

PLANNING COMMISSION
GLADSTONE, MISSOURI
City Hall Council Chambers

Monday
May 3, 2010
7:30 pm

Item 1 on the Agenda: Roll Call.

Present:

Ms. Alexander
Ms. Babich
Mr. Turnage
Mr. Garnos
Mr. Ringhausen
Ms. Smith
Mr. Velasquez
Mr. Whitton
Ms. Abbott
Mr. Steffens
Chairman Hill

Absent: Mr. West

Council & Staff Present:

Councilman Barry McCullough
Scott Wingerson, Assistant City Manager
David Ramsay, City Attorney
Chris Helmer, Planning Specialist
Becky Jarrett, Admin. Assistant

Item 2 on the Agenda: Pledge of Allegiance.

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

Item 3 on the Agenda: Approval of the March 15, 2010 minutes.

MOTION: By Mr. Steffens, second by Mr. Whitton to approve the March 15, 2010 minutes as submitted. The minutes were approved as submitted.

Item 4 on the Agenda: Communications from the Audience.

None.

Item 5 on the Agenda: PUBLIC HEARING: On a Special Use Permit at 5616 N. Antioch.
Applicant: Mike Pursell, Gladstone Gardens, LLC. Owner: Byers Enterprises, LLC. File #1346. The City Council public hearing is scheduled for Monday, May 10th.

Vice-Chairman Garnos conducted this portion of the meeting.

Vice-Chairman Garnos called on Mr. Helmer for the staff report.

Planning Specialist Helmer reported that this application is a request for the transfer of conditions from a previous special use permit, Cripple Creek Rock Company to Gladstone Gardens, LLC. Several years ago, Cripple Creek went before the Commission and City Council for their renewal. The original application dates back to 1997; therefore, the property is not new to this type of business and site design. The draft ordinance contains the exact conditions used for the previous business operator. City staff is suggesting the new business operator under a five-year duration. Upon expiration or upon any issues set forth in the ordinance, the operator would have to appear before the Commission and Council for further approval. Mr. Helmer offered to answer any questions at this time.

Mr. Ringhausen said that the information in the public hearing referred to “a portion of lot 2, all of lots 1, 3, 4 and 5”; but the draft ordinance refers to “all of lots 1, 2, 3, 4 and 5 and Tract A excluding the south 60 feet.” He wondered what the difference in the two descriptions was.

Assistant City Manager Wingerson answered that the applicant is here this evening and could probably go over that better, but the intent is to cover the area previously occupied by Cripple Creek Rock Company.

Vice-Chair Garnos called on the applicant to come forward.

Pete Hall, 5621 N. Clinton Place, addressed the Commission. Mr. Hall said that he is representing the co-applicants tonight. He explained that their intent was originally just to take over the existing permit except that it wasn't just permissible to change names; therefore, they are going through the process. With the type of business this is, one of the issues is timing. It is very, very seasonal, which is why they have asked to move so quickly. Generally, the operation will be identical to what was there before. There will be some upgrading of signage and that type of thing, but it will be in the same location. The property owner is the same, David Brinton is the principal of Byers Enterprises and he was the owner of the property when Cripple Creek was there. The land itself is very unique in that it goes back to a creek that is behind the buildings on Antioch Road. The property is really not able to be used for too much of anything so using it for retail is certainly an advantage for the City of Gladstone. He asked them to consider the application and if there were any questions at this time.

Ms. Smith asked if they would be selling the exact same thing as Cripple Creek was or would they be selling plants and trees.

Mr. Hall answered that the idea is to sell exactly what Cripple Creek sold. They are able to sell plants and if they can find someone that has good quality plants they may try that, but that window is over probably by the first of June. Their intent is not to do that.

Ms. Smith asked if it would be the same traffic flow.

Mr. Hill answered yes, that would be correct. The bays and bins that are there will generally be in the same location.

Mr. Ringhausen asked if the intent is to use the same property that Cripple Creek occupied.

Mr. Hill said that is correct.

Mr. Ringhausen asked if there is any intent to change any of the hard surfacing that is there now.

Mr. Hill said no, there are no plans to do that. He clarified the differences in the property by stating that when Cripple Creek was there they occupied one of the offices in front and this operation will not do that. Hopefully they can find an accountant or someone who needs a good place to have their business for that building.

Chairman Hill asked if the applicant had reviewed the recommended conditions of the proposed ordinance and if they acceptable.

Mr. Hill said they have reviewed them and they are acceptable.

Chairman Hill noticed that in the "additional information" in the staff report that the last line shows Proposed Signage: none. He wondered if staff meant that they would be using existing signage. He said his understanding is that the name would be changing.

Mr. Hill answered that the area of signage would be the same, but the name will change.

Chairman Hill also noticed in the staff report notes that proposed landscaping is listed as none. He wondered if it needed to be changed to allow for "maintenance of the existing" or "continuation of the existing landscaping" and "replacement of the existing signage with the new name" so there aren't issues later.

Mr. Hill thanked him for bringing that up because they do want signage. He admitted that they did press staff hard to get the word out quickly because of the critical nature of the business.

Chairman Hill asked if there were more or other conditions that would be applicable to this business operator that needed to be added.

Chairman Hill said that he didn't know of anything, but turned to the applicants to ask them. *The applicants said there was nothing further.*

Mr. Wingerson clarified the two conditions that were mentioned: replacement of signage with new copy and maintenance of existing visible landscaping in perpetuity. In terms of the staff report, the intent was to say that there is no proposed signage beyond what is there, as is the same with landscaping and curb cuts.

There was no one in favor or opposition of the application. Vice-Chair Garnos closed the public hearing and opened the floor for discussion from the Commission.

Ms. Babich said that she is glad to see the property being used again; it is nice to have a rock and mulch type business in the neighborhood.

MOTION: By Mr. Steffens, second by Ms. Babich to approve a Special Use Permit at 5616 N. Antioch Road.

VOTE:

Ms. Alexander	Yes
Ms. Babich	Yes
Mr. Turnage	Yes
Mr. Garnos	Yes
Mr. Ringhausen	Yes
Ms. Smith	Yes
Mr. Velasquez	Yes
Mr. Whitton	Yes
Ms. Abbott	Yes
Mr. Steffens	Yes
Chairman Hill	Yes

The motion carried. (11-Yes, 0-No)

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

Councilman McCullough sent Councilwoman Rudi's regrets for not being in attendance tonight; she is ill. He reminded the Commission of the brush drop-off this weekend at Public Works. He also asked for their help and support for the ¼ cent Public Safety sales tax. He gave Mr. Velasquez a moment to speak about up-coming activities.

Mr. Velasquez announced that he is Co-Chair with Jeanne Moore of the sales tax committee. A meeting will be held Thursday, May 6th at 7:00 pm (Antioch Bible Baptist Church) to get some better organization, logistics and strategy decided so they can start letting the public know what this is all about. He invited everyone to attend.

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

Ms. Alexander encouraged everyone to support the Public Safety Sales Tax.

Ms. Smith asked about the scaffolding structure on North Bales.

Mr. Wingerson said that it is gone from the side, but has been moved around to the back of the house. He explained that the Municipal Court provided until June 1st, he thought, to remove it.

Ms. Abbott said she has heard several different versions of what might become of the Malone property and wondered if Mr. Wingerson knew anything.

Mr. Wingerson replied that staff has heard multiple versions as well, but what he believes to be true is that the current property owner is weighing his options and trying to figure out how best the property could be used. No applications have been submitted and nothing coming in the short-term that he can see.

Mr. Garnos asked about the current status of the Stratford Park development.

Mr. Helmer said that he actually had someone come in the office today and ask and so he looked back at some correspondence that said they would be submitting construction plans around late spring, but obviously it doesn't look like that's going to happen. Nothing official has been submitted.

Chairman Hill said that he remembered that the Malone Special Use Permit was personal. He asked if that was correct.

Mr. Wingerson said that is correct.

Chairman Hill said that would mean that the permit expired when he left the property. He asked what the property is zoned.

Mr. Wingerson said he is not exactly sure, but it is some type of commercial zoning.

Chairman Hill asked what the status of Walmart is.

Mr. Wingerson said that overall the project is going very good. It is kind of a mess right now because the parking lot is being repaired and it is causing some concerns. From the public perspective, the parking seems to be an issue and then the single point of entry into the store for the customers is problematic. Compounding the fact is all of the stuff that can't fit in the store and in the temporary storage trailers on the north end. Tall Timbers has been incredibly understanding considering everything they have been through. Staff continues to work with Walmart, the contractor and neighbors to make it survivable for the next couple of months. They hope to be open in July.

Chairman Hill asked about the status of the streetlights on Antioch/M-1.

Mr. Wingerson said that it seems that they are on sometimes and off sometimes and he knows that Director Nebergall has been involved with everyone in the chain of command at KCP&L and MoDot.

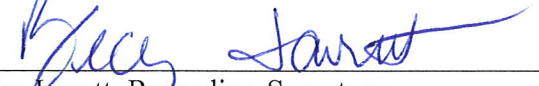
Chairman Hill asked what the timetable is for the new walking trail in Happy Rock.

Mr. Wingerson replied that Mayor Smith indicated tonight that a ribbon cutting is scheduled to take place on June 5th.

Item 8 on the Agenda: Adjournment.

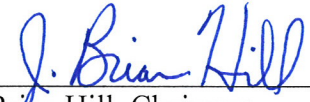
Chairman Hill adjourned the meeting at 8:00 pm.

Respectfully submitted:



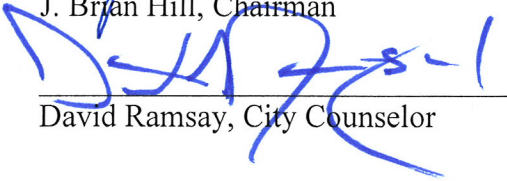
Becky Jarrett, Recording Secretary

Approved as submitted



J. Brian Hill, Chairman

Approved as corrected



David Ramsay, City Counselor