

**Minutes of the
Planning & Zoning Commission Regular Meeting
City of Parkville, Missouri
Tuesday, November 12, 2019 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

John Delich

Walt Lane (absent with notice)

Barbara Wassmer

Doug Krtek

Kim Verhoeven (absent with notice)

Michael Wright

Allyson Berberich

Michael Lee (5:37 pm - late arrival with notice)

A quorum of the Planning & Zoning Commission was present.

Staff Present:

Stephen Lachky/Community Development Director

Shakedra Knight/Community Development Assistant/Management Analyst

Zack Martin/Planning Intern

3. GENERAL BUSINESS

A. Approval of November 12, 2019 Planning & Zoning Commission regular meeting Agenda.

Chairman Katerndahl called for questions. Seeing none he called for a motion.

Commissioner Wassmer moved to approve the agenda as presented. Commissioner Krtek seconded. Motion passed: 6-0.

B. Approval of the minutes from the October 8, 2019 regular meeting of the Planning & Zoning Commission.

Chairman Katerndahl called for questions.

Commissioner Delich clarified that his intent with his comment for Item 6A was that he understood that there would be cases where exhibits were not consistent with initial submittals and approved of staff accepting discrepancies within renderings, etc. as long as it was stated up front.

Chairman Katerndahl called for additional comments or questions. Seeing none he called for a motion.

Commissioner Delich moved to approve the October 8, 2019 regular meeting minutes with the clarification, Commissioner Berberich seconded. Motion passed: 6-0.

4. UNFINISHED BUISNESS

- A. Request for text amendment to Parkville Municipal Code, Title IV: Development Code, Section 402.010 Definitions, Section 405.020 Districts & Uses, and Section 405.040 Standards Applicable to Specific Uses, to create provisions for medical marijuana facilities.

Director Lachky provided an update from the last meeting. He said that staff presented a text amendment at the public hearing. The State of Missouri approved medical marijuana and the next step included modifying the development code for this allowance. He explained that municipalities could not prohibit medical marijuana facilities but they could regulate the time, place and manner of their operation. He said that the recommendation from the prior Commission meeting was to allow time for additional research on current applications, detailed mapping exhibits, northland communities and to reach out to the Main Street Parkville Association (MSPA).

Lachky presented information from the Department of Health & Human Services on the number of pre-filed applications. He said there were four applications for Parkville and presented information on those requests which included the potential locations and types of facility. He said there were no applications submitted in Parkville for cultivation facilities. Director Lachky illustrated the zoning map and explained the facilities in relation to zoning.

- Cultivation Facilities – Agricultural, industrial (light & heavy) and manufacturing districts
- Dispensary Facilities – Commercial (neighborhood & general), office, industrial (light & heavy) and manufacturing districts
- *Infused Products Manufacturing Facilities – Business, manufacturing and industrial districts
- Testing Facility – Business, office and industrial districts

Director Lachky explained that the feedback from MSPA was indifferent. The association was more concerned for down the road in the event there was state approval for recreational marijuana. MSPA presented no favorability or strong opposition.

Lachky reviewed regulations for the Northland cities of Gladstone, Liberty, Platte City and Riverside. He said they matched up with other communities and then he reviewed those requirements. He reviewed zoning and spacing requirements specific to context/character of each municipality. He explained that North Kansas City had a smaller buffer due to the locations of schools, churches and daycare in their downtown. Director Lachky summarized staff research and opened for questions.

Commissioner Wassmer asked for clarification about the ability to modify buffer and the path that a pedestrian would travel. Discussion focused on distance and the measurement process. Director Lachky said staff could get with legal on the measurement process.

Chairman Katerndahl inquired about hearing back from legal before moving forward and staff agreed that would be best.

Commissioner Delich moved to continue the item to the December 10, 2019 meeting to allow staff to consult legal staff on measuring distance for facilities, Commissioner Wright seconded. Motion passed: 7-0.

5. PUBLIC HEARING

- A. Request for text amendment to Parkville Municipal Code, Title IV: Development Code, Section 402.010 Definitions, Section 405.020 Districts & Uses, and Section 405.040 Standards Applicable to Specific Uses, to create provisions for residential dwelling rentals.

Director Lachky introduced Planning Intern Zack Martin to present. Martin reviewed the information presented at the September work session. He said the session covered a general background and that there was general discussion. The consensus was that additional researched to craft a policy. Martin explained his research process. He said he reviewed permits, home owner associations, the maximum number of days a property can be available for rental, guest requirements, onsite regulations and enforcement.

Martin read the proposed text amendment for residential and commercial properties. He reviewed the definition for short-term residential dwelling rental and illustrated uses on the use table. Martin illustrated the recommended text for Lodging – Short-Term Rentals. Discussion focused on that language for No. 8 regarding food service.

Discussion ensued regarding the business license and the term of permits process, Conditional Use Permits, enforcement and modifications to the proposed text.

Chairman Katerndahl called for questions. Seeing none he opened the floor to public comment.

Resident Elaine Kellerman said she was speaking on behalf of those without HOAs. She generally stated that she would not want a short-term rental next to her, expressed her concern for property value and asked that the citizens are allowed more time to voice their views.

Staff explained that property owners within 185 feet are required to be notified through the Conditional Use Permit.

Discussion ensued regarding the word choice for No. 10c, 5, 10b. There was discussion regarding parking as consideration through CUPs.

Commissioner Delich said all the things discussed needed to be addressed and that there was no hurry. He said he was in favor of city staff having the legislation to do things the Commission determined to be appropriate for this use and said he would like to table the item for that purpose. He suggested that an article be presented to the public notifying them of this item.

Chairman Katerndahl requested that staff provide information on the number of RDR units in Parkville for the next meeting.

Commissioner Wright moved to continue the item to the December 10, 2019 meeting to allow public notice and clarification of the language, Commissioner Delich seconded. Motion passed: 7-0.

6. REGULAR BUSINESS

- A. Preview of Development Plan Requirement Checklist template on sample application.

Director Lachky explained the reason the checklist was developed. He reviewed the drafted list and the recent changes.

Chairman Katerndahl suggested adding language that reflected that the Planning Commission needed a complete checklist to effectively review applications.

7. OTHER BUSINESS

- A. Upcoming meetings & dates of importance:

- Board of Aldermen Meetings: Tuesday, November 19, 2019 and December 3, 2019 at 7:00 p.m.
- Board of Zoning Adjustment Meeting: Tuesday, November 26, 2019 at 5:30 p.m.
- Planning & Zoning Commission Regular Meeting: Tuesday, December 10, 2019 at 5:30 p.m.

8. ADJOURNMENT

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

Commissioner Wright moved to adjourn, Commissioner Delich seconded. Motion passed: 7-0. Meeting adjourned at 6:55 p.m.

Submitted by:



Stephen Lachky, AICP
Community Development Director

11-12-19
Date



Shakedra Knight, MPA
Management Analyst/Community Development Assistant

11-12-19
Date