

**Parkville Board of Zoning Adjustment
Regular Meeting Minutes
City of Parkville, Missouri
Tuesday August 22, 2017 at 5:30 p.m.
City Hall Boardroom**

1. Call to Order

Vice Chair Russ Downing called the meeting to order at 5:30 p.m.

2. Roll Call

Board Members Present:

Carla Dods, Chair (absent with notice)

Russell Downing, Vice Chair

Marion Newcomer, Secretary

Jack Shafferman

Ken Wright

A quorum of the Board of Zoning Adjustment was present.

Staff Present:

Stephen Lachky – Community Development Director

Public Works Director – Alysen Abel

Shakedra Knight – Assistant to Community Development Director

3. General Business

A. Approval of the August 22, 2017 Board of Zoning Adjustment meeting Agenda.

Vice Chair Downing called for discussion on the proposed agenda. Seeing none he called for a motion to approve the agenda.

Secretary Newcomer moved to approve the agenda, Member Wright seconded. Motion passed 4-0.

B. Approval of Special Meeting Minutes from the Thursday November 10, 2016 Board of Zoning Adjustment meeting.

Vice Chair Downing called for discussion on the Special Meeting Minutes. Seeing none he called for a motion to approve the November 10, 2016 minutes as published.

Member Shafferman moved to approve the agenda, Member Wright seconded. Motion passed 4-0.

4. Public Hearing

A. Application for Floodplain Development Variance for a storage building at the City's parks headquarters located at 8701 McAfee, Parkville, MO. Case # BZA 17-02, City of Parkville, applicant.

Vice Chair Downing introduced agenda item 4A and then Director Lachky gave an overview of the application. Lachky illustrated the proposed location on an aerial map and explained the City Parks Department needed on-site storage for mowers and recently equipment purchased. He stated staff budgeted for a storage barn similar to the one constructed last year for the City's Sewer Plant; however, due to the proposed location being in the floodplain, a variance was required.

Next, Director Lachky presented the information staff reviewed when considering a variance. He stated the variance must arise from conditions unique to the subject property. Lachky explained the proposed location was within FEMA's flood hazard area and no new construction shall take place unless it had been demonstrated through hydrologic and hydraulic analyses that the proposed encroachment would not result in any increase in flood levels. He presented the next consideration. The variance would not adversely affect the rights of adjacent property owners and gave examples of when this circumstance may apply.

Lachky referenced the memo from Public Works Director Abel to address the hardship consideration. The memo explained why the requested location made sense. The next consideration was public health, safety, morals, order, convenience, prosperity, and general welfare. Director Lachky explained that Engineer Chad Johnson of Olsson Associates submitted a flood study and determined based on the size of the proposed building, it should not cause rise in the base flood elevation (BFE). The last consideration Lachky presented was granting the variance would not be opposed to the general spirit of the Code. He explained prior to September 2000 City of Parkville had no floodplain requirements. Going through the Board of Zoning Adjustment (BZA) process for any new development ensured it did not increase BFE influenced Parkville flood insurance rates.

Additional considerations per Section 410.020, Subsection H, were reviewed and then Lachky concluded with staff recommendation. Based on the report from Olsson, staff analysis, and the final exhibit illustrating the proposed building, staff felt the variance request would not increase BFE, cause additional threat to public safety, or adversely affect adjacent property owners. Staff also felt the facility would enhance the Parks Department's much needed secure storage area; constructing the facility close to Park's headquarters would serve department operations and maintenance storage needs; and utilities exist in the proposed location.

Director Lachky stated staff recommended approving the proposed variance for the storage building with the added condition that a licensed engineer in the State of Missouri verified that all structural components of the project were capable of resisting hydrostatic and hydrodynamic flood forces, including buoyancy and debris impact.

Vice Chair Downing called for questions of the Board.

Downing asked Director Abel about electricity in the facility. Abel responded there was no current plan to include electricity; the first priority was to construct the building. She added there were skylights around the top of the building.

Downing asked about the color of the building. Abel answered it would be similar to the other Parks buildings with a green roof and beige exterior.

Vice Chair Downing called for additional questions of the Board. Seeing none he opened the meeting for public comment.

Resident and property owner, Tom Hustler approached the Board. He stated he supported the application.

Vice Chair Downing called for additional questions. Seeing none he called for a motion.

Member Newcomer moved to approve the Application for Floodplain Development Variance for a storage building at the City's parks headquarters located at 8701 McAfee, Parkville, MO. With staff conditions, Member Wright seconded. Motion passed: 4-0.

- B. Application for Floodplain Development Variance for a shelter building for the City's parks system at 9155 Platte Landing Park Drive, Parkville, MO. Case # BZA17-03, City of Parkville, applicant.

Vice Chair Downing introduced agenda item 4B and then Director Lachky gave the background. He stated the City was awarded a grant from Friend of Parkville Parks to construct a new riverfront shelter and then illustrated the proposed location and a shelter structure resembling the one proposed. Lachky presented the review criteria considered by staff. He explained the application was requested because the proposed structure would be in the flood plain area as indicated on FEMA's Flood Insurance Rate Map (FIRM). Adverse effects on adjacent property owners along with zoning regulations and unnecessary hardships were considered in staff review. Lachky pointed out the 2016 Parks Master Plan expressed the City's desire to implement a new riverfront concept, including shelter amenities. He added that staff reviewed threats to public health, safety, and general welfare and determined a No Rise Certification was not required as the shelter was equivalent to a "small project" as referenced in the National Flood Insurance Program (NFIP) Floodplain Management Requirements. Lachky stated staff did not believe granting the variance opposed the general spirit and intent of the development code. He presented additional considerations to be considered by the Board of Zoning Adjustments per Section 410.020 Subsection H. Based on the criteria reviewed staff recommended application approval.

Vice Chair Downing called for questions of the Board.

Downing asked whether the shelter would be between the back stop and the walking trail. Abel described the proposed location was further west to minimize impact on trees.

Abel added the concrete pad would be done separately and there would be a bid proposal for the project.

Vice Chair Downing called for additional questions of the Board. Seeing none he opened the meeting for public comment.

Vice Chair Downing called for additional questions. Seeing none he called for a motion.

Member Shafferman moved to approve the Application for Floodplain Development Variance for a shelter building for the City's parks system at 9155 Platte Landing Park Drive, Parkville, MO., Member Newcomer seconded. Motion passed: 4-0.

5. Regular Business

None

6. Unfinished Business

None

7. Other Business

A. Upcoming meetings & dates of importance:

- Planning and Zoning Commission Regular Meeting: Tuesday September 12, 2017 at 5:30 p.m. and Tuesday October 10, 2017 at 5:30 p.m.
- Board of Aldermen Meeting: Tuesday, October 3, 2017 at 7:00 p.m. and Tuesday, October 17, 2017 at 7:00 p.m.
- Board of Zoning Adjustment Meetings: Tuesday, September 26, 2017 and Tuesday October 24, 2017 at 5:30 p.m.

8. Adjournment

Vice Chairman Downing adjourned the meeting at 6:00 p.m.

Submitted by:



Stephen Lachky
Community Development Director

8-22-17
Date



Shakedra Knight
Community Development Assistant

8-22-17
Date