I'm just wanting you to feel
8 comfortable with what you can be successful with.

9 COMMISSIONER HAIRE: Can we
10 cover that by saying normal operating hours? Does
11 that permit some exception?

12 MR. ELLIS: I mean, that's
13 kind of I assume would be, but normal business hours
14 would be normal business hours.

15 COMMISSIONER HAIRE: Yeah.

16 MR. ELLIS: So most of the
17 employees would be coming and going between those
18 times. If there's a few that are outside of that, I
19 mean, that wouldn't violate the condition as far as I
20 know. But yeah, I don't know.

21 CHAIRMAN EVANS: And we're
22 talking Monday through Friday?

23 MR. ASHER: Yes, sir.

24 CHAIRMAN EVANS: Correct?

25 MR. ASHER: Yes, sir.

1 COUNTY ATTORNEY PIONTEK: Mr.
2 Chairman, I have a concern about just saying normal
3 business hours. That's pretty ambiguous. Your
4 normal business hours may be 8:00 to 5:00, but some
5 people might be 11:00 to 7:00 a.m.

6 So I think if you're going to specify a
7 time limit, you need to say 8:00 a.m., 5:00 p.m.,
8 7:00 a.m., 6:00 p.m., something to fit definitive.

9 CHAIRMAN EVANS: Yeah, I would
10 think 8:00 to 5:00 would be normal business hours, if
11 that works for you. When you say you get there at
12 7:00, you leave at 6:00 as long as you don't all get
13 there at 7:00 and leave at 6:00 every day.

14 MR. ASHER: Correct.

15 CHAIRMAN EVANS: So that's...

16 COMMISSIONER McLAREN: Mr.
17 Chairman, I going to disagree with you. If we're
18 going to recognize that -- if we're going to say 7:00
19 to 6:00, we should just say 7:00 to 6:00 and not 8:00
20 to 5:00. Okay. It's okay if you stay a little late
21 in the day, and it's okay if you get a little early
22 here.

23 I really think with the spirit of what
24 we're talking about, we need to be pretty precise
25 here. Then if we want to add an hour at the start or

1 an hour at the end, that's fine, but I think we ought
2 to be precise and not say well this is generally the
3 way we want to see it done, but if it's outside, it's
4 not that big a deal.

5 I don't feel like that's a good
6 situation here.

7 CHAIRMAN EVANS: Yeah, my note
8 just says 8:00 to 5:00 because that's what Mr.
9 Asher...

10 MR. ASHER: Well, if an
11 employee shows up, you know, 7:45 to be ready, would
12 they be in violation?

13 CHAIRMAN EVANS: Oh, no, no.
14 We're talking about, you know, normally everybody has
15 a job. They have a time they're supposed to be there
16 and a time they're supposed to leave, you know, 8:00
17 to 5:00, 7:00 to 6:00. So we're just setting a
18 parameter. If they get there early, they leave a
19 little later...

20 MR. ASHER: I would be fine
21 with either or. If you would like to say 7:00 to
22 6:00 and know that everybody for the most part is
23 going to be there 8:00 to 5:00, and if it's a good
24 idea to allow extra time for people to arrive early
25 and have their cup of coffee or use the rest room, I

1 think that's fine. If it needs to be 8:00 to 5:00,
2 you know, that's the situation, I guess.

3 COMMISSIONER McLAREN: Mr.
4 Chairman, I think it's a much better situation if
5 normal hours for him are 8:00 to 5:00 that we make it
6 7:30 to 5:30 or 7:00 to 6:00 so that we don't have --
7 the last thing we want to do here is make it that
8 everybody tries to hit that parking lot at 7:59. I
9 think that's not in the spirit of what we're trying
10 to accomplish here.

11 CHAIRMAN EVANS: No, I agree.
12 Whatever the Commissioners decide because we're not
13 going to have our code enforcement officer sitting in
14 St. Albans counting cars.

15 COMMISSIONER HARTMANN: No.

16 COMMISSIONER McLAREN: And
17 while we're talking about this, Mr. Chairman, I want
18 to add something on to my comment about not
19 subletting. I really think that we need to specify
20 there can only be one tenant on this property.

21 CHAIRMAN EVANS: Right.

22 COMMISSIONER HARTMANN: I
23 agree.

24 CHAIRMAN EVANS: Totally
25 agree.

1 Any other questions before we begin our
2 discussions?

3 (NONE)

4 COMMISSIONER KLENKE: So did
5 we come up with a number, 75?

6 COMMISSIONER GRUTSCH: Seven
7 to six.

8 COMMISSIONER KLENKE: No, no.
9 I'm talking about number of employees.

10 COMMISSIONER GRUTSCH: Oh,
11 number of employees.

12 CHAIRMAN EVANS: Employees.

13 COMMISSIONER KLENKE: Like
14 Bill said, I mean, we've done that in the past. We
15 need to kind of do that here too.

16 COMMISSIONER GRUTSCH: Given
17 parking spaces, so I think that's true.

18 CHAIRMAN EVANS: And even
19 then, Curtis, I think we don't -- our codes don't
20 require one parking space per person, do they?

21 COMMISSIONER McLAREN: Sir,
22 you have 43 employees now; is that correct?

23 MR. ASHER: Yes, sir.

24 COMMISSIONER McLAREN: And
25 does that count you?

1 MR. ASHER: Yes.

2 COMMISSIONER McLAREN: Okay.

3 So it's a total a 43 employees, and in your wild
4 imagination with the change in the economy and the
5 situations that we're in now, you would expect to
6 grow no more than ten employees a year?

7 MR. ASHER: Yes. I have
8 aspirations to grow my business, but I'll follow the
9 rules. And if we are fortunate enough to grow
10 quicker, we will come back and ask for another
11 conditional use permit or, you know, look for
12 property elsewhere.

13 COMMISSIONER HAIRE: Assuming
14 that lady mentioned there were 75 parking spaces, I
15 think that gives enough room. You know, Mr. Asher
16 said, I think just say 75. If it grows more than
17 that, he's going to come back.

18 CHAIRMAN EVANS: Curtis,
19 again, I mean, what is it, one space per?

20 MR. ELLIS: It's based on
21 square footage.

22 CHAIRMAN EVANS: Square
23 footage. So --

24 MR. ELLIS: I'd have to look
25 up.

1 CHAIRMAN EVANS: Yeah, so you
2 could have say a hundred employees and have 75 spots
3 because you're not asserting that they're going to
4 need every spot will be filled every day.

5 So our regulations are not a
6 one-for-one.

7 Any other questions for Mr. Asher?

8 I guess I'm looking again we're talking
9 the numbers. Any questions you have for him? I
10 mean, we're talking 75. You could say a hundred.
11 You hate to, as I say, hamstring him, but don't want
12 to -- and again if he would exceed whatever number we
13 come up with, he would be required to come back to
14 Planning and Zoning and alter that condition of the
15 Conditional Use Permit.

16 MR. ASHER: Yes.

17 CHAIRMAN EVANS: Any other
18 questions for Mr. Asher before we begin our
19 discussions?

20 (NONE)

21 If not, thank you.

22 MR. ASHER: Thank you. I'm
23 very grateful for your time. Thank you.

24 CHAIRMAN EVANS: And again, I
25 know there's been some comments about presuming and

1 the proper process and appealing our decision and the
2 proper way to do it. The legal opinion that we have
3 that this is appropriate for an additional use
4 permit.

5 So any decision we make has to be based
6 on that. What anyone else said or agrees or doesn't
7 agree with we're bound by the opinion of the County
8 Counsel.

9 Is that correct, Mark?

10 COUNTY ATTORNEY PIONTEK: Yes,
11 sir.

12 CHAIRMAN EVANS: Then we can
13 go ahead and begin discussion while Curtis is looking
14 that up.

15 COMMISSIONER McLAREN: Well, I
16 think we've had pretty significant discussion
17 already. You know, I feel pretty strongly about the
18 comments I made that I want to make sure that the
19 conditional use permit that there is no opportunity
20 to sublet the property and that there can be only one
21 tenant at a time in case he would outgrow the
22 property and somebody else would choose to own it, I
23 would like -- I think he's been very forthcoming with
24 us and, you know, sincerely seems like if I've owned
25 the property for a year by now, it would be awfully

1 hard for me to follow the rules as well as he has and
2 not started to in to having my business there.

3 So I do appreciate that respect that I
4 think that if the -- everybody thinks 75 is
5 appropriate, I'm good with that. I came up with my
6 brain was 83 give him chance to grow for four years
7 and what he thought would be the potential.

8 But I think that we need to stay well
9 south of a hundred.

10 COMMISSIONER VOSS: Didn't
11 they mention there was 106 kids?

12 COMMISSIONER HAIRE: A hundred
13 and sixty.

14 COMMISSIONER HARTMANN: A
15 hundred and sixty.

16 COMMISSIONER VOSS: Hundred
17 and sixty. Well, I think we're being a little
18 conservative then. I think -- it hit me at a hundred
19 with everything we talked about.

20 I tell you what I've seen. I've seen he
21 out to have 7:00 to 6:00. He ought to be able to
22 have a hundred employees. I don't know exactly how
23 the lower lot could be used. I haven't actually been
24 down. I don't know. It looks -- I don't know, but
25 it seems he has the parking.

1 Then why are we wanting to have him come
2 back here in two years for 25 employees when it seems
3 like he has the space?

4 CHAIRMAN EVANS: I guess
5 that's for the Commissioners to decide. Personally I
6 don't have any --

7 COMMISSIONER VOSS: I mean,
8 what I think --

9 CHAIRMAN EVANS: Personally I
10 don't have a problem with 100. I think the figure
11 that scared everyone was 250.

12 COMMISSIONER VOSS: Yeah,
13 we're way down.

14 MR. ELLIS: As far as the
15 parking goes, it's 1.5 spaces per 500 square feet of
16 gross floor area. So I assume that gross area, if
17 you can clarify does that mean the area actually used
18 as an office in the case of this giant building, or
19 would that be based off of the entire square footage
20 of the building?

21 COUNTY ATTORNEY PIONTEK: Give
22 me a minute. Let me take a look.

23 CHAIRMAN EVANS: Not being a
24 mathematician, I'll certainly guess that 100 people
25 would work with 75 spaces.

1 MR. ELLIS: I mean as far as,
2 I mean, according to that, if it was 60,000, the math
3 works out to 120 parking spaces would be required if
4 that was all. I mean, obviously part of it's a gym
5 and not an office. So that's going to take out a
6 huge chunk of that, but if that requirement is based
7 off total square footage and not actual used, that
8 might --

9 COMMISSIONER HAIRE: Then my
10 thought is if that's the case, how does that interact
11 with the covenants that are existing that they have
12 to abide by because there could a conflict.

13 MR. ELLIS: And I don't know
14 the covenants. You know, those are beyond the
15 County's scope. Those are the St. Albans rules.

16 COMMISSIONER HAIRE: Yeah.

17 MR. ELLIS: You know, and
18 basically our parking rules are different depending
19 on the facility and how it's used. You know, a green
20 house and a church have different parking than an
21 office, you know.

22 COMMISSIONER HAIRE: Yeah.

23 CHAIRMAN EVANS: So again, the
24 same thing here would be obviously 75 to 80, but we
25 could go a hundred.

1 Mark?

2 COUNTY ATTORNEY PIONTEK: So
3 the parking regulations, as Curtis said, for general
4 office is 1.5 spaces per 500 square feet of gross
5 floor area. And then the Code defines gross floor
6 area as the total area of a building measured by
7 taking the outside dimensions of the building and
8 each floor level intended for occupancy or storage.

9 So I don't know what the square footage
10 is, but --

11 MR. ELLIS: And I mean,
12 depending on, yeah. We heard several numbers,
13 70,000, 60,000. I looked it up on the Assessor and
14 saw 40, but that might have just been for one floor
15 not including the subbasement.

16 COUNTY ATTORNEY PIONTEK: It
17 just whatever -- I mean, it's just a math
18 computation. Whatever the square footage is, that's
19 what he's got to have.

20 CHAIRMAN EVANS: If there's
21 anything like 40,000 square feet or 500 square feet
22 for 40,000, that would be around 80, something like
23 that?

24 COMMISSIONER GRUTSCH: One and
25 a half?

1 MR. ELLIS: Yeah, and 60,000
2 came up to 120 because that was the number that he
3 thought it was.

4 Yeah, no. We don't have an exact square
5 footage available.

6 COMMISSIONER HAIRE: I don't
7 think we've changed that. So it had to be compliant
8 when the facility was built.

9 MR. ELLIS: But when it was
10 built, it was a school and a school has different --

11 COMMISSIONER HAIRE:
12 Different, you're right.

13 COMMISSIONER McLAREN: I would
14 think for us, it's appropriate to use what the
15 assessor said. The assessor says it's 40,000 square
16 feet, I feel comfortable using 40,000 square feet.

17 MR. ELLIS: So yes, that would
18 drop it down to 80, which they're pretty well there
19 if there's 75 now.

20 COMMISSIONER McLAREN: That's
21 what I'm comfortable with with what we've got going.

22 CHAIRMAN EVANS: If you want
23 to make it 80 or 75 where we know we're safe.

24 COMMISSIONER McLAREN: We've
25 got 75 parking spaces, let's make it 75 employees for

1 right now. That's very simple. And let's do -- I
2 would think that -- and I understand Chairman Voss'
3 opinion too and don't disagree. We want people to be
4 successful.

5 You don't want to tie them up to where
6 they can't be successful, but we're giving the
7 gentleman some opportunity to grow. And I think he
8 would have the opportunity to come back if he proves
9 himself to be the corporate entity that he seems to
10 be. I think there ought to be an opportunity to come
11 back.

12 So I would open with the 75 on
13 occupancy. I would hope that we would put hours of
14 operations from 7:30 to 6:00 that you would expect
15 people to be off site by 6:00, and I truly want to
16 make sure that we've got the fact that this cannot be
17 sublet, and there would only be one commercial tenant
18 there.

19 CHAIRMAN EVANS: Any other
20 discussion?

21 COMMISSIONER HARTMANN: Put in
22 there Monday through Friday.

23 COMMISSIONER HAIRE: Yeah,
24 Monday through Friday.

25 CHAIRMAN EVANS: So the

1 conditions we would be looking at: 7:00 to 6:00 or
2 7:30 to 6:00? Consensus?

3 COMMISSIONER KLENKE: Seven.

4 CHAIRMAN EVANS: Seven?

5 COMMISSIONER KLENKE: Seven.

6 I'm not a morning person. Somebody said 7:30, so...

7 COMMISSIONER MITTLER: Seven

8 to six sounds great.

9 CHAIRMAN EVANS: Seven to six.

10 No subletting. Any floor space?

11 COMMISSIONER KLENKE: One

12 tenant.

13 CHAIRMAN EVANS: Business

14 going by the applicant, 75 employees, and I don't

15 know if we wanted it two words, paving of the road

16 from T to --

17 COMMISSIONER GRUTSCH: Highway

18 T to the parking lot.

19 CHAIRMAN EVANS: Paving

20 Highway T to the front parking lot.

21 MS. HOLDMEIER: Are we

22 referring to School House Road then that you're

23 talking about?

24 COMMISSIONER GRUTSCH: No,

25 it's the private entrance.

1 MS. HOLDMEIER: The private
2 entrance?

3 CHAIRMAN EVANS: Yeah.

4 COMMISSIONER GRUTSCH: Off of
5 Highway T.

6 CHAIRMAN EVANS: Probably we
7 ought to throw in there no additional signage.
8 Curtis?

9 MR. ELLIS: They stated -- I
10 mean, they have -- they put up monuments now, and he
11 said he was going to make no additional changes to
12 that.

13 CHAIRMAN EVANS: Okay. But I
14 think we ought to include that in there so we don't
15 want --

16 MR. ELLIS: Well, I think the
17 St. Albans rules would deal with that.

18 CHAIRMAN EVANS: Okay.

19 Any other conditions? We've covered
20 hours, number of people.

21 COMMISSIONER McLAREN: And 1
22 and 2 would stay on here for sure that any buildings
23 used need to be approved by the Building Department.

24 CHAIRMAN EVANS: Yes, that's
25 automatic as would the entrance for MoDOT. We don't

1 have to follow that. That's just mandatory things.
2 The office will take care of that.

3 Any additional conditions anyone can
4 think of? We covered the number of people, when they
5 can work, where they can park, how they can get
6 there.

7 COMMISSIONER HAIRE: That's
8 defined by the parking.

9 CHAIRMAN EVANS: Pardon me?

10 COMMISSIONER HAIRE: That's
11 defined by where the parking is now.

12 CHAIRMAN EVANS: If there is
13 no further discussion, the Chair would entertain a
14 motion to move this to Unfinished Business.

15 COMMISSIONER HAIRE: I will
16 move that we take File 220256 to Unfinished Business.

17 COMMISSIONER MITTLER: I would
18 second that.

19 CHAIRMAN EVANS: We have a
20 motion and a second to move File 220256 to Unfinished
21 Business. All in favor signify by saying aye.

22 COMMISSIONER VOSS: Aye.

23 COMMISSIONER McLAREN: Aye.

24 COMMISSIONER GRUTSCH: Aye.

25 CHAIRMAN EVANS: Aye.

1 COMMISSIONER KLENKE: Aye.

2 COMMISSIONER HAIRE: Aye.

3 COMMISSIONER MITTLER: Aye.

4 COMMISSIONER LARAMORE: Aye.

5 COMMISSIONER HARTMANN: Aye.

6 CHAIRMAN EVANS: Opposed?

7 (NONE)

8 The motion is carried.

9 Moving on to File 230094, Donna Long.

10 Curtis, give us the details.

11 MR. ELLIS: All right.

12 Another Conditional Use Permit.

13 The applicant requests to obtain a
14 Special Occasion Permit in the W Zoning District.

15 The property is located at 925 Westlake
16 Manor Drive, approximately .5 miles south of the
17 intersection of Highway UU and Massey Ford Road in
18 Central Township.

19 THE FACTS: The total area for the
20 Conditional Use Permit is approximately 49.2 acres.

21 The zoning of this property is W. In
22 the W Zoning District, a Special Occasion Permit with
23 outdoor activity requires a Conditional Use Permit.

24 The property around the proposed site
25 are also in the W Zoning District.

1 This property is surrounded primarily by
2 low-density. Low-density is equal to or less than
3 one dwelling per unit per 40,000 square feet.

4 This property has access to Highway UU,
5 which is a State-maintained road.

6 According to the Assessor's records,
7 there appears to be one home on the property.

8 The applicant plans to rent out space
9 for weddings, parties, celebrations of life, baby
10 showers, et cetera.

11 According to the site plan, the
12 applicant plans to use a tent for the events.

13 STAFF COMMENTS: Any buildings used or
14 built in connection with this CUP will need to be
15 approved by the Franklin County Building Department
16 for a commercial building.

17 If no buildings are built, and the
18 applicant plans to use tents for the event, a
19 commercial building permit will be needed for each
20 event.

21 All conditions shall be completed within
22 one year of approval, unless otherwise stated.
23 Failure to meet all conditions may result in the
24 application expiring.

25 All new and/or existing entrances onto

1 Highway UU will need to be examined by MoDOT for a
2 commercial entrance. Planning and Zoning shall
3 receive a copy of the permit prior to the applicant
4 commencing any activities on the property.

5 Parking and parking surface shall be
6 provided in accordance with the Franklin County Land
7 Use Regulations.

8 No hours of operation have been
9 submitted.

10 The applicant did not mention the
11 maximum number of guests.

12 CHAIRMAN EVANS: Thank you.

13 Is the applicant present?

14 If you would come forward. State your
15 and address and sign in, please.

16 MS. DONNA LONG: Hi, my name
17 is Donna Hall. My address is 203 Hickory Hill Road,
18 Washington, Missouri 63090.

19 (THEREUPON, THE WITNESS WAS
20 SWORN.)

21 CHAIRMAN EVANS: Will you
22 please tell us what you're proposing.

23 MS. LONG: So I have been
24 running my personal home as a vacation rental since
25 2009, and my son, Fred Long, owns Sunset Bluffs.

1 He has since sold Sunset Bluffs, and I
2 ran probably a hundred weddings there, and he had
3 overall 400 plus weddings there.

4 So I decided since he has left town,
5 that it's time for Mom to turn, you know, the
6 original home into a wedding venue.

7 But like I said, I've had vacationers
8 come from all over the world to my home for the past
9 14 years. And the home I just bought, 203 Hickory
10 Hill, is next to Sunset Bluffs. So I'd do that with
11 that one also. And then I've got four villas in
12 Eureka.

13 So what I plan to do is have weddings,
14 like I said, and baby showers, and then to be quite
15 frank and honest, a few weddings have snuck in there
16 without my knowledge like they have a wedding there,
17 and I noticed that it was stuffing my closet that
18 they just snuck in there.

19 So I didn't get paid for that. So I
20 thought well, maybe have weddings there.

21 CHAIRMAN EVANS: Now, the
22 venue you use would be a tent?

23 MS. LONG: Yes. I do have a
24 question because my son had a tent at Sunset Bluffs,
25 and I would prefer, if I'm going to put money into

1 it, I'd rather have, you know, like nice pillars that
2 are rocked on the bottom and cedar and like a real
3 roof because I do a lot of this on my own, and I'm
4 not going to get up -- I'm 59 years old. I'm not
5 going to get up and take that tent off, you know, in
6 the wintertime like he did.

7 And not only that, I am surrounded. If
8 you look at the property, there are trees that
9 surround there. And so if I -- if there's a windy
10 day and it's, you know, people are underneath the
11 tent, it's not going to be real structurally sound
12 if, you know, like a storm comes up.

13 CHAIRMAN EVANS: And really as
14 far as the tent goes, you could say tent rather than
15 a permanent building. But that would be the purview
16 of the Building Department because you would have to
17 get a --

18 MS. LONG: Right.

19 CHAIRMAN EVANS: -- building
20 permit. So we would -- we could give you permission,
21 but we can't tell you what --

22 MS. LONG:

23 CHAIRMAN EVANS: Okay. -- to
24 do as far as the tent.

25 MS. LONG: Right.

1 From my understanding the difference is if it gets so
2 big you have to have a sprinkler if it's a building
3 like a pavilion, I guess.

4 CHAIRMAN EVANS: Right,
5 depending on the tent, you may have to get a building
6 permit for a wedding, something like that. But
7 that's the Building Department.

8 MS. LONG: Okay.

9 CHAIRMAN EVANS: We can let
10 you build a tent.

11 MS. LONG: Okay.

12 CHAIRMAN EVANS: We can't tell
13 you what it has to look like.

14 MS. LONG: Okay.

15 CHAIRMAN EVANS: Now in
16 looking at your property, going down to you, is a
17 one-lane asphalt road?

18 MS. LONG: Nine -- I'd say
19 nine foot wide.

20 CHAIRMAN EVANS: Okay. That
21 goes back to the middle of the property by the lake,
22 and that's where you would have the venue?

23 MS. LONG: Yes.

24 CHAIRMAN EVANS: Okay.

25 MS. LONG: And the parking

1 spaces would be -- and I don't think you can see it
2 because that's in the way. The white card, but if
3 you come down the driveway. Okay. So if you come
4 down the driveway, you'll see it's wooded, and you go
5 across like a big culvert. And the parking -- yes,
6 that's a fact. Yeah.

7 So the parking would be -- I would have
8 to remove trees, but I don't want to remove all the
9 trees. I may have trees in the parking area, and so
10 you wouldn't be able to see the parking lot from
11 Highway UU because there's still plenty of trees to
12 cover that.

13 COMMISSIONER GRUTSCH: I have
14 a question. On your road coming in, you say it's
15 nine -- nine or ten feet wide?

16 MS. LONG: Oh, it has to be
17 widened.

18 COMMISSIONER GRUTSCH: Oh. Is
19 there a deep ditch on either side? So if for some
20 reason, if you had cars coming out and an ambulance
21 has to get in, will somebody be able to get off on
22 the shoulder?

23 MS. LONG: Oh, sure. Oh, yes.
24 Uh-huh.

25 CHAIRMAN EVANS: Yeah, when I

1 went out to look at it, it's all flat and there's no
2 ditch or anything.

3 I also did wonder back off the road,
4 but...

5 MS. LONG: Yeah.

6 CHAIRMAN EVANS: Number of
7 guests you'd be looking for?

8 MS. LONG: Two hundred or
9 less.

10 CHAIRMAN EVANS: Okay, maximum
11 200.

12 And again, Curtis, we have parking
13 regulations for that, right?

14 MR. ELLIS: Yeah, I'm sure we
15 do. I'll have to look and see which one that falls
16 under.

17 CHAIRMAN EVANS: Okay. Yeah,
18 again, just I didn't know if that -- it shouldn't
19 have to be paved, but does it have to be gravel or...

20 And you're also looking at weddings, so
21 I hate to say hours of operation, but...

22 MS. LONG: Well, at his, they
23 would come at 11:00 -- well, 10:00 or 11:00 in the
24 morning and then leave at 10:00 or 11:00 at night.

25 So some will be at night, but they're

1 going to spend the night because I have the home
2 there.

3 So the grooms will get ready up in the
4 -- what I call a shed, but it's like a game room up
5 there. There's a pool table, stuff that guys always
6 like.

7 And then the brides will get ready in
8 the house, and then of course, as many as 10 or 15
9 could sleep overnight.

10 CHAIRMAN EVANS: All right.
11 So we would call it -- I guess we would call the
12 event though. Whether it be a corporate event,
13 wedding or whatever, --

14 MS. LONG: Right.

15 CHAIRMAN EVANS: -- would say
16 10:00 in the morning to 11:00 at night --

17 MS. LONG: Uh-huh.

18 CHAIRMAN EVANS: -- some at
19 11:00 at night. Music, lights, everything would
20 cease?

21 MS. LONG: Right.

22 CHAIRMAN EVANS: Two hundred
23 guests.

24 COMMISSIONER GRUTSCH: Mr.
25 Chairman, on page 12.6, it says Special Occasions,

1 one space per two people. So 200 would need 100
2 spaces.

3 MS. LONG: Okay.

4 CHAIRMAN EVANS: Okay. Does
5 it say what kind does it have to be, gravel or?

6 COMMISSIONER GRUTSCH: I've
7 run into these where it does need to be at least
8 rocked.

9 MS. LONG: Rocked, okay.

10 COMMISSIONER GRUTSCH: It
11 doesn't need to be paved, but it does need to be
12 rocked for special occasion.

13 MS. LONG: Okay.

14 COMMISSIONER McLAREN: Mr.
15 Chairman, so I specifically remember when your son
16 came to turn that old quarry into Sunset Bluffs, and
17 he started out with an idea of the tent. Then he
18 went to a permanent building, I think.

19 One of his statements at that time and
20 one of the things that we've looked at in another
21 wedding venues down close to St. Clair or Mozel (ph),
22 whatever, it's an outdoor venue, kind of the same as
23 what you're suggesting.

24 You're asking for all 49.2 acres to be
25 able to have this -- you're not -- when we first did

1 the event for Lost Valley, it varied. They had, I
2 don't remember, 150 or 200 acres. We specifically
3 gave them a certain amount of acres that the special
4 use permit was for.

5 Then they came back and said they had
6 been doing fall festivals and some stuff, so they
7 asked for a second CUP that covers more acres.

8 You are right now asking to cover all 49
9 acres? Not CUP, I'm sorry, a special -- I'm stuck on
10 the last case, the last file.

11 MS. LONG: Okay.

12 COMMISSIONER McLAREN: You are
13 asking all 49 acres to be underneath this?

14 MS. LONG: Well, they have to
15 drive in. As far as where are they going to
16 congregate, like be on the property; is that what
17 you're saying?

18 COMMISSIONER McLAREN: What
19 I'm asking is --

20 CHAIRMAN EVANS: No, what he's
21 saying is you have 49.2 acres. You could put that
22 tent 10 feet off of UU.

23 COMMISSIONER McLAREN: I'm
24 asking if you could put --

25 MS. LONG: Oh, no. No, no,

1 no. I don't -- if you look at the property when you
2 come down the driveway, I want nothing in those.
3 There's four, let's say, grassy areas on either side
4 of the road. One, two, then there's a treeline,
5 three, four.

6 I don't see anything coming down my
7 driveway. I like it that way.

8 Now in the park area --

9 COMMISSIONER McLAREN: But the
10 way it is, we're giving you the special use for that
11 kind of property.

12 MS. LONG: Okay.

13 COMMISSIONER McLAREN: So --

14 MS. LONG: I'm going to put
15 the tent right next to the building. When you have
16 weddings like this on acreage, let's say, the day
17 goes by very fast for the bride and groom.

18 If you have it -- if you have the tent
19 too far away, it would not work. It would not be
20 good because their day is just super fast anyway.

21 You want everything as close together as
22 possible. So you want the --

23 CHAIRMAN EVANS: I think we
24 understand, but what Commissioner McLaren is saying
25 it's 49.2 acres is the way you've requested it.

1 So --

2 MS. LONG: I didn't know.

3 CHAIRMAN EVANS: -- if you
4 would like to somehow change that --

5 COMMISSIONER McLAREN: I don't
6 think I have the ability to do that. I can't do
7 that. I'm just asking for clarification if that's
8 what she --

9 CHAIRMAN EVANS: You're
10 correct. You think she's asking -- you could have
11 put anywhere on that 49 acres is the way you've
12 requested it.

13 MS. LONG: Oh, I'm sorry. I
14 misunderstood.

15 COMMISSIONER McLAREN: So Lost
16 Hills have been -- there's been no issues at all with
17 Lost Hills. They've come back and asked for stuff
18 whenever they did one for -- when they did the
19 eclipse. They had an eclipse party out there, but
20 they came back and said we're going to do this.

21 I'm asking if you're thinking there's
22 any potential to do anything more than have weddings
23 of 200 people when you're getting all 49 acres.

24 MS. LONG: Oh, like am I going
25 to have like huge parties like events, like --

1 COMMISSIONER McLAREN: Yes.
2 Yes, ma'am.

3 MS. LONG: -- like rock and
4 roll and having a thousand people there?

5 COMMISSIONER McLAREN: Yes,
6 ma'am. That's really what I'm asking about.

7 MS. LONG: No. No. Too much
8 liability. No.

9 CHAIRMAN EVANS: Is there any
10 way to quantify what you're really looking for,
11 like --

12 MS. LONG: Well, if you can
13 tell me what the acres are, they're going to be
14 around where the home is, the building, to the left
15 of the building and where they will probably get
16 married, because I'll give them two choices, it'll be
17 closest to the lake where the driveway is. So
18 closest to the lake. I've cleared out property
19 there.

20 But I would prefer having the weddings
21 down -- if you look at the lake, the lake is shaped
22 like the state of Florida. So where the house sits,
23 that's kind of the redneck riviera. Come straight
24 down when you see that pink.

25 There's a little park area there.

1 That's where I think is the best place to the have
2 the ceremony, and then walk back up the driveway to
3 the tent.

4 So they would be walking back up the
5 driveway. The parking lot would be on the left. The
6 tent would be right next to that.

7 So my neighbors wouldn't see the tent.
8 You wouldn't see the tent from Highway UU. I don't
9 want to broadcast that that's what I'm doing down
10 there.

11 CHAIRMAN EVANS: I think what
12 we're looking for is how to quantify that. Within
13 five acres of the existing building or...

14 MS. LONG: Well, I would say
15 -- I'm not saying --

16 COMMISSIONER GRUTSCH: Within
17 200 feet of the lake?

18 MS. LONG: Sure.

19 COMMISSIONER GRUTSCH: And
20 that will give you a real wide paremeter all the way
21 around there.

22 MS. LONG: Right.

23 COMMISSIONER GRUTSCH: And
24 that's where you're parking, that's where your tent
25 and everything else?

1 MS. LONG: Yeah, if you can
2 fit that many parking spots in 200 feet of the lake,
3 then that'd be fine.

4 COMMISSIONER McLAREN: Okay.
5 A couple of other things that both Lost Hill and your
6 son came and spoke to us about was, when you're doing
7 more of a rustic wedding, and I understand that
8 Sunset Hills was -- or Sunset Bluffs was not a rustic
9 wedding when it was finished.

10 But you know, they both -- both places
11 were worried about what they were going to do for
12 bathrooms. Both times we were worried about what you
13 were going to do for bathrooms and what was going to
14 -- not you. I'm sorry. I'm having trouble here.

15 What the facility was going to have for
16 bathrooms, and what there was going to be for
17 lighting to keep it safe.

18 MS. LONG: Well, for
19 lighting --

20 COMMISSIONER McLAREN: You
21 know, I --

22 MS. LONG: What I have an idea
23 for lighting because it -- yeah, that Sunset Bluffs
24 was very dark in the parking lot. I'll give it that.
25 But I plan on leaving trees in the parking lot, and

1 then just stringing up those lights with lightbulbs
2 through the trees or wrapping the trees because that
3 would be plenty of light there.

4 COMMISSIONER McLAREN: Okay.

5 MS. LONG: Does that make
6 sense, because I've had light -- you know the strings
7 with lightbulbs?

8 COMMISSIONER McLAREN: Uh-huh.

9 MS. LONG: Yeah, I've had that
10 from the house to where I have a walkway that goes
11 down to the pool area, and I've done that.

12 COMMISSIONER HAIRE: So you're
13 just going to do the pathway?

14 MS. LONG: Well, I --

15 COMMISSIONER HAIRE: You're
16 just going to light the pathway?

17 MS. LONG: Well, no, it'll be
18 lighting the parking lot because how -- the idea of
19 what I have in the parking lot is to have trees like
20 in a square area, and then, you know, they could
21 park. Another tree where so you can wrap it or just
22 wrap the trees themselves.

23 I mean, there'll be electric out there
24 by the tree because you're not going to get any
25 sunlight. I don't want it to be, you know, like a

1 bare parking lot like my son had. I just want it to
2 be kind of nice.

3 You think cleared out is what you're
4 talking about?

5 COMMISSIONER McLAREN: No, I
6 don't think that at all.

7 COMMISSIONER HAIRE: Probably
8 for a hundred spaces, that would be difficult I think
9 to do it the way you're talking about, but...

10 MS. LONG: Uh-huh.

11 COMMISSIONER HAIRE: We're
12 just trying to figure out how you want to configure
13 it.

14 MS. LONG: Well, if you see the
15 -- if you've seen where it was at, my -- because you
16 would know what I'm thinking I guess, if that makes
17 sense.

18 So what you're telling me is you'd
19 rather have like big poles with lights on them?

20 COMMISSIONER McLAREN: No,
21 ma'am. What I'm telling you I'd rather have is you
22 would have had a drawing and said this is what I'm
23 going to do.

24 MS. LONG: Well, I'm kind of
25 fly by the seat of my pants, but I do very well doing

1 that. I mean, I want it to be nice. I don't want it
2 to be a not nice wedding venue. I want to make
3 money. I want to retire in three years.

4 I know what he made. I'm not going to
5 get close to that because my place isn't going to
6 handle 300 people. I don't want it to, you know, but
7 I want to have enough money to make it really nice.

8 I mean, you're welcome to come out and
9 see the excavation. I've already excavated for where
10 the tent's going to go. You'd kind of get a better
11 idea if you came out and looked at it.

12 CHAIRMAN EVANS: But so what
13 we're really talking about still all activities
14 within 200 feet of the lake, 200 guests and a maximum
15 events from 10:00 a.m. to 11:00 p.m., and weekends
16 only?

17 MS. LONG: Weekends only,
18 Friday, Saturday and Sunday, because I still plan on
19 running it as a vacation home.

20 Like in the summertime, it books solid,
21 but if I can maximum my profits for four, five or six
22 times before Friday, Saturday and Sunday, that'd be a
23 good thing.

24 CHAIRMAN EVANS: But you would
25 be running it as a rental property and not -- you

1 wouldn't a special event?

2 MS. LONG: No, during the
3 week, it rents out as a vacation home.

4 CHAIRMAN EVANS: Right.

5 MS. LONG: Then on the
6 weekends --

7 CHAIRMAN EVANS: Yeah, but it
8 wouldn't be an event with lots of people; it would be
9 families, things like that or rent during the week?

10 MS. LONG: Well, it's been a
11 vacation rental for 14 years now.

12 CHAIRMAN EVANS: Right.

13 MS. LONG: Right.

14 CHAIRMAN EVANS: Vacation
15 rental?

16 MS. LONG: Right.

17 CHAIRMAN EVANS: Not a special
18 event --

19 MS. LONG: Correct.

20 CHAIRMAN EVANS: -- with 200
21 people.

22 MS. LONG: Right.

23 CHAIRMAN EVANS: Okay. So
24 you're going with Friday, Saturday and Sunday?

25 MS. LONG: Correct.

1 CHAIRMAN EVANS: Okay. Any
2 other?

3 COMMISSIONER HAIRE: Are you
4 going to have like doing the parking lot and all
5 that, are you going to hire that out by a contractor
6 or someone to do that work for you?

7 MS. LONG: To do the
8 excavating, yes.

9 COMMISSIONER HAIRE: Yeah.

10 MS. LONG: Well, actually my
11 son's coming back, and if I get the approval, he's
12 coming back to pick up the truck. So he'll be there
13 for two days to start the excavating. And then he'll
14 leave me with the mess, and I'll have somebody else
15 finish it. But he'll do the beginning of it.

16 COMMISSIONER HAIRE: Well, I
17 would like to see a simple preliminary drawing. It
18 doesn't have to be an engineered drawing, just to
19 kind of understand where all this is going to go and
20 how it's going to be kind of laid out a little bit
21 more than what we have on this particular document.

22 MS. LONG: I can get that for
23 you because I have a lady that's going to -- well,
24 that's an engineer that was recommended by Mence, who
25 is going to do the concrete foundation wall with the

1 wing walls coming out.

2 But I was waiting to come here to see if
3 I get the approval to give her the okay to start
4 that. So I can have her draw the parking lot also.

5 COMMISSIONER McLAREN: Where's
6 a wing wall going to be?

7 MS. LONG: Where my son
8 started doing the excavating and took down the trees
9 next to the building.

10 COMMISSIONER McLAREN: That's
11 where the tent's going to be?

12 MS. LONG: Yes.

13 COMMISSIONER McLAREN: Okay.

14 MS. LONG: Yes. So he's
15 already excavated it for it. So now I need to --
16 well, I called up Mence, and they told me I had to
17 have a drawing for that for the County.

18 So I called her up, who they
19 recommended, because I guess the foundations wall
20 will be seven foot underground with wing walls on
21 either side.

22 CHAIRMAN EVANS: So basically
23 again, not to be redundant, we have all activities
24 200 feet of the lake; 200 guests maximum; 10:00 a.m.
25 to 11:00 p.m., Friday, Saturday, Sunday; and then

1 also noted that a letter from Union Fire Protection
2 District is required.

3 And, Curtis, that's all that she would
4 need on that letter from them, because I know that --

5 MR. ELLIS: We actually have
6 some contact from them, but it sounded like they
7 wanted to talk to you to work out the details, and we
8 didn't get any of that.

9 MS. HOLDMEIER: And I
10 forwarded that to you the day we received it on the
11 e-mail you provided on the application.

12 MS. LONG: Today?

13 MS. HOLDMEIER: No, whenever
14 we received that from the Fire District, which was on
15 March 29th.

16 MS. LONG: Okay. I missed
17 that.

18 MS. HOLDMEIER: Yeah, March
19 29th at 12:48 I sent it to you.

20 MS. LONG: Okay.

21 CHAIRMAN EVANS: Which is why
22 we want you to include that because we have that
23 correspondence.

24 MS. LONG: Okay.

25 CHAIRMAN EVANS: And they want

1 to talk to you.

2 MS. LONG: No, I didn't see
3 that.

4 COMMISSIONER McLAREN: Mr.
5 Chairman, I don't want to put any undue burdens on
6 her, but I think that it needs to be at least passing
7 lanes involved in the road. You know, I think when
8 you have 200 people that come in and they come in a
9 hundred cars, they've never been there before and
10 when they're leaving when it's dark and have a fire
11 truck or ambulance come in, there needs to at least
12 be pull-offs in the plan for places that cars can
13 meet and pass.

14 I really think it needs to be a two-lane
15 road.

16 COMMISSIONER GRUTSCH: I
17 implied to them that a couple of eyebrows should
18 suffice.

19 COMMISSIONER McLAREN: I think
20 that's -- I don't know how long the road is. So it's
21 going to depend on how long the roadway is whether a
22 couple would suffice or whether four suffice.

23 You know, you're the highway engineer.
24 You know better than I do, but I know what it's like
25 to have a lot of people in a place --

1 COMMISSIONER GRUTSCH: In
2 subdivisions, we require eyebrows. Planning has
3 eyebrows every 600 feet.

4 MR. ELLIS: If it's roads over
5 a certain length with no other access, you know --

6 COMMISSIONER McLAREN: But
7 what is the width of that subdivision road?

8 COMMISSIONER GRUTSCH: That's
9 a two-lane road.

10 MR. ELLIS: The easement is
11 wide, but the physical pavement isn't necessarily
12 wider or correct. They don't necessarily ever even
13 build the eyebrow, you know.

14 COMMISSIONER McLAREN: But
15 what is it -- I mean, is it a two-lane road in a
16 subdivision?

17 COMMISSIONER GRUTSCH: Yes.

18 COMMISSIONER McLAREN: You
19 know, so if you're a two-lane road in a subdivision
20 and that would be five or six lots, you would have to
21 expect to have a dozen cars. You know, how you're
22 expecting to have a hundred cars in a timeframe that
23 is tough.

24 And I understand. I understand this
25 business very well.

1 MS. LONG: Oh, I know you do.

2 CHAIRMAN EVANS: And I will
3 say after looking at this it's nine feet asphalt,
4 flat field, you know, obviously where you can pull
5 off.

6 COMMISSIONER McLAREN: Yeah.
7 I'm not saying it needs to be asphalt, but I think it
8 needs to have gravel shoulders or something on it to
9 where there's room for cars to pass.

10 CHAIRMAN EVANS: Okay. Well,
11 how do you want to stipulate that as a condition if
12 we were to include it?

13 COMMISSIONER GRUTSCH: If you
14 want it to where two automobiles or an automobile and
15 a pickup truck could pass or an ambulance, you'd have
16 a seven-foot driving lane and another eight-foot
17 driving lane.

18 So if you have 15 foot of surface, it
19 doesn't have to be paved because everybody is going
20 to down the paved portion, which is commonly drawn.

21 But in an emergency, you do need that
22 additional six or seven feet of rock to where
23 somebody can pull of and in case you have a
24 three-inch rain and everything is just soaking wet,
25 you don't want everybody to get hung up and stuff.

1 CHAIRMAN EVANS: All the way
2 down from UU?

3 COMMISSIONER GRUTSCH: Yeah,
4 yeah.

5 COMMISSIONER HAIRE: Yeah.

6 CHAIRMAN EVANS: Okay. So we
7 can stipulate. That's a long -- so we could put if
8 you want to stipulate that --

9 COMMISSIONER GRUTSCH: Minimum
10 of 15-foot width.

11 CHAIRMAN EVANS: Minimally
12 15-foot width.

13 COMMISSIONER McLAREN: So I'm
14 not aware of that I have two under staff comments.
15 Is that correct, that every time she would have an
16 event, she would have to have a building permit if
17 it's a tent?

18 CHAIRMAN EVANS: If it's a
19 tent.

20 MS. HOLDMEIER: Yes.

21 COMMISSIONER GRUTSCH: That's
22 what the Building Department is going to want if it's
23 a tent that you erect from the ground up. If it's a
24 structure that you build, it's one permit, and it's
25 good forever.

1 MS. LONG: So my son had a
2 tent that was permanent in concrete, and that's what
3 it --

4 COMMISSIONER GRUTSCH: But if
5 you take that tent down, then you have to get a new
6 permit.

7 MS. LONG: No, you don't take
8 it down.

9 COMMISSIONER GRUTSCH: Okay.

10 MS. LONG: You take just the
11 top of the --

12 COMMISSIONER GRUTSCH: The
13 canvas off?

14 MS. LONG: The canvas off,
15 yeah.

16 COMMISSIONER HAIRE: So you're
17 going to do it like Bret had at his other place then?

18 MS. LONG: Correct.

19 CHAIRMAN EVANS: It's up to
20 the Building Department --

21 MS. LONG: Right.

22 CHAIRMAN EVANS: -- depending
23 on, as I say, we can tell you can build a tent. They
24 can tell you what it has to look like.

25 MS. LONG: Okay.

1 COMMISSIONER GRUTSCH: If the
2 framework stays, you only need that one time.

3 MS. LONG: Correct. Yeah,
4 okay.

5 COMMISSIONER McLAREN: Well, I
6 think we need clarification on our part for this
7 because the way I read it, that's not the way I read
8 it. I think it would be a terrible thing if you had
9 three events and you had to have three inspections.

10 CHAIRMAN EVANS: That's not up
11 to us.

12 COMMISSIONER McLAREN: Well,
13 that's the way this reads though in staff comments to
14 me.

15 MS. HOLDMEIER: I believe that
16 was put in there because it wasn't -- it was told to
17 Scottie that it was going to be tents. So she made
18 sure to include it.

19 COMMISSIONER McLAREN: Okay.

20 MS. HOLDMEIER: It wasn't, I
21 don't think, specified to that standard.

22 COMMISSIONER McLAREN: Okay.

23 CHAIRMAN EVANS: We have all
24 activities within 200 feet of the lake; 200 guests
25 maximum; 10:00 a.m. to 11:00 p.m., Friday, Saturday,

1 Sunday; confirming correspondence from Union Fire
2 District; and 15-foot roadway.

3 So just leave it at that.

4 COMMISSIONER McLAREN: The
5 last thing is bathrooms.

6 CHAIRMAN EVANS: That's Health
7 Department, isn't it?

8 COMMISSIONER McLAREN: When we
9 did Lost Valley, we talked about that, and when
10 Frederick came, you know, he bought and made a point
11 of telling us that he bought a portable
12 air-conditioned facility that he put out there.
13 That's -- I think you can go back and read the
14 testimony. I think that's the way it was.

15 MS. LONG: What did he do?

16 COMMISSIONER McLAREN: Had a
17 bathroom that was in a portable trailer.

18 MS. LONG: Oh, that was Ritzy
19 Rest Rooms. So --

20 COMMISSIONER McLAREN: Well,
21 whatever.

22 MS. LONG: He purchased that
23 because his mother, me, told him that I heard there
24 was a Ritzy Rest Room but not a -- rest room at a
25 place and they charge \$2,500 for the rest room.

1 I'm going, Fred, you're in the wrong
2 business. You could get one of these rest rooms and,
3 you know, buy it. So he bought one of those Ritzy
4 rest rooms, and before he constructed his outdoor
5 rest rooms that were in a building, he used that for,
6 I don't know how long, but he paid 40 -- I don't
7 know, \$40,000 for that Ritzy rest room.

8 CHAIRMAN EVANS: Okay. What
9 do you want to include as far as rest rooms then?

10 MS. LONG: Good question.

11 That's what I was going to think of
12 doing, was using that or if -- whichever one is less
13 expensive. So if I did that, that'd be great.
14 Unless, otherwise, I'm going to have to redo my
15 piping because my piping goes from my building at the
16 house all the way back behind the dam. And then --

17 CHAIRMAN EVANS: Well, we just
18 know in the conditions what specifically to put down
19 here.

20 MS. LONG: I guess I'll go
21 with the Ritzy Rest Rooms, go with the portable rest
22 rooms for now because I don't know what it's going to
23 cost me to do the other rest rooms, the permanent
24 rest rooms.

25 CHAIRMAN EVANS: That's rather

1 generic, but --

2 COMMISSIONER GRUTSCH: Could
3 you put in there, instead of that, then sanitary
4 facilities to comply with Building and Health
5 Department for up to 200?

6 COMMISSIONER HAIRE: I think
7 that would be --

8 MS. LONG: Thank you.

9 CHAIRMAN EVANS: Okay.
10 Without repeating the other four conditions, again,
11 we would add sanitary facilities to accommodate 200
12 people. And again, Curtis, you got this, all
13 activities within 200 feet of the lake; 200 guests
14 maximum; 11:00 a.m. to 10:00 p.m., Friday, Saturday,
15 Sunday; correspondence from the Union Fire
16 Department; roadway 15-foot width; and now sanitary
17 facilities to accommodate 200 people.

18 Anything else?

19 (NONE)

20 All right. Thank you.

21 MS. LONG: Thank you.

22 CHAIRMAN EVANS: Anyone else
23 wishing to speak in favor of this CUP.

24 (NONE)

25 Anyone present wishing to speak in

1 opposition?

2 (NONE)

3 If not, the Chair would entertain a
4 motion this to Unfinished Business.

5 COMMISSIONER McLAREN: Could
6 we read the conditions back one more time.

7 MR. ELLIS: All activities --

8 COMMISSIONER McLAREN: Well,
9 even the conditions about MoDOT all that once again,
10 correct.

11 MR. ELLIS: Right.

12 CHAIRMAN EVANS: And those
13 conditions aren't necessarily conditions. They're
14 just requirements that they take care of themselves.

15 Is that right, Curtis?

16 MR. ELLIS: Yeah. The staff
17 comments aren't conditions. They're things that --

18 CHAIRMAN EVANS: That have to
19 be done.

20 COMMISSIONER McLAREN: Are
21 academic.

22 MR. ELLIS: Yes.

23 COMMISSIONER McLAREN: All
24 right.

25 CHAIRMAN EVANS: So to

1 conditions we have: All activities within 200 feet
2 of the lake; 200 guests maximum; operating hours
3 10:00 a.m. to 11:00 p.m., Friday, Saturday, Sunday; a
4 letter from Union Fire Department; roadway of 15
5 feet; and sanitary facilities to accommodate 200
6 people.

7 If there is nothing else to add, the
8 Chair would entertain a motion to move this to
9 Unfinished Business.

10 COMMISSIONER GRUTSCH: Mr.
11 Chairman, I'd like to make a motion to move File
12 230094 to Old Business.

13 COMMISSIONER KLENKE: Second.

14 CHAIRMAN EVANS: We have a
15 motion and a second to move File 230094 to Unfinished
16 Business. All in favor signify by saying aye.

17 COMMISSIONER VOSS: Aye.

18 COMMISSIONER McLAREN: Aye.

19 COMMISSIONER GRUTSCH: Aye.

20 CHAIRMAN EVANS: Aye.

21 COMMISSIONER KLENKE: Aye.

22 COMMISSIONER HAIRE: Aye.

23 COMMISSIONER KLENKE: Aye.

24 COMMISSIONER MITTLER: Aye.

25 COMMISSIONER LARAMORE: Aye.

1 COMMISSIONER HARTMANN: Aye.

2 CHAIRMAN EVANS: Opposed?

3 (NONE)

4 The motion is carried.

5 Moving back to Unfinished Business. We
6 have File 220256, Aaron Asher. Any further
7 discussion?

8 (NONE)

9 No further discussion, the Chair would
10 entertain a motion.

11 COMMISSIONER McLAREN: Mr.
12 Chairman, I would make a motion to approve File
13 220256 as presented with the conditions that we have
14 previously approved.

15 COMMISSIONER HAIRE: I'll
16 second it.

17 CHAIRMAN EVANS: We have a
18 motion and a second to approve File 220256 with the
19 conditions as previous submitted. All in favor
20 signify by saying aye.

21 COMMISSIONER VOSS: Aye.

22 COMMISSIONER McLAREN: Aye.

23 COMMISSIONER GRUTSCH: Aye.

24 CHAIRMAN EVANS: Aye.

25 COMMISSIONER KLENKE: Aye.

1 COMMISSIONER HAIRE: Aye.

2 COMMISSIONER KLENKE: Aye.

3 COMMISSIONER MITTLER: Aye.

4 COMMISSIONER LARAMORE: Aye.

5 COMMISSIONER HARTMANN: Aye.

6 CHAIRMAN EVANS: Opposed?

7 (NONE)

8 The motion is carried, and the file is
9 approved.

10 Moving on to File 230094, Donna Long.
11 Any further discussion?

12 COMMISSIONER VOSS: I have one
13 thing. I thought that that last comment that we made
14 about her having to have enough rest rooms for 200
15 people. She only be having 50 for one. Can we say
16 and make it read that enough for the guests?

17 I mean, otherwise, it seems awful --
18 like if she was going to be renting these, 200 each
19 time when you only expect 50 people?

20 Could we just word --

21 MR. ELLIS: In conditional use
22 permits, did you have this bathroom count in there
23 like this the same way?

24 COMMISSIONER McLAREN: We did
25 on -- we did on temporaries facilities.

1 MR. ELLIS: On temporary.

2 COMMISSIONER McLAREN: Yeah.

3 MR. ELLIS: And did you word
4 it to where it's just relative, you know, relative to
5 the size of the event?

6 COMMISSIONER VOSS: That's
7 what I'm getting at.

8 COMMISSIONER HARTMANN: Up to
9 200?

10 COMMISSIONER GRUTSCH: It just
11 becomes a --

12 COMMISSIONER VOSS: Oh, more
13 to check out. I follow you. It just seems like to
14 me as a businessman I knew we only had 50 people
15 coming, but yet I've got to have enough rentals for
16 200.

17 COMMISSIONER GRUTSCH: And I
18 think we would leave that somewhat to her discretion.
19 She has a wedding with 40 people, she'll have so many
20 porta potties there, but how are we going to manage
21 and oversee that? Our enforcement officer isn't
22 going to and head count.

23 COMMISSIONER VOSS: Yeah.

24 CHAIRMAN EVANS: I think from
25 a practical standpoint, we have to say 200, but if

1 she's going to have 50 people, she's not going to
2 have her guests upset.

3 COMMISSIONER VOSS: I
4 apologize.

5 CHAIRMAN EVANS: But I mean,
6 good point.

7 COMMISSIONER McLAREN: From a
8 practical management standpoint, if she's going to
9 have two events on the weekend, whatever the biggest
10 event is, she's going to have to go with that.

11 COMMISSIONER VOSS: It sounds
12 like we were making her go with 200 every time.

13 COMMISSIONER GRUTSCH: That's
14 what we're saying as a maximum number of people who
15 have to accommodate that many for sanitary
16 facilities.

17 But if she's only going to have a
18 hundred people there, that's all she has to
19 accommodate for. So I don't know how you would do
20 that in writing, how you would oversee that.

21 COMMISSIONER VOSS: I see what
22 you're saying.

23 COMMISSIONER McLAREN: I think
24 this is kind of she's preliminary in her plans, and
25 she's kind of organically deciding how to do this. I

1 think the Building Department is going to have
2 concepts of what she's going to do to offset maybe
3 what she hasn't considered yet.

4 COMMISSIONER GRUTSCH: And
5 Building and Health will be involved in those
6 decisions that she has to go through.

7 COMMISSIONER VOSS: Okay.

8 CHAIRMAN EVANS: Any further
9 discussion?

10 (NONE)

11 If not, Chair would entertain a motion.

12 COMMISSIONER McLAREN: Mr.
13 Chairman, I'll make the motion to approve File 230994
14 as we originally did in Unfinished Business with
15 conditions that were on that file.

16 COMMISSIONER KLENKE: Second.

17 CHAIRMAN EVANS: We have a
18 motion and a second to approve File 230094 with the
19 conditions as previously submitted.

20 All in favor signify by saying aye.

21 COMMISSIONER VOSS: Aye.

22 COMMISSIONER McLAREN: Aye.

23 COMMISSIONER GRUTSCH: Aye.

24 CHAIRMAN EVANS: Aye.

25 COMMISSIONER KLENKE: Aye.

1 COMMISSIONER HAIRE: Aye.

2 COMMISSIONER KLENKE: Aye.

3 COMMISSIONER MITTLER: Aye.

4 COMMISSIONER LARAMORE: Aye.

5 COMMISSIONER HARTMANN: Aye.

6 CHAIRMAN EVANS: Opposed?

7 (NONE)

8 The motion is carried, and the file is
9 approved.

10 Preliminary Plats. We have none.

11 Planning and Zoning Commission Forum.

12 Anything the Commissioners wish to discuss?

13 (NONE)

14 Planning Director's Report.

15 MR. ELLIS: She's not here to
16 give it. Crystal, do you know if we have anything
17 there?

18 MS. HOLDMEIER: The only thing
19 I can say is we don't have a meeting next month.

20 CHAIRMAN EVANS: Okay . We do
21 not have a meeting next month.

22 If that's it, then the Chair would
23 entertain a motion to adjourn.

24 COMMISSIONER McLAREN: I've
25 been good at motions tonight. I'll make a motion to

1 adjourn.

2 COMMISSIONER VOSS: I will
3 second that.

4 CHAIRMAN EVANS: We have a
5 motion and a second to adjourn. All in favor signify
6 by saying aye.

7 COMMISSIONER VOSS: Aye.

8 COMMISSIONER McLAREN: Aye.

9 COMMISSIONER GRUTSCH: Aye.

10 CHAIRMAN EVANS: Aye.

11 COMMISSIONER KLENKE: Aye.

12 COMMISSIONER HAIRE: Aye.

13 COMMISSIONER KLENKE: Aye.

14 COMMISSIONER MITTLER: Aye.

15 COMMISSIONER LARAMORE: Aye.

16 COMMISSIONER HARTMANN: Aye.

17 CHAIRMAN EVANS: Opposed?

18 (NONE)

19 We are adjourned.

20 (THEREUPON, THE PROCEEDINGS

21 CONCLUDED AT 9:40 P.M.)

22 o8o

23

24

25

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

CERTIFICATE OF REPORTER

STATE OF MISSOURI)
) SS
COUNTY OF FRANKLIN)

I, PATSY A. MAYBERRY, Professional Court Reporter and Notary Public within and for the State of Missouri, before whom the foregoing proceeding was taken, do hereby swear that: the aforementioned was held at the time and in the place previously described; the witness whose testimony appears in the foregoing transcript was duly sworn by me; the proceedings were taken down in stenographic notes by me and transcribed by me, or under my supervision, to the best of my ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this testimony was taken; further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action; and that the aforementioned represents a true and accurate transcript of said proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand.

Patsy A. Mayberry, Court Reporter
Notary Public, State of Missouri
My Commission Expires: September 14, 2026