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Planning & Zoning Meeting

October 12, 2023

Jefferson County, Missouri

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

October 12, 2023

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 11
5	Exhibit B	Jefferson County Code of Ordinances - Chapter 400 Unified Development Order	Page 11
6	Exhibit C	Planning Division Staff Report and Respective Case File	Page 11
7	Exhibit D	Signed Petition (PI23046)	Page 18
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11			
12	[Exhibits retained by Counsel.]		
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1 JEFFERSON COUNTY PLANNING AND ZONING
2 COMMISSION MEETING AND PUBLIC HEARING, October 12,
3 2023, between the hours of 6:30 in the evening and
4 7:06 in the evening of that day, at the Jefferson
5 County Administration Center, 729 Maple Street,
6 Hillsboro, Missouri 63050, before Jennifer M. Jett,
7 MO-CCR.

8

9 A P P E A R A N C E S

10

11 PLANNING AND ZONING COMMISSION:

12

13 Larry Adkins
14 Greg Bowers
15 Johnathan Sparks
16 Jeffrey Spraul
17 Danny Tuggle

18

19 PLANNING DIVISION STAFF:

20

21 Dennis J. Kehm, Jr.
22 Josh Jump
23 Rachel Krispin
24 Elaine Roesch

25

26 COUNTY COUNSELOR:

27

28 Jason Cordes
29 Jalesia "Jasha" Kuenzel

30

31 DIRECTOR OF COUNTY SERVICES:

32

33 Mitch Bair

34

35

36

37

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 for citizens and
10 other interested parties to provide the Commission
11 and, 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 recommendation 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. Those forms are located on the side of the
19 room. It is important that speakers place the agenda
20 item number on this form so that an accurate record
21 can be maintained. You are also required to print
22 your name and address and then sign this form. When
23 the chairman asks if anyone is in attendance wishing
24 to speak on the specific application, those wishing to
25 provide comments are required to come forward, provide

1 their name and address, and address their comments to
2 the Planning and Zoning Commission.

3 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. Members of the Planning and
9 Zoning Commission may question any speaker. The
10 Commission will not tolerate verbal outbursts or
11 disruptions from the audience nor will this Commission
12 tolerate personal or abusive attacks towards county
13 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. The
21 chairman will then call the petitioner, the party that
22 submitted the application.

23 The petitioner -- excuse me. The
24 petitioner may call additional individuals, generally
25 supporting consultants, and is allowed a ten-minute

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

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

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

1 subtracted from the 20 minutes.

2 Because time is limited, we strongly
3 recommend the speakers be prepared and know the facts
4 regarding the application. We recommend that you
5 avoid repetition. If you're part of a larger group,
6 we suggest that you designate a spokesperson to
7 provide comments for the group. The speaker may
8 acknowledge that he or she represents a larger group.

9 This will be the sole public hearing before
10 a public body regarding the application. The
11 petitioner will then have five minutes to respond to
12 issues raised during the comment period. The
13 Commission may further question the petitioner. Time
14 used to respond to the questions from the Commission
15 will not count against any time allocation.

16 After closure of the comment period, the
17 Commission will then deliberate on the application.
18 The Commission may direct additional questions to the
19 staff or it may direct -- proceed directly to
20 considering the application. Decisions of the
21 Planning and Zoning Commission will be forwarded to
22 the County Council for final action. Final action by
23 the County Council will generally take the form of an
24 ordinance approving the application or a resolution
25 denying the application. In most instances there will

1 be no further public hearing before the County
2 Council.

3 Madam Secretary, I call this meeting to
4 order. Madam Secretary, will you please take roll?

5 MS. ROESCH: Danny Tuggle.

6 COMMISSIONER TUGGLE: Here.

7 MS. ROESCH: Greg Bowers.

8 COMMISSIONER BOWERS: Here.

9 MS. ROESCH: Johnathan Sparks?

10 COMMISSIONER SPARKS: Here.

11 MS. ROESCH: Larry Adkins.

12 COMMISSIONER ADKINS: Here.

13 MS. ROESCH: Jeffrey Spraul.

14 COMMISSIONER SPRAUL: Present.

15 MS. ROESCH: Tim Dugan.

16 Jessie Scherrer.

17 Mike Huskey.

18 We have a quorum.

19 COMMISSIONER BOWERS: Thank you.

20 There is a note that on the agenda we
21 removed PP23043. I will need approval for the agenda
22 with this change made.

23 COMMISSIONER ADKINS: Move to approve.

24 Motion to approve.

25 COMMISSIONER TUGGLE: Second.

1 COMMISSIONER BOWERS: Motion was made by
2 Commissioner Adkins to approve the amended agenda;
3 seconded by Commissioner Tuggle.

4 All those in favor say aye.

5 COMMISSION: Aye.

6 COMMISSIONER BOWERS: Opposed?

7 Passes unanimous.

8 Approval of minutes. Are there any changes
9 to the minutes?

10 If not, I'll entertain a motion.

11 COMMISSIONER ADKINS: Motion to approve.

12 COMMISSIONER TUGGLE: Second.

13 COMMISSIONER BOWERS: I have a motion to
14 approve the minutes by Commissioner Adkins; seconded
15 by Commissioner Tuggle.

16 All those in favor say.

17 COMMISSION: Aye.

18 COMMISSIONER BOWERS: Opposed?

19 Approval of the minutes passes unanimous.

20 Swearing in of the witnesses.

21 MR. KEHM: Thank you very much.

22 Once again, everyone, thank you for coming
23 out tonight. If you are going to be speaking about
24 the case that is on the agenda this evening, your
25 testimony actually becomes part of the official record

1 for that case; therefore, your testimony does need to
2 be sworn. Rather than swear people in individually,
3 we do it all at once here at the beginning of the
4 meeting.

5 So if you're going to be talking, speaking,
6 testifying regarding the case tonight, even if you are
7 thinking about doing it, please do go ahead and stand
8 up right now, and once you do that raise your right
9 hand and the commission secretary will swear you in.

10 [Witnesses sworn by Secretary Roesch.]

11 MR. KEHM: Thank you very much. You can
12 have a seat.

13 Again, when it is your turn to speak, the
14 chair of the Commission will recognize you. You'll
15 head on up towards the front of the room, hand your
16 speaker slip to one of the planners here, then head on
17 over to the podium. You'll need to state your name;
18 you'll need to state your address; and you'll need to
19 state that you've been sworn in and then you can begin
20 your remarks to the Commission.

21 COMMISSIONER BOWERS: Thank you.

22 Introduction of evidence.

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

24 The county would ask that the following
25 exhibits be entered into the record for the one case

1 to be heard by the Planning and Zoning Commission this
2 Thursday, October 12, 2023. Those exhibits are
3 Exhibit A, the Official Master Plan for Jefferson
4 County, Missouri, which was adopted on August the 6th,
5 2003, and was made effective on April the 2nd, 2008.
6 Exhibit B, the Code of Ordinances of Jefferson County,
7 specifically, Chapter 400 of that code; that would be
8 the Unified Development Order which was adopted on
9 April the 2nd, 2008, and has been amended numerous
10 times since then. And, finally, Exhibit C, which is
11 the staff report and the case file for the one case to
12 be heard by you this evening.

13 COMMISSIONER BOWERS: Thank you, sir.

14 I'll entertain a motion to accept the
15 evidence.

16 COMMISSIONER ADKINS: Motion to accept.

17 COMMISSIONER TUGGLE: Second.

18 COMMISSIONER BOWERS: I have a motion to
19 accept the evidence by Commissioner Adkins; seconded
20 by Commissioner Tuggle.

21 All those in favor say aye.

22 COMMISSION: Aye.

23 COMMISSIONER BOWERS: Opposed?

24 Introduction of evidence passed unanimous.

25

1 COMMISSIONER BOWERS: Under considerations
2 under new business: PI23046, it's a request for a
3 revised development plan for Dalton Lawn and Landscape
4 and a parcel located in High Ridge Township, Council
5 District No. 1.

6 And, Ms. Krispin.

7 MS. KRISPIN: Thank you.

8 This is PI23046. The petitioner is
9 requesting revised development plan approval for
10 Dalton's Lawn and Landscape. The subject property is
11 located at 115 TRW Industrial Court in High Ridge and
12 is roughly 1.53 acres in size. The site is currently
13 undeveloped and is part of an industrial subdivision.

14 This is a look at the zoning map. The
15 property outlined in red is the subject property zoned
16 PI, planned industrial, as well as to the east. This
17 is -- the other parcel is located in the industrial
18 subdivision. Across State Route 30 is single-family
19 residential R10. And then to the south and west is
20 nonplanned community commercial.

21 This is a look at the topography map. The
22 property is fairly flat and then you can see there
23 existing vegetation in between the property and
24 Highway 30 and then you can see where TRW accesses
25 Gravois Road.

1 These are photos from the subject property.
2 This is taken of TRW Industrial Court looking out
3 towards Gravois and then this is the exact opposite
4 point of view. This is up by Gravois looking down at
5 the industrial subdivision.

6 These are photos of existing development on
7 parcels within the subdivision and then this is a
8 picture of the subject property.

9 So for some background: This industrial
10 subdivision was approved in 2015 and this is the plan
11 that was adopted. These -- where these two buildings
12 are right now on the plan, that is the subject
13 property. And so the petitioner is now proposing one
14 building instead of two that was previously approved
15 and has come forward to seek allowance for outdoor
16 storage because under this plan that was adopted
17 outdoor storage was prohibited.

18 This is the revised development plan.
19 Couple things to go over: There is one access point
20 from TRW Industrial Court. There is a proposed 3,200
21 square foot building consisting of office and garage
22 space in the northeast corner of the property. Five
23 parking spaces, one being ADA compliant. There are
24 two overseas shipping containers proposed for the
25 property. And then this whole northwest portion in

1 this area is where the outdoor storage is proposed.
2 There are six concrete bins proposed along the
3 southern property line and then, also, pavement is
4 proposed from the access point back to the building.
5 So right here is pavement; the rest of this is the
6 gravel outdoor storage.

7 For the analysis: The subject property is
8 located in the primary growth area of the Official
9 Master Plan. The petitioner is seeking a revised
10 development plan for the subject property to allow
11 outdoor storage of equipment and materials. Under the
12 current approved plan no outdoor storage is allowable.
13 The subject property is located in an area where there
14 is a large presence of commercial and industrial uses.
15 The development plan shows one building in the
16 northeastern portion of the property.

17 In addition, stormwater detention was
18 constructed at the time of the creation of the
19 subdivision. The petitioner must comply with the
20 existing detention system.

21 The development does not appear to have any
22 features that would impede the normal and orderly
23 development and improvement of the surrounding
24 properties; however, it must be noted that this lot
25 was approved as part of an industrial subdivision.

1 All other lots within the subdivision have the same
2 restriction against outdoor storage. Allowing this
3 lot to be modified to allow for outdoor storage would
4 be out of character with the remainder of the
5 subdivision and would interrupt the uniformity of what
6 was comprehensibly approved with the development.

7 Staff included conditions of approval. The
8 first one being no outdoor storage or occupancy of the
9 site is permitted until the building is constructed
10 and occupancy is issued by the Jefferson County Code
11 Enforcement Division. The second one being shipping
12 containers require building permits by code
13 enforcement. Third one: Existing tree mass along the
14 northern property line shall remain undisturbed. Next
15 one: A 6-foot tall, sight-proof fence that meets UDO
16 standards shall be installed between the paved parking
17 lot and the area identified as gravel outdoor storage.
18 Next: Inventory and materials and vehicles stored in
19 the gravel storage area shall be stored in an orderly
20 fashion. And, lastly, no solid waste of any kind may
21 be kept, parked, or stored on the property.

22 And for your consideration tonight a
23 revised development plan for Dalton's Lawn and
24 Landscape. And I'll be happy to answer any questions.

25 COMMISSIONER BOWERS: Is there any

1 questions of staff?

2 Barring none, is the petitioner present?

3 Please come forward. Please state your
4 name, your address, and state that you have been
5 sworn. And as a reminder, you will have ten minutes
6 for a presentation.

7 MR. LAY: All right. My name is Dalton
8 Lay. I want to say I live at 1235 Green Knoll Drive
9 in Fenton, Missouri, and I have been sworn in.

10 COMMISSIONER BOWERS: Thank you.

11 MR. LAY: I want to say I -- obviously, the
12 owner of Dalton's Lawn Landscaping. I started it when
13 I was in high school, became an LLC in 2018, have
14 pretty much grown everything by myself and the help of
15 my parents. And this is the first purchase of
16 property to try and grow and, I guess, kind of
17 legitify (sic) the company. The goal is to continue
18 to grow the company, employ numerous additional
19 people. And I'm kind of at the point now where I'm
20 unable to do anything without having space to grow and
21 do so.

22 When I had first reached out about
23 purchasing the property, I had full intentions of
24 doing a building to start. Having researched into the
25 building, it was about one to 1 1/2 million dollars

1 for what I would like; at the time, being 22 and even
2 now 23, that's a little too much for me to jump the
3 gun with. So really wanting to kind of use this lot
4 to slowly grow. Would, ideally, want to start with
5 something a bit smaller and kind of grow and
6 build onto the 3,200 square foot building that's in
7 the blueprint today.

8 I have actually spoken with all of the
9 surrounding neighbors, was able to get a petition
10 signed by all adjacent properties. The one property
11 in the subdivision that is not adjacent to the lot as
12 well as speaking with numerous neighbors across the
13 street, I've got their signatures -- I wasn't sure if
14 I should hand that over to you guys or anything -- but
15 everybody was in favor and is fully onboard with my
16 proposed plan. Actually, I'm --

17 COMMISSIONER BOWERS: Let me stop you right
18 there. Do you want to enter that into evidence?

19 MR. LAY: Yeah, if I could. Yeah. Where
20 do I --

21 COMMISSIONER BOWERS: Okay. We're gonna
22 hang out --

23 MR. LAY: Okay.

24 COMMISSIONER BOWERS: We're gonna stop for
25 one second and then they'll -- exhibit?

1 MR. KEHM: D.

2 COMMISSIONER BOWERS: Okay. Entertain a
3 motion to accept Exhibit D into evidence.

4 COMMISSIONER TUGGLE: I make a motion to
5 accept Exhibit D.

6 COMMISSIONER ADKINS: Second.

7 COMMISSIONER BOWERS: Commissioner Tuggle
8 has made the motion to accept -- accept Exhibit D;
9 seconded by Commissioner Adkins.

10 All those in favor say aye.

11 COMMISSION: Aye.

12 COMMISSIONER BOWERS: Opposed?

13 Exhibit D passes unanimous.

14 Is it okay for him to continue?

15 Go ahead.

16 MR. LAY: All right. So, yeah, I want to
17 say, I guess, backtracking a little bit from the first
18 time that I had gone to the property I had spoken with
19 all of the neighbors starting with the very first
20 proposed plan of a 60-by-140 foot structure. They
21 were all fully onboard with that. Having researched
22 into actually building, that is the large reason for
23 downsizing to the current size that's on the plan
24 today.

25 In addition to that, I want to say, we have

1 -- I want to say we've got the two shipping crates and
2 everything on there. The main focus is to just kind
3 of use it as a way to move everything into a single
4 location starting off. I'm currently storing my stuff
5 at four different locations: My house, parents'
6 house, grandparents' house, bought a storage unit
7 which on average we spend about an hour and a half per
8 day there or per day picking up, dropping stuff off, a
9 major inconvenience. So being able to just utilize
10 the land right away is going to put me in a position
11 to save up capital in order to build the building.

12 And then I guess the other thing that I
13 would want to mention is kind of going on the privacy
14 fences. The UDO requirement does state that it would
15 need to be an opaque vinyl or a wooden privacy fence;
16 however, my neighbor at 111 TRW, I don't recall the
17 date, it was through the builder, the county had
18 required them to install privacy fence preventing the
19 school district from looking into the parking lot. In
20 that situation, they found privacy slats to be
21 acceptable; however, that is not the case for me so
22 I'd like to petition for having an equal allowance in
23 using privacy fences.

24 I do have some pictures of the neighbor's
25 privacy fence as well as some that we have currently

1 installed at 115 TRW. Am I able to give you virtual
2 pictures or would it all have to be print-offs?

3 MR. CORDES: Rachel, was there a formal
4 petition made as part of the application for any kind
5 of variance from the fencing standard?

6 MS. KRISPIN: No.

7 MR. CORDES: Okay. So I understand and I
8 can appreciate your pos -- or position, sir, let me --
9 I'm getting a little tongue-tied here, but we can't
10 allow a -- a request for a variance to be made on the
11 fly here tonight. And the reason for that is that,
12 obviously, this is a public hearing that's been
13 noticed up and notice is given to the surrounding
14 neighbors, notice is given to the public, right, of
15 what these gentlemen are going to hear tonight.

16 MR. LAY: Uh-huh.

17 MR. CORDES: And, obviously, that wouldn't
18 have included any notice that you might be seeking
19 some kind of variance from, you know, the fencing
20 standards, right. So you have two options at this
21 point 'cause a fencing variance is not in front of
22 these gentlemen tonight. So you can either proceed
23 with your application as stated which, again, does not
24 include any request for any deviation from the fencing
25 standards or if you want to withdraw and resubmit and

1 seek that condition, you have that option but that's a
2 decision you're going to have to make.

3 MR. LAY: Okay. Thank you for the
4 information. I'll just proceed as is then.

5 So it's still kind of same question except
6 with property 123 TRW which is adjacent to 115 TRW,
7 that is the property that separates 115 from Gravois
8 Road. I do have pictures of that lot which has a ton
9 of just kind of neglected outside storage and
10 everything. So I guess am I able to -- how would I
11 submit virtual pictures?

12 COMMISSIONER BOWERS: I guess my question
13 is is this something that you need to show for -- for
14 us to render a decision on the case before us?

15 MR. LAY: Yeah, because, honestly, it all
16 ties into the outside storage prohibition (sic) so
17 being that they have a bunch of vehicles or to kind of
18 state equipment, material, and inoperable vehicles on
19 the lot which is actually acting, essentially, as a
20 privacy buffer in some ways between people that would
21 be transporting on the road and what you could see at
22 my lot.

23 I did believe that that was part of the
24 subdivision but in the -- earlier in this meeting
25 learned that that was not part of this subdivision

1 even though it's in the circle there. But I do feel
2 that is relevant being that we are adjoining
3 properties and it has been that way for many years
4 from what I've been told and is just, yeah, it's a bit
5 rough looking.

6 MR. KEHM: So let me clarify that. The lot
7 that he's talking about is 100 percent not a part of
8 this subdivision. This industrial subdivision was
9 approved, basically what you see on your screen,
10 everything in purple, all as one unified development
11 plan including the -- the lots for industrial uses.
12 As part of that approval, there were common conditions
13 and restrictions placed against all of those lots
14 including a prohibition against outside storage on any
15 of them.

16 So think of it as any other type of
17 subdivision; there are typically common requirements
18 that apply to all lots equally so that prohibition was
19 placed against all of those lots. Now, this gentleman
20 is here just talk -- tonight to ask you about the lot
21 you see outlined in red there. But the lot that he is
22 speaking of with the equipment, which is that one
23 there, right below his or south of his, was not a part
24 of that development plan, was not a part of that
25 subdivision. The Commission and the -- ultimately,

1 the County Council had no authority to place
2 restrictions or conditions on it because it was not
3 subject to any type of petition before it.

4 So, I mean, you know, the question isn't,
5 well, because that guy did it, can he. The question
6 tonight is should you allow this one lot to be treated
7 differently than all of the other lots within the TRW
8 industrial subdivision.

9 COMMISSIONER BOWERS: Is there any
10 questions on that from -- about that?

11 THE WITNESS: All right. I do have my
12 engineer Lenny here, would like to have him step in
13 for me to speak a little bit.

14 COMMISSIONER BOWERS: You've still got --

15 MR. MEERS: Yep.

16 COMMISSIONER BOWERS: You've still got
17 about five minutes.

18 MR. MEERS: Yep. I'm Lenny Meers with
19 Grimes Consulting Engineers, 12300 Old Tesson Road,
20 St. Louis, Missouri. I have been sworn in.

21 I just wanted to speak to and kind of
22 clarify, I think, besides the slats which we
23 understand would be a -- and understand that situation
24 now, at least I do. But the other thing that we -- he
25 would like relief from was one of the conditions of

1 approval for that privacy fence to put it between the
2 parking lot and his gravel storage interior of his
3 development which doesn't work for his -- his interior
4 operations of getting back and forth between the
5 buildings, moving his equipment back and forth when
6 his intent is to put privacy around the whole
7 perimeter so you won't even be able to see into that
8 interior if he's got privacy around the exterior of
9 the site so we would like relief from that condition.
10 It's just -- it would just be not having that interior
11 privacy fence.

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

14 Is that int -- the interior privacy fence
15 part of these conditions that staff has set forth?
16 Can we --

17 MS. KRISPIN: Yes, they are --

18 COMMISSIONER BOWERS: And can you -- and
19 point out which -- which letter it is?

20 MR. MEERS: It's Item D.

21 MR. CORDES: Yeah, it's D on page 9.

22 COMMISSIONER BOWERS: D?

23 MR. MEERS: Yeah.

24 COMMISSIONER BOWERS: All right. Thank
25 you.

1 MR. MEERS: And I would be happy to answer
2 any other specific site/engineering type questions. I
3 think Dalton's done a good job of explaining his --
4 his service and what he plans to use it for.

5 COMMISSIONER BOWERS: And is there any
6 other -- any questions for this witness about this?

7 Thank you.

8 Did you want to mention anything else or
9 are you good?

10 MR. LAY: I'm good, yeah.

11 COMMISSIONER BOWERS: Okay. Is there any
12 citizens -- citizens wishing to speak that are in
13 favor of this application?

14 Any people wishing to speak that are in
15 favor?

16 Anyone wishing to speak in opposition to
17 this application?

18 Anyone in opposition?

19 Do you have anything else to say?

20 MR. LAY: Nope.

21 COMMISSIONER BOWERS: Discussion among
22 commissioners?

23 COMMISSIONER TUGGLE: Yeah. Yeah, I do.
24 I'm familiar with this area. There is quite a bit of
25 this equipment sitting around that's derelict. I know

1 it's in a different division where he's at but this
2 whole area has turned into a -- nothing but warehouses
3 and that's what it's going to be.

4 Now, you -- I have one question, he said
5 the neighbors, so can I ask -- he mentioned the
6 neighbors.

7 COMMISSIONER BOWERS: Absolutely, yeah. He
8 mentioned neighbors, yes.

9 COMMISSIONER TUGGLE: What neighbors was
10 that?

11 Was that residents?

12 MR. LAY: Yeah. So I want to say, I guess,
13 would you be able to go back to the zoning map?

14 I think that would show it a bit better.
15 Yeah, so I want to say it was both neighbors on the
16 right-hand side in the purple there so, yeah, I want
17 to say, I guess, directly on the east side of my
18 property. I had spoken with the neighbor on the south
19 side as well as the western side that's all adjacent.
20 It has been about a -- two months or so ago but two
21 properties on the western side of my lot, I had spoken
22 with him. He is another landscape company in the
23 middle of building there, Going Green Lawn Care.

24 And then across Gravois, I believe it would
25 be the purple one in the bottom right of that picture,

1 Pro Packaging (sic), he was the other one that I was
2 able to get to sign. And then I did speak with four
3 of the six properties on the other side of Gravois
4 moving western. None of the property owners were
5 there but I did speak with a handful of the employees
6 and they really, honestly, didn't care about it.

7 But, yeah, I want to say it was all -- all
8 three adjacent properties on the signature. The
9 fourth one or the third one in the subdivision and
10 then bottom right Pro Packaging, that's kind of
11 catty-corner on the bottom right of that picture
12 there.

13 COMMISSIONER BOWERS: Thank you.

14 Commissioner Tuggle?

15 COMMISSIONER TUGGLE: Well, so what I'm
16 seeing here is that this whole area is kind of
17 blighted with the way it's already set up and it's too
18 late to stop what's been going on. I know there's --
19 across the street there's some storage units, trailers
20 and that kind of stuff that just went in not too long
21 ago so I don't really remember too many homes there.

22 I don't think there's any; is there?

23 MR. LAY: Very few.

24 COMMISSIONER TUGGLE: Maybe one?

25 MR. LAY: Yeah, one, and that's actually

1 directly across the street, which I had spoken to the
2 employees and they said they really don't care but she
3 never shows up so I'm welcome to call her but a phone
4 call doesn't result in a signature so I did not make
5 it that far.

6 And then there is another lawn care company
7 about half a mile down, Lawn Groomers. And then if
8 you continue to work east down the road, you've got
9 two different auto body shops with vehicles
10 everywhere. I mean, there is more vehicles parked
11 everywhere than buildings.

12 COMMISSIONER BOWERS: Thank you.

13 Any other discussions?

14 COMMISSIONER SPARKS: Can I ask the
15 petitioner just a question?

16 MR. LAY: Yes.

17 COMMISSIONER SPARKS: So this was initially
18 in 2015, a proposal with the buildings, right?

19 MR. LAY: Uh-huh.

20 COMMISSIONER SPARKS: So it's been eight
21 years since that first inception, right?

22 MR. LAY: Correct. And the lot has
23 remained --

24 (Overlapping conversation.)

25 COMMISSIONER SPARKS: So --

1 MR. LAY: -- vacant since.

2 COMMISSIONER SPARKS: So in eight years,
3 your company has not achieved enough assets to build
4 those buildings?

5 MR. LAY: Oh, sorry. We closed on
6 purchasing the property October 22nd --

7 (Overlapping conversation.)

8 COMMISSIONER SPARKS: Oh, purchased the
9 property first. Okay.

10 MR. LAY: -- 2022.

11 COMMISSIONER SPARKS: Okay. So you didn't
12 have the property in 2015?

13 MR. LAY: Correct, yes.

14 COMMISSIONER SPARKS: Okay. I'm just
15 trying to get a timeline of, you know, things.

16 MR. LAY: Yeah. I'm ten days short of
17 one year of owning it.

18 COMMISSIONER SPARKS: All right. That's
19 the only question I have.

20 COMMISSIONER BOWERS: Any other --

21 COMMISSIONER TUGGLE: No.

22 COMMISSIONER BOWERS: -- discussions?

23 I'll entertain a motion. So before us is
24 the application and I think we need to address the
25 terms and the conditions of the approval of this.

1 I'll entertain a motion to approve or deny.

2 COMMISSIONER SPRAUL: I'll make a motion to
3 approve.

4 MR. CORDES: And that's with all the staff
5 conditions?

6 COMMISSIONER SPRAUL: With the staff
7 conditions and, also, with the petitioner's request
8 not to have the fence along the inside.

9 MR. CORDES: So that would be -- that would
10 be without condition D then.

11 COMMISSIONER SPRAUL: Without Condition D.
12 I apologize.

13 MR. KEHM: So let me ask for further
14 clarification because are you saying that was based on
15 his assertion that he was going to put up sight-proof
16 fencing around the entire perimeter?

17 COMMISSIONER SPRAUL: Around the entire
18 thing but not having it subdivided with the --

19 MR. KEHM: We just need to make sure that
20 that gets in the requirements because the development
21 plan does not depict that.

22 COMMISSIONER SPRAUL: Okay.

23 MR. KEHM: But I would agree -- I would
24 agree with you.

25 COMMISSIONER SPRAUL: Right. No, that's

1 what I -- that's what I wanted to say but said poorly.

2 MR. CORDES: So without Condition D but
3 with the requirement for sight-proof fencing around
4 the perimeter?

5 COMMISSIONER SPRAUL: The entire perimeter.

6 MR. CORDES: All right.

7 COMMISSIONER TUGGLE: I'll second that.

8 COMMISSIONER BOWERS: Have a motion -- have
9 a motion made by Commissioner Spraul to approve
10 PI23046 with the removal of Condition D on the staff
11 reports but requiring sight-proof fence on the
12 perimeter.

13 All those in favor say aye.

14 COMMISSION: Aye.

15 COMMISSIONER BOWERS: Opposed?

16 COMMISSIONER SPARKS: Nay.

17 COMMISSIONER BOWERS: Madam Secretary, will
18 you please roll call?

19 MS. ROESCH: Danny Tuggle.

20 COMMISSIONER TUGGLE: Yes.

21 MS. ROESCH: Greg Bowers.

22 COMMISSIONER BOWERS: Yes.

23 MS. ROESCH: Larry Adkins.

24 COMMISSIONER ADKINS: Yes.

25 MS. ROESCH: Johnathan Sparks.

1 COMMISSIONER SPARKS: No.

2 MS. ROESCH: Jeffrey Spraul.

3 COMMISSIONER SPRAUL: Yes.

4 MS. ROESCH: Motion carries.

5 COMMISSIONER BOWERS: I have a motion -- I
6 have the motion carrying. PI23043 (sic) passed.

7 Thank you.

8 MR. LAY: Thank you.

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1 COMMISSIONER BOWERS: Being no further
2 business, reports to the Commission.

3 MR. KEHM: We have no second meeting in
4 October so our next meeting will be November the 16th.
5 I will tell you, as of today, we don't have anything
6 scheduled for that agenda yet and we really don't know
7 of anything that we're expecting to come in by then,
8 not that something won't.

9 Typically, we have you all approve your
10 schedule for meeting dates for the next year. We
11 usually do that at our December meeting; however, we
12 were going to try and get that done at the November
13 meeting this year. I will tell you as spoilers that
14 they're the same meeting dates that we have every
15 year, the second and fourth Thursdays of every month.

16 We are changing around some submission
17 deadlines in our office so we're kind of moving those
18 up to give us a little bit more time to get reports to
19 you all and things like that. I had hoped to get
20 those approved at that November meeting; however, I
21 don't believe if that's the only thing we have on the
22 agenda we're going to have you guys come down here for
23 a, you know, five-minute calendar approval.

24 What we will do, as soon as we get the
25 schedule finalized, we'll send you guys all a copy of

1 it so you can take a look at it. Again, remember,
2 it's always the second and fourth Thursdays of every
3 month with the exceptions of November and December
4 where we pick whichever Thursday is closest to the
5 middle of the month. I think next year it's like
6 November 14th and December --

7 MS. ROESCH: The 19th.

8 MR. KEHM: -- 19th or something like that
9 but we'll get those out to you. So, you know, we'll
10 -- we'll, obviously, keep you posted on whether we're
11 going to have that November 16th meeting or not. If
12 not, we'll see you guys in December. That's all I
13 got.

14 COMMISSIONER BOWERS: Thank you, sir.

15 Any citizens wishing to be heard?

16 Citizens wishing to be heard?

17 If not, thank you.

18 I'll entertain a motion to adjourn.

19 COMMISSIONER ADKINS: So moved.

20 COMMISSIONER TUGGLE: Second.

21 COMMISSIONER BOWERS: I have a motion made
22 by Commissioner Tuggle; seconded by Commissioner
23 Adkins to adjourn.

24 MR. CORDES: I had that the other way
25 around.

1 COMMISSIONER BOWERS: I'm sorry.

2 COMMISSIONER ADKINS: That was the other
3 way around.

4 COMMISSIONER BOWERS: I'm sorry. It was
5 Adkins?

6 COMMISSIONER ADKINS: Yeah.

7 COMMISSIONER BOWERS: Motion to adjourn by
8 Commissioner Adkins; seconded by Commissioner Tuggle.

9 All those in favor say aye.

10 COMMISSION: Aye.

11 COMMISSIONER BOWERS: Opposed?

12 Meeting adjourned.

13 [Adjourned 7:06 p.m.]

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C E R T I F I C A T E

3

4 I, JENNIFER M. JETT, a Certified Court
5 Reporter, in and for the State of Missouri, do hereby
6 certify that I was present at the time and place
7 hereinbefore set forth; that said proceedings were had
8 as appears herein; and that this is a true and
9 accurate record of said proceedings.

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Jennifer M. Jett

JENNIFER M. JETT, CCR
MISSOURI CCR NUMBER: 634

23 October 12, 2023

Jefferson County Planning and Zoning Meeting

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