

Parkville Planning & Zoning Commission
Tuesday, May 8, 2012, 5:30 p.m.
City Hall Boardroom

Minutes

ITEM 1. CALL TO ORDER

Vice Chairman Lamer called the meeting to order at 5:36 p.m.

ITEM 2. ROLL CALL

Members present:

Bryant Lamer, Vice Chairman
Pam Scott
Judy McRuer
Tony Tognascioli
Lonnie Scott

Absent with prior notice:

Dean Katerndahl
Keith Cary

Absent:

Bob Lock

Also present:

Sean Ackerson, Assistant City Administrator-Community Development Director
Tracy Sisney, Assistant City Clerk-Department Assistant
David Barth, Applicant

ITEM 3. GENERAL BUSINESS

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

Vice Chairman Lamer opened the meeting by asking for a motion to approve the agenda as published.

Commissioner Pam Scott moved to approve the agenda as published. Commissioner McRuer seconded. Motion passed 5-0.

Item 3(B) Approval of Minutes from the April 10, 2012 Planning and Zoning Commission Meeting.

Vice Chairman Lamer asked for a motion to approve the minutes from the April 10, 2012 meeting.

Commissioner McRuer moved to approve the minutes as presented. Commissioner Lonnie Scott seconded. Motion passed 5-0.

ITEM 4. PUBLIC HEARING

None

ITEM 5. REGULAR BUSINESS

Item 5(A) Application for a preliminary plat of Thousand Oaks Eighteenth Plat. Forest Park Development of Kansas City LLC. Case No. PZ12-05.

Vice Chairman Lamer deferred to staff. Director Ackerson explained the exhibits and provided some background on both applications for 5A and 5B. He explained that the City of Parkville annexed a portion of Thousand Oaks that is in the corporate limits in 2001. As part of that annexation, under an agreement with the County that agreed to allow that portion in Parkville to remain under the less restrictive “R-7” standards that were in place in the County at the time rather than Parkville’s “R-3”, which are close in nature, but are not the same. The agreement set out that if there were ever any conflicts between the codes or variances that Parkville would amend its code to reflect that in the agreement. In 2004, Parkville approved what would be known as Thousand Oaks Estates preliminary development plan for that portion to be in Parkville. Ackerson added that most of the subdivision is in the County with the exception of the 12th Plat and now some of these new additions in the 18th Plat. He also said that in 2004, a variance was approved for the side yard setbacks to the County “R-7” code of 6 1/2’, rather than Parkville’s 10’ side yard setbacks for all existing lots in Thousand Oaks that are located in Parkville.

Director Ackerson stated that there were two applications presented this evening that were both related to the above-mentioned agreement for Thousand Oaks between Parkville and the County. He said that 5A was a new application for a preliminary plan for Thousand Oaks, Eighteenth plat. He stated that this was an extension of a recent approval in the County of the 17th plat and this was just an extension into the cul-de-sac of the 18th Plat, which is in Parkville. Ackerson stated that the property was still zoned County-Agriculture District and that when all of these properties were annexed back in 2001, they were never rezoned. One condition of any approval of this application is that these properties be rezoned to the “R-3” Single-Family Residential District in accordance with the annexation agreement.

Specific to the preliminary development plan, staff reviewed the plan for consistency with the original preliminary development plan, with the other phases in Thousand Oaks, the consistency with the “R-3” zoning district and the City’s adopted subdivision regulations and found that the application met all standards with the exception of the side yard setbacks.

Ackerson added that all utility providers had reviewed and indicated the ability to serve the development. He added that there were not any improvement plans and that those would be reviewed by the Public Works Director, following consideration of the preliminary plat. Staff recommended approval subject to staff conditions as presented (and included in the staff report submitted) and any other conditions that the Planning & Zoning Commission deem necessary.

Vice Chairman Lamer asked with regard to paragraph 2, a settlement agreement is mentioned and asked Director Ackerson if this approval would be in compliance with that agreement. Ackerson confirmed that it would be.

Commissioner McRuer asked if that applied only to side yard setbacks. Ackerson confirmed and added that was the only deviation from the R-3 district regulations. Ackerson stated that the front and rear yard setbacks were per our regulations. Commissioner Pam Scott asked

what the City's regulations for front and rear yard setbacks are. Ackerson explained that for the "R-3" District, it was a 25' rear yard, a 7,500 minimum lot area, a 25' front yard and 10' side yards.

Commissioner Tognascioli stated he thought the City's regulations for a front yard was 30'. Ackerson confirmed it was 25' for the "R-3" District. Discussion ensued regarding whether the City's minimum setbacks were equal to those required by the City and whether they were adequate. Discussion ensued as to whether the Commission could require a deeper setback than the minimum required by code.

Commissioner Pam Scott asked if both applications needed to be voted on separately. Ackerson stated that they should be taken separately due to the fact this application would not go to the Board of Alderman but the following application would.

David Barth, 6014 N. 9 Hwy, applicant, stated that they try to maintain "clustering". He stated that they have no control over differences between the City and the County regulations, but stated they are not building an inferior product. He stated they wanted a well built neighborhood that maintained consistency throughout the subdivision. He gave the example of inconsistency between City and County street lighting standards -- the City wanted to install different lights than those that were already installed and they worked through it.

He added that they have maintained the 6.5' side yard setback throughout the subdivision (both City and County portions). Mr. Barth added that there was a lot of building on the hills and felt a 25' front yard setback is sufficient. Mr. Barth added that it was 11.4 acres with 18 lots. He said that normally the density would be higher at 2.4-2.8 lots per acre. With the "clustering" where everyone backs to green ways, this development is about 1.4 per acre.

Commissioner Pam Scott asked if they build right up to the 6.5' line. Mr. Barth responded that sometimes they do, although it's pretty rare. Ackerson explained that the home plans rarely have single-plan elevations, and that although a corner of a home will often be at the setback line, it is not common to find an entire wall built to the setback.

Commissioner McRuer asked if the front yard was 25', could you still fit two vehicles in the driveway without blocking the driveway. Mr. Barth responded that probably not, but to keep in mind that these are all 3 car garage homes and the City's zoning is the required 25', which we are adhering to, while most subdivisions in Parkville have 2 car garages and the same required 25' set back. Director Ackerson advised that City parking standards require 18'-19' in depth to accommodate a single vehicle and that increasing to 30' feet would not accommodate any additional vehicles. The 25' depth was in part based on the need to accommodate a single vehicle depth in the driveway.

Commissioner McRuer asked what the average square footage of these homes was. Mr. Barth answered that they were between 2,800-3,200 square feet as was common to the rest of the development.

Commissioner Lonnie Smith moved to recommend approval of the proposed application as submitted, subject to staff recommendations. Commissioner Pam Scott seconded. Motion passed 5-0.

Item 5(B) Application for a final plat of Thousand Oaks Fifteenth Plat. Forest Park Development of Kansas City LLC. Case No. PZ12-07. Unless tabled, Board of Aldermen will consider on 5-15-12.

Vice Chairman Lamer deferred to staff. Director Ackerson explained that this application was in a different location within the Thousand Oaks subdivision. He stated that the preliminary plan for the 15th Phase was approved in 2006. This item is for the final plat and is slightly different in that the lots have been reduced from 43 to 37, which is an elimination of the Eagle Lane cul-de-sac. Ackerson continued that this was mostly still the same layout and summarized that 21.32 of the 36.67 acres would be open space.

Ackerson said this plat has already been zoned R-3 in 2006, the preliminary plan was also approved with conditions in 2006 and such conditions have been met. Staff has reviewed all and stated that it meets all requirements and standards. No new covenants and restrictions are required. This would simply need to be added to the current covenants and restrictions and that the Public Works Director has approved the Road and Stormwater Improvement Plans, grading plans and plans for the dam on Tract B.

Commissioner McRuer inquired if the same square footage would be applicable. Mr. Barth confirmed. Vice Chairman Lamer stated the only difference appeared to be getting more open space.

Commissioner Lonnie Scott moved to recommend approval of the proposed application as submitted, subject to staff recommendations. Commissioner Pam Scott seconded. Motion passed 5-0.

ITEM 6. UNFINISHED BUSINESS

None

ITEM 7. OTHER BUSINESS

Director Ackerson stated that the City had been having discussions regarding paperless meetings and stated a need to reduce the amount of paper that the City is sending out. He added that generally, we would like to experiment in sending some of the materials out in pdf format and would appreciate any feedback to make sure that this is working prior to going with electronic copies only. Commissioner Pam Scott confirmed that the pdf's would be sent directly to the Commission and that they would not be directed towards a website for information.

Vice Chairman Lamer announced the dates for future meetings.

Director Ackerson provided a brief update on current projects as follows.

45 Highway project: Director Ackerson stated that this project was going very well and that S. Crooked Road and Bell Road were currently closed but expected to reopen by May 16th. The next phase to be closed will be S. National Drive and ½ of the roundabout for 30 days, then N. National and ½ of the roundabout for 30 days, then N. Crooked Road. MoDOT still expects to have this project complete before the end of the year, weather permitting.

Medical Facility: Commissioner Pam Scott said that she had noticed that there was no construction fence around the project and stated her concerns. Director Ackerson said that he was unaware at this time that there was a requirement for it, but would check into it. All of the commission stated their surprise at how fast this project was moving forward.

Animal Hospital: Director Ackerson stated that this project was near completion.

Dental Building: Director Ackerson provided that this project was slowing down a bit (delayed until steel beam arrived), but that progress was still being made.

Pedestrian Connection: Commissioner Pam Scott asked about the status on this trail connection. Ackerson answered that the contract for design and construction approval was on the next Board of Aldermen agenda.

Vice Chairman Lamer acknowledged that Tony Tognascioli would not continue to serve on the Commission after his term expired and thanked him his service. All agreed.

ITEM 8. ADJOURNMENT

Commissioner Pam Scott moved to adjourn. Commissioner Lonnie Scott seconded. Motion to adjourn passed 5-0.

Meeting adjourned at 6:18 p.m.

Submitted by: _____
Tracy Sisney, Department Assistant

05/14/12
Date

Information on these items is maintained at Parkville City Hall and is available for viewing during normal office hours. Planning and Zoning 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.