

MINUTES
REGULAR MEETING
PLANNING AND ZONING COMMISSION
RIVERSIDE, MISSOURI

Thursday, July 27, 2006
7:30 p.m.

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.

Mayor Kathy Rose chaired the meeting and called it to order at 7:30 p.m. Answering roll call were Al Bowman, David Hurt, Stephen King, Gene Lively, Evelyn Poe, Mark Salyer, Harold Snoderley, Ray Uhl. Members absent: Barbara Snyder and Aaron Locke. Also present: Brent Miles, Director of Planning and Economic Development and Jane Henry, Executive Administration Assistant.

Approval of Minutes from
July 13, 2006

Commissioner Bowman moved that the minutes be approved as amended. Commissioner Uhl seconded. The motion passed. David Hurt and Gene Lively abstained.

Public Hearing:
To consider Riverside
Municipal Code Section
410.100 "Accessory Uses"
and add Section 410.115
"Fences."

Mayor Kathy Rose opened the Public Hearing to consider Riverside Municipal Code Section 410.100 "Accessory Uses" and add Section 410.115 "Fences." Miles, Director of Planning and Economic Development, gave an overview of the current code. The code currently states that "the following regulations apply to fences:

- 1) Fences shall be constructed of chain link, wood, decorative iron, plastic, masonry or other materials of similar quality and appearance.
- 2) No fence shall be higher than thirty-six (36) inches above the ground in any front yard. In addition, any fence permitted shall not interfere with visibility of drivers on the public street and the fence shall be see-through or substantially transparent (for example, a chain link fence).
- 3) The height of the fence from the front of the house along the side lot line to the rear lot line and along the rear lot line shall not exceed six (6) feet except for corner lots in which both sides fronting the street shall be considered front lot lines or the "front of the house".
- 4) Fences shall be constructed and maintained so that they do not constitute a blighting influence or an element leading to the progressive deterioration and downgrade of neighborhood property value."

This section of the code regarding fences was possibly only intended for fences in residential districts. Staff has encountered several problems with the current code, especially in terms of wanting fences to be higher than six (6) feet for screening

purposes. Staff recommended that a new section of the code be created (Section 410.115 “Fences”).

1. Fences in Residential Districts:

A. Front Yard: Fences in any front yard shall be constructed of wood, decorative iron, plastic, or masonry and the height of such fence shall not exceed thirty-six (36) inches above the ground. Any fence permitted shall not interfere with the visibility of drivers and shall be a determining factor in approving such fence in any front yard.

B. Side and Rear Yards: Fences in any side or rear yard shall be constructed of chain link, wood, decorative iron, plastic, or masonry and the height of such fence shall not exceed six (6) feet above the ground.

2. Fences in Commercial and Industrial Districts:

A. Front Yard: Fences in any front yard shall be constructed of decorative iron, plastic, or masonry and the height of such fence shall not exceed thirty-six (36) inches above the ground. Any fence permitted shall not interfere with the visibility of drivers and shall be a determining factor in approving such fence in any front yard.

B. Side and Rear Yards: Fences in any side or rear yard shall be constructed of chain link, wood, decorative iron, plastic, or masonry and the height of such fence shall not exceed eight (8) feet above the ground.

3. Performance Standards

A. Fences shall be constructed and maintained so that they do not constitute a blighting influence nor an element leading to the progressive deterioration and downgrade of neighborhood property value.

B. Outside storage shall be permitted only after a Special Use Permit has been granted for such storage. Fencing used in connection for outdoor storage shall be a component of such Special Use Permit and shall be a determining factor in the approval of such.

C. Barbed wire and electrical fences shall only be approved by Special Use Permit.

The obvious differences in the proposed amendment are distinguishing between residential and commercial regulations as well as the addition of performance standards. Also, barbed wire and electrical fences would be approved by special use permit only, as proposed.

Miles presented a chart comparing the fencing regulations of other municipalities in the immediate area. Mayor Rose closed the public hearing and opened the meeting to a discussion by the commission.

Commissioner Poe does not think we are comparable to NKC and Gladstone. She does not want to prohibit barbed wire and electric fences. Commissioner Hurt commented that the city

would need to add regs for replacement and repair of existing barbed wire fences. Commissioner Salyer likes barbed wire for rural areas but not subdivisions. Miles said the commission could recommend a special use permit for barbed wire with no fee; not address electric fence; require powder coating for chain link; no razor wire. Rose said maybe the rusting of chain link could be dealt with as blight and could become a codes issue.

Public Hearing:
To consider a rezoning application from “R-1: Single Family Residential” to “PD: Planned Development” and to consider the Preliminary Plat of the Planned Development proposed on property generally located north of NW 50th Street west of NW Gateway Drive and east of I-635.

Mayor Rose opened the public hearing to consider a rezoning application from “R-1: Single Family Residential” to “PD: Planned Development” and to consider the Preliminary Plat of the Planned Development proposed on property generally located north of NW 50th Street west of NW Gateway Drive and east of I-635. Miles told the commission that the Gatewoods Third Plat consists of 55 lots, bringing the total lots in the development to 111. He presented an overview of Riverside’s Municipal Code regulations of PD’s and the procedure and required information for Planned Development. Miles also commented that the developer, T.E. Woods, had met the requirements of the 2001 cost share agreement for NW 50th Street by returning \$11,000 to the city. He added that he has asked the developer to build the 55 residences in 2 phases. The length of the cul-de-sac is too long and does not meet code. By developing in 2 phases the developer could create an additional access in the second phase.

The Gate Woods PD request has some exceptions to R-1 code requirements: lot size, lot width and setbacks. The minimum lot size required in the code is 10,000 square feet (The size of the lots in the PD range from 9351 to 9889 square feet and the average lot size is calculated at 13,615 square feet). The minimum lot width required by code is 80 feet at the building line. The plans submitted only indicate a lot width at the street and not the building line. Rear yard setbacks are proposed for 25 feet; code requires 35 feet. Miles offered to take the commission on a field trip to look at the current Gatewoods project on Thursday, August 3. A representative of Gatewoods said the 9 house plans presented to the commissioners were already built. Rose asked about the pocket parks in the common area. He replied there were none. Mayor Rose closed the public hearing.

Commissioner Salyer asked about drainage issues and expressed concern that the rear setback would require additional trees to be removed, thereby disturbing the bank and causing increased erosion. Miles replied that there will be a 15 foot set back from the property line and a platted buffer area so there is no disturbance. Commissioner Snoderley asked for trails to be included in the plan and Mayor Rose commented about the houses being close to I-635. Miles said there will be a buffer.

Public Hearing: To consider a rezoning application from “R-1: Single Family Residential” to “PD: Planned Development” and to consider the Preliminary Plat of the Planned Development proposed on property generally located on the south side of NW 50th Street west of NW Gateway Drive and east of I-635.

Mayor Kathy Rose opened the public hearing. She pointed out that, even though this Planned Development is in the vicinity of Gate Woods, it has a different developer and a different plan. Miles asked to table the public hearing until August 10. Commissioner Hurt moved to table the public hearing until August 10 and Commissioner Bowman seconded. All voted yes. Motion passed.

Site Plan:
Wholesale Fireworks –
Tullison Road at Argosy
Parkway

Miles asked that this item be tabled until the traffic study is complete. Commissioner Salyer said the parking looks limited. Commissioner Lively moved to table the site plan and Commissioner Salyer seconded. All voted in favor of the motion. Motion passed.

Building Permit:
David Hurt
5014 NW Strathbury

The applicant, David Hurt, requested a permit to enclose and cover an existing 13’ x 13’ deck to construct a screened in porch and to construct a new 13’ x 18’ wood deck. Staff recommended approval. Commissioner Salyer made a motion to approve. Commissioner Uhl seconded. All voted in favor of the motion. Motion passed.

General Discussion

Commissioner Poe asked about the proposed community center extension. Miles reported that the city is in the fact finding stage and will be contracting will WSKF to assess the need.

Closed Session
Motion to enter into
Closed Session pursuant to
RSMo 610-021 (1) for
discussion of legal issues,
and RSMo 610-021 (2)
real estate with the City
Attorney.

Commissioner Bowman made a motion to enter into closed session. Commissioner Hurt seconded. All voted in favor of the motion. Motion passed.

Adjournment

Commissioner Hurt made a motion to adjourn and Commissioner Poe seconded. Motion passed and the meeting was adjourned.

Jane Henry
Executive Administration Assistant