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Planning & Zoning Meeting
June 8, 2023

Jefferson County, Missouri

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

June 8, 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 12
Exhibit B	Jefferson County Code of Ordinances - Chapter 400 Unified Development Order	Page 12
Exhibit C	Planning Division Staff Report and Respective Case File	Page 12
Exhibit D	Photographs (PR123014)	Page 52

[Exhibits retained by Counsel.]

1 JEFFERSON COUNTY PLANNING AND ZONING
2 COMMISSION MEETING AND PUBLIC HEARING, June 8, 2023,
3 between the hours of 6:30 in the evening and 7:53 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 Larry Adkins
11 Jessie Scherrer
12 Greg Bowers
13 Johnathan Sparks
14 Chris Hastings
15 Mike Huskey

16 PLANNING DIVISION STAFF:

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

21 COUNTY COUNSELOR:

22 Jason Cordes
23 Jalesia "Jasha" Kuenzel

24
25

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 represents 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 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 front of
19 the room. It is important that the speaker place the
20 agenda item number on each -- on this form so that an
21 accurate record can be maintained. You're also
22 required to print your name and address and sign this
23 form.

24 When the chairman asks if anyone in
25 attendance wishing to speak on a specific application,

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

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

15 The structure of the meeting is as follows:

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

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

1 uninterrupted period for presentation of facts
2 surrounding the application. After completion of the
3 presentation of the application, the members of the
4 Commission may ask questions of the petitioner
5 relative to the application. There is no limit for
6 these questions.

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

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

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're part of a large group, we
5 suggest that you designate a spokesperson to provide
6 comments for the group. The speaker may acknowledge
7 that he or she represents a large group. This will be
8 the sole public hearing before a public body regarding
9 the application.

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

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

1 I call this meeting to order.
2 Madam Secretary, would you please take
3 roll?
4 MS. ROESCH: Danny Tuggle.
5 COMMISSIONER TUGGLE: Here.
6 MS. ROESCH: Greg Bowers.
7 COMMISSIONER BOWERS: Here.
8 MS. ROESCH: Johnathan Sparks.
9 COMMISSIONER SPARKS: Here.
10 MS. ROESCH: Larry Adkins.
11 COMMISSIONER ADKINS: Here.
12 MS. ROESCH: Chris Hastings.
13 COMMISSIONER HASTINGS: Here.
14 MS. ROESCH: Jessie Scherrer.
15 COMMISSIONER SCHERRER: Here.
16 MS. ROESCH: Tim Dugan.
17 Mike Huskey.
18 COMMISSIONER HUSKEY: Here.
19 MS. ROESCH: We have a quorum.
20 COMMISSIONER BOWERS: Thank you.
21 Are there any changes to the agenda?
22 If not, I'll entertain a motion to approve
23 the agenda.
24 COMMISSIONER SCHERRER: Make a motion that
25 the agenda be approved.

1 COMMISSIONER TUGGLE: Second.

2 COMMISSIONER BOWERS: I have a motion made
3 by Commissioner Scherrer to approve the agenda;
4 seconded by Commissioner Tuggle.

5 All those in favor, say aye.

6 COMMISSION: Aye.

7 COMMISSIONER BOWERS: Opposed?

8 Passes unanimous -- unanimously.

9 Are there any changes to the minutes?

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

11 COMMISSIONER ADKINS: Motion to approve the
12 minutes.

13 COMMISSIONER HASTINGS: Second.

14 COMMISSIONER BOWERS: I have a motion made
15 by Commissioner Adkins to approve the minutes;
16 seconded by Commissioner Hastings.

17 All those in favor, say aye.

18 COMMISSION: Aye.

19 COMMISSIONER BOWERS: Opposed?

20 Passes unanimous.

21 COMMISSIONER SCHERRER: Mr. Chairman, I'd
22 like to be left out of the vote on that; I wasn't
23 here.

24 COMMISSIONER BOWERS: Madam Secretary, will
25 you please take a roll call vote on the approval?

1 And you will abstain, sir?

2 COMMISSIONER SCHERRER: Yes.

3 MS. ROESCH: Danny Tuggle.

4 COMMISSIONER TUGGLE: Yes.

5 MS. ROESCH: Mike Huskey.

6 COMMISSIONER HUSKEY: Yes.

7 MS. ROESCH: Greg Bowers.

8 COMMISSIONER BOWERS: Yes.

9 MS. ROESCH: Larry Adkins.

10 COMMISSIONER ADKINS: Yes.

11 MS. ROESCH: Chris Hastings.

12 COMMISSIONER HASTINGS: Yes.

13 MS. ROESCH: Johnathan Sparks.

14 COMMISSIONER SPARKS: Yes.

15 MS. ROESCH: Motion for approval carries.

16 COMMISSIONER BOWERS: With one abstention?

17 MS. ROESCH: Oh, Jessie Scherrer. Sorry.

18 COMMISSIONER SCHERRER: I abstain.

19 COMMISSIONER BOWERS: Approval of the

20 minutes has passed.

21 Swearing in of the witnesses.

22 MR. KEHM: Thank you, Mr. Chair. Good

23 evening everyone. Once again, I want to thank you for

24 coming out tonight. We appreciate your attendance.

25 If you are planning on speaking on any of

1 the cases tonight, your testimony actually becomes a
2 part of the record in that case; therefore, your
3 testimony needs to be sworn. Rather than swear people
4 individually, like you've seen in court or on TV, we
5 swear everybody in all at once here at the beginning
6 of the meeting to save a little bit of time.

7 So if you are planning on speaking tonight,
8 thinking about speaking, have any notion that you
9 might want to speak during these cases, please stand
10 up right now, raise your right hand, and the secretary
11 over here will swear you in.

12 [Witness sworn by Secretary Roesch.]

13 MR. KEHM: Thank you very much. You can
14 have a seat.

15 Again, when it is your turn to speak, the
16 chair will recognize you. You'll come up to the front
17 of the room here, hand your speaker slip, like this
18 (indicating), to one of these folks in the front and
19 then you'll head on over to that podium. State your
20 name, state your address, state that you have been
21 sworn in for the record, and then you can begin your
22 remarks to the Commission.

23 COMMISSIONER BOWERS: Thank you.

24 Introduction of evidence.

25 MR. KEHM: Members of the Jefferson County

1 Planning and Zoning Commission, the county would ask
2 that the following exhibits be entered into the record
3 for the three cases to be heard by you all this
4 evening:

5 Those exhibits are Exhibit A, the Official
6 Master Plan for Jefferson County, Missouri, adopted on
7 August the 6th, 2003, and made effective on April the
8 2nd, 2008. Exhibit B, the Code of Ordinances of
9 Jefferson County, Chapter 400, the Unified Development
10 Order which was adopted on April 2, 2008, and has been
11 amended from time to time thereafter. And, finally,
12 Exhibit C, said exhibit consisting of the Planning
13 Division staff reports with their respective case
14 files.

15 COMMISSIONER BOWERS: Thank you, sir.

16 I'll accept a motion to accept the
17 evidence.

18 COMMISSIONER SCHERRER: So moved.

19 COMMISSIONER ADKINS: Second.

20 COMMISSIONER BOWERS: I have a motion made
21 by Commissioner Scherrer to accept the evidence and
22 introduce the evidence; seconded by Commissioner
23 Adkins.

24 All those in favor?

25 Commission: Aye.

1 COMMISSIONER BOWERS: Opposed?

2 Passes unanimous.

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1 COMMISSIONER BOWERS: Under new business,
2 first of all, I would like to welcome back a member,
3 Mr. Jessie Scherrer. Welcome back to the Commission.
4 Thank you for your position on everything.

5 COMMISSIONER SCHERRER: Thank you, sir.

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1 COMMISSIONER BOWERS: Under first
2 considerations: (A) is PI23011, request for a zone
3 change, development plan approval for a parcel located
4 at 5209 Schumacher Road, High Ridge, in High Ridge
5 Township in County Council No. 1 from single-family to
6 -- I'm sorry, from single-family zone to nonplanned
7 community zone district and planned commercial zone
8 district to planned industrial zone; the development
9 plan approval for A&O Contracting.

10 And, Mr. Jump.

11 MR. JUMP: Thank you, Mr. Bowers.

12 This is PI23011. The petitioner's request
13 is to rezone from nonplanned community commercial CC2,
14 single-family residential R10, and planned commercial
15 zone district to planned industrial zone district and
16 development plan approval for A&O Contractors.

17 A little bit about the subject property:
18 It is currently zoned -- there are several parcels in
19 this petition. One -- one parcel has a planned
20 commercial district, two parcels carry the CC2 zoning,
21 and then a part of one parcel has the single-family
22 residential R10. We'll see them on the zoning maps --
23 zoning maps coming up. This is in Council District
24 No. 1.

25 The maps for planned designation designates

1 this as a primary growth area and industrial design
2 standards is the development pattern. The parcel size
3 in totality is 18.6 acres. It has about a little over
4 a thousand feet of frontage on Schumacher Road and has
5 available services to public water and public sewer.

6 Description of the current development on
7 the parcel: Subject property is currently being
8 developed and was approved for development in 2017.
9 It has one commercial building on it already as well
10 as some other commercial activities on the property.
11 That case number was PC17021. That's the one that
12 flipped one of the parcels to planned commercial.

13 A little bit more about the property:
14 There is some topographical challenges. It is in High
15 Ridge so there's some steep topography across the
16 property and there is a Stream Order 1 that touches
17 the southeastern corner of the property. It is not in
18 any of the developed area; it just barely touches the
19 corner of the property. And then there is some pretty
20 heavy vegetation on the northeastern edge of the
21 property that appears to be sort of left alone in this
22 plan.

23 This is the current zoning map. The case
24 in '17 was for this parcel, right here. We also did a
25 rezoning of this parcel, right here, in 2019 to CC2;

1 it was originally R10. And then this part is zoned
2 CC2 from the original zoning. And then this part is
3 the portion that's left in the R10. And then there's
4 a middle strip, here, that is currently zoned CC2. So
5 it's all four of these parcels being considered.

6 This is the topographical map. And, as you
7 can see, it's got some pretty steep topography in that
8 northeastern corner of the property as I alluded to
9 earlier. And just kind of giving you some -- some of
10 the topography, you can see the ongoing development as
11 well.

12 This was the development plan approved in
13 2017. There was four buildings approved and an area
14 for outdoor storage in the back and then your entrance
15 in. It does have a nice, wide, I believe,
16 40-to-50-foot wide entrance coming in. And then
17 you'll see in the next slide the new development plan
18 is planning to continue this over into the next
19 parcels. They're kind of ditching this plan. I think
20 they're going to lose this building and add some more
21 buildings on the -- on the other parcels.

22 So this is the development plan before you
23 tonight. You can see they'll have one building
24 leftover from the '17 plan, your entrance way in, and
25 then it kind of wraps around a cul-de-sac to several

1 buildings. There is a little over a hundred thousand
2 square foot of buildings across ten buildings
3 proposed. There are five 4,800-square-foot buildings;
4 one 6,000-square-foot building; one 40,000-square-foot
5 building which is in this future phase right here,
6 it's a 200 by 200; one 12,000-square-foot building;
7 one 10,500-square-foot building; and then the existing
8 8,400-square-foot building there.

9 There will be one point of acc -- there's
10 one point of access proposed, right here, in from
11 Schumacher Drive. It is 36-foot wide and tapers to
12 30 feet after the throat. The access -- this access
13 point is in excellent condition. It's recently been
14 developed, so. And then a proposed drive is shown to
15 connect the previously approved development to the new
16 phase of development. And then they do locate storm
17 water infrastructure up here in the northeastern
18 corner.

19 Give you a little bit of background. In
20 2017 the plan included 41,600 square foot of new
21 building space; that's the plan that was approved and
22 site development for that plan was approved in 2019
23 and construction has begun on that plan. A developer
24 met with the county about the adjacent properties to
25 the east, which are currently zoned nonplanned

1 community commercial and single-family residential
2 R10, and those were the ones not part of that set --
3 that weren't part of that '17 rezoning. And there
4 were several approved uses that mirror the plan
5 submitted in '23. There is, however, an added use of
6 miscellaneous manufacturing facilities that would need
7 that planned industrial district. That's why they're
8 seeking that PI zoning district.

9 A little bit about the growth. It is in
10 the primary growth area. And one of the things, a
11 variety of land uses is encouraged in the primary
12 growth area and those are commercial and industrial.
13 And then one of the things that is included in the
14 primary growth area is to utilize the public
15 infrastructure systems including access to county,
16 state, or federal highways. This has a direct access
17 to a county road, so this falls into the criteria of
18 fitting in with the land use and the sort of
19 connections of infrastructure that are outlined in the
20 Master Plan.

21 So our analysis: The staff -- staff has
22 incorporated conditions of approval to address risk to
23 public health, safety, and welfare of the development.
24 The development does not appear to have any features
25 that would impede the normal and orderly development

1 and improvement of the surrounding property. The
2 property petitioned to be rezoned is currently zoned
3 planned commercial, nonplanned community commercial,
4 and single-family residential R10. There are some
5 heavy commercial uses nearby including the Walmart
6 development and industrial park nearby. Though the
7 development plan shows some improvements, full site
8 development will be required if the development plan
9 is approved.

10 There have been no modifications applied
11 for with the development plan so the UDO standards of
12 parking, landscaping, storm water, and other
13 infrastructure requirements will need to be met in
14 site development if approved.

15 Little more analysis: The property has
16 been successfully rezoned to similar uses in 2017.
17 The development plan is much larger in scale but is
18 also spread across a larger number of acres. The uses
19 being requested, with the exception of one, the
20 miscellaneous manufacturing facilities, are very
21 similar -- similar in nature to what was approved in
22 2017. The property is suitable for all the proposed
23 uses stated in the development plan. The development
24 plan satisfies the requirements of the UDO applicable
25 to the commercial uses proposed. There should be no

1 injurious effect or detriment to neighboring
2 properties if all the right requirements of the UDO
3 are met.

4 These are some photos from the site. As
5 you can see, this is that drive in. The 36 -- it
6 starts off 36-foot wide at the throat or at the
7 entrance and then tapers to 30 feet wide. It's nicely
8 curbed. This is the one building that was developed,
9 that 8,400-square-foot building on the property, so
10 it's kind of already under development. And then this
11 is the -- kind of the rest of the property that we can
12 get to currently, kind of looking out over the east --
13 to the east. And then this is the sort of contract --
14 contractor storage stuff at the back of the property.

15 So there's a couple things to consider
16 tonight: The rezoning from nonplanned community
17 commercial CC2, single-family residential, and planned
18 commercial to planned industrial zone and the
19 development plan approval for A&O Contractors. So
20 that's one part of what is for consideration tonight.

21 There are additional requirements that are
22 -- or additional comments made by our Public Works
23 Department that need to be considered separately
24 tonight. And those are outlined in the staff report
25 but the primary one is a traffic study is recommended

1 to determine if any lane additions/extensions are
2 needed based upon the proposed development traffic
3 generation. So those things need to be kind of
4 considered separately this evening.

5 And I'll take any questions that you guys
6 have.

7 COMMISSIONER BOWERS: Any questions of
8 staff?

9 Is there any questions of staff?

10 Is petitioner present?

11 Please come forward. State your name, your
12 address, and please state that you have been sworn.
13 As a reminder, you will have five minutes.

14 MR. KRUSSEL: Okay. Excuse me.

15 My name is Elmer Krussel. I'm a civil
16 engineer working out of my home located at 35 Thoreau
17 T-H-O-R-E-A-U, Court in O'Fallon, Missouri 63366, and
18 I have been sworn.

19 COMMISSIONER BOWERS: Thank you, sir.

20 MR. KRUSSEL: And just a little bit to add
21 to what was said by the staff: The -- the property --
22 the owner of the property bought the area to the north
23 -- on the northeast corner of the property that's
24 heavily wooded and steep terrain. We're primarily
25 planning on using that as a storm water detention area

1 because it is lower than any other spot on the
2 property.

3 The buildings shown are concepts. What the
4 owner is doing is as he gets a customer in that wants
5 to lease the building from him, he -- they negotiate
6 the size of the building, the -- about parking that's
7 needed, and so on, and then he'll develop a concept
8 for where to put the building and how it will be fit
9 in with the rest of the site. So, right now, nothing
10 is set in stone except the one building that is built
11 already. Everything else is subject to the --
12 whatever the market offers.

13 So that's basically all I wanted to say
14 except the -- we're just asking to make it industrial
15 zoning to allow for more uses as they -- if they
16 become available, so I'll be happy to answer any
17 questions you might have.

18 COMMISSIONER BOWERS: Thank you, sir.

19 Are there any questions for this -- the
20 petitioner?

21 Any questions?

22 COMMISSIONER SPARKS: I have a few
23 questions.

24 COMMISSIONER BOWERS: All right.

25 COMMISSIONER SPARKS: If I could -- if I

1 could have the -- the zoning team go back to the
2 topology map? The overhead, all the way, yes, right
3 there.

4 Quick question. You mentioned that the
5 property, you said, to the east was -- was purchased
6 by the owner?

7 MR. KRUSSEL: In the northeast corner.

8 COMMISSIONER SPARKS: Right. Which is what
9 we're talking about to rezone?

10 MR. KRUSSEL: Yes. The -- what we're --
11 want to rezone the entire parcel to the planned
12 industrial.

13 COMMISSIONER SPARKS: Okay. Can you
14 explain to the committee why it appears that that
15 looks like it's already under construction prior to a
16 zoning approval?

17 MR. KRUSSEL: Now, the -- I am not sure
18 exactly in the -- on the western side. It was rezoned
19 in 2017.

20 COMMISSIONER SPARKS: Correct.

21 MR. KRUSSEL: The next parcel, the 001.0032
22 (sic) has a building on it. I'm not sure whether that
23 was built by this developer or if it's a previous
24 building that was on the site. I did not work on the
25 project back in 2017 so I can't answer that question.

1 He has some paving that has been in -- put
2 in but no buildings other than the one building that's
3 there.

4 COMMISSIONER SPARKS: So -- so even the --
5 so these four that we're talking about, which are
6 currently residential, non -- nonplanned residential,
7 they've already started to -- to take out sections of
8 that and -- and whether it's, you know, scape the --
9 the ground or do whatever, they've already started
10 prior to any approval; is that what I'm seeing on this
11 -- on this map here?

12 MR. KRUSSEL: No. The residential is part
13 of that Parcel No. 001-033.

14 Could we go back to the -- yeah.

15 The -- the area in tan up on the top, on
16 the northeast corner is zoned residential now; the
17 rest of it is zoned commercial. There's, I think,
18 three different commercial zonings on the property.

19 COMMISSIONER SPARKS: But you see what --
20 you see my point is what I'm -- what I'm trying to
21 make is that something has already gone forward before
22 it's been approved.

23 MR. KRUSSEL: Yes.

24 COMMISSIONER SPARKS: I'm questioning the
25 integrity of the person coming forward for this

1 approval and that's the only point I'm trying to make.

2 MR. KRUSSEL: Okay.

3 COMMISSIONER SPARKS: Okay.

4 COMMISSIONER BOWERS: Are there any other
5 questions?

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

7 Anyone wishing to speak in favor of this
8 application?

9 Anyone wishing to speak in favor?

10 Anyone wishing to speak in opposition?

11 Anyone wishing to speak in opposition?

12 Barring none, do you have anything else
13 that you'd like to add, sir?

14 MR. KRUSSEL: No, I do not.

15 COMMISSIONER BOWERS: Thank you.

16 Discussion among commissioners?

17 If not, I'll entertain a motion.

18 MR. CORDES: And just before anybody makes
19 a motion, do make it very clear in your motion if it
20 in -- if, in fact, it's a motion to approve -- if it's
21 a motion to deny, that's simple. But if it's a motion
22 to approve, do make sure that you ind -- you specify
23 whether you are including the Public Works comments as
24 well. And I think, even further, you'll note that
25 Public Works, at the foot of page 5, recommended a

1 traffic study but that's all they said with regard to
2 it. So I think it would -- if you were inclined to
3 include the Public Works comments, you would want to,
4 also, further specify whether you wanted the
5 recommendations of the traffic study followed as part
6 of a development plan, if that makes sense.

7 COMMISSIONER BOWERS: Do the commissioners
8 understand that fully?

9 Is there a discussion amongst us about this
10 project?

11 If not, I will entertain a motion.

12 COMMISSIONER SCHERRER: Hang on a second.

13 COMMISSIONER BOWERS: Okay.

14 COMMISSIONER SCHERRER: Josh, Public Works
15 is -- is recommending a traffic study. Do you have a
16 better aerial view of where this is at?

17 I mean, we're -- I know it's Schumacher
18 Road but how far is it --

19 MR. JUMP: Yeah.

20 COMMISSIONER SCHERRER: -- from, you know,
21 something else?

22 MR. JUMP: I can kind of try and show you
23 on this map. So you got Schumacher. Schumacher hits
24 Gravois like right out here.

25 COMMISSIONER SCHERRER: Okay.

1 MR. JUMP: Well, State Highway 30. I'm
2 sorry.

3 COMMISSIONER SCHERRER: Right.

4 MR. JUMP: So that's -- that gives you --
5 it's not very far off State Highway 30.

6 COMMISSIONER SCHERRER: If you go --

7 MR. JUMP: 'Cause all of this commercial
8 frontage right here is the commercial frontage on
9 State Highway 30.

10 COMMISSIONER SCHERRER: Right. And if you
11 go back towards or past the property, it's not very
12 far and then there's a stop sign there, correct?

13 MR. JUMP: Yes. Correct. You kind of go
14 down a hill here.

15 COMMISSIONER SCHERRER: Right.

16 MR. JUMP: And I think there's a stop sign
17 somewhere down this hill.

18 COMMISSIONER SCHERRER: Right. And I
19 believe that's a three-way stop.

20 MR. JUMP: Believe so.

21 COMMISSIONER SCHERRER: Yeah.

22 MR. JUMP: I don't know that for sure but I
23 think so.

24 COMMISSIONER TUGGLE: I may have a
25 question.

1 COMMISSIONER BOWERS: Go ahead, sir.

2 COMMISSIONER TUGGLE: Is this part of the
3 In -- Ingrasias property where they made that -- there
4 was a bunch of buildings there right off of Schumacher
5 as you come down from Walmart?

6 Ingargiola, I think is the name.

7 MR. JUMP: No, I don't think this is part
8 of Ingargiola's.

9 COMMISSIONER TUGGLE: Okay.

10 MR. JUMP: Not to my knowledge at least. I
11 don't know if Ingargiola may have owned it at one time
12 but I don't know that for sure, so.

13 COMMISSIONER TUGGLE: Okay.

14 COMMISSIONER BOWERS: Any other questions?

15 COMMISSIONER SCHERRER: Yes.

16 COMMISSIONER BOWERS: Go ahead.

17 COMMISSIONER SCHERRER: Could you expand a
18 little bit on what the developer may be forced to
19 follow if he is required to follow Chapter 700?

20 MR. JUMP: I don't know the answer to that.

21 COMMISSIONER SCHERRER: That's okay. Don't
22 worry about it.

23 MR. JUMP: Yeah.

24 MR. KEHM: Yeah, well, Chapter 700 has to
25 do with utilities located within the county

1 right-of-way so the Department of Public Works has all
2 kind of rules in place and permits you have to do if
3 you're going to be doing utility work and things like
4 that in the public land part.

5 COMMISSIONER SCHERRER: Thank you.

6 MR. KEHM: Regardless of whether you
7 require that, that's going to be required.

8 MR. JUMP: Yeah.

9 COMMISSIONER SCHERRER: Right. Right.

10 Mr. Chair, I'd like to make a motion. I'd
11 like to make a motion that PI23011 be approved with
12 staff recommendations with the following Public Works
13 comments: I would like to include in my motion that
14 the earthen entrance be removed and that's it.

15 COMMISSIONER TUGGLE: I'll second that.

16 COMMISSIONER BOWERS: Just to confirm
17 before you second that, Mr. Tuggle, so all staff added
18 recommendations, the comments made by the Public
19 Works, that would also include a traffic study?

20 COMMISSIONER SCHERRER: No, sir.

21 COMMISSIONER BOWERS: No, sir.

22 COMMISSIONER SCHERRER: The only Public
23 comm -- the only Public Works comments that I am
24 recommending be approved is that the earthen entrance
25 be removed.

1 MR. CORDES: So, in other words, the first
2 one --

3 COMMISSIONER SCHERRER: Yes.

4 MR. CORDES: -- and not the rest?

5 COMMISSIONER SCHERRER: Yes, sir.

6 COMMISSIONER BOWERS: Thank you, sir.

7 COMMISSIONER TUGGLE: I'll second that.

8 COMMISSIONER BOWERS: Thank you, sir.

9 I have a motion made by Commissioner
10 Scherrer with the staff added public comments and the
11 first portion and the last about the earthen entrance
12 to approve it.

13 All those in favor, say aye.

14 COMMISSION: Aye.

15 COMMISSIONER BOWERS: Opposed?

16 Passes unanimous.

17 COMMISSIONER SPARKS: I'm sorry. I'm going
18 to abstain on that. I didn't get to click in.

19 COMMISSIONER BOWERS: Okay. Madam
20 Secretary, a roll call vote, please.

21 MS. ROESCH: Mike Huskey.

22 COMMISSIONER HUSKEY: Yes.

23 MS. ROESCH: Danny Tuggle.

24 COMMISSIONER TUGGLE: Yes.

25 MS. ROESCH: Greg Bowers.

1 COMMISSIONER BOWERS: Yes.
2 MS. ROESCH: Larry Adkins.
3 COMMISSIONER ADKINS: Yes.
4 MS. ROESCH: Chris Hastings.
5 COMMISSIONER HASTINGS: Yes.
6 MS. ROESCH: Johnathan Sparks.
7 COMMISSIONER SPARKS: Abstain.
8 MS. ROESCH: Jessie Scherrer.
9 COMMISSIONER SCHERRER: Yes.
10 MS. ROESCH: Motion carries.
11 COMMISSIONER BOWERS: I have it carrying --
12 I have it carrying -- carrying seven yes and one
13 abstention.
14 MR. CORDES: Six.
15 MS. ROESCH: Six.
16 COMMISSIONER BOWERS: I'm sorry, six.
17 MS. ROESCH: Yes, one abstained.
18 COMMISSIONER BOWERS: One abstained, but it
19 passes.
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1 COMMISSIONER BOWERS: Next under new
2 business: Under consideration CC223012, request for a
3 zone change for a parcel located at 77 State Road BB,
4 Cedar Heel -- Hill in Meramec County Township,
5 District No. 7. Thank you.

6 MS. KRISPIN: Thank you.

7 This is CC223012. The petitioner is
8 requesting to rezone the subject property from
9 single-family residential R20 to nonplanned community
10 commercial CC2. The subject property is located at
11 7070 State Road BB in Cedar Hill. The property is
12 roughly 0.63 acres in size and there are no flood
13 concerns. The property is currently developed as
14 Dar-E-Kreme.

15 This is a look at the zoning map. The
16 subject property right here is outlined in black.
17 Across State Road BB, there is nonplanned neighborhood
18 commercial NC1, as well as right here, and then a lot
19 of the other parcels surrounding are zoned the same as
20 the subject property which is R20. And then as you
21 get out towards 30, there is CC2 zoning.

22 This is a look at the topography map
23 showing you the existing development on the property.

24 These are photos of the subject property
25 just showing you that it's developed commercially

1 today.

2 For the analysis: The property petitioned
3 to be rezoned is currently developed as a small,
4 local, diner-style establishment which has existed for
5 numerous years. Residential zoning in the area does
6 exist; however, there are commercial uses located
7 nearby the subject property. These are -- there's a
8 coffee shop, a day care, a post office, and a
9 commercial a strip mall. Rezoning this property to
10 commercial would allow an established use to remain in
11 the community.

12 And for your consideration tonight there is
13 a petition to rezone the subject property from
14 single-family residential R20 to nonplanned community
15 commercial CC2.

16 I'll be happy to answer any questions.

17 COMMISSIONER BOWERS: Do we have any
18 questions of staff?

19 Barring none, is petitioner present?

20 Please come forward. State your name, your
21 address, and that you have been sworn. And you will
22 have five minutes.

23 MR. VONARX: Good evening. My name is
24 David Vonarx. My address is 10785 Business 21 and I
25 have been sworn.

1 COMMISSIONER BOWERS: Thank you.

2 MR. VONARX: Thank you.

3 Representing the petitioner/the owner of
4 the establishment Dar-E-Kreme, I apologize, I have
5 never been there but I plan to go. But, essentially,
6 this is a legal nonconforming use. It's been
7 Dar-E-Kreme as -- as long as really I can remember and
8 probably it extends far beyond that.

9 The owner has somewhat recently purchased
10 it and he attempted to get a building permit to put an
11 awning across this side of the building and found out
12 it was incorrectly zoned and that's the reason for the
13 petition. So a dentist office, a real estate office,
14 a strip mall.

15 If there's any questions that's -- I'm
16 available for those.

17 COMMISSIONER BOWERS: Is there any
18 questions for this?

19 COMMISSIONER SCHERRER: So you're seeking
20 the rezoning so that he can move forward with his
21 permit and...

22 MR. VONARX: Correct. There was one photo
23 down in this corner if -- so he's put some temporary
24 like umbrellas here so I think this is the area where
25 he's wishing to put it, install a roof to have a

1 covered patio.

2 COMMISSIONER SCHERRER: Thank you.

3 MR. VONARX: That's -- that faces west so
4 it gets a lot of afternoon sun.

5 COMMISSIONER BOWERS: Thank you, sir.

6 Any other questions?

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

8 MR. VONARX: Thank you.

9 COMMISSIONER BOWERS: Anyone wishing to
10 speak in favor of this application?

11 Anyone wishing to speak in favor of the
12 application?

13 Anyone wishing to speak against this
14 application?

15 Do you have anything else to add?

16 MR. VONARX: I do not.

17 COMMISSIONER BOWERS: I'll entertain a
18 motion -- or I'm sorry.

19 Discussion among commissioners?

20 If not, I'll entertain a motion.

21 COMMISSIONER SCHERRER: I make a motion
22 that C223012 be approved.

23 COMMISSIONER HUSKEY: I'll second it.

24 COMMISSIONER BOWERS: I have a motion made
25 by -- I have a motion made by Commissioner Scherrer to

1 approve; seconded by Commissioner Huskey.

2 All those in favor, say aye.

3 COMMISSION: Aye.

4 COMMISSIONER BOWERS: Opposed?

5 Passes unanimous.

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1 COMMISSIONER BOWERS: Next item, PR123014,
2 request for a zone change and development plan
3 application for a parcel located at Vogel Road west of
4 Old Lemay Ferry Road, Arnold, in Windsor Township,
5 Council District No. 3, from single-family residential
6 zone to planned residential zone district and
7 development plan approval for Bella Terra Subdivision.

8 And, Ms. Krispin.

9 MS. KRISPIN: Thank you.

10 This is PR123014. The petitioner is
11 requesting to rezone a portion of the subject property
12 from single-family residential R20 to planned
13 single-family residential PR1 and development plan
14 approval for Bella Terra.

15 The subject property is located at the
16 northwest corner of the intersection of Vogel Road and
17 Old Lemay Ferry Road. The property is roughly
18 43 acres in size; however, only about 38 acres are
19 being petitioned to be rezoned. There is no floodway
20 or floodplain located on the property and there is,
21 however, a Stream Order 2 that traverses the property.

22 This is a look at the zoning map. The
23 property outlined in black is the subject property.
24 The zoned R20, there is R20 zoning to the east and
25 west. And to the south, there is this little strip of

1 land here that is a separate property, it's zoned R20;
2 as well to the south there is CC2. And then to north
3 there is PR1.

4 This is a look at the topography map of the
5 property and you can, also, see where that Stream
6 Order 2 cuts in. It's mainly on the eastern portion
7 and then does touch a bit of the southern property
8 line.

9 This is the submitted development plan. A
10 couple things to go over: There are 99 proposed lots,
11 single-family lots in this subdivision. There is a
12 detention basin located sort of in the center of the
13 development. The lot size minimum is 7,200 square
14 feet. There is common ground scattered throughout the
15 proposed development. There is some up here in this
16 area as well, right here, and then in this general
17 area. There is one access point from Vogel Road
18 located right here.

19 And then there are two areas of the subject
20 property that are not included in the development plan
21 and rezoning request. The first portion is the larger
22 portion right over here in the southwestern corner of
23 the property and then, as well, the southeastern
24 corner of the property closest to the intersection.
25 So both of those are not included in this application

1 tonight. And then there, also, were no modifications
2 requested for this development plan.

3 These are photos of the subject property.
4 On the left, both of these pictures are just showing
5 that intersection of Vogel Road and Old Lemay Ferry
6 Road. And then both photos on the right are showing
7 Vogel Road heading both directions. This is -- let's
8 see. This is the subject property on this side, as
9 well as right here is heavily vegetated so we didn't
10 get on it.

11 So for the analysis: The development plan
12 satisfies a large portion of the criteria of approval.
13 The development would not be out of character for the
14 area as there is a large presence of single-family
15 housing in the area; that is, directly adjoins to the
16 north and directly south across Old Lemay Ferry Road.
17 Furthermore, the proposed zone district, which is PR1,
18 adjoins the subject property to the north which was
19 approved in 2015.

20 In addition, the subject property is
21 located at an intersection of two county-maintained
22 roads that has recently been approved and signalized.
23 The development plan shows one access point to the
24 proposed subdivision from Vogel Road. A Stream Order
25 2 traverses the property, although the stream is kept

1 out of the proposed lot layout. The minimum lot size
2 is 7,200 square feet and most of the lots back up to
3 common ground.

4 I touched on this before but I'll mention
5 it again: There are two areas of the property which
6 are not included within the application. It is
7 unclear how large of an area in the southwestern
8 portion of the property is that is excluded from the
9 rezoning, but the southeastern corner is roughly
10 1.7 acres that will remain out of this application.

11 The Department of Public Works reviewed the
12 development plan and had the following
13 analysis/comments for the proposed plan and it reads,
14 Public Works received a request on May 16, 2023, to
15 review the subject development proposal. After
16 review, the Public Works Department offers the
17 following comments:

18 The first being a traffic study is
19 recommended to determine if any traffic signal
20 retiming/phasing or lane additions/extensions are
21 needed based on the proposed development traffic
22 generation. The next is the developer and all
23 subcontractors must comply with the requirements of
24 Chapter 700 for utility locations and relocations
25 within county right-of-way. And, lastly, the proposed

1 offset from Old Lemay Ferry looks acceptable.

2 So for your consideration tonight, there is
3 an application to rezone a portion of the subject
4 property from single-family residential R20 to planned
5 single-family residential PR1 and development plan
6 approval for Bella Terra. In addition, there was a
7 recommendation of a traffic study by the Department of
8 Public Works.

9 I'll be happy to answer any questions.

10 COMMISSIONER BOWERS: Any questions of
11 staff?

12 Being none, is the petitioner present?

13 Please come forward. State your name, your
14 address, state that you've been sworn. As a reminder,
15 you will have five minutes.

16 MR. FRIBIS: Good evening. My name's Gene
17 Fribis. I'm with Fribis Engineering located at 3838
18 Jeffco Boulevard in Arnold and I have been sworn.

19 This project is really pretty
20 straightforward and somewhat unusual in that we are
21 asking for no variances of any kind. We're completely
22 consistent with the Master Plan. I know that Master
23 Plan is under some revision but I fully expect that in
24 terms of the big picture, which is what the Master
25 Plan covers, where do we want housing, where do we

1 want commercial, where is the traffic or the
2 transportation corridors going to be, we fit into that
3 just like the last piece in a jigsaw puzzle.

4 Also, we are requesting no variances at all
5 from the UDO. That often comes up, as you guys know
6 that have been here for a while, particularly on the
7 width of the concrete pavement streets. The UDO has
8 said for years now, since it was new, that they want
9 28 feet but most developers ask for a 26-foot-wide
10 street and often been given that variance; however,
11 we're not asking for that. We're going to stay with
12 the 28-foot streets.

13 Part of the research here that the staff
14 has done and the utility districts, the most
15 significant one is being Rock Creek Public Sewer
16 District and the water district which is C-1, if I'm
17 not mistaken, they have reviewed these plans. Rock
18 Creek Sewer District has sewers on the adjacent
19 subdivision. They are planning to put sewers
20 underneath Old Lemay Ferry to serve the Express Mart
21 Gas Station and -- and store.

22 I think you guys approved that here at -- a
23 few months ago, if I'm not mistaken. So we're kind of
24 right across the street from that. I don't have a
25 pointer but it's at the -- the gas station's at the

1 corner of Old Lemay (sic), I'll call it the southeast
2 corner, right there, yes. That's where the gas
3 station is going to go. The property right across Old
4 Lemay Ferry is not part of this project. It's part of
5 the -- the owners of -- the original owners of the
6 property still are retaining ownership of that.

7 So we're asking for no changes whatsoever.
8 We think this is a completely appropriate zoning. The
9 project next door that is off the map to the west, I
10 guess that would be, is a -- an existing subdivision
11 that was just approved three to four years ago. My
12 clients were part of that subdivision, part of the
13 development. That's Tuscan Valley. Tuscan Valley's
14 very similar to this except that our lots are a little
15 bit bigger in this subdivision because, frankly, the
16 larger lots sold better in Tuscan Valley. This is
17 right next door. So they're going to make the lots
18 more consistent with what actually has sold in the
19 last couple years in the Tuscan Valley Subdivision.

20 And if -- Rachel, if you could point to
21 that, the north -- well, I guess it would be the west
22 property line where the street cul-de-sacs terminate.

23 That property line behind those lots is a
24 common property line with the Tuscan Valley
25 Subdivision which, again, was developed by the same

1 people that would be developing this. There you go.
2 So that maroon area was the project that these
3 gentlemen did several years ago and that is now
4 completely sold out. So they're going next door to do
5 something similar except that the lots will be
6 slightly larger and we're not asking for any variances
7 at all.

8 So I think that's really all I have. It's
9 fairly straightforward since we're following the
10 Master Plan, the UDO, and any particular requirements
11 that the sewer district has and water district and the
12 other utilities. I've been in contact with the
13 engineer that's doing the work on the gas station and
14 we are -- have actually drawn up a sewer for them to
15 get to the sewers that we're going to build in this
16 subdivision which will eventually go, actually, to the
17 City of Arnold. So we have those sort of little
18 details worked out, too, with the utility districts
19 and that's about all I have. It's -- it's fairly
20 clean but if you have any questions, I'd be happy to
21 answer those now.

22 COMMISSIONER BOWERS: Thank you, sir.

23 Are there any questions of petitioner?

24 COMMISSIONER HUSKEY: Yeah, I have a
25 question. I'm curious why you left that corner off

1 the subdivision?

2 MR. FRIBIS: Because the owners, the
3 Burkhardt family, owns this property. They've only
4 owned it for 180 years so they're retaining that
5 corner. We couldn't do much with it for the
6 subdivision anyway. It probably has some --

7 COMMISSIONER HUSKEY: 'Cause I was
8 wondering, it looked like it had a pretty flat looking
9 lot.

10 MR. FRIBIS: Yeah. I mean, that would be a
11 nice lot for some commercial, maybe some offices: A
12 dentist office, doctor's office would be appropriate,
13 I think, in this neighborhood, in general. So there's
14 -- so we left it out for that reason. We couldn't
15 make any really --

16 COMMISSIONER HUSKEY: That answers my
17 question.

18 MR. FRIBIS: Yeah, okay.

19 COMMISSIONER BOWERS: Any other questions?
20 Thank you, sir. We may call you back.

21 MR. FRIBIS: All right. Thank you.

22 COMMISSIONER BOWERS: Are there -- anyone
23 here wishing to speak in favor of this petition?

24 Please come forward. State your name, your
25 address, and that you have been sworn. And you will

1 be allowed five minutes of this portion.

2 MR. LAWLESS: Yes. My name is Mike Lawless
3 and I'm with Provision Land Development and I have
4 been sworn. I'm -- my address is 1485 Parkside
5 Commons. So --

6 MR. CORDES: Mr. Lawless, I'm sorry, I'm
7 going to stop you. You are the developer of this
8 property, correct, or the punitive developer of this
9 property, correct?

10 MR. LAWLESS: Yes.

11 MR. CORDES: And you are the applicant,
12 right?

13 MR. LAWLESS: I am.

14 MR. CORDES: Okay. I will remind the
15 Commission of its bylaws that the applicant or the
16 applicant's representatives should not be allowed to
17 speak during time allowed for public comments so that
18 is what you put in your bylaws.

19 MR. LAWLESS: Oh, okay. I was just going
20 to clarify one or two things but...

21 COMMISSIONER BOWERS: Sorry, before -- but
22 we're -- you've got actually one minute and fifteen
23 seconds left of his five minutes.

24 MR. LAWLESS: Okay. I just wanted to
25 say --

1 MR. CORDES: If you want to allow him to
2 use the --

3 (Overlapping conversation.)

4 COMMISSIONER BOWERS: I will allow --

5 MR. CORDES: -- remaining time.

6 COMMISSIONER BOWERS: -- allow him to --

7 MR. CORDES: Yeah.

8 COMMISSIONER BOWERS: -- use the remaining
9 time.

10 MR. CORDES: Yeah, 'cause he can't speak
11 under public comment.

12 COMMISSIONER BOWERS: Yeah. Yes.

13 MR. LAWLESS: Okay. I just wanted to say
14 that we tried to provide a lot of common ground in the
15 property and I also provided a 30-foot common ground
16 strip up against the lots that we back up to in the
17 Tuscan Valley Subdivision and our -- it's our
18 intention to keep as many of the trees as we can there
19 and to keep a buffer there. So I know some of the
20 people from Tuscan are here and I just wanted to point
21 that out in case it wasn't made clear. So that's
22 really all I wanted to say.

23 COMMISSIONER BOWERS: Are there any other
24 questions for this petitioner?

25 Thank you, sir.

1 MR. LAWLESS: Thank you.

2 COMMISSIONER BOWERS: Anyone -- anyone else
3 wishing to speak in favor of this application?

4 Anyone wishing to speak in favor?

5 MS. ARONS: Lori Arons. 1031 Scenic Oaks
6 Court, Imperial, Missouri 63052.

7 Good evening, Commissioners, it's -- it's
8 nice to be on --

9 COMMISSIONER BOWERS: Have you been sworn,
10 ma'am?

11 MS. ARONS: Yes, I have been sworn. I'm
12 sorry.

13 COMMISSIONER BOWERS: Thank you.

14 MS. ARONS: It's interesting to be on this
15 side of a project. Seems like a long time in coming
16 but, as Mr. Fribis mentioned, it seems like they have
17 met every code, every variance that we have been
18 asking for in the last three years or since I got
19 involved. It -- it just looks perfect.

20 My concern is the however; however, there's
21 always a however. So we have a couple of questions,
22 one of which was just answered was if they were going
23 to reserve as many trees as possible, according --

24 COMMISSIONER BOWERS: Ma'am, I'm sorry.
25 Are you -- are you --

1 MS. ARONS: I am in favor.

2 COMMISSIONER BOWERS: Are you in -- you are
3 in favor?

4 MS. ARONS: I am in favor.

5 COMMISSIONER BOWERS: Okay. Thank you.

6 MS. ARONS: For a change, that's what I was
7 saying. For a change, I am in favor. I have -- we
8 have looked at this plan. We cannot find any code
9 violation, anything that is not something that we have
10 been asking for in the last three years. We just --
11 we just want to make sure that there's no shoe that
12 drops and something that happens.

13 So we were concerned that the trees would
14 be reserved and the common ground. We like that. We
15 like that there's a water retention pond. We like the
16 5-foot sidewalks on both sides of the streets. So for
17 a change, we like that it's not apartments. And I
18 know that, you know, we're building but we do need
19 affordable housing in this area.

20 Sherwood or Simpson School can handle the
21 students. They are one of the smaller populated
22 schools so the school will appreciate having the
23 children there. We just want to make sure that this
24 is as good as it seems so we'll be watching to make
25 sure but, for a change, we are in approval of this

1 project.

2 COMMISSIONER BOWERS: Are there any
3 questions of this petition -- or person?

4 Thank you.

5 Anyone else wishing to speak in favor?

6 Anyone wishing to speak in favor?

7 Anyone wishing to speak in opposition?

8 Please come forward.

9 Just a reminder, there is fifteen minutes
10 allocated for this portion. Only a speaker can speak
11 for only three minutes so we suggest that you try to
12 cut back on the repetition and things if you could.

13 MR. CLERKIN: All right. My name is Robert
14 Clerkin and I live at 206 Cottonwood Road which backs
15 up to the back of this property. I'm here tonight to
16 speak on water and lots of it.

17 COMMISSIONER BOWERS: Have you been sworn,
18 sir?

19 MR. CLERKIN: I have been sworn, yes.

20 COMMISSIONER BOWERS: Thank you.

21 MR. CLERKIN: To speak on water, lots of
22 it. Cottonwood Road is a private subdivision
23 comprised of 3 1/2 acre lots. Most of the people have
24 been there for 40, 50 years. We're experiencing
25 problems now. We have approximately five subdivisions

1 that have been built in the area and the amount of
2 water that's being put on us is washing our
3 subdivision away. The creek in my front yard is now 3
4 to 5 foot deeper than it used to be and about 5 to
5 10 feet wider in spots than what it was. And with all
6 these new subdivisions, there is no provisions for
7 water that -- that -- that we're getting hit with.

8 I have pictures with me and I don't know
9 how to display them or to show you but when our creek
10 runs, it's solid mud.

11 COMMISSIONER BOWERS: All right. Do you
12 want to enter those evidence?

13 MR. CLERKIN: I do, sir.

14 COMMISSIONER BOWERS: Okay. Give us one
15 second, here.

16 MR. KEHM: Exhibit D as in dog.

17 COMMISSIONER SCHERRER: I make a motion
18 that Exhibit D being entered into evid -- evidence.

19 COMMISSIONER HASTINGS: Second.

20 COMMISSIONER BOWERS: I have a motion made
21 by Commissioner Scherrer to accept Exhibit D; seconded
22 by Commissioner Hastings.

23 All those in favor, say aye.

24 COMMISSION: Aye.

25 COMMISSIONER BOWERS: Opposed?

1 Pass unanimous.

2 Give us one second before you start.

3 MR. CLERKIN: I'm sorry.

4 COMMISSIONER BOWERS: I'm going to -- I've
5 got you on pause, here. Let us -- give us time to
6 look at these pictures --

7 MR. CLERKIN: Sure.

8 COMMISSIONER BOWERS: -- real quick.

9 MR. CLERKIN: I appreciate you're doing
10 that.

11 COMMISSIONER BOWERS: Yes.

12 MS. ROESCH: Was that Chris Hastings
13 second?

14 COMMISSIONER BOWERS: That was -- yes, that
15 was Hastings.

16 Okay. Is the Commission good with us
17 continuing?

18 COMMISSIONER SPARKS: I'm good.

19 COMMISSIONER BOWERS: Okay. Sir, you can
20 continue.

21 MR. CLERKIN: The problem that I'm faced
22 with is our creek is getting washed away. We're being
23 faced with some pretty substantial bills to remove
24 trees that are starting to fall into the creek.

25 My property, I have a bridge in my driveway

1 that's been more than adequate for 40 years and is now
2 starting to be underpinned because of the huge amount
3 of water that's coming into our creek. With this new
4 subdivision, they'll be dumping more water into the
5 existing small creeks that are there which is going to
6 backup even more towards us. No one -- nobody's
7 addressing the creeks or, you know, taking care of our
8 bridges or our property values and we're very
9 concerned about the additional developments.

10 We've contacted DOR and we've contacted
11 Jefferson County and they come out and shake their
12 head, call the builders, and that's the end of it.
13 And, you know, we'd like to see these streams
14 addressed in some way. I don't know what the proper
15 way is other than what I'm doing today.

16 COMMISSIONER BOWERS: All right. Thank
17 you, sir.

18 MR. CLERKIN: Thank you.

19 COMMISSIONER BOWERS: Are there any
20 questions for this petition?

21 COMMISSIONER SCHERRER: Yeah.

22 COMMISSIONER BOWERS: I'm sorry. We've got
23 a question here.

24 COMMISSIONER SCHERRER: Where -- where is
25 Cottonwood Drive at?

1 Can you point it out on the map?

2 MR. CLERKIN: Sure. It's off of Gary Road.
3 Where's Gary Road?

4 COMMISSIONER SCHERRER: Up in there?
5 I'm sorry. Was it Dogwood or Cottonwood?

6 MR. CLERKIN: Cottonwood.

7 COMMISSIONER SCHERRER: Cottonwood?

8 MR. KEHM: It's off of -- if it's off of
9 Gary, that's off the map.

10 COMMISSIONER SCHERRER: Oh, it's off the
11 map, okay.

12 MR. CLERKIN: It's off of that map but we
13 back into that property.

14 COMMISSIONER SCHERRER: Okay. Thank you.

15 COMMISSIONER BOWERS: Any other questions?
16 Thank you.

17 COMMISSIONER SPARKS: What is the -- what's
18 the name of the creek?

19 Is it a creek?

20 MR. CLERKIN: You know, I've lived there
21 for 40 years --

22 (Overlapping conversation.)

23 COMMISSIONER SPARKS: Is it a ditch?

24 MR. CLERKIN: -- I have no idea. It's a
25 dry creek. It doesn't normally run.

1 COMMISSIONER SPARKS: What, does it just
2 spill off like for -- from the road?

3 I mean, is it -- is it just a -- a ditch?

4 MR. CLERKIN: No. No. No, it's a creek.
5 It's a dry creek. It's been there for -- you know,
6 since the property's been developed for years.

7 I guess, you know, a question I have is
8 there any -- is there any -- anyone that can help us
9 with this problem: State, federal, whatever?

10 'Cause, you know, we're losing bridges and
11 trees and we've already lost a lot of real estate and
12 with more development it's only going to get worse.

13 COMMISSIONER BOWERS: Thank you, sir.

14 MR. CLERKIN: You bet.

15 COMMISSIONER BOWERS: Anyone else wishing
16 to speak in opposition?

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

19 MR. JONES: Sure.

20 COMMISSIONER BOWERS: And you will have
21 three minutes.

22 MR. JONES: My name's Mark Jones. I live
23 at 3214 Tuscan Valley Estates Court. I have been
24 sworn in.

25 COMMISSIONER BOWERS: Thank you.

1 MR. JONES: So my concern with this
2 development is not that there is development, it's
3 going to happen, but the fact that this zoning request
4 or zoning change has been requested adding so many
5 more homes to this development.

6 My concerns are the negative impacts that
7 it will, first of all, have on traffic adding over a
8 hundred additional vehicles to Old Lemay Ferry, Vogel
9 Road; that intersection is going to definitely have
10 detrimental impact on the residents both in terms of
11 the flow of traffic as well as safety. That
12 intersection is surrounded by hills. So at the very
13 -- the very least, I would request that you would
14 follow the admonition of the Public Works Department
15 and do a traffic study to see how this will be
16 impacted.

17 Secondly, there has -- is an environmental
18 impact to -- I can't speak to where he's located but
19 the creek that runs alongside Vogel Road, having that
20 many more homes in this development means that many
21 more homes with runoff from the gutters, the streets.

22 And we had a, I guess, a strong weather
23 event August of last year and that entire creek just
24 flooded. It caused erosions near the homes in our
25 subdivision. It ran across the road to the -- the

1 mobile park that was across the street of Vogel Road
2 from our subdivision. And we're concerned about that
3 becoming even more so an ongoing issue. At the time
4 that that occurred, to try to get help from the county
5 to clear out some of that debris, spoke with the Storm
6 Water Division, they didn't want to take
7 responsibility. They said they didn't own the creek,
8 the state didn't own the creek, that we didn't own the
9 creek.

10 So if there is an issue, we just don't even
11 know where we can get help, needless to say, help for
12 our homeowners who might experience continued erosion
13 of their property. There is no riprap rock in the
14 creek so it's just waiting for more and more water to
15 flow down to eat away at that dirt.

16 There is no shortage of high-density
17 housing in the region. We've got new apartments,
18 villas, condos up off Vogel Road, just up and over the
19 hill by Miller Road. We've got several apartments in
20 the area. We've got the Arlington Heights just on the
21 other side of Old Lemay Ferry that has --

22 COMMISSIONER BOWERS: Got about a minute
23 left.

24 MR. JONES: -- has plenty of open lots
25 available. So the argument that there -- there's a

1 need for this level of housing just -- just isn't
2 accurate.

3 And just as a side note, our subdivision
4 was approved eight years ago, not three. Thank you.

5 COMMISSIONER BOWERS: Any other question --
6 any questions for this witness?

7 Thank you, sir.

8 Anyone else wishing to speak in opposition?

9 MS. MATT: Hello. My name is Kelly Matt.
10 4649 Dogwood Lane, Imperial, Missouri. I have been
11 sworn in.

12 COMMISSIONER BOWERS: Thank you.

13 MS. MATT: In the new proposal, I saw that
14 you said it wouldn't be out of character which is kind
15 of funny because, of course, it's not going to be out
16 of character because everything that was wooded and
17 beautiful has been approved and built on and it just
18 continues. So, now, it's not out of character because
19 there's all these different sites that have been built
20 that he just referenced: Tuscan Valley, Arlington
21 Heights.

22 All the traffic from Arlington Heights
23 which is to the -- I'm on Dogwood Lane and my property
24 butts up to the farm field. So for 27 years the
25 character of the area was beautiful, country like, and

1 peaceful; now, it's going to high traffic. So
2 Arlington Heights, I believe, has 400 homes so most
3 people would agree that's about 800 cars traveling
4 down Old Lemay Ferry towards Vogel. So now, we're
5 proposing 99 homes with a conservative minimum of 200
6 cars traveling to the exact same intersection.

7 It does seem like no matter what the
8 proposal is it's approved because it has to do with
9 tax money. I don't know, but the volume of traffic
10 and the approvals, the -- the road is -- Vogel Road is
11 a little two-lane road so I know there's a center lane
12 being put in on Old Lemay Ferry, but anyway.

13 And is there going to be any buffer for the
14 people that live on Black Oak?

15 I see Tuscan Valley gets a buffer. What
16 about our buffer?

17 I butt right up to the farm field so for
18 27 years, so I think I'm going to be able to put my
19 foot in somebody's kitchen sink. That's all. Thank
20 you.

21 COMMISSIONER BOWERS: Do we have any
22 questions for this witness?

23 Thank you.

24 Please come forward. State your name, your
25 address, and that you have been sworn.

1 MR. MEYER: My name's Ray Meyer. I live at
2 209 Tuscan Valley Circle and I've been sworn. So my
3 lot backs up to their Lot 7 in the cul-de-sac that
4 they're showing. There's a dry creek bed behind us.
5 One time, I've seen that creek bed full and it was
6 full to the top, about ready to come over to my yard.
7 That same time is when Mark was talking about the
8 creek overran in -- in front of our subdivision. That
9 underneath, like I guess it's the bridge, the water
10 where it channels -- I have pictures of it on my phone
11 -- it is completely clear it cannot handle the water.
12 I don't know where they're going to put all the
13 runoff.

14 If they're going to build back there, our
15 retention pond dumps into that dry creek behind my
16 house and on a good rain, there will be 3 foot of
17 water in there. So I don't know how they're going to
18 stop all the water from going into that creek, much
19 less the creek in the front. Plus, when they let
20 commercial property build across the street at the
21 corner there, that water's going to run into the creek
22 underneath the street.

23 I've seen it at the apartments that was
24 allowed to be put in. They've now cut a channel along
25 the road because Miller flooded not too long ago when

1 it rained hard. The apartment complex ran a channel
2 there. They put no rock in it. It will undermine
3 Vogel Road at some point in time from the runoff. It
4 -- I'm worried about the runoff water. I don't want
5 to hear that it can be designed for a 500-year flood
6 or a 500-year rain and it was 501 years when my house
7 got flooded.

8 I don't think -- and I have pictures on my
9 phone of when it flooded and the creek. The creek
10 undermined it and washed all the debris up over onto
11 the road. It cannot handle the water, period. And if
12 you would like to see the pictures, I'll show them to
13 you. And I can show you where my house is on the map.

14 COMMISSIONER BOWERS: If you'd like to
15 point out where your house is on the map, sir, you
16 may.

17 MR. MEYER: Right there (indicating).

18 COMMISSIONER BOWERS: Thank you, sir.

19 MR. MEYER: Which backs up to their Lot 7.

20 COMMISSIONER BOWERS: Anything else?

21 Is there any questions for this witness?

22 Thank you, sir.

23 Anyone else wishing to speak in opposition?

24 MS. RASCH: Hi. My name is Lynnette Rasch.

25 I live at 4962 Old Lemay Ferry Road and I have been

1 sworn in.

2 COMMISSIONER BOWERS: Thank you.

3 MS. RASCH: I've learned that there's 99
4 homes being built. I have property within the
5 600 feet from this site so I'd like to know what are
6 the cost of these homes. I know the lot size but does
7 anyone have any idea what the approximate values are?

8 MR. KEHM: Ma'am. Ma'am, you need to
9 direct your comments up here.

10 MS. RASCH: Oh, I'm sorry.

11 COMMISSIONER BOWERS: Yeah. We'll -- we'll
12 ask the questions.

13 MS. RASCH: Okay.

14 COMMISSIONER BOWERS: You just direct them
15 to us.

16 MS. RASCH: Sure.

17 COMMISSIONER BOWERS: Thank you.

18 MS. RASCH: So I was -- was questioning
19 what the cost of these homes is going to be and if --
20 if -- about the egress. You know, I'm glad to hear
21 that they're considering a traffic study. As I've
22 testified here before, Old Lemay Ferry is just a
23 racetrack. Two weeks ago, on a Saturday after --
24 Saturday evening, it was horrific.

25 And I think someone needs to seriously look

1 at the egresses. We need to know how many egresses
2 there's going to be to these subdivisions.

3 And does anyone have any idea what it's
4 going to do to the value of the homes, like on Dogwood
5 and Black Oak and other streets in this area?

6 COMMISSIONER BOWERS: Anything else?

7 MS. RASCH: No, sir.

8 COMMISSIONER BOWERS: Any questions for
9 this witness?

10 Thank you, ma'am.

11 Anyone else wishing to speak in opposition?

12 Please state your name, your address, and
13 that you have been sworn.

14 MR. HARRY: My name is Tanner Harry. I
15 live at 4648 Dogwood Lane, neighbors across from
16 Kelly, and I have been sworn in.

17 COMMISSIONER BOWERS: Thank you.

18 MR. HARRY: Really, I'd just like to touch
19 on what everybody else has already said. I think
20 they're all very reasonable concerns for everyone on
21 this piece of property.

22 To touch on the roads and say that the
23 roads have been improved prior to this project,
24 they're all still two-lane roads with no shoulders.
25 Traffic is unbelievable trying to get out of our

1 subdivision just in the morning. The school traffic
2 coming from Arlington Heights, above us, is pretty
3 substantial in the mornings and in the evenings.
4 Vogel Road there where the intersection of Vogel, if
5 they're planning on putting any -- a gas station,
6 which that's new to me, I -- I don't understand how
7 the traffic is going to be supported throughout all
8 these roads. Ninety-nine more homes is too many.

9 To -- to touch on the water runoff, there's
10 also a dry creek that runs right behind Dogwood that
11 also gets roaring. Ever since the construction at
12 Arlington Heights, that's up on the hill above it,
13 that's also increased, that continues.

14 And the values of the homes. I mean, we
15 work hard for our homes up there and now we're -- now
16 we're going to have a cookie-cutter subdivision built
17 right next to us. I'd love to know the values. And,
18 you know, I don't want to -- I don't want to bash on
19 their subdivision building but Tus -- Tuscan Valley,
20 I'd like -- I'd like to know the values of those
21 homes, if they continue to be across the way with this
22 new proposed project, and what that would do to the
23 values of our homes which are larger homes and have
24 been there for quite some time.

25 COMMISSIONER BOWERS: Anything else, sir?

1 MR. HARRY: No, sir.

2 COMMISSIONER BOWERS: Any questions for
3 this witness?

4 Thank you, sir.

5 Anyone else wishing to speak in opposition?

6 Anyone wishing to speak in opposition?

7 Will petitioner please come back?

8 Give you a five-minute rebuttal --

9 MR. FRIBIS: I don't know --

10 COMMISSIONER BOWERS: -- and we will ask
11 questions.

12 MR. FRIBIS: I don't know if rebuttal is so
13 much the right word as I think we need to understand
14 where some of these places are that they're talking
15 about.

16 Cottonwood Subdivision, I'm familiar with
17 it. It was done by Price Developers, I would say, at
18 least 50 years ago. But it is 2 miles away from here.
19 The watershed is -- never get close to each other. So
20 there may be a problem on that creek that goes through
21 Cottonwood, I'm familiar with the creek, but it has
22 nothing to do with this project now or at any time in
23 the future. They never -- they never connect. You
24 have to drive up Vogel to Gary Road, make a left on
25 Gary Road, and then go about halfway towards East Rock

1 Creek Road and then on the left there's -- Cottonwood
2 is a subdivision that has large lots, I want to say
3 3 acres or less. But regarding storm water, nothing
4 to do with this project whatsoever.

5 The creek along Old Lemay Ferry Road goes
6 up to about the entrance to Huntington Glen
7 Subdivision and the -- we don't -- we're not really
8 touching that creek and our houses will all have storm
9 sewers in the streets and they will go down and,
10 basically, bypass that portion of the creek. So
11 they'll be -- maybe some of the back yards along that
12 one street that kind of runs diagonal, parallel on the
13 creek, back yards will run into that creek. But,
14 essentially, storm sewers in that new street will
15 handle most of the storm water.

16 Somebody mentioned Arlington Heights
17 Subdivision. Also, we don't drain to it; it doesn't
18 really drain to us. And I think the lady said there's
19 400 homes there. I designed that subdivision; there's
20 181 homes, not 400, and they're -- it's never going to
21 get to it. That was a -- that's the future ultimate
22 number is 180.

23 With respect to the culvert on Vogel,
24 somebody mentioned that, that Vogel Road was improved
25 recently by the county Highway Department. The

1 culvert that's under the entrance to Tuscan Valley was
2 actually designed by the highway department. And I'm
3 not sure if it overflows or not. The highway
4 department, especially with Jason Jonas in charge,
5 they don't under-design anything. They do a really
6 good job.

7 But it seems to me like the comments I
8 heard that the storm water flow is about what you'd
9 expect anywhere. I always tell people all creeks
10 flood, the Mississippi River's going to flood, the
11 Meramec River's going to flood. We usually can
12 control these small things because it's not so
13 expensive. You put in a culvert, you put in -- and
14 it's along the street and we can handle storm water.

15 What hasn't been mentioned is that we're
16 going to have at least one and maybe two storm water
17 detention basins here which will catch the runoff,
18 detain it, it eventually gets down to the creeks, but
19 we retain it for X number of hours until the main part
20 of the creek flow will subside to some extent and then
21 we discharge, I say we, but it's designed to discharge
22 the water later after the main creeks have -- have
23 lower water level and have capacity to handle it in
24 the increased runoff because the timing is different
25 so we can make that work.

1 Also, somebody mentioned a home cost and
2 what would that be: 400,000 to 600,000. Well, some
3 people are going to think 600,000. Well, Mike is
4 here. He built the home, he sold the home, and I
5 think it was the most expensive one in there but it
6 was 600 grand. So using the term "cookie cutter,"
7 that's the market today.

8 Look at -- nobody mentioned Huntington
9 Glen. Huntington Glen is 330 lots, a very popular
10 subdivision. Arlington Heights is smaller than that,
11 like I said, 180 lots, but they're selling great.
12 They've added a lot to the community, a lot to the
13 school district, a lot of taxes to this county. And I
14 think anybody would say of any of the three
15 subdivisions I just mentioned they're an asset to the
16 community and this one would be an asset also.

17 So I don't know if that's in the form of
18 rebuttal, just some additional information that I
19 think may be helpful to you.

20 COMMISSIONER BOWERS: Thank you, sir.

21 Any questions?

22 COMMISSIONER SCHERRER: A few questions for
23 you, sir.

24 MR. FRIBIS: Okay.

25 COMMISSIONER SCHERRER: On your development

1 plan, I see one retention basin. You mentioned there
2 may be a couple?

3 MR. FRIBIS: Yeah, there may be another
4 one. You can see in the first cul-de-sac on the right
5 after you come into the subdivision, I left those lots
6 a lot larger in the back in case we wanted to do a
7 little detention there. That was one of the reasons.

8 The other one is we're sensitive to the
9 fact, I think the last gentleman who spoke lives in
10 one of those lots that we adjoin, so we can save a lot
11 of trees there and we just wanted to keep the houses a
12 little farther away from people that are living there
13 now because they're the same clients that Mike Lawless
14 sold to there four or five years ago, so.

15 And, also, I didn't mention and should have
16 if, Rachel, you could show that 30-foot strip on the
17 west end of the property?

18 You'll see we've got a double-line, yeah,
19 right there. You see we have two lines parallel to
20 one another. We -- we just offset everything 30 feet
21 because there's trees there. We got the aerial
22 photographs. We know where they are. So we moved
23 that over so we're not going to touch any of that.
24 And I know, you know, 30 feet is not huge but it does
25 cover all the trees. After that, it's a field. So

1 we're not insensitive at all to our neighbors.

2 And I think everything we've done here and
3 everything that's been done, frankly, for a long time
4 in Jefferson County, over at least the last 20 years
5 has really been an asset. I mentioned Huntington
6 Glen, Arlington Heights, they're nice projects and the
7 success of those projects speaks for itself.

8 COMMISSIONER SCHERRER: The other question
9 that I had was the retention basin that you have on
10 your development plan, are you going to discharge that
11 towards Old Lemay Ferry Road into that creek?

12 MR. FRIBIS: Yes. It's hard to see the
13 contours but there is a natural creek that runs there
14 and if you look at it close -- I need a pointer --
15 there is a tributary that runs there. We're not going
16 to touch that. Where does the light come out? Okay.

17 Here's the detention basin. Here's the
18 road. See, there's a lot here and a lot here; they're
19 pretty far apart 'cause these lines are contour lines
20 that, basically, more or less define the top and
21 bottom bank of the existing creek. It's pretty small
22 right there. It dumps into the -- this new creek. So
23 the detention basin will have a pipe that comes under
24 the road, dumps in right here where I have the red
25 dot, and then it will run down the natural waterway to

1 the larger creek.

2 COMMISSIONER SCHERRER: Okay. Thank you.

3 COMMISSIONER BOWERS: There are -- and I'm
4 -- want to address the gentleman mentioned that he --
5 his property backs up to a lot here. And you were
6 talking at the top of it there that you were still --
7 you're still in kind of a limbo area about retention
8 area between the other subdivision?

9 MR. FRIBIS: Yeah. You know, the -- the
10 detention basin is a fairly sophisticated and
11 complicated --

12 COMMISSIONER BOWERS: I understand.

13 MR. FRIBIS: -- engineering design.

14 COMMISSIONER BOWERS: Yep.

15 MR. FRIBIS: So we want -- we put that
16 detention basin on there because it was so obvious
17 that that was where it's going to go. It's a little
18 less obvious where we might put detention in the area
19 that I mentioned. We don't have to put the detention
20 right there. We could -- now, it would be easier to
21 put it where -- make the other detention basin bigger
22 but that is -- we can have someone with the
23 engineering to figure that out.

24 And it's not just the hydraulics. I mean,
25 we do -- when I do a subdivision, I care about the

1 people that live next door and that detention basin
2 may solve some -- some storm water problems if we put
3 it there but, aesthetically, it might be better just
4 to make a back yard bigger where the grass is cut, the
5 trees could be saved. So we've got to take that into
6 consideration too. It's not just -- it's not only a
7 matter of doing hydraulic calculations. There's other
8 things that affect the location and the size of
9 detentions basins, mainly, we want the subdivision to
10 look good in addition to function properly.

11 COMMISSIONER BOWERS: Thank you, sir.

12 Are there any other questions for this
13 petitioner?

14 MR. FRIBIS: Okay. Thank you.

15 COMMISSIONER BOWERS: Discussion among
16 commissioners?

17 COMMISSIONER SPARKS: I think we had a
18 individual in the back.

19 COMMISSIONER BOWERS: Yes. And, I'm sorry,
20 but that portion for people to speak is already --
21 it's already gone through, sir.

22 MR. MEYER: I just wanted to make a comment
23 to what he said.

24 COMMISSIONER BOWERS: I'm sorry, sir, your
25 comment period has been -- it was over, done. We --

1 he sat silent while you -- while everyone else talked
2 so it was --

3 MR. MEYER: I sat silent while he talked.

4 COMMISSIONER BOWERS: I understand that,
5 sir. Thank you for that, yes. But that -- that --

6 MR MEYER: I just wanted to --

7 COMMISSIONER BOWERS: The portion of that's
8 already over, sir. Thank you. I'm sorry.

9 Discussion among commissioners?

10 If not, I'll entertain a motion.

11 COMMISSIONER HASTINGS: What -- what were
12 the comments that Public Works had again?

13 MR. CORDES: They're on the foot of page 3
14 and spilling over onto page 4. So it's the traffic
15 study recommended; Chapter 700, the other code which
16 Mr. Kehm spoke to earlier on the other development,
17 I'm assume his comments would be the same on this one;
18 and they did comment that they felt that the proposed
19 offset of Old Lemay Ferry looks acceptable. So in
20 terms of really substantive, it's the traffic study
21 that's the -- that's the one.

22 COMMISSIONER BOWERS: Discussion?

23 Discussion, gentlemen?

24 COMMISSIONER TUGGLE: So we need to --
25 would need to --

1 COMMISSIONER BOWERS: Could you -- could
2 you speak through your microphone, sir?

3 COMMISSIONER TUGGLE: Yes, I'm sorry.

4 We need to have a traffic study to see if
5 this is going to flow all right?

6 COMMISSIONER BOWERS: It is -- yeah, it is
7 recommended. A traffic study is recommended by the
8 Department of Public Works, that is correct, sir.

9 MR. CORDES: Although not expressly
10 required by ordinance. That's up to you whether you
11 want to -- whether you want to include that condition
12 or not.

13 COMMISSIONER TUGGLE: So has recent -- do
14 we know if there's been traffic studies on that corner
15 where the building's been going on and the gas station
16 that's going in?

17 COMMISSIONER BOWERS: I believe -- I bel --
18 I'm not sure if there was a traffic study done with
19 the -- required with that.

20 MR. KEHM: So --

21 COMMISSIONER BOWERS: But it would be a
22 different study; would it not because --

23 MR. KEHM: Well, obviously, yes, because it
24 would have to consider the impact --

25 COMMISSIONER BOWERS: Yes.

1 MR. KEHM: -- of these 99 lots.

2 COMMISSIONER BOWERS: Very good.

3 MR. KEHM: I will tell you that, as has
4 been mentioned multiple times, that intersection was
5 recently improved by the county. And, if you recall,
6 the apartment project just down -- you can see it
7 right there -- there was a traffic study. That's at
8 Vogel and Miller. There was a traffic study that you
9 all saw as part of that project as well.

10 COMMISSIONER BOWERS: Did that answer your
11 question, sir?

12 COMMISSIONER TUGGLE: Yes.

13 COMMISSIONER BOWERS: Thank you.

14 Any other discussion?

15 COMMISSIONER TUGGLE: I'll make a motion to
16 approve Petition No. PR123014.

17 MR. CORDES: What about the conditions and
18 comments?

19 COMMISSIONER TUGGLE: The condition to do
20 traffic studies.

21 MR. CORDES: That's part of your motion?

22 COMMISSIONER TUGGLE: Yes.

23 MR. CORDES: Okay. To conduct a traffic
24 study with -- and to implement the recommendations of
25 the traffic study?

1 COMMISSIONER TUGGLE: Yes.

2 MR. CORDES: Was that a yes?

3 COMMISSIONER TUGGLE: Yes.

4 MR. CORDES: Okay. Mr. Chair, did you
5 understand the motion?

6 COMMISSIONER BOWERS: Yes, I do.

7 MR. CORDES: Okay.

8 COMMISSIONER BOWERS: Thank you.

9 COMMISSIONER ADKINS: Second.

10 COMMISSIONER BOWERS: I have a motion made
11 by Commissioner Tuggle to accept PR123014 with the
12 Public Works comments and a traffic study
13 recommendation; it is seconded by Commissioner Adkins.

14 All those in favor, say aye.

15 COMMISSION: Aye.

16 COMMISSIONER BOWERS: Opposed?

17 Passes unanimous. PR123014 passes
18 unanimous.

19 Thank you, gentlemen.

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1 COMMISSIONER BOWERS: Reports to the
2 Commission.

3 MR. KEHM: Just briefly, again, I will echo
4 the chair's comments earlier of welcome back,
5 Mr. Scherrer. Good to see you.

6 COMMISSIONER SCHERRER: Thank you.

7 MR. KEHM: Our next meeting is June 22nd.
8 We do have cases on the agenda for that night. The
9 other thing that we will have on the agenda that night
10 is the annual election of officers so that's always on
11 our second meeting in June every year. That's all
12 I've got for you.

13 Thanks for -- for being here. We always
14 appreciate your hard work on these things and we'll
15 see you in two weeks.

16 COMMISSIONER BOWERS: Thank you, sir.

17 Are there any citizens wishing to be heard?

18 Any citizens wishing to be heard?

19 If not, I'll entertain -- entertain a
20 motion to adjourn.

21 COMMISSIONER SCHERRER: So moved.

22 COMMISSIONER HASTINGS: Second.

23 COMMISSIONER BOWERS: I have a motion by
24 Commissioner Scherrer to adjourn; seconded by
25 Commissioner Hastings.

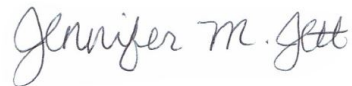
1 All those in favor, say aye.
2 COMMISSION: Aye.
3 COMMISSIONER BOWERS: Opposed?
4 Passes unanimous. Meeting adjourned.
5 [Adjourned 7:53 p.m.]
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C E R T I F I C A T E

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 12th day of June, 2023.



JENNIFER M. JETT, CCR
MISSOURI CCR NUMBER: 634

June 8, 2023
Jefferson County Planning and Zoning Meeting

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