

JOURNAL OF THE PLANNING & ZONING COMMISSION
CITY OF JACKSON, MISSOURI
WEDNESDAY, JUNE 8, 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, Michelle Doughten, and Eric Fraley. Absent were Tony Koeller, Tina Weber, Beth Emmendorfer, and Bill Fadler. Building & Planning Manager Janet Sanders was present as staff liaison. Assigned Alderman Joe Bob Baker was also present. Citizens present were Megan Andrews, Michelle Mangrum, Monett Kerr, Sharon Alpers, Greg Urhan (?), Greg Staggs, Chris Koehler, Melanie Balsman, and Dee Welker.

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

PUBLIC HEARING

Public hearing regarding a request for a)
Special Use Permit for a community unit)
plan for a high-density mixed residential)
development in a C-2 General Commercial)
District at 957 West Independence Street)
submitted by Brennon Todt)

Chairman Dryer explained the procedure for public hearings. He then opened the hearing and asked for a staff report. Mrs. Sanders read a report detailing the dates of application and notifications.

Mr. Chris Koehler (Koehler Engineering) of 649 Mesa Lane, Jackson, was sworn in. He said he was representing the property owner. This location is south of [West] Independence Street and behind a row of lots on [North] Farmington. It has historically been a mobile home park. The new owner is cleaning it up and wants to build small economical homes and/or apartments. They are larger than tiny homes but are small footprint homes. They have presented three concepts working within the density requirements.

Dee Welker of South Hope Street came forward and was sworn in. He said he owns property on [North] Farmington. He was once interested in buying this property and wanted to do the same thing with it. He is both in favor and in opposition. Chairman Dryer asked him to speak in favor and then speak later in opposition. Mr. Welker said these owners have done a fantastic job. There is no longer trash outside the trailers. He is in favor of the small houses.

Michelle Mangrum of 832 Strawberry Lane came forward and was sworn in. She was also in favor and in opposition. She and her sister consider themselves the matriarchs of Strawberry Lane, being the last of the original property owners who lived there when the streets were still gravel and the trailer park was still decent. She said she likes everything that has been done with it so far.

Finding no others to speak in favor, Chairman Dryer asked for those wishing to speak in opposition. Mr. Welker came forward again and presented a large map of the location. He said he used to mow lots for a lot of houses. He has gradually bought most of the houses he used to mow. He said he has seen

the three proposals. He pointed out on the map that an asphalt lane used for access to some trailers is mostly off the trailer court property onto his and other adjacent properties. He said Mr. Barks used to own everything and when he sold off lots, the lots went onto the blacktop. The owners use the blacktop lane to get to their storage area. He has tried placing No Trespassing signs and timbers, which all disappear. He tried parking his backhoe there and twice someone got in it and moved it. Workers in the park have placed tons of stone on the asphalt on his property and it is now sinking. He has given some permission to use it to access certain things. He said the problem is there are two trailers 15' from the property line. Two to three years ago he got a permit for a fence. Then the trailer where Mr. Crites used to live was removed and he didn't need the fence. He said he has talked to everyone he found there working about the property line. The first time he met Mrs. Balsman, the police had been called about brush on his property. He said someone claimed he placed brush to block a resident in. He did not. He said there is a sewer easement just inside the property line. He has talked to the sewer department about it and is going to put a gate that they will have a key to. He said there is only 10' of space to drive on beside the 5' porches on the trailers. There is nowhere for these people to turn around without being on other properties.

Commissioner Harrison said she does not see these trailers on the three proposals. Mr. Welker said they are not, but they may start their development on the other side of the property and he will still have this problem.

Michelle Mangrum came forward again, this time in opposition. She said she has been there fifty years. They are the 4th lot down the street and lots 5, 6, and 7 are directly behind her. She said everything they have done is wonderful and they finally do not hear constant construction noise. She said within the last 5-6 years there was a fire in her backyard that was thought to have been started by a child 9-12 years old with a gas can. She said she was not home and was called about the fire on her property. She was told the child ran away. They have not had other issues from kids. Previously in the past there were drug dealers and police sirens at all times of day and night. They have no more of those issues since the 'riff-raff' is gone. She said all back yards on Strawberry have a fence except theirs. They have a natural boundary of bamboo which blocks their view of the trailer court except in winter. She said there are apartments on all sides of the Casey's [General Store]. Traffic backs up from the Middle School past Strawberry Lane mornings and afternoons. Even turning right onto Independence is difficult. The walking trail is heavily used, and a lot of people cross the street to Casey's, but there is no crosswalk. She said this would increase the number of units from 61 to 96. How many more cars will that cause? She is surprised no one has been injured. There have been fender benders. She said on proposal C-1 one of the apartment buildings would be close to their house and lighting would be an issue. Windows on the second story could allow people to see into yards. Car lights shine through, and Casey's has bright lights. She and her sister do not want a two-story apartment building in the southwest corner. They are both against option C-2 and would prefer C-3. Single story apartments would be more agreeable. Their concerns are lighting, noise, trash, & traffic. She said their neighbor, Mr. Shrimplin had also submitted something to the Commission. Chairman Dryer said they have a copy.

Finding no others to speak in opposition, Chairman Dryer asked Mr. Koehler if he would like to rebut. Mr. Koehler came forward. He said Mrs. Balsman is the owner's mother and may have more detailed information than he has, and he may need to defer to her. Mr. Koehler said the developer would be amenable to lighting restrictions such as one foot-candle of light. The City of Cape has these restrictions. They need some lighting so it will be a safe neighborhood. This is a work in progress. He said in response to the trash concern, there will be regular trash service and the owner will have covenants. Regarding the traffic, he referenced an industry standard of two trips per day per unit. There is already a traffic problem, and their 96 units will have a minimal impact. Mr. Koehler said financial

viability is also a concern. There is a lot of investment that goes into the project and the owner wants to keep his options open. Apartments can attract another market segment. Mr. Koehler said the road (lane) was created by Mr. Barks and he does not think anyone can shut it. They do not intend to use it in their new plan. The owner also does not want to be heavy handed and evict existing tenants but may offer them a better alternative. They plan to develop in chunks as areas become vacant. He said the owner is not present because he is on an extended mission trip.

Chairman Dryer then closed the hearing.

OLD BUSINESS

Request for a Special Use Permit for a)
community unit plan for a high-density)
mixed residential development in a C-2)
General Commercial District at 957 West)
Independence Street submitted by)
Brennon Todt)

Chairman Dryer opened the item for discussion. Commissioner Harrison asked if a special condition can be added for the lighting. Mrs. Sanders said it can and said that any Commissioner making a motion can include the condition.

Chairman Dryer recognized Melanie Balsman. She said since they bought the property they have learned about the easement. They will not encroach on Mr. Welker's property and new tenants have been told where to stay away from. However, they are looking into whether this access is grandfathered. She said it is a strange property line and the road is more on his side than theirs. They like to get along with the neighbors and will do their due diligence. She said she is aware of lighting issues. She lives on Independence and the storage units' lights across the street are very bright. Headlights from cars leaving Casey's shine into her living room window. She said speeders and very loud mufflers are also an issue.

Commissioner Doughten made a motion to approve the request with the added lighting condition. The motion was seconded by Commissioner Harrison and was unanimously approved.

Vote: 5 ayes, 0 nays, 0 abstentions, 4 absent

NEW BUSINESS

Request for approval of a minor subdivision)
plat of Magnolia Meadow Subdivision)
submitted by Terry R. Seabaugh and Traci)
L. Foltz)

Chairman Dryer asked for a staff report. Mrs. Sanders reported this property is in front of the Jackson Football park, and the subdivision is to divide the house from the remainder of the property. Both lots meet the minimum size and frontage requirements.

Chairman Dryer asked if the applicant was present. No applicant was present. He opened the item for Commission discussion. Finding none, he asked if Mrs. Sanders has any issues with the subdivision. She did not. Chairman Dryer then called for a motion.

Commissioner Fraley made a motion to approve the request. The motion was seconded by Commissioner Harrison and was unanimously approved.

Vote: 5 ayes, 0 nays, 0 abstentions, 4 absent

Request for approval of a minor subdivision)
plat of a Resubdivision of Lots 28 & 30 of)
Deerwood Subdivision submitted by)
Gregory M. & Alison R. Staggs)

Commissioner Dryer asked for a staff report. Mrs. Sanders reported this is the combination of two existing lots. The owner has obtained a variance for a garage but must also combine the lots because an accessory building cannot be on a separate lot.

Chairman Dryer asked the applicant to come forward. Greg Staggs came forward and said he wants to build a garage to keep his ski boat. It is currently kept outside, and vandalism has become a problem.

Chairman Dryer opened the item for discussion. Finding none, he called for a motion.

Commissioner Fraley made a motion to approve the request. The motion was seconded by Commissioner Thomas and was unanimously approved.

Vote: 5 ayes, 0 nays, 0 abstentions, 4 absent

Request for approval of a preliminary)
subdivision plat of Savers Farm)
Subdivision Phase 8 submitted by Cape)
Land & Development, LLC)

Commissioner Dryer asked for a staff report. Mrs. Sanders reported this is a tract in the city that was formerly considered landlocked. The development of Bent Creek Subdivision many years ago did not provide for any connection to adjacent property. A couple of years ago the Board of Aldermen changed the code to allow development to be accessed by something other than a city street, which made it possible for this tract to develop. The access will be through Savers Farm Subdivision, the rest of which is in the county. She said it will have privately maintained streets and private sewer because there is no city sewer near the property. Electric will be Ameren since the city has no way to serve this property. The water will be city water. The city must have control of the water to maintain the Fire Department's ISO rating.

Megan Andrews of the Layton and Southard law firm came forward representing the developer. She said this was formerly the Drum family farm, part of which was in the city and part in the county. They want to develop the part in the city. She said until 2019 the city part could not be developed. There were multiple meetings with the city resulting in a code change to allow access via a publicly dedicated

roadway. The subdivision homeowners' association will maintain the streets. This is a 40-lot subdivision. The only access to electric is to Ameren and they will have private sewer. The developer has obtained easements to get city water to this subdivision. She said the code change was because of this property, and there was a concern that it would cause others to do the same. She said it was found that most other parcels had other access. The new code Section was 57-6.5, added in 2019. There are nine phases of Savers Farm Subdivision. She said annexation of the remainder of Savers Farm was considered and Mrs. Sanders sent letters to many properties but there was not enough interest from the residents in annexation.

Commissioner Doughten asked if the streets would maintained by an HOA fee. Ms. Andrews said streets and also street lighting will be included. She said someone has bought the remaining Litz property and access to water was obtained through that.

Commissioner Harrison confirmed with Ms. Andrews that there is one HOA for Savers Farm Subdivision, not one per phase.

Chairman Dryer asked if there is an issue with 40 lots. Mrs. Sanders replied that the city has a policy that over 40 lots requires a second entrance. It is not a code but a policy. In this case, there is no city control over the other lots in the subdivision and there are only 40 lots in the city.

Commissioner Harrison made a motion to approve the plat, seconded by Commissioner Fraley and unanimously approved.

Vote: 5 ayes, 0 nays, 0 abstentions, 4 absent

Consider a motion to add items to the agenda)
)

Mrs. Sanders reported the Board has accepted the recommendations of the Comprehensive Plan Committee and Planning and Zoning Commission to select Houseal Lavigne Associates of Chicago, Illinois to prepare a new Comprehensive Plan. This is the same firm that prepared the last comprehensive plan. A contract will be formally approved by the Board of Aldermen later this month or early next month and then the project will begin. There will be a large push to get input from citizens, businesses, and various city boards.

Adjournment)

Commissioner Harrison made a motion to adjourn, seconded by Commissioner Doughten and unanimously approved.

Respectfully submitted,

Heather Harrison
Acting 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.