

**Minutes of the Regular Meeting of the  
Planning & Zoning Commission  
City of Parkville, Missouri**  
Tuesday, April 8, 2014 at 5:30 p.m.  
City Hall Boardroom

**1. CALL TO ORDER**

Chairman Dean Katerndahl called the meeting to order at 5:34 pm.

**2. ROLL CALL**

Members present:

Dean Katerndahl, Chairman  
Keith Cary, Vice Chairman  
Bob Lock, Secretary  
Judy McRuer, Commissioner  
Walt Lane, Commissioner  
Kelly Fricker, Commissioner

Absent with prior notice:

Pam Scott  
Bryant Lamer

A quorum of the Planning Commission was present.

Staff present:

Sean Ackerson, Assistant City Administrator / Community Development Director  
Kirk Rome, Public Works Director  
Kelly Yulich, Department Assistant

**3. GENERAL BUSINESS**

**A. Approval of Planning & Zoning Meeting Agenda.**

No changes were made.

**B. Approval of Minutes from the August 20, 2013, December 10, 2013 & February 25<sup>th</sup>, 2014 Planning & Zoning Commission meetings.**

Chairman Katerndahl called for any discussion on the minutes and seeing none he called for a motion.

**Commissioner McRuer moved to approve the minutes. Commissioner Fricker seconded. Motion passed 6-0.**

**4. PUBLIC HEARING**

**A. Application to rezone four parcels containing 2.52 acres, more or less, from County “R-25” Single-Family Large Lot District to City “B-4” Planned Business District. Case PZ14-02. J3-Pandi, LLC owners.**

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 to rezone four parcels containing 2.52 acres, more or less, from County “R-25” Single-Family Large Lot District to City “B-4” Planned Business District. He identified exhibits submitted for the record, as listed in his staff report. He stated that the representative for the applicant J-3Pandi, LLC, Tony Borchers, was present at the meeting.

Ackerson displayed an area map and identified the subject site and surrounding properties and development. He recommended that the applicant present the plan to the Commission to be followed by staff’s presentation of findings and recommendations.

Mr. Borchers presented a history of the National Golf Club development, rezoning of the abutting properties and their current application. Borchers introduced other representatives for the applicant including Architect John Garr with Finkle / Williams Architects and Trent Robinett of Trekk Design Group.

Ackerson summarized the review, analysis and findings from his staff report. He concluded the proposed zoning is compatible with the zoning, uses and character of the neighborhood and nearby properties, and that the property cannot be further developed without a zoning district change; that removal of restrictions imposed by the current zoning district will not significantly affect the neighborhood and nearby property; that denial of the application is not necessitated to protect the public interest; that the proposed zoning can be compatible with uses projected by the City’s Master Plan; that denial of the application is not required to prevent adverse impacts on the utilities; and that impacts, if any, to surrounding properties can be addressed with the approval of development plan, grading, drainage and infrastructure plans.

He stated that all required notices had been given, published and posted and as of the meeting, two property owners have contacted the City. Both are single-family residential property owners – one within the 185 foot notification area and another beyond the notice area. Both expressed concern for development and associated noise and impacts to existing views. If rezoned, both can be addressed with the future approval of required development plans, grading, drainage, and public improvement and related engineering plans.

Commissioner Katerndahl called for public input:

Five residents and one realtor questioned the impact to surrounding development and the golf course, quality of development and related impacts. Concerns expressed included impacts to property values, views to and from the property, light, noise, dust from construction, loss of privacy, hours of operation, safety of the abutting occupants, run-off and disruption of existing drainage patterns, additional traffic and location of driveways, removal of existing vegetation, public financing and impact to members of the golf club and their golfing.

Many of the concerns expressed were related to the specific details of the preliminary development plan submitted separately. Ackerson stated that these were best addressed with consideration of the development plan.

Public hearing notices were discussed. Concerns were expressed by residents that notice of the hearing was not given to members of the golf course in addition to the property owners within 185. Abutting property owners stated hearing notice signs posted had fallen down and were later corrected and concern was expressed that information online had been unavailable for a period. Ackerson confirmed that all state and city requirements for public hearing notice had been met, clarifying that the City only sent notice to property owners within 185 feet of the areas to be zoned in accordance with those requirements.

Commissioner Fricker asked for clarification regarding opposition to the rezoning versus the development plan. Nearby resident Linda Brandom stated her opposition to the zoning in addition to the development plans.

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

**Secretary Lock moved to recommend approval of the proposed zoning district change for 2.52 acres, more or less, from County "R-25" Single-Family Large Lot District to City "B-4" Planned Business District. Commissioner Lane seconded. Chairman Katerndahl called for a roll-call vote. Katerndahl, yea. Lock, yea. McRuer, yea. Cary, yea. Lane, yea. Fricker, nay. Motion passed 5-1.**

Ackerson stated that the application would be forwarded to the Board of Aldermen for consideration during their Tuesday, April 15th, 2014 regular meeting.

## **5. REGULAR BUSINESS**

### **A. Application for a preliminary development plan for the Village at the National - office and commercial uses on approximately 9.5 acres located west of National Drive on the north side of Highway 45. Case PZ14-03. J3-Pandi, LLC owners**

Assistant City Administrator/Community Development Director Sean Ackerson stated the applicant was seeking the Commission's approval of a preliminary site plan for office and commercial development on approximately 9.5 acres generally located on the north side of 45 Highway (aka Tom Watson Parkway as identified on the plans), south of the National Golf Course, west of the roundabout at National Drive and 45 Highway. The 9.5 acres currently consists of 12 individual parcels which are proposed to be re-platted into seven lots over multiple phases. The preliminary plan proposes six, one- and two-story buildings containing a combined area of 86,200 square feet and 376 parking spaces. Ackerson recommended that due to the complexity of the plans, the applicant present the proposed development prior to staff comments and discussion.

Tony Borchers, representing the applicant gave a history of the project, surrounding zoning, 45 Highway improvements and the requested project. He again introduced representatives of the applicant. He stated they had been working with the two single-family property owners abutting the rezoning and hoped to accommodate their desire to stay in their homes, sell the property or develop their own property in the future.

Borchers explained the phasing. Phase 1 includes construction of the westernmost entrance on 45 Highway, the 30,000 square foot, two-story Building A, parking lots east and west of Building A, construction of a temporary access connecting to the existing entrance access to National Drive, and necessary storm water and utility improvements. He stated there was no immediate plan for other phases at this time.

John Garr, Finkle / Williams Architecture presented drawings of the site plan overlaid onto an aerial photo, building elevations for building 1, landscaping screening types and a cross section showing elevation changes and views from the closest home to the north. He summarized the intent to tuck the development against the golf course to provide separation from traffic on 45 Highway, allow the grade to partially screen the proposed buildings and to take advantage of view to the golf course. Garr also summarized the proposed screening types, responding to concerns expressed during the discussion of the rezoning (see item 4A).

Mr. Borchers summarized proposed access to and from the site, including modifications to the existing signal at the Southern Platte Fire Protection District station to the south. He explained signal improvements would accommodate and improve access to the fire station due to the ability to add a remote control to the signal and to provide greater turning radiuses at the intersection. All would be subject to MoDOT approval prior to approval of a final plan.

Commissioner Lock asked for clarification about preliminary approval versus final approval. Director Ackerson stated that a preliminary plan approval would authorize the applicant to proceed with final engineering necessary to prove that the concepts in the preliminary plan worked as proposed. If so, final development plans could be submitted detailing final site, building, landscaping plans and related details. A primary consideration for final development plan approval would be consistency with the preliminary plan details and intent. Minor changes that didn't significantly change the design or intent could be considered and approved without reapproving the preliminary plan. Major changes would require approval of a modified preliminary plan first or in conjunction with the final plan.

Discussion ensued about retaining walls necessary along the north property line of the proposed development, related tree removal and the potential impact to the abutting golf hole. Mr. Borchers stated the applicant also owned the golf course and would not do anything to harm its value. They are working with the golf course architect that designed the course to determine if retaining walls or 3:1 graded slopes would work best. He described walls as being 4 to 10 feet tall if necessary. He stated they would provide a 10 foot setback from the cart path to the wall or slope and barriers at the top of the wall to ensure safety. The Commission expressed concerns for impacts to the course if the cart path were relocated.

Discussion ensued about proposed building and parking lot lighting and the impact it might have on abutting property owners. Tenting or shutters were suggested. Mr. Garr stated that they were intending to allow natural light to reduce operating costs, but would look into alternatives.

The phasing, initial landscaping and grading and drainage were discussed with regard to impacts on the abutting property owners. It was suggested whether screening around the two existing single-family homes surrounded by the development could be installed with the initial phases. Mr. Borchers said they would evaluate the option and that he was supportive so long as grading plans would not require the work to be redone later.

It was discussed that final landscaping would be presented with the final development plan.

Trent Robinett, Trekk Design Group addressed grading and drainage. He stated that in accordance with City regulations, existing drainage to and from the abutting homes would be taken into account with designs assuring no adverse impact to the neighbors.

Traffic approvals were discussed. Mr. Robinett stated that the applicant had submitted traffic models and a report to MoDOT, but that MoDOT wanted more detail that would only logically following preliminary development plan approval. He stated preliminary reviews were positive and that the additional development was contemplated with the design of the 45 Highway widening. The eastern most access (closest to the roundabout was discussed). Concern for spacing was expressed. Staff confirmed that MoDOT approval would be required.

After applicant presentation Assistant City Administrator/Community Development Director Sean Ackerson stated that the application has been reviewed against the City of Parkville Municipal Codes, including applicable zoning and subdivision regulations, the City's adopted Master Plan, and the previously approved development Plan for the National Golf Club of Kansas City. In addition, sound planning and engineering principles have been considered

Staff concluded, that with the exceptions noted in the staff report, the proposed plans: conform to the City's applicable zoning code and subdivision regulations and the minimum standards thereof; conform to or are compatible with the general projections, goals and objectives of the City's adopted Master Plan; are generally compatible with existing and projected development on the surrounding commercially zoned properties and include screening, buffering, grading and other design features to minimize the impacts on surrounding residential properties; appear to conform with customary engineering standards used in the City; and provide streets, paths, walkways and driveways located so as to enhance connectivity, circulation and safety and minimize any adverse traffic impact on the surrounding area.

Staff recommended approval of the preliminary plans subject to:

- Rezoning of four parcels containing 2.52 acres to "B-4" Planned Business District (see agenda item 4A); and
- MoDOT vacation of the excess 45 Highway right-of-way as proposed, or modification of the plan to work within the existing right-of-way; and
- MoDOT approval of the entrances to 45 Highway and associated improvements as well as final approval of the same by the Public Works Director; and
- approval of the final utility improvement plans by the applicable public utility; and
- final approval of utility improvements by the applicable service providers; and
- final design and installation of residential screening in conjunction with the final development plan; and
- review and approval of the final grading, drainage, access and circulation, utilities and other engineering plans by the Public Works Director; and
- any other conditions the Planning and Zoning Commission determines are necessary.

Commissioner Katerndahl clarified that this application was not subject to a public hearing, but that the Commission would accept public comments.

Area residents in attendance reiterated concerns expressed during consideration of the rezoning application (see agenda item 4A). Nearby resident Bob Brandom expressed concern for parking during golf tournaments explaining that during tournaments the two small parking lots at the east end of the development are parked full as is National Drive. He was concerned that the plans eliminate the parking creating a parking shortage.

Abutting property owner Monty DeMontel explained that his property would be surrounded by the development and expressed concern for loss of his driveway. Discussion ensued about whether the driveway was on public or private property and whether there was any ingress / egress easement. Tony Borchers representing the applicant state that title work had discovered no easement, but he would work with the applicant to determine if he had an easement. Borchers summarized how he believed access to / from Mr. DeMontel's property would be improved.

Public Works Director Kirk Rome stated the property was land locked without frontage on a public road and recommended that the applicant be required to provide an access easement if none currently exists. It was agreed the matter could be resolved with final development plans if the preliminary plans were approved.

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

**Secretary Lock moved to approve the application for a preliminary development plan for the Village at the National - office and commercial uses on approximately 9.5 acres located west of National Drive on the north side of Highway 45. Subject to staff recommended conditions and any changes of significant detail. Commissioner Lane seconded. Chairman Katerndahl called for a roll-call vote. Katerndahl, yea. Lock, yea. McRuer, yea. Cary, yea. Lane, yea. Fricker, yea. Motion passed 6-0.**

Ackerson stated that the application would be forwarded to the Board of Aldermen for consideration during their Tuesday, April 15th, 2014 regular meeting.

## **6. UNFINISHED BUSINESS**

Director Ackerson reminded the Commission that the plan has been accepted in December and that following the Board of Aldermen requested additional changes, including renaming the plan a "vision." He stated that the changes were made and that the next step was to determine if a public hearing were still required. Master Plans / amendments to the City's comprehensive plan require approval following a public hearing. It is not clear if visions do. Once determined a public hearing would be scheduled if necessary.

## **7. OTHER BUSINESS**

### **A. 45 Hwy Corridor Plan Update**

Ackerson stated that all city appointments to the steering committee had been made. Bob Lock had been appointed to represent the Planning and Zoning Commission. He stated that the County was still working on appointments, but once done meeting dates would be set.

Ackerson also called attention to the first public meeting for Phase "C" which will be April 22, 2014 at Union Chapel Elementary School Gymnasium from 4:30 – 6:30pm. He encouraged all to attend and express their comments.

**B. Upcoming meetings**

Chairman Katerndahl acknowledged the following upcoming meetings:

- Board of Aldermen Meetings: Tuesday, April 15 Tuesday, May 6th at 7:00 p.m.
- Planning & Zoning Commission meeting: Regular meeting Tuesday, May 13th, 2014 at 5:30 p.m.

**8. ADJOURNMENT**

Seeing no other discussion, Chairman Katerndahl called for a motion to adjourn.

**Commissioner Fricker moved to adjourn. Commissioner McRuer seconded. Motion to adjourn passed 6-0.**

**Meeting adjourned at 8:35 pm.**

Submitted by: \_\_\_\_\_  
Kelly Yulich, Department Assistant

4/8/14  
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.*