

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

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A P P E A R A N C E S

PLANNING AND ZONING COMMISSIONERS:

- WILLIAM EVANS, JR., CHAIRMAN
- DAN HAIRE, VICE-CHAIRMAN
- TIMOTHY REINHOLD, COMMISSIONER
- BILL McLAREN, COMMISSIONER
- DEBBIE WILLETTE, COMMISSIONER
- JIM GRUTSCH, COMMISSIONER
- MIKE KLENKE, COMMISSIONER
- MARK FRANKENBERG, COMMISSIONER
- DENNIS HARTMANN, COMMISSIONER

PLANNING AND ZONING STAFF:

- NICHOLE ZIELKE, PLANNER
- CRYSTAL HOLDMEIER, PLANNING ASSISTANT

LEGAL COUNSEL:

- MARK PIONTEK, COUNTY ATTORNEY

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

2 (JUNE 9, 2020)

3 CHAIRMAN EVANS: At this time, I'll
4 call to order the Tuesday, June 9th, Planning and
5 Zoning Commission meeting.

6 Nichole, will you please take roll.

7 MS. ZIELKE: Bill Evans?

8 CHAIRMAN EVANS: Here.

9 MS. ZIELKE: Mark Frankenberg?

10 COMMISSIONER FRANKENBERG:

11 Here.

12 MS. ZIELKE: Jim Grutsch?

13 COMMISSIONER GRUTSCH: Here.

14 MS. ZIELKE: Dan Haire?

15 COMMISSIONER HAIRE: Here.

16 MS. ZIELKE: Dennis Hartmann?

17 COMMISSION HARTMANN: Here.

18 MS. ZIELKE: Mike Klenke?

19 COMMISSIONER KLENKE: Here.

20 MS. ZIELKE: Bill McLaren?

21 COMMISSIONER McLAREN: Here.

22 MS. ZIELKE: Tim Reinhold?

23 COMMISSIONER REINHOLD: Here.

24 MS. ZIELKE: Stan Voss?

25 COMMISSIONER VOSS: (Not

1 present.)

2 MS. ZIELKE: And, Debbie
3 Willette?

4 COMMISSIONER WILLETTE: Here.

5 MS. ZIELKE: We have a quorum.

6 CHAIRMAN EVANS: Thank you.

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

12 (NONE)

13 If there are no declarations, Nichole,
14 will you please give us the presentation of the
15 meeting procedures and exhibits.

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

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

22 Other matters on the agenda require
23 public hearings under Missouri law. If a matter
24 involves a public hearing, all individuals who desire
25 to testify will be given an opportunity to do so.

1 It is possible for the Planning
2 Commission to decide to move a New Business issue to
3 Unfinished Business and vote on it the same night.

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

10 Applications for such an appeal may be
11 acquired from the Department offices during normal
12 business hours.

13 CHAIRMAN EVANS: Thank you.

14 One change on the agenda under New
15 Business. We will be addressing File 200050, Planning
16 and Zoning before File 200040, Kennelwood Village.

17 Approval of minutes for the May 26th
18 meeting. Due to the short period between meetings, we
19 do not have any minutes. So there is nothing to
20 approve.

21 Communications and Visitors Comments.
22 Anyone present wishing to address the Commission?

23 (NONE)

24 If not, we'll move to Unfinished
25 Business. We have File 200045, which will remain

1 tabled. Which will move us to New Business.

2 File 200050, Planning and Zoning.

3 Nichole, will you please give us the details.

4 MS. ZIELKE: File 200050,
5 Planning and Zoning Department.

6 The applicant requests to rezone three
7 parcels from the W District to the B District.

8 The properties are located on Southern
9 Valley Loop, approximately .4 miles east of the
10 intersection of Old Gray Summit Road and Osage Street.

11 THE FACTS: The total area for the
12 rezoning is approximately 13.69 acres in three
13 parcels.

14 The zoning of this property as of January
15 14, 2020 is W. Prior to January 14, 2020, this
16 property was zoned Community Development.

17 The applicant would like to rezone to the
18 B District.

19 The intent of the B District is to bring
20 shopping, the workplace and home closer together by
21 allowing a mixed use of all types of residential
22 density and most forms of commercial development.

23 The properties to the north of the
24 subject parcels are zoned A, and the properties to the
25 east and south are zoned W.

1 The properties to the east are primarily
2 medium-density residential properties.

3 The properties to the south are primarily
4 undeveloped.

5 The properties to the north and west are
6 undeveloped or commercial.

7 These properties have access to Old Gray
8 Summit Road. Old Gray Summit Road is a
9 county-maintained road with a 50-foot right-of-way
10 width.

11 This property is located in the Public
12 Water Supply District No. 3 and Brush Creek Sewer
13 District.

14 STAFF COMMENTS: This property appears to
15 be used for high-density residential apartment
16 buildings. When the property was rezoned to W in
17 January of 2020, it created an issue for the property
18 owners as the W District prohibits multi-family
19 dwellings.

20 2. Rezonings are allowed in our
21 regulations due to the ever-changing conditions that
22 exist in the county and elsewhere.

23 3. According to Article 14, Section 321,
24 any such change must promote the health, safety,
25 morals, comfort and general welfare of Franklin County

1 by conserving and protecting property and building
2 values by securing the most economical use of land and
3 facilitating the adequate provision of public
4 improvements in accordance with the Master Plan
5 adopted by Franklin County.

6 CHAIRMAN EVANS: Thank you.

7 Anyone present wishing to speak in favor
8 of this file?

9 (NONE)

10 Anyone present wishing to speak in
11 opposition? Anyone wishing to speak against?

12 (NONE)

13 If not, any discussion?

14 COMMISSIONER McLAREN: Mr.
15 Chairman.

16 CHAIRMAN EVANS: Bill.

17 COMMISSIONER McLAREN: The
18 Planning Department's bringing this to us, correct?

19 CHAIRMAN EVANS: Correct.

20 COMMISSIONER McLAREN: So it
21 was not the property owner that is bringing it to us,
22 it's the Planning Department. So we're recognizing it
23 was something that was maybe not properly zoned at
24 that time, and we're correcting that? Okay.

25 CHAIRMAN EVANS: Yeah, there

1 are apartments, multi-family, there and it was zoned
2 not multi-family. So --

3 COMMISSIONER McLAREN: But it
4 wasn't the correct zoning when the multi-family was
5 built originally?

6 CHAIRMAN EVANS: Yes, yes.

7 MS. ZIELKE: Correct.

8 COMMISSIONER GRUTSCH: Mr.
9 Chairman, I would like to make a motion to recommend
10 to the Commission to approve Planning and Zoning
11 request for rezoning from the W zoning to the B Zoning
12 District.

13 COMMISSIONER HAIRE: I'll
14 second it.

15 CHAIRMAN EVANS: We have a
16 motion and a second to approve File 200050 approval to
17 the Commission. All in favor signify by saying aye.

18 COMMISSIONER REINHOLD: Aye.

19 COMMISSIONER McLAREN: Aye.

20 COMMISSIONER WILLETTE: Aye.

21 COMMISSIONER GRUTSCH: Aye.

22 CHAIRMAN EVANS: Aye.

23 COMMISSIONER KLENKE: Aye.

24 COMMISSIONER HAIRE: Aye.

25 COMMISSIONER HARTMANN: Aye.

1 COMMISSIONER FRANKENBERG: Aye.

2 CHAIRMAN EVANS: Opposed?

3 (NONE)

4 The motion is carried.

5 Moving on to File 200040, Kennelwood
6 Village, Incorporated.

7 Nichole, will you please give us the
8 details.

9 MS. ZIELKE: The applicant
10 requests to rezone seven parcels from the Y District
11 to the B District.

12 The property is located on Clearview
13 Road, approximately 350 feet east of Highway A in
14 Union Township.

15 FACTS: The total area for rezoning is
16 approximately 37 acres and 7 seven parcels.

17 The zoning of this property as of January
18 14, 2020 is Y. Prior to January 14, 2020, this
19 property was zoned Community Development. The
20 applicant would like to rezone to the B District.

21 The intent of the B District is to bring
22 shopping, the workplace, and home closer together by
23 allowing a mixed use of all types of residential
24 density and most forms of commercial development.

25 The properties around the proposed site

1 are zoned Y.

2 The properties to the west and southwest
3 are primarily high-density residential properties.

4 The properties to the west are primarily
5 low-density residential properties and undeveloped
6 land.

7 The property to the north across
8 Clearview Road is Clearview School.

9 These properties will have access to
10 Clearview Road and Ivey Estates Drive. Clearview Road
11 is a county-maintained road with a 40-foot
12 right-of-way width. Ivey Estates Drive is a private
13 road with a 40-foot right-of-way width.

14 This property is located in Public Water
15 District No. 1.

16 According to the Assessor records, there
17 appears to be six buildings on four of the seven
18 parcels.

19 STAFF COMMENTS: The applicant is not the
20 current owner of the parcels, but we do have a sales
21 contract as well as a letter from the current owners
22 allowing Kennelwood Village to apply for this
23 rezoning.

24 This property appears to be
25 medium-density residential on the Future Land Use Map.

1 Rezoning are allowed in our regulations
2 due to the ever-changing conditions that exist in the
3 county and elsewhere. According to Article 14,
4 Section 321, any such change must promote the health,
5 safety, morals, comfort, and general welfare of
6 Franklin County by conserving and protecting property
7 and building values, by securing the most economical
8 use of land and facilitating the adequate provision of
9 public improvements in accordance with the Master Plan
10 adopted by Franklin County.

11 CHAIRMAN EVANS: Thank you.

12 And I will make a comment before the
13 applicant comes up in that the Planning and Zoning
14 Commission's responsibility is to review the rezoning
15 request and make a recommendation to the Franklin
16 County Commission. Who then will hold their own
17 public hearing and review the file, but only the
18 County Commission has the authority to rezone.

19 Is the applicant present?

20 MR. FIJU JOB: My name is Fiju
21 Job. My address is 1875 Lackland Hill Parkway, St.
22 Louis, Missouri.

23 (THEREUPON, THE WITNESS WAS
24 SWORN.)

25 CHAIRMAN EVANS: Please go

1 ahead.

2 MR. JOB: We have submitted a
3 rezoning request to B Zoning because it would
4 encompass all of our uses at this particular location,
5 including the residential and commercial components of
6 this business.

7 I want to touch on a couple of key points
8 to hopefully clarify some concerns, address some
9 concerns and to clarify what are our uses at this
10 location.

11 The first point that I'd like to bring up
12 is that I think there's a misconception that we -- the
13 timing of when we started the zoning request. We
14 started with Neil and Tracy and the owners in October
15 of last year. And we went under contract for this
16 property in November of last year when the zoning at
17 that time would have made this a permitted a use.

18 So obviously there's been a delay with
19 recent circumstances. Otherwise, this would have been
20 brought up on an early front.

21 The second point that I want to touch on
22 before I open up to any questions or concerns is I
23 think there's a -- maybe a misunderstanding on
24 regarding our use of the property.

25 So a little bit of history. So we've

1 been in business for 45 years in the St. Louis Metro
2 area. We have eight locations all across the area.
3 We're a family-run business. Same family that founded
4 Kennelwood continues to be the president and the
5 ownership of Kennelwood.

6 So all of our locations are the
7 traditional Kennel operation. This location is not.
8 This location is very different than every other
9 location. What we're proposing and what we're -- and
10 the reason why we're requesting the zoning change is
11 that what we want to build on this site is a world --
12 world class training facility. What does that mean?

13 So a world-class training facility is
14 where individuals from all across the US will come to
15 this site, live at one of the homes on this particular
16 site, train under our expert trainers for three to
17 four to five months, depending on the program, and
18 become certified trainers.

19 We are certified to form this training
20 school by the State of Missouri. To -- these
21 individuals that arrive to go through our training
22 program will live on-site and will maintain there. So
23 there will -- I think there's a concern, and I
24 understand, with Clearview Elementary School right
25 there, that we're going to bring a lot of traffic

1 through that area. That is not correct.

2 These individuals, especially during pick
3 up and drop off times traditionally around 8:00 or
4 9:00 or 2:30 to 4:00 there will be minimal traffic
5 going into this site because they will already be on
6 site because they will be living on site.

7 I want to touch on one of the reasons we
8 looked at a dozen sites over the years on producing
9 this training school. This has been -- and I even
10 wanted to for a number of years, and we have never
11 selected one because it wasn't the perfect fit. This
12 location for all the reasons that everyone here in
13 this room loves Franklin County and this particular
14 area in particular is the same reason why we love it.
15 We do not want to change that appeal or ambiance of
16 that property.

17 This is a very rigorous program that
18 these individuals will be applying for and going
19 through, and we want them to be dedicated, on site and
20 going through. So traffic concern will be minimal
21 going into the property.

22 The second thing I want to touch on is
23 that what we're looking to do here is only going to
24 enhance, in our opinion -- in our humble opinion, this
25 area. So we're going to put significant investment

1 into this site because we do want it to be world
2 class.

3 The head trainer who's going to be a
4 former head trainer of Tom Rose, which is the other
5 large training school in the St. Louis area. He is a
6 nationally recognized trainer. He has won a US-wide
7 competition for training, traveled Europe and competed
8 in a world championship for trainers all across the
9 world.

10 He has traveled all across the world for
11 various training programs including Rio de Janiero for
12 a program and others.

13 We want to -- we are going to make -- if
14 our zoning request is approved, we are going to make
15 it the best. This has been a dream of our Kennelwood
16 and the ownership group for a number of years. So
17 we're very excited about it.

18 The last thing I want to talk about is,
19 as you guys are aware, we -- with the eight locations,
20 we've expanded one location every couple of years.
21 Every community that we go into it's a relationship,
22 and that's not a line or a slogan. It truly is a
23 relationship. It means something to us.

24 Concerns of our neighbors mean a lot to
25 us. We want to be a respectable neighbor and a

1 contributing member of this county, and we will -- I
2 have a stack of business cards that I'll leave behind
3 that have my personal cell phone number on it as well
4 as my e-mail address. Anyone and everyone is welcome
5 to contact me any time as present here or afterwards
6 if they have any concerns. And I'm happy to address
7 it.

8 Don, who is present, is a neighbor of
9 this property. I'm going to touch for a second. We
10 worked with him during -- after we went under
11 contract, we identified an easement issue, and we
12 worked with Don for a number of months, my team did
13 for a number of months. A, understand his concern,
14 and B, work with him to resolve it.

15 And Don was great. He was very easy to
16 work with, very flexible, and I thanked him earlier
17 before I walked in. But that is the same thing for
18 any other individual who is a neighbor or not a
19 neighbor who's got a concern. We will work with you
20 as much as we can to address and explain and
21 alleviate.

22 We are -- from our perspective, this
23 training school is a Class A property, and we're going
24 to maintain it as such. What does that mean? It
25 means a manicured yard. It means addressing any

1 cosmetic issues on any of the residential. It means
2 enhancing the interior where if the students of
3 Clearview Elementary wanted to come and see the
4 agility or the dog trainers, I want to create a safe
5 and beautiful atmosphere for them to walk through and
6 enjoy.

7 That is all I have to leave any time for
8 any questions.

9 CHAIRMAN EVANS: Any questions
10 from the Commissioners?

11 COMMISSIONER HAIRE: About how
12 many animals will you be having on the property?

13 MR. JOB: So, yeah, that's a
14 great question because I didn't touch on it, and I
15 appreciate you asking it.

16 So each dog that will be there, when
17 someone goes through our training program, they will
18 bring a dog to put the training through. But they
19 will be present with that dog. So in a traditional
20 kennel environment, on the interior you'll hear noise
21 because there's a bunch of dogs all next to each
22 other. This is not that.

23 There will not be that barking that you
24 may associate with a kennel because these individuals
25 -- and that's why we love it. There's 37 plus acres

1 on there. These individuals will be with their
2 individual that owns that pet as well as our trainers
3 on site. So it will be a lot different than the
4 traditional kennel.

5 Does that answer your question, sir?

6 COMMISSIONER HAIRE: Not
7 necessarily. So how many residential -- since you're
8 going to be having trainers stay on property, how many
9 residential units do you plan on building and having
10 in operation?

11 MR. JOB: In five years we hope
12 to have 20, 25. This is a very -- the type of program
13 that we built that is accredited by the State of
14 Missouri is a very intense program. We don't want
15 someone who goes through our school and has
16 Kennelwood's name on it to be anything but the best,
17 and we'll make sure of that because that is the type
18 of expectation that we have.

19 Thank you for your question.

20 COMMISSIONER McLAREN: So I --
21 so I want to review what you just said. That answer
22 that I heard is there's going to be 25 residences on
23 there in five or six years, and is that correct?

24 MR. JOB: We're not building.
25 The goal isn't to build new residential structures

1 necessarily. Those homes are quite large, and our
2 goal is to divide them into multi-family. So multiple
3 units per house.

4 COMMISSIONER McLAREN: Okay.
5 But we're going to go to 25 people is what I -- is
6 that what you said? I don't want to put words in your
7 mouth.

8 MR. JOB: Sure, no, because
9 that is what I said, correct. Over five years and
10 hopefully in five years that we have 25 students.

11 COMMISSIONER McLAREN: So that
12 means there's going to be 25 potential animals there,
13 plus a few more that the trainers would have?

14 MR. JOB: It will -- correct
15 all monitored by -- all the yards are fenced or will
16 be fenced. So in 45 years, there's very few cases
17 where dogs escape or --

18 COMMISSIONER McLAREN: So this
19 is partly your question and partly Nichole's question.

20 MR. JOB: Sure.

21 COMMISSIONER McLAREN: What's
22 the difference between a small kennel and large
23 kennel?

24 MR. JOB: The reason why we're
25 asking for the rezoning is the residential and the

1 commercial components.

2 COMMISSIONER McLAREN: Okay.

3 Well, I'm going to ask another question.

4 MR. JOB: Sure.

5 COMMISSIONER McLAREN:

6 Underneath the current zoning district, you could have
7 a bed and breakfast and educational and cultural uses.

8 Would that not hit with current zoning? I mean,
9 you're telling us what you're going to do.

10 MR. JOB: Sure.

11 COMMISSIONER McLAREN: But
12 literally what our job is is to decide if that zoning
13 fits this area or not. It has nothing to do with
14 Kennelwood Village at all quite frankly.

15 MR. JOB: Understood.

16 COMMISSIONER McLAREN: So I
17 don't understand why. It looks to me like potentially
18 it could fit under the zoning district that already
19 exists there.

20 MR. JOB: Based on our
21 discussions with Planning and Zoning and the
22 Commissioners, we all felt that getting rezoned to B
23 would be appropriate for our uses. We worked heavily
24 with them as well.

25 COMMISSIONER McLAREN: And I

1 understand. That's why I said I'd like part of these
2 questions for Nichole.

3 MS. ZIELKE: I was not the one
4 that originally talked to them about this development.
5 That was Scottie when she determined what they would
6 have to do in order to comply. My guess is it was
7 probably based on more than just the kennels. What
8 other types of activity would be taking place, would
9 there be any sort of retail shop?

10 MR. JOB: A small component
11 within the training center, yes.

12 MS. ZIELKE: Okay.

13 MR. JOB: And you know, as this
14 -- our goal is to make it the best, and we're
15 confident that we can make it the best. And so we
16 want to be able to do that at this site and be able to
17 have that and be able to expand whether it's growing
18 in that footprint of the 37 acres.

19 CHAIRMAN EVANS: Yeah, what
20 Bill said. When we look at this and we can ask all
21 the questions about the large kennel. But if we're
22 looking at the zoning, we have to consider whatever --
23 every permitted use would be appropriate because once
24 it's rezoned, theoretically you could change your mind
25 tomorrow to sell the property, and the new owner could

1 go and have another use for it. As long as it's a
2 permitted use, once it's rezoned, then we have no
3 control over it. I wanted to point that out, that we
4 can ask about the kennel, but we have to consider all
5 the other possible permitted uses that are included in
6 this.

7 MR. JOB: I appreciate your --
8 and if I could add one more thing. In 45 years, we
9 have never secured a site like this and sold it. The
10 type of investment from a manpower and dollar amount
11 that we plan to put on this site would be cost
12 prohibitive to sell it because it won't be -- it's not
13 a recoupable expense from our perspective.

14 We are going to design it for a dog
15 training academy, and there is use cases that have
16 that.

17 CHAIRMAN EVANS: Nichole.

18 MS. ZIELKE: Well, I wanted to
19 finish answering Bill's question if you don't mind.
20 No, that's okay.

21 He had asked the difference between a
22 large kennel and a small kennel, and I just wanted to
23 let you know that it's -- so a large kennel is more
24 than ten total animals, and a small kennel is less
25 than that.

1 Now, in the current zoning district that
2 they're in, a large kennel requires a conditional use
3 permit, but it is something that is allowed in that
4 district. A small kennel is already permitted.

5 So that's why I asked if there were
6 additional activities that were going to be taking
7 place because otherwise Scottie's answer would have
8 been to apply for a conditional use permit for the
9 large kennel. But you know, in the case of retail,
10 that's not permitted in the W District. That's
11 prohibited.

12 So I don't know if there was anything
13 else that was talked about between you and Scottie,
14 and obviously, as Bill said, we're focusing on the
15 district as a whole and not the potential use. But
16 obviously whatever conversation he had with Scottie
17 resulted in her suggesting that he request a rezoning
18 not a conditional use permit.

19 CHAIRMAN EVANS: All right.
20 Thank you.

21 COMMISSIONER WILLETTE: I was
22 wondering what type of training. You mentioned
23 agility, but what other type of training?

24 MR. JOB: Dog obedience is the
25 bread and butter. So the individual who's got a new

1 puppy and wants to train her how to sit or go potty,
2 et cetera. Dog training is a huge part of our
3 business currently, and becoming a larger. And so we
4 wanted to be the leaders in that.

5 COMMISSIONER WILLETTE: Sure.
6 I was wondering if you provide training for people who
7 might have had challenges, that kind of thing.

8 MR. JOB: We do. It's all --
9 and the program that we're designing is to -- you
10 know, fill both. So whether it's handicapped or other
11 type uses, the individuals that graduate Kennelwood
12 Academy, training academy, will be the best, and I'm
13 confident that they will be able to accommodate any
14 training request.

15 COMMISSIONER WILLETTE: So you
16 have several different types of training --

17 MR. JOB: Correct.

18 COMMISSIONER WILLETTE: -- that
19 you're going to offer?

20 MR. JOB: Yes.

21 COMMISSIONER WILLETTE: And
22 let's go back to the retail.

23 MR. JOB: Sure.

24 COMMISSIONER WILLETTE: Will
25 you have a store inside the facility?

1 MR. JOB: Yes. So for every
2 one of our stores, we have a small retail footprint
3 for leashes, collars, anything that you could
4 typically buy on Amazon as a convenience to the
5 individuals that come through that they could purchase
6 on site.

7 COMMISSIONER WILLETTE: Would
8 that be open to the public or --

9 MR. JOB: Definitely.

10 COMMISSIONER WILLETTE: Okay.
11 Thank you.

12 MR. JOB: I touched on this
13 earlier. I appreciate your question, Debbie. It
14 really is a relationship for us.

15 We want you guys to be excited that we're
16 coming, and we want to work with you to make it the
17 best so you guys are proud of Kennelwood Village
18 within your community. So...

19 COMMISSIONER FRANKENBERG: Did
20 you say you're training the trainers, or is this a
21 walk-in off the street training?

22 MR. JOB: No, training
23 individuals who want to become dog trainers.

24 COMMISSIONER FRANKENBERG:
25 Okay. So in other words, people come in and stay

1 there and learn the training business and then leave
2 and go out and train? I can't necessarily bring my
3 dog in there and be trained?

4 MR. JOB: Not originally,
5 correct. Yeah. These are not individuals that come
6 off the street and want to become. It is cost
7 prohibitive. These are individuals that want to
8 become dog trainers and want to invest in their
9 careers and make it a career for the rest of their
10 lives.

11 COMMISSIONER FRANKENBERG: So
12 you're more of a school?

13 MR. JOB: Correct, dog training
14 academy. Correct, yep. And we've been accredited by
15 the State of Missouri to be a school.

16 CHAIRMAN EVANS: Jim.

17 COMMISSIONER GRUTSCH: So your
18 training facility is a, I believe you said, upwards of
19 three month or four month residential for the
20 students?

21 MR. JOB: Correct.

22 COMMISSIONER GRUTSCH: And is
23 this mainly for show dogs, or is it for dogs that are
24 used in ADA type work --

25 MR. JOB: No.

1 COMMISSIONER GRUTSCH: -- or
2 are they dogs that are used for security?

3 MR. JOB: So the individuals
4 will bring their own dog to train with the dog. So
5 the individuals that want to become dog trainers that
6 go through our academy will bring a dog they can train
7 on them.

8 They'll go through classroom tutorials,
9 hands-on by our trainers, and then work with the dog
10 on site to become that.

11 So the answer to your question is it
12 could any number of type of pets that this individual
13 has. But they will bring their dog that they want to
14 train because they won't be able to graduate our dog
15 training academy, our school, unless they are able to
16 perform a certain competency with that pet, just like
17 a college education on finals exam.

18 COMMISSIONER HAIRE: I think
19 his question -- may have answered to my satisfaction.
20 Is it service dogs, is it going to be security dogs,
21 is it going to be hunting dogs, are you going to
22 specialize in one area, or are you going to do all
23 those?

24 MR. JOB: We're going to do all
25 of them. Sorry, I apologize for not answering fully.

1 Thank you for clarifying.

2 COMMISSIONER GRUTSCH: Thank
3 you.

4 CHAIRMAN EVANS: Other
5 questions? So basically you're not providing food and
6 shelter, it's not a primary function of the academy?

7 MR. JOB: Correct.

8 CHAIRMAN EVANS: Okay. And
9 there'll be no breeding there?

10 MR. JOB: No, zero. We don't
11 breed dogs at any of our locations, and we have a lot
12 of relationships with breeders, and so we never have
13 done that.

14 CHAIRMAN EVANS: Okay.
15 I was just looking at the definition of
16 large kennel, and that's two of the, I guess, primary
17 considerations, is breeding and providing food and
18 shelter.

19 Any other questions?

20 (NONE)

21 Thank you.

22 MR. JOB: Thank you, everyone.

23 CHAIRMAN EVANS: Is there
24 anyone else present wishing to speak in favor of this
25 file, wishing to speak in favor?

1 (NONE)

2 Anyone present wishing to speak in
3 opposition?

4 If you would come forward, please. Let
5 me mention two things as we get into this. As
6 mentioned before, when we look at the rezoning, we
7 look at all the permitted use available in that
8 zoning. And our purpose is to decide if it's the
9 appropriate land use. We do not get involved in
10 traffic.

11 If you have a licensed vehicle, you can
12 ride on a public road. I'm sure there are certainly
13 roads that Jim wishes he could restrict traffic on,
14 but public roads are public roads. And we're about
15 land use, not traffic.

16 (THEREUPON, THE WITNESS WAS
17 SWORN.)

18 MR. BOB SUTPHEN: Bob Sutphen.
19 S-U-T-P-H-E-N.

20 CHAIRMAN EVANS: And everyone
21 is limited to five minutes.

22 MR. SUTPHEN: Okay. I'm going
23 to try to whiz through this, so...

24 A week or so ago, I brought in I think it
25 was about 15 copies of this document. And what I'd

1 like to do is go through that with you tonight, and if
2 you have any questions, you send them my way or point
3 out any pitfalls that I might have there.

4 The purpose of this is to we're
5 representing concerned citizens that are surrounding
6 the 37 acres in question. And we are basically
7 opposed to rezoning this land because once it goes
8 from W to -- or from Y to B, then like you mentioned
9 earlier, there's no control over what will be put in
10 there.

11 My question to the Kennelwood people is
12 if they're going to spend a million dollars on this
13 land, plus they're going to have to do some renovation
14 to the buildings, I don't know where in the world
15 they're going to get a payback in the next 10, 20, 30
16 years. So that's a lot of money to slap down to just
17 train dogs. But that was digressing from where I want
18 to go with this because time is of the essence.

19 So the objective of this paper is to
20 request that the Planning and Zoning Commission work
21 with the landowners surrounding the land defined in
22 File 200040, Kennelwood Village, Incorporated to
23 maintain the existing zoning as Y to allow
24 medium-density residential developments with
25 limitations as to the types of single-family dwellings

1 within such developments.

2 Background we see with this is for the
3 past 11 years, the 37 acres defined in 200040 has been
4 a horse ranch that blended into the quiet countryside
5 that surrounds the neighbors, and we definitely enjoy
6 the serene touch that the horses brought when they
7 were grazing in the countryside.

8 We see three problems with the, I guess,
9 making a decision this property at this time.

10 The first one is that the land is in the
11 Union Township, and that presently is not represented
12 on the Planning and Zoning Board due to the vacancy
13 that you have. So we -- I guess we feel that we're
14 not really represented with this decision that may be
15 made.

16 The second problem is that the calendar
17 year 2018 zoning map seems to have erroneously
18 mislabeled by using the CD, which is Community
19 Development, rather than the SD, which was Suburban
20 Development, in the Clearview Road area that is
21 residential.

22 Everything around that area has been
23 developed. So there's no way that all that land can
24 be classified as a B under the new regulations. This
25 was corrected in the calendar year of 2020 map. In

1 the beginning of 2012, the Clearview Road area has
2 been residential except for the one map that was
3 developed in 2018, which is believed to be the first
4 map that the County used a PIS database to develop.

5 CHAIRMAN EVANS: You have one
6 minute left.

7 MR. SUTPHEN: Okay. Item 3,
8 the tentative landowner for File 200040 is requesting
9 the land be rezoned to B. This will allow 14 or more
10 unwanted establishments in the neighborhood, such as
11 migrant boarding houses, billboards, convenience
12 stores, hotels, medical marijuana dispensers, bowling
13 alleys, self-storage units, liquor stores, utility
14 waste land and camp grounds and RV.

15 What we would like to do is recommend
16 that this land be tabled till further discussions can
17 be put together with the Planning and Zoning Board
18 under when we have a Union Township representative.

19 And when this representative is assigned
20 to the Planning and Zoning Board, give that individual
21 four months to come up to speed, and then let that
22 individual get out and get to know the residents that
23 he or she is representing.

24 And I've run out of time. I realize
25 that, but if you would, just go through the maps.

1 They're sequential and they show how this evolved from
2 2012 to 2020.

3 Any questions?

4 CHAIRMAN EVANS: Thank you.

5 Any questions for Mr. Job?

6 (NONE)

7 I think we all had a chance to read your
8 material. Thank you very much.

9 MR. JOB: Very good.

10 Appreciate it.

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

13 Nichole?

14 MS. CRYSTAL SMITH: Hi, I'm
15 Crystal Smith. I'm at 3728 Highway A.

16 (THEREUPON, THE WITNESS WAS
17 SWORN.)

18 First, thank you so much, ladies and
19 gentlemen, for your time for listening to us.

20 Just to give you some background for me.

21 I am a compliance manager in a very successful small
22 animal practice in St. Louis County. So I am very
23 familiar with the pet, the veterinary in the dog
24 training field. I've been in it since I was 16 years
25 old. Not to give away my age, but that means 31

1 years.

2 I am very familiar with Kennelwood's
3 facilities in the St. Louis region. They are very big
4 in the St. Louis region. So I apply their branding. I
5 am also familiar with the gentleman that was referred
6 to, which is Tom Rose, which is a dog trainer to which
7 he was referring to.

8 I used to show in the same sports as Tom
9 Rose. To give you some background on Tom Rose, his
10 number one training technique is for schutzen (ph.).
11 If anybody is not familiar with it, it is a sport that
12 trains dogs in three areas, which is tracking such as
13 in tracking in lost individuals or criminals. It is
14 for obedience, but a third of it is also bite work. So
15 bite work is involved in that training.

16 I'm not saying that's the only training
17 that would be involved in the Kennelwood school. I
18 just know that I'm very familiar with that training.

19 With that though, I have a lot of
20 background in that, and I want to speak for my
21 community and my neighborhood tonight.

22 We moved to the Union area out on
23 Clearview Road just one year ago, almost to the day,
24 and the reason why we moved, my husband brought me
25 back to his hometown was to have a peaceful home and

1 backyard for our children.

2 With that said, I am concerned for a
3 couple -- a few things with the training facility that
4 is wanting to come in. One being noise pollution. In
5 the normal residential area, you want about a 65
6 decibels for the maximum acceptability of noise.

7 One do averages 80 to 90 decibels. He is
8 saying that there could be 20 to 25 of them. Just to
9 give you a comparison with a dog being 80 to 90,
10 that's -- a motorcycle is 95 decibels. Obviously,
11 that's noise pollution in our area, and it only goes
12 down to 74 decibels for every thousand feet. That's
13 my back door.

14 Air pollution and smell. Just in the
15 normal area, 10 to 50 percent of bacteria in the air
16 is from dog feces. Imagine if we had 20 to 25 dogs in
17 the area.

18 That can also trigger asthma, which my
19 step son does struggle with. So I really don't want
20 that in the environment.

21 Flushed feces. I would question on how
22 they're going to get rid of the feces. Feces in the
23 environment in the soil can lead to zoonotic parasites
24 and infection such as coccidiosis, salmonella and
25 giardia.

1 In the normal environment, 20 to 30
2 percent of bacteria in the water is from dog feces.
3 Imagine again if we had 20 to 25 in there.

4 Did you know, just to give you an idea
5 from the EPA, two to three days' worth of time from a
6 100 dog causes enough bacteria, nitrogen and
7 phosphorous to close a 20-mile radius of swimming and
8 fishing water. That's pollution.

9 The other thing I want to point out, by
10 no means, do I think that the training school is a bad
11 idea. I think it's awesome. Like I said, I've got a
12 background in it, and I think there is a spot for it,
13 just not in this area.

14 Remember we also have a brand new small
15 business dog training facility in Union. Let's give
16 them a little bit of a break. Not to mention it would
17 make more sense to put it in a more visual spot such
18 as, I know there's land for sale out on Highway 100
19 leaving Washington. To me that would be more visual.
20 That would be more successful for Kennelwood Village,
21 not in this environment.

22 Thank you.

23 CHAIRMAN EVANS: Thank you.

24 Questions, Jim?

25 COMMISSIONER GRUTSCH: You had

1 stated you live in the area.

2 MS. SMITH: Yes.

3 COMMISSIONER GRUTSCH: And
4 around the proposed site, there's probably -- just
5 looking at the map that was in our packet here, it
6 looks like along Highway A and the subdivision
7 adjacent to that, it looks like there's maybe 45 or 50
8 lots with single-family residences on those.

9 Do people that live in those homes have
10 dogs now?

11 MS. SMITH: I did -- I have not
12 gone around and seen if they have dogs. I don't hear
13 any dogs. So I can't really answer that.

14 COMMISSIONER GRUTSCH: Would
15 you think that people have dogs?

16 MS. SMITH: I would think that
17 they do, yes. I mean, with that many homes, they're
18 going to have some dogs. Yes.

19 COMMISSIONER GRUTSCH: Okay.
20 That was my question.

21 MS. SMITH: You bet.

22 COMMISSIONER GRUTSCH: Thank
23 you.

24 CHAIRMAN EVANS: Any other
25 questions?

1 (NONE)

2 Thank you.

3 Anyone else present wishing to speak in
4 opposition? State your name and address and sign in,
5 please.

6 MR. ERRIC SMITH: Erric Smith,
7 3728 Highway A.

8 (THEREUPON, THE WITNESS WAS
9 SWORN.)

10 To answer your question, I have went
11 around and talked to pretty much every neighbor in a
12 quarter mile area. There's a lot of dogs down in
13 Evergreen Village. As far as around us, probably six
14 houses down there's a few dogs. So I don't know if
15 that helps you out at all. That's my wife that just
16 spoke.

17 COMMISSIONER GRUTSCH: It does,
18 and thank you for bringing her back to your hometown.

19 MR. SMITH: Okay. Sorry, I'm
20 not a people person. I don't like being up here.

21 Good evening, my name is Erric Smith.
22 I've lived in Union for 40 years, grew up on a family
23 farm directly behind Fairview School. I've lived on
24 Union Fort Road from 1981 to 2010. After that, moved
25 to the Eagle Ridge Subdivision.

1 After meeting my wife six years ago and
2 having a couple of children, there was no doubt where
3 I wanted to live. We finally got the opportunity in
4 the summer of 2019. We moved into a new house at 3728
5 Highway A. We're currently proud to say that we shop
6 for groceries at our local stores, get local produce,
7 stop in at local retailers, even buy gas at locally
8 owned stations.

9 We love where we live and our neighbors.
10 So I'm proud to say that where I live is where I want
11 to be and raise my kids. I even love it when our
12 local fire department goes by and salutes to our
13 neighbors. What does all this have to do with local
14 support to do with Kennelwood Village?

15 I know all my neighbors, or most of them
16 anyways, and went around and talked to them, and all
17 I'm asking for is the Board to recognize all the
18 signatures that I have.

19 Is it okay to approach? Can I approach
20 the Board?

21 MS. ZIELKE: Oh, I'm sorry.

22 MR. SMITH: Is it okay if I
23 approach the Board for signatures?

24 CHAIRMAN EVANS: Anything goes
25 to Nichole.

1 MR. SMITH: Okay. Basically
2 there's three packets here, one for each of you.

3 The petition for denial is everybody I
4 talked to and I encouraged them to do research on
5 Kennelwood Village, which most of them did not know
6 due to the sign for a subdivision that was going up.
7 So after they did their research, they were more than
8 happy to sign.

9 And the other one is a petition of
10 representation. This is people that due to COVID and
11 being scared were not able to come due to limitations
12 and other things or didn't want to come, but they
13 wanted to -- my wife to speak on their behalf. So
14 there's that.

15 MS. ZIELKE: Want me to take a
16 moment for her to mark this as an exhibit.

17 MR. SMITH: And that -- them
18 signatures -- oh, I'm sorry.

19 (THEREUPON, EVIDENCE WAS MARKED
20 FOR IDENTIFICATION AS OPPOSITION
21 EXHIBIT 1.)

22 MS. ZIELKE: And because
23 there's not enough copies for everyone, I can only
24 pass around one copy.

25 MR. SMITH: There's three

1 copies.

2 MS. ZIELKE: I understand, and
3 I don't know who to say should get it, so we're just
4 going to pass around.

5 MR. SMITH: Okay. Them
6 signatures represent people from basically Clearview
7 School to Evergreen Terrace and then probably a
8 quarter mile down Clearview Road, so within a quarter
9 mile radius.

10 The other thing is being right where I
11 live, I can tell you that the current dwellings will
12 not hold 25 people. There is one ranch-style house
13 and two very small houses. So there's no way that
14 they're going to hold 25.

15 On a personal note, I've talked to the
16 landowner's son and even offered to buy a couple of
17 lots, and basically he said if this doesn't go
18 through, then maybe we'll talk. But there's other
19 opportunities to sell the land.

20 Another thing is 25 does. They can say
21 25 dogs are not loud. I know people that have six
22 kids that are very loud, and kids are a lot quieter
23 than dogs. So other than that, I just wish that we
24 would have had more visual as far as what they're
25 going to do with the property.

1 There's nothing up here as far as where
2 they plan on building, what they're planning on
3 building, how close it's going to be to my house. So
4 we're going by what one person says, but I'm not
5 seeing nothing that would explain the -- for it at
6 all. So I'm against it because I'm not seeing nothing.

7 And that's all I have.

8 CHAIRMAN EVANS: All right.
9 Thank you.

10 Nichole?

11 MS. ZIELKE: Mr. Chairman, I
12 wanted to make a clarification. I misspoke earlier.
13 I got confused between the two files, and I said that
14 currently the zoning allows for a small kennel as a
15 permitted use and a large kennel as a conditional use.
16 I was thinking that they were zoned W when I said it.

17 A small kennel is a conditional use in
18 their current district, which is why they're
19 requesting the rezoning. It's much more clear to me
20 now that I understand.

21 CHAIRMAN EVANS: Thank you.

22 Anyone else wishing to speak in
23 opposition? Please come forward. State your name and
24 address and sign in, please.

25 MR. DONALD HOLZ: Hi, I'm

1 Donald Holz. We live on Clearview Road with property
2 immediately adjacent to the proposed rezoned property.

3 (THEREUPON, THE WITNESS WAS
4 SWORN.)

5 Thank you. Two points to be made, and
6 the first is -- and I don't want to misquote Mr. Job
7 from Kennelwood, but I believe the statement was would
8 have been brought up on an earlier front, implying
9 that had things gone differently on the part of
10 Kennelwood, that this would not be a rezoning issue as
11 they are talking about tonight.

12 You mentioned specifically the
13 contracting process started in November of 2019. He
14 specifically mentioned a person by the name of Don.
15 I'm that Don.

16 The easement issues were brought to my
17 attention on a correspondence dated 4 February 2020.
18 So it's unlikely that had this been known -- let me
19 rephrase that. Had this been known earlier to me,
20 could they have accomplished something with me to get
21 the zoning "moved through"? I don't know that.

22 But what I will say is 4 February is
23 after the Commission rezoning took place on 14 January
24 of 2020. So to imply or infer that this "could have
25 been resolved earlier", the zoning issue didn't become

1 apparent to me and my wife and other property owners
2 that had to do "grant" the appropriate easement
3 language for them to accomplish that. We worked
4 amiably with them, made that happen, but there is a
5 timeframe there that says, you know, "the zoning".
6 Their intent to not get that accomplished earlier
7 based on what I had to relinquish by way of rewriting
8 easements for them.

9 Okay. A couple of other points to be
10 made. The only thing I can see has been mentioned,
11 there are three buildings on that property. Will they
12 accommodate 20 to 25 people? I'm not going to
13 comment. You can be your own judge. All three of
14 them were three 2-bedroom. I've been in a couple of
15 them.

16 Having said that, the other point to be
17 made, and I think the Commission brought this up very
18 aptly earlier, is that what Kennelwood said tonight is
19 their intent. What Kennelwood does at some future
20 point in time is within the guidance provided by the
21 rezoning, if they receive it. So there's a whole
22 litany of things that they can choose to do which
23 weren't even brought up tonight if the rezoning is
24 granted.

25 It's predominantly a residential area. I

1 think complexion in terms of the new zoning laws are
2 appropriate, and I would like to see you enforce it.

3 Thank you so much. Have a good evening.

4 CHAIRMAN EVANS: Thank you.

5 MR. HOLZ: Any questions?

6 CHAIRMAN EVANS: Any questions?

7 Bill?

8 COMMISSIONER McLAREN: I'm just
9 a little bit dense.

10 MR. HOLZ: Okay.

11 COMMISSIONER McLAREN: Can you
12 go through the February 4th thing one more time for
13 me?

14 MR. HOLZ: Sure.

15 COMMISSIONER McLAREN: I'm not
16 sure I got your intent of what you were trying to say.

17 MR. HOLZ: Okay.

18 COMMISSIONER McLAREN: You may
19 have to dumb it down for me.

20 MR. HOLZ: I know. We'll try
21 to make this straightforward. We were advised in
22 writing on the 4th -- let me make sure I got my notes
23 right -- 4th of February from Mr. Deal (ph.) over here
24 that, Don, I need your help. And I'm paraphrasing
25 this.

1 There are two ingress and egress issues
2 that ingresses and egresses over our property, my wife
3 and myself. Okay. So 14 February, Neil, what you got
4 for me? He e-mails me the proposed new ingress and
5 egress language. There was already ingress and egress
6 easements associated with two of the three properties
7 in existence, but the process of titled insurance or
8 whatever was going on between Kennelwood and the
9 sellers was insufficient. So they wanted easements
10 properly redefined. Okay.

11 We get it on the 14th of February -- or
12 the 4th of February he calls up. Okay. Send it to
13 me. That's draft number one, and I'm treating it as a
14 draft. No disrespect to their attorneys or anything
15 else, but it was an unacceptable document.

16 So got in touch with them and said, guys,
17 we got a problem. I want to work with you. I want to
18 make this fair and equitable. I want to do the right
19 thing because those easement they preexisted for
20 years, but their whatever legal people didn't like
21 them.

22 So we went through draft two. Now we're
23 moving on, and we finally get to draft three where now
24 we have a document that clearly delineates what the
25 intent of the easements were. Three pieces of

1 property involved, and I'm going to use the original
2 owners prior to the current owner as the names.
3 You've got Davidson. That's the horse farm. That's
4 30 acres, give or take.

5 Then you're going to have Getz. Getz
6 were the parents of Linda Davidson. So they get an
7 acre off of that 30 acres. Okay. They built a house.
8 So now we've got easements involved.

9 Now the third one is George and Ruth
10 Russell. They own the house on Clearview Road. Great
11 ranch. Great neighbors. George and Ruth had their
12 driveway going across a piece of our property, a
13 little bitty wedge, and I mean little.

14 I can get the survey record book out, but
15 we're talking something like 25 -- 10 by whatever the
16 triangular of the hypotenuse is. We knew it was
17 "probably on our property", yes, it was. Never said
18 anything to George and Ruth. Why worry.

19 So he ended up with an easement agreement
20 which basically said the Getz property and the
21 Davidson property, we'll give you 30 feet plus the
22 gravelly creek a few feet. We'll give you that few
23 feet of gravel creek. Done.

24 And we give a second easement to the
25 third piece of property, which is the Russells. And

1 this is the little bitty wedge I'm talking about where
2 their blacktop is on us. No big deal.

3 So we were amiable, trying to be good
4 neighbors, and we gave them easements to those three
5 specific pieces of property for those specific
6 purposes.

7 Does that clarify it?

8 COMMISSIONER McLAREN: Not
9 really, but we're going to move on.

10 MR. HOLZ: Okay. Help me out.
11 I'll talk you through it again.

12 COMMISSIONER McLAREN: No, I
13 don't want to go through that again. Thank you.

14 MR. HOLZ: Okay. I told you I
15 had to go for a while. Sorry.

16 CHAIRMAN EVANS: All right.
17 Thank you.

18 Any other questions?

19 (NONE)

20 Thank you.

21 MR. HOLZ: Fine, thank you.
22 Have a good evening, gentlemen.

23 CHAIRMAN EVANS: Anyone else
24 wishing to speak in opposition?

25 (THEREUPON, THE WITNESS WAS

1 SWORN.)

2 MR. DAVID MEYER: Good
3 evening, and thank you for allowing us the opportunity
4 to show our concerns. Appreciate your time.

5 I have a few points I'd like to make that
6 I don't believe have been mentioned so far. One is
7 safety. I understand that you don't have control over
8 the traffic, but I do know that there's a safety
9 concern when it comes to traffic in and out. And with
10 20 to 25 additional properties in that area, that can
11 be a concern.

12 Why do I know that's a concern? Because
13 it was years ago that the Clifford Creek subdivision
14 attempted a similar change to the property. They
15 wanted to put in, guess how many homes, 20 to 25
16 homes. And they were denied that access.

17 That property is directly behind my house
18 at 1552 Clearview Road, which is directly across from
19 this property. In fact, the entrance to that property
20 driveway is directly across from that property. So
21 number one, it would be inconsistent to change the
22 zoning for this property when that property was denied
23 that access.

24 Secondly, as mentioned by many of the
25 speakers before, this is a residential area. You

1 know, all of the homes here are single-family homes
2 with -- you know, and there's a lot of small children,
3 particularly whenever it comes to cross the road. I
4 understand that this is not traffic, but still safety.

5 And third, the entrance is at a
6 significant angle which makes it difficult to access.
7 So if you put 20 to 25 additional homes and people
8 living there, it's going to be difficult to get in and
9 out, and it's going to cause problems with traffic and
10 safety issues as children cross right in that area.

11 I also wanted to address some of the
12 comments by Kennelwood in terms of rezoning. They
13 said that the trainers would be on-site. This
14 location would be a world-class training facility and
15 not a lot of traffic, minimal, not a lot of people.
16 Although 20 to 25 is a sizeable amount of people.

17 Then why rezone? As we have heard
18 earlier, there could be a contingent, I believe it was
19 called, for a small kennel. So if we're not talking a
20 large, you know, establishment, why rezone? Because I
21 think once you step across that boundary, you don't go
22 back. You know, you mentioned that earlier.

23 And secondly, so as we know with
24 businesses, things don't always go as planned. Right.
25 So in this case, it was mentioned that this has never

1 been done before. Kennelwood said, "We've never done
2 this before." So this is a new venture for them.
3 With the amount of businesses that fail, what happens
4 if this plan fails?

5 I can tell you I have a pretty good idea.
6 Traditional kennels, you know. So once this gets
7 rezoned, we've opened Pandora's box for whatever needs
8 to happen to sustain that property outdoor that a
9 sizeable investment has been made.

10 So finally I'd like to ask you to think
11 about if you had your home and someone said to you
12 hey, we want to put in -- we want to rezone this so
13 that you can put in as was mentioned a medical
14 marijuana manufacturing facility, liquor stores, bars,
15 nightclubs, repair shops, you know, there's a --
16 whenever you go to the B Zoning District, this is
17 significantly inconsistent with the residential area
18 we're talking about. It creates a lot of problems.

19 And so I am hopeful that if Kennelwood
20 does do something or are allowed to do something that
21 it is successful, but I know the statistics are
22 against that, especially when it's a new venture like
23 that.

24 So I would plead that you do not rezone
25 this property or do not make the recommendation to

1 rezone this property because I think that once you
2 cross that boundary, there's no going back, and it
3 could have significant impact on the -- on the
4 families and children in the area.

5 CHAIRMAN EVANS: Thank you.

6 Any questions?

7 (NONE)

8 Thank you.

9 MR. MEYER: I did have one
10 question I forgot to mention. I know there were a
11 significant amount of letters that were -- they were
12 submitted back in March in the timeframe recommended.
13 Were those received?

14 Okay. Thank you.

15 CHAIRMAN EVANS: Yes, we have
16 all the letters in our packet.

17 MR. MEYER: All right. Thank
18 you so much.

19 CHAIRMAN EVANS: Anyone else
20 present wishing to speak in opposition?

21 MS. KATHLEEN SUTPHEN: Good
22 evening. My name is Kathleen Sutphen. S-U-T-P-H-E-N.
23 I live at 106 Choiceland Drive with my husband, Bob
24 Sutphen, and Evergreen Terrace off of Highway A.

25 And I'd just like to --

1 (THEREUPON, THE WITNESS WAS
2 SWORN.)

3 I just wanted the -- to give you a
4 perspective of Evergreen Terrace Subdivision where we
5 live, specifically where Bob and I live, we're at the
6 end of Choiceland Drive in the cul-de-sac and there
7 are four homes there. All the four homes, including
8 ours, back up to the south fence of the property in
9 question here.

10 It's a very beautiful spot that we have.
11 It -- where the fence comes right up to our -- except
12 for easements, to our property line. It's beautifully
13 wooded. We're backed up to a beautiful green space,
14 and one of my big, big concerns, along with my
15 neighbors, is the noise factor of putting Kennelwood
16 in there.

17 Also the excrements from the dogs. I
18 understand that, you know, they more than likely or
19 will pick up all the excrements from the kennel. But
20 during heavy rains, we get a tremend- -- we're a
21 little bit below the property line. So during heavy
22 rains, we get a lot of water rushing off the hill from
23 the property. It crosses our property, my neighbor's
24 property, runs down to a little creek that runs next
25 to our property. So my big concern is what about all

1 that, because there obviously is going to be trash
2 that is not going to make it to the bins. What about
3 all the feces that might not be picked up and the
4 smell, especially from the rains and basically it is
5 almost flood waters if we get heavy rains coming off
6 that property.

7 So that is my biggest concern about
8 putting anything like that next to our subdivision.

9 Thank you.

10 CHAIRMAN EVANS: Thank you.

11 Any questions?

12 COMMISSIONER HARTMANN: I have
13 one.

14 MS. SUTPHEN: Yes.

15 COMMISSIONER HARTMANN: That
16 used to be a horse farm, you said?

17 MS. SUTPHEN: Yes.

18 COMMISSIONER HARTMANN: How did
19 they handle the horse manure and stuff from running
20 off?

21 MS. SUTPHEN: Oh, well, yes.

22 They never -- we never notice anything like that, but
23 we were -- I always used to call it the lower pasture.
24 I don't know why they didn't use it very much. There
25 was maybe one -- at the most one or two horses, maybe

1 three, that I noticed that were -- you know, they
2 would even stick during wintertime too, they would
3 even stick their heads over the fence and let you pet
4 them. It was -- but I never noticed anything like
5 that.

6 COMMISSIONER HARTMANN: But you
7 never had any trouble?

8 MS. SUTPHEN: No.

9 COMMISSIONER HARTMANN: Okay.

10 MS. SUTPHEN: No.

11 CHAIRMAN EVANS: Any other
12 questions?

13 (NONE)

14 Thank you.

15 Anyone else wishing to speak in
16 opposition? If you'd just stay there for a minute.

17 MR. ROSS MALONE: My name is
18 Ross Malone, and --

19 (THEREUPON, THE WITNESS WAS
20 SWORN.)

21 My name is Ross Malone. I live at 1487
22 Clearview Road. I've been there for over three
23 decades now. Many of the homes and property along
24 Clearview Road actually were a family farm of my
25 wife's family, the Duards (ph.), and several people

1 here are related to the Duards (ph.) family. And so
2 they're people with a long, long interest in this
3 community, and keeping it what it should be.

4 Now, I'm just going to say a couple of
5 really general things, but I think that we all do
6 appreciate what you all do. Just a quick story.

7 The little town where I grew up, talking
8 about it one day, and they said there's so much here.
9 There's a lot of nice things, but man, don't they have
10 a planning commission because it was just -- it's such
11 a hodgepodge of stuff that shouldn't be there.

12 And that's kind of what we're after here
13 tonight. We're trying to preserve the good that we
14 have. And I know you don't deal with roads, but you
15 do deal with safety. I've heard that a couple of
16 times. And I don't see any way that we can keep
17 Clearview Road safe by adding more traffic to it.

18 And I know it's supposed to be a place
19 where people stay and live for a few months at a time,
20 but are people who live in Ballwin or Ellisville or
21 Manchester or Eureka or Hermann or Sullivan really
22 going to stay there rather than just drive to and from
23 each day?

24 And Clearview Road was a road that was
25 laid out in horse and buggy days. And it's still just

1 a horse and buggy road with pavement. There are no
2 shoulders. There are ditches along both sides of the
3 road for the whole length of it, and those of us who
4 live there know that a lot of people have accidents on
5 that road. Most of them never get reported. They
6 just get towed out and leave the yards a mess.

7 Occasionally some of them come and patch
8 up the lawn, but no, it's a routine that. And adding
9 more traffic is not a good thing.

10 Now Clearview Road is also in the entire
11 area there is a little wildlife haven. We have deer.
12 We have coyotes. We have bobcats, all kinds of birds
13 of prey and songbirds. We have so many nice things
14 going on, and I do believe that all the noise from the
15 dog facility this large would have a negative effect
16 on the neighborhood. And therefore, have a negative
17 effect on the property value.

18 And I heard a couple of times that part
19 of your job is to make sure that, you know, the place
20 keeps improving, the community keeps improving. And I
21 think this would be detrimental. I just don't think
22 there's any -- any question.

23 And then the last thing, and I appreciate
24 your listening to me, giving me this opportunity. The
25 last thing, if you actually did a poll or put it to a

1 vote of people who live in the area, I'm certain over
2 90 percent of the residents would vote against this.

3 It's not a popular thing, and people have
4 been very polite this evening, but they're kind of
5 riled up about it.

6 Thank you very much.

7 CHAIRMAN EVANS: Thank you.

8 Any questions?

9 (NONE)

10 Thank you.

11 Anyone else wishing to speak in
12 opposition? Step forward.

13 (THEREUPON, THE WITNESS WAS
14 SWORN.)

15 MS. DANA POST. My name is Dana
16 Post. D-A-N-A P-O-S-T. I live at 1501 Clearview
17 Road. So I know that safety has been beat down a lot
18 here, but apart from the traffic safety, many of the
19 people who live on Clearview and around Clearview have
20 lived there for a very long time. They all know each
21 other fairly well, and have a, you know, respect for
22 each other and what each other does.

23 And I'm afraid that having a large
24 expansion all at once could put that safety in
25 jeopardy. I'm not saying that new people in this area

1 would necessarily steal or do any kind of breaking and
2 entering or anything like that, but it is a higher
3 possibility when you know less of the people around.

4 So that is my statement for that.

5 CHAIRMAN EVANS: Thank you.

6 Any questions?

7 (NONE)

8 Thank you.

9 Anyone else wishing to speak in
10 opposition? Step forward, please.

11 (THEREUPON, THE WITNESS WAS
12 SWORN.)

13 MS. KATHERINE L. POST: My name
14 is Katherine L. Post. Everybody has been talking
15 about Clifford Creek and the Duards (ph.). I'm the
16 Duard (ph.). That was my homestead. It really
17 doesn't have anything to do with it, but in any case,
18 just wanted to mention it.

19 I think basically our whole concern is
20 that we are concerned that we are going from a small
21 unit to commercial. I don't believe anybody here
22 wants this to be rezoned. I'm not trying to not get
23 them to sell their property. I just don't want it to
24 be rezoned commercial for something in the future that
25 we will no longer have any control over. And what he

1 has been talking with world-wide, world-wide always
2 has expansion. Along with expansion, I would expect
3 in the future they are expecting to buy the properties
4 around them. That's why they're going to need this to
5 be zoned commercial.

6 I believe they can do pretty much what
7 they want to do with what it is zoned currently, and
8 they did have a good point with the Clifford Creek.
9 We did try and get Clifford Creek zoned. We didn't
10 get that opportunity, and so now he will be coming in
11 with 25 people when we could have had family and such,
12 which we, you know, would have liked to have made a
13 division ourselves.

14 But in any case, I think it is more for
15 the future and the fact that commercial leaves so much
16 undiscussed. His plans right now could be one thing,
17 but in the future that we will have no control of for
18 ourselves or our grandchildren is what we're really
19 kind of concerned about with it being zoned
20 commercial.

21 And in his statement, they have sold
22 before, that you know, ever in their history. Okay.
23 I'll grant him that. However, COVID has never been
24 anything in our history either. So things could
25 change with the future.

1 We're just trying to protect our
2 community, along with the fact that with the school
3 zoning, with the barking and that, how does that
4 impair the special needs children that are already in
5 that school? And also it is terrible getting the
6 buses in and out of there.

7 The bus line is interesting, and the
8 parents picking everyone up is interesting enough the
9 way it is. That itself will add more to that traffic
10 in that particular timeframe, and as well as at the
11 moment it is a 15-mile-an-hour speed limit. Which
12 there has been, you know, police officers there
13 controlling that or trying to control that.

14 So I don't know how that's going to
15 change the speed limit for the school as well if you
16 were making -- I don't even know if that changes the
17 zoning for 15 miles an hour, but it's just a
18 consideration.

19 So all in all, I just think we're really
20 more concerned of it going commercial.

21 Any questions?

22 CHAIRMAN EVANS: Any questions?

23 (NONE)

24 Thank you.

25 MS. POST: Thank you.

1 CHAIRMAN EVANS: Anyone else
2 wishing to speak in opposition?

3 COMMISSIONER GRUTSCH: Mr.
4 Chairman, I have a question for the applicant.

5 CHAIRMAN EVANS: He has five
6 minutes rebuttal, so he'll be coming up.

7 If there is no one else wishing to speak
8 in opposition, Mr. Job.

9 Jim.

10 COMMISSIONER GRUTSCH: Yes, in
11 your testimony for your application, you had stated
12 you're using the existing structures for residential
13 units, and your goal is at the end of five years, to
14 have accommodations for 25 trainers, 25 residents, and
15 they'll be there for three or four months at a time.

16 MR. JOB: Correct.

17 COMMISSIONER GRUTSCH:
18 Initially was it your intention to use the existing
19 structures and house fewer than 25? Because we've
20 heard testimony that there's not enough room in the
21 existing structures for 25.

22 MR. JOB: Correct. We -- just
23 like any new venture, no one has heard of Kennelwood
24 Dog Training Academy because it hasn't existed till we
25 decided to go down that venture. So we have no

1 students right now. So we may have no students for
2 the next two years. I can't predict that, but yes,
3 there will be -- it will take time to grow.

4 But our plan is to renovate and I
5 appreciate you bringing up this point because all
6 renovations and the interior work will go through the
7 appropriate folks department, and they will have the
8 final say on approving any modifications that we're
9 requesting.

10 But all -- I'll touch on something that
11 several residents have concerns on. We're enhancing
12 the current facilities. There is no current plans to
13 building a new structure or adding -- bringing a crane
14 down to put a highrise or anything like that. It's
15 just modifying the existing homes, modifying the
16 interior of the farm to meet our needs.

17 COMMISSIONER GRUTSCH: Okay.
18 Thank you.

19 CHAIRMAN EVANS: Question on --
20 that's come up a couple of times on sanitation. Are
21 you -- would this facility be regulated by anyone?

22 MR. JOB: Yes. They're
23 regulated by the State and as far as dog waste, all
24 dog waste is picked up immediately by the employees,
25 and it is required as part of our approval process

1 from the State.

2 CHAIRMAN EVANS: Who is that,
3 MDC or --

4 MR. JOB: It is -- the legal
5 body is, I'm blanking. It's a State regulatory body
6 that comes and audits and reviews our facility. But
7 all dog waste immediately is picked up, and has been
8 for the duration of our 24 years that we've been in
9 business. Okay.

10 CHAIRMAN EVANS: One the
11 question. Obviously, what would be the benefit to the
12 county and the residents?

13 MR. JOB: Sure, thank you for
14 the question. All these individuals are going to be
15 shopping locally. They're going to be purchasing
16 products locally. They will be increasing business in
17 the community and becoming members. Besides the
18 employees that are going to be running the training
19 school will know all these neighbors and the other
20 ones who weren't able to attend.

21 One -- so it will have a -- in my
22 opinion, a dramatic positive impact on the economics
23 in this county. I touched on this earlier, but I want
24 to reemphasize that we chose this site for the beauty
25 of this site, not to take away from the beauty of the

1 site or diminish it.

2 The one individual is right, correct. It
3 has never happened before where we've sold a property
4 that we've purchases and invested a significant amount
5 of capital. She's a hundred percent. No one could
6 have predicted COVID either, but the -- we are --
7 that's why we're making a large investment, because we
8 don't expect an immediate return.

9 This is a part of our business that we
10 want to grow, and it is -- it's a significant part,
11 but it may not be a significant money maker. That's
12 okay with us. That's not why we are building this
13 facility. We're not looking to make it a commercial
14 property where there's a significant amount of
15 in-and-out traffic.

16 This is a dedicated site where
17 individuals who are serious about the craft of
18 becoming a nationally recognized dog trainer can come
19 and be trained by the best.

20 I want to touch on a couple other things
21 one individual had mentioned a petition. It's
22 probably my fault that I haven't -- it is my fault,
23 not probably, that I haven't shared more of what
24 Kennelwood is planning to do with this site.

25 I think there's a lot of misconception on

1 that, and I apologize for that. I think that when
2 people hear the name Kennelwood and know the name
3 Kennelwood or look up our website, they see all the
4 things that they may not want next door. But that's
5 not what we're doing here. That isn't the goal of
6 this location, and I apologize for not making the
7 clear before coming here through the available means.

8 One more thing I want to touch on again.
9 All renovations interiors, everything will go through
10 your appropriate codes department. I know I touched
11 on that. I want to reemphasize that. So if -- all
12 modifications, all of the incidents will fall under
13 those guidelines and we won't -- we can't make any
14 modifications that aren't approved by that appropriate
15 governing body.

16 The governing body is agriculture,
17 National Agriculture for the State of Missouri.
18 That's who's our governing body and who does yearly
19 audits.

20 The noise, I know I touched on this in my
21 opening. Noise, it will only arise when there is a
22 significant amount of dogs that are looking at each
23 other and don't have handlers or trainers or anyone.
24 It is -- at any location, we have gone through
25 rezoning in several counties. That this application

1 does not have a significant or I'm not going to say
2 any, but there is not a barking. This is not a type
3 of situation. These are -- the dogs are listening to
4 their trainers and following demands, and they're at
5 captivated attention.

6 This individual has to train this one
7 dog. It is not one individual training five dogs or
8 ten dogs or being around a day camp situation where
9 there might be 20 dogs. It is not that situation.

10 One more thing that one of the residents
11 had mentioned. We are the type of -- it seems like
12 these residents have done their research on
13 Kennelwood, which is awesome and I appreciate them
14 coming down here to voice their opinion and concern.
15 It means it's a very engaged community, which I enjoy.

16 One thing I want to touch on is that we
17 wouldn't be in business for this many years or being
18 in eight different cities in St. Louis if we weren't
19 receptive to the constituents in that area.

20 We are -- we will and are always good
21 neighbors, and it's important to us. We're a
22 family-run business, as I mentioned, and will continue
23 to be that way. So any concerns, I've left my card
24 here. I'll leave it here after I leave. Please so
25 you can all view. And then please take and call my

1 cell phone anytime if there's a concern or a question
2 that I haven't answered, and I'd be happy to do so.

3 CHAIRMAN EVANS: One question.
4 With the 25 people and 25 dogs, now, in the evenings,
5 where do the dogs go?

6 MR. JOB: They --

7 CHAIRMAN EVANS: Are they in
8 kennels, or do they go --

9 MR. JOB: With the owner.

10 CHAIRMAN EVANS: -- with their
11 owners?

12 MR. JOB: Yeah, correct. They
13 -- that's part of the training that they're with that
14 individual. It's just like a residential dog. They
15 might sleep in the basement or in your bed or right
16 next door, but they'll be inside the home.

17 CHAIRMAN EVANS: Okay. So
18 there will be no kennel?

19 MR. JOB: Correct. No kennel
20 inside the homes, correct.

21 CHAIRMAN EVANS: I'm not saying
22 inside the home. I'm saying the facility where you
23 would have kennels, they have 25 dogs. Are you going
24 to have a kennel there?

25 MR. JOB: Nothing on the

1 exterior. Now there might -- we might have a kennel
2 space that we put somewhere that rest in between to
3 give them a break. So just like an individual who's
4 like I use the example a lot with professional
5 athletes. So an individual who's training for the
6 Olympics can't go swimming back and forth a hundred
7 times without needing a break.

8 It's the same thing with a pet. So we
9 will give them breaks. We will let them -- we will
10 follow appropriate guidelines so they aren't worn out
11 or they're not getting -- it's a hundred degrees
12 outside and they're not getting worn out.

13 So there might be kennel space on the
14 interior, but there -- all the structures will be
15 insulated so that noise doesn't carry over and hasn't
16 in all of our other locations as well.

17 CHAIRMAN EVANS: Okay. That
18 was my concern, if there's -- there's no boarding and
19 the dogs are not being attended.

20 MR. JOB: Whenever they're in
21 all of our locations, including this, if we ever did
22 do a small comment that's boarding, again, this is a
23 dog training academy. That is not our goal for this
24 site. There will always be an attendant. We never
25 leave any dogs unattended for any duration of our

1 time, even at 3:00 a.m. or midnight.

2 CHAIRMAN EVANS: Okay.

3 Any other questions?

4 MR. JOB: Yes, sir.

5 COMMISSIONER KLENKE: You said
6 25 trainees. What about staff? How many staff are
7 going to live on-site?

8 MR. JOB: The staff will be the
9 only ones that will commute back and forth. So there
10 will be two head trainers along with a couple
11 associate trainers, and then a couple of receptionist
12 staff.

13 COMMISSIONER KLENKE: Okay.

14 MR. JOB: So we're talking
15 initially two, at max five for our vision of this
16 property.

17 COMMISSIONER KLENKE:
18 Thirty-seven acres. How much of that property are you
19 going to use to train?

20 MR. JOB: That's a good -- all
21 of it in some form, but not every day. I mean, one
22 individual mentioned tracking, right. So they'll
23 escort the dog through our property, but it will --
24 the majority of the training will be -- I would -- and
25 I don't want to put a percentage on it. The majority

1 of the training will be in the indoor riding area,
2 which is our -- if we were through rezoning and we're
3 able to close on it, that will be right where we spent
4 the majority of it.

5 We want concrete put in or a soft floor
6 in. That's where the majority because it will be --
7 with the size of that building that will be a perfect
8 training area for our equipment.

9 CHAIRMAN EVANS: Any other
10 questions?

11 COMMISSIONER McLAREN: Mr.
12 Chairman. And I don't know if anybody can answer this
13 question for me. As I've sat here and looked at this
14 map and looked at this map and looked at this map
15 hodgepodge was used a little while ago, and hodgepodge
16 looks to me to be this. How many pieces of this
17 property was this developed as? Is there a board of
18 trustees that -- I mean, there's a lot of lots here.
19 Is there a board of trustees and covenants on what can
20 be done with these lots that are being incorporated
21 into this property?

22 CHAIRMAN EVANS: Nichole, I
23 don't know if it was set up as a subdivision or just
24 subdivided.

25 MS. ZIELKE: Well, it was

1 subdivided. As far as whether or not there are any
2 covenants, we do not keep track of that. If a
3 subdivision does have covenants or, you know, a board
4 of trustees, that's something that's recorded with the
5 Recorder of Deeds office. So that's not something I'm
6 not going to know.

7 COMMISSIONER McLAREN: All
8 right.

9 CHAIRMAN EVANS: And I would
10 say that it was a horse farm the way it's set up.

11 COMMISSIONER McLAREN: Okay.
12 So these lots that are off Ivey Estates are not really
13 lots?

14 MS. ZIELKE: They are
15 individual lots, and a couple of them do have homes on
16 them.

17 CHAIRMAN EVANS: Okay.

18 COMMISSIONER McLAREN: Okay.
19 Well, is Ivey Estates are a part of the -- the way the
20 lots are numbered, are they part of the other
21 subdivision also?

22 MR. JOB: If the Commissioners
23 would approve, can I request Neil and/or the other
24 owners to come up?

25 CHAIRMAN EVANS: No.

1 MR. JOB: Okay.

2 CHAIRMAN EVANS: Yeah, I think
3 it's a little bit confusing. As I look at a for-sale
4 sign, and they have that 37 acres subdivided into
5 lots.

6 COMMISSIONER McLAREN: Right.

7 CHAIRMAN EVANS: Any other
8 questions --

9 COMMISSIONER FRANKENBERG:
10 Yeah.

11 CHAIRMAN EVANS: -- for Mr.
12 Job?

13 COMMISSIONER FRANKENBERG: Why
14 didn't you go for W, because then we could have put
15 conditions on it and eliminate the issue of turning it
16 into a commercial later on?

17 MR. JOB: This was based on the
18 discussions that we had with Scottie, and regarding
19 our use. And it was her recommendation.

20 COMMISSIONER FRANKENBERG: With
21 a W, we could have said that -- we could have
22 alleviated a lot of problems here and said no, you
23 can't use it for anything but that kennel. And then
24 -- of course, then you can't turn it into a
25 subdivision. You can't turn it into a medical

1 marijuana or a bar or a nightclub. You would have to
2 use it as a kennel under the conditions.

3 MR. JOB: Again, I don't have a
4 good answer for you on that.

5 MS. ZIELKE: Well, I can tell
6 you that we as staff do not recommend specific zoning
7 districts. What we would do is go down a list of
8 proposed uses and let you know which zoning districts
9 allow for those proposed uses. And I can tell you a
10 retail store would not be permitted in the W Zoning
11 District.

12 Convenience stores are the only thing
13 that I can even think of that -- you know, or
14 agricultural sales, that type of thing, but the type
15 of retail sales that he has described would not be
16 something allowed in the W District. So that might be
17 why they chose a different one.

18 MR. JOB: I didn't touch on
19 that comment, but I'd be happy to. Not planning to
20 put any of the 14 other items that that citizen
21 mentioned that could be under that. I wasn't -- I
22 won't -- that isn't our intent. I didn't call that
23 out, but I wanted to mention it.

24 CHAIRMAN EVANS: Any other
25 questions for Mr. Job before the public hearing is

1 closed?

2 (NONE)

3 All right.

4 MR. JOB: Thank you,
5 Commissioners. Very much appreciate it. And thank
6 you, residents, for coming.

7 CHAIRMAN EVANS: The public
8 hearing is closed. The floor is open for discussion.

9 COMMISSIONER HAIRE: Well, I
10 have no particular issue with Kennelwood and their
11 presentation, even what their intention would be. My
12 issue with this is the 48 permitted uses and the 8
13 conditional uses that it will open the door to on this
14 property.

15 CHAIRMAN EVANS: Yeah. There
16 would be 56 all totaled and obviously some of them --
17 they're not going to put a golf course there probably,
18 but with all the conditional uses and permitted uses,
19 that's a lot. When we consider rezoning, we have to
20 consider the fact would all of them be appropriate.
21 And obviously again, some of them you wouldn't put
22 there. They wouldn't fit, you know, physically.

23 But that is one specific point for
24 consideration, and again, the roads all of them -- all
25 the roads in Franklin County are curvy. A lot of them

1 don't have shoulders, and it goes with the territory.

2 Any other discussion?

3 COMMISSIONER McLAREN: You
4 know, I think Kennelwood made a good presentation
5 also. I'm going to say I'm not convinced with the
6 revenue stream that they're talking about. It's going
7 to benefit the county to look at the rezoning. That
8 it's beneficial enough to our community to look at
9 that. That's kind of my own personal opinion.

10 And you know, I think right now, and this
11 is just obviously Bill personal, but it needs to be
12 overwhelming that we consider a rezoning with the fact
13 that we just rezoned the whole county.

14 I think, you know, it needs to be 110
15 percent reason that we need to rezone or to look at
16 rezoning property when we just fought for five months
17 over how to do get a new zoning map.

18 So...

19 CHAIRMAN EVANS: Yeah. I would
20 agree, which is why I asked what the benefit was to
21 the county. Because obviously if an applicant comes
22 before us, there's benefit for him, but then what's
23 the benefit for the county. What you're saying it
24 should be considerable before we look at a rezoning.

25 Jim?

1 not quiet.

2 Any other discussion? And again, since
3 it is a rezoning, what we are doing is sending a
4 recommendation to the County Commission. They in turn
5 will have their own public hearing and review the
6 file, and they will make the final determination. So
7 what we do tonight is a recommendation to them, but
8 there will be another public hearing in front of the
9 County Commission.

10 Any further discussion, Commissioners?

11 I know when I look at it, I'm thinking
12 Mark brought it up, I have a little bit of problem
13 with even the definition of large kennel, that they're
14 doing some of the things a large kennel does. Like
15 boarding or being responsible for or whatever. So
16 that's really kind of a training facility.

17 COMMISSIONER GRUTSCH: Mr.
18 Chairman.

19 CHAIRMAN EVANS: Jim.

20 COMMISSIONER GRUTSCH: Under
21 the Y District, it does allow educational facilities,
22 and if this indeed is a truly educational training
23 facility, I would tend to believe that they would
24 qualify for that, and it would be a permitted use in
25 the present zoning district.

1 CHAIRMAN EVANS: Yeah, I think
2 this clearly seems to be a gray area here.

3 Debbie.

4 COMMISSIONER WILLETTE: It
5 seems to be the biggest hurdle here is the retail
6 store. I don't believe that's allowed in the Yellow,
7 in the Y. Therefore, whether it's a training facility
8 or not, I think that's his biggest problem. So I
9 don't know if the Kennelwood people might want to
10 reconsider something there.

11 I do think that this Kennelwood
12 presentation appears to be something that I think
13 looks positive. What I do not think looks positive
14 for this area is changing it to a rezoned district, as
15 we mentioned, and opening it up to future
16 possibilities that are listed in the B Zoning
17 District.

18 Some of those uses to me do not seem
19 compatible with this area.

20 CHAIRMAN EVANS: Any other
21 comments?

22 Nichole.

23 MS. ZIELKE: I just wanted to
24 point out that the Planning Director is who classifies
25 businesses. So in that way, when someone describes

1 the type of business that they're planning on
2 conducting on a property, it would be up to Scottie
3 how she would choose to classify them and under which
4 headings, you know, she would apply to them or that
5 she feels most closely resembles the business.

6 Now, if someone disagrees with her on
7 that, then it can be appealed to the Board of Zoning
8 Adjustment, but I would hate to say that she
9 classified it wrong considering her original
10 conversations with them or whatever they were. And I
11 wasn't there. I wasn't a part of the conversation,
12 but she obviously classified it the way she did for a
13 reason. I just wanted to --

14 CHAIRMAN EVANS: No, I agree.
15 I don't think she classified it wrong. It's just that
16 the explanation that we're getting, you know, with
17 what they're doing just leaves some questions, and we
18 weren't privy to that either. But unfortunately it
19 will be another hearing, and Scottie may even be back
20 by then.

21 In eight weeks. How days and hours?

22 Jim?

23 COMMISSIONER GRUTSCH: Mr.
24 Chairman, in light of all the testimony we've heard
25 from both sides, I would like to make a motion that we

1 recommend to the County Commission that we decline
2 this request for zoning.

3 COMMISSIONER FRANKENBERG: I'll
4 second that.

5 CHAIRMAN EVANS: We have a
6 motion and a second to recommend against this rezoning
7 of File 200040. All in favor signify by saying aye.

8 COMMISSIONER REINHOLD: Aye.

9 COMMISSIONER McLAREN: Aye.

10 COMMISSIONER WILLETTE: Aye.

11 COMMISSIONER GRUTSCH: Aye.

12 CHAIRMAN EVANS: Aye.

13 COMMISSIONER KLENKE: Aye.

14 COMMISSIONER HAIRE: Aye.

15 COMMISSIONER HARTMANN: Aye.

16 COMMISSIONER FRANKENBERG: Aye.

17 CHAIRMAN EVANS: Opposed?

18 (NONE)

19 The motion is carried.

20 Preliminary Plats. We have none.

21 Planning and Zoning Commission Forum.

22 Anything the Commissioners want to discuss?

23 (NONE)

24 Planning Director's Report.

25 MS. ZIELKE: Okay. One thing

1 is I need that marked exhibit back.

2 (EXHIBIT RETURNED)

3 The other thing is I don't know if anyone
4 is aware, but Tori is actually no longer with the
5 County. He will not be in the office. Officially his
6 last day is June 20th, but he is no longer with us
7 anyway.

8 Just wanted to let you guys know that,
9 and then there are four conditional use permits on the
10 agenda for next week. You probably got your packets
11 today, so you're probably aware that hopefully phase
12 one will not be extended. I'm not really sure what
13 we're going to do for social distancing for four
14 conditional use permits if it's extended.

15 And then as far as Article 10 is
16 concerned, the earliest that I would have something to
17 you for review would be probably July. And if not
18 then, then I would just wait for Scottie to get back.
19 I'm going to wait for the transcripts to come back.
20 I've already typed it. But you know, I just want to
21 make sure that what I've typed matches what was
22 discussed.

23 That's it.

24 CHAIRMAN EVANS: Okay, thank
25 you.

1 That being said, the Chair would
2 entertain a motion to adjourn.

3 COMMISSIONER McLAREN: Can I
4 ask a question?

5 CHAIRMAN EVANS: Sure.

6 COMMISSIONER McLAREN: Are you
7 not doing the electronic packets anymore, or am I the
8 only one not getting them?

9 MS. HOLDMEIER: We send them.

10 COMMISSIONER HAIRE: They're
11 coming in fine.

12 COMMISSIONER McLAREN: Well,
13 I'm getting any more. The last two times I haven't
14 got them.

15 COMMISSIONER HAIRE: Well, you
16 know, you may want to check this. I've been getting
17 some of mine have been going to SPAM.

18 MS. HOLDMEIER: Yeah, I was
19 going to say.

20 COMMISSIONER McLAREN: I looked
21 in junk -- I don't look all the time in junk mail. I
22 have looked.

23 COMMISSIONER FRANKENBERG: I'd
24 like to let you all know tonight will be my last
25 meeting. I moved -- I'm going to move into town

1 August 1st. So I can no longer serve on the Board.

2 Sorry about that.

3 CHAIRMAN EVANS: You're not
4 moving to get out of the job, right?

5 COMMISSIONER FRANKENBERG:
6 Yeah, I am.

7 No. I think I'll probably be moving.

8 CHAIRMAN EVANS: Anything else?
9 If not, the Chair would entertain a motion to adjourn.

10 COMMISSIONER McLAREN: Motion
11 to adjourn.

12 COMMISSIONER HAIRE: Second.

13 CHAIRMAN EVANS: All in favor
14 signify by saying aye.

15 COMMISSIONER REINHOLD: Aye.

16 COMMISSIONER McLAREN: Aye.

17 COMMISSIONER WILLETTE: Aye.

18 COMMISSIONER GRUTSCH: Aye.

19 CHAIRMAN EVANS: Aye.

20 COMMISSIONER KLENKE: Aye.

21 COMMISSIONER HAIRE: Aye.

22 COMMISSIONER HARTMANN: Aye.

23 COMMISSIONER FRANKENBERG: Aye.

24 CHAIRMAN EVANS: Opposed?

25 (NONE)

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We are adjourned.

(THEREUPON, THE PROCEEDINGS
CONCLUDED AT 8:55 P.M.)

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1 CERTIFICATE OF REPORTER
2 I, PATSY A. MAYBERRY, Professional Court
3 Reporter and Notary Public within and for the State of
4 Missouri, before whom the foregoing proceeding was
5 taken, do hereby swear that: the aforementioned was
6 held at the time and in the place previously
7 described; the proceedings were taken down in
8 stenographic notes by me and transcribed by me, or
9 under my supervision, to the best of my ability; and
10 that the aforementioned represents a true and accurate
11 transcript of said proceedings.

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

Patsy A. Mayberry



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

17 My Commission Expires:
18 August 26, 2022

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