



CITY OF JACKSON
PLANNING & ZONING COMMISSION MEETING AGENDA

Wednesday, April 13, 2022 at 6:00 PM

City Hall, 101 Court Street, Jackson, Missouri

Bill Fadler
Tony Koeller
Harry Dryer
Tina Weber

Mike Seabaugh, Chairman
Joe Baker, Alderman Assigned
Tom Kimbel, Alderman Assigned
Janet Sanders, Staff Liaison

Wade Bartels
Heather Harrison
Beth Emmendorfer
Eric Fraley

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

1. Approval of minutes of March 9, 2022 meeting.

PUBLIC HEARINGS

2. Public Hearing Regarding a Request for Gun Sales in a C-3 Central Business District at 125 Court Street submitted by Jones Drug Store, Inc. (property owner).

OLD BUSINESS

3. Request for a Special Use Permit for Gun Sales in a C-3 Central Business District at 125 Court Street submitted by Jones Drug Store, Inc. (property owner)

NEW BUSINESS

4. Request for approval of a Land Exchange Certification for transfer of 0.46 acres of property from 3702 Bainbridge Road to 3146 County Road 306 (outside city limits) submitted by Timothy & Michelle Welker.
5. Request for approval of a preliminary plat of East Main Crossroads Commercial Subdivision submitted by Michael K. & Linda J. Haynes.
6. Request for a Special Use Permit for oversized attached signs for two 75 sq. ft. attached signs at 2502 E. Jackson Blvd. submitted by Aldi, Inc.

CONSIDER A MOTION TO ADD ITEMS TO THE AGENDA

ADJOURNMENT

This agenda was posted at City Hall on April 8, 2022 at 1:00 PM.

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JOURNAL OF THE PLANNING & ZONING COMMISSION
CITY OF JACKSON, MISSOURI
WEDNESDAY, MARCH 9, 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 Secretary Tony Koeller serving as Acting Chairman and Commissioners Heather Harrison, Wade Bartels, Tina Weber, Harry Dryer, Beth Emmendorfer, and Bill Fadler present. Absent were Mike Seabaugh and Eric Fraley. Building & Planning Manager Janet Sanders was present as staff liaison. Assigned Aldermen Joe Bob Baker and Tom Kimbel were present. Aldermen attending as observers were Larry Cunningham and David Hitt. Citizens attending were Caleb Hayes, Tom & Marianna Sperling, Ron & Marcia Clark, Jeff McClanahan, Darla Beggs, Debi King, Jerry & Karen Walker, Audrey Beggs, Tyler Brugger, David Gentry, Brandon Hill, Pamela Powell, Brian & Angela Powell, Kristina LeGrand, Jessica McQuillen, Erica Hendrix, Caitlin Brown, Mike Gohn, Mary Lu Muhlfeld, Diane Lunsford, Darla Her, Scott Beggs, Chris Brown, Lacy Giudicy, Trent Rogers, Megan Roth, Nick Pfau, Jamie Kurtz, Carl Kurtz, Chris Agbayani, Katelyn Fielder, and Faith Geil (sp?).

Approval of the February 9, 2022)
regular meeting minutes)

Minutes of the previous meeting were unanimously approved on a motion by Commissioner Dryer seconded by Commissioner Emmendorfer with a correction of a reference to the date of the previous meeting.

PUBLIC HEARING

Public hearing regarding a request for a)
Special Use Permit for an in-home daycare)
as a home occupation in an R-4 General)
Residential District at 716 West)
Washington Street submitted by Angela &)
Kaleb Hahn)

Acting Chairman Koeller opened the hearing and explained the procedure for public hearings. Mrs. Sanders read a report detailing the dates of application and notifications.

Acting Chairman Koeller asked three times for the applicant to come forward to speak. No applicant was present. He asked if anyone was present to speak in favor, with no response. He then asked if anyone was present to speak in opposition.

Tom Sperling of 117 Morgan Street came forward and was sworn in. He lives at the corner of Morgan and Washington catty-corner across the street. He said Washington Street is one of the busiest streets in town next to Main Street and that the house is not suitable for a daycare. He said the applicants are good neighbors, but he and his wife are totally opposed to the daycare.

Darla Beggs of 706 West Washington Street was sworn in. She and her husband Scott Beggs live next door and the Hahn's driveway is at the side of their house. There has always been trouble with parking on this street. There is not enough parking and they do not want parents using their driveway to drop off children. They both leave early for work. Some people visiting this house already park in their driveway without permission. This is a very busy street, and there have been two accidents at the Morgan Street intersection with a two-way stop. She has told Mrs. Hahn they do not want parents using their driveway and said Mrs. Hahn agreed, but their visitors already park in their driveway without permission. This is a residential area, not a commercial area. The school bus will also be an issue on Washington Street. They are very opposed.

Jeff McClanahan of 118 Morgan Street was sworn in. He expressed concern with traffic. This street has parking on only one side, and the residents of the street use that parking. The applicants have only two parking spaces and do not have room for extra cars. It is a very busy street with no room for additional cars when school is getting in or out.

Kaleb Hays of 709 West Washington Street was sworn in. His concerns are also about traffic. He lives across the street and is concerned about being able to get in and out when they go to work.

Commissioner Fadler asked Mr. Hays if he owns his house because his name does not show on the map. Mr. Hays said he and his wife own the house. Her name is Macy Hays and was found to be listed as Macy Baker.

Debi King of 207 Morgan was sworn in. She said she does not know about the traffic but is concerned with noise and privacy. Her back yard butts against this one. She said the owner's three dogs already bark at everything and the fence is in very bad shape. She works 12-hour swing shifts, likes her privacy, and does not want to have to close her windows because of screaming kids.

Jerry Walker and Karen Walker came forward and were sworn in. Mr. Walker said they are opposed. There is one parking space on one side of the street and no parking on the other. They live on the no-parking side of the street and already have no place for visitors to park. Their visitors have to park down the street or in the next block. The houses are very close together. Many of the neighbors are older and retired, and this will cause more activity that may be a nuisance even though they love children. Pets in the neighborhood already bark at every car.

Audrey Beggs of 409 North Maryland was sworn in. She said she used to live at 706 West Washington with her parents. It was a very busy traffic area. She expressed concerns with the safety of children. The parents would have to park on the road and a kid could step out in front of cars. Her parents, Scott and Darla Beggs, still live at 706 West Washington.

Finding no others in opposition, Acting Chairman Koeller asked again if the applicant was present and had no response.

Commissioner Fadler asked if the property owner is now keeping four children. Mrs. Sanders said she does not think so. Ms. Beggs responded that the applicant has a daycare on Jackson Boulevard and wants to open the house for 8-10 more children. No children are kept at the house now.

Acting Chairman Koeller recognized Mrs. Walker to ask a question. She asked if approving a special use permit transfers to other property owners or if it changes the zoning. Mrs. Sanders clarified that

special use permits are issued to the property owner for that property and do not transfer to another owner or another location. They also do not change the zoning.

Finding no one else wishing to speak, Acting Chairman Koeller closed the hearing.

Public hearing regarding a request for a)
text amendment to Chapter 65 (Zoning))
related to babysitting as a home occupation)

Acting Chairman Koeller opened the hearing. Mrs. Sanders read a report detailing the dates of application and notifications. She pointed out that the Commission had been provided a number of letters of support and opposition and a petition of support.

Acting Chairman Koeller asked the applicant to come forward. Angela Powell of 596 Canyon Trail was sworn in. She lives in Cold Creek Estates subdivision. She said she is representing herself and others in Jackson who would like to be able to keep children to supplement their income. They would like the city to match the state statute Governor Parsons signed in August of 2020, allowing in-home care for six children, which also addresses the ratio of infants & toddlers. She said she saw the need in the state that is not being addressed in our city. Waiting lists are too long for centers and for in-home providers. A text amendment would cost the city no money and would help working families, especially with children from birth to 5 years old. Small changes would make big impact. She has been keeping children since 1996 and has never had any opposition except where she lives now. She has been asked why she does not open a facility, but she wants children to have the 'home away from home' feel. She wears all the hats and does not have to worry that someone does not show up for work or if they are doing their job. Children should be a priority. Families need to work, and children need care. She said people caring for children in their homes is not new. It has been around forever, like the ordinance has been around a long time but is not working any more. The law needs to be amended to give families another affordable alternative. They do not charge as much and minimum wage making families need ways to make ends meet. At her licensed family home at 409 North Shawnee, she was able to keep ten children alone, including two infants. She could help state-paid clients and foster families. When they moved, she lost that ability and also crossed the barrier of who belongs and who does not belong. She has worked hard her whole life and served others. She is a good person, loves Jesus, and was doing what she is called to do. She just wanted a larger home for her growing boys and a location where she can separate her childcare from her living space. This was a perfect house. Providers like her work long hours without benefits such as health insurance, 401K, bonuses, etc. She had no idea what she would face. They do not matter to anyone else but the families they work for. She asked the Commission to support the change and stand up for those who want to make an honest living. She said roads are made for vehicles. It is Planning and Zoning's job to make sure the city is safe. Cars use them and park legally in a parking spot. She parked on the street outside [the meeting] and had to wait to get out of her car. She understands some locations do not work for an in-home [daycare] but when they do, and opposition is ridiculous, they do not have a leg to stand on. They need to be heard. She realizes that people want their personal time and want it to be their way. She wants to have cookouts, have friends over, install their pool, retire someday, and enjoy life. Everyone has their own agenda. Her former home at 409 North Shawnee sold to a family with five children. Do they have too many kids? Backyards are for your own personal use. She has been judged for having too many toys. She said her house will look no different whether she has a daycare or not. She will have grandbabies and they will have every single toy so they will come to their grandma's house. Some people need to put themselves in others' shoes. They should do some homework, grow in love & kindness, and not tear each other down. Laws are

meant to be followed, but some laws have gray areas. The state wants to protect childcare providers as well as those they care for and have a 35-page rule book. She would have stayed licensed if she could. New school buildings have been built to continue growth. She said they had an online petition of support with over 221 signers, but it failed to have the information required by ordinance. She then read some online comments of support submitted by those who signed that petition.

Acting Chairman Koeller asked if she copied these comments. Mrs. Powell explained the online petition allowed people adding their support to make comments. She said she did not think it was fair that these people were in support and she could not read them to the Commission. Mr. Koeller asked if she had a printout. She offered the printed comments to the Commission. She then completed reading the comments.

Mrs. Powell said she has been listening to the opposition. She said the families will respect not parking on other people's property.

Commissioner Weber asked for clarification on the ratio of children. Mrs. Powell referenced the state law that specifies of the six children only three can be under two years old. Infants are up to 12 months and up to 23 months are toddlers. She read the state statute wording that says these providers do not have to be licensed or report they are providing care. This ratio controls the providers' own children under kindergarten age as well. Ratios are a big deal. From parents' perspective, everyone wants their child in a safe environment and wants them to have peers. They are not asking for anything that is not the same as a big family. It would be great if all moms could stay home and watch their own kids, but that is not how it works. She said two parents both need to work, and daycare is expensive.

Acting Chairman Koeller asked if anyone would like to speak in favor. Mrs. Powell asked if it was allowed for those present in support to stand because not everyone was going to speak, and Mr. Koeller agreed. Those in support stood.

Erica Hendrix of 1922 Orchard Drive was sworn in. She said she works at the software company across the street [Vintage Software] and works with numbers. The updated population of Jackson in 2021 was 15,481, 6.2% of which are under the age of five. There are approximately 5,525 households in Jackson. The median value of owner-occupied homes is \$164,800 as estimated between 2014-2019. The median gross rent is \$880. The average household has 2.63 persons and their income on average is \$64,497. These numbers do not account for recent inflation. Prices have increased 7.5% since 2021. Before the pandemic there were seven daycares in Jackson to care for approximately 1,000 children under age five. Several of these daycares have closed. There is not enough care for all 1,000 children. One has such a lengthy waiting list that they are trying to get a Special Use Permit to watch children in their home as well but did not show up tonight. In Cape, the wait lists are even longer than in Jackson. This is 2022, not 1964 when her mother was born and lived next door to grandparents. Her grandfather was a farmer and her grandmother was a housewife. We live in different times where both parents have to work. Grandparents work as well and childcare is necessary for the majority of the population. She is a graduate of Cape Central, a SEMO alum, and moved to Jackson eight years ago. She lives across from West Lane and down from Orchard. Jackson Junior High and Middle School are down the road. She just started working from home 50% of the time but has worked from home 100% the last two years and hears children playing all day. It doesn't bother her. She is a single parent and searched for months to find childcare. She had to take her child thirty minutes away to Friedheim for childcare before she found Angela Powell and was again left without care when Mrs. Powell was denied a Special Use Permit. They chose to continue keeping the younger children because it is so hard to find care for children under two. Angie called all her provider friends and found a fit for her family. Her friend was

not so lucky. They called thirteen facilities in Cape and Jackson and found two openings. One offered no place for the children to eat besides on the floor. The other had children sitting in front of the TV all day. One in Jackson had a poor reputation. They did not want to send their child there. Another friend called facilities in Cape & Jackson. One had a waiting list of over 200 children and two had over 80 on their wait list. One had 40+. These are facilities, not in-home providers. Her own daughter is on several pre-school wait lists. The soonest she may get in is July and that is not guaranteed. She will have to drive 45 minutes to take her child to Cape and get back to Jackson to work. She kept her daughter with Angela for two years because in-home care is a more personal experience. Facilities hire minimum wage employees who may or may not show up for work. For Angie, this is not a hobby or a tax exemption. She treats them like her own and becomes an honorary member of every family she cares for. Her daughter has been sitting on Mr. Powell's lap through the meeting. The children are treated better than at any facility. She said she is shocked at how this has played out, having always viewed Jackson as a community for families, but is now seeing a different side. She asked the Commission to align with the state recommendation for six children and not side with cranky neighbors. [applause]

Caitlin Brown of 225 Oak Meadow Drive, Jackson, was sworn in. She said she supports children, working families and her daycare provider Angela Powell. She said she is one of the ones the previous speaker talked about. She called several facilities and all have forty or more children on their waiting list. Mr. Koeller asked if her child was let go from the Powells. She said no. Her oldest son is turning four and has been on the Jackson school pre-school waiting list since he was six months old, and they have not yet been called. This is a half-day program and she would still need care before and after. She would have to get him to school from 9-11 although she works 8-5. She would also have to find somewhere in the summer for him to go. Two places had openings, but reviews showed that one had all children sleeping in the provider's personal bed and one had no table for the children to eat. Another, where her friend sent a child for two days, had little squares the children had to stay within. She said these things happen when the caregiver has no one to answer to and no rules to follow. The state would have multiple checks, which is why a state license is preferred by many parents. Angela was denied that when she lost her Special Use Permit. This is not about that. It is about changing the number of children one person can keep from 4-6. The need is extremely high and there are no openings in Jackson for newborns. Families are forced to not have children, or one parent must stay at home with the child, but most families must have two incomes to survive. Single parents do not have the option to stay home. Missouri kidscountdata.org lists the child population under age 5, in 2019 as 5,497 and it has grown 24.3% of those children are from single parent homes. Three major daycare facilities have closed. If Special Use Permit requests continue to be denied, the working families of the community need help with what to do with children up to 5. Raising the number to match the state would help two families per provider. They are just trying to provide for their families. She said she thought this was a community-minded town who helps and rallies around those who need help in time of need. She said considering what has happened in the last six months concerning her provider's change of address, she has not seen support. She has not seen such bullying since she was in high school. Neighbors did not make an effort to get to know the person but put in cameras to monitor them. As a mother who takes her child there, it is very uncomfortable. She has serious issues with adults taking pictures of her minor child. A lot of families would benefit from this change. She hopes the Commission will make the needed adjustment.

Mike Gohn of 3663 Boston's Farm Drive, Maryland Heights (Bridgeton area) Missouri was sworn in. He said he was born and raised in Jackson. Most parents and grandparents see the importance of good daycare. His daughter and son-in-law both work, and his grandsons go to Mrs. Powell. Their goal is to have children in a safe environment where they learn social skills and enjoy the environment. He has

seen these qualities in Angela and heard his grandson talks positively of his experiences there. He hopes she can continue to do this with an expanded number of kids. He is here supporting his daughter, son-in-law and two grandsons. He appreciates what the Commission does.

Darla Herr of 212 Cherry Street was sworn in. She said she did not plan to speak. She is one of the special education teachers at Orchard Elementary. She wanted to share how the daycare situation has affected one of her students this year. The pre-school waiting list for Jackson is three years long. When she had her first born, she was told to put him on the wait list before he was six months old, or he might not be able to attend before kindergarten. With the daycares that have closed and the current limit of four children, there are so many children who are being kept unsafely. This school year, one of her students was impacted by this daycare rule. His mother has him and a younger son. She could not get a job with no daycare and could not pay for daycare with no job. She became homeless and the last thing she could do was voluntarily give up her child to foster care. Ms. Herr took in her student. It was mind-blowing that a single mother in Jackson, Missouri would get to that level without support from the community. She has since found daycare in Cape, has her children back, and seems to be improving. This also impacts children in school if their younger siblings are not able to be taken care of. It causes insecurity for them.

Megan Roth of 2032 Cambridge Drive in Cape Girardeau was sworn in. She said she does not live in Jackson but brings her son to Mrs. Powell. She cannot find daycare in Cape and cannot afford the daycare centers. She is a single mom who cannot afford to rent an apartment and is living with her mother. Without Angela she would not be able to work. The daycare she had lined up fell through. She was in tears when she found Angela. People need a safe place for their children and low-income parents need an opportunity for safe care. Raising the number from four to six gives more single and low-income parents the option to know their child is safely cared for. Her child is two and feels like he has a family other than her who can take care of him. She knows that if something happens, Angela will know what to do and will continue to try to contact her until she reaches her. She is a server and cannot always have her phone with her. More people need that care. There are not enough daycares and is a problem that will keep getting worse.

Paige Hester of 564 North Lacey Street was sworn in. She said she was not prepared but wants to share some thoughts. She wanted to speak to points in the opposition letters. She felt the arguments did not hold water. The opposition wants to protect businesses, but daycares have closed. Just Kids closed. She had fortunately just moved her son from there or they would have been without daycare. Her two young children were raised in in-home daycares, and she preferred that home environment for infants to age three or four. They need to be kids and be loved. She has been in in-home daycares with more than four children and had no safety concerns. When she moved her son from in-home care to a facility because her provider was phasing out, he was four years old and was exposed to porn within a couple of months. There was not enough supervision. She has lived the nightmare of trying to find daycare. She felt the opposition must not have young children and are out of touch. She also does not think changing from four to six is a crazy change and is a good thing. Parents are capable of vetting the in-home cares and determining if their children will be safe there.

Katelyn Fielder of 1433 County Road 349 was sworn in. She said she moved here in October of 2020. She is a mixed-animal veterinarian, and her husband is a diesel mechanic. Their jobs provide stress. She is on call 24/7, serving large and small animals. Her daughter has had to come on some of her cattle calls. They moved here with a month's notice. One of the struggles was finding care for her child when she was almost two. Not being a low-income family, they did not qualify for subsidies that some centers have. She called over twenty locations from a list provided by her employer and all had waiting lists up

to four years. To get a child into care, before you have a child you must put your imaginary child on a waiting list. She had the same problem in Columbia. There were wait lists for imaginary children. She said the need is not just here, it is everywhere and is for all incomes. They were one of the lucky ones to find an opening. For three weeks after they moved, her parents from three hours away had to keep her child. Her daughter is now three years old and is in in-home care where a special use permit is not needed because it is not in the city. It is licensed. Her child knows her ABCs, can count to 20, and knows the names of all the other children at her daycare. She does not know much about the special use permits, maybe they are only needed in fancy neighborhoods. She said she would push for reconsideration of the Special Use Permit. She knows the Powells from a bible study class. There needs to be more people capable of caring for children. It is a blessing and a gift some people have.

Kristina LeGrand of 557 Mansfield Place was sworn in. She said she did not plan to speak. Eight years ago, she could not find daycare, called everyone, and then found Angela Powell for her son. She had a child on the pre-school waiting list since birth who is now in pre-school. Mr. Koeller asked if she is referring to the [Jackson R-2] preschool and she said she is. Pre-school costs three times as much and has been awful for him. His behavior became terrible. Pre-school is \$140/half-day where Angela was \$120. With pre-school and additional care she would have been paying \$700/week. She had to quit her job. She was working to pay for high school students who were just on their phones.

Trent Rogers of 183 Comanche Lane in Fruitland was sworn in. He said his son is 13 years old and went to Miss Angie's from age 3 to kindergarten. No one will get rich watching six children, but it will help others and they may get to stay home and watch their own children.

Faith Geil of 194 Clark St. was sworn in. She knows Angela from a 'small group'. She said she and her husband do not have children and have not put their name on a list yet but is starting to think they should. She works at Walmart Vision Center and talks to people. She is on track to be an education major or an optometrist. Her supervisor had taken her kids to Angela and said she is the most phenomenal care giver. It is a home away from home. She [Angela] is trying to follow the laws and do things properly. They are here to support her.

Brian Powell of 596 Canyon Trail was sworn in. He said he knows anyone who knows Tony Koeller knows he has a love & passion for soccer. That is the same love & passion Angela has for kids. He works for Dollar General and does not look forward to going to work every morning, but she does. She does not want run a daycare, but the best daycare and is always looking for new practices. She works within state guidelines and is not just a babysitter but becomes almost a co-parent. She serves the community. Everyone she keeps children for is an essential worker. She provides the care for them so they can provide the essential services for us. The opposition will say it is not personal, but it has caused them a loss of 60% of their income and government grants, invasion of privacy, sleepless nights, and health issues for his wife. Because of the daycare, they have endured stress, loss of income, personal and social media harassment, reputation of daycare affected, vandalism to their property, and invasion of privacy within the 4 ½ months they have lived there. They had to call the police within the first two weeks of living there. The complaints are contradictory. He does not think traffic is the issue. They come and go several times a day and they have FedEx, UPS, DoorDash, & food delivery. For commercial & residential, before you reach their house there are a gym, a car lot, storage units, and residential duplexes. Accountability - state licensing is the best accountability for daycares. Working from home – his wife cannot do it, but he has learned most of them work from home. He said at the licensing [special use permit] hearing he was told their fence would be an eyesore and cause glare. The fence will come but will take time with their loss of income. Their playground toys are not liked. They cannot win for losing. Kids playing is a disruption to people who work at night. Kids down the street

play basketball every day. Are there going to be mowing schedules or schedules for children to play outside? What about playing in their pools? What about all the houses being built in the subdivision? There is construction noise. He has been asked why he doesn't find somewhere else to live or find somewhere to live where they are more welcome. He said they found their forever home. They loved the location and love the home. He said at the license [special use permit] hearing he read a list of things that affected property values. Daycares were not on that list. Bad neighbors were number one. There is no shortage of that. He said he fears if all this gets out about his neighbors and neighborhood, he would not be able to sell the house.

Diane Lunsford of 1030 Odus Drive was sworn in. She supports the change to six. Daycare is very much needed. In-home daycares are only allowed to do so much. Even unlicensed providers are supposed to follow the guidelines, but you do not know if they are. There are registered unlicensed providers whose house has to be approved and can accept state subsidized care. She said foster parents can use state subsidized care and also cannot find places. The daycares that accept foster children only get about \$12/day and cannot ask for the overage to the normal charge. A lot of people providing daycare are not in it for the money, but they do have to survive. A lot of people and single parents cannot afford the big daycares. In a home they get attention. They learn through play. She said she did not know Angela was having trouble, and she was glad to be able to be here. It takes special people to do this type of business. She asked the Commission to consider changing from four to six. Two more is not that much more. She has done it herself. She asked the Commission to support the parents and those trying to make a living in their home whether they are licensed or unlicensed.

Jamie Kurtz of 2632 Braun was sworn in. She lives across from East Elementary and hears children all day long. She provides in-home daycare because she saw a lack of dependable people to take care of her babies. She took a break and tried a desk job for two years. Her children came home from a facility with head lice and saying cuss words. She said she needed to help parents have someone dependable with one-on-one time where you have a relationship with the families and know what is going on in their family. It is totally different from in-home care to a facility. She has been on both sides. She worked on a base in Nebraska for five years and learned a lot from there that she uses in her home daycare. You ask how they are doing, how their night went, how they were doing with deployment. You cannot get that at a center where they have the stress of running a facility and do not have the time or the dependable help. She gets calls every day. She does not have an opening until August of 2023 when one of her kids goes to kindergarten. She put her daughter on the pre-school wait list when they moved here. When they called to say she could start ½ day pre-school, they could not afford it. She worked at St. Francis doing billing and could not afford to pay childcare and the gas to drive to Cape. So she opened her in-home daycare to be home with her daughter and be there for families who can trust her. She cannot get licensed because there is no second exit from her basement but she can love six kids. She kept 10 children on [military] base for five years and not a single child went home hurt and not a single family had a complaint about the care. She thinks they can do it for six. It is the parents' job to go see where their children will be eating, sleeping, and playing, and must know they can trust the provider. There are bad daycares, and her child was in one that was a center. It was her job to see that and make the change. This is an important change. [applause]

Mr. Koeller asked if we know how many unlicensed daycares there are. Mrs. Sanders said there are probably a lot. Mrs. Powell said she knows there are people caring for six, but she knows they are scared to come forward because they are afraid to lose what they have. When the state law was changed to six, she was the first to tell people they could keep six kids and had no idea that did not pertain to them because they live in the city limits of Jackson.

Acting Chairman Koeller asked how many attending keep children. Five people raised their hands.

Finding no others to speak in favor, Acting Chairman Koeller asked if any were present to speak in opposition.

Lacey Guidicy of 2829 Clear Spring Place was sworn in. She said she opposes the amendment. She understands that childcare is not easily accessible and there is a need. The city should make some changes to better serve families in need of childcare. This is not the change that is going to make a difference. The state law was changed in 2020, and this need goes back at least eight years. There has not been a huge change in child care providers and availability since this law has come into place. Because it is new, there is not data supporting that the need has changed or that this is better or safer for children. The increase in income would benefit providers who strive to provide quality childcare. It opens an appeal to others who have no experience, no education, and maybe even poor intentions to start an in-home daycare. Unlicensed, unregistered daycares register with no one, do not have background checks, and are not on a list. There is no regulation and no safety net for parents. If it was just two more children for the providers here, that makes sense. These provide quality child care. Changing the text opens it up to everyone, and that is not the case for everyone. There are daycares with four children who are not providing quality child care that are not safe environments. Those will also be able to watch two more kids. If they have to get a Special Use Permit they must put their name and address on an application and have accountability. The focus of this amendment request has been about childcare but is a distraction from the purpose of the ordinance. The responsibility of the ordinance and the commission is to protect the citizens of Jackson and their investments. Residential zones are for structures that serve as housing. Home occupations that do not disturb the essence of the residential area are permitted. There is a procedure in place for in-home providers to seek a special use permit to watch more kids. In many cases, the in-home daycares don't have a negative impact. Recently, on Main Street and Shawnee Boulevard, there are in-home daycares with special use permits for more than six kids. In other cases they have been denied because of detrimental effects to the neighborhood. Most homes do not have adequate parking for pick-up and drop-off. You would not allow a baker to have twelve pickups a day or a hairdresser to cut twelve people's hair a day in a residential area without a permit. It is not about child care. It is about differentiating residential from commercial. The streets are not designed for the volume of traffic. The ordinance states that home occupations will not be permitted if they generate substantial volumes of traffic. Reviewing case by case is the best way that all interests are considered about an in-home daycare or other special use permit in residential zones. She asked the Commission to protect homes and families from unregulated child care practices by rejecting this request.

David Gentry of 2830 Clear Spring Place was sworn in. He said he wants to say something in rebuttal. He is one of the cranky neighbors and has never spoken to these individuals who said he needs to get to know them. Their play equipment is right on his property line and hears the kids every day. He lives right behind them. They never asked if he minded. He and his wife moved from Washington, D.C. to Jackson. They looked at five different neighborhoods and picked this neighborhood because it was quiet and new. Now they have a daycare center. He thinks four children is plenty. He knows there is a childcare problem. People talked about a two-year wait. In Washington, D.C. the wait is six years, and the cost is \$2,500/wk. for one child. He said there should be a give and take in their neighborhood. He understands the property values. Having the police called is ridiculous. He agrees with four and disagrees with six. They first wanted ten and got four. Now they want six. In two months are they going to want eight or ten again? He is opposed for that reason.

Commissioner Weber asked for clarification of his location. He is right behind.

Finding no others wishing to speak, Acting Chairman Koeller gave Mrs. Powell an opportunity to rebut.

Angela Powell came forward. She said this ordinance pertains to the whole city and the opposition is from her subdivision and against her house. She said her house has a lot of room and is on a dead-end street. There are lots that cannot be built on because of the drainage and whoever buys those properties is going to have to fix that. When you drive from the top of the hill there are two houses and two empty lots. There will be four houses before getting to her house. You turn onto Prairie View Trail past the houses and empty lots and there is their driveway. Their parents do not pull into other driveways or turn around in other driveways. They can pull into their driveway and go right into the home at the basement. Her toys are lined up. She has tried to contact Mr. Gentry and has even returned mail to his house. Whether they moved in or someone else, this is a four bedroom home and anyone could have moved in. She made sure with her realtor there were no covenants or HOAs. They are not here to hurt the residential area. There is a need. They have to work in hiding because people want to sit in their backyard and be peaceful. Towns are not peaceful, acreage in the country is. They can hear truck traffic from Highway 61 and there is commercial right by them. Lacey [Guidicy] lives across the street and is the most impacted in her opinion. Mrs. Powell said they [children] are only outside a little bit in the morning and a little bit in the afternoon. It is like telling a family that moves in there they cannot play outside. She said she would have loved to be friends with all her neighbors. She said that may never happen. She has waved at the Gentrys on multiple occasions but then heard him talking about the situation to a delivery driver at their house who was a complete stranger. She said she is a level-headed person and will talk to anyone who talks back because she has worked with children for so many years. She loves adult interaction. She said a fence will help. She thought when they moved there, they would realize that it was not as bad as they thought it was going to be and there would be less opposition. She said two families spoke in opposition and they are her neighbors. Her Christmas lights were cut. One of them made noise and offended Ms. Guidicy so she turned it down. She provides a service, and they are like a big family. When she first moved in she had six kids. Commissioner Weber asked her percentage. She currently has two children under age three. She kept the infants because they are harder to place. They have had some issues. She talked about laws and gray areas. She said she is a pretty honest person, and could tell everything but then would be held accountable for it so she won't speak on certain things. She would love to share how it works. Her baby didn't make it in another daycare and she could not let him stay there. She said she did what she did and could be reprimanded for that. They are just asking for two more kids. She could help two of their families who would not have to be miserable at their other places. She said she had plenty of room at this house for the daycare but they did not want her here and did not want the toys here. Their income tax check will be used for the fence and they will not have to look at them much longer. Being a licensed daycare is always the best answer. The licensing rules protects both the caregiver and the children. Most states will not allow in-home childcare because of the risk to children. She said for their Special Use Permit, the Planning & Zoning Commission approved it and the Board of Aldermen denied it because of the glare of the fence and the nuisance of the noise. The civic center is across Highway 61. She has had an accident on Highway 61.

The Commission asked her hours. She said her hours are 6:30 to 5:30. The police have been called because a truck blocked one of her parents and her three-year-old daughter from leaving and scared that parent. Their Christmas lights were cut. Mrs. Guidicy sent her son to take pictures because she wants to record her doing something wrong. She has never had over six since being in her new home but Tiny Tots closed for two days for Covid, so she helped out by having six children. She does not want to go to jail or get a ticket. There are no covenants or restrictions where she lives, and she does not understand why her permit did not pass. She said what people want is not fair to what people need.

An audience member asked if they could speak again. Acting Chairman Koeller said their opportunity had ended. He then closed the hearing.

OLD BUSINESS

Request for a Special Use Permit for an)
in-home daycare as a home occupation)
in an R-4 General Residential District at)
716 West Washington Street submitted)
by Angela & Kaleb Hahn)

Chairman Koeller opened the item for discussion. The Commission discussed the parking issue, the small house, and that the applicant did not attend.

Commissioner Fadler made a motion to approve the request. The motion was seconded by Commissioner Weber and unanimously failed.

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

Request for a text amendment to Chapter)
65 (Zoning) related to babysitting as a)
home occupation)

Commissioner Bartels suggested a compromise at five children. Commissioner Fadler said codes are written to protect property. If he bought in a new neighborhood, he would not want commercial uses. There could be 100 people keeping children. If this is changed for one individual, it is changed for all. He said the Commission previously reviewed a transmission business. The support at this hearing was for Mrs. Powell. The Commission has to look at how it affects the community.

Commissioner Emmendorfer said there is a larger need and the [Powell's] property was ideal. The Commission approved it and the Board of Aldermen denied it. She said it puts this group in a difficult situation.

Commissioner Fadler asked if this increase would require a change to the fire codes. Mrs. Sanders responded that staff would not recommend changing the building or fire code because these are international codes and changing them takes on liability by the City.

Commissioner Harrison said this affects the big picture. It is not their job to control. The codes were written for a previous time and Jackson is growing. The Commission needs to look at whether they still make sense.

Mrs. Sanders was asked about the detention lots. She said there are two lots that share the detention basin, but they are buildable lots.

Commissioner Dryer said state rules are for the whole state, a lot of which is rural with houses far apart. He referenced the definition of home occupation and said it states that a home occupation is to be carried

on wholly within the building. By playing outside, they are violating the code. The home occupation definition also prohibits any substantial volume of traffic. With four children you have 176 vehicles a month. With six it would be 264. This also violates the definition.

Commissioner Bartels disagreed, saying that the allowance to babysit four children presumes that they can come there and play outside. It would be inhumane to keep them from the back yard.

Commissioner Harrison said this is a personal investment. Neighbors with teenage children who all have cars can be more annoying.

Commissioner Fadler made a motion to approve the request, seconded by Commissioner Harrison.

Commissioner Bartels said he had more discussion. He again recommended five children. This would be middle ground, seems logical, and can match the building and fire code. It is not an individual situation anymore. Others agreed.

Commissioner Fadler withdrew his motion. Commissioner Harrison withdrew her second.

Commissioner Bartels moved to approve recommending amending the code to five children. The motion was seconded by Commissioner Weber. A roll call vote was taken with Commissioners Bartels, Emmendorfer, Harrison, Weber, and Koeller voting yes. Commissioners Fader and Dryer voted no.

Vote: 5 ayes, 2 nays, 0 abstentions, 2 absent

NEW BUSINESS

Request for s Special Use Permit for gun)
sales in a C-3 Central Business District)
at 125 Court Street submitted by Jones)
Drug Store, LLC)

Mrs. Sanders pointed out the new city attorney interprets the code and state law to require public hearings at the Planning and Zoning level for all rezonings, special use permits, and code changes. Therefore, a public hearing will need to be set. She reported one of the owners of Jones Drug Store lives in an upper level apartment and this is a request for by-appointment sales on the upper level of the Jones Drug Store building. Mr. Brian Kiefer came forward and stated he wants to get a Federal Firearms License to sell to friends. He lives upstairs.

Commissioner Fadler made a motion to set a public hearing. The motion was seconded by Commissioner Bartels and was unanimously approved.

Vote: 7 ayes, 0 nays, 0 abstentions, 2 absent (to set public hearing)

Request for a Land Exchange Certification)
for transfer of 1,989 sq. ft. of property from)
1985 Ripken Way to 1944 Ripken Way)
submitted by B&R Developers, LLC)

Mrs. Sanders reported this is the transfer of a sliver of property from one lot on the Ripken Way cul-de-sac to an adjacent lot. Both lots will still meet the minimum lot size and frontage requirements.

Ron Clark came forward and said he is selling the vacant pie-shaped lot but wants to keep part of it to be able to mow around his retaining wall.

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

Request for approval of a minor subdivision)
Plat of Cara's First Subdivision submitted)
By Country Life, LLC)

Acting Chairman Koeller recused himself and moved to the audience. Mrs. Sanders said this is property that was previously owned by Marilyn Landewee who was going to subdivide it but then sold the entire property to Country Life, which is Tony Koeller. The application includes a variance request from the minimum lot frontage and from the requirement to add a 10' easement around the boundary. The lot frontage would be 60' for each lot which is consistent with the other lots in the neighborhood.

Mr. Koeller said she kept postponing the subdivision. He bought some rental houses from her including this property and agreed to finish the subdivision and give one lot back to her. It is time to give it back. She plans to build a shotgun style rental house on the lot that is a big hole.

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

Vote: 6 ayes, 0 nays, 1 abstention, 2 absent

Consider a motion to add items to the)
agenda)

Mrs. Sanders reported the Request for Qualifications for the Comprehensive Plan Update has been published on the APA website and emailed to SEMO Regional Planning and Houseseal Lavigne Associates who completed the city's last comprehensive plan. It will also be published in the Cash-Book Journal in their next edition. The due date to receive qualifications is March 31st and a committee meeting will be scheduled for a date shortly afterward to review the submitted qualifications.

Adjournment)

Commissioner Fadler made a motion to adjourn, seconded by Commissioner Emmendorfer 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.

Staff Report

ACTION ITEM: Request for a Special Use Permit for gun sales in a C-3 Central Business District at 125 Court Street

APPLICANT: Jones Drug Store, Inc.

APPLICANT STATUS: Property Owner

PURPOSE: To offer by-appointment gun sales in an apartment above Jones Drug Store

SIZE: Approx..3,050 sq. ft. lot size

PRESENT USES: Drug store main level; residential apartments upper level; basement storage

PROPOSED USE: Same with limited gun sales as part of residential use

ZONING: C-3 Central Business District

SURROUNDING LAND USE: C-3 Central Business District in all directions

HISTORY: This building has traditionally been a retail drug store with apartments above.

TRANSPORTATION AND PARKING: All required parking already exists.

APPLICABLE REGULATIONS: Zoning Code (Chapter 65)

Sec. 65-13. - C-3 Central business district regulations.

The regulations set forth in this section, or set forth elsewhere in this chapter when referred to in this section, are the regulations of the C-3 Central business district. The purpose of the C-3 Central business district is to provide for compact commercial development in the core area of the city and to maximize the utilization of this area by minimizing lot restrictions and height requirements.

(1) *Use regulations.* A building or premises shall be used only for the following purposes:

gg. Sports and sporting goods stores and gun sales and repair with a special use permit only.

2009 COMPREHENSIVE PLAN: Commercial use

FLOODPLAIN INFORMATION: This property is not located in a floodplain as determined by FEMA map panel 29031C0143E dated 9/29/11.

PHYSICAL CHARACTERISTICS: This location is above Jones Drug Store.

COMMENTS: One of the property owners lives in an apartment above the store and wants to apply for an ATF license to sell guns from his home by appointment.

ACTION REQUIRED: The Commission shall approve or deny this request. Our new city attorney has determined that based on state law wording, all public hearings at this level are required and not optional so a public hearing will be required prior to a decision.



REZONING / SPECIAL USE PERMIT APPLICATION

City of Jackson, Missouri

APPLICATION DATE: 2/25/2022

TYPE OF APPLICATION: Rezoning ☒ Special Use Permit

PROPERTY ADDRESS (Other description of location if not addressed):

125 Court Street

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

Property Owner Name(s): Jones Davis Stone Inc.

Mailing Address: 125 Court Street

City, State ZIP: Jackson MO. 63755

PROPOSED PROPERTY OWNERS (if property is to be transferred, name(s) in which property will be deeded):

Proposed Property Owner(s): _____

Mailing Address: _____

City, State, ZIP: _____

CONTACT PERSON HANDLING APPLICATION:

Contact Name: Bryan Kiefer

Mailing Address: 125 Court Street

City, State ZIP: Jackson, MO. 63755

Contact's Phone: 573 803 8879

Email Address (if used): bkiefer@charter.net

CURRENT ZONING: (check 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 type="checkbox"/> C-2 (General Commercial) |
| <input type="checkbox"/> R-3 (One- And Two-Family Residential) | <input checked="" 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) |
| | <input type="checkbox"/> I-3 (Planned Industrial Park) |

CURRENT USE OF PROPERTY: Pharmacy, owners apartment

PROPOSED ZONING: (check all that apply)

R-1	(Single-Family Residential)	C-1	(Local Commercial)
R-2	(Single-Family Residential)	C-2	(General Commercial)
R-3	(One- And Two-Family Residential)	<u>C-3</u>	(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)

PROPOSED USE OF PROPERTY: Personal sale, in home, of firearms

LEGAL DESCRIPTION OF TRACT (attach a copy of the deed or other legal description):

See Attached.

REASON FOR REQUEST: State the reason(s) why you believe the requested use will be beneficial to the neighborhood and the City of Jackson. Attach additional page(s) as needed.

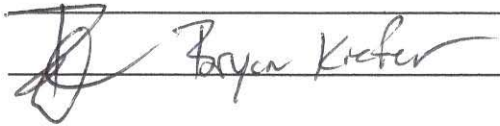
Home office is located at Address

DRAWINGS (FOR SPECIAL USE PERMITS ONLY): If one or more buildings or other structures are to be added to the property for a special use permit, attach a scaled plat of the tract(s) showing the location of all buildings. If any buildings are to be less than the standard minimum setbacks, include these distances on the drawing. Any approved special use permit will be based on this building layout. Changes to the layout will require a new special use permit.

SURROUNDING PROPERTY OWNERS: A map of the property location and a map and list of all owners of property within 185' of the property in question will be incorporated by the City as part of this application. The 185' distance is exclusive of right-of-ways. The City will prepare this map based on the most current tax information published by the Cape Girardeau County Assessor.

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 this application along with appropriate non-refundable application fee to:

Janet Sanders
Building & Planning Superintendent
City of Jackson
101 Court Street
Jackson, MO 63755

573-243-2300 ext.29 (ph)
573-243-3322 (fax)
jsanders@jacksonmo.org

APPLICATION FEES:	Rezoning:	\$200.00
	Special Use Permit:	\$100.00

LEGAL DESCRIPTION

GENERAL WARRANTY DEED

BOOK 447 PAGE 208

THIS INDENTURE, Made on the 10th day of June A.D. One Thousand Nine Hundred and Eighty-Six by and between John M Finney and Leatha J. Finney, husband and wife, of the County of Cape Girardeau in the State of Missouri. Parties of the First Part, and Jones Drug Store, Inc., a Missouri Corporation, of the County of Cape Girardeau, in the State of Missouri, Parties of the Second Part: (mailing address of said first named grantee is 125 Court Street, Jackson, Missouri 63755).

WITNESSETH, That the said parties of the First Part, in consideration of the sum of Ten Dollars and other valuable consideration to them paid by the said parties of the Second Part, the receipt of which is hereby acknowledged, do by these presents, Grant, Bargain and Sell, Convey and Confirm, unto the said parties of the Second Part their heirs and assigns, the following described Lots, Tracts or Parcels of Land, lying, being and situate in the County of Cape Girardeau and State of Missouri, to-wit:

Part of Lot Fifty (50) in the Original Town of Jackson, now City, described by metes and bounds as follows:

Beginning at a point in the West line of Court, Street, that is, 105.75 feet South of the Northeast corner of Lot 50 in Jackson, Missouri; thence West 61.0 feet; thence South 5.5 feet; thence West 12.5 feet; thence South 37.5 feet; thence East 73.5 feet to the West line of Court Street; thence North along said North line 42.75 feet to the point of beginning.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining unto the said parties of the Second Part, and unto their heirs and assigns, FOREVER, the said John M. Finney and Leatha J. Finney, husband and wife, hereby covenanting that they are lawfully seized of an indefeasible Estate in Fee in the premises herein conveyed; that they have good right to convey the same; that the said premises are free and clear of any encumbrance done or suffered by them or those under whom they claim, and that they will WARRANT AND DEFEND the title to the said premises unto the said parties of the Second Part, and unto their heirs and assigns, FOREVER, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the said parties of the First Part have hereunto set their hands the day and year first above written.

John M. Finney
John M. Finney
Leatha J. Finney
Leatha J. Finney



125 Court St.
Location Map



125 Court St.
Properties Within 185'

Staff Report

ACTION ITEM: Request for a Land Exchange Certification for transfer of 0.46 acres of property from 3702 Bainbridge Road to 3416 County Road 306 (remainder of County Rd. 306 outside city limits)

APPLICANT: Timothy and Michelle Welker

APPLICANT STATUS: Granting property owners

PURPOSE: To trade 0.46 acres of property within the city limits for 1.03 acres of property outside the city limits.

SIZE: 0.46 acres

PRESENT USES: Residential / Agricultural

PROPOSED USE: Same

SURROUNDING LAND USE: North – out of city; South – out of city; East – C-2 General Commercial; West – out of city

HISTORY: This property was rezoned in 2014 from R-2 Single Family Residential to C-2 General Commercial as part of the South Old Orchard Road corridor. A variance was granted in 2017 from the restriction prohibiting an accessory building from being closer to the street than the main building for construction of a detached garage 40' from the street pavement. A building permit was issued for this building, but it was not constructed, and the permit expired.

TRANSPORTATION AND PARKING: All street frontage and minimum lot size for the lot in the city remains.

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

2009 COMPREHENSIVE PLAN: Residential use

FLOODPLAIN INFORMATION: Not in a floodplain per FEMA map panel 29031C0251E dated 9/29/11

PHYSICAL CHARACTERISTICS: The existing lot at 3702 is a very wide shallow lot. The resulting property will be partially inside and partially outside the city limits.

COMMENTS: This land exchange addresses only the portion of the proposed trade of land that is inside the city limits. The city has no jurisdiction to control the portion of the transfer that is outside the city.

The city attorney's input was requested prior to this application to verify that Land Exchange involving a county property was appropriate rather than a minor subdivision plat of the lot inside

the city limits. He did verify this procedure is still applicable even though the remainder of the receiving property is outside the city limits.

ACTION REQUIRED: The Commission shall approve or deny this request.

LAND EXCHANGE CERTIFICATION APPLICATION FORM

City of Jackson, Missouri



DATE OF APPLICATION: 03-02-2022

ADDRESS OF GRANTING PROPERTY: 3702 Bainbridge Rd/3416 County Rd 306

ADDRESS OF RECEIVING PROPERTY: 3702 Bainbridge Rd/3416 County Rd 306

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

Property Owner Name(s): Timothy and Michelle Welker

Mailing Address: 3702 Bainbridge Rd

City, State ZIP: Jackson, MO 63755

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

Property Owner Name(s): Leslie and Rosemary Smith Trust

Mailing Address: 3416 County Rd 306

City, State ZIP: Jackson, MO 63755

ENGINEER / SURVEYING COMPANY: Strickland Engineering

Engineer / Surveyor Contact: Rodney Amos

Mailing Address: 113 W. Main St., Suite 1

City, State ZIP: Jackson, MO 63755

Contact's Phone: 573-243-4080

CONTACT PERSON HANDLING APPLICATION:

Contact Name: Timothy Welker

Mailing Address: 3702 Bainbridge Rd

City, State ZIP: Jackson, MO 63755

Contact's Phone: 573-979-3763

Contact's Email Address (if used): _____

APPLICATION FOR (check one):

- ☐ Division of land into no more than four lots, all of which are 3 acres or greater in size
- ☐ Division of land for cemetery usage
- ☐ Lot line adjustment between adjoining lots
- ☒ Transfer to adjoining property to improve ingress or egress
- ☐ Combination or re-combination of previously platted lots. Total number of lots may not be increased and all resulting lots apply with the Land Subdivision Regulations

REASON FOR REQUEST (use additional pages if needed):

Adding additional property to receiving property


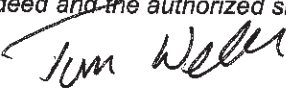
CURRENT ZONING: (circle all that apply)

- | | |
|--|--|
| <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) |
| | <input type="checkbox"/> I-3 (Planned Industrial Park) |

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

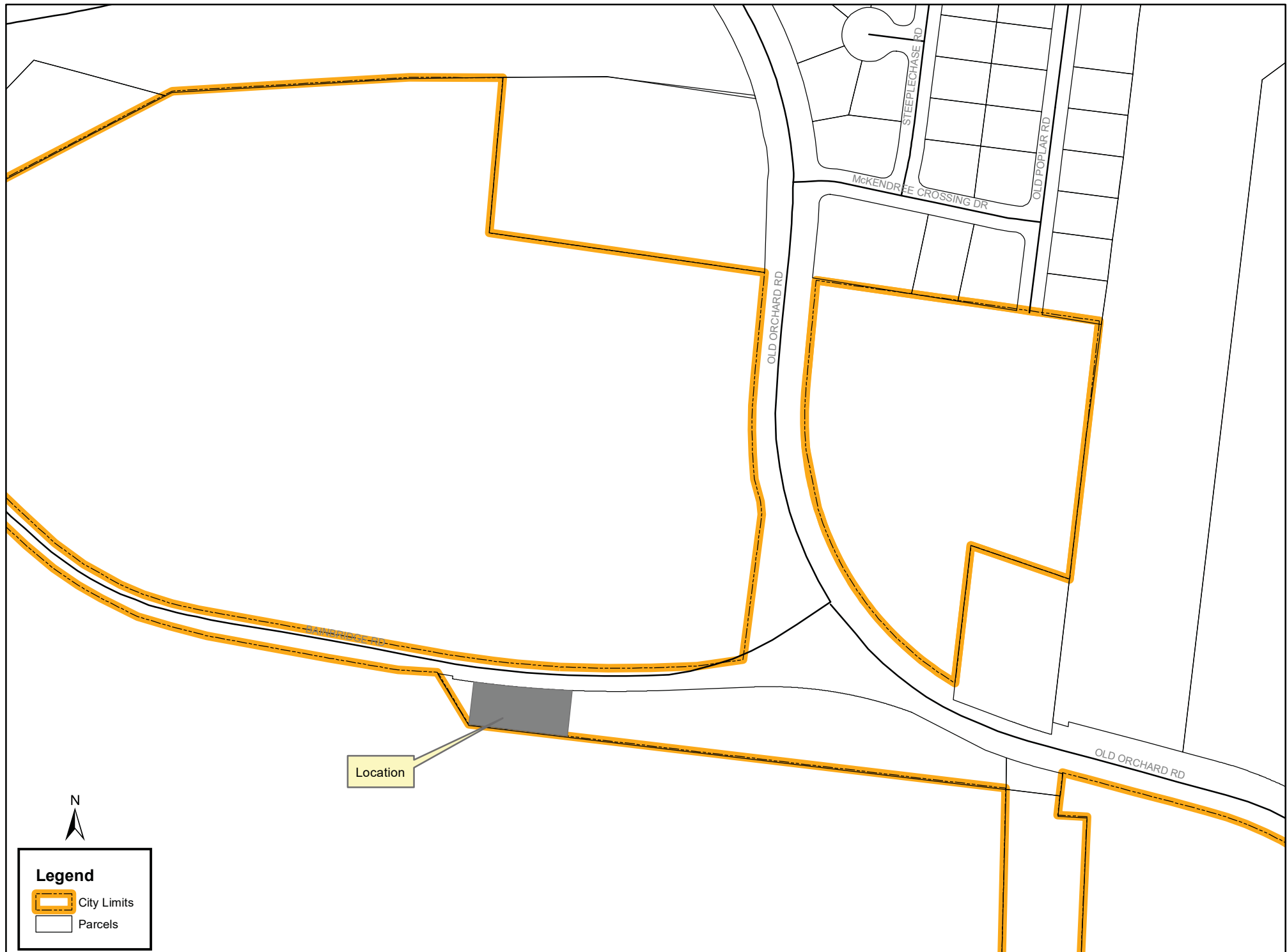
OWNER SIGNATURES:

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:

Janet Sanders
Building & Planning Manager
City of Jackson
101 Court Street
Jackson, MO 63755
Ph: 573-243-2300 ext. 29
Fax: 573-243-3322
Email: jsanders@jacksonmo.org



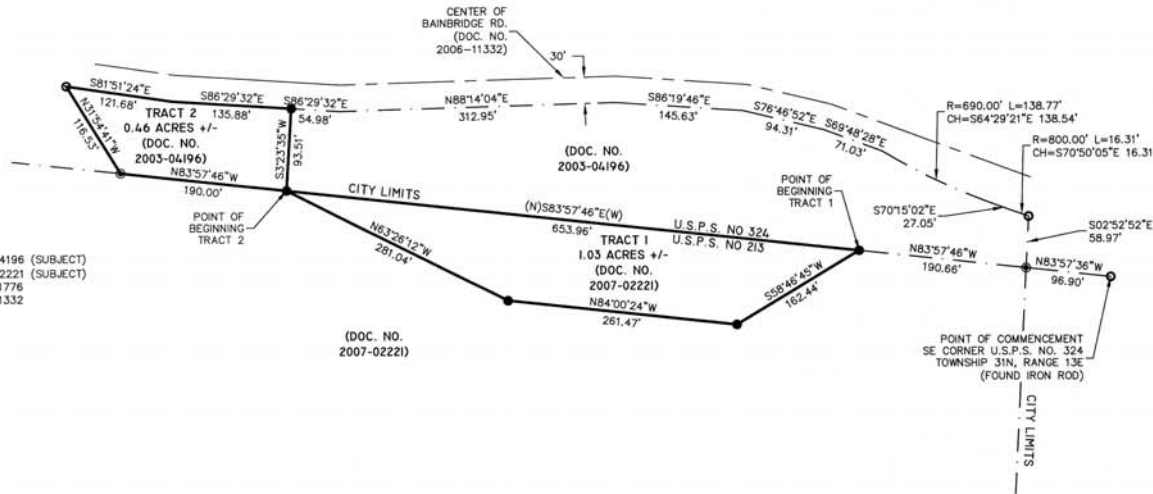
3702 Bainbridge Rd Land Exchange
Location Map

LAND EXCHANGE PLAT FOR TIM AND MICHELLE WELKER

Part of U.S.P.S. No. 324, and Part of U.S.P.S. No. 213, Township 31 North,
Range 13 East of the Fifth Principal Meridian,
in the City of Jackson, Cape Girardeau County, Missouri.



100 0 100 200



REFERENCES

1. DOCUMENT NO. 2003-04196 (SUBJECT)
2. DOCUMENT NO. 2007-02221 (SUBJECT)
3. DOCUMENT NO. 2010-01776
4. DOCUMENT NO. 2006-11332

ACCURACY STANDARD: TYPE URBAN

LEGEND

1. 1/2" IRON ROD (SET)
2. 5/8" IRON ROD W/ALUM CAP (SET)
3. IRON ROD W/CAP (FOUND)
4. IRON ROD (FOUND)
5. IRON PIPE
6. STONE
7. COTTON PICKER SPINDLE
8. CHISELED CROSS
9. AXLE
10. ALUMINUM MONUMENT
11. RIGHT-OF-WAY MARKER
12. (M) MEASURED
13. (R) RECORDED



THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS MADE EFFECTIVE JUNE 30, 2017. IN WITNESS WHEREOF, I HAVE SET MY SEAL AND SIGNATURE THIS 1ST DAY OF MARCH 2022.

RODNEY W. AMOS, MO-PLS 2007000072
113 WEST MAIN STREET
JACKSON, MISSOURI 63755

TRACT 1 - DESCRIPTION (ATTACHING TO DOC. NO. 2003-04196)

THAT PART OF U.S.P.S. NO. 213, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CAPE GIRARDEAU COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF U.S.P.S. NO. 324, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, ALSO BEING THE NORTHEAST CORNER OF SAID U.S.P.S. NO. 213; THENCE NORTH 83°57'46" WEST ALONG THE NORTH LINE OF SAID U.S.P.S. NO. 213, ALSO BEING THE SOUTH LINE OF SAID U.S.P.S. NO. 324, 287.56 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, AND LEAVING SAID NORTH LINE, SOUTH 58°46'45" WEST 162.44 FEET; THENCE NORTH 84°00'24" WEST 261.47 FEET; THENCE NORTH 63°26'12" WEST 281.04 FEET TO A POINT ON SAID NORTH LINE OF SAID U.S.P.S. NO. 213; THENCE SOUTH 83°57'46" EAST ALONG SAID NORTH LINE, 653.96 FEET TO THE POINT OF BEGINNING.

THE HEREIN DESCRIBED TRACT CONTAINS 1.03 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, RESTRICTIONS, AND LICENSES AFFECTING THE SAME, EITHER WRITTEN OR IMPLIED.

TRACT 2 - DESCRIPTION (ATTACHING TO DOC. NO. 2007-02221)

THAT PART OF U.S.P.S. NO. 324, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF JACKSON, CAPE GIRARDEAU COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID U.S.P.S. NO. 324, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, ALSO BEING THE NORTHEAST CORNER OF U.S.P.S. NO. 213; THENCE NORTH 83°57'46" WEST ALONG THE SOUTH LINE OF SAID U.S.P.S. NO. 324, ALSO BEING THE NORTH LINE OF SAID U.S.P.S. NO. 213, 941.52 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, CONTINUE NORTH 83°57'46" WEST ALONG SAID SOUTH LINE, 190.00 FEET; THENCE LEAVING SAID SOUTH LINE, NORTH 31°54'41" WEST 116.53 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF BAINBRIDGE ROAD; THENCE SOUTH 81°51'24" EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 121.66 FEET; THENCE CONTINUE ALONG SAID SOUTH RIGHT OF WAY LINE, SOUTH 86°29'32" EAST 135.88 FEET; THENCE LEAVING SAID SOUTH RIGHT OF WAY LINE, SOUTH 03°23'35" WEST 93.51 FEET TO THE POINT OF BEGINNING.

THE HEREIN DESCRIBED TRACT CONTAINS 0.46 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, RESTRICTIONS, AND LICENSES AFFECTING THE SAME, EITHER WRITTEN OR IMPLIED.

THIS SURVEY CREATES NEW PARCELS FROM TRACTS DESCRIBED IN DOC. NO. 2003-04196 AND DOC. NO. 2007-02221 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI.

STATE OF MISSOURI
COUNTY OF CAPE GIRARDEAU

FILED FOR RECORD THIS _____ DAY OF _____, 2022 AND DULY

RECORDED IN DOCUMENT NUMBER _____

ANDREW DAVID BLATNER
RECORDER OF DEEDS OF CAPE GIRARDEAU COUNTY, MISSOURI



STRICKLAND
ENGINEERING

113 WEST MAIN STREET
JACKSON, MISSOURI 63755
TEL: 573-243-4080
FAX: 573-243-2191

CIVIL - MECHANICAL - ELECTRICAL ENGINEERING - LAND SURVEYING

LAND EXCHANGE PLAT FOR
TIM & MICHELLE WELKER
3702 BAINBRIDGE RD
JACKSON, MO

SCALE	1"=100'
DATE	03-01-2022
DRAWN BY	RA
CHECKED BY	DR
PROJECT #	22-103

Staff Report

ACTION ITEM: East Main Crossroads Commercial Subdivision

APPLICANT: Michael K. & Linda J. Haynes

APPLICANT STATUS: Property owners

PURPOSE: Subdivision

SIZE: 7.09 acres

PRESENT USES: Vacant / undeveloped

PROPOSED USE: Commercial / partially undeveloped

ZONING: C-2 General Commercial District

SURROUNDING ZONING: North – R-2 Single Family; South – C-2 General Commercial; East – C-2 General Commercial; West – R-2 Single Family

HISTORY: This property is part of a larger tract that was previously divided in two by the development of East Main Street.

TRANSPORTATION AND PARKING: All three lots of this subdivision front on East Main Street with a 60' space left for future development of Donna Drive, a collector street on the Major Street Plan

APPLICABLE REGULATIONS: Land Subdivision Regulations (Chapter 57 of Code of City of Jackson)

2009 COMPREHENSIVE PLAN: Commercial use

FLOODPLAIN INFORMATION: This property is not located in a floodplain per FEMA panel 29031C0144E dated 9/29/11

PHYSICAL CHARACTERISTICS: The elevation of this tract was cut down at a previous time, leaving a vertical face at the west property line that can be addressed during the building of structures on these lots.

COMMENTS: The developer requests two variances from the Land Subdivision Regulations

- 1) Detention be deferred to the building phase on the individual lots (typical for commercial subdivisions)
- 2) One plat serves as the preliminary and final plat.

Donna Drive, a collector street on the Major Street Plan, runs through this property. They have made provisions for its future development with this lot layout and will have to address its construction if they further subdivide the rear lot.

A performance bond has been submitted by the developer guaranteeing installation of the required infrastructure, in this case a short sewer main extension. When a performance bond is submitted, the city can proceed with approval of the final plat and the developer can then sell lots. No building permits can be issued until all required infrastructure (sewer) is installed, tested, and approved.

Water and electric for these lots currently exist on East Main Street.

ACTION REQUIRED: The Commission shall vote to recommend approval or denial of this preliminary pla

From: Mike Haynes <mikehaynes.properties@gmail.com>
Sent: Wednesday, April 13, 2022 9:32 AM
To: Janet Sanders
Subject: Tonight's Planning & Zoning Meeting

Janet,

After we spoke yesterday, I changed my mind. Given that my buyer backed out on purchasing the Western Lot on East Main Street yesterday, I decided to push everything back to next month's P&Z Meeting. The urgency for the City of Jackson approval process was for the Western Lot Buyer who said they were in a hurry to get their building permit. Since they backed out yesterday and they want to reassess their situation, I do not need to rush anything now. This will give me more time to get a contract signed on the lot next to Domino's. I will let you know how it goes over the next couple weeks.

I am sorry for being on the P&Z agenda and then backing out, but hopefully you and the P&Z Commission understand that this was a very unforeseen situation with my buyer.

Please respond back, so I know you received this email.

Thanks,

Mike

Mike Haynes

President



MIKE HAYNES PROPERTIES

Email: mikehaynes.properties@gmail.com

Website: mikehaynesproperties.com

Phone: 573-483-2200



SUBDIVISION APPLICATION FORM

City of Jackson, Missouri

NAME OF SUBDIVISION: EAST MAIN CROSSROADS COMMERCIAL SUBDIVISION

DATE OF APPLICATION: 03/24/2022

PROPERTY OWNERS: (all legal property owners exactly as listed on the deed)

Names, Addresses & Phone #s: MICHAEL K & LINDA J. HAYNES
13275 LAKEWOOD DR.
STE. GENEVIEVE, MO, 63670

CONTACT PERSON HANDLING APPLICATION:

Contact's Name: ASHTON GASKILL

Contact's Mailing Address: 194 COKER LN
CAPE GIRARDEAU, MO, 63701

Contact's Phone: 573-335-3026

ENGINEER / SURVEYOR:

Company Name, Addresses & Phone #: KOEHLER ENGINEERING AND LAND SURVEYING
194 COKER LN
CAPE GIRARDEAU, MO, 63701
573-335-3026

TYPE OF SUBDIVISION APPLICATION: (check all applicable items)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Preliminary plat approval | <input checked="" type="checkbox"/> Final plat approval |
| <input type="checkbox"/> Minor subdivision approval | <input type="checkbox"/> Re-subdivision plat approval |

LEGAL DESCRIPTION OF TRACT: (attach separate page if necessary)

ALL OF LOT NUMBER 2 OF HAYNES ESTATES THIRD, A SUBDIVISION RECORDED IN DOCUMENT 2019-12095, IN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI.

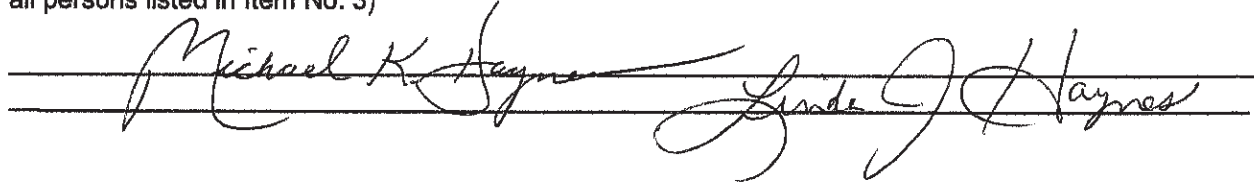
ZONING: Indicate the current zoning district classification of the entire tract to be developed (circle all that apply):

- | | | | |
|------|--------------------------------|------------|-----------------------------|
| R-1 | Single Family Residential | C-1 | Local Commercial |
| R-2 | Single Family Residential | <u>C-2</u> | General Commercial |
| R-3 | One and Two Family Residential | C-3 | Central Business District |
| R-4 | General Residential | C-4 | Planned Commercial District |
| MH-1 | Mobile Home Park | CO-1 | Enhanced Commercial Overlay |
| CO-1 | Enhanced Commercial Overlay | I-1 | Light Industrial |
| | | 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 ☒

OWNERS' SIGNATURES:

I state upon my oath that all of the information contained in this application is true. (Original signatures of all persons listed in Item No. 3)

The image shows two handwritten signatures in cursive script. The first signature, on the left, is "Michael K. Haynes" and the second, on the right, is "Linda J. Haynes". Both signatures are written over two horizontal lines.

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

Janet Sanders
Building & Planning Superintendent
City of Jackson
101 Court Street
Jackson, MO 63755

Ph: 573-243-2300 ext. 29
Fax: 573-243-3322
Email: jsanders@jacksonmo.org



KOEHLER ENGINEERING & LAND SURVEYING, INC.

194 COKER LANE
CAPE GIRARDEAU, MO 63701
PH: (573) 335-3026 FX: (573) 335-3049

March 23, 2022

Ms. Janet Sanders
Building and Planning Superintendent
Public Works, City of Jackson
101 Court Street
Jackson, MO 63755

RE: Main Street Crossroads Commercial Subdivision

Ms. Sanders:

Regarding the subdivision application for Main Street Crossroads Commercial Subdivision, given the limited scope of the proposed subdivision and sewer infrastructure plans, we request a variance from the Land Subdivision Regulations to allow the preliminary and final plat to be combined.

Additionally, we request that storm water detention for each lot be handled on an individual basis.

If you have any questions, please let me know as soon as possible.

Sincerely,

Chris Koehler, PE
Koehler Engineering & Land Surveying

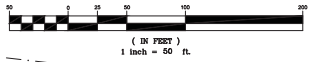


Location Map
East Main Crossroads Commercial Subdivision



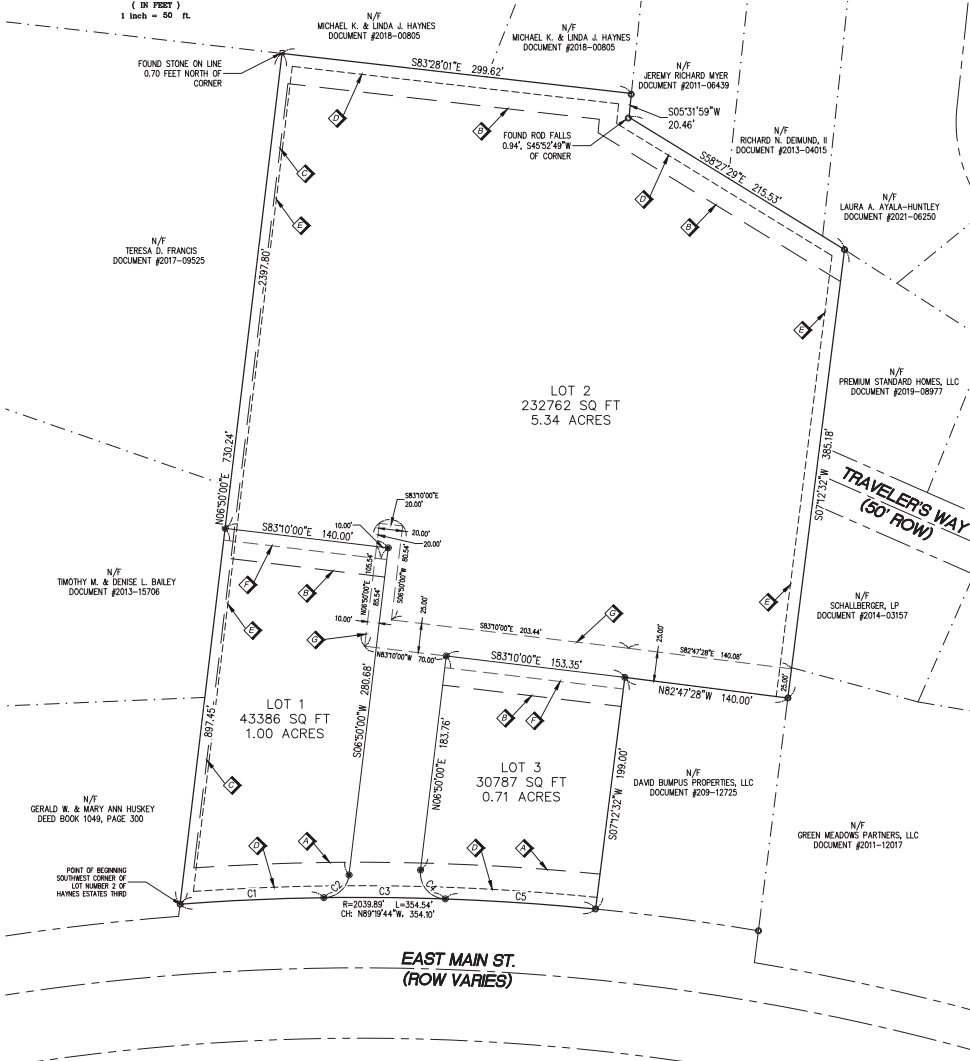
NORTH ORIENTATION FROM
MISSOURI STATE PLANE
COORDINATE SYSTEM

GRAPHIC SCALE



RECORD PLAT OF East Main Crossroads Commercial Subdivision

ALL OF LOT NUMBER 2 OF HAYNES ESTATES THIRD, A SUBDIVISION RECORDED IN DOCUMENT
2019-12095, IN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI.



SUBDIVISION NOTES

ZONING DISTRICT REGULATIONS

THE SUBDIVISION IS ZONED
C-2 GENERAL COMMERCIAL DISTRICT

DETACHED SINGLE-FAMILY DWELLINGS SHALL BE ON A LOT
HAVING AN AREA OF NOT LESS THAN EIGHT THOUSAND (8,000)
SQUARE FEET AND A WIDTH AT THE FRONT LOT LINE OF NOT LESS
THAN SEVENTY-FIVE (75) FEET.

ATTACHED SINGLE-FAMILY DWELLINGS SHALL BE ON A LOT
HAVING AN AREA OF NOT LESS THAN FIVE THOUSAND (5,000)
SQUARE FEET AND A WIDTH AT THE FRONT LOT LINE OF NOT LESS
THAN FORTY (40) FEET. EXCEPT THAT INTERIOR UNITS ATTACHED
ON TWO (2) OR MORE SIDES SHALL HAVE A MINIMUM LOT AREA OF
NOT LESS THAN TWO THOUSAND (2,000) SQUARE FEET AND A
WIDTH AT THE FRONT LOT LINE OF NOT LESS THAN FORTY (40)
FEET.

TWO-FAMILY DWELLINGS SHALL BE ON A LOT HAVING AN AREA OF
NOT LESS THAN FIVE THOUSAND (5,000) SQUARE FEET AND A
WIDTH AT THE FRONT LOT LINE OF NOT LESS THAN SEVENTY-FIVE
(75) FEET.

MULTIPLE-FAMILY DWELLINGS SHALL BE ON A LOT HAVING AN
AREA OF NOT LESS THAN FIVE THOUSAND FIVE HUNDRED
(15,500) SQUARE FEET, WITH MINIMUM LOT AREA PER UNIT OF TWO
THOUSAND FIVE HUNDRED (2,500) SQUARE FEET FOR EACH FIRST
FLOOR UNIT AND ONE THOUSAND SEVEN HUNDRED FIFTY (1,750)
SQUARE FEET FOR EACH SECOND FLOOR UNIT. MINIMUM LOT AREA
AND WIDTH AT THE FRONT LOT LINE OF NOT LESS THAN FIFTY (50)
FEET.

ALL OTHER BUILDINGS SHALL BE ON A LOT HAVING AN AREA OF
NOT LESS THAN FIVE THOUSAND (5,000) SQUARE FEET AND A
WIDTH AT THE FRONT LOT LINE OF NOT LESS THAN FIFTY (50)
FEET.

PERCENTAGE OF LOT COVERAGE:
ALL RESIDENTIAL BUILDINGS, INCLUDING ACCESSORY BUILDINGS,
SHALL NOT COVER MORE THAN FORTY (40) PERCENT OF THE
AREA OF THE LOT. THERE ARE NO LOT COVERAGE
REQUIREMENTS FOR NONRESIDENTIAL BUILDINGS AND
STRUCTURES.

MAXIMUM HEIGHT:
ALL BUILDINGS, FIFTY (50) FEET AND NOT OVER FIVE (5) STORIES.
BUILDINGS EXCEEDING THIS LIMITATION SHALL REQUIRE A
SPECIAL USE PERMIT.
TOWERS AND STEEPLES OF CHURCHES AND SIMILAR PLACES OF
WORSHIP SEVENTY-FIVE (75) FEET.

MINIMUM YARD REQUIREMENTS:
FRONT SETBACK: THIRTY (30) FT.
REAR SETBACK: TWENTY-FIVE (25) FT.
SIDE SETBACK:
ON LOTS UPON WHICH A NONRESIDENTIAL BUILDING IS
CONSTRUCTED, THERE ARE NO SIDE YARD REQUIREMENTS
EXCEPT THAT A SIDE YARD OF FORTY (40) FEET SHALL BE
PROVIDED WHERE SUCH LOT ADJUTS A RESIDENTIAL DISTRICT. ON
EACH LOT UPON WHICH A DAWLLING 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 IN EXCESS OF FORTY-FIVE (45) FEET.

AREA AND LOT INFORMATION

TOTAL SUBDIVISION AREA: 308,342 SQ. FT. (7.05 ACRES)

TOTAL NUMBER OF LOTS: 3

SMALLEST LOT SIZE: 30,787 SQ. FT. (0.71 ACRES)

LARGEST LOT SIZE: 232,762 SQ. FT. (5.34 ACRES)

DEVELOPERS OF SUBDIVISION AND PLAT PREPARED FOR:

MICHAEL HAYNES
13275 LAKEWOOD DR.
STE. GENEVE, MO 63870

RECORD OWNERS

MICHAEL & LINDA J. HAYNES
DOCUMENT #2008-05419

PLAT PREPARED BY AND ENGINEERING AND LAND SURVEYING SERVICES PROVIDED BY:

KOEHLER ENGINEERING AND LAND SURVEYING, INC.
154 CONER LANE, CAPE GIRARDEAU, MO 63701
(573) 335-3009

FLOODPLAIN NOTE

NO PORTION OF THE PROPERTY FALLS WITHIN THE 100
YEAR FLOODPLAIN, AS INDICATED ON THE FLOOD
INSURANCE RATE MAP NUMBER 280302040E WITH AN
EFFECTIVE DATE OF SEPTEMBER 26, 2011.

LOT MONUMENT NOTE

ALL LOT CORNERS SET WITH 1/2" RODS
UNLESS OTHERWISE DENOTES.

KEYED NOTES

- ITEM NOTE
- 30' FRONT SETBACK (TYPICAL)
- 25' REAR SETBACK (TYPICAL)
- 8' SIDE SETBACK
- EXISTING 10.0' SEWER AND UTILITY EASEMENT
ORDINANCE NO. 08-76
- EXISTING 7.5' SEWER AND UTILITY EASEMENT
ORDINANCE NO. 08-76
- NEW 10.0' SEWER AND UTILITY EASEMENT (TYPICAL)
- NEW SEWER AND UTILITY EASEMENT

LEGEND

- = FOUND 3/4" IRON ROD
- = FOUND CROSS
- = FOUND STONE
- = SET IRON ROD
- = SUBDIVISION BOUNDARY LINE
- - - = NEW LOT LINE
- - - = EXISTING EASEMENT LINE
- - - = NEW EASEMENT LINE
- - - = BUILDING SETBACK LINE
- - - = EXTERNAL PROPERTY LINE
- - - = RIGHT OF WAY LINE
- - - = CENTERLINE

CURVE TABLE

CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	122.62'	2039.89'	3°26'39"	N87°24'59"E	122.60'
C2	31.60'	22.00'	82°18'10"	N47°59'05"E	28.95'
C3	103.52'	2039.89'	2°54'27"	N89°24'36"W	103.50'
C4	36.40'	22.00'	94°47'23"	S40°33'41"E	32.39'
C5	128.41'	2039.89'	3°36'24"	S86°09'11"E	128.39'

SUBDIVISION DEDICATION

THE UNDERSIGNED, MICHAEL K. AND LINDA J. HAYNES, HUSBAND AND WIFE, OWNERS IN FEE OF
ALL OF LOT NUMBER 2 OF HAYNES ESTATES THIRD, A SUBDIVISION RECORDED IN DOCUMENT
2019-12095, IN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI,
CONTAINING 306,936 SQUARE FEET (7.05 ACRES), MORE OR LESS, BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID LOT, ALSO BEING A POINT ON THE NORTH
RIGHT-OF-WAY LINE OF EAST MAIN STREET; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND
WITH THE WEST LINE OF SAID LOT, NORTH 06°50'00" EAST, 730.24 FEET TO THE NORTHWEST
CORNER OF SAID LOT; THENCE WITH THE NORTH LINE OF SAID LOT, SOUTH 83°28'01" EAST,
299.62 FEET; THENCE SOUTH 05°31'59" WEST, 20.46 FEET; THENCE SOUTH 58°27'28" EAST,
215.53 FEET TO THE NORTHEAST CORNER OF SAID LOT; THENCE WITH THE EAST LINE OF SAID
LOT, SOUTH 07°12'32" WEST, 385.18 FEET; THENCE NORTH 82°47'28" WEST, 140.00 FEET;
THENCE SOUTH 07°12'32" WEST, 189.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE
OF EAST MAIN STREET; THENCE WITH SAID RIGHT-OF-WAY LINE, ALONG THE ARC OF A CURVE,
HAVING A RADIUS OF 2039.89 FEET AND A LENGTH OF 354.54 FEET (THE CHORD OF SAID
CURVE BEARS NORTH 89°19'44" WEST, 354.10 FEET) TO THE POINT OF BEGINNING, AND BEING
SUBJECT TO ANY EASEMENTS OF RECORD.

HEREBY SUBDIVIDE SAID TRACT INTO LOTS AS SHOWN HEREON, WHICH IS A TRUE AND CORRECT
REPRESENTATION OF SAID SUBDIVISION, WHICH IS HEREBY NAMED "EAST MAIN CROSSROADS
COMMERCIAL SUBDIVISION".

MICHAEL K. HAYNES

LINDA J. HAYNES

STATE OF MISSOURI)
COUNTY OF CAPE GIRARDEAU)

ON THIS _____ DAY OF _____, A.D. 20____, BEFORE ME, A NOTARY PUBLIC
FOR SAID STATE AND COUNTY, PERSONALLY APPEARED MICHAEL K. AND LINDA J. HAYNES,
HUSBAND AND WIFE, KNOWN TO ME TO BE THE PERSONS DESCRIBED HEREIN, WHO
ACKNOWLEDGED THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS THEIR FREE ACT AND
DEED.

IN WITNESS WHEREOF, I HERETO SET MY HAND AND AFFIX MY OFFICIAL SEAL IN THE
AFORSAD STATE AND COUNTY, THE DATE FIRST ABOVE WRITTEN.

MY TERM EXPIRES _____

NOTARY PUBLIC

I, LIZA WALKER, CITY CLERK OF THE CITY OF JACKSON, MISSOURI, 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____.

LIZA WALKER, CITY CLERK

KENT PEETZ, PUBLIC WORKS DIRECTOR

MIKE SEABAUGH, PLANNING AND ZONING CHAIRMAN

DWAIN HAHN, MAYOR

STATE OF MISSOURI)
COUNTY OF CAPE GIRARDEAU)

FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF DEEDS OF CAPE GIRARDEAU

COUNTY, MISSOURI, IN DOCUMENT NO. _____ AT JACKSON, MISSOURI.

ON THIS _____ DAY OF _____, A.D. 20____

ANDREW DAVID BLATTNER
RECORDER OF DEEDS OF CAPE GIRARDEAU COUNTY, MISSOURI

THIS SURVEY OF A TRACT OF RURAL PROPERTY WAS
PERFORMED IN ACCORDANCE WITH THE CURRENT MINIMUM
STANDARDS FOR PROPERTY BOUNDARY SURVEYS IN THE
STATE OF MISSOURI AS MADE EFFECTIVE JUNE 30, 2017.

KOEHLER
Professional Engineers & Land Surveyors
194 Coker Lane
Cape Girardeau, Missouri 63701
Ph: (573) 335 - 3026 Fax: (573) 335 - 3049
PLS CORPORATE LICENSE NO. 000262

CHANGED BY	ASHTON GASKILL	REV/DATE	DESCRIPTION	INITIALS
CHANGED BY	CHRIS KOEHLER			
CHANGED BY	MARCH 2022			
CHANGED BY	03-29-2022			
CHANGED BY	38496			

Staff Report

ACTION ITEM: Request for a Special Use Permit for oversized signs for two 75' attached signs at 2502 East Jackson Boulevard

APPLICANT: ALDI, Inc.

APPLICANT STATUS: Proposed property owner

PURPOSE: To add standard ALDI sign to two faces of building.

SIZE: 75 sq. ft. each

PRESENT USES: Vacant lot

ZONING: C-2 General Commercial

PROPOSED USE: Commercial grocery store

SURROUNDING LAND USE: North – R-2 Single Family Residential; South – C-2 General Commercial; East – C-2 General Commercial; West – C-2 General Commercial

HISTORY: This property was formerly the Stone Manes property. The home on this lot was demolished years ago, the woods cleared, and the lot re-graded for commercial development. A building permit is being issued for a new ALDI grocery store on this lot.

TRANSPORTATION AND PARKING: The property fronts on East Jackson Boulevard

APPLICABLE REGULATIONS: Zoning Code (Chapter 65)

Sec. 65-21 (2) Attached or painted signs containing not more than fifty (50) square feet in sign face area shall be permitted on any building or structure in any office, commercial, or industrial district. An attached sign shall not project more than twelve (12) inches from the building, if mounted parallel to the wall, or four (4) feet, if mounted perpendicular to the wall, and shall not project above the principal roof of a building; except that a sign may be attached flat against or painted on a parapet wall extending not more than three (3) feet above such roof line. Attached signs in excess of these requirements shall require a special use permit.

2009 COMPREHENSIVE PLAN: Commercial use.

FLOODPLAIN INFORMATION: This property is not located in a floodplain per FEMA panel 29031C0232E dated 9/29/11

PHYSICAL CHARACTERISTICS: Leveled lot partially elevated above the street. One of the two accesses will be a shared entrance with Alliance Bank.

COMMENTS: None.

ACTION REQUIRED: The Commission shall hold a public hearing prior to voting to recommend approval or denial of this request.



REZONING / SPECIAL USE PERMIT APPLICATION
City of Jackson, Missouri

APPLICATION DATE: 04/07/22

TYPE OF APPLICATION: ☐ Rezoning ☒ Special Use Permit

PROPERTY ADDRESS (Other description of location if not addressed):

2502 E Jackson Blvd

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

Property Owner Name(s): LW Kasten llc

Mailing Address: 5356 tower hill court

City, State ZIP: Weldon spring Mo 63304

PROPOSED PROPERTY OWNERS (if property is to be transferred, name(s) in which property will be deeded):

Proposed Property Owner(s): Aldi Inc

Mailing Address: 475 Pearl Dr

City, State, ZIP: Ofallon Mo 63366

CONTACT PERSON HANDLING APPLICATION:

Contact Name: George Grindstaff

Mailing Address: 504W Douglas

City, State ZIP: New Douglas IL 62074

Contact's Phone: 314-349-9050

Email Address (if used): Ghg2010@ iCloud.com

CURRENT ZONING: (check 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 checked="" type="checkbox"/> C-3 (Central Business) |
| <input type="checkbox"/> R-4 (General Residential) | <input type="checkbox"/> C-4 (Planned Commercial) |
| <input type="checkbox"/> MH-1 (Mobile Home Park) | <input type="checkbox"/> I-1 (Light Industrial) |
| <input type="checkbox"/> O-1 (Professional Office) | <input type="checkbox"/> I-2 (Heavy Industrial) |
| <input type="checkbox"/> CO-1 (Enhanced Commercial Overlay) | <input type="checkbox"/> I-3 (Planned Industrial Park) |

CURRENT USE OF PROPERTY: Empty Lot

PROPOSED ZONING: (check 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-4 (Planned Commercial) |
| <input type="checkbox"/> MH-1 (Mobile Home Park) | <input type="checkbox"/> I-1 (Light Industrial) |
| <input type="checkbox"/> O-1 (Professional Office) | <input type="checkbox"/> I-2 (Heavy Industrial) |
| <input type="checkbox"/> CO-1 (Enhanced Commercial Overlay) | <input type="checkbox"/> I-3 (Planned Industrial Park) |

PROPOSED USE OF PROPERTY: Aldi Food market

LEGAL DESCRIPTION OF TRACT (attach a copy of the deed or other legal description):

Exhibit A

REASON FOR REQUEST: State the reason(s) why you believe the requested use will be beneficial to the neighborhood and the City of Jackson. Attach additional page(s) as needed.

The square footage needed for each building sign is 75 ft.² there's two signs total this is a standard Aldi signage


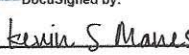
It is accurately designed for the building design of the store which gives Best Visibility of the front entrance of the store

DRAWINGS (FOR SPECIAL USE PERMITS ONLY): If one or more buildings or other structures are to be added to the property for a special use permit, attach a scaled plat of the tract(s) showing the location of all buildings. If any buildings are to be less than the standard minimum setbacks, include these distances on the drawing. Any approved special use permit will be based on this building layout. Changes to the layout will require a new special use permit.

SURROUNDING PROPERTY OWNERS: A map of the property location and a map and list of all owners of property within 185' of the property in question will be incorporated by the City as part of this application. The 185' distance is exclusive of right-of-ways. The City will prepare this map based on the most current tax information published by the Cape Girardeau County Assessor.

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.)

 Chad Lane Director of Real Estate, ALDT Inc.
DocuSigned by:
 Kevin S Manes Manager, L.W. Kasten Properties, LLC
331B9B1DA5CC47D...

Please submit this application along with appropriate non-refundable application fee to:

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

573-243-2300 ext.29 (ph)
573-243-3322 (fax)
jsanders@jacksonmo.org

APPLICATION FEE: \$200.00

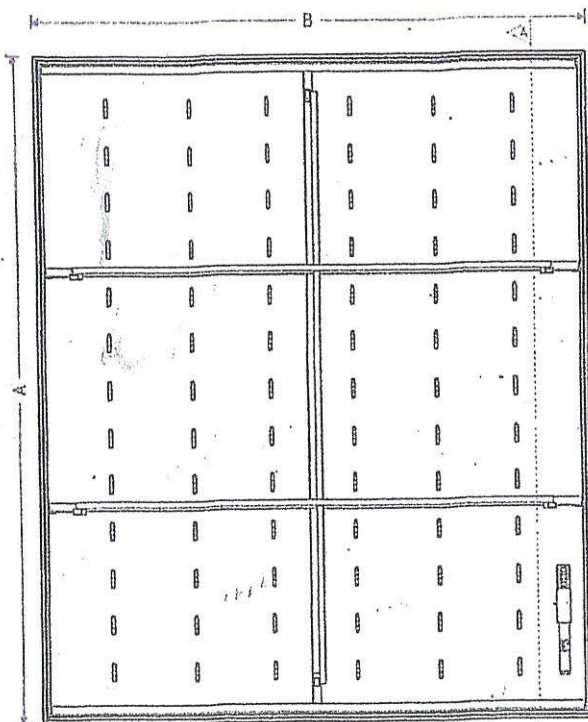
EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY

THAT PART OF FRACTIONAL SECTION 7 AND PART OF U.S.P. 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:

COMMENCE AT THE SOUTHEAST CORNER OF SAID FRACTIONAL SECTION 7; THENCE NORTH 83°00'00" WEST ALONG THE SOUTH LINE OF SAID FRACTIONAL SECTION 7, ALSO BEING THE NORTH LINE OF SAID U.S.P. SURVEY 782, 1,032.30 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF MISSOURI STATE HIGHWAY 61 (JACKSON BOULEVARD); THENCE NORTH 58°03'00" WEST ALONG SAID NORTH RIGHT OF WAY LINE, 43.70 FEET; THENCE LEAVING SAID NORTH RIGHT OF WAY LINE, NORTH 25°57'00" EAST, 400.00 FEET; THENCE SOUTH 58°03'00" EAST, 290.16 FEET FOR THE POINT OF BEGINNING; THENCE FROM THE POINT OF BEGINNING, NORTH 76°56'07" EAST, 221.18 FEET; THENCE SOUTH 06°58'22" WEST, 354.37 FEET; THENCE SOUTH 09°18'08" WEST, 252.49 FEET TO A POINT ON SAID NORTH RIGHT OF WAY LINE; THENCE NORTH 58°03'00" WEST ALONG SAID NORTH RIGHT OF WAY LINE, 361.41 FEET; THENCE LEAVING SAID NORTH RIGHT OF WAY LINE, NORTH 25°57'00" EAST, 400.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.13 ACRES, MORE OR LESS.

AND, THAT PART OF FRACTIONAL SECTION 7 AND PART OF U.S.P. 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:

COMMENCE AT THE SOUTHEAST CORNER OF SAID FRACTIONAL SECTION 7; THENCE NORTH 83°00'00" WEST ALONG THE SOUTH LINE OF SAID FRACTIONAL SECTION 7, ALSO BEING THE NORTH LINE OF SAID U.S.P. SURVEY 782, 1,032.30 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF MISSOURI STATE HIGHWAY 61 (JACKSON BOULEVARD); THENCE NORTH 58°03'00" WEST ALONG SAID NORTH RIGHT OF WAY LINE, 43.70 FEET; THENCE LEAVING SAID NORTH RIGHT OF WAY LINE, NORTH 25°57'00" EAST, 400.00 FEET; THENCE SOUTH 58°03'00" EAST, 290.16 FEET FOR THE POINT OF BEGINNING; THENCE FROM THE POINT OF BEGINNING, SOUTH 25°57'00" WEST, 400.00 FEET TO A POINT ON SAID NORTH RIGHT OF WAY LINE; THENCE NORTH 58°03'00" WEST ALONG NORTH RIGHT OF WAY LINE, 41.81 FEET; THENCE LEAVING SAID NORTH RIGHT OF WAY LINE, NORTH 31°57'00" EAST, 397.87 FEET TO THE POINT OF BEGINNING AND CONTAINING 8,317 SQUARE FEET, 0.191 ACRES, MORE OR LESS.



FRAME & LAMP DETAIL
NOT TO SCALE

SIGN B AND C:
BUILDING SIGN

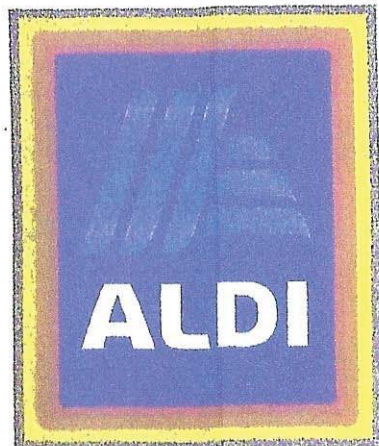
SPE RETENTION
DETAIL



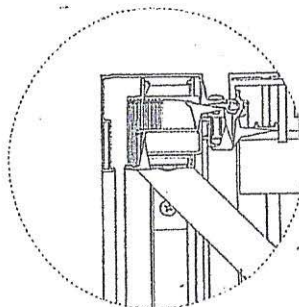
CROSS SECTION A-A
NOT TO SCALE

SPECIFICATIONS

- SIGN COMP 9 1/4" DEEP EXTRUDED ALUMINUM CONSTRUCTION
- SIGN COMP #2025 SINGLE FACE BODY ALUMINUM EXTRUSION
- SIGN COMP #3075 DUAL FRAME COVER ALUMINUM EXTRUSION
- SIGN COMP #2065 DUAL FRAME ALUMINUM EXTRUSION
- FACE HINGED FOR SERVICE ACCESS
- .040" ALUMINUM BACK
- EXTERIOR FINISH: ALDI SLATE GRAY
- INTERIOR FINISH: REFLECTIVE WHITE
- DISCONNECT SWITCH LOCATED INSIDE CABINET
- GE 4100K WHITE LED'S AS REQUIRED
- U.L. LISTED
- MOUNTING: FLUSH WALL MOUNT
- 3M ENVISION FS-1 FLEXIBLE FACE
- DIGITALLY PRINTED DECORATION (1ST SURFACE)



GRAPHIC DETAIL
NOT TO SCALE



RETENTION DETAIL
NOT TO SCALE

ALDI SINGLE FACE WALL SIGN STANDARD SIZES					
ITEM NUMBER	CABINET HEIGHT	CABINET LENGTH	CABINET DEPTH	ELECTRICAL REQUIREMENTS	SQUARE FOOTAGE
	A	B	C		
ALD20-9X7SFSGN-S	9'-5 1/2"	7'-11 1/8"	9 1/4"	(1) 20A/120V CIRCUIT	74.98

Customer:

ALDI

Date:

07/21/20

Prepared By:

RA

Modeled By:

RS

Note: Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be made.

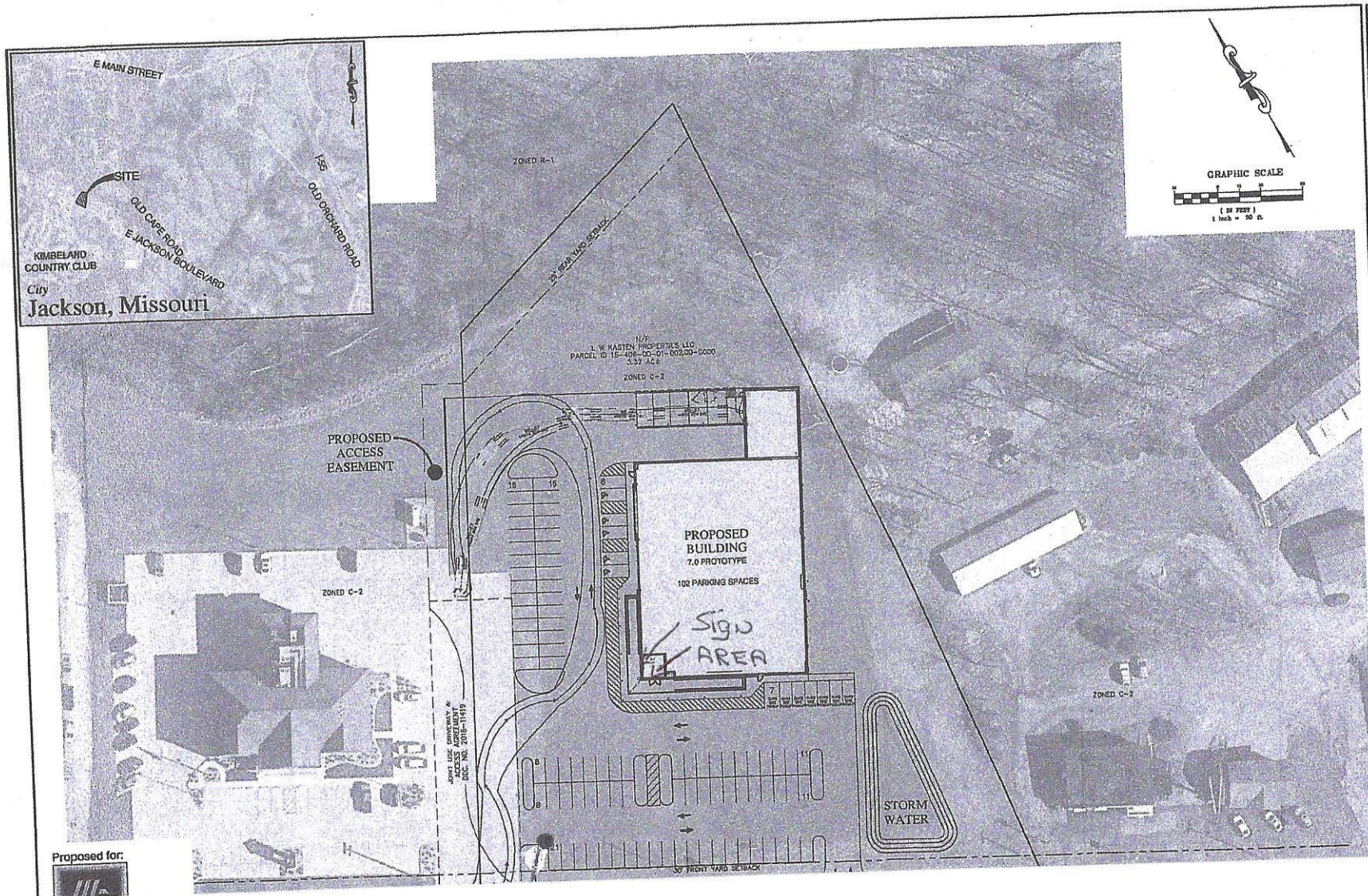
File Name:

ALD SINGLE FACE WALL SIGNS

Revision:

persona
SIGNS | LIGHTING | IMAGE

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PO Box 210
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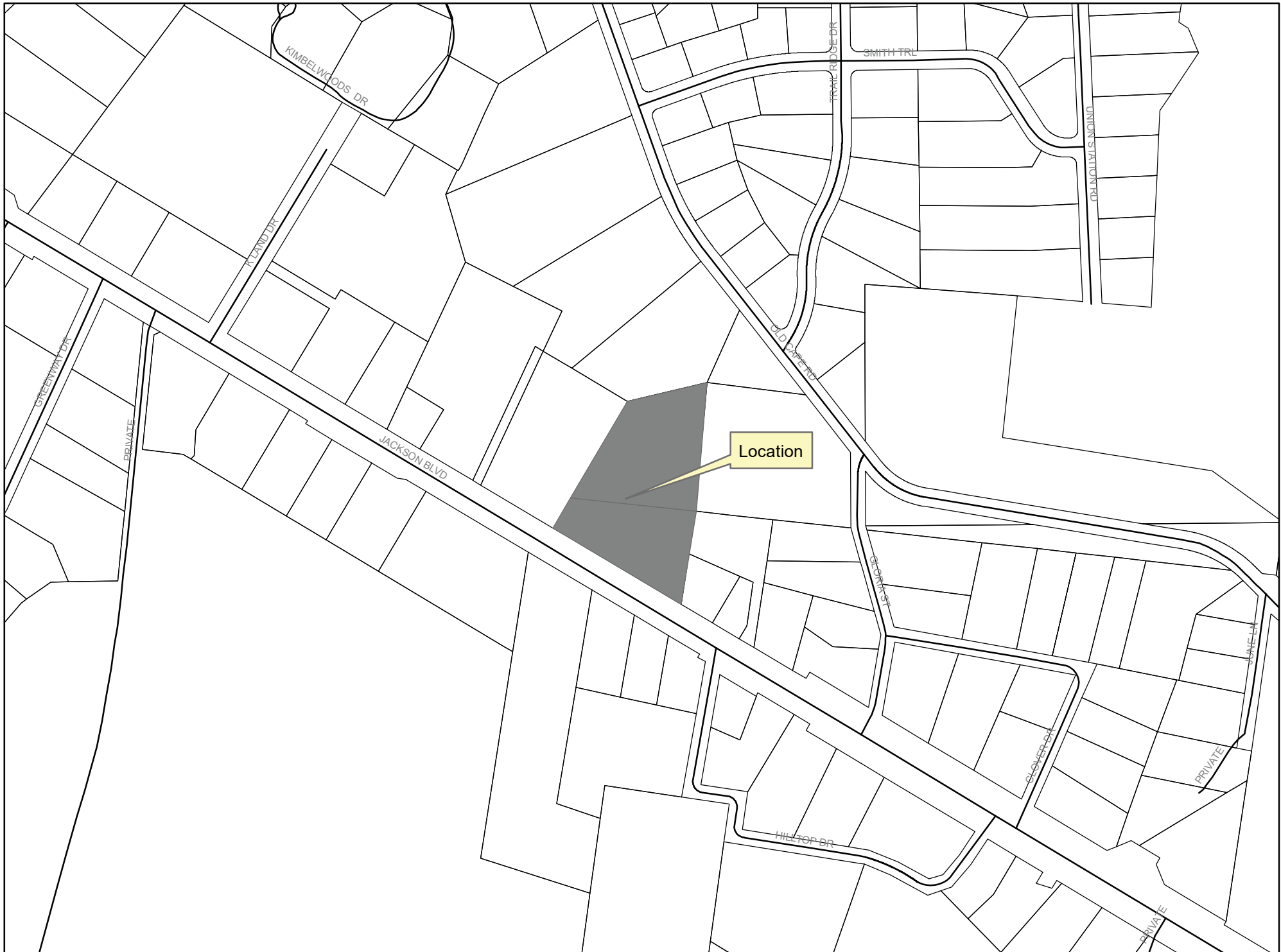
CEDC
CIVIL ENGINEERING
DESIGN CONSULTANTS

Preliminary Site Plan for
ALDI
2502 E. Jackson Boulevard
Jackson, Missouri 63755

Proj. # 2194

No.	Description	Date
1	Client Review	07/15/21
2	Client Review	07/16/21
3	Client Review	08/20/21
4	Client Review	10/28/21

Preliminary Site



2502 East Jackson Boulevard
Location Map

