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Planning & Zoning Meeting
August 24, 2023

vs.

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

August 24, 2023

6:30 p.m.

Karen Waugh, CCR, RPR, CRR, RMR
Missouri CCR #1009

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EXHIBITS

Exhibit	Description	Identified
Exhibit A	Official Master Plan for Jefferson County, MO	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 Files	Page 10

(Exhibits retained by the Commission.)

Case FP23029	Page 11
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1 JEFFERSON COUNTY PLANNING AND ZONING COMMISSION
 2 MEETING AND PUBLIC HEARING, August 24, 2023, between the
 3 hours of 6:30 in the evening and 7:19 in the evening of
 4 that day, at the Jefferson County Administration Center,
 5 729 Maple Street, Hillsboro, Missouri, 63050, before
 6 Karen Waugh, CCR, RPR, CRR, RMR.

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APPEARANCES

PLANNING AND ZONING COMMISSION:

Greg Bowers, Chair
 Larry Adkins
 Tim Dugan
 Mike Huskey
 Johnathan Sparks
 Jeffrey Spraul
 Danny Tuggle

PLANNING DIVISION STAFF:

Josh Jump
 Rachel Krispin
 Elaine Roesch

ASSISTANT COUNTY COUNSELOR:

Jason Cordes

DEPUTY DIRECTOR:

Dennis Kehm

1 IT IS HEREBY STIPULATED AND AGREED by and
2 between the parties that this meeting may be taken in
3 shorthand by Karen Waugh, a Certified Court Reporter, and
4 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 public
9 hearing is designed to allow citizens and other
10 interested parties to provide the Commission and
11 ultimately the County Council with information, comments,
12 testimony and evidence to assist the Commission in making
13 a more informed decision relative to the application
14 before it and for making recommendations to the Council
15 on those applications.

16 Each individual wishing to address the Commission
17 on a specific application must complete an oath form.
18 These forms are located in the rear of the room. It is
19 important that the speaker place the agenda item on this
20 form so that an accurate record can be maintained.
21 You're also required to print your name and address and
22 then sign this form. When the Chairman asks if anyone in
23 attendance wishes to speak on a specific application,
24 those wishing to provide comments are required to come
25 forward, provide their name and address and address their

1 comments to the Planning and Zoning Commission. It is
2 important to remember that the members of the Planning
3 and Zoning Commission will make a decision on each
4 application and you should direct all comments to the
5 Commission. Responding to the audience both wastes time
6 and may reduce the impact of your statement. Members of
7 the Planning and Zoning Commission may question any
8 speaker. The Commission will not tolerate verbal
9 outbursts or disruptions from the audience, nor will this
10 Commission tolerate personal or abusive attacks directed
11 to the county staff.

12 Structure of the meeting is as follows: The
13 Chairman will introduce each project by name and the
14 number and will then direct the staff of the Planning
15 Division to present the application. The staff
16 representative will then present a brief overview of the
17 application. The Commission may question the staff
18 relative to the project. The Chairman will then call
19 petitioner, the party that submitted this application.
20 The petitioner may call additional individuals, generally
21 supporting consultants, and is allowed a ten-minute
22 uninterrupted period of presentation of the facts
23 surrounding the application. After completion of the
24 presentation of the application, the members of the
25 Commission may ask questions of the petitioner relative

1 to the application. There is no time limit for these
2 questions.

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

11 After all questions from the Commission have been
12 heard, the Chairman will ask if any citizens wishing to
13 address the Commission who are opposed to the application
14 to come forward. There will be a total of 20 minutes
15 allocated for public comment in opposition to the
16 application. No one speaker is allowed to speak more
17 than three minutes. The Commission may ask questions of
18 any speaker. The time used for the speakers to answer a
19 question will not be subtracted from the 20 minutes
20 allocated for the portion of this meeting.

21 Because there -- the time is limited, we strongly
22 recommend the speaker be prepared and know the facts
23 regarding the application. We recommend that you avoid
24 repetition. If you're a part of a larger group, we
25 suggest that you designate a spokesperson and provide

1 comments for the group. The speaker may acknowledge that
2 he or she represents a larger group. This will be the
3 sole public hearing before a public body regarding the
4 application. The petitioner will then have five minutes
5 to respond to issues raised during the comment period.
6 The Commission may further question the petitioner. Time
7 used to respond to a question by the Commission will not
8 count against the time allocation.

9 After closure of the comment period, the
10 Commission will then deliberate on the application. The
11 Commission may direct additional question to the staff or
12 it may proceed directly in consideration of the
13 application. Decisions of the Planning and Zoning
14 Commission will be forwarded to the County Council for
15 final action. Final action by the County Council will
16 generally take the form of an ordinance approving the
17 application or a resolution denying the application. In
18 most instance there will be no further public hearing
19 before the County Council.

20 I call this meeting to order. Madam Secretary,
21 please take roll.

22 SECRETARY ROESCH: Danny Tuggle.

23 COMMISSIONER TUGGLE: Here.

24 SECRETARY ROESCH: Greg Bowers.

25 COMMISSIONER BOWERS: Here.

1 SECRETARY ROESCH: Johnathan Sparks.
2 COMMISSIONER SPARKS: Here.
3 SECRETARY ROESCH: Larry Adkins.
4 COMMISSIONER ADKINS: Here.
5 SECRETARY ROESCH: Jeffrey Spraul.
6 COMMISSIONER SPRAUL: Here.
7 SECRETARY ROESCH: Tim Dugan.
8 COMMISSIONER DUGAN: Present.
9 SECRETARY ROESCH: Jessie Scherrer. Mike
10 Huskey.
11 COMMISSIONER HUSKEY: Here.
12 SECRETARY ROESCH: We have a quorum.
13 COMMISSIONER BOWERS: Is there any changes
14 to the agenda? If not, I'll accept a motion to approve.
15 COMMISSIONER DUGAN: So moved.
16 COMMISSIONER ADKINS: Second.
17 COMMISSIONER BOWERS: We have a motion made
18 by Commissioner Dugan, second by Commissioner Adkins, to
19 approve the agenda. All in favor, say aye.
20 (Members voted orally.)
21 COMMISSIONER BOWERS: Opposed?
22 (No response.)
23 COMMISSIONER BOWERS: Passes unanimous.
24 Are there any changes to the minutes? If not,
25 I'll entertain a motion to approve the minutes.

1 COMMISSIONER DUGAN: So moved.

2 COMMISSIONER ADKINS: Second.

3 COMMISSIONER DUGAN: We have a motion made
4 by Commissioner Dugan, seconded by Commissioner Adkins,
5 to accept the -- to approve the minutes. All those in
6 favor, say aye.

7 (Members voted orally.)

8 COMMISSIONER BOWERS: Opposed?

9 (No response.)

10 COMMISSIONER BOWERS: Passes unanimous.

11 Swearing in of the witnesses.

12 MR. KEHM: Thank you, Mr. Chair. Again,
13 welcome to tonight's meeting of the Jefferson County
14 Planning and Zoning Commission. If you are going to
15 testify regarding one of the cases on the agenda this
16 evening, your testimony actually becomes part of the
17 record of that case, and therefore it needs to be sworn.
18 Rather than swear people in individually like you might
19 see in a courtroom, we do it all at once at the beginning
20 of the meeting just to save a little bit of time. So if
21 you are going to be testifying this evening on one of the
22 cases, please go ahead and stand up right now. This is
23 anybody that's going to talk on either of the cases
24 tonight. Okay. Please raise your right hand and the
25 secretary will swear you in.

1 (Speakers sworn in.)

2 MR. KEHM: Thank you very much. Please have
3 a seat, ma'am. When it is your turn to come up, again,
4 the Chair will recognize you. Hand your speaker slip to
5 one of the planners over here, head on up to the podium.
6 State your name, state your address and state for the
7 record that you've been sworn in.

8 COMMISSIONER BOWERS: Thank you.
9 Introduction of the evidence.

10 MR. KEHM: Members of the Planning and
11 Zoning Commission, the County would ask that the
12 following exhibits be entered into the record for
13 tonight's meeting. Those exhibits are Exhibit A, the
14 official master plan for Jefferson County, Missouri,
15 adopted on August the 6th, 2003, and made effective on
16 April the 2nd, 2008; Exhibit B, which is the Code of
17 Ordinances of Jefferson County, specifically Chapter 400
18 of that code, otherwise known as the Unified Development
19 Order, and that was adopted on April the 2nd, 2008, and
20 has been amended from time to time thereafter; and
21 finally, Exhibit C, said exhibit existing of the Planning
22 Division staff reports with their respective case files.

23 COMMISSIONER BOWERS: Thank you, sir. I'll
24 entertain a motion to introduce the evidence.

25 COMMISSIONER DUGAN: So moved.

1 COMMISSIONER ADKINS: Second.

2 COMMISSIONER BOWERS: Motion made by
3 Commissioner Dugan, second by Commissioner Adkins, to
4 introduce the evidence. All those in favor, say aye.

5 (Members voted orally.)

6 COMMISSIONER BOWERS: Opposed?

7 (No response.)

8 COMMISSIONER BOWERS: Introduction of the
9 evidence passes unanimous.

10 Under the consent, FP23029, final plat for Timber
11 Plat Two, I just need a motion to approve.

12 COMMISSIONER DUGAN: Make a motion to
13 approve FP23029.

14 COMMISSIONER ADKINS: Second.

15 COMMISSIONER BOWERS: Have a motion by
16 Commissioner Dugan to accept FP23029, second by
17 Commissioner Adkins. All those in favor, say aye.

18 (Members voted orally.)

19 COMMISSIONER BOWERS: Opposed?

20 (No response.)

21 COMMISSIONER BOWERS: Passes unanimous.

22 Under consideration, CC223031, request for a zone
23 change for a parcel located at 5111 State Road F,
24 Pacific, and I believe that is Ms. Krispin.

25 MS. KRISPIN: Thank you. This is CC223031.

1 The petitioner is requesting to rezone the subject
2 property from single-family residential, R40, to
3 planned -- or I'm sorry -- non-planned community
4 commercial, CC2. The subject property is located at
5 1511 State Road F in Pacific and is roughly 1.22 acres in
6 size. There are no flood concerns and the site is
7 currently developed with a vacant gas station.

8 This is a look at the zoning map. The property
9 outlined in black is the subject property, zoned
10 single-family residential, R40, as well as to the east,
11 south and west. Across State Road F is PUD, which is our
12 planned unit development, and that is a single-family
13 residential subdivision.

14 And this is a look at the topography map. You
15 can see that the subject property has frontage both on
16 State Route F and Opeechee Beach Road.

17 These are photos of the subject property. You
18 can see the vacant gas station, and then this is Opeechee
19 Beach Road. This is State Road F, and that is that
20 single-family residential subdivision right to the north.

21 So as for the analysis, the subject property is
22 located in a region of the county where the surrounding
23 area is mainly residential. Across State Road F is a
24 residential development, which is Palisades Village.
25 There's also larger single-family residential lots to the

1 rear of the property. As the property is zoned
2 currently, it would be difficult to develop the property
3 residentially while meeting current UDO standards,
4 specifically in regard to building setback requirements.
5 The subject property is currently developed with a vacant
6 gas station. It is unclear how long the property has
7 been unoccupied for, but it appears to be several years.
8 The property has road frontage on a state highway, which
9 could lend itself to a commercial zoning of sorts, and
10 the closest commercial zoning is located in the Eureka
11 area.

12 For your consideration tonight, a request to
13 rezone the subject property from single-family
14 residential, R40, to non-planned community commercial,
15 CC2. I'll be happy to answer any questions.

16 COMMISSIONER BOWERS: Do we have any
17 questions for staff?

18 (No response.)

19 COMMISSIONER BOWERS: Is the petitioner
20 present? Please come forward. State your name, your
21 address, and just say that you have been sworn in, and as
22 a reminder, you will have ten minutes.

23 MS. BAILE: My name is Beth Baile. My
24 residence is in Kirkwood at 204 Sugar Creek Ridge Drive,
25 and I have been sworn in.

1 COMMISSIONER BOWERS: Thank you.

2 MS. BAILE: I'm not sure of the procedure.
3 Do you have questions for me or do you want me to make a
4 statement?

5 COMMISSIONER BOWERS: Do you have a
6 presentation to give with anything or do you want to
7 explain what's going on with this piece of property?

8 MS. BAILE: I -- Yes. We acquired this
9 property late in the year in 2008 to -- as a place for
10 family members to run the business that was there. As
11 you can imagine, the end of October of 2008 was a
12 terrible time to be buying anything that you wanted to
13 gain economically from. The economy was not good. It
14 was a convenience store and gas station, and we finally
15 closed it in 2012, at the end of June, and it has not
16 been occupied since then, although once a year someone
17 leases for a month and fireworks are sold from that site.
18 It's not a piece of property that anybody would want to
19 live on very likely due to the heavy traffic on both
20 sides. Any sort of business, it might be a very
21 convenient place to be. Just for the record, in 2014 the
22 gas tanks were removed entirely, and I have the letter of
23 no further consideration as we passed all the tests for
24 any sort of contamination.

25 I would like very much to sell this property.

1 I'm not interested in having a business of any sort
2 there, and it has been difficult because the zoning was
3 kind of ambiguous, and so I think this step is an
4 important one to -- for me to be able to have a -- have
5 potential buyers who can follow through with taking
6 advantage and making this a place where -- that could be
7 a benefit to the community, whether it's a store or
8 whether it's offices. There is one building there that
9 is usable, and that would of course be up to a buyer, but
10 I do not intend to develop this myself in any way.

11 COMMISSIONER BOWERS: Thank you. Is there
12 any questions for this witness?

13 COMMISSIONER DUGAN: None.

14 COMMISSIONER BOWERS: Thank you, ma'am. We
15 may call you back.

16 Are there any citizens wishing to speak in favor
17 of this? Anyone wishing to speak in favor?

18 (No response.)

19 COMMISSIONER BOWERS: Anyone wishing to
20 speak in opposition? Anyone wishing to speak in
21 opposition?

22 (No response.)

23 COMMISSIONER BOWERS: Would you like to add
24 anything else, ma'am?

25 MS. BAILE: I can't think of anything.

1 COMMISSIONER BOWERS: All right. Discussion
2 amongst commissioners? If not, I'll entertain a motion.

3 COMMISSIONER DUGAN: I'll make a motion to
4 approve CC223031.

5 COMMISSIONER TUGGLE: Second.

6 COMMISSIONER BOWERS: Motion made by
7 Commissioner Dugan, second by Commissioner Tuggle, to
8 accept CC223031. All those in favor, say aye.

9 (Members voted orally.)

10 COMMISSIONER BOWERS: Opposed?

11 (No response.)

12 COMMISSIONER BOWERS: Passes unanimous,
13 CC223031.

14 (End of case.)

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1 COMMISSIONER BOWERS: Next item, VR23032,
2 request for a deviation of a parcel located at Green
3 Acres, lot 16D, Festus, in Plattin Township, Council
4 District Number 5. Mr. Jump.

5 MR. JUMP: Thank you. This is case number
6 VR2302 [sic]. The petitioner's request is relief from
7 our stormwater buffer strip under stormwater management
8 design that requires a 25-foot buffer on the stream
9 order 1. A little bit about the subject property, it's
10 currently zoned LR2. It's in Council District 5,
11 secondary growth area, and it's about 6.19 acres in size.
12 It is adjacent to a single-family home that's owned by
13 the same ownership, actually shares the same address as
14 well.

15 A little bit about the topography, it is quite
16 extreme with grades sloping down quickly towards Plattin
17 Creek. There is a stream order 1 that traverses the
18 property as well as a 100-year floodplain and a little
19 bit of floodway as you get towards Plattin Creek, but it
20 kind of dissipates really quickly as you come away from
21 Plattin Creek, and it is -- all the surrounding zoning is
22 currently zoned LR2.

23 This is the current zoning map. The piece of
24 property is this part right here, and so it's all zoned
25 LR2 currently. You can -- In the next slide I'll show

1 you the sort of location of the stream buffer and
2 floodplain in relation to the request tonight. You can
3 see it on here but it's a little more difficult to see,
4 but I'll show that in the next slide.

5 This shows you the stream buffer. Right around
6 here is where they're looking to do the work, and then it
7 kind of flows from the Platin Creek. This blue area
8 here is all 100-year floodplain. This is your floodway,
9 and then the -- a little bit of orange on the fringe is
10 the 500-year floodplain.

11 This is the site plan that was submitted kind of
12 showing the general location of the work. This is kind
13 of where that buffer lies, and then there's some proposed
14 work there to be done for stabilization.

15 So our Stormwater Division analyzes these
16 requests for us. The subject property is currently zoned
17 LR2 and is seeking relief from that one requirement of
18 the stream buffer. The petitioner's plan shows a small
19 portion of the development, extension of an outfall pipe,
20 encroaching on the stream buffer on the northern side of
21 the property. This is what they took to the Stormwater
22 Division. Their analysis is the following: The
23 Jefferson County engineer recommends approval of the
24 deviation from stream buffer 1 for that parcel for
25 improvements and safety for the air shaft into the cave

1 for this property. Jefferson County Stormwater Division
2 is requesting the approval for stream buffer variance
3 relief to have inspections made to ensure protection of
4 water quality during the scope of work being performed.

5 And then for your consideration is relief from
6 that 25-foot stream buffer requirement to do the work
7 presented for stream order 1. I'd be happy to take any
8 questions.

9 COMMISSIONER BOWERS: Thank you, sir. Any
10 questions of staff?

11 COMMISSIONER SPRAUL: Yeah. What cave?
12 Tell me about the cave.

13 MR. JUMP: I mean, I don't --

14 MR. KEHM: So that would be the old PPG
15 Silica sand mine over in Crystal City. It currently goes
16 by the moniker the Crystal City Underground. We're not
17 going to talk about that operation. But, yeah, that is
18 what is all underneath there.

19 COMMISSIONER SPRAUL: Wow. I had no idea.

20 MR. KEHM: It's a very large structure, I
21 mean, underground.

22 COMMISSIONER BOWERS: Any other questions of
23 staff? Is the petitioner present?

24 MR. TOWNSEND: Yes. I didn't swear in,
25 though.

1 COMMISSIONER BOWERS: Okay. Are you wanting
2 to make a statement?

3 MR. TOWNSEND: Sure, I'll make a statement.

4 COMMISSIONER BOWERS: Then we'll swear in.

5 (Speaker sworn in.)

6 COMMISSIONER BOWERS: All right. Please
7 come forward. State your name, your address and that you
8 have been sworn.

9 MR. TOWNSEND: My name is Richard Townsend.
10 I live at 11463 Rivers Hills Road and I have been sworn
11 in.

12 COMMISSIONER BOWERS: Thank you, sir.

13 MR. TOWNSEND: This issue is more about
14 safety than it is about stormwater. Okay. I own -- My
15 previous owner was Lynne Grass. I own the property now.
16 It is a 20-foot dropoff from that mine entrance into
17 the -- into really rocky bottom. We've had children --
18 children -- I call them children -- I'm too old -- high
19 school kids, they have beer, we have coolers, we have
20 everything under the sun because it's the place to party,
21 and we run them out of there all the time. There's --
22 Like I said, they've had extension ladders going down in
23 there. We've had -- Last February we had four Festus
24 high schoolers dive into there skinny dipping in
25 February, and if they hadn't have put a rope up, there's

1 no way to get them out, because it's a -- you know, the
2 water level changes. Sometimes the water level's ten
3 foot deep, sometimes the water level's three foot deep,
4 and there's, you know, jagged rocks down below.

5 This project is to simply raise a wall up, I
6 think it's eight foot, and then to put a fence around it.
7 PPG had a fence around it before. It's been years since
8 PPG's been there. The fence is down. The fence is --
9 And the gentleman's trying to bring it up. It's on my
10 property so I have to bring this petition, but it's not
11 my project. It's his project, and he's paying for the
12 whole thing to be done, but it's safety. It's more
13 than -- It's not a water issue, because his mine entrance
14 is not in any water flow. I have a water flow off to the
15 side that takes all the water coming out. The mine does
16 not get any water in there, and it's already about
17 15 foot in the air, so it's not going to, you know,
18 affect any stormwater, but this is really -- we're tired
19 of running kids out, and it's been a long -- I've owned
20 it now for I don't know how many years and it's a
21 continuing -- every time I see a car in the turn, we
22 simply turn around and go back to the mine because
23 they're in there. It's -- I'd hate to think of somebody
24 drowning in there. I'd hate to see it, because there's
25 no way to get them out simply unless you pull them out.

1 COMMISSIONER BOWERS: Thank you, sir. Are
2 there any questions of this witness?

3 (No response.)

4 COMMISSIONER BOWERS: Thank you, sir. We
5 may call you back.

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

8 (No response.)

9 COMMISSIONER BOWERS: Anyone wishing to
10 speak in opposition? Anyone wishing to speak in
11 opposition?

12 (No response.)

13 COMMISSIONER BOWERS: Would you like to add
14 anything else?

15 MR. TOWNSEND: No.

16 COMMISSIONER BOWERS: Discussion amongst
17 commissioners? If not, I'll entertain a motion.

18 COMMISSIONER DUGAN: Make a motion to
19 approve VR23032.

20 COMMISSIONER HUSKEY: Second.

21 COMMISSIONER BOWERS: Have a motion made by
22 Commissioner Dugan to accept VR23032, second by
23 Commissioner Huskey. All in favor, say aye.

24 (Members voted orally.)

25 COMMISSIONER BOWERS: Opposed?

1 (No response.)

2 COMMISSIONER BOWERS: VR23032 passes
3 unanimous.

4 Reports to the Commission.

5 MR. KEHM: Only one. Our next meeting is
6 September the 14th. We have a full agenda for that
7 meeting, so we appreciate everyone's attendance. That's
8 all I've got for you.

9 COMMISSIONER BOWERS: Thank you, sir.
10 Citizens wishing to be heard? Please come forward.

11 MS. ARONS: I have something to pass out.

12 MR. CORDES: And they don't need to state
13 that they've been sworn, obviously, because this is not
14 part of the hearing, but if you'd state your name and
15 address, please. Thank you.

16 MS. ARONS: I will, once everyone has the
17 audiovisuals. At least it's not a packet. You know, I'm
18 a teacher, or I'm a retired teacher. A packet like those
19 and everybody cringes.

20 All right. My name is Lori Arons. I live at
21 1031 Scenic Oaks Court, Imperial, Missouri. So good
22 evening, everyone, and I'm going to try and be brief.
23 Thank heavens it's a short meeting. But before I get to
24 what I want to talk about, I'd like to ask a quick
25 question, and that is, why are the public comments at the

1 end of the meeting? Sometimes public comments might be
2 in reference to something going on in the meeting but we
3 are not actually speaking for or against. Is it possible
4 to move the comments to the beginning of the meeting,
5 like the County Council? Because sometimes when we have
6 a long meeting and someone wants to make a public
7 comment, you're like, I just want to get out of here, I
8 don't really care, just let me get out of here. So what
9 I have to say is important, but if we'd had a long
10 meeting, I would have really felt that you were just kind
11 of let it go in one ear and out the other because you
12 just want to get out of here and go to Dairy Queen.

13 Anyway, on to what I have given to you, I spoke
14 at the last County Council meeting and I presented this
15 chart that was put together by my partner at JeffCo Voter
16 Voices, Ben Menendez, and that's what I'd like to ask
17 some questions about and speak to the Planning and Zoning
18 Commission. We're asking the Planning and Zoning
19 Commission to change the posting of the documents
20 submitted by developers as soon as they are received
21 online and that all documents are in an easily
22 researchable digital form.

23 The chart I presented you shows the timeline for
24 the information and its publication to the public. The
25 key issue is the 20-day gap in time between the time a

1 petitioner develops -- I'm sorry. It's been a long day.
2 First day back -- It's our second day back at school.
3 The key issue is the 20-day gap between the time a
4 petitioner submits a development plan and the time those
5 plans are made readily available to the residents of
6 Jefferson County. The attached calendar is based on the
7 published schedule of a recent Planning and Zoning
8 Commission petition and the excessive time before the
9 petition was made public. However, this applies to all
10 of the other petitions as well. We just used this one
11 for an example.

12 What we are simply asking for is access to all of
13 the documents to be made available as soon as possible in
14 a digital and easily accessible format so you can search
15 what is in the petition. No longer should myself or a
16 member of my team be forced to drive to Hillsboro and get
17 out our smart phones at the P&Z office and take pictures
18 of all of the documents on our phone and then upload them
19 to the computer to share with other people. We believe
20 the documents arrive in the P&Z office in a digital
21 format anyway, so why are they not simply just posted
22 online as soon as you receive them? I can speculate why
23 the long delay in making petitions public, but I'm not.
24 I'm just going to hope that it's simply because this is
25 the way it's always been done and no one has ever asked

1 for this information to be made available sooner. So now
2 we are asking.

3 I assume maybe this is simply a decision by
4 management and the process to change this could happen
5 very quickly; you just simply have to post it. We find
6 nothing in the code or the P&Z Commission bylaws that
7 address the schedule, so therefore, why the delay? If
8 someone in the -- from the Commission could contact me or
9 Ben Menendez with either an explanation as to why the
10 current timeline is necessary or is it something that can
11 be easily fixed, we would really appreciate an answer to
12 that question and we hope to hear from you soon. Thank
13 you.

14 COMMISSIONER BOWERS: Thank you, ma'am. Any
15 questions of this witness?

16 COMMISSIONER SPRAUL: Yes, ma'am, I do have
17 a question. Why can't you make a sunshine request to
18 request those documents?

19 MS. ARONS: Why do I need to? You're going
20 to post them.

21 COMMISSIONER SPRAUL: All the documents are
22 available.

23 MS. ARONS: But they're going to be posted.

24 MR. KEHM: That's a great question that I'd
25 like to respond to, because we routinely provide these

1 documents to Mr. Menendez electronically via email very
2 early in this process. We also have said, hey, if you
3 want to come down and look at them and take pictures, we
4 won't charge you for the copies as the sunshine law
5 allows us to. If you want them, you can pay for them,
6 we'll send them to you, that's great, but if you want to
7 come down and look at them, you know, take however many
8 pictures you want. We do this every -- prior to almost
9 every meeting or when those requests are made, and that's
10 what we do.

11 MS. ARONS: Right. We're just asking that
12 they -- as soon as, like, this last one -- the sign went
13 up before it was even posted, and then we had to actually
14 hunt up -- and then the digital form wasn't easily -- we
15 had to -- it wasn't easily searchable, and so we would
16 just like to get the information out as soon as possible
17 and quicker so that the people who are affected by
18 this -- if I didn't have to come down to Hillsboro to
19 take photos of those --

20 MR. KEHM: Sure. You don't.

21 MS. ARONS: -- if I could get them before
22 then, because at the current time, that is what we have
23 been under the impression, that we could not get these in
24 digital format sooner without having to come down and
25 take a picture of them.

1 MR. KEHM: No. We've gone over this many
2 times. You can get them within three days of asking for
3 them. You just got to pay for them. We'll let you come
4 down and take pictures of them for free so that you don't
5 have to pay 10 cents per page plus the amount of time it
6 takes us to put them together and copy them. The other
7 thing is, we provide them in the format that we have them
8 in. We're not going to convert them into other digital
9 formats. The law doesn't require us to do that and we
10 don't have the technical ability to do that, so we're not
11 going to take a document that we receive as a PDF,
12 convert it into some other document and provide that.

13 MS. ARONS: So if you get a document that's
14 a PDF, why cannot that PDF just be sent out? Why do I
15 have to pay per page if it's already in a digital PDF
16 form? If I just want to say, email me that PDF form, I
17 shouldn't be charged, because some of these may be
18 40 pages long.

19 MR. KEHM: Yes.

20 MS. ARONS: So if it's already in that PDF
21 form --

22 MR. KEHM: Yes.

23 MS. ARONS: -- why do I need to pay 10 cents
24 a page times 40 pages if it's already digital?

25 MR. CORDES: The sunshine law allows us to

1 charge for search and research time, so whenever you get
2 a sunshine law request, the staff here has to take time
3 away from their regular duties to respond to your
4 sunshine law request or Mr. Menendez's numerous sunshine
5 law requests, so the law says that we can charge for that
6 time, and we do charge for that time because that's time
7 that's being spent -- it's basically the taxpayers' money
8 to respond to your request.

9 MR. KEHM: And I will add to that,
10 Mr. Menendez receives these free of charge. We do email
11 the development plans to him for free. In fact, those
12 cases that I referenced on September 14th, he's already
13 been given that information, so --

14 MR. CORDES: And that's being done as a
15 courtesy.

16 MR. KEHM: It is a courtesy. We're happy to
17 do it. I mean, that's -- but we do that routinely.

18 MS. ARONS: Okay. We're just wanting to
19 make sure that that information is available as soon as
20 possible and not having to wait, as it has been in the
21 past, so thank you.

22 COMMISSIONER SPRAUL: Thank you.

23 COMMISSIONER BOWERS: Any other questions
24 for this witness?

25 COMMISSIONER SPARKS: I actually have a

1 question if she could entertain us some more for my
2 request. You said, I don't want to speculate. Are you
3 going to stand by that? Because you are under oath
4 and -- or you're not under oath so you don't have to
5 answer my questions.

6 MS. ARONS: I haven't had --

7 COMMISSIONER SPARKS: But I guess my
8 question is, what do you think changing this will
9 accomplish that's not already being worked out and, as
10 counsel said, as a courtesy that is being provided, and
11 even digitally? You know, I think there's a breakdown
12 and there's a misconception that if it's digital, it's
13 free. I work in IT. If it's digital, there are servers,
14 there are data centers, there's stuff that that stuff
15 sits in and it draws power. It costs money. So I guess
16 my two questions are, what do you think this accomplishes
17 for the people, and what is your speculation as to why --

18 MS. ARONS: Well, in the past --

19 COMMISSIONER SPARKS: -- we're not providing
20 you or anyone else that information?

21 MS. ARONS: In the past -- and we have maybe
22 made great strides since we started this -- we have had
23 such a limited amount of time from when the public got
24 their letters that live within 600 feet of a zoning
25 change, and we were finding that it was very difficult to

1 get any kind of public feedback in that short amount of
2 time. Well, now that Ben has figured out, hey, we can
3 sunshine it, we can get it, or, hey, we need you to go,
4 and I have come down and taken pictures and all of that.
5 So the speculation was -- and we always got the feeling
6 that there was something that maybe was trying to be
7 hidden in some of these developments and some of the
8 petitioners didn't really want the public to know what
9 was in some of the developments, and we've had to rush to
10 get the word out, hey, do you know this is happening
11 600 feet from you, how do you feel about that; okay, we
12 need to get together and organize and come to you and
13 say, here's the reasons why we don't want this
14 development to be approved.

15 So we've always been so rushed to get that, to
16 where if we had this information and the letters went out
17 to the people within the 600 feet the minute that sign
18 goes up, that would give them more time to say, hey, this
19 is a great project, we really want this, we would love to
20 have 400 apartments right next to us, or, you know,
21 instead of the nine days or, oh, here's a sign, but most
22 people drive by and never even see it, don't -- I was
23 like that. I did not know what the signs were up until
24 that would have been four years ago I started this, and
25 all of a sudden I was like, I don't like that, and then

1 by the time I realized what was going on, it was too late
2 to make any difference. It had already passed Planning
3 and Zoning, it was on, like, the second vote in the
4 council, and I said, wait, this is not a good change, why
5 is this happening.

6 So we feel that we want the people who live in
7 the area to get those letters as soon as that sign goes
8 up, this is coming up for a planning and zoning, are you
9 aware that this is happening. So because it's always
10 been, you know, we kind of have speculated that maybe
11 some of the developers were hoping people didn't realize
12 that maybe there was going to be 382 apartments right
13 next to them that would concrete a whole bunch of land
14 and make their land flood. So it's really letting the
15 common person, person who lives there, get that
16 information out to them, get those letters out as soon as
17 that sign goes up and says, hey, there's a change that
18 could be coming to your neighborhood, are you aware; if
19 you were in favor of it, great, let's, you know, get
20 together, we'll go to the meeting, say, we want this
21 rezoned.

22 COMMISSIONER SPARKS: And you'll just -- and
23 I'll let you finish up in a second here, but you'll agree
24 that anybody who has any knowledge of how county
25 government works knows when the County Council meets.

1 They know when the Planning and Zoning meets. Those
2 things are posted on the County's website. It's not like
3 we're slipping it in two hours before we show up. So I
4 guess to your point is that if someone wants to be here
5 to speak to this commission, there is ample time and
6 ample opportunity, I think, for everybody to fill this
7 whole entire room, and nine times out of ten nobody shows
8 up --

9 MS. ARONS: And I would agree to that.

10 COMMISSIONER SPARKS: -- and everybody gets
11 the same information. We're not -- You know, we're not
12 giving to these people and not these people, right, so
13 everybody gets the same shake, right, and that's what I
14 was --

15 MS. ARONS: But can you see that sending out
16 information sooner might be better than later for the
17 people?

18 COMMISSIONER SPRAUL: I'm still confused.
19 Are you talking about you guys getting the information or
20 are you talking about the voters getting information?

21 MS. ARONS: I would like the voters to be
22 able -- because the letters don't always --

23 COMMISSIONER SPRAUL: You're not speaking
24 for the voters, right?

25 MS. ARONS: I am -- Well, I am representing

1 a large -- a group of people that we put information out
2 to, so we get information out to people, and those people
3 are becoming more -- we are trying to make what is going
4 on -- and what I have learned is so much of what is being
5 built in this county starts right here with you guys.

6 COMMISSIONER SPRAUL: Oh, I understand.

7 MS. ARONS: You guys are the first step.

8 COMMISSIONER SPRAUL: You're being an
9 advocate for the folks.

10 MS. ARONS: I'm being an advocate for the
11 folks.

12 COMMISSIONER SPRAUL: The folks that aren't
13 here.

14 MS. ARONS: The folks that aren't here.

15 COMMISSIONER SPRAUL: Or chose not to be
16 here.

17 MS. ARONS: Or are unavailable because of
18 work schedule or unavailable because they have a health
19 issue and cannot be here and will read every word or will
20 watch every word that is on the video, which is another
21 issue about the video, but that's for the County Council.
22 But, yes, I am an advocate for a group of citizens that
23 are following now what is going on in the county, and I'm
24 very proud of that. I'm very proud that Ben and I have
25 been able to get so much more information. I submitted

1 information before you were here that prior to my
2 organization, JeffCo Voters Voices, I have documentation,
3 say, three years ago of the previous three years, there
4 were 38 -- and I don't have my numbers, so don't -- but
5 there were 38 petitions that were brought to Planning and
6 Zoning. 36 of them were approved because nobody said no.
7 No one questioned. So once I became aware, I started
8 saying, I got to let people know, because people are
9 busy. I didn't know what was going on until five years
10 ago, and all of a sudden I'm like, I wish someone would
11 have told me. Yes, I can go to the website, which your
12 website is not the easiest to navigate.

13 COMMISSIONER SPRAUL: So you're looking to
14 get the information quicker so you can drum up people to
15 say no.

16 MS. ARONS: No, no, no, no, and we get that
17 misconception that we --

18 COMMISSIONER SPRAUL: That's what you just
19 told me.

20 MS. ARONS: No. We get the misconception
21 that we are just a no organization. There have been
22 several of them -- in fact, Mr. Bowers -- when I came up
23 and spoke a month or so ago in favor of a development for
24 a new subdivision, I said, yes, this is great, there's
25 everything that we have always wanted, we support and --

1 this development, and he actually said, wait a minute,
2 are you agreeing? So, yes, I've spoken on several
3 developments that say, this is great. The Wow
4 Entertainment a year ago, I came out and said, yes, this
5 is great, we need this, this will bring tax dollars out
6 to Jefferson County. So we are not just a group of
7 naysayers. We are a group that want responsible
8 development. We want the roads. We want the sewers. We
9 want the infrastructure before we put 382 apartments on a
10 two-lane windy road. So we -- Ben and I are the
11 co-administrators, but our goal is to not make Jefferson
12 County look like St. Charles County, so when we get a
13 heavy rain, we concreted everything and then it floods.

14 COMMISSIONER DUGAN: Excuse me. Do you have
15 a social media page where you promote this information?

16 MS. ARONS: I do. It's called JeffCo Voter
17 Voices.

18 COMMISSIONER DUGAN: Is it a Facebook page
19 or --

20 MS. ARONS: It is a Facebook page. We put
21 out all kinds of information about what is going on in
22 the county, so -- and on there --

23 COMMISSIONER DUGAN: I assume it's all
24 factual information.

25 MS. ARONS: It is factual, and we -- it

1 is --

2 COMMISSIONER DUGAN: Or opinion?

3 MS. ARONS: No. When we submit something,
4 it is fact. When we submit a development, we will list,
5 here's what the lawyer said, here's what the document
6 said, here are the code ordinance, here's what we like,
7 here's what we don't like, what do you think, so we --

8 COMMISSIONER DUGAN: So are you interpreting
9 the documents that are out there based on your technical
10 background?

11 MS. ARONS: I don't know the word
12 interpreting them. We are reporting them.

13 COMMISSIONER DUGAN: Reporting is -- could
14 be construed as being opinion, or is it hearsay? What do
15 you --

16 MS. ARONS: We put the information out there
17 for the public that says, here's what is coming to your
18 area, there's going to be X -- this is the development,
19 here's what it says, here's what the -- I've come down,
20 here's the pictures, here's the plot, here's the
21 drawings, here's the plans, here's what they have, then
22 my partner, who is very technical, will go and he will
23 make sure that it matches the codes. He will pull up and
24 says, the code says you have to have this.

25 COMMISSIONER DUGAN: And is that information

1 the same that's available for the counties?

2 MS. ARONS: Uh-huh. We get it from the
3 County.

4 COMMISSIONER SPRAUL: I don't even have a
5 copy of the September 14th agenda yet, so you guys got
6 the information pretty quick.

7 MS. ARONS: We got the agenda that's posted
8 on there. I don't have any -- There's no documents yet.
9 We've got an agenda that says X, Y and Z are going to be
10 discussed on the agenda. There's no attachments.

11 MR. KEHM: No, Mr. Menendez has been sent
12 the development plans for the developments on that
13 agenda, so he does have those, and you are correct, you
14 don't have them yet.

15 COMMISSIONER SPRAUL: I don't have them yet.

16 MR. KEHM: That's right.

17 MS. ARONS: Because he has asked for them
18 and --

19 COMMISSIONER SPRAUL: So you guys are
20 getting things in a timely manner. Thanks. That's good.

21 MS. ARONS: We are, but then it -- why is it
22 our purpose or our point to have to put that out there
23 when we just want the public to be made aware as soon as
24 we are, send the letters out that says, there's a zoning
25 change, it's going to happen, here's the date of the

1 hearing? Instead of it being nine days, it should be the
2 minute that sign goes up, the people -- and the other
3 thing, one more thing just happened to think of, we would
4 like to increase that from 600 feet to a mile. Why can't
5 we -- Don't laugh. We would like more people to be
6 aware --

7 MR. KEHM: So we're getting a little off
8 here, but I just want to address this. Mail notices go
9 out 15 days before this meeting. The notice agenda,
10 published 15 days before this meeting. The sign required
11 to be posted, 15 days before this meeting. Now,
12 sometimes property owners put that sign up a little bit
13 early. That's great. That's providing the neighborhood
14 with more notice, but we can't require them to put it up
15 more than 15 days before the meeting. That's when all of
16 the notices --

17 COMMISSIONER BOWERS: Because the sign
18 that's put up is required by the petitioner, correct?

19 MR. KEHM: It is, and if the petitioner
20 chooses to put that up 30 days before the meeting, that's
21 great. That's on them. I think that's wonderful they're
22 providing even more notice than what is required by law.

23 COMMISSIONER DUGAN: I guess the question
24 would be are there times where they put it up at the last
25 minute and do we have any --

1 MR. KEHM: They have up to 15 days before
2 the meeting to put it up. We check it -- Typically we
3 start checking the week before that deadline, and if it's
4 not up yet, we start calling and making sure it's going
5 to be up by the time, because if it's not up, then it
6 gets pulled off of your all's agenda, and we don't want
7 that to happen, so that's -- but all of those notices run
8 on the same timeline.

9 COMMISSIONER SPARKS: I just want to speak
10 on, you know, myself, for the first year I've been here,
11 okay, and there's a lot of, I believe, misconceptions
12 about what Planning and Zoning is, okay? I can ask you
13 right now, have you read all Chapter 400 of the UDO and
14 know it back to front?

15 MS. ARONS: I have not, but I will tell you
16 I know Ben has.

17 COMMISSIONER SPARKS: None of us probably
18 have, but when it comes to meeting to pass something,
19 okay, and we're on this committee, at least my
20 understanding is there is no emotion that gets put into
21 it. If it's in my back yard, if it's in my friend's back
22 yard, if something is against the UDO, we have to sit
23 here and look at it and go, if it's against stuff that's
24 written down, then it doesn't pass, you know. We as a
25 body here look over factual information. We ask

1 questions to get factual responses from people. Nothing
2 else plays into it except for what you see in the first
3 part of this meeting, is all those exhibits that come in
4 to us, and if it's not in there or if it's against
5 something, then we have to vote accordingly. If it's a
6 huge thing that's being built and they've got all their
7 stuff together and it's with the UDO's -- you know,
8 everything that's written in there is line by line.

9 MS. ARONS: And I appreciate that.

10 COMMISSIONER SPARKS: I'm not an elected
11 person, okay?

12 MS. ARONS: I understand.

13 COMMISSIONER SPARKS: I am a person here who
14 looks at the facts and has to make a judgment on it with
15 the facts, and I think everybody else here on this panel
16 does that, so when you say, well, we just pass
17 everything, if things are within compliance, you know,
18 that's up to the County Council to vote on, and if you
19 want to bring more people to the meetings, that's great.
20 I would love to see people pack this place and be part of
21 this community and be involved, okay, and that's -- I'm
22 going to leave it at that, but that's from the time I've
23 started here this year how I have to approach things. If
24 I don't like something, it doesn't enter into it. If I
25 like something, it's not supposed to enter into it. It's

1 what that 400 code says and it's that chapter and verse,
2 so I'll leave it at that.

3 MS. ARONS: And I will leave it with that we
4 and me and I really appreciate you taking that
5 responsibility. I cannot say it has always been that
6 way, but I thank you for having a commission that will
7 look at all the facts and make a judgment based on the
8 facts presented.

9 COMMISSIONER BOWERS: Thank you, ma'am.

10 Any other citizens wishing to be heard? Any
11 other citizens wishing to be heard?

12 (No response.)

13 COMMISSIONER BOWERS: If not, I'll entertain
14 a motion to adjourn.

15 COMMISSIONER DUGAN: So moved.

16 COMMISSIONER SPARKS: Second.

17 COMMISSIONER BOWERS: Mr. Dugan has made a
18 motion to adjourn, second by Commissioner Sparks. All
19 those in favor, say aye.

20 (Members voted orally.)

21 COMMISSIONER BOWERS: All opposed?

22 (No response.)

23 COMMISSIONER BOWERS: Passes unanimous.

24 Meeting adjourned.

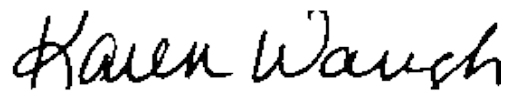
25 (Meeting adjourned at 7:19 p.m.)

1 STATE OF MISSOURI)
) SS
2 COUNTY OF ST. LOUIS)

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I, KAREN WAUGH, a Certified Court Reporter in and for the State of Missouri, DO HEREBY CERTIFY that I was present at the Jefferson County Administration Center, Hillsboro, Missouri, on August 24, 2023, and did record the aforesaid proceedings; that same was taken down in shorthand by me and afterwards transcribed, and that the above and foregoing is a true and correct transcript of said proceedings.

IN WITNESS WHEREOF I have hereunto set my hand this 29th day of August, 2023.



/s/Karen E. Waugh, CCR, RPR, CRR, RMR

Missouri CCR #1009

A				
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