



CITY OF JACKSON
PLANNING & ZONING COMMISSION MEETING AGENDA

Wednesday, April 10, 2024 at 6:00 PM

City Hall, 101 Court Street, Jackson, Missouri

Bill Fadler
Tony Koeller
Michelle Weber
Tina Weber

Harry Dryer, Chairman
Joe Baker, Alderman Assigned
Mike Seabaugh, Alderman Assigned
Larry Miller, Staff Liaison

Angelia Thomas
Heather Harrison
Russ Wiley
Eric Fraley

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

1. Approval of the March 13, 2024 minutes.

PUBLIC HEARINGS

2. Public hearing for a rezoning request for 26.2 acres of parcel #099003600007000000 from an R-1 Single-family residential district to an I-2 Heavy industrial district as submitted by Trussworks Realty Missouri, LLC.

OLD BUSINESS

3. Consider a rezoning request for 26.2 acres of parcel #099003600007000000 from an R-1 Single-family residential district to an I-2 Heavy industrial district as submitted by Trussworks Realty Missouri, LLC.

NEW BUSINESS

CONSIDER A MOTION TO ADD ITEMS TO THE AGENDA

ADJOURNMENT

This agenda was posted at City Hall on April 5, 2024, at 12:00 PM.

JOURNAL OF THE PLANNING & ZONING COMMISSION
CITY OF JACKSON, MISSOURI
WEDNESDAY, MARCH 13, 2024, 6:00 P.M.
REGULAR MEETING
CITY HALL COUNCIL ROOM, 101 COURT STREET, JACKSON, MISSOURI

The Planning and Zoning Commission met in regular sessions, with Chairman Harry Dryer presiding. Commissioners Tony Koeller, Eric Fraley, Angelia Thomas, Heather Harrison, Bill Fadler, and Tina Weber were present, while Commissioners Michelle Weber and Beth Emmendorfer were absent. Building and Planning Manager Larry Miller was present as staff liaison. Alderman Mike Seabaugh and Alderman Joe Bob Baker were present. The citizens in attendance were Chris Koehler, Mayor Dwain Hahs, Ron Cook, and Steve Stroder.

APPROVAL OF MINUTES

Approval of the February 7, 2024)
regular meeting minutes)

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

PUBLIC HEARINGS

None)

OLD BUSINESS

None)

NEW BUSINESS

Consider a request to approve the final)
subdivision plat of Cook Subdivision)
submitted by Ronald David Cook.)

Chairman Harry Dryer asked for a staff report.

Mr. Larry Miller explained where the proposed subdivision is located and showed the Commission what the subdivision would look like.

Chairman Harry Dryer asked if the property owner or its representative would like to speak in favor of this Subdivision.

Mr. Ronald Davis Cook came forward and addressed the Commission. He said he wanted to subdivide his lot to have a business on lot 1 and his residence on lot 2. This would allow him to sell his house and keep his business on lot 1.

Commissioner Tony Koeller motioned to approve the subdivision plat as submitted. Commissioner Tina Weber seconded the request, which was unanimously approved.

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

Consider a request for the rezoning of)
Lot 2 of the Cook Subdivision at 1931)
West Jackson Boulevard from an I-1)
Light Industrial to a C-2 General)
Commercial as submitted)
by Ronald David Cook.)

Chairman Harry Dryer asked for a staff report.

Mr. Larry Miller explained to the Commission that lot 1 would remain I-1 Light Industrial, but lot 2 would be rezoned to C-2 General Commercial so Mr. Ronald David Cook could sell his house. He told the council that the home is currently non-conforming use because residential isn't allowed in an industrial district.

Mr. Ronald David Cook said this rezoning was done on the west side of Straightway Farms at 2033 W Jackson Blvd. so they could sell their house. He said he wants to be able to do the same thing.

Commissioner Tony Koeller motioned to approve the rezoning of Lot 2 from an I-1 to a C-2 as a submitted and waive the public hearing. Commissioner Heather Harrison seconded the request, which was unanimously approved.

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

Consider a rezoning request for 26.2)
acres of parcel #099003600007000000)
from an R-1 Single-family residential)
district to an I-2 Heavy industrial district)
as submitted by Trussworks Realty)
Missouri, LLC.)

Chairman Harry Dryer asked for a staff report.

Mr. Larry Miller showed the Commission where the rezoning is, and He informed the board that an annex agreement is in place with the Board of Aldermen. Mr. Miller explained to the Commission that the 26.2 acres will be R-1 once this subdivision is annexed. Mr. Steve Stroder is asking it all to be rezoned to I-2.

Chairman Harry Dryer asked if the applicant was present.

Mr. Steve Stroder, the applicant, came forward and said the property was intended for a manufacturing facility. He asked Mr. Larry Miller to clarify why the property was brought in as an R-1.

Mr. Larry Miller said that anytime property is annexed into the City, that property automatically becomes R-1, and since you have a manufacturing facility, it needs to be rezoned.

Commissioner Bill Fadler asked how he would access the property, and Mr. Steve Stroder said by Cane Creek Road. He said that with the block grant, the City has applied for, the road would be extended up to his property if awarded.

Commissioner Angelia Thomas asked where the building would be on the lot, and Mr. Steve Stroder showed her. She then asked if the tree line would be left to help block the residential properties, and Mr. Steve Stroder assured her it would stay. Commissioner Angelia Thomas then asked Mr. Steve Stroder how much noise would come from his manufacturing facility. He said that the production would be done inside the building and a forklift would operate outside the building, and he didn't see that making much noise.

Commissioner Bill Fadler asked if the whole property would be used for the facility, and Mr. Steve Stroder said he would only utilize approximately 16.2 acres out of the 26.2 acres.

Commissioner Heather Harrison motioned to set a public hearing for the rezoning at the next P&Z meeting. Commissioner Bill Fadler seconded the request, which was unanimously approved.

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

ADDITIONAL ITEMS

None)

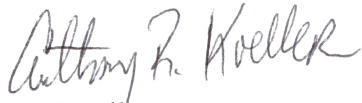
ADJOURNMENT

Consider a motion to adjourn)

Commissioner Tony Koeller motioned to adjourn, seconded by Commissioner Heather Harrison, 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 rezoning request for 26.2 acres of parcel #099003600007000000 from an R-1 Single-family residential district to an I-2 Heavy industrial district as submitted by Trussworks Reality Missouri, LLC.

APPLICANT: Trussworks Reality Missouri, LLC (Steven L. Stroder)

APPLICANT STATUS: Property Owner

PURPOSE: To rezone from an R-1 Single-family residential district to an I-2 Heavy industrial district.

SIZE: 26.2 acres (in the process of annexation).

PRESENT USES: Agricultural

PROPOSED USE: I-2 Heavy industrial district.

ZONING: R-1 Single-family residential district after annexation.

SURROUNDING LAND USE: North – I-2 Heavy industrial district; South – C-2 General commercial district; East – C-2 General commercial district; West – R-1 Single-family residential district

HISTORY: This tract was part of the Larry D. Borgfield and Audrey Borgfield property before being sold to Trussworks Reality Missouri, LLC. Stroder's Industrial Park Subdivision, which is 12 acres of Parcel #099003600007000000, is already undergoing the process of annexation and rezoning.

TRANSPORTATION AND PARKING: All required street frontage will exist once the Cane Creek Rd extension is completed.

APPLICABLE REGULATIONS: Zoning Code (Chapter 65)

2009 COMPREHENSIVE PLAN: Single-Family Residential

MAJOR STREET PLAN: This does not conflict with the major street plan.

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

PHYSICAL CHARACTERISTICS: Various

COMMENTS: This rezoning is concurrent with annexing the land outside the city limits. Once the land is annexed, it will become an R-1 Single-family residential district. This rezoning will be for the 26.2 acres of parcel #099009600007000000.

ACTION REQUIRED: The Commission shall vote to recommend approving or denying this request and will need to make their recommendation contingent on annexing the 26.2 acres of parcel number #099009600007000000. 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: 3/4/2024

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

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

26.2 Acres on Cane Creek Road (pt Tax ID#09900360000700)

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

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

Mailing Address: 2270 Greensferry Rd.

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): Same

Mailing Address:

City, State, ZIP

CONTACT PERSON HANDLING APPLICATION:

Contact Name: Chris Koehler

Mailing Address: 194 Coker Ln.

City, State ZIP: Cape Girardeau, MO 63701

Contact's Phone: 573-335-3026

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

CURRENT ZONING: (check all that apply)

- [X] 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-4 (Planned Commercial)
[] MH-1 (Mobile Home Park) [] I-1 (Light Industrial)
[] O-1 (Professional Office) [] I-2 (Heavy Industrial)
[] CO-1 (Enhanced Commercial Overlay) [] I-3 (Planned Industrial Park)

CURRENT USE OF PROPERTY: Vacant / Agricultural

PROPOSED ZONING: (check all that apply)

- | | |
|--|--|
| <input type="checkbox"/> R-1 (Single-Family Residential) | <input type="checkbox"/> C-1 (Local Commercial) |
| <input type="checkbox"/> R-2 (Single-Family Residential) | <input type="checkbox"/> C-2 (General Commercial) |
| <input type="checkbox"/> R-3 (One- And Two-Family Residential) | <input type="checkbox"/> C-3 (Central Business) |
| <input type="checkbox"/> R-4 (General Residential) | <input type="checkbox"/> C-4 (Planned Commercial) |
| <input type="checkbox"/> MH-1 (Mobile Home Park) | <input type="checkbox"/> I-1 (Light Industrial) |
| <input type="checkbox"/> O-1 (Professional Office) | <input checked="" type="checkbox"/> I-2 (Heavy Industrial) |
| <input type="checkbox"/> CO-1 (Enhanced Commercial Overlay) | <input type="checkbox"/> I-3 (Planned Industrial Park) |

PROPOSED USE OF PROPERTY: Industrial Use

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

see attached 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.

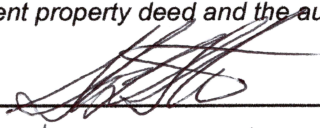
Adding jobs and tax revenue for the City of Jackson

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

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

OWNER SIGNATURES:

I state upon my oath that all of the information contained in this application is true. *(Signatures of all persons listed on the current property deed and the authorized signer(s) for any owning corporation or trust.)*



Steven L. Strader

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

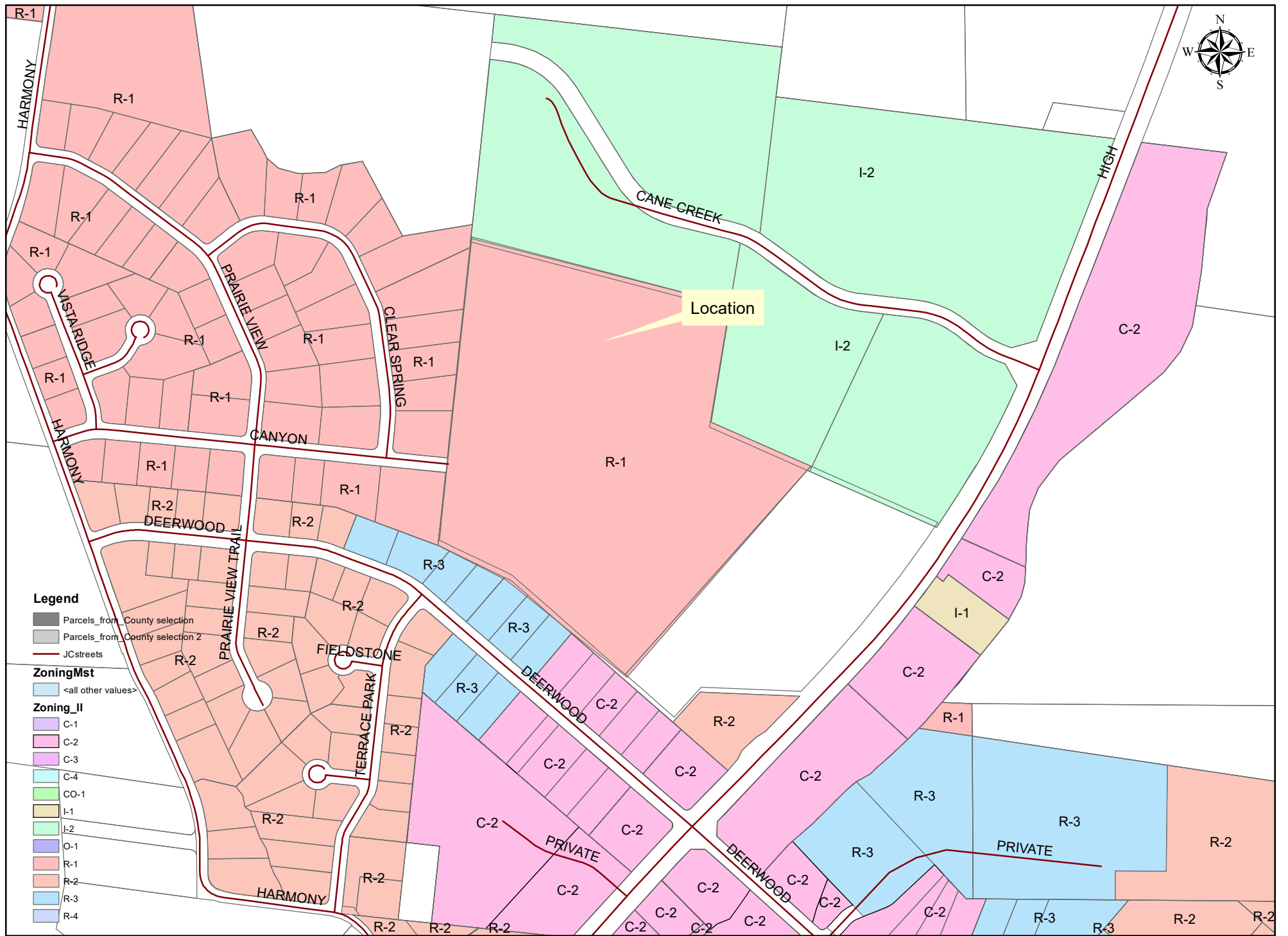
Building & Planning Manager
City of Jackson
101 Court Street
Jackson, MO 63755

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

APPLICATION FEE: \$200.00



Probe	Probe Depth (ft)	Rock Depth (ft)
P1	25'	No Rock Encountered
P2	25'	No Rock Encountered
P3	25'	Rock @ 21.7'
P4	25'	Rock @ 20.4'
P5	25'	Rock @ 22.7'
P6	25'	Rock @ 21.6'
P7	20'	Rock @ 13.3'
P8	20'	No Rock Encountered
P9	20'	No Rock Encountered
P10	20'	No Rock Encountered
P11	20'	Rock @ 15.3'
P12	20'	Rock @ 15.1'
P13	15'	Rock @ 11.4'
P14	25'	No Rock Encountered



Legend

- Parcels_from_County selection
- Parcels_from_County selection 2
- JCstreets

ZoningMst

- <all other values>

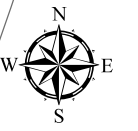
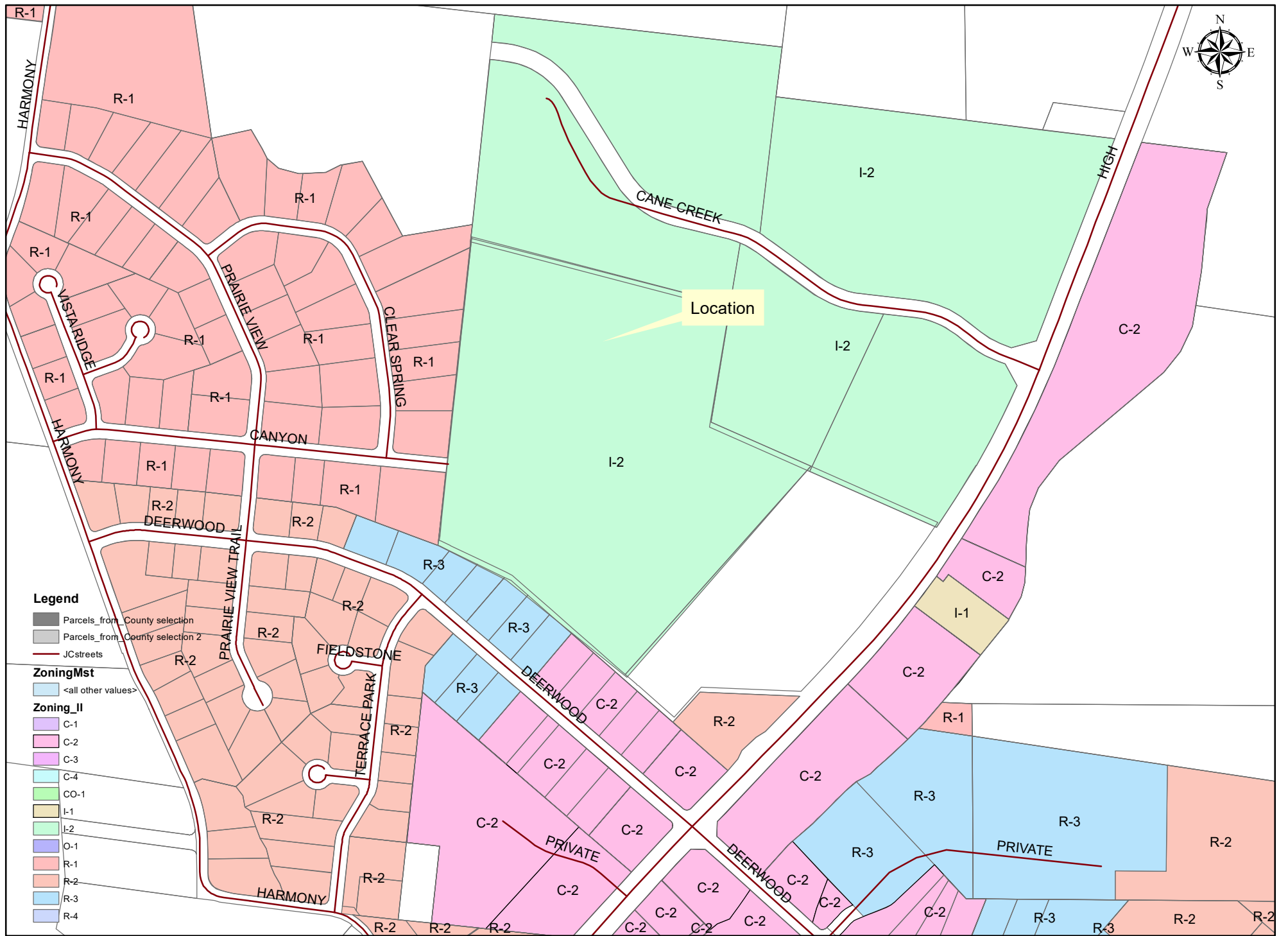
Zoning_II

- C-1
- C-2
- C-3
- C-4
- CO-1
- I-1
- I-2
- O-1
- R-1
- R-2
- R-3
- R-4

March 5, 2024

Current Zoning

0 0.0225 0.045 0.09 0.135 0.18 Miles



Legend

- Parcels_from_County selection
- Parcels_from_County selection 2
- JCstreets

ZoningMst

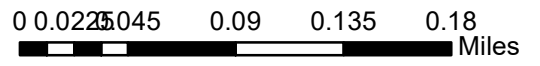
- <all other values>

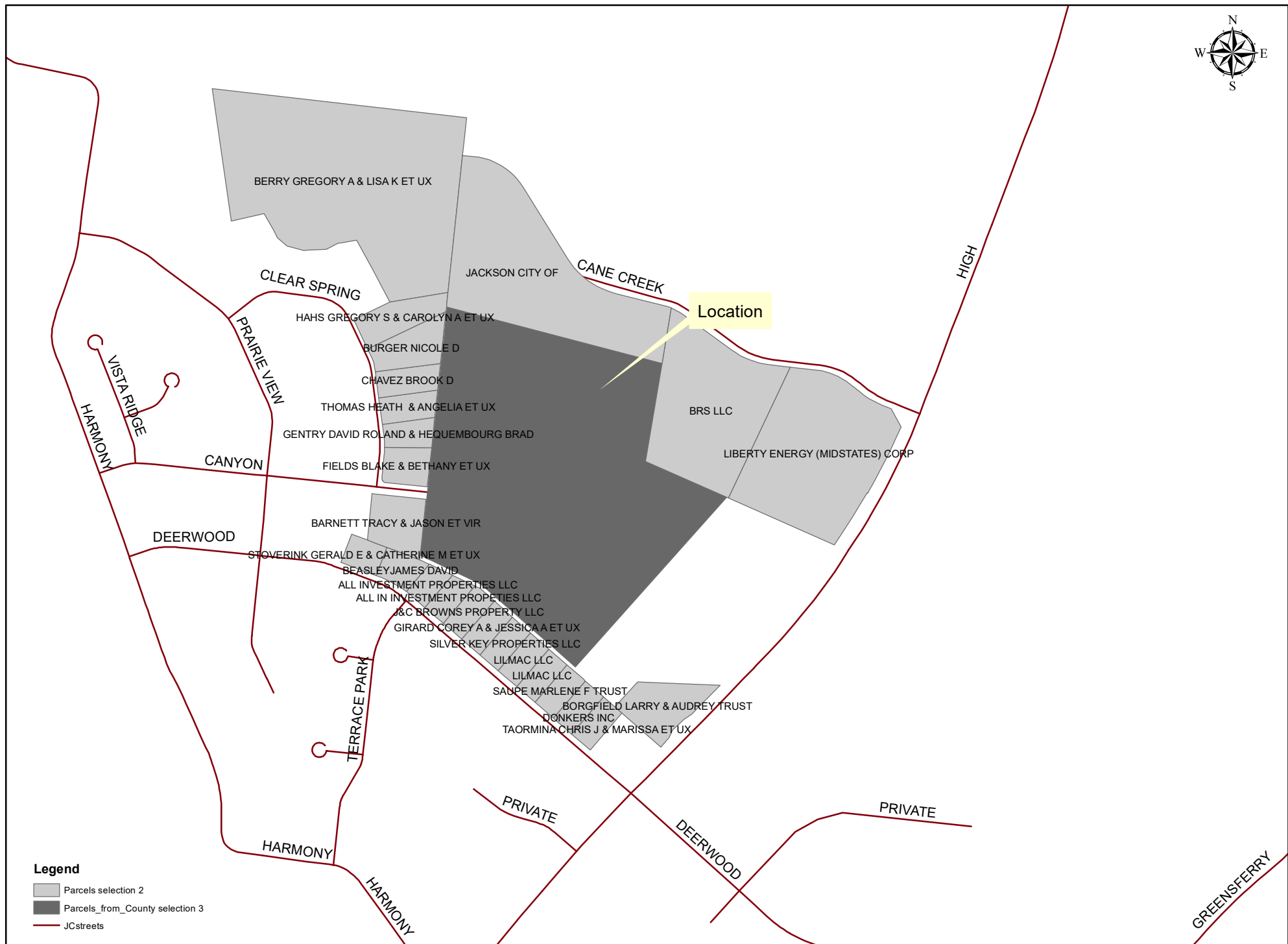
Zoning_II

- C-1
- C-2
- C-3
- C-4
- CO-1
- I-1
- I-2
- O-1
- R-1
- R-2
- R-3
- R-4

March 5, 2024

Proposed Zoning



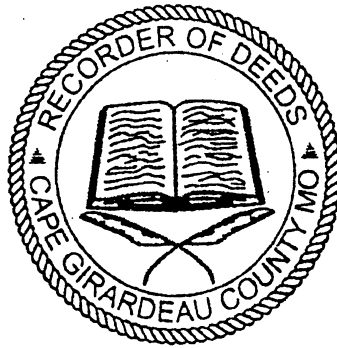


March 6, 2024

Owners

0 0.025 0.05 0.1 0.15 0.2 Miles

eRecorded
DOCUMENT #
2023-09671



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

WARRANTY DEED

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

2155 Greensferry rd. Jackson, MO 63755

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

SEE EXHIBIT "A"

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

Grantor further states Audrey Borgfield died on September 5, 2022.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining, unto the said Grantee and unto its successors and assigns FOREVER, the said Grantor hereby covenanting that it is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that it has good right to convey the same; that the said premises are free and clear of any encumbrances done or suffered by it or those under whom it claimed title; and that it will warrant and defend the title to said premises unto the said Grantee, and unto its successors and assigns forever, against the lawful claims and demands of all persons.

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

GRANTOR:

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

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

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

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

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

Nick P. Powers
Notary Public
My commission expires:

2309020

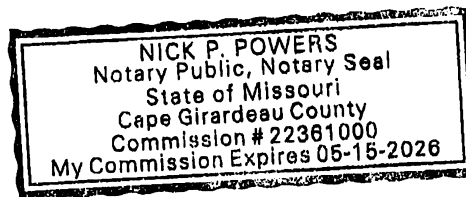


EXHIBIT "A"

ALL OF THAT PART OF FRACTIONAL SECTION 1, TOWNSHIP 31 NORTH, RANGE 12 EAST OF THE FIFTH PRINCIPAL MERIDIAN, BEING IN PART WITHIN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, AND PART WITHIN THE COUNTY OF CAPE GIRARDEAU, AND ALL OF THAT PART OF FRACTIONAL SECTION 36, TOWNSHIP 32 NORTH, RANGE 12 EAST OF THE FIFTH PRINCIPAL MERIDIAN, WITHIN THE COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at the most westerly corner of Lot 1 of the Jackson North Industrial Park Subdivision, Phase 1, said plat being recorded in Document 2014-02837, thence with the west line of said Lot 1, North 08°43'56" East, 409.22 feet; thence North 76°08'59" West, 918.53 feet to a point on the East line of United States Private Survey Number 807, said point being also on the east line of Cold Creek Subdivision, said Cold Creek Subdivision being recorded in Document 2009-00785; thence with the east line of said Survey Number 807 and the east line of said Cold Creek Subdivision, South 06°13'56" West, 1047.66 feet to the Southeast corner of said Cold Creek Subdivision, said point being also on the North line of Terrace Park Estates, a subdivision recorded in Plat Book 23, at Page 37; thence with the north line of said Terrace Park Estates, South 64°20'21" East, 271.61 feet, thence continue with the north line of said Terrace Park Estates, South 48°46'04" East, 990.34 feet to the most easterly corner of said Terrace Park Estates, said point being also on the west right of way line of North High Street / US Highway '61', thence with said west right of way line of said US Highway '61', North 44°22'23" East, 525.25 feet; thence continuing along said west right of way, along the arc of a curve to the left having a radius of 3075.22 feet, a distance of 217.46 feet; thence along an offset in said west right of way, South 49°40'43" East, 10.00 feet; thence continuing along said west right of way line of US Highway '61', along the arc of a non-tangent curve concave to the northwest having a radius of 3085.22 feet, a distance of 360.84 feet (the chord across said arc bears North 36°58'15" East, 360.64 feet), to a point at the most southerly corner of a tract now or formerly held in title by Liberty Energy (Midstates) Corp., as conveyed in Document 2013-01838; thence with the South line of said tract, North 64°46'04" West, 476.81 feet to the most westerly corner of said Liberty Energy (Midstates) Corp tract and the most southerly corner of said Lot 1 of said Jackson North Industrial Park Subdivision; thence with the south line of said Lot 1, North 64°46'04" West, 390.40 feet to the place of beginning and containing 38.18 acres, more or less

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

2309020

DESCRIPTION OF TRUSSWORKS SITE FOR ANNEXATION

ALL OF THAT PART OF FRACTIONAL SECTION 36, TOWNSHIP 32 NORTH, RANGE 12 EAST OF THE FIFTH PRINCIPAL MERIDIAN, WITHIN THE COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at the most westerly corner of Lot 1 of the Jackson North Industrial Park Subdivision, Phase 1, said plat being recorded in Document 2014-02837, thence with the west line of said Lot 1, North 08°43'56" East, 409.22 feet; thence North 76°08'59" West, 918.53 feet to a point on the East line of United States Private Survey Number 807, said point being also on the east line of Cold Creek Subdivision, said Cold Creek Subdivision being recorded in Document 2009-00785; thence with the east line of said Survey Number 807 and the east line of said Cold Creek Subdivision, South 06°13'56" West, 1047.66 feet to the Southeast corner of said Cold Creek Subdivision, said point being also on the North line of Terrace Park Estates, a subdivision recorded in Plat Book 23, at Page 37; thence with the north line of said Terrace Park Estates, South 64°20'21" East, 271.61 feet, thence continue with the north line of said Terrace Park Estates, South 48°46'04" East, 470.19 feet; thence North 45°39'09" East, 972.22 feet, to a point on the South line of Lot 1 of said Jackson North Industrial Park Subdivision; thence with the south line of said Lot 1, North 64°46'04" West, 387.18 feet to the place of beginning and containing 26.18 acres, more or less, and being subject to any easements of record.