

VOLUME I

Public Petition to the Wright City Board of Aldermen

**Petition to Rescind Conditional Site-Plan Approval and Require Adherence
to §410.010(G)**

Proposed Asphalt Operation · 50 Roelker Road · Wright City, Missouri

Submitted July 20, 2026

Table of Contents

Purpose	3
Procedural Background	3
Requirement of §410.010(G)	3
Questions Presented	4
Basis for Corrective Action	4
Requested Corrective Action	5
Conclusion	5
Shared Materials Incorporated by Reference	6

Petition to Rescind Conditional Site-Plan Approval and Require Adherence to §410.010(G)

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Purpose

The petitioners respectfully request that the Wright City Board of Aldermen rescind its June 11, 2026 conditional site-plan approval and require the application to proceed in the sequence established by §410.010(G) of the Wright City Code.

This petition is intentionally narrow. It does not ask the Board to approve or deny the proposed asphalt operation. It asks the Board to correct the procedural sequence so that the legal parcel configuration is established before a completed site plan is reviewed and approved.

Note on scope: the petitioners' primary focus here is the procedural validity of the June 11, 2026 approval and the request that the Board rescind and revote only after the proper §410.010(G) sequence is completed. Whether the proposed operation is properly classified as a permitted-by-right M-1 use is a separate and ongoing concern of the petitioners, but that classification question is properly directed to the Planning and Zoning Commission and the Zoning Enforcement Officer in the first instance (see Volume II). Nothing in this petition concedes, waives, or resolves that separate question.

Procedural Background

On June 11, 2026, the Board approved the site plan subject to conditions. Those conditions required submission of an updated site plan and a boundary-adjustment plat before development or building permits could be issued. The approval also stated that the proposed Lots 1 through 5 were conceptual and were not created by the site-plan approval.

The petitioners do not contend that the Board took no action. The Board approved the site plan subject to conditions. The concern is that the approval occurred before completion of the boundary-adjustment process necessary to establish the legal parcel configuration upon which a completed site plan should be based.

Why does this matter? Approving a site plan based on a parcel configuration (Lots 1 through 5) that had not yet been legally established means the plan was reviewed against boundaries, setbacks, lot lines, and right-of-way dedications that did not legally exist yet. That creates exactly the downstream conflicts the record shows — the 100-foot versus 90-foot right-of-way discrepancy, "six parcels" versus "one" versus "five lots" in Conditions 2 and 4, and Condition 4 itself acknowledging that the lots were conceptual only. Approving in that sequence risks an approval resting on a foundation that could later be challenged, and forces the applicant to potentially redo site-plan work once the real boundaries are set.

Requirement of §410.010(G)

Section 410.010(G), as amended by Ordinance No. 1108, establishes the process for adjusting adjoining parcels under common ownership: submission of a boundary-adjustment plat; review and recommendation by the Planning and Zoning Commission; approval by the Board of Aldermen through ordinance; and recording of the approved plat before the adjusted parcel configuration becomes effective.

The June 11 approval conditions confirm that this process had not been completed when the site plan was approved. Requiring Planning and Zoning Commission review first also ensures the proposed use and parcel configuration are checked for zoning compliance by the body with that expertise (see Volume II), and that the Board's ultimate approval is guided by the proper reviewing authority.

Questions Presented

If §410.010(G) required Planning and Zoning review, Board approval by ordinance, and recording of the boundary-adjustment plat before the adjusted parcel configuration became effective, what authority permitted the Board to approve a site plan depicting that adjusted parcel configuration before those steps had been completed?

If such authority exists, the petitioners respectfully request identification of the specific Code provision, ordinance, administrative determination, or other legal authority permitting those parcel-configuration requirements to be completed after site-plan approval.

Basis for Corrective Action

The conditional approval did not establish the legal parcel configuration and did not itself create the proposed Lots 1 through 5. The Board's conditions instead required the applicant to complete the parcel-adjustment process and revise the site plan after approval. As a result, the administrative record reflects that:

- the site plan was approved before the legal parcel configuration was established;
- the approved plan remained subject to revision;
- the proposed lots remained conceptual;
- the parcel-adjustment plat had not yet completed Planning and Zoning review;
- no ordinance approving the adjusted parcel configuration had been adopted; and
- the adjusted parcel configuration had not been recorded.

Without completion of each step required by §410.010(G), no legal boundary adjustment exists. Until those steps are completed, the six existing parcels remain the only legally established parcel configuration.

As petitioners' counsel has observed: "If there is a boundary adjustment, there would need to be an ordinance, which approved the boundary adjustment, and that ordinance would have to be passed by the Board of Aldermen as outlined under §410.010(G)(3)." Counsel further noted that, based on this review, "it does not appear that the Board has been following the[se requirements], and there does not appear to be an official boundary adjustment approved in compliance with their ordinances."

This discrepancy is not merely theoretical. Verification of the Missouri DNR stormwater permit for this site shows that the permit was issued based on a **five-lot site plan** — the same conceptual Lots 1 through 5 that Condition 4 of the June 11 approval states were *not* legally created. The same appears true of the approved public water supply district (PWSD) water permit for this site, likewise issued based on the five-lot configuration (see Volume IV, Exhibits G, H, and I). The City is respectfully asked to reconcile how these state and utility-district permits could be issued against a five-lot configuration that, under the City's own approval conditions, does not yet legally exist.

Correcting the sequence would give the applicant, City officials, neighboring property owners, and the public a clear record of the legal parcel boundaries, the requirements applicable to those parcels, and the completed site plan considered by the Planning and Zoning Commission and Board of Aldermen. It also protects the landowner from unnecessary expense: if the applicable zoning review determines that the proposed use, parcel configuration, or site arrangement does not comply with applicable standards, the landowner should receive that determination early — before incurring substantial costs for final engineering, site-plan preparation, roadway design, and drainage plans.

Requested Corrective Action

The petitioners respectfully request that the Board of Aldermen:

1. Rescind the June 11, 2026 conditional site-plan approval.
2. Require the applicant to complete the boundary-adjustment process in accordance with §410.010(G), including submission of the boundary-adjustment plat, Planning and Zoning Commission review and recommendation, Board approval by ordinance, and recording of the approved plat.
3. Require submission of a completed site plan after the adjusted parcel configuration has been legally approved and recorded.
4. Require the completed site plan to proceed through a fresh and substantive Planning and Zoning Commission review and recommendation. That review shall include identification of the precise listed use claimed to authorize the proposed operation; comparison of the operation with the M-1 and M-2 district provisions; application of §405.080(A)(2)(c), §405.100(A), and §405.100(A)(7); consideration of the desirability and compatibility of the proposed operation within the applicable district and at this location; review of all applicable supplemental regulations; and written findings and a recommendation forwarded to the Board of Aldermen.
5. Until the legal parcel configuration depicted by the site plan has been reviewed and recommended by the Planning and Zoning Commission, approved by the Board through ordinance, and recorded in accordance with §410.010(G), the Board should vote No on any revote of the site-plan approval.
6. Conduct a new Board vote only after the parcel-adjustment process has been completed and recorded, and after the Board has received the completed site plan, supporting administrative record, and Planning and Zoning Commission's written findings and recommendation concerning use classification, district fit, desirability, compatibility, and supplemental-regulation compliance.

Conclusion

The petitioners do not request that the Board predetermine whether the proposed asphalt operation should ultimately be approved or denied. They request only that the June 11, 2026 conditional site-plan approval be rescinded and that the application proceed in the proper order: boundary-adjustment review, approval, and recording first; completed site-plan review and approval second.

This corrective action would ensure adherence to §410.010(G) and allow any future decision to be made upon the legally established parcel configuration and a complete, accurate, and clearly documented administrative record.

- **The City** is protected from an approval that could later be challenged as procedurally defective, and maintains a complete, internally consistent administrative record.
- **The landowner** receives an approval that rests on a legally established parcel configuration, saving the cost and delay of rewriting engineering and site plans against boundaries and right-of-way dedications that are not yet secure.
- **The community** receives a clear, accurate public record showing exactly what was approved, on what legal parcels, and under what conditions — before further development proceeds.

Respectfully submitted,
The Petitioners

Shared Materials Incorporated by Reference

To avoid unnecessary duplication and the possibility of inconsistent versions, the following materials are submitted as separate shared volumes and are incorporated by reference into this petition:

Volume III — Shared Community Record ([open volume](#))

- Verified petition signatures current through July 17, 2026
- Community response statistics and charts
- Community issue matrix
- Authorized community comments

Volume IV — Administrative Record and Supporting Documents ([open volume](#))

- Applicable City ordinances and Code provisions
- Board of Aldermen and Planning and Zoning Commission records
- Site-plan materials and approval conditions
- Sunshine Law requests and responses
- Recorder of Deeds correspondence
- Permits, plans, and other supporting records cited or discussed in the petitions

These shared volumes are submitted once for use with both the Board of Aldermen petition (Volume I) and the Planning and Zoning Commission petition (Volume II). They should be preserved, filed, and distributed with each applicable petition as part of the complete submission.