

CITY COUNCIL REGULAR AGENDA FOR  
MONDAY, DECEMBER 10, 2018, BEGINS ON  
PAGE 36



## **GLADSTONE CITY COUNCIL**

### **OPEN STUDY SESSION MEETING MONDAY, DECEMBER 10, 2018**

#### **AGENDA TIME: 6:30 PM**

1. **KCATA/ North Oak Corridor Transit Improvement Study-** HNTB will present a synopsis of this study which focuses around the North Oak Corridor beginning in downtown Kansas City and continuing through Gladstone north of Highway 152.
2. **FY 18 Audit Report** – Dominic Accurso, Finance Director, and auditors from Berberich Trahan & Co., P.A. will discuss the FY18 Annual Audit results. Attached you will a “draft” copy of the auditor’s report summarizing certain matters required by professional standards.
3. **Oak Grove Park/O.P. High School Joint Use Restroom/Concessions-** Architects from Incite Design Studio will be present Monday evening to present conceptual plans for this partnership project with the NKC School District.
4. **Shaping Our Future-** Tina Spallo and members of the Shaping Our Future Implementation Committee will be in attendance to ask the City Council to consider an ordinance for a 2019 ballot issue.



***Department of General Administration***

***Memorandum SCW18-09***

**TO:** Mayor and City Council

**FROM:** Scott Wingerson, City Manager

**DATE:** December 6, 2018

**SUBJECT:** Shaping Our Future

Shaping Our Future has worked tirelessly analyzing and discussing the desired future of our community. Many Shaping initiatives are underway and on-going however key initiatives require additional resources to implement.

Tina Spallo and members of the Implementation Committee will present a request to enhance our Public Safety facilities and recruit and retain a high quality workforce.

Shaping Our Future will ask the City Council to consider an ordinance to place a ½ of 1% general sales tax on the April ballot for voter consideration.

Should the Council desire to move forward, staff will draft the required ordinance for City Council consideration at the January 14, 2019 meeting.

If you should desire to discuss this matter in greater detail, please advise.



## ***Department of Finance Memorandum***

**DATE:** December 5, 2018

**TO:** Scott Wingerson – City Manager

**FROM:** Dominic Accurso – Director of Finance

**RE:** Auditor's Presentation

With the 2018 fiscal year audit substantially complete, we have received the draft Report to the Mayor and City Council from our auditors (report to follow memo). This report satisfies the auditor's responsibility to communicate certain matters to those charged with governance. The matters include the responsibilities of the auditors with regard to the financial statements, planning, timing, and scope of the audit, along with auditor's adjustments and findings. The management representation letter is also part of the report. The letter attests to the accuracy of the financial statements that we have submitted to the auditors for their analysis.

Overall, the audit is progressing very well with minimal audit adjustments and no findings. There was one passed journal entry (PJE) from the previous year (see Summary of Passed Adjustments, second to last page of the attachment). The journal entry to record a payable was missed in the 2017 fiscal year. This adjustment was made in the 2018 fiscal year. There were three adjusting entries, one of which was provided by staff, and one is a reclassification entry for presentation (no effect on the financial statements). The list of audit adjustments is on the final page of the report. All adjustments were immaterial to the financial statements. The adjusting journal entries will be made into the financial software when the audit is finalized.

The significant deficiency in internal control over financial reporting from the previous year has been cleared.

As of December 5<sup>th</sup>, we have received draft financial statements from the auditors for review and working towards completion of the transmittal letter, Management's Discussion and Analysis (MD&A), and statistical section. The final CAFR should be available on the City's website by the 15<sup>th</sup>.

Staff from Berberich Trahan & Co will present this information during the December 10<sup>th</sup> open study session. They will also discuss new reporting requirements as well as address any questions or concerns from the City Council. Should you have any questions or concerns, please contact me at your convenience.



BERBERICH TRAHAN & CO., P.A.  
*Certified Public Accountants*

## CITY OF GLADSTONE, MISSOURI

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Report to the Honorable Mayor and City Council  
[Date of Issuance of Communication]



BERBERICH TRAHAN & CO., P.A.  
Certified Public Accountants

[Date of issuance of communication]

Honorable Mayor and City Council  
City of Gladstone, Missouri  
7010 N. Holmes Street  
Gladstone, Missouri 64118

We are pleased to present this report related to our audit of the financial statements and compliance of the City of Gladstone, Missouri (the City) for the year ended June 30, 2018. This report summarizes certain matters required by professional standards to be communicated to you in your oversight responsibility for the City's financial and compliance reporting process.

This report is intended solely for the information and use of the City Council and management and is not intended to be and should not be used by anyone other than these specified parties. It will be our pleasure to respond to any questions you have about this report. We appreciate the opportunity to continue to be of service to the City.

[FIRM SIGNATURE]

2630 SW Burlingame Road Topeka, Kansas 66611 | T: 785.234.3427 | Toll-free: 800.530.5526 | F: 785.233.1768 | [wblandcccpa.com](http://wblandcccpa.com)

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CITY OF GLADSTONE, MISSOURI

Report to the Honorable Mayor and City Council  
[Date of Issuance of Communication]

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## Required Communications

Generally accepted auditing standards (AU-C 260, *The Auditor's Communication with Those Charged with Governance*) require the auditor to promote effective two-way communication between the auditor and those charged with governance. Consistent with this requirement, the following summarizes our responsibilities regarding the financial statement audit as well as observations arising from our audit that are significant and relevant to your responsibility to oversee the financial reporting process.

Area	Comments
<b>Our Responsibilities with Regard to the Financial Statement Audit</b>	Our responsibilities under auditing standards generally accepted in the United States of America; <i>Government Auditing Standards</i> issued by the Comptroller General of the United States; the provisions of the Single Audit Act; Uniform Guidance; and OMB's <i>Compliance Supplement</i> have been described to you in our arrangement letter dated August 24, 2018.
<b>Overview of the Planned Scope and Timing of the Financial Statement Audit</b>	We have issued a separate communication regarding the planned scope and timing of our audit and have discussed with you our identification of and planned audit response to significant risks of material misstatement.
<b>Accounting Policies and Practices</b>	<p><b>Preferability of Accounting Policies and Practices</b></p> <p>Under generally accepted accounting principles, in certain circumstances, management may select among alternative accounting practices. We did not discuss with management any alternative treatments within generally accepted accounting principles for accounting policies and practices related to material items during the current audit period.</p> <p><b>Adoption of, or Change in, Accounting Policies</b></p> <p>Management has the ultimate responsibility for the appropriateness of the accounting policies used by the City. The City adopted the provisions of Governmental Accounting Standards Board Statement No. 75: <i>Accounting and Financial Reporting for Post-Employment Benefits Other Than Pensions</i>. This resulted in new standards for recognizing and measuring liabilities, deferred outflows of resources, deferred inflows of resources, and expenditures for the other postemployment benefits (OPEB) the City</p>



Area	Comments
	<p>provides and additional disclosures and required supplementary information about the OPEB liability.</p>
	<p><b>Significant or Unusual Transactions</b></p> <p>We did not identify any significant or unusual transactions or significant accounting policies in controversial or emerging areas for which there is a lack of authoritative guidance or consensus.</p>
	<p><b>Management's Judgments and Accounting Estimates</b></p> <p>Accounting estimates are an integral part of the preparation of financial statements and are based upon management's current judgment. The process used by management encompasses their knowledge and experience about past and current events and certain assumptions about future events. You may wish to monitor throughout the year the process used to determine and record these accounting estimates. Summary information about the process used by management in formulating particularly sensitive accounting estimates and about our conclusions regarding the reasonableness of those estimates is in the attached "Summary of Accounting Estimates."</p>
<b>Audit Adjustments</b>	<p>Audit adjustments proposed by us and recorded by the City are summarized in the attached representation letter.</p>
<b>Uncorrected Misstatement</b>	<p>In the prior year, we accumulated an uncorrected misstatement that was determined by management to be immaterial, both individually and in the aggregate, to the statements of financial position, results of operations, and cash flows and to the related financial statement disclosures. The effect of the uncorrected misstatement is summarized in the attached representation letter.</p>
<b>Disagreements with Management</b>	<p>We encountered no disagreements with management over the application of significant accounting principles, the basis for management's judgments on any significant matters, the scope of the audit, or significant disclosures to be included in the financial statements.</p>

<b>Area</b>	<b>Comments</b>
<b>Consultations with Other Accountants</b>	We are not aware of any consultations management had with other accountants about accounting or auditing matters.
<b>Significant Issues Discussed with Management</b>	No significant issues arising from the audit were discussed with or the subject of correspondence with management.
<b>Significant Difficulties Encountered in Performing the Audit</b>	We did not encounter any significant difficulties in dealing with management during the audit.
<b>Certain Written Communications Between Management and Our Firm</b>	Copies of certain written communications between our firm and the management of the City, including the representation letter provided to us by management, are attached.

# City of Gladstone, Missouri

## Summary of Significant Accounting Estimates

### Year Ended June 30, 2018

The following describes the significant accounting estimates reflected in the City's June 30, 2018 financial statements:

Estimate	Accounting Policy	Management's Estimation Process	Basis for Our Conclusions on Reasonableness of Estimate
Total OPEB liability	The total OPEB liability is computed by an independent actuarial firm. The disclosure is based upon numerous assumptions and estimates, including the expected rate of investment return, the interest rate used to determine the present value and medical care cost trend rates.	The rate of return is based on historical and general market data.	Review of information supporting the estimate resulted in our conclusion that the estimate appears reasonable.
Net pension asset (liability)	The net pension asset (liability) is computed by an independent actuarial firm hired by LAGERS.	Management of the City obtained and reviewed the GASB Statement No. 68, Employer Reporting Accounting Schedules as of June 30, 2018. Management compared the City's employer contributions as shown on these schedules to the City's actual contributions and recalculated its net pension asset (liability).	Review of management's analysis resulted in our conclusion that the estimate appears reasonable.

Berberich Trahan & Co., P.A.  
3630 SW Burlingame Road  
Topeka, Kansas 66611-2050

This representation letter is provided in connection with your audit of the basic financial statements of the City of Gladstone, Missouri (the City) as of and for the year ended June 30, 2018 for the purpose of expressing an opinion on whether the financial statements are presented fairly, in all material respects in accordance with accounting principles generally accepted in the United States of America (U.S. GAAP).

We confirm, to the best of our knowledge and belief, as of the date of the auditor's report, the following representations made to you during your audit.

*Financial Statements*

1. We have fulfilled our responsibilities, as set out in the terms of the audit arrangement letter dated August 24, 2018, for the preparation and fair presentation of the financial statements referred to above in accordance with U.S. GAAP.
2. We have identified for you all organizations that are a part of this reporting entity or with which we have a relationship, as these organizations are defined in Section 2100 of the Governmental Accounting Standards Board's Codification of Governmental Accounting and Financial Reporting Standards, that are component units.
3. We have identified for you all of our funds, governmental functions and identifiable business-type activities.
4. We have properly classified all funds and activities.
5. We have properly determined and reported the major governmental and enterprise funds based on the required quantitative criteria.
6. We are responsible for compliance with laws and regulations applicable to the City including adopting, approving and amending budgets.
7. We have identified and disclosed to you all laws and regulations that have a direct and material effect on the determination of financial statement amounts including legal and contractual provisions for reporting specific activities in separate funds.

8. We acknowledge our responsibility for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.
9. We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.
10. Significant assumptions used by us in making accounting estimates, including those measured at fair value, are reasonable and reflect our judgment based on our knowledge and experience about past and current events, and our assumptions about conditions we expect to exist and courses of action we expect to take.
11. Related-party transactions, including those with component units for which the City is accountable and interfund transactions, including interfund accounts and advances receivable and payable, sale and purchase transactions, interfund transfers, long-term loans, leasing arrangements, and guarantees, have been recorded in accordance with the economic substance of the transaction and appropriately accounted for and disclosed in accordance with the requirements of U.S. GAAP.
12. All events subsequent to the date of the financial statements and for which U.S. GAAP requires adjustment or disclosure have been adjusted or disclosed.
13. The effects of all known actual or possible litigation and claims have been accounted for and disclosed in accordance with U.S. GAAP.
14. The following have been properly recorded and/or disclosed in the financial statements:
  - a. Net positions and fund balance classifications.
  - b. Arrangements with financial institutions involving compensating balances or other arrangements involving restrictions on cash balances.
  - c. Security agreements in effect under the Uniform Commercial Code.
  - d. The fair value of investments.
  - e. Amounts of contractual obligations for construction and purchase of real property or equipment not included in the liabilities or encumbrances recorded on the books.
  - f. Debt issue provisions.
  - g. All leases and material amounts of rental obligations under long-term leases.
  - h. All significant estimates and material concentrations known to management which are required to be disclosed.
  - i. Risk financing activities.
  - j. Deposits and investment securities categories of risk.
  - k. The effect on the financial statements of Government Accounting Standards Board statements which has been issued, but which we have not yet adopted.

15. We have no plans or intentions that may materially affect the carrying value or classification of assets or liabilities.
16. We are responsible for making the accounting estimates included in the financial statements. Those estimates reflect our judgment based on our knowledge and experience about past and current events and our assumptions about conditions we expect to exist and courses of action we expect to take. In that regard, adequate provisions have been made:
  - a. To reduce receivables to their estimated net collectable amounts.
  - b. To reduce obsolete, damaged, or excess inventories to their estimated net realizable values.
  - c. For pension obligations, post-retirement benefits other than pensions, and deferred compensation agreements attributable to employee services rendered through June 30, 2018.
17. There are no:
  - a. Material transactions that have not been properly recorded in the accounting records underlying the financial statements.
  - b. Violations or possible violations of laws or regulations whose effects should be considered for disclosure in the financial statements or as a basis for recording a loss contingency. In that regard, we specifically represent that we have not been designated as, or alleged to be, a "potentially responsible party" by the Environmental Protection Agency in connection with any environmental contamination.
  - c. Other material liabilities or gain or loss contingencies that are required to be accrued or disclosed by the Contingencies Topic of the FASB Accounting Standards Codification.
  - d. Guarantees, whether written or oral, under which the City is contingently liable.
  - e. Lines of credit or similar arrangements.
  - f. Agreements to repurchase assets previously sold.
  - g. Liens or encumbrances on assets or revenues or any assets or revenues which were pledged as collateral for any liability or which were subordinated in any way.
  - h. Liabilities which are subordinated in any way to any other actual or possible liabilities.
  - i. Debt issue repurchase options or agreements, or sinking fund debt repurchase ordinance requirements.
  - j. Authorized but unissued bonds and/or notes.
  - k. Derivative financial instruments.
  - l. Special and extraordinary items.
  - m. Arbitrage rebate liabilities.
  - n. Impairments of capital assets.

18. We have no direct or indirect, legal or moral obligation for any debt of any organization, public or private, or to special assessment bond holders that is not disclosed in the financial statements.
19. The City has satisfactory title to all owned assets.
20. We have complied with all aspects of contractual agreements that would have a material effect on the financial statements in the event of noncompliance.
21. Net positions (net investment in capital assets; restricted; and unrestricted) and fund balances are properly classified and, when applicable, approved.
22. Expenses or expenditures have been appropriately classified in or allocated to functions and programs in the statement of activities and allocations have been made on a reasonable basis.
23. Revenues have been appropriately classified in the statement of activities within program revenues and general revenues.
24. Capital assets, including infrastructure assets, are properly capitalized, reported and depreciated.
25. We agree with the findings of specialists in evaluating the total other postemployment benefit liability and the net pension asset (liability) and have adequately considered the qualifications of the specialists in determining the amounts and disclosures used in the financial statements and underlying accounting records. We did not give or cause any instructions to be given to specialists with respect to the values or amounts derived in an attempt to bias their work, and we are not otherwise aware of any matters that have had an impact on the independence or objectivity of the specialists.
26. We have no knowledge of any uncorrected misstatements in the financial statements. The effects of the prior year uncorrected misstatement were immaterial, both individually and in the aggregate, to the opinion units of the basic financial statements as a whole. The effects of the prior year uncorrected misstatement are attached to this letter.

*Information Provided*

27. We have provided you with:
  - a. Access to all information, of which we are aware that is relevant to the preparation and fair presentation of the financial statements such as records, documentation, and other matters;
  - b. Additional information that you have requested from us for the purpose of the audit;

- c. Unrestricted access to persons within the entity from whom you determined it necessary to obtain audit evidence.
  - d. Minutes of the meetings of governing board and committees of board members, or summaries of actions of recent meetings for which minutes have not yet been prepared.
- 28. All transactions have been recorded in the accounting records and are reflected in the financial statements.
- 29. We have disclosed to you the results of our assessment of risk that the financial statements may be materially misstated as a result of fraud.
- 30. We have no knowledge of allegations of fraud or suspected fraud, affecting the City's financial statements involving:
  - a. Management.
  - b. Employees who have significant roles in the internal control.
  - c. Others where the fraud could have a material effect on the financial statements.
- 31. We have no knowledge of any allegations of fraud or suspected fraud affecting the City's financial statements received in communications from employees, former employees, analysts, regulators or others.
- 32. We have no knowledge of noncompliance or suspected noncompliance with laws and regulations whose effects were considered when preparing financial statements.
- 33. We are not aware of any pending or threatened litigation or claims whose effects should be considered when preparing the financial statements.
- 34. We have disclosed to you the identity of the City's related parties and all the related-party relationships and transactions of which we are aware.
- 35. We are aware of no significant deficiencies, including material weaknesses, in the design or operation of internal controls that could adversely affect the City's ability to record, process, summarize and report financial data.
- 36. We are aware of no communications from regulatory agencies concerning noncompliance with, or deficiencies in, financial reporting practices.
- 37. With respect to supplementary information presented in relation to the financial statements as a whole:
  - a. We acknowledge our responsibility for the presentation of such information.
  - b. We believe such information, including its form and content, is fairly presented in accordance with U.S. GAAP.



- c. The methods of measurement or presentation have not changed from those used in the prior period.
  - d. When supplementary information is not presented with the audited financial statements, we will make the audited financial statements readily available to the intended users of the supplementary information no later than the date of issuance of the supplementary information and the auditor's report thereon.
38. With respect to the required supplementary information as required by the Governmental Accounting Standards Board to supplement the basic financial statements:
- a. We acknowledge our responsibility for the presentation of such required supplementary information.
  - b. We believe such required supplementary information is measured and presented in accordance with guidelines prescribed by accounting principles generally accepted in the United States of America.
  - c. The methods of measurement or presentation have not changed from those used in the prior period.
39. During the course of your audit, you may have accumulated records containing data which should be reflected in our books and records. All such data have been so reflected. Accordingly, copies of such records in your possession are no longer needed by us.
40. We are responsible for and have reviewed and approved the proposed adjustments to the trial balances identified during the audit, which are included in the adjusting journal entries attachment, and will post all adjustments accordingly. We have reviewed, approved, and are responsible for overseeing the preparation and completion of the basic financial statements and related notes.

### **Compliance Considerations**

In connection with your audit conducted in accordance with *Government Auditing Standards*, we confirm that management:

- 1. Is responsible for the preparation and fair presentation of the financial statements in accordance with the applicable financial reporting framework.
- 2. Is responsible for compliance with the laws, regulations and provisions of contracts and grant agreements applicable to the auditee.
- 3. Has identified and disclosed to the auditor all instances that have occurred, or are likely to have occurred, of fraud and noncompliance with provisions of laws and regulations that have a material effect on the financial statements or other financial data significant to the audit objectives, and any other instances that warrant the attention of those charged with governance.

4. Has identified and disclosed to the auditor all instances that have occurred, or are likely to have occurred, of noncompliance with provisions of contracts and grant agreements that have a material effect on the determination of financial statement amounts.
5. Has identified and disclosed to the auditor all instances that have occurred, or are likely to have occurred, of abuse that could be quantitatively or qualitatively material to the financial statements.
6. Is responsible for the design, implementation and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.
7. Acknowledges its responsibility for the design, implementation and maintenance of internal controls to prevent and detect fraud.
8. Has a process to track the status of audit findings and recommendations.
9. Has identified for the auditor previous audits, attestation engagements and other studies related to the audit objectives and whether related recommendations have been implemented.
10. Acknowledges its responsibilities as it relates to non-audit services performed by the auditor, including a statement that it assumes all management responsibilities; that it oversees the services by designating an individual, preferably within senior management, who possesses suitable skill, knowledge or experience; that it evaluates the adequacy and results of the services performed; and that it accepts responsibility for the results of the services.

In connection with your audit of federal awards conducted in accordance with Subpart F of Title 2 U.S. Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance), we confirm:

1. Management is responsible for complying, and has complied, with the requirements of Uniform Guidance.
2. Management is responsible for understanding and complying with the requirements of laws, regulations, and the provisions of contracts and grant agreements related to each of its federal programs.

3. Management is responsible for establishing and maintaining, and has established and maintained, effective internal control over compliance for federal programs that provides reasonable assurance that the auditee is managing federal awards in compliance with laws, regulations, and the provisions of contracts or grant agreements that could have a material effect on its federal programs in existence prior to December 26, 2014, as well as for funding increments and new awards obtained after that date.
4. Management has prepared the schedule of expenditures of federal awards in accordance with the Uniform Guidance and has included expenditures made during the period being audited for all awards provided by federal agencies in the form of grants, federal cost reimbursements contracts, loans, loan guarantees, property (including donated surplus property), cooperative agreements, interest subsidies, insurance, food commodities, direct appropriations and other assistance.
5. Management has identified and disclosed all of its government programs and related activities subject to the Uniform Guidance compliance audit.
6. Management has identified and disclosed to the auditor the requirements of federal statutes, regulations, and the terms and conditions of federal awards that are considered to have a direct and material effect on each major program. Management has further identified each award resulting from programs in existence prior to December 26, 2014 and funding increments or new awards obtained after that date.
7. Management has made available all federal awards (including amendments, if any) and any other correspondence relevant to federal programs and related activities that have taken place with federal agencies or pass-through entities.
8. Management has identified and disclosed to the auditor all amounts questioned and all known noncompliance with the direct and material compliance requirements of federal awards or stated that there was not such noncompliance.
9. Management believes that the auditee has complied with the direct and material compliance requirements (except for noncompliance it has disclosed to the auditor).
10. Management has made available all documentation related to compliance with the direct and material compliance requirements, including information related to federal program financial reports and claims for advances and reimbursements.
11. Management has disclosed to the auditor any communications from federal awarding agencies and pass-through entities concerning possible noncompliance with the direct and material compliance requirements, including communications received from the end of the period covered by the compliance audit to the date of the auditor's report.

12. Management has disclosed to the auditor the findings received and related corrective actions taken for previous audits, attestation engagements, and internal or external monitoring that directly relate to the objectives of the compliance audit, including findings received and corrective actions taken from the end of the period covered by the compliance audit to the date of the auditor's report.
13. Management has provided the auditor with all information on the status of the follow-up on prior audit findings by federal awarding agencies and pass-through entities, including all management decisions.
14. Management has disclosed the nature of any subsequent events that provide additional evidence with respect to conditions that existed at the end of the reporting period that affect noncompliance during the reporting period.
15. Management has disclosed all known noncompliance with direct and material compliance requirements occurring subsequent to the period covered by the auditor's report or stated that there were no such known instances.
16. Management has disclosed whether any changes in internal control over compliance or other factors that might significantly affect internal control, including any corrective action taken by management with regard to significant deficiencies and material weaknesses in internal control over compliance, have occurred subsequent to the period covered by the auditor's report.
17. Federal program financial reports and claims for advances and reimbursements are supported by the books and records from which the basic financial statements have been prepared.
18. The copies of federal program financial reports provided to the auditor are true copies of the reports submitted, or electronically transmitted, to the federal agency or pass-through entity, as applicable.
19. Management has charged costs to federal awards in accordance with applicable cost principles.
20. Management is responsible for, and has accurately prepared, the summary schedule of prior audit findings to include all findings required to be included by Uniform Guidance.
21. The reporting package does not contain protected personally identifiable information.
22. Management has accurately completed the appropriate sections of the data collection form.

23. If applicable, management has disclosed all contracts or other agreements with service organizations.
24. If applicable, management has disclosed to the auditor all communications from service organizations relating to noncompliance at those organizations.
25. We are responsible for implementing the procurement standards in 2 CFR 200.317 through 200.326 by July 1, 2018. As of the year ended June 30, 2018, we have implemented those procurement standards.

Very truly yours,

CITY OF GLADSTONE, MISSOURI

\_\_\_\_\_  
Scott Wingerson, City Manager

Date Signed \_\_\_\_\_

\_\_\_\_\_  
Dominic Accurso, Director of Finance

Date Signed \_\_\_\_\_

City of Gladstone, Missouri  
Summary of Passed Adjustments  
June 30, 2018

**ENTITY-WIDE - BUSINESS-TYPE ACTIVITIES**

Description	Effect on				
	Assets	Liabilities	Equity	Revenues	Expenditures

Reversal of prior year adjustments passed:

To adjust accounts payable balance	\$	36,716	\$	(36,716)
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Current year adjustments passed:

None

\$	-	\$	-	\$	36,716	\$	-	\$	(36,716)
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Cumulative effect on equity \$ -

City of Gladstone, Missouri  
Summary of Passed Adjustments  
June 30, 2018

*Combined Waterworks and Sewerage System*

Description	Effect on				
	Assets	Liabilities	Equity	Revenues	Expenditures

Reversal of prior year adjustments passed:

To adjust accounts payable balance	\$	36,716	\$	(36,716)
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Current year adjustments passed:

None

\$	-	\$	-	\$	36,716	\$	-	\$	(36,716)
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Cumulative effect on equity \$ -

CITY OF GLADSTONE, MISSOURI  
JUNE 30, 2018  
ADJUSTING JOURNAL ENTRIES

Number	Date	Name	Account Number	Debit	Credit
1	6/30/2018	Bad Debt Receivable	501-0000-000-00-00-115500		(20,268.51)
		Bad Debts	501-0000-473-99-99-440660	20,268.51	
		Client-prepared entry to record bad debt			
2	6/30/2018	Accounts Payable	402-0000-000-00-00-201000	19,184.00	
		Transportation Services	402-0000-442-50-51-440100		(19,184.00)
		To adjust A/P for two payments that were erroneously put into the incorrect fiscal year			
3	6/30/2018	AO - To reclassify Debt Payments - A/C 470940	501-0000-900-99-99-490021	7,322.00	
		AO - To reclassify Debt payments - A/C 471930	501-0000-900-99-99-490022		(7,322.00)
		To reclassify interest accrual to correct account			





***Department of Community Development  
Memorandum***

**DATE:** December 3, 2018

**TO:** City Council

**FROM:** Alan D. Napoli, Community Development Administrator / Building Official

**CC:** Scott C. Wingerson, City Manager  
Bob Baer, Assistant City Manager

**RE:** Kansas City Area Transportation Authority – North Oak Corridor Transit Improvement Study

In July, the Kansas City Area Transportation Authority (KCATA) sent out a Request for Proposals (RFP) to solicit written proposals from qualified consulting firms interested in providing transit-consulting services to complete a planning assessment of improvements to the transit system in the Northland Area. The focus of the study is around the North Oak Corridor from downtown Kansas City through North Kansas City and Gladstone to areas north of Highway 152.

Five (5) consulting teams submitted proposals for the study. Staff of KCATA, a representative of Kansas City, North Kansas City, and Gladstone reviewed the proposals. The reviewers chose two (2) consulting firms and their team of sub-consultants for interviews; these consultants were HNTB and WSP. HNTB ultimately won the contract for the consulting services.

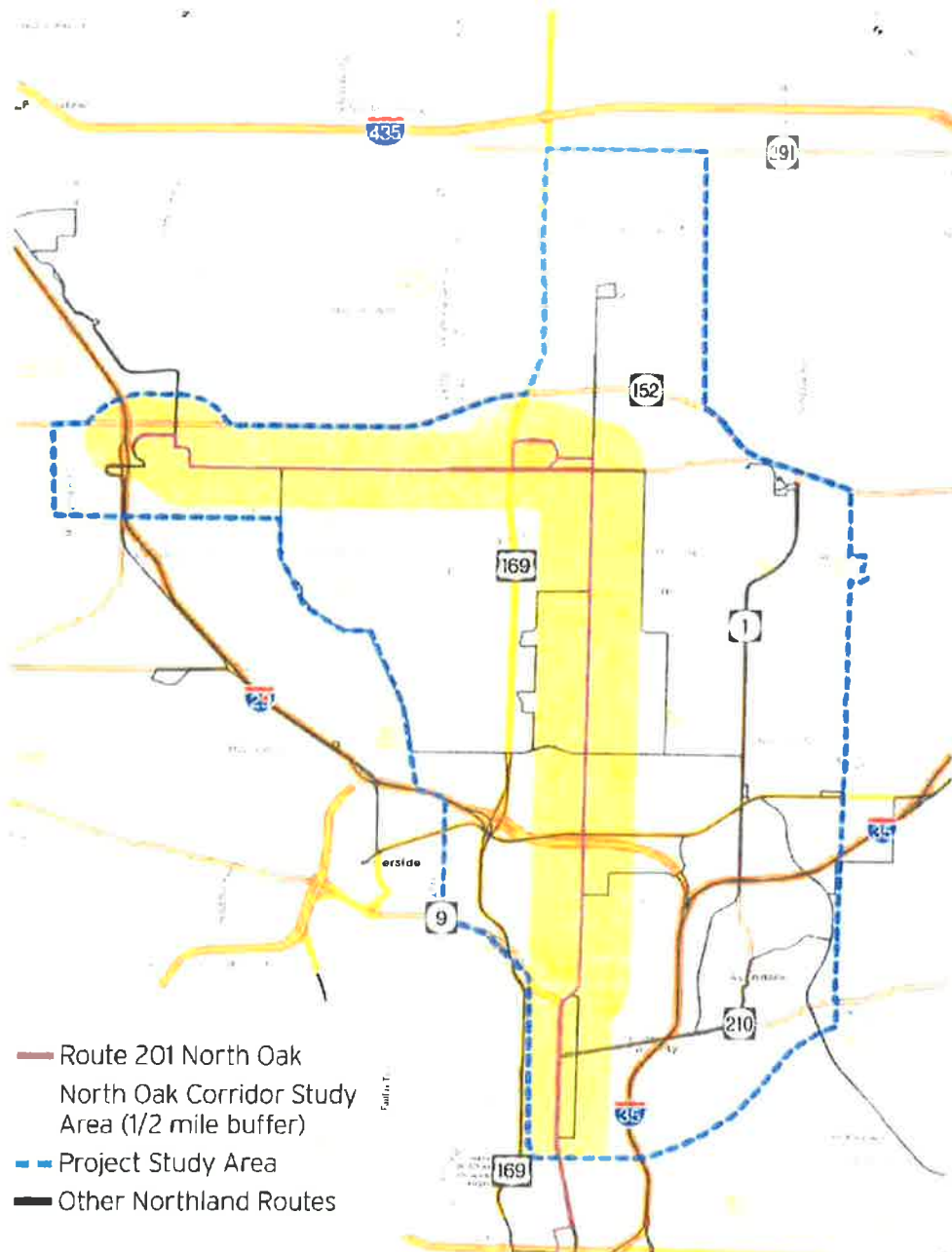
HNTB will present a short synopsis of the project and answer any questions the Council may have.

Attached is HNTB's North Oak Corridor Transit Improvement Study Area.

An overview of our project approach is included on the following pages. This approach demonstrates our experience working with KCATA as well as our depth of understanding of the North Oak Corridor. Our approach is based on our understanding of the technical work that is necessary to advance the project to implementation and the actions required to meet your schedule.

Based on our understanding of the transit needs in the North Oak Corridor and the mobility needs of the greater Northland area, we recommend a study area

that encompasses a larger study area in the Northland with a focus on the North Oak Corridor (existing Route 201). These two study boundaries are shown in the map below; identifying the North Oak Corridor focus in yellow and the larger Northland study area in blue. A more detailed rationale for the study area identified is included in the Project Understanding. The exact project limits will be refined in collaboration with KCATA staff and the Study Management Team (SMT) in a kick off meeting as proposed in Task 1 of this section.





***Department of Parks, Recreation, & Cultural Arts  
Memorandum***

**DATE:** December 5, 2018

**TO:** Scott Wingerson, City Manager

**FROM:** Justin Merkey, Director of Parks, Recreation, and Cultural Arts

**RE:** Oak Grove Park/Oak Park High School Joint Use Restroom/Concessions

Staff from both North Kansas City Schools and the City of Gladstone have met over the past few months regarding a joint restroom/concessions facility that could serve the City of Gladstone's large summer events such as Blues Fest, Theatre in the Park, and July 4<sup>th</sup> Celebration. In addition, the facility would replace the current park restroom and become restrooms for daily park patron use. Oak Park High School is interested in having more home games for the football team and this facility could be used in the fall for concessions and restrooms for spectators of those home games. The approximate location will be on school district property just beyond the park property line northwest of the large shelter.

As noted in previous study session presentations, \$150,000 of the park improvement funds were earmarked for this project. Unfortunately, the cost of this venture is expected to be approximately \$400,000. Therefore, each entity would fund the project at \$200,000. Staff retained contingency funds in the park improvement funds to ensure the City's funding obligation could be met.

Staffs of both entities have begun discussions with Incite Design Studio who have done similar projects in the past and have successfully completed projects with the school district. Please find attached initial floor plans and renderings of the proposed facility designed by Incite.

Architects from Incite Design Studio will be at Monday Night's City Council Study Session to present the plan and answer any questions raised by City Council Members.

Oak Grove Park/North Kansas City Schools Joint Restroom/Concessions Facility





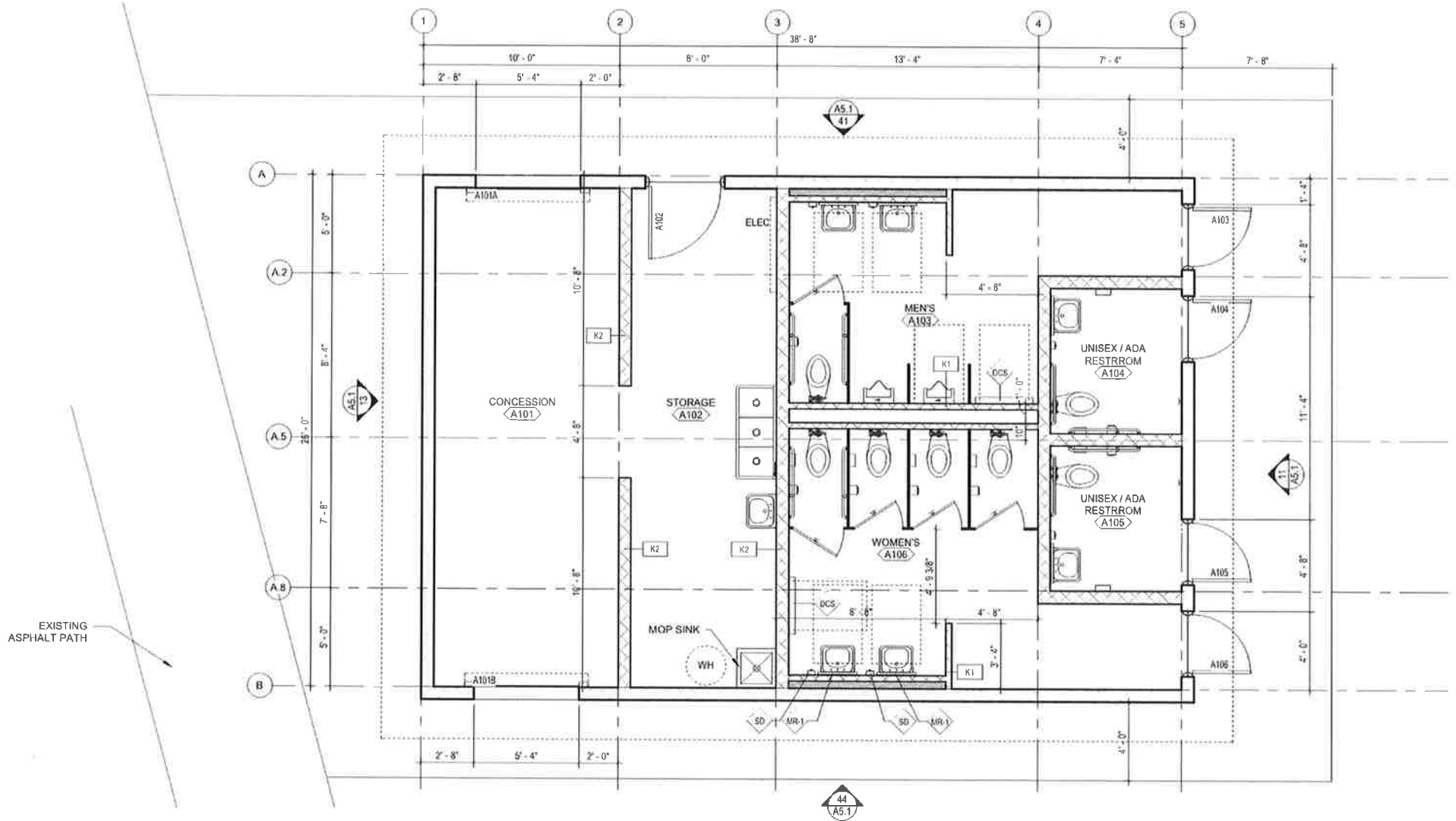
# CONCESSION STAND AND RESTROOM BUILDING

LOCATION: OAK PARK HIGH SCHOOL AND OAK GROVE PARK

A PARTNERSHIP BETWEEN THE NORTH KANSAS CITY  
SCHOOL DISTRICT AND THE CITY OF GLADSTONE



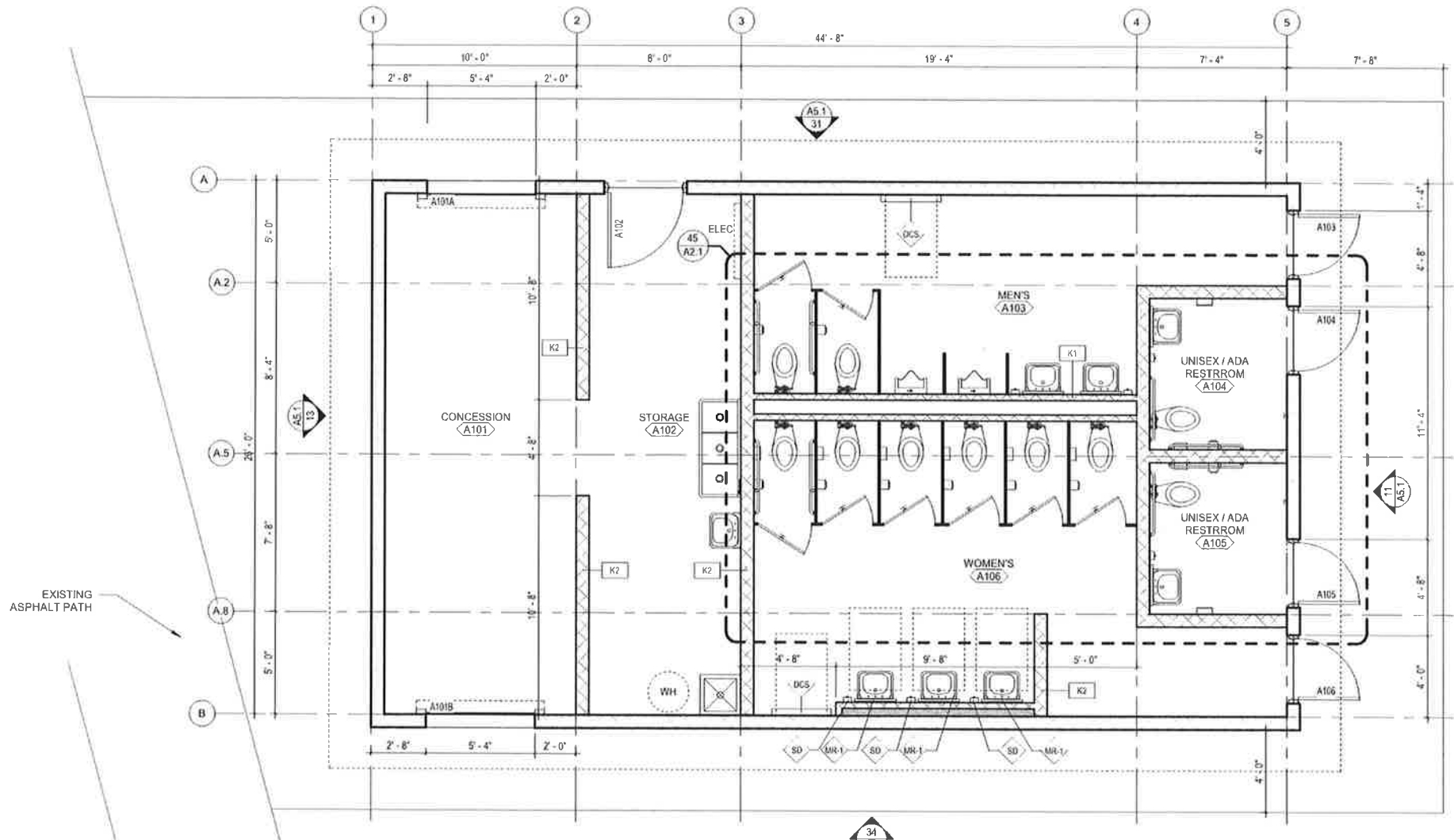




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A1.1

**FIRST FLOOR PLAN - BASE BID**

SCALE 1/4" = 1'-0"

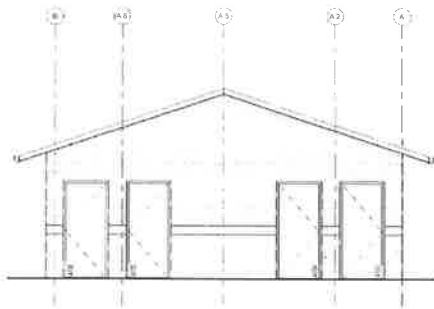


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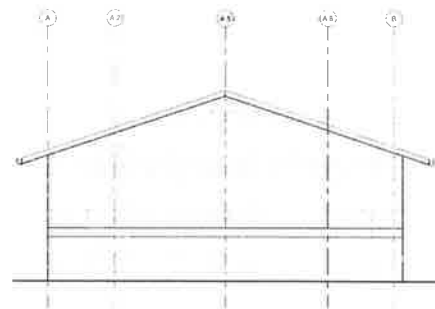
**FIRST FLOOR PLAN - ALTERNATE #1**

SCALE 1/4" = 1'-0"

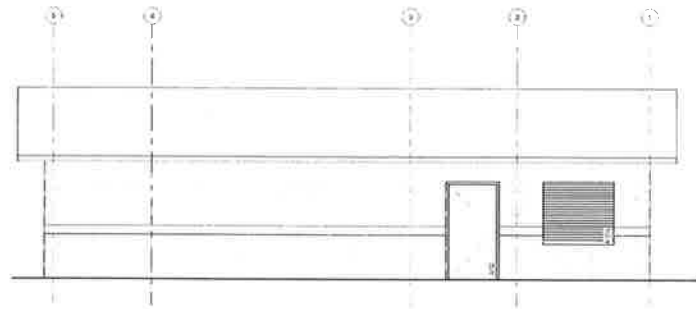




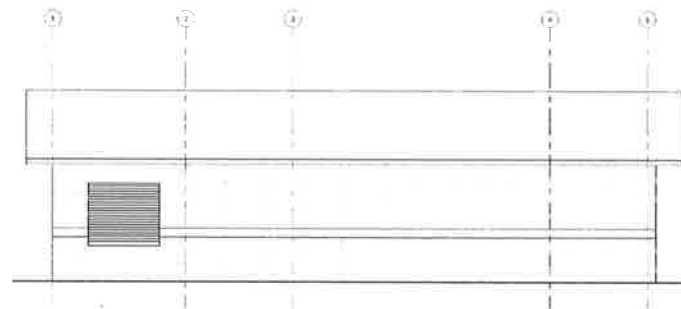
**EAST ELEVATION**  
A5.1 / SCALE 1/4" = 1'-0"



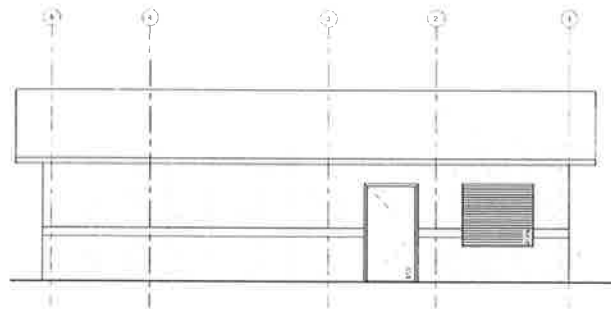
**WEST ELEVATION**  
A5.1 / SCALE 1/4" = 1'-0"



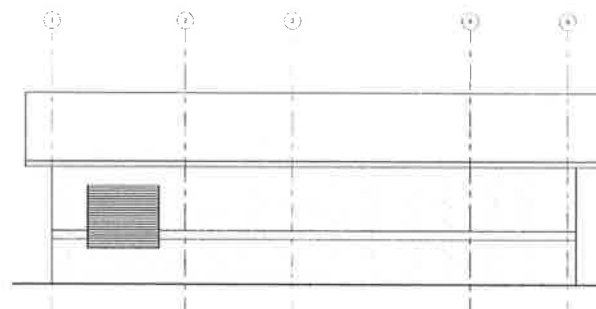
**NORTH ELEVATION - ALTERNATE #1**  
A5.1 / SCALE 1/4" = 1'-0"



**SOUTH ELEVATION - ALTERNATE #1**  
A5.1 / SCALE 1/4" = 1'-0"



**NORTH ELEVATION - BASE BID**  
A5.1 / SCALE 1/4" = 1'-0"



**SOUTH ELEVATION - BASE BID**  
A5.1 / SCALE 1/4" = 1'-0"

**EXTERIOR ELEVATION MATERIALS**



**EXTERIOR FINISHES**  
1. FINISHES TO BE DETERMINED BY THE ARCHITECT.  
2. FINISHES TO BE DETERMINED BY THE ARCHITECT.  
3. FINISHES TO BE DETERMINED BY THE ARCHITECT.  
4. FINISHES TO BE DETERMINED BY THE ARCHITECT.  
5. FINISHES TO BE DETERMINED BY THE ARCHITECT.

**is incite Design Studio**  
relationship  
100 West 10th Street, Kansas City, Missouri 64108  
816 593 3500  
www.isincitedesignstudio.com

**NOT FOR CONSTRUCTION**

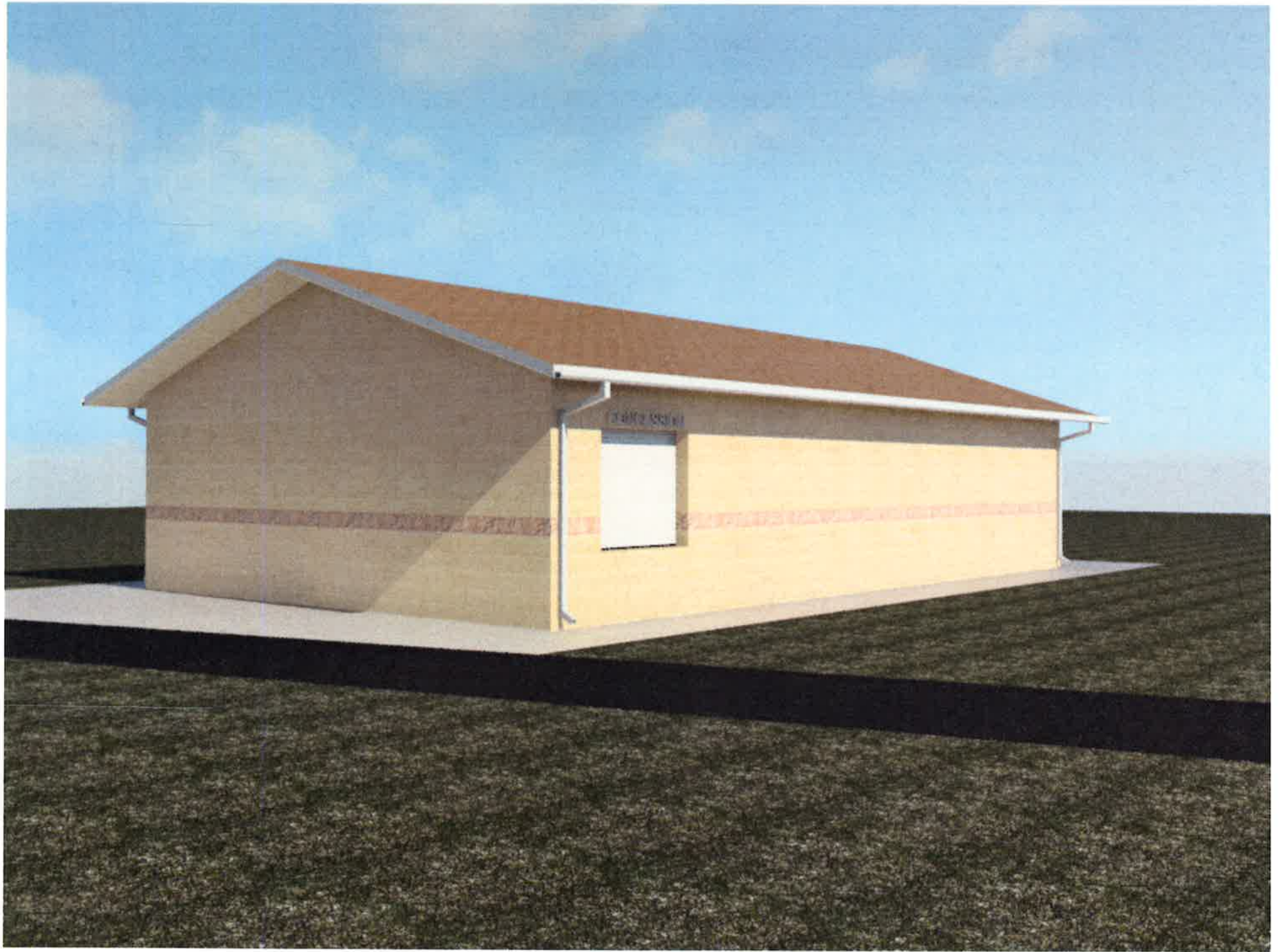
**CONSULTANTS**  
ARCHITECT: IS INCITE DESIGN STUDIO  
ENGINEER: [Faint text]  
LANDSCAPE ARCHITECT: [Faint text]  
INTERIOR DESIGNER: [Faint text]  
GENERAL CONTRACTOR: [Faint text]

**SCHEMATIC DESIGN**

**EXTERIOR ELEVATIONS**  
NKC / GLADSTONE CONCESSION RESTROOM  
825 NE 79TH TERRACE, KANSAS CITY, MO 64118

600 Project Number: 12017-0016  
For Issues

**A5.1**









**CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
MONDAY, DECEMBER 10, 2018**

The City Council will meet in Closed Executive Session at 5:30 pm Monday, December 10, 2018, in the City Manager's office, Gladstone City Hall, 7010 North Holmes, Gladstone, Missouri. The Closed Executive Session is closed pursuant to RSMo. Open Meeting Act Exemption 610.021(2) for Real Estate Acquisition Discussion, 610.021(9) Employee Groups, and 610.021(13) Personnel Records.

**OPEN STUDY SESSION 6:30 PM**

1. KCATA/ North Oak Corridor Transit Improvement Study
2. FY 18 Audit Report
3. Oak Grove Park/O.P. High School Joint Use Restroom/Concessions
4. Shaping Our Future

**REGULAR MEETING: 7:30 PM**

**TENTATIVE AGENDA**

1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance to the Flag of the United States of America.
4. Approval of Agenda.
5. Approval of the November 26, 2018, Regular City Council Meeting Minutes.
6. APPOINT BOARDS AND COMMISSION MEMBERS

## **7. CONSENT AGENDA**

**RESOLUTION R-18-69** A Resolution authorizing acceptance of work under contract with Play and Park Structures, Incorporated, for the Meadowbrook Park Playground and Shelter Replacement Project, and authorizing final payment in the amount of \$34,703.03 for Project CE1864.

**RESOLUTION R-18-70** A Resolution authorizing acceptance of work under contract with Superior Bowen Asphalt Company, LLC, for the 2018 Mill and Overlay Program Project, and authorizing final payment in the amount of \$42,656.63 for Project TP1906.

## **REGULAR AGENDA**

**8. Communications from the Audience.**

**9. Communications from the City Council.**

**10. Communications from the City Manager.**

**11. FIRST READING BILL NO. 18-43** An Ordinance approving the Re-Plat of 605 & 607 Northeast 75<sup>th</sup> Terrace, Gladstone, Clay County, Missouri, and directing the appropriate officials to affix their signature to said Plat for recording.

**12. PUBLIC HEARING:** Site Plan Revision for property at 607 Northeast 69<sup>th</sup> Street.

**13. FIRST READING BILL NO. 18-44** An Ordinance approving a Site Plan Revision for property at 607 Northeast 69<sup>th</sup> Street, commonly known as Gladstone Food Products Company, Inc.

**14. BUILDING PERMIT:** Gladstone Food Products Company, Inc.; 607 NE 69<sup>th</sup> Street, Gladstone, Missouri.

**15. PUBLIC HEARING:** Site Plan Revision for property at 6221 North Chestnut Avenue.

**16. FIRST READING BILL NO. 18-45** An Ordinance approving a Site Plan Revision for property at 6221 North Chestnut Avenue.

**17. Other Business.**

**18. Adjournment.**

**Representatives of the News Media may obtain copies of this notice by contacting:**

City Clerk Ruth Bocchino      Posted at 6:30 pm  
City of Gladstone              December 6, 2018  
7010 North Holmes  
Gladstone, MO 64118 816-423-4096



**MINUTES  
REGULAR CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
MONDAY, NOVEMBER 26, 2018**

**PRESENT:** Mayor Bill Garnos  
Mayor Pro Tem Carol Suter  
Councilmember Jean Moore  
Councilman R.D. Mallams  
Councilman Kyle Yarber

City Manager Scott Wingerson  
Assistant City Manager Bob Baer  
City Clerk Ruth Bocchino  
City Counselor Chris Williams

**Item No. 1. On the Agenda.** Meeting Called to Order.

Mayor Garnos opened the Regular City Council Meeting Monday, November 26, 2018, at 7:30 pm in the Gladstone City Council Chambers.

**Item No. 2. On the Agenda.** ROLL CALL.

All Councilmembers were present.

**Item No. 3. On the Agenda.** PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA.

Mayor Garnos asked all to join in the Pledge of Allegiance to the Flag of the United States of America, and thanked VFW Post 10906: Bill Softka, Bill Driscoll, Joe Liles and Charlie Cram.

**Item No. 4. On the Agenda.** Approval of Agenda.

The agenda was approved as published.

**Item No. 5. On the Agenda.** Approval of the November 12, 2018, Closed City Council Meeting Minutes.

Councilman Mallams moved to approve the minutes of the November 12, 2018, Closed City Council meeting as presented. Councilman Yarber seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0)

**Item No. 6. On the Agenda.** Approval of the November 12, 2018, Regular City Council Meeting Minutes.

**Councilmember Moore** moved to approve the minutes of the November 12, 2018, Regular City Council meeting as presented. **Mayor Pro Tem Suter** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0)

**Item No. 7. On the Agenda.** Approval of the November 19, 2018, Special City Council Meeting Minutes.

**Councilman Mallams** moved to approve the minutes of the November 19, 2018, Special City Council meeting as presented. **Councilmember Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0)

## **REGULAR AGENDA.**

**Item No. 8. On the Agenda.** Communications from the Audience.

Larry Newport, 2002 NE 69<sup>th</sup> Terrace, approached Council and stated: *“Thank you for the good snow removal. Our street is a dead end and it was cleared, one lane at least, which you know, that’s good, that’s very nice.”*

**Item No. 9. On the Agenda.** Communications from the City Council.

**Councilman Yarber** stated: *“Certainly to follow up on that, hats off to our Public Works Department for doing the job that everybody has come to expect here in Gladstone. We had canceled classes at the theater and I was already heading home yesterday, and saw crews already out working before the snow had really started coming down. Again, the fantastic job everybody repeatedly talks about how they know when they are in Gladstone and they know when they are in Kansas City based on where the streets are clear. I also wanted to mention on December 8 we will have a visit. We had an earlier visit from Santa Claus at the Mayor’s Christmas Tree Lighting. Mr. and Mrs. Claus will visit again on December 8 at the Atkins-Johnson Farm. There will be pictures and cookies with Santa. It’s always a fun time to bring kids out to find out what they are hoping to get for Christmas.”*

**Councilman Mallams** stated: *“Thanks, Mayor. To begin, I would just like to reiterate what has already been said about the members of Public Works and also Public Safety for their response to the Sunday snow storm. Also, the newest addition to the Gladstone magazine is excellent. Pats on the back to Alexia Lange, the editor of the community magazine. There are articles that highlighted not only public but private schools within the Gladstone community and the quality of education provided to the kids of the Gladstone city. Chief Hasty, excellent article on professional development, the training that Public Safety goes through to fine tune the skills that they have, the Patrol Officers, the EMT’s, and the Firefighters. Thank you.”*



**Mayor Pro Tem Suter** stated: *"I just wanted to say KUDOS and thanks to the staff and volunteers who produced a wonderful Mayor's Christmas Tree Lighting ceremony again and the weather was pretty good."*

**Mayor Garnos** stated: *"I, too, wanted to thank City staff. That part got cut out by Joe Lauria on the program that night but I did want to thank everybody from Parks and Recreation, and Public Works that worked so hard on the holiday decorations as well as the Mayor's Christmas Tree. I think it all looks great this year. Director Merkey, Linda Borders, Michael Lee, Parks and Rec staff, and staff from Public Works all did a great job on the holiday decorations. I wanted to thank the Chamber for the nice luncheon at the Elks Club. It's always a terrific way to start the holiday season. I don't know that I could start the Thanksgiving and Christmas Holidays without that anymore! I wanted to thank City Council for coming in last week for the Special Session and for participating in Board and Commission interviews and other opportunities to get together with all day goal setting. This is what we get paid the big money for this week. Looking ahead, we've got more Board and Commission interviews coming up. We have goal setting, we have the Chamber's Annual Awards banquet, so a lot of fun stuff to look forward to."*

**Item No. 10. On the Agenda. Communications from the City Manager.**

City Manager Wingerson stated: *"Thank you, Mayor. Just following up on your comments about the Chamber's Annual Award celebration, it's this Tuesday, December 4<sup>th</sup>, and starts around 6:00 at the Community Center. I hope to see you all there. I would like to announce the 2019 schedule for the Future Leader's Academy: it begins on February 13. Applications can be found on-line at our website, Gladstone.mo.us."*

**Item No. 11. On the Agenda. RESOLUTION R-18-68** A Resolution authorizing the City Manager to execute a contract with Blue Nile Contractors, Incorporated, in the total amount not to exceed \$85,320.00 for the 2018 Sanitary Sewer Cleaning and Televising Project.

**Councilman Mallams** moved to approve **RESOLUTION R-18-68** A Resolution authorizing the City Manager to execute a contract with Blue Nile Contractors, Incorporated, in the total amount not to exceed \$85,320.00 for the 2018 Sanitary Sewer Cleaning and Televising Project. **Councilmember Moore** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0)

**Item No. 12. On the Agenda. APPROVAL OF MONTH END OCTOBER 2018 FINANCIAL REPORT.**

**Mayor Pro Tem Suter** moved to approve the **MONTH END OCTOBER 2018 FINANCIAL REPORT**. **Councilman Yarber** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0)

**Mayor Garnos** stated: *"This and the next item were two items carried over and continued from our last Regular meeting on November 12 at the request of the applicant. The first is that we will reopen and continue the Public Hearing."*

**Item No. 13. On the Agenda. CONTINUED FROM NOVEMBER 12, 2018: PUBLIC HEARING:** Special Use Permit to Sara & Kenny Boyer for operation of a Meridian Stress Assessment testing and retail supplement sales operation on property located at 101 Northeast 62<sup>nd</sup> Terrace.

**Mayor Garnos** opened the Public Hearing at 7:40 pm.

Austin Greer approached Council and stated: *"Good evening, Mayor and members of the City Council. The applicant tonight is Sara & Kenny Boyer, primarily Mrs. Boyer. Sara is applying for a Special Use Permit for the purpose of having a Home Meridian Stress Assessment testing and the pick-up of natural supplements business at her residential address of 101 NE 62<sup>nd</sup> Terrace. I'd like to clear up the definition of retail that is being used in the title of this requested action. Mrs. Boyer's natural supplements business is primarily conducted on-line and over the phone and pick-ups would be scheduled ahead of time so that no shopping in the traditional sense would occur. It is simply buy on-line or over the phone and then pick-up of the products would be scheduled. This is also for just a handful of customers. City staff recommends the approval of a one year Special Use Permit for Mrs. Boyer contingent upon compliance with the recommended conditions: No. 1: this Special Use Permit is issued to Sara & Kenny Boyer to be used at the above noted address. No. 2: this Special Use Permit shall be non-transferrable to any other person or company or to any other location. No. 3: any changes in operation of the business by Sara and Kenny Boyer, or change in ownership, shall render the Special Use Permit null and void. No. 4: no persons other than Sara & Kenny Boyer shall be employed at this location in association with MSA Testing and supplement sales by Sara and Kenny Boyer. No. 5: Hours of operation shall be limited to Mondays, Thursdays, and Fridays from 9:30 am to 3:30 pm. No. 6: Sara and Kenny Boyer must reside at this residence for this permit to be valid. No. 7: Sara and Kenny Boyer shall apply for and maintain all applicable state and city businesses and home occupational licenses, copies of such business and occupational licenses shall be supplied to the Community Development Department of the City of Gladstone. No. 8: no outdoor storage of products or materials. No. 9: no parking of commercial vehicles or of commercial deliveries. No. 10: no more than two customers per hour during the allowed hours of operation. No. 11: no signage of the business shall be displayed on the premises. Given my conversations with Mrs. Boyer, she understands the importance of no on street parking and no signage in an effort to keep the neighborhood environment residential. The Planning Commission voted 9-2 in favor of the Special Use Permit, and again, city staff recommends that this Special Use Permit be approved for one year. Also, Mrs. Boyer is in the audience tonight to answer any questions you have."*

**Mayor Garnos** asked if there were any questions for staff.

There were none.

**Mayor Garnos** invited the applicant to speak on their behalf.

Sara Boyer approached Council and stated: *"Good evening, I'm Sara Boyer, and I live at 101 NE 62<sup>nd</sup> Terrace, Gladstone. He covered all of it so I don't know if you have any questions for me or, I agree with everything he said, like I said, primarily I try to keep everything internet, over the phone, because I have several kids at home so my purpose is to hopefully do it after they go to bed, not necessarily during the day when I have a bunch of other stuff going on. It was just one of those, I was just trying to get ahead of the ball in case I had people coming by and wanted to pick up stuff locally."*

**Councilman Yarber** stated: *"A quick comment. I had read a petition that mentioned a car that had been parked in the street and I drove by earlier and I noticed that you had moved it into the driveway."*

Mrs. Boyer replied: *"Yeah, I wrote a letter to the neighbors addressing some of the things that were in that petition because I didn't realize the car was an issue. My son, the reason I even got into this, my son, a little over a year and a half ago, started having seizures out of nowhere, a month before he turned 18. Long story short, my mom, when my dad passed away a few months ago, wound up living with me. She took over my son's car and his car payments so he wouldn't have his car parked in the street because he can't drive for six months until he is seizure free. So the car had been sitting there, waiting for him to be able to drive which hopefully the end of next month he will start driving again, fingers crossed. My daughter just got her permit the other day so the car had been hanging out just because we didn't really need the car at the time. I didn't realize it was an issue so obviously I moved it and we have made sure it's legally tagged, there is nothing wrong with it. We just had moved it out of the street. My driveway holds eight cars. We are moving my mom into an over 55 community soon so that will be one less car in my driveway. We have a lot of shuffling going on just with circumstances, but yeah, I've tried to make sure I addressed that issue because I didn't want that to be a problem."*

**Councilman Yarber** stated: *"And we certainly wish the best for your son."*

**Councilmember Moore** stated: *"Mrs. Boyer have you had other conversations with any of your neighbors? I know there were some people at the Planning Commission who raised issues so I'm just curious how those conversations between those neighbors and yourself have happened."*

Mrs. Boyer stated: *"Yeah, I've talked to six of the seven that were on there and for the most part once I explained stuff they seemed fairly favorable. A couple of them, I just had a brief conversation and left them with a letter that I had wrote because they were busy and didn't have much time to talk and obviously they don't know me as well as I, you know, but they seemed to be OK with it. Mr. O'Brian and Mr. Meyerkort of course those are my neighbors. I'm sure they will tell you one way or the other. It seemed to be OK. Like I said, there was only one that I couldn't get a hold of to talk to, the rest of them I did."*

**Councilmember Moore** stated: *"Thank you for reaching out to those neighbors."*

**Mayor Garnos** asked if there was anyone else to speak in favor of the Special Use Permit.

There were none.

**Mayor Garnos** asked if there was anyone else to speak in opposition of the Special Use Permit.

Ron Myerkort, 50 NE 62<sup>nd</sup> Terrace approached Council and stated: *"It's not so much that I am against what is being stated, but I'd like to ask the Council a question. What happens at the end of one year? Does the rezoning go in or do we just keep using the Special Permit? What if somebody else comes up, down the street somewhere, and wants to start selling candy in their basement and they are only going to have three customers a day, is that going to be allowed too?"*

**Mayor Garnos** stated: *"It does not automatically renew at the end of the year or trigger a zoning change. At the end of the year, typically the Planning Commission will take another look at the Special Use Permit, see if there has been compliance with the conditions that they set forth and then they can make another recommendation to City Council, typically to extend the Special Use Permit for a longer period."*

Mr. Myerkort stated: *"I guess I'm asking because before long, if we keep extending or keep giving, what will happen to our neighborhood."*

**Mayor Garnos** stated: *"I understand that and that is one of the reasons why we have to run all those things through Planning Commission to protect the neighborhood."*

Mr. Myerkort stated: *"I was at the Planning Commission and one of the Commissioners didn't give me a good answer. I didn't give the answer when they were approving it, she lives behind the house so it didn't bother her."*

**Mayor Garnos** stated: *"And I think that is one of the reasons why we are seeing a recommendation just for a one year Special Use Permit and not five or ten years as is sometimes the case."*

Mr. Myerkort stated: *"But if they decide to add to or extend we will have another meeting?"*

**Mayor Garnos** stated: *"Yes, absolutely. Thank you."*

**Mayor Garnos** asked if there was anyone else to speak in opposition to the Special Use Permit.

There were none.

**Mayor Garnos** asked if there were any other questions or comments from Council or city staff.

There were none.

**Mayor Garnos** closed the Public Hearing at 7:40 pm.

**Item No. 14. On the Agenda. FIRST READING BILL NO. 18-41** An Ordinance granting a Special Use Permit subject to certain conditions to Sara & Kenny Boyer for operation of a Meridian Stress Assessment testing and retail supplement sales operation on property at 101 Northeast 62<sup>nd</sup> Terrace.

**Councilman Mallams** moved Bill No. 18-41 be placed on its First Reading. **Mayor Pro Tem Suter** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0). The Clerk read the Bill.

**Councilman Mallams** moved to accept the First Reading of Bill No. 18-41, waive the rule, and place the Bill on its Second and Final Reading. **Mayor Pro Tem Suter** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0). The Clerk read the Bill.

**Councilman Mallams** moved to accept the Second and Final Reading of Bill No. 18-41, and enact the Bill as **Ordinance 4.448**. **Mayor Pro Tem Suter** seconded.

**Mayor Pro Tem Suter** stated: *“Mayor, I would just say Special Use Permits are always a balancing act for the city, obviously to rezone a whole area is a huge process and we don’t do that very often or very lightly. We do often give citizens the opportunity to work from home in some capacity or another and I think as America changes, a lot more people are working from home in one capacity or another and need to. We always do it in a way that preserves the nature of the community and of the neighborhood without any signage and we are very sensitive to traffic issues and all those related issues. Property values, we are all concerned about in all of our neighborhoods, I think pretty much all of us have people working from home in our neighborhoods and so it has not proven over time to be on the face negative for property values or for quality of life. What I like is that we always start with a one year so if there are issues and it doesn’t work out, we know about it and it won’t get continued. It does give someone the opportunity to try and the neighbors and opportunity to see how it can work and to figure out any cooperation that is required to make sure that everybody’s needs are met. So I am in favor of this application.”*

The Vote: “aye”, Councilman Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0).

**Item No. 15. On the Agenda.** Other Business.

There was no other business to come before the Council.

**Item No. 16. On the Agenda.** Adjournment.

**Mayor Garnos** adjourned the November 26, 2018, Regular City Council meeting at 7:53 pm.

Respectfully submitted:

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Ruth E. Bocchino, City Clerk

Approved as presented: \_\_\_\_

Approved as modified: \_\_\_\_

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Mayor Bill Garnos

**AGENDA ITEM #6**  
**BOARD & COMMISSION APPOINTMENT RECOMMENDATIONS**  
**FOR CITY COUNCIL ACTION DECEMBER 10, 2018**

**BOARD/COMMISSION**

**TERM EXPIRATION**

**ARTS COMMISSION**

Reappointment	Holly Buchholz	December 2021
Reappointment	Sid Robbins	December 2021

**BOARD OF ZONING ADJUSTMENT**

New Appointment	Daniel Bohrer	December 2023
New Appointment	Aaron Brungardt	December 2023

**BUILDING COMMISSION**

Reappointment	Brenda Lowe	December 2021
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**CAPITAL IMPROVEMENTS PROGRAM**

New Appointment	Michele Sanderson	December 2021
New Appointment	Renee Hill	December 2019

**CODE BOARD OF APPEALS**

Reappointment	Ken Christeson	December 2021
Reappointment	Dennis Garrison	December 2021

**ENVIRONMENTAL MANAGEMENT ADVISORY COMMITTEE**

Reappointment	Julie Conn	December 2021
Reappointment	George Smith	December 2021
Reappointment	Eric Woods	December 2021
New Appointment	Dallas Ascencio	December 2020

**NEIGHBORHOOD COMMISSION**

Reappointment	John Day	December 2021
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### **PARKS AND RECREATION ADVISORY BOARD**

Reappointment	Jason Sharpsteen	December 2021
New Appointment	Ronald Wages	December 2019
New Appointment	Lauren Crome	December 2021

### **PLANNING COMMISSION**

Reappointment	Chase Cookson	December 2022
Reappointment	Jennifer McGee	December 2022
Reappointment	James New	December 2022
New Appointment	J. Nathan Hernandez	December 2022

### **TAX INCREMENT FINANCING COMMISSION**

Reappointment	Sharon Euler	December 2022
Reappointment	Pete Hall	December 2022



**RESOLUTION NO. R-18-69**

**A RESOLUTION AUTHORIZING ACCEPTANCE OF WORK UNDER CONTRACT WITH PLAY AND PARK STRUCTURES, INCORPORATED, FOR THE MEADOWBROOK PARK PLAYGROUND AND SHELTER REPLACEMENT PROJECT, AND AUTHORIZING FINAL PAYMENT IN THE AMOUNT OF \$34,703.03 FOR PROJECT CE1864.**

**WHEREAS**, work under the contract with Play and Park Structures, Incorporated, for the Meadowbrook Park Playground and Shelter Replacement, Project CE1864, has been completed to the satisfaction of the Director of Parks, Recreation and Cultural Arts.

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

**THAT**, the City Manager of the City of Gladstone, Missouri is hereby authorized to accept work under the contract and make final payment as follows:

Original Contract Amount:	\$ 112,322.53
Change Orders:	<u>-</u>
Revised Contract Amount:	\$ 112,322.53
Amount Paid to Date:	<u>77,619.50</u>
<b>Total Amount Due Final Pay:</b>	<b><u>\$ 34,703.03</u></b>

**FURTHER, THAT**, funds for such purpose are authorized from the Capital Equipment Replacement Fund.

**INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 10<sup>th</sup> DAY OF DECEMBER 2018.**

\_\_\_\_\_  
Mayor Bill Garnos

ATTEST:

\_\_\_\_\_  
Ruth E. Bocchino, City Clerk



## *Request for Council Action*

RES ☒ # R-18-69

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 11/27/2018

Department: Parks & Recreation

Meeting Date Requested: 12/10/2018

Public Hearing: Yes ☐ Date: [Click here to enter a date.](#)

Subject: Final payment approval, Project CE1864 Meadowbrook Park Playground and Shelter Replacement.

Background: Work has been completed on the referenced project and the contractor, Play and Park Structures, Inc., has made application for final pay. Staff has conducted a final inspection and determined the work to be completed in a satisfactory manner, in accordance with the specifications.

Budget Discussion: Funds are budgeted in the amount of \$ 115,000.00 from the OTHER Fund. Ongoing costs are estimated to be \$ 0.00 annually. Previous years' funding was \$0.00.

Public/Board/Staff Input:

Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Justin Merkey  
Department Director/Administrator

*PC*  
City Attorney

*SW*  
City Manager

**RESOLUTION NO. R-18-70**

**A RESOLUTION AUTHORIZING ACCEPTANCE OF WORK UNDER CONTRACT WITH SUPERIOR BOWEN ASPHALT COMPANY, LLC, FOR THE 2018 MILL AND OVERLAY PROGRAM PROJECT, AND AUTHORIZING FINAL PAYMENT IN THE AMOUNT OF \$42,656.63 FOR PROJECT TP1906.**

**WHEREAS**, work under the contract with Superior Bowen Asphalt Company, LLC, for the 2018 Mill and Overlay Program, Project TP1906, has been completed to the satisfaction of the Director of Public Works.

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

**THAT**, the City Manager of the City of Gladstone, Missouri is hereby authorized to accept work under the contract and make final payment as follows:

Original Contract Amount:	\$ 651,228.75
Change Orders:	<u>201,904.26</u>
Revised Contract Amount:	\$ 853,133.01
Amount Paid to Date:	<u>810,476.38</u>
<b>Total Amount Due Final Pay:</b>	<b><u>\$ 42,656.63</u></b>

**FURTHER, THAT**, funds for such purpose are authorized from the Transportation Sales Tax fund and the Gladstone Special Road District funding.

**INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 10<sup>th</sup> DAY OF DECEMBER 2018.**

\_\_\_\_\_  
Mayor Bill Garnos

ATTEST:

\_\_\_\_\_  
Ruth E. Bocchino, City Clerk



## *Request for Council Action*

RES ☒ # R-18-70

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 12/3/2018

Department: Public Works

Meeting Date Requested: 12/10/2018

Public Hearing: Yes ☐ Date: [Click here to enter a date.](#)

Subject: Final payment approval, Project TP1906, 2018 Mill & Overlay Program.

Background: Work has been completed on the referenced project and the contractor, Superior Bowen Asphalt Co., LLC, has made application for final pay. Staff has conducted a final inspection and determined the work to be completed in a satisfactory manner, in accordance with the specifications.

Budget Discussion: Funds are budgeted in the amount of \$ 850,000.00 from the TST Fund and Gladstone Special Road District funding. Ongoing costs are estimated to be \$ 0.00 annually. Previous years' funding was \$350,000.00.

Public/Board/Staff Input: Change orders on this project included overlay of N. Indiana from the south city limits to NE 57th Terrace, NE 62nd Terrace from N. Bales to N. Cleveland, NE 67th Street from N. Wayne to N. Michigan, and NE 57th Terrace from N. Indiana to N. Clinton Place.

Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Timothy A. Nebergall  
Department Director/Administrator

PC  
City Attorney

SW  
City Manager

**BILL NO. 18-43**

**ORDINANCE NO. 4.450**

**AN ORDINANCE APPROVING THE RE-PLAT OF 605 & 607 NORTHEAST 75TH TERRACE, IN 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 "Replat of Part of Lot 15, also known as 605 & 607 NE 75<sup>th</sup> TER, legally described as THOMAS HEIGHTS TR A OF W198' LT 15" 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.

**INTRODUCED, READ, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 10<sup>TH</sup> DAY OF DECEMBER, 2018.**

\_\_\_\_\_  
Mayor Bill Garnos

ATTEST:

\_\_\_\_\_  
Ruth Bocchino, City Clerk

1<sup>st</sup> Reading: December 10, 2018

2<sup>nd</sup> Reading: December 10, 2018

File #2018-014



## *Request for Council Action*

RES ☐ # City Clerk Only

BILL ☒ # 18-43

ORD # 4.450

Date: 12/3/2018

Department: Community Development

Meeting Date Requested: 12/10/2018

Public Hearing: Yes ☐ Date: [Click here to enter a date.](#)

Subject: Re-Plat for 605 NE 75th Terrace

Background: The applicant (Brian Lautenschlager), the owner of the property at 605 NE 75th Terrace, is requesting that the City of Gladstone approve a re-plat to split the property from one existing nonconforming lot into two lots in order to separate the two houses. The platting of the property and construction of these two houses pre-dates our platting and zoning regulations, which makes the property in question existing non-conforming (grandfathered-in). After reviewing the plans provided by Aylett Survey Co., City Staff recognized that each house lacks required setbacks (35 feet). Considering that each house has existed on this property for many years, it would be unreasonable for the City to request compliance with current regulations. Since the homes and property in question are existing non-conforming, City Staff believes that a zoning change is not necessary and not applicable to this given project. The purpose of the re-plat is to split the property from one lot into two lots in order to separate the two houses to be sold separately. The applicant believes that re-platting the property will increase his ability to sell the two homes individually.

Budget Discussion: Funds are budgeted in the amount of \$      from the      Fund. Ongoing costs are estimated to be \$      annually. Previous years' funding was \$

Public/Board/Staff Input: No input from the Public. The Planning Commission voted 12-0 in favor of the project. City Staff recommends that the request be approved as requested.

Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Austin Greer, Assistant To the City Manager/Planning Administrator

*PC*  
City Attorney

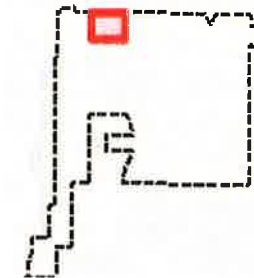
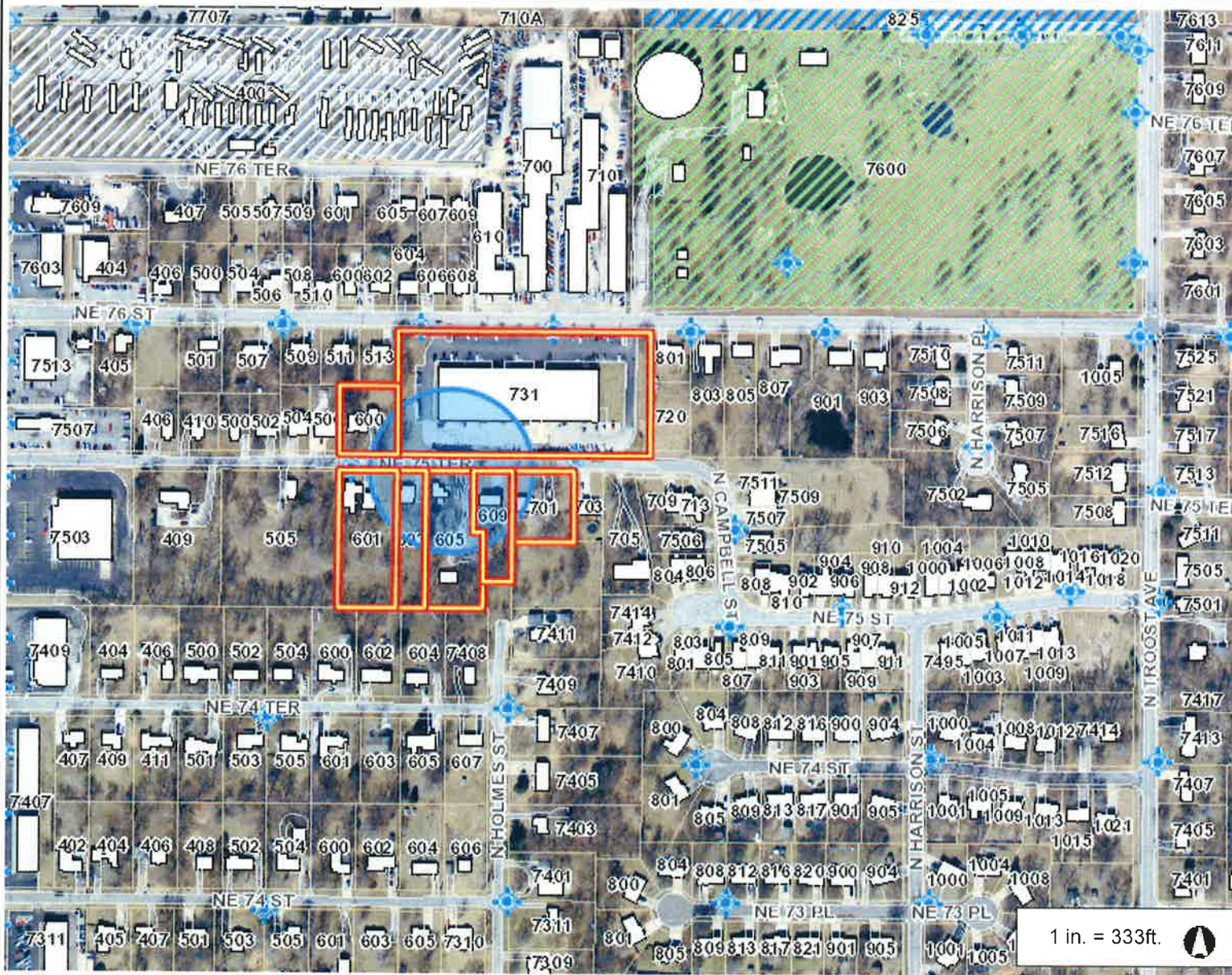
*SW*  
City Manager







## Gladstone, MO



### Legend

- KCPL Lights
- Gladstone Lights
- School Point
- Bike Parking
- Bus Stop
- Point of Interest
- Church
- Apartment Point
- Street Centerline
- Edge Of Pavement
- Driveway
- City Limits
- Parcel
- House Number
- Building Footprint
- School Polygon
- City Park
- Villages
- Apartment Polygon

### Notes

File 2018-014, 605 NE 75th Ter  
Zoning Change and Replat

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
THIS MAP IS NOT TO BE USED FOR NAVIGATION





## **Community Development Department**

### **Staff Report**

Date:

File #: 2018-014

Requested Action: A Re-Plat to Split One Lot into Two Lots

Date of PC Consideration: November 5, 2018

Date of Council Consideration: November 26, 2018

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Applicant/Owner: BAL Properties LLC  
Brian Lautenschlager  
19211 Old Missouri City Rd  
Liberty, Missouri 64068

Surveyor: Aylett Survey Co.  
Sam Aylett  
201 NW 72<sup>nd</sup> St  
Gladstone, Missouri 64118

Address of Property: 605 NE 75<sup>th</sup> Terrace

### **Planning Information**

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- Current Zoning: R1 Single Family
- Zoning History: R1 Single Family
- Planned Land Use: Remain Residential
- Surrounding Uses: South/West/East – R1 Single Family; North – M1 Light Industrial
- Applicable Regulations: Zoning and Subdivision Ordinance and Comprehensive Plan

### **Additional Information**

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- Public Utility Availability: Existing
- Ingress/Egress: Existing – NE 75<sup>th</sup> Terrace
- Traffic Impacts: None
- Parking Required: Existing Non-Conforming
- Parking Provided: Existing No Change
- Proposed On-Site Improvements: None
- Proposed Off-Site Improvements: None
- Proposed Landscaping: None
- Proposed Signage: None

## **Analysis**

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The applicant (Brian Lautenschlager), the owner of the property at 605 NE 75th Terrace, is requesting that the City of Gladstone approve a re-plat to split the property from one existing nonconforming lot into two lots in order to separate the two houses.

The platting of the property and construction of these two houses pre-dates our platting and zoning regulations, which makes the property in question existing non-conforming (grandfathered-in). After reviewing the plans provided by Aylett Survey Co., City Staff recognized that each house lacks required setbacks (35 feet). Considering, that each house has existed on this property for many years, it would be unreasonable for the City to request compliance with current regulations. Since the homes and property in question are existing non-conforming, City Staff believes that a zoning change is not necessary and not applicable to this given project.

The purpose of the replat is to split the property from one lot into two lots in order to separate the two houses to be sold separately. The applicant believes that replatting the property will increase his ability to sell the two homes individually.

Both houses are currently being used as rentals and have separate addresses.

- 605 NE 75<sup>th</sup> Terrace
- 607 NE 75<sup>th</sup> Terrace.

Also, please note and find attached in the packet, that the owner and applicant has a petition signed by his neighbors adjacent to the subject property in favor of the re-plat.

Businesses that reside at the M1 – Light Industrial designation include but are not limited to SunSmart Technologies, Ameristar Roofing & Restoration, Missouri Star Center and NKC Crossfit.

## **Recommended Conditions**

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No recommended conditions

## **Recommendation**

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City Staff recommends that the request be **APPROVED** as requested.

## GLADSTONE PLANNING COMMISSION MINUTES

Council Chambers November 5, 2018

### 1. Meeting called to Order- Roll Call. Chairman Ward called the meeting to order at 7:00 pm.

Commissioners present were: Chase Cookson  
Mike Ebenroth  
Alicia Hommon  
Gary Markenson  
Jennifer McGee  
Katie Middleton  
Kim Murch  
James New  
Shari Poindexter  
Bill Turnage  
Larry Whitton  
Don Ward, Chair

Also present: Jeanne Moore, Councilmember  
Scott Wingerson, City Manager  
Alan Napoli, Administrator ComDev/Building Official  
Austin Greer, Assistant to the City Manager/Planning Administrator  
Cheryl Lamb, Administrative Assistant

### 2. Pledge of Allegiance to the United States of America.

### 3. Approval of Minutes.

Chairman Ward asked if there was a motion to approve the minutes from the October 15, 2018 meeting. Mr. Markenson moved to approve the minutes; Ms. Hommon seconded. The minutes were approved, 12-0.

### 4. Other Business. None.

### 5. Update on Zoning Change, 605 NE 75<sup>th</sup> Terrace. File #2018-014. Mr. Greer shared that City staff had further reviewed this project and recognized that a zoning change would not be necessary and that a re-plat will suffice. Since there will not be a zoning change, a public hearing is not necessary.

### 6. Replat, 605 NE 75<sup>th</sup> Terrace. File #2018-014. Mr. Greer stated that the applicant, Brian Lautenschlager, the owner of the property at 605 NE 75th Terrace, is requesting that the City of Gladstone approve a re-plat to split the property from one existing nonconforming lot into two lots in order to separate the two houses.

The platting of the property and construction of these two houses pre-dates our current platting and zoning regulations, which makes the property in question existing non-conforming (grandfathered-in). After reviewing the plans provided by Aylett Survey Co., City Staff recognized that each house lacks required setbacks of 35 feet. Considering that each house has existed on this property for many years, it would be unreasonable for the City to request compliance with those current regulations.

The applicant believes that re-platting the property will increase his ability to sell the two homes individually. Both houses already have separate addresses: 605 & 607 NE 75<sup>th</sup> Terrace. Also, in your

packet, you will see that Mr. Lautenschlager has a petition signed by many of his neighbors adjacent to the subject property in favor of this re-plat.

City Staff does not have any conditions and recommends that this re-plat request be approved.

Ms. Poindexter asked how the driveway played into this.

Mr. Greer said that there are two driveways; one that extends all the way to the back property for the second house. There is one that goes to the front house. Half of that driveway is gravel and half is concrete as well, but there are two separate driveways; one for the first house and one for the second.

Ms. Poindexter clarified that the second one goes to the behind house.

Mr. Greer said that the applicant could probably answer that question better than he could, if she would like to hear from him.

Mr. Brian Lautenschlager approached the podium and stated his name. His address is 19211 Old Missouri City Rd, Liberty, MO 64068. He stated that on the west side of the property, about six houses over, is N Oak. So you're looking east of N Oak. The first house, 605, you come to and there is a small driveway that you come to that goes to it. Immediately, within two feet, there's another driveway that goes straight back. They are parallel.

Ms. Poindexter shared that it wasn't very clear in the packet.

Chairman Ward asked if there were any other questions. None.

**MOTION: By Mr. Markenson, second by Mr. Whitten, to recommend the approval of the Replat, 605 NE 75<sup>th</sup> Terrace. File #2018-014.**

<b>VOTE:</b>	<b>Mr. Cookson</b>	<b>Yes</b>
	<b>Mr. Ebenroth</b>	<b>Yes</b>
	<b>Ms. Hommon</b>	<b>Yes</b>
	<b>Mr. Markenson</b>	<b>Yes</b>
	<b>Ms. McGee</b>	<b>Yes</b>
	<b>Ms. Middleton</b>	<b>Yes</b>
	<b>Mr. Murch</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. Whitton</b>	<b>Yes</b>
	<b>Chairman Ward</b>	<b>Yes</b>

**The motion carried (12-0).**

- 7. Sign Code Update.** Mr. Napoli shared that the Sign Code Ordinance is coming over from Title 9 to Title 7. It will be in the Zoning Ordinance. He wanted to share some of the legal reasons why it is changing. He spoke to the actual administration portion of it and the permanent sign portion of it. There isn't a whole lot that is different than what it currently is. They tweaked and did some updates to it.

Basically, all permanent signs do require permits. They have certain size restrictions and requirements as to the square footage they can be, how many signs you can have on a property. It addresses monument signs, wall signs, there are a variety of signs. If you go to the definitions in section 2, it gives you a list of

that. What type of signs there are and what they are. With a sign permit, plans have to be submitted which will show the sizes and where it's going to go on the building. We review the documents and signs are typically approved administratively.

Some of the changes they will see on signage are that there are some new developments coming in. They are going to try to have some of the signage be part of that site plan so that the plans are tied to the site plan and the ordinance for that site plan as to square footage. If somebody has a sign that is a little larger than they want, maybe a monument sign a little larger due to where they are located, all that is tied to the site plan. There are no variances that have to be done with the property. It will always be tied to that site plan for whoever may come in. If they want to change the sign and do something totally different they would have to go through the site plan process. That is the biggest change that is coming down.

Otherwise, people who have current signs that aren't tied to the site plan will go through the process of submitting and reviewing; that type of thing. All of our sign permits have fees; our plan reviews have fees on them. Nothing has changed there. We do inspect all the signs that go in. Some signs, depending if they are new or not, may have some electrical work that is involved, which would require an electrical permit that is an additional fee, but not much other than that.

There are some processes we go through with violations if it is an illegal sign, if there is a problem with the sign, if it's fallen into a state of disrepair. We have a list of what is considered an abandoned sign or non-conforming. Certain ones that are not in compliance, we would note that they have a year to come into compliance with the ordinance. One of the things you may have noticed over time is that the City is trying to get away from pole/pylon signs. Although they are still allowed in shopping centers, such as Prospect Plaza and old Gladstone Plaza, based on the acreage the property has. The only type of business that could have a pole/pylon sign that doesn't fall into that category would be a car dealership, but they would have to be adjacent to an interstate. We typically only have one of those in town and that is Van's Chevrolet. They do have a pole sign currently which had been approved through a variance based on the fact that they were by a highway. They are trying to be visible from that interstate. All the other car dealerships we have are next to regular streets, not an interstate.

There is a long list of definitions in there. Pictures were added there. One thing he added was when you start getting into our signage is there are several federal court laws and there has been a lot of judicial legislative findings coming out of that. The biggest one coming out of that is when you address a sign, look at it or talk about a sign, we have to look at it as content neutral. If we have to look at what it says on it, we can't do that. We have to look at it as content neutral. We have written a lot of this towards that. That will affect more the temporary signs which will be discussed at the next meeting when we cover temporary signs. That is where the content neutral stuff comes into play. When he discusses "content neutral"; if you see a sign that has lewd, pornographic lettering, verbiage, or something that would be unsafe like "stop now, turn right" that could cause a traffic accident, those can still be addressed. They still left that in there for something that was out of the norm.

In the general basics of it, they talk about landscaping, particularly with monument signs, pole signs, or pylon signs. They have to have some type of landscaping around them. New signs are looking at about 240 square feet. If there is an existing sign that has been brought into compliance, we can reduce it down to about 150 square feet. There are some existing pole signs, particularly along N Oak, you aren't going to get that amount of landscaping. If you do, you tend to lose a lot of parking stalls that can affect the parking area. There are other things that can be done, like raised planting beds, in those situations.

Lighting on the signs has certain requirements for the lighting dealing with how bright the lights can be. The total percentage that your animated signs can be too; you can only do 30%. Those are your reader boards but they are electronic messaging centers. There are a few out there that have the old school stick and letter reader boards. Some are more of a digital style. More of the new ones are using electronic messaging because you can show more pictures and things on that. All signs do have to have some natural

features like stone or brick. Wall signs don't fall into that category. All signs that are lit are LED. They all have to be LED.

One of the biggest changes we made from the existing sign ordinance, which he knows they aren't familiar with, is broken down by residential districts. If you go through it, there is a chart that talks about incidental signs, monument signs, they fall under apartments. Actually, churches and schools fall under residential zones. There are wall signs and monument signs that deal with that. It discusses what areas those are, the amount they can have, the square footage, the maximum height, and some additional requirements. All of them have to have some type of landscaping. With churches and schools there are some incidental signs, like entrances and exits. They do have some square footage but they don't have to have that landscaping around them.

We broke out commercial and manufacturing. They have some restrictions there as to area. As you get into it, we move into can signs, canopy signs, and channel letter. Canopy signs are a typical canopy with some letters. A canopy with no letters doesn't fall under signs. If you put signage on there, like Laughing Place Bakery, that actually becomes a sign.

Then we get into mixed uses and downtown where we made some modifications dealing with what is going on in the areas. One of the biggest things we are doing in the downtown area, during business hours we allow a-frame signs. They need to be taken in when the business closes each day. They can't block the sidewalk. They have to be on private property. They can't be in the city right-of-way.

Mr. Markenson asked if this is the extent of changes to the sign ordinance or is this just the first installment, or is this it.

Mr. Napoli shared that they still have the temporary sign section to discuss. This just deals with the administration portion and permanent signage.

Mr. Turnage asked what happens if you pull up to an intersection and there is a sign that restricts your vision either left or right; is there some type of ordinance to handle that.

Mr. Napoli said that if it's a permanent sign it shouldn't be there. They would typically be temporary signs and there is a 15 foot triangle. Anything that is in that 15 foot triangle from where you would normally stop, anything should be less than 3 feet. There shouldn't be anything over that. That would include shrubs and other things too.

Mr. Ebenroth asked about LED being the conversion on signs. He asked what would be happening with neon signs.

Mr. Napoli stated that he's not seeing much in neon signs. There are some out there, but there should be some LED lights for them. He hasn't come across neon signs in quite a while. Most are using LED lighting. It looks like neon but it's LED.

Mr. Markenson asked if they are to recommend passage of this or is it just educational.

Mr. Napoli said when it is all said and done, just a basic general, yes, you can pass this. Eventually it will go to City Council and become an ordinance. Just wanted you to be aware of it because it will be in the zoning ordinance and you will have more involvement than you've had in the past years. On a day-to-day basis you won't see it unless we start getting site plans. Basically, it's just a general knowledge of what's going on with it and that it's coming your way. If you are for it, or have any questions, or are against it.

Mr. Markenson shared that the business community would be very interested in this. He wanted to know if there will be any sort of public hearing or just at the City Council meeting where the public can come.

Mr. Napoli said that, based on everything we have now, it's not in the zoning ordinance, but when we start going for the official, we'll have to have something out there. He'll check with legal to verify that. Eventually it will become more official with you. Ultimately, anything that is changed would have to have a public hearing. Right now, the way it sits in Title 9 the Building and Structure ordinance, any kind of sign change doesn't require a public hearing.

**8. Communications from City Council.** Councilmember Moore reminded everybody to vote tomorrow.

**9. Communications from City Staff.** Mr. Greer announced that we will have two potential projects of the docket for the November 19th Planning Commission meeting.

The first project will be a site plan revision for Gladstone Food Products located at 607 NE 69<sup>th</sup> St. They are going to do a small expansion and slight remodel.

And the second project is a site plan revision for a gas station and convenience store for the old Tanners Restaurant location at 6221 N Chestnut. From what we are hearing at the staff level, is there will be opposition to this project from the Woodlands neighborhood.

**10. Communications from the Planning Commission.** Mr. Markenson shared that on December 8<sup>th</sup> there will be Cookies with Santa Clause at the Atkins-Johnson Museum. There will be live music. There will be crafts for children. Last year it was packed full of people. It was really a delightful event. You don't need to have kids to come. You can take your picture with Santa. It's all free so please come.

Ms. Hommon shared that she lives very close to City Hall and gets to walk to the meetings. Tonight was a really fun walk for her as all the leaves were on the ground and the lights were lit and it's mysteriously misty outside. She was struck with how fortunate we are to live in a community like Gladstone where a) we can walk around, and b) it is so absolutely beautiful. As a part of the Planning Commission, as a business owner, and as a person who lives here, she wants to say thank you for all everyone has done. She is continuously struck by how beautiful and amazing this community is.

**11. Adjournment-** Chairman Ward adjourned the meeting at 7:21 pm.

Respectfully submitted:

\_\_\_\_\_  
Don Ward, Chair

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

\_\_\_\_\_  
Cheryl Lamb, Recording Secretary

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

**BILL NO. 18-44**

**ORDINANCE NO. 4.451**

**AN ORDINANCE APPROVING A SITE PLAN REVISION FOR PROPERTY AT 607 NORTHEAST 69<sup>th</sup> STREET, COMMONLY KNOWN AS GLADSTONE FOOD PRODUCTS COMPANY, INC.**

**WHEREAS**, pursuant to Section 32-37 of Ordinance No. 2.292 being the Gladstone Zoning Ordinance, public notice was made of a request for site plan approval at 607 Northeast 69<sup>th</sup> Street; and

**WHEREAS**, public hearings have been held after the publishing of the required notices; and

**WHEREAS**, the City Council finds that the planned development does not materially injure the property and the uses of the properties immediately adjacent to the proposed development; and

**WHEREAS**, the City Council finds that the site plan presents a unified and organized arrangement of buildings and facilities which have a functional relationship to the property comprising the development; and

**WHEREAS**, the City Council finds it is in the best interest of the citizens of the City of Gladstone that the site plan submitted by the applicant be approved subject to the terms and conditions set forth herein.

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

**SECTION 1. SITE PLAN APPROVAL.**

The Site Plan for 607 Northeast 69<sup>th</sup> Street is hereby approved subject to the terms and conditions set forth herein:

1. All exterior existing lighting shall be converted to LED.
2. Dumpster enclosure shall be constructed with materials and colors consistent with the primary building. Specific colors shall be submitted and approved as part of the building permit.
3. Trash service, deliveries, and distribution shall be scheduled between the hours of 7:00 a.m. to 10:00 p.m.
4. Any and all disturbed areas shall be sodded.
5. All landscaped areas shall be maintained in perpetuity.
6. All mechanical equipment on the roof shall be screened from public view by a parapet similar in design to the rest of the structure. This must be a minimum of twelve (12) inches above the tallest piece of mechanical equipment.



**SECTION 2. SEVERABILITY CLAUSE.** The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

**INTRODUCED, PASSED, SIGNED, AND MADE EFFECTIVE BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, ON THIS 10<sup>TH</sup> DAY OF DECEMBER, 2018.**

---

Mayor Bill Garnos

ATTEST:

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Ruth Bocchino, City Clerk

First Reading: December 10, 2018

Second Reading: December 10, 2018

File #2018-015



## *Request for Council Action*

RES ☐ # City Clerk Only

BILL ☒ # 18-44

ORD # 4.451

Date: 12/3/2018

Department: Community Development

Meeting Date Requested: 12/10/2018

Public Hearing: Yes ☒ Date: 12/10/2018

Subject: Site Plan Revision for 607 NE 69th St. (Gladstone Foods)

Background: Kim Catalano, the applicant, is requesting a site plan revision for the purpose of an expansion to their operation by adding a new building with one additional loading dock, (9,000 – 9,500 sq. ft.) new paved and parking lot configuration, and a side driveway to a new screened trash enclosure. Their plan is to use the existing wall, new EIFS, new concrete block and new colors (to be determined) to construct this new addition. The site plans and renderings can be found in the Planning Commission packet. There will be additional landscaping such as shrubs and trees added on the north and west side of the property. These proposed improvements do not increase impervious area/runoff, therefore no storm water improvements are required nor recommended. The architect on this project has been advised to bring a materials board to the City Council meeting.

Budget Discussion: Funds are budgeted in the amount of \$      from the      Fund. Ongoing costs are estimated to be \$      annually. Previous years' funding was \$

Public/Board/Staff Input: No input from the public on this project. The motion carried unanimously in favor of this project. City Staff recommends that the request be approved contingent upon the conditions listed in the staff report.

Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Austin Greer, Assistant To the City Manager/Planning Administrator

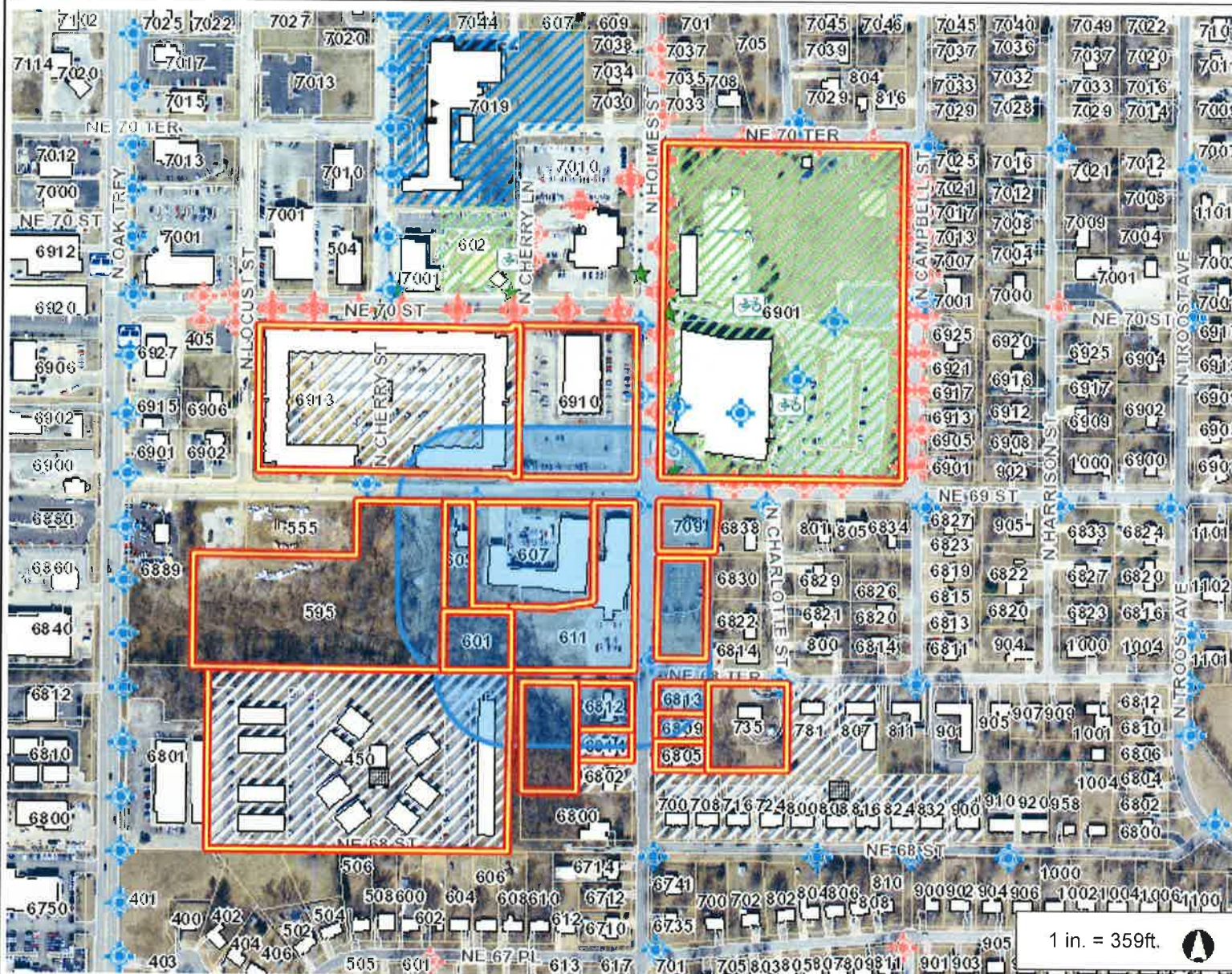
*PC*  
City Attorney

*SW*  
City Manager





## Gladstone, MO



### Legend

- KCPL Lights
- Gladstone Lights
- School Point
- Bike Parking
- Bus Stop
- Point of Interest
- Church
- Apartment Point
- Street Centerline
- Edge Of Pavement
- Driveway
- City Limits
- Parcel
- House Number
- Building Footprint
- School Polygon
- City Park
- Villages
- Apartment Polygon

### Notes

185' Map 607 NE 69th St  
File 2018-015

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



10/20/2018

10/20/2018 11:03 PM

**HJM**  
ARCHITECTS




7520 WASHINGTON ST.  
KANSAS CITY, MO 64114  
WWW.HJMARCH.COM

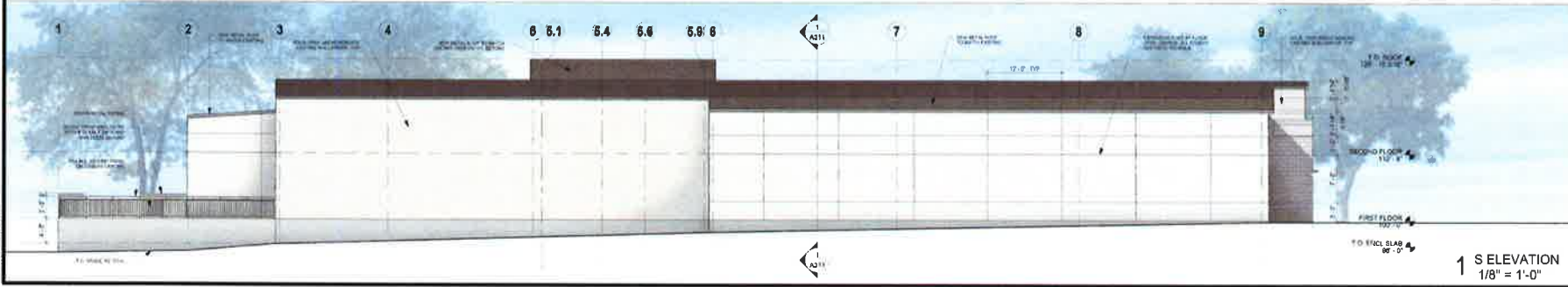
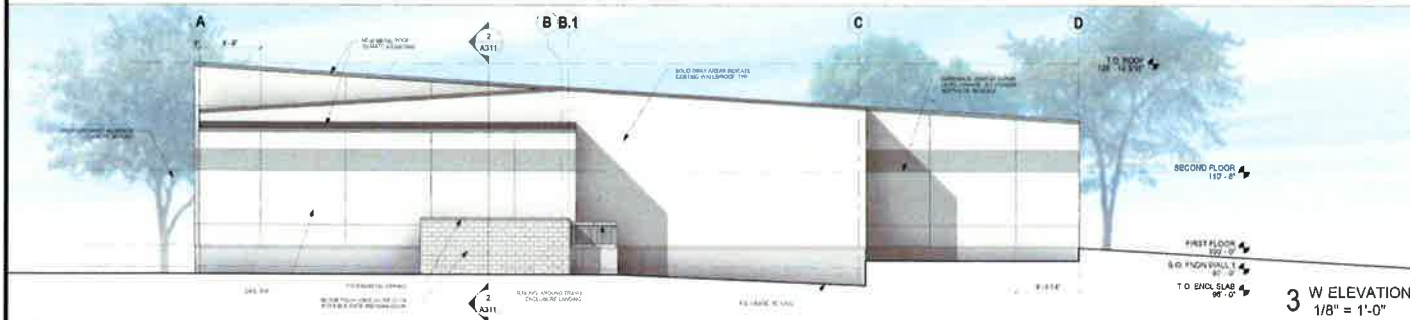


**EXT. ELEVATION NOTES:**

A ALL STOREFRONT GLASS AT GROUND LEVEL AND AT DOORS TO BE SAFETY AS REQUIRED BY IBC, SECTION 2016

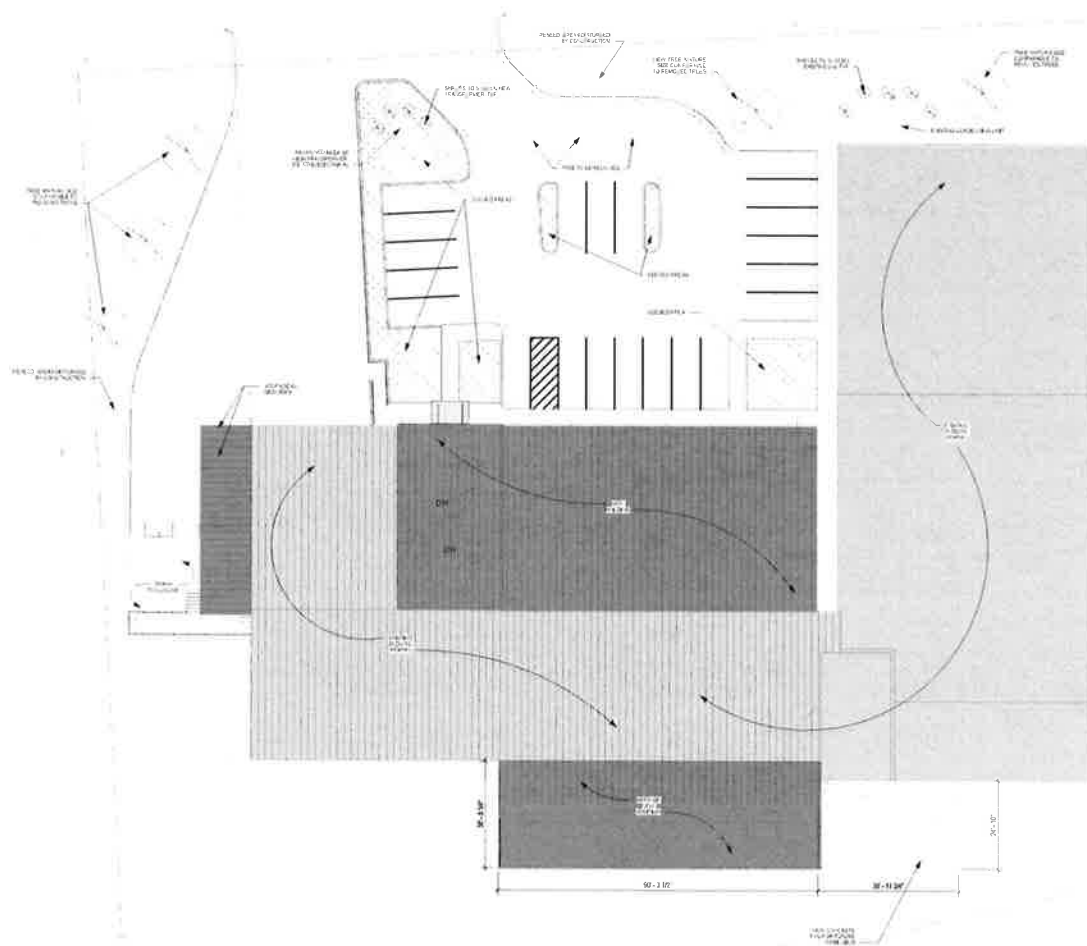
**EXT. ELEVATION MATERIALS**

-  EXISTING WALL
-  NEW EPS COLOR RED
-  NEW CONCRETE BLOCK COLOR RED



**BUILDING ADDITIONS**  
**GLADSTONE FOOD PRODUCTS**  
607 NE 69TH STREET  
GLADSTONE, MO 64118

REVISIONS		PERMIT SET	
NUMBER	DATE	DATE	DESCRIPTION
		8/24/2018	
		PROJECT NO.	1801
		EXTERIOR ELEVATIONS	
		<b>A211</b>	



1

1 LANDSCAPE PLAN  
1/16" = 1'-0"

$$\frac{1}{16}'' \approx 1'.0$$

## LANDSCAPE LEGEND



GRASS



**TAGE**

HJM  
ARCHITECTS

7520 WASHINGTON ST.  
KANSAS CITY, MO 64114  
WWW.HJMARCH.COM

**BUILDING ADDITIONS**  
**GLADSTONE FOOD PRODUCTS**

607 NE 69TH STREET  
GLADSTONE, MO 64118

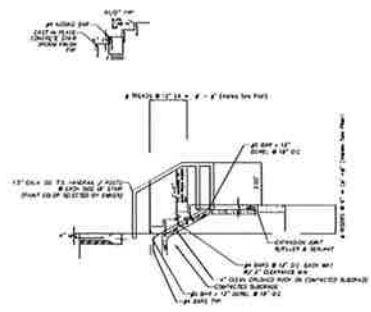
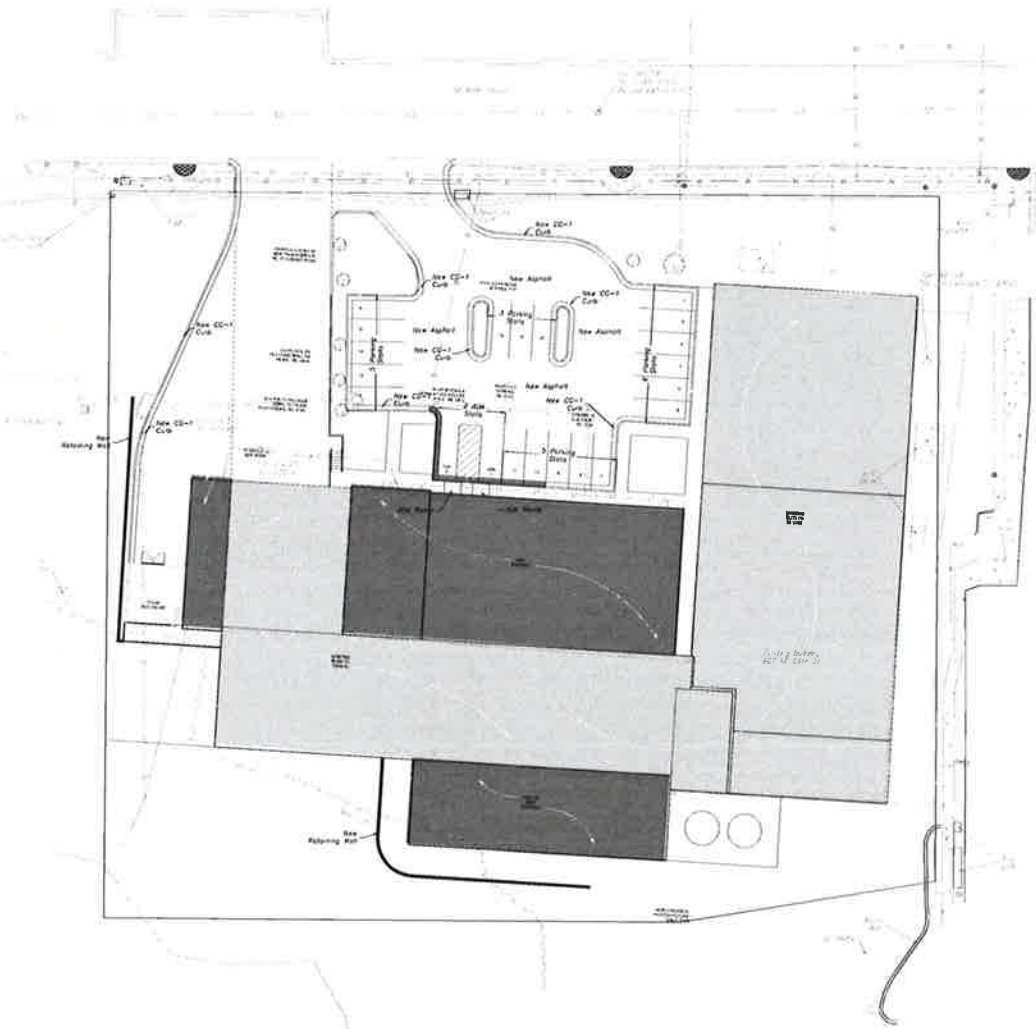
[illegible]PERMIT  
SET

DATE 8/24/2018

PROJECT NO 1801

LANDSCAPE PLAN

L1



**BUILDING ADDITION**  
**GLADSTONE FOOD PRODUCTS**  
607 NE 68TH STREET  
KANSAS CITY, MO 64118

REVISIONS	NUMBER	DATE	DESCRIPTION

**PERMIT  
SET**

DATE 8/28/2018

PROJECT NO 1808

**SITE  
PHOTOMETRICS  
PLAN**

**ES101**

Statistical	Frequency	Area	Vol	Area	Vol	Area	Vol
Base Area	1	1.00	1.00	1.00	1.00	1.00	1.00
Base Area	1	1.00	1.00	1.00	1.00	1.00	1.00
Base Area	1	1.00	1.00	1.00	1.00	1.00	1.00



**1**

**SITE PHOTOMETRICS PLAN**

SCALE: 1" = 10'-0"





## Community Development Department

### Staff Report

Date: October 17, 2018

File #: 2018-015

Requested Action: Site Plan Revision, 607 NE 69<sup>th</sup> Street

Date of PC Consideration: November 19, 2018

Date of Council Consideration: December 10, 2018

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Applicant: Kim Catalano  
Gladstone Food Products  
607 NE 69<sup>th</sup> Street  
Gladstone, MO 64118

Owner: Same

Architect/ HJM Architects  
Engineer: Michael Laird  
7520 Washington Street  
Kansas City, Missouri 64114

Address of Property: 607 NE 69<sup>th</sup> Street

### Planning Information

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- Current Zoning: CP3 Planned Commercial District
- Zoning History: None
- Planned Land Use: Mixed-Use/Commercial – Comprehensive Plan
- Applicable Regulations: Zoning and Subdivision Ordinance and Comprehensive Plan

### Additional Information

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- Public Utility Availability: Existing
- Ingress/Egress: Adequate traffic movement is provided via existing access on 69<sup>th</sup> St.
- Traffic Impacts: None
- Parking Provided: 18 spaces
- Proposed On-Site Improvements: See Plans
- Proposed Off-Site Improvements: None
- Proposed Landscaping: See Plans
- Proposed Signage: None



## **Analysis**

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Kim Catalano, the applicant, is requesting a site plan revision for the purpose of an expansion to their operation by adding a new building with one additional loading dock, (9,000 – 9,500 sq. ft.) new paved and parking lot configuration, and a side driveway to a new screened trash enclosure. Their plan is to use the existing wall, new EIFS, new concrete block and new colors (to be determined) to construct this new addition. The site plans and renderings can be found in the Planning Commission packet.

There will be additional landscaping such as shrubs and trees added on the north and west side of the property.

These proposed improvements do not increase impervious area/runoff, therefore no storm water improvements are required nor recommended.

## **Recommended Conditions**

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1. All exterior existing lighting shall be converted to LED
2. Dumpster enclosure shall be constructed with materials and colors consistent with the primary building. Specific colors shall be submitted and approved as part of the building permit.
3. Trash service, deliveries, and distribution shall be scheduled between the hours of 7:00 a.m. to 10:00 p.m.
4. Any and all disturbed areas shall be sodded.
5. All landscaped areas shall be maintained in perpetuity.
6. All mechanical equipment on the roof shall be screened from public view by a parapet similar in design to the rest of the structure. This must be a minimum of twelve (12) inches above the tallest piece of mechanical equipment.

## **Recommendation**

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City Staff recommends that the request be **APPROVED** contingent upon the conditions listed above.

**FROM:**

**CROSS REPORTING SERVICE, INC.  
306 SE 291 HWY, SUITE 5  
LEE'S SUMMIT, MO 64063  
Phone: (816) 252-8883, Fax 252-7044**

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**TO:**

**CITY OF GLADSTONE, MISSOURI  
Attn: Becky Jarrett  
GLADSTONE CITY HALL  
7010 N. HOLMES  
GLADSTONE, MO 64118  
Phone: (816) 423-4110**

# COPY

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GLADSTONE PLANNING COMMISSION HEARING - November 19, 2018

CITY OF GLADSTONE, MISSOURI

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**CROSS REPORTING SERVICE**  
*Certified Court Reporters*

**(816) 252-8883**

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[crossreporting@sbcglobal.net](mailto:crossreporting@sbcglobal.net)

GLADSTONE PLANNING COMMISSION HEARING - 11/19/2018

<p>1 2 3 GLADSTONE PLANNING COMMISSION HEARING 4 5 Monday November 19, 2018 6 7 Appearances: 8 Chase Cookson, Commissioner 9 Mike Ebenroth, Commissioner 10 Alicia Hommon, Commissioner 11 Gary Markenson, Commissioner 12 Jennifer McGee, Commissioner 13 Katie Middleton, Commissioner 14 Kim Murch, Commissioner 15 Shari Poindexter, Commissioner 16 Bill Turnage, Commissioner 17 Larry Whitton, Commissioner 18 Don Ward, Chairman 19 20 21 NICOLE M. CALCARA, C.C.R. 22 for 23 CROSS REPORTING SERVICE, INC. 24 25</p>	<p>Page 3 1 heard second. We ask that comments be limited to around 2 three minutes. And if you have the same thing as everybody 3 else has said, you can come to the podium here, state your 4 name and address, and say you have the same issues as 5 everybody else. And after we've heard the public comments, 6 we will conduct Commission discussion and potential action. 7 Staff, anything else to add to that? 8 CITY PLANNER: That's good. 9 MR. CHAIRMAN: All right. Onto Agenda No. 5, we 10 have a public hearing for a site revision 607 Northeast 69th 11 Street file 2018-015. I will open the public hearing. 12 CITY PLANNER: The first applicant tonight is Kim 13 Catalano who is requesting a site plan revision for the 14 purpose of an expansion to their Gladstone FOODS operation by 15 adding a new building with one additional loading dock, new 16 paved and parking lot configuration and a side driveway to a 17 new screened trash enclosure. Their plan is to use the 18 existing wall, new concrete block to construct this new 19 addition. There will be additional landscaping such as 20 shrubs and trees added on the north and west side of the 21 property. These proposed improvements do not increase 22 impervious area or run-off, therefore, no storm water 23 improvements are required nor recommended. City staff 24 recommends that the planning commission approve this site 25 plan revision contingent upon compliance with the recommended</p>
<p>Page 2 1 MR. CHAIRMAN: I'm going to call the Planning 2 Commission for Monday, November 19th, to order. 3 (Roll call.) 4 (Pledge of Allegiance.) 5 MR. CHAIRMAN: Approval of previous minutes from 6 November 5th. Entertain a motion. 7 (Motion made, seconded, and carried.) 8 MR. CHAIRMAN: Okay. Next on the agenda is other 9 business. 10 CITY PLANNER: No other business tonight. 11 MR. CHAIRMAN: Before we go on to the next item on 12 the agenda, I have a little statement here to read real 13 quick. Everyone desiring to speak regarding the application 14 will be given the opportunity to be heard tonight. Your 15 comments should be regarding the application specifically, if 16 you have any questions regarding the application, ask your 17 questions to the commission and I will ask either the 18 applicant or the staff to respond to your question after you 19 have had the opportunity to speak. Order of business will be 20 as follows: There will be a presentation by City staff. 21 After that presentation there will be an opportunity for the 22 Commission to ask questions for clarification, then we'll 23 move forward with public comment. Those wishing to speak in 24 opposition to the application will be heard first. Then 25 those wishing to speak in favor of the application will be</p>	<p>Page 4 1 conditions. Number 1, all exterior existing lighting shall 2 be converted to LED. Dumpster enclosure shall be constructed 3 with materials in colors consistent with primary building, 4 specific colors shall be submitted and approved as part of 5 the building permit. Trash service deliveries and 6 distribution shall be scheduled between the hours of 7:00 7 a.m. and 10:00 p.m. Any and all disturbed areas shall be 8 sodded. All landscaped areas shall be maintained in 9 perpetuity. All mechanical equipment on the roof shall be 10 screened from public view by a parapet similar in design to 11 the rest of the structure. This must be a minimum of 12 12 inches above the tallest piece of mechanical equipment. 13 Thank you and that is all, Mr. Chairman. 14 MR. CHAIRMAN: Is the applicant here? 15 CITY PLANNER: The applicant is here, yes, and the 16 engineers. 17 MS. CATALANO: Kim Catalano, 607 Northeast 69th 18 Street. 19 MR. CHAIRMAN: Are there any questions for the 20 applicant? So you guys are just putting an addition onto the 21 front of the building that is currently there? 22 MS. CATALANO: Correct. 23 MR. CHAIRMAN: Thank you. Is there anybody in the 24 audience that wishes to speak in opposition to this 25 applicant? Is there anybody in the audience that wishes to</p>

<p style="text-align: right;">Page 5</p> <p>1 speak in favor? Okay. I will close the public hearing is  2 there any comments from commissioners, discussion?  3 MR. TURNAGE: I worked at this establishment when it  4 first started back in '59, I guess when I was 14, 15 years  5 old. I've been friends with them for a long time, they run a  6 tight ship. I don't know if you've tried their product. But  7 it is terrific products. It is taco shells. It always looks  8 nice, well in appearance, and they are great people. They've  9 employed a ton of people in Gladstone over the last few  10 years.  11 MR. CHAIRMAN: Entertain a motion?  12 (Motion made, seconded, and carried.)  13 MR. CHAIRMAN: Next on the agenda is a public  14 hearing for site revision 6221 North Chestnut Avenue, File  15 2018-016. I will open the public hearing.  16 CITY PLANNER: The applicant 3F30 architects is  17 requesting a site plan revision on behalf of Mr. Charles Cuda  18 OPES commercial real estate for the purpose of constructing a  19 convenience store and gas station at 6221 North Chestnut  20 Avenue, formerly known as Tanner's restaurant. Their plan is  21 to significantly remodel the building, bring the structure up  22 to code and retrofit the property using a combination of  23 EIFS, stone, artificial stone and a medal awning for the  24 exterior. The site plan shows additional trees and  25 landscaping being planted on the eastern side of the property</p>	<p style="text-align: right;">Page 7</p> <p>1 east of subject property that are opposed to this particular  2 project. The community development department has received  3 multiple phone calls and a signed letter included in your  4 packet from the Woodlands HOA board in opposition. City  5 staff recommends that the following conditions be considered  6 if the Planning Commission and City Council choose to approve  7 this project request. Number 1, any and all disturbed areas  8 shall be sodded. Number 2, all manicured grass and  9 landscaped areas that'll be irrigated and maintained in  10 perpetuity. Number 3, all mechanical equipment on the roof  11 shall be screened from public view by a parapet or approved  12 screening similar in design to the rest of the structure.  13 This must be a minimum of 12 inches above the tallest piece  14 of mechanical equipment. Number 4, a compliant monument sign  15 shall be used to serve the development. The monument sign  16 will need a minimum of 240 square feet of area landscaping  17 around the sign. Number 5, relocation of the trash dumpster  18 to the northwest corner of the parking lot away from the  19 residential area adjacent to the property. Number 6, all  20 exterior lighting on the site shall be LED and designed to  21 reduce adverse impact on adjoining residential properties.  22 Number 7, outdoor lighting cannot be greater than 0.25 foot  23 candles and 10 feet beyond the property line. Number 8,  24 dumpster shall be enclosed with materials consistent with a  25 primary building. Specific colors shall be submitted and</p>
<p style="text-align: right;">Page 6</p> <p>1 located directly behind the proposed convenience store and  2 gas station helping create the required 38 feet buffer zone  3 between the subject commercial and residential properties.  4 There is also proposed landscaping on the western side of the  5 property near the planned monument sign and green space  6 between the two egress and ingress access points off of  7 Chestnut. City staff recommends that the trees and shrubs  8 being planted on the property be native to Missouri by nature  9 in an effort to aid in better street scape and survival.  10 Regarding the aesthetics of the proposed structure, two  11 primary guiding principals are described in the City's  12 Comprehensive Plan. The plan states the City should promote  13 compatible growth, ensure the design work is the compatible  14 to the character of the community, promote quality  15 development and improve area appearance. In the BMP analysis  16 conducted by Kaw Valley Engineering, run-off drains toward  17 the southwest corner and a bio-swale will be implemented to  18 capture and treat run-off from the fueling area prior to  19 run-off exiting the site. Included in the planning  20 commission packet is a letter from World Fuel Services  21 describing the experience of Amir Nadeem Mehndi, who will be  22 the store operator for the proposed gas and convenience  23 store. Staff has also included a retail mystery shop score  24 for the proposed operator for their various other locations.  25 There are residents in adjacent neighborhoods located to the</p>	<p style="text-align: right;">Page 8</p> <p>1 approved as part of the building permit. Number 9, trash  2 service, store deliveries and gasoline refilling (underground  3 commercial gasoline tanks) shall occur between the hours of  4 7:00 a.m. and 10:00 p.m. Number 10, tractor/trailers,  5 storage containers and other commercial vehicles excluding  6 delivery trucks shall not be parked or stored overnight on  7 the premises. Number 11, no more than 50 percent of the  8 glazed area of the building shall have signage. Number 12,  9 hours of operation are from 5:00 a.m. through 2:00 a.m. The  10 store will be closed from 2:00 a.m through 5:00 a.m., Monday  11 through Sunday. Number 13, signage compliant with the sign  12 code shall be used. Signage shall be approved at the time of  13 permitting. Thank you, and that is all, Mr. Chairman.  14 MR. CHAIRMAN: Any questions for staff?  15 COMMISSIONER: To begin with, could you be kind  16 enough to give us a broader picture of those four buildings  17 that are on that block? I just did a drive-by and it looked  18 like three of the four buildings were abandoned.  19 CITY PLANNER: Sure, one of the old buildings used  20 to be Lawson Bank. Currently that is vacant and we've been  21 hearing rumblings that it might be a doctor's office  22 eventually. And then the old Tanner's property obviously is  23 vacant. And then I'm trying to think of the other two  24 properties. QuikTrip.  25 COMMISSIONER: It was going to be a laundromat but</p>

# ORIGINAL

## LETTER OF TRANSMITTAL



**CITY OF GLADSTONE**  
**Community Development Department**  
**P.O. Box 10719**  
**Gladstone, Missouri 64188-0719**  
**Tel. (816) 436-2200 Fax (816) 436-2228**



**TO: CITY COUNCIL**  
**FROM: COMMUNITY DEVELOPMENT**  
**DATE: DECEMBER 4, 2018**  
**BP FILE NO.: 18-00839**  
**RE: GLADSTONE FOODS ADDITION**

**WE ARE SENDING YOU:** ☒ Attached ☐ Separate  
☒ Staff Report ☒ Plans ☐ Pictures ☐ Specifications  
☒ Colored Elevation ☐ Other \_\_\_\_\_

**BUILDING PERMIT FOR:**

☐ New Construction ☒ Addition ☐ Remodel ☐ Tenant Finish

**TYPE OF CONSTRUCTION:**

☒ New Structure ☒ Interior and Exterior ☐ Interior Only  
☐ Exterior Only ☐ Other \_\_\_\_\_

**EXTERIOR MATERIALS:**

☒ EFIS ☐ Stucco ☐ Brick ☒ Metal  
☐ Wood ☒ Glass ☐ Stone ☒ Other Split-Face Block ☐ N/A

**THESE ARE TRANSMITTED** as checked below:

☐ For Approval as Submitted  
☒ For Approval as Submitted with Additional Comments per Staff Report

**REMARKS:** The owner(s) of Gladstone Foods is requesting approval of a building permit for an addition to the existing structure. The existing structure is approximately 8,992 sq. ft. and the addition will be approximately 9,184 sq. ft. Most of the addition will be on the north side within the existing parking area. A new loading dock will be added adjacent on the west side of the existing loading docks with a smaller addition added to the back of the existing structure.

The existing landscaping will be affected with the reconstruction of the parking lot and entrance, new landscaping will be incorporated; see site plan package for landscaping plan. The building will be primarily EFIS with split-face block being used around the dumpster enclosure. The existing materials of the existing building will remain.

The new color scheme is gray earth tones, which meet with our site design standards. A larger colored elevation and materials board will be available at the Council meeting.

Copy to File

Signed: \_\_\_\_\_

Alan D. Napoli, C.B.O.  
Community Development Administrator /  
Building Official

Signed: \_\_\_\_\_

Bob Baer  
Assistant City Manager

Signed: \_\_\_\_\_

Scott C. Wingerson  
City Manager

<b><i>BUILDING PERMIT STAFF REPORT</i></b>	
<b>To:</b>	Architect of Record
<b>From:</b>	Community Development
<b>BP File No.:</b>	18-00839
<b>Date:</b>	12/4/18

<b><i>GENERAL INFORMATION</i></b>	
<b>Business/Property Name:</b>	Gladstone Foods
<b>Applicant:</b>	HJM Architects
<b>Status of Applicant:</b>	Architect of Record
<b>Owner:</b>	Gladstone Food Products Company, Inc.
<b>Requested Action:</b>	Approval of Building Permit
<b>Purpose:</b>	Addition(s) to existing building
<b>Location:</b>	607 NE 69 <sup>th</sup> Street
<b>Size:</b>	New – 9,184 sq. ft.      Existing – 8,992 sq. ft.

<b><i>ZONING</i></b>	
<b>Existing Land Use:</b>	CP-3
<b>Surrounding Land N:</b>	CP-2
<b>Use and Zoning: E:</b>	R-1
<b>W:</b>	R-1
<b>S:</b>	R-1
<b>Comprehensive Plan:</b>	Commercial
<b>Zoning History:</b>	Non-recent

**Applicable Regulations:** 2015 IBC, 2015 IEBC, 2014 NEC, 2015 IFC, 2015 IECC, 2015 IFGC, 2015 IMC, 2015 IPC, 2015 ISPSC and ICC A117.1-2009

### **ADDITIONAL COMMENTS**

The owner and applicant are agreeable to the following comments.

#### **GENERAL COMMENTS:**

1. Need landscape plan.
2. A/C unit adjacent to NE 69<sup>th</sup> Street will need to be screened, preferably with landscaping.
3. No civil sheet that show continuation of the sanitary service line after it leaves the building as noted on sheet P101.
4. Need specifications and designs off the grain bins.
5. Supply a construction materials board.
6. Will the current water demand remain the same?
7. Will there be a change in the traffic accessing the building?
8. Will there be an increase in the impervious area of the site?



**COVER SHEET:**

1. Off-street parking ordinance has changed

**SHEET C.002 – EXISTING SITE CONDITIONS**

1. No comments

**SHEET C.010 – DEMOLITION PLAN**

1. No comments

**SHEET C.050 – ESC PHASE 1 PLAN**

1. Downstream curb inlet on NE 69<sup>th</sup> Street, south side, shall have erosion control.
2. Under “Inspection Procedures:”/”Construction Entrance” add (Shall be inspected at the end of each day and cleaned as necessary or at request of the City of Gladstone.)

**SHEET C.051 – ESC PHASE 2 PLAN**

1. Under “Inspection Procedures:”/”Construction Entrance” add (Shall be inspected at the end of each day and cleaned as necessary or at request of the City of Gladstone.)
2. The “Notes:” at the bottom of the page referenced a “Land Disturbance Plan”; did not see one as part of this set.

**SHEET C.052 – ESC PHASE 3 PLAN**

1. No comments

**SHEET C.100 – SITE PLAN**

1. Where does the 12 HDPE pipe in the back of the building by the brick wall come from.
2. What are the notes at the left/center of the page.
3. Need enlarged plan of the handicap accessible parking area including signage.

**SHEET C.101 – DIMENSION PLAN**

1. No comments

**SHEET C.200 – GRADE PLAN**

1. Add note – Contract responsible to repair any damage to NE 69<sup>th</sup> Street caused by construction equipment associated with the addition.

**SHEET C.201 – SPOT ELEVATIONS**

1. Need specific design of the retaining walls for the specific locations as adjacent weight may effect the wall.
  - a. The wall adjacent to the docks appears that it might conflict with the storm pipe.

**SHEET C.300 – STORM SEWER PLAN**

1. Need storm water plan, including calculations, BMP's, and detention.

**SHEET G001 – GENERAL INFORMATION**

1. No Comments

**SHEET G002 – ACCESSIBILITY GUIDELINES**

1. No Comments

**SHEET G111 – LIFE SAFETY FLOOR PLAN**

1. No Comments

**SHEET G121 – WALL TYPES, DETAILS, AND UL LISTINGS**

1. No Comments

**SHEET G131 – UL LISTINGS**

1. No Comments

**SHEET AS111 – ARCHITECTURAL SITE PLAN**

1. No Comments

**SHEET D100 – DEMOLITION PLAN**

1. No Comments

**SHEET A101 – 1<sup>ST</sup> FLOOR PLAN**

1. No Comments

**SHEET A102 – SECOND FLOOR PLAN**

1. No Comments

**SHEET A121 – ENLARGED FLOOR PLANS**

1. No Comments

**SHEET A122 – ENLARGED TOILET PLANS**

1. First floor accessible toilets, the stall doors appear to swing too far into the turn radius.

**SHEET A123 – ENLARGED STAIRS**

1. No Comments

**SHEET A131 – ROOF PLAN**

1. No Comments

**SHEET A211 – EXTERIOR ELEVATIONS**

1. No Comments

**SHEET A311 – BUILDING SECTIONS**

1. No Comments

**SHEET A361 – EXTERIOR WINDOW/GLASS TYPES**

1. No Comments

**SHEET A511 – DOOR SCHEDULE/FRAME TYPES/DETAILS**

1. No Comments

**SHEET A611 – FIRST FLOOR REFLECTED CEILING PLAN**

1. No Comments

**SHEET A612 – SECOND FLOOR REFLECTED CEILING PLAN**

1. No Comments

**SHEET A621 – ENLARGED REFLECTED CEILING PLANS**

1. No Comments

**SHEET A751 – CASEWORK ELEVATIONS & SECTIONS**

1. No Comments

**SHEET S001 – GENERAL NOTES**

1. No Comments

**SHEET S100 – FOUNDATION PLAN**

1. No Comments

**SHEET S101 – OFFICE FLOOR FRAMING PLAN**

1. No Comments

**SHEET S102 – ROOF FRAMING PLAN**

1. No Comments

**SHEET S200 – TYPICAL DETAILS**

1. No Comments

**SHEET S201 – TYPICAL DETAILS**

1. No Comments

**SHEET S210 – FOUNDATION SECTIONS**

1. Bottom of footing needs to be a minimum of 36-inches below exterior finish grade.

**SHEET S211 – FOUNDATION SECTIONS**

1. Bottom of footing needs to be a minimum of 36-inches below exterior finish grade.

**SHEET S212 – FOUNDATION SECTIONS**

1. Bottom of footing needs to be a minimum of 36-inches below exterior finish grade.

**SHEET S220 – FLOOR FRAMING SECTIONS**

1. No Comments

**SHEET S230 – ROOF FRAMING SECTIONS**

1. No Comments

**SHEET S231 – ROOF FRAMING SECTIONS**

1. No Comments

**SHEET ME001 – GENERAL MECHANICAL INFORMATION**

1. No Comments

**SHEET ME002 – ELECTRICAL GENERAL INFORMATION**

1. No Comments

**SHEET ME003 – DIVISION 21, 22, AND 23 SPECIFICATIONS**

1. No Comments

**SHEET ME004 – DIVISION 26, 27, 28 SPECIFICATIONS**

1. No Comments

**SHEET ME101- ROOF LEVEL MEP PLAN**

1. No Comments

**SHEET M101 – MECHANICAL FIRST FLOOR PLAN**

1. No Comments

**SHEET M401 – ENLARGED OFFICE PLANS**

1. No Comments

**SHEET M501 – MECHANICAL DETAILS**

1. No Comments

**SHEET M601 – MECHANICAL SCHEDULES**

1. No Comments

**SHEET P101 – BUILDING PLUMBING WASTE PLAN**

1. Civil plans do not indicate continuation of the building sewer outside the building.

**SHEET P102 – BUILDING PLUMBING WATER PLAN**

1. No Comments

**SHEET P401 – ENLARGED PLUMBING PLANS**

1. No Comments

**SHEET P402 – ENLARGED PLUMBING PLANS**

1. No Comments

**SHEET P501 – PLUMBING DETAILS**

1. No Comments

**SHEET P502 – PLUMBING WASTE RISERS**

1. No Comments

**SHEET P601 – PLUMBING SCHEDULES**

1. Need calculations on sizing of the grease interceptor.
2. Grease interceptor will be cleaned monthly in accordance with the City's Grease and Oil Control Regulations.
3. All existing and new backflow preventers shall be tested by final inspection and tested annually in accordance with the City's Cross Connections Control Regulations.

**SHEET FP101 – FIRE PROTECTION PLAN**

1. No Comments

**SHEET FP102 – FIRE PROTECTION PLAN**

1. No Comments

**SHEET ES101 – SITE PHOTOMETRICS PLAN**

1. Photometric plan need to incorporate any exterior lights on the building and needs to show foot-candles to ten (10) feet beyond the property line or until you hit zero within the property line.

**SHEET ES102 – SITE POWER PLAN**

1. No Comments

**SHEET E101 – FIRST LEVEL POWER PLAN**

1. No Comments

**SHEET E201 – FIRST LEVEL LIGHTING PLAN**

1. Need an emergency light in [Prod Break 107].
2. Need an emergency light in [Corr 101].

**SHEET E202 – SECOND LEVEL LIGHTING PLAN**

1. Need an emergency light in [Toilet 207].

**SHEET E301 – FIRST LEVEL SYSTEMS PLAN**

1. No Comments

**SHEET E302 – ENLARGED SECOND LEVEL SYSTEMS PLAN**

1. No Comments

**SHEET E401 – ENLARGED OFFICE PLANS**

1. No Comments

**SHEET E501 – ELECTRICAL ONE-LINE DIAGRAM**

1. No Comments

**SHEET E601 – ELECTRICAL DETAILS**

1. No Comments

**SHEET E701 – ELECTRICAL SCHEDULES**

1. No Comments

**SHEET E702 – ELECTRICAL SCHEDULES**

1. No Comments

**BILL NO. 18-45**

**ORDINANCE NO. 4.452**

**AN ORDINANCE APPROVING A SITE PLAN REVISION FOR PROPERTY AT 6221 NORTH CHESTNUT AVENUE.**

**WHEREAS**, pursuant to Section 32-37 of Ordinance No. 2.292 being the Gladstone Zoning Ordinance, public notice was made of a request for site plan approval at 6221 North Chestnut Avenue; and

**WHEREAS**, public hearings have been held after the publishing of the required notices; and

**WHEREAS**, the City Council finds that the planned development does not materially injure the property and the uses of the properties immediately adjacent to the proposed development; and

**WHEREAS**, the City Council finds that the site plan presents a unified and organized arrangement of buildings and facilities which have a functional relationship to the property comprising the development; and

**WHEREAS**, the City Council finds it is in the best interest of the citizens of the City of Gladstone that the site plan submitted by the applicant be approved subject to the terms and conditions set forth herein.

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

**SECTION 1. SITE PLAN APPROVAL.**

The Site Plan for 6221 North Chestnut Avenue is hereby approved subject to the terms and conditions set forth herein:

1. Any and all disturbed areas shall be sodded.
2. All manicured grass and landscaped areas shall be irrigated and maintained in perpetuity.
3. All mechanical equipment on the roof shall be screened from public view by a parapet or approved screening similar in design to the rest of the structure. This must be a minimum of twelve (12) inches above the tallest piece of mechanical equipment.
4. A compliant monument sign shall be used to serve the development. The monument sign will need a minimum of 240 sq. ft. of area landscaping around the sign.
5. Relocation of the trash dumpster to the North West corner of the parking lot away from the residential area adjacent to the property.
6. All exterior lighting on the site shall be LED and designed to reduce adverse impact on adjoining residential properties.

7. Outdoor lighting cannot be greater than 0.25 foot-candles and 10 feet beyond the property line.
8. Dumpster shall be enclosed with materials consistent with the primary building. Specific colors shall be submitted and approved as part of the building permit.
9. Trash service, store deliveries, and gasoline refilling (underground commercial gasoline tanks) shall occur between the hours of 7:00 a.m. to 10:00 p.m.
10. Tractor trailers, storage containers, and other commercial vehicles (including delivery trucks) shall not be parked or stored overnight on the premises.
11. No more than 50% of the glazed area of the building shall have signage.
12. Hours of operation are from 5:00 a.m. through 2:00 a.m. (Store will be closed from 2:00 a.m. through 5:00 a.m. Monday – Sunday).
13. Signage compliant with the sign code shall be used. Signage shall be approved at the time of permitting.
14. Construct and maintain in perpetuity a 6 ft. PVC privacy fence, earth tone in color, along the eastern property line.
15. Maintain growth between the commercial privacy fence and the residential privacy fence in perpetuity.

**SECTION 2. SEVERABILITY CLAUSE.** The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

**INTRODUCED, PASSED, SIGNED, AND MADE EFFECTIVE BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, ON THIS 10<sup>TH</sup> DAY OF DECEMBER, 2018.**

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Mayor Bill Garnos

ATTEST:

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Ruth Bocchino, City Clerk

First Reading: December 10, 2018

Second Reading: December 10, 2018

File #2018-015





## *Request for Council Action*

RES ☐ # City Clerk Only

BILL ☒ # 18-45

ORD # 4.452

Date: 12/3/2018

Department: Community Development

Meeting Date Requested: 12/10/2018

Public Hearing: Yes ☒ Date: 12/10/2018

Subject: Site Plan Revision for 6221 N Chestnut (Gas Station/Convenience Store)

Background: The applicant is requesting site plan approval on behalf of Mr. Charles Cuda, OPES Commercial Real Estate, for the purpose of constructing a convenience store/gas station at 6221 N Chestnut Avenue (formerly known as Tanners restaurant). Their plan is to significantly remodel the building, bring the structure up to code, and retrofit the property using a combination of EIFS, stone, artificial stone, and a metal awning for the exterior (renderings and the complete staff report can be found inside the PC packet). There are residents in adjacent neighborhoods, located to the east of the subject property, that are opposed to this particular project. The Community Development Department has received multiple phone calls, a signed letter (PC Packet) from the Woodlands HOA Board in opposition, as well as opposition at the Public Hearing on November 19<sup>th</sup>. Mr. Cuda has also sent the Planning Commission and the City Council a letter addressing issues and concerns of both the residents and the commission (PC Packet).

Budget Discussion: Funds are budgeted in the amount of \$      from the      Fund. Ongoing costs are estimated to be \$      annually. Previous years' funding was \$

Public/Board/Staff Input: There is opposition from the adjacent neighborhood to the east of this potential development (The Woodlands). The Planning Commission voted 9-3 in favor of this project at the December 3rd meeting. Due to the current zoning of this property at CP-3, this particular use of a gas station/convenience store is permitted by right at this location. This is a site-plan revision to aid in the development of this gas station/convenience store to better suit the commercial corridor and neighboring properties. City Staff recommends that the request be approved contingent upon the listed conditions.

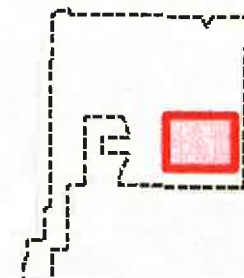
Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Austin Greer, Assistant To the City Manager/Planning Administrator





*PC*  
City Attorney

*SW*  
City Manager





### Legend

-  KCPL Lights
-  Gladstone Lights
-  School Point
-  Bike Parking
-  Bus Stop
-  Point of Interest
-  Church
-  Apartment Point
-  Street Centerline
-  Edge Of Pavement
-  Driveway
-  City Limits
-  Parcel
-  Building Footprint
-  School Polygon
-  City Park
-  Villages
-  Apartment Polygon

1 in. = 667ft.



## Notes

185' Letters  
6221 N Chestnut  
File 2018-016

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION





## Community Development Department

### Staff Report

Date: October 17, 2018

File #: 2018-016

Requested Action: Site Plan Revision, 6221 N Chestnut

Date of PC Consideration: November 19, 2018

Date of Council Consideration: December 10, 2018

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Applicant: 3F30 Architects  
7501 NW Tiffany Springs Prkwy Ste 240  
Kansas City, MO 64153

Owner: Cascone Land Co  
3737 N Oak Trfwy  
Kansas City, MO 64116

Architect/ 3F30 Architects  
Engineer: 7501 NW Tiffany Springs Prkwy Ste 240  
Kansas City, MO 64153

Address of Property: 6221 N Chestnut Avenue

### Planning Information

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- Current Zoning: CP – 3; Planned District, Commercial
- Zoning History: None Recent - CP – 3; Planned District, Commercial
- Planned Land Use: Commercial (Comprehensive Plan)
- Surrounding Uses: North – Commercial; South – Commercial; East – Residential (Woodlands Community); West - Commercial/N. Antioch Rd.
- Applicable Regulations: Zoning and Subdivision Ordinance and Comprehensive Plan

### Additional Information

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- Public Utility Availability: Existing
- Ingress/Egress: Adequate traffic movement is provided via two existing access points on N. Chestnut Ave.
- Traffic Impacts: None, comparable/relative to the historical land use of the property (Public Safety Review)
- Parking Required: 25 spaces
- Parking Provided: 41 spaces
- Proposed On-Site Improvements: See staff analysis
- Proposed Off-Site Improvements: None
- Proposed Landscaping: See site plans and analysis

- Proposed Signage: - Proposed monument sign permitted separately when brand is selected

## **Analysis**

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The applicant is requesting site plan approval on behalf of Mr. Charles Cuda, OPES Commercial Real Estate, for the purpose of constructing a convenience store/gas station at 6221 N Chestnut Avenue (formerly known as Tanners restaurant). Their plan is to significantly remodel the building, bring the structure up to code, and retrofit the property using a combination of EIFS, stone, artificial stone, and a metal awning for the exterior (renderings can be found inside the PC packet).

The site plan shows additional trees and landscaping being planted on the eastern side of the property located directly behind the proposed convenience store/gas station, creating the required 35ft buffer zone between the subject commercial and residential properties. There is also proposed landscaping on the western side of the property near the planned monument sign and green space between the two egress/ingress (N Chestnut Ave) access points. City Staff recommends that the trees and shrubs being planted on the property be native to Missouri by nature in an effort to aid in a better streetscape and survival.

Regarding aesthetics of the proposed structure, two primary guiding principles are described in the City's Comprehensive Plan. The Plan states the City should:

1. Promote compatible growth
  - a. Ensure the urban design framework of new development is compatible with the character of the community
2. Promote quality development and improve area appearance

In the BMP analysis conducted by Kaw Valley Engineering, runoff drains towards the southwest corner of the property and a bio-swale will be implemented to capture and treat runoff from the fueling area prior to runoff exiting the site.

Included in the Planning Commission packet is a letter from World Fuel Services describing the experience of Amir Nadeem Mehdi who will be the store operator for the proposed gas/convenience store. Staff has also included a "retail mystery shop score" for the proposed operator for their various other locations.

There are residents in adjacent neighborhoods, located to the east of the subject property, that are opposed to this particular project. The Community Development Department has received multiple phone calls and a signed letter (PC Packet) from the Woodlands HOA Board in opposition.

Mr. Cuda will not be present at the December 3<sup>rd</sup> Planning Commission meeting, but has sent the Planning Commission a letter addressing issues and concerns of both the residents and the commission. **Please see the letter attached in the PC Packet.**

## **Recommended Conditions**

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City Staff recommends that the following conditions be considered if the Planning Commission and City Council choose to approve this project request:

1. Any and all disturbed areas shall be sodded.
2. All manicured grass and landscaped areas shall be irrigated and maintained in perpetuity.
3. All mechanical equipment on the roof shall be screened from public view by a parapet or approved screening similar in design to the rest of the structure. This must be a minimum of twelve (12) inches above the tallest piece of mechanical equipment.
4. A compliant monument sign shall be used to serve the development. The monument sign will need a minimum of 240 sq. ft. of area landscaping around the sign.
5. Relocation of the trash dumpster to the North West corner of the parking lot away from the residential area adjacent to the property.
6. All exterior lighting on the site shall be LED and designed to reduce adverse impact on adjoining residential properties.
7. Outdoor lighting cannot be greater than 0.25 foot-candles and 10 feet beyond the property line.
8. Dumpster shall be enclosed with materials consistent with the primary building. Specific colors shall be submitted and approved as part of the building permit.
9. Trash service, store deliveries, and gasoline refilling (underground commercial gasoline tanks) shall occur between the hours of 7:00 a.m. to 10:00 p.m.
10. Tractor trailers, storage containers, and other commercial vehicles (including delivery trucks) shall not be parked or stored overnight on the premises.
11. No more than 50% of the glazed area of the building shall have signage.
12. Hours of operation are from 5:00 a.m. through 2:00 a.m. (Store will be closed from 2:00 a.m. through 5:00 a.m. Monday – Sunday).
13. Signage compliant with the sign code shall be used. Signage shall be approved at the time of permitting.
14. Construct and maintain in perpetuity a 6 ft. PVC privacy fence, earth tone in color, along the eastern property line.
15. Maintain growth between the commercial privacy fence and the residential privacy fence in perpetuity.

## **Recommendation**

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City Staff recommends that the request be **APPROVED** contingent upon the conditions listed above.

## GLADSTONE PLANNING COMMISSION MINUTES

Council Chambers December 3, 2018

### 1. Meeting called to Order- Roll Call. Chairman Ward called the meeting to order at 7:00 pm.

Commissioners present were: Chase Cookson  
Mike Ebenroth  
Alicia Hommon  
Gary Markenson  
Jennifer McGee  
Katie Middleton  
Kim Murch  
James New  
Shari Poindexter  
Bill Turnage  
Larry Whitton  
Don Ward, Chair

Also present: Jean Moore, Council Liaison  
RD Mallams, Council Liaison  
Scott Wingerson, City Manager  
Austin Greer, Assistant to the City Manager/Planning Administrator  
Alan Napoli, Com Dev Administrator/Building Official

### 2. Pledge of Allegiance to the United States of America.

### 3. Approval of Minutes.

Chairman Ward asked if there was a motion to approve the minutes from the November 19, 2018 meeting. Ms. Hommon moved to approve the minutes; Mr. Markenson seconded. The minutes were approved, 12-0.

### 4. Other Business. None.

### 5. Public Hearing: Site Plan Revision (continued from the November 19, 2018 meeting), 6221 N Chestnut Avenue. File #2018-016. Chairman Ward stated that this is a continuation of the previous discussion and asked if staff had any additional information.

Mr. Greer shared that the applicant, 3F30 Architects, is requesting a site plan revision on behalf of Mr. Charles Cuda, OPES Commercial Real Estate, for the purpose of constructing a convenience store and gas station at 6221 N Chestnut Avenue, formerly known as Tanners Restaurant. Due to the current zoning of this property at CP3, this particular use of a gas station/convenience store is permitted by rite at this location. This is a site plan revision to aid in the development of this gas station/convenience store to better suit the commercial corridor and neighboring properties. The staff report primarily stays the same from the November 19<sup>th</sup> Planning Commission with a few changes in regard to the recommended conditions.

Staff corrected condition number ten (10) to state:

10. Tractor trailers, storage containers, and other commercial vehicles (including delivery trucks) shall not be parked or stored overnight on the premises.

Staff also included a 14<sup>th</sup> and 15<sup>th</sup> condition to address the fencing and growth that could occur between the residential and proposed commercial fence. The current wooden fencing belongs to the individual residents. Conditions number 14 and 15 read as follows:

14. Construct and maintain in perpetuity a 6 ft. PVC privacy fence, earth tone in color, along the eastern property line.
15. Maintain growth between the commercial privacy fence and the residential privacy fence in perpetuity.

Mr. Greer also mentioned the letter that Mr. Cuda wrote to the Planning Commission to address the neighborhood and Planning Commission's concerns from the November 19<sup>th</sup> meeting. At this time, City Staff and the architect can answer any questions they may have.

Mr. Murch asked why staff is recommending a PVC fence.

Mr. Greer explained that it holds up better than a wooden fence and is a cleaner look. When McDonald's remodeled, they used a PVC fence as well. It is less maintenance.

Mr. Murch stated that he thought they had a wood fence along their parking lot.

Mr. Napoli shared that the fence they have along the back of the property is a PVC or Trex-type fence. It isn't a wood fence. The one along the parking lot may still be wood, but he wasn't sure. The look of a PVC fence will look similar to wood, but the material holds up, it doesn't rot, it doesn't decay, fade, or have any of those issues. The intent is to look natural with the earth-tone colors like the wood fence would be, but be more durable.

Mr. Murch said that his concern with McDonald's parking lot being wood and then the fence that runs along the back there that is might be an odd look to have PVC in the middle of two wood fences.

Mr. Greer stated that the material being used for the fence is something that can be discussed with Mr. Cuda. The City's recommendation (PVC) is because most commercial properties are moving towards it. A wooden fence is much more difficult to take care of.

Mr. Murch asked if it was decided who owned the fence.

Mr. Greer said that the residents own the fencing.

Mr. Murch asked if it was them or the HOA.

Mr. Greer stated that it is the residents.

Mr. Turnage shared that he read Mr. Cuda's response, his letter. He asked if there has been any conversation between Mr. Cuda and the residents.

Mr. Greer said that Mr. Cuda wasn't present so he asked the architect to address that question. He didn't believe that there has been much conversation between the two.

Mr. Turnage asked if he has tried to address any of their concerns.

Mr. Greer stated that he is trying to address them in the letter.

Mr. Markenson asked to clarify that the developer had agreed to all of the conditions.

Mr. Greer confirmed that he had.

Chairman Ward asked if everyone had a chance to review the letter from (Mr. Cuda). There was no further discussion.

**MOTION: By Mr. Markenson, second by Mr. Ebenroth, to recommend the approval of Public Hearing: Sit Plan Revision, 6221 N Chestnut Avenue. File #2018-016.**

<b>VOTE:</b>	<b>Mr. Cookson</b>	<b>Yes</b>
	<b>Mr. Ebenroth</b>	<b>Yes</b>
	<b>Ms. Hommon</b>	<b>Yes</b>
	<b>Mr. Markenson</b>	<b>Yes</b>
	<b>Ms. McGee</b>	<b>Yes</b>
	<b>Ms. Middleton</b>	<b>No</b>
	<b>Mr. Murch</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. Whitton</b>	<b>No</b>
	<b>Chairman Ward</b>	<b>No</b>

**The motion carried (9-3).**

16. **Communications from City Council.** Councilmember Moore reminded them that AJ Farms Holiday Night is a free event on Saturday, December 8<sup>th</sup> from 7:00pm to 9:00pm. She also shared that the Summit Grill will open to the public at 3:00pm on December 12<sup>th</sup>.
17. **Communications from City Staff.** Mr. Greer thanked the Commission for being present. He announced that there will not be a December 17<sup>th</sup> meeting.
18. **Communications from the Planning Commission.** Mr. Markenson added that the AJ Farms Holiday Night would also include arts and crafts for kids. The trail from the museum to the cemetery will have lighted candles so you can walk. Coats are recommended for that walk. It is a lovely event in the evening. He suggested bringing your kids and grandkids and come to enjoy the event.

Chairman Ward announced that this will be his last Planning Commission meeting. He is stepping down as a Planning Commissioner. He will be spending time coaching his son's baseball team. Since he isn't sure of the schedule for tournaments, he didn't want to take a seat and not know if he would be able to attend. He shared that he has enjoyed the last seven years with the Commissioners, City Staff and City Council. He appreciated it.

19. **Adjournment-** Chairman Ward adjourned the meeting at 7:10pm.

Respectfully submitted:

\_\_\_\_\_  
Alan Napoli, Recording Secretary

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

\_\_\_\_\_  
Don Ward, Chair

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



December 3, 2018

Mayor and City Council, Gladstone, Mo

My Name is John Chapman. I reside at 118 Woodlands Drive in Gladstone. It is my understanding that the City Council will vote next Monday, December 10 on a proposed change in zoning to allow a Philips Gas station/convenience store to be developed on the existing Tanners location on Antioch Road.

I strongly object to this change as do a majority of my neighbors.

These are my objections:

This property has been a restaurant for 40 years or more. It was a Red Lobster, Old Chicago, Tommy's, a barbeque, and Tanners. Our neighborhood has coexisted with these restaurants for years. We have no objection to another restaurant or similar type business with similar traffic , hours, and lighting.

A Gas station is not a restaurant. This Gas station will operate 21 hours per day, 7 days a week.

It will have non stop traffic for 21 hours each day. That means headlights, noise, fumes and commercial lighting. It will be lighted to attract customers from far down the street. If it is successful it will be busy all day and all night.

I am not opposed to commercial enterprise on Antioch Road. Antioch has been zoned for commercial business for years.

I am opposed to this type of business so close to a residential neighborhood.

A Gas station brings with it pollution concerns, noise pollution, Light pollution, and crime. Convenience store crime is outpacing other crimes in the United States.

I strongly urge a no vote on this zoning change.

I also have a request. All Council members who have not been by this area recently should visit my neighborhood and the proposed Gas station location before your vote next week.

Imagine this change occurring behind your own home.

Thanks for your attention.

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1 speak in favor? Okay. I will close the public hearing is  
2 there any comments from commissioners, discussion?

3 MR. TURNAGE: I worked at this establishment when it  
4 first started back in '59, I guess when I was 14, 15 years  
5 old. I've been friends with them for a long time, they run a  
6 tight ship. I don't know if you've tried their product. But  
7 it is terrific products. It is taco shells. It always looks  
8 nice, well in appearance, and they are great people. They've  
9 employed a ton of people in Gladstone over the last few  
10 years.

11 MR. CHAIRMAN: Entertain a motion?  
12 (Motion made, seconded, and carried.)

13 MR. CHAIRMAN: Next on the agenda is a public  
14 hearing for site revision 6221 North Chestnut Avenue, File  
15 2018-016. I will open the public hearing.

16 CITY PLANNER: The applicant 3F30 architects is  
17 requesting a site plan revision on behalf of Mr. Charles Cuda  
18 OPES commercial real estate for the purpose of constructing a  
19 convenience store and gas station at 6221 North Chestnut  
20 Avenue, formerly known as Tanner's restaurant. Their plan is  
21 to significantly remodel the building, bring the structure up  
22 to code and retrofit the property using a combination of  
23 EIFS, stone, artificial stone and a medal awning for the  
24 exterior. The site plan shows additional trees and  
25 landscaping being planted on the eastern side of the property

Page 6

1 located directly behind the proposed convenience store and  
2 gas station helping create the required 38 feet buffer zone  
3 between the subject commercial and residential properties.  
4 There is also proposed landscaping on the western side of the  
5 property near the planned monument sign and green space  
6 between the two egress and ingress access points off of  
7 Chestnut. City staff recommends that the trees and shrubs  
8 being planted on the property be native to Missouri by nature  
9 in an effort to aid in better street scape and survival.  
10 Regarding the aesthetics of the proposed structure, two  
11 primary guiding principals are described in the City's  
12 Comprehensive Plan. The plan states the City should promote  
13 compatible growth, ensure the design work is the compatible  
14 to the character of the community, promote quality  
15 development and improve area appearance. In the BMP analysis  
16 conducted by Kaw Valley Engineering, run-off drains toward  
17 the southwest corner and a bio-swale will be implemented to  
18 capture and treat run-off from the fueling area prior to  
19 run-off exiting the site. Included in the planning  
20 commission packet is a letter from World Fuel Services  
21 describing the experience of Amir Nadeem Mehndi, who will be  
22 the store operator for the proposed gas and convenience  
23 store. Staff has also included a retail mystery shop score  
24 for the proposed operator for their various other locations.  
25 There are residents in adjacent neighborhoods located to the

Page 7

1 east of subject property that are opposed to this particular  
2 project. The community development department has received  
3 multiple phone calls and a signed letter included in your  
4 packet from the Woodlands HOA board in opposition. City  
5 staff recommends that the following conditions be considered  
6 if the Planning Commission and City Council choose to approve  
7 this project request. Number 1, any and all disturbed areas  
8 shall be sodded. Number 2, all manicured grass and  
9 landscaped areas that'll be irrigated and maintained in  
10 perpetuity. Number 3, all mechanical equipment on the roof  
11 shall be screened from public view by a parapet or approved  
12 screening similar in design to the rest of the structure.  
13 This must be a minimum of 12 inches above the tallest piece  
14 of mechanical equipment. Number 4, a compliant monument sign  
15 shall be used to serve the development. The monument sign  
16 will need a minimum of 240 square feet of area landscaping  
17 around the sign. Number 5, relocation of the trash dumpster  
18 to the northwest corner of the parking lot away from the  
19 residential area adjacent to the property. Number 6, all  
20 exterior lighting on the site shall be LED and designed to  
21 reduce adverse impact on adjoining residential properties.  
22 Number 7, outdoor lighting cannot be greater than 0.25 foot  
23 candles and 10 feet beyond the property line. Number 8,  
24 dumpster shall be enclosed with materials consistent with a  
25 primary building. Specific colors shall be submitted and

Page 8

1 approved as part of the building permit. Number 9, trash  
2 service, store deliveries and gasoline refilling (underground  
3 commercial gasoline tanks) shall occur between the hours of  
4 7:00 a.m. and 10:00 p.m. Number 10, tractor/trailers,  
5 storage containers and other commercial vehicles excluding  
6 delivery trucks shall not be parked or stored overnight on  
7 the premises. Number 11, no more than 50 percent of the  
8 glazed area of the building shall have signage. Number 12,  
9 hours of operation are from 5:00 a.m. through 2:00 a.m. The  
10 store will be closed from 2:00 a.m through 5:00 a.m., Monday  
11 through Sunday. Number 13, signage compliant with the sign  
12 code shall be used. Signage shall be approved at the time of  
13 permitting. Thank you, and that is all, Mr. Chairman.

14 MR. CHAIRMAN: Any questions for staff?

15 COMMISSIONER: To begin with, could you be kind  
16 enough to give us a broader picture of those four buildings  
17 that are on that block? I just did a drive-by and it looked  
18 like three of the four buildings were abandoned.

19 CITY PLANNER: Sure, one of the old buildings used  
20 to be Lawson Bank. Currently that is vacant and we've been  
21 hearing rumblings that it might be a doctor's office  
22 eventually. And then the old Tanner's property obviously is  
23 vacant. And then I'm trying to think of the other two  
24 properties. QuikTrip.

25 COMMISSIONER: It was going to be a laundromat but

<p style="text-align: right;">Page 9</p> <p>1 now it's on hold, I think.</p> <p>2 CITY PLANNER: Sure. The owner of that development</p> <p>3 has recently bought another property in Independence and is</p> <p>4 working on that. His plans are to still develop a laundromat</p> <p>5 in that location sometime early next year.</p> <p>6 COMMISSIONER: I have a couple of others. Delivery</p> <p>7 trucks can park there overnight?</p> <p>8 CITY PLANNER: Delivery trucks cannot park there</p> <p>9 overnight.</p> <p>10 COMMISSIONER: Okay. No. 10 --</p> <p>11 CITY PLANNER: Excluding -- I apologize.</p> <p>12 COMMISSIONER: Should that be including? You see</p> <p>13 where I am on 10?</p> <p>14 CITY PLANNER: Including, yes, sir.</p> <p>15 COMMISSIONER: Should be including, so any motion we</p> <p>16 make -- can I just make a motion to change the word excluding</p> <p>17 to the word including, number 10 of the recommended</p> <p>18 conditions, if we could get that out of the way. And if I</p> <p>19 could -- if I can move that we, condition No. 10, delete the</p> <p>20 word excluding and replace it with the word including.</p> <p>21 I don't see much in here on the screening between the</p> <p>22 properties to the east and the --</p> <p>23 CITY PLANNER: Between residential and commercial.</p> <p>24 COMMISSIONER: Yeah. Right now there is a fence and</p> <p>25 it is deteriorated, it's dilapidated. There is a five foot</p>	<p style="text-align: right;">Page 11</p> <p>1 MR. CHAIRMAN: Any other questions for staff? Does</p> <p>2 the applicant wish to come up and speak?</p> <p>3 MR. RUOFF: Good evening. My name is Brian Ruoff.</p> <p>4 I'm with 3F30 Architects. I'm representing the developer,</p> <p>5 Chuck Cuda, who is behind me. I'm going to make this very</p> <p>6 brief, because I think everybody understands the project in</p> <p>7 its entirety, we are agreeable to the entire list with the</p> <p>8 one exception is we are not -- we have not confirmed the</p> <p>9 structural capability of the tall parapets on this building</p> <p>10 yet. So we are agreeable to screen. We just don't know</p> <p>11 exactly how that is going to occur. We have the option of</p> <p>12 parapet walls, but then we get snow drifting issues and</p> <p>13 without having a full structural analysis of the roof</p> <p>14 structure at this point in time I don't know what I can do.</p> <p>15 We are trying to get the front up as far as we can because it</p> <p>16 is a new wall. The whole front wall is going to be new</p> <p>17 because I don't know if everybody understands, we are taking</p> <p>18 20 some feet off the existing building and rebuilding that</p> <p>19 entire front face for store front. So with that said, the</p> <p>20 other options would be hats on the rooftop units, other</p> <p>21 options that may or may not be the best option we have</p> <p>22 available. So I would promote a little more landscaping or</p> <p>23 strategic placement of trees for that one line item. Going</p> <p>24 backwards slightly we have tried our best to get the 35 feet</p> <p>25 of landscaping between the residential and the commercial</p>
<p style="text-align: right;">Page 10</p> <p>1 gap in the fence, I mean it's, just falling apart. Is that</p> <p>2 fence going to stay there? I know there is going to be shrub</p> <p>3 and screening. Talk a little about the screening.</p> <p>4 CITY PLANNER: Sure. I spoke with Mr. Cuda this</p> <p>5 morning about the fence, and according to the survey we think</p> <p>6 it's actually the residents that own that fence.</p> <p>7 COMMISSIONER: The homeowner's association that owns</p> <p>8 it or the residents that are adjacent to it?</p> <p>9 CITY PLANNER: That is a really good question. But</p> <p>10 we can find out.</p> <p>11 COMMISSIONER: That's fine. Could you talk about</p> <p>12 the screening that they envision putting there? Because I</p> <p>13 assume the fence is going to remain.</p> <p>14 CITY PLANNER: I think the architect could probably</p> <p>15 do a better job than I could.</p> <p>16 COMMISSIONER: Thank you, Mr. Chairman.</p> <p>17 MR. CHAIRMAN: Any other questions for staff?</p> <p>18 COMMISSIONER: I was also concerned about a fence in</p> <p>19 the back. And I think if this fence has to be taken down</p> <p>20 that there should be somewhere in here that says a</p> <p>21 replacement fence should be put up.</p> <p>22 CITY PLANNER: So what we could add, is if we find</p> <p>23 out that HOA does or does not own the fence, then we could</p> <p>24 include that in the conditions as long as the developer would</p> <p>25 agree to that.</p>	<p style="text-align: right;">Page 12</p> <p>1 property. Because of the existing building location it's not</p> <p>2 going to be 35 feet in all places, but wherever it can be 35</p> <p>3 feet, it will be 35 feet. We would like to maximize the tree</p> <p>4 plantings in that area because that is going to be the most</p> <p>5 benefit above the fence line, is trees. So I think that</p> <p>6 would be recommended. We do have some landscaping going into</p> <p>7 the front that was mentioned and a small retention pond,</p> <p>8 filtering pond is going to be at the very front of the</p> <p>9 property on the west side. And we've increased the</p> <p>10 landscaping around the monument side that would be in the</p> <p>11 southwest corner. I do have a color rendering if anybody</p> <p>12 wants to see it over here that might be a little more visual</p> <p>13 for everybody to look at. Other than that, we are available</p> <p>14 for questions and comments.</p> <p>15 MR. CHAIRMAN: Any questions for the applicant?</p> <p>16 COMMISSIONER: Is this going to be a gas station</p> <p>17 slash convenience store?</p> <p>18 MR. RUOFF: It is going to be a gas station -- it is</p> <p>19 convenience store -- it is going to have convenience store,</p> <p>20 going to have liquor and a small restaurant. The restaurant</p> <p>21 is a little bit up in the air. That may not occur. But it</p> <p>22 is probably going to be a carry-out restaurant. It is</p> <p>23 greatly simplified from what is there now, if anybody has</p> <p>24 been in this the original Tanner's. The kitchen is huge.</p> <p>25 And all that has to come out. There is a huge walk-in, there</p>

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1 is a huge hood. All of that has to be removed.  
 2 COMMISSIONER: Hours are going to be from 5 to 2?  
 3 MR. RUOFF: It is. We are agreeable to what staff  
 4 put in the report.  
 5 CITY PLANNER: We were suggesting between 2:00 a.m.  
 6 and 5:00 a.m. that they would close down.  
 7 MR. RUOFF: And the owner, developer and operator  
 8 are agreeable to those hours. I've done many, many  
 9 convenience stores in the past over the years. I used to  
 10 work, do stores for Phillips and Conoco and that sort of  
 11 thing. The petroleum part of this is going to be I think  
 12 very well laid out. It is going to be smooth and it is going  
 13 to operate as it should. From a convenience store  
 14 standpoint, that is an operational question. But it is a  
 15 4,000, 5,000 square foot building. So it should be  
 16 comfortable and have quite a bit of amenities on the inside.  
 17 No drive-through. I think drive-through was a concern with  
 18 the neighborhood. Because of the landscaping we are  
 19 completely landscaping the east side of this property so  
 20 there will be no drive-through. We are amiable to moving the  
 21 trash enclosures to the McDonald's side of the lot. I think  
 22 McDonald's is 24 hours, you know, in operation but they have  
 23 an easement that runs through that property so it is trash  
 24 enclosure will be between their easement and where the bank  
 25 property is. We are amiable. We are going to completely

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1 relocate the trash enclosure. So we are basically agreeable  
 2 to the entire list of conditions.  
 3 COMMISSIONER: I'm sorry I have so many questions.  
 4 Can you tell me a little bit more about the screening, the  
 5 trees you are going to plant on the east side of the  
 6 building? I'm still a little hazy on what you are doing  
 7 there. Wrong person again? I'll get the right person if I  
 8 keep asking the question.  
 9 MR. RUOFF: Well, right now it is a very preliminary  
 10 landscape plan. But we are proposing a lot more trees than  
 11 shrubs, because the trees are going to be beneficial. So  
 12 this is the property as it is now. And the building extends  
 13 out to here. We are taking off this part of the building.  
 14 We are going to rebuild the front. This is all going to be  
 15 the existing building, structurally, you know, everything  
 16 inside here has to be dealt with, panels, panel room, all  
 17 that has to stay because that is the only way to meet the  
 18 budget on the project. We are proposing anything back here  
 19 that is not part of the building or the sidewalk system would  
 20 be removed and landscaped. So we can plant plants here, but  
 21 the neighborhood won't benefit from the plants we are willing  
 22 to do that. But the trees are going to be the biggest  
 23 benefits for the houses for the neighborhood. So this is  
 24 our -- this is our solution to the screening on the back side  
 25 of the building, is to get these trees in here. Now what

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1 I've got is, I've got some medium size and some -- basically  
 2 I'll tell you exactly what they are right now, it is a Norway  
 3 maple and Patmore ash. So it is a combination -- we are open  
 4 to anything in here, but we want to make sure they are  
 5 selected and placed so we can get the most benefit and that  
 6 can be done by sightlines and those sort of things. The  
 7 front end we have to get traffic through here, so we've done  
 8 this triangular shape around the monument sign that will be  
 9 landscaped with flowering plants, this is the green space  
 10 here I have to work with the civil engineer on, because this  
 11 is going to be held down so water will run through that  
 12 filter. And there is the trash enclosure location now -- I'm  
 13 sorry future. And now it's right here. So that is what --  
 14 we are proposing to move it away.  
 15 COMMISSIONER: Where is the gas tanks going to go?  
 16 MR. RUOFF: Gas tank right now, I've done a bunch of  
 17 these -- gas tank right here. Okay. From a tanker  
 18 standpoint, I used to bring actual drivers to these meetings  
 19 which was always interesting, because they would say, well, I  
 20 gotta back the truck -- they do the whole scenario of how  
 21 they get the truck on and off-site. I don't want them to  
 22 back up if I don't have to. My goal is to get a tanker on  
 23 and off-site without backing up this site. They are going to  
 24 probably come in this way and swing around. They've got to  
 25 come all the way around here. And most tankers drop on the

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1 right. The hoses are on the right side. So that is the  
 2 ideal situation. But it is kind of tight for doing that.  
 3 They may want to do another round. It depends if there is  
 4 cars parked here. But they can come through either way. But  
 5 the idea is to keep the fuel close to the canopy. That is  
 6 the objective.  
 7 COMMISSIONER: Just so that I'm clear, you are going  
 8 to tear out the concrete that is behind the building that is  
 9 all crater, and looks like there has been bombs dropped on it  
 10 and stuff, you are going to take that out and put in dirt and  
 11 sod and put the trees on that?  
 12 MR. RUOFF: It is going to be fully landscaped. It  
 13 is going to be sod and trees. My preference is sod and  
 14 trees. What you've seen in your packet is the -- a little  
 15 short of 35 feet because I was given the 35 foot condition  
 16 later. This is the 35 foot line right here. This line right  
 17 here. So we are going to take out to the sidewalk, I have a  
 18 transformer here there is that shed back here. We are taking  
 19 everything out that we can and landscaping.  
 20 MR. CHAIRMAN: Any other questions from the  
 21 commissioners?  
 22 COMMISSIONER: There is a Conoco station a couple  
 23 blocks across the street to the west. Will that continue to  
 24 operate, or are they separate entities unrelated, unrelated?  
 25 Okay.

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1 COMMISSIONER: So you are going to need a variance  
2 as far as the set-back on part of that, you don't have 35  
3 feet?

4 MR. RUOFF: Well, that is up to staff.

5 CITY PLANNER: No. Since it is CP zoning, the  
6 planned portion of that gives a little bit of flexibility, so  
7 a variance wouldn't be needed.

8 COMMISSIONER: I just wondered if you needed to go  
9 to BZA and get a variance.

10 CITY PLANNER: We didn't think that was necessary.

11 MR. RUOFF: We are caught between existing building,  
12 we'll do what is required.

13 MR. CHAIRMAN: Any other questions?

14 COMMISSIONER: Yeah. I think I know, but can you  
15 clarify what kind of access there would be for traffic from  
16 that building to the neighborhood, behind there, what roads  
17 are back there they would use to get -- I mean, part of the  
18 thing is to increase traffic to the neighborhood. How will  
19 that increase traffic to the neighborhood?

20 MR. RUOFF: The entrance of the neighborhood is  
21 several blocks, I don't know what is the street that goes,  
22 Shady Lane. This is bank property right here on this edge.  
23 And so we have no real landscape on that edge on that side  
24 available because the parking property line is right on  
25 our -- existing property line.

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1 COMMISSIONER: I just wanted clarification on that.

2 MR. CHAIRMAN: Any other questions?

3 COMMISSIONER: I'm not sure you are the person for  
4 this either, but I was -- the hours of operation, the  
5 restriction on them is very unusual. I can't think of  
6 anything that we restrict except liquor sales. Several  
7 months ago when we had the laundromat issue we put in  
8 restrictions on hours, but the City Council felt that was  
9 unwarranted and took them out. So the laundromat can operate  
10 24 hours a day. But a convenience store that generally  
11 operates 24 hours a day would be restricted. Is that a  
12 problem for you, putting you at a competitive disadvantage  
13 with Hy-Vee and QuikTrip and others?

14 MR. RUOFF: Well, because I've done 100 of these  
15 over 25 years the ownership, that opinion does vary. Most  
16 convenience store owners would like to stay open for 24 hours  
17 for two reasons. One is it does bring a little more revenue,  
18 but also it is a security issue, that they want -- they like  
19 to have somebody on their site 24 hours a day so they don't  
20 have other issues. They like a 24-hour operation so that  
21 they are watching their stores.

22 COMMISSIONER: It is not a big time for business,  
23 though, is it?

24 MR. RUOFF: They usually lose money on the sales  
25 part. It depends on your relocation and what you are doing.

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1 But, yes.

2 COMMISSIONER: It is not a problem for the owners,  
3 is that what you are saying?

4 MR. RUOFF: Well, Chuck, do you want to talk about  
5 that?

6 MR. CUDA: It is not an issue in this particular  
7 case.

8 MR. CHAIRMAN: Step up to the mic. State who you  
9 are and your address.

10 MR. CUDA: Chuck Cuda, 6051 North Chestnut,  
11 Gladstone, Missouri. For this particular instance we felt  
12 that we would be amenable to the neighborhood and it would be  
13 beneficial to everybody if we operated within these hours, so  
14 the owner feels that with this particular demographic he is  
15 comfortable with these hours. And to the point about the  
16 screening, with the topography differential with the houses  
17 sitting lower we could put bushes over there but, we feel the  
18 trees provide the better screening. And regarding the fence  
19 with the differential of wood that is being used on those, we  
20 feel it is each homeowner's fence, it's their particular  
21 fence, but we would be amicable to looking at possibly  
22 re-screening that back side once we are done with  
23 construction.

24 MR. CHAIRMAN: So the fence isn't part of your guys'  
25 development?

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1 MR. CUDA: It is not part of our development, but we  
2 would entertain incurring that cost post-construction.

3 MR. CHAIRMAN: Any other questions for the  
4 applicant? Okay. All right, next on is anybody in the  
5 audience wishing to speak in opposition, please step to the  
6 mic and state your name and address, please.

7 MS. BAKER: Good evening, Michelle Baker, 108 the  
8 Woodlands. Thank you for affording me the opportunity to  
9 come and speak before you in lieu of being with my family  
10 watching the Chiefs play, which I'm sure right about now you  
11 would rather be watching as well. My attendance dance here  
12 is twofold. One, for my own personal voice and the second to  
13 be the voice for at least 44 residents of the Woodlands  
14 neighborhood who have responded that they did not want this  
15 site re-planned. We are a small close-knit single access  
16 neighborhood of 95 residents. I've already shared with you  
17 the residents' comments in writing in the packet. I printed  
18 out additional ones that we've received since then if you  
19 would like to see those as well. Some of the main issues and  
20 concerns that we have are the disruptions due to the  
21 proximity to the residents' property in the form but not  
22 limited to the hours of operation. I know that you've  
23 already touched on it our problem is that 5:00 a.m. to 2:00  
24 a.m. is really late for our neighborhood. And the noise that  
25 will be generated with traffic flow and lighting would be

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1 detrimental, especially to the six houses that butt right up  
 2 close to that. The potential of water leakage from  
 3 underground tanks is a worry and a concern for the neighbors,  
 4 the large tanker and delivery trucks, the -- if you are  
 5 familiar with Chestnut, the street of Chestnut itself, it's a  
 6 small little access. It is right there in front of -- it's  
 7 only access for UMB Bank, the property at 6221 Chestnut.  
 8 That's it. Because then it curves around and then you  
 9 actually have to go back around to get into where Lawson Bank  
 10 used to be. So for a tanker hauling gasoline to be able to  
 11 manage that, there is going to be, I would think and the  
 12 neighbors think, substantial destruction of that street right  
 13 there. It is not an easy turn. You've got the little  
 14 boulevard that is the beginning of Antioch right there where  
 15 it splits across the street from CVS. So you have that  
 16 entrance. And then another entrance coming in from where  
 17 Lawson Bank used to be off Antioch. The lighting, once  
 18 again, is so close to the neighborhood that the lighting  
 19 would be a distraction to those homes. As well as the noise  
 20 level. Not to mention the increased air pollution from  
 21 pumping gas, which the US Energy Information Agency says that  
 22 it's detrimental as far as green house gasses, carbon dioxide  
 23 that is emitted. And that's why during high ozone times they  
 24 say please don't fill up your cars with gas right now. Well,  
 25 that is right there behind our neighborhood. Sewage and

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1 water run-off issues and the potential for devaluation of the  
 2 property due to the proximity. I would encourage the  
 3 planning committee to not only consider what the closest  
 4 neighborhood, the Woodlands, wishes with regards to this plan  
 5 revision but to also think about what is best for the City of  
 6 Gladstone. Does the City of Gladstone truly need another gas  
 7 station, slash, convenience store when we have 20 right now  
 8 as far as Google Maps goes and 14 convenience stores, all  
 9 within the area. Or would it be better for Gladstone to have  
 10 a restaurant Gladstone residents as well as neighboring  
 11 cities can come and enjoy and frequent? Thank you very much.

12 MR. CHAIRMAN: Thank you. Anybody else in the  
 13 audience that wishes to speak in opposition?

14 MR. McINTOSH: John McIntosh, 135 the Woodlands,  
 15 Gladstone. Chairman Moore, commissioners, I moved here from  
 16 Los Angeles two years ago and my wife and I, we chose the  
 17 Woodlands because we enjoyed the wonderful ambience of the  
 18 trees and everything we live in that was there. And the only  
 19 thing I just want to add to my fellow neighbor Michelle is  
 20 that in Los Angeles we had a problem and we brought it up  
 21 before the City Council, I lived in Whittier, which is a  
 22 suburb with liquor stores, they had liquor stores on every  
 23 corner. And so I equate this particular project, a gas  
 24 station, to the liquor store problem that we had. Why have  
 25 another gas station when I know we have four in the proximity

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1 of between a mile and a mile and a half between each of them.  
 2 We have one on Antioch and Vivion. You have one -- a Conoco  
 3 on Antioch and Kendallwood. Then you have the gas station at  
 4 Hy-Vee there. And then across the street there is a Quick  
 5 Pick there. So my question is, why another gas station? So  
 6 I equate it to like the liquor stores and what it would do,  
 7 it would bring unnecessary traffic and later possibly crime  
 8 into the community we don't need. And so I would just ask  
 9 you to consider our needs, because there is other things we  
 10 can probably put there that will be more convenient for the  
 11 community rather than a gas station. Thank you for your  
 12 time.

13 MR. CHAIRMAN: Is there anybody else in the audience  
 14 that wishes to speak in opposition?

15 MR. CHAPMAN: John Chapman, 118 the Woodlands. I  
 16 don't have no problem against commercial development. I've  
 17 lived in this area since about 1965 from Old Meadowbrook to  
 18 Brooketree, now the Woodlands. That building has been Red  
 19 Lobster, Old Chicago pizza, Tanner's, Tommmy's and I think a  
 20 barbecue place. If these developers want to put in another  
 21 restaurant, I would be frequenting it. But I'm concerned  
 22 with pollution issues. I'm concerned with light pollution,  
 23 air pollution, water pollution and pollution pollution. And  
 24 so I'm against the development.

25 MR. CHAIRMAN: Thank you. Anybody else in the

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1 audience?

2 MR. SKINNER: Zachary Skinner, 105 the Woodlands.  
 3 Nothing really to add but to support my neighbors.

4 MR. CHAIRMAN: Thank you.

5 MS. THIESSON: Alicia Thiesson, 123 Woodlands. I  
 6 live in one of the area that is fairly close to that. We  
 7 have four kids. We moved into this neighborhood a year and a  
 8 half ago. We knew that there was restaurants back there,  
 9 there is a bank back there. We were aware of all that. But  
 10 a gas station we feel like is a completely different topic.  
 11 Our two-year-old -- sorry. She has health issues. One of  
 12 them being in her lungs. So it's a concern of ours that we  
 13 made this investment into a property and into a neighborhood,  
 14 we felt like our family would be safe and then the issues  
 15 that you can have from the pollution and things could further  
 16 cause her additional health issues. We also have a pool in  
 17 our backyard, which when you add in all of those factors we  
 18 spend a lot of time outside, and that would be an issue for  
 19 us along as resale value. We feel like if we were to need to  
 20 move, it would be very difficult knowing that there is a gas  
 21 station right there to sell our home, we feel like we would  
 22 have trouble. Nobody is going to want to buy a house with a  
 23 pool in the back yard and a gas station within -- from our  
 24 house it's probably 200 yards or so, but it is still close  
 25 enough we feel like it would cause issues.

<p style="text-align: right;">Page 25</p> <p>1 MR. CHAIRMAN: Anybody else?</p> <p>2 MS. NARCUS: Michelle Narcus, 82 the Woodlands. We</p> <p>3 ourselves just moved to a town home that is in the Woodlands</p> <p>4 development a year and a half ago. Ditto for all the same</p> <p>5 issues that have been expressed. Including the property</p> <p>6 value. I myself don't happen to have a property that is</p> <p>7 adjacent to that, but I feel that it will definitely not help</p> <p>8 the value of the homes that do back up to that. The</p> <p>9 Woodlands is a very nice, well kept community and even though</p> <p>10 it was developed in the early '80s and the traffic there is</p> <p>11 congested enough at, I guess Shady Lane, whatever turns into</p> <p>12 there at Antioch, a lot of congestion, it is really hard,</p> <p>13 difficult to get out. That is just going to make it worse.</p> <p>14 I would say for some reason if the committee would make the</p> <p>15 decision that the development is going to go through that I</p> <p>16 definitely think that the developers and the owners should be</p> <p>17 responsible for paying for a very large private fence amongst</p> <p>18 all those properties that are adjacent to that property.</p> <p>19 MR. CHAIRMAN: Thank you.</p> <p>20 MS. GUYSINGER: Hi there, I'm Donna Guysinger. I</p> <p>21 live at 102 the Woodlands. I don't back up there, but I'm</p> <p>22 down the street. And I -- we have been in the neighborhood</p> <p>23 for 25 years. And when we first moved in here, it was kind</p> <p>24 of nice to have the little restaurant back there. And it</p> <p>25 wasn't an issue with noise. And you can hear the noise</p>	<p style="text-align: right;">Page 27</p> <p>1 they are very concerned also. They are just right down</p> <p>2 there. Thank you very much.</p> <p>3 MR. CHAIRMAN: Anybody else?</p> <p>4 MR. CLIMOORE: My name is Joe Climoore and we live</p> <p>5 in the closest house to the building. We live at 127 the</p> <p>6 Woodlands. And we are really concerned about the light and</p> <p>7 the noise. Of course everything that everyone else said</p> <p>8 about the situation there. But I hadn't really thought until</p> <p>9 she said about the trucks turning in, it is not a very good</p> <p>10 place for trucks in and out. So really that is our greatest</p> <p>11 concern is the noise and the lights. Tanner's was a good</p> <p>12 neighbor. We -- Tanner's was probably the best. We</p> <p>13 hardly -- maybe they didn't do any business. I don't know.</p> <p>14 They were very quiet back there. When the other place was</p> <p>15 there, they made a lot of noise and bottles over the fence.</p> <p>16 But Tanner's did very well. Like I say, maybe they didn't do</p> <p>17 a lot. So thanks.</p> <p>18 MR. CHAIRMAN: Thank you.</p> <p>19 MS. THIESSON: Berna Thiesson, 123 the Woodlands.</p> <p>20 My main concern by the health of my child who I already have</p> <p>21 to take to regular doctor's visits is everyone's health</p> <p>22 actually within our community. We have a slightly older</p> <p>23 population within our community. I'm worried about the air</p> <p>24 quality. I know that although it didn't pass, several BP</p> <p>25 organizations tried to push through not allowing a gas</p>
<p style="text-align: right;">Page 26</p> <p>1 currently on Antioch. All the police that go by and the fire</p> <p>2 trucks, it just seems to like it has increased. However, to</p> <p>3 have a convenience store and a gas station backed -- I'm</p> <p>4 going to say 300 feet or 400 feet from your driveway, I can</p> <p>5 only imagine all the noise that is going to create, not just</p> <p>6 with big trucks, but with the garbage, you know, the garbage</p> <p>7 guys coming and people putting in all the glass. There used</p> <p>8 to be a Ripple glass area over there, that was so hard to</p> <p>9 take. This is the Woodlands, the homes, 300, 350,000 and up</p> <p>10 okay? So it's not just a small property. And everyone keeps</p> <p>11 their property up very, very well. We have lots of trees.</p> <p>12 But even still, with all that, you still hear a lot of noise.</p> <p>13 And that is a concern. Especially for the people that</p> <p>14 surround the property, if you are sitting in your back yard</p> <p>15 on a Saturday afternoon with your friends and you hear all</p> <p>16 the noise going on, I would be totally disturbed about that.</p> <p>17 It would really ruin the ambience of that -- of the</p> <p>18 Woodlands. It is a very nice neighborhood. It's quaint and</p> <p>19 it's small and we like it like that. And I have like really</p> <p>20 loved it since there haven't been hardly any -- Tanner's is</p> <p>21 gone and the other building is gone, so it's really nice. It</p> <p>22 is nice and quiet. And that is the way we like it. And the</p> <p>23 other neighborhood that is by the Woodlands is much smaller</p> <p>24 but still they are very quiet, lots of trees, they want it</p> <p>25 that way. And I've talked to several of the homeowners and</p>	<p style="text-align: right;">Page 28</p> <p>1 station 500 feet on the back line property from residential</p> <p>2 properties. We are looking at 35 feet. And that is 35 feet</p> <p>3 of like a quarter of that. So how much is like 25 feet? It</p> <p>4 just keeps getting closer and closer to the properties. So</p> <p>5 every single time someone is re-fueling, every single time</p> <p>6 the tankers come in, we are going to smell it in our back</p> <p>7 yards and smell it in our front yards. And it is not what we</p> <p>8 signed up for when we moved to this community. It is</p> <p>9 outrageous. Unfortunately when the gas station is already</p> <p>10 there, you know what you are getting into. And I think no</p> <p>11 one signed up for this within this community. So, I mean, in</p> <p>12 a year or two when my daughter has health issues, who do I</p> <p>13 submit petitions to that it has been a detriment to her</p> <p>14 health? That I can't take my daughter in my back yard</p> <p>15 because I'm worried about water pollution coming in the</p> <p>16 run-offs and there is not even going to be a fence. It is</p> <p>17 all about cost. They are trying to put whatever works in</p> <p>18 there for the lowest amount of cost without really caring</p> <p>19 what is good for our community. It is just outrageous. Not</p> <p>20 even affording a fence. We already talked about the fence at</p> <p>21 the last meeting with him. It is not even in the plan, so</p> <p>22 obviously he doesn't care what the community wants and he</p> <p>23 doesn't care about the safety and the health of our</p> <p>24 community. So just it's kind of crazy, but just the fact</p> <p>25 that I bought this home to raise my four children in and now</p>



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1 we are considering moving out of the community. The second  
 2 it gets approved we are out. It is just insane. Thank you.  
 3 MR. CHAIRMAN: Anybody else in the audience?  
 4 MS. VANDERBERG: Winnie Vanderberg, 45 the  
 5 Woodlands, also a broker person for Re/Max and I have been  
 6 for almost 40 years and I have had experience with these sort  
 7 of projects. And I spoke out at the last meeting. I'm  
 8 adamantly opposed to this. I think there are far more  
 9 negatives than positives. I've not seen any site studies  
 10 that give us anything that is going to tell us that it is  
 11 going to help our property values. I feel our property  
 12 values are going to be dramatically diminished. Already  
 13 there are three properties up for sale in the neighborhood.  
 14 And I feel according to what I'm hearing here there are  
 15 probably going to be more. So what are we looking at, 10,000  
 16 20,000, \$30,000 in losses? I moved to the Woodlands as a  
 17 widow. I work still at Re/Max. I'm on Kendallwood Parkway.  
 18 I moved there to be safe, to have a quiet place to live and a  
 19 place to enjoy my seven grandsons. This does not make me  
 20 happy, nor does it make anyone in our neighborhood, the 95  
 21 homes, happy. I feel that if Mr. Cuda had presented this as  
 22 a restaurant or some other use that we would be much happier.  
 23 I don't feel that this is the highest and best use of that  
 24 space for us as residents there. And I feel if Gladstone  
 25 causes this entire community to gradually dissolve and lose

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1 value, then what does that say about us as a city? I just  
 2 would ask for you to consider that. Thank you.  
 3 MR. CHAIRMAN: Anybody else in the audience wish to  
 4 speak in opposition? Is there anybody in the audience -- oh  
 5 sorry.  
 6 MR. WATT: My name is Merill Watt. I'm a  
 7 registered professional engineer. 34 the Woodlands. In  
 8 addition to the comments you've heard from other members of  
 9 the Woodlands Homeowners Association, I would like to just  
 10 point out something that concerns me greatly; however, it is  
 11 not the most important subject that has come up. Health,  
 12 safety, and welfare happens to be the Number 1 issue in my  
 13 mind. However, what I would like to learn is if an economic  
 14 assessment impact study has been made that projects the  
 15 decreased value, cumulatively, for all properties within the  
 16 Woodlands Homeowners Association. We've heard from a realtor  
 17 that has more than 30 years experience who is gravely  
 18 concerned about a market depreciation of those individual and  
 19 thus cumulative property values. If, in fact, the assessment  
 20 bears out that is so, what remediation financial pool is the  
 21 developer or owner going to offer to offset over a long  
 22 period of time, a very long period of time, the depreciation  
 23 in the asset value? Keep in mind that I believe you heard  
 24 this evening from at least one to possibly two owners that  
 25 have stated they moved in approximately two years ago. And

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1 with a simple market depreciation of 10 to 12 percent you  
 2 could be talking well over two million dollars if properly  
 3 assessed. I'm not a certified financial planner. I just  
 4 want to point this out. There seems to be no thought for  
 5 those people who have lived there before this idea came to  
 6 fruition. And so I would like to see, is there a sinking  
 7 fund who manages it? How much is it? Because once the  
 8 decent curb flattens out on the property valuations, it's  
 9 very difficult to get them back up. Many of you have bought  
 10 and sold homes and you realize that the appraised value seems  
 11 to work when you are buying or selling off of what previous  
 12 sales have been for like and similar properties in the  
 13 immediate area. So once oppressed, it is very difficult to  
 14 get them to rise again. This concludes my remarks. Again,  
 15 health, safety and welfare of people in my perspective is  
 16 Number 1, and this onerous potential economic depreciation  
 17 concerns me greatly. Thank you very much for your time and  
 18 consideration. I hope that you oppose this project.  
 19 MR. CHAIRMAN: Anybody else in the audience wish to  
 20 speak in opposition? Seeing no more, is there anybody in the  
 21 audience that wishes to speak in favor of the idea? No  
 22 response.  
 23 MR. CHAIRMAN: All right. Is there any discussion  
 24 by the planning commission?  
 25 COMMISSIONER: Can I offer another amendment?

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1 MR. CHAIRMAN: Yes.  
 2 COMMISSIONER: Condition No. 14, the applicant shall  
 3 replace the fence on east side of property with a six foot  
 4 privacy fence. We've been talking about it and we've not  
 5 done anything with that.  
 6 COMMISSIONER: I'll second that motion. The  
 7 applicant shall replace the fence on the east side of  
 8 property with a six-foot privacy fence. And I use the word  
 9 replace because I think the fence that is there needs to come  
 10 down before it falls down.  
 11 COMMISSIONER: If the fence is on a property that is  
 12 owned by someone else, is that legal for us to require it?  
 13 CITY PLANNER: The fence, if it is on private  
 14 property, not on this property, then they cannot take it  
 15 down. They would be damaging private property. They can put  
 16 a secondary fence up on their property. Though, you do have  
 17 the problem of two fences being next to each other and issues  
 18 that happen between two fences, that type of thing. But they  
 19 could not take the other fence down unless the homeowner  
 20 allowed them to do it.  
 21 COMMISSIONER: I'll withdraw my motion.  
 22 MR. CHAIRMAN: Thank you.  
 23 COMMISSIONER: So I would like to say that I  
 24 personally don't have a problem with this but I think that we  
 25 need to consider all these people who came out to speak



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1 against it and really take their perspective into  
2 consideration when we are deciding on this.  
3 COMMISSIONER: The issue of the fence still bothers  
4 me quite a bit. I would really like to see them put a fence  
5 up on the property -- the subject property and let the  
6 homeowners that have that fence there that is falling down  
7 take care of that.  
8 MR. CUDA: We could add that condition subject to  
9 the property owner's granting us access to the property to  
10 put that fence on their property. But then who maintains the  
11 fence? We will replace the fence if the property owner  
12 maintains it, subject to their approval.  
13 MR. CHAIRMAN: Quick question on the fence, and I  
14 may need to address the audience on this, is it an HOA fence  
15 or is it a residential owned fence?  
16 CITY PLANNER: Either way it's still private  
17 property. So either the resident who lives there, if it is  
18 theirs -- or the HOA would have to agree to it either which  
19 way.  
20 COMMISSIONER: Does the QuikTrip not back up to this  
21 same Woodlands?  
22 MR. CHAIRMAN: No. It backs up to another  
23 neighborhood.  
24 COMMISSIONER: That is a different neighborhood  
25 where the QuikTrip backs up to?

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1 CITY PLANNER: It is a different neighborhood.  
2 COMMISSIONER: Isn't it real close in proximity to  
3 the Woodlands.  
4 CITY PLANNER: Not as close. I don't actually  
5 physically have the map, I could not tell you exactly, but it  
6 does not appear to be as close.  
7 COMMISSIONER: So McDonald's, the bank, not the  
8 Lawson, but the other bank and then --  
9 CITY PLANNER: Then the old QuikTrip and yeah --  
10 Yep.  
11 COMMISSIONER: I've heard Tanner's referred to as a  
12 restaurant a lot. My personal opinion is that was more of a  
13 bar than a restaurant.  
14 CITY PLANNER: It was a restaurant/grill. I mean,  
15 this -- all the years it has been there from Red Lobster to  
16 Tanner's, it has been some form of restaurant/grill bar-type  
17 thing.  
18 COMMISSIONER: They had outdoor seating and that  
19 wasn't a problem is what I heard?  
20 CITY PLANNER: Outdoor seating was actually on the  
21 west side of the building.  
22 COMMISSIONER: But from a noise perspective, that  
23 wasn't a problem? I mean, all -- any noise or whatever  
24 should be on the west side of the building in the C store as  
25 well.

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1 PUBLIC MEMBER: They closed at 10 or 11. The hours  
2 of their operation were 7 to 9, 7:00 a.m. to 9. But for a --  
3 CITY PLANNER: She was correct, the hours were -- I  
4 don't remember specifically, but somewhere between 9 and  
5 10:00, I believe.  
6 COMMISSIONER: That is consistent over time? I  
7 remember at one point -- I believe it's owned by UMB Bank  
8 now -- wasn't there a nightclub there at one time? Maybe  
9 that goes back 20 years or so. I guess my next question  
10 would be, who came first, the Woodlands or that building?  
11 CITY PLANNER: Actually the building was there  
12 before the Woodlands was there. The Woodlands developed  
13 later on back in that area.  
14 COMMISSIONER: What is the type of license for the  
15 city? I believe Tommy had a 2:00 liquor license.  
16 CITY PLANNER: I think we are 1:00. Don't hold me,  
17 but I think we are 1:00.  
18 COMMISSIONER: But if you build a housing  
19 development next to a commercial development, shouldn't you  
20 expect some of this stuff and shouldn't that already been in  
21 your housing pricing?  
22 CITY PLANNER: Current property there has been a  
23 restaurant and it has always been a restaurant, never been  
24 anything else. A restaurant bar grill restaurant, that type  
25 of thing. This is the first time property has ever had a use

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1 change since this development.  
2 COMMISSIONER: How long has that property been CP3?  
3 CITY PLANNER: Somewhere back in the '80s, late  
4 '70s. I'm not 100 percent sure when Red Lobster, whenever  
5 Red Lobster was the original.  
6 COMMISSIONER: What are the types of businesses in  
7 general that can go into CP3?  
8 CITY PLANNER: There is a lot. Anywhere from the  
9 convenience store, restaurants basically anything C 1, C 2.  
10 COMMISSIONER: How long have those been vacant, do  
11 you know just about?  
12 CITY PLANNER: The Lawson BANK recently were bought  
13 out by Bank Liberty sometime this year. They moved out of  
14 there. The QuikTrip was last year when it closed up. And  
15 those are the ones that are empty besides Tanner's moved out  
16 maybe two years ago pushing that at the most.  
17 COMMISSIONER: Thank you.  
18 COMMISSIONER: I haven't given up on the privacy  
19 fence.  
20 CITY PLANNER: Mr. Chairman, you do need to close  
21 the public hearing?  
22 MR. CHAIRMAN: We'll close the public hearing.  
23 COMMISSIONER: I wonder if we could consider  
24 wording -- I'm not making a motion yet -- that says the  
25 applicant shall build a six-foot privacy fence on the east

<p style="text-align: right;">Page 37</p> <p>1 side of the property in addition to the plantings.</p> <p>2 COMMISSIONER: Contingent upon homeowners.</p> <p>3 COMMISSIONER: No, on the applicant's property, so</p> <p>4 you are going to have fence on fence, but still going to have</p> <p>5 a decent screen. And then the property owners can tear down</p> <p>6 their fence, which I would recommend before it falls. Could</p> <p>7 that be done?</p> <p>8 CITY PLANNER: I think as long as the developer</p> <p>9 would agree to that, I believe he stated he would do</p> <p>10 something along those lines. We could add that as a</p> <p>11 condition, yes.</p> <p>12 COMMISSIONER: What would we do about growth in</p> <p>13 between the two fences? Weed and vegetation?</p> <p>14 CITY PLANNER: That becomes an issue. You could put</p> <p>15 the fences -- I don't know how far their fence is off the</p> <p>16 property line, that becomes an issue. Ideally you don't want</p> <p>17 to have two fences because it does cause issues between the</p> <p>18 two fences for maintenance and whose responsibility it is to</p> <p>19 maintain those fences. So --</p> <p>20 MR. CHAIRMAN: If something like that was done there</p> <p>21 needs to be a separation of fences so that there is</p> <p>22 maintenance that could be done between the two.</p> <p>23 CITY PLANNER: That would be correct. And depending</p> <p>24 where the current fence is, how much property and who is</p> <p>25 going to maintain it, that type of thing.</p>	<p style="text-align: right;">Page 39</p> <p>1 the procedure, if we support this, it is a recommendation</p> <p>2 that goes to the Council. If we do not recommend it, it goes</p> <p>3 to the Council with no recommendation? How does that work</p> <p>4 exactly?</p> <p>5 CITY PLANNER: Well, if the Planning Commission does</p> <p>6 not recommend this project, we will probably work with the</p> <p>7 developer and the neighborhood to try to come to some type of</p> <p>8 agreement before it gets brought to City Council.</p> <p>9 COMMISSIONER: But it will go to the City Council no</p> <p>10 matter what we do?</p> <p>11 COMMISSIONER: Yes.</p> <p>12 CITY PLANNER: Yes.</p> <p>13 COMMISSIONER: On the east side I notice there is a</p> <p>14 eight-inch tall curb that is, is it my correct understanding</p> <p>15 that that is all going to be taken out? That curb? Because</p> <p>16 that kind of keeps any water for getting into the back yards</p> <p>17 of about three or four home homes there.</p> <p>18 CITY PLANNER: I am going to ask for the architect</p> <p>19 to go ahead and answer that question.</p> <p>20 MR. RUOFF: Actually that is a good question,</p> <p>21 because when we take all that paving out, storm water and</p> <p>22 rain will soak into that ground. Which is a benefit and it</p> <p>23 is a catch 22 in some ways. So I would send it to a civil</p> <p>24 engineer to make sure we have to berm it or control it, we</p> <p>25 don't want any water going to the residential, but right now</p>
<p style="text-align: right;">Page 38</p> <p>1 MR. CHAIRMAN: If there is a property line, it is</p> <p>2 three foot from their fence they still have to maintain.</p> <p>3 Plus -- okay.</p> <p>4 COMMISSIONER: Conceivably there could be an</p> <p>5 agreement with the homeowners association to take their fence</p> <p>6 down once the new one is built, too, I suppose.</p> <p>7 MR. CHAIRMAN: Is that a condition we could put in,</p> <p>8 that we have the developer put a fence in and in return the</p> <p>9 neighborhood's fence --</p> <p>10 COMMISSIONER: We can't require them -- this would</p> <p>11 have to be informal, actually sit down and talk about it.</p> <p>12 CITY PLANNER: What we might be able to do is, if</p> <p>13 you want, is add the condition that the developer get with</p> <p>14 the resident that lives there, discuss the fencing. I don't</p> <p>15 know that we really want to say a fence has to be built by</p> <p>16 the developer or whatnot. But we can at least ask them to</p> <p>17 talk and meet and come up and get back to us as to if any</p> <p>18 agreement may or may not have been made on it, who can use it</p> <p>19 from which side.</p> <p>20 COMMISSIONER: Hopefully before it goes to the</p> <p>21 Council. When will this go to the Council?</p> <p>22 CITY PLANNER: The earliest they will see this will</p> <p>23 be December 10th.</p> <p>24 COMMISSIONER: One more question, just so I</p> <p>25 understand the procedures, so the people out there understand</p>	<p style="text-align: right;">Page 40</p> <p>1 that water that is landing on that pavement is going to all</p> <p>2 the -- it is going away from the residential properties</p> <p>3 completely all the way to the street. So when we put the</p> <p>4 plantings and such in there, it is going -- the ground water</p> <p>5 could saturate. But we don't want any storm water running to</p> <p>6 the east. It is going to be a civil engineering question</p> <p>7 when it's all over.</p> <p>8 COMMISSIONER: But that curb you think is going to</p> <p>9 come out?</p> <p>10 MR. RUOFF: Yeah, we'll have a new curb in front of</p> <p>11 the landscaping that will be another curb, but that entire</p> <p>12 site flows to the west. The north side goes up north and the</p> <p>13 south side goes up south. That is -- we are not changing the</p> <p>14 way water flows.</p> <p>15 COMMISSIONER: Your pond that is the fancy word, the</p> <p>16 bayou, whatever, that is kind of in the center of the</p> <p>17 property there, that is not in the southwest corner and that</p> <p>18 is where in here someplace I saw was going to be in the</p> <p>19 southwest corner.</p> <p>20 MR. RUOFF: The petroleum island area is actually in</p> <p>21 the middle -- is kind of flat so we are going to catch most</p> <p>22 of it into that island.</p> <p>23 COMMISSIONER: If you built 25 of these, do you see</p> <p>24 a lot of, call it spilled gasoline or whatever, that ends up</p> <p>25 in this pond?</p>

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1 MR. RUFF: We are under BMP's, Gladstone is. Kansas  
 2 City Missouri doesn't enforce but Kansas City Kansas does, it  
 3 is a metro plan, it is a strategy put together by MARC,  
 4 Mid-America Regional Council, it is a guideline. The problem  
 5 with that is it just depends on how you handle certain sites  
 6 and what the situation is. In my experience is the BMP's are  
 7 relatively new to most municipalities. They've been working  
 8 with them for about six, seven, eight years. Some cities  
 9 don't even use them. But in this situation you are going to  
 10 have a brand new fuel system. You are going to have all the  
 11 pressure gauging, all the warning -- you are going to have  
 12 all the safety situations. All the lines are pressurized all  
 13 the time. If there is a pressure failure the, alarm goes  
 14 off, the system shuts down, somebody comes out and looks.  
 15 The new technology is the highest technology available for  
 16 that. Now, what the pond is for is when people are putting  
 17 their gas in and out and they drip. You get a real heavy  
 18 rain storm that comes through and water will wash through  
 19 there. That will accumulate that first rain amount, the  
 20 initial rain fall that catches in that pond and filters it  
 21 and it keeps the site cleaner. That is what it is really  
 22 intended for. So but from a spill and leaks and that sort of  
 23 thing, it is not the same as it was with the steel tanks 30  
 24 years ago. With that said, it is not fool proof. I'm  
 25 describing this the way it is. But any time you get a new

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1 gas station that is much better than one that is 30, 40 years  
 2 ago, it is much more advanced. They have -- there is  
 3 different ways of doing this, too. I'm not sure what we are  
 4 going to use. This is a different, you know, different  
 5 clients use different systems. But it is called tank level  
 6 sensing system that goes in the tank and it keeps track of  
 7 the tank. The tank is pressurized. If the tank is losing  
 8 pressure based on the dispense volume to what is supposed to  
 9 be in the tank, alarms go off and they'll check. There is a  
 10 system in the lines that go between the tank and the  
 11 dispensers and that is pressurized and that has its own alarm  
 12 and its own sensors and that sort of thing. The boxes  
 13 underneath the dispensers can be alarmed. They are not  
 14 required to but they can be. So all these systems are  
 15 available to make that part safe. This is mostly for rain  
 16 water. What we are talking about on the front of the site is  
 17 mostly just get a -- or when they pressure wash to clean it,  
 18 that would go through the pond and it would air out and  
 19 clean -- it is not major. It is not significant. But it is  
 20 still something you want to watch.

21 COMMISSIONER: Are you saying with today's  
 22 technology, you are like 100 percent that the main storage  
 23 tanks are never going to leak or not contaminate the ground?

24 MR. RUOFF: I don't think I'm insured to say that,  
 25 but I've worked with -- I did all the corporate stores with

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1 the previous employer for Phillips, Texaco, Conoco and none  
 2 of those stores, to my knowledge, have ever had an issue.  
 3 But I've done several private stores and I do all the Express  
 4 Marts, which are not really up north of the river. I've done  
 5 Express Marts. We've done 12 sites with them over the years,  
 6 never had any problems. But they will have warnings go off  
 7 every once in a while where they have an issue with the  
 8 dispenser and it is not a leak, there is a containment box  
 9 there, but the alarm goes off and they'll come out and check  
 10 it. From A tank standpoint, this is something that is new,  
 11 about two years ago Missouri set a deadline for all tanks  
 12 going in the ground have to be double wall. What that means  
 13 is, used to be able to put in a single wall steel tank. That  
 14 is the ones we had problems with 30 years ago. If they had a  
 15 leak, you had no way of controlling it. Now everything is  
 16 going to be double walls. Most of them are going to be  
 17 fiberglass. You have the big fiberglass tank with the two  
 18 walls and it is interstitial. There is a space in between.  
 19 If the inner wall leaks, it sets off the alarm. And if that  
 20 occurs, then they shut the site down. They come out and  
 21 remove the tank before it goes to the second tank. There is  
 22 a lot more going on now than there was in the '80s.

23 COMMISSIONER: I direct probably to the staff, if  
 24 this gas station C Star doesn't make it or whatever, is there  
 25 any ordinances or anything that these tanks have to be

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1 removed, or do they just get to stay in the ground forever?  
 2 CITY PLANNER: By federal guidelines they have to be  
 3 removed.

4 MR. RUOFF: Yeah, there is a fund, insurance fund  
 5 State of Missouri has that all these -- not all operators, I  
 6 think most operators have to pay into it or have some other  
 7 means, the tanks have to be registered with the State and  
 8 most all of them pay into the super fund, so that super fund  
 9 would remove those tanks.

10 COMMISSIONER: Does the State or City do any soil  
 11 testing or whatever ecological testing?

12 CITY PLANNER: We do not. Typically it is not done  
 13 on a regular basis. I know areas in older areas that have  
 14 had issues with it do test ports, but we don't do any  
 15 testing. It is typically done through the EPA or State  
 16 agency or federal agency. They do test it when tanks come  
 17 out and check the soil, verify that the soil is clean before  
 18 they'll backfill.

19 MR. CHAIRMAN: Any other discussion?

20 COMMISSIONER: I just have one comment, from my  
 21 perspective, as far as when we go to vote and everything, I  
 22 find it really challenging being comfortable voting a certain  
 23 way without having a little bit more information from Cuda,  
 24 what is the architect describing on, we don't know about  
 25 this, we need to speak with a civil engineer or we don't know

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1 a lot about the sightlines on the top of the roof because we  
 2 don't know if the roof is going to be able to support extra  
 3 structures and we don't know about the fence. So just to  
 4 comment before we vote, is that I have a little bit of a  
 5 struggle voting a certain way based on lack of information.  
 6 COMMISSIONER: I think there has been several  
 7 motions made and seconds we've never voted on, but this is  
 8 going to be voted on when we come to the final thing on this,  
 9 I hope you've taken notes and remember what you've made  
 10 motions to and you do it at that time. I myself, I don't  
 11 like the idea of 5:00 to 2:00. And it is a liquor store.  
 12 And it is a convenience store. Kids are going to be hanging  
 13 out there and making a lot of noise. And the trees lose  
 14 their leaves in the winter. That is not a good buffer. And  
 15 besides that, it doesn't have 35 foot variance between that  
 16 and residential property.  
 17 CITY PLANNER: Still got to do the first motion that  
 18 Mr. Markenson made.  
 19 MR. CHAIRMAN: On the first motion was to change  
 20 Item No. 10 to "including. "  
 21 COMMISSIONER: Take out the word "excluding" and  
 22 insert in lieu thereof the word "including."  
 23 MR. CHAIRMAN: So we had a motion and a second.  
 24 CITY PLANNER: Roll call.  
 25 (Roll call.)

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1 (Motion carried.)  
 2 MR. CHAIRMAN: And the other motion was to put an  
 3 item 14, he retracted that.  
 4 CITY PLANNER: That is the only motion.  
 5 MR. CHAIRMAN: Okay. Any other discussion? Do we  
 6 feel we have enough information?  
 7 COMMISSIONER: Would you entertain a motion to place  
 8 this on the table until the next meeting? Give them an  
 9 opportunity to work on the fence and some of the other issues  
 10 that have been mentioned here, before we take a final vote on  
 11 this? I'm not making that motion.  
 12 MR. CHAIRMAN: I would entertain it, yeah. To make  
 13 sure that we get some of the concerns addressed with the  
 14 fence and some of the other issues that we had.  
 15 MR. CUDA: Can I address a couple of these concerns?  
 16 This is money for me.  
 17 MR. CHAIRMAN: I think we have enough. We need to  
 18 push it to another meeting.  
 19 CITY PLANNER: If that is what the planning  
 20 commission desires, we can continue this until the planning  
 21 commission meeting on December 3rd.  
 22 MR. CHAIRMAN: We are going to vote. Is that a roll  
 23 call?  
 24 CITY PLANNER: It will be a roll call.  
 25 MR. CHAIRMAN: I would entertain a motion to suspend

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1 this until December 3rd.  
 2 (Roll call)  
 3 (Motion carried.)  
 4 MR. CHAIRMAN: Move this to the December 3rd agenda  
 5 and try and get some answers to the questions that are still  
 6 out there about the fence and other items. Okay. Thank you.  
 7 That concludes that item. Number 7 on the agenda is  
 8 communications from the City Council.  
 9 COUNCIL MEMBER: The Mayor's Christmas Tree lighting  
 10 is tomorrow night, so I hope you all can come to wish  
 11 everybody a happy Thanksgiving.  
 12 MR. CHAIRMAN: Next item is communication from city  
 13 staff. Do you have communication?  
 14 CITY PLANNER: I just want to thank everybody for  
 15 being here tonight, I appreciate it. I know the Chiefs and  
 16 Rams are playing right now I don't know whose winning but  
 17 hopefully it's Chiefs. Rams are winning. So it looks like  
 18 we will have the December 3rd planning commission meeting and  
 19 we will continue this then. That is all I have.  
 20 MR. CHAIRMAN: Next on the agenda is communications  
 21 from the Planning Commission members.  
 22 COMMISSIONER: Let's go home.  
 23 (Adjournment.)  
 24  
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## C E R T I F I C A T E

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 2  
 3 I, Nicole M. Calcara, Certified Court Reporter, do  
 4 hereby certify that on November 19, 2018, I was present and  
 5 reported all of the proceedings in the Gladstone Planning  
 6 Commission Hearing; I further certify that the foregoing 47  
 7 pages contain a complete and accurate transcription of the  
 8 proceedings.  
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 C.C.R. #930  
 Nicole M. Calcara, Court Reporter