

**PLANNING AND ZONING MEETING**  
**109 E. BROADWAY**  
**ASHLAND, MO. 65010**  
**TUESDAY, SEPTEMBER 12, 2017**  
**Amended 9/26/2017**

Chairman Wren stated there was a change to the Agenda for September 12, 2017. He stated under New Business, item 1 needs to be “Final Plat and Construction Plan for West Terminus Charlotte Dr., Phase 3 of Southwinds, for Keith Winscott”. Chairman Wren asked for a motion to approve the updated Agenda. Commissioner Bryan made a motion to approve the amended Agenda for September 12, 2017. Seconded by Commissioner Burhans. Motion carried unanimously.

**PUBLIC HEARING:**

The Planning and Zoning Commission held a Public Hearing, and Chairman Wren opened the hearing at 7:04 p.m., to seek public comments on:

**1. Public Hearing for the Conditional Use request to Ashland City Code 9.240.19 of property on 107 Walnut St. for Cameo Construction.**

Public Questions/Comments:

Zach Rippetto, owner of property on Johnson Ave. and Maple St., spoke and asked what is being built on 107 Walnut? Chairman Wren said he believed it was a warehouse space? Mr. Woolford asked the audience for a representative of Cameo Construction. There was no response from the audience.

Ryan Gilmore from Cameo Construction then came in the door. He stated he wanted to build a shop with the potential to move his office to this location. He did not have an engineered rendering, since he received conflicting set back information, and with the commercial zoning, he stated he didn't want to pay an engineer. He gave a handout to the commissioners of the potential of what could be done. He stated he has a house and there is stuff everywhere, workers coming at all hours of the day and night and no place to build a shop. He stated this is an option to get everything all in one place. Commissioner Beuselinck asked if there was going to be fencing put up? Mr. Gilmore said that wasn't in the plans, but we can put it in there. Chairman Wren clarified for the commissioners what Mr. Gilmore is asking for.

Mayor Rhorer asked what is the conditional use for? Chairman Wren stated that will be discussed by the commissioners later in the meeting.

Charlie Clayton stood and asked about the history of commercial setbacks and asked what has changed? Mr. Woolford stated there has been no change, there are still no setbacks on Commercial zoning.

Dale Helms, 500 E. Johnson stood and stated the whole block is Commercial except for 2 houses. Mr. Helms stated they don't want a bunch of big trucks down through there. He commented the roads aren't built for heavy trucks. Driver's don't see the 'No thru truck' signs. Jane Rippetto, from Coyote Investments, owner of property on Johnson Ave. and Maple St.,

stood and said she would be interested in the site plans. She questioned if they would get the boundaries straight? She stated the zoning definition is too broad.

**REGULAR MEETING:**

Chairman Wren called the meeting to order Tuesday, September 12, 2017 at 7:00 p.m. at 109 E. Broadway, Ashland, Missouri. Commissioners in attendance were Brad Williamson, Ernie Wren, Fred Klippel, Greg Batson, Alderman Liaison Jeffrey Sapp, Jerrod Bryan, Randy Burhans, Cynthia Wills and Paul Beuselinck. Commissioners absent were Nikki Courtney and James Branson.

Also present were Mayor Gene Rhorer, City Administrator Lyn Woolford and Administrative Assistant Megan Young.

Chairman Wren called for a motion to approve the previous minutes dated August 8, 2017. Motion was made by Commissioner Batson to approve the previous minutes dated August 8, 2017. Seconded by Commissioner Bryan. Motion carried unanimously.

**Public Comments:**

C. Stephen Heying, surveyor, stood and stated he did the engineering work and plat for Kraus' Acres. He stated the city didn't want to extend the street and then the city wants Johnson extended into a parking lot for the business going into that property. He is getting conflicting information. He wants to serve the best interests of the property owner. He stated there was a conflict of interest with Allstate Consultants as the City Engineers, and also Plan Inspectors for the city.

Cecil Payne, representing the Kraus' Acres property owner, stood and stated the lot line is splitting the house and now we are into a roadway easement, parking lot and all that. He said the property cannot be sold if the property lines are not correct. He commented we are trying to get commercial into the city and now we are paying every time we have to talk to a city attorney. He stated we are going to go a different route, but we need to get this cleared up.

**NEW BUSINESS:**

1. Final Plat and Construction Plan for West Terminus Charlotte Dr., Phase 3 of Southwinds, for Keith Winscott.

Mr. Woolford said included in your packet are the comments from Allstate Consultants that everything is code compliant. Commissioner Burhans stated the comments look to be addressed, and there is only one condition. Mr. Woolford stated yes, and it is a minor condition. Commissioner Beuselinck stated it looks as if all conditions have been met. Motion to approve the Final Plan and Construction Plan for West Terminus Charlotte Dr., Phase 3 of Southwinds made by Commissioner Bryan. Seconded by Commissioner Burhans. Motion carried unanimously.

2. Conditional Use of Ashland City Code 9.240.19 on 107 Walnut St. for Cameo Construction.

Mr. Woolford clarified the city code for the commissioners. Commissioner Beuselinck stated we are dealing with a conditional use and the developer will need to address concerns of the neighborhood. Alderman Liaison Sapp asked if Cameo was using the lot as a warehouse? Chairman Wren stated yes. Mr. Gilmore said it was more of a shop than a warehouse. More about tool storage rather than storage of supplies. Commissioner Bryan asked if the conditional use was necessary, because Mr. Gilmore was basically running it as a trade shop, not a warehouse. Commissioner Beuselinck said there might be a statement about set work hours in the city code. Mr. Woolford stated the reason this is before the board is the Application specifically states they want to build a warehouse. Mr. Woolford then clarified the city code about work hours that pertain to the conditional use. Chairman Wren asked Mr. Woolford about trucks on that road. Mr. Woolford stated the road surface is not a concern, it is just a narrow street. Commissioner Bryan made a motion to approve the Conditional Use for Cameo Construction. Seconded by Commissioner Wills. Motion carried unanimously.

### 3. Martha Crump Lots 4 & 5 Palomino Ridge Minor Subdivision Plat.

Commissioner Beuselinck asked about zoning for these lots? Mayor Rhorer stated property owner Mr. McKinney rezoned it residential. There was discussion on the rezoning of these lots to residential. Chairman Wren said the plat is turning 2 lots into 3. Commissioner Burhans asked if commercial lots can be split? Alderman Liaison Sapp stated as long as it meets minimum lot sizes. Commissioner Bryan commented that the adjacent neighborhood is zoned R-1. There was discussion on proper lot sizes in regards to zoning in the city code. Commissioner Bryan stated it would be a conditional use with the plat, unless we know what the builder is going to build. Mr. Woolford stated he would find out what the zoning was on that property. Commissioner Bryan made motion to table this item until later in the meeting. Seconded by Commissioner Beuselinck. Motion carried unanimously.

### 4. Town & Country Service Center – 507 E. Broadway.

Mayor Rhorer stated the city met with both engineers and were able to get a positive recommendation from Allstate Consultants. Commissioner Bryan questioned the MODOT concerns. Mayor Rhorer referred to information in the commissioner's packet regarding the MODOT review. Mayor Rhorer stated he had a letter from MODOT. There is also the Stormwater runoff information on the site plan. He stated 5% for Stormwater runoff is not an egregious amount. Commissioner Burhans asked Mr. Woolford if he can explain if 5% is an arbitrary amount, why is the city okay with this amount. Mr. Woolford stated because the Engineers approved it. Mayor Rhorer stated there was no serious stormwater runoff issue in that area of town. There was discussion of the stormwater calculations. Chairman Wren stated there were the following 5 items that were an issue. #1. Sidewalks. The commissioners discussed MODOT right-of-way and the city's right-of-way. #2. Stormwater. Commissioner Batson said this needs variances to meet city code. Mr. Heying commented that the city code is 0%. Commissioner Batson stated this is outside the standard of the code. Mr. LePage said the sidewalk will go into MODOT right-of-way, instead of the city right-of-way. Mr. LePage commented there was no detention for Subway and McDonald's. Commissioner Batson said we continually get criticized for approving something not to code. Commissioner Batson stated this needs to go before the Board of Adjustment. #3. Driveable curb. Commissioner Beuselinck

asked what is that? Mr. LePage said it is basically a speed bump. Commissioner Beuselinck asked why do you need that? Mr. Paul, property owner, said to get to the other side of the property. Commissioner Bryan stated if the parking is being met, the driveable cub is a moot point. #4. Room for delivery or trash trucks. Commissioner Burhans asked Mr. Woolford to explain the drawings submitted in the packet. Mr. Woolford stated these are suggested ways for the trucks to drive. Mr. LePage said there is 30' of space for a garbage truck to pull in and back out. Commissioner Sapp commented that it looks like there is plenty of room, depending on the driver. Commissioners Williamson had a question about the letter from MODOT. Mr. Woolford stated the city can't build on MODOT property. There was a discussion on MODOT vs City of Ashland right-of-ways, and on code variance on this particular property. Commissioner Batson said the letter from the City Attorney stated the city has no right-of-way. #5. Does this need a Variance forwarded to the Board of Adjustment for approval? Commissioner Williamson asked if it was possible to draft a motion for this to be approved? Mr. Woolford stated the Variance has to be first. Commissioner Williamson asked if the commission can make a motion to approve based on a Variance approval by the Board of Adjustment? There was further discussion on the parking area. Commissioner Burhans asked if this is the appropriate number of parking spaces for this property? Mr. Woolford responded for a commercial building the code states 1 space per 200 feet of building. He said this is appropriate. Commissioner Williamson asked Mr. Paul if it would be a 2 or 4 post lift in building? Mr. Paul stated a 2 post lift. Commissioner Bryan asked what plan they have for a dumpster area? Mr. Paul said it would be moveable, much as what is there now. There was a discussion on trash truck mobility. ~~Motion was made by Commissioner Burhans to approve the Conditional Use to the City Attorney stating that a variance is not required for a sidewalk for a variance required by the Board of Adjustment and the same thing for the stormwater runoff variance obtained for the stormwater runoff.~~ Amended 9/26/2017. Motion made by Commissioner Burhans to approve the conditional use contingent that the city attorney determines that a variance is not needed for a sidewalk, and a variance is obtained from the board of adjustment for the stormwater runoff, if needed. Seconded by Commissioner Williamson. Motion carried unanimously.

Commissioner Bryan made a motion to re-open the discussion on Martha Crump Lots 4 & 5 Palomino Ridge Minor Subdivision Plat. Seconded by Commissioner Williamson. Mr. Woolford read the minutes from the Board of Aldermen meeting that approved the rezoning for Martha Crump Lots 4 & 5 in Palomino Ridge. Commissioner Bryan made a motion to approve Martha Crump Lots 4 & 5 Palomino Ridge Minor Subdivision Plat. Seconded by Commissioner Klippel. Motion carried unanimously.

**OLD BUSINESS:** None.

**DISCUSSION:**

Commissioner Beuselinck stated that he went to a Board of Aldermen meeting and brought up the need for training for board members. He commented this is something that should be carried on by all boards, with a refresher on how things are handled.

**City Administrator's Report:**

City Administrator Lyn Woolford had no report.

**Commissioners' Report:**

Commissioner Burhans commented that he agreed with Commissioner Beuselinck and that we need a formalized structure, that we don't follow rules of engagement. Commissioner Burhans asked Mr. Woolford if the city could get a new zoning map? Mr. Woolford stated it is in the process.

Alderman Liaison Sapp stated he also agreed with Commissioner Beuselinck. He stated he had attended the Municipal League training and some of their courses. He said there is a webinar for Planning & Zoning. The City takes care of cost of training and City Clerk Darla Sapp can set that up for anyone who wants to do that. He stated there is lots of valuable training. He highly recommend taking these classes.

Commissioner Bryan asked what happened with the MODOT traffic alleviation/traffic issues? Mr. Woolford said he would answer that when he gave his report.

Chairman Wren said, in the past, they have heard a tremendous amount of comments from the public on the inaccessibility of Planning & Zoning. He stated he is in favor of formalizing and recognizing the Roberts' Rules of Order. If so, we need to stick with it. He stated we need a balance in our meetings. He also agreed with Commissioner Beuselinck on training. He stated learning as you go along is challenging. There was a discussion on meeting procedures between the commissioners. Chairman Wren asked about the traffic problem on Henry Clay, is there any solution? Commissioner Beuselinck stated with training you don't have to re-invent the wheel, we just need to apply it to what we are doing here. Chairman Wren stated he didn't know there was training out there.

Mr. Woolford gave his report. He stated the application for the MODOT TEAP grant to hire an engineer to do a traffic study has been submitted. He has letters of support from Boone County Bank, the Southern Boone School, verbal support from the Hair Studio, and a request for support from MFA/Breaktime. The Mid-Missouri Regional Planning Commission handled the process, and it is a good proposal. He stated that's what is happening in the current situation. On training for Planning & Zoning, the Municipal League has information on that. He said the city can have someone come here and speak. Training is available on the Municipal League website. Commissioner Bryan asked if they could get the links via email? Alderman Liaison Sapp stated Darla will have to get each person signed up. Mr. Woolford stated there were 2 projects that didn't make it onto the Agenda. He asked if the commissioners would be interested in meeting on Tuesday, September 26<sup>th</sup> at 7 PM, to review these 2 projects? Chairman Wren called for motion to have another meeting on Tuesday, September 26<sup>th</sup> at 7 PM. Motion made by Commissioner Klippel. Seconded by Commissioner Burhans. Motion carried.

**Mayor's Report:**

Mayor Gene Rhorer stood and spoke about editing the city code. Then he explained how he ran the Board of Aldermen meetings. He stated he is in favor of training for the commissioners.

He said the traffic study is a good idea and Mr. Woolford would have that information. He stated the commissioners need to look at the city's Comprehensive Plan. It needs amendments. It is something to refer to as the city grows.

Chairman Wren called for a motion to adjourn, September 12, 2017, Planning and Zoning Meeting. Commissioner Klippel made a motion to adjourn, September 12, 2017, Planning and Zoning Meeting. Seconded by Commissioner Bryan. Motion carried.

Minutes prepared by Megan Young