

**Minutes of the Regular Meeting of the
Planning & Zoning Commission
City of Parkville, Missouri**
Tuesday, June 10th, 2014 at 5:30 p.m.
City Hall Boardroom

1. CALL TO ORDER

Chairman Dean Katerndahl called the meeting to order at 5:37pm

2. ROLL CALL

Members present:

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

Absent with prior notice:

Kelly Fricker, Commissioner

A quorum of the Planning Commission was present.

Staff present:

Sean Ackerson, Assistant City Administrator / Community Development Director
Kelly Yulich, Department Assistant

3. GENERAL BUSINESS

A. Approval of Planning & Zoning Meeting Agenda.

The order of the Agenda was changed as follows: 4A & 5A were reviewed together first, then 4D, 4B, 4C and lastly 4E.

Chairman Katerndahl called for any discussion on changing the agenda. There was none.

Chairman Katerndahl moved to approve the minutes. Commissioner Lamer seconded. Motion passed 7-0.

B. Approval of Minutes from the May 13, 2014 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 Lamer seconded. Motion passed 7-0.

4. PUBLIC HEARING

A. **Amended National Golf Course Community Unit Plan to allow a new neighborhood swimming pool on lot #11, Cider Mill Ridge 4th Plat & part of vacant land to the south & east. Case PZ14-10. RP Golf, LLC, owner.**

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 applicant, RP Golf, LLC, proposed to amend the Community Unit Plan (master development plan) for the National Golf Club to allow for a new neighborhood pool, clubhouse and associated parking at the southwest corner of South National Drive and Barn Hill Road. The application was proposed in conjunction with agenda item 5A, which was an application to replat all of existing Lot 11 of the Cider Mill Ridge 4th Plat and a portion of the abutting unplatted property to the east and south to create a new lot for the pool and pool improvements.

The plan drawing also includes conceptual plans for additional playground / recreation amenities. The applicant submitted that these additional amenities are subject to final engineering and cost estimates. As such, these amenities should be considered optional, if approved.

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

Mr. Nick Bloch, representing RP Golf LCC, presented a history of the National Golf Club Community Unit Plan and the Cider Mill Ridge development. Mr. Bloch explained the pool will be zero entry with a mother's wall dividing the shallow water from deep. There will be no lifeguard on duty and no diving board. The depth of the pool will be 4 ½ feet. The "clubhouse" will include storage and restroom facilities. Mr. Borchers with the National Golf Club stated that they have not talked to any abutting homeowners about the project however it was discussed at the annual home owner's association meeting. He stated that the homeowners will not be subject to increased HOA fees for the capital cost of the development of the pool. That will be at the developer's expense, but he did state that HOA fees are subject to annual review.

Ackerson summarized the review, analysis and findings from his staff report. He concluded the proposed pool and accessory amenities are permitted uses; the pool can meet or exceed all applicable standards with the exception of the parking standards; that adequate parking is provided based on demand being met in great part by the member's pool, the expectation that half of the patrons would walk, and the parking provided is consistent with parking found in other neighborhoods; the design and character are consistent with amenities in other portions of the development; and impacts to surrounding properties can be substantially mitigated by landscaping and through the change in elevation; adequate access is provided if the sidewalk is connected to the existing trail system.

Ackerson recommended approval, subject to the following conditions:

- approval of the final landscaping plans by the Community Development Director;
- determining the parking provided is adequate and accepting the alternative parking calculations;
- approval of grading, drainage and engineering plans by the City's Public Works Director; and
- Meeting or exceeding all applicable building code regulations.

It was noted that staff's recommendation was made without knowledge of additional information which may be presented during the required public hearing and that the conclusions are subject to change as a result of evaluating additional information. He stated that all required notices had been given, published and posted and as of the meeting, one property owner had contacted the City and were present at the meeting.

Commissioner Katerndahl called for public input.

Homeowner Derrick, Griffin 5904 National Dr., stated his concerns were potential noise, fencing & who will be policing if there is no lifeguard. Community Development Director Ackerson stated that the fencing would be subject to the applicable building codes.

Homeowner Jessica Pastorino, 5908 S. National Dr., expressed support for the pool, and stated that she too had concerns that no lifeguard would be on duty. She stated that perhaps with the other National pools, that maybe they could rotate one over to the Cider Mill Ridge pool. She also recommended that the playground be constructed and the equipment age friendly in a wider range.

Homeowner Michaela Bays, 5902 N. National Dr., asked if there were going to be added HOA fees. Mr. Borchers with the National Golf Club stated that they were not increasing HOA fees to construct the pool but they are subject to annual review.

Commissioner McRuer asked who the Pool will be for: public, National members or just Cider Mill Ridge residents. Mr. Borchers explained that it will be primarily used for the Cider Mill Ridge residents however members of the National can utilize it and they are looking into a possible keyed or card entry for access.

Commissioner Lock asked about noise and hours. Mr. Block stated that the hours would be from 9:00am to 9:00pm and that they will not be putting in a speaker system for music.

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

Commissioner Scott recommended approval upon the conditions set forth by the commission. Commissioner Cary seconded. Motion passed 7-0.

Ackerson stated that the application would be forwarded to the Board of Aldermen for consideration during their Tuesday, June 17 2014 regular meeting.

Item 5A was taken out of order since it was related to Item 4A above.

5. REGULAR BUSINESS

A. Application for Replat of Lot 11, Cider Mill Ridge, Fourth Plat. Case PZ14-13. RP Golf, LLC, owner.

Assistant City Administrator/Community Development Director Sean Ackerson stated the applicant RP Golf, LLC was seeking the Commission's approval to replat Lot 11 of the Cider Mill Ridge Fourth Plat and a portion of the abutting unplatted property to the east and south, all to accommodate a new community pool southwest of the intersection of National Drive and Barn Hill Road. The application was proposed in conjunction with agenda item 4A, which was an application to amend the National Golf Course Community Unit Plan to allow the new neighborhood swimming pool and clubhouse on the proposed lot.

Ackerson summarized the review, analysis and findings from his staff report. He concluded based on the final plat and supporting information submitted to date, that all applicable standards and requirements had been met, with the exception of the grading, drainage and engineering standards (pending final review of engineering drawings).

Accordingly, Ackerson recommended approval, subject to the following conditions:

- approval of utility services by the applicable utility providers and providing additional easement by separate instrument as required;
- review and approval of the final grading and drainage plans by the Public Works Director prior to recording the plat;
- reconsideration of an amended plat, should significant changes result from approval of the grading and drainage plans;
- approval of agenda item 4A, allowing the pool as an amendment to the National Golf Course Community Unit Plan; and
- Any other conditions deemed necessary by the Planning Commission

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

Commissioner Scott recommended approval upon the conditions set forth by the commission. Commissioner Lamer seconded. Motion passed 7-0.

Ackerson stated that the application would be forwarded to the Board of Aldermen for consideration during their Tuesday, June 17 2014 regular meeting.

Item 4D was taken out of order since the applicant was in attendance.

4. PUBLIC HEARING

D. Application for a conditional use permit to allow offsite storage, staging and assemblage of heavy equipment & materials for public utility & infrastructure construction on 15 acres of parcel 20-3.0-07-000-000-003.001. Case PZ14-14. JDJ Commercial Properties, LLC, owner.

Assistant City Administrator/Community Development Director Sean Ackerson stated the applicant JDJ Commercial Properties/Jim Guffy was seeking the Commission's approval for a conditional use permit (CUP) to allow offsite storage, staging and assemblage of heavy equipment and materials for public utility and infrastructure construction. The use is proposed on the eastern 15-acres of Platte County parcel number #20-3.0-07-000-000-003.001 which is located on County Highway N north of Jones-Myer Road and NW

of the I-435 and Highway 152 interchange, in Section 7, Township 51, Range 34, Parkville, Platte County, Missouri.

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

Jim Guffy applicant explained that they had done extensive cleanup of the property and had an environmental engineer come in to access the property. The previous users of the property Clarkson Construction Company was cooperative and aided in the cleanup. The property is in no danger of any contamination left behind from Clarkson Construction and Mr. Guffy explained that in addition to storing heavy equipment he hopes to farm the property in the future.

Ackerson summarized the review, analysis and findings from his staff report. He concluded the property had been used for this purpose for approximately the last 27 years. The use was started by a prior owner in conjunction with the construction of I-435. The use was originally approved as a special use permit issued by Platte County (just prior to annexation by the City in 2001). Upon expiration, the City considered and approved a conditional use permit for the same use for one-year, with provisions for annual renewals if so desired. It was concluded at that time that the use was not compatible with projected future uses, but was suitable until such time as the area redeveloped. The CUP was approved subject to terms and conditions that allowed reconsideration on an annual basis and discontinuation of the use at the time it was no longer suitable for the area. Another primary consideration was that the property north of the subject property contains the same use. This abutting property is owned by MoDOT and is used by MoDOT and the County for equipment staging and material storage for area construction.

It was also concluded that the proposed quasi-industrial use had the potential to adversely affect area development in the future. To address this concern, the prior CUP was approved for a one-year term with consideration for annual renewals after that. Similarly, the applicant had requested a two-year term with the potential for future renewals upon determining the use still had no impact and did not interfere with or hamper the projected and desired development of the area.

Ackerson recommended approval for a two year period subject to the following conditions:

1. *Unless renewed following the procedures herein, the CUP shall expire two years from the date of approval (actual dated to be inserted if approved) and shall not be reapproved except following a new application for CUP in accordance with requirements set forth in the Parkville Municipal Code as may be amended.*
2. *In recognition that the CUP is to allow a temporary use of the subject property for uses that are incompatible with projected and desired uses of the surrounding properties, no renewal shall be approved unless it is found that:*
 - a. *the permit holder has and can continue to abide by the terms of the conditional use permit;*
 - b. *the public health, safety, morals and general welfare will not be adversely affected;*
 - c. *the use will not be incompatible with uses developed or approved and under construction on the abutting properties;*

- d. *the use will not stifle near-term economic development in the area; and*
 - e. *Renewal will not have any other near or long-term adverse effect on the subject or surrounding properties.*
3. *There shall be no limit on the number of renewals that may be approved so long as the findings above can be made. In recognition that site and surrounding area conditions may change over time, additional permit conditions may be required at the time of renewal. Renewals may be permitted for up to two-years. For periods greater than two years, a new application for a CUP shall be required in accordance with requirements set forth in the Parkville Municipal Code at that time.*
 4. *Applications for renewal must be made at least 90 days and not more than 6 months prior to the CUP expiration date. The Community Development Director shall have the authority to act on a request for renewal; provided that, the above conditions are met. All renewals shall be acted on within 60 days of receipt. In the event the CUP holder disputes an administrative action, a request for appeal may be made to the Board of Aldermen within 15 days of the action.*
 5. *Unless otherwise approved by the Board of Aldermen, in the event the CUP is not renewed, the use must be discontinued on or before the CUP expiration date and all equipment and materials must be removed and the site cleaned up and vacated not later than 6 months after the CUP expiration date.*

Ackerson noted that this recommendation was made without knowledge of facts and testimony which were presented during the required public hearing and that the conclusions herein are subject to change as a result of evaluating additional information. Ackerson stated that all required notices had been given, published and posted and as of the meeting no public comments have been received.

Commissioner Katerndahl called for public input, and seeing none he called for a motion.

Commissioner Scott recommended approval subject to conditions set forth by the commission. Commissioner McRuer seconded. Motion passed 7-0.

Ackerson stated that the application would be forwarded to the Board of Aldermen for consideration during their Tuesday, June 17 2014 regular meeting.

The regular agenda order resumed.

B. Application for a conditional use permits to allow additional antenna & modifications to existing cell tower at 6200 Kelly Drive. Case PZ14-11. Global Signal, applicant

Assistant City Administrator/Community Development Director Sean Ackerson stated the applicant Global Signal was seeking the Commission's approval to amend the conditional use permit (CUP) for the existing mono-pole communications tower located at 6200 Kelly Drive. The application is proposed to allow installation of new fiber cable, three new antennas, three new remote radio units, 27 new jumper cables, and new equipment inside an existing cabinet and other associated changes. The subject tower is the southern most of the two towers on the site and is also identified as the monopole tower (not the lattice tower).

Ackerson summarized the review, analysis and findings from his staff report. He concluded that the proposed tower modifications do not increase the maximum tower height; the new antenna and structural modifications will have little, if any additional impact on surrounding properties; the tower is exempt from the landscaping / screening, setback and separation requirements; the tower components and foundation have been found to be structurally sufficient by a licensed structural engineer subject to the proposed construction drawings.

Ackerson recommended approval, subject to the following conditions:

- the new antenna and tower modifications meeting or exceeding current standards and regulations of the FAA, the FCC, and any other agency of the Federal Government with the authority to regulate towers and antennas;
- as applicable, approval of a building permit, including review of structural modifications by a third party engineer qualified to do such and post construction inspection by the same;
- all new antenna, equipment and tower modifications being of a light, neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible;
- all recommendations of the Structural Analysis Report for 6200 Kelly Drive by Tectonic, Newburgh, NY, dated and sealed by Richard P. Kummerle, PE on March 10, 2014 and construction drawings identified as Sprint 2.5 Equipment Deployment for Bell Rd. Industrial Park, Site # KC03XC209-877807, 6200 Kelly Drive by Fullerton Engineering Design and dated and sealed by Henry M. Bellagamba, PE on March 19, 2014 being met; and
- Any additional conditions the Planning and Zoning Commission determines are necessary to meet the requirements of Chapter 471.

He noted that this recommendation was made without knowledge of facts and testimony which were presented during the required public hearing and that the conclusions herein are subject to change as a result of evaluating additional information.

Ackerson stated that all required notices had been given, published and posted and as of the meeting no public comments have been received.

Commissioner Katerndahl called for public input, and seeing none he called for a motion.

Commissioner Lamer recommended approval subject to conditions set forth by the commission. Commissioner Scott seconded. Motion passed 7-0.

Ackerson stated that the application would be forwarded to the Board of Aldermen for consideration during their Tuesday, June 17, 2014 regular meeting.

C. Application for a conditional use permit to allow additional antenna & modifications to existing cell tower at 16205 Hwy 45. Case PZ14-12. Global Signal, applicant

The applicant has requested approval of an application to amend the conditional use permit for the existing communications tower located at 16205 45 Highway. The application is proposed to allow three new antennas, three new remote radio units, installation of additional fiber cable and jumper cables and replacement of rectifiers within existing cabinets.

Ackerson summarized the review, analysis and findings from his staff report and concluded that: the proposed tower modifications do not increase the maximum tower height; the new antenna and structural modifications will have little, if any additional impact on surrounding properties; landscaping and screening are sufficient; the proposed changes do not affect the existing setback or separation; the tower components and foundation have been found to be structurally sufficient by a licensed structural engineer subject to recommended structural modification.

Ackerson recommended approval, subject to the following conditions:

- the new antenna and tower modifications meeting or exceeding current standards and regulations of the FAA, the FCC, and any other agency of the Federal Government with the authority to regulate towers and antennas;
- as applicable, approval of a building permit, including review of structural modifications by a third party engineer qualified to do such and post construction inspection by the same;
- all new antenna, equipment and tower modifications being of a light, neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible;
- all recommendations of the Structural Analysis Report for 240' Self Support Tower SBA Site # MO12650-A by GPD Group dated and sealed by John N Kabak, PE on April 11, 2014 being met; and
- Any additional conditions the Planning and Zoning Commission determines are necessary to meet the requirements of Chapter 471.

He noted that this recommendation was made without knowledge of facts and testimony which were presented during the required public hearing and that the conclusions herein are subject to change as a result of evaluating additional information.

Ackerson stated that all required notices had been given, published and posted and as of the meeting no public comments have been received.

Commissioner Katerndahl called for public input, and seeing none he called for a motion.

Commissioner Scott recommended approval subject to conditions set forth by the commission. Commissioner McRuer seconded. Motion passed 7-0

Ackerson stated that the application would be forwarded to the Board of Aldermen for consideration during their Tuesday, June 17, 2014 regular meeting.

E. Amendment to Parkville Municipal code section 442.020 to allow accessory commercial vehicle storage in the Old Town District if fully enclosed. Case PZ14-15. Paul Doyle, applicant

Paul and Rhonda Doyle of P & R properties LLC own 101 and 107 Mill Street. Both properties are zoned "OTD" Old Town District which does not allow storage of commercial vehicles. The Doyle's are requesting approval of a text amendment to Parkville Municipal Code, Chapter 442, Section 442.020, *Prohibited Uses*, subsection a, 2, to allow commercial vehicles to be stored in the OTD so long as they are fully enclosed.

Ackerson summarized the review, analysis and findings from his staff report and concluded that the proposed text amendment is not contrary to the purpose of the "OTD" Old Town District zoning or the projections or objectives of the Parkville Master Plan or

Downtown Master Plan draft. Accordingly, Staff recommended approval of the proposed text amendment.

He noted that this recommendation was made without knowledge of facts and testimony which were presented during the required public hearing and that the conclusions herein are subject to change as a result of evaluating additional information. Ackerson stated that all required notices had been given, published and posted and as of the meeting no public comments have been received.

Commissioner Katerndahl called for public input.

Commissioner Scott expressed concern for changing the verbiage and how it may apply to other properties in downtown. Ackerson stated that he had reviewed other properties with garages in town and concluded that indoor storage of vehicles and equipment would not create any impact. He noted that the text amendment did not change any permitted uses. Secretary Lock asked if it were a possibility to change the zoning. Ackerson explained that it had been considered, but he had concerns for other uses permitted in those districts and their incompatibility with downtown. The commission after discussion of alternatives, Chairman Katerndahl asked for any additional input and seeing non he called for a motion.

Commissioner Scott recommended approval subject to conditions set forth by the commission. Secretary Lock seconded. Motion passed 7-0.

Ackerson stated that the application would be forwarded to the Board of Aldermen for consideration during their Tuesday, June 17, 2014 regular meeting.

5. REGULAR BUSINESS

Item 5A was taken out of order. See above following 4.A Public Hearing

6. UNFINISHED BUSINESS

None

7. OTHER BUSINESS

A. 45 Hwy Corridor Plan Update

Working on organizing the steering committee and scheduling on going meetings for the last Tuesday or Wednesday of each month.

B. Upcoming meetings

Chairman Katerndahl acknowledged the following upcoming meetings:

- Board of Aldermen Meetings: Tuesday, June 17th and July 1st at 7:00 pm
- Planning & Zoning Commission meeting: Regular meeting Tuesday, July 8th, at 5:30 pm

8. ADJOURNMENT

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

Commissioner Scott moved to adjourn. Commissioner McRuer seconded. Motion to adjourn passed 7-0. Meeting adjourned at 7:11pm.

Submitted by: _____
Kelly Yulich, Department Assistant

6/11/14
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.