

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

7  
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TRANSCRIPT OF PROCEEDINGS

10

PUBLIC MEETING

11

DECEMBER 3, 2015

12

[Commencing at 1:30 p.m.]

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23 Reported by:

24 Patsy A. Hertweck, C. R.

Midwest Litigation Services

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TRANSCRIPT OF PROCEEDINGS 12/3/2015

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24 (All exhibits, if any, were retained by the Commission, and will  
25 not be attached hereto.)



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

2 [December 3, 2015]

3 CHAIRMAN GRIESHEIMER: Let's go ahead and  
4 get this started.

5 We're here today for a public hearing for File  
6 Number 150206, MPH Properties, L. L. C./Matthew Hrebec.

7 Scottie, would you read the rules.

8 MS. EAGAN: First I'll read the hearing  
9 procedures, and then I'll do my staff report.

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

15 [Thereupon, evidence was marked for  
16 identification and submitted for the record  
17 as Exhibits A, B, C, and D.]

18 As each case is opened, a staff report will first be  
19 read by the Planning and Zoning Department, followed by the  
20 Commissioners' questions for the staff. Then if anyone in the  
21 audience would like to speak or comment during the hearing, they  
22 must first print their name on the sign-in sheet provided and  
23 then be sworn in.

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

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

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

8 At the conclusion of all questions, comments, or  
9 discussion concerning each case, the public hearing will  
10 conclude. The decision will generally be made by Commission  
11 Order at a later date during the County Commission's regular  
12 meeting time.

13 This is File 150206, MPH Properties. The applicant  
14 requests rezoning two parcels from Suburban Development to  
15 Industrial Development.

16 The property is located at 5025 Old Highway 100,  
17 approximately three-tenths mile west of Fifth Street in St. Johns  
18 Township.

19 The Facts: The total area for the rezoning is  
20 approximately 16 acres.

21 The zoning of this property is Suburban Development.  
22 The applicant would like to rezone it to Industrial Development.

23 Industrial Development Zoning accommodates  
24 enterprises engaged in the manufacturing, processing, creating,  
25 repairing, renovating, painting and cleaning, or assembly of

1 goods, merchandise or equipment.

2 The properties located in Franklin County, around  
3 the proposed site are zoned Suburban Development.

4 This property is mostly surrounded by undeveloped  
5 land and the City of Washington Sewage Treatment Plant.

6 This property borders the city of Washington.

7 There is currently a large manufacturing facility on  
8 the property that used to house Seco Products.

9 Staff Comments: Rezoning are allowed in our  
10 regulations due to the ever-changing conditions that exist in the  
11 county and elsewhere. According to Article 14, Section 321, any  
12 such change must promote the health, safety, morals, comfort, and  
13 general welfare of Franklin County by conserving and protecting  
14 property and building values, by securing the most economical use  
15 of land, and facilitating the adequate provisions of public  
16 improvements in accordance with the Master Plan adopted by  
17 Franklin County.

18 And at the October 20th Planning and Zoning  
19 Commission meeting, the Planning and Zoning Commissioners  
20 unanimously recommended approval.

21 CHAIRMAN GRIESHEIMER: All right.

22 Anyone in the audience wish to testify in support of  
23 the rezoning? You want to testify? You'll have to be sworn in.

24 [Thereupon, the witness was sworn.]

25 MS. REPORTER: State your name for the

1 record, please.

2 MR. MATTHEW HREBEC: Matthew Hrebec.

3 CHAIRMAN GRIESHEIMER: Go ahead.

4 MR. HREBEC: What we talked about last  
5 month was changing the zoning merely because that building is  
6 165,000 square feet. It's been there since 1950, probably  
7 mis-zoned initially, and I got some folks who are wanting to  
8 lease the space. We just want to make sure we're out ahead of  
9 this thing before -- if there were to be any concerns of a  
10 manufacturer moving in there. It's going to make it easier for  
11 me to guarantee a lease like that. So...

12 COMMISSIONER BRINKER: So it was  
13 previously Suburban Development, and now it's --

14 MR. HREBEC: Correct.

15 COMMISSIONER BRINKER: -- Industrial?

16 CHAIRMAN GRIESHEIMER: I'm really  
17 surprised this wasn't rezoned Indus- -- ID before.

18 MS. EAGAN: On our Future Land Use map,  
19 it's shown as industrial.

20 CHAIRMAN GRIESHEIMER: Yeah.

21 COMMISSIONER BRINKER: One question real  
22 quick. So --

23 CHAIRMAN GRIESHEIMER: Can you hear him  
24 okay?

25 MS. REPORTER: Yes.

1 COMMISSIONER BRINKER: Yeah, believe me.

2 She can hear me.

3 CHAIRMAN GRIESHEIMER: Okay. Just wanted  
4 to make sure.

5 COMMISSIONER BRINKER: The -- because in  
6 our thing from the P and Z public meeting, it says there's  
7 currently a large manufacturing facility, over 40,000 square  
8 feet, on the property that housed Seco, and then it says 165,000  
9 square feet.

10 To make the 40,000 accurate, is that just a  
11 threshold to be utilized for a structure?

12 MS. EAGAN: It's what I saw in the  
13 Assessor's records, but I wasn't sure what -- and it could have  
14 been multiple buildings, you know.

15 COMMISSIONER BRINKER: Got you. I didn't  
16 know if there was some couple of buildings.

17 MS. EAGAN: No, that's why I changed it  
18 whenever it said -- because he said it was over a hundred. So I  
19 didn't --

20 COMMISSIONER BRINKER: It has nothing to  
21 do with the result. I'm just curious.

22 MR. HREBEC: I guess I would only have one  
23 other question for you guys, and this again is just my  
24 perspective. And I don't have a lot of experience in this, but  
25 this is an expensive exercise for me to go through seeing as how

1 I feel that it was mis-zoned originally when we first started  
2 that, it should have been zoned industrial then. There was  
3 certainly no chance of it being a residential being that it's got  
4 165,000 square foot manufacturing facility there. They started  
5 building that in 1950, early 1950s.

6 So I guess I would be asking for my money back like  
7 that. I think I spent 750 bucks to go through this rezoning  
8 process.

9 COMMISSIONER BRINKER: It's interesting  
10 that you bring that up. You have the sins of a forefather here.

11 MR. HREBEC: I am. I think there was an  
12 error committed.

13 COMMISSIONER BRINKER: Maybe. I don't  
14 know. It's interesting.

15 MR. HREBEC: But I just feel like that it  
16 was an excessive amount. Maybe there is something --

17 COMMISSIONER MAUNE: When did zoning come  
18 in?

19 COUNTY ATTORNEY VINCENT: '77

20 CHAIRMAN GRIESHEIMER: Yeah.

21 COMMISSIONER BRINKER: Here's the deal.  
22 It predates zoning.

23 If you guys don't mind, we can address that after  
24 this hearing. It's really public zoning, not the cause thereof.  
25 So we rezone the property, and then after which we can handle

1 it --

2 MR. HREBEC: Okay.

3 COMMISSIONER BRINKER: -- or address any  
4 other concern.

5 MR. HREBEC: I appreciate that.

6 COMMISSIONER BRINKER: I think that's  
7 fair.

8 COMMISSIONER MAUNE: I've appraised  
9 additions on that building when I worked for the Assessor's  
10 office.

11 MR. HREBEC: So you're familiar with the  
12 property?

13 COMMISSIONER MAUNE: Yes.

14 CHAIRMAN GRIESHEIMER: We're all familiar  
15 with it.

16 MR. HREBEC: Okay.

17 CHAIRMAN GRIESHEIMER: Because we -- Tim  
18 and I live in Washington.

19 COMMISSIONER BRINKER: We're going to fix  
20 the road out front too.

21 MR. HREBEC: I saw a little patchwork  
22 going on out there. It looks nice.

23 COMMISSIONER BRINKER: It needs some more  
24 out there.

25 CHAIRMAN GRIESHEIMER: Till it sinks

1 again.

2 COMMISSIONER BRINKER: Anywho, I don't  
3 have any further questions regarding the rezoning of the said  
4 property.

5 CHAIRMAN GRIESHEIMER: Any further  
6 questions? [None]

7 All right. Those of you who approve -- well, wait a  
8 minute. We've got to do the right thing.

9 Anyone else to testify in support of rezoning?  
10 [None]

11 Anyone in the audience wish to testify in opposition  
12 to the rezoning? [None]

13 Seeing none, that will conclude the hearing on this,  
14 on File Number 150206. Now, entertain a motion.

15 COMMISSIONER MAUNE: So moved.

16 CHAIRMAN GRIESHEIMER: There's been a  
17 motion made by Commission Maune.

18 COMMISSIONER BRINKER: To what?

19 COMMISSIONER MAUNE: Approve.

20 COMMISSIONER BRINKER: Second to approve.  
21 Second.

22 CHAIRMAN GRIESHEIMER: Motion made by  
23 Commissioner Maune, seconded by Commissioner Brinker to approve  
24 to send this -- to put this on our agenda for approval.

25 All those in favor.

1 COMMISSIONER MAUNE: Aye.

2 COMMISSIONER BRINKER: Aye.

3 CHAIRMAN GRIESHEIMER: Aye. So ordered.

4 MR. HREBEC: Thank you.

5 MS. EAGAN: I'll do it.

6 CHAIRMAN GRIESHEIMER: Okay. Can you do  
7 this by Tuesday? We'll have it on our agenda for --

8 MS. EAGAN: So I have to have it in by  
9 nine o'clock tomorrow?

10 COUNTY ATTORNEY VINCENT: Yeah.

11 MS. EAGAN: Okay. I'll try. I was  
12 thinking it was Tuesday, like yeah, no problem. Oh, can we do it  
13 next week -- I won't be here -- like have it on for the week  
14 after that, the 20th?

15 CHAIRMAN GRIESHEIMER: Yeah. Is that okay  
16 with you, I mean, to delay it a week?

17 MR. HREBEC: You bet.

18 CHAIRMAN GRIESHEIMER: Okay. We'll get  
19 it. All right.

20 COMMISSIONER MAUNE: Motion we adjourn.

21 CHAIRMAN GRIESHEIMER: Okay.

22 We'll have to take your other suggestion under  
23 advisement. Just so you understand, that would set a precedent,  
24 and I don't -- you know, we would have to -- we would have to  
25 discuss that.

1 COMMISSIONER BRINKER: No, we wouldn't.

2 COUNTY ATTORNEY VINCENT: Wait a minute,  
3 guys. Did we close the hearing?

4 CHAIRMAN GRIESHEIMER: Yeah. No, we --

5 MS. REPORTER: You have a motion, but  
6 nobody seconded it.

7 CHAIRMAN GRIESHEIMER: Okay. I'm sorry.  
8 We have a motion by Commissioner Maune.

9 COMMISSIONER BRINKER: Second.

10 CHAIRMAN GRIESHEIMER: Second by  
11 Commissioner Brinker to adjourn the hearing. All in favor.

12 COMMISSIONER MAUNE: Aye.

13 CHAIRMAN GRIESHEIMER: Aye.

14 COMMISSIONER BRINKER: Aye.

15 CHAIRMAN GRIESHEIMER: Okay.

16 [Thereupon, the proceedings concluded  
17 at 1:39 p.m.]

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CERTIFICATE OF REPORTER

I, PATSY A. HERTWECK, Professional Court Reporter  
and Notary Public within and for the State of Missouri, before  
whom the foregoing proceeding was taken, do hereby swear that the  
aforementioned was held at the time and in the place previously  
described.

IN WITNESS WHEREOF, I have hereunto set my hand.

\_\_\_\_\_  
Patsy A. Hertweck, Court Reporter  
Notary Public, State of Missouri

My Commission Expires:  
August 26, 2018