

FILED

JUN 18 2024

JEANNIE GOFF
COUNTY CLERK, JEFFERSON COUNTY, MO

BILL NO.: 24-0540

ORDINANCE NO. 24-0248

INTRODUCED BY: Council Member Tullock

1 **AN ORDINANCE APPROVING APPLICATION PC24023 TO REZONE A**
2 **PARCEL FROM NEIGHBORHOOD COMMERCIAL (NC1) ZONE DISTRICT**
3 **TO PLANNED COMMERCIAL (PC) ZONE DISTRICT AND THE**
4 **DEVELOPMENT PLAN FOR FORCE CABLE LOCATED IN COUNCIL**
5 **DISTRICT 7.**

6 **WHEREAS**, a hearing was held by the Planning and Zoning Commission of
7 Jefferson County, Missouri on May 9, 2024 on Application/Petition Number PC24023
8 for the rezoning of 1.03 acres (per the submitted Development Plan), from Neighborhood
9 Commercial (NC1) zone district to Planned Commercial (PC) zone district, and a
10 development plan for Force Cable on the following described real estate located in
11 Jefferson County, State of Missouri, to-wit: Parcel Number: 03-8.0-34.0-1-001-008;

12 **WHEREAS**, the record of the May 9, 2024, hearing and the recommendation of
13 the Planning and Zoning Commission have been filed with the Jefferson County,
14 Missouri, Council; and

15 **WHEREAS**, the Jefferson County, Missouri, Council has taken official notice of
16 the following items and exhibits filed with and presented to the Jefferson County,
17 Missouri, Council with respect to the Application:

1 a. Jefferson County Planning Division Staff Report to the Planning
2 and Zoning Commission and the case file for this Application;

3 b. The record of the hearing before the Planning and Zoning
4 Commission including the following exhibits:

5 Exhibit A, The Official Master Plan for Jefferson County, Missouri,
6 adopted August 6, 2003, and effective April 2, 2008;

7 Exhibit B, The Code of Ordinances of Jefferson County, Chapter 400:
8 Unified Development Order (UDO) adopted April 2, 2008, as
9 amended;

10 Exhibit C, Staff Report, and case file; and

11 **WHEREAS**, it is found by the Jefferson County, Missouri, Council that:

12 a. All persons required to receive notice of the hearing were notified,
13 all notices were published, and signs posted in accordance with Missouri law and
14 the Unified Development Order.

15 b. The Jefferson County, Missouri, Council has jurisdiction over the
16 subject matter of this application.

17 c. The requested change in zoning is consistent with the intent stated
18 for the Planned Commercial (PC) zone district.

19 d. The requested change in zoning is in accordance with the Official
20 Master Plan of Jefferson County, Missouri.

21 e. The requested change in zoning is in harmony with and is
22 compatible with surrounding and adjacent land uses and properties.

1 f. The requested development plan, as conditioned and modified by
2 this Ordinance, is consistent with the UDO in that the development plan is
3 designed, located, and proposed to be operated so that the public health, safety
4 and welfare will be protected.

5 g. The requested development plan, as conditioned and modified by
6 this Ordinance, is consistent with the UDO in that the development plan will not
7 impede the normal and orderly development and improvement of the surrounding
8 property.

9 h. The requested development plan, as modified and conditioned by this
10 Ordinance is consistent with the UDO in that the development plan incorporates
11 adequate ingress and egress that provides for the efficient flow of traffic.

12 i. The modifications to Chapter 400, Section 400.2620, Section 400.4050,
13 and Section 400.4750 as depicted on the development plan, and as conditioned by
14 this Ordinance, are in the best interest of the County in that the modifications
15 incorporate sound planning principles and design elements that are compatible
16 with surrounding properties and are consistent throughout the proposed project.

17 j. The modifications to Chapter 400, Section 400.2620, Section 400.4050,
18 and Section 400.4750 as depicted on the development plan, and as conditioned by
19 this Ordinance, are in the best interest of the County in that the modifications
20 further the stated goals and intent of the UDO.

1 k. The requested modification to Section 400.5560.D.4 – Requirements for
2 drainage and storm sewers, is not in the best interest of the County in that the
3 modification does not further the stated goals and intent of the UDO.

4 **NOW, THEREFORE, BE IT ENACTED BY THE JEFFERSON COUNTY,**
5 **MISSOURI, COUNCIL, AS FOLLOWS:**

6 Section 1. Application Number: PC24023 an application to rezone 1.03 acres
7 from Neighborhood Commercial (NC1) zone district to Planned Commercial (PC) zone
8 district and a development plan for Force Cable on the real estate described as Parcel
9 Numbers: 03-8.0-34.0-1-001-008, is hereby approved subject to the following regulatory
10 requirements, departmental comments, and the following conditions of approval:

11 **Modifications:**

- 12 1. Approval of the requested modification to Section 400.2620—Driveway
13 Requirements—Corner Clearance.
- 14 2. Approval of the requested modification to section 400. 4050 with the following
15 conditions:
 - 16 a. Parking will need to reexamine if the use changes
 - 17 b. Parking in the rear of the property needs to be delineated with curb stops
- 18 3. Approval with Conditions of the requested modification to Section 400.4750—
19 open space landscaping requirements:
 - 20 a. The undisturbed mature vegetation proposed on the plan remains in place
- 21 4. Denial of the modification from Section 400.5560.D.4 - Drainage and Storm
22 Sewers.

1 5. Approval of the modification from Section 400.4750—Screening requirements

2 with the following condition

- 3 a. The undisturbed mature vegetation proposed on the plan remains in place.

4 **Regulatory Requirements:**

5 Permitted Uses

6 Construction contractor (w/machinery, equipment, and storage)

7 Office

8 Floor Area, Height, and other Building Requirements

9 Maximum Area Ratio: 0.55 FAR

10 Maximum Structure Height: 70 feet

11 Site Development

12 Required Setbacks:

13 Front Yard: 20 feet

14 Side Yard: 15 feet

15 Rear Yard: 20 feet

16 Design Standards

17 The development shall comply with the Suburban Design Standards in
18 accordance with Article VII of the Jefferson County Unified Development
19 Order.

20 Access

21 Access shall be provided in accordance with the Jefferson County Unified
22 Development Order unless modified.

1 Parking

2 Parking and loading shall be provided per the regulation of Article XII of
3 the Jefferson County Unified Development Order, unless modified.

4 Signs

5 Signs shall comply with Article XIII of the UDO. All regulatory signs,
6 including stop signs, speed limit, etc. shall be

7 Lighting

8 Lighting that by color, placement or design resembles or conflicts with
9 traffic control signs is prohibited. No lighting shall contain flashing lights,
10 intermittent lights, animators, or mechanical movements of any kind.

11 Landscaping

12 Landscaping, buffers, and tree protection shall comply with Article XIV of
13 the Jefferson County Unified Development Order, except as specifically
14 modified by this Ordinance.

15 Stormwater and Erosion and Sediment Control

16 Stormwater management and Erosion and sediment control shall comply
17 with Chapter 505: Erosion and Sediment Control / Stormwater
18 Management Design Manual of the Jefferson County Code of Ordinances.

19 Geotechnical

20 A geotechnical study prepared by an Engineer licensed in the State of
21 Missouri shall be required where there is more than 5 feet of cut or 5 feet

1 of fill or slopes greater than 3:1. Where grades are proposed at slopes than
2 3:1 slope stability must be addressed in the study.

3 Noise

4 No operation shall be carried out that involves noise in excess of the
5 normal traffic noise of the adjacent street at the time of the daily peak hour
6 of traffic volume. Noise shall be measured at the property line and when
7 the level of this noise cannot be determined by observation with the
8 natural senses, a suitable instrument may be used, and measurement may
9 include breakdowns into a reasonable number of frequency ranges. All
10 noise shall be muffled so as not to be objectionable due to intermittence,
11 beat frequency or shrillness.

12 **Conditions of Approval:**

- 13 1. A Site Development Plan shall be submitted to the Jefferson County Planning
14 Division in accordance with the Unified Development Order (UDO) of Jefferson
15 County.
- 16 2. A copy of the approved Development Plan incorporating any conditions and
17 approved modifications shall be attached to each set of Site Development plans
18 submitted.
- 19 3. All improvements required in the Development Plan and Site Development Plan
20 must be installed prior to occupancy of the buildings.
- 21 4. If more than one (1) acre of land is being disturbed, the proposed development
22 will require a Jefferson County Land Disturbance Permit.

1 **Departmental Comments:**

2 Survey and existing data:

3 Provide a statement of availability of existing utilities available to serve the
4 project.

5 On preliminary plats, show special former filled areas.

6 Pavement:

7 County: The Engineer shall submit sight distance profiles showing that the
8 required sight distance is met.

9 Access onto a county road shall require 300' of stopping sight distance at 3.5'
10 height of eye and 4.25' height of oncoming vehicle.

11 The engineer shall identify the clearance at the most restrictive point on the
12 profiles.

13 Driveway entrances:

14 Pavement shall meet street thickness standards.

15 Entrance thickness shall provide 6" PCC/4" rock base (or 2" Type C Asphaltic
16 Concrete/4" Type X Asphaltic Concrete/4" rock base).

17 Pavement width for entrance at ROW (including curbs) for two-way traffic shall
18 provide: 26'–42' (Low Volume/Non-Residential driveways). The submittal
19 appears to meet the pavement width requirement.

20 The entrance width shall be provided from the street into the site for a throat
21 length of 20'

22 Parking areas:

1 Parking areas with 5 or more required parking spaces must provide a paved
2 surface of 3” Type C Asphaltic Concrete over an 8” rock base (or 2” Type C
3 Asphaltic Concrete/4” Type X Asphaltic Concrete; or 6” PCC).

4 Parking areas with 4 or less required parking spaces (and contractors storage
5 yards) must provide an 8” rock base minimum.

6 Fire/delivery/freight trucks lanes must be designed to support anticipated loads.

7 Drive aisles width:

8 Drive aisles shall be 24’ wide for all 90-degree parking (one-way and two-way).
9 Drive aisles shall be 20’ wide for all two-way angled parking (0-60 degree).
10 Drive aisles shall be 20’ wide for one-way 0 degree and 60 degrees (if both sides).
11 Drive aisles shall be 16’ wide for one-way for 45 degree and 60 degree (if one
12 side).

13 Pavement shall slope between 1% and 6%.

14 Lighting shall conform to UDO Section 400.2460.

15 Detention:

16 Stormwater shall be detained and released at a rate not to exceed the release rate
17 from the site under the existing (pre-developed) conditions for the 2 and 100-year
18 storm events. Detention/retention basins must also contain an overflow structure
19 capable of passing a 100-year, 20-minute design storm.

20 Channel protection is required to treat the high-frequency, low-severity storm
21 runoff events within the detention basins by metering it out slowly over 24-48
22 hours.

1 Stormwater system shall be designed for the 15-year, 20-minute event. Provide
2 hydraulic calculations and drainage area map for each system.

3 Stream Buffers:

4 The Stormwater Division requires that stream buffers be maintained for stream
5 orders 1, 2 and 3 as required by Section 505.170-B-3 of The Jefferson County
6 Stormwater Design Manual.

7 Walls:

8 Any development where a retaining wall or vertical cut is proposed in an upward-
9 sloping yard shall provide a minimum fifteen (15) foot wide fall zone easement
10 from the bottom of the wall. Any structure requiring the issuance of a Jefferson
11 County building permit, except a deck without walls or a roof, shall not be located
12 within the fall zone easement.

13 A wall over 6' requires a permit from the Building Division.

14 Grading:

15 A geotechnical report, sealed by an Engineer registered in the State of Missouri, is
16 required for previous fill placed at site. Grades at slopes proposed steeper than 3:1
17 must be included in the report for slope stability.

18 A land disturbance permit is required from the Stormwater Department in
19 accordance with Chapter 500.

20 Section 2. The zoning map of Jefferson County, Missouri shall be
21 amended by changing the area where said real estate is located on the map with the
22 marking "PC24023."

1 Section 3. This Ordinance shall be in full force and effect immediately upon
2 passage by the Jefferson County, Missouri, Council as of the date listed below.

3 Section 4. If any part of this Ordinance is invalid for any reason, such
4 invalidity shall not affect the remainder of this Ordinance.

[THIS SPACE INTENTIONALLY LEFT BLANK]

**THIS BILL BEING DULY INTRODUCED, THE MEMBERS OF THE
JEFFERSON COUNTY, MISSOURI, COUNCIL VOTED AS FOLLOWS:**

Council Member District 1, Brian Haskins	<u>yes</u>
Council Member District 2, Gene Barbagallo	<u>yes</u>
Council Member District 3, Lori Arons	<u>yes</u>
Council Member District 4, Charles Groeteke	<u>yes</u>
Council Member District 5, Scott Seek	<u>yes</u>
Council Member District 6, Daniel Stallman	<u>yes</u>
Council Member District 7, Bob Tullock	<u>yes</u>

THE ABOVE BILL ON THIS 10 DAY OF June, 2024:

X PASSED _____ FAILED

Charles Groeteke
Charles Groeteke, County Council Chair

Cherylynn Boyer
Cherylynn Boyer, Council Executive Assistant
Cherylynn

THIS BILL WAS ✓ APPROVED BY THE JEFFERSON COUNTY EXECUTIVE AND EXACTED AS AN ORDINANCE OF JEFFERSON COUNTY, MISSOURI, THIS 18 DAY OF June, 2024.

THIS BILL WAS _____ VETOED AND RETURNED TO THE JEFFERSON COUNTY, MISSOURI, COUNCIL WITH WRITTEN OBJECTIONS BY THE JEFFERSON COUNTY EXECUTIVE, THIS _____ DAY OF _____, 2024.

Dennis J. Gannon
Dennis J. Gannon, Jefferson County, Missouri, Executive

ATTEST:

Jeannie Goff
Jeannie Goff, County Clerk

By Shelley Blankenship
Deputy Clerk

First Reading: 05-28-2024

Second Reading: 06-10-2024

Third Reading: 06-10-2024