

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

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9 TRANSCRIPT OF PROCEEDINGS
10 PLANNING AND ZONING COMMISSION
11 PUBLIC MEETING
12 OCTOBER 20, 2020
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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1 A P P E A R A N C E S
2 PLANNING AND ZONING COMMISSION MEMBERS:
3 WILLIAM EVANS, JR., CHAIRMAN
4 TIMOTHY REINHOLD, COMMISSIONER
5 STANLEY VOSS, COMMISSIONER
6 DEBBIE WILLETTE, COMMISSIONER
7 JIM GRUTSCH, COMMISSIONER
8 MIKE KLENKE, COMMISSIONER
9 KARL MITTLER, COMMISSIONER
10 DENNIS HARTMANN, COMMISSIONER
11 PLANNING AND ZONING STAFF:
12 SCOTTIE EAGAN, PLANNING DIRECTOR
13 NICHOLE ZIELKE, PLANNER
14 LEGAL COUNSEL:
15 MARK PIONTEK, COUNTY ATTORNEY
16 ALARIS LITIGATION SERVICES:
17 By: PATSY A. MAYBERRY, C. R.
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25

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

2 (OCTOBER 20, 2020)

3 CHAIRMAN EVANS: Call to order
4 the Tuesday, October 20th, meeting of the Franklin
5 County Planning and Zoning Commission.

6 Scottie, will you please take roll.

7 MS. EAGAN: Bill Evans?

8 CHAIRMAN EVANS: Here.

9 MS. EAGAN: Jim Grutsch?

10 COMMISSIONER GRUTSCH: Here.

11 MS. EAGAN: Dan Haire?

12 COMMISSIONER HAIRE: (Not

13 present.)

14 MS. EAGAN: Dennis Hartmann?

15 COMMISSIONER HARTMANN: Here.

16 MS. EAGAN: Mike Klenke?

17 COMMISSIONER KLENKE: Here.

18 MS. EAGAN: Bill McLaren?

19 COMMISSIONER McLAREN: (Not

20 present.)

21 MS. EAGAN: Tim Reinhold?

22 COMMISSIONER REINHOLD: Here.

23 MS. EAGAN: Stan Voss?

24 COMMISSIONER VOSS: Here.

25 MS. EAGAN: Debbie Willette?

1 COMMISSIONER WILLETTE: Here.

2 MS. EAGAN: And, Karl Mittler?

3 COMMISSIONER MITTLER: Here.

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

6 CHAIRMAN EVANS: Thank you.

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

12 COMMISSIONER GRUTSCH: Mr.
13 Chairman, as a matter of clarity, one of the items on
14 the agenda this evening is going to be presented by an
15 engineering firm. That engineering firm also serves
16 as the on-call engineer for Franklin County.

17 There should be no conflict whatsoever,
18 but I did feel that it was important that I make that
19 known.

20 CHAIRMAN EVANS: Thank you.

21 Scottie, will you please give the
22 presentation of the meeting procedures and exhibits.

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

1 Some matters on the agenda may be for
2 action by the Planning and Zoning Commission. These
3 matters do not involve public hearings.

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

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

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

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

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

25 Then if anyone in the audience would like

1 to speak or comment on a file that is part of the
2 public hearing, they must first print their name on
3 the sign-in sheet provided, and then be sworn in by
4 the Chairman.

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

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

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

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

21 CHAIRMAN EVANS: Thank you.

22 All the Commissioners should have
23 received a copy of the minutes for the August 18th
24 meeting. If there are no corrections or additions,
25 the Chair would entertain a motion to approve.

1 (NONE)

2 COMMISSIONER GRUTSCH: I would
3 make a motion to approve the minutes as submitted.

4 COMMISSIONER WILLETTE: I'll
5 second that motion.

6 CHAIRMAN EVANS: We have a
7 motion and a second to approve the August 18 minutes.
8 All in favor signify by saying aye.

9 COMMISSIONER REINHOLD: Aye.

10 COMMISSION VOSS: Aye.

11 COMMISSIONER WILLETTE: Aye.

12 COMMISSIONER GRUTSCH: Aye.

13 CHAIRMAN EVANS: Aye.

14 COMMISSIONER KLENKE: Aye.

15 COMMISSIONER MITTLER: Aye.

16 COMMISSIONER HARTMANN: Aye.

17 CHAIRMAN EVANS: Opposed?

18 (NONE)

19 Motion carries. The minutes are
20 approved.

21 Four, election of officers. It was
22 supposed to be on September. We did not have a
23 meeting, and as of now, we need a chairman and
24 vice-chairman.

25 So the floor is open for nominations for

1 chairman.

2 COMMISSIONER GRUTSCH: I would
3 like to nominate Bill Evans to serve another term as
4 chairman.

5 COMMISSIONER REINHOLD: I'll
6 second that.

7 CHAIRMAN EVANS: Any other
8 nominations?

9 (NONE)

10 The nominations are closed. So we'll vote
11 for the applicant. All in favor of having Bill Evans
12 serve as chairman please signify by saying aye.

13 COMMISSIONER REINHOLD: Aye.

14 COMMISSION VOSS: Aye.

15 COMMISSIONER WILLETTE: Aye.

16 COMMISSIONER GRUTSCH: Aye.

17 CHAIRMAN EVANS: Aye.

18 COMMISSIONER KLENKE: Aye.

19 COMMISSIONER MITTLER: Aye.

20 COMMISSIONER HARTMANN: Aye.

21 CHAIRMAN EVANS: Opposed?

22 (NONE)

23 Vice-chairman is I think currently Dan
24 Haire.

25 COMMISSIONER WILLETTE: I'd

1 like to nominate Dan Haire for another term.

2 COMMISSIONER KLENKE: I'll
3 second that.

4 CHAIRMAN EVANS: We have a
5 motion and a second to elect Dan Haire as
6 vice-chairman for another year. All in favor signify
7 by saying aye.

8 COMMISSIONER REINHOLD: Aye.

9 COMMISSION VOSS: Aye.

10 COMMISSIONER WILLETTE: Aye.

11 COMMISSIONER GRUTSCH: Aye.

12 CHAIRMAN EVANS: Aye.

13 COMMISSIONER KLENKE: Aye.

14 COMMISSIONER MITTLER: Aye.

15 COMMISSIONER HARTMANN: Aye.

16 CHAIRMAN EVANS: Opposed?

17 (NONE)

18 Dan is elected.

19 Communications and Visitors Comments.

20 Anyone present wishing to address the Commission?

21 (NONE)

22 If not, we'll move on to Unfinished
23 Business, which we have none.

24 Going to New Business. File 200172,
25 Kennelwood Village, Incorporated.

1 Scottie, will you please give us the
2 details.

3 MS. EAGAN: This file is 200172
4 for Kennelwood Village.

5 The applicant is requesting the approval
6 of a 37-acre Planned Unit Development for a nine-lot
7 dog trainer academy and student housing in the Y
8 Zoning District.

9 The property is located on Clearview
10 Road, approximately 350 feet east of Highway A in
11 Union Township.

12 THE FACTS: The total area for the PUD is
13 approximately 37 acres and 9 parcels.

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

17 This Planned Unit Development is for a
18 nine-lot educational academy for dog trainers along
19 with educational housing for trainers enrolled in the
20 academy.

21 The proposal shows three training arenas,
22 a fenced-in exercise area, above-ground training pool,
23 and multiple educational housing facilities.

24 The applicant plans to utilize some of
25 the already existing homes as student housing

1 facilities.

2 This development is being proposed in
3 multiple phases. Phase 1, which includes the training
4 arenas, will take place between 2020 and 2021. Phase
5 2, which includes renovating existing house for the
6 educational housing, will take place between 2021 and
7 2024. All future phases, which include educational
8 housing if needed, will take place after 2024.

9 The properties around the proposed site
10 are zoned Y.

11 The properties to the west and southwest
12 are primarily high-density residential properties.

13 The properties to the west are primarily
14 low-density residential properties and undeveloped
15 land.

16 The properties to the north, across
17 Clearview Road is Clearview School.

18 These properties will have access to
19 Clearview Road and Ivey Estates Drive. Clearview Road
20 is a County-maintained road with a 40-foot
21 right-of-way width. Ivey Estates Drive is a private
22 road with a 40-foot right-of-way width.

23 This property is located within Public
24 Water Supply District Number 1.

25 STAFF COMMENTS: The applicant is not the

1 current owner of the parcels, but we do have a sales
2 contract as well as a letter from the current owners
3 allowing Kennelwood Village to apply for this
4 application.

5 This development is proposing a 50-foot
6 road easement at Clearview Road for about 100 feet,
7 and then it tapers down to a driveway. The proposed
8 width of the road is 20 feet, which exceeds our
9 requirement of 18 feet for two-way traffic.

10 It appears this development is proposing
11 to use septic systems and Public Water Supply District
12 Number 1 for water supply.

13 Without the approval of a PUD, this
14 development would not be allowed based on the mixed
15 uses and multiple residences on the properties.

16 CHAIRMAN EVANS: Thank you.

17 Just to quickly go over the procedures
18 because they're a little bit different in that we've
19 already had a review -- a pre-application conference
20 and a review conference. And tonight we'll be looking
21 at the preliminary development plan.

22 And if we take action on that, that is
23 only the second step because they have to come back
24 with a final development plan, and there's an
25 extensive amount of information and documentation

1 required even to get to this point.

2 Scottie, do you have the information that
3 is required?

4 MS. EAGAN: Yes, I do.

5 CHAIRMAN EVANS: Okay. Thank
6 you.

7 Okay. We will go ahead and proceed if
8 the applicant is present.

9 MR. FIJU JOB: He is.

10 CHAIRMAN EVANS: If you would
11 -- I'm sorry. Does anybody have any questions for
12 Scottie before we go on with this?

13 (NONE)

14 And the applicant will have 15 minutes to
15 present their case, not including questions from the
16 Commission. Anyone wishing to speak in favor or
17 against this file will have three minutes.

18 If you'd state your name and address.

19 MR. JOB: Fiju Job, Chief
20 Development Officer.

21 (THEREUPON, THE WITNESS WAS
22 SWORN.)

23 First, I'd like to thank Planning and
24 Zoning and the Commissioners for giving me an
25 opportunity to speak today regarding Kennelwood's PUD

1 application.

2 I'd also like to take a couple of minutes
3 to introduce the rest of our team. Cameron Lueken,
4 he's the president of Wunderlich Survey. He's been
5 integrally involved in our PUD and doing all the site
6 plan.

7 We have Dave and Jeremy who are going to
8 be the head trainers of this proposed training site.
9 We have Tony, who's our broker and director. We have
10 Jen Van Gardner, who is our chief operating officer.

11 I'd like to touch on five topics today:
12 How we got here today from where we started, a brief
13 overview of our operations, the site plan. There's
14 been some revisions, and I have 12 copies to share
15 with you so I can go over it in detail, and then a
16 response to specific questions and concerns raised
17 during our previous rezoning application.

18 So how did we get here? So originally
19 when we went under contract, it's been about a year
20 now, it'll be one year at the end of November, we
21 thought we would have to rezone the entire property
22 for our particular use, which is a dog training
23 academy.

24 As we went through the process, we
25 quickly realized that we did not expect the level of

1 concern from Commissioners as well as the citizens who
2 are here and were not able to be here regarding what
3 would happen if Kennelwood would ever leave after a
4 rezoning had been completed.

5 As we went through the process, we
6 realized that concern needed to be addressed. After
7 the rezoning failed, I recalled a conversation that I
8 had with Jen, my colleague, Christy Endforth (ph.),
9 the present owner, and Kevin Brockner, CFO. When we
10 looked at each other and asked each other what do we
11 want to do.

12 We had a stipulation in the contract
13 where we could opt out if we didn't get a rezoning.
14 So we could back out of the contract and move to
15 another property.

16 Tony and his team had proposed some other
17 properties for us to look at for our proposed site.
18 After having a very brief conversation with my
19 colleagues, we very quickly and unanimously decided
20 absolutely not. This is the site that we want to be
21 in. This is the site that we wanted to be at from the
22 beginning, and we want to figure out a way to make
23 that happen. We needed it.

24 So after that conversation where it was
25 quickly clear that we didn't want to move on, I called

1 Scottie and I approached Scottie and said, how do we
2 get there? How do we find a solution that allows our
3 proposed use but addresses some of the major concerns
4 proposed by commissioners and the citizens so we can
5 create a win/win for all parties. And that's where
6 we're at now.

7 This PUD allows us to solve the rezoning
8 concerns, and allows us to be building and making
9 significant improvements to structures and the
10 infrastructure, including land, roads, and other
11 assets on the property. And I'm going to into detail
12 on the improvements shortly.

13 This PUD plan would limit and define the
14 approved Kennelwood uses, and would cause the property
15 to revert to residential zoning in the event that
16 Kennelwood ever ceased operating at that location.

17 In our 46 years, we've never purchased a
18 property and sold it, and never expect to ever leave
19 that property. But even if we did ever leave the
20 property, it would revert back to residential Y zone.

21 In addition, this world-class training
22 academy will help increase the property tax base for
23 Franklin County. We'll pull in students from all
24 across the US, and that will -- those individuals will
25 spend money in Franklin County and contribute to the

1 sales tax revenue. And I'm going to go into detail on
2 why we think we're going to be able to pull in students
3 from all across the US.

4 We want to make this type of investment
5 in Franklin County. We want to figure out a way to
6 make this work. So I -- over the past month and a
7 half when we started this process, we spent a lot of
8 resources in trying to create a PUD plan that
9 addresses all concerns from not just the nearby
10 neighbors, from the commissioners, from logistical
11 fire and water. We looked at every angle before I
12 came up here today.

13 So it addresses every single concern
14 raised in the previous rezoning application, and I'm
15 confident that you guys will see it the same way at
16 the end of my presentation.

17 A brief overview of the operation. We
18 are proposing to build a dog training academy for
19 individuals that want to become dog trainers and dog
20 handlers are taught by two of the best, Dave and
21 Jeremy. Our school curriculum is certified by the
22 State of Missouri to be able to offer proprietary
23 training school. We'll be offering three different
24 programs that vary in length from four to six months.

25 There are two main facets to this

1 operation, training of dogs and training of dog
2 handlers.

3 The second piece, lodging for students.
4 These students will live on-site for four to six
5 months. A quick note one when I say they're living
6 on-site. One of the things, and we'll touch on this
7 on the PUD, is that we're not creating a typical
8 shared dining hall or anything like that that you'd
9 find in a typical dormitory besides the kitchen and
10 amenities that are present already in the
11 single-family houses.

12 We are not planning building a separate
13 dining area. We want our students to be invested in
14 the community that they're training in. We want them
15 to go to the restaurants in Union. We want them to go
16 to the grocery stores in Union. We want them to
17 become a part of the community for the time they're
18 here and potentially longer, even after the graduate
19 our school.

20 So additional specifics on the operation.
21 The students and pets are primarily trained inside the
22 training facility, which is currently the riding
23 arena.

24 And number two, dogs stay in care of
25 trainers or training personnel at all times. We're

1 not going to have dogs sitting outside unattended at
2 any point during our training school.

3 Next I'd like to submit the updated PUD
4 plan and some additional documents and renderings into
5 evidence. I have brought you all copies. May I
6 submit these documents into evidence?

7 (THEREUPON, EVIDENCE WAS MARKED
8 FOR IDENTIFICATION AS PETITIONER
9 EXHIBIT 1.)

10 I've labeled each of the pages, and I'll
11 reference the page numbers that you'll find at the top
12 left during the next few details.

13 The first one is page 1, is the PUD plan.
14 So you can see the phases outlined in color on what we
15 plan to do.

16 In Phase 1, our primary renovation is the
17 training arena along with the single-family house at
18 the top of the street. Then in addition, we're going
19 to create a roundabout for fire -- for the fire
20 chief's apparatus, as well as renovate the educational
21 animal housing.

22 We're also going to make some
23 infrastructure improvements that I'm going to touch on
24 shortly. That's Phase 1 colored in red.

25 From that phase, it starts in theory from

1 20 -- the remaining part of 2020 through 2022.

2 Phase 2 is renovating the just -- the
3 already existing educational housing units, which are
4 the two green structures outlined. And that we are
5 proposing to do in 2023 and 2024.

6 All future phases are highlighted in
7 blue, and I'm going to -- that Phase 3 includes
8 potentially a -- expanding the indoor riding arena,
9 building two other homes, building a supply shed, an
10 above-ground training pool, adding a pavilion and
11 adding an overhang to the existing riding arena.

12 I would like to make sure I call out one
13 of the big concerns from the neighbors was the impact
14 on their particular sound and the life -- peaceful
15 serenity that is in this area. So we are not, by
16 choice, building any additional structures on Lot 2,
17 4, 5 and 6 where we can easily build -- it would fit
18 another residential house on each of those lots.

19 And we pulled it out on purpose to
20 minimize impact to the neighbors.

21 As per the fire marshal and Water
22 Department, I put the next two pages labeled 2 and 3.
23 We've had over a dozen in-person and phone call
24 meetings with Chief Hamilton and the Water Department
25 between myself, Cameron, and his team to make sure we

1 address all concerns.

2 There were a number of concerns regarding
3 life safety, us -- with us subdividing, our plan to
4 subdivide the homes regarding their safety on
5 regarding life safety. So as a result, we -- the fire
6 marshal has approved this updated plan, and that's the
7 letter stating as much.

8 Number 2, the Water Department has
9 approved our proposed plan, which is noted on -- with
10 Number 3 document.

11 We have agreed to spend -- to expand the
12 road width to 20 feet to allow the chief's
13 apparatuses. We're going to add an 8-inch water line
14 from across the street with fire entrance going all
15 the way to the drain of the indoor riding arena.

16 And we've agreed to install fire
17 sprinklers in the homes as we do the interior
18 renovations.

19 We are going to spend approximately 275K
20 in infrastructure before we touch any of the
21 modifications to the homes or the indoor riding arena
22 for our particular use. That's how important it is
23 addressing life safety and being a partner. It's not
24 a thing with us when we work with communities, we
25 collaborate with them. We want this to be a mutual

1 relationship. We want to be beneficial to the
2 community, and we want the community to want
3 Kennelwood in their area. And that's why we've agreed
4 to -- in principal to spend roughly 275K.

5 Next, number 4 is a depiction of the
6 riding arena upgrades. Picture tells a billion -- a
7 million words.

8 So this is a finalized layout that we've
9 finished with our architects on what we would do if we
10 were able to get our PUD approved and proceed with the
11 renovations. That includes pouring concrete on the
12 floor along with a floor called Paw Soft, which is a
13 rubberized floor that is considered best in class for
14 pet safety.

15 It includes adding wall insulation and
16 roof insulation. It includes finishing the indoor
17 siding. It includes adding -- updating the reception
18 and office area. It includes adding a platform and an
19 office. It includes lighting upgrades to LEDs. It
20 includes some roof repairs and electrical upgrades to
21 meet code and plumbing and some ceiling fans.

22 So roughly about 500K in investments is
23 in dollars is what we're proposing to invest in --
24 just inside that riding arena.

25 Next Number 5, these are pictures of the

1 current home structures who are single-family homes.
2 The other is a stable/loft. So this gives you an
3 outline of all the other capital repairs that we plan
4 to spend on these homes. This does not include --
5 there's a major interior renovations which subdividing
6 the homes to fit our multiple students.

7 This is just capital in nature that we're
8 proposing. There's a small item for program
9 additions. That's not the full number for all the
10 interior renovations. Roughly 500K for the interior
11 for all three homes.

12 This is the reason why I touched on
13 earlier that we will attract students from all across
14 the nation. There is not another professional dog
15 training school that will be able to compete with our
16 offering when we have finished completion of our
17 renovations along with our expertise that we have with
18 Dave and Jeremy and the team at Kennelwood.

19 Training is our bread and butter. We are
20 very good at it, and we want to expand that offering.

21 CHAIRMAN EVANS: If you could,
22 wrap up relatively quickly now.

23 MR. JOB: Sure.

24 CHAIRMAN EVANS: You're at 15
25 minutes.

1 MR. JOB: Sure. Finally, I
2 want to touch on some of the concerns and questions
3 raised. One of the major concerns, if you go to
4 number 6 on your handouts, was the sound concern.
5 This was expressed by Mr. Malone, Mrs. Smith and Mr.
6 Smith regarding the impact of noise.

7 So at our cost, I had our engineers do a
8 sound study to understand that impact and if there was
9 an impact. So the average decibel of a dog barking is
10 90 decibels. With the insulation that we're planning
11 to add to the indoor riding arena, you can see the
12 impact. You can see the decibel level that will be
13 heard at our neighbors' homes.

14 Every single one of them will have less
15 than a normal conversation, with most being under a
16 quiet office. That is the level of sound that they
17 will hear as a result of dogs inside that riding
18 arena.

19 Mind you, I don't expect dogs to be
20 barking at all in this particular use. This is not
21 our particular use. This is a training facility where
22 there are individual trainers with pets. This is not
23 an area where there's going to be 20 dogs and no
24 supervision, and they're constantly barking. That's
25 the application where dogs will have a tendency to

1 bark.

2 In an effort to address all the concerns,
3 I reviewed all hundred pages of the meeting minutes
4 from the last PUD meeting.

5 Ms. Crystal Smith and Ms. Kathleen
6 Sutkin -- I apologize if I mispronounce your name --
7 had concerns about dog feces disposal. All dog feces
8 will be picked up immediately and disposed of. We're
9 regulated by the Animal Welfare Division of the State
10 of Missouri Department of Agriculture.

11 CSR 30-9.030 Section 6 regulates for our
12 industry, "Must provide for regular and frequent
13 collection, removal and disposal of animal and food
14 waste."

15 Mr. Don Altholz and Mr. David Meyer and
16 Mr. Ross Malone all had traffic concerns. There are
17 roughly four to six employees that commute back and
18 forth from St. Louis. Everyone else will be living on
19 the residents while going to school there.

20 There might be a small component of our
21 training program that includes day training the
22 future, but it will be a minor part of our business.

23 CHAIRMAN EVANS: I will have to
24 ask you to wrap it up.

25 MR. JOB: Okay. Just a couple

1 more minutes and I'll be --

2 CHAIRMAN EVANS: About one more
3 minute. You're already a couple of minutes over.

4 MR. JOB: Sounds good, thank
5 you. I appreciate it.

6 Some other questions regarding what kind
7 of training. We're -- primarily individuals that want
8 to become dog trainers who will bring their dogs with
9 them.

10 Commissioner Haire and McLaren had
11 questions of how many additional units that we are
12 planning to build.

13 We are -- as shown on the PUD, two other
14 single-family structures in phase -- in future phases.
15 No other structures.

16 Commissioner Willette asked if we would
17 have a store inside the facility.

18 We will not have any retail component at
19 this particular PUD request.

20 Commissioner Frankenberg asked are you
21 training the trainers as just walk-in off the street.
22 We're primarily training the trainers?

23 There will be a small component that's
24 off-the-street parking.

25 Commissions Grutsch asked if this is -- I

1 apologize for mispronouncing -- is this mainly for
2 show dogs or ADA dogs or security.

3 We have three main training programs with
4 courses to train all those type of dogs.

5 Will there be dog breeding?

6 Absolutely not.

7 Commissioner Evans, in the evenings,
8 where will the dogs go? Will they be unattended?

9 The dogs will never be unattended.

10 Commissioner Klenke, how much staff are
11 you planning to live on-site?

12 At this time, we're not planning on
13 having any staff live on-site, but may have one or two
14 individuals live there in the future.

15 Three points addresses all rezoning
16 concerns, allows us to make a significant investment
17 in the community, limits only to our particular use.
18 It does not impact the future use if Kennelwood ever
19 leaves. And three, it will help increase the property
20 tax base with as much as we are investing in the
21 community, along with people that are going to be
22 working there.

23 Thank you for your time.

24 CHAIRMAN EVANS: Okay. Thank
25 you.

1 I will say one thing, and this is for
2 anyone else that comes up and, Mark, correct me if I'm
3 wrong. You can reference questions that may have been
4 asked, but none of the evidence or anything that was
5 presented in that last file. That file was dispensed
6 with.

7 COUNTY ATTORNEY PIONTEK:
8 Correct.

9 CHAIRMAN EVANS: Any questions
10 from the Commission?

11 (NONE)

12 And again, the dogs will be staying in
13 the residences with the --

14 MR. JOB: Correct.

15 CHAIRMAN EVANS: -- students?

16 MR. JOB: If an individual --
17 there might be some long-term individuals -- dogs that
18 want to be trained by our trainers, and if we do have
19 that component, there will be an attendant with them,
20 just like in all of our locations. We have overnight.
21 We do not let any dogs stay by themselves at any
22 location by themselves.

23 CHAIRMAN EVANS: But there will
24 be a kennel component then? Is what I'm asking.

25 MR. JOB: Correct, a minor

1 kennel component, and that's -- that educational and
2 PUD. These are only for -- it's not a kennel
3 component. The kennel is people, from our
4 perspective, is people who go on vacation and want to
5 leave their dogs for a small fee. That is not what
6 we're going to do.

7 These are individuals that want to have
8 long-term training by our trainers and will leave
9 their dog in the care of our trainers as well as our
10 attendants.

11 CHAIRMAN EVANS: Okay. Any
12 other questions from the Commissioners?

13 COMMISSIONER KLENKE: You
14 briefly touched on the disciplines of the training.

15 MR. JOB: Correct.

16 COMMISSIONER KLENKE: I mean,
17 there's a lot of things out there, track and trailing,
18 security, confirmation, agility, blah, blah, blah. So
19 do you train to all of those?

20 MR. JOB: Correct.

21 COMMISSIONER KLENKE: Okay.

22 MR. JOB: That's -- to be
23 accredited by the State of Missouri, we have to offer
24 wide crafts. We have to -- any individual will train
25 all. Just like it will be -- consider it like the

1 core competencies when you go to university that every
2 student has to do before they get into their
3 accelerator or their major.

4 COMMISSIONER KLENKE: What
5 about for master trainers? Can they come and get
6 reaccredited through your --

7 MR. JOB: Correct.

8 COMMISSIONER KLENKE: --
9 facility?

10 MR. JOB: Correct.

11 CHAIRMAN EVANS: And you're
12 saying right now all the training would be done
13 inside?

14 MR. JOB: The majority of the
15 training is inside that riding arena.

16 CHAIRMAN EVANS: How about the
17 minority of the training?

18 MR. JOB: The minority of the
19 training there will be individual trainers with a dog
20 outside. There will never be a -- where -- a
21 component where there's multiple dogs and there's
22 unattended use. But yes, there will be a minor
23 portion of the training that will be outside.

24 Otherwise, we wouldn't be able to offer,
25 unfortunately, a full training course because they

1 have to be able to train in all conditions.

2 CHAIRMAN EVANS: Just to
3 clarify then, you'd have the individual trainers stay
4 in their residences with their dog?

5 MR. JOB: Correct.

6 CHAIRMAN EVANS: And then they
7 have kitchen facilities, if they want to go out then
8 to restaurants in the community, they can. So --

9 MR. JOB: Correct.

10 CHAIRMAN EVANS: -- this would
11 really be a -- an apartment they'll be in for four to
12 six months?

13 MR. JOB: Correct. We believe
14 that's the best way to create dedicated attention. We
15 don't want the commuter traffic, commuter students.
16 They do -- our studies have found and we've found that
17 all students do better when they're dedicated at a
18 location.

19 Thank you for your questions.

20 CHAIRMAN EVANS: All right.

21 Thank you.

22 Any other questions?

23 (NONE)

24 All right. Thank you.

25 MR. JOB: Thank you.

1 CHAIRMAN EVANS: Is there
2 anyone else present wishing to speak in favor of this
3 file? Is anyone present wishing to speak in favor?

4 (NONE)

5 If not, is there anyone present wishing
6 to speak in opposition? Will you please step forward
7 and state your name and address and sign in, please.

8 MS. KATHY POST: I am Kathy
9 Post, and 1501 Clearview Road, Union, Missouri.

10 (THEREUPON, THE WITNESS WAS
11 SWORN.)

12 Thanks for letting us present our sides
13 of this PUD development. However, I am concerned or I
14 have a question. So this is still zoned Y where the
15 PUD is being developed?

16 CHAIRMAN EVANS: That's
17 correct.

18 MS. POST: Okay. Because in
19 his statement, he said that once he left, it would
20 still go to residential, which if it's still Y, it's
21 still going to be whatever.

22 CHAIRMAN EVANS: There is a
23 component -- residential component in Y.

24 MS. POST: Okay.

25 CHAIRMAN EVANS: So we'll still

1 be --

2 MS. POST: So we're not going
3 to B?

4 CHAIRMAN EVANS: It will not be
5 rezoned.

6 MS. POST: Okay. Okay, great.
7 Thank you.

8 Okay. So then in -- and now I'm confused
9 too on you said that all of the previous files are now
10 destroyed?

11 CHAIRMAN EVANS: No, they're
12 not destroyed. That was a separate file, a separate
13 case. We looked at it. We voted on it. We dispensed
14 with it.

15 MS. POST: Okay. All right.
16 So the --

17 CHAIRMAN EVANS: So this is a
18 new file, and nothing from any other file.

19 MS. POST: Okay. All right.
20 So then one of my questions then has concerns has
21 always been A, we're residential, and B, I don't know
22 why it's ever been the perfect spot. But they have
23 yet to really fully explain what their training is.

24 They're always saying they're training.
25 They're always saying they have these two great

1 gentlemen that will train, but what are they training
2 for? What are we really doing? What is exactly --
3 are we training for attack? Are we training for
4 criminal? Are we training for found bodies? Are we
5 training for show? Are we training to sit and not
6 bark, you know, bark? What are we training for?

7 They've never really ever said that in
8 any of their testimony prior. So that is my major
9 concern because I personally with -- before the
10 testimonies with the Mr. Rose, it was very apparent
11 that they'd been very quiet trying to kind of hide
12 that they could be doing attack training, you know,
13 with especially with the school next door.

14 Secondly, what about our dogs? My dog's
15 not trained. I can tell you my dog roams the
16 neighborhood. So what about our dogs when we're
17 already there? So how is that going to not help them,
18 and then not help us as a resident when we've all been
19 there for 40 years?

20 But besides those questions, I've looked
21 over at the Planned Unit Developments, and in there
22 under the PUD standards, I'm kind of questioning some
23 of the -- how is this consistent with the Franklin
24 County Master Plan? Which is number one.

25 How does the development provide the use

1 of special projects in general community consistent to
2 the goals stated in Section 202, which there are
3 three, so that it is creating a sense of community and
4 a sense of place? I don't understand. I don't
5 understand the cluster of the buildings related to the
6 design and the consideration that's still within the
7 natural resources that's there.

8 They encourage the existing land use or
9 land use when -- and not making it an economic network
10 upon utilities and public grounds.

11 And then how the employment, shopping,
12 and recreational opportunities, which most of that is
13 just about the housing.

14 So as far as I can tell on your PUD in
15 Section 203 when they got -- when you have the seven
16 listed, the first five I don't know how they can get
17 to. I only can see that they can give 6 and 7 an
18 okay. Everything else truly has to be addressed, and
19 I don't think so far in any statement they've done
20 that.

21 CHAIRMAN EVANS: Okay.

22 I will have to ask you to wrap it up,
23 please.

24 MS. POST: Okay. Well, that's
25 mainly my concern along with the Y and still kind of

1 nervous about the Y. And then the six month of the
2 planning, is that starting tonight? Is this the
3 beginning of the first six months of the planning
4 that's in the PUD under -- under primary development
5 plan, applicant shall submit a primary development
6 plan within six months of the review. So are we
7 starting it tonight for a timeframe?

8 CHAIRMAN EVANS: Yes.

9 MS. EAGAN: No.

10 CHAIRMAN EVANS: No.

11 MS. EAGAN: No. We are in the
12 preliminary development plan now.

13 MS. POST: Okay.

14 MS. EAGAN: The six months was
15 from the review conference. So we had --

16 MS. POST: Okay. And when was
17 the review conference?

18 MS. EAGAN: Back in -- when was
19 that, Jim?

20 MS. POST: I mean, our last
21 meeting was --

22 MS. EAGAN: September?

23 COMMISSIONER GRUTSCH: First of
24 September. That was in September.

25 MS. EAGAN: The beginning of

1 September.

2 COMMISSIONER GRUTSCH: First
3 week in September.

4 MS. EAGAN: All right.

5 MS. POST: Okay. And then
6 let's see. The other thing was -- okay. So now with
7 hearing his testimony about the water, how is that
8 water tower going to affect us if they're having those
9 units?

10 And then number two, I hope you guys know
11 that our water gets blasted every other day with
12 bleach because they can't get -- they can never pass
13 their test. So I don't know what that does to your
14 dogs, but anyways.

15 CHAIRMAN EVANS: All right.
16 Thank you.

17 MS. POST: Uh-huh.

18 CHAIRMAN EVANS: Anyone else
19 wishing to speak in opposition? State your name and
20 address, please.

21 MR. ERRIC SMITH: Erric Smith.
22 Erric Smith, 50 -- 5361 Highway A. You can't quote me
23 on that because we haven't been there that long.

24 (THEREUPON, THE WITNESS WAS
25 SWORN.)

1 Okay. I just got a few things I'd like
2 to say. Number 1, I'm not against dogs. I've had
3 five boxers. Love dogs. Love going to the dog park
4 petting dogs.

5 I'm not against Kennelwood, and I dang
6 sure ain't against the landowner trying to sell his
7 property. He's got the right to do that.
8 Kennelwood's got the right to buy it and redevelop it
9 and do whatever they want to do.

10 My -- I only have a couple of questions,
11 and maybe they can be answered. One is who monitors
12 if this planned development gets approved?

13 MS. EAGAN: That would be the
14 Planning and Zoning Department.

15 MR. SMITH: Okay. And by --
16 like I said, I'm a duck out of water here. So what I
17 found just in 15 minutes of research the definition of
18 HUD alone says it's not bound by zoning laws. Is that
19 true?

20 MS. EAGAN: In certain aspects,
21 yes. So there's certain parts of the Code with the
22 PUD that you can vary as long as the Planning and
23 Zoning Commission approves it.

24 For instance, with the roads, with the
25 easements, with the right-of-ways, stuff of that

1 nature.

2 MR. SMITH: Okay. So what
3 about buildings and other stuff that is down the road?

4 MS. EAGAN: Any building codes
5 or anything -- or any buildings still need to meet
6 building codes. They still need to meet all of our
7 stormwater codes. Basically with a PUD, they are
8 confined to this plan that they submitted.

9 MR. SMITH: Okay.

10 MS. EAGAN: They can't change
11 it.

12 MR. SMITH: Yeah, last two
13 points I got. Just like a neighbor said, I don't
14 believe that they've said any kind of dog training. I
15 know at one meeting they said something about
16 tracking. So again the question is, is there going to
17 be police dogs, is there going to be tracking?

18 And a lot of the concerns are just
19 because I don't want to call it wishy-washy, but it
20 was wishy-washy the last few meetings. We were told
21 one thing, and then told another.

22 I applaud you for giving a great
23 presentation today. I think it should have been three
24 meetings ago.

25 And my final point is, you know, last

1 weekend I went to visit my wife. Unfortunately she
2 can't be here, and I watched her deliver eight
3 American Bullies. And you know, I'm not going to beat
4 a dead horse and talk about decibels and this and
5 that. When my wife says something about decibels, she
6 knows what she's talking about.

7 She's known this for her whole life. So
8 unfortunately she's not here, but you know, you can
9 get on the internet and -- the internet and read this
10 stuff. And when you're talking about certain
11 sound-deadening materials and specialists you hired to
12 do the research, and maybe it is and maybe it's not.
13 But all I know is the facts, and the facts that my
14 wife gave last time is what I believe.

15 And I was there at their -- their
16 boarding facility, like I said, last weekend. We
17 walked around and they had insulated floors and stuff,
18 and I don't know what specification it was, but was it
19 loud? Yeah, it was really loud. It was loud inside
20 and outside.

21 So I don't believe it's going to be a
22 whisper, but I guess time will tell. So thank you.

23 CHAIRMAN EVANS: Thank you.

24 Anyone else present wishing to speak in
25 opposition? Please state your name and address and

1 sign in.

2 MR. JOHN TESSON: My name is
3 John Tesson. T-E-S-S-O-N. I live at 109 Choicelend
4 Drive.

5 (THEREUPON, THE WITNESS WAS
6 SWORN.)

7 I was concerned about water runoff. I
8 know that you mentioned storm, but there's five homes
9 down there. And the topography of this property up
10 above is very high, and we already get superior runoff
11 down below.

12 As you can see, I believe that's Feckin
13 Creek in the front down there, and it comes from all
14 the water runoff up above.

15 So if there's a parking lot or any water
16 runoff, is there going to be a retention pond built?

17 COMMISSIONER GRUTSCH: I might
18 answer that. The stormwater regulations for Franklin
19 County, as they are with most counties in the state,
20 if there is new surfaces installed on a property,
21 those surfaces have to be addressed as far as runoff
22 onto adjoining property. They cannot impact an
23 adjoining property with any more severity than is
24 presently being experienced.

25 MR. TESSON: Okay. Because

1 I've been there --

2 COMMISSIONER GRUTSCH: So if
3 you're --

4 MR. TESSON: -- since '94, and
5 it's -- I've watched the water come down that hill.

6 COMMISSIONER GRUTSCH: So if
7 you're getting a tremendous amount of water now,
8 you'll probably continue to get a great amount of
9 water, but not additional water from this.

10 They will do a stormwater study, and they
11 will do retention to address that.

12 MR. TESSON: So retention is in
13 there?

14 COMMISSIONER GRUTSCH: This is
15 the preliminary plan. It's not the final plan.

16 MR. TESSON: Okay.

17 COMMISSIONER GRUTSCH: It's not
18 on the preliminary development, but before the final
19 plan would be reviewed, they would have to submit a --
20 address the proposed parking lot around the arena.

21 MR. TESSON: Okay.

22 COMMISSIONER GRUTSCH: So...

23 MR. TESSON: Okay. And I guess
24 I didn't know if they were going to keep any of the
25 woods as a buffer along the area or anything there,

1 which we already have, between me and the house up
2 above because I back up to the house.

3 CHAIRMAN EVANS: I don't know.
4 That's not on there. We can address that later with
5 them.

6 COMMISSIONER VOSS: According
7 to what I'm seeing here, there's an existing lake. Is
8 this what he's concerned about? It says it's to be
9 modified for stormwater detention.

10 COMMISSIONER GRUTSCH: And I
11 believe that's part of the detention area, but I
12 believe the existing building where the arena is and
13 the proposed parking lot off to the --

14 COMMISSIONER VOSS: I see.

15 COMMISSIONER GRUTSCH: -- lower
16 right-hand portion of that, I believe that has to be
17 accounted for and addressed.

18 MR. TESSON: And then like any
19 other buffers or anything like that, you know, between
20 us and the home up above?

21 CHAIRMAN EVANS: I don't know.
22 We can address that with the applicant.

23 MR. TESSON: Okay. I mean, the
24 woods are great. I like the woods myself. That's why
25 I moved down there. All right. That's all I have.

1 CHAIRMAN EVANS: Thank you.

2 MR. TESSON: Uh-huh.

3 CHAIRMAN EVANS: Anyone else
4 present wishing to speak in opposition? Please state
5 your name and address and sign in, please.

6 MR. DAVID MEYER: Sure. It's
7 David Meyer, 1552 Clearview Road.

8 (THEREUPON, THE WITNESS WAS
9 SWORN.)

10 Hello, and thank you again for allowing
11 me to speak. There's a couple of concerns that I have
12 that I wanted to bring to your attention.

13 The first one is a couple of times
14 Kennelwood mentioned addressing concerns from nearby
15 neighbors and trying to do a needs assessment to
16 address those concerns. Yet, not once has Kennelwood
17 approached any of the neighbors, gone around and
18 talked to them, shared any information about what
19 they're trying to do or try to rally support for this.

20 Also I don't know if you noticed, but as
21 the presentation was being made, there was a lot of we
22 want, we want, we want this to do that, we want this
23 to look like this. And I don't see how that benefits
24 Franklin County. And I think that's the important
25 thing to consider. And a lot of the changes that they

1 discussed still don't show the benefit to Franklin
2 County, and I think that's critical.

3 And as was mentioned, when you look at
4 Article 9 of the Planned Unit Development,
5 specifically Section 203, General PUD Standards, the
6 area under C, "In order to be approved the PUD shall
7 demonstrate compliance with the following criteria."

8 As Kathy Post mentioned, there's several
9 of these that don't -- that don't match up, a couple
10 that I really would like to highlight.

11 Number 4:

12 "The proposed development
13 shall not result in unreasonable
14 increased burden in public services,
15 facilities, roads, and utilities.
16 Developer may propose a plan to
17 minimize burden on surrounding
18 infrastructure."

19 They said they'll have four to six
20 employees commuting back and forth, but the rest of
21 the students would stay on site. But then they also
22 said that these students are going to be spending
23 money at restaurants and so forth.

24 So you're still going to have people
25 coming and going up and down that narrow road across

1 and adjacent from a school that's a very busy
2 intersection. I don't know if you remember I
3 mentioned in the previous -- previous -- whenever they
4 were looking for different zoning, that that traffic
5 backs up in front of the school, you know, a quarter
6 mile back. And so it's just going to complicate that,
7 and that is definitely a part of the PUD, like I said,
8 compliance criteria.

9 Also "Development shall promote the
10 health, safety and welfare for the county."

11 If dogs are being trained, there's a
12 level of learning, and before they get there, there's
13 still the possibility that they could run loose and
14 with being right across from the school, I have
15 concerns about the safety of being that close to
16 school.

17 In fact, the property is, as you go up to
18 the -- I guess it would be the west of the -- you
19 know, where it runs along Clearview Road, it is
20 literally directly across from the school. So that's
21 also a concern.

22 "It shall provide benefit to the users of
23 the project."

24 Well, he's already talked about that with
25 the we want, we want, and the general community

1 consistent with the goals stated in Section 202.

2 I just don't see that benefit to the
3 community to justify putting a completely different
4 type of property in a community residential area. So
5 again, you know, I live there. I love the area, and I
6 appreciate the fact that they've gone to great efforts
7 to try and answer some of these questions. But it
8 doesn't -- it doesn't change the criteria of the PUD
9 development, and I think that's an important part of
10 this. So...

11 Thank you.

12 CHAIRMAN EVANS: All right.

13 Thank you.

14 Anyone else wishing to speak in
15 opposition? If you would state your name and address
16 and sign in, please.

17 MR. DON ALTHOLZ: I'm Don
18 Altholz, 1546 Clearview Road. Thank you for the
19 opportunity to --

20 (THEREUPON, THE WITNESS WAS
21 SWORN.)

22 Thank you for the opportunity to present
23 a position.

24 First of all, it was like a firehose
25 tonight. I stopped by Planning and Zoning this

1 morning, and I said, what have we seen from
2 Kennelwood? And they said we have seen nothing,
3 meaning, tonight was their opportunity to present.

4 So my first comment is I would recommend
5 strongly that until you have had an opportunity to
6 look at their entire plan as presented, and a lot of
7 this is in forms of exhibits, the citizenry has not
8 seen any of those exhibits. You were first now given
9 the exhibits tonight. So I trust that you will take
10 appropriate time to look at those exhibits and
11 evaluate whether or not this is applicable.

12 I do have a few questions though. The
13 first one --

14 CHAIRMAN EVANS: Let me just
15 say that the Planning and Zoning did receive packets
16 with our agenda. So we have seen these for several
17 days.

18 MR. ALTHOLZ: You have seen
19 those?

20 CHAIRMAN EVANS: Yes.

21 MR. ALTHOLZ: When I asked for
22 Planning and Zoning to say what can a citizen see, I
23 was not afforded an opportunity to see anything. Is
24 that customary? I'm not putting Planning and Zoning
25 the spot, but I specific asked that question.

1 MS. EAGAN: I mean, we -- all
2 of our files are open if you fill out a Sunshine
3 request.

4 MR. ALTHOLZ: Okay. You
5 answered my question. Thank you. Okay. I
6 understand.

7 Okay. Here's my two points. First of
8 all, it appears that Kennelwood is basically going to
9 have two elements of training, and I would like
10 Kennelwood to clarify this.

11 It appears that they're going to have one
12 element of training, which I'll call the student
13 training element, where in fact the student brings
14 their dog with them and then participates in a
15 training program; i.e., the student is being trained
16 on how to train the dog.

17 There is a second element, which I think
18 needs clarification, and that is that they are
19 proposing nine kennel units. Are they interior or
20 exterior? I don't know. But secondarily, it's my
21 understanding, and this is my interpretation, that the
22 Kennelwood employees, i.e., their trainers, will be
23 doing the training of these dogs.

24 So now you've got the nine potential
25 students with their dogs, and where are those dogs

1 being "handled" and housed? Do they stay with the
2 trainer continuously, meaning the student trainer?
3 And then you can additionally have up to nine more
4 dogs which Joe Citizen can bring and say I want you to
5 train my dog. What's it going to cost me? Here's my
6 dog, you're going to kennel it, and you're going to
7 train it with the Kennelwood employee trainers.

8 Is that a correct interpretation? I do
9 not know.

10 Okay. One other point is in Article 9,
11 Section 203, paragraph B, "May, if required, result in
12 rezoning." It's my understanding that this is in no
13 way, shape or form a request for rezoning. Is that
14 true?

15 CHAIRMAN EVANS: That is
16 correct.

17 MR. ALTHOLZ: Okay. Then the
18 next question becomes one, at some future point in
19 time, Kennelwood has expanded out through, I think
20 it's 2024 with their plan, Kennelwood decides I want
21 more capability, meaning capacity, than what the
22 current proposal allows.

23 What is then the process which would
24 allow Kennelwood to not or to expand that facility to
25 a hundred dogs?

1 MS. EAGAN: If they did a major
2 change to the PUD, they would have to come back before
3 this Board in the same way it is right now, with
4 public hearings.

5 MR. ALTHOLZ: But then we would
6 be in to a rezoning request because then we would have
7 gone the nine capacity of the Y zoning, or am I
8 incorrect?

9 MS. EAGAN: No, so their
10 classification under this PUD is not for a kennel
11 small. It is for an educational facility.

12 MR. ALTHOLZ: But am I
13 incorrect that they physically stated that they wanted
14 nine kennels?

15 MS. EAGAN: I don't know. I've
16 never heard that in any of my meetings with them. I
17 don't know if it was stated in the previous meetings,
18 but every meeting I've had with them nothing was
19 mentioned about nine kennels.

20 MR. ALTHOLZ: Okay. Then let's
21 take the question about the nine kennels off the
22 table. Let's ask the question this way.

23 Kennelwood is going to have a facility
24 that allows them to bring in students to train their
25 own dogs, and unless I misunderstood, which possibly I

1 did, Kennelwood was also making reference to the fact
2 that they would have dogs brought in by individuals
3 which Kennelwood employees would then be doing the
4 training.

5 If that's the case, what is the capacity
6 Kennelwood seek? Are they seeking it for nine
7 students with their dogs, or is Kennelwood seeking it
8 for a capacity beyond the nine students and their dogs
9 to some additional capacity which would be dogs that
10 will be brought in, left with Kennelwood, and then
11 Kennelwood employees would be doing the training?

12 I think that needs clarification. Thank
13 you, folks. Have a good evening.

14 CHAIRMAN EVANS: Thank you.

15 Anyone else wishing to speak in
16 opposition?

17 (NONE)

18 All right. Thank you.

19 If the applicant would like to come back
20 up to answer some questions, you have some rebuttal.

21 (NONE)

22 Any Commissioners have any questions?

23 COMMISSIONER WILLETTE: I do.

24 COMMISSIONER VOSS: Yes, go
25 ahead.

1 COMMISSIONER WILLETTE: Go
2 ahead.

3 COMMISSIONER VOSS: Okay. I
4 think I missed the -- it doesn't matter maybe anymore,
5 but I haven't heard how many dogs you expect to have
6 per trainer.

7 MR. JOB: So there's going to
8 be -- the students will have two dogs with them that
9 will come to get trained, and they will be with them
10 during the entire educational portion.

11 COMMISSIONER VOSS: And you
12 expect how many students your first year?

13 MR. JOB: The first job I would
14 be ecstatic with ten.

15 COMMISSIONER VOSS: And being
16 it's -- I may be missing something is because of the
17 61 parking places -- spaces.

18 MR. JOB: That's in case we
19 have a major event or something where people -- we
20 bring in the community and they want to watch our dog
21 trainers inside the riding arena. So it's capacity
22 for the individual residential homes, as well as
23 additional per, you know, an annual or biannual event.

24 COMMISSIONER VOSS: Okay.

25 CHAIRMAN EVANS: Question also

1 on the kind of training.

2 MR. JOB: So 80 percent is
3 obedience training. There's 10 percent of the
4 tracking and scent work, 5 percent ADA, 5 percent
5 agility.

6 CHAIRMAN EVANS: Okay.

7 COMMISSIONER WILLETTE: Mr.
8 Chairman.

9 CHAIRMAN EVANS: And I know
10 there were a couple of questions, first of all, and I
11 have dogs also. And I understand that I would be
12 concerned too with dogs running around, but you're
13 going to take care of your own dog. If it runs on
14 someone else's private property, it'd make him be
15 responsible for it. And I'm sorry about that.

16 And again, the roads. It's -- this has
17 come up before and yes it is a two-lane road. It is
18 narrow. With the number of people I think we're
19 talking about, the four to six, I mean, which is, if
20 you live in Franklin County, it's probably going to be
21 a two-lane road. It's probably not going to have
22 shoulders, and it may or may not be lined.

23 Debbie.

24 COMMISSIONER WILLETTE: So it's
25 probably two dogs per trainer?

1 MR. JOB: Yeah.

2 COMMISSIONER WILLETTE: What
3 would the max number of dogs be, you think?

4 MR. JOB: On any given time,
5 it's hard to quantify that. So if you are max
6 capacity which we suspect will be 30 to 40 students.
7 So those 40 -- 30 to 40 students will have 2 dogs with
8 them. A minor component will be kind of long-term
9 training. So individuals that want to drop and
10 another minor component that I touched on was day
11 training that we do know -- we don't know if we're
12 going to proceed at this moment.

13 Day training is you drop off your dog,
14 they train with the trainer that day, and you pick up.
15 I want to -- but that'll be a super solo component of
16 what we do.

17 Related to that question, I'm going to
18 tie that back into the traffic concern that we had.
19 Commissioner Grutsch, I won't quote you. One point
20 that he made if we subdivided these acreages into
21 quarter-acre lots, which I believe they can be
22 subdivided into smaller -- let's assume quarter-acre
23 lots. That's approximately 150 homes that could be
24 built on that acreage along with 1.75 or two cars per
25 household. That would be roughly 300 cars that would

1 be commuting, versus our use.

2 Combined with the student and the
3 long-term and the small component, we will be not even
4 -- I don't want to state a number and be -- but it
5 won't even come remotely close to 300 or 200 cars.

6 COMMISSIONER WILLETTE: Okay.

7 Now, as far as the training goes, you did
8 not mention anything about any kind of police
9 training.

10 MR. JOB: The tracking and
11 scent work is involved, yeah, 10 percent.

12 COMMISSIONER WILLETTE: All
13 right. Are any kind of defense, attack.

14 MR. JOB: And that's -- that's
15 all part of -- part of that falls under obedience.

16 COMMISSIONER WILLETTE: Okay.

17 MR. JOB: But the major
18 training that we're doing is, and that's our bread and
19 butter, how -- how do you make the dog sit. How do
20 you make the dog come. How do you make the dog fetch.
21 That is the majority of it, of that training, because
22 that is what individuals want as -- as you guys may
23 have heard.

24 Breeders all across the US are sold out
25 because during the unfortunate COVID times, everyone

1 got a puppy. But when you bring a puppy home, what
2 you expect the puppy to do and what the puppy actually
3 does is night and day different.

4 COMMISSIONER WILLETTE: And
5 how about fencing? How are you going to keep your
6 dogs from running off the property?

7 MR. JOB: We wouldn't put them
8 in an environment where they would be susceptible to
9 that until they've been trained properly.

10 There is already some existing fencing
11 there, but just like if you -- I don't know if any of
12 you have come into any of our locations. One of the
13 staples of our business, as I mentioned, is training.

14 We have clients all inside of our lobby.
15 That's the first visual that you have as you come into
16 our stores. So as customers bring in their dogs for
17 whatever service they want to, those dogs don't move.

18 And they don't move because we don't have
19 like -- because they're all looking. They don't see
20 anyone. They see them, it's direct visualization.
21 They're not usually behind a barrier. They don't move
22 because they've been trained properly by Dave, Jeremy,
23 Jen, and company. That's -- I'm not trying to toot --
24 I'm not a trainer, but I'm not trying to toot my --
25 our trainers' horn, but they are very good at what

1 they do.

2 COMMISSIONER WILLETTE: And
3 then my last question, as far as the property goes, do
4 you have any plans for clearing any of the woods that
5 might be considered a buffer?

6 MR. JOB: No.

7 COMMISSIONER WILLETTE: All
8 right. Thank you.

9 CHAIRMAN EVANS: I have a
10 question.

11 MR. JOB: Sure.

12 CHAIRMAN EVANS: You're talking
13 about 38 to 40 maximum. Since you require housing for
14 them, would that be probably Phase 3 or 4 of that --

15 MR. JOB: Correct.

16 CHAIRMAN EVANS: -- for that
17 additional?

18 MR. JOB: So with the first
19 three, it would -- at the end of the modifications to
20 the three structures that are on site will have, if
21 memory serves me right, roughly 25 bedrooms. And so
22 we don't suspect we'll need more, but if the capacity,
23 if the demand for the training school exceeds that,
24 that's why in future phases, we've outlined two other
25 additional ground built single -- student housing.

1 Thank you for your questions.

2 COMMISSIONER KLENKE: I've got
3 one.

4 MR. JOB: Yes, sir.

5 COMMISSIONER KLENKE: You've
6 proposed potentially building a pavilion by the lake.
7 Is that part of the training, you going to do
8 retrieving, you going to do --

9 MR. JOB: The pavilion is for
10 an area where they can -- some of the training will be
11 in water. And so the pavilion was -- seemed like a
12 central spot to have. It's not kind of mandatory part
13 of our training or anything like that, but we thought
14 it would be nice to have a sitting area because it's
15 not in proximity and we're not going to build any
16 other homes on those lots.

17 So we needed -- and I'll bring up --
18 Cameron up here to give details, but he's the one that
19 placed it in that area for engineering details that
20 are above my paygrade.

21 And I can have him touch on that.

22 COMMISSIONER HARTMANN: You
23 mentioned 30 to 40 students, 2 dogs per student?

24 MR. JOB: Correct.

25 COMMISSIONER HARTMANN: That's

1 60 to 80 dogs at a given time. Where are they all
2 going to stay?

3 MR. JOB: With the individuals.

4 COMMISSIONER HARTMANN: In
5 these apartments?

6 MR. JOB: Correct.

7 MS. ZIELKE: Do you mind if I
8 ask a question?

9 CHAIRMAN EVANS: No, Nichole.

10 MS. ZIELKE: So you said that
11 there's actually 30 to 40 that's plan, but on your
12 plans, it looks like you have the capacity for 50
13 students or the housing for 50.

14 MR. JOB: Correct. That's why
15 the future phases we -- I don't suspect more than 40,
16 but it was just something by our architect to have
17 those additional lots, nine or twelve. I don't --

18 MS. ZIELKE: So then you would
19 say the maximum capacity would be more accurate to be
20 50 then?

21 MR. JOB: Based on what we've
22 laid out currently, yes. I don't -- in my educated
23 opinion, we in the analysis that we've done
24 internally, we don't suspect we will have more than 40
25 at any given moment.

1 And I'll happily modify that for the
2 final PUD to clarify that. Thank you for bringing
3 that up.

4 MS. EAGAN: And, Bill, can I
5 clarify one thing also?

6 CHAIRMAN EVANS: Sure.

7 MS. EAGAN: So you mentioned
8 something about potentially an annual event or
9 something at the facility. Unfortunately, this zoning
10 district does not allow for that.

11 MR. JOB: Okay.

12 MS. EAGAN: So that wouldn't be
13 an option unless you did rezone it in the future.

14 MR. JOB: Got it. Good to
15 know.

16 CHAIRMAN EVANS: Scottie, I
17 guess a question for you. When we're looking at the
18 different phases and they're including the different
19 buildings, they have to keep to that development and
20 to those buildings at given timeframes?

21 MS. EAGAN: Uh-huh. I will say
22 we have been known to work with people on their
23 timelines, especially when something like a pandemic
24 happened. So we have one right now that could not
25 maybe potentially meet one of their timelines, but

1 we're working with him.

2 CHAIRMAN EVANS: I'm just
3 saying for things like that, but otherwise, they
4 pretty much have to stick to those buildings and those
5 timelines with some, I'm just saying --

6 MR. EAGAN: Right.

7 CHAIRMAN EVANS: -- wiggle room
8 in there.

9 MS. EAGAN: Right.

10 CHAIRMAN EVANS: So okay.

11 And because if they did not, then they
12 would be in violation, right?

13 MS. EAGAN: Correct.

14 CHAIRMAN EVANS: And we could
15 theoretically take action if they tried to do
16 something un-towards.

17 MS. EAGAN: Correct.

18 CHAIRMAN EVANS: Not that you
19 would ever do that.

20 MR. JOB: Yeah, I was just
21 going to say in 46 years we've never had a county take
22 an action on us. So I won't let it be the first,
23 promise.

24 CHAIRMAN EVANS: Are there any
25 other questions?

1 (NONE)

2 All right. Thank you.

3 MR. JOB: Can I make a couple
4 of statements?

5 CHAIRMAN EVANS: Yeah.

6 MR. JOB: Okay. And Cameron
7 wanted to clarify a couple of things, so I'd like to
8 have him speak on behalf of Kennelwood.

9 CHAIRMAN EVANS: All right.

10 MR. JOB: One clarification for
11 Mr. Altholz. I apologize if I'm mispronouncing your
12 name. No outdoor kennels or anything of that sort.
13 So just know. Woods will stay. I touched on that.

14 The sound inside a kennel area, the
15 citizen that -- is night and day different than this
16 application again. There's day camps. There's dogs
17 and in the kennel is not moving with visitors walking
18 through. Completely different apparatus.

19 And with the sound insulation as a sound
20 study unequivocally shows, even with dogs barking, the
21 sound doesn't carry more than a quiet office.

22 So there is a -- now I'm going to bring
23 in Cameron if you guys don't mind.

24 CHAIRMAN EVANS: Please state
25 your name and address and sign in, please.

1 MR. CAMERON LUEKEN: Cameron
2 Lueken, 512 East Main, Wunderlich Survey and
3 Engineering.

4 (THEREUPON, THE WITNESS WAS
5 SWORN.)

6 Just real quick. There was a mention
7 about an unreasonable burden on public utilities. In
8 this case as far as the water and sewer goes, as
9 evidenced in the letter, we've been in contact with
10 the water and sewer called slash number one, and as we
11 mentioned the houses, the existing houses and the
12 future houses, will be connected to a water supply.

13 Someone said someone mentioned about the
14 water tower being adequate. In this use, there's not
15 a large burden of water used, just the water is
16 sufficient. We've might have said Public Supply Water
17 Number 1 and the fire chief, Russ Hamilton, and so
18 there's not -- this -- the magnitude of this
19 development is not nearly as impactful as what Fiji
20 alluded to with if this was divided into quarter-acre
21 lots, there you've got more traffic, more burden upon
22 the police system and all that.

23 Here this is not the case. As Stan and
24 Jim alluded to about the stormwater runoff, we may do
25 this in phases. As noted on the plan, the existing

1 lake is to be modified for stormwater detention. If
2 that would not be sufficient or adequate, we could
3 add, as Jim alluded to, something on the east side.
4 We feel we can demonstrate that the capacity or the
5 flow of the water and the choice of the terraced area
6 as was testified to, we can mitigate that with
7 stormwater -- the stormwater detention that's being
8 proposed.

9 And as Fiju alluded to, the woods will
10 remain on the southern side of the development.
11 There's not a grading event that's going to occur, as
12 would be the case with a residential subdivision.

13 Any of you have any questions about
14 anything along here?

15 COMMISSIONER HARTMANN: I do.

16 MR. LUEKEN: Yes, sir.

17 COMMISSIONER HARTMANN: Right
18 now there's two or three houses on that property?

19 MR. LUEKEN: Yeah, Dennis,
20 right now there are three existing homes.

21 COMMISSIONER HARTMANN: Okay.
22 And they're going to make them into apartments, I'm
23 assuming?

24 MR. LUEKEN: Yeah, technically
25 they're being grouped as lodging is what the group use

1 code is called under the fire code lodging.

2 COMMISSIONER HARTMANN: And
3 that's going to be able to fit 30 to 40 people in, or
4 are they going to build new housing? I might have
5 missed that.

6 MR. LUEKEN: Yeah, so I can let
7 Fiju address that.

8 MR. JOB: So there is nine
9 subdivided at the top. There's eight on the middle
10 structure and then nine on the bottom. And then any
11 additional would have to be constructed.

12 COMMISSIONER HARTMANN: How big
13 are they?

14 MR. JOB: The homes currently?

15 COMMISSIONER HARTMANN: The
16 ones you're going to build.

17 MR. JOB: We haven't -- we
18 haven't forecasted that at all because I don't suspect
19 we'll need it, but I don't have -- it'll be similar
20 again to the current existing singles.

21 COMMISSIONER HARTMANN: I was
22 just trying to figure out how you house 30 or 40
23 people and 60 to 80 dogs.

24 MR. JOB: They will be --
25 consider it like a dorm room for a college kid. It's

1 pretty small units where they come in, they sleep,
2 they study, but they're mostly out in the classrooms
3 or out in the city community. It will be a similar
4 size. Thank you for your question.

5 COMMISSIONER HARTMANN: Thank
6 you.

7 CHAIRMAN EVANS: Debbie.

8 COMMISSIONER WILLETTE:
9 Concerning back to the decibels. Does this quiet
10 office level refer to the amount of insulation that is
11 planning on being added?

12 MR. JOB: Correct. We're going
13 to spend over a hundred -- if memory serves me, I
14 don't have it in front of me, but I believe on the
15 cost sheet about a hundred thousand dollars between
16 wall and ceiling insulation.

17 COMMISSIONER WILLETTE: And so
18 once that takes place, --

19 MR. JOB: Correct. Thank you
20 for your question.

21 COMMISSIONER WILLETTE: -- it's
22 rated as that?

23 MR. JOB: Yep, correct.

24 COMMISSIONER WILLETTE: Okay.

25 MR. JOB: That wasn't my

1 analysis either.

2 CHAIRMAN EVANS: And I guess
3 then on that sound study, that was -- did you -- I
4 don't know how you'd use any ambient noise of existing
5 ambient noise level. You're basically going from zero
6 to --

7 MR. JOB: Correct. Yeah, we
8 weren't even taking that into factor. The surround
9 area, if there's wind, if there's rustling, we're
10 saying assume the outside is completely still. If
11 there's a dog barking, what are you going to hear in
12 those neighbors' homes?

13 CHAIRMAN EVANS: Okay. Like a
14 school?

15 MR. JOB: Correct, yep.

16 CHAIRMAN EVANS: Okay.

17 Any other questions?

18 MR. JOB: Thank you for your
19 question.

20 (NONE)

21 CHAIRMAN EVANS: All right.

22 Thank you.

23 Any discussion among the Commissioners?

24 (NONE)

25 And basically tonight we are looking at

1 the preliminary development plan to make sure that the
2 overall design and concept criteria is met, and if we
3 approve that, then all it does is give them permission
4 to move on with the final development plan.

5 Which I have a year or two to provide
6 after preliminary I believe.

7 MS. EAGAN: They have one year.

8 CHAIRMAN EVANS: They have one
9 year, so basically we're saying generally they've met
10 all the criteria documentation-wise, so we feel that
11 it's appropriate, they can then move forward in
12 developing their final development plan. Which would
13 again come before us for final approval?

14 MS. EAGAN: Correct. I think
15 though you'd have to move it to Unfinished Business
16 before you take any action on it though.

17 CHAIRMAN EVANS: Tonight, yes.

18 MS. EAGAN: Yes.

19 CHAIRMAN EVANS: Yeah.

20 COMMISSIONER GRUTSCH: Mr.
21 Chairman, I'd like to make a motion to move file for
22 Kennelwood to Unfinished Business, File 200172.

23 COMMISSIONER WILLETTE: I'll
24 second that motion.

25 CHAIRMAN EVANS: We have a

1 motion and a second to move File 200172 to Unfinished
2 Business. All in favor signify by saying aye.

3 COMMISSIONER REINHOLD: Aye.

4 COMMISSIONER VOSS: Aye.

5 COMMISSIONER WILLETTE: Aye.

6 COMMISSIONER GRUTSCH: Aye.

7 CHAIRMAN EVANS: Aye.

8 COMMISSIONER KLENKE: Aye.

9 COMMISSIONER MITTLER: Aye.

10 COMMISSIONER HARTMANN: Aye.

11 CHAIRMAN EVANS: Opposed?

12 (NONE)

13 The motion is carried. And I would
14 suggest that we may want to take a short recess. If
15 there is no dissent, we will take a ten-minute recess
16 and reconvene at 8:30.

17 (THEREUPON, A BREAK WAS TAKEN
18 AT 8:19 P.M. TILL 8:30 P.M.; AFTER
19 WHICH, THE PROCEEDINGS CONTINUED AS
20 FOLLOWS:)

21 I'd like to call the Commission back to
22 order. We will continue with File 200176, John C.
23 Vatterott Farm, Inc.

24 Scottie, will you please give us the
25 details.

1 MS. EAGAN: This is File
2 200176.

3 The applicant is requesting a Conditional
4 Use Permit to operate an RV park and campground in the
5 B Zoning District.

6 The property is an approximately 7-acre
7 portion of an approximately 84-acre parcel.

8 The property is located on Etlah Road,
9 approximately .4 miles north of Olive Road.

10 THE FACTS: The total parcel is
11 approximately 84 acres, but the proposed activities
12 would take place on approximately 6.5 to 7.5 acres.

13 This property is located in the B Zoning
14 District. In this district, campgrounds and RV parks
15 require a Conditional Use Permit.

16 The properties to the south and east of
17 the proposed site are zoned B, and the properties to
18 the north and west are zoned W.

19 The majority of the area surrounding the
20 proposed site is undeveloped land with a few
21 low-density residential properties.

22 The properties to the immediate east
23 contain Cedar Creek, an event center, restaurant and
24 hotel and retreat facility.

25 The proposed RV park will be operated by

1 Cedar Creek and is considered an extension of the
2 facility.

3 The proposed site has access to Etlah
4 Road. Etlah Road is a County-maintained road with a
5 60-foot right-of-way width in this area.

6 The applicant is proposing a total of 50
7 RV spaces with an RV park as well renovating an
8 existing building that will be used as a check-in.

9 The applicant states the RV park will not
10 be expanded and no tent camping will be permitted.

11 Article 2, RV Parks states that no RVs
12 shall be permitted to be in place for more than 90
13 days.

14 STAFF COMMENTS: Any buildings used or
15 built in connection with this CUP will need to be
16 approved by the Franklin County Building Department
17 for a commercial building.

18 All new and/or existing entrances will
19 need to be examined by the Franklin County Highway
20 Department for a commercial entrance. Planning and
21 Zoning shall receive documentation of approval prior
22 to issuance of a CUP.

23 The proposed stormwater detention should
24 be reviewed by the County engineer/Highway
25 administrator for approval.

1 The applicant should have hours of
2 operation, including set light times.

3 Applicant shall be limited to 50 spaces
4 with only one RV allowed per space.

5 Quiet time shall be established. Staff
6 would suggest quiet time begins at least at 10:00 p.m.
7 and ends no earlier than 6:00 a.m.

8 All spaces shall be utilized for RVs.
9 Tent camping shall not be permitted.

10 Vehicles shall not be permitted to be
11 parked within the roadways.

12 Adequate trash receptacles shall be
13 provided, and no trash shall be permitted to
14 accumulate anywhere in the park.

15 The applicant must have all the necessary
16 licenses, permits, and certificates required to do
17 business in the county and state. Planning and Zoning
18 shall receive documentation prior to issuance of the
19 CUP.

20 CHAIRMAN EVANS: Thank you.

21 Any questions for Scottie?

22 (NONE)

23 If not, is the applicant here?

24 (NONE)

25 Is the applicant present?

1 (NONE)

2 If not, is there anyone else present who
3 would wish to speak in favor of this file?

4 (NONE)

5 If not, is there anyone present wishing
6 to speak in opposition? Please state your name and
7 address and sign in, please.

8 MS. RITA COLTER: Rita Colter,
9 2131 Etlah Road, New Haven.

10 (THEREUPON, THE WITNESS WAS
11 SWORN.)

12 I have copies if you all would like to
13 have a copy.

14 (THEREUPON, EVIDENCE WAS MARKED
15 FOR IDENTIFICATION AS PUBLIC EXHIBIT
16 1.)

17 I just wanted to express why I'm opposing
18 the RV park and campground at the Vatterott Farm
19 located in the B Zoning District.

20 First of all, as residents and property
21 owners, it came as quite a surprise to our family and
22 neighbors to recently hear that Vatterott Farm,
23 Incorporated was wanting to put an RV park and
24 campground. The proposed park entrance would be
25 within 50 feet from the entrance of our place of

1 residence.

2 Our primary concern that it is a
3 residential and farming community. There is large
4 equipment traveling up and down Etlah Road and Olive
5 Road. Sometimes making it difficult for a standard
6 size vehicle to pass some of the large tractors,
7 spreaders, planters, et cetera. We as a farm owner
8 have some said vehicles traveling these roads.

9 Another issue would be noise control.
10 Our small area was not structured to implement such a
11 park with houses so close to the sign. This would
12 clearly bring more people into the neighborhood,
13 increasing traffic, noise and crime.

14 Another issue would be cleanliness and
15 maintenance of the said property. The property
16 surrounding John Vatterott Farms are kept maintained
17 by each property owner. Lawns are mowed, yards are
18 kept clean, buildings maintained, et cetera.

19 We are proud of our area, and do not want
20 to look out our front doors and see a campground
21 instead of the beautiful scenery of nature.

22 Thank you for your thoughtful
23 consideration to support the matter. Thank you.

24 CHAIRMAN EVANS: Thank you.

25 Anyone else wishing to speak in

1 opposition? If you come forward, please. State your
2 name and address and sign in.

3 MS. MARY HARRON: My name is
4 Mary Harron, H-A-R-R-O-N, 2095 Etlah Road in New
5 Haven.

6 (THEREUPON, THE WITNESS WAS
7 SWORN.)

8 Thank you again for the opportunity to
9 allow our voices to be heard as far as this concerns
10 for the John Vatterott Farm.

11 I think one of the things I wanted to say
12 is we continue to hold some concerns in regard to this
13 CUP. I know I spoke previously as well as joined in
14 some letters to you guys.

15 One of the things during the previous
16 hearing that we were at and just hearing things is
17 that most of this discussion evolves around the
18 traffic, the land use, the environmental impact which
19 is all very good. But to many of us here representing
20 local residents and properties we strongly believe the
21 emotional, physical, and financial impacts on our
22 lives have been ignored or at least minimized
23 concerning this.

24 One of the things I'd like to say as a
25 good neighbor, we personally would strive to maintain

1 amicable relationships with those around us. Our
2 personal desire would be to not do anything that would
3 negatively affect the quality of life to those around
4 us.

5 So if we were going to put in some trees
6 or if we were going to dig a pond, we would want to
7 know how that affected the people around us, and we
8 would strive to make that decision about what we
9 wanted to do how that affected those people. And
10 that's one of the things that I have concerns about
11 with the Vatterott Farm is not feeling as though
12 they're taking into consideration how this decision
13 would affect us in our daily lives.

14 One of the things that concerns us too is
15 the liability for us as neighbors. As we've had time
16 to kind of digest this over the last couple of months,
17 just -- you know, we're going the what-ifs for us.
18 It's like what about our liability with motor homes or
19 RVs up and down the road?

20 What if they tried to turn around on our
21 property? You know, an tip over. Are we liable for
22 that because they're on our property? You know,
23 that's a liability we do not want.

24 Will they be bringing ATVs, you know, to
25 be able to go where they want to on other people's

1 property or where they are?

2 We would object to that, and we would
3 object to them also trans- -- you know, being on our
4 property for that.

5 One of the things I would like to do in
6 this process is also urge the Commission to do state,
7 federal, Corps of Engineer, and county park camping
8 rules. We were at Klondike Park this weekend, and I
9 do have a copy of their rules for their park and some
10 areas that are highlighted.

11 One of the things that speaks out the
12 most to me is camping is limited to 14 consecutive
13 days within an 30-day period per their county
14 ordinance.

15 And I would really like -- I don't know
16 how often we get RV parks or camping grounds in
17 Franklin County, but to just kind of look at this and
18 see what other parks do. Scottie.

19 MS. EAGAN: Hold on one second.
20 She has to mark this.

21 (THEREUPON, EVIDENCE WAS MARKED
22 FOR IDENTIFICATION AS PUBLIC EXHIBIT
23 2.)

24 One of the last things I would like to
25 say is that, as we mentioned before, my family has

1 enjoyed going over to the Vatterott Farm to Town Hall,
2 to have dinner, to enjoy the quiet, and when there's
3 nice music, being able to listen to that.

4 But I would like to add that the noise
5 level at Cedar Creek has increased in the past few
6 months. On Friday, October the 9th, there was a party
7 that was at Town Hall. Their music and their
8 carousing lasted honestly past midnight, and it was
9 sounded like karaoke and bad karaoke.

10 We could hear it inside our home all
11 evening past midnight with our door shut. If the
12 facility can't maintain that noise level on a weekend
13 like that, we would really hate to see what it would
14 be like with 50 RVs up to 200 plus people right next
15 door to our property and into our neighbor's
16 properties with that kind of noise.

17 Thank you.

18 CHAIRMAN EVANS: Thank you.

19 Anyone wishing to speak in opposition?
20 Please step forward. If you would state your name and
21 address and sign in.

22 MR. DARRELL HARRON: I'm
23 Darrell Harron. I live at 2095 Etlah Road. I'm glad
24 you have that map up there on the wall. It's a lot
25 better now than it was last time we here.

1 (THEREUPON, THE WITNESS WAS
2 SWORN.)

3 The topography of the map isn't showing
4 that where that building is and where the green line
5 makes a cross on the right. That's the building
6 they're talking about to make it a concession and also
7 -- not a concession but a drop-off to sign in.

8 Right across right there is my land.
9 That's Bakus Road that's going up north. To the left
10 goes Etlah. Next door to me is the Colters. That's
11 their land. The proposed 50 RVs are going to be
12 across the street from there.

13 The time that we've lived there, we've
14 lived there since 2001, and we moved here from Texas.
15 We've had quite a few wrecks on Etlah. A few years
16 ago, a lady was coming from west to east on that curve
17 right there at that intersection. She went into our
18 neighbor's on the right, right where that green line
19 is. The fence that's there stopped her.

20 That's a slope going down. That's a
21 slope going to the left, pretty far slope. People
22 have to really hit their -- people have to really hit
23 their accelerator to get up that hill. I don't see
24 how an RV is going to be coming from a dead stop to
25 turn right to go up that hill.

1 Very well, people coming from the other
2 hill to the left, there's a hill from left going down,
3 then it comes back up, and that curve is not a flat
4 curve. It's an angled curve, and it curves to the
5 right. And on the left of that road is a drop-off all
6 the way down.

7 A few years ago, we had a bad wreck. Two
8 young men were in a pickup. They ran off the road to
9 the left. They were so far down the hill, you
10 couldn't even see the pickup. The only way we were
11 there one of the boy had been thrown out and was
12 calling his mom on his cell phone.

13 And we looked and looked. We couldn't
14 find him. We finally found that pickup, and those two
15 boys were still were able to get out of there. They
16 had to use the Air Vac helicopter on my property to
17 get one of them out.

18 Like I said, we've had quite a few
19 wrecks. One day going to work, a trash truck was
20 leaving Vatterott at right where they're wanting to
21 come out to that dirt road right there connecting
22 there. He was going back into town, and he flipped
23 over. And I saw these lights. It was dark like it is
24 this morning. I saw these lights on the right side of
25 the road. I said what is that? It was the whole

1 trash truck on its top in the ditch.

2 Somehow he climbed out. He was walking.
3 I got him in my car. I said where do you want to go?
4 Are you wanting to go to the hospital?

5 He said, no, I need to get a phone call
6 in. You can't make a phone call there. People have
7 to go to Etlah and Olive because Verizon doesn't work,
8 Sprint doesn't work. The only thing that works there
9 is AT&T, and it's spotty.

10 A lot of people sit at my intersection,
11 at that -- at Bakus and Etlah to get a good reception.
12 You leave away from there, you don't get anything.

13 And I took him to Vatterott's
14 headquarters so he could make a phone call. I'm
15 presuming he got home.

16 When I got back from work, that -- the
17 truck was gone. But like I said, that's not a safe
18 drive just for the regular car. I used to have an RV.
19 I got -- I sold it this year, and it takes up most of
20 the road.

21 My wife holds on to the door while I'm
22 passing by the trees, but anyway. I just -- I'm going
23 to have to put up a fence there at that corner so
24 people don't come on my property by mistake on that
25 curve.

1 Thank you.

2 CHAIRMAN EVANS: Thank you.

3 Anyone else wishing to speak in
4 opposition? Will you please state your name and
5 address and sign in.

6 MR. ERIC BEA: Eric Bea, Etlah
7 Road, 2192 Etlah Road.

8 (THEREUPON, THE WITNESS WAS
9 SWORN.)

10 I own the farm directly west of where
11 this RV plan is going. I've got 90 some acres there.
12 As you can see, my farm, all the other neighbors'
13 properties, mini farms, whatever, how well their
14 property is taken care of.

15 Look how Vatterotts have taken care of
16 their properties over the years. It's one project
17 after another over there. It's always -- it's a hot
18 spot for a little bit, and then they do nothing with
19 it. It goes to nothing.

20 I mentioned to John -- or to Bob last
21 meeting when we were here, I said, hey, Bob, why don't
22 you put it on your other farm, which is to the south
23 of my farm. It's still on my line. I'm not trying to
24 push this on to somebody's neighbor. You know. This
25 is still on my property line if he goes the other

1 side.

2 He's got entrance off Highway 100 that
3 goes into like the old BMS over there off Highway 100.
4 He could come right off Highway 100 and get his RVs
5 in.

6 But I think the whole deal is he's got
7 this part of his property, which is recreational tax.
8 I think he just got his other farm moved into a farm
9 tax. He just rezoned that I believe, if I'm not -- I
10 may be mistaken. I think that's what Bob did because
11 they came to me and wanting me to lease the ground
12 from them so that they could move it into a farm
13 ground and get away from the recreational tax.

14 But I mean, 50 RVs, 7 acres, you guys got
15 to ask yourself would you want that next to your
16 property.

17 And my next thing is it speaks loud. The
18 neighbors showed up. Vatterotts didn't even show up
19 tonight. I would like to oppose you know -- or bring
20 it up, you know, that they just get rid of this whole
21 plan. You know, if they can't take time out to come
22 here and say something on their behalf, the neighbors
23 yes we still do. You know, we all got to get up and
24 go to work in the morning. They didn't even show up.

25 That's all I got to say.

1 CHAIRMAN EVANS: Thank you.

2 MS. EAGAN: Bill, can I make
3 one clarification?

4 CHAIRMAN EVANS: Sure.

5 MS. EAGAN: I looked through
6 the file. I could not guarantee that the Vatterotts
7 were notified of this meeting. We notified the owner
8 of the property, but we didn't send it to the
9 addresses on the application as far as I can tell. I
10 don't have a copy of the folder like we normally do.

11 My suggestion would be to continue
12 hearing from people tonight if you want, but keep it
13 open for next month, and we will renotify.

14 MR. HARRON: Can I say
15 something on my behalf. Everyone within 600 feet got
16 that. Somebody at Vatterott's got a piece of paper
17 saying that. We're tired of messing with this. They
18 didn't even have the gumption to come here and show up
19 tonight.

20 I don't care if it's a clerical error or
21 whatever. They know what's going on. They're very
22 smart people. They don't want this bullshit in their
23 neighborhood.

24 CHAIRMAN EVANS: Okay. We
25 understand. Thank you.

1 COMMISSIONER GRUTSCH: Scottie,
2 was this advertised in the paper?

3 MS. EAGAN: Yeah, all the
4 notices were done in accordance to State statute. I
5 just don't know if the applicant got notified at the
6 address that Vatterott Farm, Inc. is registered to.

7 CHAIRMAN EVANS: But they did
8 know they had to get this in within a certain number
9 of days to make the agenda, correct?

10 MS. EAGAN: I mean, we tell
11 everybody 30 days prior to the next scheduled meeting.

12 CHAIRMAN EVANS: Okay.

13 Is there anyone else wishing to speak in
14 opposition? Please state your name and address and
15 sign in.

16 MS. HOLLI ROLFES: My name is
17 Holli Rolfes. I am a property owner at 2192 Etlah
18 Road.

19 (THEREUPON, THE WITNESS WAS
20 SWORN.)

21 My name is Holli. I am a co-owner with
22 my two siblings of 89 acres at 2192 Etlah. I do not
23 reside on the property, but I was not notified
24 directly. My brother was. I made a trip from St.
25 Louis tonight to be here to make sure that everyone,

1 all the Commissioners hear, you know, from us property
2 owners that don't live there anymore, that have grown
3 away and moved away.

4 I am concerned about the 50 -- the 50
5 lots going on those 6 and a half, 7 acres. The
6 property, the noise, the type of people that may be
7 coming into our -- our quiet community.

8 I too have a patron of Cedar Creek Farms
9 and their Town Hall, which is very nice and lovely,
10 and their cabins are nice. But I just don't feel that
11 with this small county road that it is appropriate for
12 vehicles of that size going and coming around those
13 corners with no sides or parsonages there.

14 I'm also concerned about the
15 deforestation. As you can see on our property line
16 there to the west, we have heavy forest area between
17 us and Vatterott Farms. I'm concerned about how much
18 of that deforestation is going away. Based on the
19 images that I've seen, it's going all the way up to my
20 property line, which is very visible to us as a
21 family.

22 Also I wanted to bring up, let's see
23 here, the quiet times, of course, that was mentioned
24 by another people. And then also just the congestion
25 on the road itself. There -- I know that they had

1 mentioned, a previous neighbor has mentioned, the
2 congestion, the traffic, the wrecks, down Etlah, down
3 Olive, I mean, it goes on. These are small tiny roads
4 that are hard to pass, even in, you know, the best of
5 times.

6 So -- and also with Vatterotts' not
7 showing up, it's like the third time. The first
8 hearing I believe was in June or July, and I was on
9 vacation and was not able to come. And then there --
10 I believe there might have been a second opportunity
11 that they didn't have all their paperwork in order. I
12 don't know if that is true.

13 But I just think I don't see how the
14 Commission can stand here and accept another bid or
15 proposal from them when they don't even want to show
16 or even speak with their -- with their neighbors.

17 That's all.

18 CHAIRMAN EVANS: Thank you.

19 Anyone else wishing to speak in
20 opposition?

21 (NONE)

22 If not, any discussion?

23 COMMISSIONER GRUTSCH: If I may
24 if discussion is open now.

25 CHAIRMAN EVANS: It is.

1 COMMISSIONER GRUTSCH: As the
2 Highway administrator, I have expressed quite a bit of
3 concern about the location of this on the two-lane
4 Etlah Roads. It's hilly in that area. With 50-foot
5 plus RVs pulling a trailer with another car behind it,
6 trying to get into one 30-foot wide entrance seems
7 unacceptable.

8 With 50 units in there, you're going to
9 have quite a few individuals. In our regulations, the
10 -- we cannot allow any parking on the streets within
11 the camp site. The camp site itself over the 600 feet
12 from one side to the other, it falls about 50 feet.
13 It's almost a 10 percent grade which almost makes it
14 outside the limits of building a road. It's that
15 steep.

16 And that design that they have submitted
17 for the hearing tonight, a good portion of the lower
18 left-hand corner sits within and over a blue line
19 stream which is not allowed. They make no
20 accommodation or provision for storm drainage.

21 I've got a 60-inch culvert that goes
22 underneath Etlah Road that they make no accommodation
23 for that would flow through that property, plus all
24 the hard surface of the RV park itself that will
25 increase that flow.

1 When they appeared before us before, I
2 asked about the queuing of vehicles coming into the
3 reservation building area or reception area, and they
4 said they would stage out on Etlah Road, which if
5 they're having an event and I get 15 to 20 RVs that
6 are 50 foot plus in length, I can't have that many
7 long -- large vehicles queuing out there.

8 There's not enough room. It's a 22-foot
9 wide road. And then when they leave that reception or
10 check-in area, they expect the RVs to make a loop
11 around the building, head back out onto Etlah and go
12 down the road and come back into the proposed RV park.

13 In good conscience, I cannot go along
14 with that as a -- even a reasonable idea, much less a
15 good idea.

16 It seems like a design that they have not
17 put any effort into, and with that being said, I would
18 like to make a motion to move this to Old Business
19 tonight.

20 COMMISSIONER HARTMANN: I'll
21 second that.

22 CHAIRMAN EVANS: We have a
23 motion and a second --

24 COMMISSIONER WILLETTE: I have
25 a question.

1 CHAIRMAN EVANS: I'm sorry.

2 COMMISSIONER WILLETTE: Could
3 we hear from Mark on his opinion of possibly not --
4 them not receiving a notice at the address on record.

5 COUNTY ATTORNEY PIONTEK: Yeah,
6 we talked about this just a little bit during the
7 meeting. Apparently the applicant is John C.
8 Vatterott Farm, Incorporated. But the notice was sent
9 to John C. Vatterott Trustee in Naples, Florida, but
10 the applicant is John C. Vatterott Farm, Incorporated,
11 which is not necessarily the same thing. And that has
12 a different address than the Farm has address in New
13 Haven.

14 So I have concerns that the applicant is
15 not here because they weren't notified of the meeting
16 date. I don't know whether the Trust is the same as
17 the Farm, but legally that's two separate entities,
18 and the Farm was not notified, and that's in all
19 likelihood why they were not here and they were not
20 able to present their side.

21 COMMISSIONER WILLETTE: Well, I
22 was concerned too. It's unusual for at least a
23 representative, Cochran, not to be here.

24 COUNTY ATTORNEY PIONTEK:
25 Correct, I agree. I agree. So we talked a little bit

1 about this during the meeting. I would agree with
2 Scottie's recommendation that you keep the public
3 hearing open and renotify everybody and do this.

4 I don't want to say do it again, but give
5 the applicant an opportunity to speak.

6 COMMISSIONER WILLETTE: So the
7 testimony we have heard tonight though, does that
8 remain --

9 COUNTY ATTORNEY PIONTEK: Yes.

10 COMMISSIONER WILLETTE: -- part
11 of the record?

12 COUNTY ATTORNEY PIONTEK: Yes.

13 You -- you're --

14 COMMISSIONER WILLETTE: Once we
15 know --

16 COUNTY ATTORNEY PIONTEK:
17 You're not going to end the public hearing, but you
18 would simply continue the public hearing to another
19 night when the applicant would be notified and would
20 have the opportunity to be here to present the
21 proposal.

22 COMMISSIONER WILLETTE: But the
23 people that have spoken tonight have certainly not
24 wasted their time.

25 COUNTY ATTORNEY PIONTEK: No,

1 that evidence would still be considered by the
2 Commission if and when you decide to rule on it.

3 COMMISSIONER WILLETTE: Okay.
4 Thank you.

5 COMMISSIONER GRUTSCH: Excuse
6 me, Mark.

7 COUNTY ATTORNEY PIONTEK: Yes,
8 sir.

9 COMMISSIONER GRUTSCH: One
10 question.

11 COUNTY ATTORNEY PIONTEK: Yes,
12 sir.

13 COMMISSIONER GRUTSCH: Isn't
14 the advertising of the meeting notice in the local
15 paper evidence enough that they had notification? Is
16 that legal notice?

17 COUNTY ATTORNEY PIONTEK: It's
18 legal notice to the world that yes there's an
19 application pending. Our practice has been and the
20 procedure has been that we also notify the applicant
21 to let them know of the date of the public hearing,
22 which was not done in this case.

23 So again, my recommendation would be to
24 continue the public hearing and renotify everybody and
25 renotify or notify the applicant to be here. And if

1 they don't show up at the next meeting, the next
2 public hearing, the continuance of this public
3 hearing, then I think you can draw all the inferences
4 that the people wanted you to draw by the fact that
5 they're not here tonight.

6 CHAIRMAN EVANS: Do we have to
7 close this business or just leave it open, right?

8 COUNTY ATTORNEY PIONTEK: Oh,
9 yeah, just leave it open right now.

10 CHAIRMAN EVANS: Okay. And I
11 would comment that this applicant was here in July.
12 That file is closed. Since we're going to leave the
13 hearing open, the testimony stays on record. As a
14 matter of fact, since the hearing would be open, you
15 wouldn't be able to speak next time anyway whoever has
16 spoken.

17 Only new people would be able to speak.

18 COMMISSIONER GRUTSCH: Point of
19 order. Mr. Chairman, you have a motion and a second
20 on the floor. I ask that you move on that.

21 CHAIRMAN EVANS: We have a
22 motion and a second to move this file to Old Business
23 -- Unfinished Business. No, I'm sorry. We didn't
24 have a second? All in favor signify by saying aye.

25

1 COMMISSIONER REINHOLD: Aye.
2 COMMISSIONER VOSS: Aye.
3 COMMISSIONER GRUTSCH: Aye.
4 CHAIRMAN EVANS: Aye.
5 COMMISSIONER MITTLER: Aye.
6 COMMISSIONER HARTMANN: Aye.
7 CHAIRMAN EVANS: Opposed?
8 COMMISSIONER WILLETTE: Aye.
9 COMMISSIONER KLENKE: Aye.
10 MS. EAGAN: Do you want a roll
11 call vote?
12 CHAIRMAN EVANS: I think we
13 need a roll call vote. Yeah, if we move it to -- we
14 can keep the hearing open, or we can move it to
15 Unfinished Business. At that point, Mark, is the
16 public hearing closed?
17 COUNTY ATTORNEY PIONTEK: Yes,
18 it is. If you move it to Unfinished Business.
19 CHAIRMAN EVANS: Okay. Once
20 it's moved to Unfinished Business, then the hearing
21 would be closed.
22 MS. EAGAN: Are you ready for
23 the roll call vote?
24 CHAIRMAN EVANS: And the motion
25 is to move this file to Unfinished Business.

1 COMMISSIONER REINHOLD: Can I
2 ask question. After what Mark has said, how can we do
3 that?

4 CHAIRMAN EVANS: Because there
5 was a motion on the floor. So we have to act on that.
6 That was his legal opinion, that we should leave the
7 file -- can we consider that your legal opinion?

8 COUNTY ATTORNEY PIONTEK: Yes.

9 COMMISSIONER KLENKE: So a nay
10 vote is to leave it open?

11 MS. EAGAN: Correct.

12 CHAIRMAN EVANS: Right. If you
13 vote yes, that would be to move it to Unfinished
14 Business, and that would close the public hearing.

15 MS. EAGAN: And then you'd vote
16 on it tonight.

17 CHAIRMAN EVANS: Right.

18 MS. EAGAN: You ready?

19 Bill Evans?

20 CHAIRMAN EVANS: No.

21 MS. EAGAN: Jim Grutsch?

22 COMMISSIONER GRUTSCH: Yes.

23 MS. EAGAN: Dennis Hartmann?

24 COMMISSIONER HARTMANN: Yes.

25 MS. EAGAN: Mike Klenke?

1 COMMISSIONER KLENKE: No.

2 MS. EAGAN: Tim Reinhold?

3 COMMISSIONER REINHOLD: No.

4 MS. EAGAN: Stan Voss?

5 COMMISSIONER VOSS: No.

6 MS. EAGAN: Debbie Willette?

7 COMMISSIONER WILLETTE: No.

8 MS. EAGAN: Karl Mittler?

9 COMMISSIONER MITTLER: No.

10 MS. EAGAN: All right. We have

11 six no votes. So your motion did not pass.

12 CHAIRMAN EVANS: Okay. Is

13 there any further discussion, or Chair would entertain

14 another motion.

15 COMMISSIONER KLENKE: Are you

16 saying there's more discussion?

17 CHAIRMAN EVANS: Yeah.

18 COMMISSIONER KLENKE: Can I

19 comment on what Jim said?

20 CHAIRMAN EVANS: Yes.

21 COMMISSIONER KLENKE: Can I ask

22 the same question?

23 CHAIRMAN EVANS: Yeah.

24 COMMISSIONER KLENKE: So you

25 were pretty detailed in your concerns as the County's

1 Highway --

2 COMMISSIONER GRUTSCH:

3 Administrator.

4 COMMISSIONER KLENKE: Is there
5 a way then to get that Vatterott, those concerns, so
6 they can be addressed so that we're not doing the same
7 thing again next month, and the month after, and the
8 month after?

9 COMMISSIONER GRUTSCH: I have.

10 COMMISSIONER KLENKE: I'm just
11 asking, you know, because we had some concerns the
12 last meeting, which I missed the September and August
13 meeting.

14 COMMISSIONER GRUTSCH: And I
15 expressed those concerns to them at the last meeting.
16 And what my expectations would be before I would
17 consider approving something like that.

18 COMMISSIONER KLENKE: Okay.

19 COMMISSIONER GRUTSCH: And what
20 they presented tonight is no different than the one
21 they submitted originally. This one, right there.
22 They're almost the same. Different scale, but a
23 little differently but they used the same footprint,
24 and they have the one entrance right here, one
25 entrance right there.

1 No proposed improvements along Etlah
2 Road. Etlah Road is a 22-foot wide pavement. It's
3 got an extremely dangerous curve here as the testimony
4 this evening.

5 The gentleman testified that there was a
6 girl that was in a very serious accident there. That
7 girl was my daughter. But -- and I'm very familiar
8 with this area. I drive it almost every day.

9 COMMISSIONER KLENKE: Yeah.

10 COMMISSIONER GRUTSCH: But it's
11 -- if they would make this a three-lane road, and have
12 a queue lane in the center, a left-turn lane, where
13 the trailers and RVs could queue and the through
14 traffic could still maintain through traffic, that
15 would be a consideration.

16 But they would have to go all the way up
17 to Olive Road and go past the entrance to the RV park.
18 Now, that's the way this land lays, it drops off quite
19 a bit on both sides.

20 COMMISSIONER KLENKE: Sure.

21 COMMISSIONER GRUTSCH: And the
22 road is not wide enough at this point. So there would
23 have to be easement given up, probably on the
24 Vatterott side to accommodate that widening.

25 That would be one aspect. The other is

1 the storm drainage and the encroachment onto a blue
2 line stream. That's a federal stream, a recognized,
3 that they cannot get into.

4 It's just a drainage issue that has to be
5 a free-flowing stream. They can't do any development
6 in a blue line -- on a blue line stream.

7 COMMISSIONER KLENKE: Okay.

8 COMMISSIONER GRUTSCH: And
9 those are the issues that I had. They brought this
10 back, and it didn't have any -- they didn't address
11 any of that. And Mr. Vatterott was here at the
12 meeting, and listened to everything I said. His
13 engineer -- previous engineer BFA, heard all that.

14 Now I know he did retain a new engineer,
15 but evidently they did not get any input as to what
16 the County would expect for the safety of the
17 residents out in that area. And not addressing a lot
18 of the other issues that people are talking about,
19 land values, things such as that.

20 I -- I'm not discussing those at this
21 time. It's just mainly the safety of the traveling
22 public on the roadway system and the stormwater
23 runoff.

24 COMMISSIONER KLENKE: Okay.

25 No, thank you.

1 CHAIRMAN EVANS: Any other
2 discussion?

3 AUDIENCE MEMBER: Can I ask a
4 question?

5 CHAIRMAN EVANS: No. Sorry.
6 Any other discussion, if not, the Chair
7 would entertain a motion?

8 COMMISSIONER WILLETTE: Mr.
9 Chairman, do we need a motion to continue?

10 CHAIRMAN EVANS: Yes. We're
11 going to need a motion to continue the hearing.

12 COMMISSIONER WILLETTE: I'd
13 like to make a motion to continue File 200176 till out
14 next meeting.

15 CHAIRMAN EVANS: November 17th
16 meeting.

17 COMMISSIONER MITTLER: Second.

18 CHAIRMAN EVANS: We have a
19 motion and a second to continue the -- keep the public
20 hearing open on File 200176 through the November 17th
21 meeting. All in favor signify by saying aye.

22 COMMISSIONER REINHOLD: Aye.

23 COMMISSIONER VOSS: Aye.

24 COMMISSIONER WILLETTE: Aye.

25 COMMISSIONER GRUTSCH: Aye.

1 CHAIRMAN EVANS: Aye.

2 COMMISSIONER KLENKE: Aye.

3 COMMISSIONER MITTLER: Aye.

4 COMMISSIONER HARTMANN: Aye.

5 CHAIRMAN EVANS: Opposed?

6 (NONE)

7 Motion is carried.

8 Moving back to Unfinished Business. We
9 have File 200172, Kennelwood Village, Incorporated.

10 Any further discussion?

11 (NONE)

12 Questions?

13 (NONE)

14 Again, this is approval of the
15 preliminary development plan, giving them basically
16 permission to continue to develop the final
17 development plan.

18 COMMISSIONER GRUTSCH: Mr.
19 Chairman, I'd like to make a motion to approve the
20 conceptual plan at this stage for Kennelwood Village.

21 COMMISSIONER REINHOLD: Second
22 it.

23 CHAIRMAN EVANS: I'm sorry, was
24 that a second?

25 COMMISSIONER REINHOLD: Yes.

1 CHAIRMAN EVANS: We have a
2 motion and second to approve File 200172. All in
3 favor signify by saying aye.

4 COMMISSIONER REINHOLD: Aye.

5 COMMISSIONER VOSS: Aye.

6 COMMISSIONER WILLETTE: Aye.

7 COMMISSIONER GRUTSCH: Aye.

8 CHAIRMAN EVANS: Aye.

9 COMMISSIONER KLENKE: Aye.

10 COMMISSIONER MITTLER: Aye.

11 COMMISSIONER HARTMANN: Aye.

12 CHAIRMAN EVANS: Opposed?

13 (NONE)

14 The motion is carried.

15 MS. EAGAN: Bill, can I clarify
16 something real quick if you wouldn't mind.

17 CHAIRMAN EVANS: Sure.

18 MS. EAGAN: Just for everyone
19 in the audience, when they do submit their final
20 development plan, it's not considered a public
21 hearing, but it will be before this Board again.
22 Notices will not go out to people within 600 feet, but
23 you can call our office, and you know, we can let you
24 know. You can check out website, then you guys will
25 know then when it's on this agenda.

1 CHAIRMAN EVANS: Preliminary
2 Plats. We have none.

3 Planning and Zoning Commission Forum.
4 First thing I think we want to welcome Karl Mittler,
5 who's the new Commissioner for St. Johns.

6 Any discussion from the Commissioners?

7 (NONE)

8 If not, Planning Director's Report.

9 MS. EAGAN: We do have besides
10 Vatterott, we'll have a rezoning next month that I
11 initiated as well as an amendment that I'm initiating.
12 So you'll have that.

13 And then Nichole is leaving us, and this
14 is her last meeting. So she won't be with us anymore.
15 I will force Crystal now to come to these meetings
16 with me. So we'll have somebody up there. Just only
17 Nichole and sad to see her go, don't want her to go,
18 but she's moving on to bigger and better things
19 hopefully.

20 CHAIRMAN EVANS: Well, I think
21 we all certainly enjoyed working with Nichole, and
22 she's professional and superior at doing her job. So
23 we will miss her.

24 Anything else, Scottie?

25 MS. EAGAN: No.

1 CHAIRMAN EVANS: Anything --

2 MS. EAGAN: Oh, I do have one
3 more thing. We will have a full Board next month. I
4 do have someone for Union Township being appointed
5 next week.

6 CHAIRMAN EVANS: Well, then
7 hopefully Mark will show up next month again.

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

10 COMMISSIONER GRUTSCH: Make a
11 motion to adjourn.

12 COMMISSIONER KLENKE: Second.

13 CHAIRMAN EVANS: Motion and a
14 second to adjourn. All in favor signify by saying
15 aye.

16 COMMISSIONER REINHOLD: Aye.

17 COMMISSIONER VOSS: Aye.

18 COMMISSIONER WILLETTE: Aye.

19 COMMISSIONER GRUTSCH: Aye.

20 CHAIRMAN EVANS: Aye.

21 COMMISSIONER KLENKE: Aye.

22 COMMISSIONER MITTLER: Aye.

23 COMMISSIONER HARTMANN: Aye.

24 CHAIRMAN EVANS: Opposed?

25 (NONE)

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We are adjourned.

(THEREUPON, THE PROCEEDINGS
CONCLUDED AT 9:15 P.M.)

o8o

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

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

Patsy A. Mayberry



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

17 My Commission Expires:
18 August 26, 2022

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