



**CITY OF JACKSON**  
**PLANNING & ZONING COMMISSION MEETING AGENDA**

**Wednesday, December 13, 2023 at 6:00 PM**  
**City Hall, 101 Court Street, Jackson, Missouri**

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Bill Fadler  
Tony Koeller  
Michelle Weber  
Tina Weber

**Harry Dryer, Chairman**  
Joe Baker, Alderman Assigned  
Mike Seabaugh, Alderman Assigned  
Larry Miller, Staff Liaison

Angelia Thomas  
Heather Harrison  
Beth Emmendorfer  
Eric Fraley

**CALL TO ORDER**

**ROLL CALL**

**APPROVAL OF MINUTES**

1. Approval of the November 8, 2023 minutes.

**PUBLIC HEARINGS**

**OLD BUSINESS**

**NEW BUSINESS**

2. Consider a request to approve the final plat of Good Day Farm Subdivision submitted by Jackson Boulevard Holdings, LLC.
3. Consider a request for a preliminary plat of Old Orchard Town Homes Subdivision submitted by Fruitland Investments, LLC and Lyndon Properties, LLC.

**CONSIDER A MOTION TO ADD ITEMS TO THE AGENDA**

**ADJOURNMENT**

This agenda was posted at City Hall on December 8, 2023, at 12:00 PM.

JOURNAL OF THE PLANNING & ZONING COMMISSION  
CITY OF JACKSON, MISSOURI  
WEDNESDAY, NOVEMBER 8, 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, Angelia Thomas, Eric Fraley, Michelle Weber, Beth Emmendorfer, and Tony Koeller were present. Commissioners Tina Weber and Bill Fadler were absent. Building and Planning Manager Larry Miller was present as staff liaison. Assigned Alderman Mike Seabaugh and Joe Bob Baker were also present. Citizens present were Shawn Wren and Susan Tomlin.

APPROVAL OF MINUTES

Approval of October 11, 2023 )  
regular meeting minutes )

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

PUBLIC HEARINGS

None )

OLD BUSINESS

Consider a request on behalf of the City )  
of Jackson, Missouri, for a text amendment )  
to Chapter 65 (Zoning) of the Code of )  
Ordinances relative to tow companies. )

Mr. Miller reported after the last meeting that the Commission wanted to add a height requirement for a privacy fence in the I-1 and I-2 districts around a towing company and auto salvage or junkyards. Mr. Miller explained to the Commission that under the I-1 and I-2 districts, a privacy fence height of 10 feet or greater was added.

Commissioner Tony Koeller motioned to accept the ordinance as it is written and send it to the Board of Alderman, where they can hold a public hearing. Commissioner Eric Fraley seconded the motion, and it was unanimously approved.

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

## NEW BUSINESS

Consider a request to approve a )  
Land Exchange Certification for )  
transferring .07 Acres, .014 Acres, and )  
.006 Acres from 302 Greensferry Street )  
to three separate adjoining properties )  
Submitted by Jason and Morgan Sides. )

Mr. Miller reported that the land exchange would include 208 and 302 Greensferry Road properties and 620 and 626 N Hope Street. The property has yet to be deeded, but 208 Greensferry has been paying its property taxes. He showed the board what pieces of land would be on which property.

Susan Tomlin from 2845 Professional Court in Cape Girardeau, MO, a representative handling the application, came forward to speak on the land exchange. She explained to the Commission that the strip of land was formed when a surveyor couldn't find the corner property pin, so he made a new property corner, causing the little strip.

Chairman Harry Dryer asked if the property previously belonged to 302 Greensferry Road, and Mrs. Tomlin said that it did.

Commissioner Tony Koeller motioned to accept the land exchange as submitted, and Commissioner Heather Harrison seconded the motion, and it was unanimously approved.

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

Request approval of a preliminary plat )  
of Eagle View Subdivision as submitted )  
by Robert W. & Belinda Phillips. )

Mr. Miller explained where this subdivision was and what it would be zoned. He told the commission that this subdivision would be built in two phases.

Shawn Wren from 241 Orange Bowl in Cape Girardeau, MO, the developer of the subdivision, came forward to speak on the preliminary plat. He said twelve lots would be in this subdivision, all with city utilities.

Commissioner Tony Koeller asked if all the lots were going to be single-family, and Mr. Wren said they would be.

Commissioner Michelle Weber asked if there would be a minimum size for the houses. Mr. Wren explained that the houses would be similar to Touchdown Ridge restrictions in Cape

Girardeau, MO. He said the houses would be an 1800-square-foot minimum, have full brick, the gables to have smart siding, and three car garages.

Commissioner Heather Harrison motioned to accept the Preliminary Plat as submitted, and Commissioner Tony Koeller seconded the motion, and it was unanimously approved.

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

#### ADDITIONAL ITEMS

None )

#### ADJOURNMENT

Consider a motion to adjourn )

Commissioner Michelle Weber motioned to adjourn, seconded by Commissioner Heather Harrison, and unanimously approved.

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

Respectfully submitted,

Tony Koeller  
Planning and Zoning Commission Secretary

Attest:

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.*



## **Staff Report**

**ACTION ITEM:** Subdivision Plat of Good Day Farm Subdivision

**APPLICANT:** Jackson Boulevard Holdings, LLC

**APPLICANT STATUS:** Owner

**PURPOSE:** To combine three separate lots and make a subdivision with four lots. The Northwestern lot will be the Good Day Farm Business.

**SIZE:** 6.77 acres

**PRESENT USES:** Three lots are undeveloped, and one lot currently has a house on it.

**PROPOSED USE:** C-2 General Commercial and mixed-use with Residential

**SURROUNDING LAND USE:** West-R-2 Single Family Residential District, North, South, and East-C-2 General Commercial.

**HISTORY:** N/A

**TRANSPORTATION AND PARKING:** All street frontage and parking will be developed.

**APPLICABLE REGULATIONS:** Land Subdivision Regulations (Chapter 57); Zoning Code (Chapter 65)

**2009 COMPREHENSIVE PLAN:** General Commercial and Multiple Family Residential

**MAJOR STREET PLAN:** Does not interfere with the major street plan.

**FLOODPLAIN INFORMATION:** Not in the floodplain per FEMA map 29031C0232E dated 9-29-2011

**PHYSICAL CHARACTERISTICS:** None

**COMMENTS:** This will be a 4-lot subdivision with Good Day Farm on the Northwestern lot. There is a 50-foot road access from Hilltop Drive to access the Southwestern lot for a possible residential house in the future.

**ACTION REQUIRED:** The Commission shall vote to recommend approval or denial. The Board of Alderman will make a final decision. Denial by the P&Z Commission will require a 2/3 vote by the Board of Alderman.



## SUBDIVISION APPLICATION

### City of Jackson, Missouri

**NAME OF SUBDIVISION:** Good Day Farm

**DATE OF APPLICATION:** 11/21/2023

**TYPE OF APPLICATION:**

<input type="checkbox"/>	PRELIMINARY PLAT
<input type="checkbox"/>	FINAL PLAT
<input checked="" type="checkbox"/>	MINOR SUBDIVISION
<input type="checkbox"/>	RESUBDIVISION

**PROPERTY OWNERS** (all legal property owners as listed on current deed, including trusts, LLCs, etc):

Property Owner Name(s): Jackson Boulevard Holdings, LLC

Mailing Address: 425 West Capitol Avenue, Suite 1350

City, State ZIP: Little Rock, Arkansas 72201

**ENGINEER / SURVEYING COMPANY:** Stock & Associates Consulting Engineers, Inc.

Engineer / Surveyor Contact: George M. Stock, P.E. - President

Mailing Address: 257 Chesterfield Business Parkway

City, State ZIP: Chesterfield, Missouri 63005

Contact's Phone: 636-530-9100

### CONTACT PERSON HANDLING APPLICATION:

Contact Name: Joe Pfleger, P.L.S. - Vice-President - Surveying

Mailing Address: 257 Chesterfield Business Parkway

City, State ZIP: Chesterfield, Missouri 63005

Contact's Phone: 636-530-9100

Email Address (if used): joe.pfleger@stockassoc.com

### CURRENT ZONING: (circle all that apply)

- |  |  |
|--|--|
| <input type="checkbox"/> R-1 (Single-Family Residential)       | <input type="checkbox"/> C-1 (Local Commercial)              |
| <input type="checkbox"/> R-2 (Single-Family Residential)       | <input checked="" type="checkbox"/> C-2 (General Commercial) |
| <input type="checkbox"/> R-3 (One- And Two-Family Residential) | <input type="checkbox"/> C-3 (Central Business)              |
| <input type="checkbox"/> R-4 (General Residential)             | <input type="checkbox"/> C-3 (Central Business)              |
| <input type="checkbox"/> MH-1 (Mobile Home Park)               | <input type="checkbox"/> C-4 (Planned Commercial)            |
| <input type="checkbox"/> O-1 (Professional Office)             | <input type="checkbox"/> I-1 (Light Industrial)              |
| <input type="checkbox"/> CO-1 (Enhanced Commercial Overlay)    | <input type="checkbox"/> I-2 (Heavy Industrial)              |


☐ I-3 (Planned Industrial Park)

Will a rezoning or a special use permit request be submitted in conjunction with the proposed development? YES ☐ NO ☒

**LEGAL DESCRIPTION OF TRACT:** Submit a copy of the most current deed for the property being divided.

**OWNER SIGNATURES:**

I state upon my oath that all of the information contained in this application is true. *(Signatures of all persons listed on the current property deed and the authorized signer(s) for any owning corporation or trust.)*

  
\_\_\_\_\_  
\_\_\_\_\_

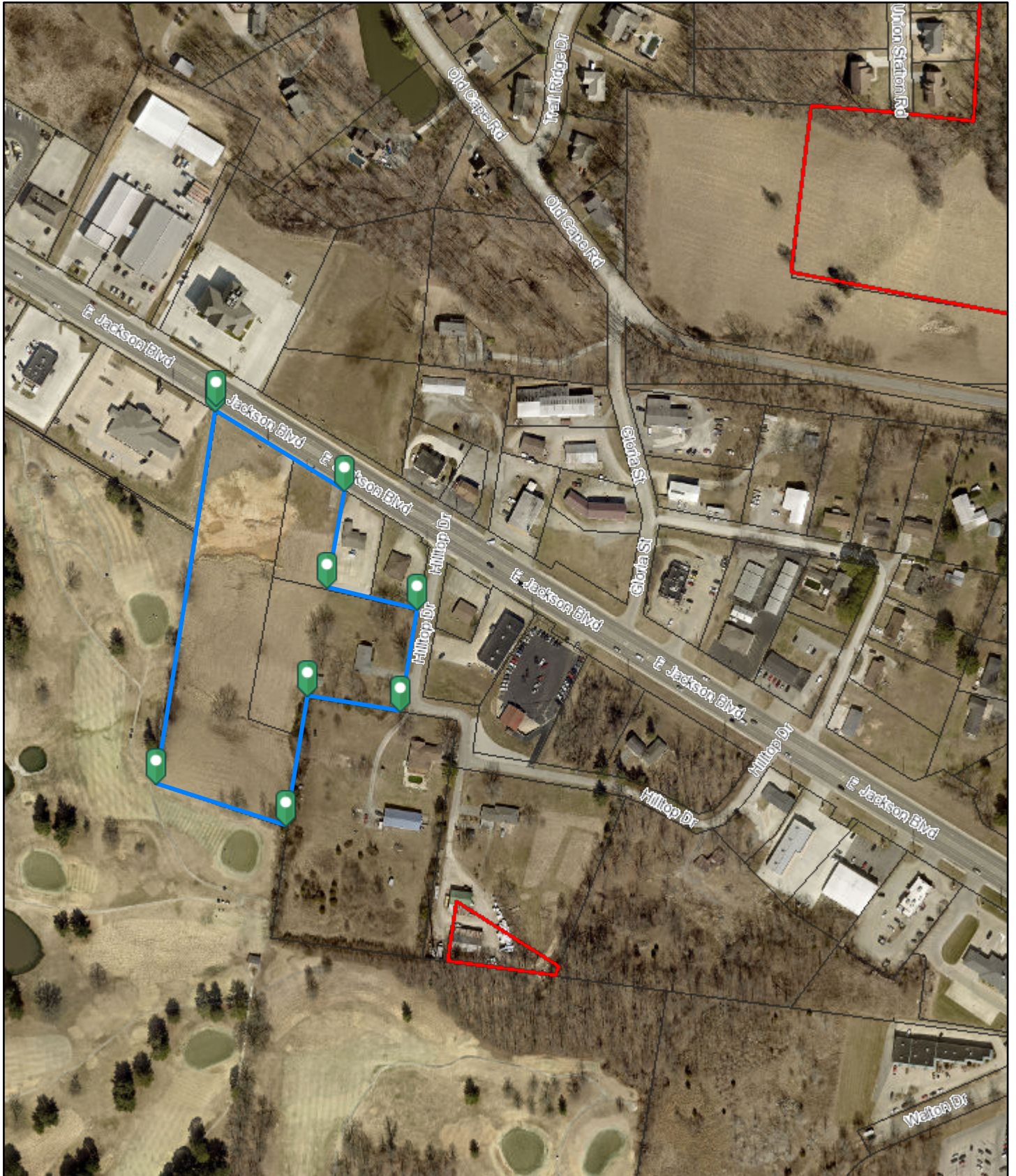
Please submit the completed application along with the applicable application fee to:

Building & Planning Manager  
City of Jackson  
101 Court Street  
Jackson, MO 63755

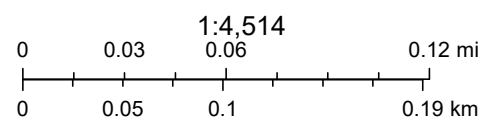
Ph: 573-243-2300 ext. 29  
Fax: 573-243-3322  
Email: [permits@jacksonmo.org](mailto:permits@jacksonmo.org)



# City of Jackson



12/4/2023, 4:03:42 PM



City of Jackson, Missouri Dept. of Conservation, Esri, HERE, Garmin, INCREMENT P, NGA, USGS

City of Jackson  
City of Jackson



# GOOD DAY FARM SUBDIVISION JACKSON

A TRACT OF LAND BEING LOCATED IN U.S. SURVEY 782, TOWNSHIP 31 NORTH, RANGE 13 EAST  
CITY OF JACKSON, CAPE GIRARDEAU COUNTY, MISSOURI

## PROPERTY DESCRIPTION

Tract 1:  
A parcel of land containing 4.00 acres, more or less, located in U.S. Survey 782, Township 31 North, Range 13 East, Cape Girardeau County, Missouri, described as follows: Start at the Northwest corner of said U.S. Survey 782, thence South 82° 30' East, along the North line of Survey 782, a distance of 737.0 feet to a point in the Southwest right of way line of U.S. Highway No. 61, thence South 58° 3' East, along said right of way line, 524.4 feet to the point of beginning, thence continue South 86° 3' East along the right of way line, 200.0 feet to a corner, thence South 9° 32' West, 260.3 feet to a corner, thence South 72° 32' East, 121.8 feet to a corner, thence South 9° 32' West, 205.8 feet to a corner, thence North 72° 32' West, 310.5 feet to a corner, thence North 9° 32' East, 534.4 feet to the point of beginning and containing 4.00 acres.

Tract 2:  
A parcel of land containing 0.677 of an acre, more or less, located in U.S. Survey 782, Township 31 North, Range 13 East, Cape Girardeau County, Missouri, described as follows: Start at the Northwest corner of said U.S. Survey 782, thence South 82° 30' East, along the North line of Survey 782, 737.0 feet to an intersection with the Southwest right of way line of U.S. Highway No. 61, thence South 58° 3' East, along said right of way line, 524.4 feet to the point of beginning, thence continue South 86° 3' East along the right of way line, 200.0 feet to a corner, thence North 78° 39' West, 122.7 feet to a corner, thence North 9° 32' East, 284.2 feet to the point of beginning and containing 0.677 of an acre, more or less.

Tract 3:  
A parcel of land containing 1.138 acres, more or less, being a part of USP Survey No. 782, Township 31 North, Range 13 East, described as follows: Start at a stone on the North line of said Survey No. 782, which marks the South corner of Fractional Sections 7 and 8 in said Township and Range, thence North 82° 3' West, 544.1 feet along the North line of said Survey, thence South 9° 32' West, 524.4 feet to the point of beginning, thence South 78° 38' East, 210.4 feet, thence South 9° 32' West, 228.8 feet, thence North 82° 3' West, 210.5 feet, thence North 9° 32' East, 243.6 feet to the point of beginning.

Also, the part of USP Survey No. 782, Township 31 North, Range 13 East, described as follows: Begin at the Northwest corner of said Survey No. 782 and run South 82° 30' East with the North line of Survey No. 782, 737 feet to a corner on the South right of way line of U.S. Route No. 61, thence South 58° 3' East with said South right of way line of U.S. Route No. 61, 736.7 feet, thence South 9° 32' West, 217.7 feet to a beginning corner, thence continue South 86° 3' East, 200.0 feet, thence North 72° 32' West, 123.8 feet, thence North 9° 32' East, 219.1 feet, thence South 78° 38' East, 122.7 feet to the point of beginning, containing 0.916 acres, more or less.

SURVEYOR NOTE: Tract 2 has a missing call.

## TOTAL TRACT

A tract of land as conveyed to Jackson Boulevard Holding LLC by document number 2023-07098 of the Cape Girardeau County records, located in U.S. Survey 782, Township 31 North, Range 13 East of the Fifth Principal Meridian, City of Jackson, Cape Girardeau County, Missouri being more particularly described as follows:

Beginning at the northeast corner of Victorian Plaza #4 Subdivision recorded as Document number 2017-12518 of said records, being on the southwest right of way line of East Jackson Boulevard, as known as US 61, 90 feet wide, thence along said right of way line, South 08 degrees 00 minutes 21 seconds East, 338.05 feet, to the north corner of a tract of land conveyed to FIRA Holding LLC by Document number 2020-11471 of said records, thence leaving said right of way line, and along the west and south line of said FIRA Holding LLC parcel and the easterly extension of the south line, South 08 degrees 42 minutes 44 seconds West, 226.67 feet, and South 77 degrees 32 minutes 29 seconds East, 208.93 feet, to the west right of way line of Hilltop Drive, thence South 08 degrees 42 minutes 44 seconds West, along the west right of way line of Hilltop Drive, 228.80 feet, to the north line of a tract of land conveyed to Stanley and Debbie Wicks, by Document number 2010-10794, of said records, thence along the north and west line of said Wicks tract, North 81 degrees 14 minutes 44 seconds West, 208.48 feet, and South 08 degrees 42 minutes 44 seconds West, 280.52 feet, to the common line between above said Jackson Boulevard Holdings LLC tract and a tract of land conveyed to Jackson County Club Inc. by Deed Book 425 Page 30, of said records, thence North 73 degrees 27 minutes 50 seconds West, along said common line, 312.27 feet, to the southerly extension of the east line of above said Victorian Plaza Subdivision #4, thence along said southerly extension, North 08 degrees 38 minutes 15 seconds East, 624.40 feet to the POINT OF BEGINNING. Containing 294,670 square feet or 6.765 acres, more or less.

## GENERAL NOTES

1) Subject property is Zoned C-1 General Commercial District according to Zoning Ordinance 2017-010, as amended. Verification Letter dated June 7, 2023 from the City of Jackson. Setbacks according to City of Jackson Zoning Ordinance.

Front yard:  
Each lot upon which a building is constructed shall have a front yard of not less than thirty (30) feet.

Side yard:  
On lots upon which a residential building is constructed, there are no side yard requirements except that a side yard of eight (8) feet shall be provided where such lot abuts a residential district. On each lot upon which a dwelling is constructed, there shall be a side yard on each side of not less than eight (8) feet. Buildings in excess of forty-five (45) feet in height shall have the side yard setbacks increased by one (1) foot for every one (1) foot of height that the building is increased over forty-five (45) feet.

Rear yard:  
Each lot upon which a building is constructed shall have a rear yard of not less than twenty-five (25) feet.  
Height:  
All buildings: 15' (50 feet) and not over five (5) stories. Buildings exceeding this limitation shall require a special use permit.

2) Subject property lies within Flood Zone X (Area of minimal flood hazard) according to the National Flood Insurance Rate Map Number 2803-02022E with an effective date of 9/29/2011.

3) Stock and Associates Consulting Engineers, Inc. used exclusively Webster Land Title Insurance Company, agent for Resolutions Title, Inc. Commitment No. 23-29135, with an effective date of August 6, 2023 and 6:05 a.m. for research of easements and encumbrances. No further research was performed by Stock and Associates Consulting Engineers, Inc.

4) The purpose of this plat is to divide 4 tracts of land into 4 lots in the subdivision.

## GRAPHIC SCALE

1 inch = 50 feet  
1 inch = 50 ft.

## LEGEND

FOUND 1/2" IRON PIPE  
SET IRON PIPE  
FOUND CROSS  
FOUND STONE  
DENOTES RECORD INFORMATION

## MODOT NETWORK BENCHMARK

The bearings shown herein are grid bearings based on the Missouri Coordinate System of 1983, East Zone. Bearings were determined from project horizontal control points established in the project using Trimble GPS receivers utilizing real time kinematic (RTK) methods in reliance on the MODOT GNS 87X network operated by the Missouri Department of Transportation. Elevations as provided by the Modot Network are in the datum of NAVD83.

I, Lisa Walker, City Clerk of the City of Jackson, Missouri, do hereby certify that this Plat was approved by the City of Jackson, Missouri.

BY ORDINANCE NO. \_\_\_\_\_ PASSED  
AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_

Lisa Walker, City Clerk  
Dwain L. Harris, Mayor  
Janet Sanders, Director of Public Works  
Harry Dryer, Chairman of Planning and Zoning Commission

## ABBREVIATIONS

DB	DEED BOOK
FT	FEET
FOUND	FOUND
N/P	NOW OR FORMERLY
PL	PLAT BOOK
PC	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
Q	SQUARE
1/2"	RIGHT-OF-WAY WIDTH

## SURVEYOR'S CERTIFICATION

This is to certify that Stock and Associates Consulting Engineers, Inc. here, during October, 2023, by order of and for the use of Good Day Farm, executed a Property Boundary Survey and Subdivision Plat of a tract of land located in U.S. Survey 782, Township 31 North, Range 13 East of the Fifth Principal Meridian, City of Jackson, Cape Girardeau County, Missouri, and that the results of said survey and Subdivision Plat are shown herein. We further certify that the above plat was prepared from an actual survey, according to the records available and recorded, and said survey meets or exceeds the current standards for Property Boundary Surveys for "Class Urban Property" as defined in Chapter 16, Division 2000 Missouri Standards for Property Boundary Surveys as adopted by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects.

STOCK AND ASSOCIATES CONSULTING ENGINEERS, INC.  
LC NO. 222-0

By: *Walter J. Pfeiffer*  
Walter J. Pfeiffer, Missouri P.E., No. 2008-00728

PREPARED BY:

2512 Chesapeake Business Parkway  
St. Louis, MO 63114  
314.350.1000 FAX 314.350.1002  
e-mail: general@stockandassociates.com  
Web: www.stockandassociates.com

**GOOD DAY FARM JACKSON**  
2421 & 2505 E. JACKSON BLVD. & 2615 HILLTOP DRIVE,  
JACKSON, MISSOURI

SUBDIVISION PLAT



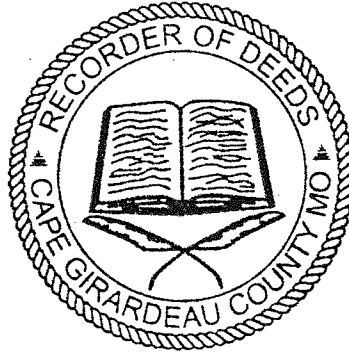
REVISIONS:  
1) REVISION FOR BUREAU  
2) CHANGED CERT NAME CHANGE

DATE: 10/23/2023  
BY: WJP

SUBDIVISION PLAT

#1 OF 1

PREPARED FOR  
GOOD DAY FARM  
425 W. CAPITOL AVE.  
SUITE 1350  
LITTLE ROCK AR 72201  
ATTN: MR. SAM ALLEN-CHIEF EXPERIENCE OFFICER



ANDREW DAVID BLATTNER  
RECORDER OF DEEDS  
CAPE GIRARDEAU COUNTY, MO  
eRECORDED ON  
08/29/2023 12:08:53 PM  
REC FEE: 36.00  
PAGES: 5

**TRUSTEES' WARRANTY DEED**  
(23-39135)

THIS DEED, Made and entered into this 11th day of August, 2023, by and between  
**Charlotte D. Yancey Living Revocable Trust dated January 26, 2001 and Roger L. Yancey Living Revocable Trust dated January 26, 2001 and Donna R. Rushing Living Revocable Trust dated May 19, 2006 amended January 6, 2011**

whose address is **4439 Deer Run, Evans, GA 30809**, party(ies) of the first part (**GRANTOR**); and

**Jackson Boulevard Holdings, LLC, a Missouri limited liability company**

whose address is: **1350 W. Capitol Ave, Ste 1350, Little Rock, AR 72201**, party(ies) of the second part (**GRANTEE**).

WITNESSETH, that the said party of the first part, for and in consideration of the sum of One Dollar and other valuable considerations paid by the said parties of the second part, the receipt of which is hereby acknowledged, does by these presents **GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM** unto the said parties of the second part, the following described Real Estate, situated in the County of Cape Girardeau, to-wit:

"SEE ATTACHED EXHIBIT A"

Commonly known as: 2421 East Jackson Boulevard, Jackson, MO 63755

2505 East Jackson Boulevard, Jackson, MO 63755

2615 Hilltop Drive, Jackson, MO 63755

Parcel ID No(s): 15-406-00-02-006.00-000, 15-406-00-02-006.01-000, 15-406-00-02-002.00-000

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto the said parties of the second part, and to the heirs and assigns of such parties forever.

The said parties of the first part hereby covenanting that; (a) said parties are the current trustees of said trusts, (b) that said trusts are in full force and affect and have never been revoked, (c) that the powers of the trustee(s) include all those stated in sections 456.8-815 and 456.8-816 of the Missouri Statutes and that said Trustees have the power under the Trust to enter into this transaction

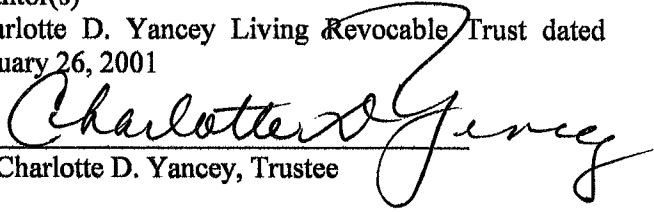
and that said parties and the heirs, executors, administrators and assigns of such parties, shall and will **WARRANT AND DEFEND** the title to the premises unto the said parties of the second part, and to the successors and assigns of such parties forever, against the lawful claims of all persons whomsoever, excepting, however, the general taxes of the calendar year 2023 and thereafter, and special taxes becoming a lien after the date of this deed.

IN WITNESS WHEREOF, parties of the first part have hereunto set their hands the day and year above written

Grantor(s)

Charlotte D. Yancey Living Revocable Trust dated  
January 26, 2001

By:

  
Charlotte D. Yancey, Trustee

Roger L. Yancey Living Revocable Trust dated  
January 26, 2001

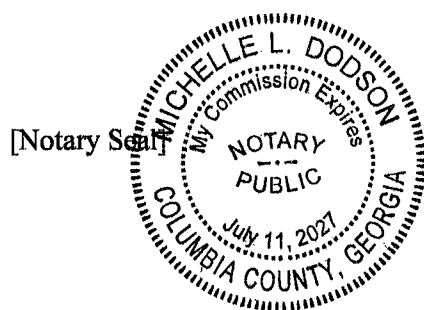
By:

  
Roger L. Yancey, Trustee

STATE OF Georgia  
COUNTY OF Columbia

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this 9 day of August, 2023, by Charlotte D. Yancey Trustee(s) of the Charlotte D. Yancey Living Revocable Trust dated January 26, 2001 and Roger L. Yancey, Trustee(s) of the Roger L. Yancey Living Revocable Trust dated January 26, 2001 who ☐ is/are personally known to me or ☐ has/have produced \_\_\_\_\_ as identification, to be the person(s) described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the jurisdiction aforesaid, the day and year first above written.



Michelle L Dodson

Notary Public

Printed Name: Michelle L Dodson

My Commission Expires: July 11, 2027



Grantor(s)

Donna R. Rushing Living Revocable Trust dated May 19, 2006 amended January 6, 2011

By: Donna R Rushing Trustee  
Donna R. Rushing, Trustee

STATE OF Missouri

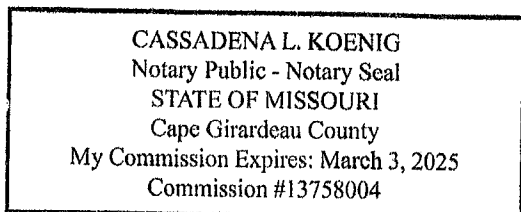
COUNTY OF Cape Girardeau

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this 7 day of August, 2023, by Donna R. Rushing, Trustee(s) of the Donna R. Rushing Living Revocable Trust dated May 19, 2006 amended January 6, 2011 who ☒ is/are personally known to me or ☒ has/have produced Driver's License as identification, to be the person(s) described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the jurisdiction aforesaid, the day and year first above written.

[Notary Seal]

Cassadena L. Koenig  
Notary Public



Printed Name: Cassadena L. Koenig

My Commission Expires: 03/03/2025

## Exhibit A

Tract 1: A parcel of land containing 4.00 acres, more or less, located in U.S. Survey 782, Township 31 North, Range 13 East, Cape Girardeau County, Missouri, described as follows: Start at the Northwest corner of said U S P Survey 782, thence South 82° 30' East, along the North line of Survey 782, a distance of 737.0 feet to a point in the Southwest right of way line of U.S. Highway No. 61, thence South 58° 3' East, along said right of way line, 404.0 feet for the point of beginning, thence continue South 58° 3' East along the right of way line, 200.0 feet for a corner, thence South 9° 32' West, 583.3 feet for a corner, thence South 72° 32' East, 123.8 feet for a corner, thence South 9° 32' West, 200.6 feet for a corner, thence North 72° 32' West, 310.5 feet for a corner, thence North 9° 32' East, 834.4 feet to the point of beginning and containing 4.00 acres.

Tract 2: A parcel of land containing 0.677 of an acre, more or less, located in U S P Survey 782, Township 31 North, Range 13 East, Cape Girardeau County, Missouri, described as follows: Start at the Northwest corner of said U S P Survey 782, thence South 82° 30' East, along the North line of Survey 782, 737.0 feet to an intersection with the Southwest right of way line of U.S. Highway No. 61, thence South 58° 3' East, along said right of way line, 604.0 feet for the point of beginning, thence continue South 58° 3' West, 217.7 feet for a corner, thence North 78° 35' West, 122.7 feet for a corner, thence North 9° 32' East, 264.2 feet to the point of beginning and containing 0.677 of an acre, more or less.

Tract 3: A parcel of land containing 1.136 acres, more or less, being a part of USP Survey No. 782, Township 31 North, Range 13 East, described as follows Start at a stone on the North line of said Survey No. 782, which marks the South corner of Fractional Sections 7 and 8 in said Township and Range, thence North 82° 3' West, 594.0 feet along the North line of said Survey, thence South 9° 32' West, 525.4 feet to the point of beginning, thence South 78° 38' East, 210.4 feet, thence South 9° 32' West, 228.8 feet, thence North 80° 28' West, 210.0 feet, thence North 9° 32' East, 242.3 feet to the point of beginning.

Also, that part of USP Survey No. 782, Township 31 North, Range 13 East, described as follows: Begin at the Northwest corner of said Survey No. 782 and run South 82° 30' East with the North line of Survey No. 782, 737 feet to a corner on the South right of way line of U.S. Route No. 61, thence South 58° 03' East with said South right of way line of US Route No. 61, 736.7 feet, thence South 9° 32' West, 217.7 feet for a beginning corner, thence continue South 9° 32' West, 332.1 feet, thence North 72° 32' West, 123.8 feet, thence North 9° 32' East, 319.1 feet, thence South 78° 38' East, 122.7 feet to the point of beginning, containing 0.916 acre, more or less.

## **Staff Report**

**ACTION ITEM:** Preliminary Plat of Old Orchard Town Homes Subdivision

**APPLICANT:** Fruitland Investments, LLC & Lyndon Properties, LLC

**APPLICANT STATUS:** Owner

**PURPOSE:** Divide for residential development

**SIZE:** 3.88 acres

**PRESENT USES:** Vacant and undeveloped

**PROPOSED USE:** R-3 One and Two Family Residential

**SURROUNDING LAND USE:** West and South is out of the City Limits, East and North is R-2 Single Family Residential District

**HISTORY:** Wooded area that has been cleared off.

**TRANSPORTATION AND PARKING:** All street frontage and parking will be developed.

**APPLICABLE REGULATIONS:** Land Subdivision Regulations (Chapter 57); Zoning Code (Chapter 65)

**2009 COMPREHENSIVE PLAN:** Regional Center

**MAJOR STREET PLAN:** Does not interfere with the major street plan.

**FLOODPLAIN INFORMATION:** Not in the floodplain per FEMA map 29031C0163E dated 9-29-2011.

**PHYSICAL CHARACTERISTICS:** None

**COMMENTS:** This will be a 4-lot subdivision with a temporary cul-de-sac street. The developer wants to either build duplexes, tri-plexes, or quad-plexes.

**ACTION REQUIRED:** The Commission shall vote to recommend approval or denial. The Board of Alderman will make a final decision. Denial by the P&Z Commission will require a 2/3 vote by the Board of Alderman.



## SUBDIVISION APPLICATION

### City of Jackson, Missouri

**NAME OF SUBDIVISION:** OLD ORCHARD TOWNHOMES

**DATE OF APPLICATION:** 11/24/2023

**TYPE OF APPLICATION:**     X     **PRELIMINARY PLAT**  
              **FINAL PLAT**  
              **MINOR SUBDIVISION**  
              **RESUBDIVISION**

**PROPERTY OWNERS** (all legal property owners as listed on current deed, including trusts, LLCs, etc):

Property Owner Name(s): FRUITLAND INVESTMENTS, LLC & LYNDON PROPERTIES, LLC

Mailing Address: 26806 STATE HWY B

City, State ZIP: MARBLE HILL, MO 63764

**ENGINEER / SURVEYING COMPANY:** STRICKLAND ENGINEERING

Engineer / Surveyor Contact: BRIAN STRICKLAND

Mailing Address: 113 W MAIN STREET, SUITE 1

City, State ZIP: JACKSON, MO 63755

Contact's Phone: 573-243-4080

**CONTACT PERSON HANDLING APPLICATION:**

Contact Name: JACOB JONES

Mailing Address: 26806 STATE HWY B

City, State ZIP: MARBLE HILL, MO 63764

Contact's Phone: 573-576-8175

Email Address (if used): jones.air37@gmail.com

**CURRENT ZONING:** (circle all that apply)

- |            |                                   |     |                      |
|------------|-----------------------------------|-----|----------------------|
| R-1        | (Single-Family Residential)       | C-1 | (Local Commercial)   |
| R-2        | (Single-Family Residential)       | C-2 | (General Commercial) |
| <u>R-3</u> | (One- And Two-Family Residential) | C-3 | (Central Business)   |
| R-4        | (General Residential)             | C-3 | (Central Business)   |
| MH-1       | (Mobile Home Park)                | C-4 | (Planned Commercial) |
| O-1        | (Professional Office)             | I-1 | (Light Industrial)   |
| CO-1       | (Enhanced Commercial Overlay)     | I-2 | (Heavy Industrial)   |

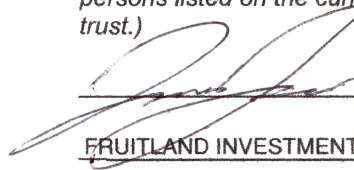
I-3 (Planned Industrial Park)

Will a rezoning or a special use permit request be submitted in conjunction with the proposed development? YES ☐ NO ☒

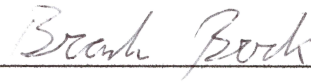
**LEGAL DESCRIPTION OF TRACT:** Submit a copy of the most current deed for the property being divided.

**OWNER SIGNATURES:**

I state upon my oath that all of the information contained in this application is true. *(Signatures of all persons listed on the current property deed and the authorized signer(s) for any owning corporation or trust.)*



FRUITLAND INVESTMENTS, LLC



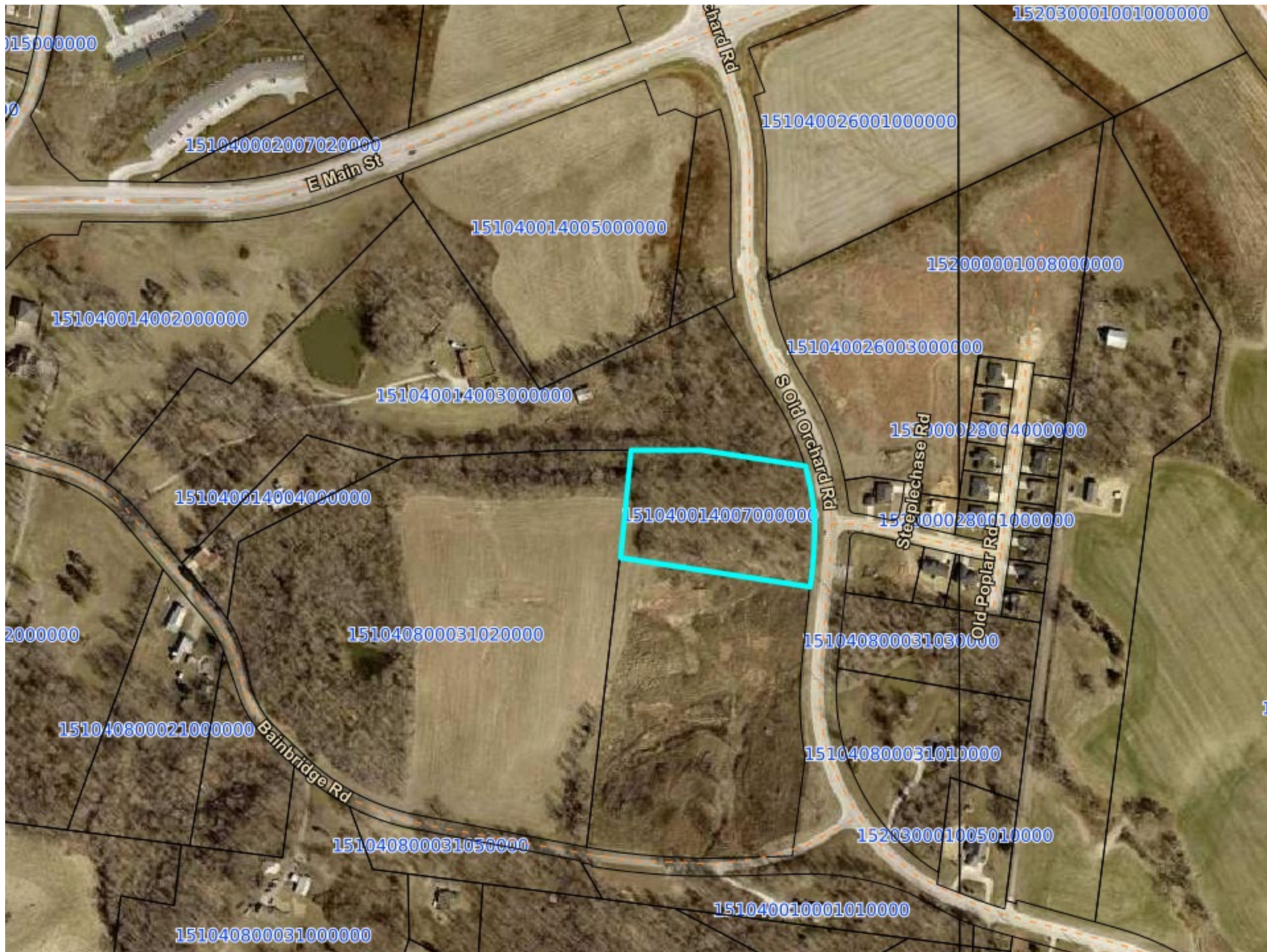
LYNDON PROPERTIES, LLC

Please submit the completed application along with the applicable application fee to:

Larry Miller  
Building & Planning Manager  
City of Jackson  
101 Court Street  
Jackson, MO 63755

Ph: 573-243-2300 ext. 29  
Fax: 573-243-3322  
Email: [lmiller@jacksonmo.org](mailto:lmiller@jacksonmo.org)





LOCATION MAP



# PRELIMINARY PLAT FOR OLD ORCHARD TOWN HOMES SUBDIVISION

PART OF U.S.P.S. NO. 324, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL  
MERIDIAN, IN THE CITY OF JACKSON, CAPE GIRARDEAU COUNTY, MISSOURI



REFERENCES  
1. DOCUMENT NO. 2023-08015 (SUBJECT)

LEGEND	
	IRON ROD W/CAP (FOUND)
	IRON ROD W/CAP (FOUND)
	1/2" IRON ROD (SET)
	LOT LINE
	PROPERTY BOUNDARY LINE
	RIGHT-OF-WAY LINE
	EASEMENT LINE
	BUILDING SETBACK LINE
	TEMPORARY EASEMENT

KENNETH AND MARY  
PRIEST TRUST  
(DOC. NO.  
2007-02598)

RICHARD ALLEN AND  
ALEDA H. PHILLIPS  
(DOC. NO.  
2016-07483)

RADIUS=2864.80'  
CHORD BEARING=S83°44'44"E 489.53'  
ARC LENGTH= 490.13'

PROPOSED DETENTION

RADIUS=680.00'  
CHORD BEARING=S05°23'00"E 254.83'  
ARC LENGTH= 296.35'

OLD ORCHARD ROAD

PROPOSED DETENTION

A GREGORY PROPERTIES LP  
(DOC. NO.  
2019-07202)

## NOTES

ZONING:  
R-3 ONE- & TWO-FAMILY RESIDENTIAL DISTRICT

EASEMENT NOTES:  
10' FRONT  
10' REAR

BUILDING SETBACKS:  
FRONT YARD SETBACK = 30'  
REAR YARD SETBACK = 25'  
SIDE YARD SETBACK = 8'

DESIGN STANDARDS  
50' RIGHT-OF-WAY WIDTH

28" WIDE CONCRETE STREETS WITH CURB  
4' WIDE CONCRETE SIDEWALKS ON EACH SIDE

OWNER & DEVELOPER:  
FRUITLAND INVESTMENTS LLC  
LYNDON PROPERTIES LLC  
26806 STATE HIGHWAY B  
MARBLE HILL, MO 63764

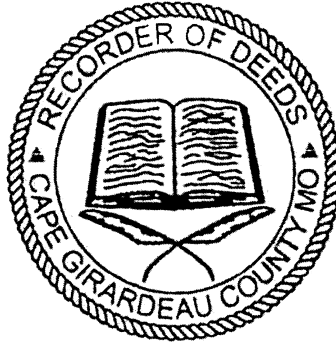
PREPARED BY:  
STRICKLAND ENGINEERING  
113 W. MAIN STREET SUITE 1  
JACKSON, MO 63755  
(573) 243-4080

ACCURACY STANDARD: TYPE URBAN

## LOCATION MAP



 <b>STRICKLAND ENGINEERING</b> CIVIL - MECHANICAL - ELECTRICAL ENGINEERING - LAND SURVEYING	113 WEST MAIN STREET P.O. Box 159 JACKSON, MISSOURI 63755 TEL: 573-243-4080 FAX: 573-243-2191
<b>PRELIMINARY PLAT FOR OLD ORCHARD TOWN HOMES SUBDIVISION JACKSON, MO</b>	SCALE 1"=30' DATE 12-6-23 DRAWN BY DR CHECKED BY BS PROJECT # 21-029



ANDREW DAVID BLATTNER  
RECORDER OF DEEDS  
CAPE GIRARDEAU COUNTY, MO  
eRECORDED ON  
09/28/2023 08:31:08 AM  
REC FEE: 27.00  
PAGES: 2

013535

## GENERAL WARRANTY DEED (LIMITED LIABILITY COMPANY)

This Indenture is made this 25<sup>th</sup> day of September, 2023, by and between The Villas of West Park, LLC, a Missouri Limited Liability Company ("Grantor"), of the County of Cape Girardeau, Missouri, and Fruitland Investments, LLC, a Missouri Limited Liability Company and Lyndon Properties, LLC, a Missouri Limited Liability Company ("Grantee"), of the County of Bollinger, Missouri, whose address in said County is:

26806 State Hwy B, Marble Hill, MO 63764

WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations paid to them by the Grantee, the receipt of which is hereby acknowledged, does by these present GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto the Grantee and Grantee's heirs, successors and assigns, the following described Real Estate lying, being and situated in the County of Cape Girardeau, and State of Missouri, to wit:

That part of U.S.P.S. No. 324, Township 31 North, Range 13 East of the Fifth Principal Meridian, Cape Girardeau County, Missouri, being more particularly described as follows: Commence at the Southwest Corner of U.S.P.S. No. 790, Township 31 North, Range 13 East of the Fifth Principal Meridian, being a point on the East Line of said U.S.P.S. No. 324; thence South 06°40'44" West along said East Line, 745.00 feet; thence leaving said East Line, North 83°19'16" West, 30.00 feet; thence South 06°40'44" West, 627.58 feet; thence North 83°19'13" West, 666.98 feet to a point on the West Right of Way Line of South Old Orchard Road for the point of beginning; thence from the point of beginning, continue North 83°19'13" West, 532.85 feet; thence North 04°34'16" East, 305.23 feet to a point on the North Right of Way Line of Abandoned Cape Girardeau Northern Railroad; thence along said North Right of Way Line, along a non-tangent curve to the Southeast, being concave to the Southwest, having a radius of 2864.00 feet, for an arc length of 490.13 feet, (the chord of said arc bears South 83°44'44" East, 489.53 feet), to a point on said West Right of Way Line of said South Old Orchard Road; thence leaving said North Right of Way Line, and along said West Right of Way Line, along a non-tangent curve to the Southeast, being concave to the Southwest, having a radius of 680.00 feet, for an arc length of 256.35 feet, (the chord of said arc bears South 05°23'00" East, 254.83 feet); thence continue along said West



Right of Way Line, South 05°24'59" West, 59.47 feet to the point of beginning.  
The herein described Tract contains 3.76 acres, more or less, as shown on Boundary  
Survey by Strickland Engineering, dated September 21, 2023 Rodney W. Amos,  
Surveyor, MO-PLS 20070000072.

Subject to terms, conditions, restrictions, reservations, and easements of record, if any.

TO HAVE AND TO HOLD the same, together with all and singular rights, privileges, and  
appurtenances thereto belonging or in anywise appertaining unto the Grantee and unto Grantee's heirs,  
successors and assigns forever. Grantor hereby covenants that Grantor is lawfully seized of an  
indefeasible Estate in Fee in the premises herein conveyed; that Grantor has good right to convey the  
same; that said premises are free and clear of any encumbrance done or suffered by Grantor or those  
under whom Grantor claims, and that Grantor will WARRANT AND DEFEND the title to the said  
premises unto the said Grantee and Grantee's heirs, successors and assigns forever against the lawful  
claims and demands of all persons whomsoever.

In WITNESS WHEREOF, the Grantor has caused these presents to be signed on its behalf by  
the below duly authorized agent of said Grantor on the day and year first above written.

The Villas of West Park, LLC, a Missouri Limited Liability Company

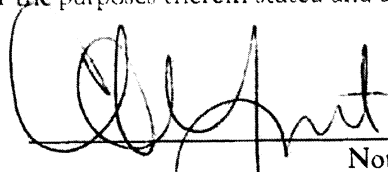
BY: 

Brandon O. Williams, Member

State of Missouri  
County of Cape Girardeau

} ss.

On this 25<sup>th</sup> day of September, 2023, before me personally appeared, Brandon O. Williams, to me  
personally known, who, being by me duly sworn, did say that he/she is the Member of The Villas of  
West Park, LLC, a Missouri Limited Liability Company, and that said instrument was signed in behalf of  
said limited liability company, by authority of its Articles of Organization and Operating Agreement,  
and acknowledged to me that he/she executed the same for the purposes therein stated and as the free  
act of deed of said limited liability company.

  
Notary Public

My Commission Expires: 3/17/27

