

**Parkville Planning & Zoning Commission
December 8, 2009, 5:30 p.m.
City Hall Boardroom**

Minutes

ITEM 1. CALL TO ORDER

Chairman Katerndahl called meeting to order at 5:30 p.m.

ITEM 2. ROLL CALL

Members present:

Dean Katerndahl, Chairman
Bryant Lamer
Keith Cary

Lonnie Scott
Mike Nall
Bob Lock

Members absent:

Marvin Ferguson (with prior notice)
Judy McRuer (arrived at 5:37, due to winter storm)
Pam Scott (with prior notice)

Also present:

Sean Ackerson, AICP, Assistant City Administrator / Community Development Director
Tracy Sisney, Department Assistant

ITEM 3. GENERAL BUSINESS

Item 3(A) Approval of Revised Planning & Zoning Meeting Agenda.

Chairman Katerndahl asked for a motion to approve the revised agenda as presented. Note that this agenda was posted 24 hours prior.

Commissioner Scott moved to approve the agenda as published. Commissioner Lamer Scott seconded. Motion passed 6-0.

Item 3(B) Approval of Planning & Zoning minutes from November 10, 2009 meeting.

Chairman Katerndahl asked to approve the minutes at the next meeting in order to give the Planning Commission appropriate time to review Minutes as presented.

ITEM 4. PUBLIC HEARING (all items have previously been tabled and will remain tabled until a motion to remove an item is passed. See comments following descriptions of each item)

Item 4(A) An amendment to an existing conditional use permit allowing new equipment and antenna to be added to an exiting cell tower at 6200 Kelly Drive, Parkville, MO (in the Bell Road Industrial Park). Clearwireless LLC of Overland Park, Kansas. Case PZ09-17. Unless tabled, Board of Aldermen will consider on 12-15-09.

Chairman Katerndahl deferred to staff. Director Ackerson stated that the project was located in the Bell Road Industrial Park. He added that a monopole tower already existed on the site. The applicant would simply be adding a new antenna to the pole and equipment cabinet below in the existing fenced compound. He added that the current tower had previously been approved by ordinance. Staff recommended approval with the caveat that this conditional use permit meets all conditions of prior approval.

Bob Herlihy, SSC, Inc., 8500 W. 110th, Overland Park, Kansas, representing the application, stated that while Crown Castle was the tower owner, Clearwireless would be providing the new service. They have 243 sites, currently and all but two co-exist as proposed.

Commissioner Lock asked about the aesthetics. Herlihy summarized the improvements, referring to drawings submitted with the application. He did not believe the equipment would be obtrusive and would blend into the current tower. He added that there were two other towers already in place and they are bigger than this one.

Director Ackerson stated that he had received a question from a Parkville citizen who was unable to attend the meeting. He asked if the addition of equipment would expand the existing fenced compound below the tower. The applicant stated that there would be no change in the current footprint.

Chairman Katerndahl opened the public hearing. No one from the public appeared with any questions.

Commissioner Scott moved to approve the amendment. Commissioner Lamer seconded. Motion passed 6-0.

Note: Commissioner McRuer arrived at 5:37 p.m. due to inclement weather and joined the meeting.

Item 4(B) An amendment to Chapter 463, Section 463.060 to revise the regulation of temporary signs. Case No. PZ09-05. Staff requests that this item remain tabled.

Item remained tabled.

Item 4(C) An application to rezone all of Tract A and all of Lots 1, 2, 3, 4, 5 and 6, Bell Road Industrial Park, a subdivision in Parkville, Platte County, Missouri, containing 5.98 acres, more or less, from “B-2” General Business District to “B-4” Planned Business District. Said property is generally located at the southwest corner of 45 Highway and Bell Road in Parkville, MO. Case No. PZ08-22. Previously tabled and will remain tabled until a motion to remove an item is passed. Staff requests that this item remain tabled.

Item remained tabled.

Item 4(D) A proposed preliminary development plan for Parkville Market Place with item (C) above. Said preliminary development plan proposes approximately 45,000 square feet of retail and restaurant, 285 parking spaces and related amenities. Case No. PZ08-23. Previously tabled and will remain tabled until a motion to remove an item is passed. Staff requests that this item remain tabled.

Item remained tabled.

ITEM 5. REGULAR BUSINESS

Item 5(A) Application for a final plat of Maria Ewing Addition to the Sullivan Nature Sanctuary. City of Parkville, Bill and Claudia Brown, Bob Smalley and Marcy Smalley owners. Case No. PZ09-24. Unless tabled, Board of Aldermen will consider on 12-15-09.

Director Ackerson stated that Bill and Claudia Brown desired to donate a 1.15 acre addition to the Sullivan Nature Sanctuary located on the west side of Main south of English Landing Center in downtown. Ackerson summarized the 2006 acquisition of the sanctuary and other parkland from the Brown and Smalley families.

Ackerson explained that the 1.15 acres was part of a 4.6 acre parcel. Ackerson stated that the acreage would be a welcome addition to the sanctuary and commented on the Brown's generosity.

Ackerson summarized the need to plat the 4.6 acre parcel as well as property acquire in 2006. The plat would create three lots from the original 4.6 acre parcel. It would be subdivided into Lot 1 of 2.3 acres to be owned by one of the property owners, Lot 2 of 1.15 acres to be owned by one of the property owners and the balance of 1.5 acres to be dedicated to the City and combined with the existing outline of the Sullivan Nature Sanctuary as a new Lot 3. The land the City had previously acquired has not previously been platted. The plat would divide this land into new Lots 3, 4 and 5.

Staff recommends approval of the application as submitted.

Chairman Katerndahl asked for any questions. Commissioner McRuer asked if there were any conditions to the property other than the fact that it belong to the Nature Sanctuary. Ackerson stated that the only condition, post ownership, is that the City put the property under a conservation easement so that it remains as part of the Nature Sanctuary to be preserved perpetually. Commissioner Lamer asked about the intent to develop the proposed Lots 1 and 2 (owned by the Brown and Smalley families). Ackerson said that they are currently zoned OTD, and that the owners have previously pursued development of the entire 4.6 acres. He added that the OTD would allow commercial, office and limited residential uses (subject to plan approval). The applicant has stated that they will continue to market the property (Lots 1 and 2).

Commissioner McRuer moved to approve Item 5A for the Final Plat of the Maria Ewing addition to the Sullivan Nature Sanctuary. Commissioner Lock seconded. Motion passed 7-0.

Item 5(B) Application for a final plat of Cider Mill Farm Second Plat. R.P. Golf, LL owners. Case No. PZ09-22. Unless tabled, Board of Aldermen will consider on 12-15-09.

Director Ackerson stated that the Commission has seen this final plat in one form or another about four times in the past. It was last approved as the Final Plat of Cider Mill Farm, but was never recorded. Due to the ever changing market the applicants are proposing to phase the development. This phase includes only four lots. This phase proposes development of single-family units the National will market as "Family Style" homes. They will be in a different price range than other prior phases of the National golf course development.

Commissioner McRuer asked about the price range. Director Ackerson answered that he believed they told him units would be priced around the \$350-400K range. He qualified the answer saying he could be wrong.

Commissioner Scott moved to approve the application for the final plat of Cider Mill Farm Second Plat. Commissioner McRuer seconded. Motion approved 7-0.

Item 5(C) Application for a Planned District Development permit for exterior modifications to a building and change of use in the Old Town District. Josh Brock, Parkville Coffee House. Case PZ09-27. Unless tabled, Board of Aldermen will consider on 12-15-09.

Director Ackerson stated that this was an application for a change in use and exterior changes to 103 Main Street. The property is located in the “OTD” Old Town District and requires Planning & Zoning approval as well as Board of Aldermen approval. He added that this building was previously used for retail only and while ancillary retail uses were proposed, its primary function would be to serve coffee by the cup as well as by the bag and would service sandwiches, cookies, pastries and teas. Ackerson added that a “coffee shop” is not specifically listed as a permitted use, but listed uses include, bakeries, restaurants and other food and specialty food services. Staff concluded that these are equivalent uses.

Ackerson summarized his review addressing parking, hours of operation, historic character and compliance with OTD regulations. Ackerson stated that the OTD regulations state that the standard parking regulation do not apply unless there will be a substantial impact on the current parking. Staff summarized parking requirement and calculations detailed in the submitted staff report. The use would require more parking than the prior retail use, but staff concluded that peak am and pm hours of operation would not likely conflict with other retailers. Ackerson noted that the other restaurants in the area operate efficiently with the existing parking. Ackerson added that the coffee shop was also about a block and half away from the largest downtown parking area.

Last, Ackerson stated that with regard to preservation of the historic character of the building, the exterior changes do not affect the exterior character. The façade itself was a modification of the dormer which would be closer to the historic character. The applicant is also adding café tables, just outside the front door, which was reviewed. The sidewalks in the location are generally wider and should accommodate the depth of the small tables and a couple of chairs. Staff recommended as part of the approval that they retain authority for the final outdoor seating terms in order to make sure there is clearance between the tables and seating and the overhang of the vehicles to meet ADA requirements.

Commissioner McRuer asked if the handicap parking spaces downtown are set into place by someone or if they can be changed. Ackerson answered that he was uncertain as to why that location was chosen, or if they have to remain in that location. He added that he suspects it was chosen because of the ADA accessible ramps.

Josh Brock, applicant, 5331 Charlotte, Kansas City, MO 64110, stated that he believes the coffee shop will be a nice attraction for downtown Parkville. He added that the hours of operation will be a bit longer than some of the other businesses. He may stay open as late as 10:00 pm depending on business.

Chairman Katerndahl asked the applicant if he had any type of experience with this type of shop in the past. Mr. Brock responded that yes he had previously owned a coffee shop in Kansas City but sold it when his mother became ill. He added that he had worked for Starbucks in the past and had opened stores for them for 5 or 6 years.

Commissioner Lock asked about inside seating. Mr. Brock stated that initially he would only utilize the main/lower level with seating available for approximately 15 people. Then maybe later add the upstairs of the facility for additional seating.

Chairman Katerndahl asked if this approval would include the upstairs or if the applicant decided to expand would they need to come back before the Planning Commission. Director Ackerson stated the upstairs square footage was not calculated into the parking equation, but the shops downtowns fluctuate between retail/office and specialty food services, the primary concern at hand is the exterior modifications and parking. He added that if it were further north on Main Street and would compete for residential parking, it would be a greater concern but in this particular block, it's not that big of an issue. He said you could approve it including the upstairs adding another 6-10 parking spaces, but due to the peak hours, it should not be a concern.

Commissioner Lamer asked the applicant about signage. Mr. Brock stated that he thought he would be using an awning and window sign. He said he may want something bigger and possibly backlit later.

Commissioner Nall asked the applicant if he plans to be onsite. Mr. Brock stated that he would be.

Commissioner McRuer asked if the applicant planned to have their own blend of coffee. The applicant stated that down the road, he hoped to roast his own coffee. Commissioner McRuer asked if this fit within the light manufacturing for the OTD. Ackerson stated that it did not, that food preparation was treated differently. He said that unless it's constructing or fabricating it does not fall under the new regulations. This would be considered to be the equivalent to baking pastries or other food preparation. Director Ackerson stated that he had inquired about the size of a coffee roaster and learned that it would put out around 50-100lbs per week and is a small table top piece of equipment. Mr. Brock showed an photo showing a small coffee roaster stating it would be of similar size.

Commissioner Lamer asked if the business would be pet friendly and used as an example taking his dog out for a morning walk and stopping by to pick up a cup of coffee. The applicant stated he would not have a problem if the Health Department approved it.

Commissioner Lamer moved to approve Item 5C to permit exterior modifications and change in use permit subject to staff conditions. Commissioner McRuer seconded. Motion passed 7-0.

ITEM 6. UNFINISHED BUSINESS

None

ITEM 7. OTHER BUSINESS

Chairman Katerndahl announced the dates of the next Planning & Zoning Commission meetings, along with the Board of Aldermen's future schedule.

Director Ackerson also announced that there would be Sunshine Law training that is being put on by the Missouri Attorney General's office in Platte City in January, 2010.

ITEM 8. ADJOURNMENT

Commissioner Scott moved to adjourn. Commissioner Lamer seconded. Motion to adjourn passed 7-0.

Meeting adjourned at 6:07 p.m.

Submitted by: _____ 12-10-09
Tracy Sisney Date
Department Assistant

Information on these items is maintained at Parkville City Hall and is available for viewing during normal office hours. Planning Commission decisions are recommendations forwarded to the Parkville Board of Aldermen meeting unless otherwise noted. Inquiries on items contained herein can be made by visiting Parkville City Hall at 8880 Clark Avenue, Parkville, or by calling the Community Development Department at (816) 741-7676.