

**Minutes of the
Planning & Zoning Commission Regular Meeting
City of Parkville, Missouri
Tuesday, January 9, 2018 at 5:30pm
City Hall Boardroom**

1. CALL TO ORDER

Chairman Katerndahl called the meeting to order at 5:30 p.m.

2. ROLL CALL

Commissioners Present:

Dean Katerndahl, Chairman
Keith Cary, Vice Chairman
John Delich (arrived at 5:31)
Walt Lane (arrived at 5:31)
Barbara Wassmer
Doug Krtek
Shane Smeed
Kim Verhoeven
Michael Wright

A quorum of the Planning & Zoning Commission was present.

Staff Present:

Stephen Lachky / Community Development Director
Shakedra Knight /Assistant to Director of Community Development

3. GENERAL BUSINESS

A. Approval of January 9, 2018 Planning & Zoning Commission meeting

Agenda.

Chairman Katerndahl called for discussion. Seeing none he called for a motion to approve the agenda.

Commissioner Krtek moved to approve the agenda as amended, Commissioner Delich seconded. Motion passed: 9-0.

B. Approval of the minutes from the November 14, 2017 Planning & Zoning Commission meeting.

Chairman Katerndahl called for discussion of the minutes or changes needed. Seeing none he called for a motion to approve the minutes.

Commissioner Wright moved to approve the minutes, Commissioner Krtek seconded. Motion passed: 9-0.

4. UNFINISHED BUISNESS

A. None

5. PUBLIC HEARING

A. None.

6. REGULAR BUSINESS

A. Application for Subdivision Waiver to Section 404.030, Subsection D.5 for the Thousand Oaks Sixteenth Plat, Final Plat; Thousand Oaks – 19th Plat, Final Plat; and Thousand Oaks – 22nd Plat, Preliminary Plat, to allow 20 ft. front-yard setback building lines. #PZ18-04; *Forest Park Development, applicant*

Chairman Katerndahl introduced Item 6A and asked Director Lachky to present. Lachky said the applicant had a public meeting in Platte County at 6 p.m. and invited him to the podium. Lachky said the applicant's engineer would stay and answer questions regarding the application.

David Barth said he had several phases that were already preliminary platted or going to be proposed. He said a variance was granted on the 20th plat. Barth said the current request allowed more flexibility to the builder due to drop-offs and it would not be for every home. He apologized that he had to leave and said his engineer, Jason Robbins, would answer any questions.

Chairman Katerndahl thanked the applicant and Director Lachky began presenting the application. He showed an aerial image of the subject plats and the portions built to date. He said the 16th and 19th had gone to final development and the 22nd had to go before the Board.

Director Lachky referenced the November 2017 Commission meeting. He said the feedback he received was that the Commission was not comfortable making a baseline standard for all developments and preferred addressing requests on a case by case basis. He explained the process with the Board of Zoning Adjustment and that the purpose of variance requests was for special exceptions. He said after meeting with the city's legal counsel, staff was directed to address subdivision waiver requests through the Planning Commission. Lachky reviewed the subdivision waiver process and said the Commission had the ability to grant those requests when the developer could not meet the standards. He explained the unique exception of the 20th plat as an example and detailed the Commission findings in that case.

Lachky reviewed the current request. He pointed out that the applicant had noted challenges and granting the subdivision waiver would allow future property owners and builders flexibility to orient and position homes in a safer manner, away from substantial elevation drop-offs. He illustrated the topography on each plat.

Engineer, Jason Robbins, said the reason for the front-yard setback request was due to the grading drop-offs in back. He said pulling the front closer eliminated the need for retaining walls, removing extra trees and building an extra foundation. He said the grading was worse the further as they built. Commissioner Wright asked Robbins to clarify the area he referred to as "back". Robbins said the south part of Thousand Oaks, the current plats, had significantly more drop-offs.

Commissioner Delich said he was generally against 20 ft. setbacks. He said imposing the subject plat with traditional layout left the developer stuck with reducing the front setback.

Director Lachky explained the option for the Commission to approve the plats individually.

Delich stated his concern for making a reduced setback the new standard. Commissioner Krtek pointed out extremes that made the request justifiable.

Discussion ensued regarding different setbacks based on backyard grading and required exceptions.

Engineer Robbins explained lots that were feasibly buildable would not require the 20 ft. setback. He said the application request gave them the opportunity to do so in difficult situations.

Discussion ensued regarding slopes and retaining walls.

Commissioner Wright suggested figuring a slope that triggered the 20 ft. allowance. He suggested a slope greater than 1 in 4 triggered the 20 ft. setback allowance otherwise the 25 ft. setback stayed in place.

Director Lachky said the subdivision code allowed the Commission to add conditions when addressing waiver requests.

Discussion about enforcing use of the 20 ft setback with the slope condition.

Chairman Katerndahl said Director Lachky's presentation was turned into a conversation and asked Lachky if he had been able to present his point to the Commission.

Lachky summarized that it was possible to reduce costs and get desired space, the blanket standard would help staff, and he was unsure whether the slope was a good barometer and he needed more time to research the idea.

Katerndahl asked whether the front setback standard in the National had presented any problems with issues like parking. Lachky said Pinecrest was the only neighborhood he was aware of with parking issues and the HOA was responsible for mitigating those issues.

Discussion focused on setting precedence, procedure, and options of voting on the application.

Vice Chair Cary offered a motion to approve based on the unique topography of the proposed plats. He said the Commission did not undercut the standard by the motion. Commissioner Smeed seconded. Roll call vote passed the motion 9-0.

7. OTHER BUSINESS

A. Upcoming meetings & dates of importance:

- Board of Aldermen Meetings: Tuesday, January 16 & February 6, 2018 at 7:00 p.m.
- Board of Zoning Adjustment Meeting: January 23, 2018 - Canceled No Agenda Items
- Planning & Zoning Commission Regular Meeting: Tuesday, February 13, 2018 at 5:30 p.m.

8. ADJOURNMENT

Director Lachky gave updates on upcoming projects.

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

Commissioner Krtek moved to adjourn, Commissioner Wright seconded. Motion passed: 9-0. Meeting adjourned at 6:53 p.m.

Submitted by:



Stephen Lachky
Community Development Director

1-9-18
Date



Shakedra Knight
Community Development Assistant

1-9-18
Date