

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE TO ZONE AN APPROXIMATELY 172.63 ACRE AREA TO JEFFERSON COUNTY PLANNED SINGLE-FAMILY RESIDENTIAL DISTRICT

WHEREAS, the City annexed territory located in Jefferson County requiring the establishment of a new zoning district classification known as Jefferson County Planned Single-Family Residential District, which was based on Jefferson County zoning district regulations; and

WHEREAS, this zoning district classification contemplates site specific authority, and the Board of Aldermen deems it appropriate to adopt the preexisting Jefferson County Ordinance pertaining to the subject area know as Windswept Farms, as well as an administrative amendment based on a substantialness of change determination.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF EUREKA, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

SECTION 1:

The City of Eureka zoning ordinance and official zoning map are hereby amended to zone and classify the following to Jefferson County Planned Single-Family Residential District ("JCPR-1"), subject to conditions contained in this Ordinance:

An approximately 172.63 acre area located south of the intersection of Missouri Highway FF and State Highway W (Jefferson County Parcel ID Nos. 04-1.0-12.0-030, 04-1.0-12.0-030.01, 04-1.0-12.0-030.02, 04-1.0-12.0-031, 04-1.0-12.0-045, 04-6.0-13.0-0-002-004, 14-6.0-13.0-002-003, 04-6.0-13.0-0-002-003.02) and legally described as a tract of land being all of Windswept Farms Plat One as recorded in Plat Document 2019P-000004 of the Jefferson County, Missouri records inclusive of all lots, roadways, common ground, Outlot A, Lot 557 and Parcels A, B, C, & D noted as future development areas thereon, excepting the Howald Family Cemetery (Jefferson County Parcel ID No. 04-6.0-13.0-0-002-041) and further excepting Outlot B (Jefferson County Parcel ID No. 04-6.0-13.0-0-002-278).

SECTION 2:

In conjunction with this JCPR-1 zoning, the City hereby adopts development plan approval of the subject property as authorized by Jefferson County Ordinance Number 17-0373, and a March 20, 2018 memo from Jefferson County evidencing administrative authorization to modify the lot configuration and increase the number of lots from 549 to 557, both as attached hereto and incorporated herein as if fully set forth.

SECTION 3:

All ordinances, parts of ordinances or provisions of the Municipal Code of the City of Eureka in conflict with any provisions of this ordinance are hereby repealed.

SECTION 4:

This ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF _____, 2020.

Sean M. Flower, Mayor

ATTEST:

Julie Wood, City Clerk



County of Jefferson

State of Missouri

Administration Center
729 Maple Street - PO Box 100
Hillsboro, Missouri 63050

Ken Waller

County Executive

DEPARTMENT OF COUNTY SERVICES AND CODE ENFORCEMENT

Eric Larson – Director

Web Address: Jeffcomo.org

Planning Division
797-5580 / Fax 797-5598

Code Enforcement Division
797-5310 / Fax 797-5077

Solid Waste Division
797-5036 / Fax 797-6120

Animal Control Division
797-5577 / Fax 948-2522

MEMORANDUM

To: File (PR117034 - Revised)

CC: Windswept Farms, LLC

From: Eric Larson, Dennis J. Kehm, Jr.

Date: March 20, 2018

Re: Revised Development for Windswept Farms (PR117034)

On March 16, 2018 a revised development plan for the residential development known as Windswept Farms (the "Revised Development Plan") was filed with the Planning Division by Windswept Farms, LLC. The new plan seeks to modify the original Development Plan approved by Ordinance No.: 17-0373, enacted on August 15, 2017.

PROCEDURE:

Pursuant to Section 400.1240 of the Code of Ordinances of Jefferson County, upon the filing of an application for a revised development plan, the Director shall determine whether the revision constitutes minor changes or substantial changes. Minor changes may be approved by the Director, whereas Substantial Changes, defined as "a change that alters the uses in the proposed plan, increases the density by greater than ten percent (10%) or materially changes the traffic configuration in the plan" may only be approved by the County Council.

ANALYSIS OF REVISED DEVELOPMENT PLAN:

The original Development Plan approved a residential subdivision consisting of 549 lots of varying sizes, identified variously as Lot Types A-F. The Revised Development Plan seeks to eliminate the 74 lots originally designed as Lot Type B, and redesign them as Type C lots (thereby eliminating all of the Type B lots). These lots are located along Windfall Way and along Bloomfield Drive between Windfall Way and Bloomfield Drive. There are no other proposed changes to the previously approved Development Plan for Windswept Farms.

By eliminating all Type B lots and redesigning them as Type C lots, the overall lot count for Windswept Farms will be increased by eight (8) lots, to a total of 557 lots, an approximate 1.5% increase in density. The proposed revision does not alter the approved uses nor does it change the traffic configuration of the previously approved Development Plan.

CONCLUSION:

As discussed above, and based on the definition of “substantial change” as set forth in Section 400.1240, the proposed elimination of Type B lots and their conversion into Type C lots constitutes a minor change to the previously approved Development Plan for Windswept Farms. Therefore, the Revised Development Plan filed on March 16, 2018 is **HEREBY APPROVED**. The Revised Development Plan shall remain subject to all Modifications, Regulatory Requirements, and Conditions of Approval set forth in Ordinance No.: 17-0373, a copy of which is attached hereto and fully incorporated herein by this reference; as well as all Comments, Requirements, and Conditions attached to approval of the Preliminary Plat for Windswept Farms (PP17063), approved by the Planning and Zoning Commission on September 28, 2017.

BILL NO.: 17-0730

ORDINANCE NO.: 17-

0373

INTRODUCED BY: COUNCIL MEMBER(s) Kasten

1 **AN ORDINANCE APPROVING APPLICATION PR117034 TO REZONE**
2 **172.63 ACRES FROM LARGE LOT RESIDENTIAL (LR2) ZONE DISTRICT TO**
3 **PLANNED MIXED RESIDENTIAL (PR1) ZONE DISTRICT AND A**
4 **DEVELOPMENT PLAN FOR WINDSWEPT FARMS LOCATED IN COUNCIL**
5 **DISTRICT 1.**

6 **WHEREAS**, a hearing was held by the Planning and Zoning Commission of
7 Jefferson County, Missouri on April 27, 2017 on Application/Petition Number PR117034
8 for the rezoning of 172.63 acres of the following described real estate located in Jefferson
9 County, State of Missouri, to-wit: Parcel Numbers: 04-6.0-13.0-0-002-003, 04-6.0-13.0-
10 0-002-003.02, 04-6.0-13.0-0-002-004, 04-1.0-12.0-0-000-045, 04-1.0-12.0-0-000-031,
11 04-1.0-12.0-0-000-030.02, 04-1.0-12.0-0-000-030.01, 04-1.0-12.0-0-000-030., from a
12 Large Lot Residential (LR2) zone district to Planned Mixed Residential (PR1) zone
13 district and a development plan for Windswept Farms; and

14 **WHEREAS**, the record of the April 27, 2017 hearing and the recommendation of
15 the Planning and Zoning Commission have been filed with the Jefferson County,
16 Missouri, Council; and

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

FILED

AUG 18 2017

RANDY B. HOLMAN
COUNTY CLERK, JEFFERSON COUNTY, MO

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

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

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

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

11 Exhibit C, Staff Report and case file.

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

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

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

18 c. The requested change in zoning is consistent with the intent stated
19 for the Planned Mixed Residential (PR1) zone district.

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

- 1 e. The requested change in zoning is in harmony with and is
2 compatible with surrounding and adjacent land uses and properties.
- 3 f. The requested development plan, as conditioned and modified by
4 this Ordinance, is consistent with the UDO in that the development plan is
5 designed, located and proposed to be operated so that the public health, safety and
6 welfare will be protected.
- 7 g. The requested development plan, as conditioned and modified by
8 this Ordinance, is consistent with the UDO in that the development plan will not
9 impede the normal and orderly development and improvement of the surrounding
10 property.
- 11 h. The requested development plan, as conditioned and modified by
12 this Ordinance, is consistent with the UDO in that the development plan
13 incorporates adequate ingress and egress and an internal drive network that
14 provides for the efficient flow of traffic.
- 15 i. The modification to Section 400.2550 of the UDO (request to
16 allow for parking on one side of the street only), as depicted on the development
17 plan, and as conditioned by this Ordinance, is in the best interest of the County in
18 that the modification incorporates sound planning principles and design elements
19 that are compatible with surrounding properties and are consistent throughout the
20 proposed project.
- 21 j. The modification to Section 400.2550 of the UDO (request to
22 allow for parking on one side of the street only), as depicted on the development

1 plan, and as conditioned by this Ordinance, is in the best interest of the County in
2 that the modification furthers the stated goals and intent of the UDO.

3 k. The modifications to Sections 400.5410 and 400.5475 of the UDO
4 (request for fewer than three entrances with the placement of an obstruction/gate),
5 as depicted on the development plan, are in the best interest of the County in that
6 the modifications do incorporate sound planning principles and design elements
7 that are compatible with surrounding properties and are consistent throughout the
8 proposed project.

9 l. The modifications to Sections 400.25410 and 5475 of the UDO
10 (request for fewer than three entrances with the placement of an obstruction/gate),
11 as depicted on the development plan, are in the best interest of the County in that
12 the modifications do further the stated goals and intent of the UDO.

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

15 Section 1. Application Number: PR117034 an application for a rezoning and
16 development plan for 172.63 acres of the real estate described as Parcel Numbers 04-6.0-
17 13.0-0-002-003, 04-6.0-13.0-0-002-003.02, 04-6.0-13.0-0-002-004, 04-1.0-12.0-0-000-
18 045, 04-1.0-12.0-0-000-031, 04-1.0-12.0-0-000-030.02, 04-1.0-12.0-0-000-030.01, 04-
19 1.0-12.0-0-000-030. for Windswept Farms is approved subject to the following
20 modifications, regulatory requirements and conditions of approval:

21 **Modifications**

22 Approval of a modification to Section 400.2550 of the UDO (request to allow for

1 parking on one side of the street only).

2 Approval of modifications to Sections 400.25410 and 5475 of the UDO (request
3 for fewer than three entrances with the placement of an obstruction/gate).

4 **Regulatory Requirements**

5 **Permitted Uses**

6 Single-family residential per the approved development plan.

7 **Floor Area, Height, and other Building Requirements**

8 Maximum Density: 6 units per acre

9 Minimum Lot Size: 4,000 square feet

10 Minimum Lot Width: 38 feet

11 Maximum Structure Height: 45 feet

12 **Improvement Plan / Site Development**

13 **Required Yards**

14 The required yards shall comply with those permitted on the development plan for
15 Windswept Farms. The developer has requested setbacks as follows: front yard - 25 feet,
16 side yard - 6 feet, and rear yard - 30 feet. *Villa lots may have 0 foot side yard setbacks
17 and will be evaluated during submittal of the preliminary plat.

18 **Design Standards**

19 The development shall comply with Suburban Design Standards in accordance
20 with Article 7 of the Jefferson County Unified Development Order.

21 **Access**

1 All possible access roads shall comply with street design requirements identified in the
2 Unified Development Order.

3 **Parking**

4 Two parking spaces are required per dwelling unit, excluding the garage. See Article XII
5 for additional parking regulations. Parking spaces shall not block the sidewalks within
6 the proposed development. This requirement shall not apply to those lots upon which
7 single-car garage homes are constructed. These lots must provide one parking space in
8 addition to the garage.

9 **Signs**

10 The subdivider shall provide a sign at the entrance to the subdivision which states
11 "Private Maintenance Begins". The subdivider shall also place all regulatory signs,
12 including stop signs, speed limit, etc. See Article XIII for additional signage regulations.

13 **Landscaping**

14 The UDO requires the following landscaping for a subdivision:

15 1. Street Frontage*

16 a. 1 tree for every 75 feet of street frontage.

17 b. 1 shrub for every 20 feet of street frontage.

18 2. Open yard areas**

19 a. 1 tree for every 5,000 sq.ft. of open yard.

20 b. 2 shrubs for every 5,000 sq.ft. of open yard.

21 * Trees and shrubs may be clustered but must be within 20 feet of
22 the provided right-of-way.

1 ** Open yard is the total lot area subtracted from the building
2 footprint.

3 **Conditions of Approval**

4 1. A Preliminary Plat shall be submitted to the Jefferson County Planning Division
5 in accordance with the Unified Development Order of Jefferson County. The
6 Preliminary Plat shall include and identify a parcel of property for the future
7 consideration of use as a Sheriff's Department Substation.

8 2. This project will require a Jefferson County Land Disturbance permit and a
9 Missouri Department of Natural Resources land disturbance permit.

10 3. Clearly show the extent of the phasing limits on the Preliminary Plat.

11 4. A landscaping plan must be designated and shown as part of a typical lot layout.

12 5. Pavement:

13 a. An entrance permit is required for access onto a state road from MODOT.

14 b. The engineer shall submit sight distance profiles for the Street "B"
15 intersection with Highway FF showing that the required sight distance is
16 met (having the traffic study satisfactorily address the entrance sight
17 distance is acceptable).

18 c. A traffic study shall be submitted to address improvements needed within
19 the state roads and internal roadways.

20 i. Number of access points:

21 1. Two or more access points are required for subdivisions
22 with 300 lots or greater.

- 1 d. All requirements of the traffic study shall be implemented to the
2 satisfaction of MODOT and the Jefferson County Planning Division,
3 including any required improvements to the Highway w and 109
4 intersection. These improvements shall either be constructed or included
5 in a Guarantee Agreement prior to any final plats being recorded.
- 6 e. Driveway entrances (within state ROW):
- 7 i. Street thickness shall include 7" PCC (or 2" Type C Asphaltic
8 Concrete/6" Type X Asphaltic Concrete/4" rock base).
- 9 6. Major Local Access Streets (Street "A: from Highway W/109 through the
10 roundabout):
- 11 a. Serving over 315 units: Street width shall provide 26' pavement within
12 32' ROW with curbs. Street thickness shall include 7" PCC (or 2" Type C
13 Asphaltic Concrete/6" Type X Asphaltic Concrete/4" rock base, no
14 parking on either side).
- 15 7. Local Access Streets:
- 16 a. The remainder of streets are acceptable as shown at 26' width in a 40'
17 ROW. Street thickness shall include 6" PCC (or 2" Type C Asphaltic
18 Concrete/5" Type X Asphaltic Concrete/4" rock base). Street thickness
19 shall include 6" PCC (or 2" Type C Asphaltic Concrete/5" Type X
20 Asphaltic Concrete/4" rock base).
- 21 b. Streets shall not exceed 14% grades, 100' horizontal radii, K=20, 0'
22 tangents, and 1500' block length.

- 1 c. "No Parking" signs will be required on the side of the street where parking
2 is prohibited.
- 3 d. Parking is allowed on one side of the street.
- 4 e. Remove the "County Road" identification from the offsite street to the
5 west of Lots 127D and 45F (the road is privately maintained).
- 6 8. Sidewalks shall consist of 5' width.
- 7 9. Stormwater/detention:
- 8 a. Detention system shall detain and release stormwater at a rate not to
9 exceed the release rate from the site under the existing (pre-developed)
10 conditions for the 2-year and 10-year, 24-hour storm event. Provide soil
11 types and curve numbers.
- 12 b. Stormwater system shall be designed for the 15-year, 20-minute event.
13 Provide hydraulic calculations and drainage area map for each system.
- 14 c. All drainage to the MODOT must be approved by MODOT
- 15 10. Stream Buffers:
- 16 a. FYI: The Stormwater Division requires that stream buffers be maintained
17 for stream orders 1, 2 and 3 as required by Section 505.170-B-3 of The
18 Jefferson County Stormwater Design Manual.
- 19 11. Floodplain:
- 20 a. The Code Enforcement Division requires a Floodplain Development
21 Permit for any grading or improvements within a known floodplain.

- 1 b. Show limits of the floodway (lots and detention systems should not be
- 2 within floodway).
- 3 c. Show the limits and the elevation(s) of the 100-year floodplain.
- 4 d. The detention pond berm must be elevated at or above the 100-year flood
- 5 elevation.
- 6 e. The elevation of all lots and internal rights of way must be elevated at
- 7 least 1' above the 100-year storm event.
- 8 f. Submit calculations for culverts and bridges within the limits of the
- 9 floodplain.
- 10 g. Lomars will be required for any lots affected by the floodplain.

11 12. Grading:

- 12 a. Submit a geotechnical report, sealed by an Engineer registered in the State
- 13 of Missouri, as required where more than 5' of cut or 5' of fill is proposed.
- 14 Grades at slopes proposed steeper than 3:1 must be included in the report
- 15 for slope stability.

16 13. Extension of the sanitary sewer trunk main to the northeast corner of Haas Acres

17 to allow for connection of Haas Acres and other properties to public sewers

18 contingent on securing the proper easements from the surrounding property

19 owners. Good faith effort shall be made to secure all necessary easements.

20 14. The applicant/developer has committed a \$500 per home Traffic Generation

21 Assessment with the intent to fund future required road improvements to

22 Highways W and 109. To the extent that MODOT is willing to accept funds for

1 future development, Developer shall work with MODOT to implement this
2 commitment.

3 Section 2. The zoning map of Jefferson County, Missouri shall be amended
4 by changing the area where said real estate is located on the map with the marking
5 "PR117034".

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

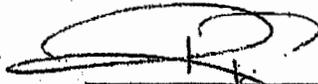
8 Section 4. If any part of this Ordinance is invalid for any reason, such
9 invalidity shall not affect the remainder of this Ordinance.

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

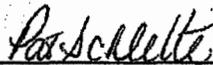
Council Member District 1, Don Bickowski	<u>Yes</u>
Council Member District 2, Renee Reuter	<u>Yes</u>
Council Member District 3, Robert Boyer	<u>Abstain</u>
Council Member District 4, Charles Groeteke	<u>Yes</u>
Council Member District 5, Oscar J. "Jim" Kasten	<u>Yes</u>
Council Member District 6, Daniel Stallman	<u>Yes</u>
Council Member District 7, James Terry	<u>Yes</u>

THE ABOVE BILL ON THIS 14th DAY OF August, 2017:

PASSED FAILED



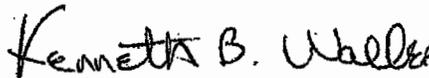
Renee Reuter, County Council Chair



Pat Schlette, Council Administrative Assistant

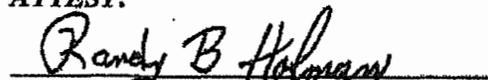
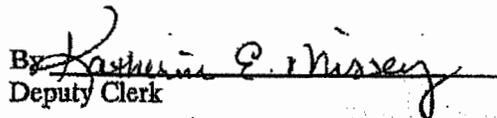
THIS BILL WAS APPROVED BY THE JEFFERSON COUNTY EXECUTIVE AND EXACTED AS AN ORDINANCE OF JEFFERSON COUNTY, MISSOURI, THIS 15th DAY OF AUGUST, 2017.

THIS BILL WAS VETOED AND RETURNED TO THE JEFFERSON COUNTY, MISSOURI, COUNCIL WITH WRITTEN OBJECTIONS BY THE JEFFERSON COUNTY EXECUTIVE, THIS DAY OF , 2017.



Kenneth B. Waller, Jefferson County, Missouri, Executive

ATTEST:


Randy B. Holman, County Clerk
Deputy Clerk

First Reading: 07-24-2017

Second Reading: 08-14-2017

Third Reading: 08-14-2017

