

**Minutes of the
Planning & Zoning Commission Meeting
City of Parkville, Missouri
Tuesday October 14, 2014 at 5:30 p.m.
City Hall Boardroom**

1. CALL TO ORDER

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

2. ROLL CALL

Commissioners Present:

Dean Katerndahl, Chairman
Keith Cary, Vice Chairman
Judy McRuer
Doug Krtek
Walt Lane
John Delich

Absent with prior notice:

Bob Lock, Secretary
Pam Scott
Bryant Lamer

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.

Chairman Katerndahl called for any discussion on the approval of the proposed agenda. Hearing none, Chairman Katerndahl asked for a motion to approve the proposed agenda. **Commissioner McRuer moved to approve the agenda, Commissioner Krtek seconded. Motion passed 6-0.**

B. Approval of the Minutes from the September 11, 2014 Planning and Zoning Commission regular meeting and September 11, 2014 work session.

Chairman Katerndahl called for any discussion on the approval of the minutes. Hearing none, Chairman Katerndahl asked for a motion to approve the minutes. **Commissioner McRuer moved to approve the minutes, Vice Chairman Cary seconded. Motion passed 6-0.**

C. Approval of the Minutes from the September 25, 2014 Special Planning and Zoning Meeting.

Chairman Katerndahl called for any discussion on the approval of the minutes. Hearing none, Chairman Katerndahl asked for a motion to approve the minutes. **Commissioner McRuer moved to approve the minutes, Vice Chairman Cary seconded. Motion passed 6-0.**

4. PUBLIC HEARING

A. Application to amend the community unit plan for the National Golf Club to allow construction of a private swimming pool in a side-yard setback at 10315 Magnolia Lane. Case PZ14-29, Aqua Blue Designs on behalf of Megan McDonald, owner.

Community Development Director Ackerson gave a brief summary explaining that the applicant was proposing to amend the community unit plan for the National Golf Club to allow construction of a private swimming pool in a side-yard setback at 10315 Magnolia Lane (also known as Lot 23A of the National 7th Plat). Ackerson stated that the applicant proposed to construct the pool west of the existing single-family home on the same lot, extending approximately 30 feet forward of the rear yard. He also explained that the applicants stated that building the pool in the rear-yard is not feasible due to their need for the pool to be ADA accessible. They concluded that the elevations would not allow this accessibility. Instead, they proposed to construct the pool to the west of the existing home in the side yard so access can be provided from the same elevation as the existing deck. Ackerson stated that he property is zoned "R-2 CUP" Single Family District with a Community Unit Plan overlay. The CUP is a planned district overlay and City Code has no provision for a variance or special yard exception to allow the pool in the side yard as with properties outside a planned district. Rather, an amendment to the approved CUP is required. As such, notices of the public hearing had been given as required by municipal code for such a plan amendment. In addition, the National's covenants and restrictions required approval by the National's architectural review board, which was done prior.

Ackerson presented the proposed plans, aerial photos showing the site and photos taken of the site and surrounding area. Ackerson concluded based on the application and supporting information submitted that the proposed amendment would have no significant impact on abutting or nearby properties; that due to the size of the lot and significant side-yard setbacks to remain, the spirit and intent of the zoning code is still met; and that all other applicable regulations could be met. He recommended approval of the proposed CUP amendment as submitted.

Chairman Katerndahl opened up the public hearing and asked for any public input. The property owner Megan McDonald stepped forward and answered questions from Commissioner Delich regarding retaining walls and fencing. She stated that the plan will have retaining walls on the North and South sides to aid in water runoff and that there will be at least a 4' fence surrounding the pool with a security gate.

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

Vice Chairman Cary motioned to approve the application to amend the community unit plan as recommended by staff. Commissioner McRurer Seconded. Motion passed 6-0.

B. Application to re-zone 8701 River Park Drive from “I-1” Light Industrial to “OTD” Old Town District. Case PZ14-31 City of Parkville, applicant.

Community Development Director Ackerson gave a brief summary explaining that the City of Parkville proposed to rezone 8701 River Park Drive from “I-1” Light Industrial District to “OTD” Old Town District. The property was also commonly known as the Parkville train depot and Spirit Fountain. The subject property is also identified as Platte County parcel number 20-7.0-35-400-005-001.000.

The existing zoning appeared to date back to the 1960’s when much of downtown was zoned for industrial uses. At that time, downtown and the river bottoms (now English Landing Park and Platte Landing Park) were envisioned to be a large industrial park. Besides the depot, most of the non-residential portions of downtown, including the fire station and other properties to the west were rezoned to “OTD” Old Town District in 2001. It is not clear from the City records why the train depot property was not included at that time. It is possible the property was not rezoned because the City was operating the animal shelter there at the time. The shelter was not a permitted use in the OTD zoning. Ackerson stated that OTD designation was the most logical and appropriate based on surrounding zoning.

Chairman Katerndahl opened up the public hearing and asked for any public input. Seeing none, he closed the public hearing and called for a motion.

Vice Chairman Cary motioned to approve the application to rezone 8701 River Park Drive from “I-1” Light Industrial to “OTD” Old Town District. Commissioner McRurer Seconded. Motion passed 6-0.

C. Application for a conditional use permit to allow additional antenna & modifications to existing lattice cell tower at 6205 Kelly Drive. Case PZ14-33, SSC, Inc. on behalf of T-Mobile.

Community Development Director Ackerson explained that the applicant requested consideration be postponed until the November 13, 2014 Planning and Zoning Commission meeting. He explained that they were revising plans and that the application may have to be re-submitted depending on the extent of the changes. **The application was postponed until November 13, 2014.**

D. Application to amend Parkville Municipal Code Section 400.020 to define “accessory storage,” “materials,” “outdoor display,” and “outdoor storage” and Chapter 475 to rename the chapter “Supplementary Regulations for All Districts” and to add a new Section 475.040 titled “Outdoor Storage and Display Regulations” regulating items and materials stored or displayed outside of fully enclosed structures.

Community Development Director Ackerson asked to post pone agenda item 4.D until the November 13, 2014 Planning and Zoning Commission meeting. **The application was postponed until November 13, 2014.**

5. **REGULAR BUSINESS**

None

6. **UNFINISHED BUSINESS**

None

7. **OTHER BUSINESS**

A. **Updates**

Chairman Katerndahl asked about any news with the prospects of Quick Trip (QT). Community Development Director explained that they have not officially withdrawn their application, but have not gone forward with it either. Based on conversations with QT staff, Ackerson believes they are still pursuing development at the southeast corner of the intersection of 45 and 9 Highways.

Commissioner McRuer asked about the proposed development of apartments in Kansas City, Missouri just west of Parkville, south of 45 Highway on Klamm Rd. Ackerson gave a brief explanation that the City had been notified of the development which was now scheduled to be heard by the Kansas City, Missouri's Planning and Zoning Commission on October 21st. He stated that the developer and their legal counsel had gave a presentation at Parkville City Hall and several Riss Lake neighbors to the development had shared general concerns over traffic, screening and storm water management. Ackerson explained that the developer was proposing to re-align Klamm Rd to improve the intersection with 45 Highway, aid in access to the development and provide a bigger buffer to the residents in Riss Lake. He explained that after the re-alignment, they proposed that they would tear up the existing asphalt road and add trees and plants to aid in the buffering. This application would not be heard by the City of Parkville since the property is not in the Parkville City limits.

B. **Upcoming Meetings**

Chairman Katerndahl acknowledged the following upcoming meetings:

- Board of Aldermen Meetings: Tuesday, October 21 and Tuesday, November 4, 2014 at 7:00 pm.
- Planning & Zoning Commission Regular Meeting: Thursday November 13, 2014 at 5:30 pm. (It was noted the meeting was being rescheduled from Tuesday, November 11th due to Veteran's Day).

8. **ADJOURNMENT**

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

Vice Chairman Cary moved to adjourn. Commissioner Krtek seconded. Motion to adjourn passed 6-0. Meeting adjourned at 6:02pm.

Submitted by:

Kelly Yulich, Department Assistant

10-15-14
Date