

NOTICE OF PUBLIC HEARING

JEFFERSON COUNTY, MISSOURI, COUNCIL NOTICE OF MEETING

Notice is hereby given that the Jefferson County, Missouri, Council will conduct a meeting on Monday, July 26, 2021 at 6:30 p.m. in the Assembly Room of the Jefferson County Administration Center, located at 729 Maple Street, Hillsboro, Missouri. Due to the pandemic, social distancing will be observed, and seating will be limited.

The tentative agenda of this meeting includes:

- I. CALL TO ORDER
- II. INVOCATION
- III. PLEDGE OF ALLEGIANCE
- IV. ROLL CALL
- V. PUBLIC COMMENTS
- VI. APPROVAL OF AGENDA
- VII. APPROVAL OF THE JOURNAL
- VIII. SWEARING IN OF WITNESSES
- IX. INTRODUCTION OF EVIDENCE
- X. ZONE CHANGE HEARING
 - A. PM21031
A Request for a Zone Change and Development Plan approval for parcel 13-2.0-03.0-001., located at 7575 Skullbones Road, Dittmer, in Big River Township and Council District #7, from Large Lot Residential (LR-2) Zone District to Planned Mixed Use (PM) Zone District and Development Plan approval for Skullbones Campground.
NOTE: The hearing on this matter is continued pending further legal review regarding the adequacy of the protest petition.
 - B. VR21054
A Request To Vacate the Plats of Huntington Trails Phase 11, Lots 81 through 90, a subdivision recorded in Plat Book 257, Page 10 of the Land Records of Jefferson County, Missouri; and Huntington Trails Phase 12, Lots 68 through 73, a subdivision recorded in Plat Book 257, Page 11 of the Land Records of Jefferson County, Missouri, Located In Council District 5.
- XI. ADJOURNMENT

Representatives of the media may obtain copies of this notice by contacting Leah Smith of the County Executive Office, Jefferson County, Missouri, PO Box 100, Hillsboro, Missouri 63050, 636-797-5400. The custodian of records contact for the County Council is Cherlynn Boyer, who may be contacted at 636-797-5517. Any person requiring special accommodation under the Americans with Disabilities Act should contact Human Resources at 636-797-5071.

Jefferson County, Missouri

PLANNING DIVISION

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County Council
Jefferson County, Missouri
Meeting Date: July 26, 2021

Staff Report

General Information:

Petition Number: PM21031
Petition Name: Skullbones Campground

Petitioner Name: James Jochens
Street Address: 104 Skullbones Hill Road
City, State: Dittmer, MO 63023

Design Professional: VonArx Engineering
Street Address: 10785 Business 21
City, State: Hillsboro, MO 63050

Location of Site: Subject property is located at 100-151 Skullbones Hill Road, and 7575 Skullbones Rd. approximately .5 miles from the intersection of Skullbones Rd. and Ficken Rd (a county-maintained road).

Requested Actions: 1. Rezone 22.40 acres (Assessor's records) from Large Lot Residential (LR2) to Planned Mixed Use (PM); and,
2. Development Plan approval for Skullbones Camp, a multi-use event venue site.

Size of Tracts: 22.40 Acres (Assessor's Records)
Parcel Numbers: 13-2.0-03.0-0-000-001
Existing Zone District: Large Lot Residential (LR2)
Council District: #7
Township: Big River

School District: Northwest
Fire District: Cedar Hill Fire
Water District: PWSD #8
Sewer District: Jefferson County PSD

Prepared By: Josh Jump, Planner II
Date: May 18, 2021
Recommendation: Denial

Attachments:

1. Aerial Map
2. Zoning Map
3. Development Plan
4. Modification Request

Subject Property

The subject property is located at 100-151 Skullbones Hill Road, and 7575 Skullbones Rd., approximately .5 miles from the intersection of Skullbones Rd. and Ficken Rd (a county-maintained road) in Dittmer. The site was formerly in use by Skullbones Camp. That use however, ceased several years ago. There is currently a wide array of structures that span an array of uses. There are three (3) single family homes on the site including the main house (proposed to be used for wedding venue) as well as recreational sand volleyball court, a recreational pool with accompanying facilities, an outside patio/bar area with tables, a number of RV pad sites with hookups, cabins for overnight stays, and some utility style buildings.

According to FEMA's Flood Insurance Rate Map, there are portions of the property that are adjacent to Skullbones Creek that are in the 100-year floodplain, there is also a stream order 3 that traverses the entirety of the property running north to south across the 20 acres.

Surrounding Areas

The surrounding area is composed primarily of agricultural and residential uses. The zone districts and land uses surrounding the subject property are as follows:

To the North:	<u>Zoning:</u>	R40 & R7
	<u>Land Use:</u>	Developed and Undeveloped Residential
To the East:	<u>Zoning:</u>	LR2
	<u>Land Use:</u>	Undeveloped and Developed Residential
To the South:	<u>Zoning:</u>	LR2
	<u>Land Use:</u>	Developed Residential
To the West:	<u>Zoning:</u>	LR2
	<u>Land Use:</u>	Undeveloped and Developed Residential

Background

Prior to the adoption of zoning the site was used as a campground (Skullbones Camp). That use ceased to exist for a number of years and the property recently started being used as a commercial recreation use as well as wedding venue. A meeting with the parties hired by the petitioner was setup with the staff and conducted on March 2, 2021. The Planned Mixed (PM) district was the only zoning district in the county that encompassed the wide variety of land uses sought by the petitioner. A development plan and modification letter were submitted on April 29, 2021.

Official Master Plan

Growth Area

The subject property is located in the Secondary Growth Area on the Preferred Growth Alternative Map. This area is potentially suitable for all development patterns including Mixed-Use, Suburban, Large Lot, Rural Cluster, and Rural. The most appropriate development pattern in this case is a Large Lot Pattern. This development pattern will be used to determine the design criteria applied to the property.

Large Lot Development Pattern

The Large Lot Development pattern is the most appropriate pattern of development for the proposed uses. The Large Lot Pattern is appropriate in the Secondary Growth Area when the following site criteria exist:

Land Uses	Primarily single family residential. Some commercial or industrial development may begin to occur in strips along major roads, particularly at the more dense end of the Large Lot range (i.e.: 2 acre lots).
Edges / Transitions	At the larger, less dense end of this pattern, edges and transitions function similarly to Rural Development Patterns. These edges and transitions can either be sharp – as in the case of a transition to a “Mixed-use” – or less distinct, with small changes in density in adjacent areas. At the smaller, more dense end of this Development Pattern, edges and transitions become vague as the Development Pattern attempts to assimilate qualities of different development patterns (urban and rural) in one pattern. Buffers and separation generally characterize edges and transitions among uses within this pattern.
Open Space	Open space is generally disjointed, as it is provided primarily by large individual private lots. Significant natural resources may warrant protection or public acquisition of open space in isolated locations. Public open space may exist as part of a formal, community-wide planning effort, but it is typically not integrated with any commercial or residential development.
Street network / Transportation	The street network is primarily major county roads and private lanes serving as access to a single or small collections of lots. Connectivity is provided only by major county roads. Automobiles are needed for most trips, and transit or para-transit service is not practical. Increasing density will generate increased traffic on these roads, creating potential demand for future widening of major roads.
Service Infrastructure	Generally individual systems of wells and septic.
Community Infrastructure	Fire, police, schools, parks and other community infrastructure is typically supplied by existing, although remote facilities. Large Lot patterns, particularly in the 2 to 5 acre range, can begin to burden existing community infrastructure. New facilities must be phased in as subdivisions increase, but they may be difficult to provide efficiently.
Lot sizes	Variable in the 2 to 5-acre range.
Criteria for Implementation	♦ Traffic impact becomes a primary determinant of development projects as vehicle miles traveled increase with this pattern. ♦ Private service infrastructure must be carefully evaluated in terms of cumulative impacts and long-term maintenance. ♦ Community infrastructure (fire, schools, parks) must be provided by existing remote facilities, with careful attention to cumulative effects in service levels. ♦ Generally not appropriate for areas with significant natural features worthy of preservation. ♦ Generally not appropriate for targeted Growth Areas due to the sustaining low-density pattern that consumes developable land and resources more rapidly. ♦ Can be appropriate in the Growth Area where adequate services such as public water, sewers and roads are not existing and are not economically feasible within the next 20 years, and where the topography allows only low-density development.

Unified Development Order

PM – Planned Mixed Use District

It is the intent and purpose of the PM – Planned Mixed Use District to permit the most efficient use of land that combines a variety of commercial, office, residential and public uses. The district is designed to have uses that are centrally located and compact so that maximum convenience is afforded the users and occupants of the district and the following intent and applicability:

1. To allow greater flexibility in development standards (lot coverage, setbacks, building heights, lot sizes, etc.) to facilitate adaptation of development to the unique conditions of a

particular site, while providing higher standards of site design and building design, a high level of environmental sensitivity, and more satisfying living and working environments than can be achieved under the standards of other zoning districts.

2. To promote a streetscape that encourages buildings to be moved forward adjacent to the front yard setback line or adjacent to the required landscape improvements.
3. To encourage pedestrian friendly development.
4. Permit a mixture of uses that, with proper design and planning, will be compatible with each other and with surrounding uses or zoning districts.
5. An area may be considered for rezoning to PM District if any one of the following conditions exist:
 - a. More than one land use or land use intensity is proposed for development on a single parcel, where only a single use is permitted under other zoning classifications; or
 - b. Different land uses that would not otherwise be permitted to locate within the same zoning district are proposed for development on one or more adjacent parcels under single or separate ownership.

Residential Uses – Characteristics:

1. The PM district may allow for a more flexible placement, arrangement and orientation of residential structures, with accompanying flexibility in the subdivision of land and the grouping of open space and accessory facilities such as garages and parking.
2. The PM district also may provide for a mixture of housing types (single-family, two- family.
3. The proposed residential development should incorporate natural features.

Office Uses – Characteristics:

1. The PM district may contain office and institutional uses compatible with the surrounding area.

Commercial Uses – Characteristics:

1. The PM district may provide for maximum attainable commercial usage of property while ensuring development consistent with the adopted County long-range plans.

Mixed Use Design Standards – Objectives

Residential Uses:

1. Encourage developments with mixtures of densities, lot sizes, and housing types.
2. Foster neighborhood security with means for maintaining activity at all times of the day.
3. Encourage linking neighborhoods with safe, attractive pedestrian connections both along the street and on open space greenways.
4. Connect residences to each other and to neighborhood parks, schools, public facilities, and shops with direct pedestrian pathways.
5. Encourage interconnectivity among neighborhoods to distribute traffic evenly and avoid excessive traffic on any one street and limit traffic cutting-through from one neighborhood to another or from one County maintained road to another.
6. Minimize cut-through traffic within a neighborhood by providing a safe access configuration for internal and external traffic movement and design streets with appropriate speeds based upon the intended use, allowing for narrower widths and other traffic calming measures.
7. Encourage parks and community facilities.

Non-residential Uses:

1. Provide a focal point for neighborhoods surrounding office and commercial development.
2. Allow a mixture of non-residential and residential uses to occur in a compact, pedestrian friendly manner.

3. Allow vehicular access to the varied activities that occur in the mixed-use development pattern, but never at the expense of pedestrian safety.
4. Encourage buildings with diverse and interesting architectural styles that allow mixed-use developments to attain a unique identity in the County.
5. Prescribe compact development patterns that preserve rural qualities of outlying areas.

Minimum Site Requirements:

1. The minimum size for a Planned Mixed Use development shall be as established on the approved development plan.
2. The site shall access a public street.

Development Plans

A Development Plan is intended to establish regulations and restrictions that are in harmony with the general purpose and intent of the UDO, but in a manner that allows the regulations to differ in one or more respects from the zoning regulations that are generally applicable to the underlying zoning districts.

Development Plan – Objectives – Section 400.1390

The objectives of the Development Plan process are:

1. To permit the use of more flexible land use regulations.
2. To provide latitude in the location of buildings, structures, open spaces, play areas, parking, roads, drives and variations in setbacks and yard requirements.
3. To facilitate use of the most advantageous techniques of land development.
4. To encourage the combination and coordination of architectural styles, building forms and relationships.
5. To encourage the conservation of existing natural resources and maintain the character of the County.
6. To limit specific uses within the underlying zoning district to a particular Development Plan when it is deemed more appropriate and/or compatible to surrounding, uses, proposed or future uses or when deemed to be in the best interest of the of the community to limit the uses, based on existing and / or proposed traffic conditions and / or concerns and other land use concerns.

Development Plan – Criteria for approval – Section 400.1230D

According to the UDO, the applicable zoning district regulations are to be used as a guide for the review of the Development Plan. Conditions or restrictions may be imposed. These conditions or restrictions may be required prior to submittal of a Preliminary Plat or Site Development Plan. The Planning Commission and County Council may consider the following criteria:

1. Whether the development is designed, located and proposed to be operated so that the health, safety, and welfare of the public will be protected.
2. Whether the development will impede the orderly development and improvement of surrounding property.
3. Whether the development incorporates adequate ingress and egress and an internal street network that provides for the efficient flow of traffic.
4. The criteria set forth in Section 400.1140D as follows:
 - a. The character of the neighborhood.
 - b. The existing and any proposed zoning and uses of adjacent properties, and the extent to which the proposed use is compatible with the adjacent zoning and uses.

- c. The extent to which the proposed use facilitates the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.
- d. The suitability of the property for the uses to which it has been restricted under the applicable zoning district regulations.
- e. The length of time, if any, the property has remained vacant as zoned.
- f. The extent to which the proposed use will negatively affect the character of the property and neighboring property.
- g. The extent to which the proposed use will seriously injure the appropriate use of, or detrimentally affect, neighboring property.
- h. The extent to which the proposed use will adversely affect the capacity or safety of the portions of the street network impacted by the use, or present parking problems in the vicinity of the property.
- i. The extent to which the proposed use will address and conserve the natural resources of the site, effectively manage storm water runoff, and prevent air, water, and noise pollution and conserve habitat.
- j. The impact the proposed use has on achieving the goal of economic diversity in the community.
- k. The ability of the applicant to satisfy any requirements applicable to the specific use imposed pursuant to this UDO.
- l. The extent to which public facilities and services are available and adequate to meet the demand for facilities and services generated by the proposed use.
- m. The gain, if any, to the public health, safety and welfare due to approval of the application as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.
- n. The conformance of the proposed use to the Official Master Plan and other adopted planning policies.
- o. The analysis by professional staff.

In accordance with Section 400.1240, any substantial changes to an approved Development Plan may only be approved by the County Council after review and recommendation by the Planning and Zoning Commission.

Proposed Development Plan (received April 29, 2021)

The Development Plan shows the 22.40-acre subject property being developed as a banquet facility (wedding venue), outdoor recreational facility (volleyball courts, pool, campground/cabins), and single-family residence site. The existing structures on site are shown to remain – i.e. the residential structures, smaller accessory buildings, pool, volleyball courts, and pavilion. There is an additional pavilion proposed as well. The structures are proposed to be used for a wide array of uses across the entirety of the 22.40-acre site.

The only proposed new structure for the site is a 50'x70' pavilion. There are a total of six (6) buildings, including three (3) homes, an existing pavilion, and two auxiliary structures that are proposed to stay. The entrance to the site extends from an existing entrance off Skullbones Rd. (a private road) located about .5 miles from the intersection of Ficken Rd. (A county-maintained road). The property then uses Skullbones Hill Rd. (a private road) to access some of the various parts of the development. There is a proposed undeveloped portion of the subject property, which is a large portion of the site shown as remaining wooded.

Proposed Uses

The following uses are proposed:

Dwelling, single-family detached

Banquet Facilities (wedding venue)
Outdoor recreational facility (volleyball courts, pool, campground/cabins)

Access

The existing entrance/exit is off of Skullbones Rd., which continues back to additional properties. The development is proposed to use Skullbones Hill Rd., which branches off from Skullbones Rd. on the subject property, as an access to various parts of the development as well. The property does not have direct access to a county-maintained road. The connection to a county-maintained road is approximately .5 miles from the subject property at the intersection of Skullbones Rd. and Ficken Rd. (The county-maintained Rd.) The petitioner has requested numerous modifications from the UDO with regard to improvements that would be required to the network of private roads leading to the property.

Parking

The Development Plan shows two (2) parking areas on the western side of the subject property. The parking areas proposes a total of 103 parking spaces. There is also a modification to propose no ADA accessible spaces. There are a total of twenty (20) spaces proposed for the banquet facility (wedding venue), and an additional eighty-three (83) proposed for the recreation area. There is also a modification to allow for all gravel parking spaces.

Landscaping

The Development Plan shows existing vegetation and wooded areas of the subject property to remain in place. The existing vegetation will account for the required street frontage and open yard area landscaping.

Commercial

As previously mentioned, the petitioner is proposing to use the subject property as a venue site for wedding and outdoor recreational activities. The proposed structures pictured on the Development Plan are intended to accommodate events like weddings, receptions, volleyball tournaments and leagues, overnight stays, and a campground.

Modifications

In accordance with Section 400.1230E the Planning Commission may recommend, and the County Council may approve modifications on the Development Plan when the petitioner requests to modify one or more of the restrictions or regulations of the UDO. Modifications should be consistent with the criteria for Development Plans, in the best interest of the County, incorporate sound planning principles and design elements that are compatible with surrounding properties, be consistent throughout the proposed project, effectively utilize the land, upon which the development is proposed, and further the goals and intents of the UDO.

The petitioner is requesting the following modifications:

1. Relief from **Article V Section 400.1670 – Building Setbacks** a request for complete relief from any and all building setback requirements. Petitioner is requesting this modification in order to both keep the buildings as they are located on the site and to have the newly proposed pavilion located as per the plan on the site.

The proposed pavilion appears it can meet the standard setbacks in other commercial districts, its located approximately 70' from the edge of ROW. There are no identified setbacks for the Planned Mixed-Use district in the UDO. The setbacks are identified as "per approved plan." The additional structures have existed for some time, but also appear to meet standard commercial setbacks from ROW.

Staff believes there should be minimum setbacks outlined below:

For structures associated with indoor use (banquet facility):

Front: 25' (any ROW) the existing mobile home adjacent to Skullbones appears to be approximately 20' (staff has no issues with the existing structures encroaching), but would like to see the permanent setbacks put in place for future structures.

Distance from any residentially zoned neighboring property: 50'

Rear: 20'

For uses associated with the outdoor recreational facility (volleyball courts, pavilions, campground/cabins, all parking lots):

No building or facility shall be nearer than one hundred (100) feet and no driveway or parking area shall be nearer than fifty (50) feet from adjacent property lines.

2. Relief from **Article VII Section 400.2560 – Street Standards, Minimum Pavement Standards** – to eliminate the requirement for minimum paving standards outlined below. The petitioner is seeking to keep the gravel streets.

The UDO requires a street thickness of 6" PCC (or 2" Type C Asphaltic Concrete/5" Type X Asphaltic Concrete/4" rock base). The existing gravel base is of unknown thickness and has had less stable creek gravel added to the top.

3. Relief from **Article VII Section 400.2580 – Curb Radii** – the petitioner is seeking to use the current configuration of curbs.

The UDO requires a minimum of 30' curb radius at the intersection of a Local Access Street with a County Road. This is intended to allow turning movements without crossing into the opposite lane. The existing entrance is over 30' in width and therefore allows adequate room for turning movements.

4. Relief from **Article VII Section 400.2560 – Sight Distance Profiles** – the petitioner is seeking relief from the requirement to provide sight distance profiles.

The existing sight distance is unknown to Staff. As a matter of public safety, sight distance profiles are required on every new project which is submitted. This is a standard requirement for any commercial development being developed in the county to ensure proper roadway safety and that ingress and egress points can be used safely.

5. Relief from **Article VII Section 400.2550 – Minimum Right of Way and Improved Surface Width**. The petitioner is seeking to use the infrastructure currently in place for the proposed commercial development.

Skullbones Road (AKA Skullbones Creek Road) will serve as an access road for the development since it crosses several other properties between the County Road and the project property. The road must meet access road requirements from Ficken County

Road through the entire site (serves other properties beyond the site limits). Staff has analyzed this access road as carrying medium volume traffic since the facility will have both recreational sports leagues, RV parking , a swimming pool and a wedding venue etc. The road continues through the subject property to serve other residential properties.

The UDO requires a 22' wide road in a 28' Right of way (or easement). The existing road varies in width from 15' wide near the entrance narrowing to as little as 10 feet in places. There is a gate near the entrance which narrows to 14'. There is no Knox Box or other provision for emergency personnel to access the road if the gate is closed.

Just beyond the gate is a narrow box culvert (14' wide and about 8 feet high) with no guardrail protection. There are other narrow culverts on the road with no guardrail protection. The existing road easement is only 10' wide and provides no legal room for cars traveling in opposite directions to pass, since they need to drive on private property where no easement exists in order to meet and pass one another.

The road is in floodway and or floodplain for much of its run, including parts of the project site. It was washed out entirely by a flood in recent years. Should there be an emergency situation, access would be problematic for first responders.

In addition to UDO requirements, Chapter 5, section 503.2.1, of the International Fire Code, which has been adopted and incorporated into the Jefferson County Building Code requires specific dimensions for fire apparatus vehicles.

"Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, exclusive of shoulders, except for approved security gates in accordance with section 503.6 and an unobstructed vertical clearance of not less than 13 feet 6 inches."

6. Relief from **Article VII Section 400.2610-Driveway Requirements-Width**. The petitioner is seeking to use the existing access drive in its current condition for the proposed development.

The onsite driveways provide access from Skullbones Road to the wedding venue, parking lots, pool etc. The existing drives vary in width from as little as 10' wide to over 80' in width on one of the parking lots. Entrances which are narrower or wider than what is allowable by the UDO are undesirable as they inhibit the safe and smooth flow of traffic.

This also could pose an issue to emergency vehicles needing to access to the property. The same Building Code requirement listed in modification #5 is also applicable in this situation.

7. Relief from **Article XII Section 400.4100 – Requirements for Design and Improvements of Parking Lots** – the petitioner is seeking relief from paving the parking lots and using gravel lots instead.

The allowance for gravel parking lots have been a common occurrence in the more rural settings and past projects in those rural settings. Staff sees no issues with the request for gravel parking lots so long as spots are clearly delineated with proper curb stops.

8. Relief from **Article XII Section 400.4110 – Accessible Parking Spaces for the disabled** – petitioner is seeking relief from providing the proper number of ADA parking spaces.

Every commercial development proposed and developed in the county requires a certain number of ADA spaces. This is required of every development and staff does not see any reason the development cannot provide adequate ADA spaces. To request a rezoning to allow for a large commercial development while also requesting to provide no accessible spaces is unreasonable.

9. Relief from **Article XIV Section 400.4690 – Parking lot Landscaping and Trees**. The petitioner is seeking relief from the requirement of providing parking lot landscaping and trees.

There have been projects previously approved in rural settings where natural landscaping is to remain where this request has been granted. Planning staff does not see any injurious effect from the granting of this request.

10. Relief from **Section 505.170 – Erosion and Sediment Control/Stormwater**- Relief from encroaching in the Stream Buffer 3 (Skullbones Creek)

The existing structures that are encroaching have existed for some time and the newly proposed pavilion is located outside the stream buffer. The stormwater division provides the analysis of the request and has the following conditions of approval.

1. Concrete washout onsite for concrete work as required by stormwater code.
2. No trash containers or construction material stored in the stream buffer
3. All vegetation must be re-established after construction is completed.

Analysis

Zone Change

Existing Zoning

The subject property is surrounded by residential zone districts (R7, R40, and LR2). The subject property is similarly zoned Large-Lot Residential (LR2) zone district. In addition to the entire area being zoned residentially, the subject property is completely surrounded by residential uses. There is nothing unreasonable about a property that is surrounded LR2, R40 and R7 zoning being zoned LR2. Therefore, the current zoning classification of the property is reasonable.

The request to change the zoning to the Planned Mixed Use (PM) zone district is inconsistent with the performance and design standards for the PM zone district in that the site does not access a public street as required, but rather is accessed by a private, gated, one lane road. Therefore, the subject property in addition to being reasonably zoned as LR2 does not even meet the minimum site requirements for the PM zone district.

The following criteria are to be utilized when considering a zone change to a planned zone district:

1. **Character of the neighborhood** – The proposed use for a commercial recreational facility and banquet center does not fit with the character of the neighborhood, which

is almost exclusively residential in nature. The property is accessed by a private, gated, one lane road that runs through the floodplain and floodway. The character and aesthetic of the neighborhood do not support an outdoor recreation and commercial banquet facility use.

2. **The existing and any proposed zoning and uses of adjacent properties, and the extent to which the proposed use is compatible with the adjacent zoning and uses.** The adjacent properties are currently used for single-family residential purposes on mostly large tracts of land that are heavily wooded. There are no commercial land uses until the main intersection of Ficken and State Highway 30. That is roughly a half mile from the subject property's northern property line. The commercial uses proposed are not compatible with the existing residences along Skullbones Rd.
3. **The extent to which the proposed use facilitates the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.** The road network as proposed is inadequate under the UDO to support a commercial use such as the one proposed. This could potentially create dangerous situations in regard to safe transportation to and from the property.
4. **The suitability of the property for the uses to which it has been restricted under the applicable zoning district regulations.** The subject property is reasonably zoned under its present LR2 zoning classification. The subject property, as are all adjacent properties is suitable for the uses permitted within the LR2 zone district. The combination of land uses sought by the petitioner makes the petition out of place and out of character for the site.
5. **The length of time, if any, the property has remained vacant as zoned.** The property is currently zoned LR2 and is primarily designated for Large Lot Residential. The additional commercial uses elevate the intensity of usage outside what could be sought under the current zoning. It should be noted that use of the site for the various proposed commercial uses has already commenced (overnight camping, volleyball leagues, wedding events have all been occurring at the property prior to approval).
6. **Extent to which the proposed use will negatively impact the character of the property and adjoining properties** – The proposed development plan could potentially have impacts on the stream and low density, heavily wooded areas that surround the property. This is especially true on the southern property line where parking for the commercial development is pushed up pretty closely to a neighboring residential property.
7. **Extent to which the proposed use will injure the appropriate use of, or detrimentally affect, neighboring property** – Staff believes that the inadequacy of the transportation infrastructure could lead to issues regarding public safety. The plan as proposed fails to address those concerns both internally and externally (offsite improvements that would be required for this use). Large numbers of vehicles utilizing the property for weddings, receptions, athletic events, etc. will create additional noise, traffic, and dust along Skullbones Rd. Additionally, outdoor athletic events have the potential to create excessive noise and light pollution that will negatively impact surrounding residential uses. Skullbones Rd. does not dead-end at the subject property. There are residences behind the subject property that utilize Skullbones Rd. as their access. Allowing the commercial uses, parking lots, additional traffic, etc. will force those residents to navigate through a commercial development in order to access their homes. This is certainly detrimental to those residential properties.
8. **The extent to which the proposed use will adversely affect the capacity or safety of the portions of the street network impacted by the use, or present parking problems in the vicinity of the property.** Simply put, the petitioner is

- proposing multiple commercial uses in a rural, residential area that is accessed by a private, gated, one lane road that runs through the floodplain and floodway. The petitioner is seeking complete and total relief from all requirements that would upgrade the road to make it safe for use and access. As previously stated, the road does not currently meet UDO or Building Code standards for these uses. Through his requests, the petitioner is making no attempt to improve the road. Without the necessary and required improvements, the road network is not safe for these uses. Petitioner is seeking to absolve himself of any responsibility to provide a safe means of access for current property owners as well as patrons of the proposed facilities.
9. **The extent to which the proposed use will address and conserve the natural resources of the site, effectively manage storm water runoff, and prevent air, water, and noise pollution and conserve habitat.** A commercial use such as the one proposed could potentially produce noise issues. The proposed parking and possible events going on the site could see a dramatic increase in noise in an area that consists largely of big acreage, wooded, residential lots.
 10. **The impact the proposed use has on achieving the goal of economic diversity in the community.** This is largely unknown at this time. The use, if the UDO standards could be met, could potentially provide more economic diversity in this part of the county.
 11. **The ability of the applicant to satisfy any requirements applicable to the specific use imposed pursuant to this UDO.** The plan and list of modifications that were applied for fails to adequately meet the standards set forth by the UDO. There are some modifications that historically work for more rural settings, however the modifications related to public safety fail to meet the standards set forth by the UDO.
 12. **Extent to which public facilities and services are available and adequate to satisfy the demand generated by the proposed use –** The plan and list of modifications fail to achieve a standard, as cited by minimums in both the UDO and Building Code (20' wide fire apparatus drives), that would allow for emergency services to adequately serve the property.
 13. **The gain if any to the public health, safety and welfare of the community if approved versus the hardship imposed upon the landowner if the requested application is denied –** Staff believes that there would not be any benefit gained to the public health, safety and welfare of the community. Rather than proposing to enhance the public health, safety and welfare of the area, the petitioner has sought a complete exemption from all rules and regulations that are designed to protect and benefit the public health, safety and welfare of the community.
 14. **Conformance to the Official Master Plan, current County policies and ordinances –** While the land uses proposed would not be entirely unreasonable in the Secondary Growth Area, these land uses are not appropriate at this specific location. The guidelines require them to be well connected to adequate transportation roads and highways. This plan as presented fails to achieve those guidelines.

Development Plan

Staff feels that the development could impede the normal and orderly development and improvement of the surrounding properties. Development of the site for a recreational facility and banquet center does not fit with the character of the neighborhood, which is residential in nature. The UDO does provide for instances where commercial recreational facilities can be located within residential areas, but those uses are only allowed with certain conditions (conditions that are meant to protect neighboring properties and mitigate negative aspects of the more commercial use). These conditions include, among other things:

1. Where the property adjoins land zoned or used for residential purposes, no building or facility shall be nearer than one hundred (100) feet and no driveway or parking area shall be nearer than fifty (50) feet of such boundary, unless topography or other factors justify a lesser setback; and
2. Access to the property shall be directly from State or County streets and traffic generation and other effects will be handled so as not to adversely affect adjacent property.

These conditions cannot be met by the present petition. The property is not accessed directly from a State or County road, but is instead accessed by a private, gated, one lane road that runs through the floodplain and floodway. This road does not meet UDO requirements, nor does it meet Building Code requirements. As set forth above and below, it is in no way appropriate for access to a commercial site. Similarly, the proposed development does not satisfy the setback requirements in that at least one of the parking lots is proposed to be within five feet of an adjoining residential property line.

Staff is very concerned with the location of the site access road off Ficken Rd and Skullbones Rd. and the potential safety risks associated with the ingress/egress to the subject property. It does not appear that the proposed ingress/egress point is adequate. A commercial use and entrance at this location could certainly present a safety concern to the traveling public. The lighting, noise, additional traffic, etc., that would be caused by the proposed development are too intense for surrounding residentially zoned and used properties. There are measures in the UDO that have been put in place for the specific purpose of mitigating many of the adverse impacts that can be caused by commercial development in residential areas. Petitioner has specifically asked that he be exempted from all of these measures and that little to no development rules be applied to the property. This request is unreasonable given the nature of the proposed use, the nature of the surrounding uses, and the means and method of accessing the property. Finally, the subject property does not meet the minimum site requirements for the PM zone district in that it is not accessed by a public street, as discussed at length above.

Staff Recommendation

Staff recommends **Denial** of PM21031, a request for a change in zoning from Large Lot Residential (LR2) to Planned Mixed Use (PM) and the Development Plan for Skullbones Camp as proposed.

Should the Planning & Zoning Commission vote to approve the requests, Planning staff has the following conditions, regulatory requirements, and departmental comments, this includes the approval and denial of the listed modifications below:

Modification Recommendations

1. **Approval** of relief from Article V Section 400.1670 – Building Setbacks – with the following conditions:

For structures associated with indoor use (banquet facility):

Front: 25' (any ROW) the existing mobile home adjacent to Skullbones appears to be approximately 20' (staff has no issues with the existing structures encroaching), but would like to see the permanent setbacks put in place for future structures.

Distance from any residentially zoned neighboring property: 50'

Rear: 20'

For uses associated with the outdoor recreational facility (volleyball courts, pavilions, campground/cabins, all parking lots):

No building or facility shall be nearer than one hundred (100) feet and no driveway or parking area shall be nearer than fifty (50) feet from adjacent property lines

2. Denial of relief from Article VII Section 400.2560 – Street Standards, Minimum Pavement Standards
3. Approval of relief from Article VII Section 400.2580 – Curb Radii
4. Denial of relief from Article VII Section 400.2560 – Sight Distance Profiles
5. Denial of relief from Article VII Section 400.2550 – Minimum Right of Way and Improved Surface Width.
6. Denial of relief from Article VII Section 400.2610-Driveway Requirements-Width.
7. Approval of relief from Article XII Section 400.4100 – Requirements for Design and Improvements of Parking Lots with the following condition:
 - a. Parking stops are required to delineate the spaces
8. Denial of relief from Article XII Section 400.4110 – Accessible Parking Spaces for the disabled
9. Approval of relief from Article XIV Section 400.4690 – Parking lot Landscaping and Trees with the following condition:
 - a. Existing trees shown on the plan to remain as existing landscaping.
10. Approval of relief from Section 505.170 – Erosion and Sediment Control/Stormwater with the following conditions:
 - a. Concrete washout onsite for concrete work as required by stormwater code.
 - b. No trash containers or construction material stored in the stream buff
 - c. All vegetation must be re-established after construction is completed.

Conditions of Approval

1. Site Development plan approval shall be required prior to any construction or commercial use of the subject property. The current use of the property shall cease immediately until the site development process has been completed.
2. Hours of Operation. Given the rural and residential nature of the surrounding area, staff feels that hours of operation for the commercial use of the subject property should be imposed. Staff suggests the following:

Sunday – Thursday: 8:00AM-6:00PM

Friday – Saturday: 8:00AM-11:00PM (Any outdoor music shall cease at 9:00PM)
3. Alcohol consumption on the premises is allowed, however, all State, County and local licensing requirements shall be met.
4. Restaurant facilities or food service shall be optional, and any such facilities or service shall require the approval of the Jefferson County Health Department.
5. The development plan shall identify the cabins/structures where overnight stays will occur. Overnight stays will be limited to these identified structures.
6. The area where the RV hookups are located shall be identified on the development plan. RV parking will be limited to this area.
7. Overnight stays for both the banquet facility and campground uses shall be for overnight or weekend use only. Long-term or weekly rental or camping is not permitted.

Regulatory Requirements

Permitted Uses

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

- Dwelling, single-family detached
- Banquet Facilities
- Outdoor recreational facility

Improvement Plans/Site Development

Design Standards

The development shall comply with the Mixed-Use Design Standards in accordance with Article VII of the Jefferson County UDO.

Access

Access shall be provided in accordance with the Jefferson County UDO, unless modified.

Parking

Parking and loading shall be provided in accordance with Article XII of the Jefferson County UDO, unless modified.

Signs

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

Landscaping

Landscaping shall comply with the requirements outlined in Article XIV of the Jefferson County UDO, unless modified.

Noise

Noise resulting from the venue spaces on the subject property shall comply with the Jefferson County UDO.

Stormwater and Erosion and Sediment Control

Stormwater, erosion, and sediment control shall comply with the Jefferson County UDO.

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.

Departmental Comments:

1. If approved site development will be required and any improvements that are approved or denied will need to be installed before occupancy. Use of the property shall cease until the site development process is completed.
2. Skullbones Road appears to be a private road. It is gated and all mailboxes are outside of the gate. Planned Mixed Districts are not allowed on private roads.
3. The engineer shall submit sight distance profiles showing that the required 300' stopping sight distance can be met (Skullbones Road at Ficken Road).
4. Access road (Skullbones Road from Ficken County Road through the entire site, since it serves properties beyond the site):

- a. Street width shall provide 22' pavement within 28' ROW. Street thickness shall provide 6" PCC (or 2" Type C Asphaltic Concrete/5" Type X Asphaltic Concrete/4" rock base). Condition is not met, see modification request analysis below.
 - b. The access road and interior drives shall meet minimum requirements for Fire Apparatus as required by the 2015 edition of the International Fire Code. The existing drive does not meet requirements.
 - c. Streets shall not exceed 14% grades, 100' horizontal radii, K=20, 0' tangents, 600' block length. The access road will be over 3,600 feet (Ficken Road through the project property). Turnarounds are required, condition not met.
 - d. "No Parking" signs will be required on each side of all streets.
 - e. If parking proposed along the street, then a wider street pavement is required.
 - f. Parking areas with 5 or more required parking spaces must provide a paved surface of 3" Type C Asphaltic Concrete over an 8" rock base (or 2" Type C Asphaltic Concrete/4" Type X Asphaltic Concrete; or 6" PCC). Condition is not met, see modification request.
5. Stormwater/detention:
 - a. Stormwater system shall be designed for the 15-year, 20-minute event. Provide hydraulic calculations and drainage area map for each system.
 6. Detention:
 - a. Detention system shall detain and release stormwater at a rate not to exceed the release rate from the site under the existing (pre-developed) conditions for the 2-year and 10-year, 24-hour storm event. Provide soil types, CN's, etc.
 7. Floodplain:
 - a. The Code Enforcement Division requires a Floodplain Development Permit for any grading or improvements within a known floodplain.
 - b. Submit calculations for culverts and bridges within the limits of the floodplain. All access road culverts and bridges must be included in the analysis.
 8. Submit a geotechnical report, sealed by an Engineer registered in the State of Missouri, as required where more than 5' of cut or 5' of fill is proposed. Grades at slopes proposed steeper than 3:1 must be included in the report for slope stability.
 9. Streetlights are required at the intersection with the County Road and at each site drive intersection with Skullbones Road.
 10. All bridges and box culverts on the access road shall be designed to carry an HS20 truck loading. The existing bridges must be evaluated by an engineer who is licensed in the State of Missouri and must meet the above noted standard for design.
 11. Building permits shall be required for all structures built or remodeled on the site. This includes and structures recently remodeled/constructed.

Planning and Zoning hearing summary May 27, 2021:

The following commissioners attended the May 27, 2021 Planning and Zoning Commission meeting: Gene Barbagallo, Greg Bowers, Chris Hastings, Mike Huskey, Jesse Scherrer, and Danny Tuggle

The following Exhibits, which will be available for review at the hearing before the County Council, were entered into the record by the Planning and Zoning Commission:

- Exhibit A, The Official Master Plan for Jefferson County, Missouri, adopted August 6, 2003 and effective April 2, 2008;
- Exhibit B, The Code of Ordinances of Jefferson County, Chapter 400: Unified Development Order, adopted April 2, 2008, as amended;
- Exhibit C, Staff Report and case file;

- Exhibit D, Packet submitted by Beau Govreau; and
- Exhibit E, Easement Deed submitted by Petitioner.

David Von Arx represented the petitioner at the hearing on the petition. Mr. Von Arx started his testimony by describing that the Planned Mixed Use (PM) district “allows for flexibility in design for difficult sites that are unique that might have a high level of sensitivity.” Mr. Von Arx described the previous use as a campground. Mr. Von Arx then elaborated on the uses that are occurring on the site and their need within the county. These activities included a wedding venue, outdoor recreation: volleyball, swimming, and an outdoor pavilion for picnics. Mr. Von Arx then addressed the modifications surrounding road requirements. Mr. Von Arx testified that there is no known road agreement with property owners and that the petitioner was maintaining it. Mr. Von Arx continued that the fire department has serviced the properties and that the bridge was county built, and does not have guardrails, but the petitioner would be willing to install guardrails on the bridge. Mr. Von Arx then continued to address other potential issues with the access road including the extension of existing culverts, and the surface material, as well as stating the road is flat and safe. Mr. Von Arx stated that there was no evidence that he could find that the road had been washed by the established creek (Skullbones Creek), which is classified as a stream order 3. Mr. Von Arx testified that the flood zone established is an unstudied flood zone by FEMA and added additional details abouts depth to width, and that if the road had washed out it might have been due to the pipe culverts getting overwhelmed. Mr. Von Arx then concluded his testimony by testifying about a possible easement that might exist that is twenty (20) feet wide and that the petitioner is willing to make the road twenty (20) feet wide and dedicate an easement through the site whatever the county would require and make the road twenty (20) feet wide through the site and continue to maintain the road. Mr. Von Arx then concluded his testimony stating that the petitioner would provide adequate ADA access and sight distance profiles and work with the county to bring this into compliance. (It must be noted that at no time has Petitioner filed an amended request. The requested modifications continue to seek relief from all road requirements including the required road widening.)

The Planning and Zoning Commission then had questions of Mr. Von Arx. First, Commissioner Bowers wanted to know how far from Ficken Rd (the county-maintained road) is to the site. Mr. Von Arx replied about four (4) tenths (10) of a mile. Next, Commissioner Barbagallo asked Mr. Von Arx who takes care of the road. Mr. Von Arx stated the petitioner provides all labor and materials and maintains the road all the way to Ficken Rd. Finally, Commissioner Scherrer asked when the bridge had last been certified. Mr. Von Arx stated he did not know.

The public testimony was then opened. The first allowed to speak were people in favor of the petition. The first speaker was Mr. Dennis Wigge. Mr. Wigge testified that he was a county resident and police lieutenant and that he had discovered Camp Skullbones in 2020 when he rented it for a graduation party. Mr. Wigge then concluded his testimony by describing the operations of the facilities. The next person to testify in support of the petition was Ms. Sarah Bartley. Ms. Bartley testified about using he facility for a graduation party and the general use of the facility. Ms. Bartley testified about using the access road that it is narrow but could be navigated both ways by vehicles with good sight distance. Ms. Bartley concluded her testimony by stating that the proposed development is good for the community and a good place to have recreational activities. Ms. Bartley’s testimony concluded the segment of testimony of people in favor of the petition.

The public testimony was then opened to people in opposition of the petition. The first person to speak in opposition was Mr. Beau Govreau. Mr. Govreau submitted into evidence some photos of the road, and a car that had been in an accident and flipped off the road into the creek. Mr. Govreau expressed concerns with the road being too narrow and not adequate to handle the

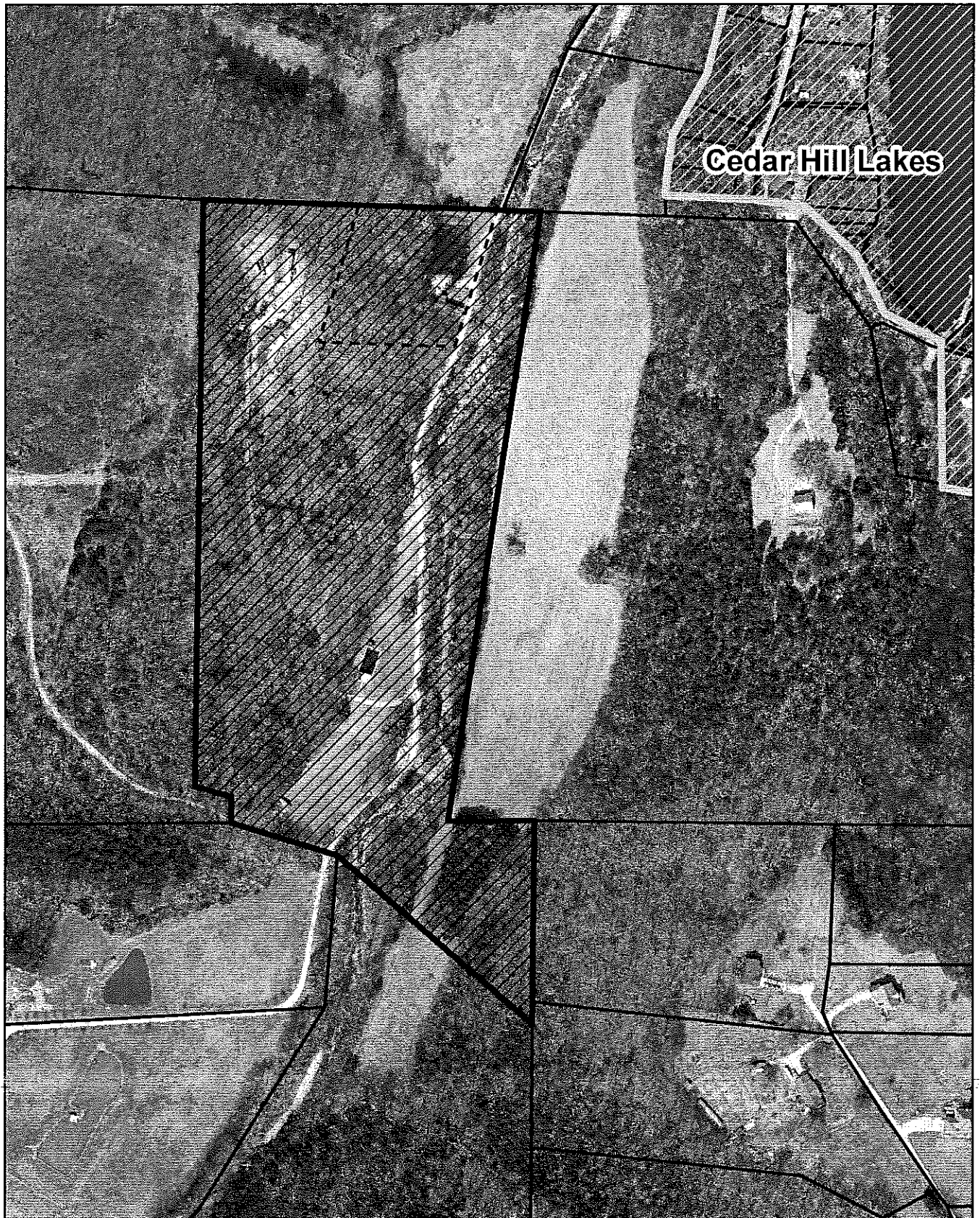
development as proposed. Mr. Govreau also testified about the current zoning being a residential zoning, and the rural peace and quiet of the area. Mr. Govreau testified about the noise from the development. Mr. Govreau concluded his testimony reiterating concerns about emergency vehicles not being able to get to homes because of the narrowness and state of the road, as well as the fact the business has been operating without proper zoning. The next speaker to speak in opposition was Mr. Joe Schicker. Mr. Schicker lives on property located on Skullbones Road behind the proposed development. Mr. Schicker testified that he was a retired US Army veteran that suffers from Parkinson's and bought the house that he resides in because of the quiet and aesthetics of the pond and rural settings. Mr. Schicker testified that historically everyone pitched in to take care of the road up until about a year ago. Mr. Schicker continued his testimony voicing concerns about the safety of the road and the potential for a lack of an ability for emergency vehicles to access adjoining properties, as well as potential problems on Skullbones Road that might be exacerbated by the serving of alcohol on the petitioner's site. Mr. Schicker then concluded his testimony reiterating safety concerns of the proposed development. The final speaker in opposition was Ms. Nellie Odle. Ms. Odle testified that up until about two years ago everything was very quiet and there wasn't a lot happening on the site. Ms. Odle then testified regarding concerns about emergency vehicles being able to access the properties and RV's on the petitioners site blocking the pathways for emergency vehicles accessing the property as well as impeding normal travel on the road. Ms. Odle concluded her testimony with concerns about the noise in the early morning hours from gatherings at the site. This concluded the testimony for citizens who were opposed to the petition.

Mr. Von Arx was then brought back up to answer concerns brought up by citizens in opposition. Mr. Von Arx entered a new exhibit into evidence. This exhibit was an easement deed from 1925 that describes a twenty (20) foot easement and that it was privately maintained. Mr. Von Arx testified regarding the width and current condition of the road and that the petitioner is willing to improve the road and other related infrastructure. (Again, Petitioner has not filed an amended request. The requested modifications continue to seek relief from all road requirements including the required road widening.) Mr. Von Arx further testified that there are RV hookups, however, that is not a common occurrence. Mr. Von Arx concluded his testimony by acknowledging the potential development issues, but that there is a potential need for this type of development in the county.

The Planning and Zoning Commission took some time to deliberate on the petition. Commissioner Scherrer brought forth the question of if the access road is not up to UDO standards could the rezoning be considered. Assistant County Counselor Jason Cordes responded citing minimum site requirements in section 400.16.D.5, the site shall access a public street. The Planning Commission moved to voting on a motion to approve or deny the petition. Commissioner Tuggle made a motion to approve, no commissioner seconded that motion, so it failed. Commissioner Bowers made a motion to deny the petition, that motion was seconded by Commissioner Barbagallo, with Commissioners Huskey, Hastings, and Scherrer voting yes on that motion. Commissioner Tuggle was the only Commissioner to vote no on the motion for denial. The motion carried 5-1.

A successful protest petition was filed on June 3, 2021, thus triggering the second hearing in front of the County Council.

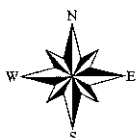
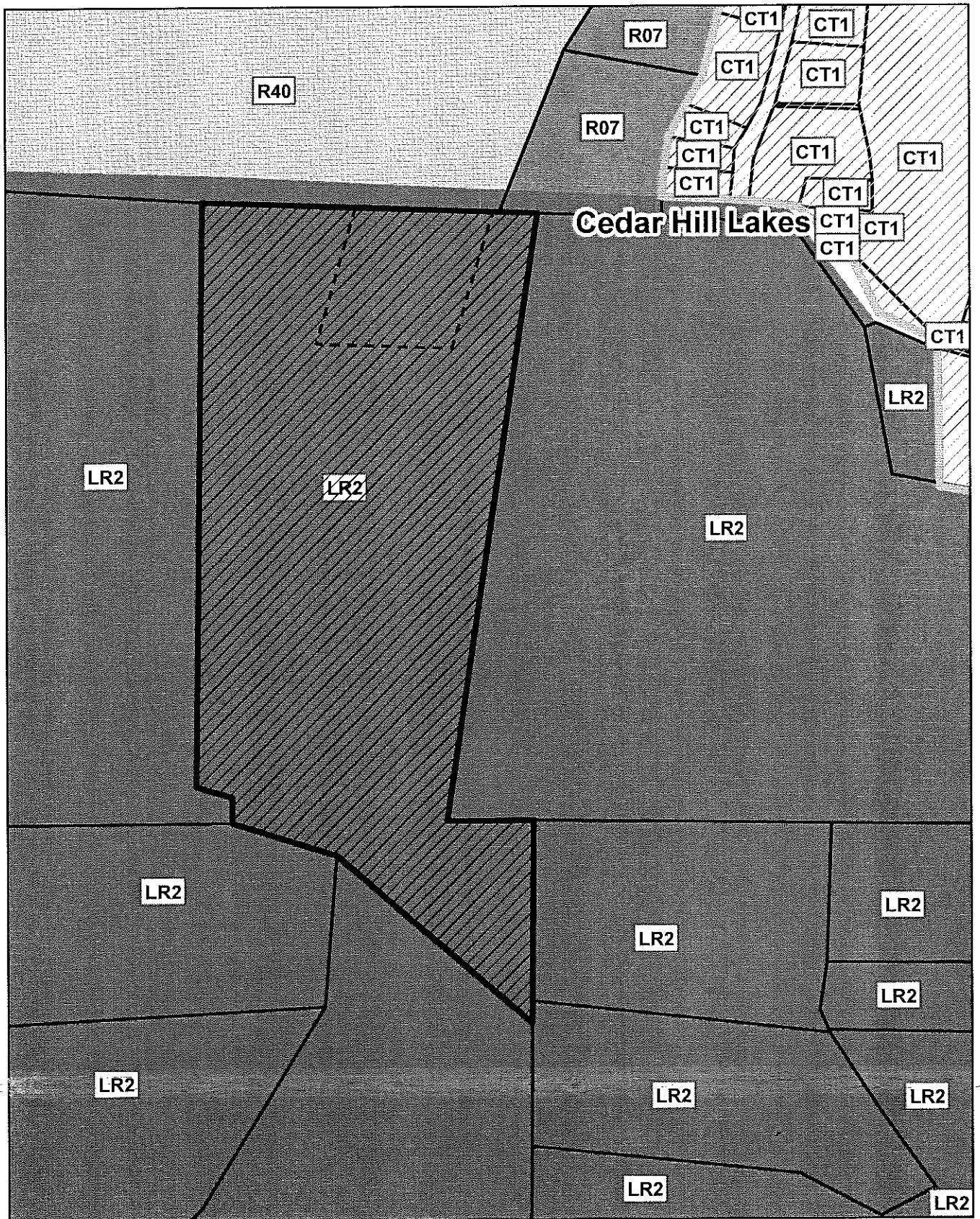
PM21031 - Skullbones Campground



Subject Property

0 250 500 1,000 Feet

PM21031 - Skullbones Campground



Subject Property

0 250 500 1,000 Feet

EXISTING CONDITIONS PLAN

C2

Sheet Number

15279

1" = 20'

1/XX/2021

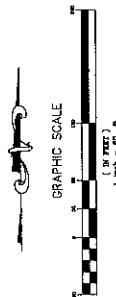
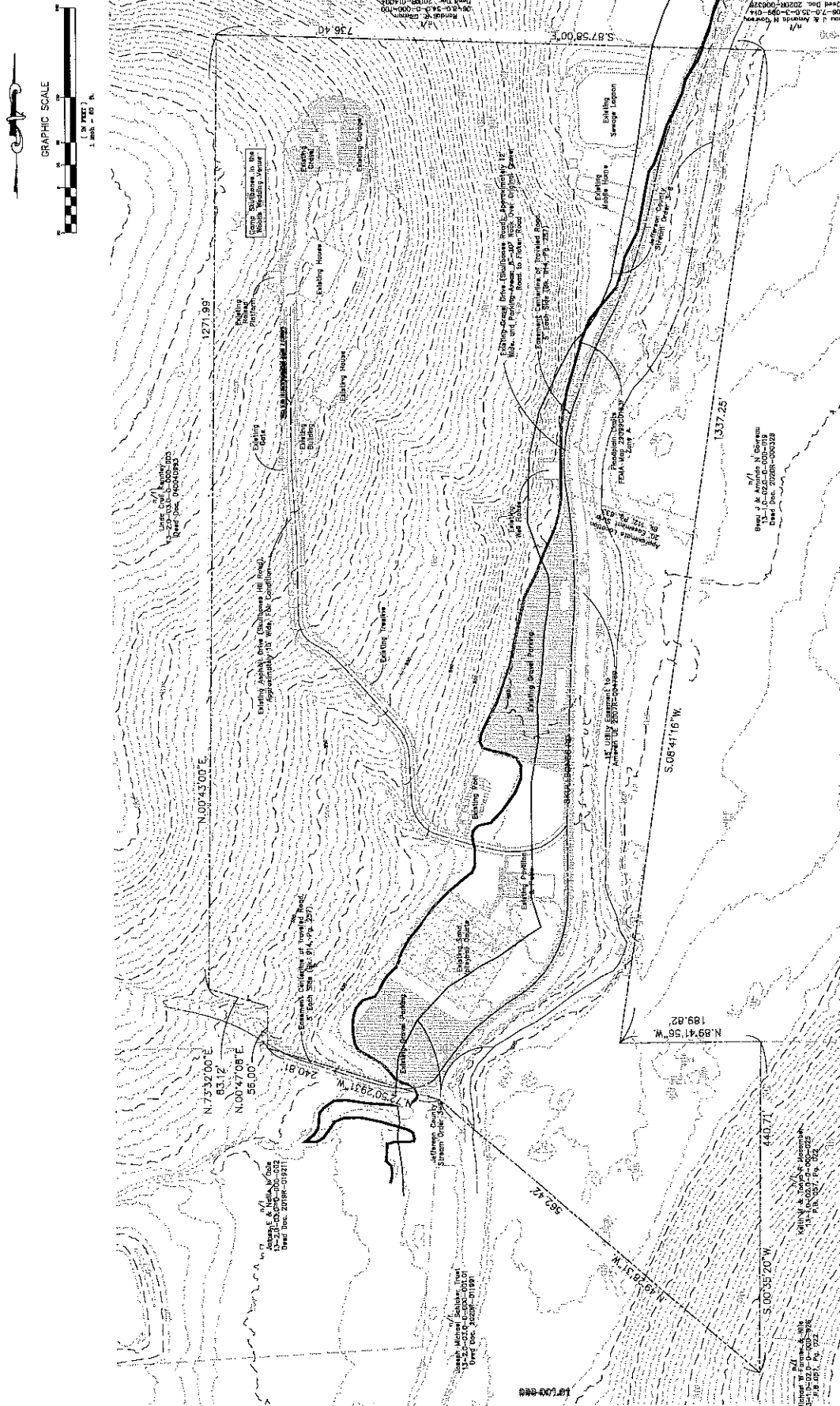
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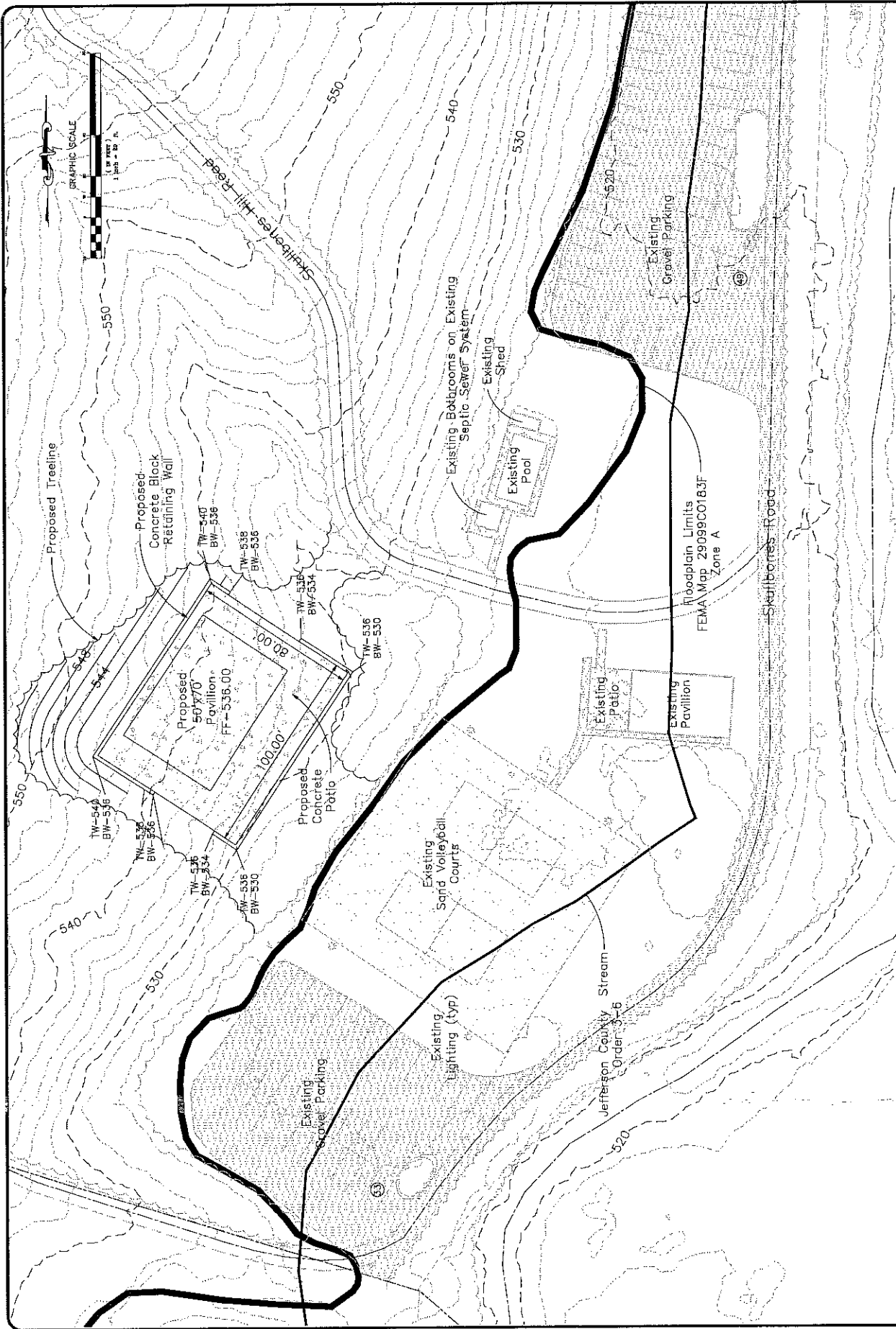
DEVELOPMENT PLAN
SKULLBONES CAMP GROUND
JEFFERSON COUNTY
DITTMER, MISSOURI 63023

VonArx
Engineering
Planning - Design - Construction
104 Skulldones Drive
Dittmer, MO 63023-1316



James M. Jochens
104 Skulldones Drive
Dittmer, MO 63023-1316





SKULLBONES CAMPGROUND VARIANCE REQUESTS

MODIFICATION OF SECTION 400.1670 – MINIMUM BUILDING SETBACKS

TABLE 5.3, PM ZONING – "SETBACKS ESTABLISHED AS PART OF ZONING APPROVAL FOR EACH PLANNED DEVELOPMENT"

THE PROPOSED PAVILLION IS AWAY FROM THE PROPERTY LINES THEREFORE WE ARE NOT PROPOSING BUILDING LINES.

MODIFICATION OF SECTION 400.2560 – STREET SETBACKS-MINIMUM PAVEMENT STANDARDS

TABLE 7.6 GIVES PAVEMENT REQUIREMENTS BASED ON VOLUME, IN OUR CASE VLV.

WE FEEL THAT THE EXISTING 8' TO 10' OF ROCK, CONSTRUCTED OVER THE OLD GRAVEL ROAD AND COMPACTED IN LAYERS OVER FOUR (4) YEARS, PROVIDES A CONSISTENT AND STABLE ROADWAY. THIS WAS DONE FROM FICKEN ROAD THROUGH THE SITE.

MODIFICATION OF SECTION 400.2580 – STREET STANDARDS – CURB RADAII

DUE TO THE LOW VOLUME AT THE FICKEN ROAD ENTRANCE, WE PROPOSED TO USE THE ENTRANCE AS IS

MODIFICATION OF SECTION 400.2600 – VISUAL CLEARANCE STANDARDS

FICKEN ROAD BOTH NORTH AND SOUTH OF SKULLBONES ROAD IS RELATIVELY STRAIGHT FOR MORE THAN 325'.

MODIFICATION OF SECTION 400.2610 – DRIVEWAY REQUIREMENTS – WIDTH

PER THE JEFFERSON COUNTY UDO, SKULBONES ROAD WOULD BE REQUIRED TO BE A 20' WIDE, ONE-LANE ROAD.

SKULLBONES ROAD IS AND ALWAYS HAS BEEN A ONE LANE GRAVEL ROAD, 10' TO 12' WIDE. WITH NO INCREASE IN DENSITY, WE ARE ASKING FOR NO CHANGE IN THE CURRENT CONFIGURATION OF THE ROAD.

MODIFICATION OF SECTION 400.2630 – DRIVEWAY REQUIREMENTS – THROAT LENGTH

PER THE JEFFERSON COUNTY UDO, THE THROAT LENGTH FOR LOW VOLUME IS 20'

THE NEW PARKING AREAS AS DELINEATED ON THE PLANS SHOW THE GENERAL LAYOUT OF PARKING AND HOW MANY CARS THE AREA COULD ACCOMMODATE, SINCE SPACES ARE NOT SPECIFICALLY DEFINED, THROAT LENGTH IS NOT RELAVENT.

MODIFICATION OF SECTION 400.4100 – REQUIREMENTS FOR THE DESIGN AND IMPROVEMENT OF PARKING LOTS

THE JEFFERSON COUNTY UDO CALLS FOR THROAT LENGTH (2.a.), PAINTED PARKING SPACES (2.b.), PAVED DRIVEWAYS (3.b.), PARKING LOT SURFACING (5.a.1.) AND PARKING LOT CURBING (5.a.2.) REQUIREMENTS.

THE NEW GRAVEL PARKING AREAS AS DELINEATED ON THE PLANS SHOW THE GENERAL LAYOUT OF PARKING AND HOW MANY CARS

THE AREA COULD ACCOMMODATE, SINCE SPACES ARE GRAVEL AND NOT SPECIFICALLY DEFINED, THESE REQUIREMENTS ARE NOT ACHIEVABLE.

MODIFICATION OF SECTION 400.4110 – ACCESSIBLE PARKING SPACES FOR THE DISABLED

ITEMS A. (ACCESSIBLE PARKING) AND C. (TABLE 12-5)

WE SHOW NO ACCESSIBLE PARKING IN THE GRAVEL PARKING AREAS, HOWEVER THE OWNER HAS PROVIDED FLAT AREAS (NON-GRAVEL) NEAR THE PAVILLIONS TO ALLOW FOR ACCESSIBLE PARKING AND ACCESS TO THE FACILITY.

MODIFICATION OF SECTION 400.4690 – PARKING LOT LANDSCAPING AND TREES

PARKING LOT ISLANDS (SECTION A.)

THE NEW GRAVEL PARKING AREAS AS DELINEATED ON THE PLANS SHOW THE GENERAL LAYOUT OF PARKING AND HOW MANY CARS THE AREA COULD ACCOMMODATE. LANDSCAPE ISLANDS WOULD NOT SERVE THE INTENDED PURPOSE IN THIS SITUATION.

MODIFICATION OF SECTION 505.170 – EROSION AND SEDIMENT CONTROL/STORMWATER

ENCROACHMENT ON STREAM BUFFERS

SEVERAL EXISTING ITEMS, INCLUDING THE VOLLEYBALL COURTS, PAVILLION, PUMP HOUSE, ROADWAY AND PARKING LOTS LIE PARTIALLY WITHIN THE BUFFER FOR STREAM ORDER 3-6. NONE OF THE IMPROVEMENTS, EITHER DECADES OLD OR MORE RECENT, HAVE ALTERED THE STREAM, STREAM BANKS OR ADJACENT LAND SIGNIFICANTLY. THE PROPOSED PAVILION DOES NOT ENCROACH ON THE BUFFER.

Jefferson County, Missouri

PLANNING DIVISION

PO Box 100

HILLSBORO, MO 63050

(636) 797-5580

<www.jeffcomo.org>

Jefferson County, Missouri, Council

Meeting Date: July 26, 2021

Staff Report

General Information:

Petition Number: VR21054
Petition Name: Vacation of Huntington Trail Phases 11,12

Petitioner Name: Allbee Brothers Limited Liability Company
Street Address: 45 E Lockwood #206
City, State: Webster Groves, MO 63119

Engineer Name: Jefferson County Surveying
Street Address: PO Box 235
City, State: Hillsboro MO 63050

Location of Site: West of Hwy TT in Festus.

Requested Action: Vacation of Phases 11 & 12 of Huntington Trails Subdivision

Unit Count: 16 Lots
Size of Tract: 138.3 Acres +/-
Parcel Numbers: 22-2.1-04.0-0-000-089
Existing Zone District: Large Lot Residential (LR2) zone district
Council District: 5
Township: Platin
School District: Jefferson
Fire District: Jefferson
Water District: PWSD 12
Sewer District: Jefferson County PSD
Prepared By: Rachel Krispin, Planner I
Date: June 29, 2021
Recommendation: Approval

Attachments:

1. Location Map
2. Aerial Map
3. Current Plat
4. Proposed Plat

Subject Property

The subject property is located west of Highway TT in Festus. Access to the subject property is from Huntington Trails Drive off of Boyce Lane.

The property is the location of Huntington Trails Phases 11 and 12. The property is roughly 139 acres in size. The subject property is zoned Large Lot Residential (LR2) zone district. According to FEMA's Flood Insurance Rate Map, there are no areas of the property in the floodway or floodplain, and there is a Stream Order 1 that traverses the property.

Background

The plat for Huntington Trails Phases 11 and 12 was recorded on March 3, 2009. The subject property is undeveloped, in comparison to the previous phases of Huntington Trails that are developed with single-family homes. The petitioner is seeking to vacate the subject property lot lines with the intention to sell the property to a purchaser who would like to operate agriculturally. The future intended use is not to develop the property as part of the existing Huntington Trails Subdivision, as it exists today.

Vacation of Subdivisions:

Per Section 400.5340, whenever any person or corporation may desire to vacate any subdivision, or part of a subdivision, and is the legal owner of all lots, such person or corporation may petition the County Council giving a distinct description of the property to be vacated and the names of the persons to be affected thereby; said petition shall be filed together with the appropriate filing fee with the Planning Division, who shall give notice of the hearing of the petition in a public newspaper. The County Council may vacate the same by ordinance with such restrictions they may deem necessary for the public good. No vacation shall take place unless a recommendation of the Planning Division has been provided, which shall be filed with said petition. The vacation of a subdivision is not required prior to approval or consideration of a new plat, provided however rights-of-way must be vacated in accordance with State Statutes.

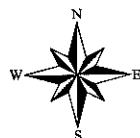
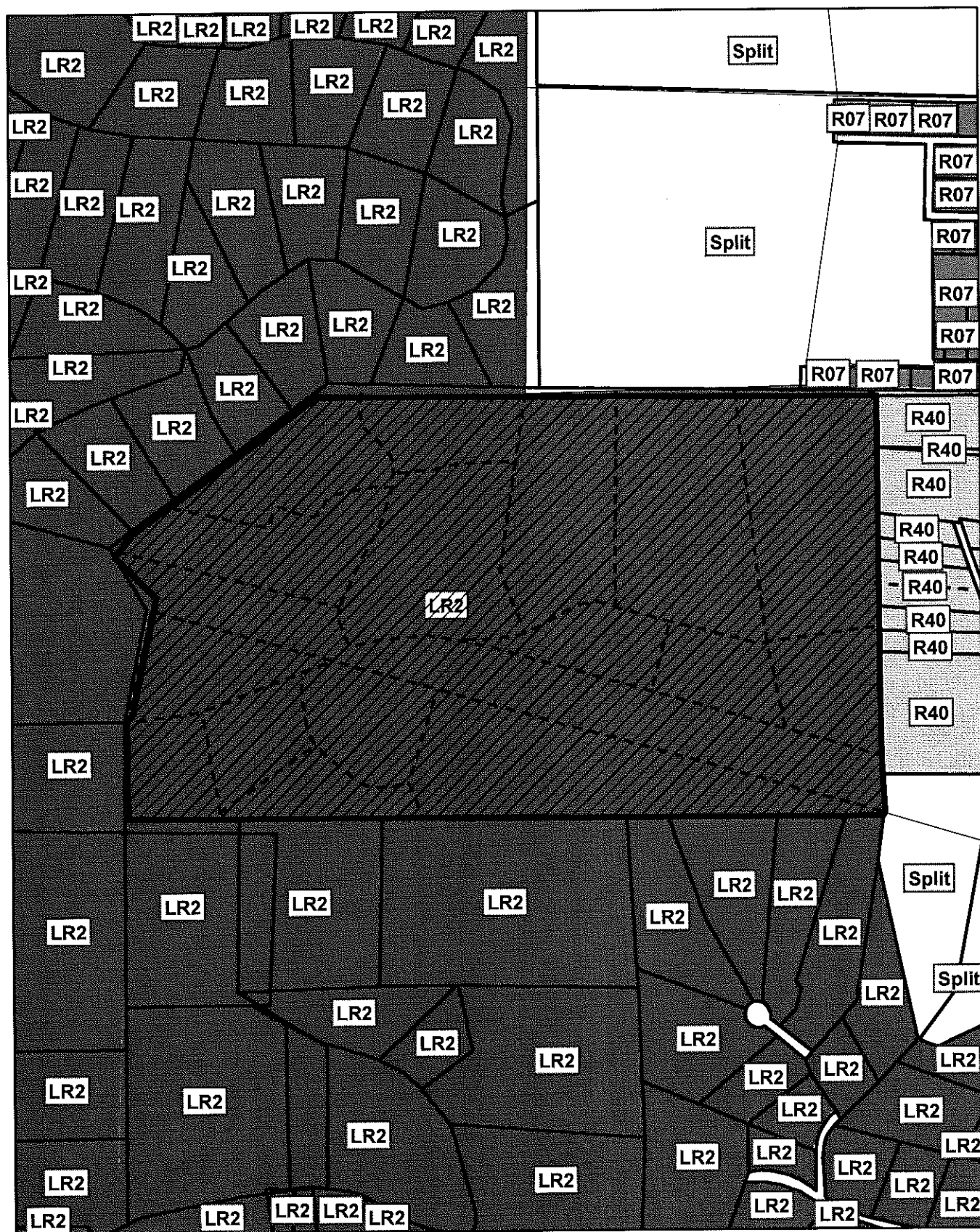
Analysis

The petitioner has provided a complete petition for vacation of a subdivision. The petition states that no current residents will be adversely affected in that no current residents will be displaced, hindered, or inconvenienced by removal of the interior lot lines. Vacation of the subdivision will vacate all the lot lines but not the right-of-way or easements. There has been no opposition registered with the Planning Division to date. Notice of the proposed vacation has been published.

Staff Recommendation

Based on the above analysis, Staff recommends Approval of the vacation of Lots 81-90 in Phase 11 and Lots 68-73 in Phase 12 of the Huntington Trails Subdivision.

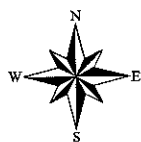
VR21054-Huntington Trail Phases 11 &12



Subject Property

0 500 1,000 2,000 Feet

VR21054-Huntington Trail Phases 11 &12



Subject Property

0 500 1,000 2,000 Feet

2459-00025
PLAT OF LAND
FOR THE
HUNTINGTON TRAILS
PHASE TWELVE
JEFFERSON COUNTY, MISSOURI
APPROVED FOR
RECORDING
JAN 11 2006
BY
CLERK OF COURT



HUNTINGTON TRAILS PHASE TWELVE

LOCATED IN U.S. SURVEY 1856 - T. 40 N. - R. 6 E.

JEFFERSON COUNTY, MISSOURI

SCALE: ONE INCH = 100 FEET



SURVEYOR'S NOTE
REPAIR 1/2" IN DIAMETER 18" LONG WITH YELLOW PLASTIC CAPS
ON ALL IRON PINS AND NAILS. ALL IRON PINS AND NAILS
LOCATED ON THIS SUBDIVISION, UNLESS OTHERWISE INDICATED.
SAD IRON PINS ARE DESIGNATED HEREIN BY THE INITIALS I.P.

HUNTINGTON TRAILS PHASE ELEVEN

AMEREN UE EASEMENT

SOUTH LINE OF U.S. SURVEY 1856

EAST LINE OF U.S. SURVEY 1856

HUNTINGTON TRAILS
PHASE SEVEN - P. 50
LOT 76 LOT 77 LOT 78

LOT 81

AMEREN UE EASEMENT

LOT 89

ROBIN HILL LANE

LOT 88

LOT 87

LOT 86

LOT 85

LOT 84

LOT 83

LOT 82

LOT 81

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SHINGLEWOOD PLAT THREE

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SHINGLEWOOD PLAT THREE

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SHINGLEWOOD PLAT THREE

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SHINGLEWOOD PLAT THREE

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LOT 37

LOCATED IN U.S.SURVEY NO. 1856 - T. 39 & 40 N. - R. 6 E.

SCALE: ONE INCH = 200 FEET

JETCO SURVEYING, LLC
1800 UNIVERSITY DRIVE, SUITE 100
William T. Hargen
by William T. Hargen IS 261
9729 East Vista, Hillsboro, Missouri 65050
314-277-2818 (Phone)
jeffco@jetcosurveying.com JCR #051221

LOT 1
DAXERLAR MEADOWS ANNEX
FB 194 - P 12A

PAKBIJAR MEADOWS
P 5 64 - P 10

LOT 3
HICKORY LANE
P B 42 - p 29

HUNTINGTON TRAILS PHASE ELEVEN

P.B. 257 - P. 10 AND PLAT DOCUMENT #2009P-000024
(TO BE VACATED)

138.3 ACRES

(MORE OR LESS)

PARCEL NO. 22-2.1-04.0-0-000-089)

HUNTINGTON TRAILS PHASE TWELVE
P.B. 257 - P. 11 AND PLAT DOCUMENT #2009P--000025
(TO BE VACATED)

OWNERS CERTIFICATE

[illegible]

All lands shall be subject to only the covenants as shown on this Plat.

IN WITNESS WHEREOF, the said ALLIÉE BROTHERS LIMITED LIABILITY COMPANY, has executed these presents this 10th day of

County Planning and Zoning Regulations.

NEWS LIMITED LIABILITY COMPANY, has executed these presents this 10th day of August, 2011.

Elizabeth A. Johnson

PROPERTY BOUNDARY DESCRIPTION: ON

[illegible]