

City of Jackson

CITY OF JACKSON, MISSOURI PLANNING & ZONING COMMISSION REZONING: FINDINGS AND CONCLUSIONS

The Planning & Zoning Commission of Jackson, Missouri, hereby notifies the Board of Aldermen, the applicant, and the public of its action taken on FEBRUARY 7, 2024, at a regular meeting in consideration of the following:

Consider a rezoning request for Stroder's Industrial Park Subdivision from an R-1 and R-2 Single-family residential district to a C-2 General commercial district as submitted by Trussworks Realty Missouri, LLC.

Applicant: TRUSSWORKS REALTY MISSOURI, LLC

Filing Date of Application/Fee: JANUARY 23, 2024

Submission Date of Application to Commission: FEBRUARY 7, 2024

Public Hearing Date: WAI VED

In examining this consideration, the following factors were considered and found as noted:

Administrative Staff Findings:		Yes/	No
1.	Application provided all necessary information:	<u>x</u>	<u> </u>
2.	Generally conforms with City Comprehensive Plan:	<u>x</u>	<u> </u>
3.	Generally conforms with Major Street Plan:	<u>x</u>	<u> </u>

Planning & Zoning Commission Findings:		Yes	/No
1.	Creates adverse effects on adjacent property:	<u> </u>	<u>x</u>
2.	Creates adverse effects on traffic movement or safety:	<u> </u>	<u>x</u>
3.	Creates adverse effects on fire safety:	<u> </u>	<u>x</u>
4.	Creates adverse effects on public utilities:	<u> </u>	<u>x</u>
5.	Creates adverse effects on general health and welfare:	<u> </u>	<u>x</u>

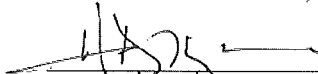
Following consideration of testimony, comments, exhibits, and file contents, the Planning & Zoning Commission duly deliberated the facts pertaining to the proposal and issued the following findings of fact and conclusions:

THE ABOVE APPLICATION IS:

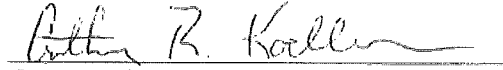
- Approved**
 Disapproved
 Approved with conditions specified below

By a roll call of 7 ayes, nays, abstentions, and 2 absent this 7TH day of
FEBRUARY 2024.

CITY OF JACKSON, MISSOURI



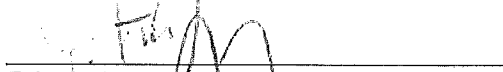
Harry Dryer, Chairman




Tony Koeller, Secretary

Bill Fadler, Member

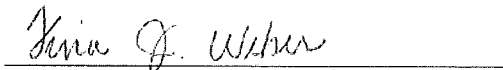
Beth Emmendorfer, Member




Eric Fraley, Member



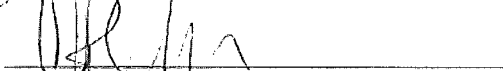
Heather Harrison, Member



Tina Weber, Member



Angélie Thomas, Member



Michelle Weber, Member

ATTEST:



Larry Miller,
Building & Planning Manager



REZONING / SPECIAL USE PERMIT APPLICATION
City of Jackson, Missouri

APPLICATION DATE: January 23, 2024

TYPE OF APPLICATION: [checked] Rezoning [] Special Use Permit

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

N. High St. Parcel number's 143080014001010000 & 099003600007000000

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

Property Owner Name(s): Trussworks Realty Missouri, LLC / Steve Stroder, President

Mailing Address: 2270 Greensferry Road

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: Chris Koehler

Mailing Address: 194 Coker Lane

City, State ZIP: Cape Girardeau, MO 63701

Contact's Phone: 573.335.3026

Email Address (if used): ckoehler@koehlerengineering.com

CURRENT ZONING: (check all that apply)

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

CURRENT USE OF PROPERTY: Agricultural

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: Commerical use

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

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.

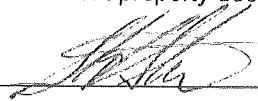
The majority of the property is in the County, which is unzoned and will be annexed and come into the city with a R-1 zoning. The property is along a commercial corridor which is developing commercially. The adjacent property and property across the street is zoned either C-2, I-1, or I-2. The owner intends the property for commercial use, and is requesting a C-2 zoning, which will be consistent with the use along the corridor and near by properties.

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.)*



Steven L. Stroder

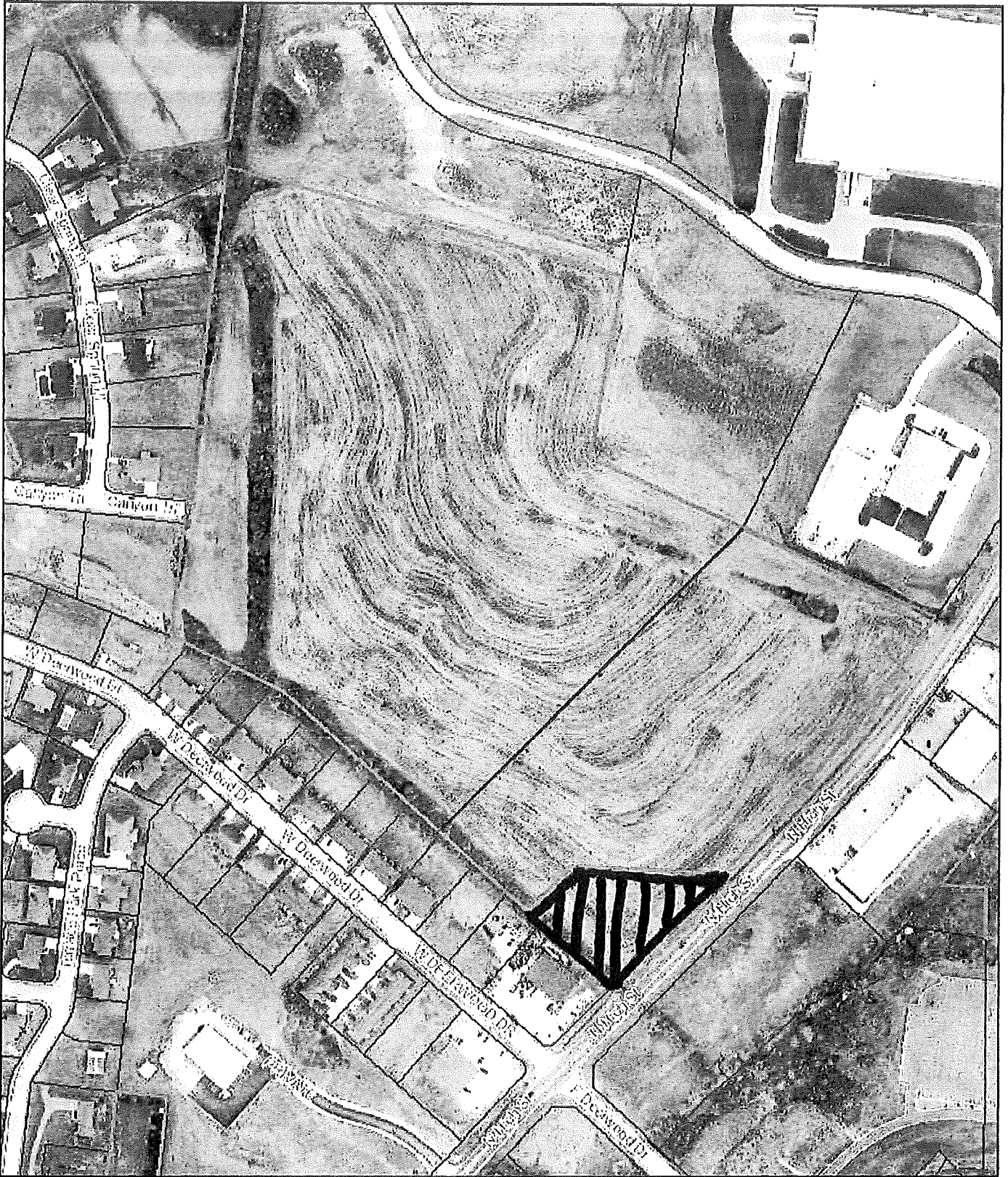
Please submit this application along with appropriate non-refundable application fee to:

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

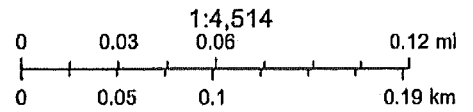
573-243-2300 ext.29 (ph)
573-243-3322 (fax)
permits@jacksonmo.org

APPLICATION FEE: \$200.00

City of Jackson

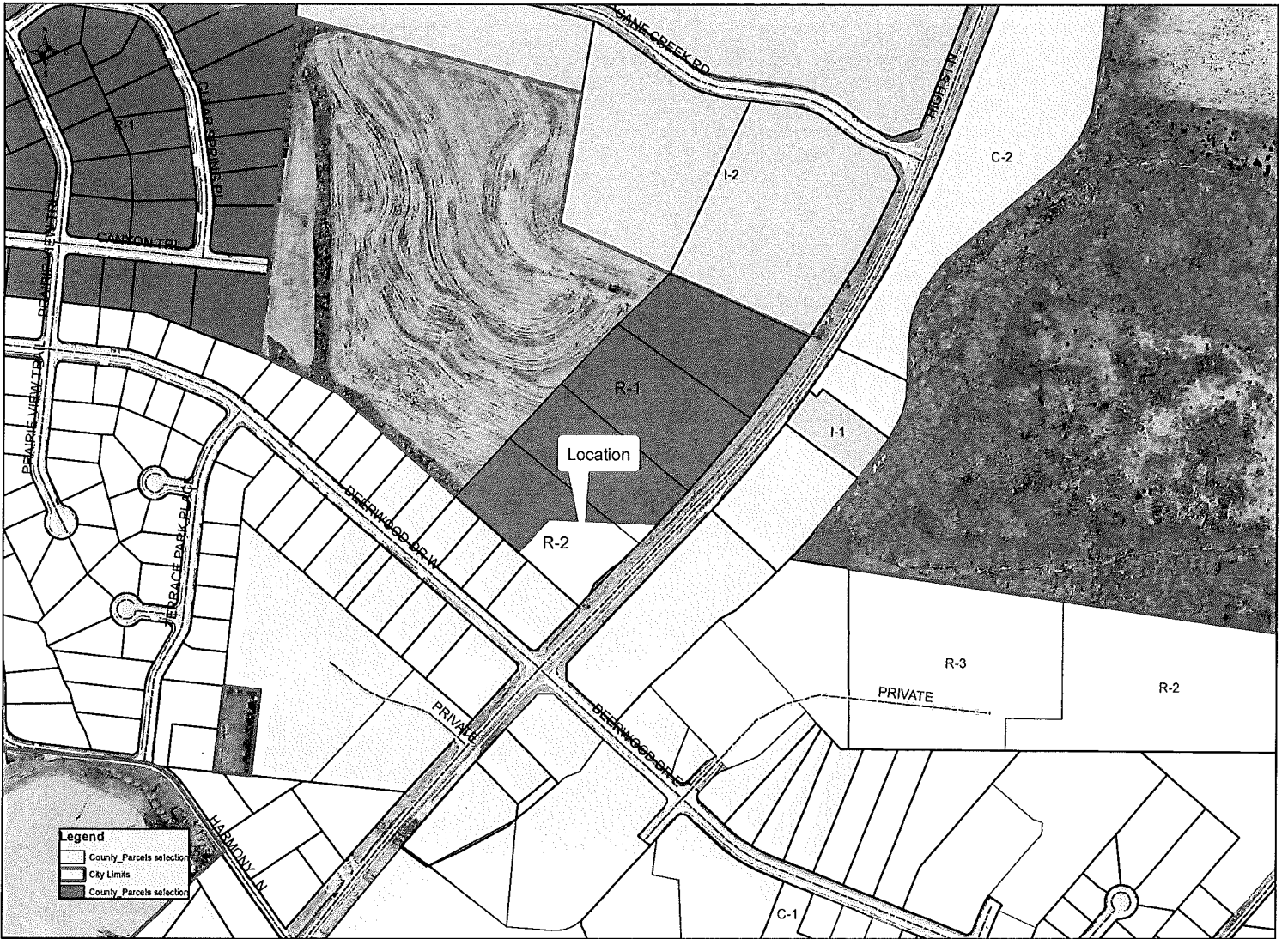


1/3/2024, 4:47:54 PM



LOCATION MAP

Rezoning

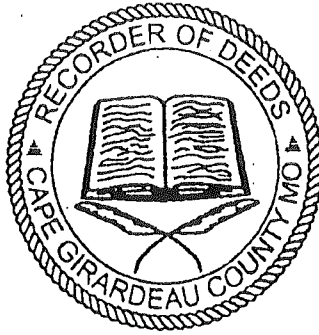


Date: 1/2024
By: T Charlin

Rezoning



Date: 1/2024
By: T Chaffin



eRecorded
DOCUMENT #
2023-09671

ANDREW DAVID BLATTNER
RECORDER OF DEEDS
CAPE GIRARDEAU COUNTY, MO
eRECORDED ON
11/27/2023 10:42:35 AM
REC FEE: 30.00
PAGES: 3

WARRANTY DEED

This Warranty Deed made and entered into this 24th day of November, 2023, by and between **Larry D. Borgfield, Trustee of the Larry D. Borgfield and Audrey Borgfield Joint Revocable Trust Agreement dated June 6, 2017**, hereinafter referred to as **GRANTOR**, and **Trussworks Realty Missouri, LLC, a Texas Limited Liability Company**, of the County of Cape Girardeau, State of Missouri, hereinafter referred to as **GRANTEE**. The mailing address of the Grantee is:

2155 Greensferry rd. Jackson, MO 63755

WITNESSETH: The Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration paid to the Grantor, the receipt of which is hereby acknowledged, does by these presents Grant, Bargain, and Sell, Convey and Confirm unto the Grantee the following described lots, tracts or parcels of land lying, being and situated in the County of Cape Girardeau and State of Missouri, to-wit:

SEE EXHIBIT "A"

Larry D. Borgfield further states that he is the current acting trustee of the **Larry D. Borgfield and Audrey Borgfield Joint Revocable Trust Agreement dated June 6, 2017**, that said trust has not been amended or revoked, and that he has the authority, under of the terms of said trust, to convey the subject property.
Grantor further states Audrey Borgfield died on September 5, 2022.

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 Grantee and unto its successors and assigns **FOREVER**, the said Grantor hereby covenanting that it is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that it has good right to convey the same; that the said premises are free and clear of any encumbrances done or suffered by it or those under whom it claimed title; and that it will warrant and defend the title to said premises unto the said Grantee, and unto its successors and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand the day and year first above written.

GRANTOR:

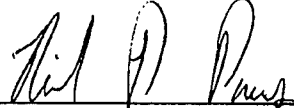
Larry D. Borgfield and Audrey Borgfield
Joint Revocable Trust Agreement dated June
6, 2017

BY: Larry D. Borgfield Trustee
Larry D. Borgfield, Trustee

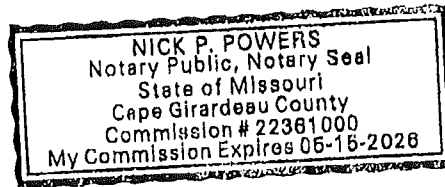
STATE OF MISSOURI)
) ss.
COUNTY OF CAPE GIRARDEAU)

On this 24th day of November, 2023, before me personally appeared Larry D. Borgfield, Trustee of the Larry D. Borgfield and Audrey Borgfield Joint Revocable Trust Agreement dated June 6, 2017, to me known to be the person described in and who executed the within Warranty Deed, and acknowledged to me that he executed the same as his free act and deed and in his capacity as Trustee and in behalf of the aforesaid Trust.

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



Notary Public
My commission expires:



2309020

EXHIBIT "A"

ALL OF THAT PART OF FRACTIONAL SECTION 1, TOWNSHIP 31 NORTH, RANGE 12 EAST OF THE FIFTH PRINCIPAL MERIDIAN, BEING IN PART WITHIN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, AND PART WITHIN THE COUNTY OF CAPE GIRARDEAU, AND ALL OF THAT PART OF FRACTIONAL SECTION 36, TOWNSHIP 32 NORTH, RANGE 12 EAST OF THE FIFTH PRINCIPAL MERIDIAN, WITHIN THE COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGIN at the most westerly corner of Lot 1 of the Jackson North Industrial Park Subdivision, Phase 1, said plat being recorded in Document 2014-02837, thence with the west line of said Lot 1, North 08°43'56" East, 409.22 feet; thence North 76°08'59" West, 918.53 feet to a point on the East line of United States Private Survey Number 807, said point being also on the east line of Cold Creek Subdivision, said Cold Creek Subdivision being recorded in Document 2009-00785; thence with the east line of said Survey Number 807 and the east line of said Cold Creek Subdivision, South 06°13'56" West, 1047.66 feet to the Southeast corner of said Cold Creek Subdivision, said point being also on the North line of Terrace Park Estates, a subdivision recorded in Plat Book 23, at Page 37; thence with the north line of said Terrace Park Estates, South 64°20'21" East, 271.61 feet, thence continue with the north line of said Terrace Park Estates, South 48°46'04" East, 990.34 feet to the most easterly corner of said Terrace Park Estates, said point being also on the west right of way line of North High Street / US Highway '61', thence with said west right of way line of said US Highway '61', North 44°22'23" East, 525.25 feet; thence continuing along said west right of way, along the arc of a curve to the left having a radius of 3075.22 feet, a distance of 217.46 feet; thence along an offset in said west right of way, South 49°40'43" East, 10.00 feet; thence continuing along said west right of way line of US Highway '61', along the arc of a non-tangent curve concave to the northwest having a radius of 3085.22 feet, a distance of 360.84 feet (the chord across said arc bears North 36°58'15" East, 360.64 feet), to a point at the most southerly corner of a tract now or formerly held in title by Liberty Energy (Midstates) Corp., as conveyed in Document 2013-01838; thence with the South line of said tract, North 64°46'04" West, 476.61 feet to the most westerly corner of said Liberty Energy (Midstates) Corp tract and the most southerly corner of said Lot 1 of said Jackson North Industrial Park Subdivision; thence with the south line of said Lot 1, North 64°46'04" West, 390.40 feet to the place of beginning and containing 38.18 acres, more or less

Description taken from Survey dated October 27, 2023 by Christopher L. Koehler, LS-2470, Koehler Engineering and Land Surveying, Inc.

2309020