

PLANNING AND ZONING COMMISSION

MINUTES OF MEETING

February 28, 2012

6:00 p.m.

Item 1. Roll Call

PRESENT: Ambrose Buckman, Tim Glenn, Joe Arnold, Mark Seneker, Stephany Hughes, Bob Gerdes

STAFF PRESENT: Zoning Administrator Bill Ahrens, Building Official Larry Murry, and Secretary Cheryl Walters

ABSENT: Bruce Collins, Jim Rice

VISITORS: Eric Copeland and Keith Winge

Item 2. Approval of Minutes – December 13, 2012

MINUTES APPROVED: Commissioner Seneker motioned to approve the December 13, 2011 minutes. Commissioner Gerdes seconded. The motion carried.

MINUTES APPROVED: Commissioner Gerdes motioned to approve the January 24, 2012 minutes. Commissioner Seneker seconded. Commissioner Glenn abstained. The motion carried.

Item 3. Zoning Text Amendment: Section 400.180: District “C-2” – General Business District

Bill Ahrens took the floor to give overview of proposed amendment. You will find a revision to the city zoning ordinance Section 400.180 District C-2, General Business District that provides clarifying language to 400.180.A.4 – mixed residential and non-residential use, by special permit. These changes are the result of issues that have indicated a need to more precisely define the conditions under which residential use may be permitted in the C-2 zone. The text revision adds language to state that upper floor residential use may be approved, as a special use, when the ground floor space is either a) currently occupied by an operating business, or b) has been improved to “white box” standard and satisfying all current city building codes, standards, and regulations and may be considered ready for lease and tenant improvements.

Commissioner Gerdes asked if the wording could be changed to include the few business' that have a living space under the business.

Keith Winge suggested that they also input that there is to be no street level living.

Commissioner Gerdes inquired if they would still need a special use permit to allow part of the buildings as living areas.

Bill Ahrens answered the question by stating that the verbiage could be changed to include the living spaces under the business, no street level living and that they would still have to obtain the permit so each situation could be considered on its own.

Commissioner Gerdes motioned to accept the amendment with the verbiage changes. Commissioner Arnold seconded the motion with the same stipulation. Ambrose Buckman abstained. The motion carried.

Item 4. Text Amendment to City of Excelsior Springs Zoning Ordinance; Section 407: /u, Underground Overlay District

Mr. Ahrens took the floor to propose the revision to the city zoning ordinance to create Section 407: / U, Underground Overlay District. The developer for a proposed annexation to the City has indicated that they may wish to use part of the property for surface mining and possible underground mining and subsequent re-use of underground spaces. The city currently has no zoning or regulations of underground mining or underground spaces. The overlay district can be designated in areas where the surface land has an "A" Agriculture, or "M" Industrial zoning. Allowed uses would be any use permitted by right under the surface zoning category or approved by the city council as a special use.

Commissioner Arnold question that as a city are we prepared to deal with this? Maybe we should contact other cities like NKC that work with this issue.

Commissioner Glenn suggested even contacting Hunt Midwest.

Bill stated that this was just a first step since the city doesn't currently have regulations pertaining to this.

Mayor Buckman said that the reason this is being brought up is the proposed annexation that includes the property w/mining questions so we should have regulations in place before this occurs.

Bill agreed that the regulations needed to be in place before annexation comes about.

Commissioner Arnold made the motion to accept the revision and to create the Section 407: /U Underground Overlay District. Commissioner Gerdes seconded the motion. Ambrose Buckman abstained. The motion carried.

Item 5. COMMENTS FROM VISITORS:

No comments

Item 6. COMMENTS FROM COMMISSIONERS:

No comments

Item 7. MEETING ADJOURNS:

Meeting was adjourned at 6:20 p.m.

