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Planning & Zoning Meeting
November 17, 2022

Jefferson County, Missouri

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

November 17, 2022

6:30 P.M.

Jennifer M. Jett, CCR
MISSOURI CCR NUMBER: 634

1	E X H I B I T S		
2			
3	Exhibits	Description	Identified
4	Exhibit A	Official Master Plan for Jefferson County, Missouri	Page 12
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6	Exhibit B	Jefferson County Code of Ordinances - Chapter 400 Unified Development Order	Page 12
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8	Exhibit C	Planning Division Staff Report and Respective Case File	Page 12
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10	Exhibit D	Information Regarding PR122068	Page 26
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12	Exhibit E	Jefferson County Economic Development Letter (PR122068)	Page 26
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14	Exhibit F	Watershed Map (PR122068)	Page 26
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16	Exhibit G	Lawsuit (PR122068)	Page 36
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18	Exhibit H	Petition (PR122068)	Page 36
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20	Exhibit I	2020 Zoning Case Information (PR122068)	Page 37
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22	Exhibit J	Folder of Letters (PR122068)	Page 37
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24	Exhibit K	Statement of Chris Borgerson (PR122068)	Page 42
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[Exhibits retained by Counsel.]

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JEFFERSON COUNTY PLANNING AND ZONING
COMMISSION MEETING AND PUBLIC HEARING, November 17,
2022, between the hours of 6:30 in the evening and
8:12 in the evening of that day, at the Jefferson
County Administration Center, 729 Maple Street,
Hillsboro, Missouri 63050, before Jennifer M. Jett,
MO-CCR.

A P P E A R A N C E S

PLANNING AND ZONING COMMISSION:

Larry Adkins
Greg Bowers
Tim Dugan
Chris Hastings
Mike Huskey
Danny Tuggle

PLANNING DIVISION STAFF:

Dennis Kehm
Josh Jump
Rachel Krispin
Elaine Roesch

COUNTY COUNSELOR'S OFFICE:

Jason Cordes

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

5

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

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

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

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

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

14 The structure of the meeting is as follows:

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

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

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

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

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

25 Because time is limited, we strongly

1 recommend that speakers be prepared and know the facts
2 regarding the application. We -- we recommend that
3 you avoid repetition. If you are part of a large
4 group, we suggest you designate a spokesperson to
5 provide comment for the group. The speaker may
6 acknowledge that he or she represents a larger group.
7 With this -- this will be the sole public hearing
8 before a public body regarding the application.

9 The petitioner will then have five minutes
10 to respond to the issues raised during the comment
11 periods. The Commission may further question the --
12 question the petitioner. Time used to respond to the
13 questions of the Commission will not be counted
14 against the time allocation.

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

1 I call this meeting to order.
2 Madam Secretary, will you please call roll?
3 MS. ROESCH: Danny Tuggle.
4 COMMISSIONER TUGGLE: Here.
5 MS. ROESCH: Greg Bowers.
6 COMMISSIONER BOWERS: Here.
7 MS. ROESCH: Larry Adkins.
8 COMMISSIONER ADKINS: Here.
9 MS. ROESCH: Chris Hastings.
10 COMMISSIONER HASTINGS: Here.
11 MS. ROESCH: Tim Dugan.
12 COMMISSIONER DUGAN: Here.
13 MS. ROESCH: Mike Huskey.
14 COMMISSIONER HUSKEY: Here.
15 MS. ROESCH: We have a quorum.
16 COMMISSIONER BOWERS: Thank you.
17 I believe there is a change to the agenda.
18 I need a motion to amend the agenda.
19 COMMISSIONER DUGAN: I make a motion to
20 amend -- make a motion to amend the agenda,
21 recognizing that A and B will be not be heard tonight.
22 COMMISSIONER TUGGLE: Second.
23 COMMISSIONER BOWERS: I have a motion for
24 -- to amend the agenda by Commissioner Dugan; seconded
25 by Commissioner Tuggle.

1 All those in favor, say aye.

2 COMMISSION: Aye.

3 COMMISSIONER BOWERS: All those opposed?

4 Passes unanimous.

5 I need a motion to approve the amended
6 agenda.

7 COMMISSIONER DUGAN: Make a motion to
8 approve the amended agenda.

9 COMMISSIONER ADKINS: Second.

10 COMMISSIONER BOWERS: I have a motion to
11 approve the amended agenda by Commissioner Dugan;
12 seconded by Commissioner Adkins.

13 All those in favor, say aye.

14 COMMISSION: Aye.

15 COMMISSIONER BOWERS: Opposed?

16 Passes unanimous.

17 Approval of the minutes. I believe there
18 is an update to the minutes.

19 COMMISSIONER DUGAN: Yeah. I guess
20 Mr. Tuggle made the motion for -- and Larry seconded
21 it.

22 COMMISSIONER BOWERS: Yep. On page 3 at
23 the top, Commissioner Tuggle made the motion that
24 Adkins seconded. I need a --

25 COMMISSIONER DUGAN: Make a motion to

1 approve of the minutes as amended.

2 COMMISSIONER TUGGLE: Second.

3 COMMISSIONER BOWERS: I have a motion to
4 approve or to amend the minutes by Commissioner Dugan;
5 seconded by Commissioner Tuggle.

6 All those in favor, say aye.

7 COMMISSION: Aye.

8 COMMISSIONER BOWERS: Opposed?

9 Passes unanimous.

10 I need a motion to approve the amended
11 minutes.

12 COMMISSIONER DUGAN: Make a motion to
13 approve the amended minutes.

14 COMMISSIONER ADKINS: Second.

15 COMMISSIONER BOWERS: I have a motion to
16 approve the amended minutes by Commissioner Dugan;
17 seconded by Commissioner Adkins.

18 All those in favor, say aye.

19 COMMISSION: Aye.

20 COMMISSIONER BOWERS: Opposed?

21 Passes unanimous.

22 Swearing in of the witnesses.

23 MR. KEHM: Thank you very much. Again,
24 thank you all for being here this evening.

25 If you are planning on speaking on either

1 of the two cases tonight, your testimony actually
2 makes up part of the record of that case; therefore,
3 your testimony does need to be sworn. Rather than
4 swear people in individually when they come up, we do
5 it all at once here at the beginning of the meeting.

6 So if you are going to be speaking or
7 you're thinking about speaking on either of the
8 two cases tonight, please do go ahead and stand up
9 right now, please turn your cell phone off, raise your
10 right hand, and the secretary, over here, will swear
11 you in.

12 [Witnesses sworn by Secretary Roesch.]

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

15 Again, when it's time for you to speak, the
16 chair will call you up. So go up to that microphone,
17 right there; on your way, hand your speaker slip to
18 one of these folks; approach the microphone, state
19 your name, state your address, and state that you have
20 been sworn in and then you can go ahead and begin your
21 remarks.

22 COMMISSIONER BOWERS: Thank you.

23 Introduction of evidence.

24 MR. KEHM: Members of the Planning and
25 Zoning Commission -- that's all right, I don't think

1 need it anyway -- the county would ask that the
2 following exhibits be entered into the record for the
3 cases to be heard by you this evening:

4 They are Exhibit A, the Official Master
5 Plan for Jefferson County, Missouri, which was adopted
6 on August 6, 2003, and was made effective on April 2,
7 2008. Exhibit B, which is the Code of Ordinances of
8 Jefferson County, Chapter 400. That chapter is known
9 as the Unified Development Order. And the Unified
10 Development Order was adopted on April 2, 2008, and
11 has been amended at various times since then. And,
12 finally, Exhibit C. Said exhibit consisting of the
13 Planning Division staff reports with their respective
14 case files.

15 COMMISSIONER BOWERS: I'll entertain a
16 motion to accept the evidence.

17 COMMISSIONER DUGAN: So moved.

18 COMMISSIONER HUSKEY: Second.

19 COMMISSIONER BOWERS: I have a motion to
20 accept the evidence by Commissioner Dugan; seconded by
21 Commissioner Huskey.

22 All those in favor, say aye.

23 COMMISSIONER: Aye.

24 COMMISSIONER BOWERS: Opposed?

25 Passes unanimous.

1 COMMISSIONER BOWERS: Moving on to new
2 business. We're moving straight to Letter C,
3 PR122068, a request for a zone change and development
4 plan for a parcel located at 9988 Zion Church Road,
5 Hillsboro, in Joachim Township, Council District
6 No. 4.

7 And, Mr. Jump.

8 MR. JUMP: Thank you.

9 This is Case No. PR122068. The
10 petitioner's request is to rezone from large lot
11 residential LR2 to planned single-family residential
12 PR1 and development plan approval for Heartland.

13 A little bit about the subject property:
14 It's located on the north side of State Highway A and
15 it fronts on State Highway A on the south -- on the
16 south side of the property, Sandy Valley Road to the
17 west, and Zion Lutheran Church to the north. It is
18 currently developed with a single-family residence on
19 the entirety of the two parcels. It looks to be
20 vacant currently. There are -- there's a home and
21 some outbuildings on there, currently. There is a
22 significant amount of road frontage on State Highway
23 A, about 2900 feet; about 880 feet on Sandy Valley;
24 and about 530 feet on the Zion Lutheran Church. This
25 proposed development would require public water and

1 public sewer. So those are services that would have
2 to be provided if -- if -- eventually, if approved.

3 Little bit of background: This property
4 has some history. In 2007, a petition was filed to
5 rezone only one parcel. There are two parcels in this
6 petition and it went -- it was proposed to be a
7 planned unit development, which is a PUD. There were
8 200 total -- 223 total units proposed on the -- on
9 only one parcel. And following the public hearings,
10 the zoning commission and county commission denied the
11 zoning request. A lawsuit was then filed. In -- and
12 then on 2011, the circuit court upheld that denial of
13 the rezoning by the county commission and that it was
14 proper and did not deprive the petitioners of the use
15 of their property.

16 Following that, in 2019, an application was
17 filed by the present petitioner seeking rezoning of
18 the property to R7. That petition was withdrawn due
19 to concerns of the overwhelming density of the R7
20 zoned district. And then in 2020, a petition was
21 brought before you that proposed 273 lots, a total of
22 297 units. That plan was ultimately denied by the
23 Planning and Zoning Commission on September 10th and a
24 resolution was passed on September 28th by the County
25 Council denying that application. And then on

1 November 17th -- or the petitioner brought forth a
2 revised plan and traffic study to be heard tonight and
3 that is being reviewed per the UDO.

4 This is your zoning map. There is -- there
5 is primarily large lot residential surrounding in
6 direct vicinity of the property. All of this yellow
7 down here is R20. And then this is a PUD that kind of
8 follows R7/R10 density numbers. This is Lockport
9 Landing. And so this is kind of what your zoning map
10 -- this is State Highway A, right here; this is Sandy
11 Valley; and this is Zion Lutheran. So there's your
12 frontage on Zion Lutheran; here's your frontage on
13 Sandy Valley; here's your big road frontage on State
14 Highway A.

15 This is the topographical map. The most
16 important thing kind of to note on this is it does
17 have some topographical challenges, I would say. And
18 there are multiple Stream Order 1's that do traverse
19 the property and kind of feed into this stream here.

20 This is the overall development plan that
21 was submitted. It's a big plan so we're going to go
22 over details in a couple more slides, just wanted to
23 give you the overall picture. This is State Highway A
24 here and Sandy Valley here. So you kind of got to
25 flip that. This is looking north here. And so we'll

1 go through a few features of this in the next two
2 slides that are worth noting. Oh, you can kind of see
3 the totality of it here. There is a boulevard-style
4 entrance that traverses from north to the sort of
5 western edge of the property, right here, so that kind
6 of connects everything there. And then you've got
7 several cul-de-sacs and round -- roundabout style
8 thing here in the middle. And -- and so that's --
9 that kind of gives you an overall picture of how it
10 flows.

11 This first slid here is the northern edge.
12 The northern edge consists of lots that are a little
13 bigger. These kind of range in from up over 20,000 to
14 the biggest being 53,295 square feet, so over an acre.
15 That's -- that's sort of at the northern edge to
16 transition back to the Zion Lutheran Church Road.
17 Then it -- and then, as you move south, you get into
18 the sort of R10 density. There's some -- there is
19 some bigger lots in here that are in the 20,000 square
20 foot that are kind of in the R20 density range.

21 This is all -- there is also a walking
22 trail amenity connecting, it's all of the sidewalks
23 and then various detentions basins shown that are kind
24 of added as amenities, and trees and protected
25 woodlands being proposed. And then you've got

1 landscaping kind of shown on the boulevard-style
2 connection there. So that's the northern part of the
3 property.

4 And then the plan transitions to the
5 southern part of it. This is State Highway A and then
6 there are proposed duplex lots. There are 45
7 two-family duplex lots being proposed close to the
8 highway here and then you kind of transition into the
9 single-family residential R10. Some -- some bigger
10 lots. It's kind of in the 10,000 square foot lot.
11 They're -- they do range in size and then you
12 transition back into the bigger lots the further you
13 get away from the highway. So that's kind of the
14 overall plan. There are a total of 348 units and 303
15 lots being proposed.

16 There were three modifications requested.
17 The first one is the street standards to allow a
18 26-foot wide street with parking on one side. With
19 the exception of the proposed parkway, the streets are
20 proposed at 20 foot -- 26-foot in width. The
21 remaining streets could be installed at 22 or 20 feet
22 wide to meet UDO -- UDO requirements if posted for no
23 parking on both sides. The parking is desired on one
24 side of the pavement, width must be widened to at
25 least 28 feet to meet UDO requirements.

1 The through parkway consists of a divided
2 parkway and due to being a higher traffic volume road,
3 it should be required to meet UDO minimum widths for
4 parking in order to maintain traffic flow and
5 accessibility. If the requested deviation is granted,
6 it should be with the condition that the parkway be
7 allowed parking on one side only as it meets UDO
8 standards for such parking.

9 The next section is that the UDO
10 requirement that less than 65 percent of traffic
11 utilizes one entrance. This section of the UDO states
12 that when subdivisions are required to have more than
13 one entrance due to the number of lots, only 65
14 percent of the traffic may utilize one entrance. This
15 project has limited access to the county roads due to
16 the layout of the property. A memo from the traffic
17 engineer states that the entrances will function at a
18 level of service A or B causing minimal delays.

19 And, finally, minimum subdivision access is
20 required. The UDO requires a minimum of three access
21 points for subdivisions of 300 or more lots. The
22 subdivision proposes 303 lots and a total of 348
23 units. The project has limited access, again, to the
24 county roads due to the layout of the property. A
25 memo from the traffic engineer states the entrances

1 will function at a level of service A or B causing
2 minimal delays.

3 So our zone change and development plan
4 analysis: This property is in the secondary growth
5 area. And under our UDO, the development within the
6 primary or -- and secondary growth area shall be
7 required to utilize or extend public infrastructure
8 systems including water, sewer, and roads. Septic or
9 on-site waste-water treatment systems shall be
10 discouraged in the primary and secondary growth areas.
11 And lots with existing systems in these areas should
12 be connected to public sewer when physically,
13 financially possible. And commercial and employment
14 centers shall be located either -- within either a
15 municipality or the primary growth area immediately
16 adjacent and have direct access to county, state, or
17 federal highway.

18 The -- the proposed development achieves
19 objectives of development within the secondary growth
20 area. It would be required to extend public
21 infrastructure systems. This includes both public
22 water and sewer. It is similar to the lot size and
23 density of Lockport Landing which equates to 2.07
24 units an acre; this is at 2.2, so it's just a little
25 bit above that, and it has 303 and 348 units across

1 the 155 acres. It puts it over just the two units an
2 acre, which is the R20 standard. This is also
3 reinforced with large lot side on the north side of
4 the development, which have several lots larger than
5 20,000 square feet, as well as -- as well as lots that
6 extend and exceed the 40,000 square foot R40 minimums.

7 There are large amounts of common ground
8 left undeveloped as well as an integrated walking
9 trail as an amenity in that common ground. The
10 development lots do range in size across multiple
11 residential densities.

12 So a little bit more on our development
13 plan analysis: It shows multiple access points that
14 do not meet the standards of in -- ingress and egress.
15 A modification has been requested and the company
16 support from the traffic engineer to reduce the number
17 of entrances to the proposed two from the required
18 three. There is also a modification supported by the
19 traffic engineer, as well, for the 65 percent amount
20 of traffic going to one entrance.

21 The development would allow for county
22 residents to have a variety of types of housing.
23 Variety of types of housing for county residents is
24 encouraged by the Official Master Plan. This would
25 allow for a variety of lot sizes and it would allow

1 for different types of housing within the development.

2 And these are very similar in two proposals
3 before in density and, like I said, the Lockport
4 Landing density -- or development at 2.07 acres. It
5 does go slightly above that but still falls between
6 the R20 density which is two units an acre and the R10
7 density which is four units an acre.

8 These are some photos. This is from left
9 to right, you're kind of looking -- this is Sandy
10 Valley looking toward Zion Lutheran Church; this is
11 looking back. This is kind of the intersection of
12 Lockport Landing; you can see it kind of right here.
13 This is looking back towards the highway. This at the
14 intersection itself of the highway and Sandy Valley
15 and as well as this photo.

16 These are some additional photos of that
17 intersection. This is kind of looking more in that
18 Lockport Landing, looking out towards there. And this
19 is the property itself. Like I said, it -- it is
20 developed with a single-family home that appears to
21 have been vacated. And then this is kind of the
22 gravel road coming down to that -- to that home.

23 These are some photos of the additional
24 roadways. This is the roadway to the north, Zion
25 Lutheran, as well as this one. And then this is at

1 the intersection of Sandy Valley and Zion Lutheran.
2 And this one is Sandy Valley looking back towards the
3 intersection.

4 Lastly, this one's kind of hard to tell.
5 We were trying to get some pictures of the surrounding
6 development. This is the development on Vail Drive
7 behind -- I guess to the east of the property. And
8 this is kind of looking out over the rest of the
9 property. It -- it's kind of a -- a open field.

10 So, finally, for your consideration, the
11 rezoning from large lot residential LR2 to planned
12 single-family residential PR1 and development plan
13 approval for Heartland. And I'd be happy to take any
14 questions.

15 COMMISSIONER BOWERS: Do we have any
16 questions of staff?

17 COMMISSIONER TUGGLE: I got one.

18 MR. JUMP: Yes, sir.

19 COMMISSIONER TUGGLE: The entrance at -- at
20 A Highway and Plass Road and Sandy (sic) up there, is
21 there going to be any kind of red lights put in there
22 or is that part of this plan?

23 MR. JUMP: Yeah.

24 Are you talking about Sandy Valley and --
25 and State Highway A?

1 COMMISSIONER TUGGLE: Yes.

2 MR. JUMP: Any infrastructure requirements?

3 Yeah. The traffic study did warrant a
4 traffic signal to be installed if -- if approved.

5 COMMISSIONER TUGGLE: If approved?

6 MR. JUMP: Yeah.

7 COMMISSIONER TUGGLE: So two years ago it
8 would be within 5 percent is what I understood.

9 MR. JUMP: No. I'm pretty sure two years
10 ago, it was required then too.

11 COMMISSIONER TUGGLE: Required to put it
12 in?

13 MR. JUMP: Yeah.

14 COMMISSIONER TUGGLE: Okay. So there will
15 be an --

16 MR. JUMP: Yeah. It's part of the --

17 COMMISSIONER TUGGLE: Okay.

18 MR. JUMP: -- it's part of the traffic
19 study. I mean, I'd be happy to let the traffic
20 engineer talk a little more in detail --

21 COMMISSIONER TUGGLE: Sure.

22 MR. JUMP: -- about that but, yeah, it is a
23 requirement.

24 COMMISSIONER TUGGLE: Okay.

25 COMMISSIONER BOWERS: So does the traffic

1 study, does it satisfy your -- any -- the concerns
2 with the 65 percent rule and/or the two versus three
3 entrances?

4 MR. JUMP: I mean, our code is our code.
5 It requires that. There's evidence in the traffic
6 study that would support those two positions but the
7 code's still the code and that's what it -- that's
8 what's required.

9 COMMISSIONER BOWERS: Thank you.

10 MR. JUMP: Yep.

11 COMMISSIONER BOWERS: Any other questions
12 of staff?

13 Being none, is the petitioner present?

14 Please come forward, state your name, your
15 address, and that you have been sworn. And as a
16 reminder, you will have a total of five minutes
17 presentation that would include any supporting
18 witnesses with you.

19 MR. FRIBIS: Good evening. My name is Gene
20 Fribis. I'm a civil engineer. I work for Heneghan
21 and Associates in Arnold at 1929 Richardson Road and I
22 have been sworn.

23 COMMISSIONER BOWERS: Thank you.

24 MR. FRIBIS: I want to introduce a few
25 people with me here tonight. Just to my right Jon

1 Scrabacz is an attorney with the Breeze Westoff Law
2 Firm in Festus. Next to Jon is Shawn White. You'll
3 be hearing from her later. She's a traffic engineer
4 with CBC Transportation and she's done -- she'll be
5 able to answer some of the questions that were just
6 asked. And then next to her, our client, our mutual
7 client for all three of us is Todd Bauman. Todd is
8 the owner of the property. They are in the land
9 development business. They're not homebuilders so the
10 ground, once sold, would go to a homebuilder or perhaps --
11 more likely, several board members or homebuilders.

12 I have some exhibits that I want to exhibit
13 (sic). I don't know if that goes -- or exhibits that
14 I want to introduce into evidence which Rachel has
15 here. There should be enough copies for everybody.
16 There's --

17 COMMISSIONER BOWERS: All right. Well,
18 hold on one second before we do that.

19 MR. FRIBIS: Okay.

20 COMMISSIONER BOWERS: Let us --

21 MR. FRIBIS: Stop the time.

22 COMMISSIONER BOWERS: -- do what we need to
23 do.

24 Mr. Kehm, exhibit?

25 MR. KEHM: We're going to have several.

1 COMMISSIONER BOWERS: Okay.

2 MR. KEHM: First up, we have Exhibit D, as
3 in dog. And we will pass those --

4 COMMISSIONER BOWERS: Can we do them all at
5 one time or do we need to do it individually?

6 MR. KEHM: They got --

7 MR. CORDES: You can -- I mean, you can
8 make a motion, once Mr. Kehm states what the -- what
9 the letters are going to be, make one motion to
10 introduce them all.

11 COMMISSIONER BOWERS: Thank you.

12 Do we have another one?

13 MR. KEHM: We do. We have Exhibit E which
14 is a letter from the Jefferson County Economic
15 Development Corporation.

16 COMMISSIONER BOWERS: Is there only two?

17 MR. KEHM: No. We got one more.

18 And then we have Exhibit F, which is a
19 watershed map of the Sandy Creek watershed so we'll
20 pass that exhibit.

21 COMMISSIONER BOWERS: Accept a motion to
22 accept Exhibit D, E, and F.

23 COMMISSIONER DUGAN: So moved.

24 COMMISSIONER ADKINS: Second.

25 COMMISSIONER BOWERS: I have a motion to

1 accept Exhibit D, E, and F by Commissioner Dugan;
2 seconded by Commissioner Adkins.

3 All those in favor, say aye.

4 COMMISSION: Aye.

5 COMMISSIONER BOWERS: Opposed?

6 Passes unanimous.

7 All right. Will you give us just a second
8 to look and see what we've got here?

9 Are you going to be pointing out specific
10 items on these? Do we need to leave these open?

11 MR. FRIBIS: On the map, I will. On the
12 letters, I don't think I need to.

13 COMMISSIONER BOWERS: All right. All
14 right. Has everyone reviewed those exhibits?

15 Do you feel free to move forward?

16 All right. Continue, please.

17 MR. FRIBIS: I think the letters that
18 you've been handed speak for themselves but I will say
19 for the sake of the people here this evening that we
20 have two, one from Hillsboro School District by -- in
21 fact, it was authored and given to me by Dr. Isaacson.
22 And the other one is from the Jefferson County
23 Economic Development Corporation which is written by
24 Tom -- Todd Tracy, excuse me.

25 The watershed maps need a little bit of

1 description but I'll have to get into that later.

2 First of all, I'd like to just briefly talk
3 about the overall map. This is quite different from
4 the maps that were submitted before. There is one key
5 element that made this plan work and that is, I call
6 it a parkway, the central parkway, it starts at the
7 bottom of the plan, goes up the hill, turns to the
8 left, goes more or less straight north, and eventually
9 collects -- connects to Zion Lutheran Church Road.
10 This by far exceeds the standards of subdivision roads
11 in Jefferson County.

12 As a lot of you know, maybe all of you
13 know, the typical subdivision right-of-way is 40 to
14 50 feet. We are going to provide a 60-foot
15 right-of-way on that -- on that road for functionality
16 and also for appearance. It's not required to do a
17 60-foot right-of-way, it's not required to put a
18 20-foot wide median landscape in the middle of the
19 road, but this is what's going to sell the project to
20 the home buyers. I've done this before. I've done
21 about 75, maybe even a hundred subdivisions here in
22 Jefferson County over the last 40 years. I've done
23 this a couple of times and it really looks good.

24 Now, the standards for roads and the reason
25 Josh has correctly bought up that is because there --

1 in one way, we don't -- we don't fit into the
2 cubbyhole that the county has created. This so far
3 exceeds the requirements of the county roads that some
4 of the things don't apply. Let me give you a couple
5 of examples. Number one, in addition to the
6 right-of-way, the landscape median in the middle, this
7 is going to be one-way traffic on either side of the
8 median. If I haven't said it already, it's 20 feet
9 wide. There will be no parking. Parking was brought
10 up. We don't want any parking on this road. There
11 will be no houses that face this road. There will be
12 no driveways that enter or exit off of that road.
13 This is special. I don't think anything's been done
14 like this in the county but, believe me, it is what
15 makes this project work.

16 COMMISSIONER BOWERS: You've got about
17 two minutes left.

18 MR. FRIBIS: Okay. I'll go fast because I
19 want to get Shawn up here; she has a lot to say.

20 So just remember, no parking, no driveways.
21 That makes a heck of a difference with respect to the
22 whole concept of this project.

23 I want to talk about the benefits real
24 quick. This was put together, again, by Dr. Isaacson.
25 This project, figure in the state funding, the

1 government funding, the county real estate taxes and
2 personal property taxes will generate 2 1/2 million
3 dollars every year once this project is completed. It
4 will also help the fire district and the ambulance
5 district because they get part of the real estate
6 taxes and personal property taxes, as you -- as you
7 know.

8 The other really important thing here is
9 the Jefferson County Public Sewer District and that
10 relates to the large map that you were given. The
11 sewers -- and, by the way, they're going to get over a
12 million dollars in tap-on fees from this development
13 and when fully occupied 213,000 per year, every year
14 to maintain the facilities. Everything is going to go
15 to the east. All the sewage is going to go to the
16 east. We will be able to eliminate eleven treatment
17 plants that are in terrible condition right now; some
18 operated by the sewer district are old and some
19 operated by the original subdivision association. So
20 the sewer district is so confident that this will go
21 through and be a big improvement, they have --

22 COMMISSIONER BOWERS: You've got about 30
23 seconds.

24 MR. FRIBIS: -- they have already retained
25 a St. Louis engineer firm to do a facility plan that

1 will be submitted to the Department of Natural
2 Resources for approval. So those things will happen.

3 So I'm just going to finish by saying this
4 is the right project at the right place and at the
5 right time. This is the most significant project
6 we've done in terms of the benefits to all the various
7 county agencies that I just mentioned. So that's all
8 that I have. And I hope that we can bring Shawn White
9 up because she has some important information on the
10 -- on the traffic situation.

11 COMMISSIONER BOWERS: You -- you've
12 allotted your five minutes there.

13 Was there -- there was questions about the
14 traffic?

15 Did you -- would you please come forward
16 and answer, we -- we have a question about it. I will
17 need you to -- your name, your address, and state that
18 you have been sworn.

19 MS. WHITE: Shawn White, 12400 Olive
20 Boulevard, 63141, and I have been sworn in.

21 COMMISSIONER BOWERS: Mr. Tuggle, your
22 question?

23 COMMISSIONER TUGGLE: Again -- again, it's
24 going back to the intersection at A Highway. So what
25 is -- what do you got planned for that?

1 MS. WHITE: Yeah. I mean, in looking at it
2 at that intersection today, there are -- MoDOT gets a
3 fair amount of complaints when people say we need a
4 signal, we need a signal, this is really dangerous and
5 MoDOT's gone out and done counts a couple of different
6 times to look to see if it would met signal warrants;
7 at the time, it had not. You know, currently, that --
8 you know, the southbound approach of Sandy Valley
9 operates at a level of service E. And from looking at
10 our studies before, you know, A's, we -- we're an A
11 through F system. A through D is considered
12 acceptable, E and F are considered not and that it
13 needs improvement. So it is an E right now.

14 With the proposed development, we would be,
15 you know, we're -- we're right at borderline
16 warranting a signal. So, obviously, adding this size
17 of a development would tip it over to where it would
18 meet warrants for a traffic signal. And so as part of
19 this development, we would recommend installing a
20 traffic signal. And with the signal, that southbound
21 approach goes from an E and over 40 seconds of delay
22 on average for every vehicle, it would go down to a C
23 and 23. So it's a significant improvement even with
24 the full build-out of the development.

25 COMMISSIONER TUGGLE: Thank you.

1 COMMISSIONER BOWERS: There also was a
2 question towards the percentage on use on the -- the
3 roads as far as the exits. Can you kind of give a
4 quick explanation on that?

5 MS. WHITE: I can. I think, in general,
6 when you're looking at access for a subdivision, I
7 mean, you're wanting to make sure it's safe; that
8 people can see, you know, good as far as sight
9 distance, getting in and out; and that it operates
10 acceptably. I mean, whether there's two or three, I
11 think, is immaterial. I mean, if you have two, in
12 this case, the two intersections that we have, all
13 approaches at both the intersection on Zion and the
14 intersection on Sandy Valley operate at level service
15 A or B, which is highly favorable. Again, D is
16 acceptable. And they're all level service A and B.
17 So there is no capacity issues.

18 You know, even though the majority of our
19 traffic -- obviously, this is not a site that is in
20 the -- the center of the roadway network where we have
21 a lot of people coming from the north, from the east,
22 from the west, from the south, you know, all of our
23 traffic, for the most part, is coming off of
24 Highway A. You know, you might -- you'll have a few
25 that people maybe, you know, come down Mount Zion, you

1 know, and those ways but for the most part, all of our
2 traffic is coming off of Highway A. So when you turn
3 and go north, I mean, almost all of them are going to
4 want to use the first access drive. It just makes
5 sense versus driving all the way down Sandy Valley to
6 Zion to then come back down into the development just
7 doesn't make sense.

8 So, yes, the majority of our traffic would
9 be using the access on -- on Sandy Valley. But even
10 assuming that, you know, it operates at level service
11 A and B. You know, if we were to spread it out and
12 say half of it's going to go around, even though we
13 don't believe that's what's going to happen and we're
14 kind of presented a worst-case scenario in that we
15 have assigned the majority of it to the entrance off
16 of Sandy Valley and it operates at level service A and
17 B just fine.

18 And like Gene had pointed out, the nice
19 thing about this subdivision is they've essentially
20 created a -- a new roadway. I mean, so they have a
21 new, nice, median-divided roadway with no driveways on
22 it that goes through the whole entire subdivision.
23 So, in essence, you have almost, you know, twelve
24 driveways off of the roadway serving the site, not --
25 not just, you know, the one or two that we've talked

1 about.

2 COMMISSIONER BOWERS: Thank you.

3 Are there any other questions for this
4 witness?

5 Thank you.

6 Is there anyone in attendance that wants to
7 speak in favor of this application?

8 Anyone wanting to speak in favor of this
9 application?

10 Anyone wishing to speak in opposition to
11 this?

12 Please, come forward. One at a time,
13 please. Just as a reminder, there's fifteen minutes
14 totally allocated for this. One -- one person can
15 only speak up to three minutes.

16 MR. JUMP: Can I get your speaker slip?

17 Are you submitting this as evidence?

18 MR. SIEBERT: Yes. All this is evidence.
19 There's letters, signatures, and here's the court case
20 from 2020 -- 2011.

21 BAILIFF: Can I remind everyone in the
22 gallery that if you want to make conversation, please
23 do so outside; otherwise, please stay in order. Thank
24 you.

25 COMMISSIONER BOWERS: Would you go ahead

1 and state your name and your address?

2 MR. SIEBERT: Yes. It's Michael Siebert,
3 202 Welsford Court, Hillsboro.

4 COMMISSIONER BOWERS: And have you been
5 sworn?

6 MR. SIEBERT: Yes. I've been sworn in.

7 COMMISSIONER BOWERS: All right. We've got
8 some exhibits to bring in.

9 MR. JUMP: Give us a minute to check this
10 into...

11 BAILIFF: Ma'am, if you'd like to leave,
12 you can take care of that outside.

13 COMMISSIONER BOWERS: Is it all one exhibit
14 or?

15 MR. KEHM: No. We're going to have four.

16 MR. JUMP: Four, total.

17 COMMISSIONER BOWERS: Okay.

18 MR. KEHM: So, first up, we're going to
19 have Exhibit G, which is a copy of the lawsuit
20 captioned Stonebrook Construction Company versus Chuck
21 Banks. And then Exhibit H which is going to be a
22 petition.

23 This it? What else we got?

24 MR. JUMP: Oh, letters and then there's the
25 little packet, that top.

1 MR. KEHM: And this is I, and this is --
2 not sure what it is. This is information related to
3 the 2020 zoning case. And then Exhibit J which is a
4 folder containing a large number of letters.

5 So you should have G, H, I, J.

6 COMMISSIONER BOWERS: G, H, I, J. I'll
7 entertain a motion to accept Exhibit G, H, I, and J.

8 COMMISSIONER DUGAN: So moved.

9 COMMISSIONER BOWERS: Seconded by?

10 COMMISSIONER HUSKEY: Second.

11 COMMISSIONER BOWERS: Mr. Huskey, all
12 right.

13 I have a motion to accept Exhibit G, H, I,
14 and J by Commissioner Dugan; seconded by Commissioner
15 Huskey. All those in favor, say aye.

16 COMMISSION: Aye.

17 COMMISSIONER BOWERS: Opposed?

18 Passes unanimous.

19 All right. Give us one second just to kind
20 of look at this stuff, okay?

21 MR. SIEBERT: Sure.

22 MR. KEHM: Ah, there it is.

23 COMMISSIONER BOWERS: Are there multiple
24 copies of this?

25 MR. KEHM: No. That's the only copy so I'm

1 going to need that sent back down here when you guys
2 are done.

3 COMMISSIONER BOWERS: Is that the last?

4 MR. KEHM: Yeah. And then there's the --
5 there's the exhibit that's paper-clipped together that
6 Mr. Adkins has; that's the one I'm going to need back.

7 COMMISSIONER BOWERS: Right. Oh, we have
8 three. What's -- what's the fourth exhibit?

9 MR. KEHM: Well, the last one is this giant
10 packet of letters which is a single copy of those. If
11 you would like to look at them, I can send them your
12 way.

13 COMMISSIONER DUGAN: Pass them on.

14 COMMISSIONER BOWERS: Yeah, send them down.
15 Let's just kind of --

16 MR. SIEBERT: I believe these were turned
17 in to -- to you guys too.

18 AUDIENCE: No.

19 MR. SIEBERT: No? Okay. That's...

20 MR. KEHM: Just make sure that those all
21 stay in there.

22 COMMISSIONER BOWERS: Yep. There is
23 multiple copies on this.

24 MR. KEHM: Is there?

25 COMMISSIONER BOWERS: Yeah.

1 Hand those down. The ones that are stapled
2 -- are paper-clipped together are all --

3 MR. SIEBERT: Yes.

4 COMMISSIONER BOWERS: Okay. That's what I
5 thought, yeah. Just give you one back. Pass the one
6 back.

7 I think -- is the Commission all right if
8 we continue?

9 All right. Start the clock.

10 I'm sorry. You did say you were sworn in?

11 MR. SIEBERT: Yes.

12 COMMISSIONER BOWERS: Thank you.

13 MR. SIEBERT: We the community of the
14 citizens of proposed Heartland rezoning property have
15 -- 72 out of 95 property owners have signed the
16 petition with less than 600 feet of the site. This is
17 approximately 76 percent of the total; remove the
18 eleven government business and the percentage is
19 85 percent. Multiple letters submitted. Many of
20 these are wearing -- many of us are wearing red today
21 to oppose this and, also, from earlier, we all are
22 here for that reason.

23 The main thing is court -- the courts of
24 Stonebrook verse the County Council have included in
25 2011 that the parcel was properly zoned and they

1 upheld the court. I have highlighted the judgment in
2 there and, also, the conclusion of law, nine through
3 seventeen are the main points for the -- in there.

4 We have also -- we all purchased our
5 properties under detrimental reliance. We in good
6 faith have purchased our properties with the known
7 zoning of the area. We have also relied on the
8 Planning and Zoning Commission to uphold the current
9 zoning. If this rezoning was to pass, we would suffer
10 a detriment as a result of our reliance. Out of
11 fundamental fairness to promise to us what local
12 zoning should not arbitrarily change. The proposed
13 change would negatively affect public, health, safety,
14 morals, and welfare of our community.

15 The Planning and Zoning Board has set
16 precedence of denying rezoning multiple times in court
17 case judgment since 2007 and, lastly, in 2020, of 290
18 units on 157.6 acres, which was 1.9 units per acre.
19 Now, it has been bumped up to 348 units, which is
20 16.8 percent increase of which was already denied.
21 This does not meet the criteria for approval from
22 Planning and Zoning.

23 The developer has not stated why the
24 current zoning is inappropriate or reason -- or
25 unreasonable. Largely, the surrounding homes are

1 large lot, fitting with the area. The developer must
2 prove the unreasonableness of maintaining the current
3 zoning of 77 lots. He did not in 2020 and has not to
4 this day.

5 This development would cause more hardships
6 on the surrounding landowners and no part of the
7 proposal would fit the adjacent zoning and uses. The
8 high density of this size will destroy the local
9 habitat and natural resources of the area. With the
10 facts above, we the people are requesting immediate
11 denial of PR122068 and recommend the developer develop
12 his own.

13 We also must stop these types of intrusive
14 requests by limiting this to the Jeffco Master Plan.
15 Lockport also has three entrances and it is less
16 dense; this is very unsafe. And like Josh Jump
17 mentioned earlier, code is code. That's all I have.
18 Thank you.

19 COMMISSIONER BOWERS: Is there questions
20 for this witness?

21 Thank you, sir.

22 MR. SIEBERT: Okay.

23 COMMISSIONER BOWERS: State your name, your
24 address, and that you have been sworn.

25 MR. JUMP: Thank you.

1 MR. BORGERSON: More evidence.

2 MR. JUMP: Okay.

3 MR. BORGERSON: My name is Chris Borgerson.
4 I live at 102 Glenfield Drive in Mapaville and I have
5 been sworn in.

6 MR. JUMP: Give us a second to check that
7 piece of evidence in.

8 MR. BORGERSON: Yes, sir. Go ahead.
9 Excuse me.

10 MR. JUMP: Okay. He's got a piece of
11 evidence.

12 COMMISSIONER BOWERS: Oh, I'm sorry.

13 MR. JUMP: Yep.

14 MR. BORGERSON: Here, ma'am, same thing I
15 gave him for you. Keep it or pitch it.

16 MR. KEHM: So this is going to be
17 Exhibit K.

18 COMMISSIONER BOWERS: Accept a motion to
19 accept Exhibit K.

20 COMMISSIONER DUGAN: So moved.

21 COMMISSIONER ADKINS: Second.

22 COMMISSIONER BOWERS: I have a motion to
23 accept Exhibit K; seconded by Commissioner Adkins.

24 All those in favor, say aye.

25 COMMISSION: Aye.

1 COMMISSIONER BOWERS: Opposed?

2 Passes unanimous.

3 Is there multiple copies or?

4 MR. KEHM: There's one copy.

5 Is this going to be the statement that
6 you're about to make?

7 MR. BORGERSON: Yes, it is.

8 MR. KEHM: So I think it's just a written
9 copy of what he's about to say.

10 MR. BORGERSON: Photocopies of what I'm
11 about to say and I also gave one to the reporter if
12 that's permissible.

13 COMMISSIONER BOWERS: All right. Then if
14 you'll continue.

15 MR. BORGERSON: Start over?

16 COMMISSIONER BOWERS: You've already stated
17 your name and address.

18 MR. BORGERSON: Yes.

19 COMMISSIONER BOWERS: And you've been
20 sworn. You may start your statement, sir.

21 MR. BORGERSON: Okay. Chris Borgerson's
22 statement to Jefferson County Planning and
23 Zoning Commission on November 17, 2022, Jefferson
24 County, Missouri.

25 I respectfully request that this Commission

1 not change the presently designated zoning on the
2 parcels of property under consideration. The only
3 exception to this might be to allow residential lots
4 no smaller than one per acre residence and that each
5 residence have its own septic waste-water system and
6 be independent of a common system and future coercion
7 to become part of a sewer district.

8 The reasons for this are the following:

9 Bullet point: The residence density the
10 property developer is proposing is abusive to the
11 land, our community, and potential buyers. Too
12 crowded a neighborhood will likely lead to later
13 social and economic problems that are too many and
14 complicated to discuss in this statement.

15 This crowded and intense type of
16 development is in contradiction to the idea of men and
17 women providing stewardship for our land in accordance
18 with Christian principles.

19 Bullet point: The history of how this land
20 was bought and sold by a public school district does
21 not pass the sniff test and smells like, somehow,
22 there was public corruption in the sale of this
23 property that is to be developed. If the Planning and
24 Zoning Commission approves the zoning changes
25 requested, it may be unwittingly assisting in public

1 corruption.

2 I and many I have spoken with ask, quote,
3 Why did the Hillsboro School District sell this land
4 at such a loss and not sit on it until it could get
5 its money out of the sale.

6 Bullet point: I request that this
7 Commission refer this matter to an appropriate public
8 body for investigation as it is part of a pattern of
9 similar school district behavior that may be construed
10 as misconduct and may have occurred in other -- two
11 other districts as well.

12 I am not accusing anyone or thing of doing
13 anything illegal but I am raising the issues of ethics
14 and public trust. Where there is smoke, there is
15 fire. Thank you for hearing me out. Chris Borgerson.

16 Any questions?

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

19 Thank you, sir.

20 MR. BORGERSON: Thank you.

21 MR. TERRY: Good evening. My name is Jim
22 Terry. I live at 8323 Crystal Ridge Court in Cedar
23 Hill, and I have been sworn.

24 COMMISSIONER BOWERS: Thank you.

25 MR. TERRY: This appears to be,

1 essentially, the same project that came up two years
2 ago when this actual -- when I was on the council. My
3 statement then, when I voted against it, was in my
4 opinion there would be way too many people in this
5 development that will want to avoid the intersection
6 of Sandy Valley and Highway A, especially those near
7 the north exit. As I noted tonight, the 65 percent
8 rule, as I understand it, there would be at least 121
9 houses heading up to Zion Church Road. So that road,
10 currently, my con -- part of my concern, as well, is
11 that once people get up there, they're going to look
12 -- take the shortcut over to Highway 21 over to 55.

13 There currently is 134 vehicles per day on
14 Zion Road. Now, put 121 houses times the number of
15 cars there and the multipliers and you're talking
16 about an awful lot of traffic that, in my opinion, is
17 going to over -- overwhelm Zion Church Road, at least,
18 and Jarvis, which would be the road they connect to go
19 to 21. That and all the added traffic on the other
20 roads would put a large cost burden on the county to
21 upgrade.

22 Furthermore, I do not see a justification
23 for rezoning this property from LR2. Jefferson County
24 is a rural county. People moved here because of that;
25 me too. I believe we need to continue resisting dense

1 development in rural areas until the new master plan
2 is completed and we learn what citizens really want
3 for their county. Thank you.

4 COMMISSIONER BOWERS: Are there any
5 questions of this witness?

6 Thank you, sir.

7 MR. TERRY: Thank you.

8 COMMISSIONER BOWERS: We are right at seven
9 minutes total so far, so.

10 MS. MANN: My name is Rhonda Mann, 4130
11 South Milford, Hillsboro, and I have been sworn in.

12 COMMISSIONER BOWERS: Thank you. You may
13 begin.

14 MS. MANN: Traffic issues are my focus. In
15 a short amount of resource time, we have found some
16 code violations. One code that's been talked about a
17 lot is for the developments to have an X amount of
18 entrances based on the amount of homes proposed.
19 Streets shall be designed to maintain a balanced
20 distribution of traffic throughout the subdivision
21 among all points of ingress/egress.

22 According to the scale, there should be no
23 less than three exits planned at Heartland but the
24 plan only has two. Per the Jeffco 2010
25 primary/secondary growth plan, it says there is 2.67

1 average cars per household in Jeffco which I'm sure is
2 higher by now. Approximately, 900-plus cars from
3 Heartland would be using two exits. Other
4 subdivisions around have three exits and are not as
5 densely packed. At 65 percent of a three-exit
6 subdivision, it would be 603 cars. According to the
7 traffic study, Heartland traffic will primary be using
8 the Sandy Valley entrance, which is much more than
9 65 percent using two exits. This is a major safety
10 issue. As Josh said, code is code.

11 Where will buses stop for this new
12 development? Because of the proposed narrow road
13 dimensions of 26-foot wide roads, buses along with
14 emergency vehicles can't safely navigate the
15 subdivision or easily make the turns with the
16 cul-de-sacs. This will leave the buses stopping on
17 Zion -- at the Zion and Sandy Valley entrances.

18 The main entrance will be Sandy Valley, a
19 couple hundred feet from the outer road which will
20 cause an already backup to A, outer road, and the
21 villas. If traffic is backed up on Sandy Valley,
22 impatient drivers will divert down the outer road
23 in front of Lockport Landing. Buses already stop on
24 the outer road at the two front entrances of Lockport.
25 We already have issues with people passing buses at

1 the bus stops. With the increased traffic from
2 Heartland, children will be in more danger. Would you
3 want your child loading/unloading on a nonshoulder
4 road that just had a 900-plus car increase?

5 There are concerns that other important
6 intersections were not included in the traffic study
7 such as Highland Baptist Church and the A and Pioneer.
8 People will cut across the outer road when they're in
9 a hurry or to avoid traffic and use that as a shortcut
10 and try to pull out on A. There has been two fatality
11 accidents at Highland and A in the past year. Other
12 intersections that are important but were not
13 considered were Zion Lutheran Road at Jarvis, Jarvis
14 at Highway Z, Sandy Valley at Jarvis.

15 The development is very, very dense.
16 Heartland knows this since they are requesting
17 modifications of zoning guidelines. It was stated in
18 2020 with a proposed lesser amount of homes that the
19 amount of traffic would degrade the quality -- quality
20 of the intersection. This will negatively affect the
21 character of the neighboring properties.

22 COMMISSIONER BOWERS: Ma'am, I'm going to
23 have to stop you, right there. That's your three
24 minutes.

25 MS. MANN: Okay.

1 COMMISSIONER BOWERS: Thank you.

2 I'm sorry. Is there any questions of this
3 witness?

4 Thank you.

5 MR. POOKER: I'm Norman Pooker at 4050
6 Plass Road and I have been sworn.

7 MR. JUMP: Thank you.

8 MR. POOKER: Good evening. Our family farm
9 known in the area as the Keister Farm is located
10 directly west of the proposed development. It is my
11 family's intent to maintain and improve the land so it
12 continues as a working farm. We wanted to preserve
13 the rural atmosphere of this century farm in the Sandy
14 Valley area as -- and, as proposed, this zoning change
15 and development plan will be to our detriment.

16 The proposed development property is now a
17 combination of woods, grass, cropland with no hard
18 surface draining -- drainage. The proposed streets,
19 roofs, and driveways will drastically increase the
20 flow rate off the proposed developments. Numerous
21 outlet drains from the paved streets will exit
22 directly onto the property line of this farm. No
23 water retention has been designated on the proposed
24 development plan. Lot lines run directly along the
25 farm property line with no buffer zone.

1 Other areas of proposed development are of
2 equal concern. The south side of the property is
3 predominantly mature timber. The proposed streets and
4 small lots will require the clear-cutting of 30 acres
5 of forested land. This will adversely affect the
6 wildlife and also increase the amount of area
7 susceptible to erosion. The rate of flow off these
8 various small lots and steep grades will cause
9 additional erosion and adversely affect the quality of
10 the properties that are downstream and of the stream
11 itself.

12 Erosion is not the only impact of excessive
13 runoff without proper water retention measures.
14 Runoff in developed areas include many chemical
15 contaminants from hard surfaces including vehicle
16 oils, roof shingles, and lawn chemicals. As we are
17 striving to regenerate this nearly 170-year-old farm
18 and operate it at near organic standards, runoff from
19 high-density developments that have stripped the area
20 of deep-rooted vegetation and woodlands will
21 contaminate our soil, ground water, and livestock.

22 Proposed development plans for this
23 property was denied in 2020 because of high density
24 and traffic issues. The proposed plan has increased
25 the number of family units to 348 from the previous

1 298. It doesn't really matter what kind of streets
2 you put in a development, the fact of the matter is
3 those streets have to exit onto the county roads.
4 Nothing's changed from 2020 to 2022. The same -- in
5 fact, more cars are going to have to exit onto these
6 two entrances.

7 My simple question is when does no really
8 mean no. Why do citizens in the area have to expend
9 time and energy to oppose this development every
10 two years when the density keeps increasing?

11 I am asking on behalf of my family and
12 neighbors to deny the request for this proposed zoning
13 change for an even higher density housing development
14 than had been previously denied. Thank you for your
15 consideration.

16 COMMISSIONER BOWERS: Thank you.

17 Is there any questions for this witness?

18 Thank you.

19 You've got about a minute and forty seconds
20 left.

21 MR. MYERS: Okay. My name is --

22 COMMISSIONER BOWERS: State your name and
23 address and that you've been sworn.

24 MR. MYERS: My name is Brent Myers. I live
25 at 9677 Goldman Road in Hillsboro. I have been sworn

1 in.

2 COMMISSIONER BOWERS: Thank you. You may
3 begin.

4 MR. MYERS: I've lived on Goldman Road for
5 42 years. A lot has changed since I was a kid. The
6 occasional house being built wasn't a big deal. I've
7 got to modify this since I'm out of time here, but
8 Lockport Landing changed all of that.

9 For those of you that don't know, Goldman
10 Road is about a quarter of a mile west of the proposed
11 Bridle Creek Development. Regardless of what the
12 traffic report says, a report that was paid for by the
13 developer, there will be serious impact on all the
14 neighboring roads. I've seen it with my own eyes
15 since the development of Lockport Landing.

16 The criteria that is required for rezoning
17 includes about fifteen items such as traffic, storm
18 water runoff, environmental impact, hardship to the
19 developer, sewer and so on. The developer has not
20 even met half of those requirements. There are no
21 documented plans for a sewer that I've found.

22 I've been told that the developer has met
23 with the Jefferson County sewer officials and
24 discussed possibly building an off-site treatment
25 plant. Where will that be located? Whose property

1 will that be built on?

2 I've also been told that Missouri
3 Department of Natural Resources has said the developer
4 would not be able to add onto Lockport Landing's
5 sewer. To my knowledge, Jefferson County doesn't own
6 any vacant property in the area. If no one sells him
7 the ground, are they going to use eminent domain to
8 take it? What about the property owners in between;
9 are they going to be forced to allow a sewer line
10 across their land? I know there was a lawsuit about
11 that several years ago.

12 So why are we here? The answer is simple
13 because he wants to make more money, period. He has
14 not proven any hardship and he is the only person that
15 benefits from this development. I feel like the
16 citizens of the county to be put second to the need of
17 a developer who doesn't even live in this county.

18 I'm not an attorney, but given what was
19 said about detrimental reliance and the lack of
20 criteria being met for rezoning, it sure seems like
21 this -- if this was passed, there could be a
22 class-action lawsuit against the county and the
23 developer.

24 As far as the zoning commissioners go, I
25 feel like most of you see this for what it is and will

1 make the right choice for the citizens of this county.

2 COMMISSIONER BOWERS: Sir, I'm going to
3 have to cut you off right there.

4 MR. MYERS: Thank you.

5 COMMISSIONER BOWERS: Thank you.

6 Is there any questions for this witness?

7 Thank you.

8 Would the petitioner please come forward
9 for your five-minute rebuttal?

10 MR. FRIBIS: Shawn's going to handle all
11 the traffic issues.

12 I'm going to respond to a couple things
13 here. I've been making some notes. One of the
14 gentleman, I think Mr. Welkerson (sic) made some
15 mention about maybe 2 acre lots or larger lots on
16 septic tanks. That's not going to happen. That's --
17 that's talk from 25, 30 years ago and it won't improve
18 the property values.

19 Jefferson County Public Sewer District, as
20 I said earlier, they're -- they're working hard at
21 making this work. It's a huge -- it's a huge deal for
22 them in terms of the future expansion of the sewer
23 district. When we put these lots on sewers and --
24 and, by the way, probably, you know, I'm not deciding
25 that part of it but I know where the sewers are going

1 to go. It will probably be down the other side of
2 Jarvis Road where Jarvis makes that 90-degree turn.
3 There's excellent places there for a big treatment
4 plant.

5 The benefit for that sewer won't be only
6 for all the future residents of the subdivision but
7 dozens of other subdivisions to the east of us.
8 That's what we do these days. We don't put in large
9 lots and septic tanks anymore. It's not the market.
10 It's not good for the environment. What we are doing
11 here is exactly those things. It will be very
12 marketable. That's what people want now. This is a
13 very typical subdivision and I think even better. And
14 they certainly want sewers. I see it all the time.
15 People coming down from other areas, they don't even
16 know what a septic tank and drain field is anymore.
17 This is what people want. This is what's going to
18 make the county better. This is what the school
19 district wants.

20 And I want to mention the buses. If you
21 look at the letter. That letter from the school
22 district is very important. You should read that a
23 couple of times. One of the things that he says, and
24 I've talked to Dr. Isaacson about it, that central
25 corridor, the central parkway that we put in with no

1 parking, a big median in the middle is great as far as
2 the school district is concerned. They don't want to
3 be picking up people on Jarvis Road and -- and Sandy
4 Valley and all those places. That's not that safe and
5 it hurts traffic.

6 Here, they can come into this development
7 and stop at each one of those entrances that we have,
8 I think there's eleven of them, off of that main
9 corridor. They love that idea because of the safety
10 for their kids. And that's what these new projects do
11 and that is make things better.

12 One gentleman mentioned that this would be
13 a detriment. Well, a detriment to what? We're
14 putting in sewers. We're putting in better roads than
15 exist in the area. There will be storm water
16 detention.

17 The people need to know that, at this
18 stage, we're just going for zoning. We're going to
19 have to comply with all the new regulations that exist
20 now. You know, we have a Storm Water Department in
21 Jefferson County, now. We're going to need detention.
22 We can utilize, to some extent, the existing lakes
23 that are already on that plan shown in blue.

24 COMMISSIONER BOWERS: You got about two
25 minutes left.

1 MR. FRIBIS: Okay. Well, I want to then
2 yield to the traffic expert here because I think her
3 comments are going to be very important.

4 MS. WHITE: Hello. I think, to reiterate
5 on some of those things that we've already talked
6 about in the beginning, I guess, one point that came
7 up was to the credibility of the study. And I guess I
8 will just point out, I mean, I'm a professional. I'm
9 a professional engineer. I take a code of ethics, you
10 know, and when we do our traffic studies, I mean, we
11 -- as soon as we get authorization on a study, we're
12 meeting with the county, with MoDOT. We coordinate
13 with them throughout the process to make sure that
14 they are agreeing with our assumptions of how -- you
15 know, when the counts are taken, when -- the trips
16 that are generated, where we think they're coming to
17 and from. All of that is something that's done in
18 cooperation with the county; not the owner. I mean, I
19 don't -- I don't ask them what they think; I ask the
20 county and MODOT what they think.

21 So I -- I assure you the study is done with
22 the utmost integrity and does follow industry
23 standards and is a rep -- fair representation of what
24 can be expected as far as traffic is concerned. And
25 with that, just to point out, again, I mean, we're --

1 the traffic, when you add the signal, is better. It
2 will be better. The operations at the intersection
3 will be better with the full build-out of this
4 development than it is currently today. So they are
5 more than mitigating their traffic 'cause they're --
6 you know, usually, we're asked to mitigate our
7 traffic. So we, you know, make it go from a C to a D
8 or a D to an E, you know, hey, what do you need to do
9 to make it stay the same. In this case, we're
10 improving it. We're making it better.

11 I mean, we -- and we already talked about
12 the three access points. And I think the county has a
13 code but there's definitely a precedence that that
14 code has been amended or acceptance granted over and
15 over and over because, oftentimes, there's not a need
16 for three access points. In this particular case,
17 given the majority of our frontage along Highway A, we
18 can't get access to Highway A, nor would that be safe
19 or what I would even recommend. The frontage that we
20 have along Sandy Valley, we really only want to have
21 one access point on that separated as far from Highway
22 A and the signal as it can be and it is. And the
23 limited amount of frontage on Zion, 500 feet,
24 obviously, we don't want one -- more than one driveway
25 there, nor do we need it.

1 There was one statement mentioning
2 something about, you know, three or four or five
3 hundred cars going up Zion. I mean, that's just,
4 again, that's not going to happen. Just because you
5 think that 35 percent of the traffic needs to use that
6 intersection because of the county's code doesn't mean
7 they're going to. They're not. When you look at the
8 existing Lockport Landing and we've counted the outer
9 road, in the morning zero cars turn and go north,
10 zero. They all are going toward Highway A and the --

11 COMMISSIONER BOWERS: I'm going to have to
12 stop you right there.

13 (Overlapping conversation.)

14 MS. WHITE: -- one car. So, I mean, we're
15 not going to --

16 COMMISSIONER BOWERS: Your five minutes are
17 done.

18 MS. WHITE: -- add a lot of traffic to
19 Zion.

20 COMMISSIONER BOWERS: Is there any
21 questions for the petitioner?

22 Yes, sir.

23 COMMISSIONER TUGGLE: Yeah. Back to that
24 intersection, okay, so you -- it's been recommended.
25 So what's going to make that happen?

1 MS. WHITE: I mean, it's something that's a
2 condition of approval so, I mean, if you're
3 recommending it, I mean, I would understand --

4 COMMISSIONER TUGGLE: Who's going to pay
5 for it?

6 MS. WHITE: Oh, the developer would be --
7 would be a hundred percent responsible for that.

8 COMMISSIONER TUGGLE: Okay.

9 MS. WHITE: Even though it's something that
10 is --

11 (Overlapping conversation.)

12 COMMISSIONER TUGGLE: (Inaudible.)

13 MS. WHITE: -- I mean, it's probably
14 within, you know, like you were saying, it's very
15 close to meeting warrants now which would make it
16 someone else's responsibility, you know. But, again,
17 it's the opportunity that MoDOT takes like, hey, we
18 have a development here, they're the ones tipping it
19 over the edge so they're the ones that get to pay for
20 it.

21 COMMISSIONER BOWERS: Would there be --

22 (Overlapping conversation.)

23 MS. WHITE: Even though Lockport --

24 COMMISSIONER BOWERS: Would there be a
25 (inaudible)?

1 MS. WHITE: -- will benefit significantly.

2 THE COURT REPORTER: I'm sorry. I couldn't
3 hear you.

4 COMMISSIONER TUGGLE: Would there be a
5 timeline?

6 MS. WHITE: I mean, generally with this, I
7 mean, those types of improvements are required, you
8 know, prior to the -- the subdivision, you know,
9 occupancy. I mean, there's different, you know, I
10 mean, Dennis might be able to speak to that but
11 there's different parameters. Sometimes there may or
12 maybe you can build twenty houses or maybe you can
13 build forty houses before the signal has to be
14 operational. But, you know, it was assumed in the
15 study that the signal would just be there, you know,
16 from the beginning.

17 COMMISSIONER TUGGLE: Thank you.

18 COMMISSIONER BOWERS: Are there any other
19 questions for the petitioner?

20 Any other questions?

21 Do you have another question?

22 COMMISSIONER TUGGLE: Yeah. I've got one
23 for Mr. Fribis, I think.

24 COMMISSIONER BOWERS: Mr. Fribis, would
25 you, please, come back forward.

1 MR. FRIBIS: Yes.

2 COMMISSIONER TUGGLE: Mr. Fribis, I may be
3 wrong, but I think it was Mr. Myers that said looks
4 like a lot of greed here, could be some greed
5 involved. And when I look at the limit would be 300;
6 why do we have to go to 303?

7 MR. FRIBIS: Well --

8 COMMISSIONER TUGGLE: That kind of -- I
9 mean.

10 MR. FRIBIS: There's no special reason. It
11 just laid out that way. I follow -- when I do a
12 subdivision, I follow the lay of the ground. And it
13 -- it just -- is it better? It's another lot that
14 could be sold. It raises the value a little bit. But
15 look at the plan. I mean, that plan has a lot of
16 common ground, walking trails. It's just the way it
17 fell into place, tried to make the best plan we
18 possibly could. I could have got more lots on here.
19 You can kind of see a lot of areas but it lays out
20 nicer that way. That's all, just they're lots.

21 COMMISSIONER TUGGLE: Okay. Thanks.

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

24 Discussion among commissioners?

25 So this is in front of us as a zone change

1 with the asked for variances. So on your motion, we
2 need to make sure that we're specific on the zone
3 change and the variances and there are multiple
4 planning staff comments in this proposal.

5 MR. JUMP: Mr. Bowers.

6 COMMISSIONER BOWERS: Yes.

7 MR. JUMP: I put the modifications back up
8 for you guys, so.

9 COMMISSIONER BOWERS: Okay. So those are
10 the modifications we're looking at for this proposal.

11 Is there any discussion -- has everyone's
12 questions been satisfied?

13 If so, I will entertain a motion to accept
14 or deny. Do we need any more discussion?

15 COMMISSIONER HASTINGS: I'll make a motion
16 to deny the zoning request as presented.

17 COMMISSIONER DUGAN: Second.

18 COMMISSIONER BOWERS: I have a motion made
19 by Commissioner Hastings to deny PR122068; seconded by
20 Commissioner Dugan.

21 All those in favor, and the aye vote is in
22 denial, please say aye.

23 COMMISSION: Aye.

24 COMMISSIONER BOWERS: Opposed?

25 Nay.

1 A roll call vote, please.

2 MS. ROESCH: Danny Tuggle.

3 COMMISSIONER TUGGLE: Aye.

4 MS. ROESCH: Pardon?

5 COMMISSIONER TUGGLE: Aye.

6 MR. KEHM: Yes or no?

7 COMMISSIONER TUGGLE: Yes.

8 MS. ROESCH: Tim Dugan.

9 COMMISSIONER DUGAN: Yes.

10 MS. ROESCH: Jess -- oh. I'm sorry.

11 Mike Huskey.

12 COMMISSIONER HUSKEY: Yes.

13 MS. ROESCH: Greg Bowers.

14 COMMISSIONER BOWERS: No.

15 MS. ROESCH: Larry Adkins.

16 COMMISSIONER ADKINS: Yes.

17 MS. ROESCH: Chris Hastings.

18 COMMISSIONER HASTINGS: Yes.

19 COMMISSIONER BOWERS: I have the motion

20 failing with a vote of five to one.

21 MR. KEHM: No. Motion passes.

22 MR. CORDES: Motion passes.

23 COMMISSIONER BOWERS: I'm sorry. I'm

24 sorry.

25 The motion carries of denial. My

1 apologies.

2 Motion to deny carries with a vote of five
3 to one.

4 We'll take a two-minute recess for people
5 to leave.

6 (In recess 7:48 p.m. to 7:50 p.m.)

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1 COMMISSIONER BOWERS: Call this meeting back
2 to order. Next item under considerations: PC22069, a
3 request for a zone change development plan for a
4 parcel located at 4325 Jeffco Boulevard, Arnold, in
5 Town -- in the Windsor Township, Council District
6 No. 4.

7 And, Ms. Krispin.

8 MS. KRISPIN: Thank you.

9 This is PC22069. The petitioner is
10 requesting to rezone the subject property from
11 nonplanned community commercial to planned commercial
12 and development plan approval for Pleasant View
13 Storage.

14 The subject property is located at 4326
15 (sic) Jeffco Boulevard in Arnold and is roughly 1.66
16 acres in size and there are no flood concerns.
17 Outlined in black is the subject property zoned CC2.
18 You can see there is a lot of other CC2 in the area.
19 Directly north is zoned planned mixed which is the
20 Pleasant View Motel that came in front of you guys
21 last year as a development plan. And then there is
22 some PR2, as well.

23 This is a look at the topography map. The
24 property with its road frontage along Jeffco Boulevard
25 is fairly flat. It does start to slope downward

1 towards the rear of the property.

2 These are photos of the subject property.

3 It appears to be an unoccupied commercial building on
4 the property; two views of Jeffco Boulevard. And then
5 this is a look at the general area of the subject
6 property.

7 This is the submitted development plan. It
8 includes one indoor self-storage building which is
9 approximately 36,000 square feet, right here; a
10 detention basin in the southern portion of the
11 property. Six parking spaces are proposed with one
12 ADA compliant space. There is one ingress and egress
13 from Jeffco Boulevard. There is office space proposed
14 within the building and then street frontage
15 landscaping is also shown.

16 The petitioner requested two modifications.
17 The first one is Section 400.2620. The petitioner is
18 requesting relief from the required 125-foot offset
19 required between driveways and entrances. Due to the
20 existing driveways on both sides of Jeffco Boulevard,
21 this condition is not and cannot be met. Staff does
22 not see an issue with this request.

23 And next is Section 400.4050. The
24 petitioner is requesting relief from the required
25 number of parking spaces for storage and office space.

1 The UDO requires one parking space per 2,000 square
2 feet of storage area. In addition, the UDO requires
3 four parking spaces per 1,000 feet of office space.
4 The required parking spaces for this proposed
5 development would be roughly nine -- nineteen parking
6 spaces. The petitioner has proposed six parking
7 spaces. In addition, there are two loading spaces
8 near the entrance of the building, although, these
9 spaces cannot be counted in the requirement since they
10 are temporary parking spaces for customers loading and
11 unloading. Given that mini-storage facilities,
12 typically, have low volumes of traffic, staff does not
13 have an issue with this parking request. In the past,
14 other storage facilities have been improved with a
15 reduced number of parking spaces and staff has not
16 been made aware of any issues caused by this.

17 The development plan satisfies most of the
18 criteria of approval. The development plan and
19 proposed zoning seem to fit the area of the proposed
20 site, which is mainly commercial. The site fronts on
21 Jeffco Boulevard, providing adequate ingress and
22 egress. The site is currently developed with an
23 unoccupied commercial building. The proposed use of
24 an indoor mini-storage/mini-warehouse facility and
25 office in a highly commercialized portion of the

1 county with road frontage on a major roadway and
2 is in accordance with the Jefferson County Master
3 Plan.

4 The development plan as proposed seeks to
5 minimize the impact to surrounding properties. Staff
6 has not seen any evidence to indicate there would be
7 any risk to public health, safety, and welfare from
8 this development plan as proposed. The development
9 plan does not impede the normal and orderly
10 development and improvement of the surrounding
11 property given that the development follows the
12 existing nature of commercial uses on Jeffco
13 Boulevard. Approval of the proposed development would
14 allow for a development consistent with the intended
15 state -- with the stated intent, I'm sorry, of the
16 planned commercial zoned district.

17 And here is for your consideration tonight.
18 Rezone the subject property from CC2 to planned
19 commercial and development plan approval for Pleasant
20 View Storage with these two modifications listed. And
21 I'll be happy to answer any questions.

22 COMMISSIONER BOWERS: Any questions of
23 staff?

24 COMMISSIONER DUGAN: No.

25 COMMISSIONER BOWERS: Is the petitioner

1 present?

2 Please come forward. State your name, your
3 address, and that you have been sworn. Just a
4 reminder, you will get a five-minute uninterrupted
5 presentation.

6 MR. VONARX: Good evening. Dave VonArx,
7 VonArx Engineering. I have been sworn in. My address
8 is 10785 Business 21.

9 Tonight, we're representing petitioner
10 Jusco Development for this proposed development. It's
11 a 36,000 square-foot indoor storage building so it
12 will have three levels. One, basically, a basement
13 level; one, a first story level; and then one upper
14 level. So we're proposing six parking spaces along
15 Jeffco and then two loading spaces at -- at the side
16 entrance. There's going to be a small office,
17 actually, and then there's a -- a handicapped space
18 there. So it's going to be a small office just for,
19 you know, the operation of the facility but I think
20 most of it is like self-storage.

21 So we're proposing a storm water retention
22 basin to the south, a bioretention basin here, a
23 bioswale as a storm water BMP. So we're going to meet
24 all the storm water requirements of the county. The
25 petitioner owns this property behind it and I think it

1 actually continues on to the south. Petitioner owns
2 the property to the north, which is the Pleasant View
3 Motel which is being redeveloped right now. There
4 will be sanitary sewers that will serve the
5 development. The old building that's very close to
6 the road would be torn down.

7 You know, so this is our proposed entrance.
8 It's going to be much more controlled access to the
9 site than is -- currently exists. We can't meet the
10 125 feet but we're going to make it a safer entrance
11 and exit location for the property.

12 Also, the parking, so these developments
13 are not a high traffic generation facility so we feel
14 that there is ad -- you know, adequate parking for the
15 type of facility that it is and that the UDO
16 requirement for nineteen parking spaces is -- is a
17 hardship for the developer and just for -- create more
18 impervious area that we would need to mitigate for
19 storm water detention.

20 That is about all I have unless there is
21 some questions from the commissioners.

22 COMMISSIONER BOWERS: Is there any
23 questions for this witness?

24 So you're saying it's a two-story building
25 with a floor in the basement?

1 MR. VONARX: So three levels.

2 COMMISSIONER BOWERS: So three levels but
3 only two above grade?

4 MR. VONARX: Correct. Yes.

5 COMMISSIONER BOWERS: And there will be no
6 exterior parking out in the lots or anything like
7 that?

8 It's all -- all the storage is done inside
9 the building?

10 MR. VONARX: It's interior storage. It's
11 not vehicle storage.

12 COMMISSIONER BOWERS: Thank you.

13 MR. VONARX: Just vehicles that arrive.

14 COMMISSIONER BOWERS: Any other questions
15 for this petitioner?

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

17 MR. VONARX: All right. Thank you.

18 COMMISSIONER ADKINS: I have one.

19 COMMISSIONER BOWERS: Oh, I'm sorry. I'm
20 sorry, there is a question. My bad.

21 COMMISSIONER ADKINS: So you said no
22 vehicles parked outside as far as storage is concerned
23 but what -- I mean, no boats or anything like that
24 either?

25 MR. VONARX: No, it's --

1 COMMISSIONER ADKINS: Everything's going to
2 be contained in that building?

3 MR. VONARX: Correct. These are like
4 10x10s. You know, there's an -- internal halls and
5 probably an elevator and they just bring their boxes
6 of stuff in and they, you know, store it inside.
7 There's no outside storage.

8 COMMISSIONER ADKINS: Okay. Thank you.

9 MR. VONARX: You're welcome.

10 COMMISSIONER BOWERS: Any other questions?
11 Thank you, sir.

12 MR. VONARX: You're welcome.

13 COMMISSIONER BOWERS: Anyone wishing to
14 speak in favor of this petition?

15 Anyone wishing to speak in favor?

16 MS. ARONS: Nope.

17 COMMISSIONER BOWERS: Anyone wishing to
18 speak in opposition?

19 MS. ARONS: Yes.

20 COMMISSIONER BOWERS: Please, come forward.

21 MS. ARONS: Oh, I didn't -- I don't have my
22 paper. I don't know what I did with my paper.

23 MR. KEHM: You can fill one out after.

24 MS. ARONS: Okay.

25 MR. KEHM: Yeah, go ahead.

1 MS. ARONS: My name's Lori Arons. I live
2 at 1031 Scenic Oaks Court, Imperial, Missouri, and I
3 have been sworn in. I live -- if you look at the map,
4 I live in the subdivision just below this.

5 My concern is with a lot of the storage
6 facilities in Jeffco, especially down on 61/67, after
7 the initial build, the builders fail to keep up the
8 appearance. Yes, this is better than what is there
9 and that is an eyesore, but my concern is since it's
10 right on Jeffco, is that it -- is there a guarantee
11 that there's landscaping, that it will look nice?

12 We already have the Pleasant View Hotel
13 that we deal with and people walking acrossed (sic)
14 61/67 that it -- Miller -- Miller East, that is just
15 on the other side is a very, very dangerous
16 intersection already. So I have concerns about adding
17 more cars trying to make lefts, right at that area.
18 Something needs to be done about that intersection.
19 So adding more traffic, yes, it's not going to be like
20 huge amounts but I just want to make it known that
21 that is already a dangerous -- there is a curve in
22 there that goes right at the entrance of my
23 subdivision. But most people -- well, a lot of people
24 use that back entrance coming off of Miller Road to go
25 down the hill. There is a lot of apartments. There's

1 a lot of children. There's a lot of people who walk
2 and Dollar General is their grocery store so there's a
3 lot of foot traffic that may not show up in a traffic
4 study. So we just need to be aware that -- and I've
5 heard builders say before but it's better than what's
6 there. Well, what's there is empty so there's no
7 traffic. We just need to make sure that the builder
8 is aware, makes wherever the entrance actually is,
9 it's hard to read on the map, that it doesn't impede
10 an already dangerous part of Jeffco.

11 So my concern as someone who lives right
12 below that and will drive by that is that it doesn't
13 -- we want it to improve the look of the area as
14 opposed to just putting up something and it look
15 trashy in five years. So I'm going to represent my
16 neighborhood. I didn't really know I was going to.
17 But we just want to make sure and we can ask the --
18 the builder if he has any designs; is there going to
19 be landscaping; is it going to look nice; and does the
20 entrance -- is it right next to the Pleasant View
21 Hotel because, again, there are people that walk
22 across that daily, hourly that live in those
23 apartments and the trailer park down there. And
24 there's a lot of foot traffic in that area that you
25 need to be aware of before you approve or you can get

1 some idea from the builder if they have thought about
2 that issue. Thank you.

3 COMMISSIONER BOWERS: Are there any
4 questions for this witness?

5 Thank you.

6 Anyone else wishing to speak in opposition?

7 Anyone wishing to speak in opposition?

8 Mr. VonArx, will you come back forward?

9 You have a five-minute rebuttal.

10 MR. VONARX: The petitioner -- thank you,
11 Mr. Commissioner.

12 The petitioner has not requested any
13 variances for landscaping. You can see on the -- on
14 the plan that we're providing street trees along
15 Jeffco; currently, there is just pavement and then a
16 building within almost an arm's reach of the white
17 line. So that pavement would be removed. There would
18 be grass and landscaping. These are three shrubs per
19 20 feet of frontage and then one tree for every
20 75 feet of frontage. We're required to do open-space
21 landscaping. We're providing a storm water BMP which
22 will be landscaped.

23 The petitioner owns the property to the
24 north spending a substantial amount of money upgrading
25 the Pleasant View Motel has -- has removed two very

1 old buildings, will be removing probably the worst
2 looking of them all, and is substantially -- is -- has
3 plans to substantially improve this area so why would
4 he build something and not maintain it next to a
5 property they already own and are trying to attract
6 residents to.

7 Now, the county's not responsible for all
8 the traffic on -- or all the pedestrians on the state
9 highway. So the state's required to provide for
10 pedestrian traffic within their right-of-way. It's
11 not the county's responsibility to handle MoDOT's
12 problems. But the MoDOT is -- does have plans that
13 have been programmed to improve the intersection at
14 Miller and Jeffco. So that's going to occur or may be
15 occurring right now.

16 So the petitioner is making substantial
17 improvements to the area, owns the property behind.
18 So I think the petitioner will be making a substantial
19 investment more than just about anyone in the area,
20 probably more than the Dollar General Store. And, you
21 know, it's in his best interest to protect his
22 investment.

23 COMMISSIONER BOWERS: Are there any other
24 questions?

25 Thank you, sir.

1 MR. VONARX: Thank you.

2 COMMISSIONER BOWERS: So on this petition,
3 it's to rezone; of course, the two modifications also
4 need to be addressed.

5 Discussion among commissioners?

6 COMMISSIONER DUGAN: I make a motion to
7 approve to approve the PC22069 with the modifications.

8 COMMISSIONER TUGGLE: Second.

9 COMMISSIONER BOWERS: I have a motion made
10 by Commissioner Dugan to approve PC22069 with -- and
11 approve the modification requests; it was seconded by
12 Commissioner Tuggle.

13 All those in favor, say aye.

14 COMMISSION: Aye.

15 COMMISSIONER BOWERS: Opposed?

16 Passes unanimous.

17 MR. VONARX: Thank you.

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1 COMMISSIONER BOWERS: Reports to the
2 Commission.

3 MR. KEHM: Just briefly.

4 Thank you, all, for being here tonight. We
5 always appreciate it as do the citizens and the
6 petitioners. Our next meeting is December 15th.
7 Remember, we only have one meeting in each of November
8 and December. We already have a full slate of cases
9 for that night so we will be here.

10 Everybody have a great and happy
11 Thanksgiving. And we'll see you in December.

12 MR. CORDES: Oh, and I have one more
13 announcement and I -- I spoke with -- with Mr. Bowers
14 about this earlier, but the council did approve
15 another Commission member. And Mr. Yates and I had a
16 -- had a pretty fruitful discussion with him,
17 yesterday, and his name's Johnathan Sparks. So he's
18 informed us that he'll -- he'll be here for the -- the
19 December meeting. So you'll have another commissioner
20 amongst you.

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

23 Please, come forward.

24 MS. ARONS: Hello, again. My name's Lori
25 Arons. I live at 1031 Scenic Oaks Court.

1 Couple of comments from tonight's meeting
2 that -- that I want to respond to that I heard is you
3 said when it doesn't meet code, it can't pass. And so
4 a lot of this, I don't understand why petitioners
5 bring things that they know doesn't meet code because
6 if it doesn't meet code, it doesn't meet code and code
7 is code. And in the new master plan, some things may
8 be changed but, right now, the comment was if it
9 doesn't meet code, it doesn't meet code.

10 The other thing on just a comment that I
11 kept hearing is when does no mean no. If you guys say
12 no, when does no simply mean no, you can't do that.
13 So to bring something back when you've already said no
14 and you still say no, I don't -- I don't understand
15 that. So no means no.

16 Thank you for voting -- I guess you voted
17 yes to vote no but it's just one of those
18 double-negative type things.

19 Next, I mentioned the last time I was here
20 -- I missed the last meeting because I travel, my
21 husband and I are retired. We are fortunate to get to
22 travel often. I missed the meeting. I didn't get to
23 watch the meeting because it's not recorded. I
24 mentioned it. A friend of mine talked to someone and
25 they said it's going to cost \$2,000 to do that. Well,

1 in your budget and the county's budget \$2,000 is -- is
2 a drop in the bucket to give someone like me, who
3 happens to be somewhere because I'm traveling, not the
4 option of being able to watch the meetings, it's not
5 fair when the recording's here so you have to have
6 someone come turn on the recording, someone to post it
7 online. \$2,000 for the whole year in the budget is a
8 drop in the bucket. I would like to see the Planning
9 and Zoning meetings because I cannot be here and I
10 can't make the next month's meeting because my husband
11 and I are traveling. So, anyway, please reconsider
12 that. I don't know if you need to go back to the
13 council and, say, hey, it's a drop in the bucket,
14 please record the meetings.

15 The last thing I want to mention, again, is
16 the time limits. Thank you for increasing from ten
17 minutes to fifteen. But anybody can speak at the
18 County Council meeting. Why can't anybody speak at
19 the Planning and Zoning? To limit it and I had people
20 call me from the last meeting at the Lake of the
21 Ozarks and say I was next in line but they said I
22 can't talk because we're out of time. Why? Why do we
23 have to limit it when you have citizens who want to
24 present to you their comments?

25 They could do it at the County Council but

1 you guys are important. What you do is important to
2 our county. Why would you want to stifle someone's
3 comment and make them mad and say I wasn't allowed to
4 speak? I have the right to speak but because of the
5 live -- the time limits they're not. And then they're
6 calling me and saying I wanted to speak, I wanted to
7 speak, but they wouldn't let me. So, seriously,
8 gentlemen and ladies, you need to relook at that issue
9 again.

10 Thank you for increasing five minutes but
11 you've got people who were like I won't have time to
12 talk, I wanted to talk, here's my speech, I wanted to
13 present my ideas to the Planning and Zoning but I was
14 not allowed. And I think that is wrong. So, please,
15 take that into consideration. Thank you for allowing
16 me the time to speak to you in the public comment
17 section when I would not have had time to speak on an
18 issue that was near and dear to my heart earlier.
19 Thank you. Have a good evening.

20 COMMISSIONER BOWERS: Anyone else wishing
21 to be heard?

22 Being none --

23 COMMISSIONER DUGAN: Motion to adjourn.

24 COMMISSIONER BOWERS: Accept a motion to
25 adjourn.

1 COMMISSIONER HUSKEY: I'll second it.

2 COMMISSIONER BOWERS: I have a motion made
3 by Commissioner Dugan; seconded by Commissioner
4 Huskey.

5 All those in favor, say aye.

6 COMMISSION: Aye.

7 COMMISSIONER BOWERS: Opposed?

8 Passes unanimously. Meeting is adjourned.

9 [Adjourned 8:12 p.m.]

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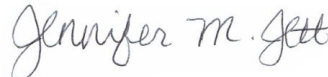
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C E R T I F I C A T E

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 21st day of November, 2022.


JENNIFER M. JETT, CCR
MISSOURI CCR NUMBER: 634

November 17, 2022
Jefferson County, Missouri, Planning and Zoning
Commission Meeting

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