**City of Truesdale, Missouri**

**Planning and Zoning Commission**

**Truesdale City Hall**

**109 Pinckney Street**

**Truesdale, MO 63380**

**Public Hearing Minutes:**

1. **Citizens Present:** Jerry and Helen Pherigo, Joe and Connie Krucky, Bob Fry, Dustin Loeffler, Tammy Markham, Charles Morrow, Kevin Bremer, Brian Schanuel,Yusif Jaouni, Etta Krumanocker, Jason, Antcliff, Mary Kellogg, Christine Hedding, and Cindy Borden.
2. **8000 S. Spoede Lane:** The Planning and Zoning Commission of the City of Truesdale is considering amending Chapter 415 Section 45.137 Permitted and Conditional Uses by District. This amendment would allow auto sales as a conditional use in the Industrial District of the Zoning Ordinance of the Revised Municipal Codes of the City of Truesdale. There were no public questions or comments made at this time.
3. **1600 E Veterans Memorial Parkway:** The Planning and Zoning Commission of the City of Truesdale is considering a request to rezone the property from General Commercial (C2) to Planned Development-Industrial (PD-I). Resident Cindy Borden spoke and asked if the restrictions placed on Clarkson Construction are legally enforceable once it is classified as PD-I. Elsa Smith-Fernandez stated that these restrictions become part of the ordinance so if there are any violations taking place, then it would be considered an ordinance violation and there are penalties involved. Penalties could range from citation to cease and desist. John Choinka said that depending on the violations they could be issued a stop work order. John Brancaglione explained that that is why the Planned Development was recommended could be put into place that would not normally be allowed in a straight industrial district, and those restrictions become part of the ordinance. Bob Frye from Clarkson Construction spoke and said that when they first started looking at the property, they did not realize that Truesdale was going through starting the zoning process. He said that he wants the property for a permanent location, and that he offered to take the crushing off the table because he is not going to put a permanent location in jeopardy over rock crushing. Alderwoman Wortham wanted to reiterate that the type of vehicles Clarkson will be storing on the property is the reason that we are looking at a rezone. John Brancaglione said that if those vehicles were regular commercial vehicles, then the original commercial zoning could have stood. Cindy Borden said that there are several rocks piles on the property right now and she asked why there are rock piles if they are not going to be crushing. Chairman Smith said that those rock piles are being used as fill on that property. Jerry Pherigo, another resident of Truesdale, asked why it matters if they put a rock pile on their property, that would be like him going by her house and not liking her flowers and saying that she needs to cut them. The rock piles are not going to hurt anyone, so why is that even a concern. Cindy Borden said the concern goes back the discussion about rock crushing. Bob Frye said rock piles that are there have already been crushed. 60% of the site in unusable due to erosion. It needs to be stabilized so he is going to need to bring in crushed material that they will be buying from quarries or material they could get from the I70 project. Mayor Cannon commended Elsa, John B, John C, Brian Schanuel, and Bob Frye on the countless hours that have been spent making sure this is adequate for the community and Clarkson. Yusif Jaouni said he appreciates Clarkson for moving the lights and what has been done on the property thus far. In regard to the restrictions, he asked about the fencing and said that it was talked about chain link fencing not being allowed, that it should be a solid fence, so the restrictions may need to be amended to say not chain link. Bob Frye said there would be a berm between the homes in Heritage Hills and the Clarkson Property. Along the south side of the property, they are putting in an 8-foot wood privacy fence along with the evergreen trees. Bob said that they are following the zoning codes put in place by the city. The sides of the property that will be fenced will be chain link fencing, but the south side will be a solid wood fence since it abuts to a residential area. Connie Krunky owns the property that sits between this property and the 7-acre parcel, and she is concerned about things being too close to the property line if they were to ever sell their property. She asked how close the office building is to the property and Mr Frye said 200-300 feet, and he reassured her that they will be using the existing building. John Brancaglione suggested we consider changing the wording of the fencing regulation to state “shall be wood or other durable sight proof material on the south perimeter.” That is what is going to be followed per the code anyway, but we should reword it on the restrictions guidelines as well. Charles Morrow made a comment that he had a conversation with Mr. Frye, and he seems like a thoughtful and credible guy. Cindy Borden asked if this gets approved to Industrial does this make it easier for future buyers of neighboring properties to get industrial zoning as well. John Brancaglione said no because they will continue to be zoned commercially or come before the commission with a proposal for approval just like Clarkson did. Rezoning this property to PD-I is not considered spot zoning because of the size of the property. If this were a small parcel of property, then he would not have recommended that the commission move forward with rezone. Jana Meyers asked if PD-I follows the property or the company, if the property is ever sold. John Brancaglione said it runs with the owner and the site plan that was approved. Anyone who comes along after the fact either must be doing the same business or reapply for an entirely new site plan. If it sits vacant for two years then the commission must rezone back to commercial, it is unique to the owner and property use. Charles Morrow asked where that is stated in the ordinance. John Brancaglione said it is section 415.135 that says if the site plan is approved and not carried out following the ordinance, then after 2 years the commission initiates rezoning back to original zone. Charles Morrow said he read it as if they don’t execute this site plan within 2 years it would be revoked and go back to C2, but in the recommendation it states that these changes would be in perpetuity and the zoning would have to go back to planning and zoning to rezone after that. John Brancaglione said that all conditions enclosed as part of the planned development shall run with the land and shall not lapse or be waived because of a change in ownership of any or all said area. So if there is an ownership change, and someone wants to do something else then they either have to submit a new site plan that goes through this same process, or it gets rezoned to original district. Charles asked if Clarkson were to sell this property to him and he wanted to put a business in there that was compliant with PD-I, but not the same business type, would the PD-I code still be in place. John Brancaglione said the site plan and restrictions runs with the land and if you are the new owner, you have those same restrictions, unless you want to come back and ask for different restrictions. However if your use of the land is dramatically different then you would have to come back before planning and zoning and the board of alderman to have different conditions put in place. Yusif Jaouni asked about item #6 on the restrictions list which is regarding hours of operation and whether that time constraint works for Clarkson and the hours they must work for MODOT. Bob Frye said he understands the inconvenience of nighttime work, but he made the point that any commercial business that moves in there, there is going to be nighttime work happening. Yusif and Elisa Jaouni asked if Heritage Hills residents would ok with removing item #6 from the restrictions list so that Clarkson doesn’t have to keep coming back to make sure they have approvals for future projects as well. Elsa and Mayor Cannon said that the restriction were put on there because it was a concern that residents had, but if residents are ok with removing it, that can be done to get rid of the added complexity. Currently Clarkson would be exempted for 4 years from the time constraints to allow for Clarkson to have time to make all the improvements that are required under this plan. John Brancagalione said this company is making a significant investment and they should know what restrictions they are going to be placed with upfront.Co-Chair Riehl mentioned that there could be future projects that they have where they will have to take equipment on and off the property at whatever hours the developer of the project has in place for them. They could potentially lose bids for jobs if they have to say they cannot move equipment during certain times. Elisa Jaouni asked how long it will take to get fencing and berm up. Bob Frye said approximately 6 months after closing on the property and that a lot of the planting will not take place til fall time. He said they want to do the berm in dirt material. Charles Morrow wants to eliminate idling vehicles and back up beepers on the trucks especially at nighttime. Bob Frye told him he can not make that happen as those requirements on vehicles come from MODOT and OSHA. Christine Hedding said that she has a tiny amount of berm blocking her property that is there from the previous business, and she has not heard any noise, so she is confident that the berm will be extremely helpful for the residents that are directly behind Clarkson. The only issue she had were the lights and that was fixed immediately upon Clarkson knowing about the issue. Alderwoman Wortham said there has been a lot of really great questions and conversations tonight, and that it really helps to work together. At this point we have exceeded the timeline, so with that she made a motion to adjourn the public hearing, seconded by Commissioner Lefholz. Public hearing was adjourned at 6:25p.m.

**Meeting Minutes**

1. **Pledge of Allegiance**
2. **Call to Order:** Meeting was called to order by Chairman Smith at 6:27 p.m.
3. **Roll Call:**
   1. **Planning and Zoning Members Present:** Chairman Smith, Co Chairman Riehl, Secretary Hartley, Commissioner Bachamp, Commissioner Lefholz, Commissioner McCurdy, Commissioner Dixon, Commissioner Burke, Commissioner Wortham, and Commissioner Jaouni.
   2. **City Staff Present:** Mayor Cannon, Alderman Thomas, Chief Doyle, and City Clerk Elsa Smith-Fernandez.
4. **Approval of Agenda:** Commissioner Bachamp made a motion to approve the agenda, seconded by Commissioner McCurdy. All ayes, motion passed.
5. **New Business:**
   1. **Resignation of Commissioner Wortham,** due to being elected as an Alderwoman. There is a city ordinance that says that only one Alderman can be seated on the Planning and Zoning Commission. Co-Chairman Riehl made a motion to approve Commissioner Wortham’s resignation, seconded by Commissioner McCurdy. All ayes, motion passed.
   2. **Ordinance passed at the Board of Alderman Meeting regarding Geographic Diversity.**
6. **Approval of Minutes:** Commissioner Lefholz made a motion to approve the minutes from April 16, 2025, seconded by Commissioner Burke. All ayes, motion passed.
7. **Citizen Comments:** Alderman Thomas wanted to say Happy Birthday to Commissioner Bachamp and City Clerk Elsa. There were no other comments at this time.
8. **Previous Business:**
   1. **Recommendation regarding amending Section 415.137-Permitted and Conditional Uses Matrix Table.** Commissioner Jaouni made a motion to approve the recommendation, seconded by Commissioner Lefolz. Roll call vote as follows: Chairman Smith: yes, Co-Chair Riehl: yes, Commissioner Bachamp: yes, Commissioner Lefholz: yes, Commissioner McCurdy: yes, Commissioner Dixon: yes, Commissioner Burke; yes, Commissioner Jaouni: yes; Secretary Hartley; yes. Vote was passed 9-0. Commissioner Wortham abstained from the vote due to resignation.
   2. **Recommendation Conditional use permit for Shelton Auto Group at 8000 S Spoede Lane:** Commissioner McCudy made a motion to approve the recommendation, seconded by Commissioner Burke. Roll Call vote as follows: Chairman Smith: yes, Co-Chair Riehl: yes, Commissioner Bachamp yes, Commissioner Lefholz: yes, Commissioner McCurdy: yes, Commissioner Dixon: yes, Commissioner Burke: yes, Commissioner Jaouni: yes, Secretary Hartley: yes. Vote passed 9-0. Commissioner Wortham abstained from the vote due to resignation.
   3. **Recommendation regarding Rezoning of 1600 E Veterans Memorial Parkway from “C2” Generalized Commercial to “PD-I” Planned Development-Industrial.** Commissioner Jaouni made a motion to approve the recommendation with the following changes: Eliminate item #6 from the restrictions regarding the operating hours and change the wording of Item #2 on the restrictions to take out chain link and add that a solid fence must be put along the south side of the property between Heritage Hills and this parcel of land. Motion was seconded by Commissioner Lefholz. Roll call vote was as follows: Chairman Smith: yes, Co-Chair Riehl: yes, Commissioner Bachamp: yes, Commissioner Lefholz: yes, Commissioner McCurdy: yes, Commissioner Dixon: yes, Commissioner Burke: yes, Commissioner Jaouni: yes, Secretary Hartley: yes. Vote was passed 9-0. Commissioner Wortham abstained from the vote due to resignation.
9. **Staff Reports:** John Brancaglione gave kudos to Elsa and how much work she has put into this project.
10. **Tentative Next Meeting:** June 18, 2025 at 6:00 p.m. Secretary Hartley will be out of the country during that time, Commissioner Lefholz will fill in for her while she is gone.
11. **Adjourn:** Commissioner McCurdy made a motion to adjourn the meeting, seconded by Commissioner Lefholz. Meeting adjourned at 6:38 p.m.

*Approved by the Planning and Zoning Commission of the City of Truesdale*

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*Don Smith, Chairman of Planning and Zoning Date*

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*Kari Hartley, Secretary of Planning and Zoning. Date*