

BILL NO. 16-09

ORDINANCE NO. 4.338

AN ORDINANCE AMENDING ORDINANCE NO. 3.973 AND BEING AN ORDINANCE RELATING TO ZONING ORDINANCE REGULATIONS AND THE ESTABLISHMENT OF USE DISTRICTS WITHIN THE CITY OF GLADSTONE, MISSOURI, PROPERTY COMMONLY KNOWN AS 5828 NORTH OAK TRAFFICWAY.

WHEREAS, pursuant to applicable City ordinances, a Petition has been submitted to the Gladstone City Council to rezone the following described property from CP-2 (Planned Local Business) to CP-3 (Planned, Commercial) Comm Plat Palmer Home part lot 3 beg NE cor lot 3, W178, S145, E178, N145 to point of beginning: and

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

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

THAT, the aforesaid land be rezoned from CP-2 (Planned Local Business) to CP-3 (Planned, Commercial) as those district areas are set out in the applicable provision of Ordinance No. 3.973. Concurrently, the 2008 Comprehensive Plan is hereby amended as appropriate to reflect this change in zoning classification.

PASSED, SIGNED, AND MADE EFFECTIVE BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 8th DAY OF FEBRUARY, 2016.



Mayor Bill Garnos

ATTEST:



Ruth E. Bocchino, City Clerk

File #1422

First Reading: 2/8/16

Second Reading: 2/8/16



All-America City

Gladstone



2008

TO: Planning Commission

FROM: Scott Wingerson, Assistant City Manager

DATE: January 28, 2016

SUBJECT: RNR Tires and Wheels- 2nd Application
5828 N. Oak

On October 19, 2015, the Planning Commission held a public hearing concerning this application. The original request was a zoning change from CP-2 to CP-3 and site plan approval for property at 5828 N. Oak. The Planning Commission recommended approval to the City Council.

On November 23, 2015, the City Council held a public hearing on this application. The City Council vote was 2-2 with one member absent, therefore, the request was denied.

The applicant has chosen to re-file the same application. As in the first application, the request is for a zoning change from CP-2 to CP-3 and site plan approval.

Attached are minutes from the City Council meeting, minutes from the Planning Commission meeting and the original staff report with support documents.

If you should wish to discuss this matter in greater detail or desire additional information, please advise.

Community Development Department Staff Report



Date: October 20, 2015
File #: 1419
Requested Action: Rezoning from CP-2 to CP-3
Date of PC Consideration: Oct. 19
The PC recommended approval (8- yes, 0- no)
Date of Council Consideration: Nov. 9

Address of property: 5828 N. Oak

General location of property: Northwest corner of NE 58th St/North Oak (existing building)

Applicant: Jason Barton
RNR Tires & Wheels
8910 E 350 Highway
Raytown, MO 64133
816-591-8225

Owner: John Duane Hubble (Mark Hubble)
2001 NW Woodland Ave,
Kansas City, Mo 64150

Architect: Don Bozich
Bozich Architects
1155 Adams St. #130
Kansas City, KS 66103
913-342-8120

Planning Information

Current Zoning: CP-2 (Planned General Business)

Planned Land Use: The property is located in an area that requires additional study according to the Comprehensive Plan. Conceptually, the Comprehensive Plan suggests an evolution toward mixed use development and away from single use pad sites.

Additional Information

Public Utility Availability: Existing
Ingress/Egress: Provided on North Oak and NE 58th Street
Traffic Division Comments: None
Parking Required: 25

Parking Provided: 25
Proposed On-Site Improvements:
Proposed Off-Site Improvements: None
Proposed Landscaping: See Attached
Proposed Signage: See Attached

Recommended Conditions

- 1) All exterior lighting shall be converted to LED.
- 2) A 6' wide median shall be installed in the N. Oak drive. This median shall be heavily landscaped including a minimum of (1) 2" caliper tree. The median detail and landscape plan will be reviewed at permitting.
- 3) A screening hedge shall be provided adjacent to all parking areas. The screening hedge shall be designed to be 28" in height at the end of two (2) years.
- 4) All disturbed areas shall be sodded.
- 5) All landscape areas shall be maintained in perpetuity.
- 6) The hours of operation shall be Monday-Saturday, 7:00 am- 10:00 pm.
- 7) Outdoor display and storage is prohibited except along building sidewalks. This includes wheels, tires, vehicles and accessories.
- 8) All vehicles will be inside the building at the close of business.
- 9) All signage shall be fully compliant.
- 10) Construction drawing shall be submitted for permitting purposes.
- 11) All mechanical equipment shall be screened from public view.
- 12) Dumpster enclosure shall be constructed of materials consistent with the primary building. A wood-style vinyl gate shall be provided on the dumpster enclosure.

Analysis

The applicant is requesting a zoning change from CP2 to CP3 and site plan approval for property at the NW corner of 58th and North Oak - the former CarQuest Auto Parts store. The applicant desires to make modifications to the building to operate a custom wheel and tire business.

The Comprehensive Plan suggests that this area received further study to gradually transition the area to higher density uses and gradually away from single use pad sites.

In this case, the existing building is a single use pad site formerly used for auto part sales. The applicant is requesting a zoning change to allow for the sale and installation of tires and wheels. In the short-term, changing this site to a higher density is difficult, however, it may be possible to incorporate design strategies that mimic increased density.

Staff is suggesting that all exterior lighting be converted to LED. This action supports the concept of sustainability recommended in the Comprehensive Plan.

Staff is recommending installation of a 6' wide landscaped median within the North Oak drive. This action helps to screen the proposed bay doors and enhances the overall North Oak streetscape.

Staff is also suggesting removal of the existing N. Oak driveway. This provides numerous advantages including:

- Improved access management along N. Oak by reducing curb cuts.
- The ability to screen the proposed bay doors through the addition of a recommended tree.
- The opportunity to provide a uniform streetscape and screen the parking lot through a recommended hedge row.

Additional recommendations of note include:

- Hours of operation are Monday-Saturday, 7:00am-10:00 pm.
- Outdoor display storage is prohibited.
- Compliant signage is required.

Overall, RNR represents an investment along the N. Oak corridor and an upgrade to the existing facility. With the addition of screening strategies, the property could become more consistent with overall planning goals.

Recommendation

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

which Officer Breedlove received his Letter of Commendation and his Award of Valor involved the use of his Taser to immobilize someone who was coming at him with an ice pick, so he is pleased that City Council was able to help fund equipping our officers with the Tasers because that is the exact type of incident that equipment is meant for and he is glad we were able to equip him or it would have gone very badly for the other person. Finally Mayor Garnos stated at that luncheon, they sat there for an hour and a half listening to stories of police officers saving lives, preventing injuries to others, helping people, preventing injuries, helping people with mental issues or suicidal, and of course catching the bad guys and of course one after another, for an hour and a half, they had just nothing but stories of acts of heroism by local law enforcement. For what you see on TV in the last year for police nationwide, it was great to sit there and hear just nothing but stories of heroism and valor from officers in our community. That was the first time he had been to that luncheon and he really appreciated the invite. Mayor Garnos stated Tuesday, November 24, 6:00 pm is the lighting ceremony for the Mayor's Christmas tree in Linden Square. Joe Lauria, the meteorologist from Fox 4 News will be the Master of Ceremonies again this year. We have choirs from the Antioch Middle School, the Linden West Elementary School, and music from the Oak Park Jazz Band. After the lighting ceremony the ice skating rink at Linden Square will be open. We also have hot chocolate being served and Mr. Wingerson will be doing an interpretive ice dance on the history of the City of Gladstone, so don't miss it.

Item 9. On the Agenda. Communications from the City Manager.

City Manager Kirk Davis stated he didn't know if he could top that! Yes the rink is going to be open and we have a number of holiday activities planned over the next five to six weeks and encourages everybody to take advantage of some of those holiday activities. Check the web site, the Parks Department, the Community Center, there is just a number of things going on that he thinks folks can enjoy. In that regard, a reminder we won't have a second meeting in December, which would fall just right after Christmas. Everybody have a good and safe Thanksgiving.

Item 10. On the Agenda. **SECOND READING BILL NO. 15-36** An Ordinance amending Ordinance No. 3.973 and being an Ordinance relating to Zoning Ordinance Regulations and the establishment of Use Districts within the City of Gladstone, Missouri, property commonly known as 5828 North Oak Trafficway.

Mayor Garnos stated at the last City Council meeting on November 9, 2015, they conducted a Public Hearing and approved the first reading of Bill No. 15-36, An Ordinance amending Ordinance No. 3.973 and being an Ordinance relating to Zoning Ordinance Regulations and the establishment of Use Districts within the City of Gladstone, Missouri, property commonly known as 5828 North Oak Trafficway. A unanimous vote is required to waive the rule and to place the Bill on its second and final reading. We had three Councilmembers voting aye, one voting no, and one abstention, so a unanimous vote was not achieved, moving the second and final reading to tonight's agenda.

Mayor Garnos asked if there was a motion to place Bill No. 15-36 on its second reading.

Mayor Pro Tem Jean Moore moved to place Bill No. 15-36 on its second and final reading.

Mayor Bill Garnos seconded. The Vote: "aye" – Councilmember Carol Suter, Mayor Pro Tem

Jean Moore, Mayor Bill Garnos; abstain Councilmember J. Brian Hill (3-0-1). The Clerk read the Bill.

Mayor Pro Tem Jean Moore moved to accept the Second and Final Reading of Bill No. 15-36, and enact the Bill as Ordinance 4.327. **Mayor Bill Garnos** seconded.

Councilmember Carol Suter stated she is opposed to this Bill for a number of reasons and she thought she expressed herself a little bit at the last meeting. The Bill requires us to amend the Comprehensive Plan and she for one is a proponent of adhering to our Comprehensive Plan. We spent a lot of time and energy, we invite citizens in to draft and amend and update our Comprehensive Plan. It's supposed to be a policy statement that guides our Planning Commission as well as the City Council in making decisions about how property is going to be used in the City of Gladstone going forward. We hear all the time the number one kind of complaint in the City of Gladstone is always about the condition of North Oak and the commercial businesses that line North Oak and we are asked all the time what are we going to do, what are we going to do, what are we going to do to upgrade. The Comprehensive Plan has some great strategies for how to upgrade the use of North Oak in compliance with what our citizens really want us to do. This Bill, this Ordinance, would amend the Comprehensive Plan by taking a C-2 category and reducing it to a C-3, and she said reducing because a C-2 category is retail. That is products can be sold. A C-3 is a utilitarian category, commercial category, and that allows for repairs and installation to occur. While she appreciates the time, energy, and efforts of the current applicant, for one to bring a business to Gladstone, which we all really appreciate, but we need to hold the line to make sure the business that come comply with the intent of our citizens and our Planning Commission. While the first use is always kind of an interesting one, she always tends to look at second use issues. That is when this business no longer uses the property, if the property has been rezoned commercial, then any other business in a commercial category can use the building and that includes general fix-it, auto repair, and car washes. It does not seem to her that it is in the best interest of the City of Gladstone to take a property on North Oak that is currently zoned in a way that is appropriate with the Comprehensive Plan and reduce it to a use that clearly, if we asked our citizens, they would not be interested in having there. Once we change the zoning, we can't get it back. You can't upgrade it later on so once it is reduced, it's going to stay that way forever and once it's been reduced the next use may not even ever come to the City Council or to the Planning Commission because as long as the next use meets all the requirements it doesn't have to come back for any kind of a development plan. So she will stand fast on this one and support our Comprehensive Plan and all the citizens who gave time and energy to help us design what is in the best interest of Gladstone and she opposed this Bill.

The Vote: Aye: Mayor Pro Tem Jean Moore and Mayor Bill Garnos; Nay: Councilmember Carol Suter; Abstain: Councilmember J. Brian Hill. (2-1-1). The Second and Final Reading of Bill No. 15-36 failed.

Item No. 11. On the Agenda. FIRST READING BILL NO. 15-37 An Ordinance approving a Site Plan Revision for property at 5828 North Oak Trafficway.

Mayor Bill Garnos asked if the failure of Bill No. 15-36 then affects the First Reading of Bill No. 15-37, since it is a companion piece, and we will be passing on that...

Councilmember Carol Suter stated we can't have it without the zoning.

Mayor Bill Garnos verified that we skip Item 11?

Interim City Counselor Chris Williams stated *'yes you cannot take action, or you should not take action on that Bill because the zoning change did not pass.'*

Item No. 12. On the Agenda. FIRST READING BILL NO. 15-38 An Ordinance authorizing the City Manager to execute an Intergovernmental Agreement between the City of Gladstone and the Mid-America Regional Council (MARC) Solid Waste Management District for the Regional Household Hazardous Waste Collection Program in the amount of \$26,426.40.

Councilmember J. Brian Hill moved Bill No. 15-38 be placed on its First Reading. **Councilmember Carol Suter** seconded. The Vote: All "aye" – Councilmember J. Brian Hill, Councilmember Carol Suter, Mayor Pro Tem Jean Moore, Mayor Bill Garnos. (4-0). The Clerk read the Bill.

Councilmember J. Brian Hill moved to accept the First Reading of Bill No. 15-38, waive the rule, and place the Bill on its Second and Final Reading. **Councilmember Carol Suter** seconded. The Vote: All "aye" – Councilmember J. Brian Hill, Councilmember Carol Suter, Mayor Pro Tem Jean Moore, Mayor Bill Garnos. (4-0). The Clerk read the Bill.

Councilmember J. Brian Hill moved to accept the Second and Final Reading of Bill No. 15-38, and enact the Bill as **Ordinance 4.327**. **Councilmember Carol Suter** seconded. The Vote: All "aye" – Councilmember J. Brian Hill, Councilmember Carol Suter, Mayor Pro Tem Jean Moore, Mayor Bill Garnos. (4-0).

Item No. 13. On the Agenda. FIRST READING BILL NO. 15-39 An Ordinance to maintain the Business License Tax Rate on Gross Receipts of Utility Corporations notwithstanding the rate increases approved by the Missouri Public Service Commission.

Councilmember Carol Suter moved Bill No. 15-39 be placed on its First Reading. **Mayor Pro Tem Jean Moore** seconded. The Vote: All "aye" – Councilmember J. Brian Hill, Councilmember Carol Suter, Mayor Pro Tem Jean Moore, Mayor Bill Garnos. (4-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the First Reading of Bill No. 15-39, waive the rule, and place the Bill on its Second and Final Reading. **Mayor Pro Tem Jean Moore** seconded. The Vote: All "aye" – Councilmember J. Brian Hill, Councilmember Carol Suter, Mayor Pro Tem Jean Moore, Mayor Bill Garnos. (4-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the Second and Final Reading of Bill No. 15-39, and enact the Bill as **Ordinance 4.328**. **Mayor Pro Tem Jean Moore** seconded. The Vote: All

“aye” – Councilmember J. Brian Hill, Councilmember Carol Suter, Mayor Pro Tem Jean Moore, Mayor Bill Garnos. (4-0).

Item No. 14. On the Agenda. Other Business.

There was no other business to come before the City Council.


Item No. 15. On the Agenda. Questions from the News Media.

There were no questions from the News Media.


Item No. 16. On the Agenda. Adjournment.

Mayor Bill Garnos adjourned the meeting at 8:04 pm.

Respectfully submitted:


Ruth E. Bocchino, City Clerk

Approved as submitted: ☒
Approved as corrected/amended: ☐



Mayor Bill Garnos

Item 11. On the Agenda. FIRST READING BILL NO. 15-35 An Ordinance approving a Site Plan Revision for property at 2590 and 2412 Northeast 72nd Street, commonly known as Quik Trip.

Councilmember J. Brian Hill moved Bill No. 15-35 be placed on its First Reading. **Mayor Pro Tem Jean Moore** seconded. The Vote: All “aye” –Councilmember R.D. Mallams, Councilmember J. Brian Hill, Councilmember Carol Suter, Mayor Pro Tem Jean Moore, Mayor Bill Garnos. (5-0). The Clerk read the Bill.

Councilmember J. Brian Hill moved to accept the First Reading of Bill No. 15-35, waive the rule, and place the Bill on its Second and Final Reading. **Mayor Pro Tem Jean Moore** seconded. The Vote: All “aye” –Councilmember R.D. Mallams, Councilmember J. Brian Hill, Councilmember Carol Suter, Mayor Pro Tem Jean Moore, Mayor Bill Garnos. (5-0). The Clerk read the Bill.

Councilmember J. Brian Hill moved to accept the Second and Final Reading of Bill No. 15-35, and enact the Bill as **Ordinance 4.326**. **Mayor Pro Tem Jean Moore** seconded.

Councilmember J. Brian Hill stated he wanted to thank Quik Trip for their reinvestment in our community and its continuing investment in our community and he agrees with Councilmember Mallams, he certainly hopes that the Quik Trip farther south on Antioch Road stays open and maybe it’s slated for renovation next. We would look forward to that.

The Vote: All “aye” –Councilmember R.D. Mallams, Councilmember J. Brian Hill, Councilmember Carol Suter, Mayor Pro Tem Jean Moore, Mayor Bill Garnos. (5-0).

Item No. 12. On the Agenda. PUBLIC HEARING: An Ordinance amending Ordinance No. 3.973 and being an Ordinance relating to Zoning Ordinance Regulations and the establishment of Use Districts and Site Plan approval within the City of Gladstone, Missouri, property commonly known as 5828 North Oak Trafficway.

Mayor Bill Garnos opened the Public Hearing at 8:15 pm.

Assistant City Manager Scott Wingerson approached Council and stated: *“Thank you Mayor. The applicant is requesting two actions of the Council tonight. First is a Zoning change from CP-2 which is its current classification, to CP-3, to allow the operation of a custom tire/wheel sales and installation business. The second action is a Site Plan that implements that plan. The location, as the Mayor said, is 5828 North Oak, commonly known as the old Car Quest building, before that, the old Hubble Automotive building. It has a history of auto part sales. The applicant proposes to add two overhead doors for the service portion of the business on the east side of the building, generally upgrade the facility itself, and significantly upgrade the landscaping at the location. Staff is recommending 12 conditions if it were to move forward tonight, a screening hedge to shield parking like we talked about with the Quik Trip application; the addition of a median in the existing North Oak driveway that is heavily landscaped which is an effort to screen the overhead doors, limit the hours of operation from 7:00 am to 10:00 pm Monday through Saturday, and install compliant signage. Again the Planning Commission held their*

hearing on October 19 and are recommending approval. I'm here to answer any questions that you may have at this point. Jason Barton is also here and he will make a presentation on behalf of RNR, the applicant tonight."

Councilmember J. Brian Hill asked Assistant City Manager Wingerson why there is not a requirement in the recommended conditions for irrigation of the landscaping.

Assistant City Manager Wingerson replied: *"There is not in this particular application, an irrigation system doesn't exist on the property; certainly could be added."*

Councilmember Hill thanked Assistant City Manager Wingerson and stated that was the procedure now to have irrigation installed on all these type properties.

Assistant City Manager Wingerson replied: *"Good point, thank you."*

Councilmember Carol Suter asked Assistant City Manager Wingerson how does the requested zoning change comply with our Comprehensive Plan for the area.

Assistant City Manager Wingerson replied: *"Excellent question. The Comprehensive Plan indicates two or three primary things. The first thing the Plan says is let's study this larger area a little bit more and that larger area is Walnut and Englewood Road, North Oak and Englewood Road, 59th Street to the north, and kind of that sort of giant area in that part of the city. So that's the first thing the Comprehensive Plan says. The second thing the Comprehensive Plan says is in the short term, try and implement some of the strategies that are possible while you are doing this larger transition from auto-oriented businesses to whatever the future may hold. So that's kind of the philosophy of the Comp Plan to study the area more but implement these short term strategies. In this particular application the attempt to implement the short term strategy is the hedgerow to screen lights from the cars in the parking lot activity as well as the median, the new constructed median in the north driveway to try and screen the overhead door. The building itself is compliant with the Master Plan in terms of material usage and things like that, openings and things like that. I'm not sure I answered your question."*

Councilmember Suter stated if the zoning stayed the same and it was prettied up like this that would be the short term measure until we could move away from the auto stuff. Changing this zoning seems to her to be moving a step away from the Comprehensive Plan because then we can't go back.

Assistant City Manager Wingerson replied: *"It's true that C-3 allows a different higher more intensity use in the automotive area but also in the general retail area so, I don't want to comment on what the future holds but allows more intensity of usage so I wouldn't say that it goes away necessarily from the Comprehensive Plan because you could have high intensity retail uses in a non-automobile focused area."*

Councilmember Suter stated that given that the plan is to move away from automotive then this seems in her opinion to be moving the wrong direction.

There were no other questions for Assistant City Manager Wingerson.

Mayor Garnos asked the applicant if he would like to address the City Council.

Jason Barton, 9502 North Adrian Place, approached the Council and stated: *"I just wanted to make a presentation to you guys, it's kind of hard to follow up Quik Trip, kind of a big dog, but RNR started back in 1999 down in Tampa Florida. We are right around 80 stores now since this last slide was made (PowerPoint presentation). I opened my first store in Kansas City back in May. It has been one of the most successful stores the company has had since they have opened which leads us to expanding throughout the area. We do have an expansion plan in Gladstone, was one of our targets and the real estate is something that we are involved in that so we are having a long term stake in the area. This is the location as we purchased it down in Raytown, kind of an eyesore, not a very good looking store or piece of property which in turn this is what we ended up with, we did a lot of landscaping, revamped the parking lot, built a privacy fence on the back to shield the residents on the back side. This is the interior of the store, we kind of go for a wow factor, we really drive customer service and customer satisfaction, we open up the market to a lot of different people that aren't able to get into this market with our business plan. This is our proposed rendering of our Gladstone location. As you can see these are the two bay doors we added there on the front and this is an overview of the access plan minus the island that we talked about in the last meeting, also the privacy fence along here. As we discussed earlier, replacing LED lights on the exterior, the 28 inch hedgerow, revamping the entire landscaping, the dumpster enclosure, and the hours of operation. We rarely go past 8:00 pm. We talked about expanding it on the grand openings, we do tend to go a little bit further on some of our installations inside of the building. If you guys have any questions, please let me know."*

There were no more questions for the applicant.

Mayor Garnos asked if there was anyone else to testify in favor of the application.

There were none.

Mayor Garnos asked if there was anyone to testify in opposition of the application.

There were none.

Mayor Garnos asked if there was anyone from the audience, city staff, or City Council, to speak.

Assistant City Manager Wingerson stated: *"The only thing I may add to address Councilmember Hill's concern is condition number 5, all landscape areas shall be maintained in perpetuity. It could say all landscape areas shall be irrigated and maintained in perpetuity if that satisfies the Councilmembers' concern."*

Councilmember Hill replied that would be much better since that is the standing requirement, the irrigation, he believes, now. One question he had is why are we rezoning as opposed to a

Special Use Permit, given the higher intensity use and that this doesn't really comply with the Comprehensive Plan.

Assistant City Manager Wingerson replied: *"Two things, there. The change itself is necessary because the change, the addition of the service part of the business, so that is what necessitates the change. The reason a Special Use Permit wasn't suggested is because RNR plans to own the real estate so financing a Special Use Permit is very, very difficult especially for a smaller business. Hy Vee Gas or something like that could probably get around something like that but locally owned or franchised businesses are difficult to obtain financing on a Special Use Permit because the real estate is involved."*

Mayor Garnos declared the Public Hearing closed at 8:24 pm.

Item No. 13. On the Agenda. FIRST READING BILL NO. 15-36 An Ordinance amending Ordinance No. 3.973 and being an Ordinance relating to Zoning Ordinance Regulations and the establishment of Use Districts within the City of Gladstone, Missouri, property commonly known as 5828 North Oak Trafficway.

Councilmember R.D. Mallams moved Bill No. 15-36 be placed on its First Reading. **Mayor Pro Tem Jean Moore** seconded.

Councilmember J. Brian Hill stated he was assuming that the Bill does have the irrigation system in as a recommended condition that's what we were talking about.

Assistant City Manager Wingerson replied: *"Councilmember Hill I think this is the zoning change so it would be in the Site Plan ordinance."*

The Vote: All "aye" –Councilmember R.D. Mallams, Councilmember J. Brian Hill, Councilmember Carol Suter, Mayor Pro Tem Jean Moore, Mayor Bill Garnos. (5-0). The Clerk read the Bill.

Councilmember R.D. Mallams moved to accept the First Reading of Bill No. 15-36, waive the rule, and place the Bill on its Second and Final Reading. **Mayor Pro Tem Jean Moore** seconded.

Councilmember Carol Suter stated she was out of town last week and so she got the paperwork that afternoon and has not had a chance to really study it. Councilmember Suter was opposed to the zoning change. If her side of the equation loses, she wants to be able to study this more thoroughly so she will be voting against the second reading.

Councilmember J. Brian Hill stated he would be abstaining.

The Vote: "Aye"- Councilmember R.D. Mallams, Mayor Pro Tem Jean Moore, Mayor Bill Garnos; "Nay" – Councilmember Carol Suter; "Abstain" – Councilmember J. Brian Hill. (3-1-1).

Mayor Bill Garnos stated the motion to waive the rule for the second reading requires a unanimous vote, so without the unanimous vote, Bill No. 15-36 will be moved then to the next regular meeting agenda.

Item No. 14. On the Agenda. FIRST READING BILL NO. 15-37 An Ordinance approving a Site Plan Revision for property at 5828 North Oak Trafficway.

Mayor Garnos stated Bill No. 15-37 is a partner to Bill No. 15-36 and will also be moved to the next regular meeting agenda.

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

There was no other business to come before the City Council.

Item No. 16. On the Agenda. Questions from the News Media.

There were no questions from the News Media.

Item No. 17. On the Agenda. Adjournment.

Mayor Bill Garnos adjourned the meeting at 8:27 pm.

Respectfully submitted:

Ruth E Bocchino
Ruth E. Bocchino, City Clerk

Approved as submitted: ☒
Approved as corrected/amended: ☐

Bill Garnos
Mayor Bill Garnos

PLANNING COMMISSION
GLADSTONE, MISSOURI
Council Chambers
October 19, 2015
7:00 pm

Item 1 on the Agenda: Roll Call.

Present: Ms. Alexander
Mr. Markenson
Ms. Poindexter
Mr. Ringhausen
Mr. Steffens
Mr. Ward
Mr. Yarber
Chairman Turnage

Absent: Ms. McGee
Mr. New
Ms. Van Duser
Mr. Whitton

Council & Staff Present:
Mayor Pro-Tem Jean Moore
Councilmember R.D. Mallams
Scott Wingerson, Assistant City Manager
Melinda Mehaffy, Econ. Dev. Admin.
Alan Napoli, Building Official

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 September 21, 2015 minutes.

MOTION: By Ms. Alexander, second by Mr. Ringhausen to approve the September 21, 2015 minutes as presented. All said aye. The motion carried.

This public hearing portion of the meeting was transcribed by Cross Reporting. Please see attached.

Item 4 on the Agenda: PUBLIC HEARING on a request for a Rezoning from CP-2 to CP-3 and Site Plan Approval at 5828 N. Oak Trafficway. Applicant: Jason Barton, RNR Tires & Wheels. Owner: John Duane Hubble. File #1419.

Item 5 on the Agenda: PUBLIC HEARING on a request for a Site Plan Revision at 2590 & 2412 NE 72nd Street. Applicant: QuikTrip Corporation. Owner: ES Investors, LLC. File #1416.

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

Mr. Wingerson thanked the Commission for being here tonight despite the Royals game. He also announced that Planning Commissioner Jennifer McGee had her baby; a little boy named Piper. Mom and son seem to be doing fantastic.

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

Ms. Alexander said that a bright light has gone out in Gladstone with the death of Chris Helmer. He was always professional; he was always polite. He was great to work with and she will miss him as she is sure many others will.

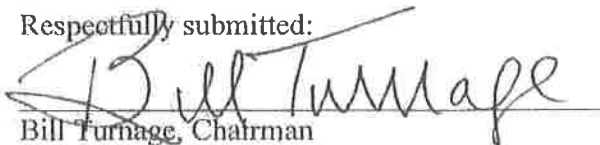
Mr. Markeson asked if the Commission could have an update on some of the projects that have been approved lately.

Mr. Wingerson said he would work on that and get it emailed out later this week.

Item 8 on the Agenda: Adjournment

Chairman Turnage adjourned the meeting at 7:39 pm.

Respectfully submitted:


Bill Turnage, Chairman

Approved as submitted ☒


Becky Jarrett, Recording Secretary

Approved as corrected ☐

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CITY OF GLADSTONE, MISSOURI
PLANNING COMMISSION MEETING

OCTOBER 19, 2015
7:00 P.M.

TRANSCRIPT OF PROCEEDINGS

In Re: Public Hearing - Request for a Rezoning
from CP-2 to CP-3 and Site Plan Approval
at 5828 N. Oak Trafficway.
Applicant: Jason Barton, RNR Tires.

Held at City of Gladstone City Hall,
7010 North Holmes Street, in Gladstone, Missouri.

A P P E A R A N C E S:

Planning Commission:

Mr. Bill Turnage, Chair
Mr. Don Ward, Member
Mr. Kyle Yarber, Member
Mr. Alan Ringhausen, Member
Ms. Shari Poindexter, Member
Ms. Anne Alexander, Member
Mr. Gary Markenson, Member
Mr. Mike Steffens, Vice-Chair

Staff:

Mr. Scott Wingerson, Assist City Manager
Ms. Becky Jarrett, Administrative Assistant

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CHAIRMAN TURNAGE: This will bring us to
the first item, the first public hearing. This
will open the Public Hearing for Request Rezoning
CP-2 to CP-3 and Site Plan Approval at 5828 North
Oak Trafficway. Mr. Wingerson.

MR. WINGERSON: Mr. Chairman and members
of the Commission, thank you very much. The
Applicant tonight is requesting two actions for
recommendation from the Planning Commission. The
first is a zoning change from CP-2 to CP-3. The
second is site plan approval for that new zoning.

The property is at the northwest corner
of 58th and North Oak, and you may commonly refer
to it as the CarQuest Auto Parts Store. The
Applicant in this case, RNR, desires to make some
modifications to the building that they will tell
you about, for the purpose of operating a custom
tire and wheel store at that location.

A couple of clarifications in the Staff
Report. Recommending Condition Number 2, A
six-foot wide median shall be installed in the
North Oak Drive. That property is currently
served by two full access driveways, one on North
Oak and one on 58th. We are suggesting that the
drive on North Oak add a median to help screen

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some of the building modifications that are
proposed with high intensity landscaping, a tree
and shrubs.

Condition Number 3, we are requesting a
screening hedge, about 28 inches in height, at the
end of two years, to again help screen some of the
activity in the parking lot from North Oak
Trafficway.

And then finally clarification on the
hours of application. The Applicant actually
requested for a shorter time period. Staff is
recommending a longer time period from 7:00 a.m.
to 10:00 p.m. This will allow the Applicant to
have periodic special events, things that may go
beyond 5:00 o'clock or 6:00 o'clock in the
evening. Just so that we don't have to come back
to the Planning Commission for an amendment to
allow them to operate longer.

with that, Staff is recommending
approval of both requests contingent on compliance
with the 12 total conditions. I would be glad to
answer any questions at this point, or the
Applicant is here and would like to make a
presentation as well.

CHAIRMAN TURNAGE: Mr. Markenson.

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MR. MARKENSON: Are we removing the curb
cut on North Oak, the driveway on North Oak and
just having it off 58th Street?

MR. WINGERSON: No, sir, that has been
changed to the median as a compromised position
upon conversation with the Applicant. The
compromised position is the installation of a
median which still allows access from North Oak,
in and out, but will provide a screening mechanism
for the bay doors that are proposed.

MR. MARKENSON: So the bottom of Page 2
is changed?

MR. WINGERSON: Yes, sir.

MR. MARKENSON: Okay. I was confused by
what you said before and what I am reading here.
Now I understand.

CHAIRMAN TURNAGE: Any other questions?

MR. RINGHAUSEN: Is it the intent of
the -- I wasn't able to exactly tell. Maybe this
is a question more for the Applicant. But the
exterior LED lights, that is referring to not
street lights that are pointing towards the city
or off property, that is all contained within the
Applicant's property?

MR. WINGERSON: Yes, that will be

1 free-standing parking lot lighting or any kind of
 2 flood lighting that is on the building.
 3 MR. RINGHAUSEN: We've had other
 4 applicants come before the Commission asking for
 5 lighting, and that was LED, but it was dark sky
 6 compliant. Is that part of this application that
 7 it is dark sky compliant, or is it just general
 8 LED lighting?

9 MR. WINGERTSON: General LED lighting,
 10 which will be a pretty significant upgrade to the
 11 existing facility.

12 CHAIRMAN TURNAGE: Anyone else? Okay.
 13 Ready to move along to the Applicant.

14 MR. BARTON: How are you guys doing
 15 tonight?

16 CHAIRMAN TURNAGE: Good.

17 MR. BARTON: I'll make this short and
 18 sweet. I'm sure there's nowhere else you'd rather
 19 be right now.

20 CHAIRMAN TURNAGE: Could you state your
 21 name.

22 MR. BARTON: I'm sorry. Jason Barton.
 23 RNR Tires and Wheels, we are a nationwide company.
 24 Roughly 80 stores in the U.S. We started in '99.
 25 We have multiple locations planned here in Kansas

1 City. Gladstone being our second location, with
 2 our first opening up in Raytown in May of this
 3 year.

4 This is our Raytown location as we
 5 bought it. There were many improvements that they
 6 asked us to make there. This is our finished
 7 building here when we were done. What we try and
 8 give is an experience to our customers. This is
 9 the interior of the store. I am planning on doing
 10 some renovations to the existing building along
 11 with the exterior.

12 This is the drawing of what the finished
 13 product is going to look like with the additional
 14 bay doors in the front, minus the hedge row, which
 15 we agree to do. This is also an overhead view
 16 that will be as we discussed the island here,
 17 along with the hedge row shown here.

18 We also plan on building a privacy fence
 19 here to shade the existing trash dumpster there as
 20 well. As we said, replace exterior LED lighting.
 21 New landscaping, 36-inch hedge row, dumpster
 22 enclosure, and hours of operation 8:00 to 8:00 or
 23 8:00 to 10:00. Any questions?

24 CHAIRMAN TURNAGE: Mr. Markenson.

25 MR. MARKENSON: This building used to be

1 an auto parts store?

2 MR. BARTON: Yes.

3 MR. MARKENSON: How long has it been
 4 empty?

5 MR. BARTON: I believe early 2015. Is
 6 that correct?

7 MR. HUBBLE: CarQuest was bought out
 8 by -- I'm sorry. My name is Mark Hubble, I'm the
 9 current owner of the building. Duane Hubbell is
 10 my father. He passed away February 8th of this
 11 year. He had leased the company to CarQuest.
 12 CarQuest got bought out by Advanced Auto Supply,
 13 who no longer needed the building, because they
 14 had another store farther up, I believe on North
 15 Oak Trafficway. CarQuest -- well, I guess
 16 Advanced Auto Supply had that contract through the
 17 end of May, I believe. So it sat empty for about
 18 three months while CarQuest got their stuff out.

19 MR. MARKENSON: What will you be
 20 actually selling besides tires?

21 MR. BARTON: We will be selling tires,
 22 wheels and installing them on premises.

23 MR. MARKENSON: And that's it?
 24 Batteries?

25 MR. BARTON: No batteries.

1 MR. MARKENSON: Windshield wipers?

2 MR. BARTON: Not at this point. No,
 3 sir. Just tires and wheels.

4 MR. MARKENSON: Thank you, Mr. Chairman.

5 CHAIRMAN TURNAGE: Okay. Anyone else?

6 MS. POINDEXTER: Mr. Chairman. The name
 7 of the company implies that you might be renting
 8 something out, too? Do you have any plans on
 9 that?

10 MR. BARTON: Yeah, it is a lease to own
 11 transaction is part of our business as well. We
 12 offer our customers 120 days same as cash or four
 13 months to pay off the price of the product.

14 CHAIRMAN TURNAGE: That's it? Okay.
 15 Any other questions?

16 MR. RINGHAUSEN: Mr. Chairman. The
 17 extended hour events, what is anticipated in terms
 18 of those extended hour events?

19 MR. BARTON: During some of our
 20 promotions we have on-site radio broadcasting and
 21 we have extended hours of installation to
 22 accommodate the larger volume of customers
 23 throughout those two days. Usually they are on
 24 Friday and usually go into a little bit of
 25 Saturday. We haven't worked any later than 9:00

1 o'clock in the other store.

2 MR. RINGHAUSEN: Those extended hour
3 events are overtime for installs, not Pride Your
4 Ride type of events?

5 MR. BARTON: Correct. Any activity that
6 will be going on, minus exiting and entering the
7 building will be inside the premises. No loud
8 noise outside or car shows at this point.

9 MS. POINDEXTER: About how many people
10 do you expect to employ at the Gladstone office?

11 MR. BARTON: The current location I have
12 right now, eight. Probably about the same size at
13 this location.

14 MR. MARKENSON: Mr. Chairman. The
15 decision to leave the curb cut in front of the
16 store, exit and entrance in front of the store.
17 Was that something that you really wanted? The
18 information I had was that that was going to be
19 eliminated, and I kind of like that, because I
20 don't like curb cuts up and down North Oak.

21 MR. BARTON: The entrance and exit off
22 of North Oak? The reason we need that is because
23 we will be taking deliveries in through the door
24 that is currently existing on the north side of
25 that building. For the trucks to enter and exit

1 through there.

2 MR. MARKENSON: If they went in on -- is
3 it 58th Street, they wouldn't be able to?

4 MR. BARTON: There is really not -- the
5 radius, they can't make that turn. It would be
6 very difficult, almost impossible for that to
7 happen.

8 MR. MARKENSON: Okay.

9 CHAIRMAN TURNAGE: Anyone else? Thank
10 you very much. Is there anyone in the audience
11 that wishes to speak in favor of the request?
12 Anyone in the audience wishing to speak in
13 opposition to the request? Hearing none. I will
14 close the public hearing. It appears we have two
15 separate motions. The first one is Zoning Change
16 CP-2 to CP-3, and the next one is the Site Plan.

17 MR. STEFFENS: I make a motion to
18 approve. The first one.

19 CHAIRMAN TURNAGE: The first one? Is
20 there a second?

21 MR. RINGHAUSEN: Second.

22 MR. YARBER: Is it too late for a
23 question?

24 CHAIRMAN TURNAGE: No. Go ahead.

25 MR. YARBER: Can you explain the exact

1 reason for the zoning change from two to three?

2 MR. WINGERSON: There is a difference
3 between the retail sale of auto parts and
4 installation. The sale and installation of auto
5 parts. The installation kicks it up to the next
6 zoning classification. So we try to be pretty
7 careful to make sure that the site plan approved
8 required any automotive activity to be located
9 within the existing building. So we try to be
10 pretty careful to limit the C-3 use to those
11 activities within the building, as modified with
12 the bay doors and stuff. To summarize, to answer
13 your question, it is the installation that kicks
14 it up a classification.

15 CHAIRMAN TURNAGE: There is a motion.
16 Becky, call the roll.

17 MS. JARRETT: Who gave the second on
18 that motion?

19 CHAIRMAN TURNAGE: Alan.

20 MS. JARRETT: Ms. Alexander?

21 MS. ALEXANDER: Yes.

22 MS. JARRETT: Mr. Markenson?

23 MR. MARKENSON: Yes.

24 MS. JARRETT: Ms. Poindexter?

25 MS. POINDEXTER: Yes.

1 MS. JARRETT: Mr. Ringhausen?

2 MR. RINGHAUSEN: Yes.

3 MS. JARRETT: Mr. Steffen?

4 MR. STEFFEN: Yes.

5 MS. JARRETT: Mr. Ward?

6 MR. WARD: Yes.

7 MS. JARRETT: Mr. Yarber?

8 MR. YARBER: Yes.

9 MS. JARRETT: Chairman Turnage?

10 CHAIRMAN TURNAGE: Yes. Motion carries.

11 And now we need a second motion.

12 MR. STEFFEN: Motion to approve the site
13 plan.

14 CHAIRMAN TURNAGE: Is there a second?

15 MS. POINDEXTER: Second.

16 CHAIRMAN TURNAGE: Moved and seconded.

17 Becky, call the roll again.

18 MS. JARRETT: Ms. Alexander?

19 MS. ALEXANDER: Yes.

20 MS. JARRETT: Mr. Markenson?

21 MR. MARKENSON: Yes.

22 MS. JARRETT: Ms. Poindexter?

23 MS. POINDEXTER: Yes.

24 MS. JARRETT: Mr. Ringhausen?

25 MR. RINGHAUSEN: Yes.

1 MS. JARRETT: Mr. Steffen?
 2 MR. STEFFEN: Yes.
 3 MS. JARRETT: Mr. Ward?
 4 MR. WARD: Yes.
 5 MS. JARRETT: Mr. Yarber?
 6 MR. YARBER: Yes.
 7 MS. JARRETT: Chairman Turnage?
 8 CHAIRMAN TURNAGE: Yes. Both motions
 9 carried. They will be forwarded to the City
 10 Council for consideration on November 9th.
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C E R T I F I C A T E

1
 2
 3 I, JAMES A. LEACOCK, Certified Court Reporter,
 4 do hereby certify that I appeared at the time and place
 5 hereinbefore set forth; I took down in shorthand the
 6 entire proceedings had at said time and place, and the
 7 foregoing 13 pages constitute a true, correct and
 8 complete transcript of my said shorthand notes.
 9 Certified to this 20th day of October, 2015.
 10
 11
 12
 13
 14

15 James A. Leacock, CCR.
 16 Certified Court Reporter No. 662 (G)
 17 Notary Public, State of Missouri
 18
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Chapter Three: Future Land Use Development Opportunity Areas



Opportunity Area #1: North Oak Tfwy (generally south of 61st Street)

This opportunity area serves as a primary gateway to the City of Gladstone, both along N. Oak Tfwy as well as along Englewood Road east of US 169 Hwy. Should a rapid transit corridor (either Bus Rapid Transit or Light Rail) be extended to Gladstone, this gateway area could accommodate significant transit-related economic development opportunities. An Area Plan study should:

- address how existing commercial and residential properties can be improved or redeveloped;
- identify new residential opportunities;
- address strategies to strengthen existing neighborhoods for long-term viability;
- address transit-oriented development opportunities;
- explore with adjoining communities opportunities for joint redevelopment projects and strategies to ensure compatibility with existing neighborhoods;
- prepare design standards for new development; and
- prepare a gateway design theme and streetscape enhancement plan.

Preferred Land Use Recommendations

This area is recommended for a variety of community-serving commercial uses, with opportunities for high density development and signature buildings. Preferred uses in this area include:

- office;
- retail;
- mixed-use buildings (residential / retail) and live-work structures; and
- higher density residential.

Development Considerations

- The area should evolve away from linear single-use general commercial uses (i.e. pad sites, strip centers, and automotive-dependent businesses) to a development pattern more appropriate in scale and use with neighborhood serving businesses. If a rapid transit corridor is not extended to the area, suitable locations for low impact general commercial uses may continue to be provided in limited locations.
- If a rapid transit corridor is developed and a transit stop is planned for the area, long-term land use should emphasize transit oriented development.
- Determine opportunities to redevelop older commercial sites along N. Oak Tfwy with new residential uses.
- Determine appropriate locations for automotive sales dealerships, and strategies to integrate them in a manner compatible with the urban design framework of a mixed-use pedestrian/transit -oriented environment.
- Emphasize signature buildings and streetscaping around the intersections of N. Oak Tfwy / Englewood Rd and Englewood Rd / N. Broadway.
- Determine appropriate locations for multi-story buildings.



Gateway enhancements along Englewood Road



Attractive landscape & screening along Englewood Road



Office building along Englewood Road



Existing strip commercial along N. Oak Tfwy



Land Use and streetscape image enhancements are needed along N. Oak Tfwy

Chapter Three: Future Land Use Development Opportunity Areas



Chapter Three: Future Land Use Development Opportunity Areas



Intersection of N. Oak Tfwy/72nd St



Residential areas behind N. Oak Tfwy commercial



Existing N. Oak Tfwy commercial facing the neighborhoods

Opportunity Area #2: North Oak Tfwy (north of 72nd Street)

This opportunity area serves as a northern gateway to the City, and also may serve as an extension to the Downtown Village Center redevelopment. Existing residential and retail areas within the study area will require significant reinvestment or redevelopment to ensure their long-term sustainability. Should a rapid transit corridor be extended to this area of Gladstone, the area could accommodate significant transit related economic development opportunities. An Area Plan study should:

- address how existing commercial and residential properties can be improved/redeveloped.
- identify new residential opportunities.
- address strategies to strengthen existing neighborhoods for long-term viability.
- address opportunities for transit and potential transit stops.
- explore with Kansas City opportunities for joint redevelopment projects and strategies to ensure compatibility with existing neighborhoods on both sides of the city limits.
- address visual and physical linkages with the Downtown Village Center.
- prepare design standards for new development.
- prepare a gateway design theme and streetscape enhancement plan.

Preferred Land Use Recommendations

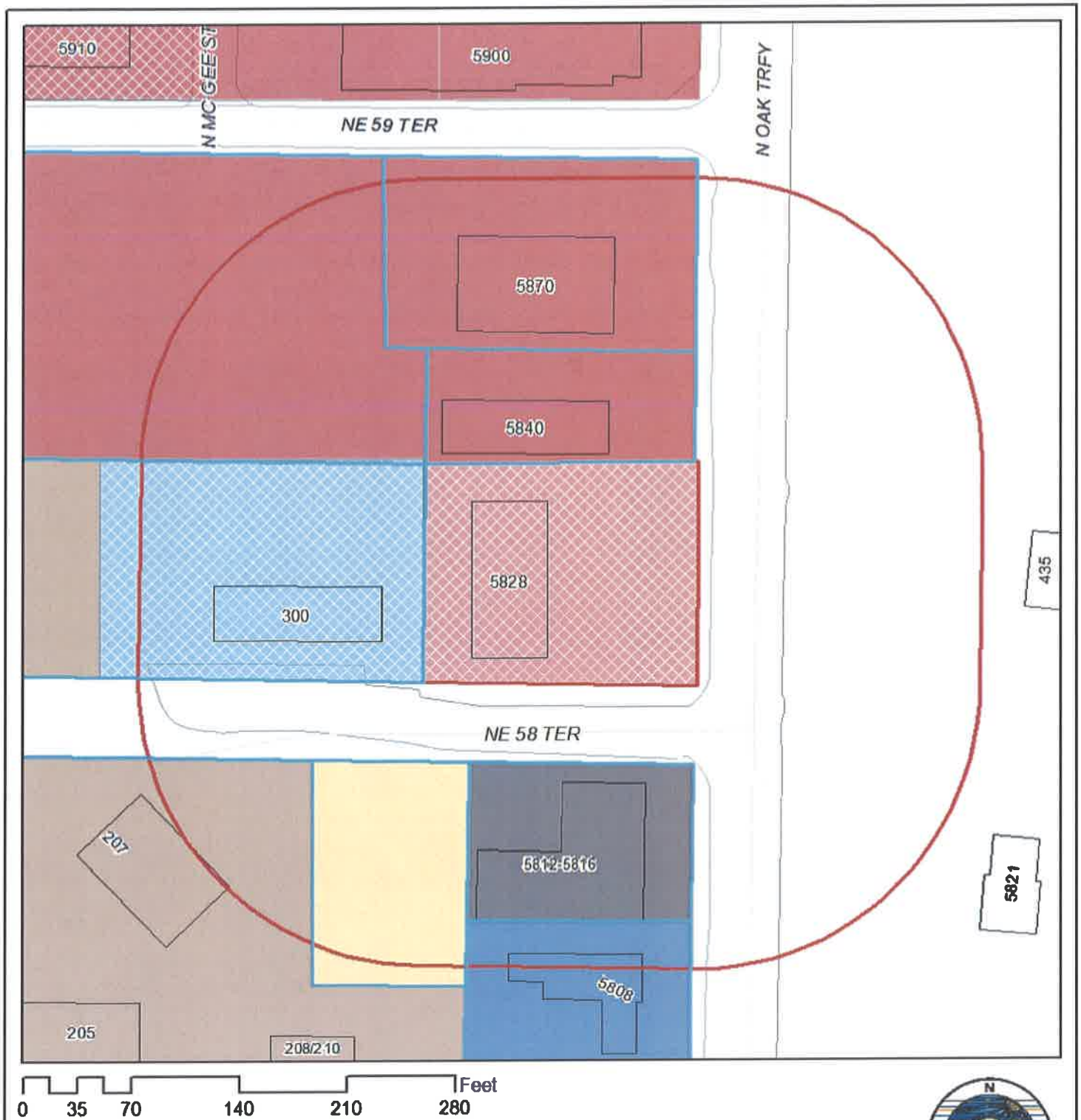
The existing land use pattern of general commercial uses (i.e. pad sites and strip centers) along N. Oak Tfwy is not considered appropriate for the long-term future of the area. This study area is recommended for major reinvestment and redevelopment providing a new mix of community serving uses and significant new residential opportunities similar to the Downtown Village Center area.

Preferred uses in higher intensity areas along N. Oak Tfwy consist of compact, neighborhood-oriented services rather than large-scale or automotive-oriented uses. Preferred uses include:

- mixed-use buildings (residential / retail) and live-work structures;
- higher density residential;
- office; and
- retail.

Development Considerations

- Promote redevelopment of non-compatible commercial and industrial uses, and reinvest in aged residential structures and infrastructure.
- The area should evolve away from general commercial uses (i.e. single-use, pad-site, strip center, and drive-through businesses) to a development pattern more appropriate in scale and use with neighborhood serving businesses.
- If a rapid transit corridor is developed and a transit stop is planned for the area, long-term land use should emphasize transit oriented development.
- Cluster new retail uses into a neighborhood or community 'village center' pattern.
- Determine opportunities to incorporate higher density and higher intensity residential uses throughout the study area to provide new housing choices, including opportunities to redevelop older commercial sites with residential uses.
- Determine appropriate locations for multistory buildings.
- Emphasize signature building designs and streetscaping around the intersection of N. Oak Tfwy and 72nd Street.
- New development along N. Oak Tfwy and 72nd Street should embrace the streets by establishing a build-to line, and de-emphasizing parking areas by screening them from view.



5828 N. Oak
 Sept/Oct 2015
 Rezoning/Site Plan Revision

CITY OF GLADSTONE

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

RNR **TIRES & WHEELS**

*The **Wheels** You Want, The **Tires** You Need."*

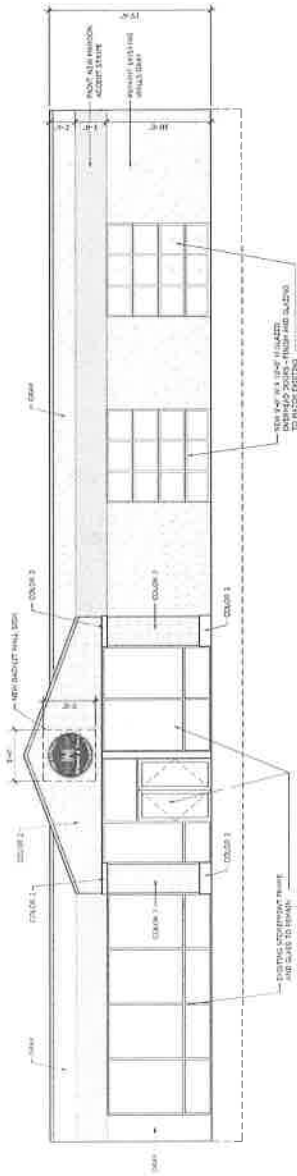
September 17, 2015

To Whom It May Concern,

We are proposing a zoning change to 5828 North Oak Trafficway in order to open RNR Tires & Wheels, a retail tire and wheel store. We will be selling and installing tires, wheels and alignments. We currently have one store in Raytown and it has been a great success. Our store hours will be Monday thru Friday 9am – 6 pm and Saturday 9 am – 5pm. I have attached pictures of our existing location for reference.

Sincerely,

Jason Barton



EAST ELEVATION

SCALE: 1/8\"/>

RENT-N-ROLL
A COMMITMENT TO THE FUTURE
3025 W. 10TH AVE.
DENVER, CO 80202
(303) 733-8888



DESIGN BY: _____
DRAWN BY: _____
CHECKED BY: _____
DATE: _____
PROJECT NO.: _____
SHEET NO.: _____

A1
FLOOR PLAN



Rent-N-Roll
828 North Oak Trafficway

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PLANNING COMMISSION
GLADSTONE, MISSOURI
Council Chambers
February 1, 2016
7:00 pm

Item 1 on the Agenda: Roll Call.

Present: Mr. Markenson
Ms. McGee
Ms. Poindexter
Mr. Turnage
Ms. Van Duser
Mr. Ward
Mr. Whitton
Mr. Williams
Mr. Yarber
Chairman Ringhausen

Absent: Ms. Alexander
Mr. New

Council & Staff Present:

Mayor Pro-Tem Jean Moore
Scott Wingerson, Assistant City Manager
Melinda Mehaffy, Econ. Dev. Admin.

Item 2 on the Agenda: Pledge of Allegiance.

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

Item 3 on the Agenda: Approval of the January 4, 2016 minutes.

MOTION: By Mr. Turnage, second by Ms. Van Duser to approve the January 4, 2016 minutes as presented. All said aye. The motion carried.

Item 4 on the Agenda: PUBLIC HEARING on a request for a Rezoning from CP-2 to CP-3 and Site Plan Approval at 5828 N. Oak Trafficway. Applicant: Jason Barton, RNR Tires & Wheels. Owner: John Duane Hubble. File #1422.

Chairman Ringhausen called for the staff report.

Scott Wingerson reported that this application should look fairly familiar. It is the RNR Tire application that the Planning Commission heard a few months ago. The application is basically

the same; it's a zoning change from CP-2 to CP-3 and a site plan approval. The documents themselves haven't changed significantly from when they looked at it before.

Mr. Wingerson explained that when the public hearing was held at the Planning Commission, the recommendation was made in favor of the application. It was then forwarded to the City Council. At the City Council meeting, there were a series of events that occurred which were a little bit unusual. First, only four of the five voting members of the City Council were present so that means three of the four members would have to vote in favor. What staff didn't know was that there was one abstention in the group because of a conflict of interest. The Planning Commission was provided with the minutes from the City Council hearing and they can see what happened, but the vote became 2 in favor, 1 opposition, 1 abstain and 1 absent. That's not a majority of the Council therefore, the application was denied.

Tonight's hearing is a re-hearing. The applicant has re-filed the same application which is his right under the zoning ordinance after waiting 60 days between disposition by the City Council and hearing by the Planning Commission. Mr. Wingerson said he wanted to take a second to talk about the various positions in the application. It really boils down to planning philosophy and what you think is going to happen in the future in Gladstone. The staff's recommendation is based partly on the Comprehensive Plan, but also on a larger area that says 'this section of North Oak is going to have to redevelopment on very large scale over a pretty significant period of time in order for big changes to occur in the area of Englewood and North Oak'. The thought process that leads to is that the life cycle of this business is not likely as long as the time frame of that redevelopment. That's a little bit of where staff's recommendation comes from. That's where the Planning Commission was at the last hearing and he thinks that where, not speaking for them, the affirmative votes on the City Council came from.

The other position is in agreement in most areas. The dissenting position would say something like, again not speaking for the City Council, redevelopment is necessary and warranted in this part of North Oak; however, the Comprehensive Plan should govern because we have to start somewhere in this redevelopment process. Staff is kind of at scale where part of the City Council is on little bit smaller scale as it relates to this particular application.

Mr. Wingerson concluded by saying that staff hasn't changed position in this application and still recommends approval of the zoning change and the site plan. Finally, he would ask in the site plan ordinance, if they are to move forward tonight, to make one change in condition #5. It currently reads "All landscaped areas shall be maintained in perpetuity." He asked that they would add "All landscaped areas shall be irrigated and maintained in perpetuity." That was a mistake on his part. It didn't get added after the City Council hearings, which was requested by the Council. He thanked Commissioner Markenson for bringing that to his attention. He offered to answer any questions at this time.

Mr. Turnage asked how this application does not fit into the Comprehensive Plan.

Mr. Wingerson answered that the Comprehensive Plan calls for two things. It calls for an area study in this part of North Oak, from Englewood Road to NE 60th Street; Broadway to North Oak. It calls for a very specific study. What the Plan suggests is in the study, which hasn't been done, is that there be a reduction in the focus of auto-related businesses. So in that area you have

a transmission shop, a parts store and Gladstone Dodge. All of those things would be up for discussion if there was a planning study that focused on that area.

Mr. Turnage asked if staff is okay with this type of business.

Mr. Wingerson answered that staff is basing the recommendation on the zoning ordinance, but that's really not what the question is here. The question is about the Comprehensive Plan and what staff is suggesting is that the life cycle of this business is shorter than the redevelopment cycle for this section of North Oak.

Mr. Markenson asked how long this building has been vacant and if it has always been used for automotive related businesses.

Mr. Wingerson said he believes the original use of the property was for Hubble Auto Parts.

Mr. Wingerson was interrupted by a speaker from the audience who said that was not correct. Chairman Ringhausen told the speaker to hold his comments until the public hearing portion of the meeting.

Mr. Wingerson continued by saying that the first thing he remembers is Hubble Auto Parts followed by Car Quest Auto Parts and now it has been vacant since about February 2015.

Ms. Van Duser asked if this group manages other locations.

Mr. Wingerson said that Mr. Barton could answer that in detail, but yes they have another location.

Ms. Van Duser asked if there had been any issues with that location with the City of Gladstone.

Mr. Wingerson said not to his knowledge.

Chairman Ringhausen called the applicant to come forward.

Jason Barton addressed the Commission. He asked Mr. Wingerson if he had the PowerPoint presentation again.

Mr. Wingerson said no.

Mr. Barton said basically they want to take that building, renovate and make it a retail model for tires and wheels. They will be doing the installation inside the building; nothing will be going on outside. He's asking to be a part of Gladstone. He's lived here for a long time and it's something he'd like to be a part of.

Mr. Markenson said he saw the before and after pictures of his store in Raytown; they're very nice. He wondered if this store was going to look similar.

Mr. Barton said absolutely.

Mr. Markenson said the property is not that bad right now, but these proposed changes will certainly enhance it.

Mr. Whitton said he didn't believe Mr. Barton stated his name and address.

Jason Barton apologized. He stated his address as 9502 N Adrian Place, Kansas City, Missouri 64154.

Mr. Whitton said he's assuming he will be mounting and balancing tires since he's selling them. How many bays does he have?

Mr. Barton said they will be adding two bays on the front of the building for access.

Mr. Whitton asked if all they were going to do was tire work.

Mr. Barton said just tire installation.

Mr. Markenson thought there were two bays on side of the building.

Mr. Barton answered that there is a bay on the north side, but there is no access for vehicles into that bay.

Ms. Van Duser said tire, wheel replacement, after-market? Is he selling before market or replacement?

Mr. Barton answered after-market, OE and passenger tires.

Ms. Van Duser asked if they were doing lifts, chops or drops.

Mr. Barton said no.

Mr. Williams asked in relation to the rent to own model, does he see a significant different in the typical customers that purchase from a rent-to-own type business as opposed to one that may just sell most of the parts outright.

Mr. Barton said the rent-to-own model opens up the new tire purchase to a lot of customers. He can see both of the spectrums on the customer base. It's beneficial to people because there's an insurance they carry that's free replacement cost to his customers so he sees a wide variety of customers. They convert a lot of retail customers into rental customers; it's really a lease to own transaction because of the insurance and added benefits to their model.

Ms. Van Duser asked if the business model itself for the lease can also follow the market model of whether you lease or own your own vehicle and also in those terms it's distinguishing between financing and how you approach both of those sales models. She asked if to some extent that was correct.

Mr. Barton said there is no financing involved.

Mr. Markenson said he was not familiar with the rent to own. He's going to rent or lease them?

Mr. Barton said they [customers] have the option to rent or own.

Mr. Markenson said he would ask again the same thing he asked at the last meeting; they're selling nothing but tires?

Mr. Barton nodded yes and said they would be selling tires, wheels and lug nuts.

Mr. Markenson said they're not selling batteries.

Mr. Barton said no, they're not even going to sell windshield wipers.

Mr. Markenson asked what he means when he uses the term "custom tires."

Mr. Barton said it would be an after-market tire; anything that's not original. A little fancier, he guesses.

Chairman Ringhausen called on those in favor of the application to come forward.

Mark Hubble, 8904 N. Chatham Avenue, Kansas City, Missouri addressed the Commission. Mr. Hubble said the owner of the property was his father, John Duane Hubble. He actually had another auto parts store, right underneath the old water tower at Englewood and North Oak. He was there for many years. When this property became available he purchased it. At the time there was an old brick church building on the property. He turned that into an auto parts store, Hubble Auto Parts. When his father got ready to retire, he made a deal with Car Quest Auto Parts, that if he built the building, Car Quest would come in and lease the building for about 5 years with an option for another five. Mr. Hubble said that his father passed away February 8th, 2015. He was in the process of helping his father clean up the building so he could re-lease it because Car Quest got bought out by Advanced Auto Supply, which already has a place up the street, so they didn't need the building. Knowing his father, he probably would have looked for another auto-related company to go in there. He knows him; that's just his life. So when they're talking about not putting another auto thing in there...the two biggest things you buy are houses and cars and you spend a lot of money on both. He thinks it's a good business. He knows his father would be thrilled to have another auto-related business in that building. He's trying to sell it of course! He offered answer any questions.

There was no one in opposition of the application. The public hearing was closed.

MOTION: By Ms. Van Duser, second by Mr. Markenson to approve the Rezoning from CP-2 to CP-3 at 5828 N. Oak Trafficway.

Vote:	Mr. Markenson	Yes
	Ms. McGee	Yes
	Ms. Poindexter	Yes
	Mr. Turnage	Yes
	Ms. Van Duser	Yes
	Mr. Ward	Yes

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

The motion carried. (10 yes, 0 no)

MOTION: By Mr. Markenson, second by Ms. Poindexter to approve the Site Plan at 5828 N. Oak Trafficway with an amendment to condition #5 to include irrigation to the landscaping requirement.

Vote:	Mr. Markenson	Yes
	Ms. McGee	Yes
	Ms. Poindexter	Yes
	Mr. Turnage	Yes
	Ms. Van Duser	Yes
	Mr. Ward	Yes
	Mr. Whitton	Yes
	Mr. Williams	Yes
	Mr. Yarber	Yes
	Chairman Ringhausen	Yes

The motion carried. (10 yes, 0 no)

Item 5 on the Agenda: Communications from the City Council and the City Staff.

Mayor Pro Tem Moore announced that as some of them may be aware, the City is undertaking a new citizen-based strategic plan. In fact, there are several on the Commission that are involved in the initiating Committee: Sarah, James, Jennifer and Alan. She would like to thank them for all the hard work they are already doing. Some of you may have received a citizen survey and she encouraged everyone to fill it out. Not everyone will receive one. The survey is also on the City's website.

Mr. Wingerson congratulated Mr. Ringhausen on his first public hearing [as Chairman]. Well done. He also welcomed Mr. Williams.

Item 6 on the Agenda: Communications from the Planning Commission Members.

Chairman Ringhausen said that he saw in the Kansas City Business Journal that The Heights received a Capstone Award. They are getting quite a bit of notice and thanks to the City for that effort and to the Planning Commission that was involved in that decision.

Item 7 on the Agenda: Adjournment

Chairman Ringhausen adjourned the meeting at 7:25 pm.

Respectfully submitted:

Alan Ringhausen, Chairman

Approved as submitted _____

Becky Jarrett, Recording Secretary

Approved as corrected _____

