

BILL NO. 16-35

ORDINANCE NO. 4.363

AN ORDINANCE APPROVING A SITE PLAN REVISION FOR PROPERTY AT 7302 NORTH OAK TRAFFICWAY.

WHEREAS, pursuant to Section 32-37 of Ordinance No. 2.292 being the Gladstone Zoning Ordinance, public notice was made of a request for site plan approval at 7302 North Oak Trafficway; and

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

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

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

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

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

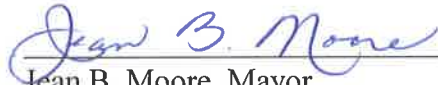
SECTION 1. SITE PLAN APPROVAL.

The Site Plan for 7302 North Oak Trafficway is hereby approved subject to the terms and conditions set forth herein.


- 1) Existing billboard located at the northeast corner of the property shall be removed.
- 2) All exterior lighting shall be LED.
- 3) Keep traffic visibility for traffic on NE 73rd Street entering N. Oak Trafficway.
- 4) Trash service shall be scheduled between the hours of 7:00 am to 10:00 pm.
- 5) All cultivated, manicured grass and landscape areas shall be irrigated and maintained in perpetuity.
- 6) All mechanical equipment on the roof shall be screened by a parapet wall a minimum of twelve (12) inches above the tallest piece of mechanical equipment.
- 7) Tractor trailers and storage containers shall not be parked or be stored overnight on the premises.
- 8) All green space shall be sodded.

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

PASSED, SIGNED, AND MADE EFFECTIVE BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 22ND DAY OF AUGUST, 2016.


Jean B. Moore, Mayor

ATTEST:


Ruth Bocchino, City Clerk

First Reading: August 22, 2016

Second Reading: August 22, 2016

File #1429

Community Development Department Staff Report



Date: July 29, 2016

File #: 1429

Requested Action: Site Plan Approval

Date of PC Consideration: August 15, 2016 (voted to approve, 9-yes, 1-no)

Date of Council Consideration: August 22, 2016

Applicant: Hershewe Real Estate Co.
103 NW Point Lane
Gladstone, Missouri 64116

Owner: Same

Architect/Engineer: Kaw Valley Engineering
8040 N. Oak Trafficway
Kansas City, Missouri 64118

Jeff Schroeder
Herman A. Scharhag Architects
310 Armour Road, Suite 202
North Kansas City, Missouri 64116

Address of property: 7302 N. Oak Trafficway

General location of property:

Physical Characteristics:

Planning Information

Current Zoning: C-3

Zoning History: Re-Plated from two (2) C-3 lots to one (1) C-3 Lot.

Planned Land Use: Commercial District

Streetscape Guidelines: Comprehensive Plan, Chapter 3 and Appendix D

Applicable Regulations: Land and Development Ordinance, Zoning and Planning Ordinance and Comprehensive Plan.

Additional Information

Public Utility Availability: Existing

Ingress/Egress: Provided via two (2) existing full access drive entrance on N. Oak Trafficway and a complaint drive entrance on NE 73rd Street.

Traffic Division Comments: Keep traffic visibility for traffic on NE 73rd Street entering N. Oak Trafficway. Site layout is conducive for this and landscaping shall be such as not to impede this visibility.

Parking Required: 35

Parking Provided: 41

Proposed On-Site Improvements: Will be reducing the drive approach entrance along NE 73rd Street; along with constructing city sidewalk adjacent thereto.

Proposed Off-Site Improvements: N/A

Proposed Landscaping: New landscaping will in incorporated along N. Oak Trafficway and around the dumpster enclosure. Please see attached landscape plan.

Proposed Signage: The developer is proposing a monument sign to be located in the landscaped peninsula just north of the south drive entrance adjacent to N. Oak Trafficway. The individual tenants will also have complaint signage on the building.

Recommended Conditions

1. Existing billboard located at the northeast corner of the property shall be removed.
2. All exterior lighting shall be LED.
3. Keep traffic visibility for traffic on NE 73rd Street entering N. Oak Trafficway.
4. Trash service shall be scheduled between the hours of 7:00am to 10:00pm
5. All cultivated, manicured grass and landscape areas shall be irrigated and maintained in perpetuity.
6. All mechanical equipment on the roof shall be screened by a parapet wall a minimum of twelve (12) inches above the tallest piece of mechanical equipment.
7. Tractor trailers and storage containers shall not be parked or be stored overnight on the premises.
8. All green space shall be sodded.

Analysis

The applicant is requesting site plan approval for the purpose of construction a 6,972 sq. ft. commercial building. The building has the capability of housing three (3) to four (4) tenants.

The location, color and materials of the building are consistent with the Comprehensive Plan's existing land use and future use as well as the City's site design requirements. The landscaping adjacent to N. Oak Trafficway will parallel in concept the landscaping that was done adjacent to N. Oak Trafficway from NE 72nd Street south to NE 70th 69th Street.

Recommendation

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

PLANNING COMMISSION
GLADSTONE, MISSOURI

Council Chambers

August 15, 2016

7:00 pm

Item 1 on the Agenda: Roll Call.

Present: Ms. Alexander
Ms. McGee
Mr. New
Ms. Poindexter
Mr. Turnage
Mr. Ward
Mr. Whitton
Mr. Williams
Mr. Yarber
Chairman Ringhausen

Absent: Mr. Markenson

Council & Staff Present:

Mayor Pro Tem RD Mallams
Alan Napoli, Interim Comm. Dev. Director
Melinda Mehaffy, Econ. Dev.

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 August 1, 2016 minutes.

The minutes were not copied correctly in the packets; therefore they could not be voted on. They will be placed on next month's agenda.

Item 4 on the Agenda: CONSIDERATION: of a Final Plat- Amended Plat of Claymont Pointe 17th Replat. Applicant: Aylett Survey Co. Owner: Blue Valley Investment Corp. File #1430.

Mr. Napoli reported that this application is for property located in Claymont Pointe. The area is currently zoned RP-4 for cluster housing. In the past, typically the builder and the developer were one in the same. They used to have a plan for the whole area and they would build and there were either four-plexes or two-plexes and when they came in and started building they would give us a plat for that certain area and how many structures were on there. The developer/builder, during the downfall, lost the property and the bank took it back, so the bank currently owns all the vacant property. There is a builder that is interested in all the property, but he doesn't want to buy it all at one time. Because there's one, large tract of land the developer is

Vote:	Ms. Alexander	Yes
	Ms. McGee	Yes
	Mr. New	Yes
	Ms. Poindexter	Yes
	Mr. Turnage	Yes
	Mr. Ward	Yes
	Mr. Whitton	Yes
	Mr. Williams	Yes
	Mr. Yarber	Yes
	Chairman Ringhausen	Yes

The motion carried. (10-Yes, 0-No) This application will move forward to the City Council on Monday, August 22, 2016.

Item 6 on the Agenda: PUBLIC HEARING: For a Site Plan Revision at 7302 N. Oak Trafficway. Applicant/Owner: Hersheve Real Estate Company. File #1429.

Chairman Ringhausen opened the public hearing.

Mr. Napoli reported that this lot is zoned C-3 and with the prior action is now one lot. The proposal is for development of a commercial, retail business. He referred to an aerial view of the property and noted that the west side of the property is heavily shrubbed from the residential properties. The site plan presented meets the required setback from the residential properties. From the aspect of setbacks and greenspace they meet all requirements.

Mr. Napoli explained that the building being proposed is a commercial, retail business that could potentially have up to four tenants. The developer is present tonight. One thing they will change about the property is the wide open drive on NE 73rd Street. It will be made into a single-lane drive about the center of the property. They will also be installing city sidewalk on the full length of the south property. The two entrances off North Oak will remain and will be used for ingress and egress. The parking is adequate. They are required to have 35 spaces, they have 41 provided including the required handicapped spaces.

Referring to the colored elevations, Mr. Napoli, said the rear of the building will have several overhead doors for delivery. On the north side there is a bump-out which indicates a drive-thru service window. The developer has indicated that there has been some interest from tenants needing the window. On the south side of the structure there are two overhead doors. All the materials and colors meet the City's requirements as well as screening. The developer is agreeable to all eight recommended conditions. Mr. Napoli pointed out condition #1, which states that the existing billboard located at the northeast corner of the property shall be removed. The owner wants to remove it; however, he is researching whether or not there is any type long-term lease agreement he may be obligated to. The only comment Public Safety had was to make sure that the landscaping wouldn't block the view of vehicles coming out of NE 73rd Street. Other than that, the recommended conditions are pretty typical. He offered to answer any questions.

Mr. Yarber asked if there were any specific tenants at this time or this was just being built as a spec building.

Mr. Napoli answered that his understanding is that the owner has some perspective tenants, but no contracts at this time.

Mr. Williams asked what happens procedurally if the billboard is under a long-term contract and this application is approved.

Mr. Napoli said there isn't much the City can do if it is a legal binding lease agreement and it will have to remain. The owner is willing to remove it if he can.

Chairman Ringhausen asked the applicant to come forward and state his name and address.

Jeff Schroeder, Scharhag Architects, 310 Armour Road, Ste. 202 NKC, MO 64116, addressed the Commission. Mr. Schroeder said that originally the developer was just looking at buying the eastern lot, but in trying to develop some preliminary site plan drawings it became obvious fairly quickly that it was going to be too tight and cramped so he decided to buy the lot to the west to make it a much more reasonable sized building. There is now plenty of parking, a 35' setback on the west side from the residential and they plan to keep the entire vegetation on the west property on both of the lots, which is pretty thick. The lot has been vacant for many, many years so hopefully they will look at this as a good development for the City. He offered to answer any questions.

Chairman Ringhausen asked Mr. Schroeder to talk a little bit about the retaining wall that will be on the north side of the property.

He said they don't have exact heights because his company didn't do the survey work, but there will be about a 3' retaining wall along the north property line. There is a power pole with some guide wires that they have to protect and stay away from.

Chairman Ringhausen asked if the intent was for the stormwater to flow to the southwest. It appears that might be the case according to the contours. He didn't see any information regarding paving the lot with additional stormwater runoff.

Mr. Schroeder answered that they will be providing additional details on stormwater for the building permit application. There were calculations that took into account the paving that is there now versus what will be there and there is also a bio-detention swale that is kind of a vegetative holding area in the southwest side where most of the water will be directed and it will be planted with types of vegetation that tend to absorb more moisture. It will also be slightly depressed so it will help filter the water and slow down the rate of runoff. A little bit of the water will still go to the northeast corner but the hump that's in the middle will be cut down quite a bit and you'll see more of a slope up on the grass buffer area.

Chairman Ringhausen asked if it would be sloped towards the property rather than off.

Mr. Schroeder answered yes.

Mr. Napoli added that the engineering staff reviewed the plans and did not have any issues or comments as to stormwater.

Chairman Ringhausen said he noticed on the site plan that it appears the dumpster will be in the area where the stormwater will be flowing. He wondered if there had been any consideration given to moving the dumpster out of the way of the main drainage path.

Mr. Schroeder said they were trying to hit two or three issues at once. They were hoping to try and keep the dumpster fairly close to the street, but obviously not towards N. Oak, so trucks don't have to circumvent the entire site to pick up and dump the trash. They also wanted to have it back from NE 73rd Street a little and put some landscaping in front of it. It's actually graded so that the water will come around in front of the dumpster area. Most of the water will be to the west of the dumpster, so it won't go through the dumpster pad.

Chairman Ringhausen said the information provided showed the intent to possibly have a tenant that would have drive-thru services. Has there been any further information or studies been done as to the additional traffic that this tenant might bring?

Mr. Schroeder answered that there has not been a traffic study done. The belief by the developer, who is a commercial realtor, is that the square footage size of the north end of this building that could possibly house a drive-thru tenant is small enough that it's not going to attract any kind of major user like McDonalds or Burger King. It's going to be like a small, mom & pop coffee shop type of tenant. They do not think that it will attract a great difference of traffic on North Oak because there's a lot of traffic on North Oak already. They've got decent stacking of about 4-5 cars plus they're going to sign and designate some spots in the parking row behind the building where cars can pull into if necessary. The middle two tenants will be extremely small tenants. They are anticipating a bigger tenant on the south end, but there are two drives for them so they've got a lot of circulation access.

Mr. Williams asked if anyone made any outreach to the surrounding residential areas.

Mr. Schroeder did not believe so.

Mr. Napoli added that staff mailed notices to everyone within 185' of the property of the hearing tonight.

Mr. Schroeder said there is also a [public hearing] sign posted on the site.

Chairman Ringhausen called of those in favor or opposition to come forward. There was no response. He closed the public hearing.

MOTION: Ms. Poindexter, second by Mr. Ward to approve the Site Plan Revision at 7302 N. Oak Trafficway.

Vote:	Ms. Alexander	Yes
	Ms. McGee	Yes
	Mr. New	Yes
	Ms. Poindexter	Yes

Mr. Turnage	Yes
Mr. Ward	Yes
Mr. Whitton	Yes
Mr. Williams	Yes
Mr. Yarber	Yes
Chairman Ringhausen	No

The motion carried. (9-Yes, 1-No) This application will move forward to the City Council on Monday, August 22, 2016.

Item 7 on the Agenda: CONSIDERATION: Of a Final Plat- North Broadway Center Second Plat. Applicant: Lutjen/Olsson Associates. Owner: CLMG Corporation. File #1432.

Mr. Napoli reported that this application is for the area off N. Broadway where NAWS pet place, public storage, antique store and daycare are located. This property now has new owners and what they are doing is platting the area into different tracts. The tract being considered tonight also contains property located in Kansas City, Missouri. Tract A is where an existing cellular tower is located. Lot 2 is the daycare, which will not have any ingress/egress or parking when replatted. The owners are working on an easement agreement for use of the current ingress/egress and parking. Prior to final approval at City Council, staff will require the agreement to be submitted.

Mr. Ward asked what they are planning on putting in the antique mall building.

Mr. Napoli said he didn't know. He believes there is a tenant in there now, but he has not heard of anything new coming.

Chairman Ringhausen clarified that they are only considering the area identified as Lot 2, and the area inside Gladstone city limits.

Mr. Napoli said that is correct.

Ms. Poindexter asked Mr. Napoli to explain again about the easement agreement.

Mr. Napoli said if you go by there now you will see two entrances at the property. Those are the only two entrances for the entire site. The entrance on the north belongs to the NAWS business; the south entrance is access to the south side of the property. That is the entrance that the owners and anyone who occupies the daycare building will need to use agreement for after the replat.

MOTION: Mr. Turnage, second by Mr. New to approve the Final Plat- North Broadway Center Second Plat.

Vote:	Ms. Alexander	Yes
	Ms. McGee	Yes
	Mr. New	Yes
	Ms. Poindexter	Yes
	Mr. Turnage	Yes

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

The motion carried. (10-Yes, 0-No) This application will move forward to the City Council on Monday, September 12, 2016.

Item 8 on the Agenda: Communications from the City Council and the City Staff.

Mayor Pro-Tem Mallams extended his thanks to the developer for working with staff so well and believing in the City of Gladstone.

Item 9 on the Agenda: Communications from the Planning Commission Members.

Ms. Poindexter asked if the triangle shaped intersection at N. Broadway and NE 68th Street was in Gladstone city limits.

Mr. Napoli said yes, it is.

Ms. Poindexter said it is a really dangerous intersection.

Mr. Napoli said it has been looked at by staff and that possibly it could look different if a parkway is ever put in.

Ms. Alexander said it looks like McDonalds is beginning to do some work.

Mr. Napoli replied that they are actually working on the retaining wall on the back side of the property. They wanted to get it done along with some of the stormwater work prior to notifying McDonalds and shutting down the store.

Chairman Ringhausen had the opportunity to be in the Northland Innovation Center last week and was really impressed by it. He extended his thanks to the City for working with the developer to make it happened.

Item 10 on the Agenda: Adjournment

Chairman Ringhausen adjourned the meeting at 7:36 pm.

Respectfully submitted:

Alan Ringhausen, Chairman

Approved as submitted _____

Becky Jarrett, Recording Secretary

Approved as corrected _____

Legend

NE 73rd Terrace

7302 N Oak Trafficway

200 ft

Google earth

2016 Google

74th St

NE 73rd St

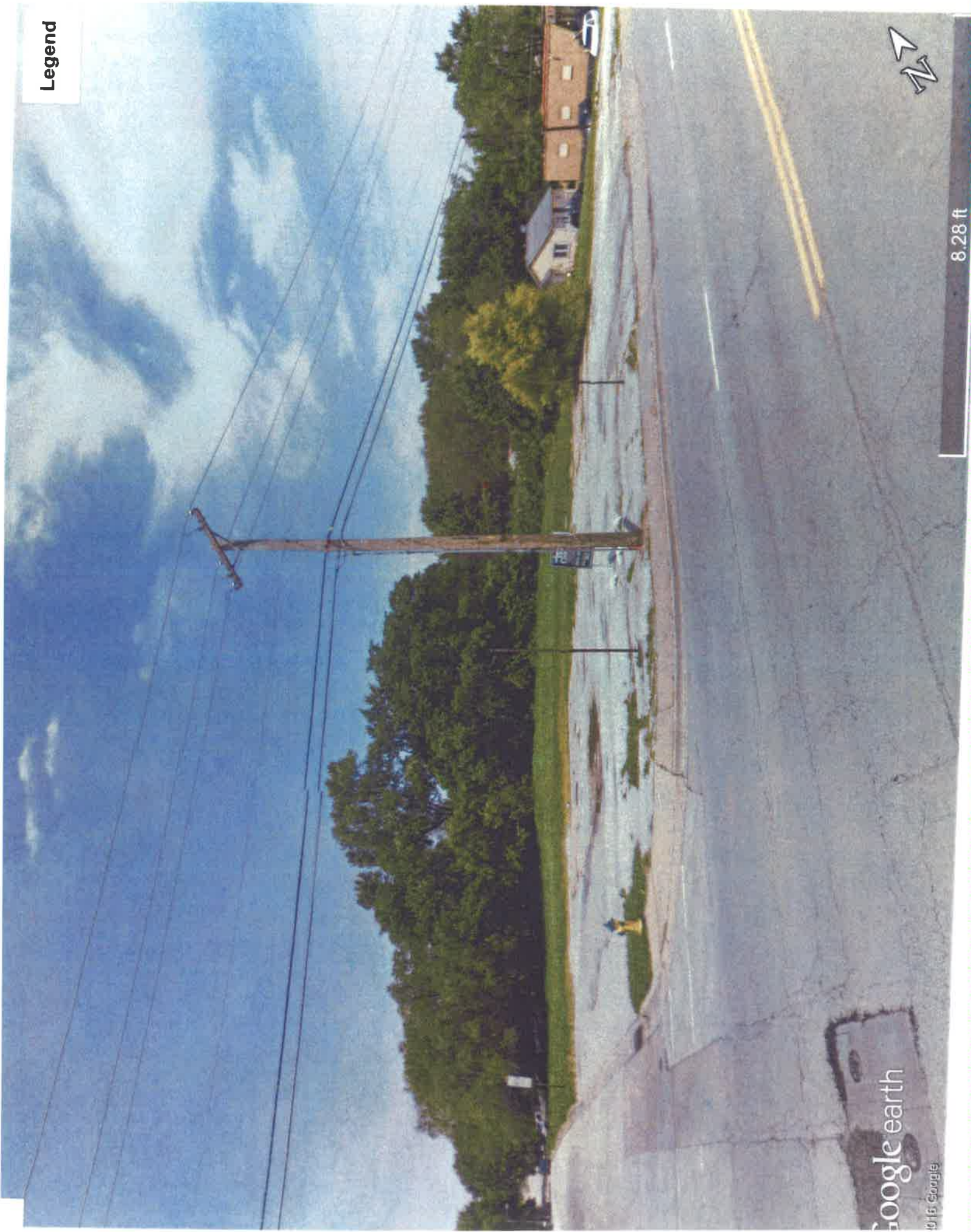
Legend

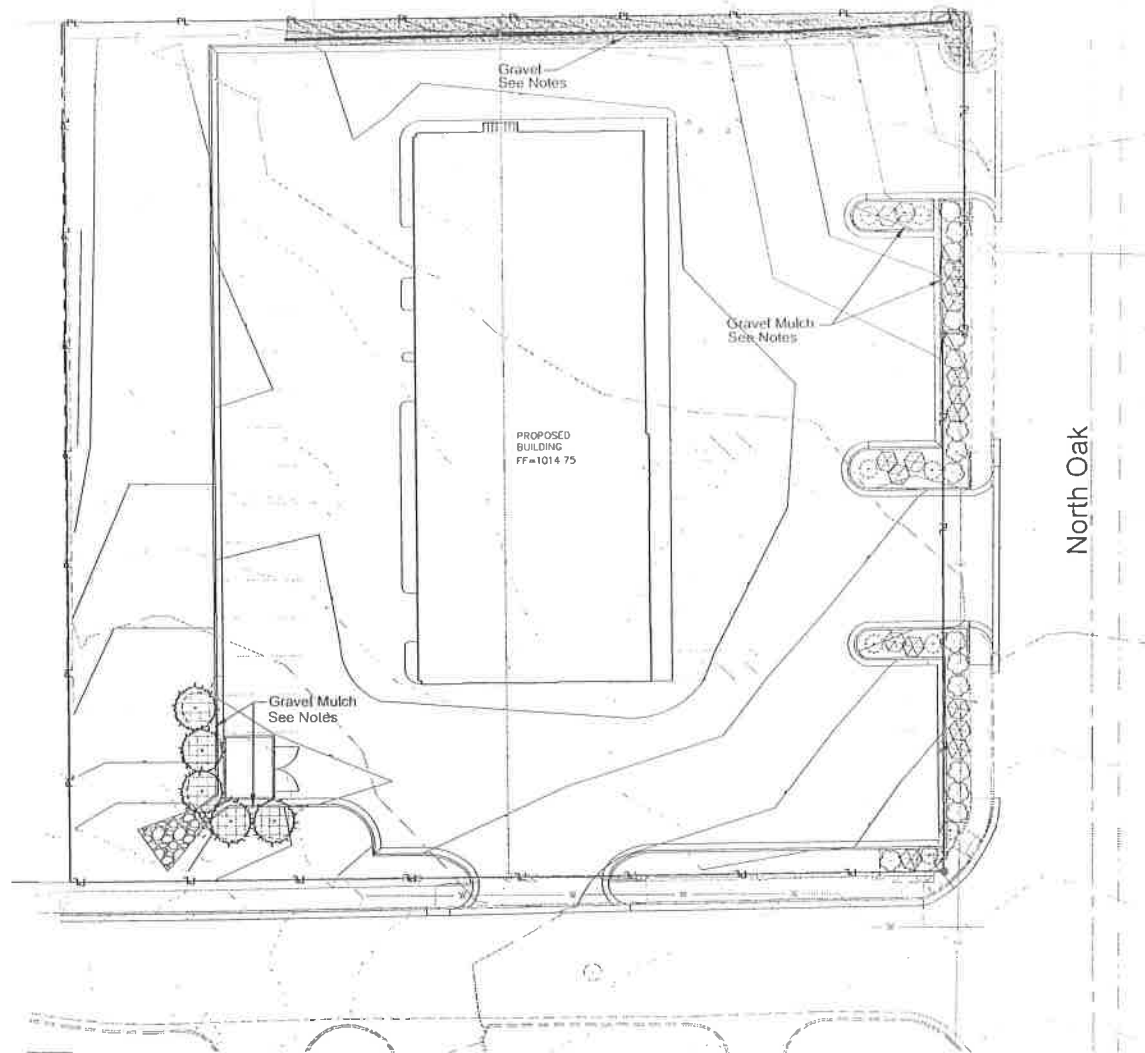


8.28 ft

Google earth

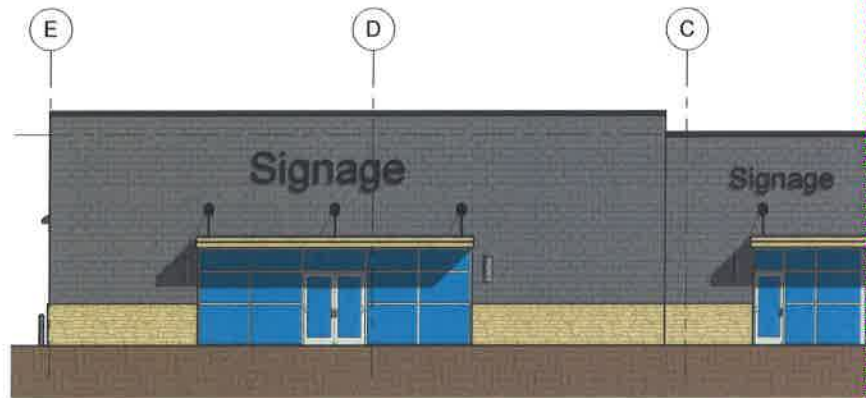
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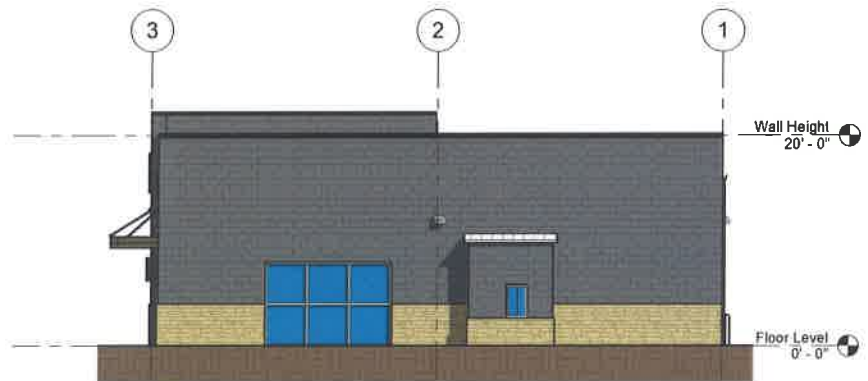


Utility Note:

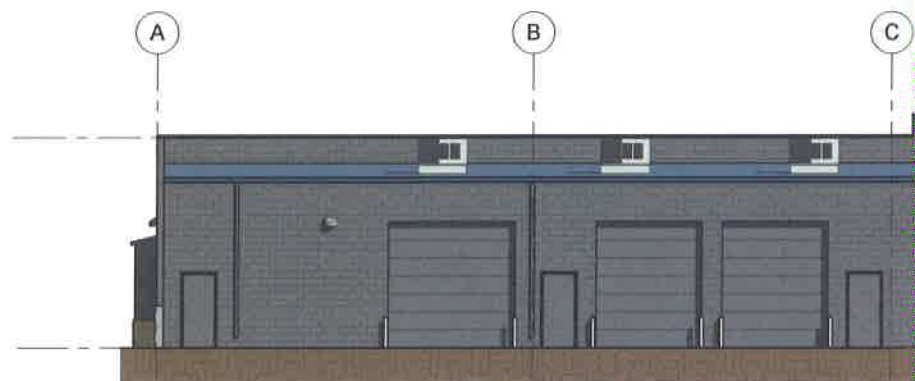
Utilities shown on plan are diagrammatic and some may be missing. Before starting any construction call appropriate locating service. In Missouri call 1-800-DIG-RITE (344-7483) to have utilities located.



① East Color
1/8" = 1'-0"



② North Color
1/8" = 1'-0"



④ West Color
1/8" = 1'-0"