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Planning & Zoning Meeting

February 9, 2023

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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

1

EXHIBITS

2

3	Exhibit	Description	Identified
4			
5	Exhibit A	Official Master Plan for Jefferson County, MO	Page 9
6	Exhibit B	Jefferson County Code of Ordinances - Chapter 400 Unified Development Order	Page 9
7			
8	Exhibit C	Planning Division Staff Report and Respective Case File	Page 9
9			
10	Exhibit D	Site photo	Page 18
11			

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13 (Exhibits retained by Counsel.)

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1            JEFFERSON COUNTY PLANNING AND ZONING COMMISSION  
2        MEETING AND PUBLIC HEARING, February 9, 2023, between the  
3        hours of 6:30 in the evening and 7:09 in the evening of  
4        that day, at the Jefferson County Administration Center,  
5        729 Maple Street, Hillsboro, Missouri, 63050, before  
6        Karen Waugh, CCR, RPR, CRR, RMR.

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9            APPEARANCES

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11            PLANNING AND ZONING COMMISSION:

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13        Danny Tuggle  
14        Greg Bowers  
15        Johnathan Sparks  
16        Larry Adkins  
17        Mike Huskey

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21            PLANNING DIVISION STAFF:

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23        Josh Jump  
24        Rachel Krispin  
25        Elaine Roesch

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27            ASSISTANT COUNTY COUNSELOR:

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29        Jason Cordes

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1                   IT IS HEREBY STIPULATED AND AGREED by and  
2    between the parties that this meeting may be taken in  
3    shorthand by 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-feet 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 Huempfner. 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.

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 )  
2 COUNTY OF ST. LOUIS ) SS

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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

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