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Planning & Zoning Meeting
April 13, 2023

Jefferson County, Missouri

JEFFERSON COUNTY, MISSOURI
PLANNING AND ZONING COMMISSION
MEETING AND PUBLIC HEARING

April 13, 2023

6:30 P.M.

Jennifer M. Jett, CCR
MISSOURI CCR NUMBER: 634

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E X H I B I T S

Exhibits	Description	Identified
Exhibit A	Official Master Plan for Jefferson County, Missouri	Page 10
Exhibit B	Jefferson County Code of Ordinances - Chapter 400 Unified Development Order	Page 10
Exhibit C	Planning Division Staff Report and Respective Case File	Page 10

[Exhibits retained by Counsel.]

1 JEFFERSON COUNTY PLANNING AND ZONING
2 COMMISSION MEETING AND PUBLIC HEARING, April 13, 2023,
3 between the hours of 6:30 in the evening and 7:09 in
4 the evening of that day, at the Jefferson County
5 Administration Center, 729 Maple Street, Hillsboro,
6 Missouri 63050, before Jennifer M. Jett, MO-CCR.

7 A P P E A R A N C E S

8 PLANNING AND ZONING COMMISSION:

9 Danny Tuggle
10 Greg Bowers
11 Johnathan Sparks
12 Larry Adkins
13 Tim Dugan
14 Mike Huskey

15 PLANNING DIVISION STAFF:

16 Dennis J. Kehm, Jr.
17 Josh Jump
18 Rachel Krispin
19 Elaine Roesch

20 COUNTY COUNSELOR:

21 Jason Cordes
22
23
24
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1 IT IS HEREBY STIPULATED AND AGREED by and
2 between the parties, that this meeting may be taken in
3 shorthand by Jennifer M. Jett, a Certified Court
4 Reporter, and afterwards transcribed into typewriting.

5

6 COMMISSIONER BOWERS: Ladies and gentlemen,
7 this evening's activities represent a public hearing
8 before the Planning and Zoning Commission. This
9 public hearing is designed to allow citizens and other
10 interested parties to provide the Commission and,
11 ultimately, the County Council with information,
12 comments, testimony, and evidence to assist the
13 Commission in making a more-informed decision relative
14 to -- to applications before it and for making
15 recommendations to the council on those applications.

16 Each individual wishing to address the
17 Commission on a specific application must complete an
18 oath form. These forms are located in the side of the
19 room. It is important that the speaker place the
20 agenda item on this form so that an accurate record
21 can be maintained. You're also required to print your
22 name and your address and sign this form.

23 When the chairman asks if anyone in
24 attendance wishing to speak on a specific application,
25 those wishing to provide comments are required to come

1 forward, provide their name and address, and address
2 their comments to the Planning and Zoning Commission.
3 It is important to remember that members of the
4 Planning and Zoning Commission will make a decision on
5 each application and you should direct all comments to
6 the Commission. Responding to the audience both
7 wastes time and may reduce the impact of your
8 statement.

9 Members of the Planning and Zoning
10 Commission may question any speaker. This Commission
11 will not tolerate verbal outbursts, disruptions from
12 the audience, nor will this Commission tolerate verbal
13 or personal attacks directed at county staff.

14 The structure of the meeting is as follows:

15 The chairman will introduce each project by
16 both name and number and then will direct the staff of
17 the Planning Division to present the application. The
18 staff represent -- representative will then present a
19 brief overview of the application. The Commission may
20 question the staff relative to the project.

21 The chairman will then call the petitioner,
22 the party that submitted the application. The
23 petitioner may call individual -- additional
24 individuals, generally supporting consultants, and is
25 allowed a five-minute uninterrupted period for

1 presentation of the facts surrounding the application.
2 After completion of the presentation of the
3 application, the members of the Commission may ask
4 (sic) the petitioner relative to the application.
5 There is no limit for questions from the Commission.

6 After all questions of the Commission have
7 been heard, the chairman will then ask for any
8 citizens wishing to address the Commission who are in
9 favor of this application to come forward. There will
10 be a total of five minutes allocated for public
11 comment in favor of the application. The Commission
12 may ask questions of any speaker. The time used for
13 the speakers to answer the questions will not be
14 subtracted from the five minutes.

15 After all questions of the Commission have
16 been heard, the chairman will then ask any citizens
17 wishing to address the Commission who are opposed to
18 this application to come forward. There will be a
19 total of fifteen minutes allocated for public comment
20 in opposition to the application. No one speaker is
21 allowed to speak more than three minutes. The
22 Commission may ask questions of any speaker. The time
23 used for the speaker to answer questions will not --
24 will not be subtracted from the fifteen minutes
25 allocated for this portion of the hearing.

1 Because time is limited, we strongly
2 recommend that speakers be prepared and know the facts
3 regarding the application. We recommend that you
4 avoid repetition. If you are part of a larger group,
5 we sugg -- we suggest that you designate a
6 spokesperson to present for the larger group. This
7 will be the sole public hearing before the public body
8 regarding the application.

9 The petitioner will then have five minutes
10 to respond to issues raised during the comment period.
11 The Commission may further question petitioner. Time
12 used to respond to the questions from the Commission
13 will not count against that allocation.

14 After closure of the comment period, the
15 Commission will then deliberate on the application.
16 The Commission may direct additional questions to the
17 staff or it may proceed directly to considering the
18 application. Decisions of the Planning and Zoning
19 Commission will be forwarded to the County Council for
20 final action. Final action by the County Council will
21 generally take the form of an ordinance approving the
22 application or a resolution denying the application.
23 In most instances, there will be no further public
24 hearing before the County Council.

25 Madam Secretary, would you please take

1 roll?

2 MS. ROESCH: Danny Tuggle.

3 COMMISSIONER TUGGLE: Here.

4 MS. ROESCH: Greg Bowers.

5 COMMISSIONER BOWERS: Here.

6 MS. ROESCH: Johnathan Sparks.

7 COMMISSIONER SPARKS: Here.

8 MS. ROESCH: Larry Adkins.

9 COMMISSIONER ADKINS: Here.

10 MS. ROESCH: Chris Hastings.

11 COMMISSIONER HASTINGS: Here.

12 MS. ROESCH: Tim Dugan.

13 COMMISSIONER DUGAN: Here.

14 MS. ROESCH: Mike Huskey.

15 COMMISSIONER HUSKEY: Here.

16 MS. ROESCH: We have a quorum.

17 COMMISSIONER BOWERS: Thank you.

18 Is there -- is there any changes to the

19 agenda?

20 If not, I'll entertain a motion.

21 COMMISSIONER DUGAN: Make a motion to

22 approve the agenda.

23 COMMISSIONER ADKINS: Second.

24 COMMISSIONER BOWERS: I have a motion made

25 by Commissioner Dugan, seconded by Commissioner Adkins

1 to approve the agenda.

2 All those in favor, say aye.

3 COMMISSION: Aye.

4 COMMISSIONER BOWERS: Opposed?

5 Passes unanimous.

6 Are there any changes to the minutes?

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

8 COMMISSIONER DUGAN: Motion to approve the
9 minutes.

10 COMMISSIONER HUSKEY: Second.

11 COMMISSIONER ADKINS: Second.

12 COMMISSIONER BOWERS: Was that Mr. Adkins?

13 I have motion made by Commissioner --

14 Commissioner Dugan to -- for the approval of the
15 minutes; seconded by Commissioner Adkins.

16 All those in favor, say aye.

17 COMMISSION: Aye.

18 COMMISSIONER BOWERS: Opposed?

19 Approval of the minutes passes unanimous.

20 Swearing in of the witnesses.

21 MR. JUMP: Good evening. Because your
22 testimony tonight, anybody speaking, has to be entered
23 into the record it has be sworn in. Instead of
24 swearing people in individually as they come up, we do
25 -- we swear everybody in at the same time.

1 So if everybody that is going to speak
2 tonight on the cases can stand up and raise their
3 right hand, the Madam Secretary here will swear you
4 in.

5 [Witnesses sworn by Secretary Roesch.]

6 MR. JUMP: Thank you.

7 COMMISSIONER BOWERS: Thank you.

8 The introduction of evidence.

9 MR. JUMP: The county would ask that you
10 enter the following exhibits in: Exhibit A, the
11 Official Master Plan for Jefferson County, Missouri,
12 adopted August 6, 2003, and effective April 2, 2008.
13 The Exhibit B, the Code of Ordinances of Jefferson
14 County, Chapter 400, the Unified Development Order
15 adopted April 2, 2008, and as amended. And, finally,
16 Exhibit C, Planning Division staff reports with
17 respective case files.

18 COMMISSIONER BOWERS: Thank you.

19 Entertain a motion to accept the evidence.

20 COMMISSIONER DUGAN: So moved.

21 COMMISSIONER ADKINS: Second.

22 COMMISSIONER BOWERS: I have a motion made
23 by Commissioner Dugan to accept the evidence; seconded
24 by Commissioner Adkins.

25 All those in favor, say aye.

1 COMMISSION: Aye.
2 COMMISSIONER BOWERS: Opposed?
3 Passes unanimous.
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1 COMMISSIONER BOWERS: Under new business,
2 considerations: RS23007 to request for a zone change
3 for a parcel located at the Old Highway M west of Old
4 Lemay Ferry, Imperial, Imperial Township and County
5 (sic) District No. 7.

6 And, Mr. Jump.

7 MR. JUMP: Thank you.

8 This is Case No. RS23007. The petitioner's
9 request is to rezone the property from planned
10 industrial and it's also split-zoned nonplanned
11 community commercial to single-family residential R7.

12 A little bit about the subject property:
13 It's currently zoned planned industrial and nonplanned
14 community commercial. It's in Council District 7. It
15 is in the primary growth area and has a suburban
16 development pattern. The parcel size is 17.18 acres.
17 The road frontage, it has approximately 610 feet on
18 Old Highway M and then there is a drive that cuts the
19 western side of the property which you'll see later in
20 the maps called Glennsway Drive that is approximately
21 about 950 feet long. It is unknown about the
22 available services at this time and it is currently
23 vacant.

24 So a little -- a little more about the
25 property: This -- the topography has some elevation

1 changes with Old Highway M at the lowest point to the
2 property. There is floodway and floodplain near Old
3 Highway M and a Stream Order 2 that traverses the
4 eastern edge of the property that flows to Glaize
5 Creek just south of Old Highway M. You'll kind of see
6 that in the maps coming up. There is existing
7 vegetation on the property as it is currently
8 undeveloped.

9 This is the zoning map. The sort of
10 L-shaped property, right here, is the one in question
11 tonight. The southern end of it is currently zoned
12 CC2. The sort of top two-thirds of it, I guess, is
13 zoned planned industrial. And then there is sort of a
14 wide smattering of zoning. You have single-family R7
15 just across the old state highway. You have some
16 single-family R7 over here. You have R40 directly
17 adjacent, R7, and PR2 kind of over here a little bit,
18 really, really dense residential. And then you have
19 developed commercialized industrial areas, right here.
20 This is a little, small workshop, factory type thing
21 and then you've got some heavier industrial uses to
22 the west. So that's kind of what your zoning picture
23 looks like. This is Old Highway M. This is Old Lemay
24 Ferry so you have good road connections there, as
25 well.

1 This is the topography of the property.
2 Again, it's this L shape, right here. You can kind of
3 see at the bottom, there's the floodway from the Old
4 Highway M tapering back into the floodplain and then
5 this just kind of rises up as you keep going up the
6 property here. So that, again, the lowest point of
7 the property is kind of down here and you have the
8 elevation changes to go sort of north on the property.

9 These are some photos from the property.
10 These are kind of like your adjoining uses. This is
11 taken from sort of near that road, Glennsway Drive,
12 here. There is residential back behind there;
13 single-family residential, as well, that kind of -- as
14 you travel down that Glennsway Drive. This kind of
15 gives you the road looking out Old State M at that
16 southern point of the property.

17 These are some more generic photos taken
18 from that Glennsway Drive. The property is
19 undeveloped so it's kind of hard to get to the
20 property but this is it on the left-hand side of these
21 photos. This kind of takes you back towards the
22 single-family residential down the -- down that
23 Glennsway Drive. Just to give you some idea of the --
24 the surroundings and local road networks.

25 The analysis kind of starts with the

1 Official Master Plan growth area. It is located in
2 the primary growth area. And one of the --
3 developments shall be targeted to infill sites and
4 sites adjacent to existing development, which is --
5 are designated as primary growth area; development
6 within the primary and secondary growth area should be
7 required to utilize or extend public infrastructure
8 systems including water, sewer, and roads.

9 If approved, you know, the homes would need
10 to be on public water and sewer. The lot size asked
11 for would require that. And septic and on-site waste
12 water treatment shall be discouraged. This proposal
13 would certainly do that.

14 Development will be one of the eight
15 development patterns, which we'll talk about in the
16 next slide. And residential development that has
17 access to established transportation corridors shall
18 be encouraged. There's two county road networks, both
19 Old Lemay Ferry and Old State Highway M nearby.

20 The suburban development pattern is the
21 most appropriate pattern of development for the
22 proposed development. Suburban development pattern is
23 appropriate in areas with access to services with
24 characteristics of access being adjacency and strong
25 transportation connections. This pattern is

1 characterized by nonresidential development located
2 along high-traffic roads. Old site -- Old State
3 Highway M and Old Lemay Ferry are both heavily
4 traveled roads within the county.

5 A little bit about the R7 zone district in
6 relation to our master plan established to provide
7 single-family residential development, it includes the
8 following: Provide for service -- residences that are
9 served by urban type services; to provide for a scale
10 of development appropriate for areas where natural
11 features such as steep slopes, team -- stream
12 corridors, wetlands, and other unique natural
13 resources do not exist. There is a stream on the
14 property but it is mostly relegated to the western
15 side or eastern side of the property. It runs almost
16 parallel to the property line. And to provide a
17 housing resource for a variety of economic levels and
18 to promote an efficient pattern of development.

19 Again, there are several denser style
20 residential developments in the area along with a
21 heavy commercial presence. And some -- some bigger
22 style or larger lots tapering back away from the Old
23 State M.

24 So our analysis: The subject property is
25 located within the primary growth area. Proposed

1 residential zoning has a minimum lot size requirement
2 of 7,000 feet. The impact of a development such as
3 this is greatly less than what is allowed under the
4 current zoning of the planned industrial and
5 nonplanned community commercial. There are many uses
6 in there alone that would dwarf the impact that
7 single-family residential would have, especially on
8 the industrial side.

9 The property owner is requesting the zone
10 change so that the property could be platted into a
11 subdivision at a later date. The site is in close
12 proximity to a major county road for transportation
13 purposes. The site is also located in the primary
14 growth area where a subdivision of this density with
15 proxim -- proximity to major transportation routes is
16 encouraged. And the maximum density permitted in R7
17 is five units per acre.

18 Continuing our -- our analysis. The zoning
19 surrounding the site encompasses a wide variety of
20 zone districts and uses that range from industrial to
21 denser style residential to large acreage residential.
22 The directly adjacent zoning is all R40 to the east
23 and planned industrial and commercial PUD to the west.
24 There is, however, a densely platted subdivision
25 further east of the intersection of Old Lemay Ferry

1 and Old Highway M that is fully developed. The
2 property has remained vacant since 1996 when it was
3 rezoned for Antonia Commercial Park. It appears there
4 have -- there have not been any revisions or attempts
5 to rezone the parcel in question since that 1996
6 rezoning petition.

7 Because the subject property partially
8 adjoins residential uses to the north and east, some
9 similar in density and size within close proximity as
10 well as being in close proximity to a major road
11 connection. The zone change to R7 single-family
12 residential would remain consistent with the general
13 character of the area and allow for gradual transition
14 to large lots further away from Old State Highway M.
15 It should be noted, however, that there is commercial
16 industrial development to the west that could prove to
17 be incompatible with dense residential development of
18 the subject property.

19 And for your consideration is the rezoning
20 of the property from planned industrial and nonplanned
21 community commercial to single-family residential R7.
22 And I'd be happy to take any questions.

23 COMMISSIONER BOWERS: Do you have any
24 questions of staff?

25 Any questions?

1 COMMISSIONER SPARKS: I have one question.

2 COMMISSIONER BOWERS: Yes, sir.

3 MR. JUMP: Yes.

4 COMMISSIONER SPARKS: So my question has to
5 deal with screening and kind of buffering between
6 residential areas. If this went forward, would those
7 industrial areas have to then provide screening or
8 would they be grandfathered in and the -- the new
9 residents have to?

10 MR. JUMP: Well, they're already developed.

11 COMMISSIONER SPARKS: Right.

12 MR. JUMP: The -- the ones in direct
13 proximity -- the only one in direct proximity is this
14 one and, I guess, this one here. These two are
15 already developed. So what's currently there would
16 not be required, yes.

17 COMMISSIONER SPARKS: Okay.

18 MR. JUMP: But I -- this -- this is almost
19 fully a hundred percent impervious really. This, I
20 think the back half of this really tapers up pretty
21 quick so only the front half of this is developed and
22 that's -- those are the only two directly adjoining
23 properties.

24 COMMISSIONER SPARKS: Okay. Thank you.

25 MR. JUMP: Yep.

1 COMMISSIONER BOWERS: Any other questions
2 of staff?

3 Barring none, would -- is the petitioner
4 present?

5 Please come forward. State your name, your
6 address, and that you have been sworn. As reminder,
7 you will have five minutes.

8 MR. VONARX: My name is David Vonarx. I'm
9 representing G'Sell Homes in this petition. My
10 address is 10785 Business 21 and I have been sworn.

11 COMMISSIONER BOWERS: Thank you.

12 MR. VONARX: Thanks.

13 Mr. Jump's going to assist me with a
14 PowerPoint presentation tonight but this is the
15 petitioner's property under contract. It's 17.18
16 acres and slopes from the highest point on the far
17 west down to Old Highway M where there is floodway and
18 floodplain located. There is existing driveway
19 located along the western property line that extends
20 north to residential properties north of the subject
21 site. There is also a driveway that's not paved that
22 extends along this property line and connects to a
23 property to the north and west.

24 There's many commercial uses. This is a --
25 a warehouse type facility, so is this one. There's an

1 apartment building, which there's a single-family
2 residential property here. And then I think these may
3 be the apartments. And this is some type of
4 industrial use.

5 Next slide, please, Josh.

6 This is the zoning map. It's a little bit
7 broader scale than what -- what Josh showed but, as he
8 said, this is already zoned CC2 nonplanned commercial
9 and this is planned industrial, all of that's planned
10 industrial, planned industrial, LR2, R40, LR2 and R40,
11 that's R7. That's -- looks like that's the same color
12 as that so that's commercial. And then there's a
13 mobile home park. There's also a -- so that's PR2.
14 And then this zone district here is R7. That's a
15 developed subdivision that the homes have never been
16 constructed on and then there's more commercial
17 located on Old Lemay Ferry.

18 So this is going towards the old fire
19 station located there. So the school bus lot is
20 further this direction. And then I'm not sure if
21 that's the school or if that's another commercial
22 site.

23 Next slide, please.

24 All right. So there's the bus lot. So
25 this is the existing uses in the area. So there's the

1 bus lot. Then next to the bus lot there's a --
2 several single-family homes. This is a big recycling
3 facility. This is industrial use; that's residential.
4 Warehouse, warehouse-type facilities. I think that
5 used to be a pillow factory at one time. So there's a
6 variety of uses in this -- in the vicinity and then
7 residential, larger lot residential to the north and
8 up along Old Lemay Ferry and then higher density R7
9 residential on the opposite side of Old M.

10 COMMISSIONER BOWERS: Got about two minutes
11 left.

12 MR. VONARX: Next slide, please.

13 Here's some photos going -- I guess, let's
14 go quickly through the photos, Josh.

15 MR. JUMP: Okay.

16 MR. VONARX: That's going to the west. To
17 the west. That's off to the east, both to the east.
18 Property to the north. The driveway going through.
19 Driveway going to the west. Some of the commercial
20 uses and apartment buildings in the vicinity. That's
21 the MRC, another commercial use.

22 So proposed -- the proposed development
23 would -- the developer would pursue a preliminary plat
24 with approximately 60 single-family homes on 17 acres,
25 average density of 3.49 per acre, which is 1 1/2 less

1 than five, the allowable. Accommodations for the road
2 easement would be provided. The plat would conform to
3 the UDO. The minimum lot size would be 7,000 square
4 feet and the lot widths would be 60 feet.

5 Next slide, please.

6 So tonight, requesting approval of the
7 petition to rezone the property to R7 for the
8 following reasons: The proposed use is less dense and
9 more compatible with the neighborhood as single-family
10 homes and other homes located to the north. There's
11 three nearby properties that were developed as R7
12 including Bailey Farms, most recently.

13 The school, Antonia Elementary School is
14 located a quarter mile to the west. Antonia Middle is
15 located several miles to the east so it would have
16 neighborhood -- it would have a neighborhood school.
17 They've made additions to Antonia Elementary School
18 which are currently ongoing, under construction. This
19 would increase property values in the vicinity when
20 it's completed, if it was completed.

21 Utilities are available, all utilities:
22 Gas, sewer, water, electric.

23 Has great access to transportation:
24 Highway M, 21, 55, Old Lemay Ferry. High school is
25 ten minutes to the north. It's an ideal location for

1 this type of development.

2 And then I thank you for your time and I'm
3 available for any questions you may have.

4 COMMISSIONER BOWERS: Thank you.

5 Are there any questions?

6 COMMISSIONER ADKINS: I have a couple
7 questions, please.

8 MR. VONARX: Yes.

9 COMMISSIONER ADKINS: First of all, I
10 notice on the -- there's the one business on the
11 backside of this. Now, while the businesses are --
12 are already been established and such like that, is
13 there going to be any kind -- kind of screening
14 between this and -- and this business?

15 MR. VONARX: Well, which business in
16 particular? This one?

17 COMMISSIONER ADKINS: The one right there,
18 yes.

19 MR. VONARX: Okay. So would there be
20 screening?

21 COMMISSIONER ADKINS: Yes. Any kind of
22 screening back there?

23 MR. VONARX: No screening is required in
24 the UDO to screen residential from commercial.

25 COMMISSIONER ADKINS: Okay.

1 MR. VONARX: That doesn't exist.

2 There is an existing easement along the --
3 this property line, so anything in that easement would
4 not be -- would not be affected by this -- by this
5 development.

6 COMMISSIONER ADKINS: Okay. Let's see.
7 Oh, and one other thing, on the sidewalks, these are
8 5-foot sidewalks not 4-foot, correct?

9 MR. VONARX: Whatever is in the UDO is what
10 we would be required. This isn't -- I mean, we're --
11 this is not a preliminary plat.

12 COMMISSIONER ADKINS: Okay. I understand.

13 MR. VONARX: So I think it's 5 feet.

14 MR. JUMP: Yes, 5-foot sidewalks is a
15 requirement.

16 COMMISSIONER ADKINS: Thank you. Thank
17 you. No more questions.

18 MR. VONARX: You bet. Any other questions?

19 COMMISSIONER BOWERS: Any other questions?

20 COMMISSIONER ADKINS: No.

21 COMMISSIONER BOWERS: Thank you, sir, we
22 may call you back.

23 MR. VONARX: Thank you.

24 COMMISSIONER BOWERS: Is there anyone
25 wishing to speak in favor of the application?

1 Anyone wishing to speak in favor of the
2 application?

3 Anyone wishing to speak in opposition?

4 Please, come forward. Again, please, state
5 your name, your address, and that you have been sworn.
6 And you will have three minutes.

7 MS. ARONS: Good evening, Commissioners.
8 My name is Lori Arons. I live at 1031 Scenic Oaks
9 Court in Imperial. And I have been sworn in.

10 I've been looking at the information that
11 -- that the petitioner has presented tonight. A
12 couple of things that we saw in the slides were not in
13 our packets. And my main concern is why would we be
14 allowing a zoning change without seeing plans for
15 5-foot sidewalks, for screening?

16 Why are we accepting and going to maybe
17 give approval without the information that we can see?

18 They say they're going to meet all the
19 UDOs, all the codes, they're going meet everything but
20 we do not have that information tonight. So doing a
21 planning and zoning change which, yes, you can rezone
22 it, you have that right, but as a citizen or as
23 citizens that have contacted me and my group that say
24 they're going to plan -- we don't know what, you know,
25 how many houses, what are they going to look like,

1 what are the streets, are the -- are the fire trucks
2 going to be able to get around the cul-de-sac, we
3 don't have any of that information.

4 It says a lot size of 7,000 which is six
5 houses per acre but they're saying, oh, we're only
6 going to do three-point-something. So does that mean
7 some lots are going to be bigger and some lots are
8 going to be smaller to get those three?

9 We don't know what that flooding lot is
10 part -- is going to look like. And it says there's a
11 flooding easement along the road but we don't know.
12 And, again, we don't have any information about what
13 this development will look like other than it looks
14 like a "J" to me instead of an "L" and that they have
15 promised that they will meet all the UDOs and codes
16 but we don't have that information.

17 We should be able to see screening. We
18 don't want these houses to back up and look at, you
19 know, these industrial plants or warehouses or -- so
20 the screening is very important. But we don't have
21 any of that information presented tonight, just that,
22 oh, yeah, we can just approve this planning and
23 zoning.

24 COMMISSIONER BOWERS: You've got about a
25 minute left.

1 MS. ARONS: So, again, I don't like that
2 you would be considering a zoning change without
3 seeing the plat design, without seeing where the
4 streets are.

5 There are dirt roads. Will the county now
6 be responsible for that access road to the people who
7 live behind it?

8 They have a dirt road. Do we have to now
9 pave that road to give them access to their houses?

10 So, again, all of that information should
11 have been brought to you at the time of the planning
12 and zoning or the zoning request and we don't have it
13 and we would like this information. So I would
14 respectfully like you to either postpone or deny this
15 zoning change until we get more information. Thank
16 you.

17 COMMISSIONER BOWERS: Are -- are there any
18 questions for this witness?

19 Thank you.

20 Anyone else wishing to speak in opposition?

21 Anyone else wishing to speak in opposition?

22 Will the petitioner please come forward?

23 You have a five-minute rebuttal.

24 MR. VONARX: So Mrs. -- Ms. Arons had
25 several points. The main point is we followed the

1 procedure for applying for a -- this type of zone
2 district, which is R7. This is not a preliminary plat
3 hearing; this is for a zone change. So, obviously,
4 the zone change only provides the right of petitioner
5 to have a certain zone district and then the
6 petitioner must comply with all the other regulations
7 that the county has in the UDO relative to zone change
8 and planned development, which would include the
9 preliminary plat process and then improvement plan
10 process.

11 And this -- it's not a promise that we make
12 that we will comply with the codes and ordinances of
13 the county, it's a requirement. And the planning
14 department, public works, stormwater, Missouri DNR,
15 sewer district, fire districts, they all ensure that
16 we comply with all their codes.

17 So she also mentioned, you know, a minimum
18 lot size. So it's a minimum of 7,000, yes. Some lots
19 will be larger. Developing a property is, you know,
20 we're in Jefferson County so the terrain is a
21 consideration. In a previous side, I provided the
22 terrain so that the county -- so there's significant,
23 you know, topographic elevation difference. So that's
24 -- that would accommodate a more restrictive lot yield
25 so it's not feasible to put a lot on every inch of

1 that property. Some is too steep to be developed so
2 those -- those portions would be left in place.

3 She mentioned screening of these homes from
4 the industrial uses, so this -- this site's been
5 located like for this for quite a while and there's
6 several acres of woods; same with this, several acres
7 of woods, so I don't see that as an issue of the
8 proposed development.

9 There is -- this is zoned CC2. Without
10 approaching the Planning Commission at all, Walgreens
11 can come in here, any restaurant. There is all the
12 utilities, the highway. I mean, this could be an
13 Applebee's. Without rezoning change, all they would
14 need to do is site development to the Planning
15 Department and then this could be whatever other
16 thing's allowed in industrial uses, which is a list of
17 a whole bunch of things like quarries and, you know,
18 recycling facilities so this is much less dense.

19 She mentioned floodway and floodplain. So
20 we'll -- obviously, we can't develop within the
21 floodway. We'll meet with the -- with FEMA's
22 requirements and with the county's requirements for
23 floodplain development permits. We do that every --
24 virtually on every project. You know, all her
25 concerns would be provided during the preliminary plat

1 stage.

2 Any other questions for me?

3 COMMISSIONER BOWERS: Thank you.

4 Are there any other questions for this
5 witness?

6 Something was mentioned about the access to
7 the residential lots behind it and stuff. I'm
8 assuming that they're going to be taken care of with
9 the street development and things like that.

10 MR. VONARX: Correct. This is an existing
11 30-foot easement so that will remain in place. Our
12 street would -- obviously, proposed street may be
13 something like this so there would be an intersection
14 but their easement would remain. So they have those
15 -- the rights to use that road on that 30-foot strip
16 of ground.

17 COMMISSIONER BOWERS: Thank you.

18 Any other questions?

19 Thank you.

20 MR. VONARX: Thank you.

21 COMMISSIONER BOWERS: Discussion among
22 Commissioners?

23 COMMISSIONER SPARKS: Being the new guy,
24 I've got a question and I don't know if you guys have
25 the answers. But do we know what happened to that

1 subdivision, that Mariana Estates or Maria Estates?

2 MR. JUMP: I don't know a hundred percent
3 for sure but I think that was around the housing
4 crisis of --

5 COMMISSIONER SPARKS: '07?

6 MR. JUMP: -- '07 or '08, yeah.

7 And it -- it got to a point where it was
8 almost in. I mean, you can see the -- you know, the
9 inner -- the street works and I think there's even a
10 retention pond maybe. But I think that was a result
11 of the -- the housing crisis in '08.

12 COMMISSIONER SPARKS: And does anybody on
13 the -- the panel or the Commission here ever seen
14 where we have seen kind of, you know, stoppages there
15 where if a new development comes in it -- it sparks
16 off things getting finished or in your guys'
17 experience?

18 I mean, like I said, I'm kind of new here
19 so, you know, my thought process is if you build it,
20 they will come, and maybe they'll finish what you
21 started. I mean, I don't know if you guys have seen
22 it.

23 COMMISSIONER BOWERS: I completely agree.

24 COMMISSIONER SPARKS: Okay.

25 COMMISSIONER BOWERS: Any other discussion?

1 If not, I'll entertain a motion.

2 COMMISSIONER DUGAN: I'll make a motion to
3 approve RS23007 as presented.

4 COMMISSIONER SPARKS: Second.

5 COMMISSIONER TUGGLE: Second.

6 COMMISSIONER BOWERS: Mr. Sparks had
7 already seconded.

8 COMMISSIONER TUGGLE: Oh.

9 COMMISSIONER BOWERS: I have a motion to
10 approve RS23007 by Commissioner Dugan; seconded by
11 Commissioner Sparks.

12 All those in favor, say aye.

13 COMMISSION: Aye.

14 COMMISSIONER BOWERS: Opposed?

15 COMMISSIONER HUSKEY: Yes.

16 COMMISSIONER BOWERS: Madam Secretary, do a
17 roll call vote, please.

18 MS. ROESCH: Danny Tuggle.

19 COMMISSIONER TUGGLE: I approve.

20 MS. ROESCH: Tim Dugan.

21 COMMISSIONER DUGAN: Yes.

22 MS. ROESCH: Mike Huskey.

23 COMMISSIONER HUSKEY: No.

24 MS. ROESCH: Greg Bowers.

25 COMMISSIONER BOWERS: Yes.

1 MS. ROESCH: Larry Adkins.
2 COMMISSIONER ADKINS: Yes.
3 MS. ROESCH: Chris Hastings.
4 COMMISSIONER HASTINGS: Yes.
5 MS. ROESCH: Johnathan Sparks.
6 COMMISSIONER SPARKS: Yes.
7 MS. ROESCH: Motion for approval carries.
8 COMMISSIONER BOWERS: Thank you.
9 RS23007 passes with a vote of seven -- 6:1.
10 MS. ROESCH: 6:1.
11 COMMISSIONER BOWERS: Approved.
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1 COMMISSIONER BOWERS: Reports to the
2 Commission.

3 MR. JUMP: We do not have anything on the
4 next agenda so --

5 MS. ROESCH: The two next two.

6 MR. JUMP: The next two agendas so you guys
7 will have Thursdays nights off for the next two --
8 next month or so.

9 MS. ROESCH: So the second April and the
10 first May --

11 MR. JUMP: Yep.

12 MS. ROESCH: -- we don't have agendas so
13 the next meeting could potentially be May 25th.

14 MR. JUMP: Yeah. We will probably have
15 cases on that so just as a --

16 COMMISSIONER BOWERS: So just to reiterate,
17 the next meeting will or possibly will be May 25th?

18 MR. JUMP: Yes.

19 COMMISSIONER BOWERS: All right. Anything
20 else?

21 MR. JUMP: Nope.

22 COMMISSIONER BOWERS: Are there any
23 citizens wishing to be heard?

24 MS. ARONS: Yes.

25 COMMISSIONER BOWERS: Please come forward.

1 MS. ARONS: Do I need to give all that
2 information again?

3 COMMISSIONER BOWERS: I think probably.
4 Does she need to -- I'm sorry?

5 MR. CORDES: You don't need to state that
6 you're sworn, you just need to state your name and
7 address.

8 MS. ARONS: Okay. My name is Lori Arons,
9 1031 Scenic Oaks Court, Imperial, Missouri.

10 There were some comments made at the
11 council meeting on April 10th that seemed to
12 demonstrate a point of view that some of the Planning
13 and Zoning commissioners or that the Planning and
14 Zoning Commission has a duty to increase the revenue
15 for the county developers, contractors, laborers, and
16 mortgage lenders. The commission was criticized for
17 not approving a number of subdivisions that have been
18 -- that have increased -- that would have increased
19 revenues.

20 The point of view seems to be at odds with
21 the reality that the Commission has a responsibility
22 to all residents of Jefferson County to review
23 proposals and determine if they meet the requirements
24 established by the county. If a proposal does not
25 meet the requirements, approving it is unlawful. The

1 Unified Development Order is the law of Jefferson
2 County. It is not a guideline which can be ignored in
3 the interest of revenue enhancement. If a proposal
4 isn't complete and accurate, does not meet code, or is
5 out of character with the neighborhood, the Commission
6 is legally required to deny it. If their purpose was
7 primarily to increase revenues, there would be little
8 reason to check the proposals against the rules
9 established by law.

10 Mention was made at the meeting that
11 several proposals were denied by the Commission that
12 cost the county the opportunity to build hundreds of
13 homes, increase developers' bottom line, and missed
14 the opportunity to tax new owners for property taxes.
15 Some of these proposals, like Bear Creek, Polo
16 Grounds, and Sugar Creek were ultimately approved by
17 the council anyway so there was no lost revenue.

18 A comment was made regarding owner --
19 property -- owners' property rights. We have heard
20 this argument before by the county, the state, and the
21 Federal government and it already does, in fact, limit
22 the ability to any new -- any property owner to do
23 anything they want with their property. For example,
24 they cannot dump -- dump nuclear waste on their land.
25 Certainly, there are families with land that have been

1 in the family for many, many years that they might
2 like to have the opportunity to sell all or part of it
3 to a developer and realize the handsome profit but the
4 county has a responsibility to all the residents of
5 Jefferson College -- County to follow the law and to
6 deny developers that wish to build subdivisions that
7 are out of compliance. The rights of the individual
8 do not outweigh the rights of everyone else.

9 The county has not turned away 900 homes,
10 as was mentioned the other night, arbitrarily or
11 unreasonably. The county has avoided building some
12 homes that do not meet the stated requirements of the
13 county. Even with the efforts of the Commission, we
14 have approved developers to build subdivisions that do
15 not meet the county code: Bailey Farms, for example.
16 Imagine how bad it would be if we had to not deny them
17 at the proposal stage.

18 As stated previously, Jefferson County is
19 the fastest growing county in our area. It may not be
20 double-digit increases but we are doing better than
21 other counties around us. And I have heard
22 petitioners say, oh, you guys have let these codes go
23 in the past, you can let our project go. We don't
24 care, you know, it's got some problems with codes but
25 you guys have passed them in the past. Well, those

1 days are gone. Our codes are our codes. They are
2 there for a reason. They are there to protect people
3 who are sinking their life savings into their homes.
4 So just because some people on the council want
5 everything presented approved does not mean it should
6 be.

7 The Jefferson County Planning and Zoning
8 Commission must can get -- continue to get their
9 approval or denials based on the UDO and all our codes
10 not just because it makes somebody some money. Thank
11 you.

12 COMMISSIONER BOWERS: Thank you.

13 Any other citizens wishing to heard?

14 Any other citizens wishing to be heard?

15 If not, I will entertain a motion for
16 adjournment.

17 COMMISSIONER DUGAN: Motion to adjourn.

18 COMMISSIONER ADKINS: Second.

19 COMMISSIONER BOWERS: I have a motion to
20 adjourn made by Commissioner Dugan; seconded by
21 Commissioner Adkins.

22 All those in favor, say aye.

23 COMMISSION: Aye.

24 COMMISSIONER BOWERS: Opposed?

25 Passes unanimous.

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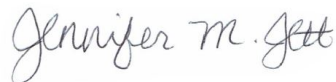
Meeting is adjourned.
[Adjourned 7:09 p.m.]

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C E R T I F I C A T E

I, JENNIFER M. JETT, a Certified Court Reporter, in and for the State of Missouri, do hereby certify that I was present at the time and place hereinbefore set forth; that said proceedings were had as appears herein; and that this is a true and accurate record of said proceedings.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name on this 15th day of April, 2023.



JENNIFER M. JETT, CCR
MISSOURI CCR NUMBER: 634

April 13, 2023
Jefferson County Planning and Zoning Meeting

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