

**Minutes of the
Planning & Zoning Commission Regular Meeting
City of Parkville, Missouri
Tuesday, May 9, 2017 at 5:30pm
City Hall Boardroom**

1. CALL TO ORDER

Chairman Katerndahl called the meeting to order at 5:33 p.m.

2. ROLL CALL

Commissioners Present:

Dean Katerndahl, Chairman
Keith Cary, Vice Chairman (absent with prior notice)
John Delich
Walt Lane (arrived at 5:53p.m. with notice)
Barbara Wassmer
Doug Krtek (recused himself at 7:30 due to conflict of interest concerning Item 7A.)
Shane Smeed (absent with prior notice)
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
Shakedra Knight / Community Development Assistant

3. GENERAL BUSINESS

A. Approval of May 9, 2017 Planning & Zoning Commission meeting Agenda.

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

Commissioner Krtek moved to approve the agenda, Commissioner Delich seconded. Motion passed: 6-0.

B. Approval of the minutes from the April 11, 2017 Planning & Zoning Commission meeting.

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

Commissioner Delich moved to approve the minutes, Commissioner Verhoeven seconded. Motion passed: 6-0.

C. Approval of the minutes from the May 3, 2017 special meeting of the Planning & Zoning Commission meeting.

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

Commissioner Wassmer moved to approve the minutes, Commissioner Wright seconded. Motion passed: 6-0.

Chairman Katerndahl explained there were three public hearings and then the format of the hearing. He read the first item to be addressed then invited Director Lachky to present.

4. PUBLIC HEARING

- A. Application for Zoning Map Amendment for three parcels of land — #20-9.0-29-000-000-008.000 (19.02 acres, more or less), #20-9.0-29-000-000-010.001 (27.20 acres, more or less), and #20-9.0-29-000-000-012.000 (76.40 acres, more or less) — generally located at the southwest corner of Thousand Oaks Phase 13B from County “AG” Agricultural District to City “R-3” Single-Family Residential. *Case # PZ17-05A; Forest Park Development Company LLC of Kansas City, Applicant*

Director Lachky began with the background of the parcels which retained County “AG” zoning since being annexed into City of Parkville. He explained the applicant hoped to subdivide the property for single-family homes as a part of Thousand Oaks master development and that required the land to be rezoned. He confirmed public notice was provided regarding the matter and then reviewed the eight (8) criteria considered by staff. Lachky covered how the application was consistent with the Master Plan and utility providers confirmed access to service. Staff recommended approval based on the merits of the application and findings and conclusions in the Staff Analysis report.

The applicant, David Barth, approached the podium. He stated the request was consistent with Thousand Oak’s development with the exception of larger lots and greenways. He asked for approval.

Chairman Katerndahl invited the public to speak and then closed the public hearing.

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

Commissioner Delich moved to approve the Zoning Map Amendment with recommended staff conditions, Commissioner Wright seconded. Motion passed: 6-0.

5. REGULAR BUSINESS

- A. Application for Preliminary Plat for the Thousand Oaks – 22nd Plat, a subdivision generally located to the southwest of the Thousand Oaks – Phase 13B subdivision in western, Parkville, Mo. *Case # PZ17-05B; Forest Park Development Company LLC of Kansas City, Applicant*

Director Lachky began with an overview. The application proposed 56 single-family lots and one tract of open space, approximately 23 acres. He reviewed the seven (7) criteria considered along with staff conditions and then concluded with staff's recommendation for approval.

Commissioner Wright asked for clarification regarding Southern Platte Fire Protection District (SPFPD) cul-de-sac access requirements. Director Abel explained the median on N White Oak Court was reduced from 200 ft. down to 150 ft. to accommodate that requirement which allowed fire trucks to maneuver.

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

Commissioner Delich moved to approve the Preliminary Plat for the Thousand Oaks – 22nd Plat with recommended staff conditions, Commissioner Wright seconded. Motion passed: 6-0.

6. UNFINISHED BUSINESS

- A. Application for Preliminary Development Plan for CBC Real Estate APEX Plaza, a planned development for retail uses on five parcels of property (8.21 acres, more or less) at the APEX Plaza site generally located at the northwest corner of the intersection of Hwy 45 and N Melody Lane. Case # PZ17-02B; *CBC Real Estate Group, Applicant*

Chairman Katerndahl read the item to be addressed then turned it over to Director Lachky. Lachky reviewed information covered at the prior meeting; he began with a background on the developer. He illustrated the general layout, site plan, existing conditions, and the subject property in relation to surrounding properties and then recapped the April 11th meeting, highlighting the Commission's recommendation to postpone the item until the next regular meeting to allow further analysis, information, and consideration. Lachky detailed the Planning Commission's requests and then confirmed public notice was republished.

(Commissioner Lane arrived during presentation at 5:53 p.m.)

Chairman Katerndahl called for questions before Director Lachky covered the conclusions of the Traffic Impact Study (TIS) conducted by Olsson Associates. He stated the data was collected February 28, 2017 and weather conditions were partially cloudy with a high of 75 degrees and a low of 63 degrees. The study concluded, the intersection of MO-45 Highway and Melody Ln./Lewis St. warranted a westbound right-turn lane under existing conditions for PM peak hours; however, the proposed development and future year traffic volumes did not impact the need for the improvement; intersection queue lengths and movements were contained within storage lengths and no improvements were recommended; spacing and location of Drives 1 and 2 met Missouri Department of Transportation (MoDOT) spacing criteria; and the location of Drive 3 was deemed appropriate considering adjacent roadways, driveways, and queue lengths. The study recommended the north leg of Bell Rd. (Drive 1) have a left turn lane and an additional through/right-turn lane. It also recommended

consideration of providing right-of-way for a future westbound right-turn lane at MO-45 and Bell Rd based on 2030 projections. Director Lachky stated George Butler Associates, an outside firm, performed an independent study to review and verify the submitted TIS. Lachky reviewed those findings, contained in Exhibit F of the meeting packet, which concluded:

Access & Alignment

- The proposed location for Drive 3 (i.e., access onto N Melody Ln.) provided the best available sight distance for southbound, inbound and outbound vehicular movements;
- Staff could further review the parking alignment of Lot 2 connecting to Lot 3 if desired;

Traffic Data

- The traffic counts/volumes appeared consistent with previously presented traffic studies along MO-Hwy 45;
- The trip generation data projected was verified as conforming to national standards published by the Institute of Transportation Engineers (ITE);
 - The proposed development is expected to generate 255 total trips (inbound and outbound) during the AM peak hour and 269 total trips (inbound and outbound) during the PM peak hour.
- The trip distribution pattern was appropriate based on previous studies completed by GBA within the vicinity of the proposed project site area;
- The future traffic growth rate (1% per year) used was appropriate based on recent traffic counts;

Traffic Control & Improvements

- Traffic control, intersection lane configurations and operations (including level of service [LOS] computations) were complete and accurate;
 - LOS conditions were generally expected to be unchanged.
- The City should investigate the possibility of existing right-of-way acquisition for a westbound right-turn lane at Melody Ln. / Lewis St. to accommodate a future turn lane improvement;
- Drive 1 can easily accommodate the study's required storage length and turn lanes;
- The City should require the dedication of adequate right-of-way for a future westbound turn lane improvement for Drive 1 (intersection of MO-Hwy 45 and Bell Rd.);
- The general layout of the preliminary development is appropriate and provides adequate connectivity for vehicles;

Director Lachky made himself available for questions.

Commissioner Wassmer questioned what was being done for those turning onto Melody Ln. to prevent to prevent a pile up. Lachky illustrated the proposed right-in right-out median to address the matter.

Discussion ensued regarding parking at the proposed development. Adequate spacing was proposed and met City requirements.

Director Lachky continued presenting. He addressed the concerns regarding pedestrian safety. He illustrated existing conditions and then explained the applicant's proposed improvement of adding crosswalks and sidewalks along the frontage of their property. Lachky went on to explain findings from traffic crash records at the MO-45 and Melody Ln. intersection. He reported there were three crashes at the sight in 2014, four in both 2015 and 2016, and one in 2017.

Next Lachky addressed public outreach efforts requested by the Commission. He reported Aldermen Doug Wylie put the development team in touch with Keith Ferguson, current Parkville Heights Homeowner's Association (HOA) President. At the request of the HOA, a meeting was held May 2, 2017 at 5:30p.m. at Parkville City Hall; over a dozen residents attended. Lachky explained the development team would address unanswered questions and then made himself available for question from the Commissioners.

Chairman Katerndahl referenced a second request from Parkville Heights residents to hold an additional meeting and questioned whether it took place. Lachky responded he was aware of the request and had no knowledge whether the meeting was held.

Chairman Katerndahl called for additional questions. Seeing none he invited the applicant to speak.

John Davis with Foresight Real Estate on behalf of applicant CBC Development approached the podium. He addressed the concern regarding traffic safety. Davis stated the applicant proposed to limit access onto Melody Ln. to accommodate the concern. He reported the TIS predicted fifteen cars exiting the location at a peak hour and should not impose on traffic.

Next Davis addressed screening. He stated the configuration with the layout of Lot 3 allowed room for buffering. Davis added landscape plans would be included with final development and the intent was to provide screening. The applicant proposed to add a solid fence around the north side of the parking lot for safety due to grade changes and also prevent light disturbance to residents.

Director Lachky reviewed the buffer, screen, and fencing requirements per development code.

Chairman Katerndahl questioned whether the grade north of Lot 3 was higher. John Davis stated it was.

Davis went on to address the concern regarding the desire to see improvements on Melody Ln adjacent to the property. He reported the applicant proposed to add curb and gutter in final development; he added there was nothing they could do regarding storm and sewer improvements.

Chairman Katerndahl called for questions from the Commission.

Commissioner Delich questioned what accommodations were made for trash. Davis answered the matter had not been fully vetted and would be in final development.

Next, Delich questioned whether the 4,000 sq. ft. facility would be a drive-thru restaurant. Davis responded the anticipation was for a high-turnover fast-casual or fast-food restaurant. Delich stressed the importance of past-through traffic being included with the drive-thru facility and that would be a condition of approval. Chairman Katerndahl confirmed with Director Lachky that was stated in City Development Code.

Katerndahl questioned the intended use for the 8,400 sq. ft. facility and its impact on increased traffic. Davis stated the intent was not for an additional high-volume restaurant.

Commissioner Wright asked how many workers were intended to be on sight at peak capacity. Davis stated he did not have the answer at that time. Wright followed up asking whether the workers would be required to park on-sight. Davis stated he assumed they would since the applicant would not provide off-sight parking. Director Abel added the parking count included employee parking.

Discussion ensued regarding designated right-of-way turns. John Davis stated the applicant would work with staff to determine what was appropriate for final development.

Commissioner Krtek stated four monument signs were excessive. Davis commented the applicant would honor City Sign Code. Krtek asked confirmation that four signs were allowed with the updated code. Director Lachky stated one sign per lot was standard allowance for commercial development.

Director Lachky reviewed lighting requirements in the updated code to address resident's concerns. Commissioner Krtek questioned whether there were hours of restriction regarding lighting. Lachky stated he had no knowledge of any.

Krtek questioned whether there were restrictions on delivery access. Director Abel replied internal signage could be discussed during construction plan review.

Chairman Katerndahl called for additional questions. Seeing none he opened the floor for public comments.

Keith Ferguson, President of Parkville Heights HOA, approached the podium. He generally spoke about not being contacted by the applicant and his rejecting the proposed meeting date of May 2nd. However, he stated he did attend the May 2nd meeting and was unsure how it was scheduled.

Chairman Katerndahl asked the applicant to clarify the meeting arrangements. John Davis denied the accusation he never spoke with Keith Ferguson. He stated he had email correspondence and would provide it to staff. He added the conversation involved Ferguson stating the HOA was not interested in meeting until after the rezoning hearing. Davis reported he scheduled the informal Q&A for residents without the cooperation of Ferguson.

Resident Harry Sievers addressed the Commission. He generally spoke of his lack of confidence in the TIS and the dangerous Melody Ln intersection.

Resident Evalyn Allen approached. She generally stated she recognized the concessions with the TIS, was still not happy, and wanted the restaurants moved to the west side of the development.

Resident Pete Spires spoke. He generally stated he attended the HOA meeting on May 2nd and clarified with the applicant that a right-out only option was proposed. He stated there were a lot of accidents than indicated on Melody and MO-45 and he opposed Melody Ln access.

Aldermen Doug Wylie approached the Commission. He suggested the third entrance on the west end of the development. Discussion ensued regarding the suggestion.

Resident Regina Moore spoke. She stated she never had any issues with traffic as a 27 year resident.

Economic Development Executive Director, Mike Kellam, addressed the Commission. He stated appreciation for the efforts, changes, and considerations of the developer in working to accommodate concerns. He added the City was fortunate to have the developer investing in Parkville.

Chairman Katerndahl requested the John Davis return to the podium for follow up questions. Katerndahl asked the feasibility of flipping the restaurants to the west side and the larger retail to Lot 2. Davis responded the idea was not viable.

Katerndahl asked about the possibility of the third entrance on the west end. Davis stated it did not facilitate the traffic movement they were looking for. Director Abel commented there was a grade issue and retaining wall that may prevent that option.

Katerndahl confirmed the applicant was willing to install right-out only for Melody Ln. Davis affirmed and explained perception with point-of-access was vital to the success of the eastern pad.

Commissioner Wassmer asked whether the access could be moved right off MO-45. Davis answered it was not possible due to separation distances from the intersection.

Commissioner Krtek pointed out the benefit of a right-in into the development for residents in the neighboring subdivision.

Commissioner Wright asked the grading difference from Melody Ln into the east drive parking lot. Davis stated it was about 970.0. Director Abel added the grade was about 13-14%.

Chairman Katerndahl called for additional questions. Seeing none he invited staff to wrap up.

Director Lachky reviewed the staff conclusions and recommendations. Commissioner Wright added the condition that no delivery truck use of east drive onto Melody Ln; he also added that no off-sight parking be allowed for employees or patrons of businesses. Director Abel reported the City could address parking at a later time if it becomes an issue.

A member of the public asked when development would be complete if approved. Davis stated the basic infrastructure would be complete by the end of 2018.

Katerndahl clarified the Commission could make a condition for the applicant to return for final development approval. Lachky confirmed.

Chairman Katerndahl called for additional questions. Seeing none he closed the public hearing and called for a motion.

Commissioner Delich moved to approve the Preliminary Development Plan as presented with recommended staff conditions and added conditions that the final plan addressed:

- **Screening requirements**
- **Trash issues**
- **4000 sq. ft. facility limited to that footprint**
- **8400 sq. ft. facility not become a fast-food restaurant**
- **Right-of-Way dedication**
- **Delivery truck signage**
- **Final development plan approval by Planning & Zoning Commission**

Commissioner Wright seconded. A roll call vote passed the motion: 6-1.

7. PUBLIC HEARING

- A. Application for Zoning Map Amendment for three parcels containing 5.02 acres, more or less, located on the east side of Hwy 9 east of Clark Avenue, from "B-4-P" Planned Business District to "R-5" Multi-Family Residential. *Case # PZ17-03A; KGH Building Group, LLC, Applicant*

Chairman Katerndahl read the item to be addressed and announced Commissioner Krtek recused himself from the matter due to his involvement with Riss Lake management. Katerndahl turned the hearing over to Director Lachky to present staff analysis. Lachky gave an overview and background of the application and illustrated the property along with surrounding properties. He confirmed proper public notice was given and then reviewed the eight criteria staff considered in analysis. Lachky reviewed permitted uses with current zoning then explained, although "R-5" zoning was not consistent with the Office/Business Park projection, it could accomplish similar goal and objectives from the *Parkville Master Plan*. He detailed uses with Mixed Use District which included multi-unit residences, multiplexes, and apartment/condo buildings and stated it accommodated the highest residential densities in Parkville.

Next, Lachky reviewed rezoning criteria and illustrated surrounding districts. He illustrated permitted uses in the "R-5" Multi-Family Residential District which included 3-1/4-plexes, row houses (2- to 3-story), walk-up apartments (2- to 3-story), apartment complexes, education – neighborhood school (primary or secondary education, and residential care – limited uses (e.g., group homes, co-housing, retirement village, independent living, assisted living communities).

Director Lachky reviewed compliance criteria. He detailed design standards based on current City Development Code and reported the proposed development met those requirements. The ability of the City or other government agencies to provide services was verified. Lachky stated previous confirmation of utility services was documented in February 2015 with Case No. PZ15-03. He explained MoDOT requested a TIS as well as a property sight distance study to ensure proposed entrances met their standards. He noted projections from the TIS submitted in February 2015 and reported Director Abel and Engineer Consultant, Jay Norco, concluded the City's gravity sewer system had adequate

capacity. He added that Missouri American Water (MOAW) previously confirmed the ability to serve other development on the site.

Lachky addressed property value. He stated the proposed site plan (Case No. PZ17-03B) included upper-end, market rate apartments, which would likely improve the value of properties in the vicinity of the subject property area. He added "R-5" was generally known to have less impact on adjacent residential surroundings as opposed to "B-4-P" commercial districts. Application consistency with adopted City policies was addressed. Lachky stated the application needed to be consistent with the *Route 9 Corridor Study* in addition to *Parkville Master Plan's* vision. Staff concluded review and recommended application approval based on the merits of the finding and conclusions in staff analysis.

Chairman Katerndahl explained the matters to be considered with the application and then invited the applicant to speak. John Roe with Roe Stoner, LLP spoke on behalf of the applicant. Roe explained the applicant proposed two applications in conjunction and he would only address the Zoning Map Amendment. He stated the subject property was not suitable for the uses for which it was zoned and used its fourteen year vacancy as the example. Roe referenced the Zoning Map Amendment criteria listed in City Development Code Section 403.030 and then illustrated how the application met criteria and was compliant with *Parkville Master Plan*.

Commissioner Lane asked confirmation that the March 4, 2015 TIS projected less traffic in "R-5" district as opposed to "B-4-P". John Roe answered that it had.

Chairman Katerndahl called for additional questions. Seeing none he reiterated the matter for consideration and then opened the floor for public comment.

Pinecrest resident, Patty Bruer, approached the Commission. She generally spoke of her concern regarding the lawsuit, zoning, and the site plan process. Discussion ensued on the matters and staff addressed her concerns.

Resident Kenny Kerns asked clarification on zoning with previous applications from the applicant. Katerndahl explained the property was zoned "B-4", the applicant requested rezoning, and that request was denied.

Resident Ken Grant commented. He stated his concern with traffic patterns and issues he believed were detrimental to residents. Grant concluded with the recommendation of adding a stoplight at 9 Highway and Clark which was considered in the past.

Don Julian of Julian Development addressed the Commission. He pointed out the recent development of multi-family homes/apartments surrounding Riss Lake and stated he opposed the rezoning.

Brian Wheeler, Pinecrest resident, generally spoke of his concern regarding upkeep and aesthetics and opposing the rezoning.

Resident Celeste Lupercio generally spoke of feeling congested by increased development around Pinecrest, neighborhood renters, and lack of respect for the community that comes with new residents.

Chairman Katerndahl called for additional questions. Seeing none he closed the public hearing.

Commissioner Wright moved to approve the Application for Zoning Map Amendment from “B-4-P” to “R-5” with recommended staff recommendations, Commissioner Delich seconded. A roll call vote passed the motion: 5-1.

Following vote Director Lachky explained the protest petition process and informed the Commission the matter would go before the Board of Aldermen June 6, 2017 to allow time for petitions.

8. REGULAR BUSINESS

- A. Application for Major Site Plan for Lake Pointe Lodge, a 3-story, 46-unit apartment building, pool and associated improvements on 5.02 acres, more or less, located on the east side of Hwy 9 east of Clark Avenue. *Case # PZ17-03B; KGH Building Group, LLC, Applicant*

Chairman Katerndahl read the item to be addressed. Katerndahl turned the hearing over to Director Lachky to present staff analysis. Lachky provided the background of the site, an overview of previous site plan and elevation proposals, the requirements of “R-5” Multi-Family Residential Districts, and review criteria of a Major Site Plan.

Lachky then presented the updated proposal and site plan addressing how the proposal met the review criteria.

- The site was capable of accommodating buildings for the proposed use.
- The site was composed of three subject parcels with the development footprint overlapping parcels, so a condition that parcels should be replatted as one parcel before any development occurred was proposed.
- Proposed use (apartment complex) was permitted under “R-5” conditions.
- A traffic study was completed in 2015 and determined that access to the site was appropriate and would support a future traffic growth rate of 1% per year. Cook, Flatt & Strobel (CFS) did a comprehensive analysis of the need for traffic signals along the Route 9 corridor, MoDOT review of traffic study concluded a traffic signal will not be necessary at the access point. The city was awarded federal funding for improvements along Route 9 including the addition of a traffic signal, and this funding could be applied to other corridor improvements (pedestrian access and safety, curb and gutter improvements, complete streets improvements, etc.). Olson and Associates determined that no new traffic conditions existed that warranted an updated traffic study.
- Two-hundred fifty (250) ft. site triangle evaluated to ensure signage and landscaping would not obstruct views of drivers leaving development.
- Accessible path proposed from development to Route 9 improvements to increased pedestrian connectivity.

- Required to provide 69 parking stalls, proposed 73 with 4 handicapped stalls. Aisle widths were expanded to 26 ft. to accommodate city's new development standards.
- Plan met monument signage and lighting requirements.
- The buildings were arranged to provide the maximum open space buffer between the development and adjacent uses. The building footprint fell 150ft from the nearest residential property line.
- Public Works Director (Alysen Abel) and City Engineer (Jay Norco) have reviewed the Civil Site Plan and Grading and Utility Plans and noted an existing underground sanitary line ran through the site, south of the pool.
- The proposed landscaping met the City's landscape design requirements for site elements, foundation planting, parking lot plantings, buffers, open space, plant species and specifications.
- In order to mitigate the risk of sediment migrating downstream from the project and alleviate/prevent silt runoff into Riss Lake as much as possible, the City's Public Works Director will require a number of provisions by the applicant in order to provide the best possible protection to a reasonable extent. These items are a condition required for staff approval of the major site plan. The applicant has submitted a Micro Stormwater Drainage Study to staff which will need to be reviewed and approved as a condition of staff approval.
- The site plans were prepared by the Nearing, Staats, Prelogar & Jones architecture firm. The building is designed to give the appearance of a lodge and incorporates several design features similar to those on the apartments at Burlington Creek east of Parkville. Additionally, pedestrian-scale lighting is proposed around the site's interior and parking areas and meets the City's mounting height and shielding requirements (Section 407.040). The site plans also propose a large amount of landscaping including street trees and landscape beds.
- The proposed major site plan (Case No. PZ17-03B) reduced the height of the apartment building from 4 stories to 3 stories and reduced the number of units from 50 to 46 after concerns were expressed at the March 10th, 2015 and March 31st, 2015 public hearings related to the height, size, and scale of the building.
- The overall design and appearance of the building is of a lodge, and staff deemed this appearance to be compatible with the subject property location.
- The major site plan proposes disturbing as little area as possible, about 50% of the total site area which retains a large portion of the subject property as open space and preserves the existing natural features. The applicant has previously donated 1.14 acres, more or less, of land to the City for the City's parkland requirements; this area (6201 MO-9 Hwy) is immediately adjacent along the north end of the property and provides for passive land reserved as natural open space, and potential active public parkland in the future.
- The applicant modified their pervious preliminary site/development plan submission for Lake Pointe Lodge (Case No. PZ15-03) to meet all of the applicable "R-5" district requirements of the Development Code.

- When reviewing development applications, City staff included Dean Cull, Fire Marshall with the Southern Platte Fire Protection District (SPFPD) in the review process. The applicant provided an Autoturn Plan to show the internal site plan could support the circulation of a Pierce Fire truck. However, at some locations the truck wheels are very close to the curbs and truck body close to the proposed retaining wall and landscaping. SPFPD requested that specific considerations, such as roll-back curbs where feasible and low-height vegetation, be examined during the building construction phases. Staff requested that a hammerhead turnaround bay be examined on the southeast portion of the site, either on the drive aisle or near the gravel drive to the City's pump station to allow for a complete 180° turn on the east side of the building.
- The recommendations of professional staff included the Public Works Director's requirement of a number of provisions by the applicant in order to mitigate the risk of sediment migrating downstream from the project and alleviate/prevent silt runoff into Riss Lake as much as possible to a reasonable extent.

Staff conclusions determined the proposed Major Site Plan conformed to all requirements of the development code and criteria of an "R-5" district. The site is capable of accommodating the buildings and proposal. The design and arrangement of buildings and open spaces is consistent with good planning, landscape design and site engineering principles and practices. The architecture and building uses quality materials and the style is appropriate for the context considering the proportion, massing, and scale of different elements of the building. The overall design is compatible to the context considering the location and relationships of other buildings, open spaces, natural features or site design elements. The application meets the criteria for all other reviews needed to build the project as proposed; and can meet the recommendations of professional staff.

The staff recommended approval subject to the following conditions:

- Rezoning of parcels to "R-5" Multi-Family Residential to allow for an apartment complex.
- Re-platting of the parcels to allow for proper lot lines and the vacation of existing easements and addition of necessary easements.
- Signage be provided on the path connecting the apartment building to the planned future 10 ft. multi-use trail along Route 9, indicating the path is not ADA accessible.
- Improvements to facilitate SPFPD access be considered during the construction phase and a hammerhead turnaround bay be examined with the SPFPD on the east side of the building. If feasible, this improvement be added during the construction phase of the project
- Approval of the updated Stormwater Management Study based on the design and configuration of the new major site plan.
- A construction schedule and plan be designed and the contractor implement different aspects of the plan for pre-construction work, construction phasing plan, and final stabilization plan. This plan shall

include a Stormwater Pollution Prevention Plan (SWPPP) to be provided onsite and maintained throughout the project.

- An Erosion Control Plan consisting of several layers/barriers of protection be provided to control the sediment runoff. The plan should include maintaining as much vegetation downhill from the project as possible, constructing a trench or berm at the edge of the construction area to act as a sediment trap, and the top of the berm should have hay bales or other similar filtering material to further collect sediment. Further layers of biodegradable sediment collection should be provided down the slope and be placed on top of the existing vegetation. A turbidity barrier should be placed near the mouth of the discharge point into Riss Lake to capture sediment that may get past the other barriers. During construction — once the storm sewer has been placed — filter bags or gutter buddies should be provided on the inlets as another layer of protection on the site.
- Monitoring should be provided by a third-party firm independent of the contractor to report storm events and inspect the installation and maintenance of the sediment control devices that are in place.

Chairman Katerndahl called for questions from the commission.

Commissioner Wright asked who maintained the dedicated park on the North Side of the Property. Director Abel responded it was operated as a city park and maintained by the city parks staff.

Wright then asked about the landscape plan, regarding shrubbery surrounding the circle drive access to the site. Director Lachky responded the landscape plan would be revised to remove shrubbery from the driveway, and then invited the applicant to clarify the issue.

Before the applicant spoke Wright questioned the grade of the circle driveway was from the street to the site. Lachky responded it was a 10.66% grade. Wright questioned whether that was allowable. Director Abel clarified for a private access road up to 11% was an acceptable grade.

Chairman Katerndahl called for further questions from the commission. Seeing none he invited the applicant to speak.

Bill Prelogar, principle architect of NSPJ Architects (3515 W 75th Street, Prairie Village KS) spoke as a representative of the applicant.

Prelogar addressed Wright's first question and clarified that when the radius of the circle drive was increased the landscape plan was not updated accordingly. The plants were intended to surround the circle drive on a two-tiered planting bed integrated into the retaining wall.

Commissioner Wright asked if the planting was meant to be decorative or serve as screening. Prelogar responded that the planting was decorative and a mix of evergreen and deciduous plants. He then stated that additional plantings of trees in the area would serve as screening.

Chairman Katerndahl then invited the applicant to begin his own presentation of materials. He referenced the natural elements of the site, and the intent to preserve as much of the existing tree cover as possible.

Prelogar then described previous site plans and changes incorporated into the most recent plan. These changes included eliminating a clubhouse and incorporating a club-room into the lower level of the main structure. This was meant to maximize separation of recreation amenities from the adjacent subdivision.

Another change to the plan was the increased building footprint to extended 44 feet, mostly to the south. Prelogar compared previous and current footprints to illustrate the differences.

He continued by stating that retaining walls would be placed along the east side of the site to avoid having to regrade the site to change the slope. The building is two stories in the front and two stories of apartments over one story of parking in the back. Retaining walls would be placed along 9 Highway to serve as a landscape buffer between the highway, the proposed trail, and block parking visibility. Parking on the west side of the building would not be visible to the surrounding neighborhood in an effort to minimize the impact on adjacent properties.

Prelogar then described the paving cover proposed in the plan, which covered 46,618 sq. ft. Service vehicle access has been better incorporated into the drive system of the plan to eliminate the need for a designated route for service vehicles to access the pumping station to the southeast of the site.

Prelogar stated that the current plan allowed for 148,320 sq. ft. of undisturbed tree cover on the parcel. All undisturbed site was located between the site and the surrounding residential neighborhoods.

Prelogar then stated a story of the building was eliminated to address concerns about height and bulk.

Prelogar continued by pointing out the goal of the design was to maximize undisturbed site and existing tree cover. To illustrate the changes to the site plan, Prelogar showed drawings from previous site plan proposals.

The current site plan was described, specifically the system of retaining walls surrounding the parking lot, pool, and decks.

Prelogar displayed how the site plan accommodated the steep grade change to avoid over-grading and decrease the amount of cut or fill in the undisturbed area.

Commissioner Delich asked about the specifics of the tree plantings illustrated on the site plan. Prelogar clarified that the trees would be evergreen landscaping; he added the other images represented the natural deciduous forest.

Prelogar went on to describe the lighting plan for the site. He clarified there would be no pole lighting on the back of the building; lights on the underside of balconies would provide lighting to vehicles entering and

exiting the covered parking area; and the west parking lot would incorporate pole lighting.

The west and east elevations were compared to the 2015 profile to illustrate the change in elevation.

Prelogar described the architectural character this development hoped to achieve by showing examples of projects using similar materials. The style was meant to evoke a lodge and integrate well into the character of the neighborhood.

Prelogar concluded and then Chairman Katerndahl called for questions from the Commissioners.

Commissioner Delich commented he was pleased with the way the applicant addressed previous concerns.

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

Pinecrest resident, Kenny Kerns, addressed the Commission. He voiced his concern with noise, light, odor, and pedestrian traffic. He requested the Commission require a fence be installed.

Pinecrest resident Tim Osborn generally stated his opposition of the proposed complex.

Mike Kildreth, a member of the Riss Lake HOA, stated concern for erosion control and run-off impact on Riss Lake. Director Abel explained the Stormwater report would detail requirements to address those concerns.

Commissioner Wright asked the applicant to point out where the stormwater treatment areas were on the site plan. Discussion ensued on the matter.

Kildreth asked follow up questions about setbacks and property line distance between Riss Lake and the subject property.

Pinecrest resident Patty Bruer addressed the Commission and staff regarding density. She referenced discussion on the topic in 2015 and stated her dissatisfaction with the applicant receiving credit for dedicated parkland. Staff explained density calculation took into account Parkland dedication.

Pinecrest resident Bob Bruer approached the podium. He requested documentation that showed the agreement to include dedicated parkland in density.

Parkville resident Jacob Lowe approached the Commission. He generally spoke of suggestion for lighting and pedestrian safety.

Commissioner Wright recommended a hammerhead turn-around configuration be added near the terminus on the east side parking lot.

Commissioner Wright moved to approve the Application for Major Site Plan with staff recommendations and the following added conditions:

- Installation of hammerhead turnaround on east parking lot at terminus
- City confirmation that Parkland Dedication was conveyed at the time of original proposal in 2003
- Developer demolish existing home or reimburse the City for costs incurred to demolish the home,

Commissioner Delich seconded. Roll call vote passed the motion 6-0.

9. OTHER BUSINESS

A. Upcoming meetings & dates of importance:

- Board of Aldermen Meetings: Tuesday, May 16, 2017 at 7:00 p.m. and Tuesday, June 6, 2017 at 7:00 p.m.
- Board of Zoning Adjustment Meeting: Tuesday, May 23, 2017 - Canceled No Agenda Item
- Planning & Zoning Commission Regular Meeting: Tuesday, June 13, 2017 at 5:30 p.m.

10. ADJOURNMENT

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

Commissioner Delich moved to adjourn, Chairman Verhoeven seconded. Motion passed: 6-0. Meeting adjourned at 10:18 pm.

Submitted by:



Stephen Lachky
Community Development Director

5-9-17
Date