

NOTICE OF PUBLIC HEARING

PLANNING AND ZONING COMMISSION OF JEFFERSON COUNTY, MISSOURI
NOTICE OF MEETING

Notice is hereby given that the Planning and Zoning Commission of Jefferson County, Missouri, will conduct a meeting at 6:30 p.m., Thursday, March 9, 2023 in the Assembly Room of the Jefferson County Administration Center, located at 729 Maple Street, Hillsboro, Missouri. The public will be given an opportunity to be heard.

The tentative agenda of this meeting includes:

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. APPROVAL OF MINUTES
February 9, 2023
- V. SWEARING IN OF WITNESSES
- VI. INTRODUCTION OF EVIDENCE
- VII. NEW BUSINESS
 1. Consent
 - A. FP23004
The Final Plat for Konert Valley, parcel 02-5.0-22.0-2-001-011., located at 2675 Konert Road, Fenton, in Rock Township and Council District #2.
 2. Consideration
 - A. CC223003
A Request for a Zone Change for parcel 23-2.1-04.0-0-000-070., located at Highway 67 and Lee Pyle Road, DeSoto, in Platin Township and Council District #6, from Single-Family Residential (R-20) Zone District to Non-Planned Community Commercial (CC-2) Zone District.
- VIII. REPORTS TO THE COMMISSION
- IX. CITIZENS TO BE HEARD
- X. ADJOURNMENT

Representatives of the media may obtain copies of this notice by contacting Elaine Roesch, Planning Clerk at 636-797-5580, Jefferson County Planning Division, PO Box 100, Hillsboro, Missouri 63050.

Any person requiring special accommodation under the Americans with Disabilities Act should contact Jefferson County Human Resources at 636-797-5071.

"Please be Advised: Members of the County Council May Be in Attendance at this Meeting"

Petition Number: FP23004

Meeting Date: February 27, 2023

Prepared By: Rachel Krispin

Applicant Information

DEVELOPER NAME: KAB Construction Co. LLC

STREET ADDRESS: PO Box 505, Imperial MO 63052

DESIGN PROFESSIONAL: Govero Land Services

SITE ADDRESS: 2675 Konert Rd, Fenton MO 63026

PARCEL NUMBERS: 02-5.0-22.0-2-001-011

NATURE OF REQUEST: Approval of the Final Plat for Konert Valley

Parcel and Site Information

LOT COUNT: 27

PARCEL SIZE: 12.1 acres (Per Applicant)

EXISTING ZONE DISTRICT: Single-Family Residential (R10)

FEET OF ROAD FRONTAGE: Approximately 650' on Konert Rd

AVAILABLE SERVICES: Public Water, Public Sewer

Regulatory Requirements

PERMITTED USES:

Dwelling, Single-Family

FLOOR AREA, HEIGHT, AND OTHER BUILDING REQUIREMENTS

Minimum Lot Size: 8,000 SQFT

Minimum Lot Width: 50 Feet

Maximum Structure Height: 40 Feet

IMPROVEMENT PLAN/SITE DEVELOPMENT

Required Yards

Front Yard: 25' on Privately maintained roads, 35' on County-maintained roads

Side Yard: 6'

Rear Yard: Rear Yard 30'

Design Standards

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

Access

Access shall be provided in accordance with the Jefferson County Unified Development Order.

Street Improvements

All streets located in the proposed subdivision shall comply with Article VII and Article XVI of the Jefferson County Unified Development Order.

Parking

Parking for the single-family residences shall be 2 per dwelling unit, excluding garage

Signs

Signs shall comply with Article XIII of the Jefferson County Unified Development Order. The developer shall provide all regulatory signs, including stop signs, speed limit, etc. The developer shall provide a sign at appropriate location in the subdivision, which states "Private Maintenance Begins". This will be reviewed at the improvement plan stage if a preliminary plat is approved.

Landscaping

Landscaping shall comply with landscaping requirements as outlined in Article XIII of the Jefferson County Unified Development Order.

Stormwater

Stormwater management shall comply with Chapter 505 of the Jefferson County Code of Ordinances

Erosion and Sediment Control

Erosion and sediment control shall comply with Chapter 505 of the Jefferson County Code of Ordinances

Geotechnical

A geotechnical study prepared by an Engineer licensed in the State of Missouri shall be required where there are more than 5 feet of cut or 5 feet of fill and any slopes steeper than 3:1.

Conditions of Approval

- 1) All improvements must be installed and/or an escrow established.
- 2) Proof of 911 approval for the street name shall be provided to the Planning Division prior to recording the final plat.
- 3) All easements shall appear on the final plat and shall correspond to the location of utilities on the approved improvement plan and in accordance with the Jefferson County Unified Development Order.
- 4) The covenants and restrictions for Konert Valley subdivision shall be submitted when the Record Plat is submitted.
- 5) Proof that the covenants and restrictions have been recorded with the record plat in the Jefferson County Recorder of Deeds shall be provided to the Planning Division.
- 6) Prior to approval of the final plat, the subdivider shall agree in writing on a form provided by the County Counselor that the subdivider will install the minimum improvements provided herein as required by this UDO.
- 7) All improvements installed, approved and/or escrow must be established.
- 8) A note shall be added to the plat stating that no lot shall have direct access to the County Road.
- 9) Easements:
 - a) Per the Jefferson County Public Works Department Stream Buffer Conservation Easements are Required to be shown on the plat and the following language added to the owner's certificate: CONSERVATION EASEMENTS, AS SHOWN, HEREON, ARE ESTABLISHED AS PROTECTED AREAS FOR VEGETATION AND LANDSCAPING ONLY. STRUCTURES OF ANY SIZE, WHETHER TEMPORARY OR PERMANENT, ARE NOT PERMITTED WITHIN CONSERVATION EASEMENTS. STORM SEWER DISCHARGES ARE ALLOWED WITHIN CONSERVATION EASEMENTS. LANDSCAPING MAY ALREADY BE INSTALLED WITHIN THESE EASEMENTS AS APPROVED BY JEFFERSON COUNTY. THE LAND WITHIN THE CONSERVATION EASEMENTS SHALL BE MAINTAINED BY THE APPLICABLE HOA.
 - b) THE CONSERVATION EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED TO THE (INSERT NAME OF HOA) FOR THE PLANTING AND MAINTAINING OF LANDSCAPE VEGETATION AND APPURTENANT LANDSCAPE MATERIALS. THE CONSERVATION AREAS AS SHOWN HEREON SHALL PROHIBIT ANY DISTURBANCE WITHIN SUCH AREAS (INCLUDING

THE PROHIBITION OF FENCES AND PLAYGROUND EQUIPMENT) UNLESS APPROVED BY
JEFFERSON COUNTY.

- c) Swales which are necessary to protect homes from storm water must be on easements (i.e. Lots 11, 12, 14, 15, 16, 17, 18 etc.). If the swale is included within the wall easement, identify easement as wall and stormwater easement.
- d) Sidewalk easements are needed (sidewalks are outside of the streets and within the lots).

A Subdivision of Lot 1 "C" of Lot "B" and Lot "C"
Being a Resubdivision of Lot 1 "A" of The Consolidation of
Lots 1 & 2 of "Kawtel Lot Split"
located in Section 22, Township 43 North,
Range 5 East of the Fifth Principal Meridian,
Jefferson County, Missouri.

[illegible]

COUNTY OF _____

[illegible]

bioactivity analysis

My Target Experience _____

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25°F

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$$\frac{d}{dt} \left(\frac{1}{\rho} \right) = - \frac{1}{\rho^2} \frac{d\rho}{dt}$$

10

177-208

10

11

JENNY MILLERS SCOT

Not to be removed by hand

100% in the first
year.

2022

Signature

0000-0001-9330-3000

duly sworn, did

Application of the State of Michigan regarding instrument is the

and free act and

and state officials, the

10

Model PT-10249

My Town Explorer

[illegible]

1 - Set 1/4" Iron Pin with Cap
 2 - Found 1/2" Iron Pin with Cap
 3 - Set 3/8" Iron Pin with Cap

0 50 100
 Scale 1" = 50'

Basis of Bearing is Grid North.
 All Horizontal Coordinates are
 in Feet. Zone 18N, NAD83
 Projection Used.

Typical lot layout (not to scale)

Labels and dimensions in the diagram:

- Top boundary: 51' N. East (110' East (110' East))
- Right boundary: 6' N. East
- Bottom boundary: 6' Side Edge Line
- Left boundary: 15' N. East
- Internal dimensions: 26' Side Edge Line, 15' N. East
- Internal labels: 20' Rear, 20' Side Edge Line

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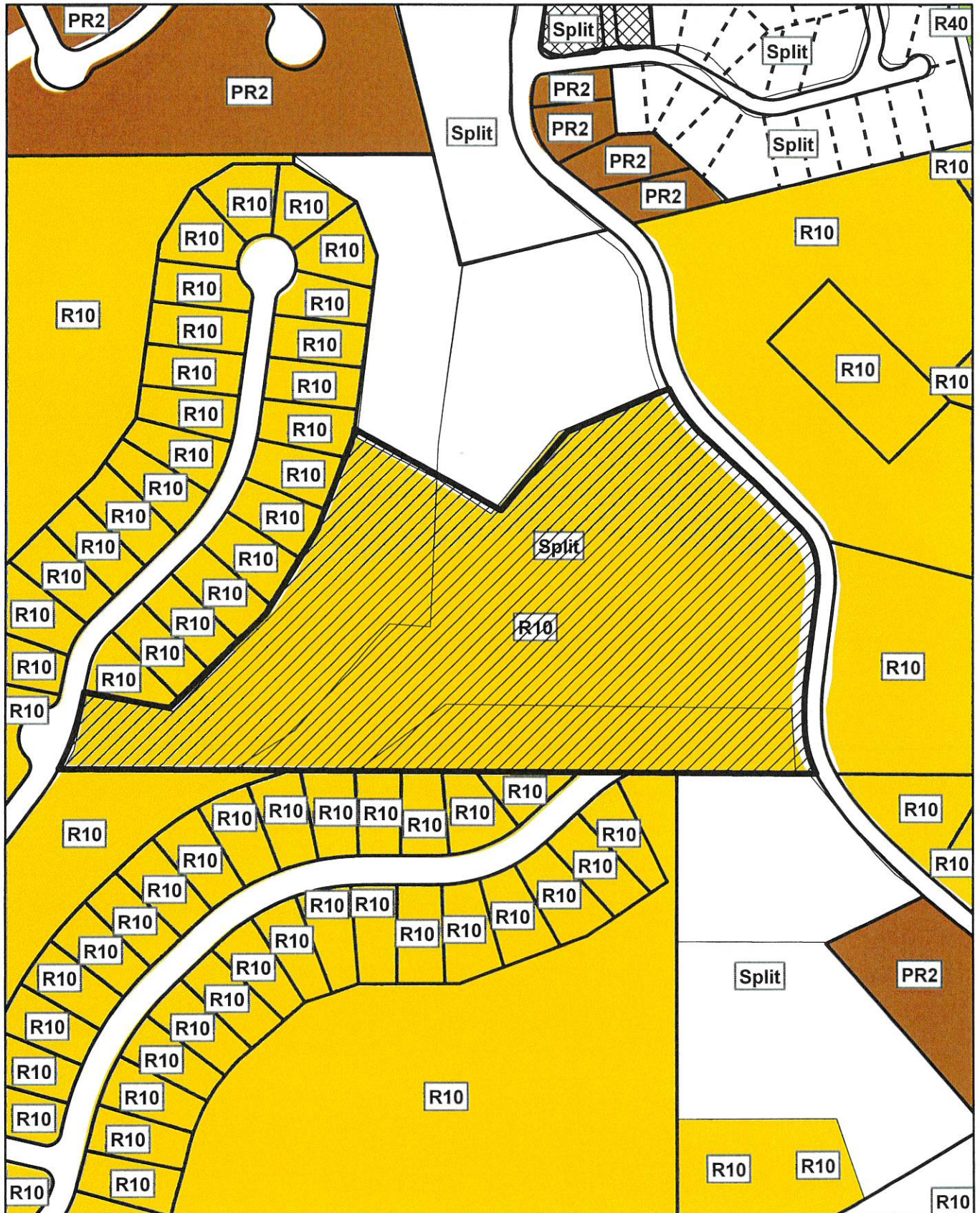
GOVERO
LAND SERVICES, INC.
CLERK/RECORDS MANAGEMENT
SERVICES

SEASONS
BEST PROPERTY HANDLING
CORPORATION
ATTENTION: CHIEF, M. L.
DEPT. 1000

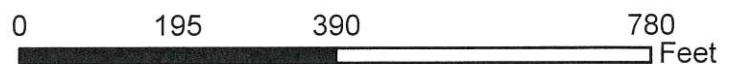
Set 5/6" Iron Plates are to be replaced with plastic
all statements to be set within 1 year of the recording
date.
Date:

[illegible]

FP23004 - Konert Valley



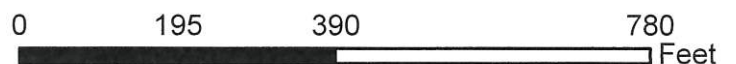
Subject Property



FP23004 - Konert Valley



Subject Property



Petition Number: CC223003

Meeting Date: March 9, 2023

Prepared by: Josh Jump/Planner II

Applicant Information

APPLICANT NAME: Michael Eberhardt

APPLICANT ADDRESS: 15737 State Road T, De Soto

SITE ADDRESS: State Highway 67 and Lee Pyle Rd.

PARCEL NUMBER: 23-2.1-04.0-0-000-070

NATURE OF REQUEST: Rezone from Single Family Residential (R20) zone district to Non-Planned Community Commercial (CC2) zone district.

Parcel and Site Information

CURRENT ZONE DISTRICT: Single family Residential (R20)

COUNCIL DISTRICT: 6

MASTER PLAN DESIGNATION: Secondary Growth Area

DEVELOPMENT PATTERN: Suburban Development Pattern

PARCEL SIZE: 56.65 acres, 25.57 petitioning to be rezoned

FEET OF ROAD FRONTAGE: State Highway 67 - Approx. 2600 ft, Lee Pyle – Approx. 1000 ft.

AVAILABLE SERVICES: N/A

DESCRIPTION OF CURRENT DEVELOPMENT ON PARCEL: The property is currently undeveloped and vacant

Parcel Conditions

TOPOGRAPHY: The property has some elevation challenges. There are several topographical changes across the property, however, the most useable portion without substantial grading is along the state highway frontage.

FLOODPLAIN ISSUES/STREAM ORDERS: N/A

VEGETATIVE COVER/SCREENING: The property is currently undeveloped and substantially covered in dense vegetation.

ADDITIONAL COMMENTS: N/A

SURROUNDING ZONING:

The subject property is located at the intersection of State Highway 67 and Lee Pyle Rd.

To the North:	<u>Zoning:</u> R20 <u>Land Use:</u> Developed Residential
To the East:	<u>Zoning:</u> R20 and R40 <u>Land Use:</u> Public Works highway shed (lawful non-residential use), developed and undeveloped residential
To the South:	<u>Zoning:</u> R40, R20, LR2 <u>Land Use:</u> Developed Residential
To the West:	<u>Zoning:</u> R20 and R40 <u>Land Use:</u> Developed Residential and Athena Elementary School (lawful non-residential use)

Development Pattern/Growth Area

Background

The petitioner met with the county and discussed possible commercial options along the highway without knowing the end users of all the property at the time of submittal. The Non-Planned Community Commercial (CC2) zone district was recommended as it accommodates a wide array of commercial uses. The petitioner then applied on January 31, 2023, to rezone the 25.57 acres along the state highway leaving the remaining 31+ acres as Single-Family Residential (R20).

Official Master Plan

The subject property is located within the Secondary Growth Area on the Preferred Growth Alternative Map. The growth policies for this area include the following:

1. Development within the "Primary and Secondary Growth Areas" shall be required to utilize or extend public infrastructure systems, including water, sewer and roads.
2. Septic or on-site wastewater treatment systems shall be discouraged in the "Primary and Secondary Growth Areas" and lots with existing systems in these areas should be connected to public sewer when physically and financially possible.
3. Development will be one of the eight development patterns as defined by this plan. Commercial and employment centers shall be located within either the municipality or the "Primary Growth Area," immediately adjacent, and it shall have direct access to a County, State or Federal highway.

Suburban Development Pattern

The Suburban Development Pattern is the most appropriate pattern of development for the proposed development along US Highway 67. The Suburban Development Pattern is appropriate in areas with access to services, with characteristics of access being adjacency and strong transportation connections.

Analysis

The property is located in the secondary growth area with a suburban pattern where the County Master Plan calls for the following in relation to commercial development in the secondary growth area:

A variety of land uses exist in the Suburban pattern spanning all categories (residential, commercial, industrial). These land uses are separated based on broad classifications of uses. Non-residential development tends to occur in large strips along major roads.

The proposed area of rezoning directly fronts on a major state highway. Though not directly near the subject property, there is substantial commercial zoning both north and south on state highway 67. The property also fronts on a county-maintained road (Lee Pyle Road). The frontage along a major state highway would be less than ideal for residential development give both the high rate of travel and traffic on the state highway.

The subject property is adjoined by residential uses; however, Site Development plan approval will be required before any commercial use occupies the property. This includes review of screening, stormwater, landscaping, road and entrance improvements, and all other regulatory requirements to lessen any potential impact to the adjoining property owners. The petitioner would also need to subdivide the commercial portion into a separate parcel should the petition be approved.

Regarding the zone change itself, staff feels the requested zoning demonstrates an efficient pattern of development, given the way commercial uses have been located along the state highway corridor in the area, and meets the purpose and intent of the CC2 zone district.

Section 4, Township 39 N, Range 5 E
Jefferson County, Missouri



PARCEL NUMBER: 232.104.00000070.
CURRENT ZONING: R20
PROPOSED ZONING: CC2 (26.67 ACRES)
SITE ACREAGE: 56.65 ACRES
NO PART OF THIS TRACT IS LOCATED IN

ANTHONY SCAMITTA JR TRUST
2021R-021059
10/02/24

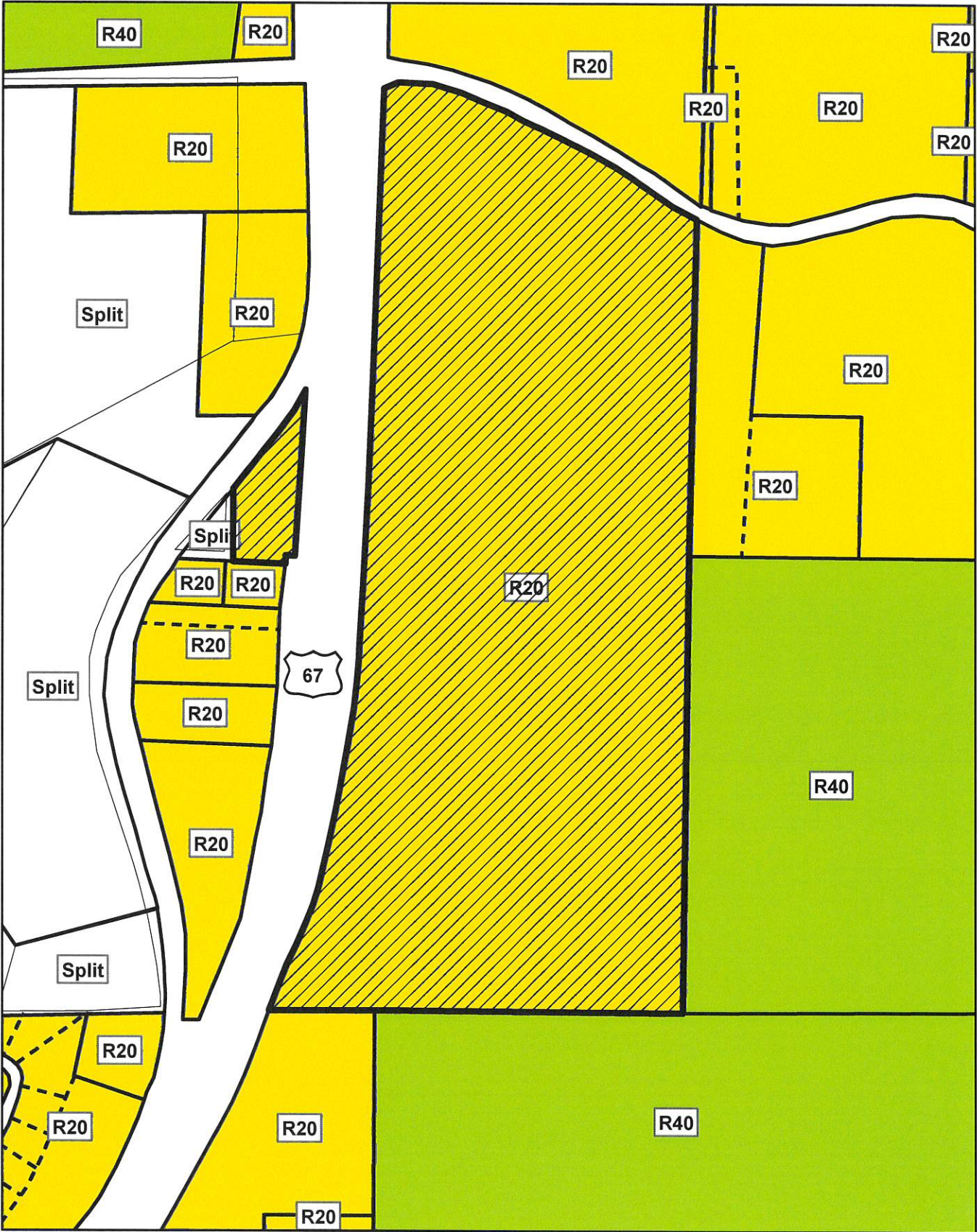
JEREMY & KATIE STATZEL
2020R-026633
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HENEGHAN AND ASSOCIATES, P.C.
1829 RICHARDSON ROAD
ARNOLD, MISSOURI 63010
PHONE NO. (636) 464-3610
FAX NO. (636) 464-2056
www.heneghan.com
PROFESSIONAL ENGINEERING CORPORATION LICENSE NO. 001310

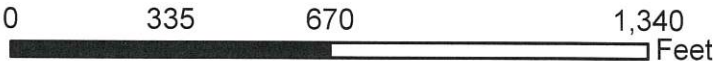
ZONING EXHIBIT

NO.	DATE	REVISIONS
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CC223003 - Eberhardt



Subject Property



CC223003 - Eberhardt



Subject Property

