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Planning & Zoning Meeting
September 14, 2023

Jefferson County, Missouri

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

September 14, 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 11
Exhibit B	Jefferson County Code of Ordinances - Chapter 400 Unified Development Order	Page 11
Exhibit C	Planning Division Staff Report and Respective Case File	Page 11
Exhibit D	Photographs (PR123035 and PP23036)	Page 33

[Exhibits retained by Counsel.]

1 JEFFERSON COUNTY PLANNING AND ZONING
2 COMMISSION MEETING AND PUBLIC HEARING, September 14,
3 2023, between the hours of 6:30 in the evening and
4 8:39 in the evening of that day, at the Jefferson
 County Administration Center, 729 Maple Street,
 Hillsboro, Missouri 63050, before Jennifer M. Jett,
 MO-CCR.

5

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A P P E A R A N C E S

7

PLANNING AND ZONING COMMISSION:

8

Jessie Scherrer
9 Danny Tuggle
 Greg Bowers
10 Johnathan Sparks
 Larry Adkins
11 Jeffrey Spraul
 Tim Dugan
12 Mike Huskey

13

14

PLANNING DIVISION STAFF:

15

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

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COUNTY COUNSELOR:

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Jason Cordes

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

5

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

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

24 When the chairman asks if anyone is in
25 attendance wishing to speak on the specific

1 applications, those wishing to provide comment are
2 required to come forward, provide their name and
3 address, and address their comments to the Planning
4 and Zoning Commission. It is important to remember
5 that members of the Planning and Zoning Commission
6 will make a decision on each application and you
7 should direct all comments to the Commission.

8 Responding to the audience both -- both wastes time
9 and may reduce the impact of your statement.

10 Members of the Planning and Zoning
11 Commission may question any speaker. This Commission
12 will not tolerate verbal outbursts or disruptions from
13 the audience nor will this Commission tolerate verbal
14 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 will then direct the staff of
18 the Planning Division to present the application. The
19 staff representative 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 ten-minute

1 uninterrupted period of 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 time limit
6 for questions from the Commission.

7 After all questions from the Commission
8 have been heard, the Chairman will 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 speakers to answer questions will not be subtracted
15 from the five minutes allocated for this portion of
16 the hearing.

17 After all questions from the Commission
18 have been heard, the chairman will ask for any
19 citizens wishing to address the Commission who are
20 opposed to this application to come forward. There
21 will be a total of 20 minutes allocated for public
22 comment in opposition to the application. No one
23 speaker will be allowed to speak for more than three
24 minutes. The Commission may ask questions of any
25 speaker. The time used for speakers to answer

1 questions will not be subtracted from the 20 minutes
2 allocated for this portion of the hearing.

3 Because time is limited, we strongly
4 recommend that speakers be prepared and know the facts
5 regarding the application. We recommend that you
6 avoid repetition. If you are part of a larger group,
7 we suggest that you designate a spokesperson to
8 provide comments for the group. The speaker may
9 acknowledge that he or she represents a larger group.
10 This will be the sole public hearing before a public
11 body regarding the application.

12 The petitioner will then have five minutes
13 to respond to issues during -- raised during the
14 comment period. The Commission may further question
15 the petitioner. Time used to respond to questions
16 from the Commission will not count against the time
17 allocation. After closure of the comment period the
18 Commission will then deliberate on the application.
19 The Commission may direct additional questions to the
20 staff or it may proceed directly to considering the
21 application.

22 Decisions of the Planning and Zoning
23 Commission will be forwarded to the County Council for
24 final action. Final action by the County Council will
25 generally take the form of an ordinance approving the

1 application or a resolution denying the application.

2 In most instances there will be no further public

3 hearing before the County Council.

4 I now call this meeting to order.

5 Madam Secretary, will you please call roll?

6 MS. ROESCH: Danny Tuggle.

7 COMMISSIONER TUGGLE: Here.

8 MS. ROESCH: Greg Bowers.

9 COMMISSIONER BOWERS: Here.

10 MS. ROESCH: Johnathan Sparks.

11 COMMISSIONER SPARKS: Here.

12 MS. ROESCH: Larry Adkins.

13 COMMISSIONER ADKINS: Here.

14 MS. ROESCH: Jeffrey Spraul.

15 COMMISSIONER SPRAUL: Here.

16 MS. ROESCH: Tim Dugan.

17 COMMISSIONER DUGAN: Here.

18 MS. ROESCH: Jessie Scherrer.

19 COMMISSIONER SCHERRER: Here.

20 MS. ROESCH: Mike Huskey.

21 COMMISSIONER HUSKEY: Here.

22 MS. ROESCH: We have a quorum.

23 COMMISSIONER SCHERRER: Thank you.

24 Is there approval -- is there a motion to

25 approve the agenda?

1 COMMISSIONER BOWERS: Motion to approve the
2 agenda.

3 COMMISSIONER DUGAN: Second.

4 COMMISSIONER SCHERRER: Commissioner Bowers
5 made a motion to approve the agenda; Commissioner
6 Dugan seconded.

7 All in favor say aye.

8 COMMISSION: Aye.

9 COMMISSIONER SCHERRER: Opposed?

10 Approval of the agenda passes unanimously.

11 Approval of the minutes for August 24,
12 2023.

13 COMMISSIONER TUGGLE: I have -- I have a
14 question.

15 COMMISSIONER SCHERRER: Okay.

16 COMMISSIONER TUGGLE: Mr. Scherrer is on
17 there twice.

18 MS. ROESCH: I corrected that.

19 COMMISSIONER SCHERRER: The secretary sent
20 out an -- she emailed out an -- a corrected --

21 COMMISSIONER TUGGLE: Okay. It's
22 corrected?

23 COMMISSIONER SCHERRER: Yes.

24 COMMISSIONER TUGGLE: Okay. Thank you.

25 COMMISSIONER DUGAN: Motion to approve the

1 minutes as corrected.

2 COMMISSIONER BOWERS: Second it.

3 COMMISSIONER SCHERRER: Commissioner Dugan
4 made a motion to -- for approval of the minutes for
5 August 24, 2023; seconded by Commissioner Bowers.

6 All in favor?

7 COMMISSION: Aye.

8 COMMISSIONER SCHERRER: Opposed?

9 Approval of the minutes for August 24,
10 2023, passes unanimously.

11 Swearing in of witnesses.

12 MR. KEHM: Thank, you Mr. Chair.

13 Again, good evening. Thank you all for
14 attending the meeting tonight. As I said earlier,
15 your testimony is very important and is actually a
16 part of the record in each of these cases; therefore,
17 your testimony does need to be sworn. Rather than
18 swear people in individually, we do it all up-front
19 here at the beginning of the meeting.

20 So if you are planning on speaking on any
21 of the cases here tonight, please do go ahead and
22 stand up right now, raise your right hand, and the
23 secretary over here will swear you in --

24 [Witnesses sworn by Secretary Roesch.]

25 MR. KEHM: -- thank you very much. You can

1 have a seat.

2 Again, when it is your turn to speak, make
3 sure you hand your speaker slip to one of the folks up
4 here in the front of the room, head on up to the
5 podium, state your name, state your address, and state
6 that you have been sworn in so that can all be
7 included in the record.

8 COMMISSIONER SCHERRER: Thank you, sir.

9 Introduction of evidence.

10 MR. KEHM: Members of the Jefferson County
11 Planning and Zoning Commission, the county would ask
12 that the following exhibits be entered into the record
13 for the cases to be heard by you this evening: Those
14 exhibits are Exhibit A, the Official Master Plan for
15 Jefferson County, Missouri, which was adopted back on
16 August the 6th of 2003, and made effective on
17 April the 2nd, 2008. Exhibit B, the Code of
18 Ordinances of Jefferson County, specifically, Chapter
19 400, that being the Unified Development Order, also
20 adopted on April 2, 2008, and amended from time to
21 time thereafter. And, finally, Exhibit C, said
22 exhibit consisting of the case files and staff reports
23 for the cases to be heard by you this evening.

24 COMMISSIONER SCHERRER: Thank you, sir.

25 Is there a motion to accept the evidence?

1 COMMISSIONER DUGAN: So moved.

2 COMMISSIONER BOWERS: Second.

3 COMMISSIONER SCHERRER: Commissioner Dugan
4 made a motion to accept the evidence; it was seconded
5 by Commissioner Bowers.

6 All in favor?

7 COMMISSION: Aye.

8 COMMISSIONER SCHERRER: Opposed?

9 Introduction of evidence is accepted
10 unanimately.

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1 COMMISSIONER SCHERRER: Under new business
2 we have consideration PR123035 and at the same time we
3 will also hear PP23036.

4 Ms. Krispin.

5 MS. KRISPIN: Thank you.

6 This is PR123035 and PP23036 both in regard
7 to Antonia Estates. For PR123035 the petitioner is
8 requesting to rezone the subject property from planned
9 industrial and nonplanned community commercial zoned
10 districts to planned single-family residential and
11 development plan approval for Antonia Estates.

12 The subject property is located near the
13 intersection of Old Highway M and Old Lemay Ferry. It
14 is roughly 17.78 acres in size. There are various
15 flood concerns on the property. The floodway does
16 exist on the property closest to the Old Highway M
17 frontage. Floodplain exists further into the property
18 directly north of the floodway. In addition, there is
19 a Stream Order 2 that is on the eastern property line.

20 This is a look at the zoning map: The
21 subject property outlined in black zoned planned
22 industrial and nonplanned community commercial;
23 planned industrial to the west. Adjoining the
24 property is planned unit development PUD. This
25 lighter green is single-family residential R40, as

1 well as directly south. And then the darker green is
2 large lot residential LR2.

3 And this is a look at the topography map.
4 You can see the red is the floodway. The blue is the
5 100-year floodplain. The gold is the 500-year
6 floodplain. And then this is that Stream Order 2 that
7 traverses the property line. There, also, is a Stream
8 Order 3 down here, it slightly cuts in on that corner.

9 These are photos of the surrounding
10 property. This is directly adjoining the property
11 that is the property that's zoned planned unit
12 development. It's commercially developed. This is
13 Old Highway M. This is Glennsway Drive that cuts
14 through the property and services some single-family
15 residential lots up there. And then these are those
16 single-family residential lots that are up this road.

17 So this is the submitted development plan.
18 The development plan and preliminary plat are
19 extremely similar so all the details on this will also
20 be for the preliminary plat. Couple things to note:
21 There are 51 proposed single-family lots. There is a
22 detention basin located in the southeast corner of the
23 property. The minimum lot size is 10,000 square feet.
24 This is the floodplain line; right here is the
25 floodway line. So there are roughly like eleven lots

1 located in the floodplain. There is common ground
2 right up here, kind of in the center, to the north;
3 one access point from Old Highway M and that will also
4 service the properties to the north, those residences
5 back there. There is a 20-foot landscape buffer
6 maintained around the perimeter of the property and
7 there is a turnaround, right up here, located between
8 Lots 20 and 21.

9 The subject property is located within the
10 primary growth area of the Official Master Plan. The
11 petitioner is seeking a PR1 zone district to allow for
12 a subdivision consisting of 51 single-family
13 residential lots. The development plan has proposed a
14 minimum lot size requirement of 10,000 square feet
15 which would be less impactful than what is allowed
16 under the current zone districts. The site is near
17 major roadways for ideal accessibility.

18 The petitioner did submit a request to
19 rezone the subject property to single-family
20 residential R7 back in April. The petitioner has now
21 come back to propose a planned district as well as
22 larger lots. Staff has not seen any evidence to
23 indicate there would be any risk to public health,
24 safety, and welfare from the use of the property as
25 proposed. The development does not appear to have any

1 features that would impede the normal and orderly
2 development and improvement of the surrounding
3 property.

4 So next is PP23036 which is a request for a
5 preliminary plat approval for Antonia Estates. Like I
6 said, they included all of the same detail on the
7 development plan that's required with the preliminary
8 plat submittal. So just a couple more things to go
9 over. The street width is 20 feet wide. The minimum
10 lot width is 60 feet. And, again, 51 lots and one
11 access point.

12 For the analysis, the lots range in size
13 from 10,000 square feet to roughly 14,000 square feet.
14 Like I said, the site has one access point from Old
15 Highway M that is located near the western property
16 line. The density that is permitted by the UDO for
17 the PR1 zone district is 6 units per acres and the
18 density for the proposed development is roughly
19 2.9 units per acre. The development provides a 10,000
20 square foot minimum lot size for new single-family
21 homes that are in line with the standards set forth by
22 the UDO.

23 And for your consideration tonight a
24 request to rezone the subject property from planned
25 industrial and nonplanned community commercial zoned

1 districts to planned single-family residential zoned
2 district and development plan approval for Antonia
3 Estates as well as a preliminary plat approval for
4 Antonia Estates.

5 I'll be happy to answer any questions.

6 COMMISSIONER SCHERRER: Thank you.

7 Are there any questions for staff?

8 COMMISSIONER SPRAUL: Yes, please. You
9 just mentioned --

10 COMMISSIONER SCHERRER: Turn your mic on.

11 COMMISSIONER SPRAUL: I'm sorry.

12 You just mentioned that you expected 2.9
13 units per acre 'cause when I do my math that's .23, so
14 that would be four per acre.

15 MS. KRISPIN: So the petitioner might want
16 to speak to that more but when I did that, I figured
17 it out to roughly 2.87 acres --

18 COMMISSIONER SPRAUL: Okay.

19 MS. KRISPIN: -- or units per acre.

20 COMMISSIONER SPRAUL: Okay.

21 COMMISSIONER SCHERRER: Other questions of
22 the staff?

23 COMMISSIONER SPARKS: I have -- I have a
24 quick question or maybe comment and for other people
25 that might not have been here when this was brought up

1 before 'cause I was getting serious déjà vu vibes here
2 so we -- we had this up and it moved to an R7 when it
3 was up here last, right?

4 Is that correct that you stated,
5 Ms. Krispin?

6 MS. KRISPIN: The petition, I believe, was
7 withdrawn from County Council so that never went
8 through.

9 COMMISSIONER SPARKS: Okay.

10 MS. KRISPIN: It is zoned planned
11 industrial.

12 COMMISSIONER SPARKS: Okay. I just wanted
13 to make sure 'cause like -- like I said, I was getting
14 some déjà vu there and anybody else that's on the
15 committee might have been doing the same. Thank you.

16 COMMISSIONER SCHERRER: Other questions for
17 staff?

18 Is the petitioner present?

19 Please come forward. State your name and
20 address and that you have been sworn in. As a
21 reminder, you will have ten minutes.

22 MR. VONARX: Good evening. Dave Vonarx
23 with VonArx Engineering representing Rodney G'Sell
24 tonight in this petition for Antonia Estates
25 Subdivision. My address is 10785 Business 21 and I

1 have been sworn in. I'm not a rookie.

2 So thank you, Rachel, for helping me with
3 the slides.

4 But so we have two petitions here: One is
5 for zone change from -- to PR1, single-family planned
6 development, and then also for a development plat and
7 then the preliminary plat at the same time.
8 Development plat and preliminary plat are essentially
9 identical drawings. We provided all the detail
10 required for the preliminary plat on the development
11 plat which requires a little bit less.

12 To answer your questions about why we're
13 here, originally, we were approved in April for R7
14 zoned district by the Commission but we failed to get
15 a -- a motion and approval from -- from the County
16 Council and so we have redrawn the plan and we're
17 coming back with something a little less dense. At
18 that time we were pursuing 60 lots, some of them which
19 would have been as large as these but -- that we'll
20 show you but some are smaller down to 7,500 square
21 feet.

22 So all of these lots are 10,000 square feet
23 so we're requesting approval of this petition to PR1.
24 The following reasons support the change: The
25 proposed use is less dense than the existing use.

1 It's currently zoned planned industrial and
2 commercial. So it could -- without seeing this board,
3 it could immediately go to site development plan for
4 a, you know, for a gas station, a grocery store, any
5 of those items. And, you know, recycling center on
6 the back half, lots of different uses are currently
7 approved on the site.

8 There is three near -- nearby single-family
9 residences that are zoned -- that are developed under
10 the R7 district. The elementary school, Antonia
11 Elementary is located down the street. The middle
12 school is located several miles east on -- on New M
13 and it's ten minutes to the high school. There are
14 sewers available. The property -- the development of
15 this property would increase property values in the
16 area. There is great access to transportation:
17 Highway M, Highway 21, I-55. It would provide
18 construction jobs and homes for our kids to live and
19 work in Jefferson County.

20 Next slide, please. So this is the
21 existing site or the property and the surrounding
22 area. This is Old Lemay Ferry, Old M, and New M.

23 Next slide. So this is a little bit of a
24 blowup. So it's the existing -- the property as it
25 exists today, there's a driveway that's in that

1 30-foot wide easement that provides access for several
2 single-family homes to the north. There's also an
3 existing easement along the -- this property line but
4 there is no one using the easement at this time. Of
5 course, there is a floodway, which Rachel indicated,
6 and then the floodplain. So this is a warehouse.
7 We'll go into these other uses in more detail.

8 But next side, please. So this is the
9 zoning map. She showed you this earlier. So that's
10 the CC2 part. That's planned industrial. That, I
11 guess, same color, planned industrial, residential R7.
12 There's an R7 subdivision that's not developed right
13 over here or just on the other side -- or no, excuse
14 me. There's one and then that's Bailey Farms. And
15 then further to the east is an older R7 subdivision
16 and a manufactured home park so there's a wide mixture
17 of -- of zone districts in the area.

18 Next slide. So this is some of the uses.
19 So this is the subject property. Single-family to the
20 north, basically undeveloped across Old M. There's a
21 warehouse. There's a recycling center. The C6 bus
22 lot. There's more single-family. The school, Antonia
23 Elementary School is there. So there's a lot of high
24 -- high-density, high-intense use -- land uses in the
25 area.

1 Next slide, please. So here's the
2 development plan proposing 51 lots, 10,000 square-foot
3 lot, every lot's at least 10,000 square-foot, some are
4 larger. The street width's 28 -- 28 feet wide. And
5 the density, I think someone had a question about the
6 density so it's just 51 lots divided by 17.8 so we
7 calculate 2.87 dwelling units per acre.

8 Next -- next slide, please. So the
9 preliminary plat. The preliminary plat would pursue
10 the following: Same thing, 51 lots on 17 acres, same
11 average density, less than the allowable by a
12 significant amount. We're providing for the -- a
13 better access for the homes to the north. They would
14 be able to use the subdivision road to access the
15 properties to the north. The plat conforms to the
16 UDO. Minimum lot size: 10,000 square feet. Minimum
17 width: 60 feet. And we're not requesting any
18 variances.

19 Next slide, please. I'll slow down, sorry.

20 So we just blew it up a little bit to show
21 the entrance on Old M. So it's located here. It's in
22 the floodway. We'll design it so that it's below the
23 existing grade elevation so we can provide a no-rise
24 certificate to the county and to FEMA. So that -- I
25 think this is the highest portion of the ground

1 elevation, it slopes as it goes to the east. So we
2 have that designed. All our fill will be located in
3 the floodway fringe, which is the floodplain, so we
4 will meet all the FEMA and county requirements for the
5 -- meeting the flood insurance program.

6 Next slide. So this is the upper portion
7 of the site. So the existing residence has a
8 driveway, essentially, through this location. So
9 we're -- we're, essentially, just building a 28-foot
10 wide road on -- over the existing gravel road, for the
11 most part, and we're providing for a drive -- a paved
12 drive all the way to the north property line. We have
13 done preliminary grading and the layout of the sewers
14 and storm water, also, sanitary and potable water.

15 So this is just a little detail on the
16 floodplain. So here is the -- the subject site. This
17 is just from the firm maps. So that shows the
18 floodway, that's how we drew all those other lines,
19 and this is the floodplain. So these are the flood
20 elevations. We feel that we'll easily be able to meet
21 all of the floodplain requirements.

22 So this is looking to the west at Old M.
23 There is the neighboring property.

24 Next slide. That's looking east, so that's
25 the opposite side, that's Glaize Creek over there.

1 This is our neighbor to the east, Glaize Cleek --
2 Creek on the right. This is the existing driveway.
3 That's the residence to the north. That's another
4 view of our neigh -- the warehouse neighbor. Has an
5 apartment building nearby. And then I think that's
6 the Fox bus lot. Another industrial commercial use
7 and that's the MRC Recycling.

8 COMMISSIONER SCHERRER: You have about two
9 minutes.

10 MR. VONARX: Okay. I'm almost done.

11 So request for approval of this petition.
12 Same reasons I mentioned before: It's less dense --
13 less dense than the existing use. Three nearby
14 properties that were developed with a higher zone
15 district than this for single-family residential. The
16 school's nearby. The highways are still nearby. The
17 utilities are available. It's in the primary growth
18 area. If -- if we can't develop a subdivision with 51
19 lots on 17 1/2 acres in this location then I don't
20 know if we can develop in Jefferson County, so --

21 COMMISSIONER SPRAUL: What?

22 MR. VONARX: -- happy to take questions.

23 That was just being -- me being facetious.

24 COMMISSIONER SPRAUL: Yeah, don't say that,
25 man. Come on.

1 COMMISSIONER SCHERRER: Questions of the
2 petitioner?

3 Can you go back to the big -- the blown-up
4 view of the entrance?

5 MS. KRISPIN: Sure.

6 COMMISSIONER SCHERRER: Right there. So it
7 shows on -- it shows on your drawing there that you're
8 proposing a retaining wall. I guess, is that
9 something that you would discuss as far as a variance
10 or something later because that would be within the --
11 the stream order but the flood area, correct?

12 MS. KRISPIN: Can you point out where
13 the --

14 MR. VONARX: So the proposed fill begins
15 outside the floodway so there is no flood -- fill
16 allowed within the floodway but fill is allowed within
17 the floodplain between the floodway and the floodplain
18 boundary. So that retaining wall is no different than
19 the proposed foundations and houses that will be
20 constructed in there.

21 COMMISSIONER SCHERRER: Okay. Good enough.

22 MR. VONARX: So we wouldn't need a variance
23 to meet the floodplain ordinance or any setback. The
24 -- the -- the stream buffer is down here along this
25 dashed line, that's the actual stream buffer for

1 Glaize Creek, there's a stream. Then there's a
2 smaller stream buffer that runs along the side.

3 COMMISSIONER BOWERS: What's the estimated
4 height of that wall; do you know?

5 MR. VONARX: I don't recall exactly but
6 it's about 4 or 5 feet tall and I think that there's a
7 potential that when we get into final design it
8 wouldn't even -- you know, we might be able to, you
9 know, reduce that or maybe eliminate it, so on
10 preliminary design we don't go quite that deep.

11 COMMISSIONER SCHERRER: Right.

12 Other questioners for petitioner?

13 COMMISSIONER ADKINS: I have a question.
14 These eleven lots that are in that -- that floodplain,
15 is it, yeah, floodplain, you said there's going to be
16 fill brought in for that. How are they going to be
17 lifted up out of the floodplain?

18 MR. VONARX: So the flood -- the floodplain
19 ordinance requires the finished floor, which would be
20 the lowest floor, to be 3 feet above the hundred-year
21 flood elevation so we have to meet that requirement.
22 So the ground elevation relative to the hundred-year
23 flood elevation changes so there would be more fill
24 closer to the floodway and then less as the -- as you
25 would go north into the site.

1 So it will vary but I think the -- about
2 the maximum amount of fill required is about three --
3 3 1/2, 4 feet at minimum; in some spots, we might be
4 placing more just for positive drainage and other
5 reasons to meet ordinances.

6 COMMISSIONER ADKINS: Yeah. My concern is,
7 I mean, eleven homes, that's -- that's over 20 percent
8 of the houses that are going to be possibly in a -- or
9 encroaching on that floodplain. That's my concern, I
10 mean.

11 MR. VONARX: So the flood -- the flood
12 program allows for development within the floodway
13 fringe which is the area between the floodway and the
14 floodplain. And the area -- the floodway is
15 considered the area of effective flow so that's where
16 flood waters are -- have the highest velocity and
17 that's -- that's what the whole flood insurance
18 program is -- is built around is about determining
19 these floodways and determining the floodplains.

20 And the county's ordinance is in line with
21 the -- with FEMA's requirement for the flood insurance
22 program and we would be 3 feet above. FEMA -- the
23 county's ordinance is much more conservative than
24 FEMA's. FEMA just requires it to be above. Point 1
25 is above. The county requires 3 feet. So it will be

1 3 feet above the hundred-year flood elevation, the
2 lowest floor.

3 COMMISSIONER ADKINS: I just don't think
4 that would be of very much comfort to the people who
5 are in those homes or potential flooding but thank
6 you, I appreciate that.

7 MR. VONARX: Well, so, we'll --- so,
8 actually, that area -- that area will be removed from
9 the floodplain.

10 COMMISSIONER ADKINS: Okay. Thank you.

11 MR. VONARX: So we'll do A Letter of Map
12 Amendment to remove that area.

13 COMMISSIONER ADKINS: Okay. Thank you.

14 COMMISSIONER SPARKS: I have a question.

15 MR. VONARX: Sure.

16 COMMISSIONER SPARKS: To dovetail off the
17 3 feet; is the road going to be 3 feet higher too?

18 MR. VONARX: So the -- the finish -- no.
19 The road would be lower than the finished floors --

20 COMMISSIONER SPARKS: Right.

21 MR. VONARX: -- obviously. So, generally,
22 the street -- generally, the garage is about a foot, a
23 foot to a foot and a half more than the --

24 (Overlapping conversation.)

25 COMMISSIONER SPARKS: (Inaudible) yeah.

1 MR. VONARX: Right. So, generally, the
2 road is about 2 1/2 feet minimum lower than the
3 street --

4 COMMISSIONER SPARKS: Right.

5 MR. VONARX: -- or, excuse me, the street
6 is about 2 1/2 feet lower than the finished floor of
7 the house, generally, at minimum --

8 COMMISSIONER SPARKS: Right.

9 MR. VONARX: -- so the street would still
10 be above the flood elevation --

11 COMMISSIONER SPARKS: Right.

12 MR. VONARX: -- so we're not going to have
13 the -- so that's where we would start. We would start
14 so our -- our street is above the flood elevation and
15 then set the homes so that they're -- they're in the
16 proper relationship to the street and make sure that
17 the whole thing is all above all the other ordinances,
18 the 3 feet, so.

19 COMMISSIONER SPARKS: And -- and that's the
20 only street that's egressed out of that subdivision?

21 There's no other street that --

22 MR. VONARX: Correct, there's not.

23 COMMISSIONER SPARKS: -- if it were to
24 flood to go up higher and -- and get out to another
25 side of that subdivision?

1 MR. VONARX: There's no other access to
2 the --

3 COMMISSIONER SPARKS: Okay. Thank you.

4 MR. VONARX: -- there's no access.

5 COMMISSIONER SCHERRER: Other questions for
6 the petitioner?

7 Thank you, sir.

8 MR. VONARX: Thank you.

9 COMMISSIONER SCHERRER: Citizens wishing to
10 be heard that are in favor of this petition?

11 Anyone wishing to speak that is in favor of
12 this petition?

13 Citizens wishing to be heard that are
14 opposed to this petition?

15 Please come forward. State your name,
16 address, and that you have been sworn in. And as a
17 reminder, this portion is 20 minutes with three
18 minutes per person.

19 MS. TARWATER: Hi. I'm Dion Tarwater.
20 This is Ron Harris. We live at 6336 Glennsway.

21 COMMISSIONER SCHERRER: Okay. Could you
22 step up to the -- little closer to the mic?

23 MS. TARWATER: I'm sorry.

24 COMMISSIONER SCHERRER: That's okay.

25 MR. KEHM: And one at a time.

1 COMMISSIONER SCHERRER: Yes. One at a
2 time, please.

3 MS. TARWATER: Well, we live together
4 that's why I wanted him to come up with me.

5 MR. KEHM: Yeah. But you -- you can only
6 have one person speaking at a time. So if one of you
7 were to go then the other.

8 COMMISSIONER SCHERRER: Right.

9 MS. TARWATER: Okay.

10 COMMISSIONER SCHERRER: So -- okay. So
11 make your comments.

12 MS. TARWATER: I'm Dion Tarwater. I live
13 at 6336 Glennsway. I'm the first house on the street.

14 COMMISSIONER SCHERRER: And you have been
15 sworn?

16 MS. TARWATER: Yes, I've been sworn in.

17 COMMISSIONER SCHERRER: Thank you.

18 MS. TARWATER: I'm sorry.

19 I -- I just have concerns with when they're
20 talking about putting the eleven houses on the
21 floodplain. We already retain water on our yard when
22 it -- when we get a heavy rain and I brought pictures
23 to show you of what our yard looks like in a heavy
24 rain and I also brought pictures of what the creek
25 looks like. And I'm afraid when they start building

1 next to the creek, I don't want it come out of the
2 banks and I'm just curious what they will do.

3 Will there be a -- will there be a buffer,
4 like a tree buffer?

5 Because if you take all the trees down
6 around the creek, will that -- I'm worried what that
7 will do to our yards and our street because we do have
8 flash-flooding on the street at times when it's a
9 heavy rain. And I brought pictures, if you want.

10 COMMISSIONER SCHERRER: Okay. If you would
11 like for us to look at those pictures --

12 MS. TARWATER: Yes.

13 COMMISSIONER SCHERRER: -- we'll have to
14 enter them into evidence.

15 MS. TARWATER: That's fine.

16 COMMISSIONER SCHERRER: Okay. It just
17 takes a minute so we'll just -- I'll stop the clock
18 and we'll --

19 MS. TARWATER: That's the creek. This is
20 my yard coming here.

21 MR. KEHM: Well, I'm going to hand these
22 off to those -- the gentlemen here.

23 COMMISSIONER SCHERRER: Will those -- will
24 those all be one exhibit?

25 MR. KEHM: They will and they'll be Exhibit

1 D as in dog.

2 COMMISSIONER SCHERRER: Is there a motion
3 to accept Exhibit D as in delta into evidence?

4 COMMISSIONER BOWERS: Make a motion to --
5 to accept evidence, Exhibit D; is that correct?

6 COMMISSIONER DUGAN: Second.

7 COMMISSIONER SCHERRER: Commissioner Bowers
8 made a motion to accept Exhibit D into evidence. It
9 was seconded by Commissioner Dugan.

10 All in favor?

11 COMMISSIONER: Aye.

12 COMMISSIONER SCHERRER: Opposed?

13 Exhibit D is entered into evidence
14 unanimously.

15 So if you will give us just a minute to get
16 those labeled and passed out where we can all see them
17 then we'll get started again.

18 MR. KEHM: Ma'am, could you spell your name
19 for us just so we can get it down correctly?

20 MS. TARWATER: It's Dion, D-I-O-N.

21 MR. KEHM: Uh-huh.

22 MS. TARWATER: The last name's Tarwater,
23 T-A-R-W-A-T-E-R.

24 MR. KEHM: Great. Thank you.

25 COMMISSIONER SCHERRER: And these pictures

1 are taken from where: From your home or the roadway
2 or where?

3 MS. TARWATER: The one -- the picture -- I
4 -- the picture that looks like a bridge, that's my
5 driveway.

6 COMMISSIONER SCHERRER: Okay.

7 MS. TARWATER: Where the creek's flowing
8 under. The picture where the water is spread out,
9 that's my front yard.

10 COMMISSIONER SCHERRER: Okay. So these
11 were all taken from your property?

12 MS. TARWATER: Yes. Yes, they were.

13 COMMISSIONER SCHERRER: All right. Thank
14 you. That's what I needed to know.

15 COMMISSIONER BOWERS: Where is your
16 property located on the map?

17 MS. TARWATER: I'm the very first house
18 when you go up Glennsway. When he was talking about
19 the first residential home, that's me, right there,
20 yes.

21 COMMISSIONER SCHERRER: Okay. Thank you.
22 Just hang with us -- bear with us for just
23 a second.

24 COMMISSIONER DUGAN: That creek that's
25 shown, is that what you -- the pictures are?

1 MS. TARWATER: The creek goes across the
2 front of my yard and it also goes up the side of my
3 yard. When you cross my driveway, the creek is under
4 my driveway. And then, as you pull in, I have the
5 creek on the right side of my yard and I also have the
6 creek going through the front.

7 COMMISSIONER SCHERRER: Is the Commission
8 satisfied enough we can move forward?

9 COMMISSIONER SPARKS: Yes.

10 COMMISSIONER SCHERRER: Okay. Ma'am,
11 please proceed.

12 MS. TARWATER: And the other concern is we
13 have kids that go to the bus stop and with the
14 construction I'm just curious, well, for their safety
15 going to the bus stop and coming home from the bus
16 stop.

17 And my other concern is just the buffer,
18 the way my house sits. Will the trees stay along the
19 creek to provide a buffer and to also hold the creek
20 in the bank?

21 COMMISSIONER SCHERRER: Okay.

22 MS. TARWATER: And I think that's really...

23 COMMISSIONER SCHERRER: Okay. Is there
24 anything else?

25 MS. TARWATER: No, not from me.

1 COMMISSIONER SCHERRER: Are there questions
2 for this citizen?

3 Okay. Sir, please state your name,
4 address, and that you have been sworn in.

5 MR. HARRIS: My name's Ron Harris. I live
6 at 6336 Glennsway and I have been sworn in.

7 COMMISSIONER SCHERRER: Okay. Thank you.

8 MR. HARRIS: I just have a quick question.
9 My neighbor which couldn't be here, he's working, he
10 has 200 acres back there and the gentleman said that
11 that easement's not being used; that's how he gets to
12 his property. So I'm -- I don't know if they're going
13 to move it. It looks like it was running right
14 through his houses.

15 COMMISSIONER SCHERRER: Okay. That --
16 that's a question we can ask the petitioner and/or
17 staff --

18 MR. HARRIS: Okay.

19 COMMISSIONER SCHERRER: -- for
20 clarification.

21 MR. HARRIS: All right. Thank you.

22 MS. TARWATER: Thank you.

23 MR. HARRIS: That's it.

24 COMMISSIONER SCHERRER: Other citizens that
25 are opposed to this project or to this petition?

1 Citizens wishing to be heard that are
2 opposed to this petition?

3 Would the petitioner please come back?

4 MR. VONARX: Again, Dave Vonarx.

5 COMMISSIONER SCHERRER: I have -- I have
6 the concerns written down if you forget one or
7 whatever.

8 MR. VONARX: Yes. So the first concern was
9 about flooding of the stream along the property line
10 to the north of the subject property and to the south
11 of the Tar -- Tar -- Tarwoods' (sic) property. And,
12 unfortunately, I didn't see photos so, but
13 essentially, our site is predominantly lower in
14 elevation than the Tarwoods' property. So the -- the
15 hill -- the slope goes up to this point, this is the
16 ridge so there's a little bit of area on the north --
17 very far north that drains into that creek and then
18 the rest of this site water drains to the south.

19 If you can switch to the second, upper
20 portion, preliminary plat slide, the next one.
21 Perfect. So the Tarwoods are concerned about this
22 stream here and it's a Stream Order 2. So where you
23 see the two dashed lines that's the stream buffer, so
24 that's 25 feet from the top of bank on each side so
25 we're not allowed to do anything in that so that's

1 being preserved. And you can see that proposed lots
2 are being pulled further over to the south away from
3 that stream all along that area. So there's a
4 constriction in here so there's -- they have a culvert
5 or a bridge that they use to cross the stream.

6 So I'm assuming that the photos you're
7 seeing are probably upstream of the bridge -- of the
8 bridge culvert because the water coming down, that
9 gets to the culvert, is a little bit of constriction
10 so it probably backs up a little bit there and then
11 the pressure builds up and it shoots through. So we
12 have very little stormwater that will be contributing
13 to that stream. You know, we're going to meet the
14 county's requirements as far as our release rates.
15 We're required to address the two in the hundred and
16 now the one-year storm for channel protection. So
17 we'll be required to provide channel protection for
18 that stream and for Glaize Creek in the improvement
19 plan process.

20 COMMISSIONER SPRAUL: Can I ask a question,
21 please?

22 COMMISSIONER SCHERRER: Well, hang on.

23 COMMISSIONER SPRAUL: Okay.

24 COMMISSIONER SCHERRER: Another concern was
25 eleven houses that would be built in the floodplain.

1 If I understood you correctly in your previous
2 presentation, your intention is to raise the elevation
3 of those houses out of the floodplain?

4 MR. VONARX: Correct. We are going to
5 raise them above the floodplain elevation and remove
6 that area that's part of the floodplain now through a
7 process with FEMA called "A Letter of Map Amendment."
8 And so when that is approved by FEMA that area will no
9 longer be part of the floodplain.

10 COMMISSIONER SCHERRER: Okay. Another
11 concern was children's safety during construction.

12 MR. VONARX: So I was -- I was speaking
13 with the petitioner about that. So we're -- we'll
14 leave or, excuse me, we'll -- we'll provide access --
15 we're required to give them access because they have
16 -- they have rights over that property and a 30-foot
17 easement. So the petitioner would leave the existing
18 driveway in place during construction until the very
19 end, probably build half the road that -- the east
20 half of the road would be constructed and then that
21 part of the road, just like what the county does when
22 they replace bridges, they build half the bridge at
23 one time or sometimes they do that, sometimes they
24 just close it but it could be done.

25 So, essentially, we have a method for

1 providing for access throughout the construction
2 phase. And, you know, I'm sure the petitioner is
3 willing to work with them as far as providing, you
4 know, a safe space for the -- for the kids to wait for
5 the bus and for them to get, you know, home.

6 COMMISSIONER SCHERRER: Okay. One of the
7 other concerns was the buffer disturbance between your
8 development and the neighboring properties.

9 MR. VONARX: Like I mentioned, so this
10 is a 50-foot minimum stream buffer so we're required
11 to leave that completely alone. You can see our
12 grading on this site. So our grading ends and it --
13 you know, the closest we get is in this area because
14 the lots are a little less deep but that's where the
15 existing driveway is now. So we're not going to be
16 removing any trees beyond the area where we're --
17 we're proposing the grades to end.

18 COMMISSIONER SCHERRER: Okay. And the last
19 thing that I heard was the easement that --

20 MR. VONARX: Yes.

21 COMMISSIONER SCHERRER: -- basically, you
22 said nobody was using but they claim somebody is.

23 MR. VONARX: Well, there's -- there's a
24 overgrown -- there's a trail so someone has maintained
25 it to some extent but it's definitely not to the -- to

1 the normal use that the driveway has. So this --
2 there's a deed. We have the deed for this property
3 and the previous owner, I guess the current owner,
4 Mr. G'Sell is the owner on the contract, has -- the
5 previous owner granted an easement to this property
6 owner to the -- to the northwest and that easement is
7 subject to a replacement easement. So, essentially,
8 it said -- it states that if the property is
9 developed, he would be subject to using a access that
10 would be provided through the use of the new
11 development. So we're still providing -- it's a
12 little difficult to see here but we have a -- a street
13 that stops directly into this property in -- in,
14 essentially, the same location as the existing 30-foot
15 easement.

16 So I misspoke. I -- I said that they
17 weren't using it but they're not using it regularly.

18 COMMISSIONER SCHERRER: So are you
19 proposing to move the easement to a different place or
20 leave it where it's at?

21 MR. VONARX: Essentially, replace it with
22 the street, with the subdivision street.

23 COMMISSIONER SCHERRER: So where the
24 easement is currently at you would probably be
25 developing into that and -- and suggest that the

1 property owner use the paved street to access their --
2 their property?

3 MR. VONARX: Correct, that's what's --
4 that's what's in the deed. So the deed for the
5 Tarwoods is a 30-foot easement across that so --

6 COMMISSIONER SCHERRER: I'm not talking
7 about --

8 MR. VONARX: I know. I'm trying to explain
9 the difference.

10 COMMISSIONER SCHERRER: Okay. Okay.

11 MR. VONARX: But there's a -- there's a
12 difference in the type of deed -- the way the deeds
13 were written.

14 COMMISSIONER SCHERRER: Okay.

15 MR. VONARX: So the deed that goes north to
16 the Tarwoods just says they have -- states they have
17 30-foot wide roadways and blah-blah-blah. This one
18 here along the -- to the northwest says that they have
19 a 30-foot easement until the time that the property is
20 developed and then that -- I don't have it handy,
21 unfortunately, but, essentially, if -- if a different
22 easement is provided over a different portion of the
23 property, that owner is subject to that easement as
24 long as he's provided access.

25 COMMISSIONER SCHERRER: So if that lower

1 easement is currently deeded at 30 feet --

2 MR. VONARX: Correct.

3 COMMISSIONER SCHERRER: -- and you're only
4 pouring a 28-foot street and now a car is parked on
5 one side or the other, now, all of a sudden that
6 property owner no longer has a 30-foot easement.

7 MR. VONARX: He has a 40 -- so he has a
8 40-foot road easement so there will be a 40-foot
9 right-of-way. There's a 20-foot wide --

10 COMMISSIONER SCHERRER: I understand that.
11 Right-of-way means nothing if he has 30 feet now and
12 later he only has 20 feet to use because of the car
13 parked on both sides of the road.

14 MR. VONARX: We'll meet the -- we'll meet
15 the requirements of the easement deed.

16 COMMISSIONER SCHERRER: Thank you.

17 Other questions for the petitioner?

18 COMMISSIONER DUGAN: Yeah, one real quick.
19 What exactly is channel protection?

20 What are you -- when you say that, what's
21 channel protection?

22 MR. VONARX: So that's a method for
23 protecting streams from the one-year storm, so this --
24 the -- the high frequency rainfall that we get. So we
25 get a lot of people, you know, when it rains hard they

1 think it must the hundred-year flood but it will --
2 you know, most of time it's not because it just
3 doesn't last long enough. But we have a lot of high
4 intensity rainfalls that last just a few minutes and
5 those do, you know, you know, so just they -- they
6 cause -- can cause a lot of damage to streams because
7 they just keep doing it repeatedly and, you know, and
8 the big, super, you know, the hundred-year storms only
9 happen once every 30 years. But there's, you know,
10 there's been a lot of studies in the Maryland Manual
11 that indicates that the -- that streams need
12 protection from the high-intensity frequent storms.
13 And so that was recently added to the Jefferson County
14 Stormwater Ordinances, I think, last October or two
15 Octobers ago so within the last two years. So it's
16 just another section of the detention basin that we
17 have to provide, provide calculations.

18 So, previously, you know, so if you just --
19 just protect against the hundred-year storm then every
20 storm that's smaller than a hundred-year storm can go
21 straight -- almost directly straight through the
22 detention basin without being impeded. And so now we
23 slow down the hundred, we slow down the -- or, yeah,
24 we slow down the hundred, we slow down the two, we
25 slow down the one.

1 COMMISSIONER SCHERRER: Okay. Other
2 questions for petitioner?

3 Okay. Thank you, sir.

4 MR. VONARX: Thank you.

5 COMMISSIONER SCHERRER: Discussion amongst
6 staff?

7 Questions?

8 I'm sorry. Discussion amongst
9 commissioners?

10 Questions for staff?

11 Move to approve or deny?

12 And it's --

13 COMMISSIONER DUGAN: I'll make a motion to
14 approve PR12035 (sic) and PP23036.

15 COMMISSIONER SCHERRER: Would you prefer us
16 to do them one at a time or both at the same time,
17 Counsel?

18 MR. CORDES: You can do them as stated.
19 Keep in mind -- and, actually, it's probably better
20 that way because, keep in mind, if you approve the
21 first one you really administerially are obligated to
22 approve the second one; if you deny the first one, you
23 have to deny the second one.

24 COMMISSIONER SCHERRER: Right.

25 MR. CORDES: So they -- they can travel

1 together.

2 COMMISSIONER SCHERRER: There is a motion
3 to approve PR123035 and PP23036. Is there a second?

4 COMMISSIONER TUGGLE: Second. Second.

5 COMMISSIONER SCHERRER: Commissioner Dugan
6 made a motion to approve PR123035 and PP23036. It was
7 seconded by Commissioner Tuggle.

8 All in favor say aye.

9 COMMISSION: Aye.

10 COMMISSIONER SPRAUL: No.

11 COMMISSIONER SCHERRER: All in favor say
12 aye.

13 COMMISSION: Aye.

14 COMMISSIONER SCHERRER: Opposed say no.

15 COMMISSION: No.

16 COMMISSIONER SCHERRER: Madam Secretary,
17 will you please call roll?

18 MS. ROESCH: Danny Tuggle.

19 COMMISSIONER TUGGLE: Yes.

20 MS. ROESCH: Tim Dugan.

21 COMMISSIONER DUGAN: Yes.

22 MS. ROESCH: Mike Huskey.

23 COMMISSIONER HUSKEY: No.

24 MS. ROESCH: Greg Bowers.

25 COMMISSIONER BOWERS: Yes.

1 MS. ROESCH: Larry Adkins.

2 COMMISSIONER ADKINS: No.

3 MS. ROESCH: Johnathan Sparks.

4 COMMISSIONER SPARKS: No.

5 MS. ROESCH: Jessie Scherrer.

6 COMMISSIONER SCHERRER: No.

7 MS. ROESCH: Jeffrey Spraul.

8 COMMISSIONER SPRAUL: No.

9 MS. ROESCH: Motion does not carry.

10 COMMISSIONER SCHERRER: I have PR123035 and
11 PP23036, those motions are denied by a vote of 5:3.

12 MR. CORDES: Well, they failed to carry.

13 COMMISSIONER SCHERRER: They failed to
14 carry, yes.

15 MR. CORDES: So for purposes of a clean
16 record, if somebody could -- I mean, at this point,
17 your options are either, one, deny it which would be
18 -- make the clean record or, I guess, if -- if
19 somebody wants to make a motion to approve -- approve
20 this application with additional conditions then
21 somebody could make that motion.

22 But, at this point, all that has happened
23 is that the action that they had asked for has not
24 been approved. So you understand your -- your two
25 options: Either, one, you make a motion to deny or,

1 two, if someone wants to make a motion to approve this
2 with additional conditions, so.

3 COMMISSIONER DUGAN: Or do nothing at all?

4 MR. CORDES: Well, if you do nothing at all
5 you're really kind of in limbo, right?

6 It's not -- it's not -- it's been denied
7 but no action has taken, has -- or it's failed to
8 carry, rather, it's not technically been denied.
9 That's why the cleaner record would be to deny it if
10 that's the will of the Commission.

11 COMMISSIONER SPRAUL: I'll make a motion to
12 deny it.

13 COMMISSIONER SPARKS: Second.

14 COMMISSIONER SCHERRER: Okay. Bear with
15 me. Commissioner?

16 COMMISSIONER SPRAUL: Spraul. Spraul.

17 COMMISSIONER SCHERRER: Spraul, okay.

18 And who seconded that?

19 COMMISSIONER SPARKS: Sparks.

20 COMMISSIONER SCHERRER: Sparks. Bear with
21 me while I get my notes here.

22 Correct me if I'm wrong, Commissioner
23 Spraul made the motion to deny PR123035 and PP23036
24 and it was seconded by Commissioners Sparks.

25 COMMISSIONER SPARKS: Correct.

1 COMMISSIONER SPRAUL: Yes.
2 COMMISSIONER SCHERRER: All in favor?
3 COMMISSION: Aye.
4 COMMISSIONER SCHERRER: Opposed?
5 COMMISSION: No.
6 COMMISSIONER SCHERRER: Madam Secretary,
7 will you please call roll?
8 Now, this yes vote is for denial.
9 MS. ROESCH: Mike Huskey.
10 COMMISSIONER HUSKEY: Yes.
11 MS. ROESCH: Danny Tuggle.
12 COMMISSIONER TUGGLE: No.
13 MS. ROESCH: Tim Dugan --
14 COMMISSIONER TUGGLE: No. Sorry. No.
15 MS. ROESCH: Okay. Tim Dugan.
16 COMMISSIONER DUGAN: No.
17 MS. ROESCH: Greg Bowers.
18 COMMISSIONER BOWERS: No.
19 MS. ROESCH: Larry Adkins.
20 COMMISSIONER ADKINS: Yes.
21 MS. ROESCH: Johnathan Sparks.
22 COMMISSIONER SPARKS: Yes.
23 MS. ROESCH: Jessie Scherrer.
24 COMMISSIONER SCHERRER: Yes.
25 MS. ROESCH: Jeffrey Spraul.

1 COMMISSIONER SPRAUL: Yes.

2 MS. ROESCH: Motion for denial carries.

3 COMMISSIONER SCHERRER: Motion PR123035 --
4 Petitions PR123035 and Petition PP23036 are denied by
5 a motion -- by a vote of 5:3.

6 MS. ROESCH: Correct.

7 COMMISSIONER SCHERRER: Motion denied --
8 petition denied. Jesus.

9 Next up -- are these all of the photos?

10 Does anybody else have any more photos?

11 Okay. Counselor, do we have to take a
12 recess if one of the Commission members steps away?

13 MR. CORDES: If you would like to do so,
14 that may be prudent.

15 COMMISSIONER SCHERRER: We will take a
16 short recess until all commissioner members are back
17 at the desk.

18 (At this point there was a recess
19 taken.)

20 COMMISSIONER SCHERRER: Would someone make
21 a motion that the Commission be --

22 COMMISSIONER BOWERS: Make a motion that
23 the Commission re -- re-avene (sic).

24 COMMISSIONER DUGAN: You're going to make a
25 motion to what?

1 COMMISSIONER SCHERRER: Just make the
2 motion, whatever. Come on, we're trying to --

3 COMMISSIONER DUGAN: Second.

4 COMMISSIONER SCHERRER: -- right here.

5 Commissioner Bowers made a motion, it was
6 seconded by Commissioner Dugan that the Planning and
7 Zoning Commission reconvene.

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1 COMMISSIONER SCHERRER: Next up is PR123037
2 along with PP23038; is that correct?

3 MR. JUMP: Yes, that is correct.

4 COMMISSIONER SCHERRER: Okay. Mr. Jump,
5 you're up.

6 MR. JUMP: Okay. Give me just a second
7 here. Sorry.

8 These are Case Nos. PR123037 and PP23038.
9 The petitioner's request is to rezone a portion of
10 subject property, approximately 10.32 acres, from
11 single-family residential R20 to planned single res --
12 planned single-family residential PR1 and development
13 plan approval for Winding Bluffs second addition.

14 Little bit about the subject property:
15 It's in Council District 2. It's zoned single-family
16 residential R20. It is in the primary growth area.
17 This is up in the Fenton area. Heavily suburbanized,
18 hence the development pattern, the suburban
19 development pattern. The total parcel size is 35.85
20 per the assessor's records. The -- this portion is
21 10.32. There is another petition coming later that
22 will be the other part of it. There is road frontage
23 on Saline Road on the back side. This -- this
24 development will not connect to that. This will use
25 the existing Winding Bluffs development. That's --

1 that's the other connection. There is public water
2 and sewer. The subject property is currently
3 developed with a barn and an old farmhouse.

4 Additional details about the property:
5 There are no issues with floodplain, floodway, or
6 stream orders and there are some topographical
7 challenges -- topographical changes throughout the
8 property. There is a pretty good amount of vegetation
9 as well.

10 A little bit of background: The original
11 Winding Bluffs development, which was approved in
12 2015, had 320 lots that is, I believe, fully developed
13 out and then there was a Winding Bluffs addition that
14 was done in 2019 that added an additional 32 lots.
15 This is looking to further build off those two
16 developments.

17 This is the subject property. I don't know
18 where -- where it went, thank you, right here. The
19 two connections to the existing development would be
20 right here and then right here. And then you'll see
21 in the next couple slides the plan just kind of loops
22 back around.

23 This is the topo -- topographical map and
24 you'll see the -- the loop kind of follows these
25 topographical lines back around.

1 This is the submitted development plan.
2 You can see the two connections to the Winding Bluffs
3 development with the cul-de-sac. There are an
4 additional 50 lots proposed with a -- detention basins
5 for the development, common ground area, minimum lot
6 size to be 6,525 square foot with the maximum being
7 eleven -- just over 11,000 and 11,416 with an average
8 lot size of 7,519 square feet. The density comes out
9 to about 4.9 units an acre, under the 6 units an acre
10 allowed by the PR1 district -- the proposed PR1
11 district.

12 There is common ground area including a
13 recreational amenity down here in the corner. And
14 just under a quarter of an acre, roughly, proposed
15 tree canopy preservation. And then, again, the two
16 access points connecting to the existing Winding
17 Bluffs development.

18 These are some photos from the site. You
19 can see there's -- it's undeveloped property, well, it
20 isn't fully undeveloped. There is an old barn and
21 farmhouse that look to be vacated potentially. I
22 don't know if they're still in use but they were in --
23 the farmhouse was at least in pretty rough shape when
24 we went out there which you'll see in the photos in
25 the next petition. These are some additional photos.

1 These are the -- this is at the connection streets to
2 Winding Bluffs.

3 So our zone change analysis: So the
4 development plan satisfies a large portion of the
5 criteria for approval. The development would not be
6 out of character with the area as there is a large
7 presence of single-family housing in the area directly
8 adjacent. Winding Bluffs is the development that it
9 will connect to as well as many denser style
10 single-family residence -- residential developments
11 nearby.

12 Furthermore, the proposed zone district of
13 planned single-family residential is consistent with
14 the zoning of the adjacent property which was approved
15 in 2015. The subject property has direct access to a
16 previously approved connection that ultimately
17 connects to the state highway. The development plan
18 shows two access points to the proposed subdivision
19 from the existing Winding Bluffs development. This
20 meets the criteria of previously approved plans. The
21 lot sizes range from the smallest being 6,525 square
22 feet to the largest being 11,416 with the average lot
23 size coming out to just over 7,519 square feet. These
24 lot sizes could provide for a range of styles of
25 single-family housing within the development as well

1 as remaining consistent with the previously approved
2 development plans.

3 The lots provide a continuity from the
4 existing development into the next development,
5 Winding Meadows. A portion of the property is the
6 subject of another petition PR123039 and PP23040.
7 It's not included with this rezoning application and
8 is not part of this development.

9 Staff has not seen any evident -- evidence
10 to indicate there would be any risk to public health,
11 safety, and welfare from the development as proposed.
12 The development does not appear to have any features
13 that would impede the normal and orderly development
14 and improvement of the surrounding property.

15 So much like the previous case, the
16 preliminary plat is very similar to the development
17 plan that was submitted in the previous petition.
18 There is a couple -- they are allowed to do that under
19 our code when they submit a development plan along
20 with the preliminary plat. So this is the preliminary
21 plat. Very similar to the drawing, quite frankly,
22 just the title is different, and showing those lots as
23 well.

24 The analysis of the preliminary plat shows
25 50 lots for 50 single-family homes, again, ranging

1 from the 6,525 to the 11,416 square foot with an
2 average of just over 7,000 square feet. It has two
3 access points that were previously approved from the
4 entrances from the Winding Bluffs from 2015 and 2019.
5 And the density is permitted under the UDO for the PR1
6 district is 6 units an acre, that's -- the development
7 came out to 4.9, it falls under that six, and is
8 similar to the density to the previously approved
9 developments.

10 I want to clarify something with -- there
11 was a departmental comment in there that is in
12 relation to retaining walls on lots. There is a
13 section of our code that requires 30 percent adequate
14 useable space on a lot. This is only in relation to
15 lots with retaining walls that cross them. And I
16 wanted to clarify that because the way it was sort of
17 written in the staff report didn't clearly identify
18 that. And so I wanted to clarify that with you guys
19 that that's what that means and it's pulled directly
20 from our UDO, so just wanted to clarify that with you
21 guys.

22 So for your consideration a rezoning of the
23 10.32 acres from single-family residential R20 planned
24 single-family residential PR1; development plan
25 approval for Winding Bluffs second addition; and then

1 preliminary plat approval for Winding Bluffs second
2 addition. And I will be happy to take any questions.

3 COMMISSIONER SCHERRER: Questions for
4 staff?

5 COMMISSIONER SPRAUL: Yes, please.

6 This is a very easy one, just real short.
7 I was looking at the thing about the street width and
8 you said that the 28 feet would have no parking on one
9 side?

10 MR. JUMP: Let me -- let me get that in
11 front of me.

12 COMMISSIONER SPRAUL: I just didn't know
13 why they had such narrow streets if they were going to
14 be parking on both sides of the street.

15 MR. JUMP: Yeah, I mean, the comment is the
16 proposed street width of 28 is acceptable if posted no
17 parking on one side.

18 COMMISSIONER SPRAUL: Okay.

19 MR. JUMP: Yeah, that's -- and that's,
20 again, pulled straight from the code, so.

21 COMMISSIONER SCHERRER: The 2015 I'll call
22 it, for lack of a better term, Phase 1 of Winding
23 Bluffs was 320 lots; in 2019, there was an additional
24 32 added in. At that time, in 2019, there was a
25 traffic study done or was that data from that traffic

1 study taken previously?

2 MR. JUMP: There was one done. There was
3 also an addendum done for this particular project that
4 was -- it should be included with your staff reports.

5 COMMISSIONER SCHERRER: It references the
6 2019 traffic study.

7 MR. JUMP: Yes. And I think there was an
8 addendum done in '19.

9 COMMISSIONER SCHERRER: So we don't have
10 new or more current information since 2019?

11 MR. JUMP: I mean, I would defer to the --

12 COMMISSIONER SCHERRER: Okay.

13 MR. JUMP: -- the -- you know, to -- to
14 where they got that information. I mean, they hired
15 CBB to do the addendum.

16 COMMISSIONER SCHERRER: Sure.

17 MR. JUMP: My experience in working with
18 them is that they generally are pretty accurate on
19 their information on it, so.

20 COMMISSIONER SCHERRER: Right, okay.
21 That's all I had.

22 Any other questions for staff?

23 COMMISSIONER ADKINS: I don't know if this
24 would be directed to staff or not; you can let me
25 know, please.

1 MR. JUMP: Yep.

2 COMMISSIONER ADKINS: The -- the sidewalks,
3 it says reflected on the plans for 4-foot sidewalks
4 but it's -- also states on there that that's
5 unacceptable.

6 MR. JUMP: Yep.

7 COMMISSIONER ADKINS: And --

8 MR. JUMP: They would be required to put in
9 5-foot sidewalks.

10 COMMISSIONER SCHERRER: I understand that
11 but would it be possible to get that reflected on
12 those plans?

13 Because, I mean, sometimes things get lost
14 in communication.

15 MR. JUMP: Well, I mean, they will be in
16 our improvement plans. That is a review -- part of
17 our review template, if approved, when the improvement
18 plans that we look those for those specific 5-foot
19 sidewalks unless you guys modify it otherwise.

20 COMMISSIONER ADKINS: Okay. Great. Thank
21 you so much.

22 MR. JUMP: Yep.

23 COMMISSIONER SCHERRER: Questions for
24 staff?

25 Okay. Are you going to go ahead with PP230

1 -- 038 or is that --

2 MR. JUMP: I mean, I'll -- I think, Jason,
3 you know, if you want to chime in that it probably
4 needs to be decided on this first.

5 COMMISSIONER SCHERRER: Okay.

6 MR. JUMP: Separately.

7 MR. CORDES: Yeah, 39 and 40 are to be
8 taken together, I mean, 37 and 38 together.

9 COMMISSIONER SCHERRER: Say that again.

10 MR. CORDES: Well, you're dealing with
11 Items C and D which are 037 and 038.

12 COMMISSIONER SCHERRER: Uh-huh.

13 MR. CORDES: So, yeah, are you -- yeah,
14 those -- was your question whether to move on to
15 the --

16 COMMISSIONER SCHERRER: No. The PP23038 --

17 MR. CORDES: Yes.

18 COMMISSIONER SCHERRER: -- did you already
19 present that?

20 MR. JUMP: Yes.

21 MR. CORDES: Yes.

22 MR. JUMP: Yeah, I'm sorry. I apologize.
23 I thought you were asking about the next one.

24 COMMISSIONER SCHERRER: No. No. No. No.

25 MR. JUMP: Yeah, I did. Yes, that was very

1 similar. Sorry. That was very similar in nature so
2 just it was pretty quick.

3 COMMISSIONER SCHERRER: I just wanted to be
4 clear.

5 MR. JUMP: Yeah.

6 COMMISSIONER ADKINS: I do have one other
7 question on the -- on thirty -- on the PP23038, this
8 letter from the fire marshal saying that their --
9 their cul-de-sac does not meet the standards that --
10 that's needed for their emergency vehicles to get in
11 -- in and out of this place, can you comment on that
12 -- on that, please?

13 MR. JUMP: So a lot of times, you know,
14 we'll have standards set in our code and the fire
15 department will have different standards set in their
16 code. The developer's got to meet whatever the fire
17 marshal, I mean, whatever their -- their standards
18 are. If they're above and beyond what we require then
19 they would have to appease them as well.

20 COMMISSIONER ADKINS: Okay. Okay. Thank
21 you.

22 MR. JUMP: Yep.

23 COMMISSIONER SCHERRER: Other questions for
24 staff?

25 Is the petitioner present?

1 Please come forward. State your name,
2 address, and that you have been sworn in.

3 MS. AUMILLER: Good evening, Mr. Chair,
4 commissioners. My name's Jeannie Aumiller with
5 McBride Homes. I have been sworn in and my address is
6 17415 North Outer 40, Chesterfield 63005.

7 COMMISSIONER SCHERRER: Thank you.

8 MS. AUMILLER: Thank you very much.

9 May I -- before I begin, may I ask a quick
10 question of staff on the evidence?

11 Is the petitioner's presentation part of
12 the case file so I don't need to add -- add that as a
13 separate exhibit?

14 MR. KEHM: Correct, yep.

15 MS. AUMILLER: Thank you.

16 All right. Thank you, Mr. Chair, and
17 commissioners. It's a pleasure to come out and speak
18 to really the conclusion of a project that we've been
19 working on for a long time which is Winding Bluffs.
20 Been a very successful project, we're very proud of
21 it, and this is really the final piece in the puzzle.

22 And I know that later on in the evening we
23 have another piece of this property and it may seem --
24 I want to talk a little bit about why we did this, why
25 we separated the two because I think that was a very

1 important decision that we made that drove the design
2 in the two communities. So this may overlap a little
3 bit with the next one but I want to -- I want to hit
4 this head on.

5 So it was very important, we heard from a
6 lot of the surrounding residents including the folks
7 that were in our Winding Bluffs with the two stub
8 streets that are now there in Winding that we not
9 connect all the way through to Saline. And we heard
10 that from a lot of folks in the area because what
11 would happen would be seeing a lot of cut-through
12 traffic between 141 and Saline. So we decided it was
13 very important, based upon those comments, to create
14 two separate projects here so that we didn't have that
15 cut-through. So I just wanted to talk a little bit
16 about that and why the two projects are separate.

17 This one will be a part of the existing
18 Winding Bluffs Homeowners Association. The next one,
19 which we'll talk about in a few minutes on the agenda,
20 will have its own separate homeowners association and
21 it's going to be completely standalone, separate
22 project. So just wanted to talk a little bit about
23 that.

24 And -- and possibly, you know, we've
25 already heard some questions about traffic. So

1 although not required with this project to have a
2 traffic study, we did consult with our traffic
3 consultant. She's here this evening and she can speak
4 a little bit to some of those questions that you had,
5 Mr. Chair, in a moment.

6 But -- but we did -- again, what drove the
7 principle here is the traffic, right, and not having
8 that cut-through from 141 to Saline. And we are in
9 the very unique position, because we developed the
10 first two phases of Winding as McBride, to -- we're in
11 a very unique position to do that, right, because this
12 is all one piece of property. Another developer that
13 would come along wouldn't have that ability to work
14 with the existing community into two separate
15 projects, have this one blend in with Winding. So
16 we're going to continue with the exact same products
17 we had in Winding. This is the same lot sizes, the
18 same type of density as you heard from the staff
19 report. So these are just extensions of Winding. So
20 I think that puts us in a very unique position to do
21 this, to make this project unique, to fulfill the
22 residents' desire to not have that cut-through to
23 Saline. So we're very excited to be able to do that.

24 Some other features that helps Winding, you
25 know, we're creating some more amenities which I'm

1 going to talk about that will be used by the Winding,
2 the existing Winding residents. And we're going to
3 not create any more maintenance obligations with more
4 common ground here, which is one of their requests,
5 but we are going to all these homes contribute to
6 their HOA funding so that is good news for them, all
7 great features. Again, another developer would not
8 have those same features, those same opportunities
9 that we have because we did develop the first two.

10 I'll talk a little bit later in the
11 presentation about the traffic and we also have our
12 traffic consultant here but maybe we can go into the
13 site plan a little bit.

14 MR. JUMP: Okay.

15 MS. AUMILLER: So here's the site. And as
16 you can see, the two stubs there really toward that
17 side of the screen, you can see those two stubs coming
18 in and you can see Saline there and the importance of
19 not making that connection for the cut-through both
20 for the residents on Saline not having that
21 cut-through and the residents in the Winding not
22 having that cut-through so that's why the two separate
23 projects.

24 Just to talk a little bit about the master
25 plan, to reiterate what the staff report said, this is

1 10.2 -- 10.32 acres. It has the two stub streets.
2 It's entirely consistent with the county's master
3 plan. It's located within the primary growth area of
4 the master plan which encourages residential
5 development. It meets all the master plan's goals and
6 objectives just as the first two phases of Winding did
7 as well.

8 Two primary objectives: Just continue that
9 product that we built, that lot size, that density
10 that we built in Winding, just continue that same
11 development pattern on. And that's -- was our primary
12 reason and design, actually, with the community and
13 the next one. So as you heard the staff say it's --
14 it's compatible density, compatible lot sizes, same
15 product. So we're just continuing an extension on
16 from that phase.

17 Just an up-close zoning map which we
18 already discussed so you can see that proximity to
19 Saline there.

20 So this is the site plan just to kind of
21 overview. This does have 1.79 acres of common ground.
22 Our plan is 50 lots. You can see some amenities.
23 Right now, we're proposing a pickle ball court, you
24 see that at the bottom of the page, and some common
25 ground. What we have discussed with the Winding Board

1 of Directors is also adding a tot lot here. So and we
2 haven't decided exactly on the location. So we're
3 going to do two additional amenities: The pickle ball
4 court and a tot lot. Again, I want to reiterate those
5 amenities will be available because it's going to be
6 part of the same Winding community, those amenities
7 will be available to all of the Winding residents and
8 all of these folks will be paying HOA dues to the
9 master association, right, so they will help reduce
10 costs and maintenance costs here, which I know the
11 Board of Directors was very excited about having those
12 maintenance costs reduced and having some more
13 additional fees help with those maintenance and having
14 two additional amenities, too, that everybody can use.
15 They were excited to see that.

16 So 50 detached single-family homes. These
17 are the exact same product that we built in Winding,
18 popular Bayside series. I'll show you some
19 elevations. All of these homes, by the way, have
20 two-car garage, parking in the driveway for two
21 additional cars and they're all full basements, too,
22 'cause they're not slab homes. These are
23 full-basement homes.

24 Common ground, which again will be
25 incorporated into the maintenance of the Winding

1 Subdivision; pickle ball court and additional tot lot
2 we've been talking to them about.

3 So next side. We're seeking the same
4 zoning as the Winding, what I'll call 1.0 and 2.0,
5 which is single-family residential district zoning
6 PR1. The intent of this category is to provide that
7 single-family residential use and to promote
8 variations in that environment to give us some room to
9 either per -- preserve trees or some -- get some
10 amenities, which we're doing the amenities in this
11 case.

12 So very consistent, as you heard from the
13 staff, development patterns, similar zoning or same
14 zoning, similar densities, similar lot sizes, the
15 exact same development pattern as we've seen. This is
16 just an extension.

17 Single-family homes, we'll show you some
18 elevations next. So these are the same types of homes
19 that were built just right next door that are going to
20 be part of the same community. These are all ranch
21 homes but you could see that two-car garage and these
22 all have full basements.

23 Next slide. Here's some mixture of ranches
24 and two-stories, mixture of different types of
25 elevations.

1 And the next slide, just some more
2 different types of elevations.

3 And the next slide.

4 COMMISSIONER SCHERRER: You have about
5 2 1/2 minutes.

6 MS. AUMILLER: Okay. Thank you, sir.

7 These are some new elevations that we just
8 introduced in our company in the last fifteen days for
9 Bayside so we're happy that we'll be able to offer
10 these in addition to the elevations that you saw
11 before. So, but again, same product. These are just
12 a little more modern. People want some of that
13 farmhouse look with that stone feature, too, but all
14 the other elevations I show will be offered, too.

15 So the next slide. Everybody has the
16 opportunity to come to our design studio to make their
17 selections. They love this. They can really
18 personalize their home. It's a fantastic feature for
19 our buyers that they really enjoy personalizing and
20 getting all those cool options in their homes.

21 So we're seeking a positive recommendation
22 tonight on the rezoning and on the development plan
23 that's before you. I also want to say -- talk the
24 last minute or so on traffic and, also, correct an
25 error that was on the site plan sheet. The school

1 district is actually Northwest School District. We
2 have had a member of our team talk to the school
3 district and they are comfortable with this project so
4 I just wanted to correct that.

5 I want to introduce Shawn White with CBB
6 and she can talk a little bit about her memo she did.
7 She's part of our team on the traffic analysis on the
8 site to answer your questions, Mr. Chair.

9 COMMISSIONER SCHERRER: Sounds great.

10 Please state your name, address, and that
11 you have been sworn in, and you have about a minute
12 and a half.

13 MS. WHITE: Hello. My name is Shawn White.
14 I have been sworn in. Address is 12400 Olive
15 Boulevard, 63141.

16 COMMISSIONER SCHERRER: Thank you.

17 MS. WHITE: Long-time resident of Jefferson
18 County, though, been here about 25, 25 years now.

19 Yeah, we -- we performed the original
20 traffic study for this. We performed the updated,
21 then we have -- CBB has provided a trip generation
22 memo. And given the size, the 50 homes, nothing was
23 technically required by the county for a consideration
24 but we did prepare a trip generation memo which we
25 have provided to you. I think just in -- in summary,

1 I think, when we met with staff initially to talk
2 about this project and about the need of whether
3 traffic would be a concern or something that needed to
4 be addressed, I think one of the positive things that
5 came out of that meeting was that they said we really
6 don't receive any calls from anybody about traffic
7 concerns, you know, in the neighborhood or at the
8 roundabout or -- or at the intersection. So they
9 thought that was a positive thing and that there, you
10 know, really was almost a build-out of the Winding
11 Bluffs Subdivision, that there is not -- their phone's
12 not ringing saying, hey, traffic is a problem out
13 here. And so we thought it was appropriate to just
14 provide a trip generation memo which we did and showed
15 that in the morning the site would generate about, you
16 know, ten more trips coming in, 30 more trips exiting
17 and in the afternoon it would be about 33 trips for
18 people coming home and nineteen people exiting.

19 So it's very minimal increase in traffic
20 and we wouldn't expect that really anybody would even
21 notice that. It's low enough traffic numbers that,
22 you know, it's less than one every two minutes in the
23 morning and, you know, maybe one every minute in the
24 afternoon.

25 With the question about -- about 2019 and

1 talking about the count, that was just we did the
2 timing project on 141 and so we had counts from 2019
3 that we could reference. We didn't have anything
4 later than that.

5 I will say that we did a traffic study down
6 the road, about a mile or so down the road across from
7 QuikTrip, and we collected new traffic counts at that
8 location on 141. And when we went back and compared
9 those to the 2019, they're actually a little bit less
10 in most of the scenarios that were analyzed. I think
11 part of that's just after COVID. I mean, things have
12 just changed. I mean, there's -- you know, a lot of
13 people are working from home or they have different
14 work schedules than they used to have. And so I
15 think, you know, what we're finding in a lot of cases
16 that, you know, if I went and collected a new count
17 today it's probably similar or less than what it was
18 in 2019. So we -- we felt like our findings from the
19 original study were valid and no -- no improvements
20 would be necessary to accommodate these additional 40
21 or so trips.

22 COMMISSIONER SCHERRER: Okay.
23 Unfortunately, time has expired.

24 MS. WHITE: Thank you for letting me
25 finish.

1 COMMISSIONER SCHERRER: Hang on just a
2 second.

3 Are there questions for the petitioner or
4 the traffic engineer?

5 Okay. Probably for both of you.

6 MS. AUMILLER: Yes.

7 COMMISSIONER SCHERRER: First off, let me
8 say that you build beautiful developments.

9 MS. AUMILLER: Thank you. I appreciate it.

10 COMMISSIONER SCHERRER: Even during
11 construction.

12 MS. AUMILLER: Thank you. I appreciate
13 that and thank you.

14 COMMISSIONER SCHERRER: But I am very
15 familiar with this area and I don't know exactly what
16 time of day you base your traffic studies but at 3:30
17 in the afternoon that roundabout is absolutely
18 impossible to get through. It is very, very common to
19 have cars stacked ten to fifteen deep into Winding
20 Bluffs, even back onto 13th Street; school buses going
21 into Guffey, I guess they still call it Guffey;
22 parents coming in and out. That -- that roundabout is
23 completely locked up from 3:30 to sometimes 4:05,
24 4:10. You're moving at a snail's pace if you're
25 moving at all.

1 That is honestly my only concern with any
2 of this because I feel that the roundabout is already
3 overloaded. I'm not concerned so much with 13th
4 Street and 141. That's really not your problem,
5 that's -- falls on MoDOT. But that -- that roundabout
6 is bad. Again, not your problem.

7 The residents of Winding Bluff do not
8 understand what yield signs are. I have almost been
9 hit I don't know how many times from residents leaving
10 Winding Bluffs because they don't even look; it is
11 their road and they are on the move. It's very
12 dangerous and it has created a very dangerous
13 situation. And although this is only 50 more homes,
14 that brings your total to 402 lots if my math is
15 correct. That's my concern.

16 Questions or any -- I mean, anything you'd
17 like to respond to?

18 MS. AUMILLER: Yeah, I mean, I'd -- I would
19 like Shawn to maybe talk about that. I know schools
20 that that's probably the time -- I -- I -- my kids
21 don't go to that school but that's probably a time
22 that the school's out.

23 I know from picking up my own kids at
24 certain times that when school gets out it's a traffic
25 jam. Any school you go to, it's a traffic jam and

1 residents just -- if you're living closest -- if
2 you're fortunate enough to live close to school within
3 walking distance, like that, it's just something --
4 there's some drawbacks, right, there's that hour or so
5 when school's out that traffic exists at any school in
6 any community.

7 We built a couple other communities with
8 schools in them and that occurs at school time. The
9 benefit of that is you can walk to school, too. I
10 mean, so you're -- there are some drawbacks but
11 there's also some benefits from living that close to a
12 school. I can tell you that from our research and
13 development, again, we have built some -- we develop
14 sites for schools in our communities, that is just a
15 function of schools being near a neighborhood which
16 you actually want to happen.

17 I don't know if, Shawn, if you have any
18 additional comments.

19 MS. WHITE: I don't know that I'd have
20 anything to add to that. I probably would have said
21 the exact same thing that Jeannie said just regarding
22 any time you have school arrival and dismissal you're
23 going to have that 15-to-20-minute time period that
24 it's just -- it's just busy. I mean, we -- you know,
25 there's not really a design for that except for we put

1 a signal up at every single school and/or have cops
2 out there to flag traffic. Obviously, we're not going
3 to -- not going to do that. We just all know school
4 arrival and dismissal, it's going to be a little bit
5 busier than normal.

6 I have not counted the roundabout or
7 analyzed the roundabout so I can't speak as to the
8 operations -- the operations of it so I don't want to
9 say anything there that I can't -- I don't have
10 factual data to support.

11 COMMISSIONER SCHERRER: Okay. Questions
12 for the petitioner or the traffic engineer?

13 COMMISSIONER SPRAUL: Yes, please. The
14 thing here from the fire -- from the fire department,
15 are you guys taking care of that?

16 MS. AUMILLER: Yes. We will comply with
17 those recommendations, yes.

18 COMMISSIONER SPRAUL: In writing on this
19 sheet; did you submit it?

20 MS. AUMILLER: We -- we -- you -- you can
21 make it a condition if you want to but we will
22 absolutely comply, yes.

23 COMMISSIONER SPRAUL: Okay. Thank you.

24 MS. AUMILLER: We honor all of our
25 commitments. We don't -- we -- we want to come back

1 here and develop continually so we don't shy away from
2 our commitments. And the 5-foot sidewalks, also, we
3 will commit to that, too. You can make it a
4 condition; we'll agree to it in writing, but we honor
5 our commitments absolutely.

6 COMMISSIONER SPRAUL: Appreciate that.

7 Thank you.

8 MS. AUMILLER: No, thank you, sir.

9 COMMISSIONER SCHERRER: Other questions?

10 Thank you.

11 MS. AUMILLER: Thank you.

12 And we have a full team, Mr. Chair. You
13 heard from Shawn but we have our president and then we
14 have our engineer here, too, so if there's questions
15 from the audience, we'll be available, all of us, to
16 help answer those questions.

17 COMMISSIONER SCHERRER: All right. Thank
18 you.

19 Citizens wishing to be heard that are in
20 favor of the petition?

21 Please come forward. State your name,
22 address, and that you have been sworn in. And there
23 is five minutes allocated for this portion.

24 MR. MCNABB: My name's Ryan McNabb. I'm on
25 the Board of Directors for the Winding Bluffs

1 Community. My address is 1112 Winding Bluffs Way,
2 Fenton, Missouri 63026. I have been sworn in.

3 COMMISSIONER SCHERRER: Thank you.

4 MR. MCNABB: Over the last -- or over the
5 past six years, I've had the privilege to -- to
6 closely collaborate with McBride. My family and I
7 were among the first 30 households to settle in
8 Winding Bluffs. I vividly remember sitting in the
9 same room when they first wanted to expand our
10 subdivision in the first edition.

11 At that time, I represented my family and
12 friends expressing our concerns about the potential
13 linkage of Winding Bluffs Way to Saline as McBride
14 continued to develop our community. Our worries
15 primarily revolved around the safety of our children
16 who play outdoors as well as the potential
17 consequences of connecting to Saline that might bring.

18 Today, I stand before you as a board member
19 on the Winding Bluffs or for Winding Bluffs ready to
20 share a different narrative, one of praise for McBride
21 in willingness to collaborate with our community as
22 they approach the final stages of our development.
23 This proposal or this proposed final addition offers a
24 solution that alleviates one of our most significant
25 fears: The possibility of our subdivision ever

1 connecting to Saline. Safety remains our utmost
2 concern and the addition effectively -- or this
3 addition effectively addresses it. Beyond this, the
4 final addition marks the conclusion of our community
5 and the development.

6 Furthermore, the additional -- will bring
7 an additional 53 homes contributing to our HOA dues;
8 50 from the proposal itself and three more from
9 existing lots that are already in the community. This
10 translates to an extra \$26,500 annually flowing into
11 our HOA funds. In addition to this financial dues,
12 McBride has generously agreed to purchasing and
13 installing a playground and does a lot more for the
14 community, enhancing our community's amenities in this
15 new addition.

16 They have also committed to fixing any
17 damage increased -- or occurred during construction
18 and minimizing construction traffic throughout our --
19 our current streets.

20 McBride does not stop there. They're
21 actively assisting our community and liaising with the
22 county to expedite the process of transferring
23 responsibility for our roads. This transfer will
24 empower us to enlist community resources in addressing
25 issues like speeding and traffic violations, very

1 similar like you spoke about before with yield signs,
2 which our community currently lacks the means to
3 enforce effectively. In light of these concerns or --
4 concerted efforts, our current board is generally
5 pleased with the McBride proposal and finds addition
6 -- or in the final addition and has the board's
7 support.

8 I also wanted to touch on, on top of this,
9 the traffic light at that intersection, yes, there is
10 some traffic, obviously, during the day whenever the
11 school does let out. My kid just started kindergarten
12 there. A lot of the neighbors do walk down, walk
13 their kids to school, park in the parking right there
14 by the mailboxes to help alleviate some of that
15 traffic that's coming in and out. The biggest concern
16 is actually coming down 141 south where several people
17 constantly run the light, has nothing to do with the
18 community as far as that goes with traffic. It --
19 that area is an extreme concern. One of my neighbors
20 lost his father. So this is an area where I would
21 recommend that Jefferson County looks at that and see
22 what they can do about the light there itself and find
23 a way to be able to enforce that.

24 Besides that, the community does -- I'm
25 sorry, the board does have support for McBride on this

1 proposal.

2 COMMISSIONER SCHERRER: Thank you. Thank
3 you.

4 Are there questions for this citizen?

5 Thank you, sir.

6 Other citizens wishing to be heard that are
7 in favor of this project?

8 Citizens wishing to be heard that are in
9 favor of this petition?

10 Citizens wishing to be heard who are
11 opposed to these petitions?

12 Citizens wishing to be heard that are
13 opposed to these petitions?

14 Does the petitioner have anything else to
15 add?

16 MS. AUMILLER: Mr. Chair, I -- I do not
17 other than I'm available to answer your questions. I
18 just want to reiterate our gratitude for the success.
19 We view it as partnership with the residents and the
20 county for Winding and we're just excited to be able
21 to complete this and excited to talk about the next
22 project we'll talk about which is very similar but not
23 connected street wise to this. So I want to thank
24 everyone and we're very excited to be able to complete
25 this final phase and we're here to answer any

1 questions.

2 COMMISSIONER SCHERRER: Questions for the
3 petitioner?

4 All right. Thank you.

5 Discussion amongst commissioners?

6 COMMISSIONER DUGAN: I make -- I make a
7 motion to approve PR123037 and PP23038.

8 COMMISSIONER BOWERS: Second.

9 COMMISSIONER SPRAUL: Real quick, are we
10 able to make that condition as far as the fire
11 department?

12 COMMISSIONER SCHERRER: We are.

13 Commissioner Dugan, you would need to
14 withdraw your motion and add that if you're so moved
15 to make that.

16 COMMISSIONER DUGAN: I think it's -- she
17 stated clearly -- I think she stated clearly enough to
18 me that she's going to take care of it.

19 COMMISSIONER BOWERS: I agree. My second
20 still stands.

21 COMMISSIONER SCHERRER: Okay. So a motion
22 was made by Commissioner Dugan to approve PR123037 as
23 well as PP23038; it was seconded by Commissioner
24 Bowers.

25 All in favor say aye.

1 COMMISSION: Aye.

2 COMMISSIONER SCHERRER: Opposed?

3 Motion passes. Petition PR123037 and

4 PP23038 is approved unanimously.

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1 COMMISSIONER SCHERRER: Next up, Petition
2 PR123039 and PP23040. Mr. Jump.

3 MR. JUMP: Thank you, again.

4 This is Petition No. PR123039 and PP23040.
5 This will kind of follow the same -- there are some
6 differences, obviously, but it will kind of follow the
7 same procedure laid out in the previous project.

8 This development is a little bit bigger.
9 There's 24.89 acres on this portion of the property
10 they are seeking to have rezoned from R20
11 single-family residential PR1 and then development
12 plan approval for Winding Meadows. Lot of the same
13 prod -- parcel details. This one does have the road
14 frontage on Saline that will be access -- that it is
15 proposed to be accessed from. There is 24.89 acres on
16 this petition; whereas, the last one was just over
17 ten. Council District 2, single-family residential
18 R20 still, suburban development plan, primary growth
19 area, all that good stuff. Same topographical issues
20 and no -- no floodplain, floodway.

21 Again, a little bit of background: The two
22 Winding Bluffs developments that were approved in both
23 '15 and '19, this does not connect to that but it is,
24 you know, at least locationally related in its sort of
25 zoning and proposed neighborhood, community type

1 stuff.

2 This is the zoning map parcel again. This
3 -- this development is going to be kind of on this
4 side; whereas, you remember the previous one looped
5 back around. It's going to kind of -- kind of snake
6 around on the sort of western side of the property.

7 There's your topo map again. This is the
8 first half of the development plan. It is split into
9 two. You've got a Winding street from up in the top
10 corner all the way around. The previous development
11 was kind of like right here-ish and then you kind of
12 -- it branches off and heads southeast which you'll
13 see in the next slide.

14 I'll give you the details on this one sort
15 of up front then we'll look at the next slide as well.
16 Eighty-three lots are being proposed, one split
17 entrance from Saline, 3.4 acres of proposed tree
18 canopy preservation. It's a density of about
19 3.3 units an acre. These lots are a little smaller on
20 the front side but still just under 6,000 square feet
21 at 5,885; maximum just over 10,000 square feet with an
22 average of 7,000 square feet. Common ground area
23 being shown as well and detention basins 'cause this
24 is a -- like Jeannie had alluded to earlier that is an
25 entirely separate development. So that -- the split

1 -- the -- one part thing, the split-median access is
2 located right about there and it is in the best
3 location that it could be in for safety purposes. The
4 developer did submit it already, sight distance
5 profiles that show adequate sight distance both
6 directions.

7 This is the other leg of that development
8 kind of going back into the southeastern corner back
9 here, kind of showing you the additional lots. Again,
10 a total of 83 individual, single-family residential
11 lots.

12 Here's some photos from the site. As I
13 mentioned earlier, there is an old barn that's on the
14 Saline side, if you will, and an old farmhouse. The
15 property was locked so we couldn't get on the property
16 but tried to get a couple pictures of the property.
17 This is a neighboring development kind of similar in
18 density and size.

19 So our analysis: The development plan
20 satisfies a large portion of the criteria of approval,
21 it would be not out of character for the area as there
22 is a large pleasant -- presence of single-family
23 housing both directly adjacent to the east, Winding
24 Bluffs, as well as many denser style residential
25 developments nearby.

1 Furthermore, the proposed zone district
2 single-fam -- planned single-family residential is
3 consistent with the zoning of the adjacent property.
4 The subject property has direct access to a county-
5 maintained road. Development plan shows one access
6 point to the proposed subdivision from Saline, a split
7 entrance with a median. This meets the UDO
8 requirement. And the lots' sizes range from smallest
9 being just under 6,000 to the largest being just over
10 10,000 with an average lot size coming in -- out to
11 just over 7,000 square feet. These lot sizes provide
12 for a range of styles of single-family housing within
13 the development.

14 It is important to note that the majority
15 of the lots do back up to common ground or the county
16 road. There are a couple of exceptions but the rear
17 setbacks called out by the UDO would prevent any
18 structures being built close to shared property lines.
19 What's happening is, essentially, the rear yard is
20 backing up to another rear yard so you have sort of a
21 county-enforced buffer, if you will, for structures so
22 that those lots that do -- the rear side backs up to
23 the rear side. A portion of the property, as you
24 already know, was in a different petition and it's not
25 included in this one and is separate from it.

1 Staff does not see any -- has not seen any
2 evidence to indicate that there would be any risk to
3 public health, safety, and welfare for the development
4 as proposed; does not have any features that would
5 impede the normal and ordinary development and
6 improvement of the surrounding property, excuse me.

7 Second request is for PP23040, a
8 preliminary plat, very similar. Shows those eighty --
9 83 lots and the infrastructure sort of required for
10 that. Show you those two slides again, real quick.

11 The preliminary plat analysis shows 83 lots
12 for 83 single-family residential homes, range in size
13 from just under 6,000 square feet to just over 10,000
14 square feet. Has one main split-access point that
15 comes from Saline, a county-maintained road. The
16 number of access points meets the UDO standards for
17 development. The location of the drive is positioned
18 in the best manner possible given the circumstances of
19 the surrounding entrance to the complex. Density
20 permitted by the PR1 is 6 units an acre, the density
21 for the development, 'cause there's a significant more
22 common or tree canopy preserved on this piece, follows
23 that just right around 3.3 units an acre. It falls
24 under that minimum -- the maximum, I'm sorry, allowed
25 by the UDO. And, again, the development provides a

1 variety of lot sizes for new single-family homes that
2 are in line with the standards set forth by the UDO
3 under the proposed PR1 zone district.

4 The wall comment applies here, too, just
5 wanted to kind of point that out. There is also a
6 condition I wanted to mention at the end of the staff
7 report in this one, while not required by the UDO for
8 a development of this size, the petitioner has
9 committed to performing a traffic study that will be
10 submitted to the county during the improvement plan
11 review. I wanted to point that out to you to -- to
12 sort of address any potential traffic concerns that
13 might be a result of this development.

14 So with that, for your consideration
15 rezoning of the same -- the subject property, it's
16 just under 25 acres from single-family residential R20
17 to planned single-family residential PR1 and
18 development plan approval for Winding Meadows. I will
19 take any questions you guys have.

20 COMMISSIONER SCHERRER: Questions for
21 staff?

22 Barring none, is the petitioner present?

23 You are.

24 MS. AUMILLER: Thanks, Mr. Chair.

25 COMMISSIONER SCHERRER: Please come

1 forward. State your name, your address, and that you
2 have been sworn and you are allowed ten minutes.

3 MS. AUMILLER: Thank you, sir.

4 My name is Jeannie Aumiller. I'm with
5 McBride Homes. I have been sworn in. My address
6 17415 North Outer 40, Chesterfield 63005. Thank you,
7 Mr. Chair.

8 COMMISSIONER SCHERRER: Thank you.

9 MS. AUMILLER: Thank you, commissioners.
10 It's my pleasure to be back up here to talk about
11 really the second piece of this property that we're
12 under contract with. And just for the record, since
13 they're separate projects I just want to, once again,
14 explain for the record on this project the reason we
15 divided this property was to not have a cut-through
16 for the projects. That was not only for the benefit
17 of Winding -- our residents of Winding Bluffs, also,
18 for the benefit of those that live off of Saline. We
19 did not want to make a cut-through from 141 to Saline
20 and push traffic over here that shouldn't be over
21 here. So that was by design to benefit both sides of
22 the projects.

23 And so, really, and I think the condition
24 that staff just talked about, which was the traffic
25 study, although not required by the code for a project

1 of this size and not required at this point, we did go
2 ahead and get a traffic study done and that -- those
3 results are actually just -- just in within the last
4 couple days. So Shawn White, again with CBB, will
5 come up here and talk a little bit about that although
6 not required at this point.

7 My guess is because what we're talking
8 about here is the same development pattern, the same
9 lot sizes, the same density, actually a little less
10 dense than the project that was just approved here.
11 This project is a little less dense and exact same
12 product as Winding. So, again, it's just another
13 continuation of the development, density, same
14 density, same lot sizes, same product. So the issue
15 here that I suspect on many people's minds that live
16 on Saline is traffic. So we want to talk a little bit
17 more about that in this presentation and, hopefully,
18 answer some questions about that.

19 But before we do that, let's just look at
20 the site plan a little bit. There's the site; we
21 already seen that. And this is consistent, just like
22 the previous project, with the master plan. It's in
23 the primary growth area. Site analysis, I think we
24 can skip to the next.

25 All right. So here is the site plan and

1 this is 24.89 acres. This has actually 8.32 acres of
2 common ground. And what we really tried to do
3 strategically here is ring the site with that common
4 ground and keep a buffer between our lots and all of
5 the surrounding property owners. You can really see
6 that in the lighter green pattern. And what we really
7 tried to do on top of that was preserve as many trees
8 and concentrate that tree preservation along the
9 buffers so that we can keep that consistent buffer
10 there for folks that live on the sides of us. And
11 we're really proud to say that, actually, we have 3.4
12 acres of tree preservation on this all concentrated on
13 those buffers which I think is really cool.

14 Number of lots is 83 here. It's 3.3 units
15 to the acre. The lot sizes are consistent with the
16 lot sizes of Winding. Like I said, that seems a
17 little less. Setbacks are the same and these are the
18 exact same product that we just looked at before. I
19 can show you some elevations as we go forward. This
20 is all basements, full basements. These are all
21 two-car garages. If you want to skip ahead to the
22 elevations.

23 MR. JUMP: Okay.

24 MS. AUMILLER: Same elevations. We can
25 probably skip through those since we've seen those.

1 It's the exact same type of product, just another
2 continuation of product, again, lot size.

3 So to talk a little bit about traffic
4 because I -- this would be a project that would be
5 accessing off of Saline, different than the one we
6 just approved. So I just wanted to talk about that a
7 little bit. We learned very early on that the county,
8 public works has a completely funded project for
9 improvements to Saline in this exact area which, my
10 understanding, will be done in the next few years
11 before build-out. That will be done before build-out
12 of this community which is great. It's great timing
13 because that project, to my knowledge, includes an
14 additional 4-foot of shoulders on that road, wider
15 streets, rumble strips on the side. And we picked, as
16 you just heard staff say, we picked our entrance
17 location to be consistent with those street --
18 upcoming street improvements on Saline.

19 All of those will help with conditions
20 along with Saline. And I'll ask Ms. White to come up
21 in a minute. But to summarize her results, she has
22 done a traffic study. It has not been submitted to
23 county. We just received it. But we wanted to push
24 for that even though not required at this stage
25 because we anticipated that some folks might have some

1 questions about that traffic. So some very good
2 results which as a non-engineer or traffic person I'm
3 going to try to summarize but Shawn's probably going
4 to correct me on some of that. There were no negative
5 impacts with this proposed development. In fact, what
6 Shawn is estimating, Ms. White is estimating is that
7 85 percent of the traffic from this site will actually
8 head north to Highway 30, so it will go north up
9 toward -- toward Highway 30 which I think is great.

10 So, Ms. White, would you like to come up
11 and just talk a little bit more about your results in
12 that study?

13 COMMISSIONER SCHERRER: Please state your
14 name, address, and that you have been sworn in.

15 MS. WHITE: Good evening. Shawn White.
16 Address is 12400 Olive Boulevard, 63141, and I have
17 been sworn in.

18 COMMISSIONER SCHERRER: Thank you.

19 MS. WHITE: This doesn't want to flex.

20 Yeah. Shawn White with CBB. We were
21 retained to do a traffic impact study for the proposed
22 Winding Meadows Development. As part of this project,
23 we did meet with the county to talk about the need for
24 a traffic study again. Again, I don't know if there
25 was any strong need on the county's side as far as

1 saying it wasn't required but they thought, hey, it
2 might just be good to go ahead and get one done so
3 that you're able to answer those questions.

4 I don't know that it was so much a matter
5 of, you know, Saline Road being a congested roadway
6 with so much volume that the road can't handle it. I
7 mean, the volumes are actually pretty light. I think
8 there was just more of a concern with the winding
9 nature of it. I mean, you know, it's curvy, it's
10 hilly, you know, there's some advisory speed signs on
11 some of the curves. That's why learning of this
12 project that is a funded project by -- by Jefferson
13 County, that is our understanding likely goes into
14 construction toward the end of next year, completed in
15 2025, and so that -- that will widen it to provide the
16 4-foot shoulders and make the roadway much, much more
17 safe.

18 But in -- but in respect to what -- what we
19 did, we did go out and collect new traffic counts.
20 Aug -- on Thursday, August 31st, we collected new
21 counts on Saline Road from seven to nine in the
22 morning and then, again, from two to six in the
23 afternoon to capture school variations as well as the
24 commuter-peak period. We then, you know, developed a
25 trip generation for the 83 homes which is, you know,

1 again, fairly light. You know, in the morning that's
2 about 63 trips: 16 in, 47 out; in the afternoon it
3 was 84 trips: 53 in, 31 out.

4 We had discussed with staff at the time of
5 our meeting, you know, as far as what we -- where are
6 these people going to go to and, I mean, in the
7 consensus in that meeting was feeling like the closest
8 route to get to Highway 141 or Gravois Bluffs or
9 Highway 30 is heading -- is heading north on Saline to
10 those. So we feel like our greatest impact will be
11 heading north from this site on Saline and that is
12 exactly where the improvement project is happening.

13 The project starts around Memory Lane,
14 which is the south side of our development, will
15 continue through our whole subject site all the way up
16 to Northwest Boulevard where you would get to the
17 roadway but then you can cut over to -- to get to
18 Highway 30.

19 We did analyze the operations at our site
20 driveway. I mean, it's all level of service A overall
21 as far as operations. You've heard me say this before
22 where level -- kind of like the letter grade A is the
23 best, F's not good, acceptable conditions is a D. I
24 mean, realizing that if in the peak hours you're a D
25 and most of the day you're better than that but, in

1 this case, in our peak hours it's an A on Saline Road
2 so there's really no concern from a traffic
3 standpoint. And the fact that the roadway is being
4 provide -- you know, widened certainly provides that
5 safety benefit that everyone who travels Saline now is
6 aware the residents of this community can benefit
7 from. Happy to answer any questions. Trying to be
8 brief.

9 COMMISSIONER SCHERRER: Questions for the
10 petitioner or the traffic engineer?

11 COMMISSIONER BOWERS: Can the staff confirm
12 the development of this Saline portion?

13 MR. KEHM: So, yeah, when we first met with
14 -- with representatives from McBride, and Shawn was
15 there, probably about two months ago, there were
16 individuals from the Department of Public Works with
17 the county that -- that talked with them about that
18 improvement project and so they have been working
19 together on how that's going to impact this property,
20 what Shawn was looking at in terms of a traffic study,
21 how the new county improvements would -- would alter
22 those kind of things. So, yes, that -- it is a -- it
23 is a widening of the shoulders and rumble strips as
24 Ms. Aumiller had said earlier.

25 COMMISSIONER BOWERS: Thank you.

1 COMMISSIONER SCHERRER: Other questions for
2 the petitioner or the traffic engineer?

3 COMMISSIONER SPARKS: I just have one for
4 the petitioner just 'cause this is another project --

5 MS. AUMILLER: Yeah.

6 COMMISSIONER SPARKS: -- but kind of the
7 same, I'm going to ask the same question. When I
8 spoke to the fire chief last week his main concern
9 would be cul-de-sacs and the truck being able to turn
10 around and, of course, if they had -- even got a call
11 and they've got to back, you know, a truck all the way
12 down the whole entire subdivision. I told him I would
13 ask about that so I'm asking about that.

14 And you said on your previous that you'd
15 comply with what was recommended by the fire
16 department so I am asking you that question on this
17 project as well.

18 MS. AUMILLER: Thank you, Commissioner
19 Sparks. I just consulted with our engineer and we
20 will comply with it on this project as well with
21 whatever those requirements are of the fire district,
22 we will. Thank you, sir.

23 COMMISSIONER SCHERRER: Other questions for
24 petitioner or the traffic engineer?

25 Okay. Thank you.

1 MS. AUMILLER: Once again, Mr. Chair, we
2 have the entire team here that can answer your
3 questions or any questions from the audience. Thank
4 you, sir.

5 COMMISSIONER SCHERRER: Okay. Citizens
6 wishing to be heard that are in favor of this
7 petition?

8 Citizens wishing to be heard that are in
9 favor of the petition?

10 Citizens wishing to be heard that are
11 opposed to the petition?

12 Please come forward one at a time. It
13 doesn't matter to me whoever goes first. Please state
14 your name and address and that you have been sworn in.
15 This is a 20-minute time limit and no one person will
16 be allowed to speak for more than three minutes.

17 MR. HERRON: My name is Daniel Herron. I
18 live at 796 Hermitage Drive and I have been sworn in.

19 COMMISSIONER SCHERRER: Thank you.

20 MR. HERRON: My wife Kathy and I have lived
21 at that location, we are the first house coming into
22 Hermitage Hills off of Saline Road. We've lived there
23 for 31-plus years. Prior to that time, I lived in Ron
24 Rogers Subdivision off Ron Drive for about twelve
25 years. Those are the two subdivisions that are on

1 each side of this development.

2 My -- my objections are -- one has to do
3 with water runoff. I believe somebody else is
4 speaking to that so I will -- who has more knowledge
5 of that than I do so I won't go into any detail there.

6 My second objection here is the entrance to
7 this new subdivision off of Saline Road. There's --
8 you know, the traffic situation on Saline Road; Saline
9 is fairly narrow. The improvement project, which I --
10 we've got notification of that and went to a meeting a
11 year ago and I've got some information here, that
12 improvement project is to add shoulders to each side
13 of the road, not to widen the road.

14 I have been -- I have seen Saline improved
15 over the time that I have lived out there but there
16 hasn't really been any improvement in the last 30 --
17 30 years, 30-plus. So I'm concerned about the
18 additional traffic and -- and the impact on Saline
19 Road. I think that there should be some sort of --
20 some way that the traffic can get in and out of this
21 subdivision without being a danger to the traffic
22 going by on Saline Road.

23 One of my other concerns was with the --
24 the school district but I understand that's been
25 corrected that this is actually Northwest R-1.

1 Doesn't really have any impact on me.

2 And I have -- I have a question about this
3 -- the existing site and what the existing site had
4 been used for. You're talking about an old barn but
5 that barn's less than 30 years old. It's, I mean,
6 20-something years old. I had a question about what
7 it was used for back at that time and raised my
8 objection to the county commissioner at that time and
9 I don't remember her name, but she did look into it
10 and -- and nothing seemed to change, but so those are
11 my -- my objections; mainly, the traffic and the
12 entrance into and out of this new subdivision.

13 COMMISSIONER SCHERRER: Okay. Questions
14 for this citizen?

15 All right. Thank you.

16 Other citizens wishing to be heard?

17 Please state your name, address, and that
18 you have been sworn in.

19 MS. DURRWACHTER: Good evening. My name's
20 Shirley Durrwachter. I live at 781 Hermitage Drive
21 and I have been sworn in.

22 COMMISSIONER SCHERRER: Thank you.

23 MS. DURRWACHTER: My property 781 Hermitage
24 Drive is actually Lot No. 39 that is drawn into a lot
25 of these drawings, not this particular one but...

1 Yeah, I'm right off -- this couple is the first house.

2 Yes, here we go.

3 MR. JUMP: Yeah. Are you down here at the
4 corner?

5 MS. DURRWACHTER: Yes, in the corner right
6 here, yes. Okay. So as they're the first house on
7 the right coming in the subdivision, I'm on -- I'm the
8 first house on the left. And so I actually -- my
9 property line is share -- shared with this property.

10 There -- they -- there is an elevation,
11 they're quite higher than we are, and we have a -- we
12 already have a bad water problem. So what happens
13 when it rains, the back part of our property, a stream
14 comes down the back of our property. The stream comes
15 through. The gentleman or the couple that live next
16 to me, they meant to be here tonight and they hit a
17 deer on the way here. They were going to talk, but
18 they've actually had to sandbag their property it's
19 gotten so bad. The water continues to go down
20 throughout the backyards washing out a lot of sheds.
21 There has been a lot of damage. It goes down through
22 the backyards, across the street, eventually goes into
23 the lake that's in our subdivision.

24 And my concern is once they start removing
25 the trees and vegetation that this is only going to

1 get worse and I don't know what can be done on that
2 but I'm just afraid that my property is going to flood
3 and, possibly, even like mud slides once they start
4 moving all the trees and everything like that. Like I
5 said, it is at a higher elevation. It's quite a slope
6 coming down the hill. That's my biggest concern.

7 COMMISSIONER SCHERRER: Okay. Are there
8 any questions for this citizen?

9 All right. Thank you.

10 Other citizens wishing to be heard?

11 Your name, address, and that you have been
12 sworn in.

13 MR. KENKEL: My name is Joe Kenkel. My
14 address is 1521 Dorie Court, Fenton, Missouri. And,
15 yes, I have been sworn.

16 COMMISSIONER SCHERRER: Thank you.

17 MR. KENKEL: Dorie Court is off of Memory
18 Lane which is directly across Saline from the proposed
19 development. Between living on Dorie Court and living
20 in Hermitage Hills, I've been off of Saline Road for
21 about 40 years so I think I know the road pretty well.

22 I have a big concern with the entrance to
23 this property. It is on a hill. It is -- and if
24 you've lived out there as long as I have and on
25 Jefferson County roads, our -- our streets guys do a

1 much better job than they did many years ago but still
2 if you get snow and ice on that road, people slide
3 right past that all the time. And anybody coming up
4 this hill and trying to turn left into this
5 subdivision is going to stop traffic all the way to
6 the bottom of the hill. It's just not going to be any
7 good.

8 I appreciate the fact that they don't want
9 to access Saline Road from their existing
10 developments. I think that's a -- that's a very nice
11 thing. And I'm not antidevelopment but I think the
12 access point for this is -- is in the absolute wrong
13 place and I would ask that you deny their petition
14 until they revise their access point. Thank you.

15 COMMISSIONER SCHERRER: Okay. Thank you.

16 Are there questions for this citizens?

17 Okay. Other citizens wishing to speak that
18 are opposed to the petition?

19 Citizens wishing to be heard that are
20 opposed to the petition?

21 Would the petitioner please come back?

22 MS. AUMILLER: Yes, Mr. Chair.

23 COMMISSIONER SCHERRER: Okay. First, let's
24 talk about water runoff.

25 MS. AUMILLER: So I am going to ask our

1 engineer to come up. He'll have more information on
2 that but we're able -- we've got some good things
3 going on for you. Our basin's going to be right near
4 you, it's going to catch all that water but I'm going
5 to let the engineer explain it better than me.

6 COMMISSIONER SCHERRER: Try -- try and keep
7 it up this way.

8 MS. AUMILLER: Oh, sorry. Thank you.

9 COMMISSIONER SCHERRER: Please state your
10 name, address, and that you have been sworn in.

11 MR. FALKNER: Mr. Chairman, thank you.

12 For the record, my name's Mike Falkner.
13 I'm vice president of Sterling Engineering. Office is
14 at 5055 New Baumgartner, St. Louis, Missouri 63129,
15 and I have been sworn in.

16 COMMISSIONER SCHERRER: Thank you.

17 And just to be clear on the record, you are
18 speaking only, at this point, to the water runoff
19 issue?

20 MR. FALKNER: Correct.

21 COMMISSIONER SCHERRER: Okay.

22 MR. FALKNER: Correct.

23 Yeah, talking about that, Josh, is there
24 any way you can put up our plan?

25 MR. JUMP: You want the preliminary plat?

1 MR. FALKNER: Yes, if you would, please.

2 Go to the next one.

3 MR. JUMP: The bottom one there?

4 MR. FALKNER: Right.

5 MR. JUMP: Okay.

6 MR. FALKNER: As you can see, I don't have
7 a pointer but in that --

8 MR. JUMP: Here you go.

9 MR. FALKNER: Okay. Thank you.

10 MR. JUMP: Yeah.

11 MR. FALKNER: You can see right in here
12 what we've got just north of some of the residents'
13 concerns we've got a stormwater detention basin that
14 will be built at this location right here and that
15 will be built per the new county ordinances. So that
16 will be -- have all the new requirements that the
17 county has implemented as far as stormwater
18 management. So that basin is strategically loaded --
19 located there to actually intercept all this water and
20 detain that water during the normal storm event or a
21 heavy storm event. So that's where -- our detention
22 basin will be there so to address the concerns that
23 the residents have had.

24 COMMISSIONER SCHERRER: Okay. Other
25 questions?

1 Okay. Thank you.

2 The other one was two parts about the
3 entrance, I'm going to roll them into one.

4 MS. AUMILLER: Okay.

5 COMMISSIONER SCHERRER: A, concerns about
6 the entrance, where it's at. And then the follow-up
7 to that was the -- that the county is proposing to add
8 shoulders, not widen the road, that may be a question
9 better for our staff. And then the second part of
10 that was a citizen felt that the entrance was in the
11 worst possible location.

12 MS. AUMILLER: Yeah, okay. Thank you,
13 Mr. Chair, I appreciate that.

14 The entrance location, just to speak about
15 that and just to reiterate what's great, and I love
16 that the gentleman said that, is we're uniquely
17 positioned to separate these two projects to keep that
18 traffic, you know, that additional traffic off of
19 here, so. And -- and what's great about doing the
20 projects together but different is we can do that and
21 we're uniquely positioned time wise to do that right
22 now along with these street improvements so I think
23 that's great.

24 This location was actually analyzed by the
25 county and our engineers and CBB. And as you heard

1 the staff say and our traffic consultant's -- also
2 agrees. Actually, we did sight-distance analysis and
3 this is actually in the best possible location from a
4 sight-distance standpoint, so. And we have analysis
5 on that to support that. So all the engineers have
6 looked at it and are very comfortable that this is the
7 best possible location from that standpoint.

8 COMMISSIONER SCHERRER: Okay. Would you
9 like to defer the shoulders, not wider roadway and
10 shoulders to staff?

11 MS. AUMILLER: I would but it's my
12 understanding that there are certain sections that
13 will be a little wider but for the most part it will
14 -- mostly the shoulder will be added but I would --
15 it's not my project so I would defer to them.

16 COMMISSIONER SCHERRER: You're up.

17 MR. KEHM: Yeah. I -- I think we're
18 dealing with a matter of semantics here. I mean, by
19 definition, adding shoulders to the outside of a road
20 where there are no shoulders makes it wider so I don't
21 have anything else to say about that.

22 And it's not being realigned. I mean, this
23 is not -- they're not taking out vertical or
24 horizontal curvature in the road. It is simply adding
25 shoulders, adding rumble strips, and there are some

1 spots where there is a little bit of widening but
2 they're not -- they're not adding extra lane-age (sic)
3 or anything like that.

4 COMMISSIONER SCHERRER: Right.

5 COMMISSIONER BOWERS: Can -- can you also
6 confirm that that was discussed with the county staff
7 about the entrance being in the best location?

8 MR. KEHM: That is absolutely true. In
9 fact, this is not -- they have looked at multiple
10 spots to put entrances on this property. And
11 Mr. Falkner will correct me if I'm wrong, but this was
12 not actually the preferred spot in terms of there is
13 going to be more extensive grading required because of
14 where this spot is and it -- it was the spot that met
15 the sight distance and all that. But, I mean, it's
16 going to be harder for them to develop that spot than
17 it would be somewhere else along that road but that's
18 the spot that meets the county's ordinance.

19 COMMISSIONER BOWERS: Perfect. Thank you.

20 COMMISSIONER DUGAN: Question: Does -- are
21 you -- did you say it's was 4-foot wider berms they're
22 putting in?

23 Because it's like Y and B when they -- the
24 state put 1-foot wider berms on there, it's basically
25 a joke. It's a -- you know, at 60 miles an hour it

1 doesn't take much to go off the side of the road?

2 MR. KEHM: You're talking about the
3 shoulders?

4 COMMISSIONER DUGAN: Yes, sir.

5 MR. KEHM: Yeah, I mean, they're adding
6 shoulders. I don't know that they're adding berms.

7 COMMISSIONER DUGAN: Well, shoulders, I
8 mean, whatever you want to call them. Their
9 shoulders, how -- how wide are they?

10 If they're -- if they're minimal shoulders
11 it's not doing anything.

12 MR. KEHM: Yeah, I mean, I don't know the
13 answer to that. My understanding was I thought these
14 were 4-foot shoulders but I do not know the answer to
15 that.

16 COMMISSIONER SCHERRER: Your understanding
17 is that they're 4-foot shoulders?

18 MR. KEHM: Correct. I mean, that -- that's
19 -- that's what's been indicated to us. I have not
20 reviewed public works' plans for that site but that's
21 what they indicated when we did the sit-down meeting.

22 MS. AUMILLER: That is our understanding as
23 well, Mr. Chair.

24 COMMISSIONER SCHERRER: Okay. The next
25 one, the old barn, the previous use for the old barn;

1 can you speak of that?

2 MS. AUMILLER: I don't think we know, other
3 than it was used as a barn, what it's been used for.
4 And I -- I was curious about what the concern might
5 be, if it was an environmental concern. I don't know
6 but we will get an environmental study done before we
7 close but I don't know beyond it was used as a barn.
8 I don't know anything else.

9 COMMISSIONER SCHERRER: Okay.

10 MS. AUMILLER: I apologize.

11 COMMISSIONER SCHERRER: Is there anything
12 else you would like to add?

13 MS. AUMILLER: No, other than we're very
14 excited. We will follow the conditions in the staff
15 report and we have no requests for any waivers. And
16 we're very excited as this will add some of this
17 similar development pattern to this area. Thank you
18 very much.

19 We're very pleased that you approved the
20 last project and this is just, again, in conjunction
21 with that one to keep the traffic separate so we would
22 be seeking your favor of approval. Thank you very
23 much.

24 COMMISSIONER SCHERRER: Thank you.

25 Questions for the petitioner?

1 Discussion amongst commissioners or staff
2 or a recommendation?

3 COMMISSIONER BOWERS: Make a motion that we
4 approve PR123039 and PP23042 (sic).

5 COMMISSIONER DUGAN: Second.

6 MR. CORDES: Four-zero, you mean?

7 COMMISSIONER BOWERS: I'm sorry, yes.

8 COMMISSIONER SCHERRER: A motion is made by
9 Commissioner Bowers that PP23040 and PR123039, and I
10 did say them in reverse, be approved. It was
11 commissioned by -- seconded by Commissioner Dugan.

12 All in favor say aye.

13 COMMISSIONER: Aye.

14 COMMISSIONER SCHERRER: Opposed.

15 COMMISSIONER SPRAUL: No.

16 COMMISSIONER SCHERRER: Madam Secretary,
17 will you please call roll?

18 MS. ROESCH: Tim Dugan.

19 COMMISSIONER DUGAN: Yes.

20 MS. ROESCH: Mike Huskey.

21 COMMISSIONER HUSKEY: Yes.

22 MS. ROESCH: Danny Tuggle.

23 COMMISSIONER TUGGLE: Yes.

24 MS. ROESCH: Greg Bowers.

25 COMMISSIONER BOWERS: Yes.

1 MS. ROESCH: Johnathan Sparks.
2 COMMISSIONER SPARKS: Yes.
3 MS. ROESCH: Larry Adkins.
4 COMMISSIONER ADKINS: Yes.
5 MS. ROESCH: Jeffrey Spraul.
6 COMMISSIONER SPRAUL: No.
7 MS. ROESCH: Jessie Scherrer.
8 COMMISSIONER SCHERRER: Yes.
9 MS. ROESCH: Motion for approval carries.
10 COMMISSIONER SCHERRER: Okay. Petition --
11 turn it on -- PR123039 and PP23040 is approved by a
12 vote of 7:1.
13 MS. ROESCH: Correct.
14 COMMISSIONER SCHERRER: Motion passes,
15 approved.
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1 COMMISSIONER SCHERRER: Reports to the
2 Commission.

3 MR. KEHM: Just one. Our next meeting is
4 two weeks from tonight so that would be September the
5 28th. We do have one case on the agenda for that
6 night. That's all I've got.

7 Thank you, gentlemen, for being here and --
8 and helping us work through the agenda. We appreciate
9 it.

10 COMMISSIONER SCHERRER: Citizens to be
11 heard?

12 Is there a motion to adjourn?

13 COMMISSIONER DUGAN: So moved.

14 COMMISSIONER BOWERS: Second.

15 COMMISSIONER SCHERRER: Motion was made by
16 Commissioner Dugan and seconded by Commissioner Bowers
17 to adjourn.

18 All in favor?

19 COMMISSION: Aye.

20 COMMISSIONER SCHERRER: We are adjourned.

21 [Adjourned 8:39 p.m.]

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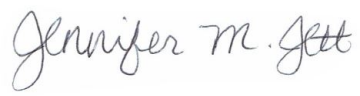
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C E R T I F I C A T E

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 18th day of September, 2023.



JENNIFER M. JETT, CCR
MISSOURI CCR NUMBER: 634

September 14, 2023
Jefferson County Planning and Zoning Meeting

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