Minutes of the Regular Meeting of the Planning & Zoning Commission City of Parkville, Missouri

Tuesday, September 10, 2013 at 5:30 p.m.
City Hall Boardroom

1. CALL TO ORDER

Chairman Dean Katerndahl called the meeting to order at 5:33 p.m.

2. ROLL CALL

Members present:
Dean Katerndahl, Chairman
Kelly Fricker
Bryant Lamer
Walt Lane
Judy McRuer
Pam Scott

Absent with prior notice:
Keith Cary, Vice Chairman
Bob Lock
Lonnie Scott

A quorum of the Planning Commission was present.

Staff present:
Sean Ackerson, Assistant City Administrator / Community Development Director
Amanda Miller, Department Assistant

3. GENERAL BUSINESS

A. Approval of Planning & Zoning Meeting Agenda.

Chairman Katerndahl 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 6-0.

B. Approval of Minutes from the August 20, 2012 Planning and Zoning Commission Meeting.

Assistant City Administrator / Community Development Director Sean Ackerson asked the commissioners to table the previous meeting's minutes and stated that they will be available at the next meeting.

Commissioner Lock moved to table the minutes. Commissioner Pam Scott seconded. Motion passed 6-0.

4. PUBLIC HEARING

A. Request to amend the Community Unit Plan for the National Subdivision to allow a reduced rear-yard setback for Lot 37 of the 4th Plat, generally known as 6213 Heathery Way. *Case 13-09*

Chairman Katerndahl opened the public hearing and called on Assistant City Administrator / Community Development Director Sean Ackerson to present the application and staff recommendation. Ackerson summarized the application and exhibits submitted for the record, as listed in his staff report. The applicants are requesting a reduction of the rear-yard setback to allow a new deck to extend from the back of the existing house. The property is zoned R-2 Single-Family Residential District and is part of a Community Unit Plan approved for the National subdivision. The R-2 zoning requires a 30 foot rear-yard setback, but the CUP designation allows for reduction if appropriate.

The rear-yard of the subject property abuts common open space and does not abut any other current or planned residential use. In 2008, the Planning Commission recommended and the Board of Aldermen approved a similar rear-yard reduction on the lot, allowing the existing deck to extend 8' 2" into the rear yard.

Ackerson summarized the analysis and conclusions from his staff report. He concluded that the reduction has no impact on abutting properties or golf-course, that due to the common open space, the spirit and intent of the zoning code is still met and that all other applicable regulations can still be met. He recommended approval of the proposed CUP amendment and reduced rear-yard setback.

Commissioner Lamer pointed out that there were no comments received to date and that the National has granted their approval of the proposed improvements. Pam Scott questioned if this property had a fence. Ackerson stated that it didn't appear so. Discussion ensued about the open space, landscaping and separation from the golf course.

Chairman Katerndahl called for public input and hearing none, he closed the public hearing and called for a motion.

Commissioner Lamer moved to approve Item 4A. Commissioner Pam Scott seconded. Motion passed 6-0.

B. Request to amend the Community Unit Plan for the Riss Lake Subdivision to allow a reduced rear-yard setback for Lot 298 of the 6th Plat, generally known as 7802 Twilight Place. *Case 13-10*

Chairman Katerndahl opened the public hearing and called on Assistant City Administrator / Community Development Director Sean Ackerson to present the application and staff recommendation. Ackerson summarized the application and exhibits submitted for the record, as identified in his staff report. He stated that the applicant proposes reductions to the rear-yard setback to accommodate a preferred design for a new single-family home and an accessory deck. A 2.9 foot rear-yard reduction is proposed to accommodate the deck and a 1.1 foot reduction to accommodate the single-family home.

The property is zoned R-2 Single-Family Residential District and is part of a Community Unit Plan approved for the Riss Lake subdivision. The R-2 zoning requires a 30 foot rear-yard setback, but the CUP designation allows for reduction if appropriate.

Ackerson summarized his analysis and comments from his staff report. He stated the subject property was 0.24 acres in area and was platted in 1994 as part of the Riss Lake 6th Plat. The property abuts Klamm Road, which is located outside Parkville in Kansas City. The property on the other side of Klamm is undeveloped, but zoned for residential uses on larger lots with deeper setbacks. Ackerson stated that he believes the minimum lot size was approximately 1.8 acres with a 25 to 40 foot setback. He concluded the proposed reductions would have no impact on the abutting property.

A letter from Dennis and Marcia Tighe, 7803 Twilight, dated Thursday, September 5, 2013 was referenced. In the letter, the property owner expressed several concerns, including a concern that the home was too large for the lot and that the home could not meet minimum require square footage. Ackerson stated there was no maximum lot coverage for this district. He evaluated the coverage and found the proposed residential structure covered approximately 19% and concluded this was close to the cover on the four closest lots; they range from 15-23% coverage.

With regard to minimum square footage requirements, the proposed structure is approximately 2,500 square feet and would exceed the R-2 district minimum requirement square footage, as well as the minimum square footage for the Riss Lake subdivision. Per the County Assessor's data, this would fall within the range of square footage for the four closest homes on Twilight Place; they range from approximately 2,100 to 2,700 square feet.

Ackerson concluded that the reduction has no identifiable impacts to abutting properties and that due to the irregular shape of the lot and separation from the abutting property to the east, the spirit and intent of the rear-yard setback is still met and that all other applicable regulations can still be met.

Commissioner Judy McRuer asked if Klamm Road was paved or not. Someone from the audience answered that it was slightly paved. Pam Scott then asked about the ability to move the home further back on the lot as requested in the letter from the Tighes and where widening Klamm Road would impact the lot. Ackerson answered by saying that any improvements would most likely have to be to the east, as Riss Lake was built up making acquisition of additional right-of-way very difficult. Rather he speculated that if expansion was needed, it would be to the east toward the undeveloped properties where additional land, if any, could be more easily acquired.

Discussion ensued about whether the proposed plans met all other criteria, where sidewalks and other infrastructure existed and about the ability to require a landscaped buffer. The applicant, Craig Archer from Newmark Homes, informed the commissioners that they would keep as many trees as possible, but would need to move some for the footing and confirmed that a large Sycamore would be removed.

Chairman Katerndahl called for public input. Dan Rottinghaus, 7800 Twilight Place said that he had been living at his current residence for eight years. He expressed concerns about stormwater runoff. He explained that when it storms, the existing storm drain does not take the water correctly and excess water runs across 7802 Twilight. He was concerned that the water would be diverted onto his property and flood his basement. He asked for a guarantee that his basement would not flood in the future. Sean

Ackerson told Rottinghaus that the storm drainage was not affected by the requested setback and would be a separate issue. Ackerson stated that he would have the Public Works Director evaluate the storm drain. Mr. Archer stated that they would probably have to develop a swale to help with the problem. Discussion ensued about alternatives and proposed grading. Ackerson stated that drainage was previously evaluated as part of the 6th Plat grading plans, but would be considered as part of the building permit. Dan Rottinghaus also questioned whether the new home would connect to an existing water valve, expressing concern about multiple homes sharing a meter. Mr. Archer stated they were being required to connect to a new meter.

Hearing no additional public comment, Chairman Katerndahl closed the public hearing and called for a motion.

Commissioner Pam Scott moved to approve the change in setback for Item 4B. Commissioner Lamer seconded. Motion passed 6-0.

C. Request to amend the Community Unit Plan for the Riss Lake Subdivision to allow a reduced rear-yard setback for Lot 639 of the 11th Plat, generally known as 6100 Westwood Court. *Case 13-11*

Chairman Katerndahl introduced the item and opened the public hearing. Prior to discussion, Commissioner Kelly Fricker stated she was within the 185 foot hearing notice area and would abstain from the vote. Discussion ensued about policy for abstaining. Fricker excused herself and left the room.

Ackerson summarized the application as a request to reduce the rear-yard by 1.5 to 7.5 feet to accommodate a desired single-family structure and accessory deck. He explained the reduction varied due to the proposed design and the angle of the rear-yard. He referenced exhibits as noted in the submitted staff report and summarized his analysis and conclusions. He explained the subject rear-yard abutted a 10 foot open space strip with a vacant lot on the other side. The open space strip is vegetated and provided additional screening to development on the lot.

Ackerson stated no public comments on the application had been received to date. He stated that the lot is approximately 0.3 acres in area and has been a part of Riss Lake since 2001. The property to the north is still vacant (owned by Don Julian Builders). As proposed, the single-family home would cover 21% of the lot. Homes near this property range from 12%-22% lot coverage. He noted that the home was proposed to be approximately 3,100 square feet, which exceeds the City's and Riss Lake's minimum standards.

Ackerson concluded that the reduction has no significant impacts to abutting properties, that with the reasonable preservation of trees within the 10 foot open space strip abutting the rear property line, the spirit and intent of the rear-yard setback is still met and that all other applicable regulations can still be met. He recommended approval of the proposed application subject to preservation of trees within the abutting open space strip.

The applicant Craig Archer pointed out that the vacant property owned by Don Julian Builders would likely never be developed as it has been determined to be too steep. Discussion ensued about the abutting lot, open space strip, existing vegetation and the proposed building plans. Pam Scott asked for reassurance that they wouldn't remove

any trees unless absolutely necessary. Mr. Archer stated their intent was to preserve as many trees as possible and referenced similar preservation in the surrounding lots.

Chairman Katerndahl called for public comments. Hearing none, he closed the hearing and requested a motion.

Commissioner Pam Scott moved to approve the request subject to preservation of trees within the abutting open space strip. Commissioner Walt Lane seconded. Motion passed 5-0. Commission Kelly Fricker abstained due to a conflict of interest.

Commissioner Fricker rejoined the meeting.

5. REGULAR BUSINESS

A. Discussion of Planning and Zoning Commission priorities for 2014.

Sean Ackerson informed everyone that staff was currently working on the 2014 budget and that he would like the Planning Commission to suggest capital improvements and help planning priorities. He stated that suggestions to date included: improving the stop and intersection improvements at 6th and West Street; consideration of stop and circulation improvements at the intersection of Main Street with Mill Street and 1st Street; updating the sign codes; rewriting the zoning and subdivision regulations; implementation of zoning and overlays for the new OTD-Residential district and guidelines; and IT improvements as necessary to aid with Planning Commission meetings. Discussion ensued about train horns and an ability to create a quiet zone and whether that should be added to the list. Ackerson summarized recent discussion and explained that this was being discussed again as part of the downtown master plan. Discussion ensued about any intent BNSF may have to add a second track, the ability to create a quiet zone, potential improvements and other related items. The Commission generally concurred that improvements necessary to eliminate train horns should be added to the list, unless there were some reason that could not be allowed.

6. UNFINISHED BUSINESS

None

7. OTHER BUSINESS

A. Applications/ project updates

- **Downtown Master Plan update**

  Ackerson stated a kick-off meeting was held on September 4th and about 80 people attended. The next two meetings were scheduled for Thursday, September 12th from 6:30-9:00pm; these two meetings will be divided between business owners, property owners and downtown residents as one group and other Parkville residents as a second group. Ackerson also announced a two-day charette scheduled for September 17th and 18th.

- **Highway Corridor Plan**

  Mr. Ackerson stated that the 45 Highway consultants had completed much of the existing conditions analysis, but the project was behind schedule due to the City's focus on the downtown master plan, which is on a very tight schedule.

- **Other projects**

  Ackerson stated that the Board of Aldermen has approved the rezoning and final plat for the Enoch property as recommended by the Planning Commission (heard by the Commission in August).

  Chairman Katerndahl enquired about the Platte Landing Park development. Ackerson informed him that a design was recently approved and that construction would begin soon. Some of the features include realigning Main Street along the riverfront, dog park, boat ramp and parking.

B. Upcoming meetings:

- **Board of Aldermen Meetings: Tuesday, October 1 at 7:00p.m. (September 17th meeting canceled due to conflicts)**
- **Planning & Zoning Commission meeting: Regular meeting Tuesday, October 8, 2013 at 5:30p.m.**

8. <u>ADJOURNMENT</u>

Commissioner Pam Scott moved to adjourn. Commissioner Fricker seconded. Motion to adjourn passed 6-0.

Meeting adjourned at 7:10 pm

Submitted by: _____ 10/07/13
Amanda Miller, Department Assistant 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.