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Planning & Zoning Meeting
February 9, 2023

Jefferson County, Missouri

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

February 9, 2023

6:30 p.m.

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

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EXHIBITS

Exhibit	Description	Identified
Exhibit A	Official Master Plan for Jefferson County, MO	Page 9
Exhibit B	Jefferson County Code of Ordinances - Chapter 400 Unified Development Order	Page 9
Exhibit C	Planning Division Staff Report and Respective Case File	Page 9
Exhibit D	Site photo	Page 18

(Exhibits retained by Counsel.)

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

5 * * * * *

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

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

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

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

1 to the application. There is no time limit on this for
2 the Commission.

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

11 After all questions from the Commission have been
12 heard, the Chairman will then ask for any citizens
13 wishing to address the Commission or opposed to this
14 application to come forward. There will be a total of
15 15 minutes allocated for public comment in opposition to
16 the application. No speaker will be allowed to speak
17 more than three minutes. The Commission may ask
18 questions of any speaker. The time used for speakers to
19 answer questions will not be subtracted from the
20 15 minutes. Because time is limited, we strongly
21 recommend that speakers be prepared and know the facts
22 regarding the application. We recommend that you avoid
23 repetition. If you're a part of a larger group, we
24 suggest you designate a spokesperson to provide comments
25 for the group. Speaker may acknowledge that he or she

1 represents a larger group. This will be the sole public
2 hearing before a public body regarding the application.
3 The petitioner will then have five minutes to respond to
4 issues raised during the comment period. The Commission
5 may further question petitioner. The times used to
6 respond to the question from the Commission will not
7 count against the time allocation.

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

19 Call this meeting to order. Madam Secretary,
20 would you please take the roll?

21 SECRETARY ROESCH: Danny Tuggle.

22 COMMISSIONER TUGGLE: Here.

23 SECRETARY ROESCH: Greg Bowers.

24 COMMISSIONER BOWERS: Here.

25 SECRETARY ROESCH: Johnathan Sparks.

1 COMMISSIONER SPARKS: Here.

2 SECRETARY ROESCH: Larry Adkins.

3 COMMISSIONER ADKINS: Here.

4 SECRETARY ROESCH: Chris Hastings. Tim
5 Dugan. Mike Huskey.

6 COMMISSIONER HUSKEY: Here.

7 SECRETARY ROESCH: We have a quorum.

8 COMMISSIONER BOWERS: Is there any changes
9 to the agenda? If not, I'll entertain a motion to
10 approve.

11 COMMISSIONER ADKINS: Motion to approve the
12 agenda.

13 COMMISSIONER TUGGLE: Second.

14 COMMISSIONER BOWERS: I have a motion to
15 approve the agenda made by Commissioner Adkins, seconded
16 by Commissioner Tuggle. All those in favor say aye.

17 COMMISSION MEMBERS: Aye.

18 COMMISSIONER BOWERS: Opposed? Passes
19 unanimous.

20 Approval of the minutes. Are there any changes
21 to the minutes? If not, I will entertain a motion.

22 COMMISSIONER ADKINS: Motion to approve the
23 minutes, please.

24 COMMISSIONER TUGGLE: Second.

25 COMMISSIONER BOWERS: I have a motion made

1 by Commissioner Adkins, seconded by Commissioner Tuggle,
2 to approve the minutes. All those in favor say aye.

3 COMMISSION MEMBERS: Aye.

4 COMMISSIONER BOWERS: Opposed? Passes
5 unanimous.

6 Swearing in of the witnesses.

7 MR. JUMP: Thank you for coming out tonight.
8 Because the testimony that you're going to give tonight
9 has to be entered into the record, it has to be sworn
10 testimony, so to kind of speed things up, we swear
11 everybody in at one time. So if you think you're going
12 to speak on something tonight, you might speak on
13 something tonight, go ahead and stand up and raise your
14 right hand and the Madam Secretary here will swear you
15 in.

16 (Speakers sworn.)

17 COMMISSIONER BOWERS: Thank you.

18 Introduction of evidence.

19 MS. KRISPIN: The County would ask that the
20 following exhibits be entered in as evidence: The first
21 is Exhibit A, the official master plan for Jefferson
22 County, Missouri, adopted August 6, 2003, and effective
23 April 2nd, 2008; Exhibit B, the code of ordinances of
24 Jefferson County, Chapter 400, the unified development
25 order adopted April 2nd, 2008, as amended; and Exhibit C,

1 the Planning Division staff reports and respective case
2 files.

3 COMMISSIONER BOWERS: Thank you. I'd accept
4 a motion to accept the evidence.

5 COMMISSIONER ADKINS: Motion to accept the
6 evidence.

7 COMMISSIONER SPARKS: Second.

8 COMMISSIONER BOWERS: I have a motion to
9 accept the evidence made by Commissioner Adkins, seconded
10 by Commissioner Sparks. All those in favor say aye.

11 COMMISSIONER MEMBERS: Aye.

12 COMMISSIONER BOWERS: Opposed? Passes
13 unanimous.

14 Under new business, considerations, PC23002,
15 request for a zone change and development plan approval
16 for a parcel located at 605 East Outer 21 Road in Arnold,
17 and Windsor Township and Council No. 2. Ms. Krispin?

18 MS. KRISPIN: Thank you. This is PC23002.
19 The petitioner is requesting to rezone the subject
20 property from non-planned community commercial to planned
21 commercial and development plan approval for South Texas
22 Endeavors. The subject property is located at 605 East
23 Outer 21 in Arnold. It is roughly 1.7 acres in size and
24 almost the entirety of the subject property is located
25 within the floodplain.

1 This is a look at the zoning map. The subject
2 property is outlined in black. It is zoned CC2. Right
3 here is 21. To the east is planned commercial, to the
4 south is non-planned industrial, and then single family
5 residential, R10, to the west.

6 This is a look at the topography map. The blue
7 is the floodplain. The gold is the 500-year floodplain.
8 Blue is 100-year. And then these topography lines show
9 the steep incline in the southwestern corner of the
10 property.

11 Here are photos of the subject property. The top
12 two pictures are looking at the East Outer 21 and the
13 bottom left picture shows the portion of the structure
14 that is going to remain according to the development
15 plan, and then to the right, this area of the building is
16 going to be removed. And then there's just another look
17 at that portion of the building that's to be removed.
18 Also from this angle you can see a couple houses up
19 there, and then an existing business up above as well.
20 And then these two remaining pictures are looking at
21 Landmark Drive, which is to the east.

22 This is the submitted development plan. A couple
23 things to note. So part of the existing building to
24 remain, like I mentioned, that's roughly 11,700 square
25 feet, and noted demolition is roughly two-thirds of the

1 existing building, so this is what is to remain of the
2 building. There are 31 proposed outdoor material storage
3 bays. Those are these squares right here that you see.
4 The area for the outdoor storage is roughly 23,000 square
5 feet.

6 There are 14 proposed vehicle parking spaces
7 located near the street frontage of Outer 21. A
8 high-impact screen is shown around the entirety of the
9 property, and there are two access points from Outer 21
10 and Landmark, and it appears that the entrance from
11 Outer 21 is a one-way ingress point and the access from
12 Landmark Drive is one-way egress, and there is street
13 frontage landscaping shown along Outer 21.

14 The petitioner requested three modifications.
15 The first one is for reduction in the required vehicle
16 parking count from 20 spaces to 14 spaces. Per the
17 applicant, the function of the proposed usage of the
18 property will only ever have a maximum of ten employees
19 on the site at once. In addition, the nature of the
20 business, which is retail distribution and onsite storage
21 of construction materials, is that customers will not be
22 at the location for long. It is also stated in the
23 petitioner's submittal that the maximum allowed customers
24 to be queued for pickup of material is three. Given the
25 maximum number of people on the subject property at once

1 would be a total of 13, staff does not have an issue with
2 this request.

3 Next is Section 400.4650. The petitioner is
4 requesting relief from the required front landscaping
5 buffer to be reduced from 20 feet to 10 feet along
6 Outer 21. The proposed vehicle parking is located within
7 the landscaping buffer of Outer 21 Road. Given the
8 configuration of the proposed development, there is
9 limited area to have -- for vehicle parking spaces.
10 Staff does not see an issue with this request.

11 And lastly, Section 400.2620, along a county
12 roadway, 125-foot offset is required between driveways
13 and entrances. This condition is not met with the
14 entrances on Landmark Drive and East Outer 21. Both
15 Outer 21 and Landmark are low-volume dead-end roads due
16 to floodplains, severe terrain and location of the
17 existing building. There are no alternate locations for
18 the drives. These entrances have existed in this
19 configuration for several years and staff is not aware of
20 any problems caused by the existing location of the
21 entrances. And the applicant has provided truck turning
22 diagrams on the submittal which show that the entrance
23 will work and allow trucks to pull onto Landmark Drive
24 and then onto Outer 21 rather than backing onto the
25 roads.

1 For the analysis, the development plan satisfies
2 most of the criteria of approval. While there is a wide
3 variety of zoning in the area, the proposed use and zone
4 district seemed to fit the area. Planned commercial zone
5 district is located directly east of the property. The
6 proposed development is located off a county-maintained
7 roadway and is visible from State Route 21, which is a
8 major corridor within the county. In addition, the
9 property has been commercially operated for numerous
10 years. The proposed use of a warehouse and distribution
11 facility is located in a portion of the county that is
12 near other commercial zoning located along Outer 21 and
13 State Route 141. The proposed zone change is in
14 accordance with the Jefferson County master plan.

15 Staff has not seen any evidence to indicate there
16 would be any risk to public health, safety and welfare
17 from this development plan as proposed. The development
18 plan does not impede the normal and orderly development
19 and improvement of the surrounding property, given that
20 the development is proposed on an existing commercially
21 zoned and operated site. Approval of the proposed
22 development would allow for a development consistent with
23 the stated intent of the planned commercial zone
24 district.

25 And here is for your consideration tonight rezone

1 the subject property from non-planned community
2 commercial, CC2, to planned commercial zone district and
3 development plan approval for South Texas Endeavors with
4 the three listed modifications. I'll be happy to answer
5 any questions.

6 COMMISSIONER BOWERS: Any question of staff?
7 Any questions, comments? Is petitioner present? Please
8 come forward. State your name and your address. Please
9 state that you have been sworn for the record, and as a
10 reminder, you will have five minutes total presentation.

11 MR. HUEMPFNER: Okay. My name's Josh
12 Huempfer. I'm with Upland Real Estate Group. I
13 represent South Texas Endeavors. My address is 50 South
14 6th Street, Suite 1418, Minneapolis, Minnesota, 55402.

15 COMMISSIONER BOWERS: You have been sworn?

16 MR. HUEMPFNER: I have been sworn.

17 COMMISSIONER BOWERS: Thank you.

18 MR. HUEMPFNER: So I just wanted to point
19 out the boxes on there. Those are -- not sure what you
20 would call them, designated areas, but those are denoted
21 as pallets of shingles. This is for a National Credit
22 publicly-traded roofing supply company. So those areas
23 there are just -- all they are is neat, orderly pallets
24 of shingles, and that's 80 to 90 percent of the outdoor
25 storage, is shingles.

1 I think you had also mentioned that it was
2 two-thirds of the building being torn down. It's
3 actually about one-third of the building. I think the
4 building's around 18,000 feet, and we're proposing to
5 tear down about one-third of it, which is about, I think,
6 around 6,000 feet, roughly. Are there any questions for
7 me?

8 COMMISSIONER BOWERS: Is there any questions
9 for this witness?

10 COMMISSIONER ADKINS: Other than shingles,
11 what's going to be stored on the site?

12 MR. HUEMPFNER: Outdoor? Outside?

13 COMMISSIONER ADKINS: Even in the building.
14 I mean, just a -- what kind of construction materials are
15 we talking about?

16 MR. HUEMPFNER: The company that -- The end
17 user that would go here is a company called Beacon
18 Building Products. They're a national supply company
19 with over 500 locations nationally. Their primary
20 business is just roofing, so 80 percent of it is
21 shingles. The other 20 percent is just ancillary to
22 roofing, so, you know, small products that you would
23 need, you know, to install roofs. But the majority of
24 all of the outdoor storage and majority of what's stored
25 on site is 80 percent shingles.

1 COMMISSIONER ADKINS: Thank you.

2 MR. HUEMPFNER: Yep.

3 COMMISSIONER BOWERS: Any other questions?

4 COMMISSIONER SPARKS: Just in regards to the
5 reference of trucks, are we talking about 18-wheel
6 flatbed trucks coming in and out of that egress or --

7 MR. HUEMPFNER: Yes, that and box trucks.

8 COMMISSIONER SPARKS: And box trucks?

9 MR. HUEMPFNER: Yep.

10 COMMISSIONER SPARKS: Is there any
11 concern -- and this might be more toward previous, but is
12 there any concern about tonnage on that roadway as far
13 as --

14 MR. HUEMPFNER: Not to my knowledge.

15 COMMISSIONER SPARKS: -- impact on the
16 hardtop? No? Okay.

17 MR. HUEMPFNER: Not to my knowledge.

18 COMMISSIONER BOWERS: That service road is
19 county maintained, didn't we say that, that feeds this
20 piece of property?

21 MS. KRISPIN: Outer 21 is, yes.

22 COMMISSIONER BOWERS: So I'm sure it's
23 designed for a load.

24 COMMISSIONER SPARKS: Okay.

25 MR. HUEMPFNER: Yeah, on a typical given

1 day, there's not more than four to six trucks there at
2 most, and usually it's less than that. I did bring a
3 picture as well of another site just as an example for
4 the City Council to look at.

5 COMMISSIONER BOWERS: Did you want to enter
6 that as evidence?

7 MR. HUEMPFNER: This is just an example of
8 the type of use that it is. That's a larger facility.
9 It's about twice the size, but the majority of the
10 outdoor storage that's denoted there --

11 COMMISSIONER BOWERS: We're going to have to
12 bring this in as evidence real quick.

13 MR. HUEMPFNER: Okay. So typically those
14 pallets of shingles --

15 COMMISSIONER BOWERS: Hang on one second.
16 Hang on one second --

17 MR. HUEMPFNER: Oh, sorry.

18 COMMISSIONER BOWERS: -- all right, and then
19 we'll keep going again here in a second.

20 MR. JUMP: This'll be Exhibit D as in dog.

21 COMMISSIONER BOWERS: I'll accept a motion
22 to accept Exhibit D into evidence.

23 COMMISSIONER HUSKEY: I'll make a motion to
24 accept D into evidence.

25 COMMISSIONER ADKINS: Second.

1 COMMISSIONER BOWERS: I have a motion made
2 by Commissioner Huskey, seconded by Commissioner Adkins,
3 to accept evidence -- Exhibit D into evidence. All those
4 in favor say aye.

5 COMMISSION MEMBERS: Aye.

6 COMMISSIONER BOWERS: Opposed? Passes
7 unanimous.

8 SECRETARY ROESCH: Who seconded that? I'm
9 sorry.

10 COMMISSIONER BOWERS: I'm sorry.
11 Mr. Adkins.

12 COMMISSIONER HUSKEY: I have a question. Is
13 this going to be basically contractors coming in or is it
14 distributors and things like Home Depot and Lowe's and
15 places like that?

16 MR. HUEMPFNER: Contractors.

17 COMMISSIONER HUSKEY: Just contractors.

18 MR. HUEMPFNER: Yep. It's primarily
19 wholesale, not retail. And as you can see on the picture
20 there, typically the shingles are stacked in neat,
21 orderly rows so that forklifts can go in and out.

22 COMMISSIONER BOWERS: Are there any other
23 questions about these -- this evidence or for this
24 witness? Thank you, sir. We may call you back.

25 MR. HUEMPFNER: Okay. Thank you.

1 COMMISSIONER BOWERS: Is there anyone here
2 wishing to speak in favor? Anyone wishing to speak in
3 favor?

4 Anyone wishing to speak in opposition? Anyone?
5 Please state your name, your address and that you have
6 been sworn, and again, this is a 15-minute overall
7 conversation. We have a reduction for one speaker only.
8 Speak for three minutes, okay?

9 MS. APPELBAUM: Okay. Thank you. My name
10 is Elizabeth Appelbaum. I live at 689 Northview Drive,
11 and I've been sworn in.

12 COMMISSIONER BOWERS: Thank you.

13 MS. APPELBAUM: I have a couple questions
14 about what is a high-impact screen that you're discussing
15 and you outlined on the graph. I don't know what that
16 means. Can you explain?

17 The next thing I have is there was talk about a
18 buffer. There was no buffer originally put in when the
19 building was erected that's currently there. What are
20 they going to do to make the buffer a decent buffer this
21 time?

22 I also would like to address shingles. Shingles,
23 I believe, are a fire hazard, and I would like to know
24 what is -- what precautions they're taking so that it
25 doesn't go up in flames. I also want to know if these

1 are waste shingles, new shingles. And you did address
2 it. This is wholesale. That was another one of my
3 questions.

4 The last thing I have is we just had new culverts
5 put in for that drainage ditch that goes in the front of
6 the -- I guess the garden areas at the top. Those are
7 brand-new culverts that were put in for drainage. They
8 had originally collapsed not too long ago. Will they
9 hold the weight of these trucks that you're talking
10 about? Because we've had trouble with those culverts
11 collapsing, and at one point the road was completely shut
12 down and the residents couldn't -- could not exit Bentrup
13 Drive because the culvert just collapsed, so that is a
14 big concern about those culverts. And when they do
15 collapse, the water backs up, so that's another problem.
16 So I do want to know how they are going to address this
17 buffer. That's really important. And I'm finished.
18 Thank you.

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

21 COMMISSIONER ADKINS: No.

22 COMMISSIONER BOWERS: Thank you. Thank you.

23 MS. APPELBAUM: You're welcome.

24 COMMISSIONER BOWERS: Anyone else wishing to
25 speak in opposition? Anyone else wishing to speak in

1 opposition?

2 Will the petitioner please come forward to
3 address these concerns? Again, you have five-minute
4 rebuttal. I don't know if you -- Did you hear her list
5 of questions?

6 MR. HUEMPFNER: I did, yep, and the first
7 one regarding the culverts, the owner, Clayton, is here
8 with me. My understanding is that the culverts that
9 she's referring to are further up the road and not on
10 this property. Is that accurate?

11 UNIDENTIFIED AUDIENCE MEMBER: That's
12 correct.

13 MR. HUEMPFNER: So that's that one.
14 Regarding the buffer, the plan is to put a perimeter
15 fence around the entire property as well as a gate to
16 secure the property, and that's subject to city code and
17 whatever you guys want us to do. I believe we have
18 planned a seven-foot fence with screened-in slats to
19 cover the entire perimeter as far as a buffer, and then
20 whatever additional landscaping the City and County might
21 require.

22 And then thirdly, the shingles, the shingles are
23 all brand new, stacked in a neat, orderly fashion and
24 wrapped. To my knowledge, I don't know if they're a fire
25 hazard outside. I don't think they are, but I don't know

1 if sun can start shingles on fire. I don't know the
2 answer to that question, but I don't think they are. I
3 don't believe they're a fire hazard outside, being stored
4 outside. I guess that would be maybe a fire marshal
5 question if they are in fact, you know, flammable in the
6 sun, but I don't believe they are.

7 Did that accurately address your questions? Were
8 there any others?

9 COMMISSIONER BOWERS: Sir, please, you're
10 speaking to us. Are there any questions about -- From my
11 point, you covered all of her comments and her questions.
12 The -- You said it was a seven-foot-tall screened with
13 slats fencing, so it's -- you can't see through it? Is
14 that accurate on the --

15 MR. HUEMPFNER: Yeah, for the most part, and
16 we can provide a -- I think it's, yeah, a chain link slat
17 fence.

18 MS. KRISPIN: I'm going to chime in real
19 quick. High-end screening is six-foot privacy fence,
20 site proof, which is wood or opaque vinyl, with an
21 additional landscaping, but those screened-in slats
22 wouldn't be.

23 MR. HUEMPFNER: Okay.

24 COMMISSIONER BOWERS: And then any buffers
25 that they put in are going to have to be designed per

1 County and code.

2 MS. KRISPIN: Correct.

3 MR. HUEMPFNER: Okay.

4 COMMISSIONER BOWERS: Is there any other
5 questions?

6 COMMISSIONER SPARKS: I have one.

7 COMMISSIONER BOWERS: Okay. Mr. Sparks.

8 COMMISSIONER SPARKS: Just for peace of mind
9 and for -- the conversation about fire, you said this is
10 a company that does distribution all over the place, and
11 we saw one of the photos there that you admitted into
12 evidence. Has there been any history of fires with this
13 company and any remediation that had to be taken into
14 consideration if a fire did occur?

15 MR. HUEMPFNER: None to my knowledge, sir,
16 no.

17 COMMISSIONER SPARKS: Okay.

18 COMMISSIONER BOWERS: Any other questions?
19 Thank you, sir.

20 MR. HUEMPFNER: Okay. Thanks.

21 COMMISSIONER BOWERS: Discussion among
22 commissioners? If not, I'll entertain a motion to accept
23 or deny.

24 COMMISSIONER TUGGLE: I'll make a motion to
25 accept.

1 MR. CORDES: And that's approval with all of
2 the -- all three requested variances?

3 COMMISSIONER TUGGLE: Yes.

4 COMMISSIONER ADKINS: Second.

5 COMMISSIONER BOWERS: I have a motion to
6 accept PC23002 with all requested modifications made by
7 Commissioner Tuggle, seconded by Commissioner Adkins.
8 All those in favor say aye.

9 COMMISSION MEMBERS: Aye.

10 COMMISSIONER BOWERS: Opposed? Resolution
11 passes -- I'm sorry. The plan passes unanimously.

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1 COMMISSIONER BOWERS: Next item is an open
2 public hearing. This is regarding proposed amendments to
3 Title IV, Chapter 400 of the code of ordinances of
4 Jefferson County unified development order. Does staff
5 have any comments on this or do we need -- do you have
6 any --

7 MR. JUMP: I'm going to go through a little
8 presentation just to -- just a brief overview of what
9 we're proposing to change, that way you guys understand
10 it a little more in depth, if that's okay.

11 COMMISSIONER BOWERS: Thank you.

12 MR. JUMP: Yep. So we have some proposed
13 UDO amendments. I'm just going to kind of go through
14 them bit by bit. The last one is in relation -- The last
15 ones, I guess, are in relation to recreational marijuana
16 being approved in the state recently. So there's a lot
17 in that last bunch, so -- but it's all pretty broad
18 overview stuff.

19 The first ones are pretty -- first ones are
20 specific to sections of code, so we're just going to
21 start going through them. The first one is a revision to
22 Section 400.1180. It cleans up some -- a typographical
23 error that it changes it from what was said in the code
24 as substantially the same property to substantially the
25 same plan as a prior application, so that's just a

1 typographical error that we need to fix.

2 MR. CORDES: Yeah, and just -- the rest of
3 this action makes it very clear that this word should
4 have been "plan." It's just -- as Josh said, it's a
5 typographical error that we came across, so we need to
6 get that changed.

7 MR. JUMP: The next one -- well, the next
8 two are -- the next -- thank you -- the next two are to
9 some parts of our landscaping code. The first one is
10 Section 400.4650, which is the open space landscaping
11 requirement, and then the second one is to 400.4690,
12 which is the landscape requirement for islands. The
13 first one will encourage applicants to keep and preserve
14 mature trees on development sites. They will get a
15 one-for-one credit for trees preserved as opposed to the
16 current language that actually discourages tree
17 preservation, and what that means is that technically, if
18 they wanted to go cut down all the trees and then just
19 plant whatever the minimum requirements are, they could
20 do that. This allows them just to keep credit for the
21 open space landscaping trees and keeping mature trees on
22 property and providing for good buffers and stuff like
23 that.

24 The second reduces the threshold requiring
25 parking lot trees. This would require landscaping and

1 green space in parking lots and also help with stormwater
2 runoff. We reduce the -- The normal requirement was
3 50 spaces. We're going to drop that down to 30 spaces
4 when they have to put in landscaping islands is what's
5 being proposed, and that should help with a variety of
6 things.

7 And then sort of finally is the recreational
8 marijuana passage and our changing of ordinances to
9 address that. After the passage in November of '22 of an
10 amendment to the Missouri constitution, recreational
11 marijuana is now a constitutionally protected use.
12 Therefore, the medical designation is being removed from
13 all definitions, so everything that went through when we
14 adopted medical marijuana ordinances is now just being
15 changed to marijuana in general because of the passage of
16 the recreational marijuana constitutional amendment.

17 This also has impacts for our zoning matrix. We
18 took medical out of there as well, out of the usage
19 chart, and all marijuana uses have been reclassified as
20 permitted with conditions except those within planned
21 zone districts. Those will not change because they're
22 per approved plan. So that was the other -- that's the
23 change to our zoning matrix table.

24 The following sections are deleted in their
25 entirety, 400.3345 and 400.3350. These sections are

1 being deleted because the marijuana uses are being
2 reclassified as permitted with conditions and not as
3 conditional uses. Therefore, the conditional use
4 sections of the UDO need to be deleted. Relevant
5 conditions will be moved to the permitted with conditions
6 sections of the UDO. And that one's in there twice.

7 So they moved to permitted with conditions. This
8 kind of shows you the permitted with conditions chart on
9 what would be required to -- for those permitted with
10 conditions for marijuana facilities, and then these are
11 all the things that are being updated, or these are all
12 the conditions that are being struck out of the code
13 for -- these were part of the conditional use permit
14 process. There's two or three pages of this.

15 COMMISSIONER BOWERS: Just to be --
16 everything in red is being deleted, correct?

17 MR. JUMP: Is that correct?

18 MR. CORDES: No, it looks like these are
19 the -- yeah, these are the conditions. Once you get --

20 COMMISSIONER BOWERS: It has to be struck
21 through to be deleted.

22 MR. CORDES: Right.

23 MR. JUMP: I apologize. That's my mistake.

24 MR. CORDES: Yeah, so the items in 400.3345
25 and then 3350, those two sections go away and then you've

1 got these new sections of 400.3600 and 3610 that are --
2 they're essentially replacing those in a different
3 section of the code.

4 MR. JUMP: Got you. Yeah.

5 COMMISSIONER BOWERS: Thank you.

6 MR. JUMP: So these are all those new
7 sections being adopted. And that is the end.

8 COMMISSIONER BOWERS: Is there any questions
9 from staff on these changes that are being made? Is
10 there any recommendations?

11 This is a public hearing. Is anyone wishing to
12 speak in favor of these changes? Anyone wish to speak in
13 favor? Anyone wishing to speak in opposition?
14 Discussion amongst commissioners? If we're fine with
15 everything, I'll entertain a motion to accept them on
16 Section C, the resolution.

17 COMMISSIONER TUGGLE: Make a motion to
18 accept Section C.

19 MR. CORDES: That's Resolution 2-9-2023A.
20 Mr. Tuggle, that's what you want to do?

21 COMMISSIONER TUGGLE: Yes.

22 COMMISSIONER ADKINS: Second.

23 COMMISSIONER BOWERS: Have a motion made by
24 Commissioner Tuggle to accept Resolution 2.9.2023A,
25 seconded by Commissioner Adkins. All those in favor say

1 aye.

2 COMMISSION MEMBERS: Aye.

3 COMMISSIONER BOWERS: Opposed? Resolution
4 passes unanimous.

5 SECRETARY ROESCH: I usually do a roll call
6 vote on this.

7 MR. CORDES: Oh, yeah, you're -- because --
8 yeah, Ms. Roesch is going to have to fill in these, so,
9 yeah, if you could --

10 COMMISSIONER BOWERS: Madam Secretary, could
11 you please do a roll call?

12 SECRETARY ROESCH: Commissioner Tuggle.

13 COMMISSIONER TUGGLE: Yes.

14 SECRETARY ROESCH: Commissioner Bowers.

15 COMMISSIONER BOWERS: Yes.

16 SECRETARY ROESCH: Commissioner Sparks.

17 COMMISSIONER SPARKS: Yes.

18 SECRETARY ROESCH: Commissioner Adkins.

19 COMMISSIONER ADKINS: Yes.

20 SECRETARY ROESCH: Commissioner Huskey.

21 COMMISSIONER HUSKEY: Yes.

22 SECRETARY ROESCH: Thank you.

23 COMMISSIONER BOWERS: That passes unanimous.

24 Okay. Next, under reports to the commission?

25 MR. JUMP: Yes. We do not have a second

1 February meeting, but we will have a meeting in the first
2 meeting of March, March 9th, so just wanted to make you
3 aware of that.

4 COMMISSIONER ADKINS: Thank you.

5 COMMISSIONER BOWERS: Any other comments,
6 questions? Is there any citizens wishing to be heard?
7 No citizens wishing to be heard?

8 MR. JUMP: Hold on.

9 MR. LARSON: Not as a citizen, but I'm just
10 going to get up to the podium. Good evening. So a few
11 of you may know that we're doing a master plan, or all of
12 you may know we're doing a master plan, but we've got
13 some meetings coming up next week that I wanted to
14 personally invite you to. Going to go ahead and leave
15 you each a little flyer here, and it's easier for me to
16 talk here than to be stuck over there, so that's why I
17 went ahead and did that. So I will hand these out to you
18 this evening. You're all welcome, and we're moving
19 forward on the master plan, which is a great thing. It's
20 been about a seven-and-a-half-, eight-year process. So
21 thank you. That's all I have at this point, and I will
22 hand these out to you gentlemen this evening.

23 COMMISSIONER BOWERS: Thank you, sir. That
24 being said, I'll entertain a motion to adjourn.

25 COMMISSIONER ADKINS: Motion to adjourn.

1 COMMISSIONER SPARKS: Second.

2 COMMISSIONER BOWERS: Have a motion made by
3 Commissioner Adkins, seconded by Commissioner Sparks, to
4 adjourn. All those in favor say aye.

5 COMMISSION MEMBERS: Aye.

6 COMMISSIONER BOWERS: Opposed? Passing is
7 unanimous. Meeting is adjourned.

8 (Meeting adjourned at 7:09 p.m.)

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

3

4 I, KAREN WAUGH, a Certified Shorthand Reporter
5 in and for the State of Missouri, DO HEREBY CERTIFY that
6 I was present at Jefferson County Administration Center,
7 Hillsboro, Missouri, on February 9, 2023, and did record
8 the aforesaid proceedings; that same was taken down in
9 shorthand by me and afterwards transcribed, and that the
10 above and foregoing is a true and correct transcript of
11 said proceedings.

12 IN WITNESS WHEREOF I have hereunto set my hand
13 this 13th day of February, 2023.

14

15 *Karen Waugh*
16

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

18 Missouri CCR #1009

19

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