

JOURNAL OF THE PLANNING & ZONING COMMISSION  
CITY OF JACKSON, MISSOURI  
WEDNESDAY, July 12, 2023, 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 and Commissioners Heather Harrison, Tina Weber, Bill Fadler, Tony Koeller, Angelia Thomas, and Beth Emmendorfer were present. Commissioners Michelle Weber and Eric Fraley were absent. Building and Planning Manager Larry Miller was present as staff liaison. Alderman Mike Seabaugh and Alderman Joe Bob Baker were present. The citizens attending were William Penrod Sr., Al & Lori Blount, Laura Richardson, Bob Kirchherr, and Richard Raymond.

APPROVAL OF MINUTES

Approval of June 14, 2023 )  
regular meeting minutes )

The minutes of the previous meeting were unanimously approved on a motion by Commissioner Bill Fadler, seconded by Commissioner Tony Koeller.

PUBLIC HEARINGS

Consider a request for rezoning the )  
southwest corner of E Main Street and )  
S Shawnee Boulevard )  
(county parcel number )  
15-113-00-16-001.00-0000). Currently )  
known as the Penrod William J Trust )  
from an R-4 General Residential District )  
to a C-2 General Commercial District as )  
submitted by William J. Penrod Trust. )

Chairman Dryer opened the hearing. Mr. Miller read a report detailing the dates of the application and notifications for this request.

Mr. Penrod, from 307 County Road 533 Jackson, MO 63755, came forward and was sworn in. Mr. Penrod explained to the Commission that he wants the property rezoned to C-2 (General Commercial) because he has someone interested in putting a small business inside one of the buildings on E Main Street.

Commissioner Tina Weber asked if he was considering selling the property, and Mr. Penrod said he was in about a year and a half.

Commissioner Tony Koeller asked if he would leave them as residential buildings, allowing the potential buyer to turn them into office spaces. Mr. Penrod said yes, he was going to leave them as residential.

Commissioner Tony Koeller clarified that this request allows the potential buyer to use the property commercially. Mr. Penrod said yes, he has yet to make plans for turning the building into commercial use. He said he wanted to sell it with the option to do so.

Chairman Dryer asked if anyone else wanted to speak in favor of this request. Seeing no one come forward, he asked if anyone was there to speak in opposition to the request.

Mr. Kirchherr from 105 N Donald Street came forward and was sworn in. Mr. Kirchherr had a prepared statement he read in opposition to the request. He said he has lived at his address for 44 years and doesn't want it to be commercial. He said it would lower his property value, create more traffic, and alter the neighborhood's appearance with signage. Mr. Kirchherr said it is his opinion that Mr. Penrod only wants to change the zoning so he can make money. Mr. Kirchherr requested that the rezoning request be denied.

A letter of opposition from Brittany Moore, who lives at 106 N Donald Street, was given to Mr. Miller by Mr. Kirchherr. Mr. Kirchherr said Ms. Moore couldn't be there because she was working. Mr. Miller read the letter to the Commission, stating she opposed the request because it would affect the property value of her property, increase traffic in the area, and alter the neighborhood's appearance with signage. Ms. Moore wrote that the rezoning would only benefit Mr. Penrod and not the other properties in the neighborhood.

Ms. Laura Richardson from 111 N Donald Street came forward and was sworn in. Ms. Richardson said her parents owned the house in the seventies, and she doesn't want the property to be zoned as commercial. She said that once it's zoned commercial, it can become any of the several businesses allowed in a C-2 General Commercial district. She said that would cause more traffic in the area with a high traffic flow. Ms. Richardson said she does oppose the rezoning change.

Seeing no one else wanting to speak in opposition, the Chairman asked the Commission if they had any questions.

The Commission then discussed what could go next to a Residential district and how much worse the traffic would be with a business on the property.

After their discussion, a motion was made by Commissioner Tony Koeller to approve the rezoning of an R-4 (General Residential) into a C-2 (General Commercial) district. Commissioner Heather Harrison seconded it, and it was unanimously denied.

Vote: 0 ayes, 7 nays, 0 abstentions, 2 absent

OLD BUSINESS )

None

## NEW BUSINESS

Request the Approval of a Land )  
Exchange Certification for the transfer )  
of .45 Acres from a 6.4 Acre Parcel )  
(Parcel #14-318-00-02-004.01) to )  
798 Hillcrest Drive Submitted by )  
Jackson Ridge Development, LLC. )

Mr. Miller reported that the land exchange is on a section of land with a pond, and the owners of 798 Hillcrest Drive want their property to go to the pond.

Lori Blount, the applicant from 798 Hillcrest Drive, came forward and said there was a large pond on the property, and she wanted to extend their property to the edge of the pond. She said there would be an easement around the pond so Jackson Ridge Development, LLC, could maintain it.

Chairman Dryer asked if there was a motion to approve the land exchange.

Commissioner Beth Emmendorfer made a motion to approve the land exchange. The request was seconded by Tina Weber and was unanimously approved.

Vote: 7 ayes, 0 nays, 0 abstentions, 2 absent

Request the approval of a Land )  
Exchange Certification for the transfer )  
of .045 Acres from a .140 Acre Parcel )  
owned by Timothy & Edna Estes to )  
520 Greensferry Rd as submitted by )  
Timothy and Edna Estes. )

Mr. Miller reported that the land exchange is from an empty lot that belongs to 509 Forest Street, owned by Timothy and Edna Estes. The section of land going to 520 Greensferry will be the southern section of the empty lot shown on the plat.

Mr. Richard Raymond from 520 Greensferry Road came forward and said he wanted to buy the tract from Timothy and Edna Estes.

Commissioner Tony Koeller asked if the lot was big enough to build on, and Mr. Miller said it wasn't and reminded the Commission that the lot belongs to 509 Forest Street.

Chairman Dryer asked if there was a motion to approve the land exchange.

Commissioner Tina Weber made a motion to approve the land exchange. Commissioner Tony Koeller seconded the request, and it was unanimously approved.

Vote: 7 ayes, 0 nays, 0 abstentions, 2 absent

Request for a Special Use Permit for                    )  
1985 E. Jackson Blvd. for an oversized                )  
attached sign for the Gospel Life Church.            )

Mr. Miller reported that the special use permit is for an attached sign for Gospel Life Church over the 50 sq ft allowance. The sign will be the same size as the Riverside Library next door, which also received a special use permit.

Chairman Dryer asked if the applicant was present, and he wasn't. Chairman Dryer then asked if there was a motion to approve the special use permit.

Commissioner Tina Weber made a motion to approve the special use permit. Commissioner Tony Koeller seconded the request, and it was unanimously approved.

Vote: 6 ayes, 0 nays, 0 abstentions, 3 absent

#### ADDITIONAL ITEMS

None

Consider a motion to add items                        )  
to the agenda    )

No items were added to the agenda.

Consider a motion to adjourn                                )

Commissioner Heather Harrison motioned to adjourn, seconded by Commissioner Angelia Thomas, and unanimously approved.

Respectfully submitted,

Tony Koeller  
Planning and Zoning Commission Secretary

A handwritten signature in black ink that reads "Tony R. Koeller". The signature is fluid and cursive, with the first name "Tony" and last name "Koeller" clearly legible.

Attest:

A handwritten signature in blue ink that reads "Larry Miller". The signature is cursive and stylized, with the first name "Larry" and last name "Miller" clearly legible.

Larry Miller  
Building and 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.*