

**Minutes of the
Planning & Zoning Commission Special Meeting
City of Parkville, Missouri
Monday, October 19, 2015 at 5:30 p.m.
City Hall Boardroom**

1. CALL TO ORDER

Acting Chairman Cary called the meeting to order at 5:30 pm.

2. ROLL CALL

Commissioners Present:

Keith Cary, Vice Chairman (Acting Chairman)
Bob Lock, Secretary
Bryant Lamer
Walt Lane
Doug Krtek
Michael Wright

Commissioners Absent with Prior Notice:

Dean Katerndahl, Chairman
John Delich
Pam Scott

A quorum of the Planning Commission was present.

Staff Present:

Sean Ackerson, Assistant City Administrator / Community Development Director
Emily Crook, Department Assistant

3. GENERAL BUSINESS

A. Approval of Planning & Zoning Meeting Agenda.

Acting Chairman Cary called for any discussion of the proposed agenda.
Commissioner Krtek moved to approve the agenda, Commissioner Wright seconded. Motion passed: 6-0.

B. Approve the minutes from the September 8, 2015 Planning and Zoning Commission meeting.

Acting Chairman Cary called for any discussion of the minutes. **Secretary Lock moved to approve the minutes, Commissioner Lane seconded. Motion passed: 6-0.**

4. PUBLIC HEARING

None.

5. REGULAR BUSINESS

- A. **An application for the Cider Mill Ridge – 6th Plat (final plat), including 20 single-family lots and one open space tract on 12.36 acres.** *Case PZ15-31, FiveStar Lifestyles, applicant.*

Acting Chairman Cary introduced the application and then asked Community Development Director Ackerson to explain it.

Ackerson reminded the commissioners that the associated Preliminary Plat was presented to and approved by the Planning and Zoning Commission at the prior meeting. Since the preliminary plat was considered last month the applicant has submitted engineering drawings that have been reviewed and approved by the Public Works Director subject to conditions. The only items outstanding are utilities which are not controlled by the City. The gas, water, and electrical systems are designed, but they have not yet been approved by their individual companies. The only changes anticipated are minor changes of easements to eliminate conflicts between the utilities. The staff recommends approval of the final plat subject to the conditions outlined in the staff report: final approval of utility improvements plans and associated easements from each of the subject utility providers; final approval of grading and erosion control plans by the Public Works Department prior to issuance of a grading permit; final approval of detailed street and storm sewer improvement plans and engineering calculations by the Public Works Department prior to issuance of a public improvement permit; and the above conditions being met prior to recording the final plat.

Acting Chairman Cary asked if there were any questions.

Community Development Director Ackerson stated that the only change to the plan since preliminary plat approval was in Lots 1-5. They were modified to create a greater buildable area in Lot 1. Lots 2-5 were decreased in size, but they do meet the minimum lot criteria. It is still, essentially, the same plan.

Commissioner Lane asked for a larger image for a better frame of reference for the subject property. Community Development Director Ackerson enhanced the image and outlined the subject property. He provided reference points to make the property easier to recognize.

Acting Chairman Cary asked if there were any questions. Commissioner Lane stated that he saw no reason for concern.

Acting Chairman Cary stated that he would entertain a motion for approval of the proposal subject to the recommendations of the staff listed on page 3 of 4 of item 5A. **Commissioner Wright moved to approve Item 5A as recommended, Commissioner Lamer seconded. Motion passed: 6-0.**

B. An application for the modification of a structure at 1 West 1st Street in the “OTD” Old Town District.

Commissioner Lamer stated that he lives next to the property in question. He fully approves of the application, but he would recuse himself from the discussion. Ackerson advised Lamer to excuse himself from the room during discussion in accordance with the city’s adopted policies.

Commissioner Lamer exits the room.

Ackerson reminded the Planning and Zoning Commission that the subject property was the former Piropos restaurant. He proceeded to highlight the subject property on a map. The building has been purchased by Evolytics, currently at 104 Main St. The owners are proposing to make exterior modifications to the roof of the building. They want to make it more conducive to office use while also improving the appearance of the building. He showed the roof of the building from different perspectives and, with the photos for reference, outlined their plans for the roofing modifications. With that he stated that staff recommended approval. It is an improvement to the appearance of the building, overall, and is in accordance with the applicable OTD guidelines.

Commissioner Krtek asked if the property was outside of the “Main Street Restricted Uses” area [referring to a recently adopted text amendment requiring retail uses for ground-floor stores on a portion of Main Street]. Ackerson stated that the property is outside that area and is not restricted to retail.

Secretary Lock asked if the planned materials for the proposed roof modifications would match the materials for the rest of the roof. Ackerson stated that they would match the current materials as best as possible.

Acting Chairman Cary asked if the conversion of the property from a restaurant to an office building affected the parking requirements for the building. Ackerson stated that it did, but there was more than ample parking available.

Acting Chairman Cary asked if there were any other questions. He stated that there did not appear to be any staff recommendations, that it was a straight vote for approval. Community Development Director Ackerson confirmed that it was a straight vote.

Acting Chairman Cary stated that he would entertain a motion for approval of the application designated as 5B. **Commissioner Lane moved to approve the designation of Item 5B as recommended, Secretary Lock seconded. Motion passed: 5-0.**

Community Development Director Ackerson retrieved Commissioner Lamer from the hall.

6. UNFINISHED BUSINESS

None.

7. OTHER BUSINESS

C. Discussion of potential text amendment to allow micro-breweries as a conditional use permit.

Acting Chairman Cary introduced the item and, then, asked Community Development Director Ackerson to explain it.

Ackerson stated that this item was for discussion only. He stated that, in the last few years, microbreweries have been opening in the greater Kansas City Area. They have become popular, in part, because they have shown to be good economic generators. Ackerson stated that there has been interest in opening a brewery in Parkville in the last few years. The main conflict with opening in Parkville arises from a requirement that at least 50% of the revenues come from food sales, requiring a restaurant. The current model with microbreweries is to brew and serve on-site with many not including a restaurant, or having significant food sales. Instead they are brewing the product on-site, with a supplemental tasting room or bar, in addition to shipping off-site to secondary locations, such as Rusty Horse Tavern or Stone Canyon. Because there has been increasing interest in Parkville in microbreweries, the City is exploring a text amendment.

A possibility for this would be to issue a conditional use permit. This would allow for evaluation of the brewery on an individual basis. Ackerson presented a draft amendment including the following provisions: A. At no time shall the microbrewery allow the discharge of waste grain into the Parkville sewer system; B. The manufacturing process shall not produce odors, dust, vibration, noise, or other external impacts that are detectable beyond the property lines of the subject property; C. no more than 50% of the product may be manufactured for sale to a wholesaler, and at least 50% of the product must be sold for retail use, to be consumed either on- or off-site; D. Retail sales of the product manufactured on-site are required. If to be consumed off-site, the product must be in the original packaging or in growlers. Accessory retail sales of related items are permitted; E. Microbreweries may be allowed as a conditional use in "OTD" Old Town District, "B-2" General Business District, "B-4" Planned Business District, "I-1" Light Industrial District, "I-2" Light Industrial District, and "U-1" Underground District, all subject to applicable regulations contained in their respective chapters. Additional conditions may be applied, as necessary; and F. When permitted in "OTD" Old Town District the following conditions shall apply: 1) Upon application, applicant shall supply to the city a business plan detailing a proposed timeline for renovation, production, operation, and sales; 2) The proposed business plan will state a start date for on premise retail sales service and consumption of the product manufactured on-site; 3) Outdoor "beer garden" may be allowed as part of the conditional use permit in accordance with licensing restrictions; 4) Total floor area of the establishment, including production and retail areas, shall not exceed 8,000 sq. ft.

Community Development Director stated that, prior to the meeting, Chairman Katerndahl expressed concerns about Item C, and off-site versus on-site sales. He was concerned it would allow token on-site sales and wanted to clarify what was meant by that statement. The potential text amendment's intent is to mainly sell product on-site with supplementary sales off-site. This may need to be revised to better reflect intent. Ackerson stated he had also spoken to Commissioner Scott who wanted to make sure to take into consideration traffic and parking.

Commissioner Lamer asked why customers would not be allowed to buy from the microbrewery and take the product off-site in the Old Town District, specifically. Community Development Director Ackerson stated it had to do with the state statutes and liquor licensing currently in place. Outside of our City events, it is not the current practice to allow people to walk around with open alcohol containers in Parkville. Customers could take their drinks to certain areas outside of the brewery itself, but it would be restricted to the establishment's property in accordance with their liquor license restrictions.

Commissioner Lane asked, if the intent is to attract a microbrewery, if the conditions are too restrictive, such as the square footage being restricted to 8,000 feet or restrictions on odors. Community Development Director Ackerson stated that in doing the research he did not find the conditions to be too restrictive.

Commissioner Lane stated that the wording might keep prospective microbreweries from considering Parkville. Commissioner Lamer suggested that qualifying language should be included.

Commissioner Wright asked if including micro-distilleries had been considered. Community Development Director Ackerson stated that there had been discussion about including micro-distilleries and wineries, as well. Ackerson agreed to expand the language to include both.

Ackerson stated that the Main Street Parkville Association had been asked about breweries and whether they would be supported as a retail attraction. It was confirmed that there would be downtown support for breweries as attractions, so long as they included retail sales.

Acting Chairman Cary asked what the next step in the process will be. Community Development Director Ackerson stated that the next step is to take the direction received and hone the language to bring it forward as a proposed text amendment.

Acting Chairman Cary stated that, if a business owner were found, it would still have to abide by state liquor control laws. Then, he asked if there was anything in the proposal that is in conflict with the state liquor laws. Community Development Director confirmed that the business owner would have to abide by state liquor laws and stated that there was not anything in the proposal that would conflict with those laws. In fact, Parkville has self-imposed restrictions beyond those required by the State.

D. Update on Code Update Projects

The code update project is behind where staff wants to be. Staff has reached out to stakeholders and others in the community who use the code. The input was provided to the consultants and they are going through section-by-section reviewing the code and making potential edits to it. They will be writing a detailed summary to present to staff, the Planning and Zoning Commission, and the Board of Aldermen in order to have a more in-depth discussion. Then it will be taken to the community.

E. Project Updates

1. Quik Trip: They are still proceeding with the project. The final development plan should be before the Planning and Zoning Commission in November. There will not be a public hearing. However, the community will be notified of the meeting.
2. "OTD" Restriction: The text amendment was approved by the Board of Aldermen.
3. 9-Highway Corridor Study: There is an upcoming public meeting on October 29, 2015. A preliminary draft of the meeting materials will be presented to the Board of Aldermen on October 20th.
4. Bella Vista: There have not been any further submissions.
5. Thousand Oaks West: There have not been any further submissions.

F. Upcoming meetings & dates of importance:

Upcoming meetings were listed on the agenda:

- Board of Aldermen Meetings: Tuesday, October 20, 2015 and Tuesday, November 03, 2015 at 7:00 pm.
- Planning & Zoning Commission Regular meeting Tuesday, November 10, 2015 at 5:30 pm.

8. ADJOURNMENT

Seeing no other discussion, Acting Chairman Cary called for a motion to adjourn. **Commissioner Krtek moved to adjourn, Commissioner Lane seconded. Motion passed: 6-0.** Meeting adjourned at 6:17 p.m.

Submitted by:

Emily Crook
Community Development Department Assistant

09/11/2015
Date