

JOURNAL OF THE PLANNING & ZONING COMMISSION  
CITY OF JACKSON, MISSOURI  
WEDNESDAY, AUGUST 10, 2022, 6:00 P.M.  
REGULAR MEETING  
CITY HALL COUNCIL ROOM, 101 COURT STREET, JACKSON, MISSOURI

The Planning and Zoning Commission met in regular session with Chairman Harry Dryer presiding. Also present were Commissioners Heather Harrison, Angelia Thomas, Tina Weber, Tony Koeller, Michelle Doughten Weber, Eric Fraley, and Bill Fadler. Beth Emmendorfer was absent. Building & Planning Manager Janet Sanders was present as staff liaison. Assigned Aldermen Joe Bob Baker and Mike Seabaugh were also present. Citizen present was Patrick Morgan, Brennon Todt, Melanie Balsman, Stuart Higgeson, George & Sharon Spanzynksi, Kaitlyn Cormier, and Ron Kucera, Jr.

Chairman Dryer called the meeting to order, and Commissioner Koeller called roll.

APPROVAL OF MINUTES )

Minutes of the July 13, 2022, meeting were unanimously approved on a motion by Commissioner Harrison, seconded by Commissioner Koeller.

PUBLIC HEARINGS

Public hearing regarding a request for a )  
Special Use Permit for a towing business )  
in a C-2 General Commercial District at )  
1405 South Farmington Road submitted )  
by Land Escapes, LLC )

Chairman Dryer opened the hearing and explained the hearing procedure. Mrs. Sanders read a report detailing the dates of application and notifications for this hearing.

Mr. Patrick Morgan came forward and gave his address as 1000 North High Street. He stated that is the current location of his towing business and he has outgrown the space. He wants to stay within the city limits and continue to offer services to the fire department for extrication training on wrecked vehicles. He currently provides wrecked vehicles any time they need to train a new employee or practice with new equipment. He said in cases of stolen vehicles, the police often perform their search of the vehicle on his lot. Being in the city limits is convenient for those departments.

Chairman Dryer confirmed with Mr. Morgan that he plans to use one half of the duplex as a residence and one half as his office space.

Commissioner Koeller asked if the training is always during business hours from 8 to 5. Mr. Morgan said there have been two times in the last five years where there was after-dark training to allow them to train with lights because accidents do not only happen during the day. They set up accident scenes for the training. Commissioner Koeller asked if nearby residents can be warned when there would be night training.

Mr. Morgan said the training operations are not loud and there will be about 400 feet of tree buffer between the towing yard and the residential properties that will deafen sound.

Commissioner Tina Weber asked how much of the property will be cleared. Mr. Morgan said his lot will be to the south in an area approximately 150' x 200' and he will build an approximately 50' x 100' building south of the lot with a cleared area in front of it.

Commissioner Koeller said 400' is more than the length of a football field. Chairman Dryer confirmed with Mrs. Sanders that the distance for individual notification is 185'. Commissioner Doughten asked how many residents were notified individually. Mrs. Sanders said there were 24 including the current property owner and the City of Jackson, who also owns property within that area.

Chairman Dryer read the list of proposed special conditions, so the audience was aware. He confirmed with Mr. Morgan that he had received these conditions. He then asked if anyone else was present to speak in favor. Finding none, he asked if anyone was present to speak in opposition.

Stuart Higerson of 1625 Jackson Ridge came forward and was sworn in. He expressed concern this will cause a negative impact on property values. He had not been aware that there would be a time limit on how long vehicles can remain on the lot. He asked what forces the 400' buffer.

George Spanzynski of 513 Jackson Ridge came forward and was sworn in. He asked what keeps them from expanding into this 400' buffer and what stops oil and gas from leaking onto the property. There is a creek in the back. Mr. Spanzynski said he has been inside the current location, and it is a mess inside.

Commissioner Koeller said this is a commercial property.

Mr. Ron Kucera, Jr. came forward and was sworn in. He gave his address as 1437-1439 Dogwood Avenue. He expressed concerns with development in the floodplain and floodway and said DNR must agree to any development in the floodplain. He wants to make sure that Mr. Morgan understands those regulations so that he does not buy property he cannot use. Mr. Kucera's business is the second on the left on Dogwood Avenue, located between Midwest Sterilization and Langford Mechanical.

Chairman Dryer invited Mr. Morgan to come forward again to answer the concerns about the buffer, the gas/oil, and the floodplain.

Mr. Morgan said that 90% of the time, any leaking gas or oil ends up on the streets during towing. For leaking vehicles, matting is placed underneath, or they are put on a concrete pad where it can be cleaned up. He was asked if DNR ever visits to his business, and he said there have been no visits. He said the 400' buffer can be a condition of the permit because he will still have room to expand to the south. He is also aware that the building will need to be elevated. Mrs. Sanders had printed for him a copy of the floodplain and floodway map.

Mrs. Sanders reminded the Commission this property will have two businesses, the towing business and the landscaping business. The landscaping business does not require a special use permit. She said Mr. Morgan had also been educated on the floodplain requirements when he was looking at a different property in the floodplain and floodway.

Clarification was then requested about whether the two businesses will be in separate locations. Mr. Morgan said they will not be separated. The office work for both will be in the same office.

The Commission briefly discussed that only five houses are directly affected.

Chairman Dryer then closed the hearing.

## OLD BUSINESS

Request for a Special Use Permit for a )  
towing business in a C-2 General )  
Commercial District at 1405 South )  
Farmington Road submitted by Land )  
Escapes, LLC )

Chairman Dryer asked for a motion on this item. Commissioner Koeller made a motion to approve the request with an additional condition that a 400-foot wooded and shrubbery area remain, to extend from the north property line. The motion was seconded by Commissioner Thomas. Commissioner Fadler pointed out to the audience that the Special Use Permit is issued to this owner and does not transfer if the property is sold. The motion was unanimously approved.

Vote: 8 ayes, 0 nays, 0 abstentions, 1 absent (with additional special condition)

Request for approval of a preliminary plat )  
of Savers Farm Subdivision Phase 9 )  
submitted by Cape Land and Development, )  
LLC )

The Commission unanimously voted to remove this item from the table on a motion by Commissioner Fadler, seconded by Commissioner Tina Weber.

Mrs. Sanders reported the application and Board of Aldermen are still in the process of completing a Memorandum of Understanding regarding the potential for privately maintained streets and other items. The engineer also has not yet submitted the response to the staff review letter for this phase. The applicant has provided written consent to extend the time frame for approval of this plat for an additional sixty days to allow these items to be completed. Mrs. Sanders requests that the item be re-tabled for up to sixty days rather than to a specific meeting date.

Commissioner Koeller made a motion to re-table this item for up to 60 days. The motion was seconded by Commissioner Thomas and was unanimously approved.

Vote (to re-table): 8 ayes, 0 nays, 0 abstentions, 1 absent

## NEW BUSINESS

Request for approval of a Land Exchange )  
Certification for division of a 61.6-acre )  
parent tract on South Old Orchard Road )  
into four tracts, all three acres or larger, )  
submitted by Villas of West Park, LLC )

Mrs. Sanders reported this is the division of the large undeveloped tract north of Buchheits on South Old Orchard Road. The land is being cleared under an existing grading permit and the owner has potential buyers for the two smaller tracts. The size of the tracts complies with the exception that allows division of up to four tracts without having to install utilities and other requirements of the Land Subdivision Regulations.

Commissioner Fraley made a motion to approve the request, seconded by Commissioner Koeller and unanimously approved.

Vote: 8 ayes, 0 nays, 0 abstentions, 1 absent

Request for approval of a Special Use )  
Permit for shipping containers as long-term )  
Storage in a C-2 General Commercial )  
District at 957 West Independence Street )  
Submitted by Brennon Todt )

Mrs. Sanders reported this is a separate special use permit from the one approved for redevelopment of the property into a high-density mixed residential development because this use is expected to be temporary for the period of redevelopment.

Mr. Brennon Todt came forward and said he has three shipping containers to allow storage of tools and building materials in a dry and safe environment.

Chairman Dryer commended him on the improvements that have been made to this property. He asked if the shipping containers will be located on vacant lots and Mr. Todt said they would.

Commissioner Koeller asked for a time frame. Mr. Todt said he expects redevelopment to take two to five years, but they have to work around current leases. There may be some re-shuffling.

Mrs. Sanders explained the difference between the short-term storage and long-term storage use of shipping containers.

Commissioner Harrison made a motion to approve the request, seconded by Commissioner Doughten and unanimously approved.

Vote: 8 ayes, 0 nays, 0 abstentions, 1 absent

Request for approval of a minor subdivision )  
plat of Eggimann's Funny Farm )  
Subdivision submitted by Teddy D. & )  
Cara E. Eggimann )

Mrs. Sanders reported this plat is to combine multiple lots and pieces of lots into two individually defined lots.

Mr. Teddy Eggimann came forward and said they own Lots 2, 3, 4, and part of Lot 5. He wants to leave Lot 2 separate and combine the other lots. He said he had his house appraised and since they only counted one 50' x 100' lot with his house, it hurt his appraisal. Commissioner Koeller confirmed that the Eggiman's house was considered to be on a single lot and the larger portion of the property is considered to be part of the house next door that they also own. This plat will switch the larger area to his personal home.

Commissioner Koeller made a motion to approve the plat, seconded by Commissioner Weber and unanimously approved.

Vote: 8 ayes, 0 nays, 0 abstentions, 1 absent

Request for re-approval of a preliminary )  
plat of Jackson North Industrial Park )  
Subdivision submitted by the City of )  
Jackson )

Mrs. Sanders said it is again time to re-approve this plat. Preliminary plat approvals are good for one year.

Commissioner Koeller made a motion to approve the plat, seconded by Commissioner Fadler and unanimously approved.

Consider a motion to add items to the )  
agenda )

Mrs. Sanders informed the Commission that next month's meeting will include an educational session from the city attorney.

Adjournment )

Commissioner Weber made a motion to adjourn, seconded by Commissioner Koeller and unanimously approved.

Respectfully submitted,

Tony Koeller  
Planning and Zoning Commission Secretary

Attest:

Janet Sanders  
Building & Planning Manager

*NOTE: ACTION (IF ANY) ON LAND EXCHANGE CERTIFICATIONS, COMPREHENSIVE PLAN, AND MAJOR STREET PLAN IS FINAL APPROVAL; ALL OTHER ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION SERVES AS A RECOMMENDATION TO THE BOARD OF ALDERMEN AND NOT AS FINAL APPROVAL OF THE ITEMS CONSIDERED AT THIS MEETING.*

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