

**Minutes of the
Planning & Zoning Commission Regular Meeting
City of Parkville, Missouri
Tuesday, May 10, 2016 at 5:30 p.m.
City Hall Boardroom**

1. CALL TO ORDER

Chairman Katerndahl called the meeting to order at 5:34 p.m.

2. ROLL CALL

Commissioners Present:

Dean Katerndahl, Chairman

Keith Cary, Vice Chairman

John Delich

Doug Krtek

Barbara Wassmer

Walt Lane-arrived and then left after discovering there was a full quorum.

Michael Wright

Kim Verhoeven

Shane Smeed.

A quorum of the Planning Commission was present.

Staff Present:

Stephen Lachky / Community Development Director

Alysen Abel / Public Works Director

4. GENERAL BUSINESS

Chairman Katerndahl made an announcement of the resignation of Pam Scott from the Planning & Zoning Commission and recognized her for her service as a Planning & Zoning Commissioner.

He also acknowledged and welcomed the two new commissioners Shane Smeed and Kim Verhoeven.

A. Approval of Planning & Zoning Meeting Agenda.

Chairman Katerndahl called for any discussion of the proposed agenda. Seeing none Chairman Katerndahl called for a motion to approve the agenda as proposed.

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

B. Approve the minutes from the April 12, 2016 Planning and Zoning Commission meeting.

Chairman Katerndahl called for any discussion of the minutes or changes needed.

Seeing none Chairman Katerndahl called for a motion to approve the minutes as proposed.

Commissioner Delich moved to approve the minutes, Vice Chairman Cary seconded. Motion passed: 8-0.

4. **PUBLIC HEARING**

- A. Text amendment to the Parkville Municipal Code Chapter 463 to add Section 463.065 "PLCD" Parkland and Conservation District Temporary Sign Permit and to add Section 463.180 "PLCD" Parkland and Conservation District, a new district within Chapter 463 regulating signs, in sizes, materials and length of time for display. *Case# 2016-07 City of Parkville, applicant*

Chairman Katerndahl addressed the City of Parkville Staff for a description of the proposed text amendment.

Community Development Director Stephen Lachky began by recognizing Department Assistant Kelly Yulich for implementing and writing the proposed text amendment and new temporary sign permit application, he stated that she was unable to attend the meeting due to recovering from major surgery. He continued explaining that currently, the City does not allow temporary promotional signage in City Parks or Conservation areas during city approved events or activities and that the only available options were temporary promotional signs that must be displayed on private property, and with a time limit of thirty (30) days before needing to be removed. He explained that the applicants must also adhere to a maximum square footage for a temporary sign of sixteen (16) square feet in area with a fee currently being charged of \$10.00 per sign. And that each applicant/sponsor was only allowed to have a maximum of three (3) temporary sign permits annually.

Lachky explained that local organizers had indicated that these rules were inadequate for promoting events on event days and multiple special event organizers had requested the ability to have signage in the park during their event for promotion, sponsorship and indication to attendees that they were in the correct location in the Park.

Lachky stated the proposed text amendments created a new application for Temporary Sign Permits in "PLCD" Parkland and Conservation District's and that the Parkland and Conservation District temporary sign permit would allow administrative approval of various banners, flags and yard signs within City Parks and Conservation areas as part of an approved special event permit. The special event permits are issued in accordance with the Guidelines for Events in Parkville pursuant to Municipal Code Section 140.345 or other city approved Park activities as approved by the Board of Aldermen (such as a Board approved use of Vikings Field). He also explained that A Parkland and Conservation District Temporary Sign can only be displayed during event days and then must be removed, unless authorized throughout a season such as the Vikings Field Football season.

Lachky stated the permit would allow staff to approve signs or banners that did not exceed sixteen (16) square feet. And signs or banners that did exceed sixteen (16) square feet would need to be approved through the Community Land and Recreation Board (CLARB). Sixteen (16) square feet is the maximum size that city staff may approve for other signage permits without an appeal to the appropriate governing body.

Creating a specific section in Article IV of Chapter 463: Sign Code in the Parkville Municipal Code entitled "PLCD" Parkland and Conservation District would allow rules and regulations for signage within the specific district, which could include but are not limited to: Size, number of signs, removal dates, physical location and types of temporary signage.

The Chairman asked if there were any additional comments from the public seeing none he opened and closed the public hearing portion at: 5:50 p.m.

Chairman Katerndahl asked the Planning Commission for any additional comments or questions prior to asking for a motion. Discussion ensued over start and removal dates and sign sizes. The Chairman asked for a motion seeing no further questions or comments.

Commissioner Delich moved to recommend approval of the application subject to the conditions herein and stipulations added of not more than 24 hours prior to the start of an event for the temporary signs to be erected and that the C.L.A.R.B (Community Land and Recreation Board) have approval of the height and location of such temporary signage. Commissioner Krtek Seconded. Motion passed 8-0.

5. REGULAR BUSINESS

- A.** Application for Thousand Oaks – 20th Plat, Final Plat, a Subdivision in the City of Parkville, Platte County, Missouri #PZ16-06, *Forest Park Development Company LLC of Kansas City, applicant*

Chairman Katerndahl addressed the City of Parkville Staff for a description of the proposed application.

Community Development Director Stephen Lachky gave an overview of the applicant, Forest Park Development Company LLC of Kansas City, also recognized as David Barth proposed an application for the Thousand Oaks – 20th Plat, a final plat for 32 single-family lots and additional open space tracts consisting of 14.56 acres, more or less within 28.33 acres. The property located east of the southeast corner of the intersection of Brink-Myer Road (north/south alignment) with Brink-Myer Road (east/west alignment). The property is bound by the Thousand Oaks 12th Plat to the south and the Thousand Oaks 10th Plat and Thousand Oaks 11th Plat on the east. Lachky explained to the commission that the final plat proposed new lots on extensions of two existing cul-de-sacs – Meyers Circle in the Thousand Oaks 10th Plat and NW 66th Terrace in Thousand Oaks 11th Plat. The preliminary plat for Thousand Oaks 20th (Case PZ15-14) was approved by the Planning & Zoning Commission on June 9, 2015 subject to several staff conditions including an amenity to offset the loss of the cul-de-sac.

Lachky stated that the final plat included no substantial changes, only minor ones from the approved preliminary plat. The final plat proposed 32 lots which is two (2) less than shown on the preliminary plat. One, tract "A" along the north side will have a lower elevation compared to the rest of the property, and included a 10 ft. KCP&L easement.

Which, this easement would be vacated and Tract "A" would be dedicated to the City of Parkville for public uses. Tract "B" on Myers Circle and Tract "C" on the southern half of the plat would be reserved for private open space to be owned and maintained by the Homeowners Association. Most of the public improvements including public streets, utilities and stormwater treatment are projected to be completed with the construction of the Thousand Oaks – 20th Plat, Final Plat.

Community Development Director Lachky stated that based on review and analysis of the final plat application, with the supporting information submitted to date and with the exceptions noted above or stated during the Planning & Zoning Commission meeting, that his staff concluded the final plat meets all applicable zoning standards, subdivision regulations and requirements; with the exception of the drainage, stormwater and engineering standards which are pending final review of the engineering drawings. Accordingly, he and his staff recommended approval of the Thousand Oaks – 20th Plat, Final Plat subject to several conditions which were outlined in his staff report.

Lachky stated Public Works Director Alysén Abel, whom was present at the meeting for any questions, had reviewed the application and determined that the developer would need to execute a Right-of-Way Maintenance Agreement with the City of Parkville; placing the responsibility of maintenance of private improvements within the public right-of-way onto the developer and the home owners association. The agreement would need to be executed prior to recording of the final plat.

Abel reviewed with the submitted preliminary plat, the developer's engineer submission of a stormwater letter which included their preliminary plan for the stormwater detention and stormwater treatment for the new improvements. The plan showed a large pond which currently exists on the tract of land adjacent to the proposed residential development, her review stated that a small detention basin may be necessary in conjunction with the existing pond to meet the stormwater detention and stormwater treatment requirements. Also explained in the review is additional information would be needed for the preliminary design of the stormwater detention and stormwater treatment. Public Works Director Abel explained that the developer's engineer would need to submit a stormwater management study that included the design calculations of the stormwater detention and stormwater treatment facilities. The study would need to be reviewed and approved prior to issuance of a public improvement permit.

Abel stated in her review that the developer could apply for two permits. A Grading and Land Disturbance Permit and a Public Improvement Permit, the first permit being the Grading and Land Disturbance permit. The developer's engineer had submitted grading and erosion control plans and once they had completed the permit process, they would be able to obtain a Grading and Land Disturbance Permit to start the grading operation. The second permit, a Public Improvement Permit- once the design requirements had been satisfied the City would issue the permit for public improvements. The developer's engineer had submitted plans for the street and storm sewer improvements and the plans were currently under review. With the storm water detention and storm water treatment improvements, additional agreements, easements, and bonds could be necessary. Those would be administrative items that would be necessary prior to issuance of a Public Improvement Permit.

Abel's review stated that the sanitary sewer was not within the City's service boundary, and that this development was served by Platte County Regional Sewer District (PCRSB). She stated that the City would release the plat for final recording after all of the utilities had approved their utility design.

Public Works recommended approval of the Final Plat, with the conditions set forth in their staff report.

Staff concluded their presentation, and Chairman Katerndahl asked if the added extra amenities would be the trail. Community Development Director Lachky explained the amenities would be added extra landscaping along the edges leading into the new phase and added landscaping within the cul-de-sac island, not the trail. The trail would be a requirement needed within the subdivision standards. Commissioner Wright questioned the sidewalks, if they currently exist or if the trail existed and if so would this be tying into that, or if this would be adding new sidewalks and trails. Lachky stated the existing area is currently in the County and not the City, and if they would require the applicant to put in sidewalks and trails that there would not be anything to link them with currently since the County currently has no sidewalks or trails in that area. Commissioner Delich questioned the connection to the parkland tract and or trail if they do not exist yet. Lachky stated that parkland dedication or cash in lieu of is required per Parkville's Municipal Codes.

Chairman Katerndahl asked about the timeline for construction. Lachky stated the developer is ready to begin immediately. Chairman Katerndahl asked about the timeline for Phase 21 and the continuation of the trial. Additional questions ensued about the access to Phase 21 via Brink-Meyer and would it include sidewalks and trails. Commissioner Delich questioned the Tract "A" dedication for parkland, specifically how the City would be able to maintain the parkland, via funding or access. Lachky explained that area would be the only area that would be accessible. Delich questioned more the funding aspects to maintain the area and would want to see the topography of the area. He believed if the property was of marginal value topographically, the city should not accept it as parkland since its value as an amenity was marginal.

Chairman Katerndahl questioned if the Planning and Zoning Commission could approve the application on the condition that the property owner pay cash in lieu of the parkland dedication requirements. Lachky stated the City could require the property owner to maintain the parkland dedication because the City does not have the resources or funding to maintain it themselves. Commissioner Wright was still not satisfied with the sidewalk and trail issues, and wanted to know if they could postpone the application until they had more clarity. Chairman Katerndahl asked the applicant to come forward to answer some of the questions that staff could not answer.

David Barth with Forest Park Development came forward and explained that he wanted to work something out, possibly a regional trail connection that would tie in with Unincorporated Platte County and the City of Parkville when Phase 21 is developed. The trail would serve the residents of Thousand Oaks and Hidden Valley. Mr. Barth explained, in his experience, cities don't want greenways and pocket parks to maintain. He also said that the Thousand Oaks' development had an extensive trail system and he knew they were very expensive to maintain. Mr. Barth stated he could put a sidewalk and trail in the 20th plat, but it would not be going anywhere or connecting to

anything. He didn't believe that it would be a heavily used trail since there were only 32 lots in this plat, and two of the homes are for existing residents in the subdivision that seek to rebuild larger homes in this area. Mr. Barth said he would prefer to participate further down Brink-Meyer when Phase 21 ties it into the County's trail system. Chairman Katerndahl stated that he would prefer the connection to be a trail head for the Lake and eventually tie in to the County trail. Mr. Barth agreed, Commissioner Krtek questioned Mr. Barth if had, had any meetings with the residents around the area concerning the issues about the cul-de-sac removal as he had agreed upon doing at the Preliminary Plat approval. Mr. Barth talked about the improved landscaping around the lake and he explained about the work he had done already in improving the lake and the next steps in the landscaping around the lake with lighting and tree removal etc. Commissioner Krtek reiterated his question to Mr. Barth about if he had met with the County residents in the cul-de-sac. Mr. Barth stated he had not. Commissioner Wright stated he still questioned the parkland and the trail.

The Commissioners stated that their packet was not put together appropriately with the exhibits properly labeled. Community Development Director Lachky pulled the exhibit up on the laptop and Public Works Director Abel presented the laptop to the Commissioners to show them the conception drawings of the landscaping and monuments proposed.

Chairman Katerndahl agreed that the commission appeared to be okay with the extension of the cul-de-sac the concern for approval were the amenities, parkland, trail and sidewalks. The Commissioners agreed they can and would be able to re-visit the trailhead and sidewalk during Phase 21. The developer stepped forward and asked the Commission if he could provide a cash fee to the City of Parkville in lieu of the parkland dedication.

An individual in the audience spoke to the Commission but did not approach the podium. She had a question regarding existing trees on the open space tract dedication around 66th Terrace.

Mr. Barth stated that he would speak with her and do whatever he could to keep the trees that exist there within reason.

Chairman Katerndahl asked Community Development Director Lachky how the Commission should approve the trail alternative. Lachky stated, per Section 505.310 and 505.320 of Parkville's Municipal Codes, an affirmative vote of three-fourths (3/4) of the members of the Planning Commission is required to grant a variance, waiver or modification for the sidewalk requirement. Chairman Katerndahl asked if the Commission would entertain a motion to approve the trail.

Commissioner Wright moved to approve a trail alternative in lieu of the sidewalk. Commissioner Delich Seconded. Motion passed 8-0.

Chairman Katerndahl asked for a roll call vote:

Commissioner Wright-Aye
Commissioner Smeed-Aye
Commissioner Verhoeven-Aye
Vice Chairman Care-Aye

Chairman Katerndahl-Aye
Commissioner Delich-Aye
Commissioner Krtek-Aye
Commissioner Wassmer-Aye

Vice Chairman Cary moved to approve the final plat subject to the conditions as they appear on pages (7) & (8) of the staff analysis with the modification to bullet point #2 of the condition for payment in lieu of the Parkland dedication. Commissioner Delich Seconded. Motion passed 8-0.

6. UNFINISHED BUSINESS

A. Alex Igesias/Samsara Vintage Home-

Application for a Site Plan/Development Plan for Modifications on the front façade of 12 East Street Parkville, MO. Zoned "OTD" Old Town District

Dean Katerndahl stated that the applicant was not going to be going forward with the modifications on the front façade of 12 East Street.

7. OTHER BUSINESS

A. Missouri American Water Treatment Plant-

Community Development Director Lachky stated that they would be at the June 14, 2016 meeting. He explained that there was a working session held on April 20, 2016 and they are now coming forward for the public hearing meeting for the preliminary site plan and the conditional use permit.

B. Upcoming Meetings & Dates of Importance:

- Planning Commission Work Session-*immediately following this meeting.*
- Board of Aldermen Meetings: Tuesday, May 17, 2016 and Tuesday, June 7, 2016 at 7:00 pm
- Board of Zoning Adjustment Meeting: Tuesday May 24, 2016-Cancelled-No Agenda
- Planning & Zoning Commission Regular Meeting: Tuesday, June 14, 2015 at 5:30pm.

8. ADJOURNMENT

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

Commissioner Delich moved to adjourn, Commissioner Krtek seconded. Motion passed: 8-0. Meeting adjourned at 7:04pm.

Submitted by:

Stephen Lachky
Community Development Director

5-16-16
Date