

1 FRANKLIN COUNTY PLANNING AND ZONING COMMISSION
2 FRANKLIN COUNTY GOVERNMENT CENTER
3 SECOND FLOOR COMMISSION CHAMBERS
4 400 EAST LOCUST STREET
5 UNION, MISSOURI 63084
6
7
8 TRANSCRIPT OF PROCEEDINGS
9 MAY 21, 2019
10 (COMMENCING AT 7:00 P.M.)
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17 Reported by:
18 Patsy A. Mayberry, C. R.
19 Alaris Litigation Services
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1 A P P E A R A N C E
2 PLANNING AND ZONING COMMISSION:
3 BILL EVANS, CHAIRMAN
4 STANLEY VOSS, COMMISSIONER
5 RON WILLIAMS, COMMISSIONER
6 MIKE KLENKE, COMMISSIONER
7 DAN HAIRE, COMMISSIONER
8 TOM TOBBEN, COMMISSIONER
9 PLANNING AND ZONING STAFF:
10 SCOTTIE EAGAN, DIRECTOR PLANNING AND ZONING
11 NICHOLE ZIELKE, COUNTY PLANNER
12 COUNTY LEGAL COUNSEL:
13 MARK PIONTEK, COUNTY ATTORNEY
14 ALARIS LITIGATION SERVICES:
15 PATSY A. MAYBERRY, C. R.
16 711 NORTH 11TH STREET
17 ST. LOUIS, MISSOURI 63101
18 (314) 644-2191
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1 P R O C E E D I N G S

2 (MAY 21, 2019)

3 CHAIRMAN EVANS: All right.

4 I'd like to go ahead and call to order the Tuesday,
5 May 21st meeting of the Franklin County Planning and
6 Zoning Commission.

7 Scottie, will you please take roll.

8 MS. EAGAN: Bill Evans?

9 CHAIRMAN EVANS: Here.

10 MS. EAGAN: Kyle Dubbert?

11 COMMISSIONER DUBBERT: (Not
12 present.)

13 MS. EAGAN: Dan Haire?

14 COMMISSIONER HAIRE: Here.

15 MS. EAGAN: Mike Klenke?

16 COMMISSIONER KLENKE: Here.

17 MS. EAGAN: Bill McLaren?

18 COMMISSIONER McLAREN: (Not
19 present.)

20 MS. EAGAN: Tim Reinhold?

21 COMMISSIONER REINHOLD: (Not
22 present.)

23 MS. EAGAN: Jay Schultehenrich?

24 COMMISSIONER SCHULTEHENRICH:
25 (Not present.)

1 MS. EAGAN: Tom Tobben?

2 COMMISSIONER TOBBEN: Here.

3 MS. EAGAN: Stan Voss?

4 COMMISSIONER VOSS: Here.

5 MS. EAGAN: Debbie Willette?

6 COMMISSIONER WILLETTE: (Not
7 present.)

8 MS. EAGAN: And, Ron Williams?

9 COMMISSIONER WILLIAMS: Here.

10 MS. EAGAN: Okay. We have a
11 quorum.

12 CHAIRMAN EVANS: Thank you.

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

18 (NONE)

19 If there's no declarations, Scottie, will
20 you please give us a presentation of the meeting
21 procedures and exhibits.

22 MS. EAGAN: Tonight's Planning
23 Commission meeting is governed by the Franklin County
24 Unified Land Use Regulations.

25 Some matters on the agenda may be for

1 action by the Planning and Zoning Commission. These
2 matters do not involve public hearings.

3 Other matters on the agenda will require
4 public hearings under Missouri law. If a matter
5 involves a public hearing, all individuals who desire
6 to testify will be given an opportunity to do so.

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

13 (Thereupon, evidence was
14 marked for identification and
15 submitted for the record as
16 Exhibits A, B, C, and D.)

17 All Old Business items on the agenda will
18 be dealt with first. Once the Old Business issues
19 have been taken care of, each item of New Business
20 will be opened.

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

24 Then if anyone in the audience would like
25 to speak or comment on a file that is part of the

1 public hearing, they must first print their name on
2 the sign-in sheet provided, and then be sworn in by
3 the Chairman.

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

9 It is possible for the Planning
10 Commission to decide to move a New Business issue to
11 Old Business and vote on it the same night.

12 At the conclusion of all questions,
13 comments, and discussion concerning each case, the
14 Planning Commission will proceed. Any final decision
15 by the Planning and Zoning Commission concerning
16 Conditional Use Permits may be appealed to the Board
17 of Zoning Adjustment any time within 90 days.

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

21 CHAIRMAN EVANS: Thank you.

22 All the Commissioner should have received
23 a copy of the April 16th minutes.

24 Commissioner Willette is not here, but
25 she did call me with corrections. On page 49 and 50,

1 her questions were attributed actually to do the
2 applicant Deb Giffin on line 11, 15; on page 50, 4 and
3 9.

4 I show it on 15, 25, it shows Ms. Giffin
5 and it should be Willette.

6 Any other corrections, additions,
7 changes?

8 (NONE)

9 If not, the Chair would entertain a
10 motion to approve the minutes with the changes on 49
11 and 50.

12 COMMISSIONER HAIRE: I'll so
13 move.

14 COMMISSIONER KLENKE: I'll
15 second it.

16 CHAIRMAN EVANS: Motion and
17 second to approve the April 16th minutes. All in
18 favor signify by saying aye.

19 COMMISSIONER VOSS: Aye.

20 COMMISSIONER WILLIAMS: Aye.

21 CHAIRMAN EVANS: Aye.

22 COMMISSIONER KLENKE: Aye.

23 COMMISSIONER HAIRE: Aye.

24 COMMISSIONER TOBBEN: Aye.

25 CHAIRMAN EVANS: Opposed?

1 (NONE)

2 The minutes are approved.

3 Communications and Visitors Comments.

4 (NONE)

5 We have none. Moving on to Item V,

6 Unfinished Business. We no longer have Old Business.

7 We now have Unfinished Business.

8 Scottie went to the conference and

9 apparently that is the appropriate term to use now.

10 It'll be handled the same way as Old Business. We

11 will just call it Unfinished Business.

12 New Business. File 190097, Planning and

13 Zoning. Scottie, will you please give us the details.

14 MS. EAGAN: This is File

15 190097.

16 The applicant is seeking to amend the

17 2001 Unified Land Use Regulations of Franklin County.

18 The proposal includes amendments to

19 Article 14, Amendments.

20 The changes to this is on page 14.2.

21 What we realized recently after getting deeper and

22 deeper into this rezoning and talking with Mark, we

23 think when these regulations were first adopted and

24 written, they never thought about the expansion of the

25 county -- rezoning the county as a whole on a map.

1 So we wanted to amend the regulations on
2 our notifications that with respect to map amendments
3 to -- that are initiated by citizens, we still do the
4 whole 600-foot radius and everything of that nature.

5 But with respect to map amendments
6 initiated by Franklin County, we just follow the state
7 law as it's written. So we do a notice of public
8 hearing at least 15 calendar days prior to the hearing
9 in a newspaper having general circulation in the area,
10 and then we also will put that notice posted at least
11 15 days in advance in one or more public areas of the
12 courthouse.

13 So that's the change to Article 14.

14 COMMISSIONER HAIRE: I have one
15 question. So let's say we have our public hearing
16 dates on what the County wanted to do. If there is a
17 resident that has a -- that files at that point, will
18 it be at the same hearing, or will it be two separate
19 hearings?

20 MS. EAGAN: I would personally
21 recommend that anybody that's coming in for a rezoning
22 to just hold off until we get this done.

23 COMMISSIONER HAIRE: Okay.

24 MS. EAGAN: Because there's no
25 point for them to go through the rezoning process when

1 you don't even know what we're looking at.

2 COMMISSIONER HAIRE: Right.

3 MS. EAGAN: So...

4 COMMISSIONER HAIRE: How about
5 the person that -- it says that initiated a request?
6 Would that be of the same kind? We would hold our
7 public hearing on the rezoning as the County, or would
8 he have a separate hearing?

9 MS. EAGAN: If somebody wanted
10 to continue and go ahead and rezone --

11 COMMISSIONER HAIRE: Initiate,
12 yeah.

13 MS. EAGAN: -- it would be
14 separate.

15 COMMISSIONER HAIRE: Okay.

16 MS. EAGAN: And I'll get to
17 that when we get to my Planner's Report, how the
18 process is going to go moving forward.

19 COMMISSIONER HAIRE: Okay.

20 CHAIRMAN EVANS: So basically
21 are we talking about the map amend and switch with the
22 rezoning. So there would be two public hearings
23 anyway, here and at the Commission level.

24 So there'll -- there'll be two public
25 hearings --

1 MS. EAGAN: Right.

2 CHAIRMAN EVANS: No matter

3 what.

4 COMMISSIONER HAIRE: Okay.

5 CHAIRMAN EVANS: Any other

6 discussion?

7 (NONE)

8 It seemed to be pretty cut and dried.

9 If there is no further discussion, the

10 Chair would entertain a motion.

11 COMMISSIONER HAIRE: Move to

12 approve the amendments in Article 4 (sic) as written.

13 COMMISSIONER KLENKE: Second.

14 CHAIRMAN EVANS: We have a

15 motion and second to approve the changes to File -- or

16 to approve File 190097. All in favor signify by

17 saying aye.

18 COMMISSIONER VOSS: Aye.

19 COMMISSIONER WILLIAMS: Aye.

20 CHAIRMAN EVANS: Aye.

21 COMMISSIONER KLENKE: Aye.

22 COMMISSIONER HAIRE: Aye.

23 COMMISSIONER TOBBEN: Aye.

24 CHAIRMAN EVANS: Opposed?

25 (NONE)

1 The motion is carried.
2 Preliminary Plats. We have none.
3 Planning and Zoning Commission Forum.
4 Scottie, do you want to cover that
5 letter.

6 MS. EAGAN: Yeah. We received
7 a letter yesterday from some residents about basically
8 they want you to guys to rethink your regulations
9 pertaining to wineries, tasting rooms, event centers,
10 wedding venues. And what they want them to be public
11 hearings in NUA zoning districts.

12 I said they're more than welcome to write
13 you guys a letter, and you guys can talk about it. If
14 you want to move forward, we can move forward. If you
15 don't, then it stops tonight.

16 CHAIRMAN EVANS: So basically
17 we'd be making an exception to -- for wineries because
18 they're a permitted use, right?

19 MS. EAGAN: Right now they're a
20 permitted use. They're hoping you guys will
21 reconsider it and make it a CUP.

22 Yeah, I'm sorry. I don't know where this
23 mic went. I think you guys can hear me.

24 CHAIRMAN EVANS: Ron?

25 COMMISSIONER WILLIAMS: But

1 they are a permitted use with regulations. They have
2 to meet the regulations first. So I don't understand
3 what the purpose would be, except very honestly, I
4 understand they don't like it. But at the same time,
5 if it meets the regulations that have been developed,
6 I don't know why we would want to make more
7 conditional use permits.

8 MS. EAGAN: Well, event centers
9 and wedding venues are. They have their own
10 regulations. Wineries don't. They're kind of lumping
11 them all in together. Wineries are just permitted.

12 We don't have any sort of special
13 regulations like we do special occasions, just to
14 clarify.

15 COMMISSIONER WILLIAMS: Sorry.
16 You can lump them all together. So I think the
17 regulations are the regulations that we've hashed them
18 out for a long time over and over again. I think we
19 all decided they were fine.

20 CHAIRMAN EVANS: Right.
21 Otherwise, you're taking out a particular business,
22 which actually we consider agricultural anyway.

23 Any other discussion?

24 COMMISSIONER HAIRE: Not me.

25 CHAIRMAN EVANS: Everyone

1 ma'am.

2 MS. EAGAN: Do you think one
3 public hearing at the Planning and Zoning level is
4 good, or should we do multiples?

5 COUNTY ATTORNEY PIONTEK: I
6 would think, given the size of the project and the
7 size of the changes, you probably ought to do at least
8 two.

9 MS. EAGAN: Okay. That's what
10 I was thinking. So we'll have multiple special
11 meetings probably pertaining to this.

12 But as summer goes on, I'll be in contact
13 with you guys to see what days are open and move
14 forward. So...

15 CHAIRMAN EVANS: Do you --
16 would you anticipate doing it on a geographic basis or
17 just two public hearings like east/west --

18 MS. EAGAN: What I'd like to do
19 is two public hearings as the whole thing.

20 CHAIRMAN EVANS: As the whole
21 thing, okay.

22 MS. EAGAN: Yeah.

23 And you guys will have the maps in plenty
24 of time to look at them. We can e-mail them to you
25 and give you hard copies.

1 CHAIRMAN EVANS: Yeah.

2 All right. Then we would have the two
3 public hearings, or however many we have, to make our
4 decision. And that would be forwarded to the
5 Commission.

6 MS. EAGAN: Yep. Our goal is
7 to get up and running January 1, 2020. So I got time.

8 And then I won't be here next month.
9 I'll be on vacation. So Nichole will be running the
10 meeting.

11 COMMISSIONER HAIRE: When's the
12 next meeting?

13 MS. EAGAN: June 18th. It's
14 just a preliminary plat.

15 CHAIRMAN EVANS: Anything else?

16 MS. EAGAN: Nope.

17 CHAIRMAN EVANS: All right.

18 If there's nothing else, the Chair would
19 entertain a motion to adjourn.

20 COMMISSIONER TOBBEN: I make
21 that motion to adjourn.

22 COMMISSIONER KLENKE: I'll
23 second it.

24 CHAIRMAN EVANS: Second and
25 motion to adjourn. All in favor signify by saying

1 aye.

2 COMMISSIONER VOSS: Aye.

3 COMMISSIONER WILLIAMS: Aye.

4 CHAIRMAN EVANS: Aye.

5 COMMISSIONER KLENKE: Aye.

6 COMMISSIONER HAIRE: Aye.

7 COMMISSIONER TOBBEN: Aye.

8 CHAIRMAN EVANS: Opposed?

9 (NONE)

10 We are adjourned.

11 (Thereupon, the proceedings

12 concluded at 7:19 p.m.)

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CERTIFICATE OF REPORTER

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 proceedings were taken down in stenographic notes by me and transcribed by me, or under my supervision, to the best of my ability; 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

Patsy A. Mayberry, Court Reporter
Notary Public, State of Missouri

My Commission Expires:
August 26, 2022



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