

1 **Franklin County Commission**
2 Second Floor Commission Chambers
3 Franklin County Government Center
4 400 E Locust Street, Union, MO 63084

5
6 May 18, 2017
7 Public Hearing Commenced at 10 a.m.
8

9 **Appearances**

10 *County Commissioners:*

11 John Griesheimer, Presiding Commissioner

12 Tim Brinker, 1st District Commissioner

13 Dave Hinson, 2nd District Commissioner
14

15 *Legal Counsel & Staff:*

16 Mark Vincent, County Counselor

17 Scottie Eagan, Planning Director

18 Nichole Zielke, Planner
19

20 **Transcript of Audio Recording by Nichole Zielke:**

21
22 Commissioner Griesheimer:

23 [We will go ahead and call the] public hearing to order. The first public hearing is on File
24 #170050 Catawissa Properties LLC. Go ahead.
25

26 Ms. Eagan:

27 First I'll read into the record the hearing procedures.
28

29 County Counselor Vincent:

30 Scottie, you got -- you have to say your name for the recorder.
31

32 Ms. Eagan:

33 Oh.
34

35 County Counselor Vincent:

36 The purpose is our transcriber won't know who you are.
37

38 Commissioner Griesheimer:

39 The previous thing -- by the way, the previous recording was from John Griesheimer, Presiding
40 Commissioner.
41

42 Ms. Eagan:

43 Every time?

1
2 County Counselor Vincent:
3 Every time.

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5 Ms. Eagan:

6 Scottie Eagan. At this time I would like to place into the record the Franklin County Unified
7 Land-Use Regulations of 2001 as Exhibit A, the Official Zoning Map as Exhibit B, the Official
8 Master Plan as Exhibit C and the case file for each case as Exhibit D for all of the cases to be
9 heard at this hearing. As each case is opened, a Staff Report will first be read by the Planning
10 and Zoning Department, followed by the Commissioners' questions for the staff. Then, if
11 anyone in the audience would like to speak or comment during the hearing, they must first
12 print their name on the sign-in sheet provided and then be sworn in. When it is your turn to
13 speak, you will come to the front of the room to address the Commission and only the
14 Commission – not anyone in the audience – with any questions or comments.
15 Generally, the applicant for the rezoning is allowed to speak first, followed by those in support
16 of the rezoning, and then those opposed to the rezoning. The applicant may speak again after
17 comments from the general public to address any questions or issues brought up during the
18 hearing.
19 At the conclusion of all questions, comments and discussion concerning each case, the public
20 hearing for each case will conclude. The decision will generally be made by Commission Order
21 at a later date during the County Commission's regular meeting time.

22
23 And this is File 170050. The Applicant is Catawissa Properties LLC. The applicant requests to
24 rezone one parcel from Suburban Development to Non-Urban and Agricultural. The property is
25 located at 2613 Wild Plum Valley Road, approximately 350 feet northwest of Highway O, in
26 Calvey Township.

27
28 The facts. The total area for the rezoning is approximately three acres in size. The zoning of this
29 property is Suburban Development. The applicant would like to rezone to Non-Urban and
30 Agricultural. Non-Urban and Agricultural zoning allows agricultural, recreational, wildlife,
31 forestry, open space, farming and related uses to mix with low-density residential
32 development. The properties around the proposed site are zoned Suburban Development. This
33 property is surrounded primarily by low-density residential land. This property has access to
34 Wild Plum Valley which is a county-maintained road. The applicant is not the current owner of
35 the property but they do have a contract to purchase the property. This property is located
36 within Public Water Supply District #3 boundaries. The property directly east got rezoned to
37 Non-Urban and Agricultural in 2016.

38
39 Staff comments. The future land use map shows this property as being medium-density
40 residential. The properties to the east are shown as non-urban and the properties across Wild
41 Plum Valley Road are shown as commercial. Rezoning is allowed in our regulations due to the
42 ever-changing conditions that exist in the County and elsewhere. According to Article 14,
43 Section 321, any such change must promote the health, safety, morals, comfort, and general
44 welfare of Franklin County by conserving and protecting property and building values, by

1 securing the most economical use of land and facilitating the adequate provision of public
2 improvements in accordance with the master plan adopted by Franklin County. At the April 18,
3 2017 Planning and Zoning Commission Meeting, the Planning and Zoning Commission voted to
4 recommend approval with 10 in favor and 0 opposed.

5

6 Commissioner Griesheimer:

7 This is John Griesheimer. Thank you very much. Is there anyone in the audience wishing to
8 testify in favor of the rezoning? To do so, please come forward. Yes, state your name and...

9

10 Ms. Hoffius:

11 My name is Cecily Hoffius. I'm one of the owners of Catawissa Properties. We actually have
12 purchased the property next door as of last week.

13

14 Commissioner Griesheimer:

15 Do we need to make a -- do we need to sign -- swear her in? Do you have that?

16

17 County Counselor Vincent:

18 This is Mark Vincent, ma'am. Will you raise your right hand? Do you solemnly swear that the
19 testimony you will give here today is the truth, so help you God?

20

21 Ms. Hoffius:

22 I do.

23 The reason we have asked for the rezoning on this land is because we are in the process of
24 purchasing the adjacent piece of property at 2603 Wild Plum Valley and in the next few weeks
25 will be submitting plans to the Building Commission for an event venue. And we will be using
26 the -- this property in question today for parking. The benefit to the community is that we will
27 be pulling water and sewer to that location which will make it more available to other
28 properties in that path. We also will be generating sales tax revenue. By moving the parking to
29 that west side of the property, it will create a bigger buffer for those residents on the east
30 who's very close to our property line and we will be meeting the proposed new requirements
31 for parking to be, I think it's 200 feet, from the nearest residence, even though that's not in our
32 Conditional Use Permit.

33

34 Commissioner Griesheimer:

35 [Is there anyone here] for the applicant? Looks like, seeing none, okay. Is there anyone in the
36 audience that is wishing to testify in favor of the rezoning? In favor? Seeing none, is there
37 anyone in the audience wishing-- wishing to testify in opposition to the rezoning? In
38 opposition? Or for informational purposes only on the rezoning? Any other comments from the
39 Commissioners? No?

40 Again, John Griesheimer. I -- my only question is --

41 Here comes Patsy.

42

43 County Counselor Vincent:

44 Okay. We can finish this one and then do the rest of them.

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Commissioner Griesheimer:

Yeah. Yeah.

-- as far as the rezoning, okay, this -- as far as the new --okay, the Master Plan does not call for this specific rezoning. However, it does -- it does include that there would in the future this property would be rezoned to a different category, according to the Master Plan, correct?

Ms. Eagan:

This is Scottie Eagan. It doesn't necessarily say it will be rezoned. It -- it just kind of guides development. It guides us when we go to rezone the County or anything like that. But, no, this - the Future Land Use Map is not set in stone. It's not this will be --

Commissioner Griesheimer:

Right.

Ms. Eagan: -- that's what we see potentially in the future. But it is close to two other districts as well. It's close to Non-Urban, it's right around it, as well as Commercial.

Commissioner Griesheimer:

And, I don't know if it's not -- but the rezoning and the new use will not create a traffic problem on that -- on that -- the stretch of County road. According to your -- will be a, what a Conditional Use? If this is rezoned, it will be a Conditional Use?

Ms. Eagan:

Potentially. It's a weird sit --
Sorry, Scottie Eagan. Potentially. It's a weird situation because they have an existing Conditional Use Permit. But if they want this property to be included, Conditional Use Permits are no longer allowed. So they would potentially have to get a Special Occasion Permit, but if they want to go over 300 people, then yes, they would have to get a Conditional Use Permit. But I don't know if they're gonna go under 300 or over 300 yet.

Commissioner Griesheimer:

What's that? I guess that will conclude the hearing for File #1 -- excuse me, 170050.

[Three other public hearings were held following this file, and were transcribed separately by Patsy Hertweck, Court Reporter.]