

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

1. CALL TO ORDER

Chairman Dean Katerndahl called the meeting to order at 5:33pm

2. ROLL CALL

Commissioners present:

Dean Katerndahl, Chairman
Keith Cary, Vice Chairman
Bob Lock, Secretary
Judy McRuer
Walt Lane
Bryant Lamer
Pam Scott
Doug Krtek

Absent with prior notice:

Kelly Fricker

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

Mayor Nannette Johnson introduced recently appointed Planning and Zoning Commissioner Mr. Doug Krtek. Krtek was appointed to fill a vacancy through May 2015.

3. GENERAL BUSINESS

A. Approval of Planning & Zoning Meeting Agenda.

Chairman Katerndahl called for any discussion on the agenda and seeing none he called for a motion to approve.

Commissioner Lamer moved to approve the minutes. Commissioner McRuer seconded. Motion passed 8-0.

B. Approval of Minutes from the June 10, 2014 Commission meetings.

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

Commissioner McRuer moved to approve the minutes. Commissioner Lamer seconded. Motion passed 8-0.

4. PUBLIC HEARING

A. Adoption of revised Vision Downtown Parkville (previously referred to as the Parkville Downtown Master Plan)

Community Development Director Ackerson asked to postpone this until July 15, 2014 at 5:30pm.

Chairman Katerndahl called for any discussion on the postponement and seeing none he called for a motion to approve.

Commissioner Lamer moved to approve the postponement to July 15, 2014 at 5:30pm. Commissioner McRuer seconded. Motion passed 8-0.

B. Application to rezone two tracts containing 27,121 square feet, more or less, from “R-25” Single-Family Large Lot District to “B-4” Planned Business District. Case PZ14-19, J-3 PANDI, LLC, Owner.

Assistant City Administrator/Community Development Director Sean Ackerson gave a brief history of the project and the prior approval of the preliminary development plan for the Village at the National. He stated that agenda items 4B and 5A, B and C were all related. He summarized how the rezoning, preliminary and final plat and final development plan applications were interrelated.

With regard to item 4B, Ackerson stated the applicant J3-PANDI, LLC was seeking the Commission’s approval for rezoning two tracts of land containing a combined area of 27,121 square feet, more or less, from County “R-25” Single-Family Large Lot District to City “B-4” Planned Business District. These properties are generally located north of 45 Highway, west of the roundabout at National Drive and 45 Highway. Both tracts are portions of property previously donated by the applicant to MoDOT for the widening of State Route 45 (Project Number J4U1108B). Following completion of the highway widening project, MoDOT has determined that the tracts are no longer needed and is vacating the property back to the original owner (in accordance with an agreement between the parties).

Both tracts are located on the frontage of the Village at the National along 45 Highway. The proposed rezoning is not required for approval of the final development plan for the Village at the National but is desired for consistency with the zoning for the rest of the development.

Portions of the two tracts were previously annexed into Parkville and zoned “B-4” Planned Business District. However, due to property exchanges with MoDOT it is not clear what portions of the property were previously annexed have been previously zoned or rezoned (in the City or County). The matter is further complicated by the fact that some portions of prior annexations were not recognized by the County so City approved zoning would not have been valid. Since in some cases it is not clear that the zoning for the abutting property extends to the right-of-way, it is also possible that some portions of the two tracts were never zoned in the first place. Prior to annexation into the City the

properties would have mostly likely been zoned "R-25" Single-Family Large Lot District as referenced in the application. The application was proposed in part as housekeeping to proactively ensure the property is zoned to a City district, to match the abutting zoning, and to minimize the potential for future development and permitting issues.

Ackerson stated that the proposed zoning is compatible with the zoning uses and character of the neighborhood and nearby properties; rezoning will not affect development of the abutting properties; that removal of restrictions imposed by the current zoning district will not significantly affect the neighborhood and nearby property; that denial of the application will not necessitated to protect the public interest; that the proposed zoning will 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. Accordingly, Staff recommends approval of the proposed rezoning based on the above findings, conclusions and opinions, subject to approval of voluntary annexation by the Board of Aldermen. It should be noted that a portion of the property has previously been annexed, but due to property exchanges with MoDOT it is not clear what portions of the property were previously annexed.

Ackerson stated that the applicant was in attendance and recommended they present to the commission their request for rezoning along with related agenda Items 5.A, B & C.

Chairman Katerndahl asked for the applicant to come forward.

Mr. Tony Borchers with J-3 PANDI, LLC came forward and introduced Mr. John Garr with Finkle/Williams Architecture firm and Mr. Dale Bourk with the National Golf Club of Kansas City. Mr. Borchers presented the rezoning, preliminary and final plat of the Village at the National along with the final development plan.

He explained the proposed changes to the site layout and Building A to conform more to the concerns addressed at the April meeting concerning light and visibility. He addressed the issues about the cart path that had raised concerns from abutting National residents. He presented a letter from Mr. Robert Gibbons with the Tom Watson Design Group stating that he inspected the area and had determined that the relocation of the cart path would have minimal disruption to the golf hole. He also concluded that additional tree plantings on both sides of the new section of the cart path would provide a nice transition. Mr. Borchers also identified trees that will remain.

Mr. Borchers related that at the appropriate planting time this fall/winter they will be planting the screening for the two abutting homeowners. The plantings will consist of 6-8 foot white pines and Canarti Junipers of the same size and stature.

Chairman Katerndahl asked if there were any questions. Vice Chairman Cary inquired about when construction would be expected to start. Mr. Borchers said they would start clearing the landscape shortly after the Board of Aldermen's approval. The construction company that will be doing the work is Grand Construction Company.

Other questions were asked about tenants and the thoughts about tinting the glass as opposed to changing the design of Building A. Mr. Borchers stated that neither they nor the architect wanted to change the design but they also wanted to be sensitive to the abutting property owners concerns and believe that with the new design they addressed their issues.

Chairman Katerndahl opened up the meeting for public input.

Mr. Alan Knuth at 10809 NW Hwy 45 Kansas City, MO was concerned about how the new traffic signal and intersection configuration may impact access to his nearby dental business. Many of his patients make a U-turn at the intersection to access his establishment and he wanted to make sure that the new configuration was not going to make it more difficult than it already is for his clients. Public Works Director Kirk Rome expressed that he did not think that it would impede his access to and from his business but that he would check into it.

Mr. Monte DeMontel expressed concerns about the dirt and dust during the construction and he wanted to make sure that the landscaping was going to buffer his property appropriately. He requested copies of the drawings and copies were provided.

Chairman Katerndahl called for any additional public input and hearing none, he closed the public hearing and called for motions on agenda items 4.B, and 5.A, B and 5.C.

Commissioner Scott recommended approval upon the conditions set forth by the commission for agenda item 4.B. Commissioner Lock seconded. Motion passed 8-0.

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

5. REGULAR BUSINESS

A. Application for Preliminary Plat of the Village at the National. *Case PZ14-09. J3-PANDI, LLC owner.*

See also Public Hearing Agenda Item 4.B

Assistant City Administrator/Community Development Director Sean Ackerson summarized that the applicant J3-PANDI, LLC owns 8.26 acres generally located on the north side of 45 Highway (aka Tom Watson Parkway), south of the National Golf Course, west of the roundabout at National Drive and 45 Highway. In addition, MoDOT is vacating two tracts of right-of-way containing 0.62 acres, more or less, to J3-PANDI, LLC. In April a preliminary development plan for the Village at the National was approved for 9.5 acres (the 9.5 acres included an additional 1.24 acres of MoDOT right-of-way that is not being vacated – yielding the current 8.88 acres). The preliminary plan included office, retail and personal services uses on 6 lots and one tract, all to be developed in multiple phases. The initial phase of the development was described as an office building, retail building and storm water detention on the western approximately third of the property. In addition a temporary access drive was identified as necessary to provide access to National Drive until such time as subsequent phases are developed and permanent internal access drives are completed.

Preliminary and final plats are submitted for the entire 8.88 acres. The applicant proposed to initially plat acreage into three lots and one tract. Lot 1 corresponds to the proposed office building and parking. Lot 2 corresponds to the retail building and parking. Lot 3 includes the temporary access drive and is anticipated to be re-platted in

the future as subsequent phases are developed. Tract A is proposed for storm water detention

Ackerson concluded that with the exceptions noted above, the proposed preliminary plat can meet or exceed all applicable zoning and subdivision regulations; and that the preliminary and final plats are substantially consistent with the previously approved community unit plan for the National Golf Club of Kansas City and preliminary plan for the Village at the National. Staff recommended approval of the preliminary and final plats, subject to:

- final approval of utility improvement plans and associated easements by the applicable service providers prior to recording any final plat; and
- approval of the grading, drainage and public improvement plans, construction documents, and related permits prior to recording the final plat; and
- identifying covenants and restrictions, if any, on the plat and a copy of such prior to recording the final plat; and
- approval of a revised final plat and/or development plan if any significant changes result from final approval of the items above.

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

Commissioner McRuer recommended approval upon the conditions set forth by the commission. Commissioner Lane seconded. Motion passed 8-0.

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

B. Application for Final Plat of Village at the National. Case PZ14-17. J3-PANDI, LLC, owner.

See above Regular Agenda item 5.A

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 Lane seconded. Motion passed 8-0.

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

C. Application for the Final Development Plan of Village at the National. Case PZ14-18. J3-PANDI, LLC, owner

See above Regular Agenda item 5.A/B

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

Commissioner Cary recommended approval upon the conditions set forth by the commission. Commissioner Lane seconded. Motion passed 8-0.

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

5. REGULAR BUSINESS

D. Application for the Final Plat, Townhomes at the National – 2nd Plat. Case PZ14-21. J3-PANDI, LLC, owner.

Assistant City Administrator/Community Development Director Sean Ackerson summarized that the applicant J3-PANDI, LLC, owns 8.42 acres, more or less, which is proposed to be subdivided as the Final Plat, Townhomes at the National – 2nd Plat, containing seven lots, two private open space tracts and public rights-of-way. The plat is proposed as phase two of the Townhomes at the National. The property is located north of phase 1 along a continuation of Lime Stone Court Road which is proposed to extend north, parallel to Bell Road and then turn west just south of the Bell Road Industrial Park.

The property is zoned “R-5” Multiple-Family Residential District and is part of the previously approved Community Unit Plan for the National Golf Club of Kansas City and the Townhomes at the National Preliminary Development Plan. In April 2007, the Planning and Zoning Commission and the Board of Aldermen approved a preliminary development plan for the Townhomes (phases I and 2) in accordance with the requirement for the R-5 district and the Community Unit Plan. The plan included 25 lots, three open space tracts and 92 units (in 2, 3 and 4 unit buildings) over 28.81 acres. The preliminary development plans were approved subject to conditions including approval of conceptual landscaping plans, building facades, and other details approved with the Townhomes at the National – 1st Plat in 2007. Separately, a final development plan for phase 1 was also approved.

Per the requirements of Chapter 459, *Large Scale Developments – The Community Unit Plan* Section 459.015, *Procedure*, subsection F, “If no substantial changes are proposed or required following approval of the preliminary development plan, approval of a final plat shall be considered final approval of the community unit plan, subject to submittal of a final development plan to the Community Development Department. The final development plan shall show all details required for a preliminary development plan and shall reflect all required and approved amendments, conditions or restrictions of the community unit plan.” This section provides for administrative approval of the final development plan following approval of the final plat unless the plan includes substantial changes as defined in Section 459.060. Although the total number of developable lots has been reduced (7 lots down from the 8 approved with the preliminary development plan), no substantial changes are proposed. If accepted by the Board of Aldermen following approval by the Planning and Zoning Commission, a final development plan will be submitted to the Community Development Department for final approval. Unless determined to include substantial changes, the plan will be final.

Ackerson stated the staff concluded that with the exceptions noted above, the proposed preliminary plat can meet or exceed all applicable zoning and subdivision regulations; and that the preliminary and final plats are substantially consistent with the previously approved community unit plan for the National Golf Club of Kansas City and preliminary plan for the Village at the National. Staff recommended approval of the preliminary and final plats, subject to:

- final approval of utility improvement plans and associated easements by the applicable service providers prior to recording any final plat; and
- approval of the grading, drainage and public improvement plans, construction documents, and related permits prior to recording the final plat; and
- identifying covenants and restrictions, if any, on the plat and a copy of such prior to recording the final plat; and
- approval of a revised final plat and/or development plan if any significant changes result from final approval of the items above.

Chairman Katerndahl asked for comments:

Commissioner Scott questioned the reasoning for Tract "B" and whether future development would be higher density there or if this was going to be dedicated parkland. Mr. Borchers explained they were considering it for parkland dedication because at this time due to topographical reasons this portion of the property is undevelopable. He explained that ultimately with this plat there will be an additional estimated 20 units that consist of mostly "empty nesters". Other concerns were traffic studies conducted on Bell Road and the impact additional development would have and the measures that could be taken to mitigate some of the hazards on Bell Road. Different signage was discussed as possible short term problem solving for alerting drivers of the intersection of Lime Stone Road with Bell Road. Public Works Director Kirk Rome said he would look into what they could do with signage and also explained that this road has been looked at for improvements to include sidewalks, storm drainage and widening. He clarified the project was listed in the City's capital improvement plan but was one of many unfunded projects.

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

Commissioner Scott recommended approval subject to conditions set forth by the commission. Commissioner Lock seconded. Motion passed 8-0.

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

6. UNFINISHED BUSINESS

None

7. OTHER BUSINESS

A. 45 Hwy Corridor Plan Update

1st. Steering Committee will be meeting July 9th, 2014 at 5:30pm at the Deuce at the National. Mr. Graham Smith will start interviewing stakeholders as well.

B. Upcoming meetings

Chairman Katerndahl acknowledged the following upcoming meetings:

- Board of Aldermen Meetings: Tuesday, July 15th and August 5th at 7:00 pm
- Planning & Zoning Commission meeting Special Meeting Tuesday July 15th at 5:30pm
- Regular meeting Tuesday, August 12th, 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 8-0. Meeting adjourned at 6:52pm.

Submitted by: _____
Kelly Yulich, Department Assistant

7-9-14
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.