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Planning & Zoning Meeting
December 15, 2022

Jefferson County, Missouri

PLANNING AND ZONING COMMISSION OF
JEFFERSON COUNTY, MISSOURI

IN RE: PUBLIC HEARINGS

1. PI22071 - Applicant Name: Wil-Mix Concrete, LLC
2. NPI22072 - Applicant Name: Global Connect Communication
3. PC22073 - Applicant Name: Open Door Animal Sanctuary

TRANSCRIPT OF PROCEEDINGS - PUBLIC HEARINGS
JEFFERSON COUNTY PLANNING AND ZONING
COMMISSION

DECEMBER 15, 2022

REPORTED BY RANDALL W. WELLS

CERTIFIED COURT REPORTER

C.C.R. #0271

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TRANSCRIPT OF PROCEEDINGS - PUBLIC HEARINGS - of the
 Jefferson County Planning and Zoning Commission heard on the 15th
 day of December, 2022, at the Jefferson County Administrative
 Center, Assembly Room, 729 Maple Street, in the City of
 Hillsboro, Missouri, 63050, between the hours of 6:31 p.m. and
 7:36 p.m. of that day, before Randall W. Wells, Certified
 Shorthand Reporter, Certified Court Reporter #0271.

A P P E A R A N C E S

PLANNING AND ZONING COMMISSION

- Greg Bowers - Council District 2 Representative
- Danny Tuggle - Council District 1 Representative
- Jonathan Sparks - Council District 3 Representative
- Larry Adkins - Council District 4 Representative
- Chris Hastings - Council District 5 Representative
- Mike Huskey - At Large Representative

1 Also Present:

2

3 Dennis Kehm - Assistant Director of County
4 Services and Code Enforcement

5 Josh Jump - Planner II

6 Rachel Krispin - Planner I

7

8 Jefferson County Department of County Counselor
9 Administration Center

10 729 Maple Street

11 Hillsboro, Missouri 63050

12 By: Jason L. Cordes

13 Assistant County Counselor

14

15 Elaine Roesch - Recording Secretary

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1 Commission.

2 Responding to the audience both wastes time and may
3 reduce the impact of your statement.

4 Members of the Planning And Zoning Commission may
5 question any speaker. This Commission will not tolerate verbal
6 outbursts or disruptions from the audience, nor will this
7 Commission tolerate personal or abusive attacks directed toward
8 County staff.

9 The structure of the meeting is as follows: The
10 Chairman will introduce each project by name and number and will
11 then direct the staff of the planning division to present the
12 application. The staff representative will then present a brief
13 overview of the application. The Commission may ask questions of
14 the staff relative to the project.

15 The Chairman will then call the Petitioner, the party
16 that submitted the application. The Petitioner may call
17 individual witnesses, generally supporting consultant, and is
18 allowed five uninterrupted minutes for presentation of the facts
19 surrounding the application.

20 After the completion of the presentation of the
21 application, the members of the Commission may ask questions of
22 the Petitioner relative to the application. There is no time
23 limit for questions.

24 After all questions from the Commission have been
25 heard, the Chairman will ask for citizens wishing to address the

1 Commission who are in favor of this project to come forward and
2 state -- and make their statement. There will be a total of five
3 minutes allocated for public comment in favor of the application.

4 The Commission may ask questions of any speaker. The
5 time used for speakers to answer these questions will not be
6 subtracted from the five minutes.

7 After all questions from the Commission have been
8 heard, the Chairman will ask the citizens wishing to address the
9 Commission who are opposed to the application. There will be
10 fifteen minutes allocated for public comment in opposition to the
11 application. No speaker may speak more than three minutes.

12 The Commission may ask questions of any speaker. The
13 time used for speakers to answer questions will not be subtracted
14 from the fifteen minutes allocated for this portion of the
15 hearing.

16 Because time is limited, we strongly suggest that the
17 speaker be prepared and know the facts regarding the application.

18 We recommend that you avoid repetition. If you're
19 part of a large group, we suggest that you designate a
20 spokesperson to provide comments for the group. This speaker may
21 acknowledge that he or she represents a larger group.

22 This will be the sole public hearing before a public
23 body regarding this application.

24 The Petitioner will then have five minutes to respond
25 to issues raised during the comment period. The Commission may

1 further question the petition. Time used to respond to questions
2 from the Commission will not count against this allocation.

3 After closure of the comment period, the Commission
4 will then deliberate on the application. The Commission may
5 direct additional questions to staff, or it may proceed directly
6 to considering the application.

7 The decisions of the Planning And Zoning Commission
8 will be forwarded to the County Council for final action.

9 Final action by the County Council will generally
10 take the form of an ordinance approving the application or a
11 resolution denying the application.

12 In most instances, there will be no further public
13 hearing before the County Council.

14 I call this meeting to order.

15 Madam Secretary, will you please call roll?

16 MS. ROESCH: Danny Tuggle?

17 COMMISSIONER TUGGLE: Present.

18 MS. ROESCH: Greg Bowers?

19 COMMISSIONER BOWERS: Here.

20 MS. ROESCH: Jonathan Sparks?

21 COMMISSIONER SPARKS: Here.

22 MS. ROESCH: Larry Adkins?

23 COMMISSIONER ADKINS: Here.

24 MS. ROESCH: Chris Hastings?

25 COMMISSIONER HASTINGS: Here.

1 MS. ROESCH: Tim Dugan?

2 Mike Huskey?

3 COMMISSIONER HUSKEY: Here.

4 MS. ROESCH: We have a quorum.

5 CHAIRMAN BOWERS: Do I have -- I'll entertain a
6 motion to accept the agenda.

7 COMMISSIONER TUGGLE: I make the motion.

8 COMMISSIONER ADKINS: Second.

9 CHAIRMAN BOWERS: I have a motion to approve the
10 agenda made by Commission Tuggle.

11 Seconded by Commissioner Adkins.

12 All those in favor say aye?

13 (Commission: Aye.)

14 CHAIRMAN BOWERS: Opposed?

15 Passes unanimously.

16 Approval of the minutes. I'll entertain a motion to
17 approve the minutes.

18 COMMISSION TUGGLE: I make a motion to approve the
19 minutes.

20 COMMISSIONER ADKINS: Second.

21 CHAIRMAN BOWERS: I have a motion made by
22 Commissioner Tuggle, second by Commissioner Adkins, to approve
23 the minutes.

24 All those in favor say aye.

25 (Commission: Aye.)

1 CHAIRMAN BOWERS: Opposed?

2 Passes unanimous.

3 Swearing in of the witnesses.

4 DIRECTOR KEHM: Thank you, Mr. Chair.

5 Again, thank you all for coming out this evening. We
6 always appreciate it.

7 If you are going to be speaking on any of the cases
8 tonight, your testimony actually becomes a part of the record of
9 that particular case. Therefore, your testimony needs to be
10 sworn.

11 Rather than swearing people in individually like you
12 may see in a courtroom, we do it all at once here at the
13 beginning of the meeting.

14 So if are planning on speaking, thinking about
15 speaking, have any -- harbor any notion that you might want to
16 talk tonight, please do go ahead and stand up right now, raise
17 your right hand, and the Commission Secretary will swear you in.

18 MS. ROESCH: Do you swear that the testimony you are
19 about to make is the truth, the whole truth, and nothing but the
20 truth?

21 If so, please say I do.

22 (All speakers sworn by the Commission Secretary and
23 say I do.)

24 DIRECTOR KEHM: Thank you very much. You can have a
25 seat.

1 Again, when it is your turn to speak, when that
2 happens during the meeting, the Chair of the Commission will
3 recognize you, you'll come up to the front of the room, hand
4 these folks here in front of me your speaker slip, go on over to
5 the podium.

6 Then you'll need to do three things. You'll need to
7 state your name, state your address, and state that you have been
8 sworn in and then you can begin your remarks.

9 Something to keep in mind: We do have a court
10 reporter here taking down every word that -- that we are all
11 saying. So make sure you speak clearly and slowly enough so that
12 he can do that.

13 And that will -- I'll get the moving -- the meeting
14 will go on.

15 CHAIRMAN BOWERS: Thank you, sir.

16 Introduction of evidence.

17 DIRECTOR KEHM: Members of the Jefferson County
18 Planning And Zoning Commission. The County would ask that the
19 following exhibits be entered into the record for the cases to be
20 heard by you this evening.

21 Those exhibits are in order: Exhibit A, the Official
22 Master Plan for Jefferson County Missouri, which was adopted on
23 August the 6th, 2003, and has been amended numerous times since
24 then.

25 Exhibit B, which is the Code of Ordinances of

1 Jefferson County, specifically Chapter 400 of that code, also
2 knows as the Unified Development Order. And that document was
3 adopted on April 2nd of 2008 and has also been amended many times
4 since then.

5 And finally, Exhibit C, which is the Planning
6 Division Staff Reports with their respective case files.

7 CHAIRMAN BOWERS: Thank you, sir.

8 I'll entertain a motion to introduce the evidence.

9 COMMISSIONER ADKINS: Motion to accept the evidence.

10 COMMISSIONER TUGGLE: Second.

11 CHAIRMAN BOWERS: We have a motion made by
12 Commissioner Adkins, seconded by Commissioner Tuggle, to accept
13 the evidence.

14 All those in favor say aye.

15 (Commission: Aye.)

16 CHAIRMAN BOWERS: Opposed?

17 Passage is unanimous.

18 Moving on to new business.

19 Under consideration: PR122071. Request for a zone
20 change and development plan locate at 1800 U.S. Highway 61,
21 Festus. Council District Number 5.

22 And Miss Krispin.

23 MS. KRISPIN: Thank you.

24 This is PI22071. The Petitioner is requesting to
25 rezone a portion of the subject property from single-family

1 residential R40 to planned industrial and development plan
2 approval for Wil-Mix Concrete.

3 The subject property is located off of Highway 61 in
4 Festus. The property is split zoned PI and R40 and is roughly
5 ten acres in size; however, the area to be rezoned is
6 approximately four acres.

7 The property is entirely covered by flood area. Most
8 of the property is located within the floodway; however, some
9 floodplain does exist on the property as well. And a stream
10 order 4 traverses the property.

11 Here is a look at the zoning map of the subject
12 property outlined in black.

13 The purple color is your planned industrial.

14 The green is single-family residential R40, both to
15 the north and south as well.

16 And then across the highway is LR2 and PR2.

17 Here is a look at the topography map. The red is the
18 floodway.

19 Blue and gold is floodplain.

20 And then right here is that stream order 4. It's the
21 Plattin Creek.

22 These are the existing conditions of the subject
23 property. This is a fence separating the adjoining properties to
24 the south.

25 And then here's looking at the existing concrete

1 plant.

2 This is the submitted development plan. There's an
3 existing warehouse on the subject property to remain.

4 There is a location shown of the proposed conveyor.

5 There's two proposed end of day washout, and then
6 post load washdown located in the southeast corner of the
7 property that are proposed.

8 There is one point of ingress and egress not shown on
9 here. It would be down here on U.S. Highway 61.

10 And then also noted that the existing gravel is to
11 remain.

12 The Petitioner requested one modification to Section
13 400.4730, which is buffering/screen requirements.

14 The development area of the site is not visible from
15 Highway 61, which minimizes any effect and/or detriment to
16 surrounding properties.

17 In addition, this development has existed for
18 numerous years without screening from adjoining properties.

19 Per the development plan, there is a chain-link fence
20 exists on the southern property line in places to minimize impact
21 and delineate separation from the adjoining property owner.

22 The parcel to the north of the subject property is
23 undeveloped, and the property to the south is an existing
24 industrial use of sorts.

25 Each property line of the subject property is located

1 either within the floodway, floodplain, or a stream order.

2 Due to the existing circumstances, staff does not
3 have an issue with the requested relief from buffer and screening
4 requirements.

5 The development plan satisfies most of the criteria
6 of approval. The development plan and proposed zoning seems to
7 fit with the area of the proposed site due to other industrial
8 zoning and uses existing within the surrounding area.

9 Again, the site fronts on Highway 61, providing
10 adequate ingress and egress.

11 The site is currently developed as a concrete
12 business. The concrete operation has existed for some time
13 without any known impacts to surrounding properties.

14 The development plans seeks to minimize the property
15 -- I'm sorry -- it seeks to bring the property into zoning
16 conformance and expands upon the concrete plant operations.

17 Staff has not seen any evidence to indicate there
18 would be any risk to public health, safety, and welfare from this
19 development plan as proposed.

20 The development plan does not impede the normal and
21 orderly development and improvement of the surrounding
22 properties, given that the developed property has existed for
23 several years.

24 And this is for your consideration tonight. I will
25 be happy to answer any questions.

1 CHAIRMAN BOWERS: Any questions of the staff?

2 No questions.

3 Is Petitioner present?

4 Please come forward. State your name and your
5 address. Please state you have been sworn. And as a reminder,
6 you will have five minutes for presentation.

7 MR. VONARX: My name is David VonArx. I have my
8 office at 10785 Business 21 in Hillsboro, Missouri, and I have
9 been sworn in.

10 CHAIRMAN BOWERS: You may proceed.

11 MR. VONARX: Thank you.

12 So tonight I'm representing Western Materials.
13 Western Materials has purchased the Wil-Mix Concrete Plant in
14 Festus. The plant currently has a three yard capacity, and
15 they've purchased another plant to install at this location,
16 which would be an additional twelve yard capacity.

17 Western Materials operates several plants in St.
18 Charles, and in St. Louis, and some other locations that escape
19 me at the moment.

20 But essentially the -- Miss Krispin described the
21 site in detail. It's been used as a concrete mix plant for many,
22 many years. The road in from the drive in from 61 has been
23 substantially improved. It's concrete. All, you know, quite
24 wide. And planning staff has investigated the thickness of it
25 and it meets the county's requirements for pavement thickness.

1 So the proposed -- or excuse me. So the existing
2 plant is located here. Essentially trucks back in beneath these
3 large hoppers and the material goes in. It's mixed up and then
4 it goes into the mix trucks.

5 I have -- if the Commission would like, I have some
6 diagrams and photos what the plant -- the proposed plant would
7 look like and I'm prepared to submit that as an exhibit.

8 CHAIRMAN BOWERS: Does any of the Commissioners want
9 to see these pictures?

10 COMMISSIONER SPARKS: I'm good.

11 MR. VONARX: Okay. I just brought them in case,
12 because everyone doesn't know what a concrete mix plant might
13 look like. So, you know, it's just a bunch of industrial looking
14 tanks, and hoppers and a little conveyor belt.

15 So the new plant would be located adjacent to the
16 existing one in this location. It's obviously like three, four
17 times bigger in capacity, but not essentially four times bigger
18 in the area it takes. It just has bigger tanks and it's modern.

19 So obviously there would be probably additional
20 traffic, but like I said, there's a good access to U.S. 61. The
21 roadway has been substantially improved.

22 Planning has indicated that they would like to see
23 the road extend -- that's about the end of the concrete pavement.
24 They would like to see it extended a little further into the
25 site, and our client has no opposition to that. They sell

1 concrete.

2 So we are requesting approval of one deviation. Most
3 of the site is -- around the property is zoned residential. And
4 its use is, to the south, is, you know, an industrial commercial
5 use for storage of a lot of a -- large equipment and trailers.

6 So we're requesting leave from the high impact
7 screening along the south. We have a bunch of existing material,
8 plant material and woods along the -- along the west and the
9 creek, Plattin Creek.

10 So we're requesting a favorable response on those
11 things.

12 Are there any questions about the site plan or
13 anything I might answer for the Commission?

14 CHAIRMAN BOWERS: Is there any questions of this
15 witness?

16 Seeing none, thank you, sir.

17 MR. VONARX: Thank you.

18 CHAIRMAN BOWERS: May call you back.

19 MR. VONARX: Great.

20 CHAIRMAN BOWERS: Are there any citizens wishing to
21 speak in favor of this project?

22 Anyone wishing to speak in favor?

23 Anyone wishing to speak in opposition to this
24 project?

25 Anyone wishing to speak in opposition?

1 Do you have anything else to add?

2 MR. VONARX: I do not.

3 CHAIRMAN BOWERS: Discussion among Commissioners?

4 If not, I'll entertain a motion to accept or deny.

5 COMMISSIONER ADKINS: Motion to accept PI22071.

6 MR. CORDES: And technically, and I don't mean to
7 split hairs here, but technically it's a motion to approve. So
8 that would be the -- the proper term.

9 If you want to restate your motion. I'm sorry.

10 CHAIRMAN BOWERS: Yeah. Would you restate your
11 motion, please?

12 COMMISSIONER ADKINS: Motion to approve PI22071.

13 COMMISSIONER HASTINGS: Second.

14 CHAIRMAN BOWERS: I have a motion to approve PI --
15 I'm sorry P1.

16 I'm sorry. PI22071 made by Commissioner Adkins.

17 Seconded by Commissioner Hastings.

18 All those --

19 MR. CORDES: I believe, Mr. Chair, sorry to cut you
20 off, I believe it's PR122071.

21 DIRECTOR KEHM: No. He's correct. It's PI.

22 MR. CORDES: Okay. I had a -- all right. I'm sorry.
23 I've got an error on my agenda then.

24 Sorry about that.

25 CHAIRMAN BOWERS: That's fine.

1 I have a motion made by Commissioner Adkins to
2 approve.

3 Seconded by Commissioner Hastings.

4 All in favor say aye.

5 (Commission: Aye.)

6 CHAIRMAN BOWERS: Opposed?

7 Passes unanimous. PI22071 passes unanimous.

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1 CHAIRMAN BOWERS: Next item. NP122072. A request
2 for a zone change located near the southern border of Highway P
3 at Highway A intersection, Festus. Council District Number 5.

4 Mr. Jump?

5 MR. JUMP: Thank you.

6 This is NPI22072. The Petitioner's requested to
7 rezone from non-planned community CC2 to non-planned industrial
8 NPI zone district.

9 A little bit about the subject property. It's
10 currently zoned non-planned community commercial. It is in
11 Council District 5. It is in the primary growth area, although
12 it is kind of on the edge between primary and secondary growth
13 area, but the property looks like it resides in the primary
14 growth area.

15 It is about two -- ten and a half acres in size.
16 There is no direct road frontage to the property, which would be
17 on the next maps, but it does appear to have access via a road
18 easement from an adjoining property. And it is currently
19 undeveloped as well.

20 This is your zoning map. The property in question is
21 right here. It's this sort of the hourglass shaped property.

22 So you can see it doesn't have any direct
23 connections. Currently landlocked in between this property and
24 this one here.

25 There is a road access. It appears that it comes

1 down from the state highway right here to the property.

2 This property does have some significance issues with
3 floodway/floodplain and stream waters that traverse it.

4 There's a stream water, Buck Creek, that kind of
5 traverses the southern edge of the property. Then there is some
6 floodway kind of wrapping around.

7 And then there is a slightly elevated place on the
8 property. This is probably about two, two and a half acres or so
9 that is the -- in the hundred year floodplain.

10 So that's kind of what your flood and topo map look
11 like.

12 It is important to notice, too, I forgot to mention
13 on the zoning map, this is an Ameren U.E. substation.

14 This is the armory.

15 So these are both pretty heavy non-residential uses
16 in residential zone districts.

17 This up here is a Spire facility.

18 So again, you've got three pretty heavy quasi
19 industrialish uses that surround this that don't really kind of
20 show up on the zoning map, but are all -- are all present. And I
21 mean, the chances of those going away are, you know, very slim.

22 So that's important to notice, because while the
23 zoning map looks like this is kind of an island, the uses that
24 actually surround the other property are very intense.

25 This is -- these are some photos from the site. This

1 is kind of looking out towards the armory.

2 This -- these two photos kind of look towards the
3 site.

4 Oh. This -- I'm sorry. This is towards the Ameren
5 U.E. substation. This is looking towards the site. The site's
6 undeveloped, so it's all trees currently.

7 You can see that road in the picture that kind of
8 leads back to it.

9 But that's kind of what you're looking at around.
10 You got a pretty heavy substation here, and then you've got the
11 armory right there.

12 So our analysis. The subject property is in the
13 Primary Growth Area of the Official Master Plan. The property
14 petitioned to be rezoned is currently undeveloped. It appears a
15 residence previously existed on the property due to a vacant
16 concrete pad on the property.

17 Residential existing -- residential zoning exists
18 around the property; however, non-planned industrial zoning could
19 be an appropriate use of the property given the fact that it is
20 located near a heavily traveled intersection.

21 There is some of these residentially zoned properties
22 that have pretty intense either lawfully non-residential uses on
23 them, or uses that are allowed that are non-residential. This
24 includes the Ameren substation, a Spire location, and the
25 National Guard armory.

1 Additionally, the site has access limitations, as
2 well as floodplain and floodway limitations that could limit
3 uses.

4 The Applicant is a communications company. It's
5 allowable in the NPI zone district; however, given the petitioned
6 rezoning is a non-planned district, the use could change to one
7 of the numerous uses allowed in the NPI district.

8 There are uses allowed under the current zoning
9 non-planned Community Commercial, and their required development
10 requirements, that might prove to be difficult to develop on the
11 property.

12 The flexibility and light industrial uses under the
13 non-planned industrial zone district could lend to a more
14 appropriate development of the property.

15 The uses in the CC2 that probably wouldn't work
16 there, for example, would be like a restaurant. You just
17 wouldn't be able to get the infrastructure in there because of
18 the volume of traffic and things like that.

19 NPI, a lot of them have lower traffic volumes. So
20 road widths don't have to be as wide, things of that nature.

21 So that's kind of what we -- what that statement is
22 referring to.

23 The industrial use of the property, if approved,
24 would need to go through the County's site development process to
25 ensure all requirements of the UDO are met for the commercial

1 use.

2 And so for your consideration, rezone from
3 non-planned community commercial to non-planned industrial zone
4 district.

5 And I'll take any questions.

6 CHAIRMAN BOWERS: Is there any questions from the
7 Staff?

8 Any questions?

9 Is Petitioner present?

10 Please come forward. State your name, your address,
11 and that you have been sworn.

12 As a reminder, you will have five minutes.

13 MR. BICKOWSKI: Don Bickowski, 3275 Fox Run Estates,
14 Eureka, Missouri, and I have been -- 63025 -- and I have been
15 sworn.

16 CHAIRMAN BOWERS: Thank you, sir.

17 MR. BICKOWSKI: Yes. This property, as you can tell
18 with the floodplain, is a very difficult property dealing with
19 because there is no commercial access to actually put anything in
20 here. CC2 would be very -- almost impossible to execute anything
21 under Jefferson County code.

22 On this communication company, we are looking at the
23 two point -- roughly about 2.5 acres that are in the floodway,
24 bringing in what we call Edge Compute because of the power
25 requirements and the access to AT&T fiber in the area. We can do

1 a high density -- high density development, a secure development
2 of Edge Compute on that 2.5 acres, which would be appropriate.

3 As far as access, there would be no public access for
4 this use. Okay?

5 It would be a secure facility; that there would only
6 be employees there that would actually, you know, manage that
7 Edge -- those Edge -- that Edge Compute facility.

8 So there would be no public, which would then lend
9 itself to the access easements that are from the National Guard
10 because it would -- it would not be -- wind up being public
11 access.

12 As far as, you know, any other access to get to the
13 property, as you can see in the current zoning map, CC2, there is
14 no access off of Highway A. That winds up actually coming down
15 very heavily. So you would never be able to gets access off of A
16 to any of -- you know -- any of those two CC2 properties.

17 And with Ameren around and it fully enclosed,
18 obviously it is very limited of -- of what actually is ultimately
19 going to be able to go in there.

20 So we are looking at actually putting in Edge
21 Compute, you know, an Edge Compute facility in that 2.5 -- in
22 that 2.5 acres.

23 We understand that CC2 would require us to actually
24 go through a planning phase, and that also the NPI would roughly
25 be the same planning phase.

1 But CC2 is not in your matrix, does not cover any
2 kind of Compute facility, where the NPI does.

3 And if there's any questions I would be more than
4 happy to answer them for the Commission.

5 CHAIRMAN BOWERS: Thank you.

6 Any questions for this?

7 COMMISSIONER SPARKS: I have a couple of questions.

8 So is this like a cloud data center silo or is it --

9 MR. BICKOWSKI: These are what we call high end Edge
10 Compute. They're actually more of a self-contained containerized
11 type of system that is high -- very high density.

12 So if you look at your typical data center in the
13 past, none of -- those data centers are going to be history.
14 Okay?

15 What is happening in the industry is that all of
16 these companies are looking at bringing in computing power
17 locally to a region and actually putting that computing power
18 right at the edge of where their service areas are.

19 COMMISSIONER SPARKS: The only other -- sorry. The
20 only other question I had is so the change is probably going to
21 bring some technical jobs into Jefferson County, or is it more of
22 automated type of facility?

23 MR. BICKOWSKI: No. There will -- there will be --
24 as far as the Commission is concerned -- okay? -- some of it I'm
25 under -- I'm under NDA and, you know, can't discuss at this

1 point.

2 But what I can tell the Commission is that we on --
3 on this property we already have a -- we have already worked with
4 Ameren and the State and have -- how do I want to say this?

5 Already in place economic incentives that are already
6 in place if this rezoning happens. One of those economic
7 incentives is a minimum of \$100,000 worth of -- of spend on the
8 property and at least two FTE's.

9 We are looking at this point of at least two FTE's,
10 because it needs to be manned from a security and management
11 standpoint for probably six FTE's.

12 Ameren Power alone, we just got the quotes back the
13 other day, is roughly about quarter of a million dollars just to
14 wind up bringing in the power that we wind up needing to the
15 facility.

16 COMMISSIONER SPARKS: All right.

17 MR. BICKOWSKI: And if this facility goes in
18 correctly, we have three major worldwide companies that are
19 looking in this Festus area; that there will probably be a phase
20 2 that winds -- if this goes through -- goes through and we can
21 make this happen in Jefferson County, there's a phase 2 that will
22 wind up being a major -- a major build in the area.

23 But again, I'm under non-disclosure and really can't
24 discuss that right now.

25 COMMISSIONER SPARKS: I understand. Thank you very

1 much.

2 CHAIRMAN BOWERS: Any other questions of this
3 witness?

4 Thank you, sir. We may call you back.

5 MR. BICKOWSKI: Thank you.

6 CHAIRMAN BOWERS: Anyone wishing to speak in favor of
7 this petition?

8 Anyone wishing to speak in favor of this petition?

9 Anyone wishing to speak in opposition to this?

10 Anyone wishing to speak in opposition?

11 Would you like to add anything else?

12 MR. BICKOWSKI: Just that we appreciate the
13 Commission's consideration and would hope for approval.

14 CHAIRMAN BOWERS: Thank you.

15 Discussion among the Commissioners?

16 If not, I'll entertain a motion to approve or deny.

17 COMMISSIONER TUGGLE: I'll make a motion to approve
18 NPI22072.

19 COMMISSIONER ADKINS: Second.

20 CHAIRMAN BOWERS: I have a motion to approve NPI22072
21 made by Commissioner Tuggle.

22 Seconded by Commissioner Adkins.

23 All those in favor say aye.

24 (Commission: Aye.)

25 CHAIRMAN BOWERS: Opposed?

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NPI22072 passes unanimous.

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1 CHAIRMAN BOWERS: Next item is PC22073. Request for
2 a zone change and development plan approval for a parcel located
3 at 6225 State Road MM, House Springs, and District Council Number
4 7.

5 Miss Krispin?

6 MS. KRISPIN: Thank you.

7 This is PC22073. The Petitioner is requesting to
8 rezone the subject property from single-family residential R10 to
9 planned commercial and development plan approval for Welcome
10 Center - Open Door Animal Sanctuary.

11 The subject property is located at the corner of
12 State Road MM and Duda Road in House Springs. The site is
13 roughly .96 acres in size, and there is a stream order 3 that
14 traverses the property, as well as floodplain.

15 This is a look at the zoning map. The subject
16 property outlined in black is zoned single-family residential
17 R10, as well as to the south.

18 And then to the north is LR2.

19 And to the east is PR2.

20 Here is a look at the topography map showing the
21 topography lines.

22 And then this is the small portion of floodplain that
23 traverses the property, as well as the stream order.

24 These are photos of the subject property. This is
25 Duda Road traveling a little further back to Open Door Animal

1 Sanctuary where they have the facility now.

2 This is the intersection of State Road MM and Duda.

3 And then these are the existing conditions on the
4 subject property.

5 This is the submitted development plan. There are
6 two points of access; one from Duda Road and one from State Road
7 MM.

8 And there's a proposed 65X40 building.

9 Nineteen parking spaces are proposed with one ADA
10 compliant space.

11 There is a detention basin shown on the straight
12 frontage of State Road MM, as long -- I'm sorry -- as well as
13 straight frontage landscaping along both roadways.

14 And high impact screening is shown along the northern
15 property line on a portion of the property line.

16 And there was a modification requested in regard to
17 high impact screening that I'll go over on the next slide.

18 The Petitioner requested three modifications. The
19 first one is to Section 505.170.B.3. The Petitioner has
20 requested relief from a portion of the stream order 3 buffer to
21 install a new driveway, utilities, and drainage improvements.
22 The storm water division has analyzed the request.

23 The Jefferson County engineer recommends that the
24 Planning And Zoning Commission approve the above variance request
25 for stream buffer relief with an approved permanent BMP to ensure

1 water quality protection is maintained.

2 Next is Section 400.2620, driveway requirements. The
3 Petitioner is requesting relief from the required one hundred and
4 twenty-five foot offset from other driveways and entrances.

5 As proposed, the driveway is one hundred and ten feet
6 away from the intersection of State Highway MM. This condition
7 cannot be met at any location on this site due to the small size
8 of the property and the severe terrain.

9 And last is Section 400.4750. The Petitioner is
10 requesting relief from high impact screening requirements along
11 the northwestern and western property lines.

12 The Petitioner's requesting to utilize the existing
13 vegetation as screening. In addition, roughly one hundred and
14 sixty feet of high impact screening is shown on the northern
15 property line in the general area of where a residence to the
16 east exists adjoining the subject property.

17 The development plan satisfies most of the criteria
18 of approval. While the surrounding zone districts are mostly
19 residential, the subject property fronts on both county
20 maintained and state maintained roadways, which is consistent
21 with planned commercial zone districts.

22 The site is currently developed with a garage and a
23 smaller shed.

24 The proposed use of an office building, which will
25 provide services to the Open Door Animal Sanctuary located

1 further down on Duda Road, seems to fit the character of the
2 area.

3 This proposed planned commercial zone district is in
4 accordance with the master plan.

5 Staff has not seen any evidence to indicate there
6 would be any risk to public health, safety, and welfare from this
7 development as proposed.

8 The development does not impede the normal and
9 orderly development and improvement of the surrounding
10 properties.

11 Approval of the development would allow for a
12 development consistent with the stated intent of the planned
13 commercial zone district.

14 And here is for your consideration tonight. I'll be
15 happy to answer any questions.

16 CHAIRMAN BOWERS: Do we have questions from the
17 Staff?

18 COMMISSIONER ADKINS: No.

19 CHAIRMAN BOWERS: Barring none, is the Commission --
20 or I'm sorry -- is Petitioner present?

21 Please come forward, state your name and your
22 address, and that you have been sworn. You will have five
23 minutes.

24 MR. VONARX: Good evening. David VonArx, 10785
25 Business 21, Hillsboro, Missouri. I have been sworn in.

1 Tonight representing Open Door Animal Sanctuary in
2 this petition for planned commercial. The site was -- is
3 previously used as for a residence. I think the residence caught
4 fire. The Animal Sanctuary folks have purchased the property,
5 and their desire is to construct a welcome -- what they're
6 calling a welcome center at this location.

7 The purpose of the building would be several. One
8 would be to use as a drop-off and pick-up for donations of pet
9 food, dog and cat food, pet items that can be donated to the
10 public.

11 Also it would be to have a meeting space that would
12 be used for their board meetings and other educational meetings
13 that they may have.

14 And also the facility would be used for initial
15 applications for adoption.

16 So their facility is located to the north of the site
17 on Duda Road. Has been for many years. It's kind of congested
18 and in a residential area. So the idea would be to keep people
19 from having to go further in to the residential area to the main
20 facility, disrupt the animals, say hey, we want to make an
21 adoption, purchasing a cat, dog, whatever, and we've looked
22 through and we want to look at these. And so they'll bring the
23 animals there.

24 So that in general is the purpose of the project.
25 Let me tell you a little bit about it.

1 So the proposed drives are essentially where the
2 original drives are located.

3 So there's the old drive. You can kind of see in the
4 lighter lines that was the driveways for the residence and to
5 this garage.

6 The residence was located in this area.

7 So there's going to be twenty-six hundred square feet
8 on the upper level and thirteen hundred square feet on the lower
9 level.

10 So folks will be able to drive in, park here, donate
11 dog and cat items, or -- or have -- or get them.

12 And then there's also plenty of parking for the board
13 meeting or for the public to come and adopt or make those
14 adoption applications.

15 Obviously there's a lot of residential to the north
16 and west.

17 There's some planned commercial further to the west
18 about eight hundred and seventy feet. There's a boat and RV
19 storage. Ameren has a big facility. And then the early
20 childhood education center, or Northwest School, is across the
21 street.

22 So that's the project in a nutshell.

23 The variance request, we're wanting to put the
24 proposed drive improved at the same location the original drive
25 was located at. We're about fifteen feet short of the

1 requirement.

2 This is the stream buffer line. It's a large stream.
3 It consumes all of Duda Road and a good chunk of the east part of
4 the site. So we've moved the building to that location. And
5 we're going to comply with storm water department's request for a
6 permit permission BMP in this area.

7 There's a bunch of wooded area to the west and north
8 of the property. We're going to leave that in place. Use it for
9 buffer and provide a screen buffer in this area that's not
10 wooded.

11 That's all I have, unless there's some questions of
12 the Commission.

13 CHAIRMAN BOWERS: So on your modification request for
14 the driveway, you're saying that that is the length on Duda Road,
15 not on -- the modification is --

16 MR. VONARX: The modification request is --

17 CHAIRMAN BOWERS: -- is from MM to Duda there?

18 MR. VONARX: From -- along Duda. Along Duda. From
19 the intersection of MM and Duda to the intersection of the new
20 drive.

21 CHAIRMAN BOWERS: Yes.

22 MR. VONARX: That's about a hundred and ten feet, and
23 a hundred and twenty-five is required.

24 CHAIRMAN BOWERS: Thank you.

25 Are there any other questions for this witness?

1 COMMISSIONER SPARKS: No.

2 CHAIRMAN BOWERS: Barring none, we may call you back.

3 MR. VONARX: Thank you.

4 CHAIRMAN BOWERS: Anyone like to speak in favor of
5 this application?

6 Anyone wishing to speak in favor of this application?

7 Anyone wishing to speak in opposition to this?

8 Please come forward. State your name, your address,
9 and please state that you have been sworn.

10 MR. LINDSEY: My name is Jason Lindsey. My address
11 is 6087 Duda Road. And I've been sworn in.

12 CHAIRMAN BOWERS: Just a reminder: There's fifteen
13 minutes total on this. One speaker can only speak for three
14 minutes total.

15 MR. LINDSEY: Okay.

16 I own the property that completely surrounds this
17 property. Yeah. So 6087 is me there. I own to the east, I
18 guess that's northeast, and south.

19 The proposed driveway that's existing off of Duda
20 Road is an easement on my property.

21 There's currently a driveway coming -- there's an
22 entrance there and there's a little drive coming off of that
23 going to up to my field. I have a field that backs along where
24 they're planning on putting the -- the fencing, the screening.

25 So I would like to make sure that that entrance is

1 maintained to that field so I have access to that field.

2 Again, that -- that driveway that they're wanting to
3 put in, that hundred and ten foot setback instead of the 125,
4 that driveway is existing and that is an easement off of my
5 property.

6 The screening for the wooded area. I'm concerned
7 that in the future that they might use that property for boarding
8 of animals, or something else, and that screening may go away. I
9 don't know if we can do anything about that. That is a concern
10 that I would have.

11 I'm kind of concerned about what this might do to my
12 property values. They do have a building down the street.

13 I bought this property in 2015. I have significant
14 improvements to that property. I rebuilt the house. I did a lot
15 of things there. Spent a lot of money.

16 And this was residential property when I bought it.
17 So I'm a bit concerned about what that might do to my property
18 value as well.

19 When we purchased the property in 2015 there was a
20 feral cat colony on my property that was maintained by an Open
21 Door member.

22 I got with animal control. We trapped, I don't know,
23 twenty-seven cats I think. Turned them over. Open Door got most
24 of them back, or some of them. I don't know how many.

25 But there's been a consistent problem with people

1 abandoning animals at my property in hopes that Open Door will
2 take them.

3 When I was rebuilding my house, someone dropped a box
4 of kittens off at my property.

5 CHAIRMAN BOWERS: You have a minute left.

6 MR. LINDSEY: Okay. So that is another concern.
7 With them being so visible on Highway M and Duda there, I'm
8 afraid that the incidence of abandonment may increase as well.

9 I guess that's what I was mostly concerned about.

10 CHAIRMAN BOWERS: Are there any questions for this
11 witness?

12 Thank you, sir, for coming.

13 MR. LINDSEY: Thank you.

14 CHAIRMAN BOWERS: Anyone else wishing to speak in
15 opposition to the petition?

16 Please come forward. Please state your name, your
17 address, and state that you have been sworn.

18 MR. BINGAMAN: My name is Neil Bingaman. I live at
19 4732 Tina Drive. And I have been sworn in.

20 CHAIRMAN BOWERS: Thank you.

21 MR. BINGAMAN: I have concerns about this property
22 for a couple of reasons.

23 Number one, there's a traffic problem coming out of
24 our Tina Drive many times during the day. School busses go by
25 this area. And I'm afraid that with another entrance going off

1 of MM into that particular area right before Duda we're going to
2 have traffic backed up, which will not allow Tina to -- to get
3 out of -- onto MM.

4 And I think probably it should be addressed as far as
5 a left-hand turn or something to that effect.

6 Also, Tina is used by a lot of people. They don't
7 know it's not a through street. And they use our street
8 constantly. And a -- a way of maybe to correct that is that a no
9 outlet sign could be put there, and maybe a speed limit sign,
10 because when they go in and they go down and around the
11 cul-de-sac, they're mad because it's a dead-end and they speed
12 out the other way.

13 So I -- I do think that that needs to be addressed.

14 The storm water, I understand there's a retention
15 basin, but now we're going to add buildings, we're going to add
16 nineteen parking spots, we're going to add more driveways, and I
17 can't see where that retention area, pond, can be large enough to
18 handle that.

19 Of course, I'm not an expert. The storm water
20 division is experts at it, so that will be addressed.

21 Also, you'll notice the driveway that comes out of --
22 of -- onto MM, that is a drop to -- the elevation drops quite a
23 bit there.

24 CHAIRMAN BOWERS: Sir, you have about a minute left.

25 MR. BINGAMAN: And if that doesn't have the proper

1 drainage, that's going to come right across the street into our
2 subdivision.

3 Sewage. I believe they had a septic system and I --
4 I don't know with that much area if -- if -- is there going to be
5 a septic system or is this going to be a -- a sewer hookup with
6 the new sewer company that's coming through?

7 I'm worried about the storm water.

8 I also would like to know about the lights, if it's
9 going to be a problem. Is this a twenty-four hour program, or is
10 it a business office in general, which is from 8:00 in the
11 morning until 4:00 in the afternoon?

12 DEPUTY SHERIFF: Would you please go and turn your
13 phone off, sir?

14 MR. BINGAMAN: I'm sorry?

15 CHAIRMAN BOWERS: No, sir. I'm going to have to
16 stop you right there. Your three minutes have passed, sir.

17 MR. BINGAMAN: Okay.

18 CHAIRMAN BOWERS: Thank you for your time.

19 Is there any questions for this witness?

20 Thank you for your comments.

21 MR. BINGAMAN: Yes, sir.

22 CHAIRMAN BOWERS: Is there anyone else wishing to
23 speak that is opposed to this project?

24 Please come forward.

25 MS. GIBB: Hi. My name is Terry Gibb. I live on --

1 CHAIRMAN BOWERS: Ma'am, please, before you start, go
2 up to the microphone.

3 MS. GIBB: Oh. My --

4 CHAIRMAN BOWERS: So everyone can hear you.
5 Thank you.

6 MS. GIBB: My name is Terry Gibb. I live on 4744
7 Tina Drive. And I have been sworn in.

8 CHAIRMAN BOWERS: Thank you.

9 MS. GIBB: House Springs.

10 I would like to oppose this because of the, as the
11 one gentleman said, abandonment of animals. We all have animals
12 on our streets.

13 And the traffic is going to be atrocious, I'm sure.

14 And are there going to be animals on this facility?

15 Do we know that?

16 We don't know.

17 They say a welcome center. There's going to be
18 animals.

19 I have a cat that goes outside and plays all day
20 long. I don't even know where she goes. But I don't want her
21 crossing MM. That's a very dangerous highway. We have dogs on
22 our street.

23 I just don't -- I just don't see, unless -- if it was
24 a small welcome center or something, sure. You know. Do your
25 paperwork in there or whatever and then go up and get your animal

1 at Duda Lane.

2 But I just don't agree to have a bunch of, as he
3 said, abandonment. I think abandonment is going to be a big
4 problem. People do drop-off animals all the time. I personally
5 can't afford to feed every cat in town.

6 So I don't know. I just don't see -- I don't see it
7 being prosperous to any of us on Tina Drive, or Michelle, or
8 anywhere around there.

9 I'm sorry. I oppose this.

10 And I'm done. Thank you very much.

11 CHAIRMAN BOWERS: Thank you.

12 MS. GIBB: You all have a great night.

13 CHAIRMAN BOWERS: Is there any questions?

14 MS. GIBB: Merry Christmas.

15 CHAIRMAN BOWERS: Fair enough.

16 Okay. Anyone wishing -- else, please come forward.

17 MR. CLARK: My name is Ed Clark. I live at 6172
18 Woodhollow Drive. I've lived there since 1994.

19 CHAIRMAN BOWERS: Have you been sworn, sir?

20 MR. CLARK: I've been sworn, yes.

21 CHAIRMAN BOWERS: Thank you.

22 MR. CLARK: All right. I have quite a few concerns
23 on that. I've had the same problems with a lot of animals that
24 have been dropped off and roaming the neighborhoods.

25 The noise level, too. I live about fifteen hundred

1 feet from where the dogs are contained. They're -- the main
2 noise level is from them. And they're -- they're pretty loud.

3 I'm concerned that with this center that it's kind of
4 vague on what exactly they're going to do. They say it's going
5 to be a drop-off center, but are they going to keep animals
6 there?

7 Are they expanding the area? If they are within six
8 hundred feet of our residence, it's going to be so loud that -- I
9 work at night. I hear the animals in the day already; the dogs,
10 the fifteen hundred feet.

11 If there's going to be even more than that, it's
12 going to be basically impossible to sleep.

13 So the noise level is quite loud.

14 We've had some flooding. We've been put in a flood
15 zone about two years ago there. Some flooding has come off of
16 that creek.

17 I'm concerned about the containment walls on that
18 side. If they're going to flood the area even more, will it --
19 will it disrupt the terrain around there as far as the flooding?

20 And it just seems right now what we have is kind of
21 vague on what exactly are they going to do there. Is it going to
22 be just a drop-off center, or are they going to actually expand
23 the animal area, which will bring the noise level at six hundred
24 feet to almost intolerable to listen to all of the noise? It's
25 just extremely loud right now at over fifteen hundred feet.

1 So those are my concerns. That's about all I have to
2 say about it.

3 CHAIRMAN BOWERS: Thank you, sir.

4 Is there any questions for this witnesses?

5 Thank you.

6 Anyone else wishing to speak in opposition?

7 MS. PERKINS: Jennifer Perkins. 6190 Woodhollow,
8 House Springs, 63051. I've been sworn.

9 My concern is traffic, basically. Right now on
10 Highway MM traffic backs up from Highway 30 all the way past
11 where the new welcome center is going to be in the mornings and
12 the evenings.

13 I think adding more traffic into that area, which is
14 going to cause more -- more headaches, more problems.

15 Also, and I don't know if this is a concern or not,
16 but right now it might just be a welcome center. Who -- you
17 know. Is it -- could it ever be a QT?

18 Is this going to be a commercial property that can
19 then all of a sudden be, you know, a liquor store or something
20 along those lines?

21 Plus, on Duda alone they're going to have to get to
22 and from their location now to the new welcome center, and if
23 they're bringing animals up to whomever is going to be adopting
24 them or whatnot, the traffic on that road is going to be crazy.

25 And my -- my house is -- basically butts right up. I

1 watch much them right now walk the dogs everyday, which, you
2 know, that is no problem, but if you start adding in more cars,
3 and then now they're going to have to get the animals to and from
4 somehow, I'm sure they're going to have to get the donations to
5 and from the other places. Again, we're adding more traffic and
6 more issues of that nature.

7 So that's all.

8 CHAIRMAN BOWERS: Thank you. Any questions for this
9 witness?

10 Thank you.

11 Anyone else wishing to speak in opposition?

12 Anyone else wishing to speak in opposition?

13 Would the Petitioner please come forward?

14 I'll give you your five minutes rebuttal on the
15 questions that were asked, and then if any other Commissioners
16 have any other questions we'll ask you after that fact.

17 MR. VONARX: Certainly.

18 I'll lump them into general categories.

19 Traffic. This facility will be open 10:00 to 4:00
20 seven days a week. It's partially -- it's partially manned by
21 employees and substantially manned by volunteers. That's how the
22 existing facility is run.

23 All the animals are kept at the existing facility
24 further up on Duda Road. Animals won't be located at this
25 location.

1 So this location would be used primarily for storage
2 of the dog and cat food we discussed earlier, and for the office
3 space, which will be ancillary to the operation of the business.

4 The lower level will have the meeting room. The
5 board meets once a month from 5:00 to 7:00 p.m.

6 The traffic is going to be inconsequential to the
7 movements on MM, or on Duda Lane, or on Tina, or on any other
8 drive along this facility.

9 The first gentleman spoke about an easement. We had
10 a boundary and topographic survey done, title work was performed,
11 and we're unaware of any easement that gentleman has to this
12 entrance.

13 We've -- there's no visible signs of a driveway from
14 the gentleman's property to the north. I'm sorry. I don't
15 remember his first -- Mr. Lindsey.

16 And so I don't know how to respond to that other than
17 if he has documentation of an easement through there he -- he
18 needs to bring that to the board -- or to the director and we'll
19 look at that and deal with it.

20 But as far as this petition being vague, it's not at
21 all vague. It's very specific. We precisely list the uses.
22 Animal -- there's no animal use listed on our petition. It's
23 storage, office, meeting space. That's it. So I don't know how
24 we could be more precise.

25 Storm water. We're going to meet all of the storm

1 water requirements. I am a storm water expert. I have a
2 master's degree in storm water, civil engineering. I'm a storm
3 water consultant for Jefferson County.

4 We will abide by all the county's regulations. The
5 county just increased the storm water regulations to include the
6 one hundred year storm.

7 This is not a fully designed storm system right now.
8 This is a zoning meeting. If we get -- are successful tonight,
9 we'll identify all of those things and dot those I's and cross
10 those T's there at site development.

11 Noise level. All of the traffic on Highway M would
12 drown out the 10:00 to 4:00 traffic from people dropping off and
13 picking up their dog and cat food at this location.

14 That's -- it will be -- as far as property values,
15 the gentlemen, Mr. Lindsey, indicated he spent a lot of money on
16 his property. Well, we're going to spend a substantial amount of
17 property -- or money on this development.

18 The scope, the size of the building is totally -- is
19 the total of thirty-six hundred square feet, which is in
20 conformance with a lot of homes in Jefferson County are of that
21 size.

22 So this is zoned commercial, but it's a residential
23 size building.

24 So unless there are some other questions of the
25 Commission, we feel that it's an appropriate use for the site.

1 Jefferson County has spent a bunch of -- a lot of
2 money developing an animal resource center on Highway 30.

3 Animal control is an issue in this county. Open Door
4 Animal Sanctuary for forty-five years has been providing a
5 service to the county that is, you know, an essential need and --
6 and they want to continue to do it and do it more effectively.

7 CHAIRMAN BOWERS: Thank you. Are there any other
8 questions for this witness?

9 COMMISSIONER SPARKS: I have one question.

10 Just so we're a hundred percent clear, because we've
11 heard a lot of things saying vague and -- and you saying
12 specific: There is no migration of the facility that's on Duda
13 planned to then migrate to this if it's rezoned?

14 MR. VONARX: Absolutely not.

15 COMMISSIONER SPARKS: Okay. Just wanted to --

16 DIRECTOR KEHM: And -- real quick.

17 MR. VONARX: And we didn't --

18 DIRECTOR KEHM: Mr. Bowers address this, but I want
19 to sort of add this.

20 Because this has zoned into a planned, the zone
21 district, and they have identified the use, and we agree with
22 them that that use fits in our matrix under a business, a general
23 business type of use, if they did decide or they did want to do
24 some kenneling or something, they would have to come back in
25 front of you all and we would go through this process all over

1 again and the neighbors would get notified.

2 So they -- should this be approved by you all and by
3 the County Council, they will be locked into that use. And they
4 cannot change it without this Commission's approval and -- and
5 ultimately the County Council's approval on top of that.

6 So -- so, you know, I don't know if that has assuaged
7 some of the concerns that the citizens have, but it did for us as
8 Staff, because we're -- we're confident that that's what's going
9 to be happening there.

10 COMMISSIONER SPARKS: Thank you.

11 CHAIRMAN BOWERS: Is there any other questions?

12 Is there any questions for this witnesses?

13 Thank you, sir.

14 MR. VONARX: Thank you.

15 CHAIRMAN BOWERS: Discussion among Commissioners?

16 If not, I will entertain a motion.

17 COMMISSIONER TUGGLE: I would like to make a motion
18 to approve PC22073 and approve all the requested variances.

19 COMMISSIONER ADKINS: Second.

20 CHAIRMAN BOWERS: I have a motion to approve PC220730
21 and approve all requested modifications by Commissioner Tuggle.

22 Seconded by Commissioner Adkins.

23 All those in favor say aye.

24 (Commission: Aye.)

25 CHAIRMAN BOWERS: Opposed?

1 PC22073 passes unanimous.

2 Next item is the approval for the 2023 Board of
3 Zoning Adjustment and Planning And Zoning Commission schedule. I
4 believe it was included in your packet.

5 Are there any questions of that?

6 If not, I'll entertain a motion to approve.

7 COMMISSIONER HASTINGS: I make a motion to approve.

8 COMMISSIONER ADKINS: Second.

9 CHAIRMAN BOWERS: I have a motion to approve the 2023
10 Board of Zoning Adjustment and Planning and Zoning Commission
11 schedule made by Commissioner Hastings.

12 Seconded by Commissioner Adkins.

13 All those in favor say aye.

14 (Commission: Aye.)

15 CHAIRMAN BOWERS: Opposed?

16 The Board of Zoning schedule and Planning And Zoning
17 schedule passes unanimous.

18 Reports to the Commission?

19 DIRECTOR KEHM: Just a couple, briefly.

20 Thank you, Mr. Sparks, our newest member. We
21 appreciate it. And we're glad you're here.

22 Our next meeting will -- we will not have a meeting
23 on January the -- whenever the first meeting was.

24 The 12th. So our next meeting -- we didn't have any
25 cases.

1 So our next meeting will be January the 26th.
2 The 23 at the end of that is really messing me up.
3 January 26th, 2023.

4 Other than that, everybody have a wonderful
5 Christmas, happy holidays, and we'll see you guys then.

6 Thank you for your service. We greatly appreciate
7 it.

8 I think Elaine did make cookies, too.

9 CHAIRMAN BOWERS: Thank you, sir.

10 Any citizens wishing to be heard?

11 Any citizens wishing to be heard?

12 If not, I'll enter a motion to adjourn.

13 COMMISSIONER ADKINS: Motion to adjourn.

14 COMMISSIONER TUGGLE: Second.

15 CHAIRMAN BOWERS: We have a motion made by
16 Commissioner Adkins.

17 Seconded by Commissioner Tuggle to adjourn.

18 All those in favor say aye.

19 (Commission: Aye.)

20 CHAIRMAN BOWERS: Opposed?

21 This meeting is adjourned unanimously.

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C E R T I F I C A T E

I, Randall W. Wells, Certified Shorthand Reporter,
Certified Court Reporter, do hereby certify that the proceedings
had in the matter set forth in the caption page hereon were
reported in shorthand by me, afterwards transcribed, and the
foregoing is a true and complete transcript of said shorthand
notes.



Randall W. Wells, CCR #0271

Date: December 19, 2022

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