



**CITY OF JACKSON**  
**MAYOR & BOARD OF ALDERMEN STUDY SESSION**

**Tuesday, February 22, 2022 at 6:30 PM**

**Board Chambers, City Hall, 101 Court St.**

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**AGENDA**

**DISCUSSION ITEMS**

1. Presentation of an Intersection Analysis at North High Street and Deerwood Drive by Lochmueller Group
- [2.](#) February 9 Planning & Zoning Commission packet
- [3.](#) February 14 Park Board packet
- [4.](#) Kimbeland Lift Station Upgrade and Bypass Project - proposal for additional engineering services
- [5.](#) Wastewater Utility Rate Study Update - engineering services proposal
- [6.](#) Standard Design and Construction Specifications for Wastewater Facilities
- [7.](#) Update on the Ridge Road water tower site
- [8.](#) Temporary closure of Cascade Drive for the Hubble Ford Bridge Project
- [9.](#) Schedule for the 2022 Concrete Pavement Improvement Program
10. Previously tabled items
11. Additional items (unspecified)

Posted on 02/18/2022 at 04:00 PM.

# MEMO



**TO:** Mayor Hahs and Members of the Board of Aldermen  
**FROM:** Janet Sanders, Building & Planning Manager  
**DATE:** February 17, 2022  
**SUBJECT:** February, 2022, Planning & Zoning Report

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The following action was taken at the February P&Z meeting:

- Eric Fraley was welcomed as a new P&Z member.
- A public hearing was held for rezoning of 2.65 acres addressed as 720 South Old Orchard Road from R-1 Single Family to C-2 General Commercial (contingent on successful annexation).
- A request for rezoning of 2.65 acres addressed as 720 South Old Orchard Road from R-1 Single Family to C-2 General Commercial was approved for a positive recommendation (contingent on successful annexation).
- A Land Exchange Certification for transfer of 0.35 acres of property from 3030 Bainbridge Road to 591 South Oak Hill Road was approved. No action is required by the Board of Aldermen on Land Exchanges.
- A request for a bakery as a home occupation at 828 Eagle Drive was approved for a positive recommendation.
- A public hearing was scheduled for a request for an in-home daycare at 716 West Washington Street.
- A public hearing was scheduled for a request for a text amendment to the zoning code regarding babysitting as a home occupation.

- Tony Koeller and Harry Dryer agreed to serve on the Comprehensive Plan Update Steering Committee.

As always, if you have questions on any items, please give me a call at 243-2300 or email me at [jsanders@jacksonmo.org](mailto:jsanders@jacksonmo.org).

JOURNAL OF THE PLANNING & ZONING COMMISSION  
CITY OF JACKSON, MISSOURI  
WEDNESDAY, FEBRUARY 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 Chairman Mike Seabaugh presiding and Commissioners Heather Harrison, Wade Bartels, Tina Weber, Tony Koeller, Harry Dryer, Beth Emmendorfer, Eric Fraley, and Bill Fadler present. No members were absent. Building & Planning Manager Janet Sanders was present as staff liaison. Assigned Aldermen Joe Bob Baker and Tom Kimbel were also present. Citizens attending were Amy Worley, William & Ashley Ruffier, John & Sarah Ryan, Patsy Pulliam, Mary Harriet Talbut, Mike Lackamp, Garrett Lackamp, Angela Hahn, Nolan Bartels, Lacy Giudicy, Carolyn Hahs, Bob & Cindy Lichtenegger, Brian & Angela Powell, and Mandy Hatfield.

Chairman Seabaugh welcomed Eric Fraley as a new member of the Commission.

Approval of the January 12, 2021 )  
regular meeting minutes )

Minutes of the previous meeting were unanimously approved on a motion by Commissioner Dryer, seconded by Commissioner Koeller.

#### PUBLIC HEARING

Public hearing regarding a request for )  
approval of rezoning of 2.65 acres of )  
property addressed as 720 South Old )  
Orchard Road from R-1 Single Family )  
Residential to C-2 General Commercial )  
submitted by Independence Self Storage, )  
LLC )

Chairman Seabaugh explained the hearing protocol and opened the hearing. Mrs. Sanders read a report detailing the dates of application and notifications. He asked if anyone was present to speak in favor. Mr. Lackamp said he had nothing to add to Mrs. Sanders report. Finding no one else present to speak in favor, Chairman Seabaugh asked if anyone was present to speak in opposition.

Mr. William Raffier of 688 Old Poplar Road came forward and was sworn in. He said he is not against the development of storage sheds but is concerned that the storage shed use would be a temporary place holder for another use allowed in C-2 zoning such as a marijuana dispensary. He knows of other places where this has been done. He said C-2 zoning should be on major thoroughfares and reminded the Commission of the city motto about beautiful homes. He would like the City to consider granting residential zoning with a special use permit that would limit the property to storage sheds.

Finding no others wishing to speak, Chairman Seabaugh asked Mr. Lackamp if he would like to rebut. Mr. Mike Lackamp came forward with his grandson and was sworn in. He said he is at a disadvantage



because he is hard of hearing and did not hear what was said. He said the storage facility will be built whether or not the property is annexed. If it is in the city, it will be another utility customer and tax payer for the city.

Mr. Raffier asked if the property was sold, could it be another C-2 use and was the Commission opposed to a special use permit.

Commissioner Fadler pointed out that Old Orchard Road was built as a commercial street and the property along it was supposed to be commercial. The developer of McKendree Crossing requested to put a residential subdivision in the middle of it. Commissioner Fadler asked for confirmation from Mrs. Sanders.

Mrs. Sanders agreed it is constructed as a commercial street with a 100' right of way to allow it to be expanded to a four lane road with a turn lane in the future.

Mr. Raffier said since the city approved the residential subdivision, they should uphold those standards around their neighborhood.

Finding no others wishing to speak, Chairman Seabaugh closed the hearing.

## OLD BUSINESS

Request for rezoning of 2.65 acres of )  
 property addressed as 720 South Old )  
 Orchard Road from R-1 Single Family )  
 Residential to C-2 General Commercial )  
 submitted by Independence Self Storage, )  
 LLC )

(Contingent on successful annexation.)

Commissioner Bartels made a motion to approve the rezoning, seconded by Commissioner Weber and the item was opened for discussion.

Mrs. Sanders was asked if another zone and a special use permit is possible. She said an intermediate zoning can be granted with a special use permit, but the more appropriate zoning would be C-1 Local Commercial, not residential, and that raises a question of spot zoning. The C-1 district allows a lesser group of commercial uses and is intended to be a neighborhood type commercial zone. If the Commission decides to consider an intermediate zone, the item must be tabled to allow new notification to the surrounding properties.

Mr. Raffier spoke from the rear, saying there are still a lot of commercial uses allowed in C-1 including medical marijuana dispensaries. He would like R-3 or R-4 and his house is the closest. He is not concerned with the storage sheds but what would happen with a change in ownership.

Finding no further discussion among the Commission, Chairman Seabaugh called for a vote and the motion was unanimously approved.

Vote: 9 ayes, 0 nays, 0 abstentions, 0 absent

## NEW BUSINESS

Request for approval of a Land Exchange )  
 Certification for transfer of 0.35 acres of )  
 property from 3030 Bainbridge Road to )  
 591 South Oak Hill Road submitted by )  
 the Patsy Ruth Pulliam Living Trust u/t/a )  
 July 2, 2018 )

Mrs. Sanders reported this is the transfer of land from the back of one property to the back of an adjacent property.

Commissioner Koeller made a motion to approve the request, seconded by Commissioner Fadler. Finding no discussion, a vote was called with unanimous approval.

Vote: 9 ayes, 0 nays, 0 abstentions, 0 absent

Request for a Special Use Permit for a )  
 bakery as a home occupation in an R-2 )  
 Single family residential district at 828 )  
 Eagle Drive submitted by Darrell & Mandy )  
 Hatfield )

Mrs. Sanders reported this is for the applicant to do baking in her home to be sold at other locations.

Mandy Hatfield came forward and said she would like to be able to bake from home. She is currently baking at another house in the county. She would be using a separate kitchen in her basement for the baking. It will not be a store and it is irregular for a customer pick up an order. Products are delivered and she would be the only employee.

Mrs. Sanders was asked if there have been similar Special Use Permits granted. She said there was one granted in Rolling Fields subdivision for Barbie's Custom Bistro and another one granted for a catering kitchen run from another home. That location was believed to be Francis Drive.

There was brief discussion about whether a hearing was needed. Since it would not be open to customers, there was no interest expressed in holding a hearing.

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

Vote: 9 ayes, 0 nays, 0 abstentions, 0 absent

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 )

Mrs. Sanders reported this is a request for an in-home daycare.

Angela Hahn of 716 West Washington came forward. She said she owns the Learn.Play.Grow daycare at 850 Gerald Street where they keep 18 children ages 2 years and up. Her husband is getting the education to take over as director of the existing daycare and she would operate in her home. She said they accept government subsidized children at their daycare. The number of children would be 10 or less. The licensing agency told her to expect the number to be closer to eight based on the size of her house.

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

Vote: 9 ayes, 0 nays, 0 abstentions, 0 absent (to set hearing)

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

Mrs. Sanders reported this is a request to change the text of the zoning code from allowing 4 children to be cared for in a home to allowing 6 children before a Special Use Permit is required. She said the code allows no more than 4 which does not include the residents' own children, step-children or those for whom they have legal guardianship, but does include other relatives such as grandchildren, nieces, nephews and others who do not live in the home. The building code allows no more than 5 children before additional building requirements kick in and the building becomes classified as an institutional use or educational use depending on the age of the children. The state allows no more than 6 children before state licensing is required. She said it would be nice if these numbers matched but whether or not the code changes, not all three will match.

Mr. and Mrs. Powell came forward and said they previously tried to get a Special Use Permit for 596 Canyon Trail and then lost their state licensing because that permit was not approved. They had to reduce the number of children they keep and are now under the limit of four. Mrs. Powell said there is a great need for more childcare, and the desperation of those seeking childcare can be seen on semomoms.com. Even if the code was changed to five, that would allow them to keep one more and one more in each at-home location would help. Mr. Powell said he had spoken to the offices of Governor Parsons and Senator Josh Hawley and both are interested in daycares and the need for child care.

Commissioner Koeller made a motion to set a public hearing, seconded by Commissioner Dryer and unanimously approved.

Vote: 9 ayes, 0 nays, 0 abstentions, 0 absent (to set hearing)

Comprehensive Plan Update )

Mrs. Sanders stated it is time to update the Comprehensive Plan, which was last updated in 2009 and is the city's guide for future development and re-development. The Board of Aldermen has budgeted the update for 2022 and since the process takes at least nine months, it needs to get started. She said the first step is to establish a committee which will consist of herself, Rodney Bollinger (Director of Administrative Services), two Commissioners, and one Alderman. She asked the Commission to choose two members to serve on the committee and explained the Request for Qualifications process used to select a planning firm to develop the updated plan. Commissioner Fadler said he served on the committee for the 2009 update. Commissioners Dryer and Koeller volunteered.

Consider a motion to add items to the )  
agenda )

No items were added to the agenda.

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.*



# CITY OF JACKSON

## PLANNING & ZONING COMMISSION MEETING AGENDA

**Wednesday, February 09, 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 the January 12, 2022 meeting

### PUBLIC HEARINGS

2. Public hearing regarding a request for approval of rezoning of 2.65 acres of property addressed as 720 South Old Orchard Road from R-1 Single Family Residential to C-2 General Commercial submitted by Independence Self Storage, LLC (contingent upon successful annexation).

### OLD BUSINESS

3. Request for approval of rezoning of 2.65 acres of property addressed as 720 South Old Orchard Road from R-1 Single Family Residential District to C-2 General Commercial District submitted by Independence Self Storage, LLC.

### NEW BUSINESS

4. Request for approval of a Land Exchange Certification for transfer of 0.35 acres of property from 3030 Bainbridge Road to 591 South Oak Hill Road submitted by The Patsy Ruth Pulliam Living Trust, u/t/a July 2, 2018.
5. Request for a Special Use Permit for a bakery as a home occupation in an R-2 Single Family Residential District at 828 Eagle Drive submitted by Darrell & Mandy Hatfield.
6. 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.
7. Request for a text amendment to Chapter 65 (Zoning) related to babysitting as a home occupation submitted by Brian Powell.

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

### ADJOURNMENT

This agenda was posted at City Hall on February 3, 2022 at 4:30 PM.

PLEASE OBSERVE SOCIAL DISTANCING WHEN ATTENDING THIS MEETING.

JOURNAL OF THE PLANNING & ZONING COMMISSION  
CITY OF JACKSON, MISSOURI  
WEDNESDAY, JANUARY 12, 2022, 6:00 P.M.  
REGULAR MEETING  
CITY HALL COUNCIL ROOM, 101 COURT STREET, JACKSON, MISSOURI

The Planning and Zoning Commission met in regular session with Chairman Mike Seabaugh presiding and Commissioners Tony Koeller, Beth Emmendorfer, Wade Bartels, Heather Harrison, and Tina Weber present. Harry Dryer and Bill Fadler were absent. One position is currently vacant. Building & Planning Manager Janet Sanders was present as staff liaison. Assigned Alderman Joe Bob Baker and Tom Kimbel were also present. Citizens attending were Stacey Abrams-McIntosh, Michael Lackamp and Garrett Lackamp.

Approval of the December 8, 2021 )  
regular meeting minutes )

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

#### NEW BUSINESS

Request for a Special Use Permit )  
for an existing daycare under new )  
ownership in an R-4 General Residential )  
District at 1327 East Main Street as )  
submitted by Tot Spot Academy and )  
Preschool, LLC )

Mrs. Sanders reported the existing Just Kids daycare on East Main Street has been sold. Since Special Use Permits do not transfer with the property, the new property owner must apply for their own permit. The recommended special conditions are the same conditions that were applied to the previous owner's permit.

Mrs. Abrams-McIntosh came forward and said she has received a \$30,000 grant for a daycare and was looking for a house or other building when her realtor advised her that Just Kids Daycare had been for sale in the past. She contacted the property owner and bought the Just Kids property. She said she thought the property was zoned commercial and it was not disclosed that there was a special use permit. When she applied for her business license, she found out from Mrs. Sanders that a new special use permit was required. She said if the special use permit is not approved, she will have to pay back the grant money. The money is being used for new ceilings and flooring, remodeling the bathrooms that smelled of urine, new fixtures, etc. Mrs. Abrams-McIntosh said she has been in education for 20 years and serves the Parents as First Teachers for Jackson schools. She has hired an assistant director for the daycare and her husband will also be involved. The daycare is currently closed, and she took possession of the building on December 17<sup>th</sup>.

Parking was discussed, along with the proposed special conditions. Mrs. Abrams-McIntosh said the existing parking will be re-configured to better utilize the space and will have more than the required spaces. The circle drop-off lane is also two cars wide. She said she could meet all the conditions.

Commissioner Emmendorfer made a motion to approve the request with the special conditions recommended in the staff report, seconded by Commissioner Koeller. The motion was unanimously approved.

Vote: 6 ayes, 0 nays, 0 abstentions, 2 absent (1 vacant position)

Request for rezoning of 2.65 acres of )  
 Property at 720 South Old Orchard Road )  
 From R-1 Single Family Residential to )  
 C-2 General Commercial submitted by )  
 Independence Self Storage, LLC )  
 (contingent upon successful annexation) )

Mrs. Sanders reported this development was begun in the county and the owner would now like to annex into the city to have city utilities available. He is currently in the annexation process and there are several simultaneous moving parts to make this annexation possible, including the need to rezone to C-2 General Commercial and obtain a variance for setbacks due to the location of the sewer main. She said if any piece fails the annexation will not proceed and the storage units will still be built, but in the county.

Mrs. Sanders reminded the Commission they have the option to hold a public hearing, and a public hearing is required by the Board of Aldermen. Opposition by nearby property owners can be expected since there was opposition to the recent rezoning of the future portion of McKendree Crossing subdivision to duplex zoning on the other side of Old Orchard Road.

Chairman Seabaugh asked Mr. Lackamp if he had anything to add. He did not.

Commissioner Koeller made a motion to set a public hearing. Commissioner Emmendorfer seconded the motion and it was unanimously approved.

Vote: 6 ayes, 0 nays, 0 abstentions, 2 absent (1 vacant position)

Consider a motion to add items to the )  
 agenda )

No items were added to the agenda.

Consider a motion to adjourn )

Commissioner Koeller made a motion to adjourn, seconded by Commissioner Bartels and unanimously approved.



Respectfully submitted,

Tony Koeller  
Planning and Zoning Commission Secretary

Attest:

Janet Sanders  
Building & Planning Manager

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## Staff Report

**ACTION ITEM:** Request for rezoning of a 2.65-acre tract at 720 South Old Orchard Road from R-1 Single Family Residential to C-2 General Commercial.

**APPLICANT:** Independence Self Storage, LLC

**APPLICANT STATUS:** Property Owner

**PURPOSE:** To rezone newly annexed property from the default R-1 Single Family Residential zoning upon annexation

**SIZE:** 2.65 acres

**PRESENT USES:** Out of city – site work begun in county for self-storage units

**PROPOSED USE:** Commercial – in city

**SURROUNDING LAND USE:** North – R-2 Single Family Residential District; South – out of city; East – R-1 Single Family Residential, C-2 General Residential & CO-1 Commercial Overlay; West – out of city

**HISTORY:** This county property is currently being developed as self-storage units. The city's Williams Creek Interceptor Sewer was designed and constructed between the designed buildings of this development.

**TRANSPORTATION AND PARKING:** Required street frontage currently exists on South Old Orchard Road. There are no parking requirements for self-storage units.

**APPLICABLE REGULATIONS:** Zoning Code (Chapter 65)

### **Sec. 65-12. - C-2 General commercial 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-2 General commercial district. The purpose of the C-2 General commercial district is to provide areas for general commerce and services typically associated with major thoroughfares.*

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

ww. The following uses when located fifty (50) feet or more from any residential district (as measured to the property line) and separated from an adjacent residential district by a privacy fence:

**2009 COMPREHENSIVE PLAN:** Regional Center (commercial)

**FLOODPLAIN INFORMATION:** This property is not located in a floodplain per FEMA panel 29031C0163E dated 9/29/11

**PHYSICAL CHARACTERISTICS:** This property has been cleared and graded for development prior to application for annexation.

**COMMENTS:** The property is currently in the county and is in the process of annexation. A variance application has also been submitted to the Board of Adjustment for a reduction in the 50' buffer between the self-service storage and the adjacent residentially zoned property, for a reduction in the front setback, and the allowance of a tree buffer in lieu of the required privacy fence between this commercial use and residentially zoned property. The variance request was heard and by the Board of Adjustment on January 27<sup>th</sup>. Both variances for reduced setbacks were approved. The variance to allow a tree buffer in lieu of a privacy fence was tabled pending code interpretation needed from the city attorney.

South Old Orchard Road was originally developed as a commercial corridor similar to Siemer's Drive in Cape Girardeau. The right-of-way acquired for this road is 100' wide to accommodate future expansion to a four-lane road. As property along this road came into the city, the intent was for it to be zoned commercial. However, the parent tract for McKendree Crossing Subdivision was approved as R-2 and R-3 zoning for a residential development along South Old Orchard Road.

Successful annexation will also be contingent upon approved rezoning and variances. Without annexation, the development of self-storage will continue as planned, but remain in the county.

**ACTION REQUIRED:** The Commission shall vote to recommend approval or denial of this request. A public hearing by P&Z is optional. A public hearing is required at the Board of Aldermen level.

Any approval must be contingent upon successful annexation.



## REZONING / SPECIAL USE PERMIT APPLICATION

### City of Jackson, Missouri

APPLICATION DATE: January 5, 2022

TYPE OF APPLICATION: ☒ Rezoning ☐ Special Use Permit

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

720 South Old Orchard Road

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

Property Owner Name(s): Independence Self Storage LLC

Mailing Address: 6839 State Hwy. D

City, State ZIP: Oak Ridge MO 63769

**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: Michael H. Lackamp

Mailing Address: 6839 State Hwy. D

City, State ZIP Oak Ridge, MO 63769

Contact's Phone: 573-270-2210

Email Address (if used): mikelackamp@yahoo.com

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

- ☒ R-1 (Single-Family Residential)
- ☐ R-2 (Single-Family Residential)
- ☐ R-3 (One- And Two-Family Residential)
- ☐ R-4 (General Residential)
- ☐ MH-1 (Mobile Home Park)
- ☐ O-1 (Professional Office)
- ☐ CO-1 (Enhanced Commercial Overlay)

- ☐ C-1 (Local Commercial)
- ☐ C-2 (General Commercial)
- ☐ C-3 (Central Business)
- ☐ C-3 (Central Business)
- ☐ C-4 (Planned Commercial)
- ☐ I-1 (Light Industrial)
- ☐ I-2 (Heavy Industrial)
- ☐ I-3 (Planned Industrial Park)

CURRENT USE OF PROPERTY: Self Storage

Item 2.

**PROPOSED ZONING:** (check 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)
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: Self Storage

**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.

Growing need for self storage including Climate Control units.

**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:

*Michael H. Lachamp*  
*Sandra K. Lachamp*

TRACT 1 - DESCRIPTION

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

BEGIN AT THE SOUTHWEST CORNER OF MCKENDREE CROSSING SUBDIVISION, AS RECORDED IN DOCUMENT NO. 2018-05914 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI; THENCE SOUTH 80°51'49" EAST ALONG THE SOUTH LINE OF SAID SUBDIVISION, 566.88 FEET; THENCE LEAVING SAID SOUTH LINE, SOUTH 06°40'44" WEST 204.32 FEET; THENCE NORTH 80°51'49" WEST 562.37 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF SOUTH OLD ORCHARD ROAD; THENCE NORTH 05°24'59" EAST ALONG SAID EAST RIGHT OF WAY LINE, 204.56 FEET TO THE POINT OF BEGINNING.

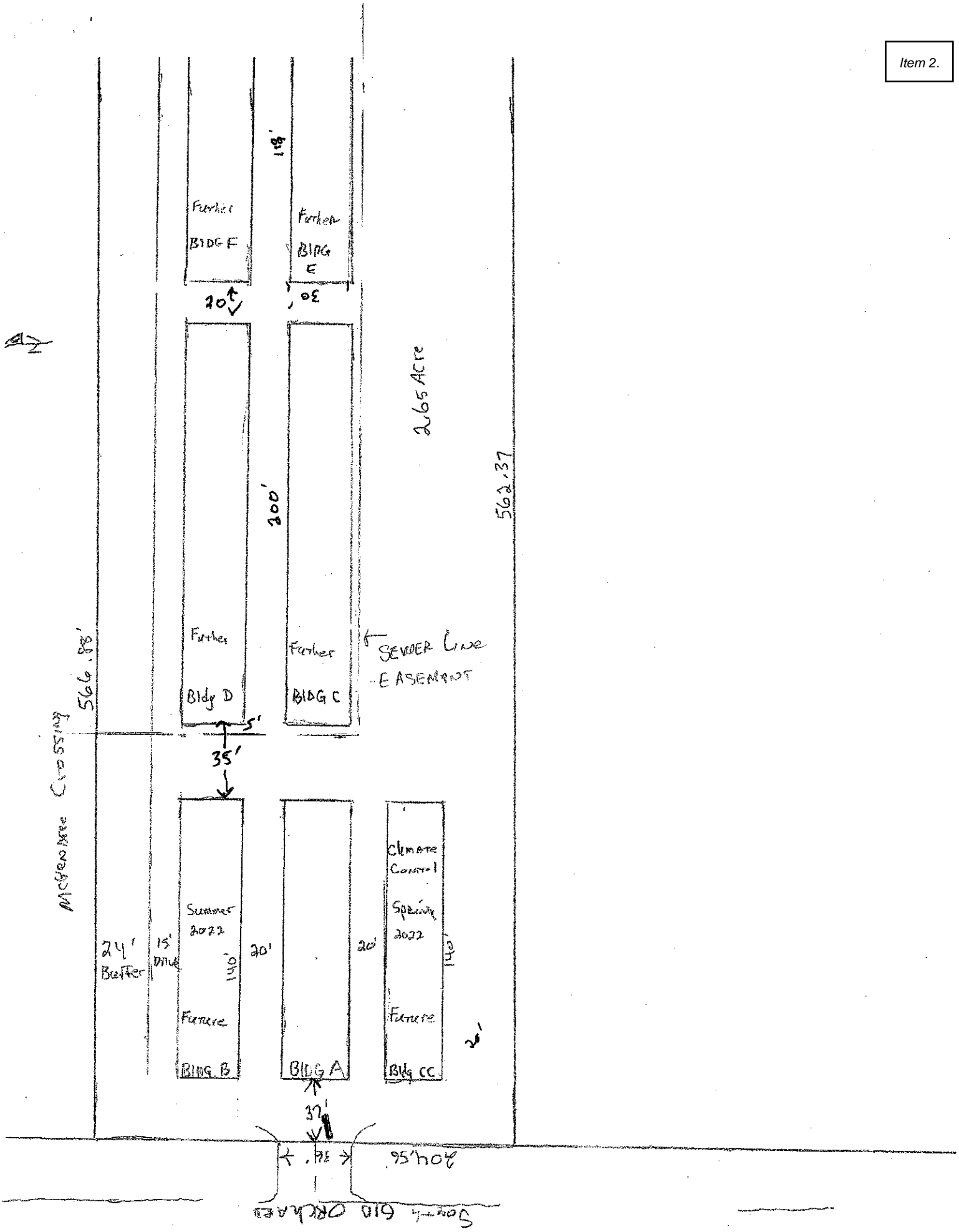
THE HEREIN DESCRIBED TRACT CONTAINS 2.65 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, RESTRICTIONS, AND LICENSES AFFECTING THE SAME, EITHER WRITTEN OR IMPLIED.

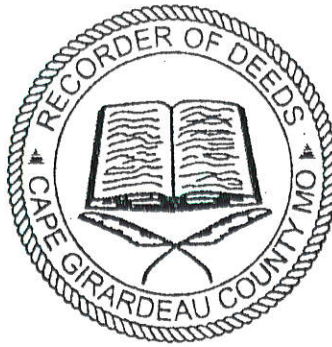
THIS SURVEY CREATES A NEW PARCEL FROM A TRACT DESCRIBED IN DOC. NO. 2012-06110 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI.

STATE OF MISSOURI  
COUNTY OF CAPE GIRARDEAU

FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021 AND DULY

RECORDED IN DOCUMENT NUMBER \_\_\_\_\_





ANDREW DAVID BLATTNER  
RECORDER OF DEEDS  
CAPE GIRARDEAU COUNTY, MO  
eRECORDED ON  
12/16/2021 10:26:40 AM  
REC FEE: 27.00  
PAGES: 2

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## WARRANTY DEED

This Warranty Deed made and entered into this 16th day of December, 2021, by and between **W & L Enterprises, LLC, a Missouri Limited Liability Company**, hereinafter referred to as **GRANTOR**, and **INDEPENDENCE SELF STORAGE, LLC, a Missouri Limited Liability Company**, of the County of Cape Girardeau, State of Missouri, hereinafter referred to as **GRANTEE**. The mailing address of the Grantee is:

6839 State Hwy D, Oak Ridge, MO 63769

**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:

That part of USPS No. 324 Township 31 North, Range 13 East of the Fifth Principal Meridian, Cape Girardeau County, Missouri, being more particularly described as follows: Begin at the southwest corner of McKendree Crossing Subdivision, as recorded in document No. 2018-05914 in the land records of Cape Girardeau County Missouri: thence South 80°51'49" East along the south line of said subdivision, 566.88 feet; thence leaving said south line, South 06°40'44" West 204.32 feet; thence North 80°51'49" West 562.37 feet to a point on the east right of way line of South Old Orchard Road; thence North 05°24'59" East along said east right of way line 204.56 feet to the point of beginning.

The herein described tract contains 2.65 acres, more or less. Description taken from survey dated 07/09/2021 by Rodney W. Amos, PLS# 2007000072 of Strickland Engineering, Project #21-153,



**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:**

Michael H. Lackamp  
Michael H. Lackamp, Member

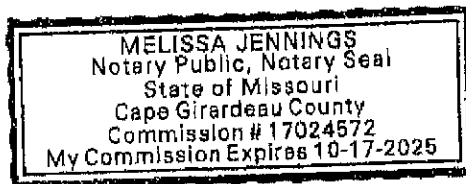
Sandra K. Lackamp  
Sandra K. Lackamp, Member

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

On this 16 day of December, 2021, before me personally appeared **Michael H. Lackamp and Sandra K. Lackamp, Members of W & L Enterprises, LLC, a Missouri Limited Liability Company**, to me known to be the person described in and who executed the within Warranty Deed in behalf of said limited liability company and acknowledged to me that he or she executed the same for the purposes therein stated.

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

Melissa Jennings  
Notary Public  
My commission expires:



2109049

# BOUNDARY SURVEY FOR INDEPENDENCE SELF STORAGE

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



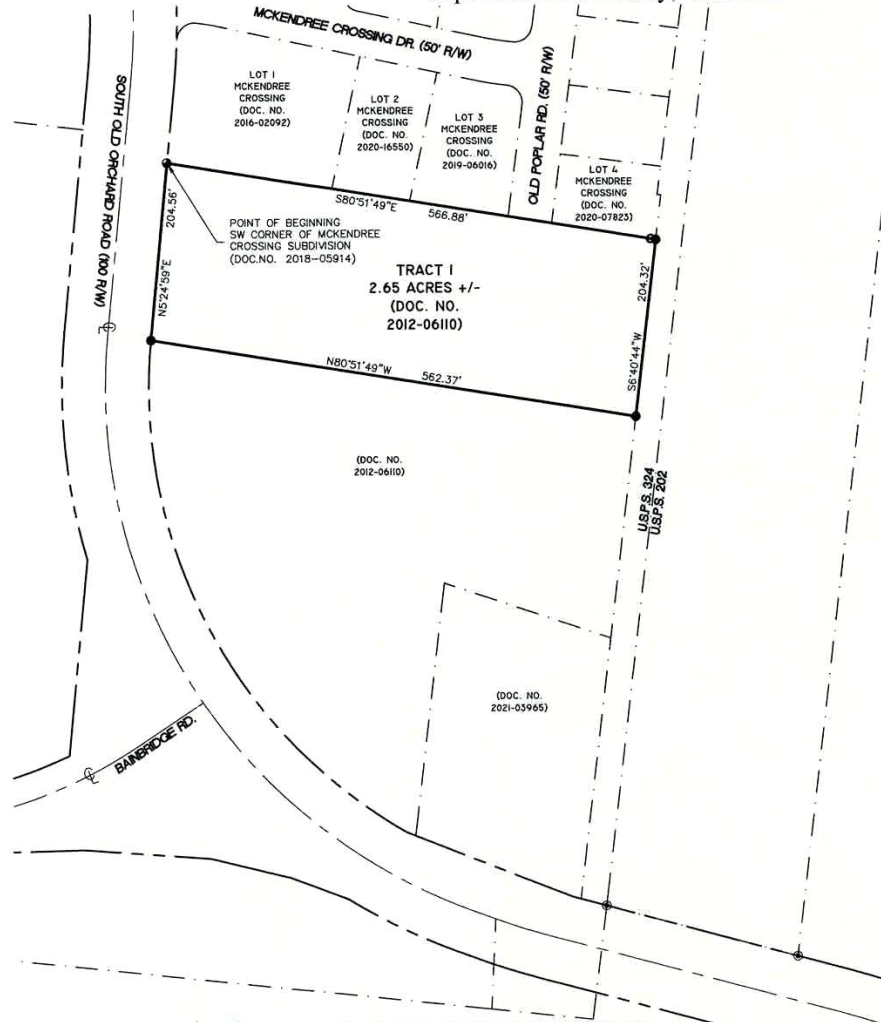
## REFERENCES

1. DOCUMENT NO. 2012-06110 (SUBJECT)
2. DOCUMENT NO. 2016-02092
3. DOCUMENT NO. 2020-16550
4. DOCUMENT NO. 2019-06016
5. DOCUMENT NO. 2020-07823
6. MCKENDREE CROSSING SUBDIVISION, DOCUMENT NO. 2018-05914
7. PREVIOUS SURVEYS DATED 02-02-2010, 02-07-2011, & 12-03-2013

ACCURACY STANDARD: TYPE RURAL

## 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 MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS MADE EFFECTIVE JUNE 30, 2017. IN WITNESS WHEREOF, I HAVE SET MY SEAL AND SIGNATURE THIS 9TH DAY OF JULY 2021.

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

## TRACT I - DESCRIPTION

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

BEGIN AT THE SOUTHWEST CORNER OF MCKENDREE CROSSING SUBDIVISION, AS RECORDED IN DOCUMENT NO. 2018-05914 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI; THENCE SOUTH 80°51'49" EAST ALONG THE SOUTH LINE OF SAID SUBDIVISION, 566.88 FEET; THENCE LEAVING SAID SOUTH LINE, SOUTH 08°40'44" WEST 204.32 FEET; THENCE NORTH 80°51'49" WEST 562.37 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF SOUTH OLD ORCHARD ROAD; THENCE NORTH 05°24'59" EAST ALONG SAID EAST RIGHT OF WAY LINE, 204.56 FEET TO THE POINT OF BEGINNING.

THE HEREIN DESCRIBED TRACT CONTAINS 2.65 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 A NEW PARCEL FROM A TRACT DESCRIBED IN DOC. NO. 2012-06110 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI.

STATE OF MISSOURI  
COUNTY OF CAPE GIRARDEAU  
FILED FOR RECORD THIS 16<sup>TH</sup> DAY OF July, 2021 AND DULY

RECORDED IN DOCUMENT NUMBER 2021-09601

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



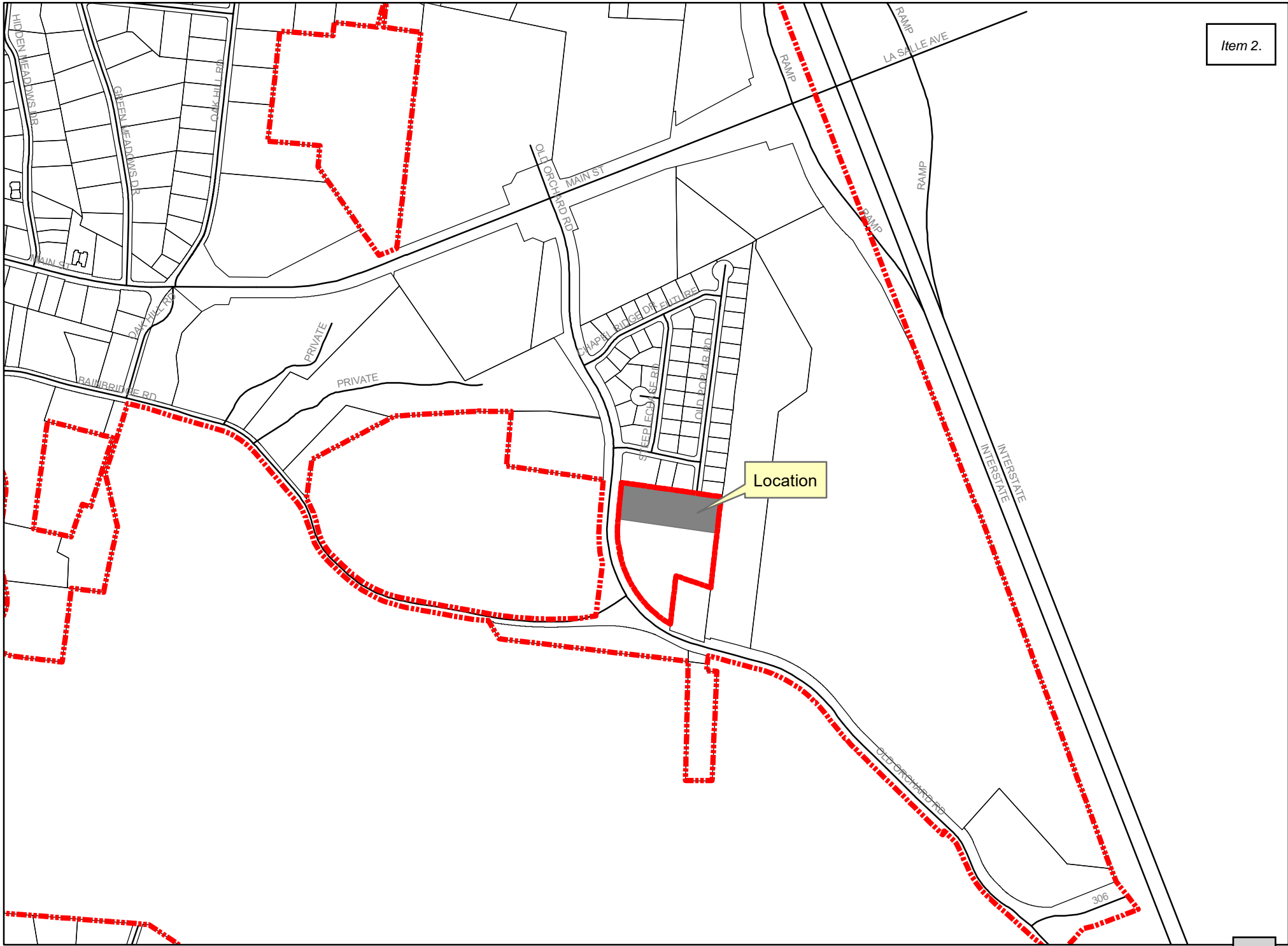
STRICKLAND  
ENGINEERING

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

CIVIL - MECHANICAL - ELECTRICAL ENGINEERING - LAND SURVEYING

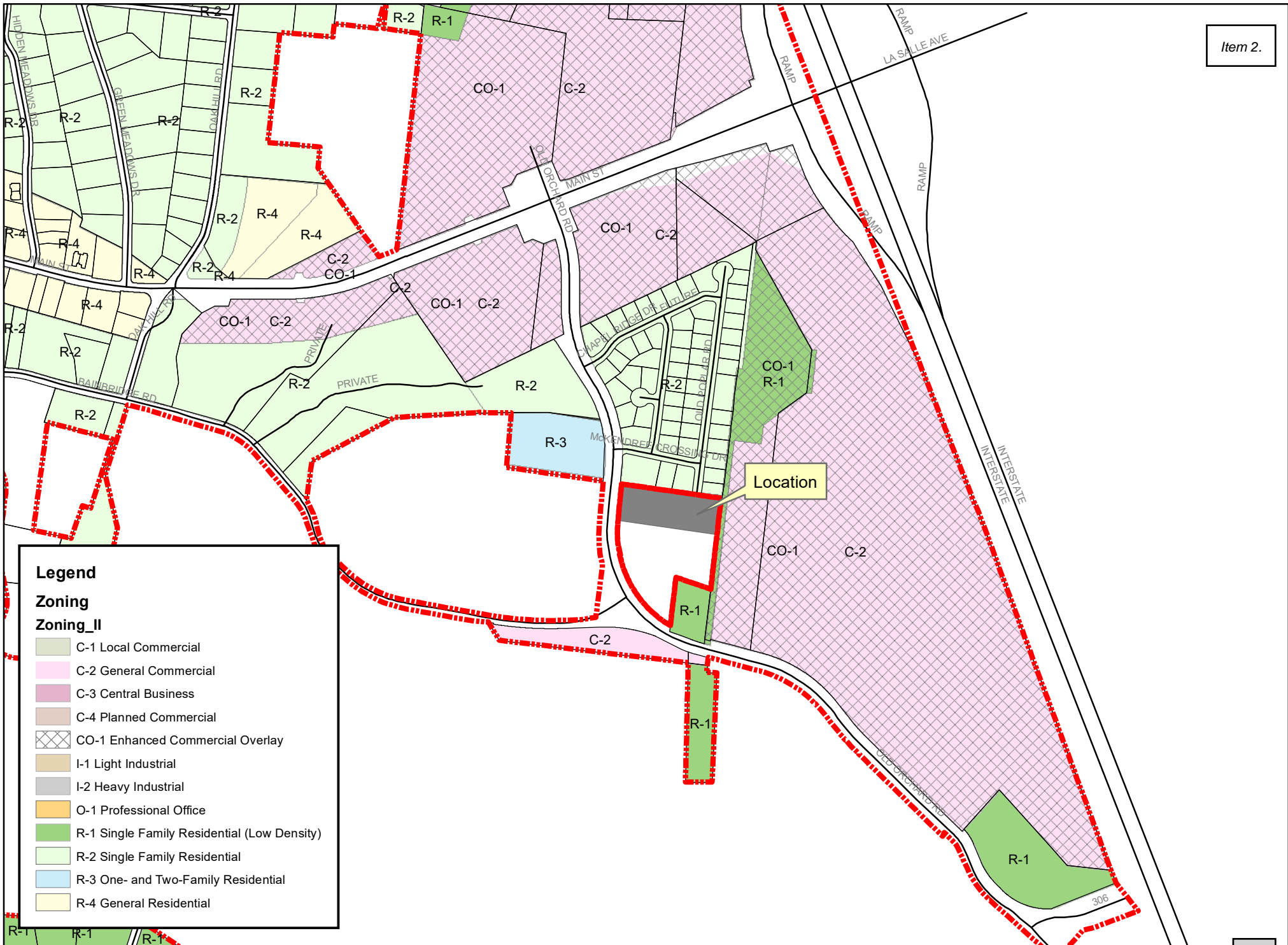
BOUNDARY SURVEY FOR  
INDEPENDENCE SELF STORAGE  
SOUTH OLD ORCHARD RD  
JACKSON, MO

SCALE	1"=100'
DATE	07-09-2021
DRAWN BY	RA
CHECKED BY	DR
PROJECT #	21-153





720 S. Old Orchard Rd.  
Properties Within 185'



720 S. Old Orchard Rd.  
Surrounding Zoning

January 18, 2022

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

Dear Ms. Sanders:

This is in response to the letters dated January 13, 2022 that we received from the City regarding request for variance of 26' from the required 50' buffer zone from a residential district and a 23' variance from a front setback in a C2 General Commercial District.

We strongly oppose these requests and hope that the City will stand by their 50' buffer zone requirements. The construction so far in this area has all but destroyed a beautiful wooded area just south of our neighborhood and privacy that the trees provided. Even a 50' buffer zone is not going to be enough to try to salvage some of the beauty that it once was. Even at 50', there would still need to be a fence constructed around the storage units. If no fence is constructed, people will be able to view our neighborhood homes from the storage units and even trespass at will.

The City of Jackson should think about what they are allowing to happen to our beautiful town. Trees are why we moved here two years ago, but the landscape is rapidly changing and not for the better.

As we won't be able to attend these meetings, please voice our concern on these issues.

Thank you.

*Rick + Kathy Blankenship + family*

The Blankenship Family  
Old Poplar Rd.  
Jackson, MO



January 27, 2022

Janet,

Unfortunately I have COVID, so I will be unable to make tonight's meeting.

However, I would still like you to voice my opinions regarding the variance.

Given the close proximity of the storage units, I feel that a privacy fence and keeping the existing tree line is necessary.

As for the fence, these storage units will be able to be accessed throughout the day and night. A fence is a necessity to prevent the potential of people wandering into the neighborhood/people's backyards. I have a wife, a young daughter, and another baby on the way, and this possibility is very concerning.

As for the trees, the storage units will create noise from use during the day and have lights on them at night. The tree line will serve as a noise and light barrier.

Additionally, if this passes C-2 and if the storage units eventually get sold to be something else, a tree line will be a critical barrier for the light/noise pollution potential from another type of business.

As I just referred to, my biggest concern is the property being zoned C-2. One of the oldest tricks in land zoning is putting storage units or a relatively unoffensive structure up to get the desired zoning, so you can flip the property to a different owner and not have to go through the city for a new type of business. If this land is ever sold after being zoned C-2, businesses such as a liquor store, a bar, a substance abuse facility, a cannabis dispensary, tattoo parlors, etc. would be legal businesses zoned C-2 right next to the neighborhood. I am not anti-development, but in order to protect the neighborhood from having this scenario unfold, I would request the land be zoned R-1 with a special use permit for the storage units. If not R-1, at minimum a more restrictive zoning than C-2.

Thank for your considerations of my concerns. I know many others in the neighborhood share the same concerns.

-William and Ashley Ruffier



## Staff Report

**ACTION ITEM:** Request for approval of a Land Exchange Certification for transfer of 0.35 acres of property from 3030 Bainbridge Road to 591 South Oak Hill Road

**APPLICANT:** The Patsy Ruth Pulliam Living Trust, u/t/a July 2, 2018.

**APPLICANT STATUS:** Property owner of 3030 Bainbridge Road

**PURPOSE:** To transfer a portion of property from one lot to an adjacent lot.

**SIZE:** 0.35 acres

**PRESENT USES:** Single Family Residential

**PROPOSED USE:** Same

**ZONING:** R-2 Single Family Residential

**SURROUNDING LAND USE:** North – R-4 General Residential; South – R-2 Single Family Residential; East – R-2 Single Family Residential; West – R-2 Single Family Residential

**HISTORY:** Not known.

**TRANSPORTATION AND PARKING:** All required street frontage and parking currently exist.

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

**2009 COMPREHENSIVE PLAN:** Residential use

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

**PHYSICAL CHARACTERISTICS:** The piece to be transferred is a long narrow, wooded strip.

**COMMENTS:** Both resulting lots exceed the minimum lot size and frontage requirements.

**ACTION REQUIRED:** The Commission shall approve or deny this request. Land exchanges between adjacent property are allowed as an exemption from the subdivision process per the Land Subdivision Regulations. The Commission's approval is the final approval. No action is required by the Board of Aldermen.



# LAND EXCHANGE CERTIFICATION APPLICATION FORM

City of Jackson, Missouri



**DATE OF APPLICATION:** January 12, 2022

**ADDRESS OF GRANTING PROPERTY:** 3030 Bainbridge Road

**ADDRESS OF RECEIVING PROPERTY:** 591 S. Oak Hill Road

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

Property Owner Name(s): The Patsy Ruth Pulliam Living Trust, u/t/a July 2, 2018

Mailing Address: 3030 Bainbridge Road

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): John T. & Sarah Y. Ryan

Mailing Address: 591 S. Oak Hill Road

City, State ZIP: Jackson, MO 63755

**ENGINEER / SURVEYING COMPANY:** Bowen Engineering and Surveying, P.C.

Engineer / Surveyor Contact: Chris Kelley, Survey Manager

Mailing Address: 2121 Megan Drive

City, State ZIP: Cape Girardeau, MO 63701

Contact's Phone: (573) 339 - 5900

**CONTACT PERSON HANDLING APPLICATION:**

Contact Name: Chris Kelley, Survey Manager

Mailing Address: 2121 Megan Drive

City, State ZIP: Cape Girardeau, MO 63701

Contact's Phone: (573) 339 - 5900

Contact's Email Address (if used): chriskelley@bowenengsurv.com

**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):

To adjust the property line between owners.

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

- |   |  |
|---|--|
| <input type="checkbox"/> R-1 (Single-Family Residential)            | <input type="checkbox"/> C-1 (Local Commercial)        |
| <input checked="" 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 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



Land Exchange - 3030 Bainbridge Rd. to 591 S. Oak Hill Rd.  
Location Map

SURVEY NOTES:

THIS SURVEY CREATES A NEW 0.35 ACRE TRACT FROM THE PARENT TRACT RECORDED IN DOCUMENT NO. 2019-01414

MEASURED DIMENSIONS SHOWN WITHOUT PARENTHESES  
DEED OR RECORD DIMENSIONS SHOWN WITH PARENTHESES

BASIS OF SURVEY DATUM - NAD83, M.S.P.C. ZONE 2401 EAST  
CORS STATION MOJK OF THE MoDOT GPS RTK NETWORK

LATITUDE	37°24'44.45833"	NORTH
LONGITUDE	089°39'00.22114"	WEST
ELLIPSOID HEIGHT	383.98	U.S. SURVEY FEET
NORTHING	575,956.0987	U.S. SURVEY FEET
EASTING	1,067,057.151	U.S. SURVEY FEET
ELEVATION	477.03	U.S. SURVEY FEET

AS PUBLISHED ON NATIONAL GEODETIC DATA SHEETS,  
RETRIEVAL DATE FEBRUARY 04, 2015 AND CONVERTED  
FROM METERS TO U.S. SURVEY FEET.

SURVEY CLASS - URBAN

REFERENCES:

RECORD PLAT OF GREEN MEADOWS SECOND SUBDIVISION  
AS RECORDED IN PLAT BOOK NO. 18 - PAGE NO. 10

RECORD PLAT OF PULLIAM SUBDIVISION AS RECORDED IN  
PLAT BOOK NO. 23 - PAGE NO. 33

GENERAL WARRANTY DEED, BOOK NO. 665 - PAGE NO. 786  
GENERAL WARRANTY DEED, BOOK NO. 702 - PAGE NO. 249  
GENERAL WARRANTY DEED, DOCUMENT NO. 2015-13429  
BENEFICIARY DEED, BOOK NO. 861 - PAGE NO. 222

ONLINE MAPPING RECORDS FOR CAPE GIRARDEAU COUNTY,  
HTTPS://MAPS.CAMAVISION.COM/CAPEGIRARDEAUMO

SURVEY MONUMENT NOTES:

- ⊙ - FOUND 1/2" IRON PIN (NO CAP), UNLESS OTHERWISE SHOWN
- - SET 1/2" IRON PIN
- - ANGLE POINT, NO CORNER SET

ORIGINAL SURVEY  
TO SET OUT A NEW

0.35 ACRE TRACT FROM THE PARENT TRACT  
RECORDED IN DOCUMENT NO. 2019-01414  
A PART OF  
LOT NO. 1, PULLIAM SUBDIVISION AS RECORDED  
IN PLAT BOOK NO. 23 AT PAGE NO. 33  
LYING IN  
UNITED STATES PRIVATE SURVEY NO. 324,  
T 31 N, R 13 E, OF THE 5th P.M.

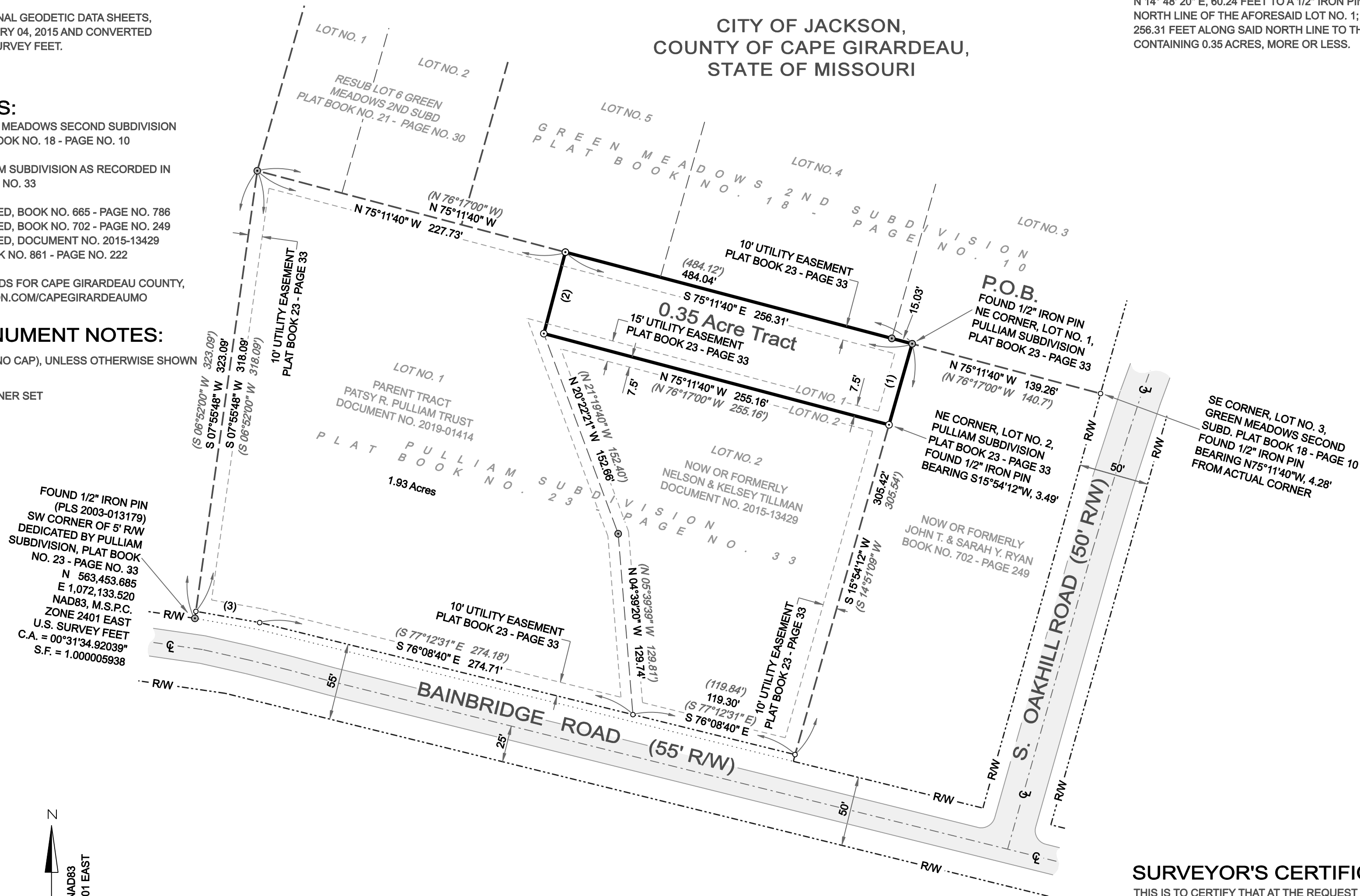
CITY OF JACKSON,  
COUNTY OF CAPE GIRARDEAU,  
STATE OF MISSOURI

DESCRIPTION - 0.35 ACRE TRACT

FROM PATSY R. PULLIAM, DOCUMENT NO. 2019-01414  
TO JOHN T. & SARAH Y. RYAN, BOOK NO. 702 - PAGE NO. 249

A PART OF LOT NO. 1, PULLIAM SUBDIVISION AS RECORDED IN PLAT  
BOOK NO. 23 AT PAGE NO. 33 OF THE LAND RECORDS OF THE COUNTY  
RECORDER'S OFFICE, CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU,  
STATE OF MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON PIN (FOUND) AT THE NORTHEAST CORNER OF  
LOT NO. 1, PULLIAM SUBDIVISION; THENCE S 15° 54' 12" W, 60.25  
FEET ALONG THE EAST LINE OF LOT NO. 1 TO THE NORTHEAST CORNER OF  
LOT NO. 2 OF SAID SUBDIVISION; THENCE N 75° 11' 40" W,  
255.16 FEET ALONG THE NORTH LINE OF SAID LOT NO. 2 TO A 1/2"  
IRON PIN (SET) AT THE NORTHWEST CORNER THEREOF; THENCE  
N 14° 48' 20" E, 60.24 FEET TO A 1/2" IRON PIN (SET) ON THE  
NORTH LINE OF THE AFORESAID LOT NO. 1; THENCE S 75° 11' 40" E,  
256.31 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING,  
CONTAINING 0.35 ACRES, MORE OR LESS.



FILED FOR RECORD

STATE OF MISSOURI )  
COUNTY OF CAPE GIRARDEAU ) ss

FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 A.D.

AND DULY RECORDED IN DOCUMENT NO. \_\_\_\_\_

ANDREW DAVID BLATTNER, CAPE GIRARDEAU COUNTY RECORDER OF DEEDS

SURVEYOR'S CERTIFICATION

THIS IS TO CERTIFY THAT AT THE REQUEST OF JOHN RYAN  
THE TRACT SHOWN HEREON WAS SURVEYED UNDER MY DIRECT  
SUPERVISION, AND THE RESULTS OF SAID SURVEY ARE REPRESENTED  
CORRECTLY ON THIS PLAT. SAID SURVEY WAS EXECUTED IN ACCORDANCE  
WITH THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS  
OF THE MISSOURI DEPARTMENT OF AGRICULTURE, DIVISION OF WEIGHTS  
AND MEASURES. THERE MAY EXIST OTHER DOCUMENTS THAT COULD AFFECT  
THIS PARCEL, OF WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY  
DISCLOSE. IN WITNESS WHEREOF, I HERETO SET MY SEAL AND SIGNATURE

THIS 11th DAY OF January, 2022 A.D.

R. CHRISTOPHER BOWEN

MO. P.L.S. #2232

**Bowen**  
ENGINEERING & SURVEYING  
Consulting Engineers • Land Surveyors • Testing Laboratories

2121 Megan Drive  
Cape Girardeau, MO 63701  
Ph 573 339 5900  
Fax 573 339 1391  
www.bowensurvey.com

Bowen Engineering & Surveying, P.C.  
Engineering Corporation - Missouri State Certificate of Authority #000383  
Land Surveying Corporation - Missouri State Certificate of Authority #000166

JOHN RYAN  
591 S. OAKHILL ROAD  
JACKSON, MO 63755

DESCRIPTION	DATE

Copyright © 2022 by  
Bowen Engineering & Surveying, P.C.

JOB NO.	S21-179
DATE	JAN. 10, 2022
FILE	S21179.DGN
CAICE	S21179.ZIP
DWN BY	JAR
CKD BY	CCK
SCALE	1" = 60'

ORIGINAL  
SURVEY

SHEET NO.  
1 of 1

## Staff Report

**ACTION ITEM:** Request for a Special Use Permit for an in-home bakery as a home occupation in an R-2 Single Family Residential District at 828 Eagle Drive

**APPLICANT:** Darrell & Mandy Hatfield

**APPLICANT STATUS:** Property Owners

**PURPOSE:** To bake as a home occupation and provide the baked items for sale through local businesses.

**SIZE:** Approx. 8,700 s.f.

**PRESENT USES:** Single family residence

**PROPOSED USE:** Same, with home occupation by occupant

**SURROUNDING LAND USE:** R-2 Single Family Residential in all directions

**HISTORY:** This property is located in Fairway Estates Subdivision

**TRANSPORTATION AND PARKING:** All required street frontage and parking currently exist.

**APPLICABLE REGULATIONS:** Zoning Code (Chapter 65)

### **Sec. 65-2. Definitions.**

*Home occupation.* Any occupation or activity which is clearly incidental and secondary to the use of the premises for dwelling purposes and which is carried on wholly within the main building or an existing accessory building by an immediate member of the family residing on the premises; provided that:

- (1) No person not a resident of the premises is employed, engaged, or present on the premises in relation to the business.
- (2) No substantial stock in trade is kept or sold upon the premises.
- (3) No equipment shall be used which creates offensive noise, vibration, sound, smoke, dust, odors, heat, glare, xray, or electrical disturbance to radio or television instruments.
- (4) No generation of substantial volumes of vehicular or pedestrian traffic or substantial parking demand shall be created.
- (5) No advertising sign is displayed, other than a nameplate not exceeding one and one-half (1½) square foot in area, and there is no other exterior indication that the building is being used for any purpose other than a dwelling.

- (6) No signed or marked vehicle showing a business name or logo shall be parked on or adjacent to the premises except when used as the primary means of personal transportation to the residence by a person residing at the residence.
- (7) No business trailer shall be parked on or adjacent to the premises except when in actual use for the residence, but in no event shall it be kept overnight.

## R-2 Residential 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 R-2 Single-family residential district. The purpose of the R-2 Single-family residential district is to provide for compact, detached single-family residential development, excluding two-family and multifamily housing, with provisions for adequate light, air, and open space.

- (1) *Use regulations.* A building or premises shall be used only for the following purposes:
  - a. Detached single-family dwellings.
  - b. Bed and breakfast dwellings, with a special use permit only.
  - c. Home occupations listed below which also meet the home occupation definition in [section 65-2](#):
    - 1. Art studio.
    - 2. Babysitting limited to no more than four (4) children under the age of seventeen (17) at one (1) time.
    - 3. Eldercare limited to no more than four (4) adults under care at one (1) time.
    - 4. Dressmaking or tailoring.
    - 5. Home crafts, provided that no machinery or equipment is used other than that customarily used for household purposes.
    - 6. Teaching, including music instruction, limited to not more than two (2) pupils at one (1) time.
    - 7. Telephone, computer, or Internet occupations which comply with the definition of a home occupation.
    - 8. Supporting office operations for a business conducted at other locations when the office operations comply with the definition of a home occupation.
    - 9. Other home occupations which comply with the general requirements for a home occupation but are not within the listed allowable home occupations with a special use permit only.

### 2009 COMPREHENSIVE PLAN: Residential use

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

**PHYSICAL CHARACTERISTICS:** This house is located on a curving corner of Eagle Drive.

**COMMENTS:** Home occupations are required to comply with the definition and regulations in the zoning code as shown above.

**ACTION REQUIRED:** The Commission has the option to hold a public hearing prior to voting. The P&Z vote serves as a recommendation to the Board of Aldermen. A public hearing is required at the Board of Aldermen level. A negative recommendation from P&Z requires a 2/3 majority vote of the entire board (6 positive votes) to approve the application.





## REZONING / SPECIAL USE PERMIT APPLICATION

City of Jackson, Missouri

APPLICATION DATE: January 25, 2022

TYPE OF APPLICATION: Rezoning ☒ Special Use Permit

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

828 Eagle Dr. Jackson MO 63755

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

Property Owner Name(s): Darrell & Mandy Hatfield

Mailing Address: 828 Eagle Drive

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): N/A

Mailing Address: N/A

City, State, ZIP: N/A

**CONTACT PERSON HANDLING APPLICATION:**

Contact Name: Cheryl Burlbaugh

Mailing Address: 211 Paradise Lane

City, State ZIP: Oak Ridge MO 63769

Contact's Phone: 573-266-3292

Email Address (if used): \_\_\_\_\_

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

☐ R-1 (Single-Family Residential)

☒ R-2 (Single-Family Residential)

☐ R-3 (One- And Two-Family Residential)

☐ R-4 (General Residential)

☐ MH-1 (Mobile Home Park)

☐ O-1 (Professional Office)

☐ CO-1 (Enhanced Commercial Overlay)

☐ C-1 (Local Commercial)

☐ C-2 (General Commercial)

☐ C-3 (Central Business)

☐ C-3 (Central Business)

☐ C-4 (Planned Commercial)

☐ I-1 (Light Industrial)

☐ I-2 (Heavy Industrial)

☐ I-3 (Planned Industrial Park)



CURRENT USE OF PROPERTY: Residence Single Family

Item 2.

**PROPOSED ZONING:** (check all that apply)

- |   |                                   |                              |                           |
|---|-----------------------------------|------------------------------|---------------------------|
| <input type="checkbox"/> R-1            | (Single-Family Residential)       | <input type="checkbox"/> C-1 | (Local Commercial)        |
| <input checked="" 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 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) |

**PROPOSED USE OF PROPERTY:** I wish to bake as an 'in-home' occupation with the intention of wholesaling my products to local businesses

**LEGAL DESCRIPTION OF TRACT** (attach a copy of the deed or other legal 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.

There are no particular benefits to the neighborhood but there is also no intention of changing the residential character of our home or the neighborhood. As for the City of Jackson, I hope the benefit to our community is to have access to gluten free sweets and to help those with dietary restrictions... in regard to sweets.

**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.)

Item 2.

X Mandy Hatfield

X Danice Hatfield

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](mailto:jsanders@jacksonmo.org)

<b>APPLICATION FEES:</b>	Rezoning:	\$200.00
	Special Use Permit:	\$100.00

---

**WARRANTY DEED**

This Warranty Deed made and entered into this 14 day of April, 2016, by and between **Janey T. Foust and Alan W. Foust, Trustees of The Alan W. and Janey T. Foust AB Living Trust dated March 14, 2007**, hereinafter referred to as **GRANTOR**, and **Darrell Hatfield and Mandy Hatfield, husband and wife**, of the County of Cape Girardeau, State of Missouri, hereinafter referred to as **GRANTEES**. The mailing address of the Grantees is:

---

**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 Grantees 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:

All of Lot One (1) in Block Three (3) of Fairway Estates, a subdivision in the City of Jackson, County of Cape Girardeau, State of Missouri, as shown by plat filed for record in Plat Book 16 at Page 44 in the land records of Cape Girardeau County, Missouri.

**Janey T. Foust and Alan W. Foust** further state that they are the current acting trustees of the **The Alan W. and Janey T. Foust AB Living Trust dated March 14, 2007** that said trust has not been amended or revoked, and that he/she/they have the authority, under of the terms of said trust, to convey the subject property.

**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 Grantees and unto their heirs 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 Grantees, and unto their heirs and assigns forever, against the lawful claims and demands of all persons.



828 Eagle Dr

Write a description for your map.

Legend



828 Eagle Dr

Item 2.

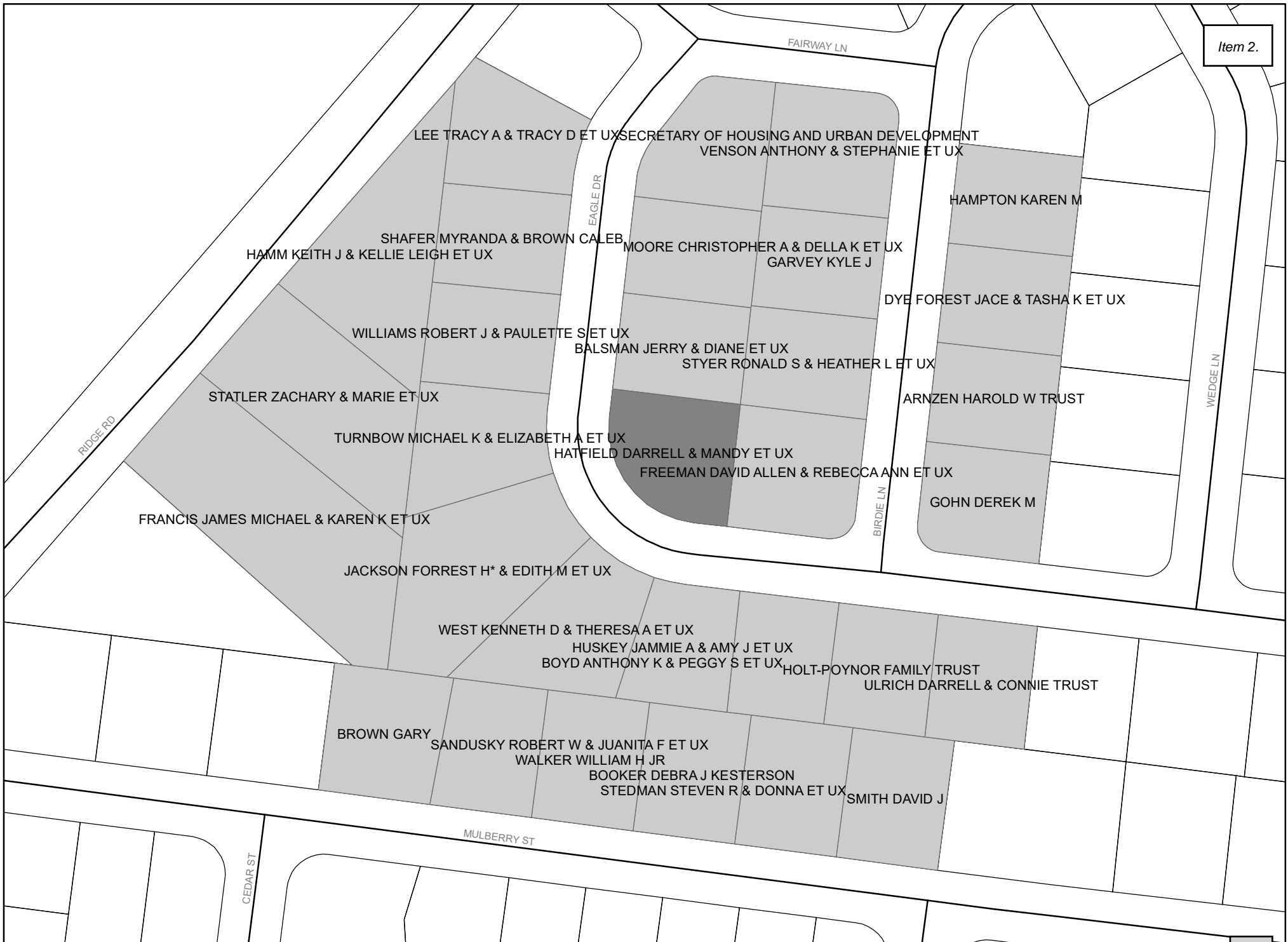






Item 2.





## Staff Report

**ACTION ITEM:** Request for a Special Use Permit for an In-Home Daycare in an R-1 Single Family Residential District at 716 W. Washington St.

**APPLICANT:** Angela & Kaleb Hahn

**APPLICANT STATUS:** Property Owners / Residents

**PURPOSE:** To open an in-home daycare in their home to serve up to 10 children

**SIZE:** Lot size: approx. 6,400 sq. ft.; Home size: 1,026 sq. ft. main floor with full walk-up basement

**PRESENT USES:** Single family residential

**PROPOSED USE:** Single Family Residence with in-home daycare

**SURROUNDING LAND USE:** North – R-4 General Residential; South – R-2 Single Family Residential; East – R-4 General Residential; West – R-4 General Residential

**HISTORY:** This property is a single-family home built about 1950.

**TRANSPORTATION AND PARKING:** Parking would need to meet the following requirement for home occupations: 3 off-street parking spaces for home occupation and home. The existing carport and driveway provide 3 parking spaces. On-street parking does not count in this requirement for off-street parking.

**APPLICABLE REGULATIONS:** Zoning Code (Chapter 65):

*Note: R-4's allowance for a Special Use Permit for a stand-alone daycare (not classified as a home occupation) does not apply because lot does not meet 15,000 sq. ft. minimum.*

### Sec. 65-2. Definitions.

*Home occupation.* Any occupation or activity which is clearly incidental and secondary to the use of the premises for dwelling purposes, and which is carried on wholly within the main building or an existing accessory building by an immediate member of the family residing on the premises; provided that:

- (1) No person not a resident of the premises is employed, engaged, or present on the premises in relation to the business.
- (2) No substantial stock in trade is kept or sold upon the premises.
- (3) No equipment shall be used which creates offensive noise, vibration, sound, smoke, dust, odors, heat, glare, xray, or electrical disturbance to radio or television instruments.

- (4) No generation of substantial volumes of vehicular or pedestrian traffic or substantial parking demand shall be created.
- (5) No advertising sign is displayed, other than a nameplate not exceeding one and one-half (1½) square foot in area, and there is no other exterior indication that the building is being used for any purpose other than a dwelling.
- (6) No signed or marked vehicle showing a business name or logo shall be parked on or adjacent to the premises except when used as the primary means of personal transportation to the residence by a person residing at the residence.
- (7) No business trailer shall be parked on or adjacent to the premises except when in actual use for the residence, but in no event shall it be kept overnight.

### **Sec. 65-5. - R-4 General residential district regulations.**

- (1) *Use regulations.* A building or premises shall be used only for the following purposes:
  - b. Home occupations listed below which also meet the home occupation definition in section 65-2:
    - 1. Art studio.
    - 2. Babysitting limited to no more than four (4) children under the age of seventeen (17) at one (1) time.
    - 3. Eldercare limited to no more than four (4) adults under care at one (1) time.
    - 4. Dressmaking or tailoring.
    - 5. Home crafts, provided that no machinery or equipment is used other than that customarily used for household purposes.
    - 6. Teaching, including music instruction, limited to not more than two (2) pupils at one (1) time.
    - 7. Telephone, computer, or Internet occupations which comply with the definition of a home occupation.
    - 8. Supporting office operations for a business conducted at other locations when the office operations comply with the definition of a home occupation.
    - 9. Other home occupations which comply with the general requirements for a home occupation but are not within the listed allowable home occupations with a special use permit only.

### **Sec. 65-22. - Off-street parking and loading regulations.**

- (4) *Schedule of minimum parking spaces required.*
  - b. *Commercial, industrial, and institutional.*



16. Home occupation: three (3) parking spaces, which number may include the required spaces for the residential dwelling and available driveway space.

**2009 COMPREHENSIVE PLAN:** Residential use

**FLOODPLAIN INFORMATION:** This property is not located in a floodplain per FEMA panel 29031C0143E dated 9/29/11

**PHYSICAL CHARACTERISTICS:** This is a mid-block lot with an attached carport and single-wide driveway.

**COMMENTS:**

The Commission has the option to place additional special conditions on their recommendation, such as hours of operation, number of children, number of off-street parking spaces, etc. The following are staff-recommended recommended special conditions and may be modified as desired by the Planning and Zoning Commission and Board of Aldermen:

1. No more than ten (10) children may be kept.
2. No employee or volunteer worker is permitted other than persons who reside in the home.
3. Operation of the daycare shall comply with State of Missouri regulations.
4. A minimum of three (3) off-street parking spaces shall be provided.
5. Hours of operation shall be no earlier than 6 a.m. and no later than 6 p.m.
6. Compliance with the zoning regulations for home occupations is required.
7. Compliance with city's adopted building code and fire code for in-home daycares is required.
8. Compliance with all other city codes is required.

**ACTION REQUIRED:** The Commission shall approve or deny this request based on the ability to comply with the regulations for home occupations. A public hearing at this level is optional but is recommended due to the residential neighborhood. A public hearing is required at the Board of Aldermen level. The P&Z decision serves as a recommendation to the Board of Aldermen. A positive recommendation requires a simple majority vote of the Board of Aldermen to approve the request. A negative recommendation requires a 2/3 majority of the vote of the Board of Aldermen for approval.



## REZONING / SPECIAL USE PERMIT APPLICATION

City of Jackson, Missouri

APPLICATION DATE: 12/22/21

TYPE OF APPLICATION: \_\_\_\_\_ Rezoning X Special Use Permit

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

716 W. Washington St. Jackson, MO 63755

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

Property Owner Name(s): Angela & Kaleb Hahn

Mailing Address: 716 W. Washington St.

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:

Mailing Address:

City, State ZIP

Contact's Phone:

Email Address (if used):

Angela Hahn

716 W. Washington St.

JACKSON, MO 63755

573-318-6329

learn.play.grow@outlook.com

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

☐ R-1 (Single-Family Residential)

☐ R-2 (Single-Family Residential)

☐ R-3 (One- And Two-Family Residential)

☒ R-4 (General Residential)

☐ MH-1 (Mobile Home Park)

☐ O-1 (Professional Office)

☐ CO-1 (Enhanced Commercial Overlay)

☐ C-1 (Local Commercial)

☐ C-2 (General Commercial)

☐ C-3 (Central Business)

☐ C-3 (Central Business)

☐ C-4 (Planned Commercial)

☐ I-1 (Light Industrial)

☐ I-2 (Heavy Industrial)

☐ I-3 (Planned Industrial Park)

**CURRENT USE OF PROPERTY:** Home

**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) | C-3 | (Central Business)        |
| R-4  | (General Residential)             | C-3 | (Central Business)        |
| MH-1 | (Mobile Home Park)                | C-4 | (Planned Commercial)      |
| O-1  | (Professional Office)             | I-1 | (Light Industrial)        |
| CO-1 | (Enhanced Commercial Overlay)     | I-2 | (Heavy Industrial)        |
|      |                                   | I-3 | (Planned Industrial Park) |

**PROPOSED USE OF PROPERTY:** in-home, licensed daycare.

**LEGAL DESCRIPTION OF TRACT** (attach a copy of the deed or other legal 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.

Attached page

**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:**



As the current owners and educators at Learn. Play. Grow. LLC, we believe we play a major role in the health and education of our local children. We feel the first five years of a child's life is essential for gaining the knowledge, strength, patience, and social skills to prepare for kindergarten. A few of these things are reasons as to why we feel our in-home childcare would be a great fit for Jackson, MO. We already have the opportunity to give love, support, education, social skills, diversity, a safe space, and new friends to our currently enrolled students and families. Being able to create a second childcare environment for more families in need would be very beneficial. Jackson, MO has a major need for childcare. We feel this will help to solve a lot of issues with families not being able to work or provide for their family due to lack of local childcare. This opportunity would give families in our community the option to provide a more stable and healthy learning environment for local children and families alike. We offer subsidy pay at our current location and plan to offer this at our in-home, this gives low-income families the opportunity to afford childcare. We also plan on enrolling into the food program, which offers healthy meals and snacks to each child, no parent will be left worrying if their child is going without a healthy meal for the day!

eRecorded  
DOCUMENT #  
2018-04942

ANDREW DAVID BLATTNER  
RECORDER OF DEEDS  
CAPE GIRARDEAU COUNTY, MO  
eRECORDED ON  
05/23/2018 1:07:16 PM  
REC FEE: 30.00  
PAGES: 3

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**GENERAL WARRANTY DEED**

This Warranty Deed made and entered into this 22<sup>nd</sup> day of May, 2018, by and between **Duncan Property Management LLC, a Missouri Limited Liability Company**, hereinafter referred to as **GRANTOR**, and **Kaleb Hahn, a single person and Angela Schrum, a single person, as joint tenants with right of survivorship** of the County of Cape Girardeau, State of Missouri, hereinafter referred to as **GRANTEES**. The mailing address of the Grantees is:

716 West Washington, Jackson, MO 63701

**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 Grantees 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:

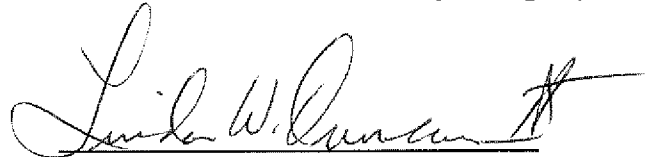
See attached Exhibit "A"

**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 Grantees and unto their heirs 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 Grantees, and unto their heirs 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:**

**Duncan Property Management, LLC  
A Missouri Limited Liability Company**

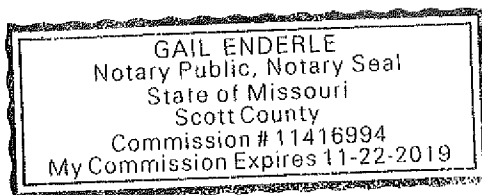
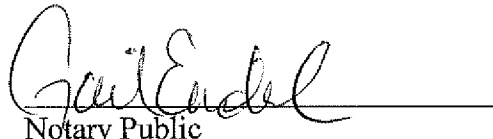


**By: Lindon W. Duncan, II  
Its: Manager**

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

On this 22 day of May, 2018, before me personally appeared Lindon W. Duncan, II the Manager of Duncan Property Management LLC, a Missouri Limited Liability Company, to me known to be the person described in and who executed the within Warranty Deed in behalf of said limited liability company and acknowledged to me that he executed the same for the purposes therein stated.

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:

## Exhibit A

TRACT NO. 1: ALL THE WEST 59 FEET OF LOT NUMBERED EIGHT (8) IN BLOCK NUMBERED TWO (2) OF MORGANS SECOND ADDITION TO THE CITY OF JACKSON, THE EAST LINE OF THE PART OF THE LOT INTENDED TO BE CONVEYED TO BE PARALLEL TO THE EAST LINE OF SAID LOT 8. TRACT NO. 2: A PARCEL OF LAND BEING A PART OF LOT NUMBERED EIGHT (8) IN BLOCK NUMBERED TWO (2) OF MORGANS SECOND ADDITION TO THE CITY OF JACKSON, DESCRIBED AS FOLLOWS: COMMENCE AT THE NE CORNER OF SAID LOT 8, BLOCK 2 OF SAID ADDITION; THENCE NORTH 82 DEGREES 00 MINUTES WEST, ALONG THE NORTH LINE OF SAID LOT 8, 135.23 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 0 DEGREES 04 MINUTES 58 SECONDS WEST, 98.13 FEET TO THE NORTH LINE OF WASHINGTON STREET; THENCE NORTH 5 DEGREES 36 MINUTES 05 SECONDS WEST, 100.0 FEET TO THE NORTH LINE OF SAID LOT 8; THENCE SOUTH 82 DEGREES 00 MINUTES EAST ALONG SAID NORTH LINE, 10.0 FEET TO THE POINT OF BEGINNING.

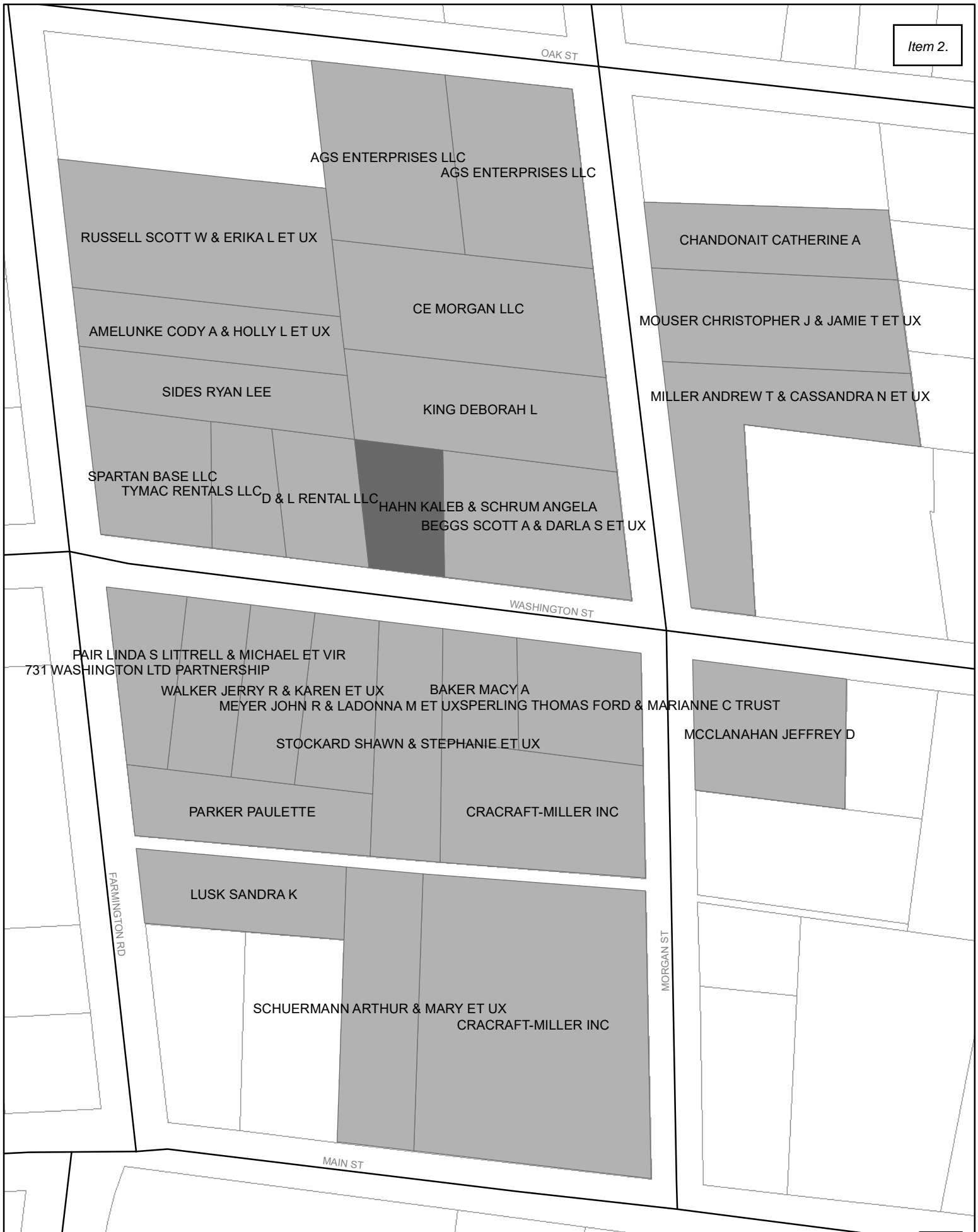


Item 2.

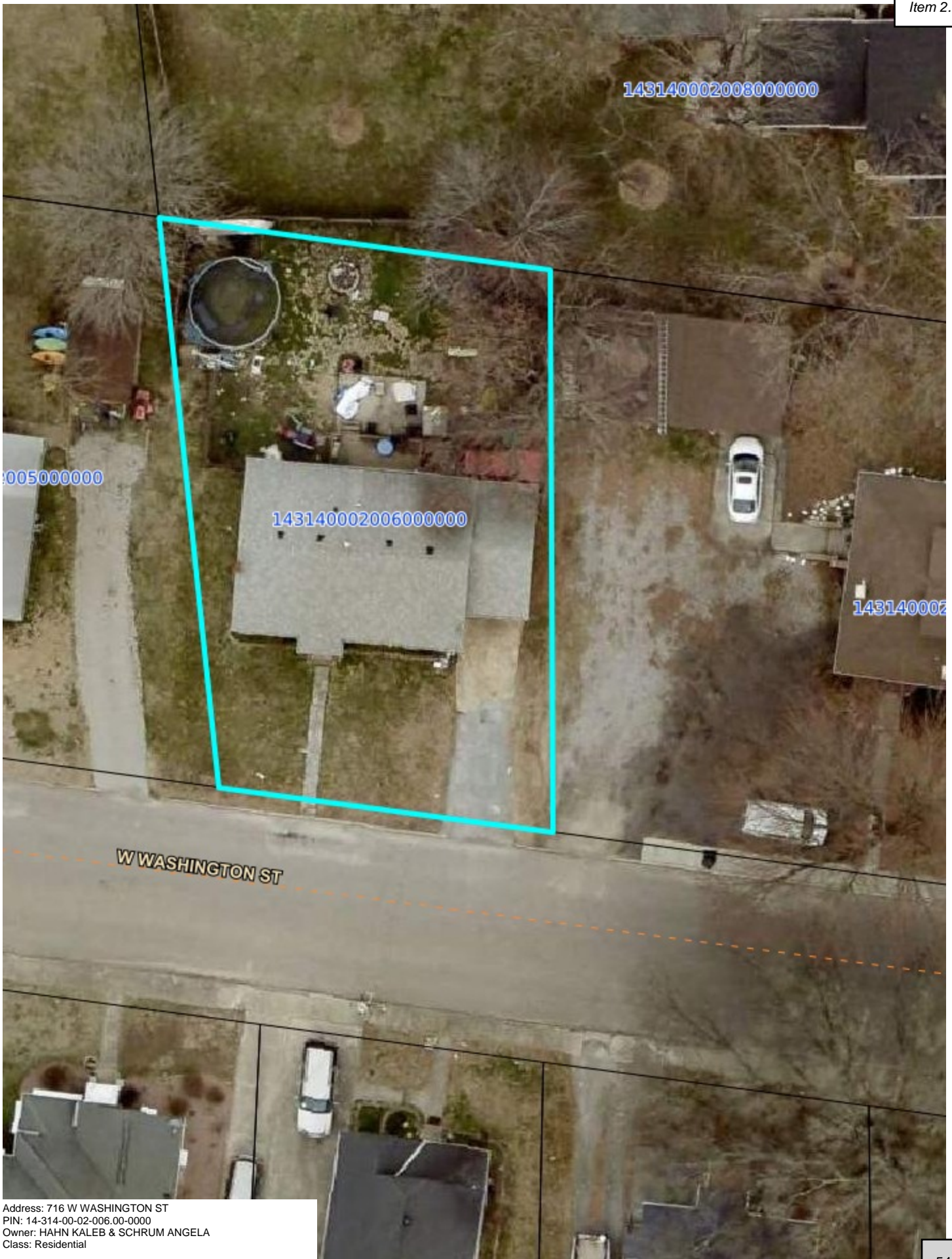
Location







716 W. Washington St.  
Properties Within 185'



Address: 716 W WASHINGTON ST  
PIN: 14-314-00-02-006.00-0000  
Owner: HAHN KALEB & SCHRUM ANGELA  
Class: Residential



716 W Washington St.

Write a description for your map.

Legend



716 W Washington St

Item 2.



Google Earth

© 2021 Google



55

6.64 ft



## Staff Report

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

**APPLICANT:** Brian Powell

**APPLICANT STATUS:** Property owner and resident of 596 Canyon Trail

**PURPOSE:** To increase the number of children allowed for in-home babysitting as a home occupation without a special use permit from 4 to 6.

**HISTORY:** Mr. and Mrs. Powell formerly requested a special use permit for an in-home daycare as a home occupation at 596 Canyon Trail. That special use permit was denied. Prior to moving to Canyon Trail, they had a special use permit for an in-home daycare at their former home at 409 N. Shawnee Blvd. where they were state licensed for 10 children. Special use permits do not transfer from one location to another.

**APPLICABLE REGULATIONS:** Zoning Code (Chapter 65)

### **Sec. 65-2. Definitions.**

*Home occupation.* Any occupation or activity which is clearly incidental and secondary to the use of the premises for dwelling purposes and which is carried on wholly within the main building or an existing accessory building by an immediate member of the family residing on the premises; provided that:

- (1) No person not a resident of the premises is employed, engaged, or present on the premises in relation to the business.
- (2) No substantial stock in trade is kept or sold upon the premises.
- (3) No equipment shall be used which creates offensive noise, vibration, sound, smoke, dust, odors, heat, glare, xray, or electrical disturbance to radio or television instruments.
- (4) No generation of substantial volumes of vehicular or pedestrian traffic or substantial parking demand shall be created.
- (5) No advertising sign is displayed, other than a nameplate not exceeding one and one-half (1½) square foot in area, and there is no other exterior indication that the building is being used for any purpose other than a dwelling.
- (6) No signed or marked vehicle showing a business name or logo shall be parked on or adjacent to the premises except when used as the primary means of personal transportation to the residence by a person residing at the residence.
- (7) No business trailer shall be parked on or adjacent to the premises except when in actual use for the residence, but in no event shall it be kept overnight.

## Sec. 65-5. R-1 Residential District Regulations (excerpt)

*The wording referencing the R-2 district carries over to the R-2 Single Family, R-3 One and Two-Family, R-4 General Residential, MH-1 Mobile Home District, and O-1 Professional Office District.*

- (1) *Use regulations.* A building or premises shall be used only for the following purposes:
  - b. Home occupations listed below which also meet the home occupation definition in [section 65-2](#):
    - a. Art studio.
    - b. Babysitting limited to no more than four (4) children under the age of seventeen (17) at one (1) time.**
    - c. Eldercare limited to no more than four (4) adults under care at one (1) time.
    - d. Dressmaking or tailoring.
    - e. Home crafts, provided that no machinery or equipment is used other than that customarily used for household purposes.
    - f. Teaching, including music instruction, limited to not more than two (2) pupils at one (1) time.
    - g. Telephone, computer, or Internet occupations which comply with the definition of a home occupation.
    - h. Supporting office operations for a business conducted at other locations when the office operations comply with the definition of a home occupation.
    - i. Other home occupations which comply with the general requirements for a home occupation but are not within the listed allowable home occupations with a special use permit only.

**COMMENTS:** A text amendment to the zoning code for home occupations would affect not only Mr. Powell's address, but all property zoned R-1, R-2, R-3, R-4, MH-1, or O-1. Notices for public hearings about text amendments are published in the Cash-Book Journal and the city's website and are not mailed to any individual property owners or posted on any properties.

- The city's zoning code allows care of no more than 4 children at a time as a home occupation without a special use permit. The keeping of more children at a time as a home occupation requires a special use permit. *(The city's policy has been to not count the resident's own children in the total but to count other relatives such as grandchildren, nieces, nephews, etc., unless the resident is the legal guardian of that child.)*
- State of Missouri licensing for family home daycares allows care of no more than 6 children not related to the caregiver in a home before a state license is required. Licenses are administered by the Missouri Department of Health and Senior Services' Child Care Licensing division. *(Per the state's definition, Related is any of the following relationships by marriage, blood or adoption between the provider and the children in care: parent, grandparent, great-grandparent, brother, sister, stepparent, stepbrother, stepsister, uncle, aunt, niece, nephew or first cousin.)*

- The city's building code and fire code allows care of no more than 5 children (or other persons in care) in a home to remain classified as one or two-family dwellings. Above that number they are categorized as either institutional facilities or educational facilities depending on the age and number of children and have to meet additional building and fire code requirements. (IBC 308.6.4). *(Since related children or lack of relationship are not referenced in this code, the city follows the same policy as the zoning code.)*

**ACTION REQUIRED:** Code changes require a public hearing at both the Planning and Zoning level and the Board of Aldermen level prior to each board taking any action.

**From:** Brian Powell [mailto:brianpowell452369@yahoo.com]  
**Sent:** Tuesday, January 11, 2022 2:45 PM  
**To:** Liza Walker  
**Subject:** Amendment letter.

This is a letter that I was advised to send you. Thanks.

Sent from Yahoo Mail on Android

Attention Liza Walker,

My name is Brian Powell, and I am writing regarding a request or recommendation to a text amendment change to the city ordinance that limits in-home unlicensed daycares to 4 kids in the city limits. I am advocating for the change to be State of Missouri compliant; their guidelines are 6 maximum for in-home daycares that are unlicensed regardless of being in city limits or not. There is a great need for childcare in our area and by amending this it will allow for already established providers in our community to help with the shortage of care. Just 2 more spots per daycare would drastically improve the community's ability to find quality care and helps boost small businesses to financially succeed.

60



<b>Petition summary and background</b>	Amend city ordinance to allow daycares in city limits to care for up to 6 children.
<b>Action petitioned for</b>	We, the undersigned, are concerned citizens who urge our leaders to act now to

[illegible]





## Title XII PUBLIC HEALTH AND WELFARE

## Chapter 210

&lt; &gt; • Effective - 28 Aug 2020, 4 histories ↓

**210.211. License required — exceptions — written notice of licensure status, when.**

— 1. It shall be unlawful for any person to establish, maintain or operate a child-care facility for children, or to advertise or hold himself or herself out as being able to perform any of the services as defined in section 210.201, without having in effect a written license granted by the department of health and senior services; except that nothing in sections 210.203 to 210.245 shall apply to:

(1) Any person who is caring for six or fewer children, including a maximum of three children under the age of two, at the same physical address. For purposes of this subdivision, children who live in the caregiver's home and who are eligible for enrollment in a public kindergarten, elementary, or high school shall not be considered in the total number of children being cared for;

(2) Any person who receives free of charge, and not as a business, for periods not exceeding ninety consecutive days, as bona fide, occasional and personal guests the child or children of personal friends of such person, and who receives custody of no other unrelated child or children;

(3) Any graded boarding school that is conducted in good faith primarily to provide education;

(4) Any summer camp that is conducted in good faith primarily to provide recreation;

(5) Any hospital, sanitarium, or home that is conducted in good faith primarily to provide medical treatment or nursing or convalescent care for children;

(6) Any residential facility or day program licensed by the department of mental health under sections 630.705 to 630.760 that provides care, treatment, and habilitation exclusively to children who have a primary diagnosis of mental disorder, mental illness, intellectual disability, or developmental disability, as those terms are defined in section 630.005;

(7) Any school system as defined in section 210.201;

(8) Any Montessori school as defined in section 210.201;

(9) Any business that operates a child care program for the convenience of its customers if the following conditions are met:

(a) The business provides child care for employees' children for no more than four hours per day; and

Item 2.

(b) Customers remain on site while their children are being cared for by the business establishment;

(10) Any home school as defined in section 167.031;

(11) Any religious organization academic preschool or kindergarten for four- and five-year-old children;

(12) Any weekly Sunday or Sabbath school, a vacation bible school, or child care made available while the parents or guardians are attending worship services or other meetings and activities conducted or sponsored by a religious organization;

(13) Any neighborhood youth development program under section 210.278;

(14) Any religious organization elementary or secondary school;

(15) Any private organization elementary or secondary school system providing child care to children younger than school age. If a facility or program is exempt from licensure based upon this exception, such facility or program shall submit documentation annually to the department to verify its licensure-exempt status;

(16) Any nursery school as defined in section 210.201; and

(17) Any child care facility maintained or operated under the exclusive control of a religious organization. If a nonreligious organization having as its principal purpose the provision of child care services enters into an arrangement with a religious organization for the maintenance or operation of a child care facility, the facility is not under the exclusive control of the religious organization.

2. Notwithstanding the provisions of subsection 1 of this section, no child-care facility shall be exempt from licensure if such facility receives any state or federal funds for providing care for children, except for federal funds for those programs which meet the requirements for participation in the Child and Adult Care Food Program pursuant to 42 U.S.C. Section 1766. Grants to parents for child care pursuant to sections 210.201 to 210.257 shall not be construed to be funds received by a person or facility listed in subdivisions (1) and (17) of subsection 1 of this section.

3. Any child care facility not exempt from licensure shall disclose the licensure status of the facility to the parents or guardians of children for which the facility provides care. No child care facility exempt from licensure shall represent to any parent or guardian of children for which the facility provides care that the facility is licensed when such facility is in fact not licensed. A parent or guardian shall sign a written notice indicating he or she is aware of the licensure status of the facility. The facility shall keep

copy of this signed written notice on file. All child care facilities shall provide the parent or guardian enrolling a child in the facility with a written explanation of the disciplinary philosophy and policies of the child care facility.

Item 2.

(RSMo 1949 § 210.230, A.L. 1955 p. 685 § 210.210, A.L. 1982 H.B. 1171, et al., A.L. 1989 S.B. 241, A.L. 1993 H.B. 376, A.L. 1999 H.B. 490 & H.B. 308, A.L. 2004 H.B. 1453, A.L. 2012 H.B. 1323, A.L. 2014 H.B. 1064 merged with H.B. 1831 merged with S.B. 869, A.L. 2019 H.B. 397, A.L. 2020 H.B. 1414)

---- end of effective 28 Aug 2020 ----  
use this link to bookmark section 210.211

#### - All versions

	Effective	End
210.211	8/28/2020	
210.211	8/28/2019	8/28/2020
210.211	8/28/2014	8/28/2019
210.211	8/28/2012	8/28/2014

Click here for the **Reorganization Act of 1974 - or - Concurrent Resolutions Having Force & Effect of Law**

In accordance with Section **3.090**, the language of statutory sections enacted during a legislative session are updated and available on this website on the effective date of such enacted statutory section.

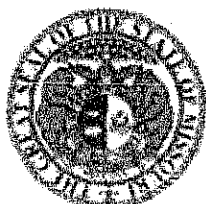


#### ► Other Information

#### ► Other Links



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Errors / suggestions -  
WebMaster@LR.mo.gov



History and Fun Facts

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@09:53:32.8 20 :)

Title XII PUBLIC HEALTH AND WELFARE

Chapter 210

< > • Effective - 14 Jul 2021, 4 histories, see footnote ↓

210.201. **Definitions.** — As used in sections 210.201 to 210.257, the following terms mean:

- (1) **"Child"**, an individual who is under the age of seventeen;
- (2) **"Child care"**, care of a child away from his or her home for any part of the twenty-four-hour day for compensation or otherwise. Child care is a voluntary supplement to parental responsibility for the child's protection, development, and supervision;
- (3) **"Child-care facility"** or **"child care facility"**, a house or other place conducted or maintained by any person who advertises or holds himself or herself out as providing child care for any part of the twenty-four-hour day for compensation or otherwise if providing child care to more than:
  - (a) Six children; or
  - (b) Three children under two years of age;
- (4) **"Child care provider"** or **"provider"**, the person or persons licensed or required to be licensed under section 210.221 to establish, conduct, or maintain a child care facility;
- (5) **"Montessori school"**, a child care program that is either accredited by, actively seeking accreditation by, or maintains an active school membership with the American Montessori Society, the Association Montessori Internationale, the International Montessori Counsel, or the Montessori Educational Programs International;
- (6) **"Neighborhood youth development program"**, as described in section 210.278;
- (7) **"Nursery school"**, a program operated by a person or an organization with the primary function of providing an educational program for preschool-age children for no more than four hours per day per child;
- (8) **"Person"**, any individual, firm, corporation, partnership, association, agency, or an incorporated or unincorporated organization regardless of the name used;
- (9) **"Religious organization"**, a church, synagogue or mosque; an entity that has or would qualify for federal tax-exempt status as a nonprofit religious organization under Section 501(c) of the Internal Revenue Code; or an entity whose real estate on which the child-care facility is located is exempt from taxation because it is used for religious purposes;

(10) "**School system**", a program established primarily for education and that meets the following criteria: Item 2.

(a) Provides education in at least the first to the sixth grade; and

(b) Provides evidence that the school system's records will be accepted by a public or private school for the transfer of any student;

(11) "**Summer camp**", a program operated from May to September by a person or organization with the primary function of providing a summer recreational program for children five years of age or older and providing no child care for children under five years of age in the same building or in the same outdoor play area.

-----  
(RSMo 1949 §§ 210.200, 210.210, A.L. 1955 p. 685 § 210.200, A.L. 1982 H.B. 1171, et al., A.L. 1989 S.B. 241, A.L. 1993 H.B. 376, A.L. 2002 S.B. 923, et al., A.L. 2004 H.B. 1453, A.L. 2019 H.B. 397, A.L. 2020 H.B. 1414, A.L. 2021 H.B. 432)

Prior revision: 1929 § 14133

Effective 7-14-21

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---- end of effective 14 Jul 2021 ----

use this link to bookmark section 210.201

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- All versions

	Effective	End
210.201	7/14/2021	
210.201	8/28/2020	7/14/2021
210.201	8/28/2019	8/28/2020
210.201	8/28/2004	8/28/2019

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Click here for the **Reorganization Act of 1974 - or - Concurrent Resolutions Having Force & Effect of Law**

In accordance with Section **3.090**, the language of statutory sections enacted during a legislative session are updated and available on this website on the effective date of such enacted statutory section.



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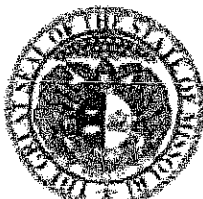
► **Other Information**

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**CITY OF JACKSON**  
**PLANNING & ZONING COMMISSION MEETING -**  
**AMENDMENT TO AGENDA**  
**Wednesday, February 09, 2022 at 6:00 PM**  
**City Hall, 101 Court Street, Jackson, Missouri**

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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

**ROLL CALL**

1. Welcome Eric Fraley as new Commission member

**NEW BUSINESS**

2. Comprehensive Plan Update

This agenda was posted at City Hall on February 8, 2022 at 1:30 PM.

PLEASE OBSERVE SOCIAL DISTANCING WHEN ATTENDING THIS MEETING.



## Staff Report

**ACTION ITEM:** Comprehensive Plan Update – Request for Qualifications

**PURPOSE:** To update the city’s Comprehensive Plan.

**HISTORY:** The Comprehensive Plan for the City of Jackson was last updated in 2009 by the planning firm of Houseal Lavigne Associates of Naperville, Illinois.

**COMMENTS:** The city’s Comprehensive Plan is a long-term (10-20 year) planning document used to guide development and redevelopment in the city. The document includes the Major Street Plan, a transportation planning document. The Board of Aldermen has budgeted a complete update to the plan in 2022. Since the comprehensive plan update process takes nine months or more to complete, staff would like to begin early in the year. The process of updating the plan includes review of the current plan by a consultant, who will provide opportunities for input from elected officials, appointed officials, city staff, business owners, and residents of the city prior to completing an updated plan.

The selection of a consultant will be initiated by a Comprehensive Plan Committee which is proposed to consist of the Administrative Services Director (Rodney Bollinger), the Building & Planning Manager (Janet Sanders), one alderman (to be selected), and two Planning and Zoning Commission members (to be selected). As the process goes forward, the committee is also expected to review sections of the plan as they are presented by the consultant and provide comments back to the consultant. A public meeting will also be held near completion of the process to provide for citizen comments on the draft plan. The final draft will be reviewed by the Planning and Zoning Commission prior to final approval. The Commission’s approval of the plan is the final approval. The Board of Aldermen does not approve the Comprehensive Plan.

The first step in the process is to issue a Request for Qualifications (RFQ) to seek firms who are interested in being considered for the project. From the submittals, 2-3 firms are chosen by the committee to be interviewed and to submit detailed proposals with no cost included. The committee will then rank the proposals and forward their findings to the Planning and Zoning Commission. The Commission will review the findings and recommend a consultant to the Board of Aldermen. Upon approval of the recommendation, the city will attempt to negotiate a contract with the selected consultant within the allotted budget. If contract terms cannot be reached with the top-ranked consultant, then the next ranked consultant is contacted to negotiate a contract, and so on until mutually agreeable contractor terms are reached. The Board of Aldermen must then approve the contract by ordinance. Upon approval and completion of any contract terms required prior to start, the project can begin.

**ACTION REQUIRED:** The Commission shall review the RFQ and approve if acceptable. If approved, staff will proceed with issuing the RFQ and setting committee meetings.

# Request for Qualifications

## City of Jackson, Missouri

### 2022 Comprehensive Plan Update

#### Introduction

The City of Jackson requests Statements of Qualification from planning consultant firms to update a long-range comprehensive plan. Development of the updated plan should include analysis of various data impacting development within the community and should consider input from the Comprehensive Plan Committee, the Planning and Zoning Commission, elected and appointed officials, city boards, business stakeholders, and interested citizens. The updated plan should provide a framework for orderly future development and include a focus on future annexation.

The Director of Administrative Services, the Building & Planning Manager, one alderman, and two members of the Planning and Zoning Commission comprise the steering committee for this project. This steering committee will review qualifications, conduct interviews, and recommend two to three firms to present proposals to the Planning and Zoning Commission and Board of Aldermen. The City of Jackson's Building and Planning Manager will serve as the primary liaison to the successful firm. Any questions regarding this RFQ should be directed to the staff liaison whose contact information is included at the end of this document.

This plan update is budgeted for the 2022 calendar year. The anticipated timeframe for plan completion is 9-10 months from the award of contract. The planning process shall be such that the plan document will be developed and submitted to the City in sections for review, comment, and approval. The planning process shall be such that the plan document will be developed and submitted to the City in sections for review, comment, and approval.

The City of Jackson's current comprehensive plan was completed by Houseal-Lavigne Associates in 2009 and has been used as a guideline for development since that time. The current plan can be found at [www.jacksonmo.org/Planning-and-Zoning-Commission](http://www.jacksonmo.org/Planning-and-Zoning-Commission).

#### Overview

The City of Jackson is located in southeast Missouri, approximately 100 miles south of St. Louis. This city of approximately 15,000 encompasses an area of 10.68 square miles. It is bounded by Interstate 55 and the Cape Girardeau city limits on the east and is bisected through its center in both directions by Highways 61, 25, and 72/34. The city's northern, southern, and western boundaries abut unincorporated properties located in Cape Girardeau County. Within the eastern boundary, a large unincorporated area totaling approximately 600 acres exists, surrounded by city limits. Infrastructure development and friendly annexations occur on a continual basis in all available directions.

Jackson has experienced expansive residential growth over the past twenty years, including a full range of moderate to upscale homes, duplexes, and townhomes, along with modest commercial and industrial development. MODOT has recently completed reconfiguration of the I-55 / Hwy

61/72/34 interchange (Exit 99), and large tracts of undeveloped land exist at the I-55 / E. Main St. exit (Exit 102) and the I-55/East Jackson Boulevard interchange (Exit 99). A commercially designed corridor, South Old Orchard Road, connects the two interchanges. Both the interchanges and the connecting corridor are the ongoing focus of commercial recruitment. The city actively participates in the process of recruiting commercial and industrial enterprises to locate within our boundaries.

## **Project Area**

The physical scope of the Comprehensive Plan Update will include the incorporated area of the City of Jackson. Areas outside the current city limits should be addressed as they pertain to potential future growth opportunities.

## **Scope of Services**

1. Initial meeting with the city's liaison to review the project schedule, schedule meetings, and begin the process of data acquisition.
2. Obtain existing plans, maps, and other data relative to the project.
3. Schedule and conduct meetings with appropriate elected and appointed officials. These meetings should include the Mayor and Board of Aldermen, the Planning and Zoning Commission, the City Administrator, the project liaison, and various city staff members as needed. The purpose of these meetings will be to obtain input and guidance as it relates to the Comprehensive Plan update process. Individual meetings can be virtual but public meetings and presentations to the Board of Aldermen and Planning and Zoning Commission need to be in person.
4. Schedule and conduct public meetings and topic-specific focus groups as necessary.
5. Prepare a population analysis of the City of Jackson, including a demographic composite and potential areas for residential, commercial, and industrial growth.
6. Review land use plan summaries from contiguous communities and other government entities and identify potential land uses in reference to those plans.
7. Update the land use map from the existing Comprehensive Plan (to be delivered in a form compatible with the city's GIS system).
8. Develop an annexation strategy, including an analysis of financial burdens to taxpayers, potential funding mechanisms, and incentives to annexation.
9. Project a land use strategy for undeveloped land and surrounding land outside the present city limits.
10. Review and incorporate the City's Park Master Plan.
11. Review and incorporate the Southeast Missouri Metropolitan Organization's (SEMPO) transportation and bicycle/pedestrian planning documents.
12. Review and incorporate the MODOT Statewide Transportation Improvement Program (STIP) for local and regional projects affecting the City of Jackson.

13. Review and incorporate the city's Major Street Plan, including any recommendations for amendment, a financial analysis of financial burdens to taxpayers, potential funding mechanisms, and incentives to development of arterial & collector streets.
14. Review strategic plans from local, state, and federal agencies to ensure coordination.
15. Review current and proposed FEMA maps to ensure coordination with future land use plan.
16. Develop planning goals, objectives and implementation strategies.
17. Make periodic reports to the city liaison and present the final document at a public hearing required for official adoption of the Plan.

### **Deliverables**

The final report shall be submitted in the following formats:

1. A digital copy of the complete document in PDF format, including all graphics.
2. Separate PDF copies of each map included in the document, and digital copies compatible with the ESRI GIS software in State Plane Missouri East, NAD 88 coordinate system used by the city.
3. Individual copies of all photos and other graphics used in the document in JPG, GIF, or TIFF format.

The plan will be presented in a format and language that is user-friendly and easily comprehensible to the general public. The consultant should make an effort to minimize the use of technical planning jargon. The use of maps, graphics, and other devices that will enhance the readability and ease-of-use of the plan is required. At completion of the plan process, the consultant must provide a plan complete with all maps, graphs, photos and tables that will become the property of the City.

### **Submission Requirements**

In order to be considered, five printed (5) copies of the qualifications must be received by the **City Clerk, 101 Court Street, Jackson, MO 63755**, on or before **5:00 p.m. on Monday, [REDACTED], 2022**.

**All qualifications shall be in a sealed envelope clearly marked:  
REQUEST FOR QUALIFICATIONS – 2022 COMPREHENSIVE PLAN UPDATE  
ATTN: LIZA WALKER, CITY CLERK**

Each submittal shall be limited to ten (10) pages and shall contain the following information:

1. A proposed work strategy based upon the scope of work in this request. The consultant is strongly encouraged to incorporate his or her own ideas beyond those outlined in the RFQ requirements.

2. A theoretical timeline for the completion of the project.
3. A statement of qualifications, relevant experience, and availability of key personnel who will be responsible for the execution of the project, including qualifications of any sub-consultant named in the submittal. This may include addendum copies of past projects in cities of similar size.
4. A list of five (5) professional references for which projects of similar scope have been completed, with contact information.
5. The name, title, mailing address, email address, and telephone number of the individual authorized to negotiate and contractually bind the company during the period of the proposed evaluation.

### **Copyright Releases**

Those firms responding to the RFQ request shall supply a limited copyright release in order for city staff to make copies, for evaluation purposes, of any copyrighted materials included within the submittal.

### **Selection Process**

**The deadline for submission of qualifications is                     , 2022.**

The city's Comprehensive Plan Committee will review all submissions and select 2-3 consultants to submit proposals and be interviewed by the committee. Proposals shall not include cost. Interviews will be held virtually.

Following the interview process, the committee will rank the submissions and provide recommendations to the Planning and Zoning Commission. The City will then contact the top-ranked consultant and attempt to negotiate a cost agreement. If no agreement is reached, the City will contact the second ranked consultant, and so forth.

Please direct any questions regarding this Request for Qualifications to:

Janet Sanders  
 Building & Planning Manager  
 City of Jackson  
 101 Court St.  
 Jackson, MO 63755  
 573-243-2300 (ph.)  
 jsanders@jacksonmo.org

# Jackson Park Board



February 14, 2022

6:00 pm

Regular Meeting | Civic Center

## Agenda

Board Members Present

Recognition Of Visitors: Boy Scout Project at Curtis L. Brown Pickleball Complex

Reading Of Previous Meeting Minutes

### Old Business

- 1) Hubble Ford Replacement Bridge Project
- 2) Dog Park Project
- 3) Civic Center Digital Sign
- 4) Soccer Park Field Project
- 5) Rotary Lake Aerator Grant Application
- 6) Eat Smart in Parks Grant Application
- 7) Recreational Trails Program Grant Application

### New Business

- 1) 2021 Budget
- 2) Pool Rates and Programs
- 3) Field Rental Rates
- 4) Special Event Permit Application – Team Hope Walk
- 5) Facility Naming
- 6) Park Street Signage

Committee Reports

Civic Center Report

Parks & Recreation Director's Report

Adjournment



# City of Jackson

TO: Mayor and Board of Aldermen

CC: Jim Roach, City Administrator

FROM: Kent Peetz, Director of Public Works

DATE: February 15, 2022

RE: Amendment No. 2, Task Order 17-18  
Engineering Services for the Kimbeland Lift Station Upgrade and Bypass Design

Attached you will find a proposal from Horner and Shifrin Engineering for contract bidding and administration services associated with the Kimbeland Lift Station Upgrade and Bypass Project in the amount of \$6,600.00. This project was first placed out for bids in December of 2021. While plans were taken out by two contractors, no bids were received for the project. The attached Task Order Amendment request will cover the costs associated with placing this project out to bid a second time.

I recommend awarding this task order amendment.



January 25, 2022

Kent Peetz, P.E.  
Public Works Director  
City of Jackson  
101 Court Street  
Jackson, MO 63755

**Re: Contract Amendment No. 2 to Task Order No. 17-18 Professional Engineering Services for the Kimbeland Lift Station Upgrade and Bypass Design Project for the City of Jackson, MO**

Dear Mr. Peetz:

As requested, this Contract Amendment No. 2 to Task Order No. 17-18 is to provide a second engineering bidding phase for the Kimbeland Lift Station Upgrade and Bypass Design Project.

The project was originally advertised in the local paper and on the Quest electronic plan room on November 3, 2021, with bid opening scheduled for December 8, 2021. In addition, H&S directly notified eight contractors of the project. Two contractors took out bids for the project and one addendum was issued to clarify questions/issues in the contract documents. No bids were received on bid opening. Discussions with contractors indicated lack of bidding was due to the complexity of the project, many other projects out for bid at the same time, and the volatility of material pricing/availability at the time of bidding. After discussions with City staff and local contractors it is our opinion that the project can be successfully rebid in early 2022.

## SCOPE OF SERVICES

The scope of services covered by the referenced Task Order shall be modified in accordance with the ENGINEERS fee proposal and description of work, dated January 25, 2022, and hereto attached as Exhibit A. A summary of the additional work is listed as follows:

- Prepare and post advertisement for bids.
- Respond to contractors' questions.
- Prepare and post addendums as required.
- Prepare for and attend bid opening.
- ~~Review and evaluate contractors' bids~~ **(Not Required)**.
- ~~Prepare and submit engineer's letter of recommendation for City's selection of contractor~~ **(Not Required)**.



## COMPENSATION

The amount of compensation to be paid by OWNER to ENGINEER for performance of the professional services covered by the referenced Task Order shall hereby be modified as indicated below:

Original Maximum Cost Not-To-Be Exceeded =	\$81,300.00
Total Cost of All Previous Contract Amendments =	\$58,900.00
Cost Associated with this Contract Amendment (Add) =	\$6,600.00
Net Revised Maximum Cost Not-to-Be Exceeded =	\$146,800.00

## COMPLETION SCHEDULE

The amount of time allotted by OWNER to ENGINEER for performance of the professional services covered under this Task Order shall be modified as indicated below:

Item No.	Task Description	Individual Calendar Days	Accumulated Calendar Days
1.	Notice to Proceed	0	0
2.	Design Phase Services	Completed	Completed
3.	Bidding Phase Services	60	60
4.	Construction Phase Services	300	360

We appreciate the opportunity to continue to serve the City of Jackson under our existing task order agreement for engineering services. Please call me to discuss any questions regarding our proposed scope or fee proposal for this contract amendment.

Respectfully Submitted,

James E. McCleish, P.E.  
Vice President  
Business Unit Leader - Water

Ed Sewing, P.E.  
Senior Project Manager - Water

Enclosures  
cc: File

City of Jackson, Missouri  
Kimbeland Lift Station Upgrade & Bypass Force Main Project  
EXHIBIT A - Contract Amendment No. 2 to Task Order No. 17-18

Prepared By: Ed Sewing

LABOR:				Labor Classification					
				McCleish, James	Sewing, Gilbert	Fitzgerald, Spencer	Mills, Michael	Schrand, Chad	Buehler, Joseph
				Project Principal	Project Manger	Project Engineer	Project Engineer	Designer	Electrical Tech.
Task No.	Task Description	Task M.H.	Task Cost	EP01	EP05	EP10	EP12	SP04	BP03
<b>Project Admin./Coord.</b>									
1	Project Coordination w/ City Staff	3	\$455		2	1			
2	Project QA/QC	3	\$600	1	2				
	Subtotal	6	\$1,055	1	4	1	0	0	0
<b>Design Phase Services (Not Used)</b>									
1	N/A	0	\$0						
2	N/A	0	\$0						
	Subtotal	0	\$0	0	0	0	0	0	0
<b>Bidding Phase Services</b>									
1	Prepare & Post Bid Documents on Quest	6	\$770		2	4			
2	Respond To Contractor Questions	12	\$1,700		2	6		2	2
3	Prepare Addendumas Required	12	\$1,542		2	6	2	1	1
4	Prepare for & Attend Bid Opening	8	\$1,260		6	2			
5	Review & Evaluate Contractors Bids (Not Required)	0	\$0						
6	Submit Recommendation for City's Selection of Contractor (Not Required)	0	\$0						
	Subtotal	38	\$5,272	0	12	18	2	3	3
<b>Construction Phase Services (Not Used)</b>									
1	N/A	0	\$0						
2	N/A	0	\$0						
	Subtotal	0	\$0	0	0	0	0	0	0
TOTAL ESTIMATE MANHOURS		44		1	16	19	2	3	3
TOTAL ESTIMATED LABOR COSTS			\$6,327						

EXPENSES:

Item	Quantity	Unit	Total Cost
Mileage:	220	miles	\$129
Subconsultant (N/A):	0	LS	\$0
Reproduction & Scanning:	1	LS	\$100
Field Equipment Rental Reimbursement:	0	LS	\$0
Misc. Reimbursable Expenses:	1	LS	\$44
<b>ESTIMATED TOTAL REIMBURSIBLE EXPENSES:</b>			<b>\$273</b>
<b>MARK UP PERCENTAGE:</b>			<b>0%</b>
<b>ESTIMATED TOTAL EXPENSES:</b>			<b>\$273</b>
<b>TOTAL ESTIMATED NOT-TO EXCEED COST:</b>			<b>\$6,600</b>



# City of Jackson

TO: Mayor and Board of Aldermen

CC: Jim Roach, City Administrator

FROM: Kent Peetz, Director of Public Works

DATE: February 15, 2022

RE: Task Order Proposal for Rate Study Update

Attached you will find a proposal from Horner and Shifrin Engineering in the amount of \$23,600 to update the Wastewater Rate Study in preparation for the August Bond Election.

I recommend awarding this task order amendment.

February 14, 2022

Mr. Kent Peetz, Director of Public Works  
City of Jackson  
101 Court Street  
Jackson, MO 63755

**Re: Task Order Proposal to Provide Professional Engineering Services for a Wastewater Rate Study Update**

Dear Mr. Peetz:

As requested, we developed the revised attached detailed scope and fee estimate for the City's Wastewater Rate Study Update. It is based on our telephone conversations, email correspondence and on similar work performed in the past for the City of Jackson. This work is to be performed under our existing task order agreement. Our estimated fee to perform this work authorization is a lump sum amount of \$23,600.

Horner & Shifrin, Inc. will begin work on this Authorization as soon as the proposed tasks and fees are approved by the City. We understand that the update is to be completed by April 6, 2022 so that the study can be presented to the City Council on April 18, 2022.

We appreciate the opportunity to continue to serve the City of Jackson under our existing task order agreement for engineering services. Please call to discuss any questions regarding our proposed scope or fee proposal.

Respectfully submitted,



Stephen Randolph, P.E.  
Associate Vice President

CC: James McCleish, Ed Sewing



### **Attachment A – Scope of Services**

1. Conduct project kick-off meeting with City staff (via conference call).
2. Retrieve previous wastewater and water rate study files from H&S archives.
3. Review previous rate study scenarios.
4. Update project costs
5. Compare SRF and private financing loan rates.
6. Evaluate SRF (or private, if determined to be more advantageous) financing options and project phasing (three phases) for facility plan improvements.
7. Evaluate three-stage rate increase options for facility plan improvements.
8. Run rate increase scenarios using economic spreadsheet tools as follows<sup>1</sup>
  - 3-rate increase option with SRF (or private) funding (3 phases, 3 sets of projects, 3 rate increases)
  - 3-rate increase option with SRF (or private) funding with potential ARPA grant funding, 50% federal – 50% local split
  - 3-rate increase option with SRF (or private) funding with potential ARPA grant funding, 25% federal – 75% local split
  - 3-rate increase option with SRF (or private) funding with potential ARPA grant funding, 75% federal – 25% local split
9. Prepare a Draft Report and submit to City for review.
10. Incorporate City's comments and responses and issue a Final Report.
11. Prepare a PowerPoint presentation that explains the methodology, outcomes and recommendations of the study.
12. Attend one City Council work session or Council Meeting<sup>2</sup>.

<sup>1</sup>Scenarios performed at the request of the City beyond those described above will be subject to an additional fee as described in the cost proposal worksheet.

<sup>2</sup>Attendance at additional Council meetings will be subject to an additional fee based on the attendee's standard hourly rates.

## COST PROPOSAL WORKSHEET FOR :

Wastewater Rate Study Update 2022  
 Jackson, MO  
 Exhibit A  
 ENGINEERING FEE ESTIMATE

## LABOR:

Task No.	Task Description	Task M.H.	Task Cost	Labor Level			
				JEM EP1	SR EP2	GES EP4	SM EP7
1	kickoff meeting (via conference call)	4	\$797	1	1	1	1
2	retrieve ww & water rate study archive files	2	\$396	0	2	0	0
3	review previous study scenarios	6	\$1,076	0	2	2	2
4	evaluate funding options	12	\$2,386	2	6	2	2
5	evaluate phasing options	9	\$1,695	1	2	4	2
6	update project costs	6	\$1,040	0	0	4	2
7	run rate increase scenarios	24	\$4,752	0	24	0	0
8	draft report	10	\$1,985	1	7	1	1
9	final report	8	\$1,589	1	5	1	1
10	prepare PowerPoint presentation for public meeting	7	\$1,391	1	4	1	1
11	attend one public hearing/city council meeting	28	\$5,802	6	16	6	0
TOTAL MANHOURS:		116		13	69	22	12
TOTAL ESTIMATED LABOR COSTS :			\$22,909				

## EXPENSES:

Item	Unit	Total Cost
Computer Use Reimbursement (CADD) :	-- hours	\$0
Mileage (STL-Jackson roundtrip):	214 miles	\$125
Mileage (CHI-STL roundtrip):	625 miles	\$366
Reproduction & Photocopy:	-- SAY	\$0
Per Diem (S. Randolph travel, one day)	-- SAY	\$200
Air Fare & Car Rental:	0 Trips	\$0
Field Equipment Rental Reimbursement:	-- SAY	\$0
Misc. Direct Expenses:	-- SAY	\$0
TOTAL ESTIMATED DIRECT EXPENSES :		\$691
reimbursable expense (15%)		\$0
		\$691
TOTAL ESTIMATED NOT-TO-EXCEED COST :		\$23,600

\*scenarios beyond those described in Attachment A  
 "Scope of Services" will be charged at a lump sum  
 rate of \$3,500 each.

Horner & Shifrin, Inc.  
 February 10, 2022



# City of Jackson

TO: Mayor and Board of Aldermen

CC: Jim Roach, City Administrator

FROM: Kent Peetz, Director of Public Works

DATE: February 15, 2022

RE: Approval of Wastewater Standard Construction Specifications

We have received approval from the Missouri Department of Natural Resources for the updates and modifications to the Sanitary Sewerage Facilities Standard Construction Specifications for the City of Jackson. We will bring them to you for adoption at the March 7<sup>th</sup> Board Meeting.



# Missouri Department of dnr.mo.gov

## NATURAL RESOURCES

Michael L. Parson, Governor

Dru Buntin, Director

February 8, 2022

Kent A. Peetz, P.E., Director of Public Works  
City of Jackson  
101 Court Street  
Jackson, MO 63755

RE: City of Jackson – Standard Sewerage Facilities, Standard Construction Specifications Approval

Dear Kent A. Peetz:

The Missouri Department of Natural Resources' (Department) Water Protection Program has reviewed and approved the City of Jackson Standard Sewerage Facilities, Standard Construction Specifications of March, 2021, received on December 17, 2021. Sewer extension projects, using these specifications, for which the City of Jackson will be the continuing authority, will not be required to submit the standard specifications in order to be considered a complete application. This approval is granted from the date of this letter until such date the city modifies the standard specifications.

The Department recommends the City of Jackson consider applying for the Approved Sewer Program. "Persons who construct sewers tributary to a system operated by one (1) of the continuing authorities listed in paragraphs (3)(B)1. or (3)(B)2. will be exempt from the construction permit requirements for sewers if the continuing authority administers a permit program which has been approved by the Department", per 10 CSR 20-6.010(6)(A). Part of this application process requires approvable standard specifications and details, for which you have obtained.

### CONDITIONS:

1. Any updates to the City of Jackson Standard Sewerage Facilities, Standard Construction Specifications of March, 2021 will require a subsequent review and approval by the department.
2. This approval is limited to sewer extensions proposed within the City of Jackson boundaries or in the instances the proposed sewer extension is outside of the city's boundaries the City of Jackson will act as the continuing authority for the proposed sewer



City of Jackson  
Page 2

extension. Sewer extensions that are outside of the City of Jackson boundaries and the city waives the right to continuing authority must submit specifications with the construction permit application in accordance with 10 CSR 20-6.010(4)(D)2., 10 CSR 20-6.010(6)(A)1.A., and 10 CSR 20-8.110(7).

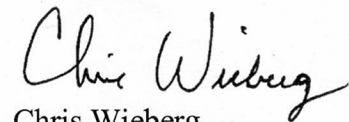
3. Construction, installation, expansion or modification of any collection system or wastewater treatment facility is prohibited until a construction permit is issued by the department, per 10 CSR 20-6.010(4)(A).
4. Nothing in this approval removes any obligations to comply with county or other local ordinances or restrictions.
5. This approval is invalid for projects required to comply with the requirements contained in 10 CSR 20-4, "Grants and Loans".
6. This approval is limited to only wastewater components. Other items contained in this standard specification and details such as drinking water, roadways, structural, mechanical, electrical, etc. was not reviewed.
7. This approval may be reopened and modified to comply with any new or amended design regulations in 10 CSR 20-8.

If you have any questions concerning this matter, please contact Bern Johnson, of the Water Protection Program, at 573-751-1714 or Missouri Department of Natural Resources, P.O. Box 176, Jefferson City, MO 65102-0176.

Thank you for your efforts to help ensure clean water is Missouri.

Sincerely,

WATER PROTECTION PROGRAM



Chris Wieberg  
Director

CW/tw

Enclosure

c: Gilbert Sewing, P.E.





# City of Jackson

TO: Mayor and Board of Aldermen

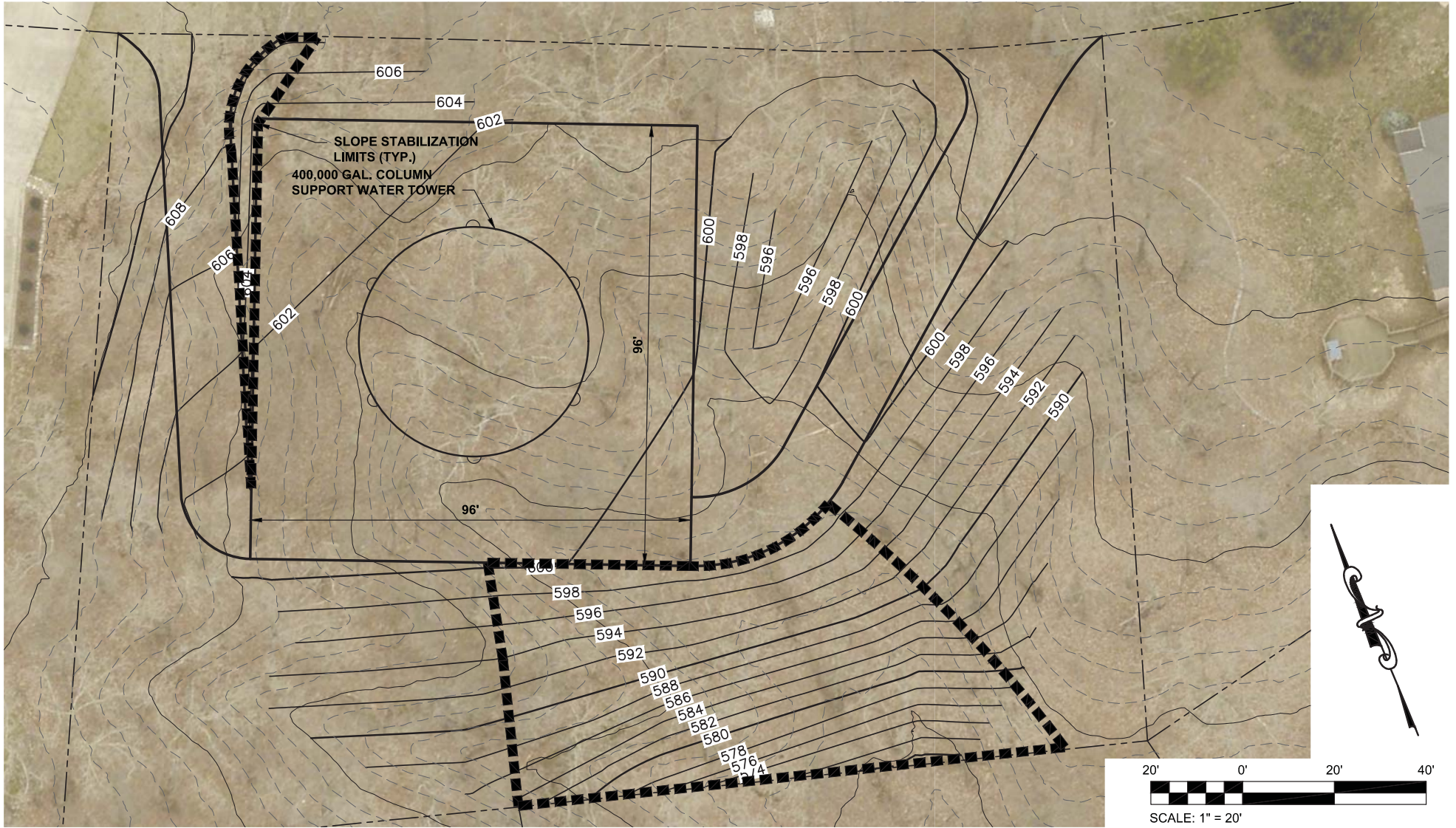
CC: Jim Roach, City Administrator

FROM: Kent Peetz, Director of Public Works

DATE: February 15, 2022

RE: Alternate Water Tower Site on Ridge Road Update

We have received confirmation from Horner and Shifrin that the alternate water tower site on Ridge Road has ample space to accommodate the water tower. We are seeking approval to proceed with the geotechnical evaluation of this site to determine suitability for construction. This will determine if the City would wish to have further discussion with the owner about donation of the site.



**HORNER  
SHIFRIN**

DATE: PROJECT:



# City of Jackson

TO: Mayor and Board of Aldermen

CC: Jim Roach, City Administrator

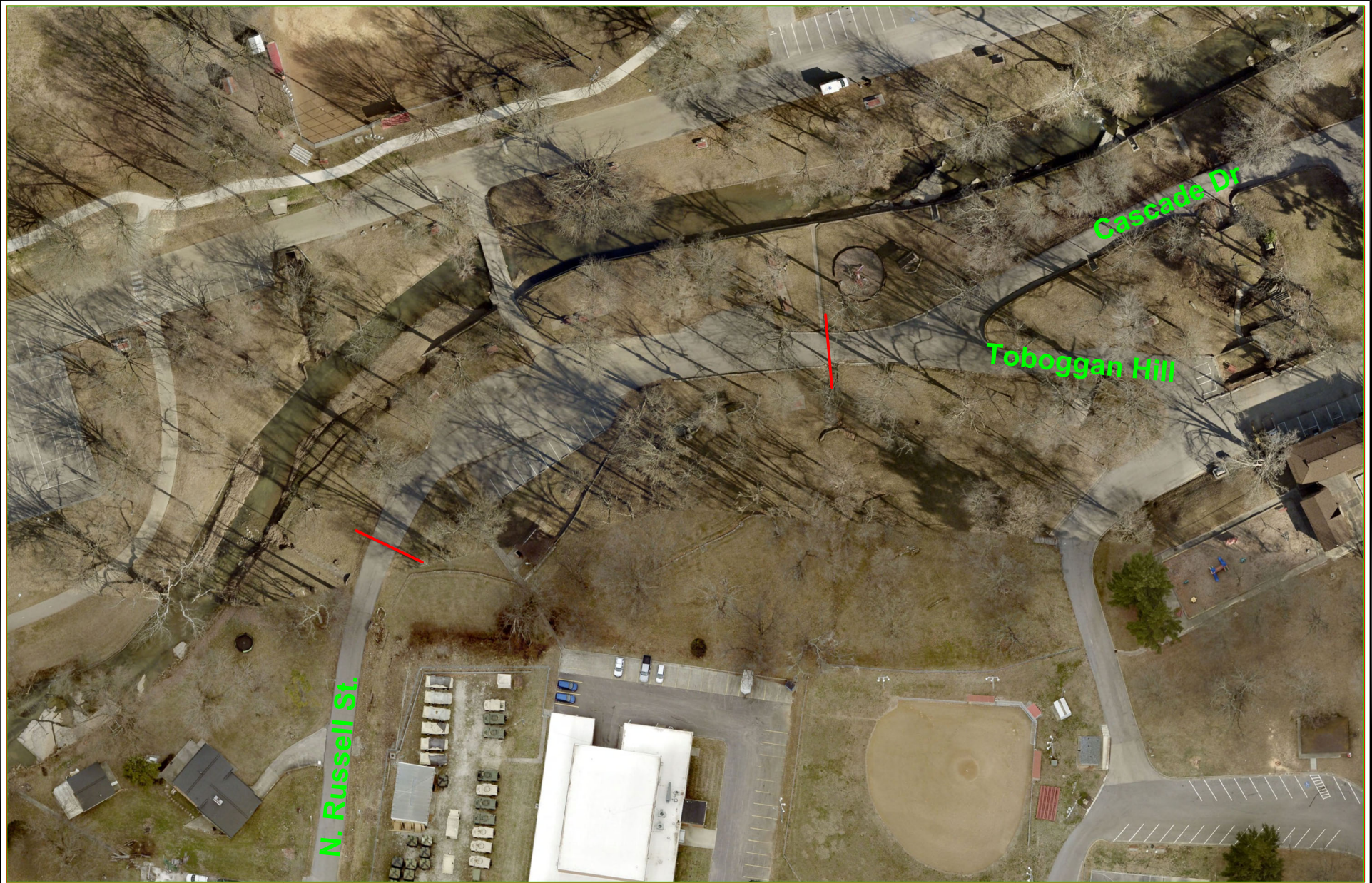
FROM: Anna Bergmark, City Engineer

DATE: February 15, 2022

RE: Temporary Closure of Cascade/Russell Street

Staff would like to recommend the temporary closure of Cascade Drive and Russell Street during the construction of the Hubble Ford Bridge. This closure would allow sufficient and safe space for staging of materials and equipment. The closure would be from the bottom of the Russell Street hill to just west of Toboggan Hill. See the attached map for the maximum space being requested. Staff is working with the Parks Department and the Park Board to minimize the impacts.





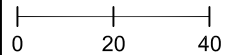
Hubble Ford Bridge  
Replacement

ALL MEASUREMENTS  
ARE ESTIMATED



NORTH

SCALE 1" = 100'



LOCATION

Cascade Drive





# City of Jackson

TO: Mayor and Board of Aldermen

CC: Jim Roach, City Administrator

FROM: Anna Bergmark, City Engineer

DATE: February 15, 2022

RE: 2022 Concrete Pavement Improvement Project Schedule

The 2022 Concrete Pavement Improvement Project is focusing the majority of the work on Main Street from Russell Street to Shawnee Boulevard. The condition of the roadway makes it imperative that the deficient panels are replaced this year. The Water System Facility Plan Implementation and E. Main Street Concrete Improvement Project – Phase 2 Project 2C lies in the middle of these limits of work. Staff would like to inform you of the possible solutions to scheduling the two overlapping projects to minimize the impacts to the traveling public to the greatest extent practical.



N. Russell St.

N. Missouri St.:

Court St.

E. Main St.





East Limit of Project 2C

E. Main St.

S. Bellevue St.

S. Neal St.

