

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT SUBJECT TO CERTAIN CONDITIONS TO CELIA WEBB FOR OPERATION OF A BEAUTY SALON ON PROPERTY AT 5308 NORTH WYANDOTTE STREET.**

**WHEREAS**, Pursuant to Section 32-39 of Ordinance No. 2.292 being the Gladstone Zoning Ordinance, public notice was made of a request for a Special Use Permit on property at 5308 North Wyandotte Street, legally described as Williamsburg, 4<sup>th</sup> Plat, Lot 63; and

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

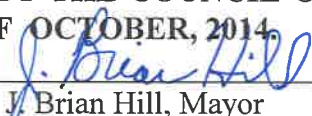
**WHEREAS**, the Planning Commission of the City of Gladstone did submit its recommendation to the City Council for approval; and

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

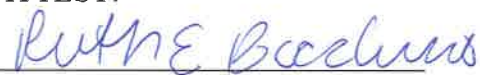
**SECTION 1.** That Celia Webb is hereby granted a Special Use Permit for operation of a beauty salon at 5308 North Wyandotte Street, the effective date of which shall be the enactment date of this Ordinance and expiring 10 years from such date, all subject to the following conditions:

1. Celia Webb shall maintain a License as required by the State of Missouri. If for any reason the State of Missouri revokes or suspends the license of Celia Webb, this Special Use Permit shall also be automatically revoked or suspended.
2. This Special Use Permit is to be issued to Celia Webb to be used at this residence only. If she relocates to another residence, she must reapply for another permit. This Special Use Permit is to be non-transferable to another person either living at this residence or at any other location.
3. No person other than Celia Webb shall be employed at this location or any other address in association with the beauty salon operated by Celia Webb.
4. Hours of operation shall not exceed 30 hours per week, and shall not begin earlier than 8:00 AM nor later than 7:00 PM on any day.
5. Celia Webb shall reside at this address for this permit to be valid.
6. Celia Webb shall apply for and maintain all applicable State and City business and occupational licenses.
7. All fire safety requirements made by the City of Gladstone Fire Inspector in addition to all fire and other safety requirements for such State License shall be complied with and maintained as required. A backflow assembly shall be installed.
8. No structural changes shall be made to the house or property for the purpose of operating the beauty salon other than those structural changes contained in this application, the State of Missouri or the City of Gladstone pursuant to the City Code. The intent of this requirement is to ensure that the premises shall maintain its residential character throughout the term of this Special Use Permit.
9. This permit is issued in accordance with the submitted site plan of the house supplied by Celia Webb in her application for a Special Use Permit. Any false statements in the application or violation of these conditions or other City Code requirements may result in the revocation of this Special Use Permit.
10. No outside signage shall be placed on the property.

**PASSED, SIGNED, AND MADE EFFECTIVE BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 27TH DAY OF OCTOBER, 2014.**

  
\_\_\_\_\_  
J. Brian Hill, Mayor

ATTEST:

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



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P.O. Box 10719  
GLADSTONE, MISSOURI 64188-0769

7010 North Holmes  
GLADSTONE, MISSOURI 64118-2646

816-436-2200  
816-436-2228 FAX

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## MEMORANDUM

**TO:** Planning Commission

**FROM:** Chris Helmer, Planning Specialist

**DATE:** October 13, 2014

**SUBJECT:** **Renewal of Special Use Permit – Beauty Salon (5308 N. Wyandotte)**

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An application has been submitted for the renewal of a Special Use Permit for the operation of a beauty salon at 5308 N. Wyandotte Street. The applicant has been operating under a (5) year SUP with no apparent issues brought to the attention of city staff. Staff is recommending the Commission and Council consider the renewal of this permit for the beauty salon operation and with a (10) year permit duration.

**On Monday, October 21, 2014 the Planning Commission unanimously voted in favor of this request. (11-0)**

September 24, 2014

Celia Webb

5308 N Wyandotte  
Gladstone, Missouri 64118

City of Gladstone  
Community Development  
7010 N. Holmes  
Gladstone, Mo 64118

Re: Renewal of Special Use Permit for Home Based Beauty Salon

Dear Sir or Madam:

I would like to request a renewal of the special use permit issued to me in 2009. And I would like for the renewal to be for a period of 5-10 years.

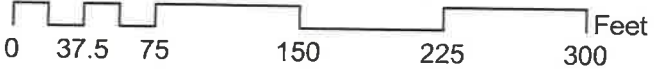
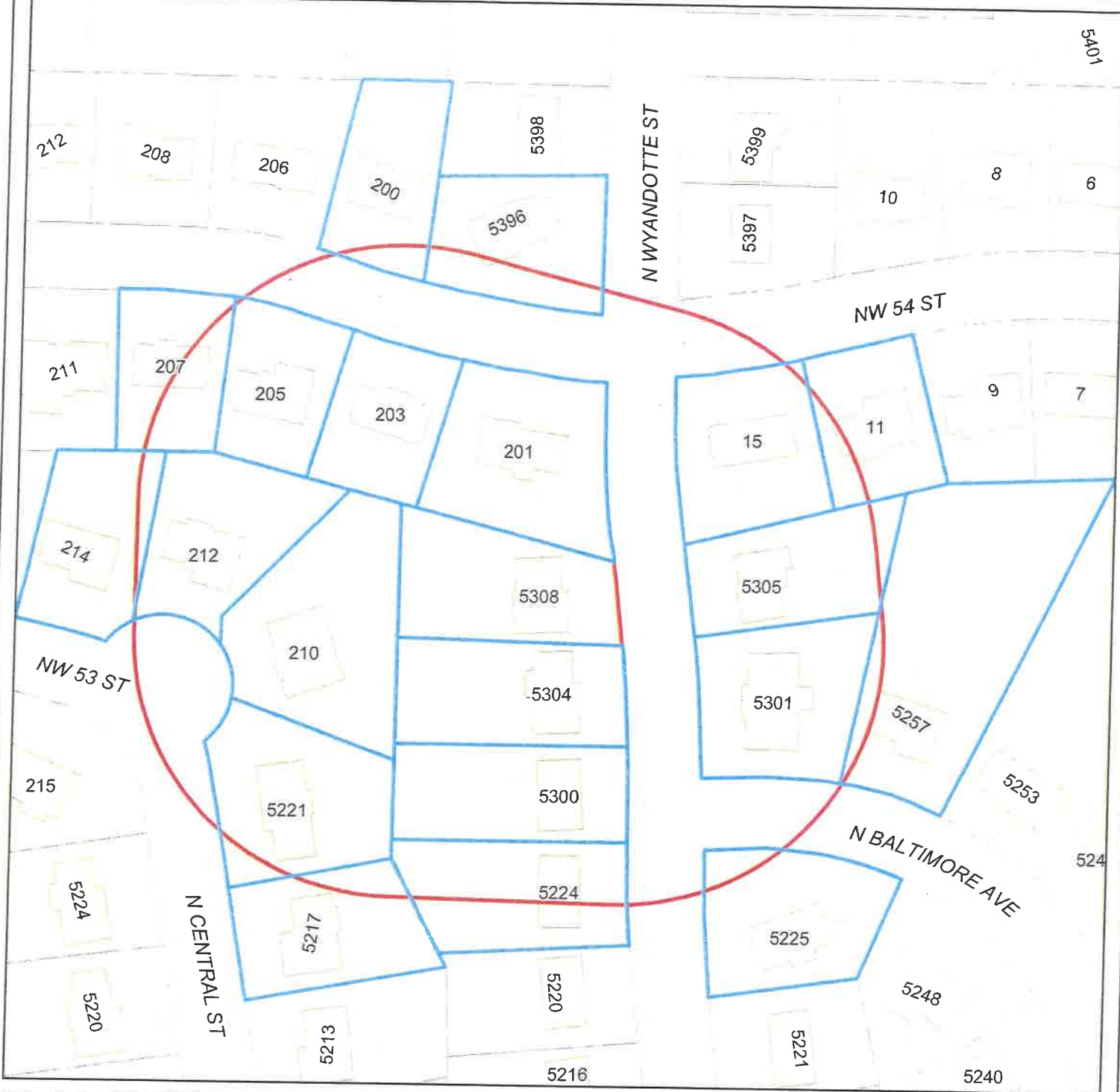
The salon has been a success and I believe that all of my neighbors have been and continue to be supportive and not in the least bothered by my presence in the neighborhood. We have, to our knowledge never had a complaint and do not foresee any in the future.

I have complied to the ordinance issued me and I will continue to do so. We have a backflow inhibitor installed and have it checked yearly with reports to your office. We have no outdoor signage, and we have a private entrance into the salon. Our driveway accommodates any clientele I might have on any given day.

If you have any questions regarding this request please call me anytime at 459-8845 or 589-4836.

Thank you for your consideration.

Celia Webb



Printed at \_\_\_\_\_

October 2014



Special Use Permit- Renewal  
 5308 N Wyandotte  
 Celia Webb

**CITY OF GLADSTONE**  
 COMMUNITY DEVELOPMENT DEPT.  
 7010 N. Holmes, Gladstone, MO 64118  
 Telephone: (816) 436-2200

PLANNING COMMISSION  
GLADSTONE, MISSOURI  
*Council Chambers*  
October 20, 2014  
7:30 pm

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

**Present:** Ms. Alexander  
Mr. Markenson  
Mr. New  
Ms. Poindexter  
Mr. Ringhausen  
Mr. Steffens  
Ms. Van Duser  
Mr. Ward  
Mr. Whitton  
Mr. Yarber  
Chairman Turnage

**Absent:** None

**Council & Staff Present:**

Councilmember Jean Moore  
Councilman RD Mallams  
Scott Wingerson, Assist. City Mgr.  
Alan Napoli, Building Official  
Melinda Mehaffy, Econ. Dev. Admin.  
Chris Helmer, Planning Specialist

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

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

**Item 3 on the Agenda: Approval of the October 6, 2014 minutes.**

**MOTION:** By Mr. Ringhausen, second by Mr. Ward to approve the October 6, 2014 minutes as presented. All said aye. The motion carried.

**Item 4 on the Agenda: PUBLIC HEARING on a request for a Special Use Permit renewal at 5308 N. Wyandotte. Applicant/Owner: Randolph W. and Celia L. Webb. File #1396.**

Mr. Helmer reported that the applicant is not new to this process. Her last request was back in 2009 when she was granted a 5-year permit. Prior to that, a one-year initial approval was given to Ms. Webb at the onset of her business. Staff is recommending the Commission and Council consider a 10-year permit approval. The applicant is not present this evening; however, staff is okay moving forward if they see fit.

Chairman Turnage asked for those in favor or opposition to approach the Commission. There was no response. The public hearing was closed.

**MOTION: By Mr. Whitton, second by Ms. Alexander to approve a 10-year Special Use Permit renewal at 5308 N. Wyandotte.**

<b>VOTE:</b>	<b>Ms. Alexander</b>	<b>Yes</b>
	<b>Mr. Markenson</b>	<b>Yes</b>
	<b>Mr. New</b>	<b>Yes</b>
	<b>Ms. Poindexter</b>	<b>Yes</b>
	<b>Mr. Ringhausen</b>	<b>Yes</b>
	<b>Mr. Steffens</b>	<b>Yes</b>
	<b>Ms. Van Duser</b>	<b>Yes</b>
	<b>Mr. Ward</b>	<b>Yes</b>
	<b>Mr. Whitton</b>	<b>Yes</b>
	<b>Mr. Yarber</b>	<b>Yes</b>
	<b>Chairman Turnage</b>	<b>Yes</b>

**The motion carried. (11 yes, 0 no)**

**Item 5 on the Agenda: PUBLIC HEARING on a request to rezone property currently zoned as RP-3 to CP-2 and a Site Plan approval at 5703 N. Broadway. Applicant/Owner: Roger L. and Jill R. Buckner Trust. File #1397.**

Mr. Helmer began the hearing by explaining many of the exhibits the Planning Commission received in their packets. The parcel and the area of consideration for the site development plan is just shy of 2.5 acres. This parcel is encompassed by a series of various zoning designations; however, the general area to the north has been an area that staff worked very closely with the property owner and design team on what staff feels has been appropriate consideration for the neighborhood. The staff report also references many exhibits throughout the application and Mr. Helmer referred to them on the overhead screen.

Beginning with Exhibit A, Mr. Helmer showed a general layout of the area with an aerial view map. The current zoning is RP-3, a residential designation. The proposed zoning change is to CP-2. Exhibit D shows the elevation, monument signage detail and floor plan layout. Staff feels they have been able to work hand in hand with the owner on making sure that the proposed elevation and overall design is compatible with City standards and existing neighborhood to the north. The applicant's engineer will speak more about the technical workings of the stormwater management on-site, which is an important component to this application. The final three areas of focus for stormwater are conceptual examples Mr. Helmer asked to be provided to get a better understanding of what the BMP storm management will look like when built out.

In summary, Mr. Helmer said that the applicant is requesting an approximate 7,000 square foot commercial business with 20 parking stalls, landscaping and signage. He noted that with the site plan layout they will notice one entry off North Broadway that is proposed for the development. Exhibit C, Sheet SP-1 shows detail of the building development. Two other items included with the staff analysis were the traffic analysis and the water drainage study. When the Commission

comes to a point of deliberation on the decisions that they will make this evening, there are four pertinent items that staff is asking them to look at: 1) find that the proposed development is consistent with the Comprehensive Plan; 2) find that the zoning change is appropriate; 3) find that the development plan with suggested conditions meets community standards and 4) consider a motion and vote on draft ordinances for rezoning and site development plan approval. Mr. Helmer asked for questions of him prior to the applicant's presentation.

Mr. Markenson asked what exactly is being rezoned.

Mr. Helmer referred to a slide on the screen with a section of the zoning map, which indicated a red box around the application area, which was a brown hashed parcel.

Mr. Markenson said the parcel to the right is not being rezoned.

Mr. Helmer said that is correct. It will remain the same zoning classification.

Mr. Ringhausen said there was reference to a previous stormwater study when the apartments were under consideration. What was accounted for in that study? Was it zoning for RP-3 at that time?

Mr. Helmer answered that he would let the engineer speak about that study since he has identified it in his report; however, it generally states that it was from a build-out scenario, it was under the intended residential density.

Alex Toye, ATA Architects, LLC, 323 East 14<sup>th</sup> Avenue, North Kansas City, MO, addressed the Commission. Mr. Toye introduced his team and said that during the review process, staff has been very helpful to work through the design changes that they saw beneficial to meet the City requirements as well as what the owner would like to have. Out of the conditions that were identified for staff and conversations with the owner, there are two items he would like to look at. On the east elevation, they would like to change the materials on the exterior finish, which is an insulated stucco panel. This would eliminate the 2-tone color. The second item is the irrigation. In conversations with Mr. Buckner, he would like to have underground storage tanks in which to water landscaping, rather than an irrigation system. He introduced the engineer, Mr. Walquist.

Robert Walquist, Quist Engineering, Incorporated, 821 NE Columbus Street, Lee's Summit, MO 64063, addressed the Commission. Mr. Walquist said the site is pretty self-explanatory. The property will surface drain toward the north into a BMP and the picture on the left depicts a BMP. Basically, it's a filtration. BMP is a soil and sand mixture; it's supposed to treat the water. Right now, the City doesn't require them to do a BMP, most cities around here do require it, but it's basically to treat the heavy metals and take them out of the water. BMP is supposed to do the first flush just like a 1-2 year storm. It will let the heavy metals get in there and filter out. The heavy storms will just flow right over the dam and will continue flowing to the north to the detention basin. Mr. Walquist showed a picture of what the BMP area would look like. It will contain rye grass that can be mowed by the client or allowed to grow up; it will be a dry system.

Mr. Walquist said that to the north is an existing detention basin that was designed for the Sr. Housing project with this piece of project in mind. The C value placed on this property during

that study was a .51 and what they have designed is a .41, so they are below what it was designed for as far as percentage of impervious area. He asked if there were any questions at this point.

Mr. Steffens asked if this means that the water will remain on their property.

Mr. Walquist answered yes. It will drain down to the detention basin, which is on their property. The detention basin will obviously fill up with other flow as well.

Mr. Ward asked if the basin had been checked for silt since 2001 to see if silt has filtered into it.

Mr. Walquist explained that the detention on the basin would be from the surface level up and anything below the water surface is aquatic life. It has nothing to do with detention at that point.

Mr. Walquist continued to selection of the intersection. He said they selected the intersection location based on the profile of the existing road. They have a northbound lane coming upon them. The existing entrance across the street is further down the hill on their side. The proposed entrance is higher on the hill to have better site distance. To the south there is still 225 feet, which is well under the ASHTO requirement of 225 feet for 35 mph, and North Broadway is a 25 mph zone. Sidewalks...the entrance will come up at a 2% to keep their ADA sidewalk so they don't have it too steep. Trucks will come into a steeper grade after that and be able to park and then have plenty of room to turn around. He asked for questions at this time.

Mr. New asked if there were any issues with the building across the street and their traffic pattern.

Mr. Walquist said he didn't want to get too close to their entrance; that's why they moved it down. The sign was also placed far enough out of the site triangle so that it doesn't create a problem.

Mr. New asked if there was a need for stop lights or stop signs.

Mr. Walquist answered no.

Chairman Turnage asked how much site work there was going to be in terms of earth moving.

Mr. Walquist said it's about 3-4 feet when you get to the back of the building. Towards the front it will be at grade.

Mr. Ringhausen asked if cut and fill will be balanced on the site or if it will be mostly removal.

Mr. Walquist said they will have to export dirt.

Mr. Ringhausen asked if he understood him correctly in Mr. Walquist's statement about traffic that currently ASHTO requires what type of stopping distance for 35 mph.

Mr. Walquist said ASHTO requires 35 mph requires 225-250; they have 225. For 25 mph, they require 150-175.



Mr. Ringhausen asked if the current speed of N. Broadway is 35 mph.

Mr. Walquist said the speed limit is 25 mph, but joked that he thinks everyone goes 35 mph.

Ms. Van Duser noted where the cut line is indicated on the site plan and wondered if that took into consideration the future addition or would an additional cut need to be made.

Mr. Walquist answered that the parking lot will be 1% coming out and it will be over the parking lot.

Mr. Ringhausen asked what is establishing the tree line on the north side of the building and how it lays into the bioswale on the north side.

Mr. Walquist said they can place those trees on top of the berm, which was what the intent was. It will not affect the bioswale.

Mr. Ringhausen asked if the intent was to place trees in the bioswale.

Mr. Walquist answered now. He said some people like trees in their bioswale, but he prefers not to have them.

Mr. Ringhausen asked if there has been any discussion with the adjacent property to the east related to line of sight at this building. He doesn't see much screening.

Mr. Walquist said that by the time you get to the top of the hill it will be about 6-8' of depression. Basically, this project will be in an 8' hole from their sight.

Chairman Turnage asked for those in favor to come forward. Hearing none, he asked for those in opposition to come forward.

Barbara Heinisch, 434 NW 58<sup>th</sup> Street, Kansas City, MO, addressed the Commission. Ms. Heinisch said she is at the bottom of the hill. A creek runs back through their residential area. They are in a federally designated flood plain. To live down there you have to carry flood insurance. They were not in a flood plain when they first moved there, but years ago they had a very serious flood. Due to building and more building and more drainage; that creek was running full and it couldn't all get out. When she says serious flooding, she means in her kitchen it was above her countertops. They had taken their children upstairs and put a life jacket on the smallest one...it was very scary. They had no flood insurance, so they paid for everything as did their neighbors. Anyway, Kansas City made some improvements and it made a big difference. Ms. Heinisch said that they have gone for many years with no serious flooding. She can never go through a heavy rain without worrying about it. Things are being developed more and more. About three weeks ago there was a 3" rain and the creek ran full. She appreciates all that Gladstone's trying to do to keep the water to a minimum, but in her heart she thinks how much more rain and runoff can they take down there before they flood again. Even though Kansas City has made improvements, FEMA won't take them out of the flood zone. She doesn't know if they're not satisfied or if they just don't want to bother to re-do the maps. She just wants everyone here to know that when they vote on this, please be satisfied with the water runoff.

Mr. Whitton asked if there was a lake to the north of her.

Ms. Heinisch said to the north where the apartments are now there was a lake, but when they built the apartments the lake was supposed to be a retention basin. The lake was turned into a parking lot then. She said the flooding hasn't happened for a long time, but she would just appreciate as much water as possible be slowly released.

Bob Blocker, 221 Hickory Circe addressed the Commission. Mr. Blocker isn't sure that they are taking into consideration everything. The point the lady has (Ms. Heinisch) is that once the pond that they put in fills up to a certain level, where does the water go? Storm sewer or into her creek? The second thing he is concerned with is the thought of putting the entrance at the top of the hill. The speed limit is confusing. At the top of the hill it is 25 mph and at the bottom of the hill it is 30 mph. Broadway is not a big road. It has issues with the hills and if the snow is not cleaned off you're not going to get up and down the hill. Gladstone does a good job of getting up there, but there have been times where people have gotten stuck on the hill almost every winter. Mr. Blocker said he would also like to understand what Mr. Buckner is going to use the facility for. He heard it was not going to be for local business where there's a lot of people going it, but mostly for his workers. That makes it a little bit easier because there's going to be less traffic, but any additional traffic on Broadway could become very dangerous. There is a bus stop at the bottom of the hill and there are lots of kids for both Kansas City and Gladstone getting on there.

Pam Fraser, Englewood Vista Apartments, 5700 N. Main Street, Gladstone addressed the Commission. She stated that she is the manager at Englewood Vista and wondered if there will be any hazardous materials in the proposed building.

An unidentified voice from the office answered no.

Regarding the drainage pond, Ms. Fraser asked if Mr. Buckner now owns part of that. In the past it has always been Englewood Vista's responsibility to take care of the pond. She has had it cleaned out before. She also wondered if there will be more water draining into it.

Robert Walquist answered that the pond does come onto Mr. Buckner's property and it was an easement that Englewood Vista purchased from him. He said that the water will be going through the BMP's prior to going into the pond, but it won't necessarily be more water.

Ms. Fraser asked if the property will be staked off so she can see....because she takes care of the field and she has yet to see any survey stakes.

Mr. Walquist said that most likely the survey stakes will just be up by the building area. He offered to have a surveyor mark off the other areas if she would like. He suggested getting with Mr. Buckner and he can probably put some flags up.

Mr. Toye addressed the question regarding the business itself. He said Mr. Buckner has approximately 16-18 people on staff. They have 16 vehicles, but most people drive one of the vehicles to work so you basically have people arriving in the morning and then leaving at the end of the day. There are also four panel truck deliveries per week.

Chairman Turnage said it is not retail in any way.

Mr. Toye answered that maybe one or two customers a week come in and buy a filter.

Chairman Turnage closed the public hearing.

Mr. Whitton said what is probably foremost in all of their minds is the water drainage. He feels that as long as it is done properly he doesn't see a problem. This is a beautiful building. He has been a neighbor of Mr. Buckner's business for probably 25 years and there is no traffic or noise problems. There are no trash problems. He runs a very good business and is a good businessman. He's very honest and whatever he says, he will do. Mr. Whitton says this is a heck of a lot better than some multi-family dwellings that would be there and he's sure Mr. Buckner will keep it up and keep it nice.

Mr. Ringhausen said it is encouraging that the applicant is considering bioswales as a way to not only capture the first flush, but also taking into consideration the natural drainage of the property. That's unusual compared to some of the other applicants the Commission has seen.

Mr. New asked how long construction is anticipated.

Mr. Toye said it would be approximately 4-5 months.

Chairman Turnage asked if there was a motion.

**MOTION: By Mr. Steffens, second by Mr. Whitton to approve the rezoning property located at 5703 N. Broadway from RP-3 to CP-2 and site plan approval.**

<b>VOTE:</b>	<b>Ms. Alexander</b>	<b>Yes</b>
	<b>Mr. Markenson</b>	<b>Yes</b>
	<b>Mr. New</b>	<b>Yes</b>
	<b>Ms. Poindexter</b>	<b>Yes</b>
	<b>Mr. Ringhausen</b>	<b>Yes</b>
	<b>Mr. Steffens</b>	<b>Yes</b>
	<b>Ms. Van Duser</b>	<b>Yes</b>
	<b>Mr. Ward</b>	<b>Yes</b>
	<b>Mr. Whitton</b>	<b>Yes</b>
	<b>Mr. Yarber</b>	<b>No</b>
	<b>Chairman Turnage</b>	<b>Yes</b>

**The motion carried. (10 yes, 1 no)**

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

**None.**

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

Ms. Van Duser said she appreciated the new format of the staff report. As a newer Commission member it made it really easy to read through and understand the information that was presented and well as what her responsibility as a Commissioner was.

Mr. Markenson said they have been selling cars on the triangle by Commerce Bank again.

Mr. Wingerson said Mr. Napoli will check it in the morning.

Chairman Turnage said he would like them to consider a time change from 7:30 pm to 7:00 pm, if that's agreeable with city staff. He didn't know what that involved.

Mr. Wingerson said issue has come up a couple of times over the years. City Council meets at 7:30 pm, so it's easy to communicate to applicants. Staff will need to look at the ordinance establishing the Planning Commission. If it states the meeting time, we will have to ask the City Council for approval; if it doesn't, it's completely up to the Commission.

Chairman Turnage said he will table it until the next meeting.

**Item 8 on the Agenda: Adjournment**

Chairman Turnage adjourned the meeting at 8:16 pm.

Respectfully submitted:

\_\_\_\_\_ Approved as submitted \_\_\_\_\_  
Bill Turnage, Chairman

\_\_\_\_\_ Approved as corrected \_\_\_\_\_  
Becky Jarrett, Recording Secretary