

MINUTES
REGULAR MEETING
PLANNING AND ZONING COMMISSION
RIVERSIDE, MISSOURI

Thursday, August 10, 2006
7:00 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.

Chair Barbara Snyder called the meeting to order at 7:00 p.m. Answering roll call were Al Bowman, David Hurt, Aaron Locke, Evelyn Poe, Mark Salyer, Harold Snoderley, Barbara Snyder, and Ray Uhl. Members absent: Stephen King and Eugene Lively.

Also present: Brent Miles, Director of Planning and Economic Development and Jane Henry, Executive Administration Assistant.

Approval of Minutes from
July 27, 2006

Commissioner Hurt moved that the minutes be approved as amended. Commissioner Bowman seconded. The motion passed. Barbara Snyder and Aaron Locke abstained.

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.

Chair Barbara Snyder opened the public hearing. Commissioner Salyer recused himself. Brent Miles gave the staff report. The preliminary plat of the Gate Woods third plat consists of 56 lots and the necessary public improvements to service these lots. Miles stressed the intent and appropriateness of a planned development. He then presented the following:
Density and Lot Sizes – By Riverside code, the developer will have less than the maximum net density of 2.74 units per acre. According to code, each lot has to have a minimum lot size of 10,000 s.f. Thirteen (13) of the 56 lots that are proposed are under 10,000 s.f.
Setbacks and Lot Widths – Riverside code requires 35 foot front and rear yard setbacks and 10 foot setbacks for the side yards. This development proposes 25 foot front and rear yard setbacks and 10 foot setbacks for the sides. Also proposed is a 20 foot landscape/non-disturbance buffer along the rear yards for Lots 1-13. The development proposes more narrow lot widths than prescribed by Municipal Code but proposes deeper lots than required.
House Plans/Elevations – The applicant has proposed 7 house plans ranging from 1500 s.f. to 2353 s.f. All 7 plans meet code requirements for square footage on the main level and overall.
Public and Private Improvements – The streets will be dedicated to the city after the project is built out. The cul-de-sac on NW Timberline Drive does not meet APWA standards because it is too long.
The length will have to be revised; the developer is in the process of acquiring adjacent land that would allow him to do that. SKW has reviewed the proposed storm drainage system and only commented on the need for a buffer zone to protect stream

stability along Jumping Branch Creek. The signage will be identical to existing signage of Gatewoods 1st and 2nd plats. A 5' sidewalk on all new streets is proposed but no trail is in the plans. A pocket park will be added in the common area.

The proposed development is part of a much larger residential system currently being developed. The developer has proposed the preservation of natural buffers and amenities with a platted area of non-disturbance and natural drainage areas in Common Areas, as opposed to detention on individual lots. The developer is proposing "exceptions" to R-1 zoning requirements for front and rear yards, but this exception is to increase the ability to provide natural buffers. The developer has included a "Tree Study" to indicate the limits of disturbance.

Mark Salyer, 5046 NW Woodside Court, is concerned about the tree buffer. He said, "If we can stick with the tree study and natural buffer, I think it might be O.K." The existing common area and green space has not been maintained in Phase I; it is "pretty rough and has ruts." Salyer said his back door is 2 ft. from the 100 year flood plain. Katherine Melson read from an ad in May 2005 issue of the Homes section of the KC Star. The ad said residents would not be able to see homes behind them. She asked, "What's the use of having codes if you just break them? Please think long and hard before you make concessions." A man is concerned that there is only one entrance/access and traffic might be a problem. A woman resident has concerns about drainage and doesn't think a 15 foot buffer is enough.

The developer, Sean Woods, addressed the commission and the citizens. Following are some of his remarks:

- Even with storm water run-off, the amount of water in the creek is the same as it is in normal circumstances per code.
- The development plan that showed Salyer's back door being 2 feet from the flood plain is old and that area is not in the 100 year flood plain.
- There will be only 1 homeowners' association for both Gatewoods and Gatewoods West.
- Woods will add sidewalk to the north side of NW 50th Street.
- No additional trails are planned.
- NW 50th Street is a major collector street that can easily handle the number of cars that will be added with this development.
- The HOA will sod the existing detention pond.
- From the back of an existing home in Gate Woods to the back of a proposed home in Gate Woods West would be a distance of 200-250 feet.

Commissioner Uhl suggested that Woods walk the property with the concerned residents to show them the sight lines, etc. Salyer

said he appreciated them saving the trees. Miles said that a Planned Development will enable the city to insist on a buffer. Miles added that he would propose a 10 foot buffer between the proposed development and I-635.

Chair Snyder closed the public hearing. She commented that Woods needs to tell the homeowners how many trees will be left behind each home. Mile will work on a better graphic with the engineer, which will show sight lines. Commissioner Poe said the traffic on NW 50th was a concern to her. Miles said that Olsson & Associates Engineers prepared a traffic study and the street can handle 1,000 daily trips.

Commissioner Poe made a motion to table application and Commissioner Uhl seconded. All voted in favor of the motion.

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.

The applicant, SKS, LLC, is requesting rezoning the property located on the south side of NW 50th Street west of NW Gateway Drive and east of I-635 from R-1: Single Family Residential to Planned Development and to consider the Preliminary Plat of the proposed Planned Development. Chair Snyder opened the public hearing. She asked for the staff report. Miles reviewed the application and reiterated the intent and appropriateness of a planned development. Miles highlighted several problems with the preliminary plat:

- 1) The maximum grade allowed by APWA for Residential Access streets is 12%. The proposed streets have maximum grades of 15%.
- 2) The minimum K Sag Vertical Curve allowed by APWA is 9. The proposed streets have a value of 5.
- 3) Staff requested better details of the proposed 4 individual detention basins and has not received them.
- 4) Code requires a minimum lot size of 10,000 s.f. and the development has 11 of its 30 lots under that requirement.
- 5) Code requires setbacks of thirty-five (35) for front and rear yards, and ten (10) feet for side yards. The development proposes thirty (30) foot front and rear yard setbacks, the development proposes five (5) foot side yards.
- 6) Riverside Municipal Code requires an eighty (80) foot lot width measured at the building line. The development proposes narrower lot widths than prescribed by Municipal Code.
- 7) The developer has proposed 6 house plans; only 2 out of the 6 would meet minimum square footage requirements. The house plans submitted were not complete and showed no driveway access, garages or home materials.
- 8) The proposed development is not part of a much larger development. The proposed development abuts an existing neighborhood on NW Cerrito Lane. The existing neighborhood on NW Cerrito Lane has much larger lots than the proposed development and questions

- arise over adjacent compatibility.
- 9) The developer has not proposed the preservation of natural buffers and areas of non-disturbance.
 - 10) The developer is proposing “exceptions” to R-1 zoning requirements for front and rear yards, side yards, lot sizes, lot widths, and minimum dwelling size; as well as subdivision variances prescribed in Riverside Municipal Code section 485.130. The house plans submitted are unclear on the type of construction that will be used. From the plans submitted, staff believes that the homes proposed may be modular.

Snyder asked for public comments. A resident who lives on Cerrito Lane does not want change. He is concerned about the lack of a buffer. Another Cerrito resident said this development would lower the standards of their area.

Thomas Nolte, speaking for the developer, introduced the team. He said the only trees that can be saved are on the perimeter. He said that if the rezoning application and preliminary plat are not approved, he would like clear direction from the commission so they can build there. He wants to resolve the issues and continue to work together.

Stan Schultz, project engineer, said he made a mistake on the K values and has corrected the problem. The architect asserted that there will be basements and some may have garages or not. He said the house plans presented are not the house plans that would be used. He showed the commissioners house plans of houses they had built in Johnson County and said the homes would look somewhat like them. The siding will vary. Vinyl siding is an option.

The developer said that the 15% grades streets were O.K. and that they duplicated NW 50th Street. Miles replied that NW 50th St. was an existing street, preceding APWA standards. Those standards are very important and, after the 4th review of the project, Miles is still not comfortable with it.

Gary Sirna, who is also developing the property, said he is a Platte County resident and he is perplexed to hear Miles’ concerns with their plan. His homes will range in price from \$179,000 to \$225,000. He said he has no intention of tearing down trees and building cheap homes. He said he loves trees and that trees help sell homes. He added that he wanted to build first class homes and he would meet all the codes and standards. He apologized about the home plans presented. He assured the commission that all homes would have garages and would meet the 1500 s.f. requirement.

Chair Snyder expressed that there are so many requests for variances. Commissioner Uhl asked Sirna to take out a few lots. Sirna replied that it would not be financially feasible to do so.

Commissioner Poe said the roads and streets were a big issue with her and that they need to be done correctly. She also didn't agree with the side lot variances. Commissioner Locke agreed with Poe that the side lot variances are a big problem.

Commissioner Salyer asked about fire trucks navigating the streets. Miles said the fire department is "up in arms about it." Salyer also asked about the storm run-off, the maximum and minimum depth. He would like to have it added to the list of issues.

Commissioner Bowman moved to table the request. Commissioner Salyer seconded. All voted in favor of the motion.

Public Hearing: To consider an amendment to the approved development plan for the Gatewoods Planned Development in regards to setbacks for Lot 13.

The applicant, T.E. Woods Construction, has made a request to revise the approved development plan for the Gate Woods Planned Development in regard to setbacks for Lot 13. Chair Snyder opened the public hearing. Commissioner Salyer recused himself. Miles showed the commissioners a drawing of the construction stake plot plan. Lot 13 indicates an encroachment of fourteen feet nine inches (14' 9") measured from the attached accessory structure. Lot 13 abuts the Common Area of the Planned Development. Miles said there would be a large deck in the rear yard.

Snyder asked for public comments. Hearing none, she closed the public hearing. Commissioner Hurt moved to approve the request to amend Ordinance 2002-68 regarding setbacks for Lot 13. Commissioner Snoderley seconded and all approved the motion.

Building Permit: Sharon Helmes – 404 NW Woodland Road

Lane's Home Improvement representing Sharon Helmes requested approval to construct a detached shed. Miles said that the setbacks meet code requirements and so does the footprint. The shed is of wood construction and is partially built. Miles will email the commission further details. Commissioner Poe made a motion to approve the request for a building permit. Commissioner Bowman seconded and all voted for the motion.

General Discussion

The commission discussed the matters that had come before them earlier in the evening.

Adjournment

Commissioner Locke made a motion to adjourn and Commissioner Uhl seconded. Motion passed and the meeting was adjourned.

Jane Henry
Executive Administration Assistant