

PLANNING AND ZONING COMMISSION

MEETING SUMMARY

February 22, 2021, 6:00 p.m.

Chairman Simmons Called the meeting to order at 6:16 p.m.

1. **ROLL CALL**

PRESENT: Bob Gerdes, Bill Griffey, Jake Simmons, Pat Slusher (By Phone), Jason Van,
ABSENT: Mark Bullimore and Kenneth Manley

STAFF PRESENT: Doug Hermes, Planning Consultant, Melinda Mehaffy, Economic Development Director, Logan Sours, City Planner, Mayor Pro-Tem Sonya Morgan, Council member liaison, Laura Mize, Neighborhood Specialist, Lisa Morgan Administrative Assistant.

VISITORS: Brad Eales, Betty Bissell and Brian Rice

2. **APPROVAL OF MEETING SUMMARY – December 28, 2020**

Commissioner Slusher made a motion to approve the December 28, 2020 meeting summary. Commissioner Van Till seconded. Motion carried.

Vote: Motion passed 5-0-0

Yes: Commissioners: Gerdes, Griffey, Slusher, Simmons and Van Till

No: None

Abstain: None

3. **COMMENTS OF VISITORS**

There were no comments from visitors

4. **Case No. ZTA-20-001: An application by The City of Excelsior Springs Historic Preservation Commission for a zoning text amendment approval of Section 402.190. Design Guidelines of the City Code by adopting additional design guidelines for the Boarding House, Elms and Hall of Waters Historic Districts. (Public Hearing)**

Chairman Simmons asked for the staff report.

Mr. Hermes presented the information in the staff report for Case No. ZTA-20-001.

Chairman Simmons asked if there were any questions for the staff.

Commissioner Slusher stated that he and Commissioner Van Till at the last meeting felt uncomfortable with moving forward with the item and wanted the information in black and white of what has changed we don't have any of that we have the same document we had last

month and he is not comfortable with it. And maybe it's because we are not meeting in person and not able to meet face to face and can explain what is changing.

Commissioner Van Till maybe I missed something and is going back through the emails and having trouble finding those comparisons of things that have changed.

Mr. Hermes replied the information from the last two meetings was two things one to identify the modifications through the approval matrix that is a tool used for preservation activity and what level of consideration or review is applied, whether it would be administratively approved or go before the commission for a Certificate of Appropriateness. So the design guidelines process made some changes to that approval matrix plus some other changes the commission made to stream line the process to make it quicker and easier for property owners. The new matrix was attached to the meeting packet and the memorandum listed the changes on the new matrix.

The second item we took away from the commissions comments was to identify an example of best practices have been applied and a preservation example so we used the example of the Masonry example which you have access digitally on line. So we did not take away a modification of every item in the design guidelines.

Commission Slusher said that is the problem we need to know every change that was made before we can approve the Design Guidelines in his opinion. One page of a matrix out of a very large document. He wants to make sure there is no hidden agenda in the Design Guidelines. It just need to be clearer.

Chairman Simmons due to not meeting in person the commission would like to see a high lite summary of all moderate changes in the three districts apply to all three districts and feels in the past it has been very generic. And wants those spelled out specifically. He doesn't feel it's a hidden agenda as much as there might be things pushing through that wasn't clearly identified for proper opinion.

Chairman Simmons asked Mr. Hermes if there was documentation available showing the changes. Mr. Hermes said there was not we would have to create that.

Commissioner Van Till said that looking at the examples on the memorandum and the matrix doesn't tell him what has changed. So he doesn't know what we had verses what he is being asked to vote on.

Ms. Mehaffy said that we would need to do another study session and it would have to follow the March meeting and do that in person. Commissioner Van Till and Chairman Simmons agreed.

Chairman Simmons doesn't want to approve Design Guidelines that will hinder the same thing we are trying to preserve then more properties will go to waste. He recommends that we do this has a study session next month.

Mr. Hermes we will be prepared for the next study session to go over every modification if that is the direction the commission want to go. We would not have a joint session. There may be a couple of Historic commissioners available to answer questions.

Chairman Simmons opened the public hearing and asked if anyone wished to speak, hearing none the public hearing was closed.

Chairman Simmons then asked the commissioners if they would like to make a motion.

Commissioner Slusher made a motion to continue the public hearing for case No. ZTA-20-001 to the April meeting and a study session for the March meeting with the requested information.

Commissioner Van Till second the motion and the motion carried.

Vote: Motion passed 5-0-0

Yes: Commissioners Gerdes, Griffey, Simmons, Slusher and Van Till

No: None

Abstain: None

5. **Case No. VAC-21-001: An application by Brad & Brenda Eales to vacate an existing sewer easement, located in the southeast Quarter of Section 3, Township 52, Range 30 (Clacton Estates), in the City of Excelsior Springs, Clay County, Missouri.**
(Public Hearing)

Chairman Simmons asked for the staff report.

Mr. Hermes presented the information in the staff report for Case No. VAC-21-001.

Chairman Simmons asked if there were any questions for the staff.

Commissioner Van Till for clarification Doug does it look like that easement was originally granted in 1960. Mr. Sours said yes it was 1960.

Chairman Simmons invited the applicant to speak on the matter.

Brad Eales, the developer thanked Chairman Simmons the only thing he would add is that the final plat that had the new easements for the sewer mains that were existing that did not have easements all the years they had been there and water main that got added to the property without easements and have all been approved and recorded with the county.

Chairman Simmons then opened the floor to any further questions from the commissioners, who had no further questions for the applicant. The public hearing was then closed.

Commissioner Van Till made a motion to approve case No. VAC-21-001
Commissioner Slusher seconded the motion and the motion carried.

Vote: Motion passed 5-0-0

Yes: Commissioners Gerdes, Griffy, Simmons, Slusher and Van Till

No: None

Abstain: None

6. STAFF COMMENTS

Mr. Hermes we will be well prepaid for the next meeting.

7. COMMENTS OF THE COMMISSIONERS

Chairman Simmons thanked everyone for attending the meeting and all the hours that were put in.

Commissioner Van Till thanked the city staff and Historic Preservation Commission for all the time that was put into the Design Guidelines.

8. ADJOURN

Commissioner Slusher made the motion to adjourn

Commissioner Van Till made a motion to adjourn the meeting, Second by Commissioner Slusher

The meeting was adjourned at 6:58 p.m.

**The next meeting of the commission is scheduled for March 29th of 2021 at 6:00 p.m.
location is TBD.**

Meeting Summary prepared by Lisa Morgan Administrative Assistant.

PLANNING AND ZONING COMMISSION

MEETING SUMMARY

April 26, 2021, 6:00 p.m.

Chairman Simmons Called the meeting to order at 6:16 p.m.

1. ROLL CALL

PRESENT: Bob Gerdes, Bill Griffey, Jake Simmons, Pat Slusher and, Jason Van,
ABSENT: Mark Bullimore and Kenneth Manley

STAFF PRESENT: Doug Hermes, Planning Consultant, Molly McGovern City Manager, Melinda Mehaffy, Economic Development Director, Logan Sours, City Planner, Mayor Pro-Tem Sonya Morgan, Council member liaison, Brandon Carte Code Compliance and Lisa Morgan Administrative Assistant.

VISITORS: Shawn Hansell, Aaron Day, Ryan and Kristina Radecki

2. APPROVAL OF MEETING SUMMARY – February 22, 2021

Commissioner Gerdes made a motion to approve the February 22, 2021 meeting summary with the amendment to correct page 4 second paragraph to say Commissioner Slusher seconded the motion.

Commissioner Griffey seconded. Motion carried.

Vote: Motion passed 5-0-0

Yes: Commissioners: Gerdes, Griffey, Slusher, Simmons and Van Till

No: None

Abstain: None

3. COMMENTS OF VISITORS

There were no comments from visitors

4. Case No. ZTA-20-001: An application by The City of Excelsior Springs Historic Preservation Commission for a zoning text amendment approval of Section 402.190. Design Guidelines of the City Code by adopting additional design guidelines for the Boarding House, Elms and Hall of Waters Historic Districts. (Public Hearing)

Chairman Simmons asked for the staff report.

Mr. Hermes presented the information in the staff report for Case No. ZTA-20-001.

Chairman Simmons asked if there were any questions for the staff. There were none.

Chairman Simmons opened the public hearing at 5:06 pm and asked if anyone wished to speak hearing none the public hearing was closed at 5:07 pm.

Chairman Simmons then asked the commissioners if they would like to make a motion.

Commissioner Gerdes made a motion to approve case No. ZTA-20-001

Commissioner Van Till second the motion and the motion carried.

Vote: Motion passed 5-0-0

Yes: Commissioners Gerdes, Griffey, Simmons, Slusher and Van Till

No: None

Abstain: None

5. **Case No. PP/FP-21-001: An application by Pat Slusher for preliminary and final plat approval of a subdivision of land located at 1900 W 69 Highway along Lodwick Lane.**

Commissioner Slusher Abstained from this portion of the meeting.

Chairman Simmons asked for the staff report.

Mr. Sours presented the information in the staff report for Case No. PP/FP-21-001.

Chairman Simmons asked if there were any questions for the staff. There were none

Chairman Simmons invited the applicant to speak on the matter.

Mr. Slusher said he would be happy to answer any questions the Commission might have. There were none.

Commissioner Gerdes made a motion to approve case No. PP/FP-21-001

Commissioners Griffey seconded the motion and the motion carried.

Vote: Motion passed 4-0-0

Yes: Commissioners Gerdes, Griffey, Simmons and Van Till

No: None

Abstain: Slusher

6. **Case No. PP/FP-21-002: An application by The City of Excelsior Springs Parks and Recreation Department for preliminary and final plat approval of a tract of land located at 300 Sherri Lane.**

Chairman Simmons asked for the staff report.

Mr. Sours presented the information in the staff report for Case No. PP/FP-21-002.

Chairman Simmons opened the floor to the commissioners for comments, Chairman Simmons stated that he is the acting President of the Parks and Rec commission and would be able to assist in answering any questions. He also said it was a great opportunity for active use and fun for our kids.

Commissioner Griffey asked if the Splash Park will just be for humans or will animals be allowed he has received several phone calls asking this question. Chairman Simmons said he would check on that and get back with the Commissioner. It is for all ages and ADA accessible. Hearing no further questions Chairman Simmons asked for a motion.

Commissioner Slusher made a motion to approve case No. PP/FP-21-002
Commissioners Van Till seconded the motion and the motion carried.

Vote: Motion passed 5-0-0

Yes: Commissioners Gerdes, Griffey, Simmons, Slusher and Van Till

No: None

Abstain: None

7. **Case No. SUP-19-001: An application by Melissa Norton for a renewal of a special use permit for a vacation rental facility in the R-3-Cluster Townhouse or Garden Apartment District at 103 Temple Avenue (public hearing).**

Chairman Simmons asked for the staff report.

Mr. Sours presented the information in the staff report for Case No. SUP-19-001.

Chairman Simmons asked the commissioners if there were any questions.

Commissioner Slusher asked if the applicant has made any attempts to purchase the lot next to it for parking. Mr. Sours said that they have not done anything since he had last seen them. They are mostly doing inside work right now.

Chairman Simmons asked if they removed the garage in the back due to structural integrity. Mr. Sours they did remove it. This property is also located in our Historic District so any exterior alterations will go before the Historic Commission.

Hearing no further questions Chairman Simmons opened the public hearing at 6:23 pm and asked if anyone wished to speak hearing none the public hearing was closed at 6:24 pm.

Commissioner Van Till made a motion to approve case No. SUP-19-001 for a 2 year term.
Commissioners Gerdes seconded the motion and the motion carried.

Vote: Motion passed 5-0-0

Yes: Commissioners Gerdes, Griffey, Simmons, Slusher and Van Till

No: None

Abstain: None

8. **Case No. SUP-21-001: An application by Shawn Hansell for a Special Use Permit for the operation of a Tattoo shop and retail sales store at 1097 Italian Way. (public hearing).**

Chairman Simmons asked for the staff report.

Mr. Sours presented the information in the staff report for Case No. SUP-21-001.

Chairman Simmons asked the commissioners if there were any questions.

Commissioner Slusher what will the retail sells be. Mr. Hansell body jewelry, t-shirts, tattoo supplies, normal items that would be in a tattoo shop.

Chairman Simmons asked if there were any further questions hearing none he opened the public hearing at 6:28 pm.

Chairman Simmons invited Mr. Hansell of 121 Ridgeway, Wood Heights, Mo to approach the podium and address the commission.

Mr. Hansell said they would like to open a tattoo shop also offering cosmetic makeup, body jewelry, T-shirts also tattoo equipment.

Chairman Simmons are you confident that you have a client base to sustain this type business. Mr. Hansell said yes he has been tattooing for over 13 years and has people that drive from Kansas to have him do there tattoos and others that drive for a long distance.

Aaron Day (Co-owner) 3225 Magnolia Lane, Wood Heights, Mo. helps with the Youth program in Excelsior Springs, grew up here and wants to help out. Many other businesses will benefit from their clients.

Mr. Sours said that he heard from the neighboring business And Hair We Are and they have no issue with the tattoo business going in beside them.

The public hearing was closed at 6:32 pm

Commissioner Slusher made a motion to approve case No. SUP-21-001 for a 2 year term. Commissioners Griffey seconded the motion and the motion carried.

Vote: Motion passed 5-0-0

Yes: Commissioners Gerdes, Griffey, Simmons, Slusher and Van Till

No: None

Abstain: None

9. **Case No. SUP-21-002: An application by Ryan and Kristina Radecki for a Special Use Permit for the use of a private, Apiary (bee keeping) for the production of honey, honey comb, other bee related by products at 120 Bluff Ave. (public hearing).**

Chairman Simmons asked for the staff report.

Mr. Sours presented the information in the staff report for Case No. SUP-21-002.

Chairman Simmons asked if there were any further questions hearing none he opened the public hearing at 6:38 pm.

Chairman Simmons invited Mr. and Mrs. Radecki of 3537 Harrison, KC, Mo to approach the podium and address the commission.

Chairman Simmons asked the Radecki's if they are required to follow State regulations. Mrs. Radecki yes.

Mr. Radecki this is the first step on the property, they have already started cleaning the lot.

Chairman Simmons asked what brought them down this road of bee keeping. Mrs. Radecki said she has been interested in bugs since she was 16 she was doing something else for a while and came back to them, this is her passion. She has trained with bee keeping and enjoys being with bugs. Since she could not do butterfly's she opted to do bees.

Commission Slusher will they be selling the honey local. Mr. Radecki yes to local shops and restaurants. It can also be used in beer making.

Commissioner Gerdes what is the distance of the bees from residential housing. Mr. Radecki it will be 100 feet from any residential structure this is a state law. When bees leave the nest they go 35 feet in the air to travel.

Chairman Simmons asked if they would be doing tours. Mr. Radecki said once up and running would work with the City in setting something up. He said they are in the Historic District so would be working with them and is hoping to eventually have a retail space.

Commissioner Slusher said that honey has a health benefit as well.

Hearing no further questions Chairman Simmons closed the public hearing at 6:46 pm.

Commissioner Gerdes made a motion to approve case No.SUP-21-002 for a 2 year term. Commissioners Slusher seconded the motion and the motion carried.

Vote: Motion passed 5-0-0

Yes: Commissioners Gerdes, Griffey, Simmons, Slusher and Van Till

No: None

Abstain: None

10. STAFF COMMENTS

None

11. COMMENTS OF THE COMMISSIONERS

None

12. ADJOURN

The meeting was adjourned at 6:48 p.m.

The next study session meeting of the commission is scheduled for May 10th of 2021 at 6:00 p.m. and the regular meeting is scheduled for May 24, 2021 at 6:00 in the council chambers.

Meeting Summary prepared by Lisa Morgan Administrative Assistant.