

Parkville Planning & Zoning Commission
Special meeting
Wednesday April 26, 2006
City Hall Boardroom

Minutes

ITEM 1. CALL TO ORDER

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

ITEM 2. ROLL CALL

Members present:

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

Also present:

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

ITEM 3. GENERAL BUSINESS

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

Chairman McCormick motioned to recommend a change in the agenda for April 26, 2006 of the Public hearing items to hear Item 4E first and the rest of the agenda in order as printed. Mr. Stumbo seconded the motion to approve the agenda as amended. By voice vote the motion passed 9-0.

Item 3(B) Approve the minutes from the April 11, 2006 meeting of the Planning & Zoning Commission.
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Ms. Jack motioned to approve the minutes from the April 11, 2006 Planning & Zoning Commission meeting as printed and distributed. Mr. Ferguson seconded the motion. By voice vote the motion passed 9-0.

ITEM 4. PUBLIC HEARING

Item 4(E) Public hearing to consider an amendment to the Parkville Municipal Code, Title IV, to create a new Chapter 441 "B-P" Business Park District and to amend other sections of Title IV to implement the new district. *Case No. PZ06-11 This item was tabled at the April 11, 2006 meeting*

Chairman McCormick deferred the floor to the Community Development Director. Mr. Ackerson gave a brief overview of the proposed amendment. He stated that our current industrial regulations are not appropriate for any developments to be proposed. In the newly annexed area we need regulations similar to Platte County's regulations. Parkville is lacking a planned zoning district that would allow a mix of light industrial and office uses in a business park setting and in our current regulations there is little or no mechanism for ensuring quality development.

Attached to these minutes are copies of the proposed "BP District Chapter draft and other revisions to the City codes necessary to implement the new chapter.

Jackie Carlson, representing Shafer Kline & Warren, 2005 Swift St, North Kansas City, Mo explained the proposed Chapter 441: "B-P" Business Park District regulations. She highlighted the changes since the last proposal was presented.

Concerns from the commissioners included landscaping, requirements for screening, buffering, open space and slope requirements.

Chairman McCormick opened the public hearing. Mr. Jim Farley, attorney for Vertical Ventures III stated that this new district is necessary to regulate the development of the newly annexed area.

Chairman McCormick motioned to table until the next Planning Commission meeting the proposed amendment to the Parkville Municipal Code, Title IV, to create a new chapter 441 "B-P" Business Park District and to amend other sections of Title IV to implement the new district. Dr. Brown seconded the motion. By voice vote the motion passed 7-2 with Mr. Ferguson and Mr. Stumbo voting nay.

Mr. Farley then questioned when the final disposition would be made on this item and the chairman stated that it would be heard again at the May 9, 2006 meeting.

Item 4(A) Request to rezone 75.19 acres ½ mile south of 45 Highway on the west side of Brink Myers Road from County zoning "AG" Agricultural District to City zoning "R-4 CUP" Multi-Family Residential Community Unit Plan, by Peridian Group, consultants representing DBH Development, Inc, developer. *Case No. PZ06-13 This item was tabled at the April 11, 2006 meeting.*

Chairman McCormick deferred the floor to the director of the Community Development Department. Mr. Ackerson explained the CUP designation proposed for the development. He stated that the commissioners had received this evening the following information concerning this item:

- Letter dated April 24, 2006 from Joel Riggs, P.E. Peridian Group;
- Revised Preliminary Development plan and Landscape Concept Plan (last dated April 24, 2006);
- Photograph of style of monuments proposed for the entries off Brink-Myers Road (not dated but received April 24, 2006);

- Three color and material pallets (not dated, but received April 24, 2006) and an email from Joel Riggs dated April 24, 2006 and noting stated amendments to said pallets;
- Conceptual exterior garage elevations for the condominium units (undated, but received April 24, 2006);
- Elevation plans for the condominium units (undated, but received April 24, 2006);
- An excerpt of the area from our zoning map;
- A reduced copy of the adopted future land plan showing projected land uses, future thoroughfares and trails;
- Jay Norco's (City engineer) review comments for the April 19 plans submitted;
- Photos taken of similar projects built by the applicant in the metro area;
- Verification of FEMA approval of the letter of map amendment (accepting the floodplain as delineated on the plans); and
- A letter of opposition received April 25, 2006.

He reviewed the changes proposed from the previous plan submitted which included trails/open space, streets, phasing and construction schedule and landscaping for the single-family lots. The director read a report from Jay Norco, City engineer who stated that the applicant has not completely addressed issues stated on the plan. Also included in the director's report is a study done by Shafer Kline & Warren that shows that the plans proposed for the Brink-Myers Road intersection is feasible.

The director stated that Chapter 459 of the Parkville Municipal Codes describes the requirements of a Community Unit Plan and it is the commissioner's responsibility to decide if this plan meets those conditions. The plan meets the conditions with the following exceptions that should be discussed:

1. The area shall be adaptable to complete community development being bounded by major thoroughfares, streets, railroads or other external barriers and, as far as possible, shall have within or through it no major thoroughfare or other physical feature which will tend to impair the neighborhood or community cohesiveness.
2. Sufficient land is reserved for recreation area to meet the needs of the anticipated population or as specified in the Comprehensive Plan.
3. The property adjacent to the area included in the plan will not be adversely affected and to this end the Planning and Zoning Commission may require, in the absence of an appropriate physical barrier, that uses of least intensity be arranged along the borders of the project.

In addition to the above, the following items should be addressed as part of any approval: lot size, parking, covenants and restrictions, color pallets and building materials, off-site improvements, utility extensions and improvements, signage/entry feature details, sidewalks/trails, street names, area around existing single-family homes, parking lot screening, floodplain delineation and encroachment, and public safety.

Staff recommended approval of the proposed rezoning subject to the determination from the Planning Commission if the preliminary plan complies with the CUP regulations and if the proposed plan meets special conditions enumerated in Section 459.020; that the issues identified within this report and prior reviews be resolved as conditions of the preliminary plan approval, and any other conditions determined to be necessary by the Planning Commission.

Concerns from the commissioners included the amount of dedicated open space inside the development, park areas, the need for playgrounds, single-family lots in the floodplain area, density, access to the buffer area across the creek, and cost of sewers and utilities needed in

the development. Questions included what happens if the applicant cannot meet the conditions of the CUP, which units were maintenance free, and if the plan was complete enough to approve.

Chairman McCormick requested information from the applicant.

Joel Riggs, Peridian Group, 206 Main Street, Shawnee, KS, the consultant for DBH Developers, stated that this is just the beginning of the plan and nothing can go forward until the Planning Commission and the Board of Aldermen approve the final plan. The City has control over what the housing looks like. This plan is not a low-income housing development. The City needs affordable residential housing and the proposed plan is a transitional area between the industrial zoned property to the north and the existing residential area to the east. Single-family lots will be owner occupied and the owner is responsible for maintenance of the property. If the plan is approved any substantial changes have to be brought back for approval.

Chairman McCormick opened the public hearing for comments from the audience.

Steve Gasperi, 9926 Lee Circle, Leawood, KS 66206 representing A. J. Otjen owner of the property under consideration this evening, stated that the owner is in favor of the proposed development.

Dan Peak, Brown & Company, 2499 Tullison Road, Riverside MO 64150 representing Vertical Ventures, Inc, business property to the north of proposed development, stated that the owner, Mr. Kopp approves of the development and is participating in the development of utilities to the area.

Lisa Fariss, 6645 NW Nevada, Parkville, Vice President of the Chamber of Commerce stated that she is not opposed to the development. She feels that there is a need for this type of affordable housing in the area.

Clarence Housh, 15201 NW Brink-Myers Road, Parkville, stated that his house is at the southern edge of the proposed development and his property is losing value. He wants the developer to make him whole. His driveway will have to be repaired as it enters onto Brink-Myers Road and he wants it landscaped to be screened from the development.

Scott Postma, 14280 NW 64th Terrace, Parkville, stated that he does not want this development because it will lower property values.

Mike Lynch, 14475 NW 63rd Street, Parkville, had questions concerning cost of townhouses, the infrastructure, the proposed sewers and problems with increased traffic after development of this plan.

David Barth, 6014 N. 9 Highway, Parkville, stated that design quality is important in a development. He wants to be sure that the property values of adjoining homes are protected. He stated that there is a problem with the road alignment, the grade of the slope, and the density in the proposed plan. He stated that the proposed trails should be built by the developer, lighting should be on the plan proposed now, a traffic study should be done and the increased traffic from the proposed development will create additional problems when they close Brink Myers Road for the road improvements to Hwy K.

Dave Rainey, 14470 NW 63rd Street, Kansas City, MO stated that the quality of life here is great and the citizens should slow down and see what this development will do to the City and the future of Parkville.

Ted Dierkes, 19 W. Concord, Kansas City, MO stated that Platte County has done poor planning for the sewer needs of the Sewer District. This development has a high density to cover costs of improvements needed. He feels that a residential district should not be next to an interstate highway and because of the cost the infrastructure may not be completed.

Jean Bradshaw, 15201 NW Brink-Myers Road, Parkville, MO questioned whether this proposed plan was a final plan and if changes can be made before it becomes final.

Alan Hoambrecker, 14523 NW 74th Street, Kansas City, MO stated that he was in favor of the project because if the developers are ready to spend four million dollars for improvements in the City then he feels that they are serious and we should let them do it.

Chairman McCormick requested any other public input. No one responded.

Chairman McCormick stated that he felt they were being rushed into a decision. The commissioners felt there were items that needed to be addressed yet including, the floodplain issue and concepts of covenants and restrictions. Additional questions from the commissioners included the definition of owner occupied and can owner occupied become rental property?

Chairman McCormick motioned to table Item 4A until some of the issues are resolved. Dr. Brown seconded the motion. By voice vote the motion passed 8-1 with Mr. Ferguson voting nay.

Item 4(B) A request to consider a preliminary development plan for single family houses, condominiums, row houses and apartments on 75.19 acres located 1.2 mile south of 45 Highway on the west side of Brink-Myers Road by Peridian Group, consultants, representing DBH Development, Inc, developer. *Case No. PZ06-14 This item was tabled from the April 11, meeting.*

Chairman McCormick motioned to table Item 4B in conjunction with Item 4A until the issues are resolved. Mr. Richardson seconded the motion. By voice vote the motion passed 8-1 with Mr. Ferguson voting nay.

Item 4(C) Request to rezone a 1.29 acre tract from "B-4" Planned Business District for a shopping center to "B-4" Planned District, for a bank, by Farley State Bank, owner. *Case No. PZ06-18 The applicant has requested that this item be withdrawn.*

Chairman McCormick stated that the applicant has requested that this item be withdrawn from Planning Commission consideration.

Item 4(D) Request for preliminary plan approval for a bank in a "B-4" zoning district by Farley State Bank, owner. *Case No. PZ06-23 The applicant has requested that this item be withdrawn.*

Chairman McCormick stated that the applicant has requested that this item be withdrawn from Planning Commission consideration.

ITEM 5. UNFINISHED BUSINESS

No unfinished items on the agenda.

ITEM 6. REGULAR BUSINESS

No regular business on the agenda.

ITEM 7. OTHER BUSINESS

Item 7(A). Next Planning Commission meeting: Tuesday May 9, 2006 at 5:30 p.m.

Item 7(B). Upcoming Board of Aldermen meetings: Tuesday May 16, 2006 and Tuesday June 6, 2006 at 7:00 p.m.

ITEM 8. ADJOURNMENT

Chairman McCormick motioned to adjourn the meeting. Dr. Brown seconded the motion. By voice vote the motion passed 9-0.

Meeting adjourned at 8:21 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.