

**Planning & Zoning Commission
City Council Chambers
201 E. Broadway
Excelsior Springs, MO**



**Meeting Notice
March 25, 2024 at 6:00 p.m.**

Agenda

join via Google: Zoom.US
Meeting ID: 831 3363 5337
Passcode: 156892

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MEETING SUMMARY – February 26, 2024
4. COMMENTS OF VISITORS
5. RZ-24-002 – Application by Eden Village of Excelsior Springs for the rezoning from “C-3”- Service Business District to “R-4” – Medium Density Residential District at 1112 Tracy Avenue, Excelsior Springs Missouri. (Public Hearing)
6. ZTA- 24-001 – An application by the City of Excelsior Springs to amend Chapter 403 Sign Regulation in the Zoning Regulations of the Excelsior Springs City Code. (Public Hearing) (Continued to later Planning and Zoning Meeting)
7. STAFF COMMENTS
8. COMMENTS OF THE COMMISSIONERS
9. ADJOURN

Copies of this notice are available by contacting Community Development, at 201 E. Broadway, Excelsior Springs, MO 64024, (816) 630-0756.

Date and time posted: March 22, 2024 at 8:00AM

PLANNING AND ZONING COMMISSION

MEETING SUMMARY

February 26, 2024

1. CALL TO ORDER

Chairman Simmons called the meeting to order at 6:00 p.m.

2. ROLL CALL

PRESENT: Jake Simmons, Dustin Borchert, Bob Gerdes, Julia Goldstein and Jason Van Till.

STAFF PRESENT: Doug Hermes, Melinda Mehaffy, Shantele Frie and Lisa Morgan.

VISITORS: Reggie St. John, Jason Cole, Marilyn Gerdes Debra Hopkins, Sonya and Chuck Duckworth, Joseph Ruckman and John Clark (via zoom).

3. APPROVAL OF MEETING SUMMARY- December 19, 2023

Commissioner Geres made a motion to approve the December 19, 2023 meeting summary

Commissioner Goldstein seconded. Motion carried.

Vote: Motion passed 5-0-0

Yes: Commissioners: Simmons, Borchert, Gerdes, Goldstein and Van Till.

No: None

Abstain: None

4. COMMENTS OF VISITORS: There were none.

5. ZTA-23-002 – An application by the City of Excelsior Springs to amend Chapter 400.230 Special Use Permits in the Zoning Regulations, pertaining to Short Term Rental Properties, of the Excelsior Springs City Code as part of the City's Code Review Process. (Public Hearing)

Chairman Simmons asked for the staff report.

Mr. Hermes presented the information in the staff report.

Chairman Simmons asked the commission if they had any questions.

Commissioner Van Till said it had been a while he thought the thousand-foot map showed that it would affect the current existing short-term rentals.

Commissioner Goldstein said that she remembers the three-thousand-foot map did overlap.

Mr. Hermes said we reduced it to one thousand feet then there was no overlap.

Ms. Mehaffy said the one-thousand-foot map when we looked at St Louis, Cypress and Old Orchard Streets those would have been our primary concern areas there was no overlap.

Ms. Frie said the only overlap was the downtown districts.

Mr. Hermes said existing short-term rentals that had been approved with a Special Use Permit would be considered as pre-existing. If they are still in the interim period there could be some discretion or discussion if they came back and did not meet that standard. The existing short-term rentals outside the downtown would also be pre-existing.

Hearing no further questions Chairman Simmons opened the public hearing at 6:11

Chairman Simmons asked if anyone would like to address the commission for this case to step to the podium provide name and address.

Reggie St John who resides at 160 Rockbridge Parkway, we did modify the 27 days to get rid of the whole month to month discussion. Everything else about the ordinance he likes and with this addendum of separation standards he would ask the commission to approve that. He likes that this makes it one per block or so.

Joseph Ruckman who resides at 205 S Francis Street, he wants to make sure he understands this is not going to affect existing short-term rentals. Also, he wanted to talk about the short-term rental located at 608 Benton. He said it was one of the best kept properties in the neighborhood and everyone that has stayed there has been very nice and friendly people.

Chairman Simmons that is correct about the short-term rentals that are existing. He also thanks Mr. Ruckman for coming and speaking for one of the downtown neighborhoods.

Chairman Simmons asked if anyone else would like to speak. No one else approached the podium. The public hearing was closed at 6:15.

Chairman Simmons asked if Commissioners had questions. There were none.

Commissioner Goldstein made the motion to approve the amended case No. ZTA-23-002.
Commissioner Gerdes seconded the motion.
Motion carried.

Vote: Motion passed 5-0-0

Yes: Commissioners Simmons, Borchert, Gerdes, Goldstein and Van Till.

No: Commissioner: None

Abstain: None

6. SUP-24-001 – An application by Sara Pelis for a renewal of Special Use Permit for the use of a short-term rental in the R-2 Two Family residential district located at 608 Benton Avenue. (Public Hearing)

Chairman Simmons asked for the staff report.

Ms. Frie presented the information in the staff report.

Chairman Simmons asked the commission if they had any questions.

Hearing no questions Chairman Simmons opened the public hearing at 6:20

Chairman Simmons asked if there were any questions.

Hearing no further comments or questions the public hearing was closed at 6:21

Commissioner Borchert made the motion to approve case No. SUP-24-001 with no time limit.
Commissioner Gerdes seconded the motion.
Motion carried.

Vote: Motion passed 5-0-0
Yes: Commissioners Simmons, Borchert, Gerdes, Goldstein and Van Till.
No: Commissioner: None
Abstain: None

7. SUP 24-002 – An application by Kirk Dutcher for a renewal of Special Use Permit for the use of a short-term rental in R-1 single-family residential district at 1012 Sunset Strip. (Public Hearing)

Chairman Simmons asked for the staff report.

Ms. Frie presented the information in the staff report.

Chairman Simmons asked the commission if they had any questions. There were non

Hearing no questions Chairman Simmons opened the public hearing at 6:23

Chairman Simmons asked if there were any questions.

Hearing no further comments or questions the public hearing was closed at 6:24

Commissioner Gerdes made the motion to approve the renewal of case No. SUP-24-002 with no time limit
Commissioner Borchert seconded the motion.
Motion carried.

Vote: Motion passed 5-0-0
Yes: Commissioners Simmons, Borchert Gerdes, Goldstein and Van Till.
No: Commissioner: None
Abstain: None

8. RZ-24-001 – An application by TD Sylla LLC-RA: Chuck Duckworth to rezone a trat of land located at 517 S Kansas City Avenue from District “C-2A”-Special Business District to District “C-3”-Service Business District. (Public Hearing)

Chairman Simmons asked for the staff report.

Ms. Frie presented the information in the staff report.

Chairman Simmons asked the commission if they had any questions.

Commissioner Goldstein would like to confirm everything will remain the same we are just rezoning the parking area at this time. Ms. Frie said yes only the rezoning for this application.

Chairman Simmons asked if there were any more questions, there were none.

Chairman Simmons opened the public hearing at 6:28

Debra Hopkins who resides at 529 Elms Blvd. Is there going to be a barrier where the house used to be that abuts to the Clark property for example some type of fence? What will separate the Commercial from the Residential on the South side of the property?

Ms. Frie read the letter from John and Jill Clark who reside at 519 S Kansas City Avenue, they have covid and are not able to attend the meeting in person.

Mrs. Sonya Duckworth who resides at 624 Patrick Drive (the applicant) the plan is we are requesting rezoning because we are going to be doing a Lot Split combining the two lots as one. We want to restore the property so it will be beautiful. There will be no large trash dumpster placed at the back of the property as previously mentioned.

Our plan is to put a fence our property so it's not a hindrance to any of the residents in the area. We do want to be considerate to the residents around us. We actually want to make it look very pretty. We had gone and discussed this topic with this resident but our goal is to make it pretty. We will be coming back to do work on the exterior perhaps a fountain. Working with the Historic Preservation Commission.

Commissioner Goldstein asked where would the proposed fence lay in relationship to the shared drive?

Mrs. Duckworth, she didn't think it was a shared drive they were using her property, they are going to be doing a survey to determine where the real property line is. The residents next door asked if they could use our property to park on and we said yes. So as far as we know there is no shared drive. She thinks the fear is that their driveway is on her property. The survey will tell where the true property line is and we will wait until we know that and go from there. That will determine where the fence will be.

Commissioner Van Till said at one time prior to the house being demolished at 517 S Kansas City there most likely was a shared drive and that changed when the parking lot was put in its place.

Jason Cole who resides at 518 Elms Blvd. right behind the location being discussed. His understanding from a survey done a long time ago showed it as a shared drive. All the houses on Elms Blvd. are the same way they have a shared driveway between the houses. On the map it looks like the entire driveway, so really need to do a new survey to make sure.

Ms. Frie said the survey is going to be a requirement.

Ms. Hopkins said as long as she has lived there, they have always been a shared driveway. And the previous owner Evelyn Coursen said the intention was for it to remain a shared driveway when she sold it.

Mr. Duckworth said their intentions are a complete survey of the property. So based on the results of the survey that is where the line will be drawn and that is where the fence will be built and that is the plan.

Commissioner Goldstein asked is there's a reason the rezoning has to take place prior to the survey.

Ms. Frie said the rezoning is first then the survey so it can be a seamless process and both parcels would be zoned C-3. Then the lot split would be done to combine to one lot.

Commissioner Van Till asked once the rezoning and survey are done the fence can still go up.

Ms. Frie said the fence would have to go before HPC for approval and the fence would go up after the required survey.

Chairman Simmons asked if there were any questions.

Hearing no further comments or questions the public hearing was closed at 6:43

Commissioner Borchert made the motion to approve case No. RZ-24-001.

Commissioner Van Till seconded the motion.

Motion carried.

Vote: Motion passed 4-1-0

Yes: Commissioners Simmons, Borchert, Gerdes and Van Till.

No: Commissioner: Goldstein

Abstain: None

9. STAFF COMMENTS:

The volunteer dinner will be April 18th 6:00 pm and all the Commissioners should be receiving an invitation.

10. COMMISSION COMMENTS: None

11. ADJOURN The meeting was adjourned at 6:46 p.m.

**Community Development Department
Planning & Zoning**

Phone: 816-630-0756; Fax: 816-630-9572



March 25, 2024

To: Chairman and Commissioners
Planning & Zoning Commission

Re: **Staff Report for Case No. RZ-24-002**– An application by Eden Village of Excelsior Springs for the rezoning from “C-3”-Service Business District to “R-4”-Medium Density Residential District at 1112 Tracy Avenue, Excelsior Springs (*Public Hearing*)

Applicant: Eden Village of Excelsior Springs-Kelly Anderson

General Information:

Address: 1112 Tracy Avenue **Parcel ID: 08918000800700**
Current Zoning: C-3, Service Business District
Current Land Use: Vacant lot

Surrounding Zoning & Land Use: North – C-3; Service Business District
East – C-3; Service Business District
South – R-4; Medium Density Residential District
West – C-3; Service Business District

Background:

The subject property, located at 1112 Tracy Avenue, is a vacant lot spanning approximately 3.98 acres. The applicant is proposing the rezoning to “R-4”- Medium Density Residential District. This site is a proposed development by Eden Village of Excelsior Springs, a planned gated duplex community. This development is to offer a transformative living environment for individuals who have been classified as chronically homeless. The development plan includes 20-units of housing and a community center for residents providing services needed by residents. There is a Phase II plan that would include an additional 10 units in the future.

Public Infrastructure:

Streets: The current site is well-served in terms of transportation infrastructure. Tracy Avenue, classified as a collector street, provides adequate access to the site, facilitating efficient movement of traffic to and from the area. Additionally, the site benefits from its proximity to N Hwy 69 to the west, which functions as the arterial street, offering broader connectivity to the surrounding regions. The presence of existing trails in the vicinity further enhances the site’s accessibility, providing additional options for pedestrian and non-motorized traffic.

Public Water and Sanitary Sewer: The current site under consideration lacks access to public water and sanitary sewer facilities. However, the applicant has proactively addressed this concern by submitting a letter of intent. This document confirms their commitment to constructing the necessary water main improvements essential for the site's future development. The letter assures that the development will be equipped with adequate water utilities, ensuring a reliable supply not only to all residential units but also to the community center building, and importantly, meeting the requirement for fire safety. The commitment aligns with city standards for sustainable development and adheres to our community's infrastructure standards.

Comprehensive Plan:

The Future Land Use Map identifies this area for future mixed-use development.

Staff Analysis:

City staff believes the rezoning would be appropriate for this parcel of land and consistent with the surrounding areas.

City staff feels the application conforms substantially to the Comprehensive Plan and can meet the city's development standards.

Staff Recommendation/Action Requested:

City staff recommends approval of the rezoning application.

Respectfully submitted,

Shantele Frie
City Planner
City of Excelsior Springs

Attachments:

Exhibit A-Letter of Intent



Eden Village of Excelsior Springs

PO Box 301
Excelsior Springs, MO64024
edenvillageofes@gmail.com

March 20, 2024

Dear Ms. Frie,

This is a letter of intent for the proposed project at 1112 Tracy Avenue, Excelsior Springs, MO. Eden Village of Springs intends to construct the water main improvements, as outlined in the documents provided, necessary for the future development of our proposed site, to ensure that adequate water utilities are available to our residential units, the community building and fire hydrants. Eden Village of Excelsior Springs acknowledges that we bear the full financial responsibility for the cost of the water main improvements. We understand, should The Flats development not commence first, that we will be required to construct an 8" water main along the main roadway, as a contingency requirement, irrespective of the sequencing of nearby projects.

Sincerely,

Kelly Anderson

Board President