

MINUTES
PLANNING AND ZONING COMMISSION
RIVERSIDE, MISSOURI

9-Feb-06

The Planning and Zoning Commission for the City of Riverside, Missouri, met in regular session in the Board of Aldermen Chambers at City Hall, 2950 NW Vivion Road, Riverside, Missouri.

Chairwoman Barbara Snyder called the meeting to order at 7:30 p.m. Answering roll call were Al Bowman, Bernie Bruns, David Hurt, Gene Lively, Aaron Locke, Toni Looker, Evelyn Poe, Harold Snoderley, Barbara Snyder and Ray Uhl. Members absent: Mayor Betty Burch, and Shawn Lea.

Also present: Brent Miles, Director of Planning and Economic Development, John McClelland, City Attorney, and Jane Henry, Administration Assistant.

Approval of Minutes from December 19, 2006
Commissioner Bruns noted that Barbara Snyder did not call the December 19 meeting to order because she was not there. Commissioner Poe pointed out that she also did not attend. Commissioner Uhl made a motion and Commissioner Hurt seconded that the December 19 minutes be approved as corrected. Motion carried.

Approval of Minutes from January 26, 2006
Commissioner Locke moved and Commissioner Snoderley seconded that the January 26 minutes be approved as presented. Motion carried.

Public Hearing to Consider a request for a "Special Use Permit" for the "Sale of Used Motor Vehicles" and for a "General Contracting Service" PC06-04
Chairwoman Snyder called the public hearing to order and asked for the staff report. Miles said that Staples had requested to combine 2 special uses for 1 business location. Staff sent 2 separate letters to Staples requesting more information and the applicant did not respond. Hence, staff has not been able to analyze the request.
Tom Staples, 2709 Platte Road, addressed the commission. He said that 90% of his business is general contracting. He brought his proposal materials with him. Miles said he needed time to review the materials and make a recommendation.

Chairwoman Snyder closed the public hearing. Bruns made a motion to table the request and Alderman Looker seconded. Motion carried.

Building Permit Request Gatewoods Development LLC 5118 NW Gateway
The applicant, Lamb Fence for Ralph Schmude, requested a building permit for a fence to be located on the property at 5118 NW Gateway. The 6 ft. tall wood fence would be approx. 134 ft long with 3 chain link gates.

Miles gave a history of the request. A grading permit was issued in January 2003 for fill placement on the site and additional grading to accomplish this. Riverside Municipal Code Section 40.100.2.P.2. states that "No fence shall be higher than 36 inches above the ground in any front yard. In addition, any fence shall not interfere with visibility of drivers on public streets and the fence should be substantially see-through or transparent" (eg., chain link fence). The fence in question is being installed (before the acquisition of a building permit) and it does not comply with code as it is 6 ft. tall. The chain link gates appear to comply.

Ralph Schmude addressed the commission. He is trying to improve on the existing fence erected by Jim Trimble. There is a history of people dumping on that site and the fence would keep them out. The gates are necessary because there are 2 monitoring wells on the property that have to be accessible for DNR inspections. Schmude further said that T.E. Woods Developers will adjust the height of the fence to meet Riverside's code, cutting it in half, if necessary. Several times, Schmude asked the commission to tell what they wanted and he would do it.

City Attorney John McClelland said there are 2 options; the applicant can go to BZA for a variance or take the fence down to 3 feet. He added that the responsibility for the expense of changing the fence or removing it altogether would be on Lamb Fence for failing to get the proper permit before building.

Commissioner Uhl would rather see cable strung along to keep people out than a wood fence in an empty lot. Joe Smith, Embassy Landscaping, said that planting trees and landscaping would minimize the problem of illegal dumping.

Commissioner Poe moved to allow the applicant to build a 3 foot wood fence. Alderman Looker seconded. The vote was: Yes - Poe, Looker, Locke and Bowman. No- Bruns, Hurt, Lively, Snoderley and Uhl. Motion failed. Alderman Looker reminded the commission that the vote is a recommendation to the Board of Aldermen. The Board will approve or disapprove erecting the fence.

Miles said staff could not recommend a permit for a 6 foot fence because it would be contrary to city code. Staff could recommend a wood fence providing it is only 3 feet tall.

Commissioner Locke made a motion to deny the building permit. Commissioner Bruns seconded. The vote was: Yes - Bowman, Bruns, Hurt, Lively, Locke, Snoderley, and Uhl. No - Poe and Looker. Motion passed.

Sketch Site Plan - Embassy
Landscaping - 6105 NW
Riverpark Drive

Joe Smith, owner of Embassy Landscaping, presented his building plans to the commission. He is planning his development in 3 phases. Phase 1 - build material storage containers on the site. Phase 2 - in March, apply for a special use permit of temporary offices. Phase 3 - erect a permanent structure. Smith will maintain the MoDOT ROW in front of his business on Hwy. 9. Cora Lee Morton Vaughn, site planning consultant for the project, made comments.

Master Plan Update

Ned O'Connor, Chairman of the Master Planning Team, updated the commission on the team's progress and on the focus of the planning process.

Adjournment

There being no further business, Chairwoman Snyder adjourned the meeting.