

Parkville Planning & Zoning Commission
Wednesday February 15, 2006
City Hall Boardroom

Minutes

ITEM 1. CALL TO ORDER

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

ITEM 2. ROLL CALL

Members present:

Dr. Harold Brown,
Marvin Ferguson,
Jim Sfetko
Gerry Richardson
Nancy Jack
John Haggard
Gary Stumbo
Chairman Al McCormick

Members absent:

Greg Knauer (with prior notice)

Also present:

Sean Ackerson, Community Development Director
Paula Puszczewicz, C.D. Administrative Assistant
Joe Turner, City Administrator
2 persons in the audience

ITEM 3. GENERAL BUSINESS

Item 3(A) Approve Planning & Zoning Commission meeting agenda

Chairman McCormick requested to add one item under General Business to tonight's agenda for administration of the oath of office for the newly appointed commissioner, Gerry Richardson.

Chairman McCormick motioned to approve the agenda as amended. Dr. Brown seconded the motion. By voice vote the motion passed 8-0.

Item 3 (B) Approval of minutes from the December 13, 2005 meeting.

Ms. Jack motioned to approve the minutes of the January 10, 2006 meeting of the Planning & Zoning commission as printed. Mr. Ferguson seconded the motion. By voice vote the motion passed 8-0.

Item 3 (C) Oath of office for newly appointed Planning Commissioner, Gerry Richardson.

Chairman McCormick administered the oath of office to newly appointed Planning Commissioner Gerry Richardson. The commissioners welcomed the new member to the Planning Commission.

ITEM 4. PUBLIC HEARING

Item 4(A) Proposed text amendment to Chapter 463, Sign Code to clarify and establish maximum heights for free-standing signs. *Case No. PZ06-04*

Chairman McCormick requested information from the Community Development Director. Mr. Ackerson provided a brief overview of the current regulations concerning heights for free-standing signs. He stated that in the commissioner's packets was the current Chapter 463: *Sign Code*. He stated that Section 463.130 and Section 463.150 should be amended as follows.

Existing text is shown in italics (*example*) new text is shown in bold italics (***example***) and text that has been struck through is to be removed (~~example~~)

Amendment to Section 463, 130: "B-1" Neighborhood Business and "B-2" General Business Districts

Signs permitted in Zoning Districts "B-1" and "B-2" shall be limited as follows:

1. *Pole and free-standing signs.*
 - a. *Each shopping center over five (5) acres shall be permitted one (1) pole sign or one (1) free-standing sign.*
 - b. *Each separately leased or owned free-standing building, not within a shopping center over five (5) acres, shall be permitted one (1) free-standing sign on the leased or owned premises of such free-standing building.*
 - c. *Each free-standing and pole sign shall not exceed fifty (50) square feet of sign area; except that the pole sign area for a shopping center over five (5) acres shall not exceed one hundred twenty (120) square feet. Only one (1) face of such signage shall be computed and added to determine such gross area.*
 - d. *The minimum height to the bottom of any sign pole sign shall be eight (8) feet and the maximum height of any pole sign shall be thirty-five (35) feet to the top of the sign. **The maximum height of all other free-standing signs shall be eight (8) feet.***
 - e. *All free-standing signs shall be set back no less than five (5) feet from the public right of way.*

Amendment to Section 463.150: "I-1", "I-2" and "I-3" Industrial Districts

1. *Pole and free-standing signs.*
 - a. *Each shopping center or industrial development over five (5) acres shall be permitted one pole or one (1) free-standing sign.*
 - b. *Each separately leased or owned free-standing building not within a shopping center or industrial development over five (5) acres shall be permitted one (1) free-standing sign on the leased or owned premises of such free-standing building.*
 - c. *Each free-standing sign shall not exceed one hundred (100) square feet of sign area except that the pole sign area for a shopping center of industrial development over five (5) acres shall not exceed two hundred (200) square feet. Only one (1) face of such signage shall be computed and added to determine such gross area.*
 - d. *The maximum height of any pole sign shall be thirty-five (35) feet. **The maximum height of all other free-standing signs shall be eight (8) feet.***

Staff recommended approval of the proposed text amendment.

Questions from the commissioners included the height level of the signs and should there be a maximum width of the signs to avoid long narrow ones. After examples and discussion of the different districts the commissioners decided that the signs should start at ground level and the maximum width should be twelve (12) feet in the B-1 and B-2 districts and 24 feet in the I-1, I-2 and I-3 districts.

Chairman McCormick opened the public hearing for audience input. No one responded. Public hearing was closed.

Mr. Richardson motioned to approve the amendment to Chapter 463, Sign Code, to clarify and establish maximum heights for free-standing signs with the addition of maximum width of 12 feet in the B-1 and B-2 districts and a maximum width of 24 feet in the I-1, I-2 and I-3 districts. Ms. Jack seconded the motion. By voice vote the motion passed 8-0. Item 4A will be forwarded to the Board of Aldermen at the February 21, 2006 meeting.

Item 4 (B) Text amendment to Title IV, Chapters 442 and 463, Sign Code, to clarify the definitions, procedures, requirements, violations and penalties for Old Town District signs. <i>Case No. PZ06-10. Staff requests that this application be tabled until the March 14, 2006 meeting.</i>

At the request of staff, Chairman McCormick motioned to table Item 4(B) until the March 14, 2006 meeting. Ms. Jack seconded the motion. By voice vote the motion passed 8-0.

ITEM 5. UNFINISHED BUSINESS

Item 5A Evaluation of existing industrial and planned business regulations and consideration of a text amendment for a new “business park” zoning district. <i>Case No. PZ06-11</i>

Chairman McCormick requested information from the Community Development Director. Mr. Ackerson stated that the commissioners received this information at previous meetings and at the last Board of Aldermen meeting the City hired Shaffer, Kline and Warren to assist in the development of a business park district. Enclosed in the packets is Chapter 440: “B-4” Planned Business District Regulations and Industrial District Regulations from the City of Parkville and the BP - Planned Business Park regulations from Platte County.

The director stated that the current district codes are not appropriate. He asked the commissioners to examine the enclosed regulations and send any comments, questions or suggestions to the Community Development office. One item that is not addressed in the current regulations is outdoor storage, landscaping or screening. Others that need to be discussed are excessive or unnecessary districts, desired development character, lot area, setbacks, lot coverage, height or maximum stories and existing development and non-conformities.

Discussion among the commissioners included the need for a planned industrial approach and the possibility of replacing the I-1, I-2 and I-3 districts. The current I-3 zoning is for a large industrial community and some of the listed businesses could cause nightmares if allowed. The truly industrial uses are the mine and some of Kelly Industrial Park. The commissioners discussed having a classification of use instead of listing each business allowed. This is a critical time now and the districts can be changed or adopted to meet criteria.

A concern from the commissioners included the issue of water quality and runoff to the creeks, which will need to be addressed separately. It may be incorporated into the regulations.

The director stated that this item would come before the commission next month as an agenda item.

When Chairman McCormick requested comments or concerns, there was no one from the audience who wished to address this issue.

ITEM 6. REGULAR BUSINESS

Item 6(A) Request for approval of the final plat of the 7th Plat of Parkville Commons by River North Development, developer, Jim Watson, Managing Director. *Case No. PZ06-07*

Chairman McCormick deferred the floor to Mr. Ackerson, Community Development Director. The Director stated that the applicants are requesting approval of a proposed final plat of two lots and two tracts north of Clark Avenue between Lewis Street and East Streets. The following is proposed:

- Lot 11 – commercial lot
- Lot 13 – lot for the future City Hall location
- Tract N – parking for future City Hall
- Tract M – location of private drive and parking

The Planning Commission approved the preliminary plat for Parkville Commons on March 11, 2003 with conditions. Lot 11 and Tract M are consistent with the approved preliminary plat. Lot 13 and Tract N are different with significant changes on the final plat, so per City Code, copies were mailed to all review entities and service providers. Comments received are included herein.

The following review comments should be addressed as a condition of approval.

1. **Maintenance of Tracts** – The statement for Tract M should clarify that the street will be a private drive with private maintenance. Maintenance for Tract N should be clarified.
2. **Tract N** – Tract N and its intent should be called out in the notes. Tract N will be public right-of-way.
3. **Open space and parking to the north** – A private drive and parking for the future City Hall should be shown on the final plat unless they are part of future phases. It may be necessary to set a deadline for platting and construction in relation to occupancy of City Hall. Footprint is needed for financing and legal description for recording.
4. **Building lines** – The notes call out building setback lines, but none are shown on the plat. If the note is not removed, building setbacks should be shown.
5. **Easements** – If no general utility easements are shown, the U/E reference should be removed or replaced as necessary.

Staff recommended approval subject to the following conditions:

- Resolving of the above issues
- Board of Aldermen acceptance of easements to be dedicated to Parkville, and
- Any revisions or additions deemed necessary by the Planning Commission.

Chairman McCormick requested information from the applicant. Ms. Grayson Price, representing River North Development, 10316 Tom Watson Parkway, Parkville, MO stated that they agreed with the staff report. They would follow all of the recommendations proposed by City Staff.

Mr. Ferguson motioned to approve the request for the proposed final plat for the 7th Plat of Parkville Commons for River North Development as submitted, subject to staff recommendations. Mr. Sfetko seconded the motion. By voice vote the motion passed 8-0. Item 6A will be forwarded to the Board of Aldermen at the February 21, 2006 meeting.

Item 6(B) Discuss needed zoning map amendments

Chairman McCormick deferred the floor to the Community Development Director. Mr. Ackerson stated that on the City zoning map there are a number of errors mainly due to annexation throughout the late 1990's and early 2000's. The City's municipal codes addressed rezoning in Section 485.010 but did not hold public hearing for rezoning. The Municipal League concluded that accepting the Platte County Zoning was contrary to the statutory requirement to hold public hearings before rezoning so as a result, the Municipal Code was revised in 2004 as follows:

SECTION 485.010: ZONING OF NEWLY ANNEXED TERRITORY

All territory hereafter annexed to the City of Parkville, shall continue under such zoning classification and with such approval for planned districts or planned unit developments as shall have been theretofore established by the Zoning Law of Platte County, Missouri, until such time as the property is rezoned in accordance with procedures in Chapter 483.

There are other errors on the City Zoning map that need to be rezoned to a City district in order to comply with the annexation statutes and our municipal code. The City attorney has suggested that the City require public hearing to rezone any of the annexed property.

In order to correctly update our map and show accurate zoning, we are currently working through all rezoning and annexation ordinances adopted since incorporation. Meanwhile, we are addressing development on an as submitted basis and requiring rezoning prior to consideration of development plans or issuing building permits.

Discussion ensued concerning areas that are incorrectly zoned and procedures necessary to correct the problem.

ITEM 7. OTHER BUSINESS

Item 7(A) Board adopted goals and objectives

The Community Development Director presented the Board's adopted goals and objectives. These are the key objectives for 2006 determined by the Board of Aldermen. The intent is to incorporate these goals and objectives into the Master Plan.

Item 7(B) Planning Commission training opportunities

The Community Development Director stated that there is a nominal budget for the Planning Commission members to attend training and workshops. Staff has requested more information from MARC on the workshops they are sponsoring. If any of the commissioners would like to attend the scheduled workshops please contact the Community Development Department to make reservations.

Item 7(C) Next Planning Commission meeting: Tuesday March 14, 2006

Chairman McCormick announced that the next Planning & Zoning Commission meeting is on Tuesday March 14, 2006 at 5:30 p.m. in the Boardroom at City Hall.

Item 7(D) Next Board of Aldermen meetings: February 21, and March 7, 2006 at 7:00 p.m.

Chairman McCormick stated that the next scheduled Board of Aldermen meetings are February 21, and March 7, 2006 at 7:00 p.m. in the Boardroom at City Hall.

ITEM 8. ADJOURNMENT

Dr. Brown motioned to adjourn the meeting. Mr. Ferguson seconded the motion. By voice vote the motion passed unanimously 8-0.

Meeting adjourned at 6:22 p.m.

Submitted by: _____
Paula Puszczewicz, C.D. Admin. Assist.

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 1201 East Street, Parkville, or by calling the Community Development Department at (816) 741-9313.