

CITY OF LEBANON  
ZONING AND PLANNING COMMISSION  
January 12, 2023

BE IT REMEMBERED that the Zoning and Planning Commission met at 6:00 P.M. Thursday, January 12, 2023, in the Council Chambers at City Hall located at 401 South Jefferson.

ROLL CALL AND DECLARATION OF A QUORUM

Upon roll call, the following Members were present: Mike Evans, Chris Meckem, Carrie Plassmeyer, Randy Randolph, Jeff Stokes, Shirley Tarwater, Randy Wall, and David Wheeler. Absent: Kristen Waterman.

A quorum was declared.

Staff members and others in attendance: Code Administrator Joe Berkich, Planning and Zoning Manager Christina Wagner, Compliance Specialist Kim Schomaker, and Deputy City Clerk Lacey Brackett.

APPROVAL OF MINUTES

Evans moved and Tarwater seconded that the Commission approve the December 8, 2022, meeting minutes as presented. Motion carried as follows: Yea: (8) Evans, Meckem, Plassmeyer, Randolph, Stokes, Tarwater, Wall, and Wheeler; Nay: (0) None; Abstain; (0) None; Absent: (1) Waterman.

PUBLIC HEARINGS

Plassmeyer moved and Wall seconded that the Commission move out of Regular Session and into Public Hearing. Motion carried as follows: Motion carried as follows: Yea: (8) Meckem, Plassmeyer, Randolph, Stokes, Tarwater, Wall, Wheeler, and Evans; Nay: (0) None; Abstain; (0) None; Absent: (1) Waterman.

Replat Request of Part of Lots 4, 5, and 6 Block 2 Booton's First Addition (Corner of Fairfax Dr. and Crescent Dr.)

Code Administrator Joe Berkich shared that the owners wished to replat this lot in order to build single-family homes. He advised the Commission that this was the same property that had come before the Commission at the November meeting to approve a conditional use request to construct 4-plexes; however, the owners had changed their plans to only construct single-family residential dwellings.

Replat Request of Lot 2 of Livingston Subdivision

Code Administrator Joe Berkich informed the Commission that this replat would separate the lot that the current building and detached garage structure is placed on from one lot into two lots, separating the two structures.

Request for Final Plat of Carrie's Place Subdivision

Code Administrator Joe Berkich shared the acreage for this plat is in Waterman Estates. He expressed the owner wished to build a house and to do so, she wanted to plat 14 acres into one lot. He added that this would only allow one residential dwelling to be built on the lot. A brief discussion commenced between Berkich and the Commission regarding the connection of the roadways through the 14 acres. Berkich informed the Commission that a developer would have

to construct the roadways and shared that the area where the roadways would intersect through the acreage would need to be developed to address the groundwater concerns. Berkich also shared with the Commission that if this plat was approved and the owner sold this lot, the new owner would have to go through the same process if they wished to replat the lot.

Neighboring homeowner Gary Moore expressed his concern regarding more homes to be constructed on this lot if it were approved. Berkich advised Mr. Moore of the process for a replat request.

Neighboring homeowner Chad Gard shared his concerns for no infrastructure of a cul-de-sac at the end of Elizabeth Drive and a lack of signage to warn drivers of the no outlet. Berkich shared with Mr. Gard and the Commission that it would be the owner's responsibility to construct a cul-de-sac on that piece of acreage; that would not be the responsibility of the City.

Replat Request of Heritage Baptist Temple Subdivision including the vacating of Greenleaf Ave  
Code Administrator Joe Berkich informed the Commission that the church would like approval to replat their facilities from two lots into one lot. Berkich explained that there is a safety concern with residents utilizing Greenleaf Ave for the purpose of parking tractor trailer trucks over the weekends. Berkich also shared that City Staff had no issue with the replat.

Heritage Baptist Member Chris Allen shared that there was safety concerns and that is one reason the church wished to vacate Greenleaf Ave. He briefly discussed the expansion to the school.

Replat Request of Lot 12 Suribachi Hills (300 Rosenthal Dr.)  
Code Administrator Joe Berkich shared that the owner of this property bought the last lot on Rosenthal to build a house; however, in order to do so he would have to have street frontage.

Request for Final Plat of the Timbers Phase 3 Subdivision (900 Block of Laclede St.)  
Code Administrator Joe Berkich informed the Commission that this is the Timbers Apartments and they recently purchased property to expand and construct more apartments.

Conditional Use Request to Operate a Brewery and Restaurant, and approve Table and Chairs to be placed outside of the front and back of the establishment (214 W Commercial St.)  
Code Administrator Joe Berkich reported that Boat Town Brewery was looking to relocate to the old Family Dollar building due to the recent growth of the Downtown Business District. He also shared that there would be intent for the lease of the parking lot area to be approved by the City Council and the table and chairs up front would consist of a narrow table and customers would be able to sit on the inside of the table while facing commercial street. Berkich also shared that there are other restaurants that are allowed to have outdoor seating in the Downtown Business District.

Commission Member Stokes read aloud two emails from community members regarding the relocation of Boat Town Brewery. Stokes also expressed his concern about the railroad being within a short distance to the facility, which Berkich responded they had other businesses within the same distance.

(Note: The emails are attached and made part of the permanent record as requested by Chairman Stokes)

Commission Member Tarwater shared her concern regarding the amount of storage facility.

Wall moved and Evans moved seconded that the Commission move out of Public Hearing and back into Regular Session. Motion carried as follows: Yea: (8) Plassmeyer, Randolph, Stokes, Tarwater, Wall, Wheeler, Evans, and Meckem; Nay: (0) None; Abstain; (0) None; Absent: (1) Waterman.

COMMISSION ACTION ON A REPLAT REQUEST OF PART OF LOTS 4, 5, AND 6 BLOCK 2 BOOTON'S FIRST ADDITION

Wheeler moved and Tarwater seconded that the Commission approve a Replat Request of Part of Lots 4, 5, and 6 Block 2 Booton's First Addition. Motion carried as follows: Yea: (8) Randolph, Stokes, Tarwater, Wall, Wheeler, Evans, Meckem, and Plassmeyer; Nay: (0) None; Abstain; (0) None; Absent: (1) Waterman.

COMMISSION ACTION ON A REPLAT REQUEST OF LOT 2 OF LIVINGSTON SUBDIVISION

Plassmeyer moved and Tarwater seconded that the Commission approve a Replat Request of Lot 2 of Livingston Subdivision. Motion carried as follows: Yea: (8) Stokes, Tarwater, Wall, Wheeler, Evans, Meckem, Plassmeyer, and Randolph; Nay: (0) None; Abstain; (0) None; Absent: (1) Waterman.

COMMISSION ACTION ON A REQUEST FOR FINAL PLAT OF CARRIE'S PLACE SUBDIVISION

Evans moved and Randolph seconded that the Commission approve a Request for a Final Plat of Carrie's Place Subdivision. Motion carried as follows: Yea: (7) Wall, Wheeler, Evans, Meckem, Plassmeyer, Randolph, and Stokes; Nay: (1) Tarwater; Abstain; (0) None; Absent: (1) Waterman.

REPLAT REQUEST OF HERITAGE BAPTIST TEMPLE SUBDIVISION INCLUDING THE VACATING OF GREENLEAF AVE

Tarwater moved and Wall seconded that the Commission approve a Replat Request of Heritage Baptist Temple Subdivision including the vacating of Greenleaf Ave. Motion carried as follows: Yea: (8) Wall, Wheeler, Evans, Meckem, Plassmeyer, Randolph, Stokes, and Tarwater; Nay: (0) None; Abstain; (0) None; Absent: (1) Waterman.

COMMISSION ACTION ON A REPLAT REQUEST OF LOT 12 SURIBACHI HILLS

Plassmeyer moved and Meckem seconded that the Commission approve a Replat Request of Lot 12 Suribachi Hills. Motion carried as follows: Yea: (8) Wheeler, Evans, Meckem, Plassmeyer, Randolph, Stokes, Tarwater, Wall; Nay: (0) None; Abstain; (0) None; Absent: (1) Waterman.

COMMISSION ACTION ON A REQUEST FOR FINAL PLAT OF THE TIMBERS PHASE 3 SUBDIVISION

Tarwater moved and Evans seconded that the Commission approve a Request for a Final Plat of the Timbers Phase 3 Subdivision. Motion carried as follows: Yea: (8) Evans, Meckem, Plassmeyer, Randolph, Stokes, Tarwater, Wall, and Wheeler; Nay: (0) None; Abstain; (0) None; Absent: (1) Waterman.

COMMISSION ACTION ON A CONDITIONAL USE REQUEST TO OPERATE A BREWERY AND RESTAURANT AT 214 W. COMMERCIAL ST

Meckem moved and Plassmeyer seconded that the Commission approve a Conditional Use Request to Operate a Brewery and Restaurant at 214 W. Commercial St. Motion carried as follows: Yea: (8) Meckem, Plassmeyer, Randolph, Stokes, Tarwater, Wall, Wheeler, and Evans; Nay: (0) None; Abstain; (0) None; Absent: (1) Waterman.

COMMISSION ACTION ON A CONDITIONAL USE REQUEST TO APPROVE TABLE AND CHAIRS TO BE PLACED OUTSIDE OF THE FRONT AND BACK OF THE ESTABLISHMENT LOCATED AT 214 W. COMMERCIAL.

Wall moved and Meckem seconded that the Commission approve a Conditional Use Request to approve Table and Chairs to be placed outside of the front and back of the establishment located at 214 W. Commercial. Motion carried as follows: Yea: (8) Plassmeyer, Randolph, Stokes, Wall, Wheeler, Evans, and Meckem; Nay: (1) Tarwater; Abstain; (0) None; Absent: (1) Waterman.

STAFF DISCUSSION

Berkich shared to the Commission that in February, the rezoning project would be going to Council and expressed that some changes might need to be made due to the recreational marijuana bill being passed and approved. Berkich reported they were still processing free building permits and he also provided an update to the Commission on the development on Beck Lane.

COMMISSION DISCUSSION

A brief discussion commenced between Berkich and the Commission regarding the changes being made for recreational marijuana.

ADJOURNMENT

Chairman Stokes declared the meeting adjourned at 6:54 P.M.

ATTEST:

  
Code Administrator  
Joe Berkich

  
Secretary Carrie Plassmeyer

Minutes Approved February 9, 2023

## Lacey Brackett

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**From:** Jeff Stokes <jeff.a.stokes@gmail.com>  
**Sent:** Thursday, January 12, 2023 11:49 AM  
**To:** Joe A. Berkich; Lacey Brackett  
**Subject:** Boat Town Vote

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Lacey,

I received the following communication on Facebook Messenger from Don Brenton today, as I'm sure several members of the committee did. I will bring it up tonight so that it can be part of the record as required by City Ordinance, but wanted you to have it. I didn't know if it needed to be read aloud, or just acknowledged that it was received since it was received outside of the public comment period.

Hi Jeff, I am writing regarding a rumored vote to allow Boat Town Brewery to have outdoor alcohol seating downtown. I wish this weren't happening and I want to politely and respectfully express my opinion against it. A friend told me there should have been a public notice in Saturday's paper about it. Please understand that I am not being a hot head.. I lost a brother to alcohol and almost lost my other brother to alcohol so I have a decided sensitivity. I doubt there will be positive impact on our community by allowing another drinking establishment to serve liquor outside. I hope I don't come across as judgmental either. It is important to me as a citizen to express my voice when I can. Please straighten me out if I am mistaken. If there is a vote today, I'd ask respectfully that you vote against it. I appreciate your service. Don

## Lacey Brackett

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**From:** Kim Schomaker  
**Sent:** Friday, January 13, 2023 9:14 AM  
**To:** Lacey Brackett  
**Cc:** Joe A. Berkich; Christina Wagner  
**Subject:** FW: Brewery and Restaurant & Table and Chairs for Outdoor Seating

Lacey,  
Here you go.

**From:** Cynthia Coffman <ccoffman@lebanonmo.org>  
**Sent:** Friday, January 6, 2023 4:28 PM  
**To:** Kim Schomaker <kschomaker@LEBANONMO.ORG>  
**Cc:** Joe A. Berkich <jaberkich@LEBANONMO.ORG>; Christina Wagner <cwagner@lebanonmo.org>  
**Subject:** Re: Brewery and Restaurant & Table and Chairs for Outdoor Seating

Thank you for sending this to me, Kim. Yes, I am in favor of the plan and think it will benefit downtown.

Get [Outlook for iOS](#)

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**From:** Kim Schomaker <[kschomaker@LEBANONMO.ORG](mailto:kschomaker@LEBANONMO.ORG)>  
**Sent:** Friday, January 6, 2023 2:20:57 PM  
**To:** Cynthia Coffman <[ccoffman@lebanonmo.org](mailto:ccoffman@lebanonmo.org)>  
**Cc:** Joe A. Berkich <[jaberkich@LEBANONMO.ORG](mailto:jaberkich@LEBANONMO.ORG)>; Christina Wagner <[cwagner@lebanonmo.org](mailto:cwagner@lebanonmo.org)>  
**Subject:** Brewery and Restaurant & Table and Chairs for Outdoor Seating

Cynthia,  
Here is Danny True's information that is going to P&Z January 12 regarding a Conditional use Request to Operate a Brewery & Restaurant, and to have Table & Chairs placed outside of the front and back of the establishment located at 214 W Commercial St. Just wanting to let you know and to see if you are in favor for it.

If you have any questions please let me know.  
Thanks,

**Kim Schomaker**

Compliance Specialist  
City of Lebanon, MO  
[kschomaker@lebanonmo.org](mailto:kschomaker@lebanonmo.org)

