

PLANNING COMMISSION
GLADSTONE, MISSOURI

February 19, 2002

Item 1 on the Agenda: Meeting called to order – Roll Call.

Present: Ms. Abbott	Council & Staff Present:
Ms. Alexander	Councilman Shirley Smith
Mr. Beer	Counselor David Ramsay
Mr. Dillingham	Asst. City Manager for Development Scott Wingerson
Mr. Evans	
Mr. Hill	
Ms. Lowe	
Mr. Steffens	
Ch. Rudi	
Ms. Wild	

Absent: Mr. Duncan
Mr. Kiser

Item 2 on the Agenda: Pledge of Allegiance.

Ch. Rudi led the group in reciting the Pledge of Allegiance.

Item 3 on the Agenda: Approval of January 7, 2002 Minutes.

The minutes were approved as submitted.

Item 4 on the Agenda: Communications from the Audience.

None.

Item 5 on the Agenda: Consideration of a Final Plat, Stonebrooke 2nd Plat, Replat of lots 67 and 68, 4106 NE 72nd Street. Applicant/Owner: Daniel Haug (#1173)

Ch. Rudi opened the dicussion and called on Mr. Wingerson for his comments.

Mr. Wingerson started by apologizing for the meeting location being in the conference room in the public safety area. The applicant, Daniel Haug is requesting a final plat approval which would allow the combination of two lots, 67 and 68 of Stonebooke 2nd Plat into one lot, 67A. This request will allow construction of a single-family home. Mr. Wingerson explained that there were a few technical difficulties that would need to be resolved. Staff recommendation was approval contingent upon compliance with the recommended conditions. Mr. Wingerson asked the Commission if there were any questions.

Chairman Rudi asked if there were any questions for Mr. Wingerson.

Mary Ann Link, Remax of Kansas City, 4610 NW Baltimore Drive introduced herself as the representative for Mr. and Mrs. Eaton who are requesting the lot combination. She added that Mr. and Mrs. Eaton may have some questions for the Commission.

James Eaton, 2317 NE 75th Terrace, Gladstone asked Mr. Wingerson about the technical difficulties.

Mr. Wingerson replied that a list of conditions that would need to be met was given to the developer, Daniel Haug. Mr. Wingerson listed the conditions. The Mayor and Planning Commission Chairman names need to be corrected. The final recorded plat documents must be received by the City prior to issuance of a building permit. Public improvements (sidewalk) should be constructed in accordance with City requirements and applicable development agreements. Finally, the domestic water source should be bored under 72nd Street. Mr. Wingerson noted to the Commission that the main line for the water is on the south side of 72nd Street, which was recently reconstructed and overlaid, so Staff would like to see the water source bored rather than open cut.

James Eaton asked Mr. Wingerson about the sidewalk condition being in a prior agreement.

Mr. Wingerson answered that there is a developer's agreement that governs the original development of the property. This agreement provided for a majority of the public improvements, which would be curb, gutter, road widening, grading and storm sewer, however; it did not exclude the developer from constructing or escrowing for public sidewalks. The developer's agreement specifically states that sidewalks are required to be built with the building permit. Mr. Wingerson added that a copy of the developer's agreement had been enclosed with the applicant's paperwork.

James Eaton commented that there was a statement that referred back to the original plat that had three lots instead of two lots.

Mr. Wingerson explained that the Commission might be interested in knowing that originally there were sixty-nine lots in the 2nd plat of Stonebrooke. That plat was revised to make all of the lots a bit larger. This resulted in lots 67 and 68, rather than lots 68 and 69 as explained in the agreement. The agreement was done with the original development and was changed, in effect, to reduce the number of lots. This explains the slight discrepancy in the lot numbers. Lot 69 no longer exists by action of the developer.

Chairman Rudi asked if there were any further questions.

Mary Ann Link commented that she had spoken with Norm LeClerq and he had indicated that there would eventually be four lanes, two eastbound and two westbound. She asked Mr. Wingerson if that information still holds true.

Mr. Wingerson answered that yes, 72nd Street is an arterial roadway. The developer was required to grade for four through lanes and sidewalks on both sides. This was done and now when the

City goes through it's prioritization process, it will eventually plan to widen the road to four lanes.

Mary Ann Link ask Mr. Wingerson if at this time, the final curb line been determined for that widening. She explained that when sidewalks are installed on her client's property, they would want to know the final curb line so that sidewalks would not have to be installed twice.

Mr. Beer asked Mr. Wingerson if the engineering had been done on the project.

Mr. Wingerson said that the engineering for the grading had been done, but the engineering for the actual construction of the roadway has not been completed. He added that if the permit holders were to choose to construct the sidewalk, the City would assist in the placement of the sidewalk. The permit holder would have the option of escrowing for the sidewalk.

Mary Ann Link asked if that would be a joint venture with Kansas City.

Mr. Wingerson answered yes.

Mary Ann Link asked if this application would now go on to the City Council.

Mr. Wingerson answered yes, it would go to the City Council on Monday, February 25th.

Chairman Rudi asked if there were any questions from the Commission.

Mr. Hill asked if the area where the proposed lot 67A is to the east of where 72nd Street has already been widened.

Mr. Wingerson answered yes.

Mr. Hill asked if Gladstone was waiting for Kansas City to improve their part of 72nd Street. He went on to ask if there is any activity the patio home development that is father east.

Mr. Wingerson explained that the east line of the area being discussed is the east Gladstone city limit line. There is a development in Kansas City across what he refers to as the "bridge" of patio homes that is being developed. There are public improvements required as part of that development. The City is trying to work with the developer of that project to tie things together, not to 4-lane width, but just to finish the curb and gutter out to Norton, which is the farthest east street in Stonebrooke subdivision. Therefore, there may some tapering curb and gutter that is installed. The drainage area is wide enough to support four lanes. This was done several years ago in conjunction with Kansas City and the Stonebrooke developers, so the City is set up to finish it. It will probably be the full four lane width, but will be based on demand from North Brighton back west to Gladstone and the future development of the property between North Brighton and Gladstone.

Mr. Hill stated that he is concerned with a house being built there without the street being completed.

James Eaton asked Commissioner Hill if he had seen the plat. He added that the house will set back so far away from the street that it will not make any difference if the street is widened or not.

Mr. Wingerson asked Commissioner Hill if his concern was that a new home would be placed on a lot where there is not an improved street.

Mr. Hill answered that was part of his concern. He was also concerned about the setbacks for the home. He asked Mr. Wingerson if the setback should be part of the plat.

Mr. Wingerson replied that the setback for the house as presented would be thirty-five feet from the right-of-way. The right-of-way represents four lane cross section of street and sidewalk on both sides.

Mr. Hill said that was fine.

Chairman Rudi called on Mr. Evans.

Mr. Evans asked Mr. Wingerson if there were any other utilities that would be required under 72nd Street.

Mr. Wingerson replied that no, the sewer is served to the side and the majority of that easement is storm water.

Mr. Hill made a motion to recommend approval of the Final Plat, Stonebrooke 2nd Plat, Replat of lots 67 and 68. Mr. Beer made the second to the motion.

Chairman Rudi asked if there was any further discussion. Hearing none, she called for the vote.

ROLL VOTE:

Ms. Abbott	Yes
Ms. Alexander	Yes
Mr. Beer	Yes
Mr. Dillingham	Yes
Mr. Evans	Yes
Mr. Hill	Yes
Ms. Lowe	Yes
Mr. Steffens	Yes
Ch. Rudi	Yes
Ms. Wild	Yes
(10 yes, 0 no)	

Chairman Rudi explained to Mr. and Mrs. Eaton that the application will now go on to the City Council for their consideration. She thanked them for coming to the Planning Commission meeting.

Item 6 on the Agenda: Communications from the City Council and the City Staff.

Councilman Smith said she was glad to see the rain today. She asked if the Commission was going to start their ZAPO discussion tonight. Mr. Wingerson answered that yes, they are. Ms. Smith said she is looking forward to that discussion and that it is a big project and will do the City a lot of good. It will be tough to do, but that we are going to do it anyway.

Mr. Wingerson said that he would like to begin by welcoming Ms. Lowe to the Planning Commission. He mentioned the unusual circumstances that the Planning Commission is meeting in tonight. He apologized for her first meeting being in the small room and explained that usually the Commission meets upstairs in the Council Chambers. He told Ms. Lowe that City Staff would be glad to answer any questions she had. He will get with Chairman Rudi and schedule and orientation with Ms. Lowe so that she can know what to expect as a member of the Planning Commission.

Mr. Wingerson announced that Mr. Evans will be attending a seminar tomorrow night on planning liability with City Counselor Ramsay. He is sure they will have a good time and bring back a lot of detail for the Commission.

Ms. Alexander asked where the seminar is being held.

Mr. Wingerson said the seminar is in Blue Springs and is being hosted by attorneys from around town. He mentioned as a side note, that the seminar is required by the City's insurance carrier that a Planning Commission member attend. Mr. Wingerson thanked Mr. Evans for agreeing to attend. Mr. Wingerson said that he would like to officially welcome Becky Jarrett to the City and to the Planning Commission.

Mr. Ramsay said that he will save his comments for the next meeting since he will have a lot to talk about after the seminar tomorrow night.

Item 7 on the Agenda: Communications from the Planning Commission members.

Ms. Abbott said that she is tickled to death to see it raining. She congratulated Mr. Dillingham. She said she found out from Mr. Dillingham's dad that he had a new grand baby.

Mr. Beer reported that the Chinese church has a hose coming from what he would guess is their kitchen, to the driveway. It appears that kitchen waste is being drained out on to the parking lot. Mr. Beer said it might be worth checking out. The church is at 70th and North Prospect.

Mr. Wingerson said that he would check into it.

Ms. Wild said she would like to welcome Becky to the first meeting. She reported that she has had a couple of inquires from her neighbors. The 72nd Street project did away with the Christopher Heights subdivision sign.

Mr. Wingerson's reply was "really?"

Ms. Wild said yes. The sign sat on the southeast corner of North Indiana and 72nd Street. Her neighbors would like to know if the sign is going to be replaced or if it has just gone by the wayside.

Mr. Wingerson said he will find out and call Ms. Wild or anyone else she would like him to call.

Mr. Steffens asked if Mr. Wingerson has seen the fences along that road.

Mr. Wingerson said that he has seen them but that it is more complicated than it seems. Some of the homeowners chose to take their fences down themselves and some chose to have the City take them down. The owners of the fences also chose if they would put the fences back up or have the City put them back up. Each fence is a case-by-case application. There are two punch list items having to do with the top of the retaining wall, but Mr. Wingerson couldn't remember if they had to do with fences or not. He explained that he was pretty sure that the City has done what they were supposed to do. He reminded the Commission that those homeowners were compensated for the ability to build that street and that was in all cases for a fence replacement or relocation was the subject of a right-of-way discussion. Mr. Wingerson said that he would have to wait until the project closes out and the City is reimbursed by the Missouri Department of Transportation (MoDot) and then they can take the appropriate action through code enforcement.

Mr. Dillingham welcomed Brenda Lowe to the Commission.

Chairman Rudi reminded Mr. Dillingham to bring those baby pictures in.

Ms. Lowe said that she is pleased to be at the meeting and is looking forward to getting to know and work with everyone. She said she feels overwhelmed with all the notebooks that have been delivered to her. She thanked everyone for welcoming her.

Mr. Hill said he had four words to say, congratulations, welcome and welcome.

Chairman Rudi welcomed Ms. Lowe and told Becky Jarrett she was glad she was here. She mentioned that she had already told Mr. Dillingham congratulations and reminded him again of pictures!

Item 8 on the Agenda: Other Business- Election of Officers.

Mr. Beer nominated Brian Hill for Chairman. Ms. Alexander made the second to the motion. Ms. Rudi moved nominations be closed and Mr. Hill be elected by acclamation. All said, aye.

Ms. Rudi nominated Mr. Dillingham for Vice Chair. Mr. Beer made the second to the motion. Ms. Rudi moved nominations be closed and Mr. Dillingham be elected by acclamation. All said, aye.

Other Business- ZAPO discussion

Mr. Wingerson began his presentation on the Gladstone Zoning and Platting Ordinance (ZAPO). The updated information will allow Staff to do a better job in bringing applications forward to

the Planning Commission and then to the City Council. The ordinance is broken down into Articles 1-20. Mr. Wingerson announced that he would be summarizing Articles 1-5 this evening.

Mr. Wingerson briefly explained the flow charts beginning in Section 32.300.130 regarding the path an application follows from publication notice to approval/disapproval by the City Council. Mr. Wingerson pointed out one significant change was in the flow chart for consideration of site plans. In the proposed ZAPO, site plans would be reviewed by the Director of Community Development and he would make the determination that the application is compliant with every aspect of the entire zoning ordinance or whether a public hearing will be required.

Mr. Wingerson pointed out another change on page fourteen which is that minor changes may be approved by City Staff. He gave the example of if a lot is changing by two feet, Staff would be able to approve it. A decision that now takes forty-five days to process, could be done much more quickly.

Mr. Wingerson proceeded to talk about the actual ZAPO section of the handout. He pointed out that there are a lot of adult entertainment definitions, but that this needs to be well thought-out, clear and concise language.

Ms. Alexander asked if that was all of ZAPO.

Mr. Wingerson said that it is the first section.

Mr. Wingerson showed the Commission the official zoning map. It is an old map that is often not to scale and out of date. The proposed zoning map was shown to the Commission. The new map was color-coded. Mr. Wingerson explained that layers can be added to the map showing addresses, water lines, buildings and much more. The new map is the focus of the next Planning Commission meeting. This new map will require approval of the Planning Commission and the City Council.

Mr. Hill made the observation that it seems that the Director of Community Development is being given a lot more discretion with the proposed ZAPO.

Mr. Wingerson said that a lot of the discretion currently exists now. There are only really two new things regarding discretion of the Director. Those would be in insignificant plats and some of the non-conforming vested development rights. He explained that when Staff is given those decision making ability, it keeps the Planning Commission from seeing many unnecessary applications.

Ms. Rudi commented that she thought the definition of amusement park sounded too much like an arcade.

Mr. Wingerson said that he is not even sure we need a definition for amusement park, if Gladstone ever had an application for one it could be a Special Use Permit.

Ms. Rudi asked if grading permits are approved prior to a site plan being heard by the Planning Commission.

Mr. Wingerson said that they do not receive it prior on any project that would require Planning Commission or City Council approval. When a case might be different is when grading was an issue in the public hearing.

Ms. Rudi asked if there were any more questions for Mr. Wingerson.

Mr. Beer asked if the City is going to take care of the brush and rubbish at 68th and Prospect which the City recently purchased.

Mr. Wingerson said that the City has a contract to purchase the property, with a closing in March. A detention basin is being designed. Construction probably will not begin until August. Clearing and grubbing work will begin then and the brush and rubbish will be part of that process.

Mr. Beer said that basically we were making noise at the current owner to clean up the property and he hates to see the City now buying the land and not cleaning it up.

Mr. Wingerson said that the land would have to be cleared whether the trees were standing or not.

Ch. Rudi asked if there were any further questions.

Item 9 on the Agenda: Adjournment.

Ch. Rudi adjourned the meeting at 8:45 P.M.

Respectfully submitted:

_____ Approved as submitted _____
Becky Jarrett, Recording Secretary

_____ Approved as corrected _____
Carol Rudi, Chairman