



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

**Wednesday, April 16, 2025 at 6:00 PM**

**City Hall, 101 Court Street, Jackson, Missouri**

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**Regular Members**

Bill Fadler  
Tony Koeller  
Michelle Weber  
Tina Weber

**Harry Dryer, Chairman**

Eric Fraley, Alderman Assigned  
Mike Seabaugh, Alderman Assigned  
Steve Stroder, Alderman Assigned  
Larry Miller, Staff Liaison

**Regular Members**

Angelia Thomas  
Heather Harrison  
Russ Wiley  
Travis Niswonger

**CALL TO ORDER**

**ROLL CALL**

**APPROVAL OF MINUTES**

1. Approval of the March 12, 2025 minutes.

**PUBLIC HEARINGS**

**OLD BUSINESS**

**NEW BUSINESS**

2. Consider a request to approve a final plat of Williams Creek Estates submitted by SM Richards Properties, LLC.

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

**ADJOURNMENT**

This agenda was posted at City Hall on April 11, 2025, at 12:00 PM.

JOURNAL OF THE PLANNING & ZONING COMMISSION  
CITY OF JACKSON, MISSOURI  
WEDNESDAY, MARCH 12, 2025, 6:00 P.M.  
REGULAR MEETING  
CITY HALL COUNCIL ROOM, 101 COURT STREET, JACKSON, MISSOURI

The Planning and Zoning Commission met in regular session, with Chairman Harry Dryer presiding. Commissioners Tony Koeller, Angelia Thomas, Bill Fadler, Russ Wiley, Michelle Weber, and Tina Weber were present. Commissioners Heather Harrison and Travis Niswonger were absent. Building and Planning Manager Larry Miller was present as staff liaison. Alderman Mike Seabaugh, Eric Fraley, and Steve Stroder were present. Dee Vaughn, Minnie Miller, Debbie Birk, Shawn Wren, Victoria Johnson, Matt Enos, Patty Main, Matt Palisch, Kathy Rhodes, Deane Sprout, Philip Gminski, Melissa Turner, Jerry Turner, Marilyn Turner, David Turnrt, David Heisel, Karen Heisel, and Ashley Palmer were the citizens in attendance.

APPROVAL OF MINUTES

Approval of the February 12, 2025 )  
regular meeting minutes )

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

PUBLIC HEARINGS

Public hearing for rezoning a 6.36-acre lot )  
county parcel number )  
15-101-00-02-004.01-0000, from an R-2 )  
Single Family Residential District to an )  
R-4 General Residential District as )  
submitted by Robert W. and Belinda Phillips)

Public hearing for a special use permit for a )  
community unit plan with multiple )  
buildings on a 6.36-acre single lot in an R-4 )  
General Residential District at parcel )  
number 15-101-00-02-004.01-0000 as )  
submitted by Robert W. & Belinda Phillips )

Chairman Dryer opened the hearing. Mr. Miller read a report detailing the application dates and notification schedules for both public hearings.

Applicant Shawn Wren from 2950 Perryville Road came forward, was sworn in, and explained that he is looking into building multi-family housing. He said the development would increase property tax revenue in addition to sales tax revenues from bringing people to Jackson to live. Wren also expressed his interest in the Jackson community.

Commissioner Tina Weber asked how many units would be available. Mr. Shawn Wren responded that there would be approximately 32 to 60 units. She then inquired about the number of parking spaces per unit, to which Mr. Wren stated that there would be two per unit. Commissioner Weber further asked if the rezoning and special use permit were approved, how long the project would take to complete. Mr. Wren responded that it would be built in phases. She also inquired about the availability of covered parking, and Mr. Wren confirmed that some covered parking would be provided. Lastly, Commissioner Weber asked about the monthly rental cost of the units. Mr. Wren stated that the cost would be at least \$1,000 per month.

Commissioner Tony Koeller asked Mr. Wren if the development would be more upscale than the apartments he had built on Broadridge, and he replied that it would. Mr. Wren said those go for \$950 per month. Commissioner Tony Koeller then asked if he could explain why he wanted to switch from the twelve lots to the current multi-family plan. Mr. Wren explained that it had to do with the infrastructure, which would make the lots cost at least \$80,000 to \$100,000 each, resulting in a price of between \$700,000 and \$900,000 for the homes.

There were no further questions from the Commission for Mr. Wren. Chairman Harry Dryer then called on anyone who had an objection to the request to come forward.

Matt Enos from 2035 Ridge Road came forward, was sworn in, and explained his opposition to the requests. He said rental property can decrease surrounding property values because R-4 is not a good investment for people who have single-family lots. He said the traffic would increase and asked if East Elementary would be able to support the increase in students. Mr. Enos asked who would enforce the codes for nuisances that would occur from these rentals. He asked the Commission if the sale of the property is contingent on the approval of Mr. Wren's requests, and they responded that it was. Mr. Enos wanted to know what would guarantee that the property would be built as presented.

Victoria Johnson, 2035 Ridge Road, came forward, was sworn in, and explained her opposition to the requests. She said that the neighborhood currently consists of single-family detached homes. She stated that the city of Jackson's comprehensive plan was prepared to guide decisions related to development regulations, capital improvements, and other local policies and actions. Mrs. Johnson explained that the comprehensive plan includes a statement restricting multi-family units to concentrated areas. The R4 multifamily zoning within our neighborhood is concentrated in areas along E Main St., particularly at the intersections of N Shawnee Blvd. and Oak Hill. Mrs. Johnson stated that the Multifamily Residential designation includes higher-density units, such as apartments, townhomes, and mobile homes. However, R4 zoning encompasses other types of compact residential developments, including tiny homes and two-family dwellings. According to the comprehensive plan, new multifamily residential developments should be prioritized near arterial roadways, such as Main Street or Independence Street, and close to amenities like grocery stores, restaurants, and parks. She said this proposed zoning change area

is not near an arterial roadway. And it is not designated as a primary growth area. It is surrounded by and located in the middle of an R2 residential district. It is not conveniently located near grocery stores, restaurants, or regional shopping centers. The only close amenity is Litz Park and the golf course. Mrs. Johnson said the traffic on Ridge Road has become an increasingly serious safety concern. The speed of passing vehicles has increased, and any additional traffic will increase this safety hazard. She stated that a change from R-2 to R-4 zoning does not align with the comprehensive plan, and approving this change would constitute spot zoning.

Melissa Turner, 2105 Ridge Road, came forward, was sworn in, and explained her opposition to the requests. She said she has lived at her residence since 2001, and since then, the traffic has increased. She said she is concerned about how this will affect the neighborhood and what it will do to the property values.

Dean Sprout, 2268 Bent Creek Drive, came forward, was sworn in, and explained his opposition to the request. He said that when he spoke with the owner of this tract of land, they had planned to build six single-family dwellings, but now they are going to be apartments. He said his view is right across the pond at this property, and he doesn't want to look at apartments in a single-family dwelling area. Mr. Sprout said there are no apartments except for on Main Street. He said there is no doubt that these will reduce the property values.

Dave Turner, 2276 Bent Creek Drive, came forward, was sworn in, and explained his opposition to the request. He asked the board how they would feel if someone tried to place multi-family dwellings in their front or back yard. He told the board to consider how they would feel when it comes time to vote.

Chairman Harry Dryer asked if anyone else would like to speak in opposition. Seeing none, he asked if anyone would like to speak in favor of the request. Seeing none, he asked Mr. Wren if he would like to come forward and address any of the comments or questions.

Mr. Wren came back forward to address the questions and comments. He said that he and his wife manage several properties together and take pride in taking care of them. He said the traffic was a concern when they built the apartments on Broadridge near the Middle School, which is in a much higher traffic area than Ridge Road. Mr. Wren said it has been six years, and as far as he knew, the traffic wasn't an issue. He said as far as he knew, the property values didn't plummet due to the apartments, so he didn't suspect them to plummet on Ridge Road either. Mr. Wren said you could review their track record from the office building on N. Lacey, including the original developers in Ramsey Branch and McKendree Crossing subdivisions, as well as the apartments on Broadridge Drive. He believes that what they have done speaks for itself in the community. He said that if houses were to be built on the tract, they would be out of context with the homes across the street, which are primarily vinyl-sided. He said these Townhouses would supersede those values and styles. Mr. Wren asked if the board had any more questions for him.

Commissioner Bill Fadler asked if there was anyone who lived directly across the street from this tract of land.



Minnie Miller, of 1929 Ridge Road, came forward, was sworn in, and explained that she doesn't want an apartment complex across the street. She said she also agreed with everything Mrs. Johnson said.

Dolores Vaughan, of 1887 Ridge Road, came forward, was sworn in, and explained that she doesn't want apartments across the street. She said she also agreed with everything Mrs. Johnson said.

Debbie Birk, of 822 Mulberry Street, came forward, was sworn in, and explained that she doesn't want apartments across the street. She said she also agreed with everything Mrs. Johnson said.

Chairman Harry Dryer asked if anyone else would like to speak in opposition. Seeing none, he asked if anyone would like to speak in favor of the request. Seeing none, he closed the public hearing.

## OLD BUSINESS

Consider a request for rezoning a 6.36-acre )  
lot county parcel number )  
15-101-00-02-004.01-0000, from an R-2 )  
Single Family Residential District to an )  
R-4 General Residential District as )  
submitted by Robert W. and Belinda Phillips)

Chairman Dryer asked if the Commission had any questions or comments.

Commissioner Tony Koeller, an appraiser, said he believes property values will change, but he cannot predict whether the values of neighboring properties will increase or decrease. He said he was on the Comprehensive Plan Committee, so he understood exactly what Mrs. Johnson was talking about when she talked about spot zoning. Commissioner Tony Koeller said if the Commission starts allowing spot zoning, they probably won't be able to stop because a precedent has been established.

Commissioner Harry Dryer inquired about the conditions required for approval before any work could start. The existing private sanitary sewer easement must be dedicated to the City. Mr. Larry Miller explained that there is currently a private easement with a private sanitary sewer that runs through the Bent Creek Golf Course and stops at the north end of the tract. He said that the sanitary sewer would need to be tested and the easement made public before the city would accept it. Mr. Larry Miller stated that it is up to the property owners to agree on making it a public easement and sewer system. If the owner of the private easement does not want to make it a public sewer system, then Mr. Wren wouldn't be able to build on the tract.

Commissioner Harry Dryer asked if there would be fire protection between the units. Mr. Larry Miller explained that if this passes, all fire protection will be looked at once the plans and permit

are submitted. Currently, there are no plans in place because Mr. Wren wants to see if this passes before he invests in plans.

Commissioner Harry Dryer asked if the street would be a public street, and Mr. Larry Miller replied that it would be a private street, which means the City would not provide trash service or street maintenance.

Commissioner Russ Wiley asked about any potential legal issues with the proposed spot zoning. Chairman Harry Dryer stated that the comprehensive plan had been developed over several years by the committee and consulting firm. It is a recommendation, not a law, to which the City is bound. Chairman Harry Dryer continues to say that the City has gone on record as saying they are not in favor of spot zoning.

Commissioner Tony Koeller motioned to approve the rezoning from an R-2 to an R-4 as submitted. Commissioner Russ Wiley seconded the request, which was denied by a roll call vote.

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

Chairman Harry Dryer explained that, since this request had been denied, it would require a supermajority vote from the Board of Aldermen to be overturned.

Consider a request for a special use permit )  
for a community unit plan with multiple )  
buildings on a 6.36-acre single lot in an R-4 )  
General Residential District at parcel )  
number 15-101-00-02-004.01-0000 as )  
submitted by Robert W. & Belinda Phillips )

There was no action on this item since the rezoning did not pass.

## NEW BUSINESS

Consider a request to approve a Land )  
Exchange Certification for transferring .12 )  
Acres from 813 Old Cape Road to 819 )  
Old Cape Road, as submitted by )  
Semo Rental Properties, LLC. )

Chairman Harry Dryer asked for a staff report.

Mr. Larry Miller explained that 813 Old Cape Road was exchanging land with 819 Old Cape Road. He showed the Commission where the property was located and which part of the property would be exchanged, using visuals on the TVs located in the Board Chamber.

Chairman Harry Dryer asked if the applicant was present. Since the applicant wasn't present, the chairman asked if the Commissioners had any questions or comments. Seeing no further questions or comments, Chairman Harry Dryer asked for a motion.

Commissioner Tony Koeller motioned to approve the land exchange as submitted. Commissioner Bill Fadler seconded the request, which was approved.

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

Consider a request to approve a Land )  
Exchange Certification for transferring .01 )  
Acres from 125 E Main St to 117 S Hope )  
Street, as submitted by )  
CPM Investments, LLC. )

Chairman Harry Dryer asked for a staff report.

Mr. Larry Miller explained that 125 East Main Street was exchanging land with 117 S Hope Street. He showed the Commission where the property was located and which part of the property would be exchanged, using visuals on the TVs located in the Board Chamber.

Chairman Harry Dryer asked if the applicant was present.

The applicant, Matt Palisch, 1428 County Road 614, came forward and explained the land exchange to the Commission. He said the reason he is granting the land exchange is that he did not want patrons from 117 S. Hope using his property to access the parking lot in the rear of the building, due to liability concerns. He said they would be placing a decorative fence along the new property line once this land exchange has been approved.

Commissioner Tina Weber asked whether the fence would extend across their parking lot, and Mr. Palish replied that it wouldn't.

Mr. Palish said that the hope is that this will encourage the patrons to use the back parking lot instead of using his, which is private.

Commissioner Harry Dryer asked if the Commissioners had any questions or comments. Seeing no further questions or comments, Chairman Harry Dryer asked for a motion.

Commissioner Tina Weber motioned to approve the land exchange as submitted. Commissioner Tony Koeller seconded the request, which was approved.

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

## ADDITIONAL ITEMS

None

)

## ADJOURNMENT

Consider a motion to adjourn

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Commissioner Tony Koeller motioned to adjourn, seconded by Commissioner Bill Fadler, and unanimously approved.

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

Respectfully submitted,



Tony Koeller  
Planning and Zoning Commission Secretary

Attest:



Larry Miller  
Building and Planning Manager

*NOTE: ACTION (IF ANY) ON LAND EXCHANGE CERTIFICATIONS, COMPREHENSIVE PLAN, AND MAJOR STREET PLAN IS FINAL APPROVAL; ALL OTHER ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION SERVES AS A RECOMMENDATION TO THE BOARD OF ALDERMEN AND NOT AS FINAL APPROVAL OF THE ITEMS CONSIDERED AT THIS MEETING*

## **Staff Report**

**ACTION ITEM:** Consider a request to approve a final plat of Williams Creek Estates submitted by SM Richards Properties LLC.

**APPLICANT:** SM Richards Properties LLC. (Shane Richards)

**APPLICANT STATUS:** Property Owner

**PURPOSE:** To subdivide an existing tract of land.

**SIZE:** 1.60 Acres

**PRESENT USES:** A C-2 General Commercial (Farmland).

**PROPOSED USE:** C-2 General Commercial District (Portable Building Sales)

**SURROUNDING LAND USE:** North, South, and West are C-2 General Commercial Districts; East is R-2 in all directions

**HISTORY:** N/A

**TRANSPORTATION AND PARKING:** It will be up to MODOT if access can be made to the property from E Jackson Blvd.

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

**2024 COMPREHENSIVE PLAN:** Single Family (Currently zoned C-2 General Commercial)

**FLOODPLAIN INFORMATION:** This property is located in a floodplain and floodway per FEMA panel 29031C0232E DATED 9-29-2011

**PHYSICAL CHARACTERISTICS:** Williams Creek runs on the West side of this property.

**COMMENTS:** This property was sold from the Nitsch Farms LP tract in December 2024. Both parties didn't go through the final plat process before having it recorded with the Cape Girardeau County Recorder of Deeds.

**ACTION REQUIRED:** The Commission shall approve or deny this request. The Commission's action serves as a recommendation to the Board of Alderman. A positive recommendation requires a simple majority of the Board of Alderman for approval, and a negative recommendation requires a super-majority (6 votes).



## SUBDIVISION APPLICATION FORM

### City of Jackson, Missouri

NAME OF SUBDIVISION: WILLIAMS CREEK ESTATES

DATE OF APPLICATION: MARCH 11, 2025

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

Names, Addresses & Phone #s: SM RICHARDS PROPERTIES LLC  
3071 LEXINGTON  
CAPE GIRARDEAU, MO 63701

#### CONTACT PERSON HANDLING APPLICATION:

Contact's Name: CHRIS KELLEY

Contact's Mailing Address: 2121 MEGAN DRIVE  
CAPE GIRARDEAU, MO

Contact's Phone: (573)339-5900

#### ENGINEER / SURVEYOR:

Company Name, Addresses & Phone #: BOWEN ENGINEERING AND SURVEYING, P.C.  
2121 MEGAN DRIVE  
CAPE GIRARDEAU, MO 63701

#### TYPE OF SUBDIVISION APPLICATION: (check all applicable items)

☐ Preliminary plat approval

☒ Final plat approval

☐ Minor subdivision approval

☒ Re-subdivision plat approval

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

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

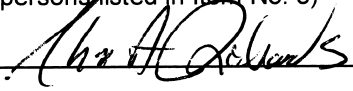
R-1 Single Family Residential  
R-2 Single Family Residential  
R-3 One and Two Family Residential  
R-4 General Residential  
MH-1 Mobile Home Park  
CO-1 Enhanced Commercial Overlay

C-1 Local Commercial  
**C-2** General Commercial  
C-3 Central Business District  
C-4 Planned Commercial District  
CO-1 Enhanced Commercial Overlay  
I-1 Light Industrial  
I-2 Heavy Industrial  
I-3 Planned Industrial Park

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

**OWNERS' SIGNATURES:**

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

  
\_\_\_\_\_

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

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

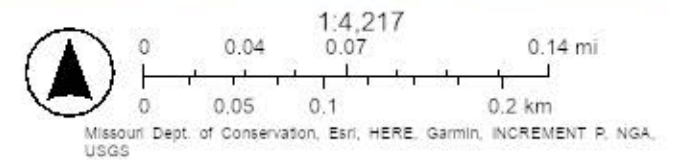
Ph: 573-243-2300 ext. 29  
Fax: 573-243-3322  
Email: [permits@jacksonmo.org](mailto:permits@jacksonmo.org)



# SEMORPC Web Map



4/8/2025, 2:19:46 PM







3239

0

3582

3616

3618

E Jackson Blvd

2351

3597

2369

2405

3531

2427

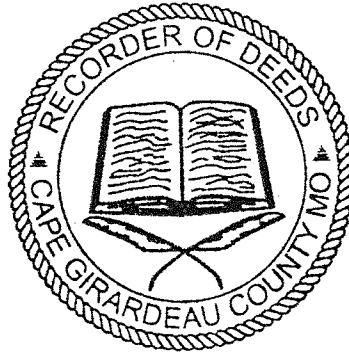
2449

2436

0







ANDREW DAVID BLATTNER  
RECORDER OF DEEDS  
CAPE GIRARDEAU COUNTY, MO  
eRECORDED ON  
12/17/2024 02:49:01 PM  
REC FEE: 27.00  
PAGES: 2

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## WARRANTY DEED

This Warranty Deed made and entered into this 16<sup>th</sup> day of December, 2024, by and between **NITSCH FARMS, L.P., a Missouri Limited Partnership**, hereinafter referred to as **GRANTOR**, and **SM Richards Properties, 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:

4879 Parkside Ct. Jackson, MO 63755

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

A Part of U.S.P.S. No. 235, Township 31 North, Range 13 East of the Fifth Principal Meridian, City of Jackson, County of Cape Girardeau, State of Missouri and being more particularly described as follows:

Beginning at a 1/2" Iron Pin (Set) at the most Northerly Corner of Lot 1 of Annwood Estates, as recorded in Plat Book 17, at Page 30 in the Land Records of the County Recorder's Office; Thence along the West line of Lots 1 and 2 of Annwood Estates, S 64° 42' 40" W, 241.50 feet to a 1/2" Iron Pin (Set); Thence S 49° 21' 40" W, 117.20 feet to a 1/2" Iron Pin (Set) at the most Westerly Corner of Lot 2; Thence leaving said West line, N 55° 59' 05" W, 114.87 feet to the Centerline of Williams Creek; Thence along said centerline the following courses and distances: N 23° 53' 11" E, 94.53 feet; Thence N 07° 42' 41" E, 129.34 feet; Thence N 24° 30' 28" E, 94.46 feet to the South Right of Way line of Missouri State Highway 61; Thence S 58° 56' 20" E, 359.18 feet along said South Right of Way line to the Point of Beginning, containing 1.60 acres, more or less.

Description taken from Survey dated October 16, 2024 by R. Christopher Bowen, MO. PLS #2232, Bowen Engineering & Surveying.

