

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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9 TRANSCRIPT OF PROCEEDINGS
10 PLANNING AND ZONING COMMISSION
11 PUBLIC HEARINGS
12 SEPTEMBER 17, 2019
13 (Commencing at 7:00 p.m.)

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

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A P P E A R A N C E S

PLANNING AND ZONING COMMISSION MEMBERS:

- WILLIAM EVANS, JR., CHAIRMAN
- TIMOTHY REINHOLD, COMMISSIONER
- STANLEY VOSS, COMMISSIONER
- DEBBIE WILLETTE, COMMISSIONER
- RON WILLIAMS, COMMISSIONER
- MIKE KLENKE, COMMISSIONER
- TOM TOBBEN, COMMISSIONER

PLANNING AND ZONING STAFF:

- SCOTTIE EAGAN, PLANNING DIRECTOR
- NICHOLE ZIELKE, PLANNER

LEGAL COUNSEL:

- MARK PIONTEK, COUNTY ATTORNEY

ALARIS LITIGATION SERVICES:

By: PATSY A. MAYBERRY, C. R.
711 NORTH ELEVENTH STREET
ST. LOUIS, MISSOURI 63101
(314) 644-2191

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

2 (SEPTEMBER 17, 2019)

3 CHAIRMAN EVANS: I'd like to
4 call to order the September 17th meeting of the
5 Franklin County Planning and Zoning Commission.

6 Scottie, will you please take roll.

7 MS. EAGAN: Bill Evans?

8 CHAIRMAN EVANS: Here.

9 MS. EAGAN: Kyle Dubbert?

10 COMMISSIONER DUBBERT: (Not
11 present.)

12 MS. EAGAN: Dan Haire?

13 COMMISSIONER HAIRE: (Not
14 present.)

15 MS. EAGAN: Mike Klenke?

16 COMMISSIONER KLENKE: Here.

17 MS. EAGAN: Bill McLaren?

18 COMMISSIONER McLAREN: (Not
19 present.)

20 MS. EAGAN: Tim Reinhold?

21 COMMISSIONER REINHOLD: Here.

22 MS. EAGAN: Tom Tobben?

23 COMMISSIONER TOBBEN: Here.

24 MS. EAGAN: Stan Voss?

25 COMMISSIONER VOSS: Here.

1 MS. EAGAN: Debbie Willette?

2 COMMISSIONER WILLETTE: Here.

3 MS. EAGAN: And, Ron Williams?

4 COMMISSIONER WILLIAMS: Here.

5 MS. EAGAN: Okay. We have a
6 quorum.

7 CHAIRMAN EVANS: Thank you.

8 One change in the agenda. We will take
9 Item 4, which is election of officers, and we'll move
10 that down to the Planning and Commission Forum.

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

16 (NONE)

17 If there are no declarations, Scottie,
18 will you please give us the presentation of the meeting
19 procedures and exhibits.

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

23 Some matters on the agenda may be for
24 action by the Planning and Zoning Commission. These
25 matters do not involve public hearings.

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

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

11 (THEREUPON, EVIDENCE WAS
12 MARKED FOR IDENTIFICATION AND
13 SUBMITTED FOR THE RECORD AS
14 EXHIBITS A, B, C, AND D.)

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

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

22 Then if anyone in the audience would like
23 to speak or comment on a file that is part of the
24 public hearing, they must first print their name on the
25 sign-in sheet provided, and then be sworn in by the

1 Chairman.

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

7 It is possible for the Planning Commission
8 to decide to move a New Business issue to Unfinished
9 Business and vote on it the same night.

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

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

19 CHAIRMAN EVANS: Thank you.

20 All the Commissioners should have received
21 a copy of the July 16th minutes. If there are no
22 additions or corrections, the Chair would entertain a
23 motion to approve.

24 (NONE)

25 COMMISSIONER WILLETTE: I'll

1 make that motion.

2 COMMISSIONER TOBBEN: I'll
3 second her motion for the approval of the minutes.

4 CHAIRMAN EVANS: We have a
5 motion and second to approve the July 16th minutes.
6 All in favor signify by saying aye.

7 COMMISSIONER REINHOLD: Aye.

8 COMMISSIONER VOSS: Aye.

9 COMMISSIONER WILLETTE: Aye.

10 COMMISSIONER WILLIAMS: Aye.

11 CHAIRMAN EVANS: Aye.

12 COMMISSIONER KLENKE: Aye.

13 COMMISSIONER TOBBEN: Aye.

14 CHAIRMAN EVANS: Opposed?

15 (NONE)

16 The minutes are approved.

17 Communications and Visitors Comments.

18 Anyone present wishing to address the Commission?

19 (NONE)

20 If not, we'll move on to -- it says Old
21 Business -- it should be Unfinished Business. We have
22 none.

23 New Business. We have none.

24 Preliminary Plats. File 190185, Decker
25 Road Development. Cameron Lueken is the agent. Only

1 written comments from the public may be submitted. No
2 oral testimony will be accepted.

3 Scottie, will you please give us the
4 details.

5 MS. EAGAN: This is File 190185.
6 The applicant is Decker Road Development, in care of
7 Cameron Lueken.

8 The applicant is requesting to amend his
9 original request to now create a 19-lot subdivision in
10 the Community Development Zoning District.

11 The property is located on Stricker Lane
12 at the northwest corner of Decker Road and Stricker
13 Lane in Boles Township.

14 THE FACTS: The property is approximately
15 105 acres. The minimum lot size in Community
16 Development is 22,000 square feet with central water
17 and sewer and 3 acres with on-site water and sewer.

18 The average lot size in the original
19 application was approximately 5.8 acres. The average
20 lot size in the amended application is approximately
21 5.19.

22 This subdivision is proposing to be
23 developed in three phases.

24 Water service will be provided by Water
25 District 3.

1 The applicant is proposing to have
2 individual on-site septic for this development.

3 The applicant also shows a 15-foot utility
4 easement along the private road, a 20-foot utility
5 easement along Decker Road, a 10-foot utility easement
6 on the rear of the property line, and then a 5-foot
7 utility easement along the side. All are done in
8 accordance with our Franklin County Regulations.

9 A land disturbance from DNR is required to
10 disturb more than one acre of land, as well erosion
11 controls during development.

12 The plat shows all roads and rights-of-way
13 and road service meeting the standards set forth in the
14 Franklin County Unified Land Use Regulations.

15 All utilities for the subdivision shall be
16 located underground.

17 Because of the size of the development,
18 the applicant shall provide fire protection in
19 accordance with Article 8, Section 175. Because this
20 development is located within the Boles Fire Protection
21 District, they will be required to meet the standards
22 of that district.

23 The applicant will be required to dedicate
24 additional right-of-way along Decker Road.

25 STAFF COMMENTS: Improvement plans to be

1 reviewed by Franklin County should be submitted before
2 final approval.

3 As of September 9, 2019, no stormwater
4 plans have been submitted to the Highway Administrator.

5 As of September 9, 2019, we have not
6 received anything from the Boles Fire Protection
7 District about fire protection.

8 I will also say though that, today, it's
9 my understanding that stormwater plans have been sent
10 to Ron Williams, and we did receive an e-mail from the
11 Boles Fire Protection, which you guys have all received
12 a copy of.

13 CHAIRMAN EVANS: Thank you.

14 Is the applicant present? Please state
15 your name and address and sign in, please.

16 (THEREUPON, THE WITNESS WAS
17 SWORN.)

18 MR. CAMERON LUEKEN: Good
19 evening. My name is Cameron Lueken with Wunderlich
20 Survey and Engineering.

21 As Scottie mentioned before, this probably
22 looks familiar to some of you. About two years ago,
23 the developers proposed a similar subdivision here in
24 this location. It's very similar to this. It's still
25 the same 104.13 acres. I think before it might have

1 been 18 lots. I think now it's 19 lots.

2 Basically there are 5 lots that range from
3 3 acres to 5 acres, and then there are 14 lots that are
4 5 acres of more.

5 So where is this at, what's this look
6 like?

7 You can see in the upper left area, this
8 is Labadie. So here's Decker and Highway T. Labadie
9 is right here. So you basically head south on Decker
10 Road towards 100, and that is the area of the
11 subdivision.

12 In a prior submittal we had looked at
13 coming near Stricker Lane on the south side. We have
14 modified that to look like something about like this.
15 Basically what happened here was that had sight
16 distance issues, and as we investigated it further, the
17 cost to do that as it relates to solid rock excavation
18 and utility relocation became -- again, apparently it
19 was very costly.

20 So this was the developers second choice,
21 going up here in the north, and so that's why basically
22 we're here tonight, is to look at the -- look at this.

23 So what's this look like? I guess as we
24 get into it, we did identify phases. So 1 through 4
25 and then 18 and 19 will be the first phase, as Scottie

1 alluded to.

2 Phase 2 could be the Lots 5 through 11,
3 Phase 3 Lots 12 through 17.

4 And depending on the need for this, the
5 developer may like to do it all at one time also.

6 So this is a copy of the preliminary plat
7 that's in your packet, of the entire subdivision. As
8 Scottie mentioned, this is the existing property zoned
9 CD, which the minimum lot size is 22,000 feet, central
10 water, plus sewer.

11 But the applicant has elected not to do
12 that, obviously. So we're going to a larger lot
13 subdivision.

14 Scottie mentioned the fire district.
15 Basically I've got Boles, and we discussed their
16 requirements. And so basically we need to get them
17 some flows. They want to see some flows on the fire
18 hydrants. Basically we got to meet a thousand gallons
19 a minute out of the fire hydrants. So we owe them that
20 submittal and calculation.

21 That's where basically where we're at with
22 those guys.

23 But other than that, we've talked about
24 the turnaround. We've talked about the cul de sacs,
25 road width, road grade, and all that was in accordance

1 to the guidelines.

2 The entrance. So the -- this area down
3 east we have been challenged. Decker Road is -- as you
4 know, it goes up and down quite a bit. So just as we
5 had before on the south side, on the north side we did
6 the same -- we have the same issues. So the sight
7 distance to the north is achieved. The sight distance
8 to the south is limited because of existing topography.

9 So we're going to need to do some on-sight
10 grading required for that. So what's that mean, what's
11 that look like?

12 This may be kind of hard for you to see,
13 but the one up here, this is looking right to the
14 south. So if you're pulling north out of the
15 subdivision and looking to the left, to the north, it's
16 okay as dictated by this down here. But to the south,
17 towards Highway 100, there's a bank here, and that bank
18 inhibits achieving the adequate sight distance to the
19 south.

20 So basically what we're going to submit to
21 the County is that we are going to have excavate our
22 own property to achieve that. So what's that look
23 like?

24 We go back to the preliminary plat so I
25 can show you that. I didn't have a plan view showing

1 that. So you guys understand, so right here looking
2 back across this area right here to the south, that's
3 area on their property that we're going to have to
4 excavate that out to achieve a 410-foot sight distance
5 to look back to the south.

6 If you are not completely familiar with
7 the property, where that's at is that entrance is about
8 50 feet east and south towards 100 of the box culvert.
9 There's an existing box culvert that runs beneath
10 Decker Road. That's about where that entrance is going
11 to come out of.

12 I know it's a little bit confusing. Does
13 anybody have any questions about that entrance while
14 I'm here?

15 (NONE)

16 Okay. If not, I'll move on.

17 So going back to the entrance, like I
18 said, those are the cross sections.

19 In regards to the sewer, I believe,
20 Scottie, you reached out to all the normal sources
21 again, including the sewer district, I guess, this
22 time; is that correct?

23 MS. EAGAN: I did not reach out
24 to the sewer district because you're not in the
25 district.

1 MR. LUEKEN: Right, right. I'm
2 sorry. Yeah.

3 So as before this question was brought up,
4 so as in -- this was the letter that was received from
5 the -- this is Brandon Bardo. This is the council for
6 the Labadie Creek Watershed Sewer District.

7 As mentioned in the letter, it's not
8 within the boundaries of the district, and we are
9 beyond the 2,000 feet. So basically there's not a
10 sewer connection, not a mandated sewer connection
11 required for this particular development.

12 In conclusion, as we mentioned, 104 acres
13 creates 19 large lots as alluded to. Construction
14 could occur in phases. It will be served by Public
15 Water Supply District Number 3 for the water serve,
16 with sewer connections not required, and the fire
17 district has given us preliminary approval.

18 Do you have any questions for me or the
19 applicant at this time?

20 COMMISSIONER TOBBEN: Cameron,
21 on this site, this is looking south.

22 MR. LUEKEN: Yes.

23 COMMISSIONER TOBBEN: What is it
24 as is right now?

25 MR. LUEKEN: From the best I can

1 remember, it's about 300, 320 feet, something like
2 that. So it's about a hundred feet short.

3 So I guess what we would propose is
4 basically it's a preliminary plat, that would be
5 basically a contingency that we've got to prove to the
6 County Engineer that we can achieve adequate sight
7 distance before that entrance permit is granted.

8 Yeah.

9 COMMISSIONER VOSS: What is the
10 reason you're not -- justing looking at it, it seems
11 like I do remember this. Is there a reason you're not
12 taking it down to Stricker Lane?

13 MR. LUEKEN: Yes.

14 COMMISSIONER VOSS: You know,
15 you're very close.

16 MR. LUEKEN: Yes, and although
17 I'll say that, Stan, is basically this property has not
18 direct access rights to Stricker Lane. So even if we
19 wanted to, we couldn't go there without the person in
20 control or the entity control of Stricker Lane.

21 And Stricker, as you might be aware of, it
22 has sight distance issues also.

23 COMMISSIONER VOSS: I haven't
24 been there.

25 MR. LUEKEN: Yeah.

1 COMMISSIONER VOSS: I'm looking
2 at -- I'm thinking it's -- I'm trying to figure out why
3 you're not.

4 MR. LUEKEN: Sure, absolutely.
5 And that's the reason why --

6 COMMISSIONER VOSS: So that's
7 not a county road?

8 MR. LUEKEN: Stricker Lane is
9 not a county road. It's a private road.

10 COMMISSIONER VOSS: Thank you.

11 MR. LUEKEN: Okay.

12 CHAIRMAN EVANS: Any other
13 questions?

14 Ron, I guess I have one for you on that,
15 on the excavation on their property is going to give
16 the appropriate sight line. Does that have to be
17 included in the plan, or do you have to approve that?

18 COMMISSIONER WILLIAMS: Why of
19 course we have to approve it.

20 To start with, what we have done is we
21 have issued -- typically what's been done is the
22 applicant or an application will be put in for an
23 entrance permit. And then we'll note that there's a
24 sight distance issue, and that will have to be
25 rectified prior to the final plat being signed off on.

1 I was out there today. You're saying 300,
2 which is probably more accurate than it was paced it
3 off myself and got like 250. But I can tell you from
4 an engineering standpoint what they're proposing will
5 work. The bottom line, it has to work. Otherwise,
6 they won't get an entrance permit.

7 CHAIRMAN EVANS: Without going
8 through the criteria, is that entrance permit part of
9 what's required for the preliminary plat?

10 COMMISSIONER WILLIAMS: It is
11 not required, but it does have to be required in order
12 to access Decker Road. But they will have to get
13 permits. Just where in the process and in similar
14 instances we have required the entrance permit be taken
15 out, and right now we will note that there is a sight
16 distance issue.

17 That will have to be rectified before the
18 entrance permit is granted and allowed.

19 CHAIRMAN EVANS: So I guess what
20 we're saying is that we really need -- you need to
21 receive a plan?

22 COMMISSIONER WILLIAMS: We need
23 to receive the entrance permit.

24 CHAIRMAN EVANS: The entrance
25 permit.

1 COMMISSIONER WILLIAMS: That
2 starts the process. We have -- as the Highway
3 Department, we don't get involved with the plat. What
4 we do get involved with is the entrance to our road.
5 So that's what we'll be looking for, is an entrance
6 permit, and then how they get the sight distance will
7 be up to them.

8 And in the past, we have worked with the
9 Planning and Zoning Department, and the plat -- the
10 final plat isn't signed off on until they get the
11 formal entrance permit.

12 CHAIRMAN EVANS: Okay. Just
13 trying to get things clear in my mind there. So it's
14 separate from the preliminary plat, but it would be
15 required them before approval of the final plat?

16 COMMISSIONER WILLIAMS: Correct.

17 CHAIRMAN EVANS: Any other
18 questions for Cameron or Ron?

19 COMMISSIONER TOBBEN: Yeah.
20 Ron, Scottie said that we have the stormwater plan
21 today. Does that meet the guidelines?

22 COMMISSIONER WILLIAM: I was out
23 measuring sight distances this afternoon.

24 COMMISSIONER TOBBEN: I was
25 going to say what have you been doing lately, Ron.

1 sure that's appropriately sized and make sure it
2 doesn't interfere with the traveling public on Decker
3 Road.

4 CHAIRMAN EVANS: Any other
5 questions?

6 COMMISSIONER WILLIAMS: How
7 close are you to the culvert there?

8 MR. LUEKEN: Ron, from my
9 recollection, I think we are about, I think, center
10 line of the entrance to the culvert, the edge there, in
11 the range of 50, 60 feet, something like that.

12 COMMISSIONER KLENKE: Cameron,
13 that's that box culvert you're talking about?

14 MR. LUEKEN: Yes. Yes, the box
15 culvert, the large box culvert, yes.

16 CHAIRMAN EVANS: Scottie, have
17 they met all the other criteria required for the
18 preliminary plat?

19 MS. EAGAN: Yeah, the only other
20 thing I was waiting on was the stormwater.

21 CHAIRMAN EVANS: Okay.

22 Any other discussion, questions for
23 Cameron?

24 (NONE)

25 No, other discussion?

1 (NONE)

2 I guess that one issue to be concerned
3 with is Ron have the time to look at the stormwater
4 plan, and then obviously the access, which is not part
5 of the preliminary plat. That would obviously be of
6 consideration.

7 So I guess we have the option to approve
8 it with contingencies, or to table it for a month until
9 that access would be required or given to the Highway
10 Department.

11 COMMISSIONER WILLIAMS: Actually
12 the entrance doesn't give me as much heartburn as the
13 stormwater. Because they got -- they have to get the
14 entrance. You know, they're going to have to achieve
15 the sight distance on the entrance. There's no ifs,
16 ands or buts about it.

17 It's either that or they don't get us
18 signed off on the plat. To give you an example,
19 there's a subdivision -- proposed subdivision on Old
20 Gray Summit Road we've seen in here. And they had
21 sight distance issues at the entrances.

22 Guess what. They haven't got a final plat
23 approved yet. They keep on saying it's going to get
24 done, but it hasn't gotten done. So because of that,
25 it hasn't been signed off on.

1 So that's how that works. We have control
2 of the road and the entrances that go on the road, and
3 that's what we would look at and that's what Mr. Lueken
4 was taking about, was that they know there's a sight
5 distance issue. So they have to take care of them
6 prior to the plat. We have -- they have to show us
7 that we've got a viable entrance there.

8 You know, the stormwater stuff, I -- very
9 honestly, I just haven't gotten in to. If there's no
10 differential runoff, i.e. you haven't increased the
11 flow, then they wouldn't require it.

12 CHAIRMAN EVANS: All right.
13 That would be the one outstanding issue that would be
14 the stormwater. So two options again are either to
15 approve the preliminary plat contingent on receiving
16 and having approved an acceptable stormwater plan, or
17 two we could table it until such time that we do get an
18 appropriate plan.

19 Any thoughts from the Commissioners?

20 COMMISSIONER REINHOLD: Could we
21 approve the plat with conditions?

22 CHAIRMAN EVANS: It can be
23 approved with a contingency that acceptable stormwater
24 plan is submitted.

25 COMMISSION KLENKE: So then with

1 that contingency if they approve it before the next
2 month's meeting, it's good to go?

3 CHAIRMAN EVANS: It's -- yeah,
4 it's good to go, and that just allows them to move
5 forward. They still would require the thing on the
6 road, and the final plat would not be approved until
7 everything on the preliminary plat is done.

8 So it would -- it would allow them to move
9 forward paperwork-wise, but they couldn't do anything
10 physically.

11 COMMISSIONER KLENKE: All right.

12 COMMISSIONER REINHOLD: I'd be
13 willing to make a motion to approve the plat --

14 CHAIRMAN EVANS: I'm sorry. We
15 still have some discussion.

16 COMMISSIONER REINHOLD: I'm
17 sorry.

18 COMMISSIONER WILLIAMS: I just
19 want to point I'm not going to be looking for a
20 stormwater plan because if there's no differential
21 runoff, there's no need for a detention basin or a
22 stormwater facilities of any type.

23 What I'm questioning is the actual
24 calculation that shows there's negative runoff. I
25 haven't delved into that enough to say I'm comfortable

1 with it. You know very rarely do you see that, but I
2 know in bigger lot subdivisions, it can occur just
3 because you're changing different types of terrain and
4 the different types of both impervious and still
5 pervious areas.

6 CHAIRMAN EVANS: I guess the
7 question then is, can it be -- the preliminary plat be
8 approved with any wording for a contingency that would
9 be acceptable, or would you rather wait to see?

10 COMMISSIONER WILLIAMS: You can
11 approve it with a contingency of the more detail on the
12 stormwater runoff calculations. How's that? And that
13 may be just a discussion with the person who did the
14 calculations.

15 CHAIRMAN EVANS: Any other
16 discussion?

17 (NONE)

18 If not...

19 COMMISSIONER TOBBEN: Bill, does
20 it make a difference that they're still waiting on flow
21 calculations for Boles as well? Is that something we
22 should be concerned about as another contingency
23 potentially?

24 COMMISSIONER WILLIAMS: You're
25 looking at me?

1 COMMISSIONER TOBBEN: No, I'm
2 looking in a general direction.

3 COMMISSIONER WILLIAMS: The
4 water I understand what you're saying because obviously
5 you need fire protection --

6 COMMISSIONER TOBBEN: Right.

7 COMMISSIONER WILLIAMS: -- and
8 flow available. If you don't have those yet, what
9 happens if you don't get them?

10 COMMISSIONER TOBBEN: Right.

11 CHAIRMAN EVANS: Is that in
12 reference to that letter?

13 COMMISSIONER TOBBEN: Yeah, the
14 e-mail that they provided this evening.

15 CHAIRMAN EVANS: Yes. Scottie,
16 have you gotten any more from them?

17 MS. EAGAN: Bill, I also would
18 like to point out with a preliminary plat,
19 contingencies are not -- the final plat never gets
20 recorded until all regulations have been met. There
21 are still improvement plans that still have to be
22 submitted that Ron has to review and sign off on. I
23 have to get final approval from the fire district
24 before I'll sign off on anything. I have to get a
25 final approval from Ron before I sign off on anything

1 with the entrance.

2 But contingencies are fine. If you want to
3 wait, that's fine. But we have more safeguards than
4 just the contingencies. And the plat's only good for
5 two years. If they don't get it done in two years, it
6 expires.

7 If Ron comes up with something in the
8 stormwater that needs to be changed, they need to come
9 back here with an amended preliminary plat for you guys
10 to view. So there's a lot of steps that go along with
11 all of it as.

12 CHAIRMAN EVANS: Right, right.
13 I understand because if you look at our regulations,
14 there are pages and pages and pages of things that have
15 to be done, and it really included contingencies.
16 There are only those, I guess, things that really stick
17 out but obviously still have to be fixed, whether we
18 put them in as contingent or not.

19 So we could just approve it with no
20 contingencies, and they would still have to meet all
21 the criteria.

22 MS. EAGAN: Right.

23 CHAIRMAN EVANS: But as Ron
24 said, we could do that with no contingencies and still
25 be all right.

1 Ron, would you prefer a contingency, or
2 does it make any difference?

3 COMMISSIONER WILLIAMS: It
4 doesn't make any difference because if they don't
5 follow all the regulations and meet all the criteria,
6 they're kind of stuck.

7 CHAIRMAN EVANS: Any other
8 comments.

9 (NONE)

10 If there is no further discussion, Chair
11 would entertain a motion.

12 COMMISSIONER REINHOLD: I'll
13 make a motion with all the requirements that we just
14 talked about added to it. I'd feel more comfortable if
15 they were on there.

16 CHAIRMAN EVANS: Okay. A motion
17 that included contingencies of --

18 COMMISSIONER REINHOLD:
19 Stormwater, entrance.

20 CHAIRMAN EVANS: Is that
21 sufficient, Ron, stormwater and entrance?

22 COMMISSIONER REINHOLD: And that
23 they get the water flow on the main, water main.

24 CHAIRMAN EVANS: All right. I
25 believe that was all the real contingency then.

1 We have a motion.

2 COMMISSIONER KLENKE: I'll

3 second.

4 CHAIRMAN EVANS: We have a

5 motion and a second to approve Preliminary Plat File

6 190185. All in favor signify by saying aye.

7 COMMISSIONER REINHOLD: Aye.

8 COMMISSIONER VOSS: Aye.

9 COMMISSIONER WILLETTE: Aye.

10 COMMISSIONER WILLIAMS: Aye.

11 CHAIRMAN EVANS: Aye.

12 COMMISSIONER KLENKE: Aye.

13 COMMISSIONER TOBBEN: Aye.

14 CHAIRMAN EVANS: Opposed?

15 (NONE)

16 The motion is carried.

17 Moving on to Planning and Zoning

18 Commission Forum.

19 It is September, so we have election of

20 officers. We need to elect a chairman and

21 vice-chairman. The floor is open for nominations for

22 chairman.

23 COMMISSIONER REINHOLD: I'd say

24 leave them the way they are.

25 COMMISSIONER WILLIAMS: Is that

1 a motion?

2 COMMISSIONER KLENKE: He's got
3 it.

4 CHAIRMAN EVANS: All right. We
5 have a nomination for Bill Evans as chairman and Dan
6 Haire as vice-chair.

7 Any other nominations?

8 (NONE)

9 Nominations are closed. All in favor of
10 approving the nominations of those two gentlemen, pleas
11 signify by saying aye.

12 COMMISSIONER REINHOLD: Aye.

13 COMMISSIONER VOSS: Aye.

14 COMMISSIONER WILLETTE: Aye.

15 COMMISSIONER WILLIAMS: Aye.

16 CHAIRMAN EVANS: Aye.

17 COMMISSIONER KLENKE: Aye.

18 COMMISSIONER TOBBEN: Aye.

19 CHAIRMAN EVANS: Opposed?

20 (NONE)

21 The motion is carried.

22 Planning Director's Report.

23 MS. EAGAN: We have our second
24 public hearing for the rezoning on Thursday at seven
25 o'clock. We have a few more phone calls since the last

1 meeting. I think we will have more people attending on
2 Thursday.

3 My plan is to have the same map I had up
4 at last month's meeting, and if there's any changes
5 that are discussed at the meeting that you want it to
6 be changed, I want to go ahead and make those changes
7 that night so you guys see what it looks like on the
8 map.

9 Hopefully we can make a motion that night.
10 I'm hopeful, but understand if it doesn't happen. I
11 want to get the County Commission to start meeting
12 about it in, at the latest, late October to start
13 meeting with them about it.

14 I did send you guys with the packets some
15 changes that have already been made that were pointed
16 out since last meeting. I hope you guys followed the
17 notes and understood what changed and everything like
18 that.

19 And then I did make a change to the Y
20 District, to drop it down to 10,000 square feet instead
21 of 15,000 square feet. So -- but we'll talk about all
22 that on Thursday again. If you guys got any concerns
23 or issues or questions about the rezoning, we can talk
24 about it tonight to have it ready for Thursday.

25 Otherwise, we can address everything on

1 Thursday.

2 CHAIRMAN EVANS: Yeah, again, if
3 anybody has any issue with it, let Scottie know it.

4 I personally have talked to her about some
5 that I saw in my township. So if you all look at the
6 map, especially your own township, and see something
7 you'd like to be changed, let Scottie know beforehand.

8 And then we'll look at it on Thursday, and
9 hopefully we'll be able to take action on Thursday.

10 MS. EAGAN: We do have the two
11 letters of people that have properties that they want
12 zoned something different. That will be handed out to
13 you guys, and whether or not you want to address them,
14 will be up to you all.

15 CHAIRMAN EVANS: Right.

16 Is that it?

17 MS. EAGAN: I believe so.

18 CHAIRMAN EVANS: Okay. If there
19 is nothing else, the Chair would entertain a motion to
20 adjourn.

21 COMMISSIONER WILLIAMS: So
22 moved.

23 COMMISSIONER TOBBEN: Second.

24 CHAIRMAN EVANS: Motion and
25 second to adjourn. All in favor signify by saying aye.

1 COMMISSIONER REINHOLD: Aye.
2 COMMISSIONER VOSS: Aye.
3 COMMISSIONER WILLETTE: Aye.
4 COMMISSIONER WILLIAMS: Aye.
5 CHAIRMAN EVANS: Aye.
6 COMMISSIONER KLENKE: Aye.
7 COMMISSIONER TOBBEN: Aye.
8 CHAIRMAN EVANS: Opposed?
9 (NONE)

10 We are adjourned.

11 (THEREUPON, THE PROCEEDINGS
12 CONCLUDED AT 7:39 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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