

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

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7  
8 TRANSCRIPT OF PROCEEDINGS  
9 PUBLIC HEARINGS  
10 SEPTEMBER 1, 2020  
11 (COMMENCING AT 1:30 P.M.)

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Reported by:  
Patsy A. Mayberry, C. R.  
Alaris Litigation Services

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22	(NOTE: ALL EXHIBITS, IF ANY, WERE RETAINED BY THE		
23	PARTIES AND ARE NOT ATTACHED HERETO.)		
24			
25			

1                                   A P P E A R A N C E  
2   COUNTY COMMISSION MEMBERS:  
3   TIM BRINKER, CHAIRMAN  
4   TODD BOLAND, COMMISSIONER  
5   PLANNING AND ZONING STAFF:  
6   SCOTTIE EAGAN, DIRECTOR PLANNING AND ZONING  
7   COUNTY LEGAL COUNSEL:  
8   (NONE)  
9   ALARIS LITIGATION SERVICES:  
10   PATSY A. MAYBERRY, C. R.  
11   711 NORTH 11TH STREET  
12   ST. LOUIS, MISSOURI 63101  
13   (314) 644-2191  
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1 P R O C E E D I N G

2 (SEPTEMBER 1, 2020)

3 CHAIRMAN BRINKER: All we'll  
4 call this public hearing to order. First off is File  
5 200017, a public hearing.

6 Scottie, you want to go through the  
7 procedures and the exhibits.

8 MS. EAGAN: Sure. At this time  
9 I would like to place into the record the Franklin  
10 County Unified Land Use Regulations as Exhibit A, the  
11 official Zoning Map as Exhibit B, the official Master  
12 Plan as Exhibit C, and the case file for each case as  
13 Exhibit D for all the cases to be heard at this  
14 hearing.

15 (THEREUPON, EVIDENCE WAS  
16 MARKED FOR IDENTIFICATION AND  
17 SUBMITTED FOR THE RECORD AS  
18 EXHIBITS A, B, C, AND D.)

19 As each case is opened, a staff report  
20 will first be read by the Planning and Zoning  
21 Department, followed by Commissioners' questions for  
22 the staff.

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

1 and then be sworn in.

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

6 Generally the applicant is allowed to  
7 speak first, followed by those in support, and then  
8 those opposed. The applicant may speak again after  
9 comments from the general public to address any  
10 questions or issues brought up during the hearing.

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

14 The decision will generally be made by  
15 Commission Order at a later date during the County  
16 Commission's regular meeting time.

17 And this is File 200017, Planning and  
18 Zoning.

19 The applicant is seeking to amend the  
20 Unified Land Use Regulations of Franklin County. This  
21 proposal includes amendments to Article 2,  
22 Definitions; Article 6, Non-Conforming Situations;  
23 Article 8, Subdivision Regulations; Article 10,  
24 Supplementary Use Regulations; Article 15, Residential  
25 Cluster Developments; Article 16, Sign Regulations;

1 and Article 19, Telecommunication Towers.

2 The changes in this application is just  
3 going with the rezoning we did back in January when we  
4 changed all the districts from NUA to W and so on and  
5 so forth. We need to go ahead and go through the  
6 whole Code now and change the zoning in our Code.

7 CHAIRMAN BRINKER: Okay. Thank  
8 you very much.

9 Anybody else --

10 MS. EAGAN: You're welcome.

11 CHAIRMAN BRINKER: Anybody else  
12 wish to add anything or anybody in the favor of the  
13 proposed proposition?

14 (NONE)

15 Anybody wish to speak in opposition to  
16 the proposal?

17 (NONE)

18 Informational purposes only?

19 (NONE)

20 Hearing none and seeing none, any further  
21 comments from Planning and Zoning or the Commission?

22 MS. EAGAN: No.

23 COMMISSIONER BOLAND: No.

24 CHAIRMAN BRINKER: All right.

25 Thank you. That concludes the first of the three

1 considerations of the day.

2 The next one is File Number 200045.

3 Scottie?

4 MS. EAGAN: Okay. I will start  
5 with the hearing procedures again.

6 At this time, I would like to place into  
7 the record the Franklin County Unified Land Use  
8 Regulations as Exhibit A, the official Zoning Map as  
9 Exhibit B, the official Master Plan as Exhibit C, and  
10 the case file for each case as Exhibit D for all the  
11 cases to be heard at this hearing.

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21 to speak or comment during the hearing, they must  
22 first print their name on the sign-in sheet provided,  
23 and then be sworn in.

24 When it is your turn to speak, you will  
25 come to the front of the room to address the

1 Commission and only the Commission, not anyone in the  
2 audience, with any questions or comments.

3 Generally the applicant for the rezoning  
4 is allowed to speak first, followed by those in  
5 support, and then those opposed. The applicant may  
6 speak again after comments from the general public to  
7 address any questions or issues brought up during the  
8 hearing.

9 At the conclusion of all questions,  
10 comments, and discussion concerning each case, the  
11 public hearing for each case will conclude.

12 The decision will generally be made by  
13 Commission Order at a later date during the County  
14 Commission's regular meeting time.

15 This is File 200045, Planning and Zoning.

16 The applicant is seeking to amend the  
17 Unified Land Use Regulations of Franklin County.

18 This proposal includes amends to Article  
19 10, Supplementary Use Regulations.

20 The changes in this article relate to  
21 Special Occasions Permits. We were having some issues  
22 with the way the Code was written, so we went ahead  
23 and tried to revise it the best we could.

24 What I proposed to the Planning and  
25 Zoning Commission is a little bit different than what

1 is being proposed to you all.

2 So if you look on page 10.19 in the chart  
3 I believe, it says Special Occasion Indoor with  
4 maximum occupancy of 100 based on 1 guest per 15  
5 square feet of gross floor area with all events ending  
6 at 10:00 p.m.

7 The Planning and Zoning Commission  
8 decided to make the change from 400, which was  
9 proposed at their meeting, to 100. And that's based  
10 on the building as a whole, not just the banquet  
11 space.

12 Other changes that were proposed at the  
13 Planning and Zoning Commission meeting were changing  
14 all the ending times to 10:00 p.m. instead of  
15 midnight.

16 And then down on the Number 3 on 10.19,  
17 we say that they need to get that building permit  
18 approved prior to final issuance of the Special  
19 Occasion Permit just so there's no more confusion with  
20 that.

21 And then on Number 7 on 10.20 for  
22 parking, it used to be 1 space per 4 people based on a  
23 maximum occupancy. We went ahead and changed that to  
24 two.

25 And then another change the P & Z

1 Commission is recommending that I did not recommend is  
2 Number 7. It says the proposed development must be  
3 provided to the applicable fire district for review.

4 I'm not exactly sure what their intent  
5 with that was. I don't know if they expect to get a  
6 response from the fire district prior to issuing the  
7 permit if that's a requirement. There are a lot of  
8 fire districts that don't even have their own rules  
9 and regulations that they enforce. They just go with  
10 our Building Code.

11 So Number 7, and I'm not 100 percent  
12 comfortable leaving it in there.

13 And then finally on page 10.21, the other  
14 change we added is little letter 'g'. Instead of just  
15 saying buffers are required, we want the location and  
16 the type of buffers that they're going to propose.

17 So I believe those are the major changes  
18 to this article.

19 CHAIRMAN BRINKER: So if for  
20 clarity, Scottie, on 10.19, --

21 MS. EAGAN: Uh-huh.

22 CHAIRMAN BRINKER: -- we went  
23 with 300 people?

24 MS. EAGAN: Originally it --  
25 see I'm kind of confused by your packets. I don't

1 know why we have two sets of regulations in there.  
2 The only thing that was proposed to Planning and  
3 Zoning was the 400.

4 Three hundred is what was originally  
5 there in the original Code. I went ahead and I upped  
6 that to 400 because if we are basing the occupancy on  
7 the building as a whole, that means it would include  
8 occupancy in bathrooms, storage rooms, kitchen,  
9 getting -- the rooms where people are getting ready.  
10 So I figured if we upped that number, then the actual  
11 amount of people in the banquet stage is going to be  
12 less than that.

13 CHAIRMAN BRINKER: Right, so  
14 your proposal is indeed 400?

15 MS. EAGAN: My recommendation  
16 was 400 to Planning and Zoning Commission, yes.

17 CHAIRMAN BRINKER: And it is on  
18 this hearing as well, right?

19 MS. EAGAN: Yes.

20 CHAIRMAN BRINKER: Yeah. As  
21 well as the other features you just pointed out?

22 MS. EAGAN: Correct.

23 CHAIRMAN BRINKER: Okay. I  
24 just want to make sure for the record we are clear.  
25 All right.

1                   Okay. Good. I appreciate you advising  
2 of those recommendations from the staff who are  
3 sometimes more exposed to these issues. Well, are  
4 indeed more exposed than anyone on any boards that we  
5 have. So I appreciate that.

6                   MS. EAGAN: Uh-huh.

7                   CHAIRMAN BRINKER: Is there  
8 anybody else wish to speak in favor of this?

9                   (NONE)

10                  Anybody else wish to speak in opposition?

11                  (NONE)

12                  Informational purposes only?

13                  (NONE)

14                  All right. That will conclude that file  
15 under this hearing.

16                  Moving on lastly to File Number 200046.

17                  MS. EAGAN: All right. I will  
18 start with the hearing procedures.

19                  At this time, I would like to place into  
20 the record the Franklin County Unified Land Use  
21 Regulations as Exhibit A, the official Zoning Map as  
22 Exhibit B, the official Master Plan as Exhibit C, and  
23 the case file for each case as Exhibit D for all the  
24 cases to be heard at this hearing.

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18 those opposed. The applicant may speak again after  
19 comments from the general public to address any  
20 questions or issues brought up during the hearing.

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22 comments, and discussion concerning each case, the  
23 public hearing for each case will conclude.

24 The decision will generally be made by  
25 Commission Order at a later date during the County

1 Commission's regular meeting time.

2 This is File 200046 for Planning and  
3 Zoning.

4 The applicant is seeking to amend the  
5 Unified Land Use Regulations of Franklin County.

6 This proposal includes amendments to  
7 Article 12, Parking Requirements.

8 The only change in this article is, if  
9 Article 10 is passed as proposed with changing the  
10 parking from 1 per 4 to 1 per 2, then we need to amend  
11 Article 12 to match that. So we are recommending to  
12 change that also from 1 per 4 guests to 1 per 2  
13 guests.

14 And that's it.

15 CHAIRMAN BRINKER: Okay.

16 Anybody wish to speak in favor of this  
17 proposal?

18 (NONE)

19 Anybody wish to speak in opposition?

20 (NONE)

21 Informational purposes only?

22 (NONE)

23 Seeing none, that will close the hearing  
24 on this file as well.

25 At this point in time, this Commission

1 will adjourn from this public hearing, and I thank  
2 everybody for their participation.

3 (THEREUPON, THE PROCEEDING  
4 CONCLUDED AT 1:39 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 s  
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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**TRANSCRIPT OF PROCEEDINGS 9/1/2020**

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