

**Minutes of the
Planning & Zoning Commission Regular Meeting
City of Parkville, Missouri
Tuesday, November 10, 2015 at 5:30 p.m.
City Hall Boardroom**

1. CALL TO ORDER

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

2. ROLL CALL

Commissioners Present:

Dean Katerndahl, Chairman
Keith Cary, Vice Chairman
Bob Lock, Secretary
Walt Lane
John Delich
Doug Krtek
Michael Wright
Pam Scott

Commissioners Absent with Prior Notice:

Bryant Lamer

A quorum of the Planning Commission was present.

Staff Present:

Sean Ackerson, Assistant City Administrator / Community Development Director
Emily Crook, Department Assistant
Zach Tusinger, Planning Intern

3. GENERAL BUSINESS

Chairman Katerndahl recognized Peter Perlik, member of Boy Scouts of America Troop 261 (St. Therese), who is working on his Communications merit badge.

A. Approval of Planning & Zoning Meeting Agenda.

Chairman Katerndahl called for any discussion of the proposed agenda.

Commissioner Krtek moved to approve the agenda, Commissioner Scott seconded. Motion passed: 8-0.

B. Approve the minutes from the October 19, 2015 Planning and Zoning Commission meeting.

Chairman Katerndahl called for any discussion of the minutes. **Secretary Wright moved to approve the minutes, Commissioner Scott seconded. Motion passed: 8-0.**

4. PUBLIC HEARING

- A. **Application for text amendments to Chapter 400 “General Provisions” and Chapter 470 “Supplementary Use Regulations–Conditional Uses” to allow microbreweries, microdistilleries, and microwineries.** *Case PZ15-33, City of Parkville Community Development Department, applicant.*

Chairman Katerndahl introduced the application and then asked Community Development Director Ackerson to explain it.

Prior to the discussion, Ackerson noted that there was an article published in a local newspaper about QuikTrip as an agenda item. QuikTrip did submit its final development plan, but wanted additional time to work on a couple of items

Commissioner Lane arrived at 5:35 pm.

Chairman Katerndahl asked if QuikTrip would be brought to the December meeting. Community Development Director Ackerson stated that the applicants have requested a special meeting on November 23, 2015 which is being considered.

Regarding Item 4A, Community Development Director Ackerson reminded the commissioners that the text amendment had been brought to the Planning and Zoning Commission last month as a general discussion. It was discussed in the context of a microbrewery as there has been interest in Parkville in recent years for having a microbrewery in the retail district. He referenced the last meeting and the commissioners’ comments about including microdistilleries and microwineries in the text amendment. Taking those comments into consideration, the text amendment was revised with input from Parkville legal counsel and the City Clerk.

Planning Intern Tusinger stated that the text amendment, as written, would include three definitions for microbreweries, microdistilleries, and microwineries. In addition to the definitions, there would be a text amendment that would allow each of these uses through conditional use permits. Many municipalities in the Kansas City Metropolitan Area are updating their zoning codes to allow for these businesses. He stated that downtown business owners have provided positive feedback for microbreweries with retail sales. Current zoning code allows for distilleries and breweries, but only in industrial areas. Wineries and breweries are allowed in commercial districts, but only as an accessory use. The trend today is to see microbreweries in downtown retail areas often with a retail component as part of the experience.

Planning Intern Tusinger reminded the Commission that the initial draft focused solely on microbreweries but, with the conversation from last month in mind, he researched

and incorporated microdistilleries and microwineries into the text amendment. He stated that it, also, addresses concerns involving parking and delivery. The site plans will have to take into account parking, delivery, and traffic circulation. Additional concerns expressed were about the business contributing to the retail district. The text amendment states that at least 25% of the business' product needs to be sold on-site. This permits consumption on-site or purchasing the product and consuming it off-site. The City Clerk has reviewed the amendment for compliance with the state liquor laws and licensing requirements. Input from Parkville Legal Counsel was also taken into consideration. The primary concerns addressed in the amendment are appearance, effects on neighbors, traffic considerations, and noise. As these concerns do not apply to the "U-1" Underground Zoning District, it is no longer included in the amendment like it was in the first draft. Lastly, he quoted the alcohol production numbers for microbreweries, microdistilleries, and microwineries to give comparison to production limits in the proposed definitions.

Commissioner Lane asked about the noise and odor concerns outlined in 470.040. Community Development Director Ackerson stated that this was addressed in the last meeting. It was addressed broadly in the context of "offensive or adverse" particularly regarding outdoor storage.

Commissioner Lane asked if the language would affect interest from potential tenants. Would microbreweries still consider Parkville with the language? Community Development Director Ackerson stated that there would still be interest. The language that is used in the text is fairly common. The language in the text amendment is more sensitive because the brewery will be abutting neighborhoods. Usually where language is not addressed as much is in industrial areas. Tusinger added that the language matches language found in other area examples.

Secretary Lock stated that the 10,000 barrels allowed for production seemed like a lot. Planning Intern Tusinger stated that it does seem like a lot, and most breweries do not come close, but that is the number outlined in Missouri statutes.

Chairman Katerndahl asked if the restriction of 8,000 square feet for the brewery would make it difficult for production. Community Development Director Ackerson stated that the 8,000 square foot regulation is not a part of a state statute. It is the size of the biggest building located downtown. He does not think that the barrel production will surpass the limitations set with the square footage of the building.

Commissioner Scott asked if there was anything in the text amendment that would prohibit production off-site. She is concerned about the traffic problems that off-site shipping to the main building would cause. Community Development Director Ackerson stated that there is wording in the text amendment that requires on-site brewing.

Commissioner Scott stated that there are no conditions that restrict the number of deliveries. Community Development Director Ackerson stated production would be set with the individual business plan. The Commission discussed whether it is appropriate

to restrict delivery versus addressing it on a case-by-case basis. It was concluded that it would be best to address delivery as part of a site plan approval.

Chairman Katerndahl asked if there were any other questions. Seeing none, opened the public hearing.

Mike Kellam, Executive Director (8880 Clark Ave, Parkville, MO) represented the Economic Development Council. He stated that the ordinance has been fully supported from the onset of the project.

Commissioner Krtek asked about microoasteries. Would they be included in the amendment? Community Development Director Ackerson stated that it is an interesting idea if it were to be on a larger scale. It is currently accounted for in the code as an accessory use, citing Parkville Coffeehouse as an example.

Community Development Director Ackerson stated that phase two to the project is to adjust language in the liquor license regulation to match the text amendment and to make additional amendments to revise language in the industrial districts.

Chairman Katerndahl asked for a motion.

Commissioner Scott asked if it was a specific reason to address the amendment immediately. Community Development Director Ackerson stated that there has been interest expressed and the amendment would allow staff and the EDC to pursue that interest.

Commissioner Lane made a motion to recommend approval of the proposed microbrewery, microdistillery, microwinery ordinance as presented to [the Planning and Zoning Commission] this evening. Commissioner Delich seconded. Motion passed: 8-0

5. REGULAR BUSINESS

None.

6. UNFINISHED BUSINESS

None.

7. OTHER BUSINESS

A. Update on Code Update Projects

Staff will be meeting with consultants to discuss plans that have come before the Planning and Zoning Commission over the last six months and discuss how the code could be improved to address issues. There should be a draft assessment ready to share with the Planning and Zoning Commission in December. The next step in the project, which should begin in January or February, is to write their critical issues papers. Issues expected to be in the papers are the "Old Town District," design

guidelines, and density. The goal is to have this ready by next spring for public meetings.

B. Project Updates

1. Route 9 Corridor Study: The last public meeting was held on October 29, 2015. The consultants met with many of the property owners who have land along the corridor. The public's main concern is the widening of Route 9 while not losing private property. It should be finalized soon. Community Development Director Ackerson will send the commissioners a link to the Route 9 Corridor Study.
2. Quik Trip: A special meeting has been requested. Community Development Director Ackerson will send an email to the commissioners when the date has been selected.
3. Bella Vista: There have not been any further submissions.
4. Thousand Oaks West: The Preliminary Development Plat was the last item submitted.

C. Upcoming meetings & dates of importance:

Upcoming meetings were listed on the agenda:

- Board of Aldermen Meetings: Tuesday, November 17, 2015 and Tuesday, December 01, 2015 at 7:00 pm.
- Planning & Zoning Commission Regular meeting Tuesday, December 08, 2015 at 5:30 pm.

8. ADJOURNMENT

Seeing no other discussion, Chairman Katerndahl called for a motion to adjourn. **Commissioner Wright moved to adjourn, Commissioner Lane seconded. Motion passed: 8-0.** Meeting adjourned at 6:23 p.m.

Submitted by:

Emily Crook
Community Development Department Assistant

11/16/2015
Date