

AN ORDINANCE APPROVING A SITE PLAN REVISION FOR PROPERTY AT 2900 KENDALLWOOD PARKWAY, COMMONLY KNOWN AS "RESERVE AT ROCK CREEK", FORMERLY KNOWN AS WOODBINE.

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 2900 Kendallwood Parkway; 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:

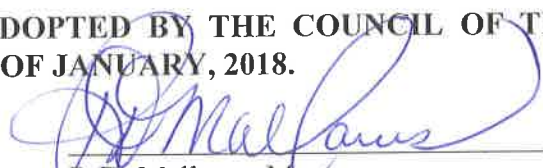
SECTION 1. SITE PLAN APPROVAL.

The Site Plan for 2900 Kendallwood Parkway is hereby approved subject to the terms and conditions set forth herein:

1. Additional landscaping shall be planted pursuant to code requirements related to streetscape enhancements in Title IV, Chapter 1200.

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

INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI THIS 8TH DAY OF JANUARY, 2018.


R.D. Mallams, Mayor

ATTEST:


Ruth Bocchino, City Clerk

First Reading: January 8, 2018

Second Reading: January 8, 2018

File #2017-020



Community Development Department Staff Report

Date: January 3, 2018

NPJ

File #: 2017-020

Requested Action: Site Plan Revision

Date of PC Consideration: December 18, 2017 (approved 10-0)

Date of Council Consideration: January 8, 2018

Applicant: Chuck Cuda – Opes Commercial Real Estate
GGCC, LLC
6051 N Chestnut Avenue, Suite B
Gladstone, MO 64119

Owner: Same

Architect/ NSPJ Architects
Engineer: 3515 W 75th Street, Suite 201
Prairie Village, KS 66208

Address of Property: 2900 Kendallwood Parkway

Planning Information

- Current Zoning: RP-4: Planned District, Apartment House
- Zoning History: None recent
- Planned Land Use: Changing from a nursing home to an independent living facility
- Surrounding Uses: Commercial to the North, South, and West; residential to the East
- Streetscape Guidelines: Comprehensive Plan, Appendix D; 2016 Direction Finder Survey
- Applicable Regulations: Zoning and Subdivision Ordinance and Comprehensive Plan

Additional Information

- Public Utility Availability: Existing public utilities are available.
- Ingress/Egress: Adequate ingress and egress exist along NE 60th Street and NE Kendallwood Parkway.
- Traffic Impacts: There may be some additional traffic compared to its original use as a nursing home. However, this amount of traffic was accounted for when the property was originally zoned RP-4.
- Parking Required: Two parking spaces are required for every dwelling unit.
- Parking Provided: Approximately one parking space is provided for every dwelling unit with an option to add additional parking if needed.
- Proposed On-Site Improvements: The only change to the site is the addition of a porte cochere.

- Proposed Off-Site Improvements: None at this time.
- Proposed Landscaping: Existing landscaping to remain; additional landscaping recommended as a condition of approval.
- Proposed Signage: Application for a new monument sign will be submitted for approval at a later date.

Analysis

The applicant is requesting that the city approve a site plan revision that would enable a minor addition to the front of the property. This addition is a simple porte cochere that would improve the front elevation.

The request is relatively minor in nature. The only other change on this site plan is the option for additional future parking if it is warranted. Since living units at this location will be solely for the 55+ age demographic, the requirement of two parking spaces per dwelling unit may be extreme. Given that this is a planned zoning district, parking requirements can be negotiated.

What is a porte cochere?

A porte cochere is a covered entrance large enough for vehicles to pass through, typically opening into a courtyard. These are common at hospitals and hotels.

Recommendation

Since the owner has noted on the site plan that all exterior lights will be upgraded to LED, the only condition staff is suggesting is additional landscaping pursuant to code requirements for streetscape improvements.

Staff and the Planning Commission recommend that the City Council approve this site plan revision with the above mentioned condition.

What Does the Public Say?

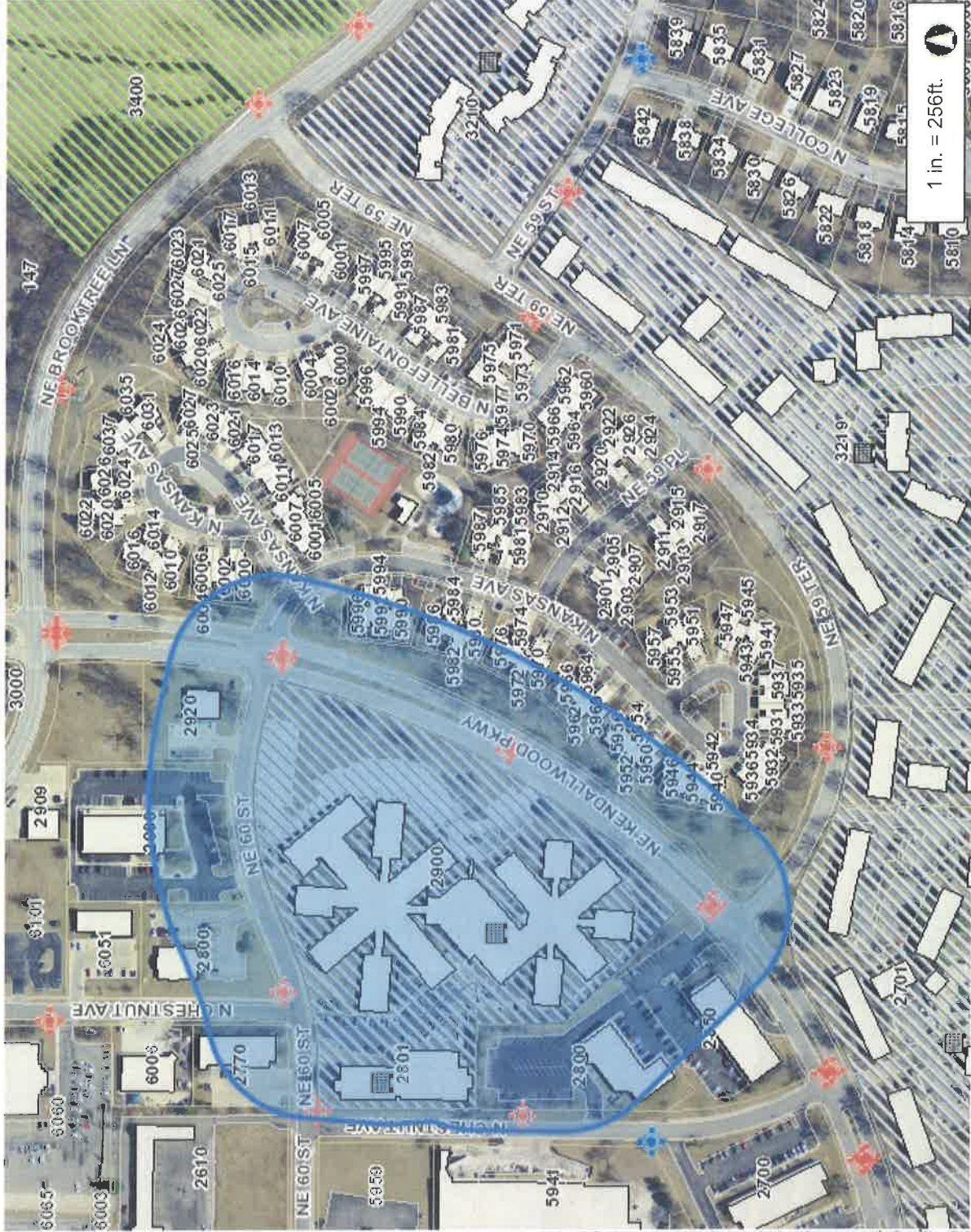
At the time this staff report was written staff has not heard from any member of the public.

Potential issues that the Planning Commission and City Council may want to think about in this particular case include:

- a) Property value impacts to the immediate area.
- b) Effect on crime rates in the area.
- c) Whether or not one parking space per unit is sufficient for the intended demographic.



Gladstone, MO



511.3 0 255.67 511.3 Feet

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



Legend

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

Notes

2900 Kendallwood Pkwy
PC #2017-020

 $\Delta \rho = 47.2^\circ$

DATE
11/06/2017
JOB NO
604617
DRAWN BY:
NSPJ
SHEET NO.

DRAWING: BRIANT LEE

RESERVE AT ROCK CREEK
A RENOVATION OF AN EXISTING BUILDING FOR:
2900 KENDALLWOOD PARKWAY
GLADSTONE, MISSOURI 64119

[illegible]

PARKING REQUIREMENTS

1. STALLS REQUIRED PER 100 SEC 7 (6.00): TWO SPACES FOR EACH DWELLING UNIT: 01 UNITS = 2 STALLS UNIT = 12 STALLS
2. STALLS PROVIDED: 20 STALLS (INDICATED BY EACH SETBACK)

9. **NEW CODES FOR EXISTING BUILDINGS**
The new codes will be used for existing buildings that are being renovated or altered. The codes will be used for existing buildings that are being renovated or altered. The codes will be used for existing buildings that are being renovated or altered.
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- E. NEW DRINKING WATER
- F. LANDSCAPING
 - EXISTING TREES TO REMAIN, NEW TREES ADJACENT TO THE BUILDING AS REQUIRED
- G. IMPERVIOUS AREA-THERE IS AN OVERALL NET DECREASE IN THE AMOUNT OF IMPERVIOUS AREA INCLUDING "CUTURE PARKING SPACED" (APPROX 9,500 SF REMOVED AND 8,250 SF ADDED) (PROPOSED)

[illegible]

- A. CURRENT ZONING: R94
- B. PRESENT USE: RECREATION/AMUSEMENT
- C. PROPOSED DEVELOPMENT:
 - BUILDING A JOINTLY-OWNED RESTAURANT
 - BUILDING A 100-SEAT THEATRE
 - BUILDING A 100-SEAT MEETING HALL
 - PROVIDING 100+ PARKING SPACES

50% PLAN
GENERAL NOTE:

ELEVATIONS
GENERAL NOTES
 1. ELEVATIONS ARE SHOWN IN SECTIONAL VIEW.
 2. ELEVATIONS ARE SHOWN IN SECTIONAL VIEW.
 3. ELEVATIONS ARE SHOWN IN SECTIONAL VIEW.
 4. ELEVATIONS ARE SHOWN IN SECTIONAL VIEW.
 5. ELEVATIONS ARE SHOWN IN SECTIONAL VIEW.

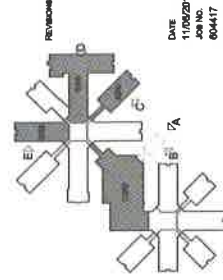
ARCHITECTS
 NSPJ
 3515 W. 75TH ST., SUITE 201
 PRAIRIE VILLAGE, KS 66208
 P. 913.831.1415
 F. 913.831.1563
 NSPARCH.COM
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RESERVE AT ROCK CREEK

A RENOVATION OF AN EXISTING BUILDING FOR 2900 KENDALLWOOD PARKWAY GLADSTONE, MISSOURI 64119

DRAWING RELEASE LOG
 #11.000117 - SITE PLAN REVISION



KEY PLAN
 NOT TO SCALE
 DATE: 11/16/2017
 JOB NO.: 604417
 DRAWN BY: NIBPJ
 CHECKED BY: NIBPJ

A2.40
 SITE PLAN REVISION



E ELEVATION
 B500 SOUTHWEST FACADE
 1/8" = 1'-0"



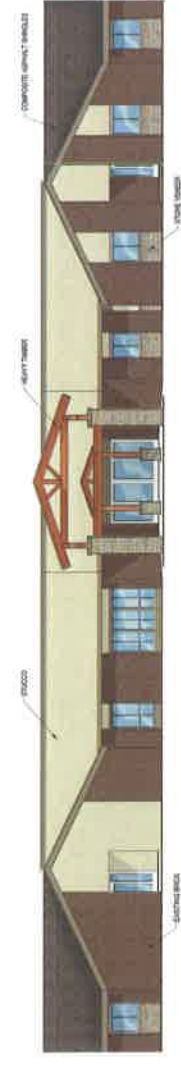
D ELEVATION
 B300 NORTHEAST FACADE
 1/8" = 1'-0"



C ELEVATION
 B200 SOUTH FACADE
 1/8" = 1'-0"



B ELEVATION
 PORTE COCHERE
 1/8" = 1'-0"



A ELEVATION
 MAIN ENTRY & PORTE COCHERE
 1/8" = 1'-0"

GLADSTONE PLANNING COMMISSION MINUTES
Council Chambers December 18, 2017

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

Commissioners present were: Anne Alexander
Chase Cookson
Jennifer McGee
Katie Middleton
James New
Shari Poindexter
Carlos Salazar
Bill Turnage
Don Ward
Gary Markenson, Chairman

Absent: Larry Whitton

Also present: Jean Moore, Councilmember
Bob Baer, Assistant City Manager
Nick Pappas, CD Director
Cheryl Lamb, Administrative Assistant

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

3. Approval of Minutes.

Chairman Markenson asked if there was a motion to approve the minutes from the November 20, 2017 meeting. Mr. Turnage moved to approve the minutes. Ms. Middleton seconded. The minutes were approved, 10-0.

4. Final Plat: Replat of Lots 34 & 35, Block 4, Englewood North, a subdivision in Gladstone, Clay County, Missouri (commonly known as 2410 NE 59th Street). File #2017-022.

Director Pappas stated that the Community Development Department has been receiving quite a few minor replats and this was another one. The property owner and his neighbor would like to amend their site property line to more effectively align with a current retaining wall that exists. This neighborhood was platted long before Gladstone actually became a city so the current setbacks, for most of the houses, are less than the nine feet that we would normally require on a side yard setback. By replating, this would give the owner of 2410 about three extra feet on the eastern side yard. In your packet, there is a letter from the neighbor at 2500 saying they are fine with this. There doesn't seem to be anything else that would cause concern over this request. It would not negatively impact the neighborhood in any way. Staff's recommendation to the Planning Commission and City Council is to approve the final plat as submitted, unless there are any questions.

Chairman Markenson asked if there were any questions. None stated. He asked if there was a motion to recommend the replat of Lots 34 & 35, Block 4, Englewood North.

MOTION: By Ms. Poindexter, second by Mr. Cookson, to approve Replat of Lots 34 & 35, Block 4, Englewood North, a subdivision in Gladstone, Clay County, Missouri (commonly known as 2410 NE 59th Street). File #2017-022.

VOTE:	Anne Alexander	Yes
	Chase Cookson	Yes
	Jennifer McGee	Yes
	Katie Middleton	Yes
	James New	Yes
	Shari Poindexter	Yes
	Carlos Salazar	Yes
	Bill Turnage	Yes
	Don Ward	Yes
	Chairman Markenson	Yes

The motion carried (10-0).

5. Public Hearing: Site plan revision for 2900 Kendallwood Parkway. File 2017-020.

Chairman Markenson opened the Public Hearing and asked Director Pappas to tell them about the revision.

Director Pappas stated that he was excited to introduce the property owner that was there, and his architect. The applicant would like to for the City to approve a site plan revision that would enable a minor addition to the front of the property, a porte cochere like you see at hotels or emergency rooms or hospitals. It is basically a pass-through for vehicles. They would like to take the old Woodbine Nursing facility, which has been vacant for many years and is crime-ridden, and convert it to independent living for those who are 55+; more on the luxury side. It is actually a very exciting venture that they are going into. The request before you tonight for the site plan is relatively minor. It is just for the porte cochere. The only other change on the site plan is an option to add additional future parking, if it's warranted. Our parking, as you will see from the zoning ordinance changes that you will review later tonight, are a little extreme. They are on the high end. Even though the current parking doesn't satisfy our parking requirements as a city, Director Pappas recommended that they go forward and negotiate what has been submitted and if they need more parking, which they would know at a later time, they can do so.

Chairman Markenson stated that it has long troubled him that this large expanse of property in a prime location has been sitting empty for so many years. He shared that this is very, very good news.

Director Pappas agreed. He said that the owner and his architect were present tonight.

Chairman Markenson said he would get to them in a minute. He asked if there were any questions for Director Pappas.

Mr. Ward said that the plans state that the landscaping will remain. He asked if there were plans to bring it up; some of it needs work and it says that it is to remain. He questioned if the plan is to bring it up to standards, or just to remain.

Director Pappas shared that there will be some improvements. There is a meeting scheduled tomorrow evening with the landscape architect to go over those plans as well.

Chairman Markenson asked if this project will come back to the Planning Commission in some form before it is finalized, or if this is the only time they will see the plans.

Director Pappas said that it may come back to them. The developer is asking for incentives from the City Council. If the City Council has any further questions they may revert this back to the Planning Commission for another review. Currently, this would be the only time.

Chairman Markenson asked if there were any further questions for staff. None. He then asked if anyone was there who wished to speak in favor of the proposal. He stated that they should please come forward and identify themselves by name and address.

Jason Toye with NSPS Architects stepped forward. He stated that his address is 3515 W 75th Street, Prairie Village, Kansas. He wanted to talk more about the exterior and the improvements they will be making. He said that a lot of the outside is brick but portions that are wood siding that are rotting; the fascia, the soffits. A lot of it is in disrepair. They are going to be removing and replacing all of that. There will be a new roof. In place of the wood siding they are going to have more permanent, long lasting materials. Stucco and stone veneer will ultimately be done on the front porte cochere. On the north façade there is a two story portion. They are going to do a little bit of stone there. There will be a new entry canopy where there is currently a fabric awning. He said it will be a short little roof but a similar style to the porte cochere with some stone and timber. All of the outside windows and doors will be replaced. There will be new patios for each of the rooms. Along with, what will be determined at a later time in the future, landscaping. There will be some minor improvements made to continue to clean up the area.

Chairman Markenson asked if there were any questions. None. He then asked how many units will be there.

Mr. Toye stated that there will be 93 or 94.

Chairman Markenson said that he believes it will fill up fast based on their experience with other independent living facilities. He feels this is long overdue. He stated that he could never understand how that (Woodbine) could just sit there year after year. He asked again if anyone had questions.

Mr. Turnage asked if they have done a study to determine the demand for this; if people will be lining up to be part of it.

Mr. Toye stated that, as the architect, he has not. For the studies, he would have to defer to the owner for that. He said that, based on the other communities that are already in this area and other communities that his firm is doing around the city, he believes there is a great demand for it.

Mr. New stated that we normally send out letters to the residents in the area. He asked if that had been done.

Director Pappas stated that letters were sent to everyone within 185 feet.

Mr. New asked if there had been any negative response.

Director Pappas said there were no negative comments that have come through; just some inquisitive "what's going on" sort of phone calls, but nothing negative outright.

Chairman Markenson asked for additional questions. None. He stated that it had been delightful and he is really looking forward to their presence in the City.

Chairman Markenson asked if anyone wished to speak in opposition. None.

Chairman Markenson then closed the public hearing and asked for comments from the Commission members. None.

Chairman Markenson asked if there was a motion to approve the site plan revision for 2900 Kendallwood Parkway.

MOTION: By Mr. Turnage, second by Ms. Poindexter, to approve the site plan revision for 2900 Kendallwood Parkway. File 2017-020.

VOTE:	Anne Alexander	Yes
	Chase Cookson	Yes
	Jennifer McGee	Yes
	Katie Middleton	Yes
	James New	Yes
	Shari Poindexter	Yes
	Carlos Salazar	Yes
	Bill Turnage	Yes
	Don Ward	Yes
	Chairman Markenson	Yes

The motion carried (10-0).

6. Public Hearing: Miscellaneous revisions to the Zoning and Planning Ordinance. File 2017-021.

Director Pappas stated that everything was as they discussed at the last meeting. There was one request from a Commissioner who had noted the term of “churches”, especially when it comes to section 7.105.010. It had been questioned if “churches” could be broadened to “places of worship”. He received no other feedback. He pointed out that some of the major changes were changes with the Board of Zoning Adjustment; making sure that they are following protocol as outlined by Missouri state statute. And parking, reducing parking to a more realistic number. Also, encouraging the use of low impact design materials or permeable paving; doing whatever we can in order to help lessen the impacts that we’ve seen with our storm water system. He said that we are trying to take care of it on our end and then it will help Public Works take care of it on their end. That was the extent.

Chairman Markenson said there was another provision that required developers to put 10% of their parking lots into islands and landscaping. He asked if there were there any comments on that from anyone.

Director Pappas stated there were none.

Chairman Markenson said that surprised him since developers don’t like to do those things. He asked if there were any questions for Director Pappas.

Mr. Salazar stated that they moved from “churches” to “places of worship”. Number five refers to public schools. He asked if we have any private schools, or do we just focus on the public schools.

Chairman Markenson stated that we have zoning authority over private schools, but not public schools. He asked for clarification.

Director Pappas confirmed that we do (have authority over private schools). He said that, technically a private school should be in a commercial setting since it’s for profit. That is something that he can look into a little more to see if we can allow them in an R1 zoning. Our current private school is in a commercial zoning.

Chairman Markenson asked if there were any additional questions or comments. None. He closed the public hearing. He then asked if there was a motion to recommend approval of the miscellaneous revisions to the Zoning and Planning Ordinance.

MOTION: By Ms. Middleton, second by Mr. New, to approve the miscellaneous revisions to the Zoning and Planning Ordinance. File 2017-021.

VOTE:	Anne Alexander	Yes
	Chase Cookson	Yes
	Jennifer McGee	Yes
	Katie Middleton	Yes
	James New	Yes
	Shari Poindexter	Yes
	Carlos Salazar	Yes
	Bill Turnage	Yes
	Don Ward	Yes
	Chairman Markenson	Yes

The motion carried (10-0).

7. Other Business:

a. Commission Education (handouts).

Director Pappas wanted to be the first to say that he is going to miss Anne Alexander from this Commission. Not just because she did my job for me on this month's education, she actually brought it to me. It's from Colorado and it's talking about slowing down traffic through the use of parklets, or parks that extend out into a street. We might have some opportunities to do this in Gladstone as our downtown thrives and, hopefully, densifies more than it already is. He felt this would be a good read and he thanked Anne for taking a duty off his list.

b. Planning and development related news.

Director Pappas stated that we have a few things. Permits and licenses are up 14% over last year at this time. Rock Creek Greenway Trail and Linden Woods Village received Keystone Awards at this year's Clay County EDC Awards Luncheon. He said that is very good news for Gladstone. We are always on top of things. He will be instructing some students of the NKC Sage Program on city planning and community development to strengthen that relationship with our school system.

c. Officer Elections.

Director Pappas recalled that last year Chairman Markenson wanted to set up a committee to recommend people and there are a number of positions that are open. One is Chair, the other is Vice Chair, and another is Advocacy Chair. He said the Commission also needs three people to serve on the Capital Improvements Program committee. There are quite a few open positions going into the new year.

Chairman Markenson asked Director Pappas to tell them more about the Capital Improvements Committee; how often it meets. He felt it might make a difference in whether someone is willing to volunteer.

Director Pappas stated that they meet once per year. It is a very important committee to serve on because you get to establish how our money is going to be spent from our capital improvement sales tax dollars over the next five years.

Chairman Markenson asked if anyone was willing to serve on the Capital Improvements Committee. Volunteers were Katie Middleton, Bill Turnage and Chase Cookson.

Director Pappas asked Chairman Markenson if he wanted to set up a task force.

Chairman Markenson said he would prefer to ask for a motion to authorize him to appoint a three member nominating committee and anyone who wants to serve can contact that committee, or they can have their name placed in nomination from the floor. He would like to appoint a three member committee and he feels that is the most democratic way to do it.

MOTION: By Mr. Ward, second by Mr. New, to authorize Chairman Markenson to appoint a three member nominating committee.

The motion carried (10-0).

Chairman Markenson appointed Bill Turnage as Chair. He also appointed Katie Middleton and Chase Cookson to be on the committee. He assumed that people will contact one of them before the next session and they can take a few minutes before the next session to decide what they are going to do.

Director Pappas briefly went over the positions. Chair is what Gary has been doing all year long, very well. Vice Chair; currently Don Ward is Vice Chair and serves in case the Chair is not able to attend. Advocacy Chair has been Shari Poindexter and that position is a one-on-one with the Community Development Director to discuss how the Commission is thinking and different initiatives they may want to consider. He believes it has been extremely valuable this year. He and Shari have done some good work. There is technically a Secretary Chair. There's not a lot of work in that because Cheryl takes notes here, but it is a needed position by state law. It would be a position where that person would prudently go through the minutes and make sure that they understand what had happened and they are correct.

Chairman Markenson stated that they would have some new faces next month.

Director Pappas confirmed that they will have a few new commissioners. Mike Ebenroth, Alicia Hommon who owns the Laughing Place Bakery, and Kim Murch. We will have a few extra Planning Commissioners joining us in January.

d. 2018 Planning Commission calendar (handout).

Director Pappas said that he provided the 2018 Planning Commission Calendar for their convenience.

8. Communications from City Council and Staff.

Councilman Moore wished everyone a Merry Christmas and Happy Holidays and thanked them for the good work they do throughout the year. She said it is deeply appreciated.

Councilman Moore announced she had exciting news. She said that we have all gone by the retail space in the Heights for three years and seen signs posted and realtor signs of different sorts. Tonight, at a special City Council meeting, they approved a resolution for Summit Grill to be the new tenant. They will take all of the space in the bottom level of the Heights. She feels this is a super exciting development for the City of Gladstone.

Chairman Markenson asked if they were an existing business.

Councilman Moore shared that they are. They are in Waldo and Lee's Summit. They also have a restaurant called Third Street Social in Lee's Summit. In Waldo, they have Summit Grill and next to it is Bōru Ramen Bar. The two owners have been awarded the Top Restaurateurs of Kansas City in 2017. This is a super exciting development. She shared that when she was involved with Gladstone On The

Move over ten years ago, one of the things that everybody said at that time was “why can’t we get restaurants in Gladstone? Why can’t we get something?” So this is something that we’ve waited for a super long time. The City staff has done an amazing job. This gentlemen here (referring to Bob Baer) is super responsible for lots and lots of negotiations to make this happen. We had a special Council meeting tonight to approve that resolution. She shared that the Commission was the first to know. “Hot news!”

Chairman Markenson asked when they expect to open.

Councilman Moore shared that it would be late summer or early fall. They’ll start now. She said they have been to the space. They are super excited about the space. They’ll now be doing all the architectural renderings.

Chairman Markenson asked if the restaurant across the street was open.

Councilman Moore said it wasn’t yet. It should be open mid-January. The hood system just arrived. They are working on that and will have it done this week. She is in the process, she wants to get going really fast so she’s moving. It’s just taking a little bit of time. Sometime in January, probably.

9. Communications from Planning Commission.

Mr. Ward wished everyone Happy Holidays.

Mr. Turnage seconded.

Mr. Salazar dittoed.

Ms. Poindexter shared that she appreciates the tidbits on the side of the notes and handouts. She would never have known what a porte cochere was if it hadn’t been there. “It is very helpful. Thank you.”

Chairman Markenson shared that they were going to miss Miss Anne.

Ms. Alexander shared that she had been transferred to the Art Commission and she was so glad she didn’t have to make a choice. She had been with this group for 16 years and it had been terrific to work with and she thanked them for all of their time. She said, “that doesn’t mean you’ll get rid of me. It’s a bitter sweet evening.”

Chairman Markenson said that the Art Committee’s gain is our loss. “We will miss you.”

Mr. New said Happy Holidays.

Mr. Cookson shared that it had been a year for him, not quite 16 years, and he’s learned a lot from all of them and their thoughtful questions. To the folks in the Council and the City staff, I thank you all as well. Happy Holidays.

Ms. Alexander shared that when she served on the Participation task force, they were given a notebook truly that big (she gestured with her hands). The one thing that she remembers from it is that Gladstone was incorporated six hours before Kansas City annexed them. She was glad.

Chairman Markenson asked Director Pappas if, with so many new faces, it might be necessary to have a session with him, or the City, on things such as conflicts of interest, when to abstain, ex parte, conversations, things of that type.

Director Pappas had already requested that from our City attorney, Chris Williams. He hopes they will be able to do that in January with everybody; with this group and with the Board of Zoning Adjustment.

Chairman Markenson asked what happened with the Vapors.

Director Pappas stated that the ordinance went into effect. It is currently being challenged by someone who wants to go in at 7302 N Oak Trafficway. Big E's is the name. We are treading water right now.

Chairman Markenson asked if "challenging it" meant they have filed a lawsuit.

Director Pappas said not quite. He shared that they had applied for a variance. They have lawyered up. If the Board says no, chances are it will go to Clay County.

Chairman Markenson asked if our City attorney feels we are on solid ground.

Director Pappas said yes, they are reviewing everything.

Chairman Markenson stated if there is nothing else, Happy Holidays, Merry Christmas.

10. Adjournment- Chairman Markenson adjourned the meeting at 7:30 pm.

Respectfully submitted:

Cheryl Lamb, Recording Secretary

Approved as corrected _____

Gary Markenson, Chairman

Approved as submitted _____