

PLANNING COMMISSION
GLADSTONE, MISSOURI
Gladstone City Hall
Monday, January 3rd, 2022
7:00 pm

Item 1 on the Agenda: Roll Call.

Present: Gary Markenson
Kate Middleton
Kim Murch
Bill Turnage
Brenda Lowe
Chase Cookson, Secretary
Mike Ebenroth, Vice Chair
Alicia Hommon

Absent: James New
Jennifer McGee, Chair
JN Hernandez
Larry Whitton

Council & Staff Present:

Austin Greer, Community Development Director
Angie Daugherty, Admin. Assistant
Jean B. Moore, Council Member
R.D. Mallams, Mayor

Item 2 on the Agenda: Pledge of Allegiance.

Vice Chair Ebenroth led the group in reciting the Pledge of Allegiance to the United States of America.

Item 3 on the Agenda: Approval of the November 1st, 2021 Minutes. Vice Chair Ebenroth asked if there was a motion to approve the minutes from the November 1st meeting.

Mr. Cookson moved to approve the minutes; Ms. Middleton seconded. The minutes were approved, 8-0.

Item 4 on the Agenda: Consideration: On a Final Plat for property located at 2312 NE 72nd St. Applicant/Owner: Jonathan Mirfasihi Pars Properties, LLC. *The City Council Public Hearing is scheduled for Monday, January 24th, 2022.*

Mr. Greer read from the staff report.

The owner/applicant is requesting that the city approve a re-plat of 2312 NE 72nd St. in order to build three (3) single-family homes on three (3) separate lots. Currently, the piece of property is one large lot.

Proposed Size of Lots:

- Lot 1 – 73 ft. wide by 125 ft. long
- Lot 2 – 73 ft. wide by 125 ft. long
- Lot 3 – 122 ft. wide by 125 ft. long

These proposed lot sizes do meet city standards.

- Minimum single-family lot standards are no less than 8,400 square feet.

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

Ms. Middleton asked if there was a reason the third lot is a different size.

Mr. Greer stated the original plan that was submitted was four lots. With a fourth lot being added the lot wasn't going to meet city standards for the minimum lot size. He told the owners that instead of four lots they would only be able to do three lots.

MOTION: By Mr. Markenson, second by Ms. Hommon to approve a Final Plat for the property located at 2312 NE 72nd St.

Vote: Ms. Lowe	Yes
Mr. Markenson	Yes
Mr. Murch	Yes
Mr. Turnage	Yes
Ms. Middleton	Yes
V-Chair Ebenroth	Yes
Mr. Cookson	Yes
Ms. Hommon	Yes

The motion carried. (8-0)

Item 5 on the Agenda: Communications from City Staff & Other Business:

Mr. Wingerson stated, welcome Commissioners, he would like to talk a little about the short term stay ordinance that was discussed a few months ago. He wanted to thank them for their time tonight and for their spirited discussion regarding this topic. He thought they had some great questions related to the hotel/motel extended stay and some really great questions related to the homeless shelter, transitional housing, and mental health facilities. He wanted to come and hear what they thought on how we can improve our ordinance and make it better for the community and form a solid quality recommendation for the City Council in the next couple of months. There are three parts to the ordinance. The first has to do with hotel/motel and extended stays. The city has a brand new Fairfield Inn and Suites by Marriott as part of the downtown. What they would like to do is pass regulations to keep it nice for a long time. If it can't be exactly what it is now (a short term stay facility) the city will have a chance to provide input on that. We have researched a couple of other cities and their ordinances to come up with the draft proposed to the Planning Commission. The proposed amendment defines terms and prohibits extended stay hotels and hourly rate hotels. The main question from the Planning Commission at the first meeting had to do with the city getting into the hotel's business. Certainly this ordinance doesn't

intend to do that. It seeks to protect the city's investment moving forward for a long period of time.

Mr. Murch, Mr. Markenson, Ms. Lowe and Ms. Middleton stated their concerns about the city getting into the hotel's business. They stated that they don't know why the city has to have an ordinance regarding what the hotel does or doesn't do with their customers. They also do not like the wording that says the hotel can make someone leave the premises with or without cause.

Ms. Hommon stated that she could see this ordinance potentially becoming a lawsuit for the city.

Mr. Wingerson stated that staff can change the wording of the ordinance regarding with or without cause and for extended stays. Staff will work in a sentence regarding short term stays for 90 days or 120 days and bring this back to them for their input.

Mr. Wingerson stated about homeless shelter of five people or less that any Church will be allowed by right without anyone's permission to operate a five-person homeless shelter. If a church wanted to operate a homeless shelter of five people or less there are certain conditions that need to be met. The homeless shelter or church would be located within a half mile of public transportation. The property must be one mile from another homeless shelter or treatment facility or transitional housing facility. The church must be at least 20,000 square feet. A staffing plan and qualifications must be submitted to city staff to be there with the homeless. A narrative description of the nature and characterization of the use. A transportation plan and describing how guests will be transported to and from the site. Outline the rules and conduct for guests. If this includes more than 5 people or includes a residential treatment center for mental health or drug and alcohol abuse or transitional housing or someone coming out of prison going through a transitional process to get back into society a special use permit will need to be granted.

Mr. Murch and Mr. Markenson stated concerns about this ordinance. They do not see why the city feels the need to regulate how many people a church provides shelter for.

Ms. Lowe, Ms. Hommon and Mr. Cookson stated that they do believe we need a starting point or a baseline ordinance and that this is a good place to start. Staff can always go back and rewrite the ordinance if it needs to be changed as new information becomes available or situations progress.

Mr. Greer stated that Mr. Wingerson and I unfortunately have to look at ordinances and situations from a worst case scenario. He agrees with all of their points and he feels a lot like they do but staff needs to evaluate situations in where violent assaults, theft, etc. may take place because a church who is obviously trying to do the right thing, bit off more than they can chew.

Mr. Turnage stated that a few years ago his church was involved in Family Promise. This is a national organization that helps homeless people. What they would do is house them in his church then they would move them to other churches. They also allowed them to shower and get ready for work if they had a job to go to.

Mr. Murch asked Mr. Wingerson if staff can track crime affiliated to homelessness and areas of the city.

Mr. Wingerson stated yes, we can track this type of activity and that he thanks them for allowing him to speak tonight. City staff will continue working on this ordinance and bring it back to them for their input in the next couple of months. Thank you.

Item 6 on the Agenda: Communication from the Public

Mr. Bob Bateman stated that he has a lawsuit against the City of Gladstone. The city has been using a cave that he has owned for many years. The city never asked him about using his cave. The cave he owns is very valuable. The city got easements on all properties but his. He has won a lot of cases in the Missouri Supreme Court. It's always the city wants to steal something from the property owner. If you own land no matter what the zoning is if you use that land for an agricultural use that is the highest and best use of the property. I own property at 68th street and Broadway and the city tried to charge him a crazy amount of money and started using the land for bailing hay. He won a case recently against Platte County. Platte County wanted to take over some property whether or not the property was public or private. The judge said that he was correct. The city has been hiding the fact that they were using the caves for years and he didn't know about it. He did 100 Sunshine law request that is what it took to find out what is going on. Mr. Nebergall finally came up with some maps that showed the city is stealing Bateman's cave. The clock is ticking on cases like this. The interest is 10%. The city will find out what 10% adds up too. It is a big number.

Item 7 on the Agenda: Communication from the City Council

Mayor Mallams stated that for the first time they are looking into creating a citizen's police academy. The initial course is going to begin on Tuesday, February 15th. It will meet weekly for 10 consecutive Tuesdays until April 15th. It will provide the individuals from our community an overview of departmental operations such as crime analysis, patrol, investigations, dispatch and school resource officers. Anyone that is interested please contact Mr. Chris Smith with police. I would like to give a pat on the back to our city staff for the city's financial audit. No significant findings occurred. For a number of years, the city has been recognized for its superior fiscal management. 72nd Street is finally open. Every has repaired the sides, replaced conduit, and he believes this spring that 72nd is going to get resurfaced. Our City Council entered into a contract with the Shockey Consulting firm for the city's comprehensive plan update. The briefing that they provided to the City Council about what they can provide to our city to help with the Planning Commission's construction of a new comprehensive plan was A+. They did a wonderful job and he is glad they were able to award them the contract. They have been reviewing citizens surveys, demographic studies and they are analyzing information from the departments within the city. Here soon they are going to include the Planning Commission for the development of a Comprehensive Plan. The plan is a living document that is subject to change, it is subject for review, and subject for revision over a period of time until a new one is created. Thank you.

Item 8 on the Agenda: Communications from the Planning Commission Members

Ms. Lowe wanted to thank the city staff, leadership team, the Mayor and City Council. I saw on LinkedIn that Mr. Wingerson is celebrating 27 years with the city. Congratulations City Manager Wingerson.



Item 9 on the Agenda: Adjournment

Vice Chair Ebenroth adjourned the meeting at 8:05 pm.

Respectfully submitted:


Mike Ebenroth, Vice Chair

Approved as submitted 



Angie Daugherty, Recording Secretary

Approved as corrected 