

**Parkville Planning & Zoning Commission
Meeting
March 9, 2010, 5:30 p.m.
City Hall Boardroom**

Minutes

ITEM 1. CALL TO ORDER

Chairman Katerndahl called meeting to order at 5:35 p.m.

ITEM 2. ROLL CALL

Members present:

Dean Katerndahl, Chairman
Bryant Lamer
Keith Cary
Lonnie Scott
Tony Tognascioli

Judy McRuer, Vice Chairman
Marvin Ferguson
Pam Scott
Bob Lock

Also present:

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

ITEM 3. GENERAL BUSINESS

Item 3(A) Introduction of new Planning and Zoning Commissioner, Tony Tognascioli.

Chairman Katerndahl introduced, Tony Tognascioli, new Planning & Zoning Commissioner and welcomed him to the Commission.

Item 3(B) Approval Planning & Zoning Meeting Agenda.

Chairman Katerndahl requested a motion to approve the Agenda for the Planning and Zoning, March 9, 2010 meeting.

Alderman Ferguson moved to approve the agenda as published. Commissioner Pam Scott seconded. Motion passed 9-0.

Item 3(C) Approval of Planning & Zoning minutes from February 9, 2010 meeting.

Chairman Katerndahl requested a motion to approve the minutes of the February 9, 2010 Planning & Zoning meeting as presented.

Alderman Ferguson moved to approve the minutes of the February 9, 2010 meeting as presented. Commissioner Lonnie Scott seconded. Motion passed 9-0.

ITEM 4. PUBLIC HEARING

Item 4(A) An amendment to Chapter 463, to define and regulate the use of lighting sources, including LED lights, and to define and regulate attention attracting devices and flashing, moving, animated or similar signs. Case No. PZ10-01.

Chairman Katerndahl opened the public hearing and deferred to staff. Director Ackerson noted that the discussion had been tabled from the prior meeting and gave a brief overview of prior discussion and exhibits. He noted that although the application was being driven by C-Store owner, Alan Hoambrecker, the amendment was not specific to his signage and would be applied to any situation that met the criteria. He added that after several meetings and workshops that the text amendment now proposed has been amended to include only gas/fuel stations within 1,000 feet of the right of way of interstate locations.

Ackerson stated that the Commission had prior been given some direction of text language for signage from municipalities such as Gladstone and Lee's Summit. He said that this draft substantially addresses many issues and concerns and manages them as the Commission has suggested.

Ackerson summarized the amendment in general as allowing gas stations within 1,000 feet of the interstate right-of-way to have monuments signs with electronic message centers. Director Ackerson provided the draft that included new definitions and went over each. He stated that approval of this text amendment would allow the applicant's proposed signage. They are as follows:

The following language (in italics) was provided for Planning and Zoning Commission consideration:

Amendment to Section 463.030, *Definitions*, to add the following definitions:

Animated Signs. Signs that include animation or effects simulating animation, including those that employ: flashing or blinking; intermittent or changing illumination creating a fading, dissolving, traveling, scrolling, dropping, pixilation or other similar transitional effect; video; sound emission; flapping, blowing, spinning, rotation or other movement; pyrotechnics; visible moving parts; or any device or illumination or other effect, creating the illusion of motion.

Ackerson stated that this is a new definition. Upon discussion of the previous meetings, there was issue as to how the City would regulate motion or the appearance of motion, blinking or flashing.

Changeable copy sign: A manually, mechanically or electronically activated sign, or portion thereof, on which copy is designed to be changed periodically without altering the face of the sign. Changeable copy signs shall include, but not be limited to electronic message centers, reader boards, gas price signs, and theater marquees. Poster panels and painted boards shall not be considered changeable message signs.

Ackerson noted that this has been modified to an allowance of change without modification or alteration to the face of the sign.

Electronic Message Center: Any electronically activated changeable copy sign that displays text. Included are signs that use changing lights to form a message and holographic displays.

Ackerson noted that this previous definition was much larger and that staff had whittled it down. Previously it was noted in the definition to include video or images. This was left out of this definition based on the Commission's previously expressed concern for these types of images.

Amendment to Section 463.160, Special Conditions for all Zones, to add a new subsection E as follows:

E. Electronic Message Centers. Electronic message centers shall be allowed subject to the following standards:

- 1. Electronic message centers shall be restricted to use by gas stations or fuel stations that are within 1,000 feet of interstate highway right-of-way.*
- 2. Duration. Any portion of the message must be displayed for a minimum duration of 10 minutes.*

Ackerson stated that this was originally presented with an 8 second duration but stated the Commission could put whatever minimum time frame they thought would best represent the needs of our Community. He added that the applicant had mentioned changing the sign a few times a day and this would fit that well. Ackerson added that the intent was for the sign not to be continually changing or flashing.

- 3. Brightness. The sign must not exceed a maximum illumination of 5,000 nits (candelas per square meter) during daylight hours and a maximum of 400 nits (candelas per square meters) between dusk and dawn.*

Ackerson noted that the intention here was to allow for brightness during the day and the dimmer control for greatly reduced illumination at night.

- 4. Dimmer control. The sign must have a dimmer control to automatically adjust illumination from daylight to night time maximums.*

This would be a control that was automatically set within the system so that no one person is responsible or able to make any type of adjustment.

- 5. The change from one message to the next shall not take more than one second and shall not include any animation or movement of the text.*

Ackerson said that there had previously been additional language to this but since we have since defined animation, the additional text is not needed and this change would adequately cover it.

Repeal and replace Section 463.170, Signs Not Allowed in Any District, as follows:

~~*Flashing Signs. Flashing signs shall not be permitted in any district or portion of the City.*~~

Animated signs. Animated signs shall not be permitted in any district or portion of the City. This shall not include electronic message centers as permitted in Section 463.160, E.

Amendment to Section 463.160, *Special Conditions for all Zones*, to add a new subsection F and G as follows:

F. Corner lots. Where freestanding signs are permitted, lots with two or more street frontages shall be allowed freestanding signs for each frontage.

Ackerson explained that currently, our Code does not have an allowance for multiple signs for businesses that have multiple street frontages.

G. Sign area. Where freestanding signs are permitted within 1,000 feet of interstate highway right-of-way, lots with lineal street frontages greater than 250 feet, shall be allowed a 25% increase in sign area so long as all other applicable standards are met.

Ackerson said that F and G address the need for visibility on multiple street frontages and increase in visibility along the interstate corridor as previously raised by the Commission.

After briefing the Commission on the changes to the text amendment, he added that approval of tonight's proposed text would allow for the applicants proposed signage. Ackerson stated that he had attended a Webinar session on sign challenges today with the City's attorney. He explained that the biggest concern would be the proposed restriction to text only. He had discussed with the City Attorney who advised against prohibiting images or graphics as it may be deemed regulation of content. Discussion of the Commission ensued, including concerns about the impact of images versus text. The Commission concluded that the amendment should be revised to allow images and text. The definition of Electronic Message Center and Sections 463.160, E, 6 where modified accordingly.

Commissioner Cary asked about Section 163.160, F, which is proposed to allow corner lots to have freestanding signs on each street frontage. He asked if the amendment would allow as many freestanding signs as the owner wanted according to the proposed language. It was agreed that the language be changed to allow for one sign per each "public" street with frontage. The section was revised accordingly.

Chairman Katerndahl asked if anyone from the public had any input. Seeing no one, the public hearing was closed.

Commissioner Pam Scott moved to approve Item 4A as amended. Alderman Ferguson seconded. Motion passed 9-0.

Item 4(B) An amendment to Chapter 467 to define and establish a new zoning district, the Old Town District-Residential. Case No. PZ09-26.
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Director Ackerson stated that Item 4B is a misprint and will be listed in a future meeting.

ITEM 5. REGULAR BUSINESS

None

ITEM 6. UNFINISHED BUSINESS

None

ITEM 7. OTHER BUSINESS

Upcoming meeting dates were listed in the agenda, but none were discussed. No other items were discussed.

ITEM 8. ADJOURNMENT

Alderman Ferguson moved to adjourn. Commissioner Lonnie Scott seconded. Motion to adjourn passed 9-0.

Meeting adjourned at 6:10 p.m.

Submitted by: _____ 03-10-10
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.