

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

6  
7  
8  
9 PUBLIC HEARING  
10 JULY 16, 2020  
11 (COMMENCING AT 1:30 P.M.)  
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18 Reported by:  
19 Patsy A. Mayberry, C. R.  
20 Alaris Litigation Services  
21  
22  
23  
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1 P R O C E E D I N G S

2 (JULY 16, 2020)

3 CHAIRMAN BRINKER: All right.

4 Good afternoon and welcome to this public hearing of  
5 the Franklin County Commission on July 16th, Thursday.

6 We can call this hearing to order. The  
7 Commission is present, and the first item on the  
8 agenda today is the presentation of hearing procedures  
9 and exhibits by the Planning and Zoning Department.

10 We have two files we're going to hear,  
11 and we will proceed with, Nichole, please.

12 MS. ZIELKE: At this time, I  
13 would like to place into the record the Franklin  
14 County Unified Land Use Regulations of 2001 as Exhibit  
15 A, the official Zoning Map as Exhibit B, the official  
16 Master Plan as Exhibit C, and the case file for each  
17 case as Exhibit D for all the cases to be heard at  
18 this hearing.

19 (THEREUPON, EVIDENCE WAS  
20 MARKED FOR IDENTIFICATION AND  
21 SUBMITTED FOR THE RECORD AS  
22 EXHIBITS A, B, C, and D.)

23 As each case is opened, a staff report  
24 will first be read by the Planning and Zoning  
25 Department, followed by Commissioners' questions for

1 the staff.

2 Then if anyone in the audience would like  
3 to speak or comment during the hearing, they must  
4 first print their name on the sign-in sheet provided,  
5 and then be sworn in.

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

10 Generally the applicant for the rezoning  
11 is allowed to speak first, followed by those in  
12 support of the rezoning and then those opposed. The  
13 applicant may speak again after comments from the  
14 general public to address any questions or issues  
15 brought up during the hearing.

16 At the conclusion of all questions,  
17 comments, and discussion concerning each case, the  
18 public hearing for each case will conclude.

19 The decision will generally be made by  
20 Commission Order at a later date during the County  
21 Commission's regular meeting time.

22 CHAIRMAN BRINKER: Thank you.

23 All right. So let's begin with again to  
24 reiterate. This is about rezoning parcel from  
25 existing to a requested. And the first file is

1 200040. This file number is Kennelwood Village,  
2 Incorporated, to request rezoning of parcels they are  
3 contracted to purchase.

4 So with that, we will entertain anyone  
5 who wishes to speak in favor of the proposal in front  
6 of us after introduction, please come forward.

7 Do you need to introduce that first,  
8 Nichole? I will have you introduce the file first.

9 MS. ZIELKE: File 200040  
10 Kennelwood Village.

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

14 FACTS: The total area for the rezoning  
15 is approximately 37 acres and 7 parcels. The zoning  
16 of this property as of January 14, 2020 is Y. Prior  
17 to January 14, 2020, this property was zoned Community  
18 Development.

19 The applicant would like to rezone to the  
20 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. The properties to the west and southwest  
2 are primarily high-density residential properties.

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

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

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

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

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

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

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

25 The Planning and Zoning Commission

1 unanimously voted to recommend denial of this rezoning  
2 at the Special Meeting held on June 9, 2020.

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

13                   CHAIRMAN BRINKER: Thank you,  
14 Nichole. We will now entertain those who wish to  
15 speak in favor of the proposal. Please come forward  
16 and be sworn in.

17                   (THEREUPON, THE WITNESS WAS  
18                   SWORN.)

19                   MR. FIGU JOB: Good afternoon.  
20 My name is Figu Job, and I'm the chief development  
21 officer for Kennelwood Pet Facilities.

22                   First, I want to thank Planning and  
23 Zoning and the County Commissioners for giving me the  
24 opportunity today to speak on behalf of Kennelwood on  
25 this rezoning request.

1 I plan to touch on three topics today  
2 regarding the rezoning.

3 Number one will be an overview of our  
4 operation. There was some misunderstandings on what  
5 our intent for this site is, and I want to line out  
6 what we plan to do with this site.

7 Number two, why we are specifically  
8 requesting this rezoning.

9 And three, addressing some concerns  
10 raised during the P and Z meeting last month.

11 So firth, regarding our operation. We  
12 are proposing to build a dog training academy on the  
13 proposed site. Our intent is to build a world-class  
14 facility to train individuals from across the US that  
15 want to become dog trainers or dog handlers, and to be  
16 taught by some of the best trainers, including Dave  
17 Bengarderin (ph.), who is here present with us.

18 I can list a whole page of accolades that  
19 Dave has earned over the course of his career. I will  
20 just touch on one large one so you can understand his  
21 aptitude for -- and his skill set in the dog training  
22 world.

23 He won the Shoots and Hound National  
24 Championship, earning the right to represent the  
25 United States of America at the World Championship in

1 Germany. He has traveled all across the world to  
2 attend various other training programs, including Rio  
3 de Janiero to expand his skills.

4 So our school curriculum is accredited by  
5 the State of Missouri. We'll be offering three  
6 different programs that range in length from four to  
7 six months.

8 There are several facets to this  
9 operation. One, training of dogs and dog handlers,  
10 retail sales of pet supplies, and three, lodging for  
11 students.

12 This site currently has one large indoor  
13 riding arena with outlying residence. Our plan is to  
14 keep the same scheme with significant improvements.  
15 In an effort to illustrate the extend of our planned  
16 improvements, I've had our architects create some  
17 renderings to illustrate.

18 May I submit these documents into  
19 evidence? I have brought four copies.

20 CHAIRMAN BRINKER: Yes, you  
21 certainly may.

22 (THEREUPON, EVIDENCE WAS MARKED  
23 FOR IDENTIFICATION AS KENNELWOOD  
24 EXHIBIT 1.)

25 MR. JOB: The first rendering

1 is --

2 COURT REPORTER: Just a minute.

3 MR. JOB: The first rendering  
4 is an exterior view of the training area with our  
5 logo. The second is a depiction of the proposed  
6 training facility, which includes a wide gamut of  
7 enhancements to the current riding arena, including  
8 insulation for the roof and walls, improved lighting,  
9 plumbing and electrical enhancements, and most  
10 importantly, a new concrete floor with an epoxy paw  
11 soft floor base, which in our history is best in class  
12 for pet safety.

13 We plan to spend about 500 K on the  
14 interior enhancements. We are making this significant  
15 investment because we want this facility to be the  
16 best training facility, not just in Franklin County,  
17 St. Louis County, St. Louis City, but one of the best  
18 in the nation because our goal is to attract students  
19 from all across the US.

20 The last rendering shows three outlying  
21 residential properties and the list of enhancements  
22 that we plan to make, including roof and HVAC  
23 replacement, plumbing and electrical upgrades. We  
24 estimate these capital repairs will be north of 450 K.

25 To summarize, our plan is to spend

1 upwards of 950 K at this property to create this  
2 world-class training facility.

3           Some additional specifics on the  
4 operation. We project to have a maximum capacity of  
5 30 students at this training academy. These will be  
6 30 students who live on-site for four to six month  
7 intervals, and who will invest in Franklin County, who  
8 will purchase groceries in Franklin County, who will  
9 attend restaurants in Franklin County. These are not  
10 individuals who will be commuting from St. Louis  
11 County or St. Louis City.

12           The students and pets are primarily  
13 trained inside the training facility, which the  
14 rendering of which you have.

15           The students' pets will go home with them  
16 at the end of their class. At any time, there will be  
17 a maximum of 30 dogs inside that training facility.

18           The second topic that I want to discuss  
19 is the specifics of our zoning request. When  
20 Kennelwood initially went under contract for this  
21 property on November 22, 2019, all uses proposed by  
22 Kennelwood would have been permitted. This contract  
23 is with our zoning application with P and Z.

24           However, when the County revised the  
25 rezoning map, Kennelwood needed to switch to a B

1 designation so that all uses were permitted, in  
2 particular, because Kennelwood is proposing a mixed  
3 use operation that includes a large kennel, retail  
4 sales, training and school activities and student  
5 housing.

6 After discussions with Planning and  
7 Zoning starting in October of 2019, Kennelwood sought  
8 the B designation as we feel this zoning district  
9 captures the proposed uses and overall intent of this  
10 Kennelwood training camp.

11 The 950 K plus initial investment we plan  
12 to make we believe will help increase the property tax  
13 base for Franklin County. We are proposing this  
14 investment without any tax abatement request of  
15 incentives.

16 We believe our proposed use will be to a  
17 generation of local sales and sales tax revenue with  
18 students that will be attending our school and living  
19 on campus.

20 Finally, I want to touch on my third and  
21 final topic. At the Planning and Zoning meeting in  
22 June, we heard loud and clear the concerns of some of  
23 the neighbors of this property.

24 For us at Kennelwood, we make a  
25 commitment as we have in the past 46 years of our

1 operation to be good neighbors. This is not a slogan  
2 or a catch phrase for us. It truly means a special  
3 significance to our operation.

4 We would not have been able to have been  
5 fortunate enough to expand to our current eight  
6 locations if we did not embody this principle. Part  
7 of being a good neighbor is truly listening and  
8 understanding the concerns of our neighbors.

9 One of the biggest concerns that was  
10 conveyed at the hearing was the concern of potential  
11 noise with our proposed use impacting the natural  
12 beauty and serenity of the area.

13 As a result, at our cost, I engaged an  
14 architect and sound engineer to evaluate that concern.  
15 May I submit this document into evidence? I brought  
16 four copies.

17 CHAIRMAN BRINKER: Yes,  
18 absolutely.

19 (THEREUPON, EVIDENCE WAS MARKED  
20 FOR IDENTIFICATION AS KENNELWOOD  
21 EXHIBIT 2.)

22 MR. JOB: The average decibel  
23 level for a loud dog bark is 90 decibels. So what  
24 you're seeing here is all the neighboring properties  
25 and the decibel levels that will be at their specific

1 property once sound from that dog bark reaches their  
2 home.

3 At the top left, you have a summary that  
4 shows typical decibel levels. A lawnmower or loud dog  
5 bark at 90 decibels. A garbage disposal is around 80  
6 decibels. A vacuum cleaner is 70 decibels. Normal  
7 conversation is 60 decibels, and a quiet office is 45  
8 decibels.

9 As you can see from this decibel levels  
10 range from 28 decibels, 29, 31, 35, 30, 49. Every  
11 single neighboring home near the interior of this dark  
12 barn has -- will not see a decibel level higher than a  
13 normal conversation, and a majority of them will only  
14 hear a decibel level comparable to a quiet office.

15 This rendering definitively shows that  
16 sound will not be an issue for any neighbors. This is  
17 a result of us choosing to upgrade the insulation  
18 inside the training school to mitigate this concern.  
19 And again, re-enforcing our commitment to Franklin  
20 County and the neighbors that we want to become a good  
21 neighbor.

22 I want to thank you all for the time, and  
23 open it up to any questions that you may have.

24 CHAIRMAN BRINKER: Thank you.

25 Any questions from the Commissioners?

1 COMMISSIONER HINSON: I have  
2 none.

3 COMMISSIONER BOLAND: I just  
4 got a couple for you.

5 MR. JOB: Sure.

6 COMMISSIONER BOLAND: So will  
7 the dogs all be boarded inside?

8 MR. JOB: The dogs will --  
9 they'll be living in each of the trainers' residences.  
10 Not in school.

11 COMMISSIONER BOLAND: So they  
12 will be inside?

13 MR. JOB: Correct. They will  
14 -- no dogs will be left outside at any point.

15 COMMISSIONER BOLAND: Okay.

16 MR. JOB: Unattended.

17 COMMISSIONER BOLAND: Well,  
18 right. But I mean, obviously at some point the dogs  
19 have to go outside --

20 MR. JOB: Sure.

21 COMMISSIONER BOLAND: -- to  
22 move around and things like that. I understand, but I  
23 was just wondering if they were going to be obviously  
24 then in a kennel outside?

25 MR. JOB: No, absolutely not.

1 COMMISSIONER BOLAND: Okay.

2 And you say retail sales. What are you proposing in  
3 retail sales? Is it I can come there and buy items,  
4 or is it more so the trainers?

5 MR. JOB: Both.

6 COMMISSIONER BOLAND: Both.

7 MR. JOB: And primarily for  
8 individuals that will become trainees that attend the  
9 school, will be able to purchase it. But -- and we  
10 haven't formalized all the nuances for that portion,  
11 but the original plan is to do both.

12 COMMISSIONER BOLAND: And how  
13 much of retail are you pushing for?

14 MR. JOB: That's hard to  
15 quantify at this time, unfortunately, but I would  
16 suspect 10 percent, 15 percent, preferably around  
17 there.

18 COMMISSIONER BOLAND: So on  
19 average you're taking -- I mean, traffic in there of  
20 one or two cars a day?

21 MR. JOB: No. It'll be more.  
22 If we ever host an event that -- there will be no  
23 traffic coming to that site unless -- unless it's the  
24 two or three or four employees that will work there  
25 because most of the traffic lives there.

1 COMMISSIONER BOLAND: Right.

2 MR. JOB: The maximum capacity  
3 when we have 30 students, they'll be living on the  
4 residence, so there won't be --

5 COMMISSIONER BOLAND: So it's  
6 really not for me to come there to pick up dog food or  
7 anything like that in --

8 MR. JOB: Correct.

9 COMMISSIONER BOLAND: Got you.  
10 All right. Thank you.

11 MR. JOB: No problem. Thank  
12 you for your question.

13 COMMISSIONER BOLAND: That's  
14 all I have, Mr. Brinker.

15 CHAIRMAN BRINKER: So I  
16 understand, the request before us today is to rezone  
17 from Y to B, correct?

18 MR. JOB: Correct.

19 CHAIRMAN BRINKER: Regardless  
20 of use, that's what the issue at hand today is?

21 MR. JOB: Correct.

22 CHAIRMAN BRINKER: All right.  
23 Thank you. I have no further questions.

24 Anybody else in the audience wish to  
25 speak in favor of the proposal?

1 (NONE)

2 All right. Seeing none, anybody wish to  
3 come forward and testify in opposition to the  
4 proposal?

5 If so, please come forward, state your  
6 name, be sworn in and sign in.

7 MS. CRYSTAL SMITH: Crystal  
8 Smith.

9 (THEREUPON, THE WITNESS WAS  
10 SWORN.)

11 My name is Crystal Smith. I'm from 3728  
12 Highway A.

13 First off, I want to say thank you for  
14 letting us come and speak whatever we have to speak or  
15 questions we have. I appreciate your time.

16 I know if I'm not mistaken, I don't know  
17 if I'm allowed to ask you questions. Do you have  
18 notes from that meeting, I'm assuming?

19 CHAIRMAN BRINKER: Yeah, in the  
20 instructions prior to you cannot interact with the  
21 Commission. You can testify any opposition. We do  
22 get copied on all public hearing testimony.

23 In that regard, now that you brought it  
24 up, I did get a list of names and signatures, but I  
25 did not get an initial page of what that petition read

1 and how it was presented. If we had that on file, I  
2 could see it. All I got was three sheets of names and  
3 addresses that said on top "Denial" -- "Recommend  
4 Denial", but it doesn't reference file, it doesn't  
5 reference how it was put forth to those that signed  
6 the petition, which would truly define the intent of  
7 the petition that's submitted.

8 So with that, please proceed.

9 MS. SMITH: Sure. Thank you,  
10 sir.

11 So I don't want to go too far into detail  
12 if you already have some of that meeting because I did  
13 also mention the decibels and let's just move on, You  
14 have those notes.

15 Just to give you a little bit of  
16 background for myself personally, I am in the  
17 veterinary industry. I have been around dogs. I  
18 actually started with Shoots and Training. So I truly  
19 appreciate all the hard work that the trainers do and  
20 the goal that they have at providing that school.

21 With that said, obviously I am here in  
22 opposition as a homeowner on 3728 Highway A. We just  
23 moved our family. My husband is from Union his whole  
24 life, and we moved our family and our kids to this  
25 property for one reason and that was the environment

1 and the rural, quiet just solitude somewhere where I  
2 can escape, my kids can go outside and play without  
3 any worries.

4 Obviously I'm concerned with the rezoning  
5 portion of this because, if for some reason this  
6 doesn't succeed or down the road let's all, you know,  
7 hope that God blesses me so that I can retire in the  
8 same home, I don't want to have to worry about now  
9 it's rezoned and there could now be a bar or a  
10 restaurant. I would like to keep it the way that it  
11 is.

12 I also hope that I am not out of line  
13 with just speaking in regards to the training itself.  
14 Again, I do have experience in the training, and  
15 although I can appreciate it, you -- it was mentioned  
16 the decibels and the loudness and also the retail.

17 So with 30 dogs, since I'm still in the  
18 veterinary industry, I still understand dogs. They  
19 have to go to the bathroom outside. So the decibels  
20 mentioned is -- if I understood correctly, that's in  
21 regards to the dogs being inside the majority of the  
22 time.

23 With that training, dogs will not be  
24 doing their bite work and their tracking inside. That  
25 is done outside. So there still is the possibility of

1    them being outside.  Also a lot of times you do put  
2    them in an outside area, if you will, to go to the  
3    bathroom.  And they're not going to be with an  
4    individual 24/7.

5                    So I just -- I don't think that was quite  
6    true representation.

7                    And as far as the retail store, I can  
8    appreciate that, saying that it's increasing value in  
9    the area with the retail store, but that's mostly for  
10   those students that are going to be there.  So you're  
11   talking equipment such as prong collars, bite sleeves,  
12   and shock collars is what I am envisioning.

13                   I just want again to thank you so much  
14   for providing this time for us to speak in regards to  
15   opposition of the piece of property to not be rezoned.

16                   CHAIRMAN BRINKER:  Thank you.

17                   Next.  Anybody wishing to testify in  
18   opposition to the proposal, please come forward, sign  
19   in, state your name, and be sworn in.

20                   MR. ERIC SMITH:  Eric Smith.

21                   (THEREUPON, THE WITNESS WAS

22                   SWORN.)

23                   We heard concerns earlier about all this.  
24   I started the signature list.  This is what I gave  
25   every neighbor.  So if you want to me turn this in.

1 You guys can look at it.

2 CHAIRMAN BRINKER: You can  
3 submit that as evidence, yes. Thank you.

4 (THEREUPON, EVIDENCE WAS MARKED  
5 FOR IDENTIFICATION AS OPPOSITION  
6 EXHIBIT 1.)

7 MR. SMITH: And I did try to  
8 get the recorded statements last time. I called and  
9 called and called, and they said since so many people  
10 had talked, that they probably weren't going to be  
11 available by this hearing. So pretty much last week,  
12 I let it go.

13 Of course, there's opposition on this. I  
14 want to focus on one thing, and that's what we were  
15 told in the beginning of the meeting as to what we  
16 were told at the end of the meeting because there's  
17 quite a bit of stuff that is just not adding up.

18 First of all, if the property was under  
19 contract since October of 2019, why was there a  
20 subdivision sign put up in the spring of 2020?

21 Number two, if this still hasn't passed,  
22 then why has engineers and architects twice been to  
23 the property?

24 Number three, Kennelwood said that they  
25 would invest all this money with no return right away,

1 and that they were willing to sit on it for maybe up  
2 to two years. If they'll sit on it for two years,  
3 then why would they already have Mr. Rose, the dog  
4 trainer, lined up to train?

5 Just some of this stuff just does not  
6 make any sense. Like watching today as we were  
7 introduced to a new trainer. So are we switching  
8 trainers with Mr. Rose being known as what he quotes  
9 an employable dog. That is a dog that does guard  
10 work, protection, police work. You know, you're  
11 talking 200 feet of a school, plus a residential area.

12 This stuff is just not -- to me is mind  
13 boggling.

14 They originally said that they would have  
15 25, which today he said 30, people in the buildings.  
16 Well, if you look at the buildings, there's no way  
17 that 25 people and their dogs are going to fit.

18 Then he said that there will be no  
19 building done on the property. Then he said that they  
20 might expand.

21 Said that there would be outside runs,  
22 and dogs would be with their trainer 24/7, as we  
23 talked about earlier. We know you cannot be with your  
24 dog 24/7, and I question that doing police work. You  
25 know, you're not going to be with your dog snuggling

1 up. Your dog's there to be learned, to be trained.  
2 He's there to do a job. You know, some of these  
3 questions are...

4 He also said at the beginning of the  
5 meeting that they would not use all of the property,  
6 but then at the end of the meeting, he said that they  
7 were planning on using all the property for tracking  
8 purposes. Again, which one is it going to be?

9 He said at this meeting that the  
10 Department of Agriculture measures -- or manages the  
11 waste on the property if this was to go through.  
12 Well, in fact, after research, the EPA controls this,  
13 which the EPA wants you to pick up the poop, throw in  
14 a Dumpster and wash down urine. Not that hard.

15 He also said that since it was a horse  
16 farm, feces would not be a problem, that dog poop and  
17 horse poop is the same. Well, they're not. Do the  
18 research. Somebody that's in this industry should  
19 know.

20 I'm just a dumb body guy. I found this  
21 stuff on line in ten minutes.

22 The gentleman said that they did a bad  
23 job informing the public from his segment last  
24 meeting, said they did a bad job informing the public.  
25 Again tonight we see no renderings and no drawings of

1 what they plan on doing.

2 My wife and I did contact Kennelwood. On  
3 February 24th, they replied. They denied any purchase  
4 or interest in the property.

5 Kennelwood said that they were bringing  
6 people to train. Last meeting one of your members  
7 said, well, can I bring my dog to be trained? The  
8 answer was no.

9 So if it's open to the public to train  
10 your dog, why can't somebody from Union train their  
11 dog? None of this stuff adds up.

12 They also said at the last Planning and  
13 Zoning meeting the school would be doable in its  
14 current planning. So again, not adding up.

15 So basically to summarize, I agree 100  
16 percent with Planning and Zoning. There is not enough  
17 information brought to the table to make a good  
18 decision. The information that was brought to the  
19 table consistently changed.

20 So I know I'm from Union, I'm not the  
21 smartest guy. I'm obviously not a lawyer, but when  
22 somebody tells me something and then they change their  
23 mind and they say something else, no, it's too many  
24 red flags for me.

25 So again, a multi-million-dollar company

1 I don't think is going to sit on a piece of property  
2 for up to two years and not do anything with it.

3 Also I'd like to reiterate that again  
4 this is going to be 300 feet from a school, and again  
5 he changed his numbers from 25 to 30 students, and now  
6 we have a new trainer.

7 So I'm not getting any straight answers.  
8 So I hope you guys see what I see. Thank you.

9 CHAIRMAN BRINKER: Thank you  
10 very much.

11 Anybody else wishing to come give  
12 testimony in opposition to the proposal please come  
13 forward, state your name, be sworn in and sign in.

14 (THEREUPON, THE WITNESS WAS  
15 SWORN.)

16 MS. KATHERINE L. POST: My name  
17 is Katherine L. Post. I live at 1501 Clearview Road,  
18 just down the road from the said facility.

19 Basically I just want to reiterate that  
20 here for the rezoning is -- we -- it is a residential  
21 area with a school right there. So commercial is  
22 really not conducive, in my opinion, to this entire  
23 operation. If he wants to have a kennel there and it  
24 sounds wonderful and worldwide, great, whatever.  
25 That's really not the issue.

1           The issue is commercial. Once it is  
2 zoned commercial, we can never un-zone it commercial  
3 for us that are the residents there and have been  
4 there from anywhere from 25 to 50 years.

5           And I'm kind of wondering how that  
6 particular horse farm for what they want to do there,  
7 with Highway A being the already hard spot to come in  
8 from Highway A to Clearview Road and then you have the  
9 curve on the other side, how that's even going to be  
10 safe if it's going to be zone commercial.

11           You're going to have to do a whole lot of  
12 different widening of the highway and such in order to  
13 even come in safely with that. And once again, with  
14 the school zone there, that's just a whole nother  
15 issue I would think you would have.

16           But in any case, here nor there, the big  
17 thing is it is a residential area that I don't even  
18 see as conducive commercially even if you're going to  
19 rezone that commercial. You're not going to be able  
20 to keep expanding that area there. It is -- you know,  
21 they always keep saying in real estate, location,  
22 location, location. I don't see that that's the best  
23 location for this particular facility.

24           I have a better farm on the end of  
25 Clearview Road along the Bourbeuse River that would

1 help with the tracking and biting than where this  
2 piece of property is.

3 So that's just mainly my concerns. Thank  
4 you for taking the time.

5 CHAIRMAN BRINKER: Thank you  
6 very much.

7 Anyone else wish to come forward and give  
8 testimony against the proposal please do so.

9 Again, sign in, state your name, and be  
10 sworn in.

11 (THEREUPON, THE WITNESS WAS  
12 SWORN.)

13 MR. DON AUTHOLZ: I'm Don  
14 Autholz. I live on Clearview Road. Thank you for the  
15 opportunity to present. I appreciate that.

16 First of all, I am of the opinion that  
17 the current zoning allows Kennelwood to do exactly  
18 what they want to do. Okay. They are going to be  
19 operating an educational institution to train  
20 individuals in the process of learning how to train  
21 dogs. So it is an educational institution, and that  
22 is permitted with the current zoning.

23 Number two, it's my understanding that  
24 the dogs will the responsibility of the individual who  
25 brings that dog, and as such, that dog will be "with

1    them 24/7", except in certain circumstances where in  
2    fact they will be in a class or a lecture or whatever  
3    it might be. That's my interpretation.

4                    The only sticking issue is the one of  
5    retail. So let me give you a correlation. If you  
6    were going to operate a welding academy, if you would  
7    be operating a machine tool academy, meaning glaze,  
8    mills, things of that nature, if you go to a welding  
9    academy, you will have to have certain protective  
10   clothing, you'll have to have leathers, you'll have to  
11   have steel toed boots, you'll have to have a welding  
12   helmet, you'll have to have gloves. That is unique to  
13   the individual and is also unique to the circumstance  
14   in terms of what type of welding their doing.

15                   The same would apply if you were running  
16   a machining training facility, and people were  
17   learning how to be machinists. You're going to use  
18   certain measuring instruments that will be your  
19   responsibility to make sure that product that you have  
20   now milled or turned on a lathe or whatever the case  
21   may be.

22                   So you look at retail, and you say what  
23   is it they're selling? In my opinion -- I'm not a dog  
24   trainer -- but it would be I am selling specific  
25   things to an individual student associated with what

1 they need to handle their dog, whether it's a leash, a  
2 collar, a muzzle, harness, or whatever it is, it's  
3 unique to the size of that dog that you need to the  
4 training that dog is receiving.

5 So to say that retail is a sticking  
6 point, is sort of like okay, we can solve this  
7 problem. Real simple. I charge X number of dollars  
8 to a student, and that student is going to bring their  
9 dog. They're going to come to my facility, and they  
10 come in and they say, okay, let's fit your dog up with  
11 the appropriate harness. They will have a selection  
12 of harnesses just like you have a selection of  
13 "leathers" that you would wear if you were learning  
14 how to be a welder, or you're going to need a certain  
15 leash.

16 You can make that an exclusive "part" of  
17 the contract with the student, whereby that's the only  
18 individual that's going to be purchasing, or you can  
19 make it part of the tuition.

20 So in my opinion, retail isn't a  
21 stumbling block. It's merely a question of how do we  
22 handle this. So the current zoning would allow them,  
23 as I understand it, to have an educational facility to  
24 use existing residence for the purpose of the students  
25 living there with their dogs, and the retail is not

1 the issue, in my opinion.

2 So current zoning allows Kennelwood, in  
3 my opinion, if you address retail properly to do  
4 exactly what they propose to do.

5 Also recognize if you rezone, we're back  
6 to square one. We open Pandora's Box because now  
7 Kennelwood looks at this and says, h'm, our business  
8 model has changed. We don't want this to be what we  
9 originally proposed it to be, but now we've got  
10 rezoning which allows us to do all sorts of things  
11 that in the previous zoning were acceptable where  
12 under the current zoning would not be.

13 So all bets are off if you rezone as to  
14 what the future use of this property may be.

15 Any questions of me? And I thank you for  
16 the opportunity to present.

17 CHAIRMAN BRINKER: Thank you  
18 very much.

19 MR. AUTHOLZ: Thank you. Have  
20 a good day.

21 CHAIRMAN BRINKER: Next. Does  
22 anybody else wish to testify in opposition of the  
23 proposal at hand. Please come forward. Sign in, and  
24 get sworn in and state your name.

25 (THEREUPON, THE WITNESS WAS

1 SWORN.)

2 MR. DAVID MEYER: Hello, and  
3 thank you for allowing us to speak today.

4 First of all, I want to point out that --

5 COURT REPORTER: I need your  
6 name. State your name, just state your name.

7 CHAIRMAN BRINKER: Please state  
8 your name.

9 MR. MEYER: David Meyer.  
10 Sorry.

11 COURT REPORTER: Thank you.

12 MR. MEYER: I live directly  
13 across from the entrance to Kennelwood. It's actually  
14 across from the school more, but I'm right next to the  
15 school, so...

16 I wanted to point out that a lot of  
17 Kennelwood's points, you know, it sounds like a  
18 fantastic facility, but it seems like most of those  
19 advantages are for Kennelwood, not necessarily for our  
20 community.

21 You know, there was the mention of the  
22 increase in tax base, but pretty much they've got  
23 people coming from the outside to be trained and so --  
24 so there's a lot of benefit for Kennelwood. I don't  
25 really see the benefit for the community.

1           Secondly, there's definitely a safety  
2 concern. You know, hopefully you can tell by the map,  
3 but this is literally right across from the school,  
4 and the way it is right now between 7:30 and 8:00 a.m.  
5 during the school year, Clearview Road is completely  
6 blocked off. And then between 2:30 and 3:00, it's  
7 completely blocked off.

8           So if you add the additional traffic with  
9 30 -- 25 to 30 students in and out, you know, from  
10 time to time during the day, I think that's going to  
11 just make it more complicated and it's going to  
12 overburden that area. So I think that a lot of  
13 children live on Highway A. So they cross Clearview  
14 Road to get to their homes. And so again, with  
15 increased traffic, there's definitely a concern there.

16           And the entrance to the Kennelwood would  
17 be right across from the entrance to the school, or  
18 one of the entrances, and that's the primary entrance  
19 that the school instructs the parents to line up and  
20 go in because the buses use the other entrance.

21           CHAIRMAN BRINKER: Yeah, I  
22 don't see the entrance matching up on the picture. I  
23 see that entrance to Kennelwood currently across from  
24 a residential entrance. I see 1,100 feet differential  
25 between the main facility building and the school

1 building. So a fifth of a mile between those  
2 structures. FYI for the record. I don't want anybody  
3 to misstate the road.

4 MR. MEYER: Yeah, and I can  
5 tell you that, you know. I live there.

6 CHAIRMAN BRINKER: I know. I  
7 see your house. I'm looking at it.

8 MR. MEYER: Yeah, yeah. And  
9 that -- my driveway is actually a little bit to the  
10 east of the -- you know, because I have two entrances  
11 to my driveway. The school entrance is, you know,  
12 directly to the right of mine. And so is that -- if  
13 you look at the Kennelwood entrance, it comes in at an  
14 angle.

15 CHAIRMAN BRINKER: Correct.

16 MR. MEYER: And it's -- if you  
17 went straight across the entrance to Kennelwood, you  
18 would end up in the line for the school where -- you  
19 know, to go in the parking lot. They use that first  
20 entrance to get into the parking lot to pick up the  
21 students.

22 CHAIRMAN BRINKER: Okay.

23 MR. MEYER: Okay.

24 CHAIRMAN BRINKER: That's not  
25 what the picture says.

1 MR. MEYER: I'm sorry?

2 CHAIRMAN BRINKER: It's not  
3 what the photo says, but we'll leave it at that.

4 MR. MEYER: Okay. And then  
5 secondly, I wanted to state that there was a recent  
6 request in the past by the Clifford Creek Subdivision  
7 that is directly next to the school. So this is --  
8 again, it would be right next to the school. Same area  
9 of entrance. In fact, it was -- I purchased part of  
10 that easement for the road on our property. So it  
11 cuts right between the school parking lot and the  
12 structure that we have.

13 And so that was denied because of the  
14 increased traffic, and you know, I guess this was a  
15 similar process. And they were actually going to put  
16 in -- guess how many homes -- 25 to 30 homes.

17 And so you know, it's interesting that  
18 that one would be turned down and it would be a little  
19 bit unusual of this one was accepted. I think that  
20 was originally at the Planning and Zoning Committee  
21 meeting Kennelwood proposed that they were going to  
22 put in that many facilities or houses for the actual  
23 students that came in. So...

24 And then finally, I just wanted to point  
25 out that when you look at the rezoning, you know,

1 Kennelwood has never done this before. Their  
2 facilities are not intended as training facilities of  
3 this magnitude and this -- you know, this is new for  
4 them, and they admitted that at the Planning and  
5 Zoning Committee.

6 And if you look at new businesses, as you  
7 all know, they don't have a very good success rate.  
8 You know, most of them fail in the first or I'm sorry  
9 -- 20 percent fail in the first year, 30 percent in  
10 two years, and 70 percent in 10 years.

11 So per what Don said, you know, what  
12 happens whenever they invest a million dollars and  
13 then things don't go the way they planned? All of a  
14 sudden this zoning allows them to do pretty much  
15 whatever they want with that property, you know.

16 In viewing the why the new zoning, I  
17 mean, there's a utility waste landfill, medical  
18 marijuana, motor vehicle rental or repair as well as  
19 -- you know, it runs the gamut.

20 And so I think that the best intentions  
21 don't always work out, and I think that that's a  
22 strong possibility since this is their first business  
23 venture of this type.

24 So with that, I would also ask is you  
25 consider where you live and you know that, you know,

1 if you're in the area, mostly there's homes around you  
2 and all of a sudden there's a big giant business put  
3 in like this or potentially a waste facility in the  
4 future, that would be unwelcome, number one.

5 And number two, it really wouldn't fit  
6 with the rest of the housing that are around it and  
7 you could probably see that. I'm not for sure.

8 So thank you for your time. I appreciate  
9 it.

10 CHAIRMAN BRINKER: Thank you  
11 very much.

12 Next. Who else wants to speak in  
13 opposition of the proposal before us today? Don't be  
14 shy. Come on up, sign in, state your name, be sworn  
15 in, or however order you want to do it.

16 (THEREUPON, THE WITNESS WAS  
17 SWORN.)

18 MR. ROBERT DOPP: My name is  
19 Robert Dopp. I live at 3720 Highway A, and the reason  
20 I purchased this property 40 years ago was because of  
21 the nice atmosphere and being able to sit out in your  
22 yard in the evening and not have any disturbance other  
23 than the birds and the one neighbor that has a chicken  
24 that has it's days and nights mixed up, but we allow  
25 for that.

1           But my concern on this whole thing I know  
2 what kind of volume traffic is on Highway 47. I also  
3 know a lot of people cut over Clearview Road to get  
4 onto Highway A to go either north or south just to get  
5 off of 47 between Union and Washington because of high  
6 volume of traffic.

7           Now bringing this into a concept with the  
8 school, when they're in station, that traffic is  
9 backed up for as far as a thousand feet towards 47 and  
10 usually blocks the drive almost to Clearview Road. So  
11 you've got another high volume of traffic.

12           Now I'm not sure when these students are  
13 going to be coming in in the morning or leaving for  
14 lunch or coming back in the evening to stay there at  
15 this facility that they're proposing, but it's going  
16 to create a lot more traffic in that area.

17           The other thing that I'm concerned with,  
18 when we had the Planning and Zoning meeting, there was  
19 too many flip flops of questions that were answered  
20 one way one minute and the next way another minute.  
21 And the one that really brought it to my attention was  
22 when one of the Commission -- Planning Commission  
23 people asked the question, "Could I bring my dog out  
24 there and be trained?" And they were told no.

25           That concerns me when he turns right

1 around and says that they're going to bring them in  
2 from all over the United States to train them, and  
3 then deny one person that is locally that wants to  
4 train his dog.

5 So things like that and other things that  
6 flip flopped during the whole presentation at the  
7 Planning and Zoning didn't make a bit of sense.

8 And again, I enjoy my life where I live,  
9 and the only bad thing is because of the increased  
10 volume on Highway A due to 47 traffic, that's the only  
11 noise we have sometimes until 7:30 at night. But  
12 after that, it's a pleasant evening. Right now I  
13 don't have any sounds coming from any other  
14 properties, and I don't want any other sounds coming  
15 to our property.

16 So I thank you for giving me the  
17 opportunity to present my perspective on this whole  
18 thing, but I encourage you to really consider what  
19 your decision is going to be made.

20 Thank you for listening. Any questions?

21 CHAIRMAN BRINKER: No. Thank  
22 you.

23 MR. DOPP: Thank you.

24 CHAIRMAN BRINKER: Appreciate  
25 it.

1                   Anybody else wish to come forward and  
2 speak in opposition of the proposal before the  
3 Commission of Franklin County today?

4                                   (THEREUPON, THE WITNESS WAS  
5                                   SWORN.)

6                   MR. ROSS MALONE: My name is  
7 Ross Malone, and two quick points, but first I wanted  
8 to ask. There were several -- when we had the very  
9 first meeting, several of us were going to be out of  
10 the country at that time on a cruise together. And so  
11 we didn't think we would be able to attend. Of  
12 course, that got canceled.

13                               Did you all get the letters that we  
14 wrote?

15                                   CHAIRMAN BRINKER: Yes, sir.

16                                   MR. MALONE: Okay.

17                                   CHAIRMAN BRINKER: Every bit of  
18 evidence submitted has been forwarded to the  
19 Commission.

20                                   MR. MALONE: Great, thank you.

21                               I just wanted to mention a little  
22 conflict here. This was supposed to improve and be  
23 good for the business and financial area of Franklin  
24 County because these people who are the students  
25 basically in training their dog there would be in our

1 businesses and our restaurants and this and that.

2 And yet we were told just a few minutes  
3 ago that they would be on the facility there, on-site,  
4 24/7. So how are they going to be in the restaurants?  
5 Just another little thing that just didn't quite make  
6 sense.

7 I wanted to point out that almost -- it's  
8 almost unanimous, it's almost universal that the  
9 people who live nearby are opposed to this for two  
10 reasons. One is quality of life, and the other is  
11 the property value. We think this will have a very  
12 negative effect on property value.

13 And the last point, I just want to say  
14 there don't seem to be any constraints in this. The  
15 -- if this place should go under like a lot of  
16 businesses do -- I've started five, and I know they  
17 don't all make it -- even a new venture for an old  
18 business doesn't always work. So what happens then?  
19 There just don't seem to be any constraints. It seems  
20 like we're giving them a blank check to come in and do  
21 whatever they want with the middle of Franklin County  
22 and particularly that neighborhood.

23 So I think we need to be very, very  
24 cautious about this. And I want to emphasize the  
25 people who live in the area are opposed to it.

1 Thank you very much.

2 CHAIRMAN BRINKER: Thank you.

3 Anybody else wish to come forward and  
4 speak in opposition to the proposal please do so.

5 (THEREUPON, THE WITNESS WAS  
6 SWORN.)

7 MS. JOAN BAUER: Hi, my name is  
8 Joan Bauer. I live at 1525 Clearview Road, and we've  
9 lived across from this property for over 20 years. We  
10 built our dream home, as well as other people in this  
11 area have built their dream homes. You know, it is  
12 the American dream to own a home.

13 This is a residential area, and we'd like  
14 to keep it that way. We knew there was a home plus  
15 the ranch that they want to buy, and I know it'll be  
16 changed.

17 So the reason today I want to reiterate  
18 that the Planning and Zoning Commissioners have  
19 already voted it down, that they do not agree with  
20 changing to a B Zone. And a B Zone, I mean, there's  
21 so many options of what it could become.

22 Kennelwood does have their business plan,  
23 but if they -- if something doesn't work out, you're  
24 going to change that business plans. All business  
25 plans evolve over time.

1           The B Zone means there can be light  
2 manufacturing, one of the items under the B Zone said  
3 convenience store with or without the sale of fuel.  
4 And I'm like, I know it wouldn't make it there, but  
5 that's another option. There's so many options under  
6 the B if you change that zoning.

7           So I just want to reiterate that, you  
8 know, there's a lot of people opposing this, and I  
9 think you can -- they have other options to pursue if  
10 they can keep it the same in the same zone.

11           Thank you for your time.

12                           CHAIRMAN BRINKER: Thank you.  
13 Appreciate it.

14           Anybody else in the audience wish to  
15 speak in opposition of the proposal before us?

16                           (NONE)

17           With that, I will allow the applicant to  
18 come forward and address any additional they wish to.

19                           MR. JOB: Thank you.

20           I want to touch on three items raised by  
21 the citizens.

22           Number one on the zoning request, under  
23 the current zoning, does not allow for large kennels  
24 and/or retail sales. So there's multiple components.  
25 Retail would not be the only component why we are

1 making this rezoning request.

2                   Number two, and perhaps more importantly,  
3 we are not sitting on this property for two years. We  
4 are not going to spend approximately a million dollars  
5 on this property and not have any business.

6                   If our zoning request does get approved,  
7 we would start immediately on proceeding with getting  
8 improvements done on the indoor. A couple of people  
9 mentioned that we had architects and engineers out.  
10 That is correct because we are hopeful that we are  
11 able to get the rezoning request, and if we are able  
12 to get the rezoning request, we want to move forward  
13 immediately with indoor improvements and follow  
14 regulations to get that completed. There is no delay  
15 time.

16                   And as a result of us hopeful that we can  
17 get this rezoning request, we have invested a lot of  
18 capital already on our architect and sound engineer in  
19 the hopes that we can get this approved.

20                   The same reason why the residents like  
21 that area and live in that area and is the same reason  
22 that we have chosen this area. Our research has shown  
23 students have a higher aptitude for success when they  
24 are no surrounded by large commercial opportunities of  
25 restaurants and bars where they get distracted from

1 their studies.

2 This is not -- this is a very intense  
3 program for four to six months. Our reputation is on  
4 the line for these students to succeed, and that is  
5 the same reason that we like the secluded environment  
6 of this particular property.

7 On the traffic note, this was touched on  
8 at P and Z by one of the Commissioners, but I want to  
9 reemphasize that currently being zoned residential, if  
10 that 30-acre lot was subdivided into quarter-acre lots  
11 and approximately two cars per quarter-acre lot would  
12 be 60 plus cars in theory on a hypothetical situation.

13 And our traffic flow, these are  
14 individuals who come -- these are individuals that go  
15 through our dog training academy will live on campus.  
16 As a result, the only traffic in the morning or during  
17 the afternoon rush hour are the individuals that are  
18 working at that facility such as Dave and Jeremy and a  
19 couple of other support staff. So we are talking  
20 four, five cars versus sixty plus cars.

21 So we are not negatively impacting the  
22 traffic with our proposed use.

23 That is all I have.

24 CHAIRMAN BRINKER: Okay. Thank  
25 you very much.

1 MR. JOB: Thank you. Thank you  
2 very much.

3 CHAIRMAN BRINKER: Anybody wish  
4 to testify for informational purposes only?

5 For informational purposes, sir, you have  
6 information you wish to add the applicant?

7 MR. AUTHOLZ: Yes.

8 CHAIRMAN BRINKER: Okay.

9 MR. AUTHOLZ: As the clari- --

10 CHAIRMAN BRINKER: I cannot  
11 hear you. Please come forward.

12 MR. AUTHOLZ: It's a  
13 clarification point.

14 We just heard the statement made that  
15 quarter-acre lots and quarter-acre lots, if I  
16 understand the current zoning, are not the current  
17 zoning. Current zoning is three-acre lots for  
18 residential. And I'm going to refer to the lady  
19 that's got her book in front of me.

20 MS. ZIELKE: Actually for a  
21 major subdivision, if they have central water and  
22 sewer provided, they could do as small as 10,000  
23 square feet in that zoning district.

24 MR. AUTHOLZ: As it currently  
25 is zoned?

1 MS. ZIELKE: Yes.

2 MR. AUTHOLZ: I apologize. I  
3 stand corrected. Thank you.

4 CHAIRMAN BRINKER: Anybody else  
5 wish to testify for informational purposes only?

6 (NONE)

7 With that, I thank you. We will get the  
8 transcript from the public hearing returned within the  
9 next couple of weeks, maybe two or three. When we do,  
10 we will schedule accordingly the ruling by this  
11 Commission at the next Commission meeting.

12 Again, I do anticipate sometime in about  
13 a month to make sure that it's out there. Pay  
14 attention to the agendas coming up in the next several  
15 weeks.

16 Thank you. This public hearing is  
17 concluded.

18 This is File No. 200050. This is  
19 requesting a rezoning over 13.5 acres from W to B.

20 MS. ZIELKE: I'm going to read  
21 the hearing procedures one more time for this new  
22 public hearing.

23 At this time, I would like to place into  
24 the record the Franklin County Unified Land Use  
25 Regulations of 2001 as Exhibit A, the official Zoning

1 Map as Exhibit B, the official Master Plan as Exhibit  
2 C, and the case file for each case as Exhibit D for  
3 all the cases to be heard at this hearing.

4 (THEREUPON, EVIDENCE WAS  
5 MARKED FOR IDENTIFICATION AND  
6 SUBMITTED FOR THE RECORD AS  
7 EXHIBITS A, B, C, and D.)

8 As each case is opened, a staff report  
9 will first be read by the Planning and Zoning  
10 Department, followed by the Commissioners' questions  
11 for the staff.

12 Then if anyone in the audience would like  
13 to speak or comment during the hearing, they must  
14 first print their name on the sign-in sheet provided,  
15 and then be sworn in.

16 When it is your turn to speak, you will  
17 come to the front of the room to address the  
18 Commission and only the Commission, not anyone in the  
19 audience, with any comments or questions.

20 Generally the applicant for the rezoning  
21 is allowed to speak first, followed by those in  
22 support of the rezoning and then those opposed to the  
23 rezoning. The applicant may speak again after  
24 comments from the general public to address any  
25 questions or issues brought up during the hearing.

1           At the conclusion of all questions,  
2    comments, and discussion concerning each case, the  
3    public hearing for each case will conclude.

4           The decision will generally be made by  
5    Commission Order at a later date during the County  
6    Commission's regular meeting time.

7           And I'll read the staff report.

8           This is for File 200050. The Planning  
9    and Zoning Department request to rezone three parcels  
10   from the W District to the B District.

11          The properties are located on Summit  
12   Valley Loop, approximately .4 miles east of the  
13   intersection of Old Gray Summit Road and Osage Street.

14          FACTS: The total area for the rezoning  
15   is approximately 13.69 acres in three parcels. The  
16   zoning of this property as of January 14, 2020 is W.

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

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

24          The properties to the north of the  
25   subject parcels are Zone A, and the properties to the

1 east and south are zoned W.

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

4 The properties to the south are primarily  
5 undeveloped.

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

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

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

14 STAFF COMMENTS: This property appears to  
15 be used for high-density residential apartment  
16 buildings.

17 When the property was rezoned to W in  
18 January of 2020, it created an issue for the property  
19 owners as the W District prohibits multi-family  
20 dwellings.

21 The Planning and Zoning Commission  
22 unanimously voted to recommend denial of this rezoning  
23 at the special meeting held on June 9th of 2020.  
24 That's wrong. Approval of the rezoning was  
25 unanimously recommended.

1 CHAIRMAN BRINKER: Yeah, we got  
2 that.

3 MS. ZIELKE: Okay.

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

14 CHAIRMAN BRINKER: Thank you.

15 Anybody wish to testify in favor of the  
16 proposition?

17 (NONE)

18 Anybody in opposition to the proposition?

19 (NONE)

20 Information purposes only?

21 (NONE)

22 Seeing none of any of the three requests,  
23 I hereby determine this hearing concluded. Thank you.

24 (THEREUPON, THE PROCEEDINGS

25 CONCLUDED AT 2:38 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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