

**Parkville Planning & Zoning Commission**  
**Tuesday, March 11, 2008 5:30 p.m.**  
City Hall Boardroom

**Minutes**

**ITEM 1. CALL TO ORDER**

Chairman McCormick called meeting to order at 5:30 pm

**ITEM 2. ROLL CALL**

Members present:

Chairman Al McCormick  
Harold Brown  
Marvin Ferguson, Aldermen  
Bryant Lamer

Judy McRuer  
Dean Katerndahl  
John Haggard (late with prior notice)

Members absent:

Greg Knauer (with prior notice)

Also present:

Sean Ackerson, AICP, Community Development Director  
3 people in the audience

**ITEM 3. GENERAL BUSINESS**

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

Chairman McCormick requested the addition of two items – introduction of a potential Planning and Zoning Commission member, and update on Mr. Knauer.

**Chairman McCormick moved to accept the Agenda modified. Aldermen Ferguson seconded. Motion passed 6-0.**

Item 3(B) Introduction of Lonnie Scott as potential Commission member (added to agenda).

Chairman McCormick stated that a position on Planning & Zoning had been open for some time. He introduced Lonnie Scott as a candidate to be nominated to fill the vacancy. He noted Mayor Dusenbery, would nominate Mr. Scott at the March 25, 2008 Board meeting. The Commission welcomed Mr. Scott.

Item 3(C) Update on Commissioner Knauer.

Chairman McCormick noted that Commissioner Knauer would not be able to attend the meeting. The Commission wished Commissioner Knauer well and looked forward to his return.

Item 3(D) Approval of minutes from the October 9, 2007, November 13, 2007, and February 13, 2008 Commission meetings.

Chairman McCormick noted that the October and November minutes were tabled at the last meeting. No further discussion.

**Aldermen Ferguson moved to approve the October 9, 2007, November 13, 2007, and February 13, 2008 Commission minutes as published. Seconded by Commissioner Lamer. Motion passed 6-0.**

#### **ITEM 4. PUBLIC HEARING**

Item 4(A) Application for Amendment to Title IV, Chapter 505, Subdivisions, to define and regulate lot splits, minor plats and a replatting procedure. *Case No. PZ08-11.*

Chairman McCormick deferred to staff for a presentation. Prior to addressing Item 4A, Director Ackerson noted that a public hearing had also been published for an application for a conditional use permit for property at the northeast corner of 45 Highway and Melody. He explained that the notice had been published before a full review of the application was complete. Once reviewed the application was determined to be invalid. He wanted the public to know that this application would not be heard this evening in spite of the public hearing notice.

Director Ackerson resumed discussion of the proposed text amendment. He explained that the City did not currently have procedures for lot splits, minor plats, or replatting. He stated that there was no procedure for amending a plat once adopted. He explained that he had previously used an administrative procedure to address plat amendments, but the procedure was contrary to the adopted regulations, and an amendment to the regulations was warranted.

Ackerson noted that the proposed text amendment was not complete and requested the application be tabled at this time. He noted that the public hearing could be opened at the Planning Commission's discretion, but in any case should be tabled until the April meeting.

Chairman McCormick opened the hearing for public comment. Seeing none he closed the hearing.

**Aldermen Ferguson moved to table the application and hearing until the April meeting. Commissioner Brown seconded. Motion passed 6-0.**

Item 4(B) Consideration of amendments to the City of Parkville Comprehensive Plan to update future land use projections, define land use categories, update goals, objectives and guiding principals, adopt transportation network projections, and other similar amendments.

Chairman McCormick deferred to staff. Director Ackerson explained that this hearing was called to adopt previously drafted materials as an amendment to the existing Comprehensive Plan. He stated that the materials were not complete at this time, but that discussion was appropriate. He called the Commission's attention to a formal request by Russell Sickman, and referred to Mr. Sickman's letter of March 5, 2008.

Before proceeding, Director Ackerson stated that staff's request was to table the application, but the Commission had the discretion to consider Mr. Sickman's request. He also requested

volunteers to participate in reviewing draft materials prior to presentation to the Commission. Commissioner Katerndahl, Chairman McCormick and Commissioner Brown volunteered.

Director Ackerson provided an overview of the request and oriented the Commission to Mr. Sickman's property and the uses of surrounding property. He called their attention an aerial photo of the site. Generally, Mr. Sickman's property is located west of I-435, south of Tiffany Springs Road and east of the fire station on N Highway. The general request was to consider alternate projections for his property and the surrounding area based on the existing character of the area and his opinion that it is unlikely to develop for none industrial uses. Ackerson explained that the property was zoned County "CH" Commercial Highway, and was currently projected for industrial development. This projection was likely based on the fact that the property had been within the airports projected high decibel noise contours.

Ackerson explained that the current master plan draft projected the area around I-435 and Highway 152 as a mixed-use district, predominantly consisting of commercial and office uses. This was based on the preponderance of public comment received and the fact that this area was relatively flat compared to the rest of Parkville, had great access to the interstate and was poised for development as a regional center. He said the projection was not consistent with Mr. Sickman's desire to develop his property for industrial or business park uses. However, he understood the limitations existing development could pose and confirmed Mr. Sickman's written statements about the fire department and MoDOT's intent to stay in their current locations.

Chairman McCormick noted that Commissioner Haggard had arrived at 5:48 p.m.

Chairman McCormick called on Mr. Sickman. Russell Sickman, 30 Village Circle Drive, Platte City, Missouri, introduced himself and noted that the property was owned by Sickman Investment Properties LLC of the same address. He stated he owned H&H Septic Service and had purchased the property with the intent of relocating his existing shop. He gave a history of the purchase of the 9.3-acre site in 2007. He stated he had met with Director Ackerson, who confirmed that the draft master plan projections would not likely accommodate an industrial use. He explained existing limitations including the fire department's burn building, MoDOT's salt dome and material storage yard, and three billboards, all of which abutted the site. He presented photos of the surrounding properties. He stated he wanted to pursue a business park zoning and the mixed-use projections weren't suitable to him. He stated the surrounding uses would not be relocating anytime soon which made it unlikely that his property could be developed for high-quality mixed-use development in his lifetime.

He stated his desire to develop the site with an earth contact building that could be screened from view of the street. He state that if anyone ever wanted to do anything more, they could buy him out, bulldoze his building and he wouldn't oppose it. He stated that the property was zoned "CH" Highway Commercial. He read the stated intent of the district from the County regulations and read several listed uses. He stated that he felt he had the right to rezone to City B-2 or B-4.

Commissioner Lamer questioned whether the property was zoned and annexed prior to his purchase of the property. Mr. Sickman said he purchased the property after it was zoned and annexed. He stated he met with Director Ackerson prior to purchasing the property. He was made aware of projected land uses in the existing master plan. Commissioner Lamer asked for clarification as to whether he met with Director Ackerson to discuss zoning. He stated that he met, but that the property did not have City zoning.

Director Ackerson clarified that the property was zoned County "CH" Commercial Highway. He explained that the zoning was retained upon annexation. He stated that the property would have

to be rezoned to a City equivalent, which is currently B-4. This would allow a retail / office type use. He explained the Mr. Sickman's business required a lot of outdoor storage, which was not consistent with the land use projections. He clarified that in spite of the discussion about zoning, Mr. Sickman's request this evening was for the Commission to consider an alternative land use projection.

Mr. Sickman discussed limitations of the business park district, which he was interested in. He knew his property didn't meet the 25 minimum acre district requirement. However, it was consistent with what he wanted to do. He stated he was there to make his plea to have an alternative projection because the mixed-use projection wouldn't work for him.

Aldermen Ferguson stated that per the City's ordinances, the City owed him at least the City's equivalent zoning.

Chairman McCormick thanked Mr. Sickman for his presentation. He explained that they did not intend to act on Mr. Sickman's request and suggested the Master Plan Committee discuss the request and recommend action. Chairman McCormick asked Mr. Sickman's permission to visit the site. Mr. Sickman obliged.

Mr. Sickman thanked the Commission and Director Ackerson for their time and help.

Chairman McCormick opened the public hearing. Seeing no comment, Mr. Chairman closed the hearing.

Director Ackerson stated that it was likely that a special meeting would be called prior to the April Commission meeting. He suggested that the motion to table the application reference the potential for a special meeting, so the public would be clear that the item might be considered prior to the April meeting.

**Chairman McCormick moved to table item 4B, consideration of amendments to the City of Parkville Comprehensive Plan, until the April Planning and Zoning Commission meeting or until such special meeting to be called. Seconded by Aldermen Ferguson. Motion passed 7-0.**

Chairman McCormick thanked Mr. Sickman again for his approach and how he handled his request.

#### **ITEM 5. UNFINISHED BUSINESS**

No unfinished business was considered.

#### **ITEM 6. REGULAR BUSINESS**

Item 6(A) Application for the Replat of Lot 1, Gibbons Estates at the National and Part of the Southeast Quarter of Section 22, Township 51 North, Range 34 West. Case No. PZ08-07.
---

Chairman McCormick introduced the item and deferred the floor to Director Ackerson. Ackerson provided an overview of the application. Generally the property is located off the southern cul-de-sac on Royal Court, which is accessed off Claret in the North National. He explained that the application was proposed to combine the existing lot with a previously unplatted lot. He stated that the National had approved the proposed combination subject to preservation of a view to the

golf course and limiting the previously unplatted area to ingress / egress and landscaping. Ackerson stated that the unplatted property originally served to provide construction access to the golf course. He explained that it has been retained as part of the open space plan. However, the National has preserved more open space than required and the reduction in open space caused by this application was not significant. He also stated his opinion that the loss of the view shed was not significant as it was not really an amenity that benefited the public.

Director Ackerson recommended approval subject to Platte County Regional Sewer District approval of the easements and easement dedication language. He noted that he had spoken with the sewer district and they had given verbal approval subject to the plat not interfering with their 20' dedicated easement.

**Commissioner Katerndahl moved to application for Replat of Lot 1, Gibbons Estates at the National subject to staff recommendations. Seconded by Commissioner McRuer. Motion passed 7-0.**

Item 6(B) Application for the Replat of Lots 53, 54, & 55 the Bluffs – Third Plat.  
Case No. PZ08-08

Chairman McCormick introduced the item and deferred the floor to Director Ackerson. Ackerson summarized the application. He stated the abutting property owners made the application. Lot 54 had been purchased by these abutting property owners with the intent of splitting the lot and absorbing it into their lots as a means of preserving the ground and expanding their lots.

Director Ackerson recommended approval without conditions.

**Commissioner Lamer moved to approve Replat of Lots 53, 54, & 55 the Bluffs – Third Plat. Seconded by Commissioner Brown. Motion passed 7-0.**

Item 6(C) Application for a Planned District Development permit for exterior modifications to a building in the Old Town District. 8 East Street, Suite C – The Pink Chandelier.  
Case No. PZ08-09.

Chairman McCormick introduced the item and deferred the floor to Director Ackerson. Ackerson explained that the request was to change the exterior of a building in the old town district. He reminded them of past applications and the typical analysis for consistency with the historic character of downtown and character of surrounding buildings. He stated that this application was unique because this portion of downtown had little or no historic character.

He stated that the subject building was not a historic building. Rather it was a cinderblock addition to another building. He summarized the proposed amendment as including shutters on each side of the door, window boxes, and topiary at the front door. He called the Commission's attention to photos, which showed the façade. He also called attention to photos of south façade of the building, which was a faux western façade that had no historic character. He also showed photos of the buildings to the north and east. Again these buildings did not have a historic character and were not in his opinion appealing or representative of the historic character or desired character of downtown.

Director Ackerson recommended approval subject to conformance with ADA requirements as applicable. He also asked the Planning Commission to recommend authorization of staff to approve additional modifications to improve this area. He explained that there was little that

could be done to detract from downtown, but a lot that could be done to improve the appearance of this area.

**Commissioner Lamer moved to approve the application for the Planned District Development permit for exterior modifications to a building subject to staff conditions and additional conditions staff feels are necessary to finalize the application. Seconded by Chairman McCormick. Motion passed 7-0.**

**ITEM 7. OTHER BUSINESS**

Item 7(A) Upcoming Meetings

Chairman McCormick summarized up coming meetings. Director Ackerson noted that the March 19<sup>th</sup> Board of Aldermen meeting had been rescheduled to March 25<sup>th</sup>. No action was taken.

**ITEM 8. ADJOURNMENT**

**Alderman Ferguson moved to adjourn. Commissioner Brown seconded. Motion passed 7-0.**

**Meeting adjourned at 6:22 p.m.**

Submitted by: \_\_\_\_\_ Date  
Sean Ackerson, AICP, Community Development Director

*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) 741-9313.*