

**BILL NO. 16-34**

**ORDINANCE NO. 4.362**

**AN ORDINANCE APPROVING THE FINAL PLAT OF TRACT 2A LINDEN PLAZA, GLADSTONE, CLAY COUNTY, MISSOURI, AND DIRECTING THE APPROPRIATE OFFICIALS TO AFFIX THEIR SIGNATURES TO SAID PLAT FOR RECORDING.**

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, AS FOLLOWS:**


**SECTION 1. ACCEPTANCE.** It appearing to the Council of the City of Gladstone, Missouri, from the Plat filed and exhibited to them that all parties having any right, title, or interest in or to said property described more particularly in the attached Exhibit "A", having signed said Plat, and it is in the best interests of the City of Gladstone to approve and accept the same; it is hereby ordained by the Council of the City of Gladstone, that the Final Plat described in the attached Exhibit "A" as "Tract 2A, Linden Plaza" is hereby accepted.

**SECTION 2. SIGNATURES.** The proper officials of the City of Gladstone, Missouri, are hereby authorized and directed to affix their signatures to said Plat in a manner suitable for recording.

**PASSED, SIGNED, AND MADE EFFECTIVE BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 22<sup>ND</sup> DAY OF AUGUST, 2016.**

  
Jean B. Moore, Mayor

ATTEST:

  
Ruth E. Bocchino, City Clerk

1st Reading: August, 2016

2nd Reading: August 22, 2016

File #1431

## Community Development Department Staff Report



Date: July 29, 2016

File #: 1431

Requested Action: Final Plat

Date of PC Consideration: August 15, 2016

Date of Council Consideration: August 22, 2016 (voted to approve,  
10-yes, 0-no)

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Applicant: Hersheve Real Estate Co.  
103 NW Point Lane  
Gladstone, Missouri 64116

Owner: Same

Architect/Engineer: Kaw Valley Engineering  
8040 N. Oak Trafficway  
Kansas City, Missouri 64118

Address of property: 7302 N. Oak Trafficway  
General location of property: Northwest corner of N. Oak Trafficway and NE 73<sup>rd</sup> Street.  
Physical Characteristics: Vacant commercial property.

### Planning Information

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Current Zoning: C-3 both lots

Planned Land Use: Commercial District both lots

Applicable Regulations: Zoning and Planning Ordinance

### Additional Information

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Public Utility Availability: Existing

Ingress/Egress: Existing

Traffic Division Comments: N/A

Parking Required: N/A

Parking Provided: N/A

Proposed On-Site Improvements: N/A

Proposed Off-Site Improvements: N/A

Proposed Landscaping: N/A

Proposed Signage: N/A

### **Recommended Conditions**

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None

### **Analysis**

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Two existing vacant commercial lots each had separate owners. Both lots have been purchased for the purpose of commercial development.

### **Recommendation**

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The Staff recommends that the request be APPROVED contingent upon compliance with the above recommended conditions.

PLANNING COMMISSION  
GLADSTONE, MISSOURI  
*Council Chambers*  
August 15, 2016  
7:00 pm

**Item 1 on the Agenda: Roll Call.**

**Present:** Ms. Alexander  
Ms. McGee  
Mr. New  
Ms. Poindexter  
Mr. Turnage  
Mr. Ward  
Mr. Whitton  
Mr. Williams  
Mr. Yarber  
Chairman Ringhausen

**Absent:** Mr. Markenson

**Council & Staff Present:**

Mayor Pro Tem RD Mallams  
Alan Napoli, Interim Comm. Dev. Director  
Melinda Mehaffy, Econ. Dev.

**Item 2 on the Agenda: Pledge of Allegiance.**

Chairman Ringhausen led the group in reciting the Pledge of Allegiance.

**Item 3 on the Agenda: Approval of the August 1, 2016 minutes.**

The minutes were not copied correctly in the packets; therefore they could not be voted on. They will be placed on next month's agenda.

**Item 4 on the Agenda: CONSIDERATION: of a Final Plat- Amended Plat of Claymont Pointe 17<sup>th</sup> Replat. Applicant: Aylett Survey Co. Owner: Blue Valley Investment Corp. File #1430.**

Mr. Napoli reported that this application is for property located in Claymont Pointe. The area is currently zoned RP-4 for cluster housing. In the past, typically the builder and the developer were one in the same. They used to have a plan for the whole area and they would build and there were either four-plexes or two-plexes and when they came in and started building they would give us a plat for that certain area and how many structures were on there. The developer/builder, during the downfall, lost the property and the bank took it back, so the bank currently owns all the vacant property. There is a builder that is interested in all the property, but he doesn't want to buy it all at one time. Because there's one, large tract of land the developer is

wanting to divide it into three lots to build up to four units on. Pending approval of this plat, the builder will come back and plat the lot showing the structures.

Ms. Poindexter asked what the pros and cons were for this application.

Mr. Napoli said there aren't any cons to it. The biggest pro is that the builder can buy one lot at a time and see if the buildings sell rather than buying all of it at once. He currently has priority purchase on all the lots left. This action is just going to make it easier and cleaner for him and the bank.

**MOTION: By Mr. Turnage, second by Ms. McGee to approve the Amended Plat of Claymont Ponte 17<sup>th</sup> Replat.**

<b>Vote:</b>	<b>Ms. Alexander</b>	<b>Yes</b>
	<b>Ms. McGee</b>	<b>Yes</b>
	<b>Mr. New</b>	<b>Yes</b>
	<b>Ms. Poindexter</b>	<b>Yes</b>
	<b>Mr. Turnage</b>	<b>Yes</b>
	<b>Mr. Ward</b>	<b>Yes</b>
	<b>Mr. Whitton</b>	<b>Yes</b>
	<b>Mr. Williams</b>	<b>Yes</b>
	<b>Mr. Yarber</b>	<b>Yes</b>
	<b>Chairman Ringhausen</b>	<b>Yes</b>

**The motion carried. (10-Yes, 0-No) This application will move forward to the City Council on Monday, September 12, 2016.**

**Item 5 on the Agenda: CONSIDERATION: Of a Final Plat of Tract 2A Linden Plaza, a Subdivision in Gladstone, Clay County, Missouri. File #1431.**

Mr. Napoli reported that this application is for two separate lots both zoned C-3, so there are no zoning issues involved. The properties have both been purchased by one developer who is wishing to put a structure on the site, which is the next action item on the agenda. These two lots are being re-platted into one C-3 lot.

Mr. Turnage asked if there was any history to this property.

Mr. Napoli answered that the lot on the corner used to be Walker Automotive and was a used car sales business way back in the day. The building got dilapidated and it was eventually torn down. The slab remains with some asphalt. The property back behind it, years ago, was a single-family residence and has been long gone. It has been zoned C-3 for some time.

Mr. Turnage asked why it has sat vacant for so long.

Mr. Napoli said no one has been interested in purchasing it until recently.

**MOTION: By Mr. Turnage, second by Mr. New to approve the Final Plat of Tract 2A Linden Plaza.**

<b>Vote:</b>	<b>Ms. Alexander</b>	<b>Yes</b>
	<b>Ms. McGee</b>	<b>Yes</b>
	<b>Mr. New</b>	<b>Yes</b>
	<b>Ms. Poindexter</b>	<b>Yes</b>
	<b>Mr. Turnage</b>	<b>Yes</b>
	<b>Mr. Ward</b>	<b>Yes</b>
	<b>Mr. Whitton</b>	<b>Yes</b>
	<b>Mr. Williams</b>	<b>Yes</b>
	<b>Mr. Yarber</b>	<b>Yes</b>
	<b>Chairman Ringhausen</b>	<b>Yes</b>

**The motion carried. (10-Yes, 0-No) This application will move forward to the City Council on Monday, August 22, 2016.**

**Item 6 on the Agenda: PUBLIC HEARING: For a Site Plan Revision at 7302 N. Oak Trafficway. Applicant/Owner: Hershewe Real Estate Company. File #1429.**

Chairman Ringhausen opened the public hearing.

Mr. Napoli reported that this lot is zoned C-3 and with the prior action is now one lot. The proposal is for development of a commercial, retail business. He referred to an aerial view of the property and noted that the west side of the property is heavily shrubbed from the residential properties. The site plan presented meets the required setback from the residential properties. From the aspect of setbacks and greenspace they meet all requirements.

Mr. Napoli explained that the building being proposed is a commercial, retail business that could potentially have up to four tenants. The developer is present tonight. One thing they will change about the property is the wide open drive on NE 73<sup>rd</sup> Street. It will be made into a single-lane drive about the center of the property. They will also be installing city sidewalk on the full length of the south property. The two entrances off North Oak will remain and will be used for ingress and egress. The parking is adequate. They are required to have 35 spaces, they have 41 provided including the required handicapped spaces.

Referring to the colored elevations, Mr. Napoli, said the rear of the building will have several overhead doors for delivery. On the north side there is a bump-out which indicates a drive-thru service window. The developer has indicated that there has been some interest from tenants needing the window. On the south side of the structure there are two overhead doors. All the materials and colors meet the City's requirements as well as screening. The developer is agreeable to all eight recommended conditions. Mr. Napoli pointed out condition #1, which states that the existing billboard located at the northeast corner of the property shall be removed. The owner wants to remove it; however, he is researching whether or not there is any type long-term lease agreement he may be obligated to. The only comment Public Safety had was to make sure that the landscaping wouldn't block the view of vehicles coming out of NE 73<sup>rd</sup> Street. Other than that, the recommended conditions are pretty typical. He offered to answer any questions.

Mr. Yarber asked if there were any specific tenants at this time or this was just being built as a spec building.

Mr. Napoli answered that his understanding is that the owner has some perspective tenants, but no contracts at this time.

Mr. Williams asked what happens procedurally if the billboard is under a long-term contract and this application is approved.

Mr. Napoli said there isn't much the City can do if it is a legal binding lease agreement and it will have to remain. The owner is willing to remove it if he can.

Chairman Ringhausen asked the applicant to come forward and state his name and address.

Jeff Schroeder, Scharhag Architects, 310 Armour Road, Ste. 202 NKC, MO 64116, addressed the Commission. Mr. Schroeder said that originally the developer was just looking at buying the eastern lot, but in trying to develop some preliminary site plan drawings it became obvious fairly quickly that it was going to be too tight and cramped so he decided to buy the lot to the west to make it a much more reasonable sized building. There is now plenty of parking, a 35' setback on the west side from the residential and they plan to keep the entire vegetation on the west property on both of the lots, which is pretty thick. The lot has been vacant for many, many years so hopefully they will look at this as a good development for the City. He offered to answer any questions.

Chairman Ringhausen asked Mr. Schroeder to talk a little bit about the retaining wall that will be on the north side of the property.

He said they don't have exact heights because his company didn't do the survey work, but there will be about a 3' retaining wall along the north property line. There is a power pole with some guide wires that they have to protect and stay away from.

Chairman Ringhausen asked if the intent was for the stormwater to flow to the southwest. It appears that might be the case according to the contours. He didn't see any information regarding paving the lot with additional stormwater runoff.

Mr. Schroeder answered that they will be providing additional details on stormwater for the building permit application. There were calculations that took into account the paving that is there now versus what will be there and there is also a bio-detention swale that is kind of a vegetative holding area in the southwest side where most of the water will be directed and it will be planted with types of vegetation that tend to absorb more moisture. It will also be slightly depressed so it will help filter the water and slow down the rate of runoff. A little bit of the water will still go to the northeast corner but the hump that's in the middle will be cut down quite a bit and you'll see more of a slope up on the grass buffer area.

Chairman Ringhausen asked if it would be sloped towards the property rather than off.

Mr. Schroeder answered yes.

Mr. Napoli added that the engineering staff reviewed the plans and did not have any issues or comments as to stormwater.

Chairman Ringhausen said he noticed on the site plan that it appears the dumpster will be in the area where the stormwater will be flowing. He wondered if there had been any consideration given to moving the dumpster out of the way of the main drainage path.

Mr. Schroeder said they were trying to hit two or three issues at once. They were hoping to try and keep the dumpster fairly close to the street, but obviously not towards N. Oak, so trucks don't have to circumvent the entire site to pick up and dump the trash. They also wanted to have it back from NE 73<sup>rd</sup> Street a little and put some landscaping in front of it. It's actually graded so that the water will come around in front of the dumpster area. Most of the water will be to the west of the dumpster, so it won't go through the dumpster pad.

Chairman Ringhausen said the information provided showed the intent to possibly have a tenant that would have drive-thru services. Has there been any further information or studies been done as to the additional traffic that this tenant might bring?

Mr. Schroeder answered that there has not been a traffic study done. The belief by the developer, who is a commercial realtor, is that the square footage size of the north end of this building that could possibly house a drive-thru tenant is small enough that it's not going to attract any kind of major user like McDonalds or Burger King. It's going to be like a small, mom & pop coffee shop type of tenant. They do not think that it will attract a great difference of traffic on North Oak because there's a lot of traffic on North Oak already. They've got decent stacking of about 4-5 cars plus they're going to sign and designate some spots in the parking row behind the building where cars can pull into if necessary. The middle two tenants will be extremely small tenants. They are anticipating a bigger tenant on the south end, but there are two drives for them so they've got a lot of circulation access.

Mr. Williams asked if anyone made any outreach to the surrounding residential areas.

Mr. Schroeder did not believe so.

Mr. Napoli added that staff mailed notices to everyone within 185' of the property of the hearing tonight.

Mr. Schroeder said there is also a [public hearing] sign posted on the site.

Chairman Ringhausen called of those in favor or opposition to come forward. There was no response. He closed the public hearing.

**MOTION: Ms. Poindexter, second by Mr. Ward to approve the Site Plan Revision at 7302 N. Oak Trafficway.**

<b>Vote:</b>	<b>Ms. Alexander</b>	<b>Yes</b>
	<b>Ms. McGee</b>	<b>Yes</b>
	<b>Mr. New</b>	<b>Yes</b>
	<b>Ms. Poindexter</b>	<b>Yes</b>



<b>Mr. Turnage</b>	<b>Yes</b>
<b>Mr. Ward</b>	<b>Yes</b>
<b>Mr. Whitton</b>	<b>Yes</b>
<b>Mr. Williams</b>	<b>Yes</b>
<b>Mr. Yarber</b>	<b>Yes</b>
<b>Chairman Ringhausen</b>	<b>No</b>

**The motion carried. (9-Yes, 1-No) This application will move forward to the City Council on Monday, August 22, 2016.**

**Item 7 on the Agenda: CONSIDERATION: Of a Final Plat- North Broadway Center Second Plat. Applicant: Lutjen/Olsson Associates. Owner: CLMG Corporation. File #1432.**

Mr. Napoli reported that this application is for the area off N. Broadway where NAWS pet place, public storage, antique store and daycare are located. This property now has new owners and what they are doing is platting the area into different tracts. The tract being considered tonight also contains property located in Kansas City, Missouri. Tract A is where an existing cellular tower is located. Lot 2 is the daycare, which will not have any ingress/egress or parking when replatted. The owners are working on an easement agreement for use of the current ingress/egress and parking. Prior to final approval at City Council, staff will require the agreement to be submitted.

Mr. Ward asked what they are planning on putting in the antique mall building.

Mr. Napoli said he didn't know. He believes there is a tenant in there now, but he has not heard of anything new coming.

Chairman Ringhausen clarified that they are only considering the area identified as Lot 2, and the area inside Gladstone city limits.

Mr. Napoli said that is correct.

Ms. Poindexter asked Mr. Napoli to explain again about the easement agreement.

Mr. Napoli said if you go by there now you will see two entrances at the property. Those are the only two entrances for the entire site. The entrance on the north belongs to the NAWS business; the south entrance is access to the south side of the property. That is the entrance that the owners and anyone who occupies the daycare building will need to use agreement for after the replat.

**MOTION: Mr. Turnage, second by Mr. New to approve the Final Plat- North Broadway Center Second Plat.**

<b>Vote:</b>	<b>Ms. Alexander</b>	<b>Yes</b>
	<b>Ms. McGee</b>	<b>Yes</b>
	<b>Mr. New</b>	<b>Yes</b>
	<b>Ms. Poindexter</b>	<b>Yes</b>
	<b>Mr. Turnage</b>	<b>Yes</b>

Mr. Ward	Yes
Mr. Whitton	Yes
Mr. Williams	Yes
Mr. Yarber	Yes
Chairman Ringhausen	Yes

**The motion carried. (10-Yes, 0-No) This application will move forward to the City Council on Monday, September 12, 2016.**

**Item 8 on the Agenda: Communications from the City Council and the City Staff.**

Mayor Pro-Tem Mallams extended his thanks to the developer for working with staff so well and believing in the City of Gladstone.

**Item 9 on the Agenda: Communications from the Planning Commission Members.**

Ms. Poindexter asked if the triangle shaped intersection at N. Broadway and NE 68<sup>th</sup> Street was in Gladstone city limits.

Mr. Napoli said yes, it is.

Ms. Poindexter said it is a really dangerous intersection.

Mr. Napoli said it has been looked at by staff and that possibly it could look different if a parkway is ever put in.

Ms. Alexander said it looks like McDonalds is beginning to do some work.

Mr. Napoli replied that they are actually working on the retaining wall on the back side of the property. They wanted to get it done along with some of the stormwater work prior to notifying McDonalds and shutting down the store.

Chairman Ringhausen had the opportunity to be in the Northland Innovation Center last week and was really impressed by it. He extended his thanks to the City for working with the developer to make it happened.

**Item 10 on the Agenda: Adjournment**

Chairman Ringhausen adjourned the meeting at 7:36 pm.

Respectfully submitted:

\_\_\_\_\_  
Alan Ringhausen, Chairman

Approved as submitted \_\_\_\_\_

\_\_\_\_\_  
Becky Jarrett, Recording Secretary

Approved as corrected \_\_\_\_\_

NE COR. SW 1/4  
SEC. 14-51-33  
1" OD PIPE (MISSING CAP)

POINT OF BEGINNING  
PROPOSED TRACT 2A  
NE CORNER LOT 2  
LINDEN PLAZA  
CORRECTED PLAT

S UTILITY EASEMENT  
BK 440, PG. 532  
BK 460, PG. 257

DRAINAGE  
EASEMENT  
BK 1160,  
PG. 128

1/2 IRON BAR  
(BENT)  
30.00'

N 89°16'03" E 101.92'(M) 102.67'(P)

N 89°22'12" E 109.40'(M) 110.00'(P)

75.26'(P)

10' B/A (PER PLAT)  
BK 9, PG. 7

1/2 IRON BAR  
W/ ORANGE CAP  
LS3520

10' B/A (PER PLAT)  
BK 9, PG. 7

LINDEN TRACT 2A  
PLAZA  
(CORRECTED PLAT)

S 89°40'07" W  
5.00' (M&P)

S 00°19'53" E 75.91'(M)

LOT 6

PARCEL ID: 13-609-00-15-008.00  
OWNER: CRYSTAL N. & RICHARD WOODSON  
ADDRESS: 300 NE 73RD ST.

N 00°33'17" W 202.92'(M) 201.26'(P)

10' B/A (PER PLAT)  
BK 9, PG. 7

TRACT 2  
LOT 4

N 00°45'49" W 203.01'(M) 201.26'(P)

10' B/A (PER PLAT)  
BK 9, PG. 7

LOT 2

40' B/A (PER PLAT)  
BK 9, PG. 7

NOTE:  
BUILDING LINE  
TO BE ABANDONED BY  
THIS SURVEY.

40' B/A (PER PLAT)  
BK 9, PG. 7

40' B/A (PER PLAT)  
BK 9, PG. 7

R/W EASEMENT  
BK 1160, PG. 128

S 00°19'53" E 126.00'(P)

S 00°19'53" E 127.08'(M)  
DEDICATED R/W  
BK 1180, PG. 131

E. N. OAK TRFY.  
(OLD E. US HWY. NO. 169)

E. LINE SW 1/4 SEC. 14-51-33  
N 00°00'00" E 2622.86 (M)  
(BASIS OF BEARING)

S 89°20'58" W 205.13'(M)

S 89°19'07" W 102.67'(M&P)

S 89°20'23" W 102.87'(M&P)

S 89°20'25" W  
41.02' (M)

73RD STREET  
(FORMERLY PARK LANE)  
45' WIDE PUBLIC R/W

CHISELED  
"X" MARK

N 00°00'00" E 927.16'



3/4" OD PIPE

35.00'

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**UTILITY STATEMENT:**  
THE UNDERGROUND UTILITIES SHOWN HEREON ARE FROM FIELD SURVEY INFORMATION OF ONE-CALL LOCATED UTILITIES, FIELD SURVEY INFORMATION OF ABOVE GROUND OBSERVABLE EVIDENCE, AND/OR THE SCALING AND PLOTTING OF EXISTING UTILITY MAPS AND DRAWINGS AVAILABLE TO THE SURVEYOR AT THE TIME OF SURVEY. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. FURTHERMORE, THE SURVEYOR DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES BY EXCAVATION UNLESS OTHERWISE NOTED ON THIS SURVEY.



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(TOLL FREE)

MISSOURI ONE CALL SYSTEM, INC.



SCALE: 1" = 20'

SE COR  
OF SEC  
2" ALU