

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

1. CALL TO ORDER

Chair 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

Walt Lane

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

Chris Williams/City Attorney

Alysen Abel/Public Works Director

Nathan Hadley/City On-Call Engineer, Phelps Engineering, Inc.

Shakedra Knight /Management Analyst/Community Development Assistant

3. GENERAL BUSINESS

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

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

Commissioner Wassmer moved to approve the agenda, Vice Chair Cary seconded.

Motion passed: 9-0.

B. Approval of the minutes from the September 11, 2018 Planning & Zoning Commission meeting.

Chairman Katerndahl called for questions. Commissioner Wassmer pointed out a correction. Katerndahl called for a motion to approve the minutes as amended.

Commissioner Delich moved to accept the minutes as amended, Commissioner Verhoeven seconded. Motion passed: 9-0.

C. Approval of the minutes from the October 3, 2018 Planning & Zoning Commission Executive session meeting.

Chairman Katerndahl called for questions. Seeing none he called for a motion to approve the minutes.

**Commissioner Delich moved to accept the minutes, Commissioner Krtek seconded.
Motion passed: 9-0.**

Chair Katerndahl announced that the Planning Commission had received a letter the attorneys representing residents in the western part of the city requesting that the Commission not proceed with the meeting or any actions due to alleged conflicts of interests. Katerndahl said they would move forward with the meeting. City Attorney Chris Williams stated he read the letter and was not aware of any reason why the Commission should not proceed with the public meetings as scheduled.

Chairman Katerndahl announced that if the Commission was not able to consider all the applications that evening, there was a meeting scheduled the following night, at 5:30, in the same room to continue hearing the project and making considerations.

In response to a question raised at the end of the September 11, 2018 meeting, City Attorney Chris Williams stated that according to Section 152.030 of the city code, unless absent or disqualified, the chairperson shall preside over all meetings of the Planning and Zoning Commission.

Chairman Katerndahl explained the role of the Planning & Zoning Commission and the commission could not entertain consideration outside of land use, density, and design. He explained the format of the meeting and then asked Director Lachky to give a summary of the meeting between staff, the development team and several concerned residents. Katerndahl confirmed with the development team that Lachky's summary was accurate and then invited the residents who attended to provide their summary. Stonegate resident Misty Snodgrass stated what she felt was not reflected in the summary of what occurred in the meeting.

4. UNFINISHED BUISNESS

- A. Application for Preliminary Development Plan for The Meadows at Creekside, a planned residential development consisting of single-family homes, townhomes and apartments on 43.42 acres, more or less, generally located at the southeast quadrant of the intersection of I-435 and MO-Hwy 45 along Brink-Myers Rd. in Parkville, MO 64152. #PZ18-15A, *Brian Mertz, Parkville Development 70, LLC, Applicant*
- B. Application for Conditional Use Permit for The Meadows at Creekside, a planned residential development consisting of single-family homes, townhomes and apartments on 43.42 acres, more or less, generally located at the southeast quadrant of the intersection of I-435 and MO-Hwy 45 along Brink-Myers Rd. in Parkville, MO 64152. #PZ18-15B; *Brian Mertz, Parkville Development 70, LLC, Applicant*

Patricia Jensen with White Goss law firm explained the changes in the PowerPoint and handed out updated copies to the Commission. Jensen explained the format of their presentation and then invited Brian Mertz to speak. Mertz gave an overview of the Meadows residential and Old Town at Creekside commercial and then explained the adjustments made based on citizen feedback.

Patricia Jensen referenced the 2009 Parkville Master Plan (PMP), chapter six and said the proposed project met the goals of the PMP. She said it was proposed to develop at a lesser density. She addressed zoning requests and covered allowances with each.

Jensen reviewed current zoning districts and the proposed zoning districts. She addressed property ownerships and the developer's intent to purchase specific ones, illustrated surrounding subdivisions and concluded the overview.

Chairman Katerndahl called for questions from the Commission.

Commissioner Wright asked why there was a request to rezone if current zoning fit with the proposed development. Jensen answered that they were trying to zone to the city's zoning code.

Chairman Katerndahl called for additional questions from the Commission seeing none he reopened up for public comments on items 4A and 4B. He invited the developer to explain the changes that were made since the last meeting.

Patricia Jensen pointed out the revision. Brian Mertz highlighted the changes to the Meadows. He replaced the fourplex building with a single-family product, moved the neighborhood pool, and moved the satellite police station. He addressed elevation and landscaping, trees, and connectivity. Mertz stated the project would add 800 trees and plant units in the buffer that were not there previously. He addressed traffic concerns, storm drainage concerns, flood plain and FEMA allowance and overcrowding in schools. He concluded with a request to approve the applications.

Chairman Katerndahl invited the public to speak.

- Peter Gose (14530 NW 63rd St, Unincorporated Platte County) was sworn in. He generally stated that he was not opposed to development, felt proposal was too dense, too many hotels, baseball complex's viability, PHSD capacity, and that low quality hotels would increase crime. He proposed high quality hotel brands (A Loft). He also submitted written testimony.
- Tim Albright (18011 NW Jade Ct, Unincorporated Platte County) quoted Master Plan page 5-1. He generally spoke about preserving natural features, levels of cut and fill, changing the floodplain and setback concerns.

Brian Mertz replied to Mr. Gose's hotel comment. Steve Werger explained the flood plain – fill method and said it was typical across the nation.

Chairman Katerndahl called for additional questions from the Commission.

Commissioner Cary questioned the density on the previously approved 45 Park Place versus the currently proposed project. Director Lachky explained both projects. Chairman Katerndahl elaborated on the PMP new standard regarding density. Discussion ensued regarding density, calculations including open/green space.

Commissioner Wright asked Director Lachky to talk more about green space and the pool area. Lachky explained the code pertaining to greenspace and the calculations. He explained why the park amenity location was included. Wright asked about Tract A and the intent to

develop east of the pool. Lachky explained the intent was for the Community Land and Recreation Board to provide input on that portion of the development.

Discussion ensued regarding pedestrian integration.

Chairman Katerndahl called for additional questions from the public.

- Cory Miller (15815 NW MO-45 Hwy, Parkville) generally spoke about utilizing the other side of Brush Creek, liking that the developer reduced density and believed density was necessary for tax revenues and parks, and that varied price points for homes was good.

Commissioner Verhoeven requested that the Commission vote on all applications after seeing all the presentations. Commissioner Delich agreed.

Discussion ensued regarding calculating density and monument signs.

Chairman Katerndahl announced the Commission would take a 10 minute break.

Chairman Katerndahl, Commissioner Lane, and Commission Delich each read formal statements that they were unable to attend the last meeting, had prepared for the meeting by watching the video, was fully informed and able to take action.

Chairman Katerndahl allowed additional public comments on the Meadows. Members of the public who planned to speak were sworn in.

- Clarence Housh (15201 Brink Myer Rd, Parkville) owns the house that will be surrounded on three sides by this development. He generally spoke about wanting a buffer around his property with vegetation, grading, and distance.

Director Lachky explained setback standards in response to Mr. Housh's comment.

- Misty Snodgrass (14050 NW 64th Terr, Unincorporated Platte County) she provided handouts to staff and the Commission. She generally spoke that the development did not meet R-4 zoning guidelines re: density, housing type.

Attorney Chris Williams explained that zoning remained until public notice was given and a hearing took place to change it.

- Sherri Privitera (6215 NW Kimberly Downs, Unincorporated Platte County) generally spoke that setbacks were important, did not want variances granted and green space.

Director Lachky reviewed the proposed setbacks, intent and fire safety in response to Ms. Privitera's comment.

- Jason Maki (6955 NW Scenic Dr, Unincorporated Platte County) generally stated that the master plan said engineering techniques should not force fit development, feeling the development did not meet Parkville character and wanting enhanced pedestrian connectivity.

- Weston Coble (14435 Summit Cir, Parkville) generally spoke about concerns of crossing Brink Myer Rd to access amenities, apartment density and questioned whether the community amenities were limited to residents' use.

Brian Mertz explained the playground and Police substation were for the public; the pool and clubhouse was for residents only in response to Mr. Coble's comment.

Attorney Williams entered exhibits into evidence. Chairman Katerndahl continued hearing on agenda items 4A and 4B until after items 4C and 4D.

Chairman Katerndahl opened the public hearing for agenda items 4C and 4D.

- C. Application for Zoning Map Amendment for Old Town at Creekside, a planned development for commercial uses on 38.12 acres, more or less, generally located at the southeast quadrant of the intersection of I-435 and MO-Hwy 45 along Brink-Myers Rd. in Parkville, MO 64152. #PZ18-16A, *Brian Mertz, Parkville Development 38, LLC, Applicant*
- D. Application for Preliminary Development Plan for Old Town at Creekside, a planned development for commercial uses on 38.12 acres, more or less, generally located at the southeast quadrant of the intersection of I-435 and MO-Hwy 45 along Brink-Myers Rd. in Parkville, MO 64152. #PZ18-16B, *Brian Mertz, Parkville Development 38, LLC, Applicant*

Witnesses were sworn in. Patricia Jensen presented on the Old Town at Creekside and addressed the zoning requested. Brian Mertz addressed the revisions that included moving the hotel, adding buffering, removing two fast food sites, entry/exit elevation and adding trees. Landscape Architect Andy Gabbert addressed connectivity and trails. He generally stated that open space should be included into useable space and density because it was designed to be open useable space. Brian Mertz addressed that the design suggestion of resident Privitera to remove parking and add green space was used. He addressed possible tenants and concluded by asking for approval.

Commissioner Cary asked the developer could support seven restaurants. Brian Mertz stated he was confident there would be enough traffic generated.

Commissioner Wright asked about the restaurant entrance layout. Brian Mertz responded that had not yet been decided.

Discussion ensued regarding PMP standards regarding hotels.

Director Lachky explained why "B-2" zoning request was appropriate and gave the staff review and analysis of the applications. He explained that all requirements were met and that staff had no issues. Staff recommended approval with conditions.

Chairman Katerndahl announced the Commission would take a 10 minute break.

Chairman Katerndahl invited the public to comment.

- Misty Snodgrass (14050 NW 64th Terr, Unincorporated Platte County) generally spoke that the original plan dated May 29, 2018 was an improvement over the current proposal, how the development design didn't fit Parkville character, wanting the rezoning to be B-1 rather than B-2 and transparency issues surrounding process.
- Sherri Privitera (6215 NW Kimberly Downs, Unincorporated Platte County) gave presentation. She generally spoke about wanting an environmental impact analysis, removal of current trees, complete streets and impact to water service.
- Jason Maki (6955 NW Scenic Dr, Unincorporated Platte County) generally spoke of concerns of economic feasibility and hotels leading to increased crime.
- Weston Coble (14435 Summit Cir, Parkville) generally stated there was a lack of connection between Old Town and The Meadows. He was generally concerned with too much parking and pavement, pad sites would not develop into high quality and local development.
- Tim Albright (18011 NW Jade Ct, Unincorporated Platte County) generally spoke about whether the proposal met the small town ambiance and the development was an imposition on lifestyle.
- Jessica Holtz (14840 NW 61st St, Parkville) generally spoke that the development was economically feasible, maintenance, tree removal, and long term investment.
- Amanda Webber (14310 NW 63rd St, Unincorporated Platte County) generally spoke about concerns with PHSD overcrowding, lack of parking structure and economic feasible.
- Gwendolyn Miller (6424 N Whitetail Way, Parkville) generally spoke about concerns with long term investment and crime associated with low income housing.
- Rachel Leistad (14815 NW 61st St, Parkville) generally spoke about concerns with the impact on the fire department, environmental impacts of artificial turf, light pollution, and maintenance and operations of baseball fields long term.

Chairman Katerndahl closed public comments. He consulted the Commission about voting on the applications presented and continuing the remaining items to the following night. The Commission agreed.

Attorney Williams entered exhibits into evidence.

Discussion ensued regarding the applications, concerns and conditions.

Chairman Katerndahl closed the public hearing.

4A. Chairman Katerndahl moved to approve the Application for Conditional Use Permit for The Meadows at Creekside, a planned residential development consisting of single-family homes, townhomes and apartments on 43.42 acres, more or less, generally located at the southeast quadrant of the intersection of I-435 and MO-Hwy 45 along Brink-Myers Rd. in Parkville, MO, subject to all conditions recommended by staff as expressed in the staff analysis report exhibit A dated October 5, 2018 and the added conditions that:

- **Subject to all conditions recommended by staff as expressed in the staff analysis report exhibit A dated October 5, 2018**
- **Apartments and townhomes authorized by this CUP conform to the current standards in the "R-4-P" zoning district including restricting multi-family development to walk-up apartments with no more than 12 units per building as called for in the code**

Commissioner Delich seconded. A Roll call vote passed the motion: 9-0

4B. Commissioner Wright moved to approve the Application for Preliminary Development Plan for The Meadows at Creekside, a planned residential development consisting of single-family homes, townhomes and apartments on 43.42 acres, more or less, generally located at the southeast quadrant of the intersection of I-435 and MO-Hwy 45 along Brink-Myers Rd. in Parkville, MO 64152, subject to all conditions recommended by staff as expressed in the staff analysis report exhibit A dated October 5, 2018 and the added conditions that:

- The developer increase the number of single family home designs by 3 to 4 design plans and images
- The developer provide a privacy around the Housh property on all three sides subjected to Mr. Housh's approval
- Stronger pedestrian connection between the north/south housing and the commercial developments
- Developer adds more connections to the trail penetrating from the housing westward, at least two additional access points
- Developer submit final development plans to the Planning and Zoning Commission

Commissioner Verhoeven seconded. A Roll call vote passed the motion: 8-1

4C. Commissioner Cary moved to approve the Application for Zoning Map Amendment for Old Town at Creekside, a planned development for commercial uses on 38.12 acres, more or less, generally located at the southeast quadrant of the intersection of I-435 and MO-Hwy 45 along Brink-Myers Rd. in Parkville, MO 64152, subject to staff conditions. Commissioner Delich seconded. A Roll call vote passed the motion: 8-1

4D. Commissioner Delich moved to approve the Application for Preliminary Development Plan for Old Town at Creekside, a planned development for commercial uses on 38.12 acres, more or less, generally located at the southeast quadrant of the intersection of I-435 and MO-Hwy 45 along Brink-Myers Rd. in Parkville, MO 64152, subject to all staff conditions, and the added conditions that:

- 45' buffer along Brink-Myer Rd be a raised berm
- Developer considers eliminating the one-way streets on lot 4
- Hotel is limited to a design with only internal quarters
- Up to 20% of parking increased to 10x18 1/2 and maintain the minimum count required by zoning – at the developers discretion
- Developer present a plan to use existing open space identified in project behind hotel to develop as access to the trail
- Discuss with staff making the trail for public use

Commissioner Wright seconded. A Roll call vote passed the motion: 7-2

Chairman Katerndahl opened up the public hearing on agenda items E through K. He continued the hearing on all items to October 10, 2018 at 5:30p.m. In the Municipal Board Room without objection.

5. REGULAR BUSINESS

A. None

6. OTHER BUSINESS

A. Upcoming meetings & dates of importance:

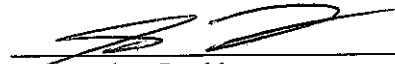
- Board of Aldermen Meetings: Tuesday, October 16, and November 6, 2018 at 7:00 p.m.
- Board of Zoning Adjustment Meeting: October 23, 2018 (canceled)
- Planning & Zoning Commission Regular Meeting: Tuesday, November 13, 2018 at 5:30 p.m.

7. ADJOURNMENT

Chairman Katerndahl called further discussion. Seeing none he called for a motion to adjourn.

Commissioner Krtek moved to adjourn, Commissioner Verhoeven seconded. Motion passed: 9-0. Meeting adjourned at 11:50 p.m.

Submitted by:



Stephen Lachky
Community Development Director

10-9-18
Date



Shakedra Knight
Community Development Assistant

10-9-18
Date