

BILL NO. 24-0708

ORDINANCE NO. 24-0717

INTRODUCED BY: Council Member Tullock

1 **AN ORDINANCE APPROVING APPLICATION PM24032 TO REZONE A**
2 **PARCEL OF PROPERTY FROM SINGLE FAMILY RESIDENTIAL (R20)**
3 **ZONE DISTRICT TO PLANNED MIXED (PM) ZONE DISTRICT AND**
4 **DEVELOPMENT PLAN FOR CEDAR HILL MILL LOCATED IN COUNCIL**
5 **DISTRICT 7.**

6 **WHEREAS**, a hearing was held by the Planning and Zoning Commission of
7 Jefferson County, Missouri on June 13, 2024, on Application/Petition Number PM24032,
8 a request to rezone a portion of the following described real estate located in Jefferson
9 County, State of Missouri, to-wit: Parcel Number: 06-7.0-25.0-2-004-008, from Single
10 Family Residential (R20) zone district to Planned Mixed (PM) zone district and
11 development plan for Cedar Hill Mill, and

12 **WHEREAS**, the record of the June 13, 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:

18 a. Jefferson County Planning Division Staff Report to the Planning
19 and Zoning Commission, development plan, and the case file for this Application.

FILED

JUL 30 2024

JEANNIE GOFF
COUNTY CLERK, JEFFERSON COUNTY, MO

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

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

5 Exhibit B, The Code of Ordinances of Jefferson County, Chapter 400:
6 Unified Development Order, adopted April 2, 2008, as
7 amended;

8 Exhibit C, Staff Report and case file;

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

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

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

15 c. The requested change in zoning for Parcel Number: 06-7.0-25.0-2-
16 004-008, is in accordance with the Official Master Plan of Jefferson County,
17 Missouri.

18 d. The requested change in zoning for Parcel Numbers: 06-7.0-25.0-
19 2-004-008, is in harmony with and is compatible with surrounding and adjacent
20 land uses and properties.

21 e. The requested development plan, as conditioned by this Ordinance,
22 is consistent with the UDO in that the development plan is designed, located and

1 proposed to be operated so that the public health, safety and welfare will be
2 protected.

3 f. The requested development plan, as conditioned by this Ordinance,
4 is consistent with the UDO in that the development plan will not impede the
5 normal and orderly development and improvement of the surrounding property.

6 g. The requested development plan, as conditioned by this Ordinance,
7 is consistent with the UDO in that the development plan incorporates adequate
8 ingress and egress and an internal drive network that provides for the efficient
9 flow of traffic.

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

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

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

21 Section 1. Application Number: PM24032, a request to rezone a portion of
22 the following described real estate located in Jefferson County, State of Missouri, to-wit:

1 Parcel Numbers: 06-7.0-25.0-2-004-008, from Single Family Residential (R20) zone
2 district to Planned Mixed (PM) zone district and development plan for “Cedar Hill Mill”
3 is approved subject to conditions, regulatory requirements, and departmental comments:

4 **Modifications:**

5 1. Approval of relief from section 400.4050 – Vehicle Parking by use . A reduction
6 in the required number of parking spaces from 27 spaces to 11 spaces with the
7 condition that events/gatherings that would require more than 11 parking spaces
8 shall not be held at the site.

9 2. Approval of relief from Section 400.2620 – Driveway Requirements – corner
10 clearance.

11 **Regulatory Requirements:**

12 Permitted Uses

13 Land uses shall be permitted per the approved Development Plan. These land
14 uses shall be:

15 Museum or art gallery

16 Design Standards

17 The development shall comply with Suburban Design Standards in accordance with
18 Article VII of the Jefferson County Unified Development Order, except as
19 specifically modified by this Ordinance.

20 Access

21 Access shall be provided in accordance with the Jefferson County Unified
22 Development Order except as specifically modified by this Ordinance.

1 **Parking**

2 Parking and loading shall be provided per the regulation of Article XII of the
3 Jefferson County Unified Development Order except as specifically modified by
4 this Ordinance.

5 **Signs**

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

8 **Lighting**

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

12 **Landscaping**

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

16 **Stormwater and Erosion and Sediment Control**

17 Stormwater management and Erosion and sediment control shall comply with
18 Chapter 505: Erosion and Sediment Control / Stormwater Management Design
19 Manual of the Jefferson County Code of Ordinances, except as specifically
20 modified by this Ordinance.

21 **Geotechnical**

1 A geotechnical study prepared by an Engineer licensed in the State of Missouri
2 shall be required where there is more than 5 feet of cut or 5 feet of fill or slopes
3 greater than 3:1. Where grades are proposed at slopes greater than 3:1 slope
4 stability must be addressed in the study.

5 Noise

6 No operation shall be carried on that involves noise in excess of the normal traffic
7 noise of the adjacent street at the time of the daily peak hour of traffic volume.

8 Noise shall be measured at the property line and when the level of this noise
9 cannot be determined by observation with the natural senses, a suitable instrument
10 may be used, and measurement may include breakdowns into a reasonable
11 number of frequency ranges. All noise shall be muffled so as not to be
12 objectionable due to intermittence, beat frequency or shrillness.

13 General:

- 14 1. A site development plan shall be required
- 15 2. Provide plans at 1"=100' scale, north arrow and location map.

16 Survey and existing data:

- 17 1. Provide property boundary (bearing and distances) for entire project limits.
- 18 2. Include a statement of availability of existing utilities available to serve the
19 project (water, sewer, transportation access, etc).
- 20 3. Provide existing 5' contours per USGS or county datum.
- 21 4. Identify all existing lots, buildings, structures, utility easements, wet/wet-weather
22 watercourses, and significant physical features for entire site.

1 5. Identify public and private ROW, access drives, and road easements for entire
2 site.

3 Proposed development:

4 1. Provide location, dimension, area and general use of all buildings, structures, lots,
5 parking areas, drives, streets, and sidewalks.

6 Pavement:

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

9 2. 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 (minimum 1' of clearance
11 between line of sight and surface/top of grass).

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

14 4. Any vegetation or obstructions of any sort in the line of sight must be identified.

15 Driveway entrances:

16 1. Thickness shall provide 6" PCC (or 2" Type C Asphaltic Concrete/4" Type X
17 Asphaltic Concrete/4" rock base).

18 2. Pavement width for entrance at ROW (including curbs) for two-way traffic shall
19 provide 26'–42'.

20 3. Lighting shall conform to UDO Section 400.2460.

21 Parking areas:

1 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 Drive aisles width (boc):

- 5 1. Drive aisles shall be 20' wide for one-way 0 degree and 60 degree.
6 2. No parking space shall be located within the entrance throat.
7 3. Parking lot spaces shall not be placed in such a manner that vehicles will back
8 into a street.
9 4. Straight back curbing (concrete or asphalt) is required around parking areas.
10 5. Pavement shall slope between 1% and 6%.

11 Sidewalks:

- 12 1. Sidewalks shall consist of 5' width.

13 Detention:

- 14 1. Stormwater shall be detained and released at a rate not to exceed the release rate
15 from the site under the existing (pre-developed) conditions for the 2 and 100-year
16 storm events. Detention/retention basins must also contain an overflow structure
17 capable of passing a 100-year, 20-minute design storm.
18 2. Channel protection is required to treat the high-frequency, low-severity storm
19 runoff events within the detention basins by metering it out slowly over 24-48
20 hours.
21 3. Stormwater system shall be designed for the 15-year, 20-minute event. Provide
22 hydraulic calculations and drainage area map for each system.

1 4. Drainage improvements, including detention shall be designed using the
2 following methods to determine flow quantities: a TR-55 Analysis shall be used
3 to design detention and the Rational method shall be used to design piping
4 systems.

5 5. Roadside ditches/swales may be used only if all lots are over 2 acres in size.

6 Stream Buffers:

7 1. The Stormwater Division requires that stream buffers be maintained for stream
8 orders 1 through 6 as required by Section 505.170.B.3 of The Jefferson County
9 Stormwater Design Manual.

10 Floodplain:

11 1. The Building Division requires a Floodplain Development Permit for any grading
12 or improvements within a known floodplain.

13 2. Show limits of the floodway.

14 3. Show the limits and the elevation(s) of the 100-year floodplain.

15 4. The elevation of all lots and right of way must be elevated at least 1' above the
16 100-year storm event.

17 5. Submit calculations for culverts and bridges within the limits of the floodplain.

18 6. A LOMAR is required for any lots impacted by the floodway.

19 Walls:

20 1. A retaining wall with a height 6 feet or greater will require a building permit from
21 the Code Enforcement Division.

22 Grading:

- 1 1. Submit a geotechnical report, sealed by an Engineer registered in the State of
2 Missouri, as required where more than 5' of cut or 5' of fill is proposed. Grades at
3 slopes proposed steeper than 3:1 must be included in the report for slope stability.
- 4 2. A land disturbance permit is required from the Stormwater Department in
5 accordance with Chapter 500.

6 Section 2. The zoning map of Jefferson County, Missouri shall be amended
7 by changing the area where said real estate is located on the map with the marking
8 “PM24032”.

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

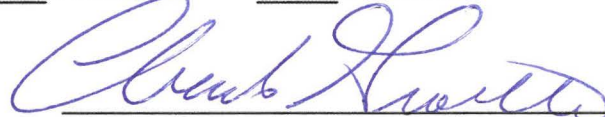
11 Section 4. If any part of this Ordinance is invalid for any reason, such invalidity
12 shall not affect the remainder of this Ordinance.

**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, Dan Stallman	<u>yes</u>
Council Member District 7, Bob Tullock	<u>yes</u>

THE ABOVE BILL ON THIS 22 DAY OF July, 2024:

PASSED **FAILED**




Charles Groeteke, County Council Vice Chair



Cherlynn Boyer, Council Administrative Assistant

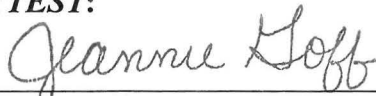
THIS BILL WAS ✓ APPROVED BY THE JEFFERSON COUNTY EXECUTIVE AND EXACTED AS AN ORDINANCE OF JEFFERSON COUNTY, MISSOURI, THIS 26 DAY OF July, 2024.

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

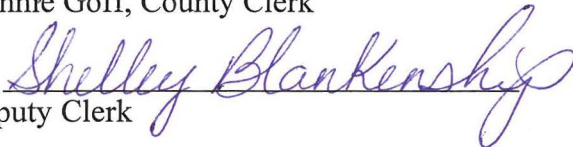


Dennis J. Gannon, Jefferson County, Missouri,
Executive

ATTEST:



Jeannie Goff, County Clerk

By 
Deputy Clerk

First Reading: 07-08-2024

Second Reading: 07-22-2024

Third Reading: 07-22-2024