

PLANNING AND ZONING MEETING
109 E. BROADWAY
ASHLAND, MO. 65010
TUESDAY, DECEMBER 11, 2012
7:00 P.M.
573-657-2091

PUBLIC HEARING:

The Planning and Zoning Commission will be holding a Public Hearing to seek public comments on.

1. Rezoning

ZB 12-02: Red Tail Drive. A request to rezone three undeveloped lots from GC (General Commercial) to R-1 (Single family Residential).

AGENDA:

1. Call Meeting to Order:
2. Approval of the Agenda 12-11-2012. Action _____
3. Approval of the Previous Minutes, held 11-13-2012. Action _____

4. New Business:

A). Site Plan, SPR 12-05: Eagle Lakes Plat 3. A request for site plan approval for a 19 lot subdivision on Peterson Lane.

1st Motion _____ 2nd Motion _____
Action _____

B). Site Plan, SPR 12-06: 109 Eastside Drive. A request for site plan approval for a 3,500 addition to the existing Moser's grocery store.

1st Motion _____ 2nd Motion _____
Action _____

5. Old Business:

None

6. Discussion:

None

7. Mayor's Report:

8. City Administrator's Report:

9. Community Development Director's Report:

10. Commissioners' Report:

11. Guest Comments:

If you are unable to attend. Please call Ashland City Hall at 573-657-2091 or email me at treasurer@ashlandmo.us.

Jessica L. Kendall

**PLANNING AND ZONING MEETING
109 E. BROADWAY
ASHLAND, MO. 65010
NOVEMBER 13, 2012
7:00 P.M.
DRAFT**

PUBLIC HEARING:

The Public Hearing on **Re-Zoning, ZB 12-01: S. Henry Clay**. A request to rezone undeveloped property from R-2 (Two Family Residential) to CG (General Commercial) was called to order by Vice-Chairman Branson at 7:00 p.m. to hear public comments. Gene Basinger addressed the board regarding the proposed rezoning. He indicated that he had performed the surveying on the property and explained the reason for the request. He also offered to answer any questions that anyone may have. No one else in the audience voiced any comments for or against the proposed ordinance.

The Public Hearing on **Code Amendment, PZ 12-03: Lot Size Transition Calculation**. A proposed amendment to Section 9.298 'Lot Size Transition Calculation' so that the specific uses and average lot sizes of adjacent residential subdivisions are considered was called to order by Vice Chairman Branson at 7:02 p.m. to hear public comments. No one from the audience voiced any comments for or against the proposed ordinance.

Vice-Chairman Branson closed the Public Hearing at 7:03pm.

REGULAR MEETING:

Vice Chairman Branson called the meeting to order Tuesday, November 13, 2012 at 7:03 p.m. at 109 E. Broadway, Ashland, Missouri. Commissioners in attendance were Gene Rhorer, Brad Williamson, Josh Lindsey, Paul Beuselinck, Rick Sage and James Branson. Chairman Anderson and Commissioner Taggart were absent.

Also present were Community Development Director Charles Senzee.

Vice Chairman Branson called for a motion to approve the November 13, 2012 agenda. Charles Senzee recommended that the code amendment shown as item

B be moved to the end of the agenda to accommodate the applicants representing the other cases. Charles Senzee also identified a typo on the agenda and asked that the plat shown as item C be renamed from "Green Acres" to "Green Pastures". Commissioner Rhorer made a motion to approve the November 13, 2012 agenda with those changes, seconded by Commissioner Lindsey.

Motion carried unanimously.

Vice Chairman Branson called for a motion to approve the previous minutes dated October 9, 2012. Motion was made by Commissioner Beuselinck to approve the previous minutes dated October 9, 2012. Seconded by Commissioner Rhorer. Motion carried unanimously.

NEW BUSINESS:

A). Re-Zoning, ZB 12-01: S. Henry Clay. A request to rezone undeveloped property from R-2 (Two Family Residential) to CG (General Commercial). The City's staff report regarding the request was reviewed by the Commission. A brief discussion was held regarding the location of the subject property and whether the applicant wished to create an access to Main St. A motion was made by Commissioner Lindsey to recommend approval of the rezoning request to the City's Board of Aldermen. Seconded by Commissioner Sage. Motion carried unanimously.

C). Plats, SP 12-01: Green Pastures Minor Plat. A request for final plat approval of a one lot minor plat on the east side of S. Henry Clay Blvd (Old Highway 63). The City's staff report regarding the request was reviewed by the Commission. A brief discussion was held regarding on-site wastewater treatment and water services. A motion was made by Commissioner Sage to recommend approval of the request to the City's Board of Aldermen. Seconded by Commissioner Williamson. Motion passed 5-0 with Commissioner Lindsey abstaining.

D). Site Plan, SPR 12-03: 208 S. Henry Clay Blvd. A request for site plan approval for a 3,220 sq ft two-story addition to the existing SBCFPD Fire Station #17. The City's staff report regarding the request was reviewed by the Commission. Tom Trabue, engineer for the applicant, offered to answer any questions regarding the project. Commissioner Rhorer inquired about the stormwater capacity. A discussion regarding the project's impact on stormwater and the adjacent

properties was held. A brief discussion was also held regarding the vegetative buffer and landscaping materials. A motion was made by Commissioner Lindsey to approve the proposed site plan with the staff recommendations contained in the staff report. Seconded by Commissioner Rhorer. Motion carried unanimously.

E). Site Plan, SPR 12-04: S. Henry Clay. A request for site plan approval for a 3,960 sq ft commercial building with associated parking and infrastructure. The City's staff report regarding the request was reviewed by the Commission. Gene Basinger, surveyor for the applicant, offered to answer any questions. Mr. Basinger voiced his objections to comment #21 of the comment letter and asked that it not be included in the approval due to the existing conditions of S. Henry Clay Blvd. Christina Luebbert, engineer for the applicant, discussed comments #9 and #13 and asked that they not be included. She indicated that she was "struggling" with the level of stormwater retention required for such a small development. She proposed that the City adopt a more flexible policy.

-Commissioner Taggart entered the meeting- A lengthy discussion regarding the site plan's level of completeness ensued between the Commission and the applicant's engineer. The applicant's engineer and staff agreed that any outstanding concerns could be addressed through the permitting process. Andy Jahnsen, applicant, discussed his proposed business and his desire to stay in Ashland. He expressed his willingness to work with the City to meet the code requirements. A motion was made by Commissioner Beuselinck to approve the proposed site plan with the staff recommendations contained in the staff report. Seconded by Commissioner Lindsey. Motion passed 5-0 with Commissioner Taggart abstaining.

B). Code Amendment, PZ 12-03: Lot Size Transition Calculation. A proposed amendment to Section 9.298 'Lot Size Transition Calculation' so that the specific uses and average lot sizes of adjacent residential subdivisions are considered. The City's staff report regarding the request was reviewed by the Commission. Staff provided a brief demonstration of the proposed code changes. A motion was made by Commissioner Rhorer to recommend approval of the request to the City's Board of Aldermen. Seconded by Commissioner Beuselinck. Motion passed unanimously.

OLD BUSINESS:

None

DISCUSSION:

The commission inquired about the status of the pending street acceptance and dedications. Staff updated the Commission on these issues.

MAYOR'S REPORT:

None

CITY ADMINISTRATOR'S REPORT:

None

COMMUNITY DEVELOPMENT DIRECTOR:

Charles Senzee provided the Commission with a letter from Kim Ponder, President of the Southern Boone Economic Development Council regarding the Ashland Business District.

COMMISSIONERS' REPORT:

- Commissioner Rhorer requested that speed limit signs be installed within the Setter's Knoll subdivision.
- Commissioner Lindsey inquired about the possibility of a street light at the corner of Hwy 63 and Peterson Ln.
- Commissioner Beuselinck asked about the City's code enforcement policy regarding unsanitary properties.

Vice Chairman Branson called for a motion to adjourn the November 13, 2012 meeting. Motion was made by Commissioner Beuselinck to adjourn the November 13, 2012 meeting. Seconded by Commissioner Taggart. Motion carried unanimously.

Minutes prepared by Charles Senzee, Community Development Director.



Planning & Zoning Commission Report

DATE: December 6, 2012
TO: Members of the Planning and Zoning Commission
FROM: Charles Senzee, Community Development Director
CC: Chris Sander, A Civil Group
SUBJECT: SPR 12-06: 109 Eastside Drive – Moser's Expansion

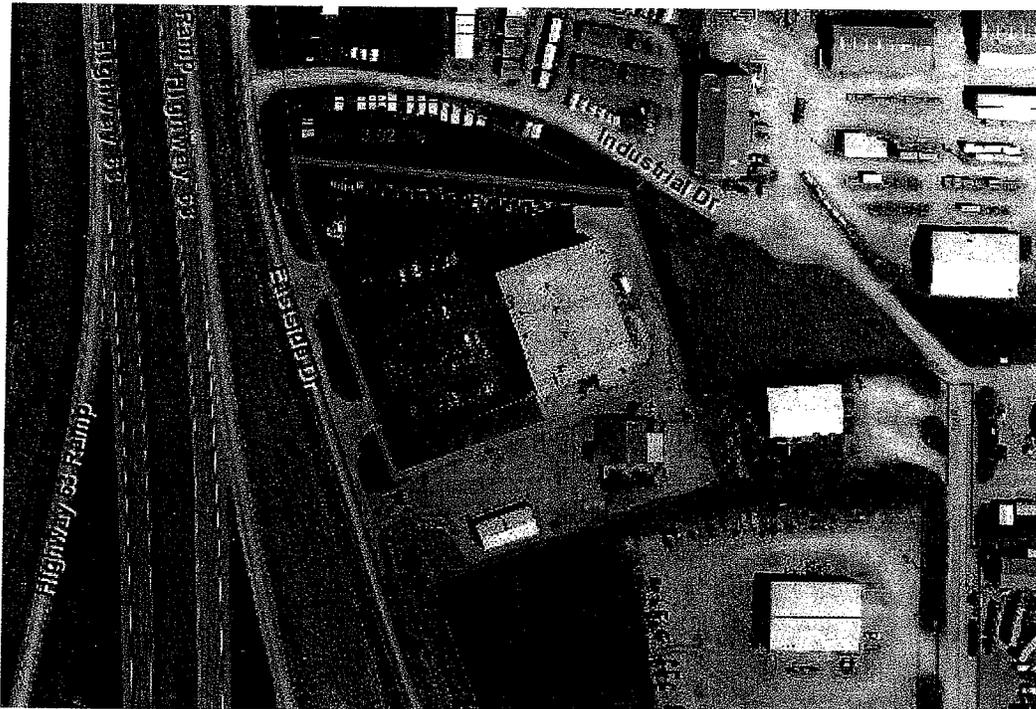
The purpose of this report is to provide you with information regarding a request by Chris Sander w/ A Civil Group (representing Roger Moser) for approval of the site construction plans for a 3,500 square foot addition to the existing Moser's grocery store. Chapter 9, Section 9.106 of the City's adopted Code of Ordinances authorizes the Planning and Zoning Commission to review and approve all site plans.

GENERAL INFORMATION

Parcel Identification. 24-317-00-00-003.03 01

Parcel Size / Physical Characteristics. The subject property is approximately 2.73 acres in size and is currently developed as a grocery store with associated parking and infrastructure.

Zoning Classification. I-L (Light Industrial)



**AERIAL VIEW OF SUBJECT SUBDIVISION
APPROXIMATE SUBDIVISION BOUNDARIES ARE SHOWN IN YELLOW**

BACKGROUND

Earlier this year staff was contacted regarding a proposed expansion to the existing Moser's grocery store. It was determined that the addition would require site plan approval from the City's Planning and Zoning Commission. An application for this approval was submitted to the City on November 11, 2012.

The proposed plans depict a 3,500 sq ft addition to the existing 19,923 sq ft store. The addition will be constructed over an exiting parking area and will therefore not require any improvements to the stormwater system. A number of handicapped parking spaces will be relocated as part of this project, slightly reducing the amount of available parking on the site.

The proposed plans have been reviewed by all appropriate departments and agencies. A list of review comments was provided to the applicant on December 3, 2012. The applicant met with staff on December 5th to discuss these comments. The applicant did not have time to revise the plans to address the comments prior to the scheduled P&Z meeting but has submitted a comment response letter which attempts to address all comments. Although staff has not had an opportunity to review the revised plans it is apparent that the majority of the comments have been satisfied. However, some minor comments may still need to be addressed after a full review is performed. Staff has included a condition of approval requiring that all comments be fully satisfied on a revised site plan prior to the issuance of any building permits.

Three points regarding the comments need to be brought to the attention of the Planning and Zoning Commission.

- There appears to have been some confusion on the part of the City Engineer regarding the nature of the project. Many of the City Engineer's comments relate to stormwater. However, the scope of the proposed project will not require any stormwater improvements and will not have any impact upon the existing system. The applicant's engineer has provided response comments to this effect and will revise the plans to eliminate any confusion.
- The applicant utilized the retail parking calculation for the entire structure. This calculation assumes that all interior space is designed for customer use and would require 118 parking spaces for the structure (23 more spaces than are provided on site). Ashland's code allows structures to be calculated based upon the specific uses contained within. A grocery store has uses such as office areas, stockrooms, and food preparation areas which are not accessible by customers and therefore do not require the same amount of parking as the shopping area. The applicant is revising the parking calculations to take these different use areas into account, which should bring the structure into compliance with Ashland's parking code.
- Staff is not fully satisfied with the design of the parking area near the north eastern corner of the proposed expansion. The vehicle area narrows down to approximately 10'. As the applicant has indicated this area is not intended for traffic. However, it is possible that some vehicles may still use this route to access the rear of the store. Staff feels that the width of this area should be preserved to ensure safe maneuverability for all eventualities. It is the opinion of staff that this can best be accomplished by removing the two northeastern-most parking spaces and the striped area. This can be done with a minimum of effort, especially if the revised parking calculations indicate that sufficient parking is already provided on site.

STAFF RECOMMENDATIONS

Staff has reviewed the proposed site plan and recommends approval with the conditions listed below.

Should the Planning and Zoning Commission choose to approve SPR 12-06 for the 3,500 sq ft Moser's expansion at 109 Eastside Drive, staff recommends that the motion for approval include the following conditions:

1. The approval shall be limited to the proposed site plan dated July 29, 2011 and reviewed by the Planning and Zoning Commission on December 11, 2012.
2. Any outstanding items from the December 3, 2012 plan review comments shall be addressed to staffs satisfaction in a revised site plan prior to submittal for a Development Construction Permit from the City of Ashland.
3. No site construction activities, including site grading, shall occur prior to the issuance of a Development Construction Permit from the City of Ashland. A Development Construction permit shall not be issued by the City until Conditions #2 has been satisfied.
4. Site construction activities shall commence within 12 months of the date of site plan approval.
5. All of the above conditions shall be fully and faithfully executed or the site plan shall become null and void.

PLANNING AND ZONING ACTION NEEDED

City staff requests that the Planning and Zoning Commission review and approve the proposed subdivision plan with the conditions of approval shown above.



Planning & Zoning Commission Report

DATE: December 6, 2012

TO: Members of the Planning and Zoning Commission

FROM: Charles Senzee, Community Development Director

CC: Ron Shy, Allstate Consultants

SUBJECT: ZB 12-02: Rezoning Request – Lots 102-104 Bluegrass South Estates

The purpose of this report is to provide you with information regarding a request by Ron Shy with Allstate Consultants (representing property owners C.L. & Nancy Richardson) to rezone three undeveloped lots within the Bluegrass South Estates subdivisions from CG (General Commercial) to R-1 (Single Family Residential).

GENERAL INFORMATION

Parcel Identification. PIN: 24-502-00-06-061.00 01 (Lot 102)
24-502-00-06-062.00 01 (Lot 103)
24-502-00-06-063.00 01 (Lot 104)

Physical Characteristics. The subject properties are currently undeveloped.

Zoning Classification. C-G (Commercial General)



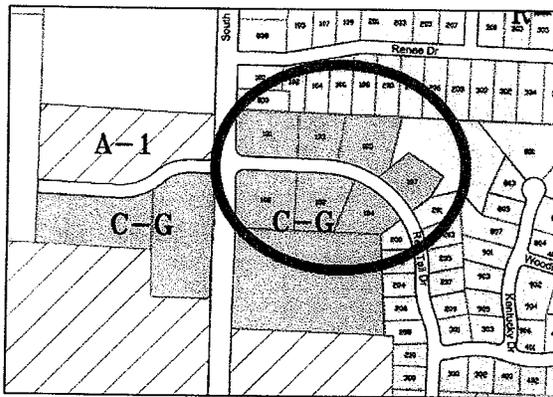
**AERIAL VIEW OF SUBJECT PROPERTIES
APPROXIMATE PROPERTY BOUNDARIES ARE SHOWN IN GREEN**

BACKGROUND

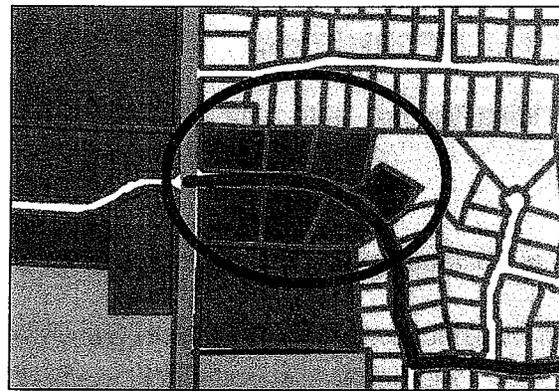
Earlier this year the applicant contacted City staff regarding the possibility of rezoning the subject properties for residential use. The applicant indicated that the property owner wished to re-plot the properties for single family home construction. Staff advised the applicant that the proposed rezoning should be approved prior to pursuing a new plat configuration. The applicant submitted the rezoning request on November 14, 2012.

A variety of efforts have been utilized in order to inform the general public of the proposed rezoning. The public hearing for the proposed rezoning was advertised in the Boone County Journal on November 21, 2012. Notification letters were mailed to all property owners within 185 feet and the subject properties were posted by City staff. In response to these notification efforts staff has received two calls from adjacent property owners who had questions regarding the request. These owners did not express either positive or negative opinions of the rezoning request.

The 2009 Comprehensive Plan adopted by the City indicates that the subject properties should serve a commercial use. However, due to the location of the properties it is unlikely that the proposed rezoning will have a significant impact upon the area. The current zoning and future land use maps are shown below.



VIEW OF EXISTING ZONING MAP



VIEW OF ADOPTED FUTURE LAND USE MAP

STAFF RECOMMENDATION

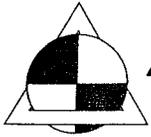
After a review of the rezoning request and the existing conditions within the area staff has no objections to the requested R-1 zoning designation. This designation will allow for single-family residential development of the property which is consistent with the adjacent properties to the north and east. The City currently provides utility services to the area and the requested re-zoning will not have an impact upon the City's level of service.

PLANNING AND ZONING ACTION NEEDED

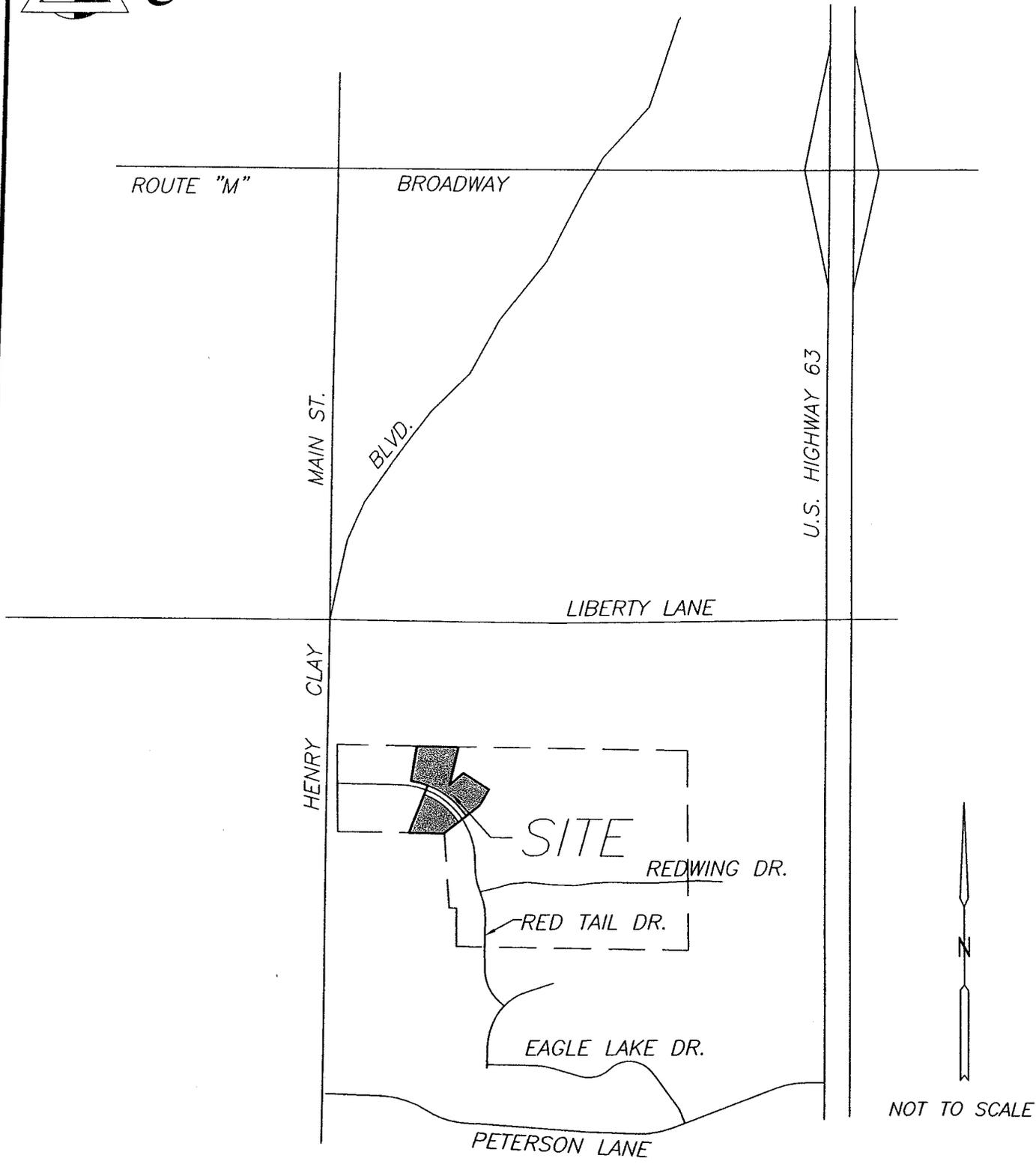
City staff requests that the Planning and Zoning Commission review and recommend R-1 zoning designations for the subject properties to the City's Board of Aldermen.

PREPARED BY:

SITE LOCATION MAP



ALLSTATE
CONSULTANTS

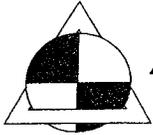


NOT TO SCALE

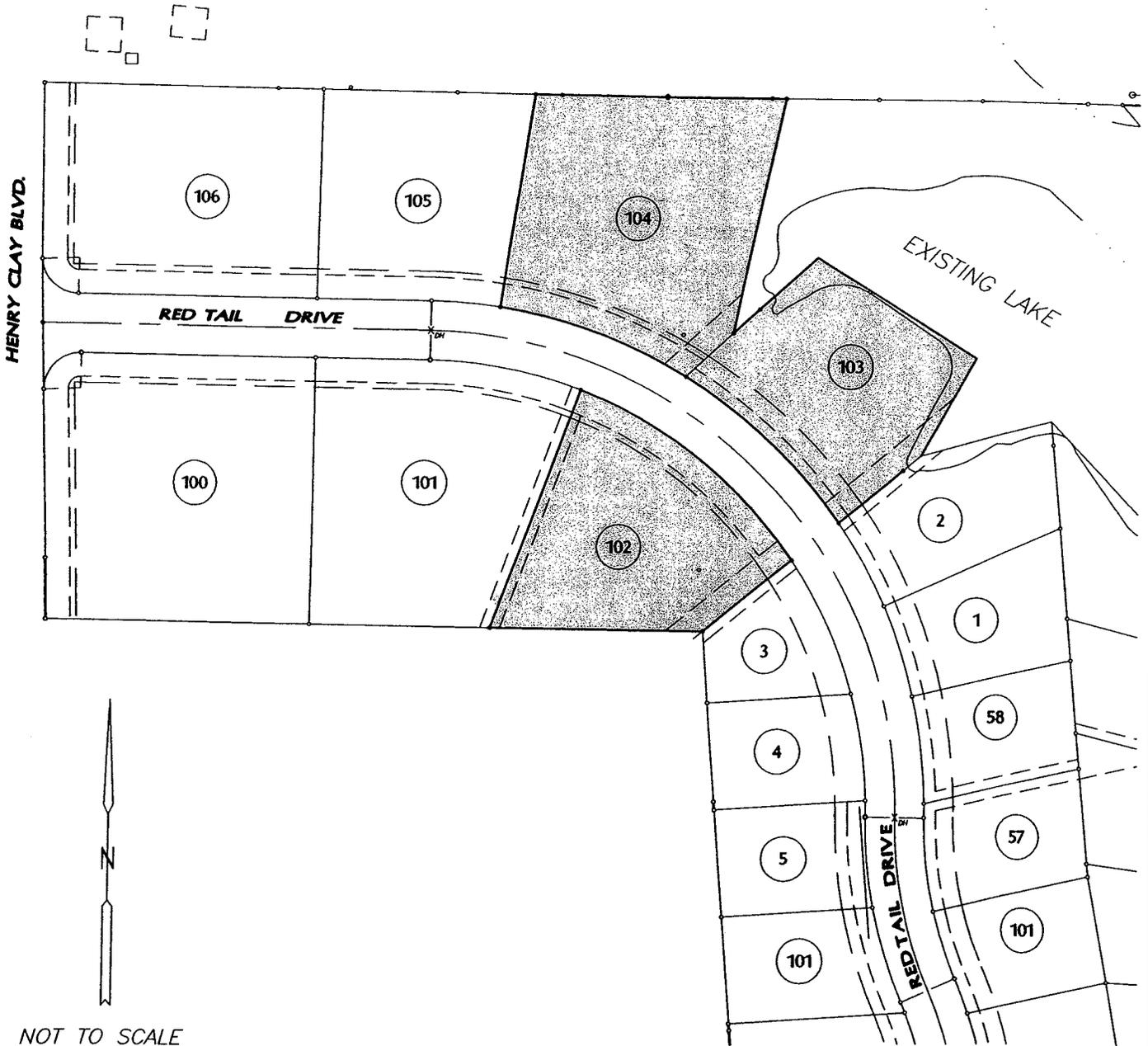
BLUEGRASS SOUTH ESTATES PROPOSED REZONING FROM C-G TO R-1

PREPARED BY:

LOCATION MAP



ALLSTATE
CONSULTANTS



PROPOSED REZONING FROM C-G TO R-1
 LOTS 102, 103 & 104
 BLUEGRASS SOUTH ESTATES



Planning & Zoning Commission Report

DATE: December 6, 2012

TO: Members of the Planning and Zoning Commission

FROM: Charles Senzee, Community Development Director

CC: Chris Sander, A Civil Group

SUBJECT: SPR 12-05: Eagle Lakes Plat 3 – Subdivision Plan

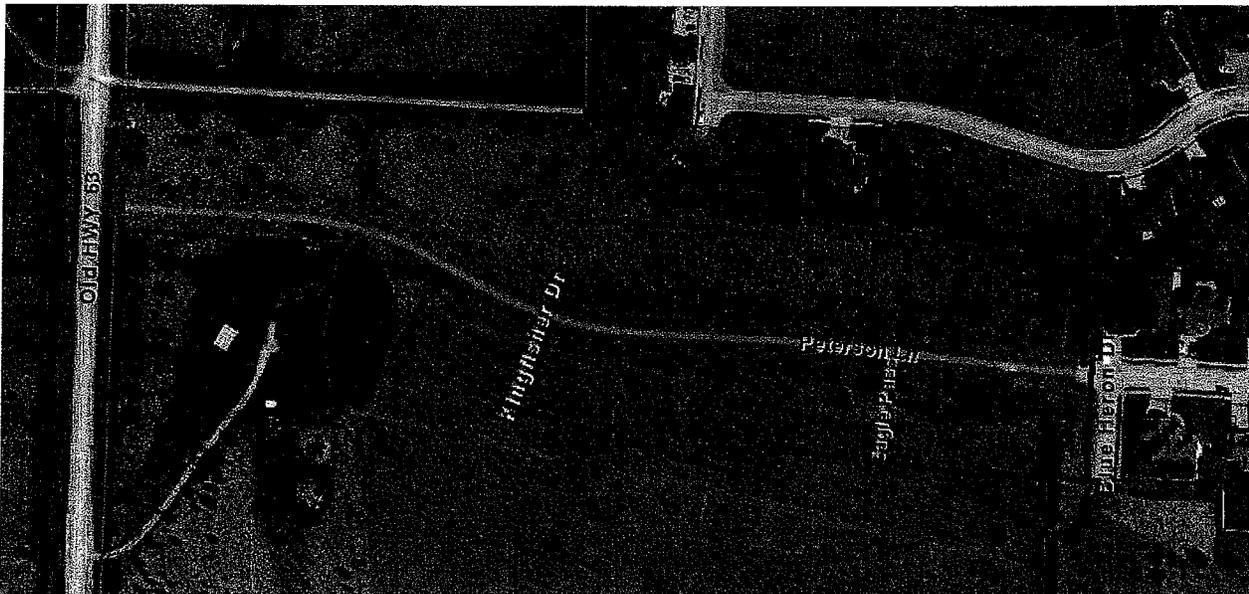
The purpose of this report is to provide you with information regarding a request by Chris Sander w/ A Civil Group (representing Keith Winscott) for approval of the site construction plans for a 19 lot residential subdivision with associated infrastructure. Chapter 9, Section 9.106 of the City's adopted Code of Ordinances authorizes the Planning and Zoning Commission to review and approve all site plans.

GENERAL INFORMATION

Legal Description. Eagle Lakes Plat 3 Lots 301 - 319

Parcel Size / Physical Characteristics. The 19 lots included within this subdivision were platted in 2004. In total, they are 8.37 acres in size and are currently undeveloped.

Zoning Classification. R-1 (Single-Family Residential)



**AERIAL VIEW OF SUBJECT SUBDIVISION
APPROXIMATE SUBDIVISION BOUNDARIES ARE SHOWN IN GREEN**

BACKGROUND

The Eagle Lakes Plat 3 subdivision plat and original construction plans were approved in 2004 for Jerry Peterson. Mr. Peterson began work on the project but passed away before all necessary infrastructure and site work was completed. Since that time the property has been owned by the Peterson family. Earlier this year staff was contacted by Mr. Winscott regarding the continuation of construction activities on the property. Mr. Winscott wished to complete the improvements shown on the approved 2004 plans. The completion of this subdivision would allow for the construction of 19 new homes, connect Peterson Lane to Old Highway 63 (a connection which benefits the area), and allow Mr. Winscott to explore the possibility of developing the two larger lots to the south. City staff expressed some concern regarding the completion of this subdivision as many of the City's regulations have changed since 2004. The recorded 2004 plat for the subdivision "grandfathers" the size and configuration of the lots, however there was some disagreement between the City and the applicant in regards to whether the approved 2004 construction plans were still valid. Rather than getting further embroiled in a legal debate over this issue both sides agreed to cooperate in an effort to bring the 2004 plans into compliance with current City regulations. Staff extensively worked with the applicant on a variety of issues, including street design and stormwater improvements.

The proposed plans have been reviewed by all appropriate departments and agencies. A list of review comments was provided to the applicant on December 3, 2012. The applicant met with staff on December 5th to discuss these comments. The applicant did not have time to revise the plans to address the comments prior to the scheduled P&Z meeting but has submitted a comment response letter which attempts to address all comments. Although staff has not had an opportunity to review the revised plans it is apparent that the majority of the comments have been satisfied. However, some minor comments may still need to be addressed after a full review is performed. Staff has included a condition of approval requiring that all comments be fully satisfied on a revised site plan prior to the issuance of any building permits.

One item needs to be brought to the attention of the Planning & Zoning Commission. Collector roadways such as the proposed Peterson Lane are required to provide a minimum of 60' right of way and 32' of paved surface. This 32' surface allows for parking on one side of the street. The subdivision plan approved in 2004 provided a 32' surface but did not provide any base rock under the roadway. During early conversations with the applicant it was determined that the inclusion of base rock on the previously designed 32' streets would represent a substantial cost that would make the project financially infeasible. The applicant worked with staff on a compromise design which meets the needs of the City while also keeping the cost of the project manageable. This design includes the following: 60' right of way, 6" fiber reinforced concrete, 28' paved surface, base rock, no parking on either side, and no parking signs provided by developer. Although this design is 4' smaller than required the drivable area will actually be larger with the elimination of on-street parking. In addition the use of 6' fiber-reinforced concrete in lieu of the 7" required by code will actually provide a more durable finished product. Staff supports this design and recommends that the Planning and Zoning approve it during their consideration of the subdivision plan.

STAFF RECOMMENDATIONS

Staff has reviewed the proposed subdivision plan and recommends approval with the conditions listed below.

Should the Planning and Zoning Commission choose to approve SPR 12-05 for the Eagle Lakes Plat 3 subdivision construction plan, staff recommends that the motion for approval include the following conditions:

1. The approval shall be limited to the proposed Eagle Lakes Plat 3 subdivision construction drawings dated October 20, 2012 and reviewed by the Planning and Zoning Commission on December 11, 2012.
2. Any outstanding items from the December 3, 2012 plan review comments shall be addressed to staffs satisfaction in a revised site plan prior to submittal for a Development Construction Permit from the City of Ashland.
3. No site construction activities, including site grading, shall occur prior to the issuance of a Development Construction Permit from the City of Ashland. A Development Construction permit shall not be issued by the City until Conditions #2 has been satisfied.
4. Site construction activities shall commence within 12 months of the date of site plan approval.
5. All of the above conditions shall be fully and faithfully executed or the site plan shall become null and void.

PLANNING AND ZONING ACTION NEEDED

City staff requests that the Planning and Zoning Commission review and approve the proposed subdivision plan with the conditions of approval shown above.